# The Fur Trader as Indian Administrator: Conflict of Interest or Wise Policy?

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During the years of the western Indian trade, the Office of Indian Affairs regularly employed professional fur traders as Indian agents and superintendents. The list of those serving in such positions between 1830 and 1850, when the practice was most prevalent, is quite impressive and includes such prominent fur men as William Clark, John F.A. Sanford, Thomas Fitzpatrick, Joshua Pilcher, John Dougherty, Andrew Drips, Gideon C. Matlock, Solomon P. Sublette, and David Dawson Mitchell. All of these men were in one way or another associated with the trading companies and many of them obtained their positions through the influence of such stalwart lobbyists of the fur trade as Thomas Hart Benton. Without a doubt, these men were much more experienced in dealing with the Indians than other employees of the Indian Service, yet did their relationship with the fur trade produce a severe conflict of

<sup>1.</sup> These men served in the following positions: Clark, St. Louis Superintendency, 1822-1839; Sanford, Mandan Subagency, 1826-1834; Dougherty, Upper Missouri Agency, 1827-1837, Council Bluffs Agency, 1837-1839, Fitzpatrick, Upper Platte Agency 1846-1854; Pilcher, Upper Missouri Agency, 1837-1838, St. Louis Superintendency 1839-1841; Drips, Upper Missouri Agency, 1842-1846, Matlock, Upper Missouri Agency, 1847-1849; Sublette, Osage River Agency, 1847-1848; Mitchell, St. Louis Superintendency, 1841-1843, 1849-1853.

interest and divert some attention away from the main responsibility of aiding the Indian? Historians have often thought so.

Tradition has it that as the fur trade declined, the mountain men often served advancing civilization by acting as government scouts or guides for the emigrant trains headed for the Pacific. Far less known are the activities of those who entered the Indian Service. When they have received attention, it has been with the attitude that while they might have had sympathy for the Indian, they did little to hinder trading activities.<sup>2</sup> Some fur men, in fact, have earned a reputation for their protection of company interests. It appears from further investigation, however, that as a group trade men employed as Indian administrators deserve a more systematic evaluation. Most were more honest than they have received credit for, usually refusing to operate in behalf of their former employers when it conflicted with the interests of the government or the Indians. Their collective activities add a new dimension to the role of the fur trader as a force in the history of a governmental agency that has been much maligned.<sup>3</sup>

There is no question that the trading fraternity among the western tribes, especially after 1830, felt a strong desire to have the Indian Bureau staffed by men who were likely to be favorable to their interests. In the two decades following 1830 the nature of the Indian trade changed rapidly. Dealings in fur declined as the major sources of animals were depleted. Traders

2. Although individual cases vary considerably, some indication of this trend can be seen in such classics as Hiram M. Chittenden, *The American Fur Trade of the Far West*, 2 vols. (New York: Press of the Pioneers, 1935), 1:367-68; John E. Sunder, *The Fur Trade on the Upper Missouri*, 1840-1865 (Norman: University of Oklahoma Press, 1965), pp. 21, 26-27, 71-72, 81-89; Bernard A. DeVoto, *Across the Wide Missouri* (Boston: Houghton Mifflin Co., 1947), pp. 121, 374-76; Francis P. Prucha, *American Indian Policy in the Formative Years* (Cambridge, Mass.: Harvard University Press, 1962), pp. 115-16; Ray H. Mattison, "The Indian Frontier on the Upper Missouri to 1865," *Nebraska History* 39 (1958): 241-66.

3. That Indian officials have generally been vilified is demonstrated in William E. Unrau, "The Civilian as Indian Agent, Villain or Victim?" Western Historical Quarterly 3 (Oct. 1972):405-20. Some work is now being done to correct the image of the Indian administrators in the 1840s. See Francis P. Prucha, "American Indian Policy in the 1840's: Visions of Reform," in John G. Clark, ed., The Frontier Challenge (Lawrence, Kans.: University Press of Kansas, 1971), pp. 81-93; Robert A. Trennert, "The Mormons and the Office of Indian Affairs: The Conflict Over Winter Quarters, 1846-1848", Nebraska History 53 (1972): 381-400.

adapted to this trend by redirecting much of their business toward supplying Indians' wants in return for annuity money and other Indian valuables, such as buffalo robes. With this change in trade patterns came increased competition as new companies attempted to break the monopolistic hold of such established firms as Pierre Chouteau, Jr. & Company–known as the American Fur Company.<sup>4</sup>

Competition became so intense that most traders resorted to illicit practices, such as using alcohol or defrauding the Indians, in order to obtain a share of the profits. The more powerful companies, like the American Fur Company and W.G. & G.W. Ewing, not only found it necessary to use such competitive methods, but also maintained a powerful lobby in Washington to insure that the government did as little as possible to hinder their operations. 5 Consequently, they often had the ability to influence legislation and to suggest that men of their liking be named to important positions in the Indian Service. In most instances, from the traders' viewpoint, the appointments were directly self-serving, although usually wrapped in rhetoric about service to the Indians. The reasons for wanting friendly Indian officials were twofold: they could make life difficult for competitors by strict enforcement of regulations; and they could provide aid by granting licenses, making favorable contracts, and overlooking violations of the law. Thus, Pierre Chouteau hoped to retain Joshua Pilcher in office: George W. Ewing was willing to use his powers in Washington to replace a hostile superintendent with David

4. Chittenden, American Fur Trade, 1:367; Sunder, Trade on The Upper Missouri, pp. 11-19, passim; Ray H. Mattison, "The Upper Missouri Fur Trade: Its Methods of Operation," Nebraska History 42 (1961):1-28.

<sup>5.</sup> Chouteau, of course, maintained a strong lobby in Washington. Often the members of the Missouri delegation to Congress, especially Senator Thomas Hart Benton and Congressman Willard P. Hall, acted as company agents. At various times such people as Charles Findlay acted more directly as lobbyists. The Ewings, being a smaller outfit, usually did their own lobbying. George Ewing, however, often served Chouteau's interest in addition to his own. See G.W. Ewing to John B. Sarpy, 10 Apr. 1849, and Ewing to Chouteau, 28 Mar. 1850, Chouteau MSS, Missouri Historical Society, St. Louis, Mo. Many of Ewings activities are also recorded in the Ewing MSS, Indiana State Library, Indiana Division, Indianapolis, Ind. Some of the lobbying activities of the traders are discussed in Robert A. Trennert, "William Medill's War With the Indian Traders, 1847," Ohio History 82 (1973): 46-62.



Pierre Chouteau

Mitchell; and Robert Campbell supported several appointments that seemed to favor him over his opposition.<sup>6</sup>

Powerful trading interests indeed played a contributing role in nearly every instance where former fur men were appointed to the Indian Service in the period between 1830 and 1850. This was especially true in the areas like the Upper Missouri River that were of prime interest to the trading companies. Thomas Hart Benton, who often served the interests of Chouteau, regularly suggested appropriate names to the Indian Office. Senator Benton, in fact, was responsible for the appointments of Thomas Fitzpatrick as agent to the Upper Platte Agency, Joshua Pilcher as superintendent of Indian Affairs at Saint Louis, Solomon P. Sublette as agent to the

<sup>6.</sup> Pierre Chouteau, Jr. to T. Hartley Crawford, 22 Feb. 1841, quoted in John E. Sunder, *Joshua Pilcher: Fur Trader and Indian Agent* (Norman: University of Oklahoma, 1968), p. 161; G.W. Ewing to John B. Sarpy, 14 Mar., 6 Apr. 1849, Chouteau MSS; Robert Campbell to John Dougherty, n.d. [1849], Dougherty MSS, Missouri Historical Society; Robert Campbell to Solomon Sublette, 12 Jan. 1848, Sublette MSS, Missouri Historical Society.

<sup>7.</sup> DeVoto, Across the Wide Missouri, p. 24; Elbert B. Smith, Magnificent Missourian, The Life of Thomas Hart Benton (Philadelphia: Lippincott, 1958), pp. 66-67, 80-82.

Osage River Agency, and undoubtedly several others that are less visible. <sup>8</sup> In addition, Chouteau can be said to have been behind the nominations of Andrew Drips and David Mitchell as well as behind the removal of several others. As one observer wrote to the commissioner of Indian Affairs in 1846, the traders were "men of great means, activity, and determination in procuring the removal of agents of the Government connected with Indian affairs; and although *not seen* often in such efforts are generally prime movers in asking a change when the government agents unite energy and high character for integrity." <sup>9</sup> Chouteau and Benton also used their power to prevent some opposition people from attaining influential positions in the Indian Service, even though, like John Dougherty, they might have the backing of such significant people as the secretary of war.<sup>10</sup>

Despite the fact that traders were a prime motivating force behind the hiring of many administrators, it does not necessarily follow that the Indian Office, or even the men themselves, saw the appointments as being for the benefit of the companies. With one or two possible exceptions, there is no evidence to indicate that, while employed by the government, these men had any agreements to serve the trading interests. Most of the support for their nominations, therefore, came

8. Thomas H. Benton to William Medill, 9 Apr. 1846 and U.S., Senate, Office of Indian Affairs, Senate Resolution, 3 Aug. 1846, Upper Platte Agency, Record Group 75, National Archives, Washington, D.C.; S.P. Sublette to Benton, 11, 16 Dec. 1846, Medill to Sublette, 21 Oct. 1848, Sublette MSS. See also Sunder, Joshua Pilcher, pp. 141-42, and LeRoy R. Hafen, ed., The Mountain Men and the Fur Trade of the Far West, 10 vols. (Glendale, Calif.: Arthur H. Clark Co., 1965), 1:386-87; LeRoy R. Hafen, "Thomas Fitzpatrick and the First Agency on the Upper Platte and Arkansas," Mississippi Valley Historical Review 15 (1928): 374-76.

9. D.D. Mitchell to T.H. Crawford, 25 Oct. 1841, 3 June 1842, P. Chouteau, Jr. & Co. to Mitchell, 7 Oct. 1841, St. Louis Superintendency, Record Group 75; Crawford to Mitchell, 28 Apr. 1842, vol. 32, Record Group 75; Ramsay Crooks to Chouteau, 27 June 1841, Benton to Chouteau, 22, 30 Jan. 1844, G.W. Ewing to John B. Sarpy, 14 Mar. 1849, Chouteau MSS; T.P. Andrews to W. Medill, 24 Dec. 1846, Medill MSS, Library of Congress, Washington, D.C.; Hafen, Mountain Men and the Fur Trade, 8:153; Mattison, "Indian Frontier on the Upper Missouri," p. 260. In the case of Drips' appointment, Chouteau first suggested another trader, Colin Campbell. The fact that Campbell had been in earlier trouble, however, may have caused his name to be dropped in favor of Drips. Mitchell was hired, fired, and apparently rehired as St. Louis superintendent with the approval of Chouteau.

10. Hafen, Mountain Men and the Fur Trade, 8:132-33; Joel R. Poinsett to T. Hartley Crawford, 20 Nov. 1838, St. Louis Superintendency, Record Group 75.

from the hope, but not the assurance, that the fur men would not forget their former associates. This hope on more than one occasion proved misplaced.

From the vantage point of the Indian Office employment of such men was especially desirable, being an important part of the government's attempt to keep Indian relations on an even keel. Men experienced in dealing with Indians seemed superbly suited to helping the tribes and to keeping track of the traders. It is not surprising that the Indian Office, for its own reasons, would agree with the traders that fur men should dominate the Saint Louis Superintendency and the Upper Missouri Agency. As a body, they possessed more knowledge about the Indian tribes than anyone else available to the Indian Office. 11 Andrew Drips, when he was being considered for the Upper Missouri Agency in 1842, was characterized as being "as qualified as any that can be found....He is an intelligent, enterprising man, and well acquainted with the country, the Indians, and the traders."12 Fitzpatrick was considered by the commissioner to have such great experience in Indian affairs that other agents were directed to seek his advice. The attitude of the Indian Office closely agreed with a Saint Louis paper that portrayed men like Fitzpatrick as having more ability than the army to handle Indians.13

Aside from experience in handling Indians, the fur men conformed with the Indian Office's crusade to end many of the abuses perpetrated by the trading companies. It would not be an exaggeration to state that the government saw that one way to end illegal practices was to employ men who knew from firsthand experience the ins and outs of the trade. During the 1840s in particular, the Indian Office, under commissioners T. Hartley Crawford and William Medill, attempted to reform Indian trade, especially by cracking down on the use of whiskey and devising an annuity system that would accrue more

<sup>11.</sup> Two other categories of frontier personalities, missionaries, and army officers, had perhaps as much knowledge of the Indians, but during this period the Indian Office was reluctant to employ these people.

D.D. Mitchell to T.H. Crawford, 8 June 1842, St. Louis Superintendency, Record Group 75.

<sup>13.</sup> W. Medill to G.C. Matlock, 10 Mar. 1847, vol. 39, Record Group 75; Benton to Medill, 9 Apr. 1846, Upper Platte Agency, Record Group 75; St. Louis Reveille, 14 Sept. 1846.

advantages to its intended beneficiary. 14 Much of the government's program for civilizing the Indians seemed to hinge on eliminating these abuses and fur men were indispensable, both for advice on policy and for effective enforcement. Crawford often relied on Mitchell's experience for advice, noting that he was "familiar with the Country, the Indian and the Mischief that we wish to remedy." In the case of the appointment of Drips as agent on the Upper Missouri, the commissioner stated frankly that the "principal object" of making the appointment "was to ensure the most effectual means of preventing the introduction of ardent spirits into the Indian Country, and to preserve peace among the Indian tribes of that region." 15 Instructions to agents in the western Indian country almost always contained orders to be especially vigilant in keeping "a watchful eve" on the traders and their employees.16

Officials in Washington quickly realized that in such remote locations as the Upper Missouri Agency, experienced men were much more effective. The companies that controlled all accommodations in the Indian country rendered it practically impossible for any except the most hearty and seasoned woodsmen to independently investigate trade practices. When Thomas P. Moore, a novice, became the agent on the Upper Missouri in 1846, he found himself unable to do anything. He discovered that the "large and powerful" trading companies "have the power, from their extensive intercourse with the Indians, and the number of their employees, to counteract every move adverse to their schemes, and to render his stay in the country impossible by denying shelter or aid of any kind." It is small wonder that the frustrated Moore was

<sup>14.</sup> Clark, The Frontier Challenge, pp. 93-101.

<sup>15.</sup> Crawford to Mitchell, 28 Apr. 1843, Crawford to Drippes [sic], 8 Sept. 1842, vol. 32, Record Group 75; U.S., Department of the Interior, Office of Indian Affairs, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior, 1846, S. Exec. Doc. 1, 29th Cong., 2d sess., 1846 (Serial 493), p. 228 (hereafter cited as S. Exec. Doc. 1).

<sup>16.</sup> See, for example, Medill to T.P. Moore, 1 Apr. 1846, and Medill to Matlock, 10 Mar. 1847, vols. 38 and 39, Record Group 75; Mitchell to Drips, 6 Oct. 1842, Pilcher to Stephen Cooper, 19 May 1839, St. Louis Superintendency, Record Group 75

<sup>17.</sup> T.P. Moore to T. H. Harvey, 21 Sept. 1846, S. Exec. Doc. 1, pp 290-92.



Andrew Drips

replaced with Gideon Matlock, a former company man who quickly uncovered major abuses. Such men as Matlock had the ability to operate on their own. When Andrew Drips was sent to the Indian country, he was told by Superintendent Mitchell to keep clear of company facilities and was advised that "an old voyager like you or myself can always make ourselves comfortable in an Indian lodge." 18

Any evaluation of the official performance of men associated with the trading companies must answer two questions. First, how well did they carry out their primary duties of serving the Indians and the government? Second, to what extent did they use their office for the benefit of the trading companies? The question of the way these men wanted to help the Indians must be put in proper perspective by recognizing that these men, like most whites, possessed an

<sup>18.</sup> Mitchell to Drips, 6 Oct. 1842, St. Louis Superintendency, Record Group 75.

ethnocentric point of view. Years of experience had produced a great familiarity with Indian ways, but had not produced any significant appreciation of native culture. <sup>19</sup> Most of these men believed that the Indians were destined to lose their encounter with a "superior" civilization; that their ultimate choice was "extermination or civilization." Consequently, they agreed with the government that the Indians must be civilized and taught agriculture. Accordingly, their conception of aiding the Indians rested in protecting the tribes from detrimental white influences long enough for the assimilation process to begin. They should be judged on this basis, not on the realization of later generations that Indian culture had an intrinsic value of its own.

Fur men working for the Indian Office tended to have a feeling of empathy for the tribes under their care and generally believed that they were imposed upon by white men. Gideon Matlock is a good example of this attitude. While on the Upper Missouri, he repeatedly stated that the Sioux were "a much better people than they have character for being, and but for loafing white men in the country they would be an excellent people." The agent urged that the government create some plan "to civilize and christianize these unfortunate people," before the whites succeeded in exterminating all the game.<sup>20</sup>

David Mitchell had a strong sense of justice toward the Indian people. In spite of the fact that the Treaty of Fort Laramie in 1851 cleared a road through the heart of the Indian country and later proved troublesome, Mitchell, as chief negotiator, was motivated as much by a desire to help the tribes as a desire to make way for emigrants. Even in the planning stages, he expressed concern that an agreement be worked out to establish a fair settlement to the problem of white emigrants trespassing on Indian lands. "I consider it nothing more than common justice," he told Commissioner Medill, "that the Indians should to some extent be renumerated for the loss and

<sup>19.</sup> Such attitudes on the part of the trader are well demonstrated in Lewis O. Saum, *The Fur Trader and the Indian* (Seattle: University of Washington Press, 1965).

<sup>20.</sup> Matlock to T.H. Harvey, 17 Oct. 1847, S. Exec. Doc. 1, 30th Cong., 1st sess., 1847 (Serial 503), pp. 848-53; Matlock to Harvey, 29 June 1847, St. Louis Superintendency, Record Group 75.

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suffering occasioned by the destruction of buffalo and other game in the country." After the signing of the treaty, Superintendent Mitchell made several emotional appeals that the nation live up to its new responsibilities. "Humanity calls loudly for some interposition on the part of the American government to save, if possible, some portion of these ill-fated tribes; and this, it is thought, can only be done by furnishing them with the means, and gradually turning their attention to agricultural pursuits. Without some aid from the government, it will be impossible for them to make an attempt even as graziers." Mitchell also held great faith in the intellectual capacity of the Indians, believing that they were capable of exercising the "privileges of citizenship." <sup>21</sup>

A few former traders, from their years among the Indians, believed that in any realistic sense the red man would not voluntarily accept civilized life. Thomas Fitzpatrick, for instance, was outspoken in his recommendations that the tribes must be forced to act in their own best interests. As a result, on a number of occasions the agent suggested that military force might be necessary to compel the tribes to settle down. Although he stated that this advice "at first sight may appear harsh," he confidently predicted the result would prove beneficial. In point of fact, then, Fitzpatrick was by no means an Indian-hater and he did not want them destroyed. He, like most of his contemporaries, advocated an agricultural life for the wild tribes as the only way of saving them from extinction. His concern was legitimate and, even if the tribes had to be compelled, such a course "would be the first great step in the settlement, and civilization of the wild and roaming tribes,"22

21. Mitchell to Medill, 1 June 1849, Upper Platte Agency, Record Group 75; Mitchell to Luke Lea, 25 Oct., 11 Nov. 1851 in U.S., Department of the Interior, Office of Indian Affairs, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior, 1851, H. Exec. Doc. 2, 32nd Cong., 1st sess., 1851 (Serial 636), pp. 290, 322-23 (hereafter cited as H. Exec. Doc. 2). See also Mitchell to Orlando Brown, 13 Oct. 1849, S. Exec. Doc. 1, 31st Cong., 1st sess., 1849 (Serial 551), pp. 1071-72.

22. Fitzpatrick to T.H.Harvey, 3 Jan., 19 Oct., 18 Dec. 1847, St. Louis Superintendency, Record Group 75; Fitzpatrick to William Gilpin, 10 Feb. 1848, Upper Platte Agency, Record Group 75; Fitzpatrick to Harvey, 6 Oct. 1848, in U.S., Department of the Interior, Office of Indian Affairs, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior, 1848, H.Exec. Doc. 1, 30th Cong., 2d sess., 1848 (Serial 537), pp. 471-72 (hereafter cited as H. Exec. Doc. 1).

#### Fur Trader as Indian Administrator



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William Clark

The way the former traders dealt with the trading companies is another indicator of their desire to help the Indians. It quickly becomes evident that in most cases there was less conflict of interest than might be imagined when it came to discharging the main responsibility of the office. The difficulty in drawing such a conclusion, however, comes from the fact that when the welfare of the Indians did not appear to be directly involved, the administrators displayed little hesitancy in working closely with their former associates.

Instances of Indian administrators cooperating with the traders are numerous. Yet, in only a few cases can these activities be said to have had a harmful effect on the Indians. Probably the most notorious case involving a conflict of interest occurred when William Clark, while superintendent at Saint Louis, permitted large amounts of whiskey to go into Indian

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country under the fiction that it would be used only by whites.<sup>23</sup> Several other former fur men were charged with conflict of interest by opponents of the big companies, but these charges usually amounted to complaints that the officials were favoring a particular company, not that they were harming the Indians.<sup>24</sup> Such charges were not always inaccurate.

In fact, most cases of flagrant conflict of interest centered on the performance of services that would favor one trading interest over another-usually Chouteau's American Fur Company. Joshua Pilcher, for example, while subagent on the Upper Missouri and superintendent at Saint Louis used his visits to the tribes to keep Chouteau informed on the activities of rival companies and in general protected American Fur Company interests. 25 Despite the fact that such favoritism tended to eliminate competition, it also helped to reduce some of the cutthroat methods used by traders in a business where free competition did not always spell benefit to the customers. Intense competition often meant that rivals were forced to cheat or debauch the Indians in order to turn a profit. The appointment of Andrew Drips as special agent in 1842 illustrates this point. Chouteau suggested the appointment with the admitted purpose of crushing the liquor trade of his rivals. He knew full well that an effective cutback in the large quantities of alcohol taken into Indian country by the opposition would aid his domination of the trade. 26 Thus, when Drips proved effective in cracking down on the use of liquor on the Missouri and Platte rivers in 1843 and 1844, he was doing a favor for Chouteau. Although Chouteau did not completely stop his own use of liquor because the competition

<sup>23.</sup> Prucha, American Indian Policy, pp. 115-18; DeVoto, Across the Wide Missouri, pp. 120-21.

<sup>24.</sup> G.W. Ewing to Medill, 18 Mar. 1848, Ewing MSS; Fulton Cutting to T. H. Harvey, 6 Sept. 1844, Upper Missouri Agency, Record Group 75; John Dougherty to J. H. Birch, 15 Mar. 1841, Dougherty MSS; Sunder, *Trade on the Upper Missouri*, pp. 80-81; Hafen, *Mountain Men and the Fur Trade*, 8:154.

<sup>25.</sup> Pilcher to Crawford, 1 Sept. 1840, Upper Missouri Agency, Record Group 75; Sunder, *Joshua Pilcher*, pp. 117-19.

<sup>26.</sup> P. Chouteau, Jr. & Co. to Mitchell, 7 Oct. 1841, 23 Aug. 1842, St. Louis Superintendency, Record Group 75.

had been booted out, he had less need to use it. <sup>27</sup> So when Drips reported to the Indian Office, with perhaps some exaggeration, that "not a drop of liquor was sold this season by any of the Licensed Traders," he could also note with accuracy that the Mandan and Sioux were happier and much better off than they had been for years. <sup>28</sup>

Another similar instance involved Robert Campbell, a rival of Chouteau and the Ewings. In 1848 he attempted to persuade the commissioner of Indian affairs to retain Solomon Sublette, brother of his long time trading partner William Sublette, as agent at Osage River. Although Campbell said his motivation was Solomon's great service to the Indians, it was probably more because of the fact that the Ewings were being forced by Sublette to close their operations among the Sac and Fox because of some fraudulent dealings, and a new agent might permit them to return. Yet, it is quite clear that Sublette's actions were in strict accordance with department wishes to protect the Indians from fraud, although George Ewing noted, with some disgust, that Sublette's vigilance aided his opposition.<sup>29</sup>

The companies were further aided by being awarded lucrative licenses and contracts. Again, the American Fur Company was the usual beneficiary. Almost every year the Saint Louis superintendent granted the first and biggest trading licenses to Pierre Chouteau, Jr. All other traders had to take the leftovers. Moreover, nearly all contracts to supply and

27. Chouteau later admitted using alcohol in the period between 1842 and 1844 when he was most concerned about competition. However, as soon as the competition was restricted, he apparently stopped shipping it upriver, not wishing to risk being caught by the government agents. See Chouteau to Medill, 17 Jan. 1849, St. Louis Superintendency, Record Group 75; Chouteau to T.H. Gantt, 12 Feb. 1849, Chouteau MSS.

28. Mitchell to Crawford, 25 Oct. 1841, 8 June 1842, 25 Aug. 1842, Mitchell to Drips, 6 Oct. 1842, St. Louis Superintendency, Record Group 75; Crawford to

Mitchell, 24 Apr. 1842, vol. 32, Record Group 75.

29. G.W. Ewing to Medill, 18 Mar. 1848, Ewing MSS; Sublette to W. G. and G.W. Ewing, 7 Feb. 1848, T. H. Harvey to Medill, 31 Mar. 1848, Robert Campbell to Medill, 5 Apr. 1848, Osage River Agency, Record Group 75. That Campbell hoped to see Sublette advance in the Indian Service is also demonstrated in a letter from Campbell to Sublette, 17 Jan. 1848, Sublette MSS.

30. See, for example, Joshua Pilcher's abstracts of licenses granted in 1839 and 1840, and Mitchell's abstract of 31 Dec. 1841, St. Louis Superintendency, Record

Group 75.

transport annuity goods went to Chouteau. Both Pilcher and Mitchell followed this practice. Pilcher, in particular, awarded all profitable contracts to Chouteau, although there were legitimate complaints that his bidding procedures were rigged in favor of his former employer. In addition, he allowed Chouteau to substitute freely for items that had been bid upon. Pilcher was also overly zealous in seeing that opponents of the American Fur Company did not receive any "fat contracts," at one point promising to make such "the business of my life." <sup>31</sup> Yet Pilcher did not view such favoritism as harmful to the Indians' interest, and he was probably right. Chouteau's organization had the best transportation system on the Missouri and could supply the desired goods at the time and place specified. Moreover, his goods were equal to anybody's in quality and availability.

In performance of duties related directly to the welfare of the Indians or interests of the government, the fur men have compiled a record that indicates that they were not tools of the companies. In many instances they actively opposed the vested interests. As a group, they were aware that trading activities were a bane to the Indians and that free competition could often be disastrous. Their reports on the subject are voluminous. Agent Gideon C. Matlock continually reported that "the Indians have been greatly imposed upon in their intercourse with the whites, in conducting the trade of the country," and suggested that the entire trading structure be changed to eliminate the abuses caused by unregulated competition.<sup>32</sup> Thomas Fitzpatrick saw similar problems with the trading structure when he wrote his superiors in 1848 that "I am by no means satisfied that such competition is advantageous, ... inasmuch as the competitors, in many cases, resort to the most base and unprincipled means in order to carry out their plans against other competitors, and, in doing so, often use the poor deluded Indian as the instrument to carry out their base proceedings."33

<sup>31.</sup> Pilcher to Crawford, 20 May, 26 Dec. 1839, 6 May, 14 Nov., 30 Dec. 1840, St. Louis Superintendency, Record Group 75.

<sup>32.</sup> Matlock to Harvey, 17 Oct. 1847, S. Exec. Doc. 1, 1847, pp. 848-49; Matlock to Harvey, 16 June 1848, Upper Missouri Agency, Record Group 75.

<sup>33.</sup> Fitzpatrick to Harvey, 6 Oct. 1848, H. Exec. Doc. 1, 1848, p. 472.

Former traders recognized from experience that alcohol was the major problem. "I have ascertained," David Mitchell wrote in 1842 summing up the collective opinion, "that there has been One Hundred and fifty barrels of Alcohol Smuggled into the Indian Country during the recent year. . and that during the preceding twelve months, upwards of One hundred and twenty Indians, mostly heads of families, have fallen in drunken broils! The evils end not here. Civil wars being thus produced, the camps are broken up, into Small bands who scatter themselves over the prairies—dreading their relations even more than their natural enemies. Hunting is neglected, for all their time and vigilance are required to guard against attacks, and the Indians starve in the midst of plenty." <sup>34</sup> Indian traders were visibly to blame for such episodes.

The experienced Indian agents actively attempted to restrict the abuses they saw, and they were more effective than other employees of the Indian Service. The task was overwhelming because of the surplus of traders and paucity of agents. At times on the Upper Missouri over five hundred whites were roaming the territory of one agent. Yet there were some rewarding results. Successful actions were taken against many small traders. In most cases the only way to stop illicit trade was to call in the army, and this the agents did not hesitate to do. As soon as Solomon Sublette became the agent at Osage River, he called attention to the Santa Fe traders, among them some former comrades, who were preparing to defy the government and take liquor to the Indians. His advice that the army should be called in was seconded by Fitzpatrick who was ever vigilant in keeping alcohol out of his agency. Fitzpatrick did much to keep the army on its toes along the Santa Fe road, and he backed this up by personally ejecting illegal traders from Indian country. 35 Mitchell, Drips, and Dougherty were also active in this regard. Mitchell ordered that all illegal traders should be dealt with in "a very Summary and Severe manner," resorted to

<sup>34.</sup> Mitchell to Crawford, 25 Oct. 1841, St. Louis Superintendency, Record Group 75.

<sup>35.</sup> Sublette to Harvey, 29 Feb. 1848, Richard W. Cummins to Harvey, 27 Feb. 1848, St. Louis Superintendency, Record Group 75; Fitzpatrick to Colonel W. Gilpin, 10 Feb. 1848, Fitzpatrick to T. H. Harvey, 13 Feb. 1848, Upper Platte Agency, Record Group 75.



calling in the army, and in 1843 ended the practice of granting temporary licenses to anyone who applied. 36 Although all these measures did not end the illicit trade, they at least slowed it down.

The former fur men were not loath to move against the big firms when necessary. There were numerous means available to crack down on the traders and most were used at one time or another. When competition between the American Fur Company and the Saint Louis Fur Company became so destructive that the Yankton Sioux demanded removal of all traders, Agent Matlock agreed. "I am satisfied that the interests of Said Indians. . .demand the withdrawal of all traders from this district of Country," and he shut down their trading operations. 37 In 1846 several suits were brought against Pierre Chouteau, Jr. & Company to deprive him of his license to traue on the Upper Missouri because of his past use of alcohol. This action stemmed, in part, from the attempt of Mitchell and Drips in 1842 and 1843 to stop the liquor trade in that area. Ironically, Chouteau was caught by the same vigilance he hoped would put his competition out of business. Although the Saint Louis fur baron eventually managed to frustrate the government suits, the threat of losing his license forced him to make sure for

<sup>36.</sup> Mitchell to Drips, 6 Oct. 1842, Drips to Mitchell, 2 Jan. 1843, Circular from Superintendent of Indian Affairs to all agents, 28 Feb. 1843, St. Louis Superintendency, Record Group 75; Mattison, "Indian Frontier on the Upper Missouri," pp. 259-60; Hafen, Mountain Men and the Fur Trade, 8:131.

<sup>37.</sup> G.C. Matlock to Harvey, Primeau & Co., and P. Chouteau, Jr. & Co., 19 June 1848, Matlock to T. H. Harvey, 16 June 1848, Upper Missouri Agency, Record Group 75; T.P. Moore to T.H. Harvey, 21 Sept. 1846, S. Exec. Doc. 1, 1846, p. 290.

some time that not a drop of liquor reached the Indians. <sup>38</sup> Sublette was a major factor in the revocation of the license of W.G. and G.W. Ewing to trade with the Sac and Fox, and he also refused to allow them to reopen their trading house while appeal was taken. <sup>39</sup>

Perhaps even more significant were the recommendations that were later translated into legislation designed to end some of the more abusive trading practices. The Indian Office was extremely receptive to the advice of those field officers who were familiar with the traders. For many years former fur men had been flooding the Indian Office with reports about whiskey and the ineffectiveness of the government in dealing with the evil. The weight of these reports inspired Commissioner Medill to lobby for the writing of a more stringent Indian intercourse law: adopted by Congress on 3 March 1847. One part of the 1847 regulations doubled the fine for anyone caught trying to take alcohol into the Indian country and, for the first time imposed a prison term. 40 Although these provisions did not abolish the illegal liquor trade, they were more effective than past regulations. The old traders in the Indian service generally approved of the law and some even wanted stiffer penalties, especially Gideon Matlock who suggested liberal use of the gallows for violators. 41

The law of 1847 incorporated another item that former traders had been complaining of for some time, a change in the annuity system. Going back to the late 1830s, officers in charge of the Saint Louis Superintendency had been impressing upon the department that the method of distributing yearly Indian moneys worked to the benefit of the traders. Annuities were

<sup>38.</sup> The particulars of the case are found in the files of the St. Louis Superintendency. Of particular note are Medill to T. H. Harvey, 14 Apr. 1846, vol. 38; Medill to P. Chouteau, Jr. & Co., 6 May 1848, vol. 40; Thomas T. Gantt to H. R. Gillet, 25 Apr., 11 Aug. 1848, P. Chouteau, Jr. & Co., to Harvey and Gantt, 12 Jan. 1849, St. Louis Superintendency, Record Group 75. See also Sunder, Upper Missouri Fur Trade, pp. 89-92, 113-16.

<sup>39.</sup> G.W. Ewing to Medill, 5, 17 Feb., 18 Mar. 1848, Ewing MSS; Sublette to Ewing, 7 Feb. 1848, Harvey to Medill, 18 Feb. 1848, Osage River Agency, Record Group 75.

<sup>40.</sup> U.S. Statutes at Large, vol. 9, pp. 203-4.

<sup>41.</sup> Matlock to Harvey, 17 Oct. 1847, S. Exec. Doc. 1, 1847, p. 852; H. Exec. Doc. 1, 1848, p. 402; Otto F. Frederickson, *The Liquor Question Among the Indian Tribes of Kansas* (Lawrence, Kans.: University Press of Kansas, 1932), pp. 55-64.

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Scene on beef issue day before the Sun Dance on the Pine Ridge Agency.

usually paid to the chiefs for distribution. However, this allowed traders to offer the chiefs credit, indebt and overcharge them, and then present bills to the government for payment out of tribal funds. It was quite clear to both Joshua Pilcher and David Mitchell, who had seen the system in operation, that the business of many traders, including the big companies, was to "abuse the government, . . . and at the same time to leave no means untried to make all he can, out of both it and the Indians." As a result, observed David Mitchell, "it too frequently happens that the first information the Indians receive of the existence of certain claims against them, is from the agents and subagents when their annuities are about to be paid. They are then told that so many thousand dollars of their money have been retained, and paid over to the individuals who presented claims of a national character against them at Washington City." 42

Reports of such practices led to the inclusion of a provision in the 1847 law specifying that annuity payments be paid to the

<sup>42.</sup> Pilcher to S. Cooper, 19 May 1839, Pilcher to Crawford, 20 May, 5 Nov. 1839, St. Louis Superintendency, Record Group 75; Mitchell to Luke Lea, 14 Sept. 1850, S. Exec. Doc. 1, 31st Cong., 2d sess., 1850 (Serial 587), p. 48. See also H. Exec. Doc. 2, 27th Cong., 2d sess., 1841 (Serial 401), pp. 238-39 and S. Exec. Doc. 1, 1846, p. 217.

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heads of families instead of to the chiefs. The impact of this provision in ending some of the fraud of the annuity system is demonstrated by the violent reaction of the trading companies. They claimed that the whole system of profitable Indian trade would be destroyed by such an order. When the Indian Office decided to review all tribal indebtedness in 1848, Chouteau, Benton, and the Ewings launched an attack on Commissioner Medill hoping to force him from office and to end enforcement of the new regulations. Despite considerable pressure, the trading companies for several years were unsuccessful, and during that time the Indian Office refused to pay the fraudulent claims of the traders against tribal funds. 43 In this respect at least, the traders reaped the harvest of insisting that men experienced in the subtleties of defrauding the Indian be employed in offices where the main duty was to end trading abuses.

From these brief observations it is possible to make some general conclusions about the governmental practice of employing fur men as Indian administrators. It is clear that these men did the Indian Service much more good than harm and that they earned their salaries. Although they did some favors for their former employers, they cannot be dismissed as tools of the companies or charged with overt corruption in office. Indeed, their record for honesty surpasses that of many of the political appointees in the Indian Service. If they did not do much to protect the Indians in the long run, it is because they were working against impossible odds. Consequently, they were not able to completely abolish many of the evils they were aware of. Yet, they were more effective than other civilians in bringing problems to the attention of the Indian Office and in enforcing regulations. Much of the best work done for the Indians in this period, when the trading abuses were all pervasive and the traders were all powerful, was accomplished by the men hired because of their experience as Indian traders.

<sup>43.</sup> P. Chouteau, Jr. & Co., W. G. & G.W. Ewing, and S. S. Phelps to William L. Marcy, n. d. [1847], G. W. Ewing to Marcy, 8 May 1847, Miscellaneous, 1847, Record Group 75; Charles Findlay to P. Chouteau, Jr. & Co., 22 Aug. 1847, Chouteau MSS; W. G. and G. W. Ewing to Medill, 26 Oct. 1847, Medill to Ewing, 20 Nov. 1847, Ewing MSS; Joseph Sinclair to Medill, 5 Apr. 1848, Medill MSS; H. Exec. Doc. 1, 1848, pp. 400-401, 418-29. For a complete account of the entire case, see Trennert, "William Medill's War with the Indian Traders."

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