Mr. Manypenny's Millions: Freedom and Sovereignty in the Nineteenth-Century Native American Annuity Conflict

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Abstract: In the 1850s, a decade of great stress for Native North Americans, U.S. Commissioner of Indian Affairs George Manypenny preoccupied himself with Indigenous nations' supposed dependence on U.S. government annuities. Through new treaties he pressured or persuaded Native American leaders to convert annuities into term or lump-sum payments, or to accept agricultural training and equipment as payment. Native Americans saw annuities as emblems of sovereignty, tangible proof of sovereign-to-sovereign relations, and their distribution as opportunities to gather and affirm social unity. They proved willing to give them up only in return for other assets, like school funds, that could serve their people's adaptive agendas.

Keywords: Annuities; Civilization program; Great Lakes Indians; Hole-in-the-Day; land; Manypenny, George; Miamis; Native Americans; Ojibwas; Pacific Northwest; Parks, Joseph; Shawnees; sovereignty; treaties

In 1853, when George Manypenny took office as the United States' ninth commissioner of Indian Affairs, the peoples whose affairs ostensibly fell under his charge found themselves in varying states of crisis. Across half of the continent Native Americans absorbed the impact, usually harmful if not deadly, of a settler empire's expansion. In the Great Lakes region, Menominees and Ojibwas faced official pressure to leave their homelands, and the loss of timber and hunting ranges if they stayed. On the eastern prairies emigrants from the Great Lakes country, driven from their old homelands by Removal treaties and bayonets, and scarcely settled into their new reservations, faced pressure to move from Kansas to Oklahoma and clear the right-of-way for a Pacific railroad. In the Pacific Northwest Governor Isaac Stevens, determined to repopulate Washington Territory with white settlers, used coercive treaties to seize millions of acres of the Nisquallies', Yakamas', and other nations' lands, pushing the Native signatories onto small reserves and sending soldiers against those who resisted. In California, the Americans turned settler colonialism into out-and-out genocide, destroying Native food resources, legally enslaving Indian men and women under state vagrancy laws, and wiping out entire communities in deliberate campaigns of extermination. Throughout the United States' jurisdiction, for the first time since the Revolution, the number of battles American forces fought with Native peoples exceeded the number of treaties those nations signed by three to one (Nichols 2018, pp. 180-184, 187-188, 196; Bowes 2016;

Calloway 2013, pp. 177-180; Hurtado 1990; Lindsay 2012. The battle-to-treaty ratio is for the entire decade 1850-59: see Anderson and McChesney 1994: 39-74, esp. 48, 69. On the wars that Governor Stevens' polices engendered see Wadewitz 2019: 339-61; Calloway 2013; Reddick and Collins 2013).

Native North America had, in short, come under severe stress. When, however, the new commissioner of Indian Affairs sat down to report on his constituents' crises and concerns, he devoted little attention to American Indians' loss of land (except to note it as a positive good) or the death squads on the move in the Far West. Instead he focused his white readers' attention on what he considered an equal threat to Native peoples' well-being: money. Since the 1790s the U.S. government had been compensating indigenous Americans for land cessions with annuities, annual payments of goods or (increasingly) cash, that by the early 1850s collectively exceeded half a million dollars per annum. These were small outlays for an aggregate Native American population of several hundred thousand. Nonetheless, Manypenny viewed them as a big problem: "The money-annuity system," he asserted, "has done as much, if not more, to cripple and thwart the efforts of the government to domesticate our Indian tribes than any other…obstacle" (Nichols 2008, pp. 122, 125, 199, 201; *Annual Report* 1853: 7, 20-21).

Selected Treaties Mentioned in This Article, 1853-55

Date	Signatories	Total Annuities	Acres Ceded
10 Sept. 1853	Shastacosta, Takelma	$40,000	2,000,000
15 March 1854	Oto & Missouri	$385,000	1,250,000
5 June 1854	Miami	$150,000	240,000
26 Dec. 1854	Nisqually, Puyallup	$32,300	256,000
22 Feb. 1855	Ojibwa	$1,140,000	11,000,000

Sources: Kappler 1904, pp. 2, 603-605, 608-611, 641-46, 661-664, and 685-90, respectively.
Notes: The 1854 treaty with the Shastacostas and Takelmas mentioned in this article was essentially an addendum to the 1853 land cession summarized in this table. The annuity figure for the 1855 treaty with the Mississippi and Pillager Ojibwas includes annuities paid in goods. "Total annuities" represent most, but not all, of the compensation that signatory nations received for ceded lands."

Native Americans might like annuities, but the commissioner found their obsession—"With Indians it is annuities, annuities, annuities, all the time," he complained to an Ojibwa delegation—unhealthy. Manypenny came to his office with an ameliorationist background: in his adopted home town of Zanesville, Ohio, he had served as a court clerk, a board-of-education member, and a canal contractor. What was good for George Manypenny and good for Ohio—

> laws, schooling, access to markets, and the hard work that gave one a saleable surplus—was presumably also good for Native Americans. Free money led to improvidence and disregard for what the Indian Office considered self-improvement. Annuities let Indigenous Americans run up debts, drink to excess, and eschew the agricultural labor that could alone bring them moral health and personal independence. Only if the national government intervened, and imposed its paternal control on the form and manner of its payments, could it protect Native annuity recipients from the unhealthy consequences of their economic liberty, and ensure their long-term survival (Talk of Commissioner Manypenny, 1855, DRNT: 287: 61; Kwasnicka and Viola 1979, pp. 57, 59-60; *Biographical* 1892, pp. 77, 95, 194).

During his four-year tenure of office, Manypenny negotiated a dozen Indian treaties in person, and advised on or formally reported many more—fifty in all, about twelve percent of all Native American treaties negotiated by the U.S. government. The commissioner and his colleagues made reform of the money-annuity system one of their priorities. Some of the treaties they negotiated in the mid-1850s gave the signatories specific goods rather than fungible cash. An 1854 agreement with the Rogue River Indians (the Shastacostas and Takelmas), in which the signatories agreed to open their reservation to other Indian nations, provided payment in livestock, a hospital, and clothing, including "fifty pairs of pantaloons." Manypenny's 1855 treaty with the Pillager (Leech Lake) and Mississippi bands of Ojibwas paid for a land cession with, among other things, five hundred dollars' worth of ammunition, tobacco, and gilling twine, every year. In other cases treaties gave the president and his designees discretionary power over new annuities, letting them tender payment for land in tools, livestock, construction materials, and other merchandise suited to "moral improvement and education." This phrase served as shorthand for the U.S. government's sixty-year-old "Indian civilization" program, which sought to convert Native American men into sedentary farmers and independent householders, thereby breaking their ties to their Indigenous communities and (ostensibly) their financial dependence on the United States. The commissioner incorporated these "civilizing" supplies into his 1854 accord with the Otos and Kickapoos and subsequent treaties with the Menominees, the Sauk and Mesquakie nations, and the Kalapuyas of western Oregon Valley. Treaty negotiators also introduced term annuities with declining payouts, presumably to wean Indian signatories from their dependence on them. The 1855 Treaty of Camp Stevens, for example, limited payments to the Walla Walla and Cayuse nations to twenty years, with the sums declining from $8,000 to $2,000 per annum over the payout period (Kappler 1904, pp. 654; 688, 608-09, 627, 633, 666, 695, 658. On the Indian Civilization program see Perdue 2004, pp. 313-25; Richter 2013, pp. 227-250).

Lastly, Manypenny persuaded some Indian nations with permanent annuities to trade them in for lump-sum payments. In 1854 and 1855, to clear the way for white settlements in the newly-opened Kansas Territory, the United States purchased much of the land holdings of the Delawares, Miamis, Peorias, and Wyandots, all Great Lakes-region peoples who had moved to the prairies a decade or two previously. The commissioner, who negotiated these cessions himself, convinced his Native counterparts to "relinquish and forever absolve the United States" of responsibility for payments guaranteed them by previous treaties. In return the federal government paid the four nations slightly more than one million dollars, some of which their chiefs and councilors used to pay the expenses of families who had to move onto smaller national reservations, or to compensate those who had lost property to a flood of white squatters. Kansas emigrant leaders like Joseph Parks had complained about these marauders, "whites who are like the prairie wolves, prowling about and stealing," but received no redress, at least initially. Apparently the United States intended to relinquish its duty to protect Indian emigrants along with its annuity commitments to them. As if to affirm this, Commissioner Manypenny told one nation, the Miamis, that they should accept a one-time payout because their annuities would cease when their tribe ceased to exist. He expected this to occur sooner rather than later. (It never actually occurred). (Kappler 1904, pp. 638, 642, 680; Bowes 2007, pp.194-195; DRNT, No. 268, p.15; DRNT, No. 274, pp. 15, 117.)

It is more than fair to assume Manypenny's Native American counterparts did not agree with his thinking on the money-annuity system. Certainly they did not accept his binary division of societies into hard-working commercial farmers and indolent, booze-sodden annuity-drawers. Many northern Lakes Indians still made a competent living through non-agricultural pursuits, like commercial hunting, fishing, and harvesting wild plant foods like wild rice and maple sugar, and selling their surpluses to white traders, loggers and miners. Osages and emigrant Delawares worked as middlemen in the southern Plains Indian trade, exchanging textiles and other manufactured goods for Comanche horses and bison robes. None saw these as slothful enterprises. "We *have* worked," the elderly Ojibwa ogimaa Bizhiki protested in a meeting with Commissioner Manypenny, "and we [do] have property." Take away the Ojibwas' "scanty annuity," concurred chief Shahbashkong on another occasion, and "we can [still] live by our industry" (Nichols 2018, pp. 156-157; Child 2012, pp. 23-24, 39-40, 75-76; Edwards 2018, pp. 102-103; Anderson 2005, p. 92; Talk of Buffalo, DRNT, No. 287, 56; Kugel 1998, p. 67).

Nor did Native Americans see annuities as badges of subjection. True, historians of Indigenous American treaties have characterized annuity payments as devices for alienating Native American lands, and for creating a dependent relationship between Indigenous nations and the U.S. government. Native peoples themselves described annuity payments and the political relationship they created very differently. Such payments helped them demonstrate their national unity and sovereignty. Annuities regularly affirmed the recipient nation's diplomatic relationship with a sovereign power, the United States. Like the medals that Indian leaders sometimes requested, they symbolized political equality. One Odawa chief exemplified this ideology when he requested, in 1807, an officer's gorget bearing the words "The Ottawa Nation is entitled to eight hundred dollars a year forever by the Treaty of Detroit," the key words being "nation," "treaty," and "forever." Annuity distributions themselves served as nation-building exercises, opportunities for the whole body of the people to gather and remind themselves of their national status. Polities as disparate as the Chickasaws, the Ojibwas, and—a bit later in the century—the Arapahos used annuity days to celebrate, to feast and dance, to exchange gifts and share resources, and reify their collective identity in the eyes of one other (Jones 1982; Prucha, 1994; Calloway 2013; Case 2018; Nichols 2018, p. 141; Child 2012, pp. 55-56; Conn 2019; Bass 1996, pp. 163-164).

With these external symbols of political recognition, and with the displays of internal social cohesion they made possible, Native Americans asserted their own sovereignty. This they defined as a right to dignity and self-government that derived from Indigenous nations' integrity and unity. Native sovereignty also grew from the "Westphalian" recognition, reified by conferences and formal treaties, that Native Americans received from other nations. This recognition was, however, becoming an unstable foundation for Indian autonomy. The U.S. government had isolated the great majority of Native North Americans from European diplomatic connections, and was by the 1850s moving to end their diplomatic relationship with the United States: in that decade the Senate peremptorily rejected eighteen treaties with California Indians and Congressman began calling for an end to the federal Indian treaty system. In 1871 Congress prohibited future treaties with Native American nations and assumed a more colonial relationship with them (Prucha 1994, pp. 243-246: Kwasnicka and Viola, 1979, p. 91; Calloway 2013, pp. 230-32. On sovereignty and treaties see Simpson 2014, pp. 10-12; Sadosky 2009, pp. 6-9; Nichols 2021, pp. 135-152).

Perhaps Native leaders had some inkling of the changes underway in Washington. Certainly, many were willing to forego or abandon annuity payments, both critical parts of their sovereign relationship with the United States. The reasons for this flexibility varied from nation to nation. Indigenous peoples in the Pacific Northwest had never received cash annuities before, and they recognized—or came to recognize—that the disparity in power between the American empire and their own disease-wracked, settler-harried communities put them in a bad position to negotiate. The Kalapuyas of Willamette Valley, Oregon had in the early 1830s lost ninety percent of their people to malaria, a disease exacerbated by white traders' withholding of quinine from the victims. Theirs was a very weak bargaining position. Some of the Nisquallies on western Puget Sound tried to reject a federal treaty that obliged them to surrender 99.9 percent of their lands, but during the Yakama War (1855-58) white Americans classed the resisting band as insurgents and hanged their chief, Leschi. The Yakamas themselves, who believed they had sufficient military power to keep white miners out of their former hunting preserve, instead were ground down by federal and territorial troops and confined to their reservation (Whaley 2010, pp. 91-93, 97-98, 196; Boyd 1975: 135-54; *Annual Report* 1850, p. 130; Calloway 2013, p. 177; Reddick and Collins 2013: 80-98, esp. 83-84, 86-88).

Other Indigenous Americans viewed the shift from regular but small cash annuities to lump-sum payments or promises of technical assistance as an opportunity. The Ojibwa ogimaa Hole-in-the-Day (Bagone-Giizhig II) informed Manypenny in 1855 that his people had indeed been impoverished by annuities, or more precisely by the traders who took most of them in payment of debts and corrupt agents who skimmed the remainder for their cronies. Worse still had befallen the eastern Ojibwa bands from Wisconsin and northern Michigan, who in 1850 had followed a federal summons to a new annuity site on Sandy Lake, Minnesota, only to find that the Americans had not purchased sufficient provisions for the thousands of attendees; four hundred men, women, and children starved to death at Sandy Lake or during the winter march homeward. Now, Hole in the Day declared, the Ojibwas wanted to settle in permanent reservations and become commercial farmers like the whites. Even with "wisdom" and willpower, however, "they could accomplish nothing" in this regard "if they lacked money and means." Needing tools, livestock, training, and other materials to begin the shift from commercial hunting to commercial agriculture, the Ojibwas needed not a small annuity but "a pile of money to start upon," a pile firmly under the control of reformist ogimaag (Talks of Hole-in-the-Day, DRNT, No. 287, pp. 6, 60-61, 82; Child 2012, pp. 65-73; Kugel 1998, pp. 62-66, 70, 75).[1]

Still other signatories, like the Miami and Shawnee diplomats who cashed out their nations' pre-existing annuities, had particular political goals they hoped the liquidation would serve. Earlier in the century Miami leaders had used negotiation and delaying tactics to resist removal from their northern Indiana homeland. When in 1846 U.S. troops marched into Miami towns to arrest and expel the inhabitants, several hundred men, women, and children took refuge in nearby marshland, or on tracts that wealthier Miamis owned as individual property. Over the next decade the Indian Office divided the nation's annuities, in an unsatisfactorily haphazard manner, between the involuntary emigrants in Kansas and their kinfolk back east. Big Legs and other western Miami chiefs now wanted to remove annuities as a cause of internal division, using a lump-sum payout to restore harmony between the Kansas and Indiana Miamis. Meanwhile, the western Miamis' Shawnee neighbors agreed to commute their old annuities because they wished to use some of the lump sum to create a fund for schools, which Shawnee chiefs saw as an important national institution, and because they wanted concessions from the U.S. government, in particular payment of damage claims to Shawnee farmers plundered by white intruders. To get justice from another sovereign power like the United States, one apparently had to pay for it (DRNT, No. 274, pp. 15, 17, 19; No. 268, pp. 30, 37, 39; Ostler 2019, pp. 296-297; Bowes 2016, pp. 72-76; Birzer 2008, pp. 94-108; Warren 2005, p. 103).

Living in an era when most Native Americans struggled to preserve their lives and what remained of their lands, Indian Affairs Commissioner George Manypenny's obsession with cash annuities seems both comical and blindly negligent. Both he and his Indian constituents would agree, however, that the annuity issue related directly to Indigenous people's survival. The commissioner argued that regular cash payments sapped people's moral health, leaving them unwilling to work and unable to feed themselves. Take away Indians' annuities and force them to work, Manypenny insisted, or they would decline and die. Native American leaders viewed annuities through a political lens, rather than a moral one. They saw in them a regular demonstration of their people's collective relationship with a sovereign power and a means of convening all of those people as a corporate body—in short, as a building block of their own sovereignty. Annuities, however, were but a means to a political end. In negotiations with the United States, chiefs and councilors could exchange those payments for other assets that also supported their nations' sovereignty: capital and consumer goods that could help their people survive, school funds that national leaders controlled, damage compensation that implicitly acknowledged their property rights, and the resolution of damaging internal disputes.

Manypenny shared much in common with Progressive-era reformers like Henry Dawes and Richard Pratt, who believed that the key to Native American survival was individual economic self-reliance, what one historian has called "sovereignty of the self." Dawes and his contemporaries, with access to far more power than the United States commanded in the 1850s, took a more radical approach to Indigenous transformation: they divided collectively-held reservation lands into family allotments and detribalized Native children through boarding schools. Manypenny had access to a less powerful policy toolkit: negotiable annuities, "civilization" grants, and treaties, sometimes coerced and sometimes more equitably negotiated. Native American leaders like Joseph Parks, Big Legs, and Hole-in-the-Day still recognized that the commissioner and those who shared his philosophy represented potential threats. The believed that their survival depended not on greater individualism and reliance on the United States' goodwill, but on collective negotiation and Indigenous sovereignty. While the trauma and dispossession that American Indians endured in the 1850s were theirs alone, the debate they held with white officials over the efficacy of individualist versus collective paths to independence was one they came to share with many other Americans in the coming decades (Greene 1992, p. 188; Hoxie 1984; Genetin-Pilawa 2012).

NOTES

1 The final treaty with the Ojibwas provided the signatory bands with over one million dollars paid out as 20-year annuities, with the proviso that they reserve some of the funds for their "improvement and welfare," and the further stipulation the president could withhold annuities from "intemperate or abandoned" individuals (Kappler 1904, pp. 687-689). White traders frequently siphoned off Native American annuity money in payment of debts. See Prucha 1994, pp. 220-22; Case 2018, pp. 60-61.

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