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and Their Neighbors

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CONCEPTS OF LAND OWNERSHIP AMONG THE IROQUOIS AND THEIR NEIGHBORS¹

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There are several valid reasons for an article dealing with concepts of landownership among the American Indians. First, it is highly desirable that the problem be reworked and restated in the light of ethnohistorical facts which may not have been fully utilized in the past. Second, it is important that the Indian be allowed some space to express his thoughts on the matter; and third, we should attempt to understand the so-called "primitive" feeling for the land and inquire whether any of these feelings have survived.

It is impossible to exhaust either the source material or to answer with finality the many questions involved. I therefore quite arbitrarily limit my discussion to exploration of the following:

- (1) Basic Indian philosophy toward the land.
- (2) The relationship of various segments of the society to landownership.
- (3) Changes in philosophy wrought by White contact.
- (4) Indian reactions to White conquest.

That land is neither an item of booty to be won or lost nor a commodity to be bought or sold is still clearly seen at this date in the philosophy of Seneca informants at Coldspring on Allegany Reservation, New York. Land is viewed as a gift from the "Maker"—a gift which is necessary for survival. The earth itself is revered as the mother of man for she furnishes sustenance in the form of animals and plants. These plants and animals allow themselves to be taken so that man can continue to thrive and dwell on the earth. Out of the earth's body come the pure springs from which man can refresh himself. Moreover, the earth supports man as he walks over her body—she does not allow him to fall. Man himself, although he may take what he needs to live, must give thanks to the "Maker" for the use of the plenty provided for him by the earth, and also to the plants and animals for letting him use them. The tobacco burned in the

¹ I gratefully acknowledge the many suggestions of the late Dr. F. G. Speck, Dr. W. N. Fenton, Dr. A. I. Hallowell, and M. H. Deardorff. Thanks are also due to the Coldspring Seneca, who extended themselves in my behalf. My wife was a constant source of encouragement. Field work was made possible by a grant-in-aid from the Anthropology Department of the University of Pennsylvania.

ceremonies among the Seneca is the vehicle used to carry these thanks to the "Master of Life and All Spirit Things."

This basic attitude was indicated in the Shawnee statement to the Governor of Pennsylvania on February 8, 1752:

. . . the God that gave us all the Beasts of the Field for our Food and the Water for our Drink and the Wood for our Fire, and threw down Fire from Heaven to kindle our Wood . . . [Prov. Council Pa., Minutes, vol. 5, p. 569.]

Black Hawk's statement in his Autobiography is also quite clear on this point:

We thank the Great Spirit for all the benefit he has conferred upon us. For myself, I never take a drink of water from a spring, without being mindful of his goodness. [Black Hawk, 1932, p. 79.]

Similar statements are to be found in the speech of the Ottawa, Sioux, Iowa, Winnebago, Sac, Fox, Menominee, Kickapoo, and Chippewa at the Council at Drummond's Island (1816):

The Master of Life has given us hands for the support of our men, women, and children. He has given us fish, Deer, Buffaloe, and every kind of Birds and animals for our use; they abound in our lands.

When the Master of Life or Great Spirit put us on this Land, it was for the purpose of enjoying the use of the Animals and Fishes, but certain it never was intended that we should sell it or any part thereof which gives us Wood, grass, and everything. [Mich. Pioneer and Hist. Soc., Coll. and Res., 1888-93, vol. 16, p. 484.]

Since the Eastern Indians believed that land was a gift received from the "Great Spirit," it followed that only he could take it away. Thus, the Shawnee Kickapalathy denied "the power and right which the United States assumed" and asked "if the Great Spirit had given it to them to cut and portion in the manner proposed . . ." (Denny, 1860, p. 277).

A natural outgrowth of the philosophy that all blessings came from the "Master of Life" is the principle that these blessings are gifts which cannot be sold. Black Hawk expressed this principle simply and clearly:

My reason teaches me that *land cannot be sold*. The Great Spirit gave it to his children to live upon, and cultivate as far as necessary for their subsistence; and so long as they occupy and cultivate it, they have the right to the soil—but if they voluntarily leave it, then any other people have the right to settle upon it. Nothing can be sold, but such things as can be carried away. [Black Hawk, 1932, p. 88—my emphasis.]

It must be noted that Black Hawk in referring to transfer of land from one group to another was alluding to the Indians only. He, as did most Indians, viewed the Whites as interlopers who were entitled to no lands except those "given" to them. In exchange for these land gifts the Indians could receive presents, for this was reciprocity and not compensation. Thus, the grants of land were viewed as gifts which

could not be paid for in currency—in short, there could be no land sales as we know them. This, the late Dr. Speck told me in a conversation held October 4, 1949, was the universal pattern among the agricultural Indians of the Northeast, the Ohio Valley, and the Old Northwest Territory.

The feeling of reverence toward the earth itself is also to be found behind some of the lingering reluctance to adopt the white man's agricultural equipment. The "Old People" believe that since Mother Earth nurtured her children, they should not tear at her breasts with ploughs, but rather tickle them gently with a stick or hoe. Speck has indicated that this concept is to be found among all the agricultural Indians living in the Northeastern Woodlands, the Great Lakes, and the Ohio Valley.²

The belief that the land belonged not only to the present generation, but to all future generations was widely accepted. The present generation, it was believed, had no power to sell lands, for obviously the future generations could not express their wishes in council. The present generation acted as custodians of the land for the unborn; they could only utilize the land during the period of their actual existence. This attitude is clearly discerned in the now famous speech of Cornplanter, Halftown, and Big Tree in 1790. In one of the opening paragraphs they stated quite dramatically that:

We will not conceal from you that the Great God and not men, has preserved the Cornplant from the hands of his nation. For they ask continually, where is the land on which our children and their children after them are to lie down upon? [Drake, S. G., 1834, p. 96.³]

The message of the "chiefs and principal leaders" of the Wyandot, Ottawa, Chippewa, and Potawatomie to the President dated July 26, 1807, presents this principle as an argument against further land sales. It also indicates that the Whites were not only cognizant of this principle, but originally accepted it. The Speaker for the Indians reminded the Whites of the pledges made at the Treaty of Greenville wherein the Indians were promised that no more lands would be demanded until the "*unborn children were gray with age. Now these children had scarcely begun to lisp your name before we were again summoned to sell more land . . .*" (Parker, Daniel, n. d.—my emphasis.)

Now if the future generations had to be considered before any transactions involving land sales could be legalized, it follows that claims

² Lecture at University of Pennsylvania, 1947. Speck (1931, pp. 81, 101) points up the significance of the "Earth as Mother of Man" among the present-day Delaware. Tantaquidgeon (1942, p. 10) shows that since "Mother Earth" gave the Delaware medicine plants neither the earth nor the plants should be defiled by metal tools. Shawnee possession of these beliefs can be seen in the article "Big Jim" (Hodge, ed., 1907, pt. 1, p. 146).

³ This same philosophy is found in the protest message of the chiefs and principal leaders of the Ottawa, Potawatomie, and Wyandot dated July 26, 1807 (Parker, Daniel, n. d.).

to land could be based on the inheritance from distant ancestors. This reasoning may be noted in the speech of the United Nations at the Confederate Council near the mouth of the Detroit River on December 18, 1786. Here the Five Nations, the Wyandot, the Delaware, Shawnee, Ottawa, Chippewa, Potawatomie, Miami, Cherokee, and Wabash Confederates, in reiterating their opposition to further White encroachment stated:

It shall not be our fault if the plans which we have suggested to you should not be carried to execution; in that case the event will be very precarious, and if fresh ruptures ensue, we hope to be able to exculpate ourselves and shall most assuredly with our united force be obliged to defend the rights and privileges which have been transmitted to us by our ancestors; and if we should therefore be reduced to misfortunes, the world will pity us when they think of the amicable proposals we now make to prevent the unnecessary effusion of blood. [Lowrie and Clarke, 1832-34, vol. 1, p. 9.]

Cornplanter's message to President Washington under the date December 1, 1790, also echoes this feeling. "The land we live on, our fathers received from God, and they transmitted it to us, for our children, and we cannot part with it" (Lowrie and Clarke, 1832-34, vol. 2, p. 142).

This concept of inheritance was a basic part of Indian philosophy toward the land, and was at times recognized by the Federal Authorities when it suited their purposes. The treaty with the Kickapoo of July 30, 1818, grants that large portions of their land were claimed as a result of "descent from their ancestors" (Lowrie and Clarke, 1832-34, vol. 2, p. 196).

Inextricably bound up with the deep concern for the welfare of the unborn and the belief that land was inherited from distant ancestors, was the feeling of reverence for the earth which entombed the bones of ancestors. This attitude toward the earth was not a form of ancestor worship, but rather a feeling of love for the very ground which housed the departed "grandfathers" and "greatuncles." The speech of the Wyandot in behalf of themselves and other Indians from the Upper and Lower Sandusky region, dated August 16, 1807, presents this clearly:

Father, Listen. We desire that our father would not ask us to sell this part of our country or send any of his white Children to buy it of us; for it is the place where our Ancestors lived and died; their graves are here; and we have lived here a great while, & many of us expect to die and have our graves here with our friends . . . [Parker, Daniel, n. d.]

Coupled with the above concepts, we find the belief that the land belonged to all the people who inhabited it. No individual could enforce a personal claim to a specific piece of land. Neither could

any individual by his own right and desire legally "sell" lands. Joseph Brant's complaint that "purchases were all made from men who had no right to sell and who are now to be thanked for the present difficulties" (Lowrie and Clarke, 1832-34, vol. 1, p. 254) stemmed from the violation of this principle because of the white man's promptings.

Many of the Indian hostilities were the direct result of the maneuverings of white men who knowingly dealt with unauthorized Indian groups or individuals for land cessions. The complaint of Hendrick in 1712 is very clear on this point. Rev. William Andrews, the missionary to the Mohawk, notes:

Hendrick said further that he desired in ye name of said Sachims of the Mohawks that none of their land might be clandestinely bought of any of them for that would breed a faction & disturbance among them and would be an occasion of leaving their country & oblige them to go over to the Ottawas or farr Indians. [O'Callaghan, 1849-51, vol. 3, p. 901.]

Hendrick was very cleverly using the English colonial need for Iroquois aid against the French, who were combating the English for control of the Ohio Valley. He thereby hoped to preserve not only the integrity of Iroquois lands, but also the balance of power.

The Whites deliberately sought to provoke conflict with the Indians or to disrupt Indian unity. Such behavior is exemplified in the actions of William Henry Harrison, who dealt with five unauthorized Missouri Sac Chiefs for lands which belonged to Illinois, Wisconsin, and Iowa tribes, inducing these chiefs in 1804 to cede 51,000,000 acres of land which was not theirs. The consent of the defrauded Indians was not obtained until their defeat in the War of 1812 (Cole, 1940, pp. 67 ff.). The hostility created by this fraudulent cession was one of the major causes leading to the Black Hawk Wars. This cession also severed the harmonious relations which had previously existed between the Sac and Fox.

Since we have shown that individuals could not convey lands without violating Indian philosophy, the question follows logically, who could? Apparently anybody could sell a "gold brick." Legalizing the sale and taking home the "bargain" was, however, a different matter, for this required the consent of the civil chiefs and the exchange of wampum. Canassatego, when he spoke for the League on July 2, 1742, described one of the necessary technicalities:

Our people who pretended to sell the land demanded a belt of Wampum of the Buyers to carry to their chiefs, and on declaring they had no wampum, our warriors said they would not answer that their chiefs would confirm this Bargain since they never did anything without Wampum. [Prov. Council Pa., Minutes, vol. 4, p. 572.]

The method of legalizing a sale via the Council of Elders is seen in the following notation in the Journal of George Croghan for May 26, 1751:

A Dunkar from the Colony of Virginia came to the Log's Town and requested Liberty of the Six Nations Chiefs to make on the River Yogh-yo-gaine . . . , to which the Indians made answer that it was not in their Power to dispose of Lands; that he must apply to the Council at Onondago. [Prov. Council Pa., Minutes, vol. 5, pp. 531-532.]

Though the actual transactions were made by the Council of Elders, all segments of the tribe or tribes, as the case might be, had to be consulted. Colonel Proctor in 1791 was told in no uncertain terms that the women could not be left out of any such arrangements. Red Jacket speaking for the women said:

You ought to hear & listen to what we women shall speak, as well as the sachems, for we are the owners of the land & it is ours; for it is that we speak of things that concern us & our children & you must not think hard of us while our men shall say more to you for we have told them. [Pa. Archives, 2d Ser., vol. 4, p. 504. See also Randle, this vol. p. 172.]

The warriors also had to be considered in any transaction involving so important a matter as land. Scarouady's statement implies the friction that at times did develop between the military and the civil:

Now Brother (sic) I let you know that our Kings having (sic) nothing to do with our Lands; for We, the Warriors fought for the Lands and so the right belongs to us & we will take Care of them. [Gipson, 1939, vol. 5, p. 284.4]

It appears that some of the Iroquois land was actually owned by the village, and not necessarily by the entire tribe, let alone the Confederacy. The legality of a land sale is questioned on these grounds by the Mohawk Speaker for a specific village at the Albany Conference in 1754:

We understand there are writings for all our lands, so that we shall have none left but the very spot we live upon, and hardly that. We have examined amongst the elderly people who are present if they had sold any of it; who deny they ever have: and we earnestly desire that you will take this into consideration, which will give us great satisfaction and convince us that you have a friendship for us. We don't complain of those who have honestly bought the land they possess, or of those whom we have given them. We find we are very poor . . . We have embraced this opportunity of unbosoming ourselves with regard to our castle, and we are well assured that the other castle of the Mohawks will have complaints of the same nature when they come down. We have now declared our grievances and the Conajoharies will declare theirs: but that we shall leave to them. [Mass. Hist. Soc. Coll., Ser. 3, vol. 5, pp. 35-36.]

Every Indian tribe included in this study adopted individuals and large segments of peoples. In some instances, the group adopted lost

⁴For a more detailed discussion of the influence of the warriors on civil policy, see Snyderman (1948, pp. 20-25).

its identity and became amalgamated with the "parent." Elsewhere we listed examples of peoples adopted en masse by the various member tribes of the League and pointed out that this policy of adoption was a symbol of honorable peace, and as a social process was "in a large measure responsible for the dominance of the Iroquois . . ." (Snyderman, 1948, pp. 13-15.)

In some instances the people were not adopted into the tribe. They were permitted to live on designated lands as "perpetual guests" who would be protected by force of arms if necessary. Thus, Conrad Weiser notes in 1748 that a Seneca Speaker told the Wyandot that ". . ., we, the United Nations, receive you to our Council Fire and make you members thereof, and we will secure your dwelling place to you against all manner of change" (Thwaites, 1904-7, vol. 1, p. 35).

That the policy of protecting sheltered peoples might inevitably lead to war may be gathered from Captain Decker's claim that the war with the Cherokee in 1765 resulted from a Cherokee attack on "some of the Western Indians in the Illinois country and the latter being leagued with the Senecas, or protected by them, the Seneca took up the matter and hence the war" (Draper, n. d.).

Refugee and displaced Indians were extended a welcoming hand and given places to live. Colonel Thomas Proctor's Journal on May 7, 1791, records the generosity of the Seneca. Cornplanter and the other Seneca chiefs held a council to determine "where land should be selected for the accommodation of certain tribes and families who had put themselves under the protection of the Six Nations, being compelled to leave their former stations dreading the rage of the Shawnee and Miami Indians." Snake and his Delawares were given a place to "plant in," "near the village of Cattaraugus; to the families of Conondagtha, a chief of the Messasagoes and to the Bear Oil Chief and his family, who had fled from their settlement, Conyatt, all of the same nation, had their planting grounds assigned to them near the village of Buffalo"⁵ (Lowrie and Clark, 1832-34, vol. 1, p. 158).

It is indeed ironic to find the Whites calling upon the Iroquois to give shelter to a tribe whom the Whites themselves had dispossessed. Ketchum cites the speech of Seschowane, a Seneca, wherein Sir William Johnson was told on July 9, 1774:

Brother, you recommended to us, the Six Nations, last fall to consider the distressed situation of the Montauk Indians, who being surrounded by white people of Long Island, were in a fair way of being dispossessed of all their lands by them, on which they requested that we would afford them a piece of land in our country to which they might retire and live peaceably hereafter. We have taken your desire into consideration and agree to fix them at Canawaighae. We are glad of the opportunity of serving them in this respect, & shall with pleasure,

⁵ On the question of hospitality as a "cardinal principle" among every Indian group, see Hodge, ed. (1907, vol. 1, pp. 571-572).

take them under our protection in the same manner that fond parents do their children, and hope they may prove deserving of it. [Ketchum, 1864-65, vol. 2, p. 189—my emphasis.]

Note that nowhere, either in Colonel Proctor's Journal or in Seschowane's speech, do the Iroquois give the homeless Indians the complete control, or from a White point of view, the "title" to the land. They were merely taking the dispossessed Indians into their homes as long as they behaved. Thus Seschowane can state that the relationship was that of "parents to children." He is implying that parents have the right to regulate the affairs of their families and punish the recalcitrant members. This, in fact, is provided for in the Constitution of the League wherein we find a neat legal framework within which land problems of alien peoples were expeditiously handled. One section states:

When any alien nation or individual is admitted into the Five Nations, the admission shall be understood only to be a temporary one. Should the person or nation create loss, do wrong, or cause sufferings of any kind, or endanger the peace of the Confederacy, the Confederate Lords shall order one of their chiefs to reprimand him or them & if a similar offense is again committed, the offending party or parties shall be expelled from the territory of the Five Nations. [Parker, 1916, p. 50.]

It is therefore quite clear that land was given or loaned by the League or its members to alien people for their use during good behavior. Individuals or groups violating the peace were first reprimanded, but chronic offenders might be expelled from the territory of the Six Nations. This power was apparently being invoked when Petion-tonka, a Cayuga, exhorted the Delaware and Shawnee to behave in 1758. He declared:

Cousins, take notice of what I have to say . . . We desire you would lay hold of the covenant we have made with our brethren the English and be strong. We likewise take the Tomahawk out of your hands, that you received from the white people, use it no longer; . . . it is the white people's; let them use it among themselves; it is theirs & they are of one color; let them fight one another & do you be still and quiet at Kushkushking . . . we hear that you did not sit right & when I came I found you in a moving posture ready to jump toward the sunset; so we will set you at ease quietly down that you may sit well at Kushkushking; we desire you to be strong; & if you will be strong, your women & children will see from day to day the light shining more over them, & your children and grandchildren will see that there will be everlasting peace established. We desire you to be still; we do not know as yet what to do; towards the spring you will hear from your uncles what they conclude; in the meantime do you sit still by your fire at Kushkushking. [Craig, 1846, vol. 1, pp. 164-165.]

Canassatego propounded the same philosophy in his now famous speech which reminded the Delaware of their status as women. At the same time he announced that as "subject" nations they had no right to sell land without the permission of the Six Nations, who granted it only when they received a share of the proceeds or when

it was politically expedient. He also reiterated how land could be legally sold. He said in part:

Did you ever tell us that you have sold this land? Did we ever receive any part, even the value of a Pipe Shank from you for it? You have told us a blind story . . . This is acting in the dark & very different from the Conduct our Six Nations observe in the Sales of Land. On such occasions they give Public Notice and invite all the Indians of their United Nations & give them a share of the Present they receive for their lands . . . You act a dishonest part not only in this but in other Matters . . . We charge you to remove instantly. You are women; take the advice of a Wise man & remove immediately . . . We . . . assign you two places to go . . . You may go to either of these Places and then we shall have you more under our Eye & shall see how you behave . . . This string of Wampum serves to forbid you, your Children & Grandchildren to the latest posterity, for ever meddling in Land affairs, neither you nor any who descend from you are ever hereafter to presume to sell any land, for which Purpose you are to preserve this string in Memory of what your Uncles have this Day given you in Charge. [Prov. Council Pa., Minutes, vol. 4, p. 580.]

The relationship between a band of Kickapoo and the Wea seems to fit into the general pattern propounded for the League and their dependents. This may be gathered from an entry in Gamelin's Journal dated April 10, 1790: ". . . he and his tribe were pleased with my speech, and that I could go up without danger; but *they could not presently give me an answer having some warriors absent, and without consulting the Owiatenons, being Owners of their Lands.*" (Lowrie and Clarke, 1832-34, vol. 1, p. 93—my emphasis).

The above statement also serves to substantiate the point that mere occupancy did not mean ownership in our sense. Furthermore, the various ranks of the tribe—i. e., civil and military—had to be consulted in order to make land transactions legal. This pattern embodying the principles enunciated thus far was formally codified by the Iroquois and was apparently accepted by their neighbors and dependents.

The statement found in the Constitution of the League pointing out that "the soil of the earth from one end of the land to the other, is the property of the people who inhabit it" seems (at least after white contact) to have been most often interpreted in favor of the members of the Iroquois Confederacy and not their "guests," "tenants," or "dependents" (Parker, 1916, p. 50). Obviously then, the Ongwehonweh, or Original Beings, were the members of the five original Iroquois tribes—not the Delaware, Shawnee, Nanticoke, etc. As events proved, strict interpretation of this tenet was to be challenged by the "guests, tenants, and dependents."

Hospitality was not restricted to the Iroquois. All Indians seemed willing to offer refuge to their homeless brethren, although the ensuing "host-guest" relationship did lead to unexpected complications. This is well illustrated in the Delaware-Miami controversy. When

the Delaware tried to exact "blood money" from the Miami to "cover the bones" of several of their people who had been murdered by the Miami, they were reminded firmly that they had been allowed to keep the money for the sales of Miami lands and that this should suffice. Joseph Richardville speaking for the Miami stated:

Grand Fathers: You must recollect when you passed over the great mountains, & came to our country, that you were poor and destitute; you placed yourselves under our protection; we gave you lands, & at the Treaty of St. Mary's you sat in council with us. These we considered enough to satisfy you for all the injury our bad young men had done you; but it appears otherwise, for you continue to beg for more notwithstanding all that has been told to you by our old chief who now lies sick in his wigwam. [Tipton, 1942, p. 764.]

When it was politic, the Iroquois assumed responsibility for their "dependents" to the point of pressing their claims. Thus Canassatego speaking to Representatives of Pennsylvania, Maryland, and Virginia at Lancaster on July 2, 1744, pressed the case of the Canoy who had been defrauded by the Whites (Lowrie and Clarke, 1832-34, vol. 1, pp. 724-725).

On July 1, 1749, the Iroquois Assuchquay spoke for the Canoy as follows:

As we were coming here the Canoy Indians gave us this string of Wampum, thereby putting their case into our Hands, which we undertook to Speak to It seems when the Proprietories bought the Land between Delaware and Susquehanna from us, the Tract, as they told us, on which the Canoy Town stood was reserv'd out of the Grant on account of those Indians living there, & when they should quit it they were to have a Consideration paid them for it. This we think they are entitled to, as they have left the Land & Live among other Nations at Juniata; and as they tell us that they never receiv'd anything for their Land, we recommend it to you to see them paid. [Prov. Council Pa., Minutes, vol. 5, p. 390.]

And when it suited their purposes, dependents were allowed to share the presents. There is on record an actual agreement between the chiefs of the Six Nations and the Commissioners of Pennsylvania dated January 1, 1789, which contains a clause noting that, "Two Munsseys signed as being residents on the land, but not owners" (Prov. Council Pa., Minutes, vol. 5, p. 512).

In the foregoing, we have described how the League functioned for its tenants, dependents, guests, and colonists. When the League began to sell the land from under dependent peoples, friction developed which was not to be resolved by the dictates of Onondaga. The attempt of the League authorities to prevent the Iroquois on the Ohio from receiving "presents from the Governor of Virginia" by labeling them "Hunters and no Counselors or Chief Men" (*ibid.*, p. 478) convinced neither the Governor of Virginia nor the Indian frontiersmen of the League's power to enforce its decision. Likewise the state-

ment that these people "had no Right to receive Presents that were due to the Six Nations, although they might expect to have a Share, but that Share they must receive from the Six Nations' Chief under whom they belong," indicated the desire of the League authorities to maintain control in the face of changing conditions. The appointed League speaker could no longer tell a colonial governor "to return to the white people who made the Bargain . . . the Strouds" and advise them "that we shall not confirm such Bargains" (ibid., vol. 4, p. 561). The League's inability to control the dissident Westerners, clearly indicates a loss of political prestige, and heralds the close of an era in which the Six Nations had been the political determinant. "Warriors and hunters" living on the Ohio were gradually transferring the real influence and power from Onondaga to west of the Ohio.

We therefore conclude that so long as the League, or for that matter, any other "Landlord" tribe could by force of arms, or by diplomatic maneuvering, or by White assistance, enforce their desires, it could control any sales involving land. As soon as the authority of the League was weakened, however, the so-called "dependents" demanded payment for their rights. Thus Washington wrote in his Journal to Ohio in 1770:

The Indians who reside upon the Ohio . . . are composed of Shawnese, Delawares, and some Mingoos who getting but little part of the consideration that was given for the lands eastward of the Ohio, view the settlements of the people upon this river with an uneasy and jealous eye, and do not scruple to say that they must be compensated for their rights if the people settle thereon, notwithstanding the cession of the Six Nations. [Craig, 1846, vol. 1, p. 430.]

This was no new concept, for as early as 1750 the Iroquois living on the Ohio were voicing their complaints about the deals being made by the central authorities at Onondaga for the Ohio lands. Connagerwa speaking on behalf of the Six Nations resident on the Ohio Valley told Peters, "that he was sent down from the Ohio to enquire about the purchase they had heard the Governour had made on the east side of the Susquehanna the year before, from the Onondaga Council, & said they were entitled to part of goods paid for these lands as well as the Onondaga Council, but they had received no part" (O'Callaghan, 1849-51, vol. 1, p. 414).

In the same year Broken Kettle on behalf of the Six Nations living on the Ohio told Richard Peters:

The Six Nations come down every Year to sell Land, and we are Part of the Six Nations, live at Allegheny and hunt there. They sell Lands and give us no account of the Value; therefore we are sent by the Ohio Council to desire our Brother the Governor to recommend it to the Six Nations that when any Lands shall be sold, we may have Part of the Value. [Prov. Council Pa., Minutes, vol. 5, pp. 438-439.]

We have already shown that the League did not succeed in meeting the challenge of the young and sometimes unruly warriors who paid lip service to the "Great Peace." The Ohio Iroquois and their friends confidently notified the Pennsylvania authorities in 1750 that they had "now become a stronger Body . . . & have got many to join us, and are become a great Body and desire to be taken notice of as such." These "warriors and hunters" expostulated that they would not sell lands unless empowered to do so by their own council (*ibid.* p. 439).

Proof of the deterioration of League authority in the west and indication that the "westerners" were ready and willing to establish their own government, was the offer to Conrad Weiser by "all the Indians on Lake Erie & around about them to a great distance . . . to come to that Fire," and "lay their old people aside & take up the English hatchet against the French if the English furnished the materials necessary for war and the wampum belts necessary for governmental affairs" (Wallace, 1945, pp. 259-260).

A so-called dependent Shawnee dared even to flaunt the League openly. He replied to the Iroquois:

Our Eldest Brothers: We have heard what you have related . . ., we consider it as if you delivered it from outside your lips; although you may consider us your younger brothers, your seats are not at such a distance, but what we can see your conduct plainly; there are reasons why we consider you to speak from outside of your lips; for whenever you hear the voice of the United States you immediately take your packs and attend their councils. [Lowrie and Clarke 1832-34, vol. 1, pp. 323-324.]

It is plain from this that the Shawnee no longer passively accepted the dictates of Onondaga. The basis for this failure to accept Iroquois directives is to be found in the Indian's attachment to the land. The League's dictates were being rejected by its "marginal" members and farflung "dependents" because the League was violating the Indian concept of man's relationship to the land. Land was no longer a blessing given to mankind by the "Master of All Things" to be kindly used by the present generation and to be carefully preserved for future generations. Land had become a commodity—a salable asset to be bartered for annuities, liquor, etc. In accepting this new philosophy, the League violated the close relationship which the Indian had with nature. Translation of land into a salable, economic, expendable commodity, changed basic Indian customs, modified Indian social philosophy, shuffled the membership of Indian tribes, and scrambled geographic locations to a degree that it is now often impossible to map tribal boundaries accurately.⁶

⁶ Influence of Whites on Indian changes of locale are too numerous to cite here. See for example, Brodhead, 1853-87, vol. 6, pp. 593 ff.; vol. 7, p. 18; Mich. Pioneer and Hist. Soc., Coll. and Res., vol. 33, p. 446; Wis. Hist. Soc., Coll., vol. 18, p. 174; vol. 16, p. 370; McIlwain, 1915, pp. 195 ff.

The new and alien philosophy, however, soon spread to the neighbors of the Iroquois and caused these onetime "subjects" to adopt the white man's vehicles and guarantees of ownership. The sorry experience of the Delaware beginning with the Walking Purchase induced them to demand a guarantee of title:

The Land which we now inhabit was granted by the Miamies and Potawatomies which they have renewed last September in great council held at Fort Wayne in the presence of Captain Wells and the commanding officer of the Fort.

They granted to us to occupy and possess said land for the benefit of our tribes & their prosperity. But prohibited the right of selling the same. But took us in as joint owners of Said Land or Country—lest the grant should in future day fall into the hands of the white people, wherefore they gave us no writing at the time this took place. But for security they gave us Wampum instead of a written Deed. Our chiefs are doubtful with regard of such pledges—and indeed experience ought to teach us the weakness of such a measure. By observation the population of the United States, it appears to us that all Indian claims will be extinguished by the white people before long. The Land in which we wish to dwell all our days will inevitably be sold from under the feet of our poor children after us. In that case what will become of them . . . They will be compelled to dispossess once more. We dread that evil very much in spite of the pledges of Wampum which was given to us.

The chiefs went on to ask for "assistance" as they and their people (the Delaware) were "poor and have no sure habitation." They pointed out that they now found themselves in the "same situation as the first Whites whom they befriended." They asked for "pity" and a "writing" so that they would not be dispossessed by the Whites, who now claimed almost the "entire country" (Parker, Daniel, n. d.).

The quoted plea of the Delaware summarizes the basic changes in Indian philosophy toward land; it is symbolic of the fears and tensions shared by the Iroquois and all their Indian neighbors. It seems certain that prior to white contact, land was given (though not deeded in our sense), and wampum was used as a promise in perpetuity providing the new owner behaved.

The translation of land to a salable economic commodity blurred tribal boundaries. In times prior to the arrival of the Whites, tracts of land were claimed and even occupied by several tribes who seemed to have lived peaceably together. A band which moved from a piece of land and neither occupied it for a number of years nor hunted on it, in fact relinquished its claim. The only recollections of its former residence remained in the folklore. The new and, to the Indian's way of thinking, "artificial" values placed on land by the Whites destroyed these principles. We now find them claiming land long after they moved away. This is also indicative of the fact that all Indian philosophy was foundering in the whirlpool created by the impact of crass materialistic motives against an idealistic and natural ideology.

The continuing sales of land caused such resentment among the Seneca themselves, that Handsome Lake made land selling a cardinal sin and consigned Red Jacket to a special hell in which he would be forced to "carry dirt in a wheelbarrow" for eternity (Parker, A. C., 1913, p. 68). The Seneca Longhouse people to this day evidence this same feeling about parting with their land, and many of the "old people" at Coldspring still speak of Red Jacket in a deprecating manner.

It can be said that at least the first grants of lands were merely grants to the use of land during good behavior. They were certainly not final sales for concepts of absolute sales in our sense and land as a salable commodity were foreign to Indian social and religious ideology. For themselves, the Indians wanted only to harvest animals and plants from the land. They did not accept and could not understand the white man's concept of absolute ownership. We cite here a short excerpt from the speech of Thomas King at the treaty of Easton in 1758. This sums up both Indian philosophy and its differences with the philosophy of white man.

. . . our cousins the Minisinks tell us they were wronged of a good deal of land and pushed back by the English settling so fast upon them so as not to know whether they have any lands or no. You deal hardly with us; you claim all the wild creatures and will not let us come on your lands so much as to hunt after them; you will not let us peel a single tree. . . . You take of us what lands you please, and the cattle you raise on them are your own; but those that are wild are still ours and should be common to both; for our nephews, when they sold the land, they did not propose to deprive themselves of hunting wild deer or using a single stick of Wood. [Logan Hist. Soc., 1920, Publ. I, pp. 259-260.]

It was no accident that the early treaties took cognizance of the rights of the Indians to continue to hunt and fish on lands which the white man "bought," for without these guarantees, treaty making would have been more difficult. For example, the Treaty of Greenville, August 3, 1795, states that,

The said tribes of Indians, parties to this treaty, shall be at liberty to hunt within the territory and lands which they have ceded to the United States without hindrance, molestation, so long as they demean themselves peaceably and offer no injury to the people of the United States. [U. S. Statutes, vol. 7, p. 49.]

The Indians ultimately came to realize that negotiations with the Whites meant irrevocable loss of their land. Balancing the lure of money against their deep love for their ancestral grounds, and the fear of becoming homeless, it was inevitable that they would reject the money. The sources show that the Indians soon learned that money would not give them either the physical or economic security of the land. The Confederated Indians replied to the American Indian Commissioners (1793):

Money to us, is of no value, and to most of us unknown, and as no consideration whatever can induce us to sell the lands on which we get sustenance for our women and children, we hope we may be allowed to point out a mode by which your settlers may be easily removed and peace thereby obtained.

We know that these settlers are poor, or they would never have ventured to live in a country which has been in continual trouble ever since they crossed the Ohio. Divide, therefore, this large sum of money which you have offered to us among these people; give to each also a proportion of what you say you would give to us annually, over and above this very large sum of money; and we are persuaded they would most readily accept of it in lieu of the lands you sold them. If you add also, the great sums you must spend in raising and paying armies with a view to force us to yield our country, you will certainly have more than sufficient for the purpose of repaying these settlers for all their labor and improvements. [Lowrie and Clarke, 1832-34, vol. 1, p. 356.]

A half century earlier, on July 7, 1742, Canassatego speaking on behalf of the Six Nations in Philadelphia insisted, "that the Indians knew that their Lands are now become more Valuable; the White people think we don't know their Value, but we are sensible that Land is Everlasting and the few Goods we receive for it are soon Worn out and Gone" (Prov. Council, Pa., Minutes, vol. 4, p. 570). The Indians were not only haggling for higher prices, but were even then fearful of becoming landless and homeless.

The Indians did not readily escape White pressure by refusing to sell. A technique of inducing sales was to summon the Indians to a council whose sole purpose was to induce land cessions. At one such session, Legro, the Miami chief, also representing the Potawatomie, the Wea, and the Ottawa, replied:

You have made a request of us for our lands which we have already refused . . . I told you our situation . . . We have a right to trade or exchange our property, if we can agree, and if we cannot agree to trade, we can separate in peace. But it is not so here, for you ask us after we have refused . . . When I was in Washington last winter you told me to take care of our lands and to think a great deal of them . . . You now ask us for our very beds, for the means of our subsistence.

When you came here, we thought you came to visit us for our benefit, but it appears you have come to procure our lands and bring on our destruction. Fa. the request you made of us we can never agree to—it is impossible . . . If you was to give us as many dollars as would cover our land, we would not sell it to you. We can never sell it . . . Therefore that we wish you to understand for all. That is all we have to say. [Tipton, 1942, pp. 588-589.]

We have previously shown how Indians extended hospitality to their homeless bretheren. Whites, too, were initially welcomed and given places to live. However, when the Indians learned that the Whites would eventually dispossess them, the Whites were less welcome. Thus in 1762, White Eyes greeted Christian F. Post:

You have marked out a large spot of ground for a plantation as the white people do everywhere, and by and by another and another may come; and the next thing will be that a fort will be built for the protection of these intruders

and thus our country will be claimed by the white people and we driven further back as has been the case ever since the white people first came into this country. [Ohio Arch. and Hist. Soc. Publ., vol. 7, p. 41.]

The Indians also viewed the White man's urgings to divide their communal lands as a ruse to gain control of their lands bit by bit, and as a plan that would render them powerless to resist further aggression and eventually lead to their extinction. Jabez Hyde, a New England missionary, noted a fragment of a speech by Captain Pollard, a Seneca, at the Council of the Six Nations held August 8, 1820:

As to dividing our lands into farms and holding them as individual property as among the white people, we think it will not do for us. Holding our lands in common as we now do, keeps us together. [Morse, 1822, App., pp. 4-5.]

White attempts to wring one land cession after another from the Indians were met everywhere with uniform and well-nigh incredible resistance. Here and there Indian leaders arose to lead their people. Pontiac, Tecumseh, and Black Hawk derived their influence in great part from a desire to save the lands for their people, and to their pronouncement that if all Indians united, they could save their lands. Personal philosophy and singleness of purpose permitted them at times to weld diverse elements into one strong resistance movement which resembled a crusade. For example, Tecumseh in his statement to Gen. William Henry Harrison at Tippecanoe added to the Indian philosophy of land ownership when he insisted that the land belonged to all the Indians, not just to specific tribes. Here is the substance of his speech:

The Great Spirit gave this great island to his red children; he placed the whites on the other side of the big water; they were not contented with their own, but came to take ours from us. They have driven us from the sea to the lakes; we can go no further. They have taken upon them to say this tract belongs to the Miamies, this to the Delawares, and so on; but the Great Spirit intended it as the common property of us all. Our father tells us, that we have no business upon the Wabash—the land belongs to other tribes; but the Great Spirit ordered us to come here and here we will stay. [Drake, B., 1852, p. 124.]

In 1807 Tecumseh argued,

These lands are ours: no one has a right to remove us because we were the first owners; the Great Spirit above has appointed this place for us, on which to light our fires, and here we will remain. As to boundaries, the Great Spirit above knows no boundaries, nor will his red people acknowledge any. [Drake, B., 1852, pp. 92-93.]

Indian leaders were thoroughly hated by the Whites for propounding a philosophy which contradicted the rugged individualism of the frontier. Such men as Tecumseh did lead effective resistance movements. Once started such movements were difficult to stop because they aroused the religious zeal of the Indians. The belief became

widespread among the tribes on the frontier that the land belonged to the many and not the few. This idea was more difficult to combat than tomahawks.

All Indian attempts to unite, whether for peace or war, were rejected by the Whites, for they had had enough experience with confederations of Indians during the eighteenth century to avoid such combinations after the Revolution. Thus, when Aron Hill, a Mohawk, tried to speak for the Six Nations, Ottawa, Chippewa, Huron, Miami, Potawatomie, Mississaugua, Delaware, Shawnee, Cherokee, Chickasaw, Choctaw, and Creek at the Treaty of Fort Stanwix, the Federal Commissioners refused to entertain a united plea. The Commissioners said they had "summoned the Six Nations only to this treaty. That nations not called should send their voices hither is extraordinary." They also questioned the authority of the Six Nations to represent other Indians since they had "not shown us any authority, either in writing or by belts, for your speaking their names. Without such authority your words will pass away like the winds of yesterday, they are heard no more" (Ketchum, 1864-65, vol. 2, pp. 19-20). The reasoning of the United States Commissioners was perverting the intent of Indian political custom by using Indian metaphors to prevent effective Indian bargaining for an equitable and just peace.

The official governmental policy of "divide and rule" may be noted in General St. Clair's statement dated May 2, 1788:

The reason why the treaties were made separately with the Six Nations and the Wyandots and more westerly tribes was a jealousy subsisted between them which I was not willing to lessen by appearing to consider them as one people—they do not so consider themselves; and I am persuaded their general confederacy is entirely broken; indeed it would not be very difficult if circumstances required, to set them at deadly variance. [Lowrie and Clarke, 1832-34, vol. 1, p. 10.]

The Indians' reply to St. Clair plainly reminded him that he had been told to transact business with the combined tribes. The speaker referred to the Indian sentiments in these words:

Brothers: Your commissioner . . . after having been informed by the general council . . . that no bargain or sale of any part of these Indian lands would be considered as valid or binding unless agreed to by a general council, nevertheless persisted in collecting together a few chiefs of two or three nations only, and with them held a treaty for the cession of an immense country in which they were no more interested than as a branch of the general confederacy and who were in no manner authorized to make any grant or cession whatever. Brothers: How then was it possible for you to expect to enjoy peace and quietly hold these lands *when your commissioner was informed long before he held the treaty of Fort Harmar that the consent of a general council was absolutely necessary to convey any part of these lands to the United States*. [Smith, 1854, vol. 1, p. 179—my emphasis.]

Enough has been said to indicate that White maneuverings to gain possession of Indian lands were met by resistance when the Iroquois and their neighbors awoke to the fact that money was expendable and would not buy the security which their fathers had enjoyed. When they could no longer fight for their land, Indian resistance took the form of reverting to the teachings of their ancestors, and adjusting these teachings to meet the threat to their way of life. These were not only psychological rationalizations—they were the end result of a defeated people's attempt to maintain a dignified and secure existence. Many Indians still dream of the day when the land ceded to the Whites will revert to them to be tenderly nursed back to health so that the Blessings of the Maker may be enjoyed in peace.

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