

SHGAPE GRADUATE STUDENT ESSAY PRIZE

# Autonomy Through Allotment: Political Strategies of the Ottawa Tribe in Indian Territory, 1870–1892

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## Abstract

The late nineteenth-century policy of allotting tribal lands into individually owned tracts is appropriately interpreted as a destructive federal effort to expropriate Native land and eliminate tribal identities. The Ottawa Tribe in Indian Territory, however, had divergent objectives in supporting allotment. This article argues the Ottawa advocated for allotment and U.S. citizenship to escape intrusive federal control over their lands and resources. Although they embraced policies aimed at eliminating tribal existence, the Ottawa rejected the intentions behind those policies, and instead, they drew on long-established community attributes of mobility and interconnection with outsiders to resituate their nation within American society. By centering Ottawa perspectives, this article disrupts progressive narratives that denote the pursuit of U.S. citizenship as an effort to secure equal inclusion. It underscores U.S. citizenship and allotment as tools of settler colonial domination and demonstrates how the Ottawa subversively deployed U.S. citizenship and private property rights to combat colonial administration and maintain tribal sovereignty. Examining a policy often glossed over as invariably imposed on Native nations, this article underscores the necessity of analyzing Native community dynamics and political strategies to understand the implementation and impact of allotment.

**Keywords:** Allotment; Native American history; Indian policy; U.S. citizenship; Indian Territory

In January 1883, Senator Henry L. Dawes of Massachusetts, later to author the famous Dawes Act of 1887 that subdivided tribal lands across the United States into individual allotments, took to the floor of the U.S. Senate to endorse a plea from the Ottawa Indians of Indian Territory. Ninety-five of the then 122 Ottawa petitioned “that our lands may be surveyed and allotted and patented to the members of our tribe in severalty.”<sup>1</sup> For Dawes, the Ottawa petition offered an opportunity to introduce allotment into Indian Territory and undercut the vehement opposition of the Five Civilized Tribes toward the policy. Dawes hoped “notwithstanding the objections of the Five Nations that the example by their side would work injury to their old established method [of holding lands in common].”<sup>2</sup> Policymakers envisioned allotment as a means to expropriate Native lands and to solve the larger “Indian problem” by facilitating tribal erasure through homogenized or racialized inclusion of Indians in American society as individual U.S. citizens.<sup>3</sup>

Daniel Heath Justice and Jean M. O'Brien aptly described allotment as "a fundamental mechanism of settler colonial domination and displacement ... directed toward the erasure of Indigenous communities and claims and the legitimation of settler authority and resource access."<sup>4</sup> Considering that the allotment of tribal lands generally precipitated devastating land losses and fractured tribal communities, Ottawa support appears puzzling.

If contemplating only federal intentions, the Ottawa appear as reckless accomplices to their own elimination; however, the Ottawa petition divulges a set of presumptions and expectations at odds with those of federal policymakers. The Ottawa petition noted, "we were made citizens of the United States by the treaty of July 28, 1862 and have ever remained loyal to the Government of the United States. Since our removal to our present home in the Indian Territory we have improved our lands and have built houses. But inasmuch as we have no funds or annuities, we are unable to pay the expenses of surveying and allotting our lands. We, therefore, humbly pray that this work may be done at the expense of the United States Government."<sup>5</sup> Federal policymakers equated individual landholding, cultural change, and U.S. citizenship with the dissolution of tribal affiliation.<sup>6</sup> In contrast, the Ottawa conveyed how, for more than a decade, they had held individual homesteads, built houses, improved their lands, and shouldered the burden of U.S. citizenship—all while still regarding themselves as Ottawas.<sup>7</sup> After more than a decade of petitions, the Ottawa reservation was allotted in 1892.

This article argues that the Ottawa advocated for allotment and U.S. citizenship to escape intrusive federal control over their lands and resources. While embracing policies intending tribal elimination, the Ottawa refused the eliminatory implications of those policies and ensconced their nation within American society. On the Ottawa reservation in Indian Territory, Indian agents undermined Ottawa lifeways by evicting white renters and interfering in Ottawa land management. Authority over land was an essential aspect of U.S. citizenship.<sup>8</sup> By adopting allotment policy, the Ottawa sought to deploy that attribute of U.S. citizenship to assert their freedom from colonial dominance and regain control over their own affairs. Ottawa activism around allotment and U.S. citizenship drew strength from longstanding community attributes of mobility and interconnection with outsiders. Before allotment, the Ottawa had adapted to sustain their community amid deep-seated economic and social relations with white Americans and tribal displacement outside of reservation boundaries, and these circumstances enabled the Ottawa to use allotment and U.S. citizenship as tools to gain autonomy from colonial administration.<sup>9</sup>

While not diminishing the ways allotment was forced upon many Native nations and wreaked catastrophic consequences for tribes across the United States, this article also outlines how Native people deployed allotment and U.S. citizenship in their struggle for power with the settler state.<sup>10</sup> Recent studies have demonstrated the varied ways Native people skillfully diverted or refused U.S. citizenship to achieve tribal ends.<sup>11</sup>

Scholars have similarly pointed to Native manipulation of allotment in the wake of federal imposition of the policy.<sup>12</sup> Another wave of scholarship has outlined how Native people adapted existing institutions to sustain tribal nationhood after allotment.<sup>13</sup> These works convey how federal assumptions of nationhood as tied to the jurisdictional authority of a state-centered political organization failed to account for forms of Native nationhood centered on kinship and interrelationship. The Ottawa experience builds on these strands of scholarship by demonstrating how Ottawa community dynamics enabled the Ottawa to pursue private property ownership and U.S. citizenship to secure greater autonomy as a people.<sup>14</sup>

The Ottawa experience challenges dominant progressive narratives of U.S. citizenship as a revered, even sacred, status that reflects the virtues of American liberal values. To federal officials, Native support for “assimilation” policies legitimated efforts at tribal elimination and validated the supposedly universal appeal of American liberal-democratic institutions. In contrast, the Ottawa refused the eliminatory implications of the federal policies they pursued and sought U.S. citizenship rights that would enable them to escape the colonial control imposed by the United States. Nationalistic narratives denoting the pursuit of U.S. citizenship as reflective of the virtues of American liberal values obfuscate how Ottawa people subversively harnessed U.S. citizenship in their struggle for power with the federal government.

This article begins by outlining Ottawa experiences in Kansas. It briefly addresses how the Ottawa acquired formal U.S. citizenship and attempted to use their U.S. citizenship and private property ownership to thwart federal impositions while in Kansas. It also summarizes the circumstances under which the Ottawa retained their U.S. citizenship while acquiring a new reservation in Indian Territory. The article then demonstrates how the Ottawa adapted their political and social formations, practices, and movement patterns to survive after removal to Indian Territory. These adaptations resulted in a community characterized by broad social and economic interconnection with white Americans as well as Ottawa mobility beyond the reservation. Having outlined prior Ottawa use of U.S. citizenship in struggles with federal officials and how community life was not confined to or contingent on reservation confines, the article proceeds to demonstrate how the Ottawa sought U.S. citizenship and private property rights through allotment to thwart increasingly intrusive federal interference in the management of Ottawa lands in the 1870s and 1880s. The article closes by outlining how the Ottawa worked to deflect the eliminatory intent of allotment and proactively planned for a tribal future within American society.

### Dual Citizens in Indian Territory

For the Ottawa in Indian Territory, seeking autonomy from colonial administration through allotment and U.S. citizenship had precedent. In the 1830s, three Ottawa bands begrudgingly accepted removal from their historic homelands along the Maumee River in Ohio to a new reservation west of the Mississippi River. Within a few years, half the Ottawa died of homesickness, illness, and exposure on the plains of Kansas. The Ottawa endured despite this deprivation and hardship. They adapted to agricultural life on the plains with fresh assurances from the federal government that they would be secure and protected in their new homeland.<sup>15</sup> Federal fidelity to those pledges, however, proved short-lived. In the early 1850s, policymakers again clamored for tribal lands to organize the Kansas Territory and attempted to impose another genocidal removal on the Ottawa.<sup>16</sup> As did some other tribal nations in Kansas, the Ottawa embraced allotment and U.S. citizenship as alternatives to removal.<sup>17</sup> In a June 1862 treaty between the United States and the Ottawa Indians of Blanchard’s Fork and Roche De Boeuf, the Ottawa agreed to accept allotment and that their “organization, and their relations with the United States as an Indian tribe shall be dissolved and terminated ... and each and every one of them, shall be deemed and declared to be citizens of the United States, to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens.”<sup>18</sup> Through the treaty, the Ottawa also planned for a tribal future within American society, and they harnessed private property rights to protect their land claims

and mobilized around education and their church as tools to navigate American society on their own terms.<sup>19</sup> In this way, the Ottawa resituated their nation within settler society to avoid removal and subvert the eliminatory implications of federal policies.

Events did not transpire as the Ottawa intended, and a notorious Indian ring operating in Kansas defrauded and dispossessed the Ottawa.<sup>20</sup> In this well-documented case of federal corruption and gross maladministration, the Indian agent for the Ottawa conspired with designing parties to seize Ottawa allotments and funds in federal trust.<sup>21</sup> As a result, the Ottawa negotiated a new treaty in 1867.<sup>22</sup> Due to a combination of federal error and strategic maneuvering by the Ottawa, the 1867 treaty extended U.S. citizenship to the Ottawa, merely postponing naturalization to 1869, and simultaneously sanctioned the Ottawa purchase of a 14,860-acre reservation in Indian Territory. In Kansas, the Ottawa attempted to redirect their U.S. citizenship to demand control over tribal resources still in the hands of corrupt federal officials. In the mid-nineteenth century, policymakers considered holding U.S. citizenship while retaining a reservation and tribal affiliation a contradiction in terms, and Ottawa assertions of U.S. citizenship inspired hostility. Thus, irrespective of their formal legal status as U.S. citizens, federal officials relegated the Ottawa to a second-class citizenship that entailed continued federal control over Ottawa lands and resources. Nevertheless, the Ottawa carried with them to Indian Territory a formal designation as U.S. citizens and a tradition of using U.S. citizenship and private property ownership as a tool against colonial impositions.

### **Tribal Life in Indian Territory**

In July 1869, per treaty stipulations, the Ottawa formally became naturalized U.S. citizens, but far from shedding their tribal affiliation upon gaining U.S. citizenship, at that very moment the Ottawa began the difficult struggle of establishing their tribal nation in Indian Territory. Starting in 1867, small family groupings of Ottawas sold their allotments in Kansas, crowded into wagons with all their household effects, and made the 150-mile journey south to their new home, a 14,860-acre reservation in the northeastern corner of Indian Territory under the federal jurisdiction of the Quapaw Indian Agency (See [Figure 1](#)).<sup>23</sup> Guy Jennison (Che-she-beeg), whose mother survived the journey from Kansas, reflected on the difficult years after removal: “the majority of the Tribe landed here with practically nothing. A few had a little money left from the sale of their lands in Kansas. . . . The Ottawas scarcely raised anything. It got so dry that both rivers, Neosho and Spring River, stopped flowing. Shawnee Lake, east of (what is now) Miami, where all those water lilies used to be before Grand Lake was built, also went dry. For a vegetable, the Indians would go and dig down and get those tubers of the water lily. Something like a sweet potato and they cooked and ate them. The old Indians said that they would have starved had it not been for them.”<sup>24</sup> In addition to malnourishment, diseases plagued the Ottawa, and a particularly cold winter in 1870–1871 made matters worse.<sup>25</sup> Joseph Badger King (Ko-tah-wun), chief in the years immediately after removal, estimated around half of the Ottawa died within a few years of moving to Indian Territory.<sup>26</sup> Among the dead was King’s wife Christiana and his newborn son Anthony, who both died in fall 1870. Federal records attest that from an estimated population of 229 in 1867, the Ottawa numbered a mere 150 by 1872.<sup>27</sup>

In the face of these severe challenges, tribal members worked cooperatively to establish themselves in their new homeland. In Kansas, the Ottawa had been esteemed for their fine farms and relative affluence. After the fraudulent theft of their lands and monies in Kansas,



**Figure 1.** Indian Reservations in the Quapaw Agency, 1891. Map by Gabriel Moss. Data sources: Bureau of Indian Affairs, U.S. Domestic Sovereign Nations: Land Areas of Federally-Recognized Tribes, accessed September 30, 2021, <https://bia-geospatial-internal.geoplatform.gov/indianlands/>

however, the Ottawa entered Indian Territory impoverished. The Ottawa generally lacked the means to procure or hire teams to break untilled lands, to purchase seed, or to bring in materials to build new homes. Nevertheless, Guy Jennison noted, the first “spring they had through tribal cooperation constructed their homes, built rail fences to protect what small patches of crops they were able to put in.”<sup>28</sup> A young man at the time, tribal member Dave Geboe (Che-kauk) remembered how the Ottawa “helped each other and went to the timber and cut and prepared the logs and when they had enough, then they were hauled to the place where the building was to be, and the men all came and had a log rolling. Our house and stable were both built this way so by the cold days we had a home for the winter.”<sup>29</sup> Similarly, tribal member Lula Wyrick recalled the “tribe moved here in wagons and after their arrival they helped each other to build their first houses which were of logs.”<sup>30</sup>

Although they communally constructed their homes, tribal members maintained individual homesteads and land claims as they had in Kansas. However, as before, those individual claims did not stifle the kinship connections and reciprocity at the center of



**Figure 2.** Ottawa tribal council, seated, and other Ottawa men, c. 1875. Bottom row (left to right): James Wind (Shaw-bon-da), William Hurr (Naw-swa-ke-shick), Francis King, Henry Clay (Che-po-swa), David Barnett (Pe-as-so-we-shik). Top row: Christopher Wind, Charles Hutchinson, Henry Jones (Mos-koo), Joseph Wind (Kin-ne-wa-ha). “Members of Ottawa Council, near Shawnee, Oklahoma,” George W. Ingalls Photograph Collection, The Huntington Library, San Marino, California.

tribal ties. In Kansas, the Ottawa had adapted to agricultural life on the plains by establishing a written legal code that protected private property rights, and in the 1850s, the Ottawa surveyed and subdivided their own reservation before allotment to protect their land claims from white intruders and deprivations.<sup>31</sup> In Indian Territory, the Ottawa continued these traditions. Tribal members purchased locations with improvements from other members, negotiated the exchange of locations, and could inherit locations from parents.<sup>32</sup> At the same time, the Ottawa regularly shared resources, assisted each other in improving their homes and farms, and cooperatively cared for the sick, destitute, and young.<sup>33</sup> As Moses Pooler (Ma-e-zee), who would become the wealthiest Ottawa after removal, noted of his relationship to his fellow tribal members, “When adversity overtook them, I have always assisted them during the hard times.”<sup>34</sup>

Through tribal government, the Ottawa managed shared interests and concerns (Figure 2). As the Ottawa slowly streamed south in the late 1860s, Chief John Wilson (Pah-tee) appointed Joseph Badger King to lead the effort to erect buildings for educational, religious, cemetery, and tribal government purposes on a roughly forty-acre tract that tribal members agreed to set aside for those functions.<sup>35</sup> Located on a bluff on the southeastern portion of the Ottawa reserve, near the Spring River, this tract became the center of social life on the new Ottawa reserve. Most Ottawas settled nearby, in the southern or eastern portion of the Ottawa reservation. Buildings constructed under the leadership of King included a church made of logs, a home for tribal leader and pastor

James Wind (Shaw-bon-da,) and a schoolhouse.<sup>36</sup> Tribal government also served as the venue for tribal members to arbitrate disputes and manage common lands. The tribal government sanctioned the land claims of individual members, authorized rental agreements, leased common lands for cattle grazing, and policed community membership by promulgating rules regarding tribal citizenship.<sup>37</sup>

### Expanding Tribal Landscapes

To survive in Indian Territory after removal, the Ottawa developed new lifeways that reinforced tribal traditions of mobility and interconnection with outsiders. Most Ottawas never developed flourishing family farms like those they maintained in Kansas. Instead, the Ottawa increasingly used white renters to cultivate their lands and took advantage of economic opportunities beyond their reservation. As a result, they incorporated outsiders into community life and adapted the terms of tribal membership to accommodate the increasing number of tribal members residing away from the reservation. Ottawa orientation toward allotment reflected a community life not restricted to or contingent on reservation confines.

Intimate and tightly knit Ottawa kinship relationships sustained community cohesion across expanding spatial divides and amid growing interconnection with outsiders. In a very tangible sense, the Ottawa represented one large extended family. The Ottawa had declined to fewer than 300 individuals since the years immediately following removal from Ohio to Kansas in the 1830s.<sup>38</sup>

By the 1870s and 1880s, the Ottawa generally numbered less than 150 members. As a result, all Ottawa held connections to each other through some combination of blood, intermarriage, or adoption. Tribal members could trace the relationships of the various families through more recent marriages in Kansas and Indian Territory, back to different villages along the Maumee River in Ohio, and for some, back to Pontiac and his wives and children. This thick web of family relationships was augmented by shared history and experiences. Survivors or descendants of survivors of two coerced removals, the Ottawa twice endured disastrous dispossession and dislocation. After both removals, tribal members worked cooperatively to rebuild their lives in a new homeland. Thus, the Ottawa did not need shared geography to recognize those entitled to community membership or sustain a deep sense of connection.

Kinship sustained community bonds as the realities of life in Indian Territory intensified and reshaped longstanding patterns of mobility and migration. In Ohio, the Ottawa strategically and seasonally moved to maximize available resources, and family groupings regularly dispersed and recongregated over the course of the year. Thus, people, not a fixed location, defined the community. Even after adopting permanent agricultural settlements in Kansas, individuals and families intermittently took up occupations beyond reservation confines or embarked on long hunting and fishing expeditions. In Indian Territory, many Ottawas, at least periodically, did not reside on the Ottawa reservation. In 1884, Moses Pooler reported that “the total number of our tribe is 135. Of this 135 100 are residents of the reservation, the balance residing some in Canada, Kansas, and the Sac and Fox reservation in the Indian Territory.”<sup>39</sup> The majority of those absent lived among the Sac and Fox Tribe. The others resided at Walpole Island, Canada, or Franklin County, Kansas, where Ottawas maintained relationships with the land despite forced removal from those areas.

Economic necessity often drove Ottawa outmigration. As tribal member Walter King (Wa-sa-gee shick) recalled, “because there was no way in the Ottawa Reservation to earn

any money and the Sac and Foxes had plenty of money in the early day ... about one half of the Ottawas were at the Sac and Fox Agency part of the time after they were removed.”<sup>40</sup> Fellow speakers of an Algonquian dialect, the Sac and Fox Tribe and the Ottawa had longstanding relationships. On the Sac and Fox reserve, Ottawas worked at a sawmill, as Indian agency employees, and as missionaries. Tribal member Lula Wyrick recalled the poverty that compelled her family to make the nearly 150-mile trip to the Sac and Fox reserve. Having consumed all their supplies at home before departure, the family’s only food consisted of a jug of molasses, and for the duration of the journey, the children would take a long, clean corn cob, stick it in the jug, and lick it for sustenance. They stayed at the Sac and Fox Agency for one year in the 1880s, her stepfather serving as a peace officer, before returning to the Ottawa reserve.<sup>41</sup>

Reflecting earlier seasonal subsistence patterns, many Ottawas treated their land selections on the Ottawa reserve as a stopping place in a broader process of dispersing, recongregating, and migration. As tribal member Clarence King (Ocquanoxcey) noted, “when the land was held in common there was quite a bit of moving from place to place. It was, mostly a matter of fencing up little patches, what they had, tried to grow something, which wasn’t very much. And then it was mostly long excursions during the summer when they ought have been tending the crop. They would take off and maybe spend three or four weeks on some lake and fish when they should be tending their crops. They’d spend most of the summer dancing or out camping somewhere. Fishing and neglecting the land.”<sup>42</sup> As in earlier generations, fixed residence on the reservation did not define the contours of the community. As Clarence King observed, “After the allotment, there wasn’t much difference than when it was they was living on common. Most of them never did stay on their allotments. They continued to move around.”<sup>43</sup>

Deeply rooted kinship connections, trips home for community events, and correspondence allowed the Ottawa to maintain tribal bonds amid tribal mobility and geographic dispersal. These practices nourished tribal relationships while residing at a distance. The Sac and Fox reservation lay nearly 150 miles from the Ottawa reservation, but Ottawas regularly made the journey there and back. As a youth, Walter King made two or three round trips by wagon between the two reservations.<sup>44</sup> Similarly, Lula Wyrick recalled fondly how “it was always a pleasure for my uncle Chris Wind who lived among the Indians at the Sac and Fox Agency to come to visit us as he would sing and talk in the Indian language and would tell Indian stories to us children.”<sup>45</sup> Isaac McCoy, an Ottawa tribal member given his English name by the famous white preacher of the same name, became a Baptist minister and served as a missionary among the Sac and Fox Tribe, eventually marrying into that tribe. McCoy kept up regular correspondence regarding events on the Ottawa Reserve and journeyed back home to participate in tribal decisions and periodically preach at the Ottawa Indian Baptist Church on the Ottawa Reserve.<sup>46</sup>

The Ottawa adapted the terms of tribal citizenship to manage increased mobility. For those living at a distance, partaking in some of the benefits of tribal citizenship initially required a demonstration of ongoing commitments to the tribal community based on the reservation. Lizzie Wolfe (Nos-squat-ta) summarized a tribal rule created sometime after removal to Indian Territory: “When intermarrying other tribe if absent certain length of time and not comply a requirement of said Nation the name is cancel out in the payment roll.”<sup>47</sup> The requirements alluded to went unstated, but this statement implied that some benefits of tribal citizenship depended on a demonstration of continued commitment to the Ottawa community for those who married into another tribe and were unable to participate in the events and mutual reciprocity of daily life on the Ottawa reservation. As outmigration increased, tribal members adapted this rule. The rule change probably



occurred in the 1880s. As Lizzie Wolfe recalled, in the past, “if any of our member who fail to comply any of our requirements or absent themselves after many years, they were rejected. Those principles were omitted at this generation.”<sup>48</sup> Before allotment, the Ottawa considered those with kinship ties who were living or born outside of the Ottawa reservation to be full citizens of the tribal community.<sup>49</sup>

The Ottawa also adapted community life to manage increased economic and social interconnection with white Americans. In Indian Territory, the Ottawa developed a system of leasing their individual land claims to whites that became the focal point of economic activity on the reservation. As one Indian agent summarized, “as far back as 1870 the Indians of this agency inaugurated a system of renting or making labor contracts with white farmers.”<sup>50</sup> Often lacking the teams or finances to break new ground, renting allowed the Ottawa to bring untilled land under cultivation. Unwanted intruders also posed a perennial concern.<sup>51</sup> Nevertheless, renters resided on the Ottawa reservation at the behest of individual Ottawas and with the permission of tribal government.<sup>52</sup> By 1879, Agent Thomas Moore claimed white renters planted 861 of the 914 acres in cultivation on the 14,860-acre Ottawa reservation.<sup>53</sup> By the 1880s, as much as half of the population of the Ottawa reservation consisted of non-Ottawas.<sup>54</sup>

White renters enabled a diverse range of Ottawas to cull benefits from their otherwise vacant and unprofitable land claims. A statistical survey from 1881 listed male or female heads of household, the variety and type of crops grown, and whether whites or Indians had brought the land under cultivation. This survey demonstrated the reliance of some Ottawas on the rental system. Twenty of the thirty heads of household listed had some land under cultivation. Of those who cultivated, eight did so without white labor, four relied entirely on white labor, and eight augmented their own efforts with white labor.<sup>55</sup> Among those who relied entirely on white labor were widows and single women.<sup>56</sup> As Agent D. B. Dyer noted of the Indians of the Quapaw Agency, “many are destitute, but if allowed to rent their land the share of the crop so obtained enables them to live independent of any assistance from the government. Such are embraced under widows, orphans, cripples, and invalid persons who cannot labor.”<sup>57</sup> Renting also served the interests of tribal members not residing on the Ottawa Reservation. An 1882 report, separately identifying all adult members, even if living in the same household or absent from the reservation, listed sixty Ottawa adults. Of those, seventeen were noted as absent from the reservation. Renting allowed several tribal members to profit from their lands despite their absence from the reservation.<sup>58</sup>

To meet the reality of the growing number of whites on the Ottawa reservation, the Ottawa adapted tribal rules to leverage intermarriage as a tool for perpetuating tribal identity and affiliation.<sup>59</sup> The Ottawa gave intermarried whites a stake in the endurance of the Ottawa Tribe. In her summary of Ottawa rules, Lizzie Wolfe noted, “if either sex intermarry in the Ottawa Nation, if station a number of years, they are enroll in a payment roll.”<sup>60</sup> Thus, intermarriage coupled with residence gave white partners a tangible, monetary interest in the perpetuation of the tribal community. At the same time, the boundaries in the rule protected tribal identity by not granting intermarried partners full tribal citizenship in the form of voting privileges or the right to claim land.<sup>61</sup> These rules played out on the ground. Anna King, the white wife of Joseph Badger King, did not receive an allotment, but she noted, “I always drew in the tribe’s payments.”<sup>62</sup> In line with this tradition, as late as 1910, the Ottawa decided “to adopt the Buck women” for payment.<sup>63</sup>

The Ottawa incorporated some intermarried whites into the social fabric of Ottawa community life. Perhaps no individual better emblemizes this process than Watt Jennison, the white husband of tribal member Catherine Wind Jennison, a daughter of

Chief James Wind. Born in Muscatine, Iowa, in 1844, Walter “Watt” Jennison drifted into the Ottawa Nation with the cattle. Watt Jennison crossed into the Ottawa Reserve in February 1878, likely returning to Texas after driving cattle to Baxter Springs, Kansas. He boarded at the home of Henry and Matilda Jones, white renters who had two sons who married into the Ottawa Tribe. Watt was invited to a community dance hosted by Joseph Wind (Kin-ne-wa-ha), where he met Joseph’s sister, Catherine Wind Robitaille.<sup>64</sup> Watt and Catherine, a twenty-three-year-old Ottawa Indian, widow, and mother of four, were married within a few weeks of the dance by Quaker missionary Asa Tuttle. Watt joined Catherine and her children in a small one-room log house built by her former husband. In the middle of winter and with no crops or provisions that year, the family had little to eat beyond “a hole of turnips.”<sup>65</sup> To make it through the season, they relied on assistance from friends and family, both white and Native.

Watt contributed to distinctively tribal activities. Catherine and Watt had their first child together in December 1880, and they would go on to average a child every two years for the next two decades. Watt’s education and varied background made him a useful addition to tribal life. Starting in the 1880s, Watt regularly served as secretary or clerk on the tribal council.<sup>66</sup> In that capacity, he composed minutes and wrote down council decisions. After federal officials objected to his signature on tribal decisions,<sup>67</sup> Watt continued in his role but under the qualifier “acting” secretary or clerk “pro tem.”<sup>68</sup> His son, Guy Jennison, would later assume Watt’s position on tribal council.<sup>69</sup> In addition to his time as clerk, Watt participated and helped facilitate tribal events, and he acted as the “General Manager” coordinating Ottawa picnics or powwows.<sup>70</sup>

While not serving in tribal leadership or administrative roles, intermarried female partners perpetuated community life by participation in tribal reciprocity and mutual assistance. Many Ottawas died following removal from Kansas, and Ottawas worked cooperatively to care for the large number of orphan children that resulted.<sup>71</sup> Anna King, a white woman, married tribal member Joseph Badger King in 1882, and after her marriage, she regularly participated in this support network. As she related, “there was seldom a time that some of the children of the tribe or someone was not in the home. Among them we raised Lew Dagenette and Daisy Bond. We had Jim and Hattie Winney for some years and sent them to the government schools. We had Joe BigKnife for five years. Philip Suboak now Philip George. We had another girl, Emma, for some years who had the scrofula so badly that it had eaten through and we could not let her come home among the other children and had to burn her clothing after she died. An old man, Grandpa Luther, made his home with us seven years.”<sup>72</sup> Other intermarried whites felt similarly connected to the tribal community. Sarah Hollingsworth had two brothers marry into the Ottawa tribe and resided continuously among the Ottawa beginning in the early 1880s. She related, “My brothers married Indian girls, and through them, we have lived among the Indians, and our interests have always been the same.”<sup>73</sup> Federal officials deemed intermarriage a means to facilitate the elimination of tribal identity, but the Ottawa refashioned it to perpetuate tribal life.

After removal to Indian Territory, many changes federal officials intended to introduce to Native nations through allotment policy quickly came to characterize Ottawa tribal life—including individual farms and land claims, economic relations with outsiders, widespread intermarriage with whites, displacement outside of reservation boundaries, and U.S. citizenship. The Ottawa adapted longstanding traditions of mobility and interconnection with outsiders to sustain community life amid these changes. The Ottawa would draw on these community attributes in conjunction with U.S. citizenship and private property rights to resist increasing federal interference in managing tribal lands in the 1870s and 1880s.

### Autonomy through Allotment

As early as the late 1870s, the Ottawa pursued U.S. citizenship and private property rights to escape unwanted federal interference in managing their lands and resources in Indian Territory. Federal officials impinged on a variety of Ottawa efforts. In the late 1870s, a group of Ottawas attempted to contract for the sale of marble from a quarry on the Ottawa Reserve, but federal officials deemed these contracts illegal.<sup>74</sup> In other cases, reflecting that tribal members increasingly resided outside reservation confines, some Ottawas attempted to sell their land claims, but federal officials prevented them.<sup>75</sup> As a result, as early as 1877, the Ottawa tribal council advocated for allotment.<sup>76</sup>

At an Indian Fair held at Muskogee in 1879, tribal member William Hurr (Naw-swa-ke-shick) directly appealed to Secretary of the Interior Carl Schurz to facilitate Ottawa allotment.<sup>77</sup> Thus, allotment had consistent support from some Ottawas, and support grew over time as new federal restrictions augmented initial rationales.<sup>78</sup>

The 1882 Ottawa allotment petition, the first formal tribal petition for allotment, took place against the backdrop of imposed changes to the system of white tenancy on the Ottawa reservation. In the summer of 1882, the Secretary of the Interior issued new regulations that called for ending all rental agreements and the removal of renters by the following March. To many policymakers, white tenancy on Indian land threatened the racial and gender hierarchy by putting Indians in positions of power.<sup>79</sup> Federal officials also maligned renting as supposedly concentrating tribal wealth in the hands of a few “monopolizing” and acculturated Indians.<sup>80</sup> Across Indian Territory, Native peoples debated and differed in assessments of the advantages and liabilities of white labor.<sup>81</sup> But among Indians of the Quapaw Agency, Agent D. B. Dyer noted how new restrictions were “agitating the Indians considerably.”<sup>82</sup>

The Ottawa drew on their U.S. citizenship to staunchly resist new federal regulations impeding their ability to lease their lands to white renters. In his August 1882 monthly report, an exasperated Agent Dyer noted, “The decision of the Honorable Secretary of the Interior in regard to renters is causing considerable talk and discussion, and I hear that many of the Indians are encouraging them [the renters] to stay and advising them not to make an agreement to leave. The Ottawas claim to be citizens, etc., as you well know they were at one time, and also that several of their men should be now. They will never submit to live as Indians unless they can enjoy the rights of a citizen and be protected by the government at the same time. In fact, they want to do as they please, and are always ready for trouble when they cannot.”<sup>83</sup> Dyer’s characterization epitomized Ottawa desires for tribal self-determination, and in their efforts “to do as they please,” U.S. citizenship represented one tool in the tribal arsenal. In their resistance to capricious federal mandates that undermined their livelihoods, the Ottawa looked toward the right to control land associated with U.S. citizenship.

Under the leadership of chief John Earley (Wash-kos), the Ottawa formally petitioned for allotment a few months after federal officials announced the new restrictions on white renters in 1882. Earley, William Hurr, and Joseph Wind, all who had white renters, took the lead in initiating the request for allotment.<sup>84</sup>

Others joined them and “strongly asked for and urged the allotment of their lands.”<sup>85</sup> Although Ottawa proponents alleged “all the Ottawas desire it except perhaps three or four,” the first iteration of the petition received the endorsement of only eighty-one of the 122 Ottawas; however, support grew in the years that followed.<sup>86</sup> In January 1883, Senator Henry L. Dawes introduced a bill to allot the Ottawa reservation in Indian Territory, and the same bill was introduced in the House of Representatives the next year.<sup>87</sup> Likely due to the cost of surveying and allotting the land, these bills failed to become law.<sup>88</sup>

Ottawa advocacy for allotment reflected an Ottawa belief that they could better manage affairs outside of Indian Office control. The Ottawa intimately understood land ownership under U.S. law. After formally receiving their allotments in Kansas per the 1867 treaty, Ottawas sold their allotments before removal to Indian Territory, or in the years shortly thereafter, and some had success against whites in state courts when whites attempted to deprive them of their allotments in Kansas without proper payment.<sup>89</sup> Thus, the Ottawa had already held land and conducted land sales as private citizens, and many anticipated greater success with the removal of federal interference that stymied their economic activities. White farmers and cattlemen who had rented Ottawa lands made a good living in the process. Through leasing, farming, or selling the land, the Ottawa saw opportunities in allotment. Reflecting on allotment a generation later, tribal leader Guy Jennison Jr. noted, “the Ottawas wanted it ... some of them, kind of thought, ‘well he is getting rich off of it’ ... and they decided they wanted allotment to see if they could do the same thing.”<sup>90</sup>

While federal proponents of allotment presented it as easing Native declension into inexorable extinction, the Ottawa looked to a future outside of federal supervision. Earley reflected in 1883: “We cultivate a considerable portion of our land and have much of it leased out to white men who work it on shares or pay certain annual rental in money ... the amount realized from rents of land for agricultural purposes and the sales of farm products is the only source of income for my tribe, as we receive no annuities from the United States Government, as do many neighboring tribes. However, we are self-sustaining, and need no assistance from that quarter. Every year our condition improves, and the tribe grows more and more self-reliant.... The future of the Ottawas, is, in short, bright with the promise of usefulness and prosperity.”<sup>91</sup> As Earley’s account suggests, the Ottawa looked to sustain their community outside of federal administration and within American society.

### **A Future after Allotment**

Although supportive of allotment in principle, the Ottawa endeavored to negotiate allotment legislation that would maximize their control over their lands and resources. In February 1887, the Dawes Act became law, and since the Ottawa were not exempted from the act as the Five Civilized Tribes were, they quickly initiated another round of tribal advocacy for allotment. According to local news reports, at a May 1887 tribal meeting, “the whole tribe was present or represented and all but two were for allotment.”<sup>92</sup> An 1887 newspaper report on the resulting Ottawa petition for allotment noted that the Ottawa claimed to “have been for several years, citizens of the United States” and that they desired “the right to sell any or all of their lands at any time without being governed by the restrictions of the bill fixing a term of years which they claim should apply only to Indians proper.”<sup>93</sup> As these comments imply, the Ottawa viewed allotment as a means to secure full U.S. citizenship rights and freedom from federal control over their lands.

Chief Manford Pooler (Tick-wah-ka) petitioned for the passage of a separate allotment bill to address specific objectives of the Ottawa Tribe.<sup>94</sup> The Ottawa authorized Miami Chief Thomas Richardville, a lawyer educated at Notre Dame as well as Manford Pooler’s father-in-law, to represent them in allotment negotiations in Washington, D.C.<sup>95</sup> The Ottawa-supported bill differed from the Dawes Act. This bill maximized tribal control over the allotment process. In particular, the proposed legislation would have enabled Ottawa tribal government to adjudicate allotment locations and to exclude unauthorized individuals from receiving allotments. Unlike legislation for other tribal nations in the

Quapaw Agency, the Ottawa bill also explicitly declared the Ottawas “citizens of the United States, and entitled to all the rights, privileges, and benefits as such” while also outlining that they “do not forfeit or lose any rights, privileges, or immunities which they now have or may be entitled to as members of the tribe or nation to which they belong.”<sup>96</sup> Finally, reflecting the Ottawa desire to freely lease lands, which had propelled the initial Ottawa petition for allotment, the Ottawa-supported bill granted the allottee the unrestricted right to lease their lands.<sup>97</sup>

Despite Ottawa advocacy for the separate bill, federal officials allotted the Ottawa reservation under the Dawes Act in September 1892, and the failure of the Ottawa-supported bill had adverse results for the Ottawa.<sup>98</sup> Without tribal government control over the allotment process, individuals with disputed membership received allotments and preferential land selection. As Lizzie Wolfe reflected, “when the allotment took place the intruders had the choicest land while I and my child took the poorest and my grandchildren stands today with empty hand.”<sup>99</sup> Animosity and disputes over the inclusion of these individuals on the tribal roll lingered well into the mid-twentieth century. Similarly, with the Dawes Act’s ambiguity on the issue of leasing, the authority of Ottawa allottees to rent their allotments vacillated under successive Indian agents and administrations in the years after allotment.<sup>100</sup>

Just as they had in Kansas, the Ottawa in Indian Territory, by embracing allotment and U.S. citizenship, proactively planned for a future as a tribe within American society. In their 1892 proposed legislation, the Ottawa requested forty acres be set aside “for school, church, and cemetery purposes” that would “be held as common property of the tribe.”<sup>101</sup> Although that bill did not pass, the Ottawa used similar provisions in the Dawes Act to ensure tribal government retained forty acres for religious and cemetery use. In setting aside lands for these purposes, the Ottawa marked out enduring and shared priorities, and they indicated a continued role for tribal government in managing that land to pursue those priorities. In the decades that followed allotment, the Ottawa would continue to hold elections for tribal government offices, manage remaining tribal lands, police tribal citizenship, and assert the enduring validity of treaty agreements by pursuing claims against the federal government.

The 1887 Dawes Act conditionally extended U.S. citizenship to Native people. It coupled U.S. citizenship with policies federal officials considered incompatible with tribal affiliation. The act tied U.S. citizenship to allotment but also declared any Indian who “has voluntarily taken up within said limits [of the United States] his residence, separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States.”<sup>102</sup> To federal officials, tribal affiliation could not endure amid private property ownership, displacement outside reservation confines, and interconnection with broader American society. In adjusting to the realities of life in Indian Territory in the 1870s and 1880s, the Ottawa adapted to maintain their community amid those very conditions. In advocating for allotment, the Ottawa harnessed this community flexibility to escape the interference of the Office of Indian Affairs.

## Conclusion

In the aftermath of the U.S. Supreme Court’s 2020 ruling in *McGirt v. Oklahoma*, the State of Oklahoma challenged the existence of the Ottawa reservation, and in 2023, the Oklahoma Court of Criminal Appeals ruled in *Oklahoma v. Brester* that the Ottawa

reservation remains intact. The ruling observed that in allotting the Ottawa reservation, Congress had not explicitly outlined a “total surrender of all tribal interests” in the affected land and that no subsequent legislation had permanently disestablished the reservation.<sup>103</sup> The decision recognized that allotment did not extinguish Ottawa treaty rights to a tribal homeland. That conclusion comports with the Ottawa’s circumscribed goals in their pursuit of allotment. The Ottawa did not seek allotment to terminate their tribe or their attachments to the land. Instead, they aimed to continue their relationship to the land and each other absent intrusive colonial administration.

Federal officials anticipated allotment would precipitate the gradual dissolution of tribal identity and affiliation, but to the dismay of policymakers, the Ottawa refused to disappear following allotment. This article has proceeded from the supposition that in pursuing allotment the Ottawa had motivations distinct from the tribal elimination coveted by policymakers. In the process, it has revealed how the Ottawa harnessed U.S. citizenship and private property rights in their struggle for power with the federal government and in conjunction with Ottawa political and social formations, practices, and patterns of movement. Ottawa advocacy for allotment and U.S. citizenship in Indian Territory represented part of a longer political tradition of tribally engineered engagement with federal policies intending tribal elimination. Only by examining Ottawa perspectives and practices do the failure of these policies to facilitate tribal elimination become intelligible, and this article underscores how Native political traditions shape policy outcomes.

Allotment was a devastating policy for Indigenous communities, and the Ottawa embrace of allotment does not represent a paradigm. For the Ottawa, allotment merely served as a defensive tactic to counter other colonial impositions. Ultimately, as was the experience of other tribal communities, allotment resulted in widespread land loss for the Ottawa and did precious little to free them from the domineering authority of the Indian Office. Ottawa ambitions to escape colonial administration converged with the goals of policymakers to facilitate tribal elimination in allotment and U.S. citizenship, and both the Ottawa and federal officials seized the potential to achieve their own objectives.

Taking an Ottawa perspective on U.S. citizenship and allotment helps rewrite dominant progressive narratives of U.S. citizenship that obfuscate the role of the United States as a colonial project. The Ottawa pursuit of U.S. citizenship reflected not the virtues of American values, but a desire to escape the colonial administration imposed by the United States. Rather than merely embracing American ideals in seeking U.S. citizenship, this article shows the Ottawa as historical actors who pursued their own sense of American belonging, and at the same time, redefined American belonging.

## Notes

1 “Ottawa Petition,” in E. Whittlesey to Clinton B. Fisk, Dec. 15, 1882, in *Annual Report of the Board of Indian Commissioners to the Secretary of the Interior for the Year 1882* (Washington, DC: Government Printing Office, 1883), 31–32 (hereafter cited as *ARBIC*).

2 Henry L. Dawes, “Petitions and Memorials,” Jan. 5, 1883, 47th Cong., 2nd sess., *Congressional Record* 14, Part 1 (Washington, DC: Government Printing Office, 1883), 869.

3 Patrick Wolfe; “Against the Intentional Fallacy: Legocentrism and Continuity in the Rhetoric of Indian Dispossession,” *American Indian Culture and Research Journal* 36, no. 1 (Jan. 2012): 1–46; Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1984), 716, 659–71.

4 Daniel Heath Justice and Jean M. O’Brien, “Introduction: What’s Done to the People is Done to the Land,” in *Allotment Stories: Indigenous Land Relations Under Settler Siege*, ed. Daniel Heath Justice and Jean M. O’Brien (Minneapolis: University of Minnesota Press, 2021), xii–xiii.

5 “Ottawa Petition,” in Whittlesey to Fisk, Dec. 15, 1882, in *ARBIC 1882*, 31–32.

6 Vine Deloria and Clifford M. Lytle, *American Indians, American Justice* (Austin: University of Texas Press, 1984), 8–12; Patrick Wolfe, “After the Frontier: Separation and Absorption in US Indian Policy,” *Settler Colonial Studies* 1, no. 1 (2011): 13–51.

7 There are several Ottawa tribes in the United States and Canada. This article solely outlines the experiences of the Ottawa removed from the Maumee River Valley of Ohio to Kansas and later Indian Territory, known today as the Ottawa Tribe of Oklahoma. For an overview for the readers unfamiliar with this nation and its history, see David D. Dry, “Unnatural Naturalization: The Ottawa Indians and U.S. Citizenship, 1854–1978,” (PhD diss., University of North Carolina at Chapel Hill, 2023).

8 Rosanne Currarino has outlined how the “proprietary-producerist model of citizenship” equated property-holding with political standing, self-sufficiency, and an ideal of an independent and autonomous citizen. See Rosanne Currarino, *The Labor Question in America: Economic Democracy in the Gilded Age* (Urbana: University of Illinois Press, 2010), 3–4. Nancy Cohen has also outlined how liberal reformers, fearful of the propertyless masses using government authority to seize wealth, championed economic liberalism, or laissez-faire, which lionized the sanctity of property to rationalize limited government intervention in property and market relations. See Nancy Cohen, *The Reconstruction of American Liberalism, 1865–1914* (Chapel Hill: University of North Carolina Press, 2002), 84–109.

9 Thomas Biolsi refers to this as a “hybrid political space” and part of a “national indigenous geography” that sees the whole United States as a Native homeland and denotes the “simultaneous existence of two nations in the same physical space.” See Thomas Biolsi, “Imagined Geographies: Sovereignty, Indigenous Space, and American Indian Struggle,” *American Ethnologist* 32 (May 2005): 239–59.

10 As emblemized by Angie Debo’s classic book *And Still the Waters Run: The Betrayal of the Five Civilized Tribes*, historians have justly stressed the “orgy of plunder and exploitation probably unparalleled in American history” engendered by allotment. Angie Debo, *And Still the Waters Run: The Betrayal of the Five Civilized Tribes* (1940; Princeton, NJ: Princeton University Press, 1991), 91. More recent work has emphasized “dynamic resistance, defiance, and response” by Native people alongside of the devastating consequences of allotment. See Daniel Heath Justice and Jean M. O’Brien, “Introduction,” *Allotment Stories*, xxii. This study denotes allotment as a harmful colonial policy but outlines Ottawa advocacy for allotment as a form of resistance to other colonial impositions.

11 See, for example, Lila M. Teeters, “‘A Simple Act of Justice’: The Pueblo Rejection of U.S. Citizenship in the Early Twentieth Century,” *Journal of the Gilded Age and Progressive Era* 21 (Oct. 2022): 301–18; Cristina Stanciu, “Native Acts, Immigrant Acts: Citizenship, Naturalization, and the Performance of Civic Identity during the Progressive Era,” *Journal of the Gilded Age and Progressive Era* 20 (Apr. 2021): 252–76; Stephen Kantrowitz, *Citizens of a Stolen Land: A Ho-Chunk History of the Nineteenth-Century United States* (Chapel Hill: University of North Carolina Press 2023); Michael J. Witgen, *Seeing Red: Indigenous Land, American Expansion, and the Political Economy of Plunder in North America* (Chapel Hill: University of North Carolina Press, 2022); Maurice Crandall, *These People Have Always Been a Republic: Indigenous Electorates in the U.S. Mexico Borderlands, 1598–1912* (Chapel Hill: University of North Carolina Press, 2019), 177–225.

12 For Native advocacy or proactive manipulation of allotment for tribal ends, see Edmund Jefferson Danziger, *Great Lakes Indian Accommodation and Resistance During the Early Reservation Years, 1850–1900* (Ann Arbor: University of Michigan Press, 2009), 95–120; Emily Greenwald, *Reconfiguring the Reservation: The Nez Percés, Jicarilla Apaches and the Dawes Act* (Albuquerque: University of New Mexico Press, 2002); Kurt Kim Schaefer, “A Bitter Pill: Indian Reform Policy, Indian Acculturation, and the Puyallup Act of 1893,” *Pacific Northwest Quarterly* 102 (Winter 2010–2011): 14–28; Kelli Jean Mosteller, “Place, Politics, and Property: Negotiating Allotment and Citizenship for the Citizen Potawatomi, 1861–1891,” (PhD diss., University of Texas at Austin, 2013), 170–81.

13 See, in particular, Rose Stremmlau, *Sustaining the Cherokee Family Kinship and the Allotment of an Indigenous Nation* (Chapel Hill: University of North Carolina Press, 2011); Katherine M. B. Osburn, *Southern Ute Women: Autonomy and Assimilation on the Reservation 1887–1934* (Lincoln: University of Nebraska Press, 2008); Laurence M. Hauptman, *The Oneida Indians in the Age of Allotment, 1860–1920* (Norman: University of Oklahoma Press, 2006); Jenny Tone-Pah-Hote, *Crafting an Indigenous Nation: Kiowa Expressive Culture in the Progressive Era* (Chapel Hill: University of North Carolina Press, 2019).

14 For other Native nations who mobilized power through private property ownership in the late nineteenth century, see Christina Gish Hill, *Webs of Kinship: Family in Northern Cheyenne Nationhood* (Norman: University of Oklahoma Press, 2017), 246–48; Matthew Makley, *The Small Shall Be Strong: A History of Lake*

*Tahoe's Washoe Indians* (Amherst: University of Massachusetts Press, 2018), 86–93; Andrew Denson, “A Few Unreasonable Proposals: Some Rejected Ideas from the Cherokee Allotment Negotiations,” *Chronicles of Oklahoma* 84 (Winter 2006–2007), 426–43.

15 “Treaty with the Ottawa, 1831,” in *Indian Affairs: Laws and Treaties*, Vol. 2, ed. Charles J. Kappler (Washington, DC: Government Printing Office, 1903), 335–39.

16 On removal as genocidal, see Jeffrey Ostler, *Surviving Genocide: Native Nations and the United States from the American Revolution to Bleeding Kansas* (New Haven, CT: Yale University Press, 2019), 365–67.

17 Kelli Jean Mosteller, “Place, Politics, and Property: Negotiating Allotment and Citizenship for the Citizen Potawatomi, 1861–1891,” (PhD diss., University of Texas at Austin, 2013), 2, 171–81; John P. Bowes, *Exiles and Pioneers: Eastern Indians in the Trans-Mississippi West* (Cambridge: Cambridge University Press, 2007), 201–08.

18 “Treaty between the United States of America and the Ottawa Indians of Blanchard’s Fork and Roche De Boeuf, June 24, 1862,” in *Indian Affairs: Laws and Treaties*, Vol. 2, ed. Charles J. Kappler (Washington, DC: Government Printing Office, 1903), 830.

19 Dry, “Unnatural Naturalization,” 28–86.

20 Craig Miner and William E. Unrau, *The End of Indian Kansas: A Study of Cultural Revolution, 1854–1871* (Lawrence: University Press of Kansas, 1978), 55–80.

21 William E. Unrau and H. Craig Miner, *Tribal Dispossession and the Ottawa Indian University Fraud* (Norman: University of Oklahoma Press, 1985).

22 “Treaty with the Seneca, Mixed Seneca and Shawnee, etc., February 23, 1867,” in *Indian Affairs: Laws and Treaties*, Vol. 2, ed. Charles J. Kappler (Washington, DC: Government Printing Office, 1903), 960–69.

23 Dave Geboe, interview by Nannie Lee Burns, May 4, 1937, Indian-Pioneer Papers Oral History Collection, University of Oklahoma, University of Oklahoma Libraries, Norman, Oklahoma (hereafter cited as IPP-OHC, OUL); Lizzie Lavore to Commissioner of Indian Affairs, May 12, 1916, Biographical Files, Lizzie Lavore folder, Ottawa Tribe of Oklahoma History Archives Library, Miami, Oklahoma (hereafter cited as OTO-HAL).

24 Guy Jennison, “Sparks from the Tribal Fire” [unpublished autobiography], circa 1956, Ottawa Tribe History folder, Ottawa County Historical Society, Dobson Museum, Miami, Oklahoma (hereafter cited as OCHS-DM).

25 A. C. Tuttle and Emmeline Tuttle, *Friends’ Review: A Religious, Literary and Miscellaneous Journal* 24 (1870/1871), 453–54; George W. Mitchell, A. C. Tuttle, and E. H. Tuttle to Enoch Hoag, Oct. 4, 1871, in *Annual Report of the Commissioner of Indian Affairs 1871* (Washington, DC: Government Printing Office, 1872), 499–502 (hereafter cited as ARCIA).

26 Joseph B. King, “The Ottawa Indians in Kansas and Oklahoma,” *Collections of the Kansas State Historical Society* 13 (1913–1914), 377.

27 Albert Wiley, Indian Agent, to Thomas Murphey, Superintendent of Indian Affairs, Aug. 28, 1867, in *ARCIA Affairs 1867* (Washington, DC: Government Printing Office, 1867), 301; Hiram W. Jones to the Commissioner of Indian Affairs, Sept. 1, 1872, in *ARCIA 1881* (Washington, DC: Government Printing Office, 1881), 243.

28 Guy Jennison, “Sparks from the Tribal Fire” [unpublished autobiography], circa 1956, Ottawa Tribe History folder, OCHS-DM.

29 Dave Geboe, interview by Nannie Lee Burns, May 4, 1937, IPP-OHC, OUL.

30 Lula Wyrick, interview by Nannie Lee Burns, July 20, 1937, IPP-OHC, OUL.

31 Jotham Meeker, *Ottawa First Book. Containing Lessons for the Learner; Portions of the Gospel by Luke, omitted by Matthew and John; and the Ottawa Laws* (Ottawa Baptist Mission Station: J. Meeker, Printer, 1850), 102–25; Francis Tymoney to Charles Mix, May 6, 1858, M-234, reel 733, frames 1108–1112, Sac and Fox Agency, Letters Received by the Office of Indian Affairs 1824–1881, RG 75, National Archives and Records Administration, Washington, DC (hereafter cited as NARA-DC).

32 Catherine Jennison to whom it may concern, Dec. 4, 1883, Quapaw Agency Records, reel QA-9, frame 410, Indian Archives Collection, Oklahoma Historical Society, Oklahoma City, Oklahoma (hereafter cited as IAC, OHS); Catherine Jennison to D. B. Dyer, Nov. 10, 1883, Quapaw Agency Records, reel QA-9, frames 425–27, IAC, OHS; Charles Lacy, interview by Nannie Lee Burns, Jan. 24, 1938, IPP-OHC, OUL; Annie King [sic], interview by Nannie Lee Burns, June 25, 1937, IPP-OHC, OUL; Anna King to Robert H. King, [undated], Biographical Files, Joseph Badger King folder, OTO-HAL. As the area had previously been occupied by the Cherokees, some Ottawas had paid former owners for their improved farms or houses, although not required to do so by treaty. See, Charles Lacy, interview by Nannie Lee Burns, Jan. 24, 1938,



IPP-OHC, OUL; Czarina Conlan, "M.B. Pooler, Ottawa Chief," July 18, 1929, Historic Oklahoma Collection, Series 29, folder Ottawa-Biographies, OHS.

33 In 1883, for example, tribal leaders authorized the distribution of excess corn from communal property to Na-Watch, a widowed Ottawa elder, while the next year, Ottawa men simply "gathered themselves together and put a new roof" on her house. See John Earley to D. B. Dyer, Apr. 2, 1883, Quapaw Agency Records, reel QA-9, frame 398, IAC, OHS; H. H. Bonwill to unnamed recipient, Mar. 20, 1884, in *The Council Fire and Arbitrator* 7 (June 1884).

34 Moses Pooler to the Secretary of the Interior, July 19, 1884, in U.S. Congress, Senate Committee on Indian Affairs, *Testimony taken by the Committee on Indian Affairs of the Senate in relation to leases of lands in the Indian Territory and other reservations under resolutions of the Senate of December 3, 1884* (Washington, DC: Government Printing Office, 1885), 594–95.

35 King, "Ottawa Indians in Kansas and Oklahoma," 377; "The Railroad," *Cherokee Sentinel* (Baxter Springs, Kansas), Mar. 19, 1870; Lizzie Lavore to Commissioner of Indian Affairs, May 12, 1916, Biographical Files, Lizzie Lavore folder, OTO-HAL.

36 A. C. Tuttle and E. H. Tuttle, *Friends' Review: A Religious, Literary and Miscellaneous Journal* 24 (1870–1871), 453; Enoch Hoag to E. S. Parker, Oct. 8, 1870, in *ARCIA 1870* (Washington, DC: Government Printing Office, 1870), 257–58.

37 Moses Pooler to the Secretary of the Interior, July 19, 1884, in *Testimony taken by the Committee on Indian Affairs ... December 3, 1884*, 594–95; Catherine Wind Jennison, et al., to the Commissioner of Indian Affairs, May 5, 1883, in *Testimony taken by the Committee on Indian Affairs ... December 3, 1884*, 346–47; Lizzie Lavore to Commissioner of Indian Affairs, May 12, 1916, Biographical Files, Lizzie Lavore folder, OTO-HAL; Edward George (La-bake) to J. M. Haworth, June 11, 1878, Quapaw Agency Records, reel QA-9, frame 175, IAC, OHS; Ottawa Chief and Council to the Commissioner of Indian Affairs, Nov. 11, 1878, Quapaw Agency Records, reel QA-9, frames 176–77, IAC, OHS.

38 King, "Ottawa Indians in Kansas and Oklahoma," 376.

39 Moses Pooler to the Secretary of the Interior, July 19, 1884, in U.S. Congress, Senate, Committee on Indian Affairs, *Testimony taken by the Committee on Indian Affairs of the Senate in relation to leases of lands in the Indian Territory and other reservations under resolutions of the Senate of December 3, 1884* (Washington, DC: Government Printing Office, 1885), 595.

40 Walter King to Elsie Hand, Jan. 3, 1958, Walter S. King Collection, box 1, folder 4, OHS.

41 Lula Wyrick, interview by Nannie Lee Burns, July 20, 1937, IPP-OHC, OUL.

42 Clarence E. King, interview by Peggy Dycus, May 16, 1969, Doris Duke Collection of American Indian Oral History, OUL.

43 Clarence E. King, interview by Peggy Dycus, May 16, 1969, Doris Duke Collection of American Indian Oral History, OUL.

44 Walter King to Elsie Hand, Jan. 3, 1958, Walter S. King Collection, box 1, folder 4, OHS.

45 Lula Wyrick, interview by Nannie Lee Burns, July 20, 1937, IPP-OHC, OUL.

46 "Isaac McCoy," *Miami Record-Herald*, June 6, 1913; Thomas J. Moore to Isaac McCoy, Dec. 9, 1889, Record of the Quapaw Agency, Miscellaneous Letters, 1872–1946, E.1, Record Group 75, National Archives and Records Administration at Fort Worth, Southwest Regional Archives, Fort Worth, Texas.

47 Lizzie Lavore to Commissioner of Indian Affairs, May 12, 1916, Biographical Files, Lizzie Lavore folder, OTO- HAL.

48 Lizzie Lavore to Commissioner of Indian Affairs, May 12, 1916, Biographical Files, Lizzie Lavore folder, OTO- HAL.

49 Elmer Cooke, for example, the son of Chief John Wilson's daughter Nannie Wilson Cooke, was born in Kansas in 1891, but allotted alongside the Ottawas. Angeline Lotz, separated from the tribe for four decades after marrying a white man in 1849, rejoined the tribe in 1889, was accepted by tribal members, and received an allotment. See, D. C. Gideon, *Indian Territory, Descriptive, Biographical and Genealogical: Including the Landed Estates, County Seats, Etc., with a General History of the Territory* (New York: Lewis, 1901), 536–38.

50 Thomas J. Moore to the Commissioner of Indian Affairs, Aug. 30, 1892, in *ARCIA 1892–1893* (Washington, DC: Government Printing Office, 1893), 243–44.

51 Whites illegally coming onto the Ottawa Reservation was also a recurrent issue. See, for example, correspondence on the issue from 1878 alone, Ottawa Chief and Council to the Commissioner of Indian Affairs, Nov. 11, 1878, Quapaw Agency Records, reel QA-9, frames 176–77, IAC, OHS; Ezra A. Hayt to

- H. W. Jones, Dec. 10, 1878, Quapaw Agency Records, reel QA-9, frames 182–83, IAC, OHS; Edward George (La-bake) to J. M. Haworth, June 11, 1878, Quapaw Agency Records, reel QA-9, frame 175, IAC, OHS.
- 52 Ottawa General Council Resolution, Nov. 10, 1887, Quapaw Agency Records, reel QA-9, frame 311, IAC, OHS; Moses Pooler to D. B. Dyer, Mar. 1, 1884, Quapaw Agency Records, reel QA-9, frames 136–37, IAC, OHS.
- 53 J. M. Haworth to the Commissioner of Indian Affairs, Aug. 27, 1879, in *ARCIA 1879* (Washington, DC, Government Printing Office, 1879), 76
- 54 As one Indian agent summarized, “most of the farming is now done by white men: in fact, this agency now presents very much the appearance of a white man’s country.” Thomas J. Moore to the Commissioner of Indian Affairs, Aug. 30, 1892, in *ARCIA 1892–1893* (Washington, DC: Government Printing Office, 1893), 243–44.
- 55 “Ottawa Statistics,” Aug. 1881, Quapaw Agency Records, reel QA-1, frames 441–42, IAC, OHS.
- 56 These included Sophia Barnett (Sup-pee), a recent widow with three children, and Abigail Wilson, a 50-year-old woman with only an adult daughter living at home. “Ottawa Statistics,” Aug. 1881, Quapaw Agency Records, reel QA-1, frames 441–42, IAC, OHS; Articles of Agreement between Sophia Barnett and Samuel Albro, Feb. 17, 1880, Quapaw Agency Records, reel QA-9, frames 223–24, IAC, OHS.
- 57 D. B. Dyer to the Commissioner of Indian Affairs, Aug. 25, 1880, in *ARCIA 1880* (Washington, DC, Government Printing Office, 1880), 88.
- 58 “Statistics of the Ottawas,” Aug. 25, 1882, Quapaw Agency Records, reel QA-1, frames 450–52, IAC, OHS.
- 59 On the longstanding place of intermarriage in crafting alliances in Anishinaabe communities, see Bohaker, *Doodem and Council Fire*, 78–85. Anishinabek elsewhere also incorporated whites. See, Larry Nesper, *Our Relations ... the Mixed Bloods: Indigenous Transformation and Dispossession in the Western Great Lakes* (Albany: State University of New York Press, 2021), 7–12; Cary Miller, *Ogimaag: Anishinaabeg Leadership, 1760–1845* (Lincoln: University of Nebraska Press, 2010), 228.
- 60 Lizzie Lavore to Commissioner of Indian Affairs, May 12, 1916, Biographical Files, Lizzie Lavore folder, OTO- HAL
- 61 On the importance of tribal citizenship in constituting nationhood, see Mikaëla M. Adams, *Who Belongs?: Race, Resources, and Tribal Citizenship in the Native South* (New York: Oxford University Press, 2016), 1–24.
- 62 Annie King [sic], interview by Nannie Lee Burns, June 25, 1937, IPP-OHC, OUL.
- 63 “Ottawa News,” *Miami Record-Herald*, Apr. 1, 1910.
- 64 Lula Wyrick, interview by Nannie Lee Burns, July 20, 1937, IPP-OHC, OUL; Sarah Hollingsworth, interview by Nannie Lee Burns, Oct. 15, 1937, IPP-OHC, OUL; Gideon, *Indian Territory*, 333–35.
- 65 Lula Wyrick, interview by Nannie Lee Burns, July 20, 1937, IPP-OHC, OUL.
- 66 Resolution of Ottawa Tribal Council, Jan. 17, 1889, Quapaw Agency Records, reel QA-9, frames 341–42, IAC, OHS; Interview with Guy Jennison, Gene Jennison, and Walter King Sr., Feb. 5, 1953, Family History folder, OTO-HAL.
- 67 Thomas Jefferson Morgan to J. V. Summer, July 16, 1889, Quapaw Agency Records, reel QA-9, frames 346–48, IAC, OHS.
- 68 See, for example, Resolution of Ottawa Tribal Council, May 22, 1900, Quapaw Agency Records, reel QA-9, frame 422, IAC, OHS.
- 69 Guy Jennison, “Sparks from the Tribal Fire” [unpublished autobiography], circa 1956, Ottawa Tribe History folder, OCHS-DM.
- 70 “Posters Are Out,” *Baxter Springs (Kansas) News*, June 23, 1894.
- 71 Petition of Ottawa Indians for Relief to Commissioner of Indian Affairs Hiram Price [undated, between 1881–1885], Quapaw Agency Records, reel QA-9, frames 3–5, IAC, OHS.
- 72 Annie King [sic], interview by Nannie Lee Burns, June 25, 1937, IPP-OHC, OUL.
- 73 Sarah Hollingsworth, interview by Nannie Lee Burns, Oct. 15, 1937, IPP-OHC, OUL.
- 74 Ezra A. Hayt to J. M. Hayworth, July 23, 1879, Quapaw Agency Records, reel QA-9, frames 213–14, IAC, OHS.
- 75 In a telling incident in 1878, a tribal member endeavored to circumvent the lack of formal title under U.S. law by selling “his undivided interest here in the lands held by us in this territory.” Ottawa Chief and Council to the Commissioner of Indian Affairs, Nov. 11, 1878, Quapaw Agency Records, reel QA-9, frames 176–77, IAC, OHS. For economic and market forces at work the other tribal responses to allotment, see Melissa L. Meyer, *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889–1920* (Lincoln: University of Nebraska Press, 1999), 1–7, 69–136; Edmund Jefferson

Danziger, *Great Lakes Indian Accommodation and Resistance During the Early Reservation Years, 1850–1900* (Ann Arbor: University of Michigan Press, 2009), 100–106.

76 Ottawa Chief and Council to the Secretary of the Interior, March 22, 1877, Quapaw Agency Records, reel QA-9, frames 154–55, IAC, OHS.

77 “The Secretary of the Interior,” *Sumner County Press* (Wellington, Kansas), Oct. 16, 1879; Acting Commissioner of Indian Affairs, E. J. Brooks to Amos Kist, Jan. 30, 1880, Quapaw Agency Records, reel QA-9, frames 220–22, IAC, OHS.

78 The Indian Office, not the Ottawas, initially rejected the idea of allotment. Federal officials cited Ottawa incapacity and a reluctance to abandon Indian Office control over Ottawa lands in their opposition. One federal official noted, “as the Ottawas are citizens of the United States, if their lands are allotted and patented, they will at once become alienable, and it would become of grave consideration whether they would not soon dispose of their lands and render themselves homeless.” See William Nicholson to H. W. Jones, Mar. 28, 1877, Quapaw Agency Records, reel QA-9, frames 156–57, IAC, OHS.

79 David A. Chang, *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832–1929* (Chapel Hill: University of North Carolina Press, 2010), 77–78.

80 Alexandra Harmon, “American Indians and Land Monopolies in the Gilded Age,” *Journal of American History* 90 (June 2003): 106–33.

81 Khaled J. Bloom, “An American Tragedy of the Commons: Land and Labor in the Cherokee Nation, 1870–1900,” *Agricultural History* 76 (Summer 2002): 497–523; Andrew Denson, *Demanding the Cherokee Nation: Indian Autonomy and American Culture, 1830–1900* (Lincoln: University of Nebraska Press, 2004), 220–21.

82 D. B. Dyer to the Commissioner of Indian Affairs, Aug. 27, 1882, in *ARCI A 1882* (Washington, DC: Government Printing Office, 1882), 84. The other tribes of the Quapaw Agency similarly engaged in widespread leasing to whites. Looking at the Eastern Shawnee, John Bowes describes leasing as substantial aspect of the Shawnee economy in the decades before and after allotment and potentially “just as influential” as allotment in shaping tribal life on the Shawnee reservation. John Bowes, “Divided Lands and Dispersed People: Allotment and the Eastern Shawnees from the 1870s to the 1920s,” in *The Search for Eastern Shawnee History, 1831–1945*, ed. Stephen Warren (Norman: University of Oklahoma Press, 2017), 58–71.

83 D. B. Dyer to the Commissioner of Indian Affairs, Aug. 4, 1882, Quapaw Agency Records, reel QA-5, frame 236, IAC, OHS.

84 According to the 1882 Survey, white renters cultivated 14 acres for John Earley, 40 acres for William Hurr, and 20 acres for Joseph Wind. Hurr resided among the Sac and Fox Tribe at the time.

85 D. B. Dyer to the Commissioner of Indian Affairs, Aug. 16, 1883, in *ARCI A 1883* (Washington, DC: Government Printing Office, 1884), 81.

86 “Ottawa Petition,” in E. Whittlesey to Clinton B. Fisk, Dec. 15, 1882, in *ARBIC 1882* (Washington, D.C.: Government Printing Office, 1883), 31–32. When endorsing the Ottawa petition on the Senate floor a few months later, Senator Dawes noted 96 Ottawas signed the petition, with most signing their names in English. It is uncertain whether names were subsequently added or if a new petition was forwarded. Although the language of the petition is noted, the list of signatories is not included in the sources cited above.

87 S. 2369, 47th Cong. (1883); H.R. 2055, 48th Cong. (1884).

88 A lack of appropriations for surveys of tribal lands stalled federal allotment efforts throughout the early 1880s. See David H. DeJong, *The Commissioners of Indian Affairs: The United States Indian Service and the Making of Federal Indian Policy, 1824–2017* (Salt Lake City: University of Utah Press, 2020), 73–74.

89 “The Civil Cases,” *Independent-Journal* (Ottawa, Kansas), Apr. 13, 1871.

90 Guy Jennison Jr., interview by Joseph Cash, June 4, 1976, Interview 1018, American Indian Research Project, Oral History Center, University of South Dakota, Vermillion, South Dakota. On hopes for a future in cattle raising, see Sarah Hollingsworth, interview by Nannie Lee Burns, Oct. 15, 1937, IPP-OHC, OUL.

91 John Earley quoted in *Saints’ Herald* (Lamoni, Iowa), Nov. 17, 1883.

92 “For Allotment,” *Baxter Springs (Kansas) News*, June 18, 1887; “The Ottawa Indians Want to Sell,” *Fort Scott (Kansas) Daily Monitor*, June 1, 1887.

93 “The Ottawa Indians Want to Sell,” *Fort Scott (Kansas) Daily Monitor*, June 1, 1887.

94 “To provide for allotment; of lands in severalty to the Ottawa Indians,” S. 2442, 52nd Cong. (1892); “Allotments of Lands to Certain Indian Tribes,” S. Rep. No. 615, 52nd Cong. (1892), 43.

95 “An Act to Appoint Thomas Richardville,” Dec. 15, 1891, Thomas Richardville Papers, folder 57, Thomas Gilcrease Library and Archive, Tulsa, Oklahoma.

- 96 “To provide for allotment; of lands in severalty to the Ottawa Indians,” S. 2442, 52nd Cong. (1892).
- 97 Unlike earlier Ottawa efforts, the bill retained the 25-year moratorium on the alienation of allotments. This feature perhaps reflected a fear of land loss via taxation, an issue the Ottawas faced in Kansas.
- 98 Acting Commissioner of Indian Affairs to T. J. Moore, Sept. 29, 1892, Quapaw Agency Records, reel QA-9, IAC, OHS; Lawrence Mills, *Oklahoma Indian Land Laws* (St. Louis: Thomas Law Book, 1924), 407, 442.
- 99 Lizzie Lavore to Commissioner of Indian Affairs, May 12, 1916, Biographical Files, Lizzie Lavore folder, OTO-HAL.
- 100 See, for example, George S. Doane to the Commissioner of Indian Affairs, Aug. 26, 1896, in *Annual Report of the Commissioner of Indian Affairs, for the year 1896* (Washington, DC: Government Printing Office, 1897), 149–50; Edward Goldberg to the Commissioner of Indian Affairs, Aug. 10, 1898, in *Annual Report of the Commissioner of Indian Affairs, for the year 1898* (Washington, DC: Government Printing Office, 1898), 150–51.
- 101 “To provide for allotment; of lands in severalty to the Ottawa Indians,” S. 2442, 52nd Cong. (1892); “Allotments of Lands to Certain Indian Tribes,” S. Rep. No. 615, 52nd Cong. (1892), 43.
- 102 An Act to Provide for the Allotment of Lands in Severalty to Indians on the Various Reservations, approved February 8, 1887 (General Allotment Act or Dawes Act), Statutes at Large 24, 388–91, Document A 1887, NARA, <https://www.archives.gov/milestone-documents/dawes-act>
- 103 *McGirt v. Oklahoma*, U.S., 140 S. Ct. 2452 (2020); *State of Oklahoma v. Brester*, 2023 OK CR 10, S-2021-209 (2023).

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