

Indian Allotment and Land Tenure

Carlisle Indian School Digital Resource Center

Introduction:

Documents and publications from the Carlisle Indian School offer insight into the involvement of the Bureau of Indian Affairs in other aspects of Indian life. The BIA was tasked with breaking up Indian lands and dividing it among individual Indians and Indian families. [The Dawes Act \(The General Allotment Act\) passed by Congress February 8, 1887](#), set a precedent for the legislation regulating and controlling Indian Lands through allotment. Legislation and allotments varied from region to region and between nations. Letters and documents in Carlisle Indian School student files show the concerns of students, problems that arose in obtaining individual allotments and tribal trust funds, and the many forms government financial intervention took. On the other hand, the school publications such as the *Red Man* address government allotment on a national level and government attitudes towards Indians, pointing to specific pieces of legislation and emphasizing the connection between land ownership and citizenship.

Goals: The goal of this exercise is to connect Pratt's mission to "Kill the Indian, Save the Man" and the emergence of Indian Boarding Schools, like Carlisle, across the country with the overall government policy of assimilation. Through analysis of primary documents, student files, and publications, students can begin to understand how students at the Carlisle Indian School were effected by government policy regarding Indian land.

Materials:

The *Red Man*, one of the publications produced at the Carlisle Indian School, was produced by the students. It features articles written from everyone from the director of the Bureau of Indian Affairs and noted anthropologist Franz Boas to students themselves. Much of the content was pulled from other national and regional publications, regarding Indian affairs. The publication covered a variety of topics, including Indian stories and legends, current affairs, Indian education, life on the reservation, and regularly published updates on current student or graduates. The *Red Man* featured a number of stories dealing with land ownership and cultivation.

The student files from the Carlisle Indian School contain the personal information, letters, financial transactions, grades and evaluations, and enrollment information, of students who attended the boarding school. Much of the correspondence found in these files takes place between the parents or guardians and the school administrators and later between the students themselves, after leaving the school. The sample of student files below highlight some of the many issues regarding government allotment and land tenure present in the lives of Carlisle students.

The Red Man:

[“The Individual Indian Farm”](#) – This article addresses what it means to individually own land. W.O. Odgson discusses the efforts of the United States government to “place the Indian in a position to compete with his white brother in the race for achievement and success, from the viewpoint of the civilization that has gradually surrounded him.” He argues for the individualization of the Indian through education; teaching Indian boys to be self-sufficient farmers and property owners. (*The Red Man* Vol. 7, No. 1, 32-35)

[“Uncle Sam is Using the Red Man to Fight Beef Trust”](#) – This article taken from the *New York Herald* discusses the efforts of the United States government to reduce the cost of beef in the U.S. by giving Indian farmers “aid in raising the quality of his cattle, encouraging him to augment the herds that are now found on reservations.” Central to the discussion is the concept of reservations being held in trust by the government on behalf of Indian nations and tribes. The article discusses the reservation as perfect place to raise cattle and how the skills of Indian horsemen lend themselves to the rearing of cattle. (*The Red Man* Vol. 7, No. 4, 146-151)

[“Robbing the Indians Must Cease: Commissioner Sells Plans to Conserve and the Develop the Indian and His Property”](#) – This excerpt coming from the Bureau of Indian Affairs discusses the need for reform in the leasing, selling, and stealing of Indian land and all the resources it offers. It calls particular attention to the leasing of mineral rights. (*The Red Man* Vol. 7, No. 4, 152-153)

[“Advises Selling Excess Indian Land to Farmers”](#) – This address by Dana H. Kelsey at the Eastern Oklahoma Agricultural Conference provides an in depth look into the state of Indian land ownership and use in Oklahoma. It offers insight into how and why Indian lands were allotted and to what extent the government was involved in the everyday aspects of Indian lives. He states that the individual Indian has more land than they could possibly work with and should be allow to sell it in order to support himself. (*The Red Man* Vol. 6, No. 1, 16-20)

[“Editorial Comment-- Congressional Appropriations for Indian Civilization”](#) – This brief piece discusses the history of United States’ Indian policy and the history of appropriations. (*The Red Man* Vol. 5, No. 5, 209)

[“Conditions Among the Five Civilized Tribes”](#) – This articles addresses the living conditions of the Five Civilized Tribes (the Cherokees, the Creeks, the Seminoles, the Choctaws, and the Chickasaws.) It highlights treaties made between the United States government and the five tribes and their subsequent amendments, and the actions of the Dawes Commission. (*The Red Man* Vol. 5, No. 4, 135-146)

[“Important Reforms in Indian Administration”](#) – This address by the Acting Commissioner of Indian Affairs, F. H. Abbott, cites the success of “general constructive policies of education,

industrial training, individual ownership of land, and the abolition of the ration system[.]” Abbot speaks specifically about the Dawes Act and the “individualization of property by allotment and the segregation of trust funds.” He discusses the use of reservation lands, and the draw backs to policy surround allotment, individual Indian money, and Indian boarding schools. Abbott’s speech draws a clear connection between policies of education and land tenure. (*The Red Man* Vol. 5, No. 4, 148-152)

[“An Important Indian-Tax Decision”](#) – This article by D. C. McCurtain, a Choctaw attorney, details the decision of the United States Supreme Court in *English v. Richardson* and other high profile cases. The decision invalidated the “taxation of Indian allotted lands by the State of Oklahoma.” McCurtain writes about the direct effect of the Dawes Act and Commission on the tribes of Oklahoma and suggest further steps need to be taken to protect Indian land. (*The Red Man* Vol. 5, No. 4, 153-156)

[“Editorial Comment -- Utilizing Ceded Lands”](#) – This brief piece discusses the enactment of new rules regarding Indian land and their effect on a number of tribes across the country. (*The Red Man* Vol. 5, No. 2, 83-84)

Student Files:

[Joseph Bergie](#) – Student file of Joseph Bergie, a member of the Chippewa Nation, who entered the school on February 6, 1910 and departed on October 23, 1913. The file contains student information cards, trade/position record cards, a physical record, a progress/conduct card, an outing record, an application for enrollment, and correspondence related to an application for a land allotment. Bergie's correspondence also indicates that he was living in Altoona, Pennsylvania in 1915.

Joseph Bergie’s student file contains correspondence regarding issue obtaining land through the allotment program.

[Solomon Collins](#) – Student file of Solomon Collins, a member of the Chippewa Nation, who entered the school on August 8, 1889 and ultimately departed on June 21, 1894. The student did not attend the school continuously, but left and reentered. The file contains student information cards, a former student response postcard, correspondence, a returned student survey, and a report after leaving. The file indicates Collins was investigating land frauds on reservation in Rosebush, Michigan from 1910 to 1914.

In his Returned Student Survey, Collins wrote “I am confident that I caning parties into court who have obtained from the gov. is an illegal manners and also bring witnesses to prove the matters.”

[Louisa Kanard](#) – Student file of Louisa Kanard, a member of the Creek Nation, who entered the school on September 4, 1915 and departed on June 7, 1918. The file contains student information

cards, certificates of promotion, and correspondence regarding her family. The file also contains letters and correspondence and financial transactions.

Louisa Kanard's student file contains a number of documents regarding the leasing of oil and gas rights on her allotted land. These documents show efforts of individuals and companies to contact the school about the potential leasing of mineral rights. It also contains correspondence between her guardian and the school over the control and distribution of her finances.

[Louis Kanard](#) – Student file of Louis Kanard, a member of the Creek Nation, who entered the school on September 4, 1915 and departed on October 3, 1917. The file contains a student information card, financial transactions, applications for enrollment, correspondence, and a progress/conduct card. The file indicates that Kanard worked for the American Iron and Steel Co. in 1916 on the outing program and was living in Okmulgee, Oklahoma in 1917.

Louis Kanard is the brother of Louisa Kanard and his student file contains documents regarding the leasing of mineral rights on his allotted land and the handling of finances.

[Sophia Two Arrows](#) – Student file of Sophia Two Arrows, a member of the Sioux Nation, who entered the school on October 10, 1914 and departed on June 7, 1918. The file contains a student information card, an application for enrollment, financial transactions, correspondence related to her family, land allotments and inheritance, an outing evaluation, an outing record, and a certificate of promotion.

Sophia Two Arrows' student file contains documents regarding her inheritance of her mother's allotment, including a transcript of a meeting with John Francis Jr., the Superintendent of the Carlisle Indian School. It also contains correspondence detailing her efforts to receive allotments and Sioux Benefits for both her and her brother.

[Minnie Atkins](#) – Student file of Minnie Atkins, a member of the Creek Nation, who entered the school on January 22, 1881, and departed on July 8, 1884. The file contains a student information card, letters and correspondence, a returned student survey, and a report after leaving indicating Minnie was working in the U.S. Army in 1915.

Minnie Atkins' student file indicates her involvement in the Supreme Court Case the United States v. Atkins et al. The case brought against Atkins by the United States government, centered on the government's attempt to reclaim the allegedly fraudulently obtained allotment of Thomas Atkins, a Creek Indian. Minnie claimed the deceased Thomas Atkins was her son and as such she was the rightful inheritor of the land. The court decided in Minnie's favor and she maintained ownership of the land. The documents in her file contain correspondence between those preparing for trial and the school.

[Thomas Miles](#) – Student file of Thomas Miles, a member of the Sac & Fox Nation, who entered the school on October 5, 1912 and ultimately departed March 13, 1918. The student did not

attend the school continuously, but left and reentered. The file contains student information cards, applications for enrollment, medical and physical records, outing evaluations, certificates of promotion, a returned student survey, outing records, financial transactions, and letters and correspondence regarding his departure from the school. The file also contains a written account of his life, including that he was born in Arlington, Oklahoma, that his father studied medicine at the University of Pennsylvania, and that he studied carpentry at Carlisle.

*For the exploration of more files containing government allotment records suggested search terms include “allotment”, “land”, and “financial transactions”

Procedure:

- 1.) Understanding Indian land tenure and cultural assimilation.
 - [The Dawes Act, 1887](#) – Have students read through the Dawes Act or select a section of the Dawes Act to summarize. Below is a list of questions to consider while reading.
 - Identifying nation specific legislation – Have students choose a nation they are interested in or belong to and identify a piece of legislation that effects it. The Indian Land Tenure Foundation’s [Tribe/Reservation Allotment Information](#) is a good place to start identifying specific regions and nations where allotment was handled differently. Other resources include the websites of the particular tribe, which often include treaty histories.

Some tribes were excluded from or specifically mentioned in the Dawes Act such as the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, Miami, Peoria, Sac and Foxes, Southern Ute, and the Seneca and Sioux Nations (Dawes Act, sections 8 & 11.) Others are not mentioned in the Dawes Act but entered into various treaties with the United States Government.

Example: Section 11 of the Dawes Act (1887) states that “That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in Southwestern Colorado to a new reservation by and with consent of a majority of the adult male members of said tribe.” February 20, 1895 the Southern Ute entered into a treaty which opened up part of Southern Ute land to homesteaders, and established territory for those who either did not qualify for or did not take allotments. The last section of the Act states that acceptance of the Act required the majority vote among all adult male members of the tribe.

Questions:

- What does it mean to be a landowner?
- How are land and identity connected?
- Under the Dawes Act who has the power to buy and sell land?
- Under the Dawes Act who controls funds made from the selling of land?
- Under the Dawes Act what are the “benefits” of receiving allotments?
- Who is included under the Dawes Act?

- Are doctrines of cultural assimilation at work in the Dawes Act and subsequent legislation?

2.) Introduction to the Carlisle Indian School and the CIIS Website.

- “The Carlisle Indian Industrial School (CIS) served as the model for off-reservation boarding schools across the U.S. and Canada. Operating from 1879-1918, the CIS enrolled over 10,000 students during its eighteen-year history.” “The Carlisle Indian Industrial School is a major site of memory for many Native peoples, as well as a source of study for students and scholars around the globe. This website represents an effort to aid the research process by bringing together, in digital format, a variety of resources that are physically preserved in various locations around the country. Through these resources, we seek to increase knowledge and understanding of the school and its complex legacy, while also facilitating efforts to tell the stories of the many thousands of students who were sent there.”
- Over 5000 student files are published on the site, along with school publications, and photos. These records were maintained by the school, and as such they only present a snapshot into life of Carlisle students. After leaving Carlisle many students wrote back to the school with information about their families, occupations, and experiences.

3.) Red Man Articles

- Have the students split into groups and each group read one of the identified articles. Students should summarize the piece, identify the main issues, and present them to the class.

Example: “Advices Selling Excess Indian Land to Farmers”, Red Man Vol. 6 No. 1.

In an address the United States Indian Superintendent, Dana H. Kelsey, spoke about the civilization of the Indian. Kelsey states that Indians are best suited to make a living in agriculture, linking Indian citizenship with farming. Kelsey concludes that the best way for the individual Indian to be successful is to sell all excess lands, putting the money from the sale towards more serious agricultural projects and details how the government is working towards its goal. This address offers insight into how and why Indian lands were allotted and to what extent the government was involved in the everyday aspects of Indian lives.

Questions:

- What does your chosen article tell us about who owned land and how it was administered?

4.) Student File Analysis

- Have students choose one of the student files listed above, and identify the records that address land rights and other benefits.

Example: In Thomas Miles’ student file a letter with Department of the Interior letterhead, dated May 20, 1915, indicates that Miles was receiving annuity checks from the United States Treasury. Instructions from Horace Johnson, the Superintendent of the Sac & Fox Indian School indicate there were regulations on the

use of Miles' money. In February and March the superintendent of the school received letters, once again from Horace Johnson. From the information disclosed we learn that Miles "has an interest in tribal trust funds" that totaled 980 dollars. In discussion of whether or not Miles was "competent" enough to receive his share of the funds upon graduation. The letter mentions that his parents were highly educated and "[did] not affiliate with the Indians in any of their Indian doings but live just as the average white people." A later letter, once again from Johnson attempts to confirm that Thomas Miles had graduated from the Carlisle, because he had applied for his share of funds. The superintendent of the Carlisle Indian School recommended that Miles' funds be withheld, due to the fact that he did not graduate.

Questions:

- What do these records teach us about the way in which Indian benefits and allotments were administered?
- Who controls access to the lands and funds?

5.) Final Analysis and the state of land ownership today.

- What connections can be made between the Carlisle Indian School and the management of Indian land and resources?
- Have students identify issues of land ownership and control of resources at work today. Are they connected to the issues of the 19th and early 20th centuries? How do they differ?

Key Terms: cultural assimilation, land tenure, trust, Indian reservation.