The Cultural Politics of Land:
Citizen Potawatomi Allotment and Citizenship
in Kansas and Indian Territory, 1861-1891

Kelli Mosteller*

On November 15, 1861, five men designated as chiefs and more than seventy other headmen and women of the Potawatomi Nation met with federal agents at their agency on the Kansas River, in Shawnee County, Kansas to sign a treaty that would forever alter their community’s relationship with the federal government. Their consent to the terms of the treaty indicated that they were among the “numbers of those desiring lands in severalty.” In so doing they, in effect, opposed their Potawatomi kinsmen who wished to continue holding their lands in common. The treaty stipulated that they “shall cease to be members of said tribe, and shall become citizens of the United States; and thereafter the lands so patented to them shall be subject to levy, taxation, and sale, in the like manner with the property of other citizens” (emphasis added, “Treaty with the Pottawatomie”). Those who signed the 1861 treaty became known as the Citizen Band of the Potawatomi people.

Thus began a new era in the complex history of the Potawatomi Nation. The treaty marked the official separation of the Potawatomi people into the Citizen Band, who sought to own their land in severalty, and the Prairie Band, who wanted to continue to live on land held by the band in common. In 1861 there were 2,170 Potawatomi living on the reservation in Kansas; almost half chose to take land allotments and the rest chose to continue holding their land communally (Mitchell 39-40).

While seeking private land ownership, the Citizen Band arguably had no intent to cast off their Indian identity and take on a label of “white.” There were, however, numerous pleas requesting that band members be allowed to take their land in severalty and that the federal government honor their rights

* Kelli Mosteller is Ph.D. Candidate in the Department of History at the University of Texas, Austin.
as citizens. Because the Citizen Band’s method of activism did not take the form of traditional forthright resistance, such as refusal to comply with government policies as seen with the Prairie Band, their actions were not seen, nor have they been interpreted, as expressions of agency or a struggle for security. Rather, policymakers and historians have misinterpreted the actions of the Citizen Band as attempts either to mimic whites or to submit to government authority. Thus, it is easy to overlook the fact that the Citizen Band consciously made a choice to sign the treaty rather than resist by refusing to negotiate, as the Prairie Band did.

The years between 1861 and 1891 saw internal struggles between groups within the loosely affiliated tribe as well as new conflicts and agreements between the Citizen Band and the federal government. The U.S. government grappled with deciding how it was going to deal with Native American “quasi-citizens,” as they were called by one government official (“Letter from the Secretary of the Interior” 10). The Potawatomi were U.S. citizens, but not technically recognized as citizens of the state of Kansas; they were denied the right to vote or sit on a jury even though they paid taxes. Similarly, the Citizen Band struggled to learn how to take full advantage of their rights as both Native Americans and U.S. citizens by asserting their hybrid identity.

The first article of the 1861 treaty states that the Potawatomi who chose to take allotments did so because they had “adopted the customs of the whites” and thought it would “contribute to the civilization of their people” (“Treaty with the Pottawatomie”). Policymakers and historians of the Potawatomi argue that because the Citizen Potawatomi did not engage in traditional forms of resistance they “had ambitions to become citizens of the United States and to no longer be considered Indians,” while those who continued to live communally did so because “[t]hey were neither interested in becoming citizens nor rejecting their heritage” (Mitchell 39-40). Such statements oversimplify the situation and do not acknowledge the difficult position all of the Potawatomi were put in, nor do they recognize the various forms of activism displayed by tribal members. While allotment was often used as a means to exploit Native Americans and assimilate them into Anglo-American society, the policy was also manipulated by the Citizen Potawatomi as a way to express their agency, protect their interests, and provide a sense of security for their families.

To begin to uncover the reasons why the Citizen Band decided to sign the 1861 treaty, we must remember that such choices were not made in a
political, cultural, social, or economic vacuum. Past experiences of the tribe were crucial in creating the conditions in which band members thought that engaging with the federal government in a new way was their only hope for security. Collectively, the Potawatomi experienced up to four removals from the 1830s to the 1850s. The Potawatomi Trail of Death of 1838 lived in the memories of many of the Potawatomi who made the decision to sign the treaty of 1861. They had tried being defiant by resisting removal, and as a result dozens of them had died on the march. A great number of those same individuals attempted to sign treaties with the government with the hope that once they had moved far enough west, out of the path of American expansion, they would be left to themselves to start a new life.

Neither of these options, removal or capitulation, had been successful for the Potawatomi in the past. Therefore, the individuals who became the Citizen Band adopted a new strategy to take control over their own fate. They intended to take allotments and titles to their lands in the same way a white settler would and to embrace citizenship that supposedly came along with the security of U.S. laws that protected the white settlers who had dispossessed them of their land time and again. Perhaps by accommodating some of the U.S. government’s wishes they could even negotiate for more favorable terms and have a means to protect their new-found rights and invoke their privileges.

The History of Allotment

Allotment of land to Native Americans, as a policy of the federal government, developed in the second half of the nineteenth century. Several other methods of dealing with the so-called “Indian problem,” including coerced and forced removals, and residence on reservations, had been determined inadequate. By the late 1800s, the allotment of individual plots of land for farming was touted by Indian agents as the panacea to Indian dependency. It was enacted on a large scale with the passing of the General Allotment (Dawes) Act of 1887. The Dawes Act, like the Potawatomi treaty of 1861 and other previous allotments, called for the privatization of land ownership, partnered with United States citizenship, to create the ideal circumstances for Americanization of Indians. It was conceived with the stated hope that Native Americans could be assimilated into the dominant Euro-American society and become self-sufficient farmers, organized in nuclear families rather than tribes, who would not be reliant on government aid or annuities. There must, of course, be careful distinction between the
years when allotment was the government’s *preferred* method of dealing with Native Americans and when it became the *official* policy that forced severalty on native peoples and left them with few choices. What makes the case of the Citizen Band Potawatomi so intriguing is that there was no official policy for the first twenty-five years they were engaged in negotiations with the federal government about what allotment would entail for them. Allotment was not new in 1887. Numerous treaties, including several made with the Potawatomi, included stipulations for parcels of land set aside for individuals, usually in return for their endorsement of the treaty (Kappler). In fact, according to the Annual Report to the Commissioner of Indian Affairs 7,673 allotments had been made by the time that the Dawes Act passed. Nonetheless, in 1861 allotment was rare. Thus, in many ways the Potawatomi became a test case for large-scale allotment because there were, in effect, no established rules or precedents for it (*Report of the Secretary of the Interior* 692).

Thus, for almost the entire chronological scope of this study, allotment was not yet an established federal policy, but rather a tool that was used differently by the federal government, groups like the Citizen Band who sought out private land ownership, and the Native Americans who resisted such efforts.

For the Citizen Band Potawatomi, however, the impetus for taking allotments was less grandiose; they were simply looking for security. Land had myriad social and cultural meanings for Native Americans, just as it did for dozens of other ethnic groups in America. For some Native American tribes, particularly those whose territories were not yet inhabited by settlers, the landscape served as a medium for reading a cultural narrative and imparting the teachings of traditional tribal customs. For these groups “place” was essential to their culture during the period of allotment. For the Potawatomi, removal from the places where their creation stories claimed that they had developed as a people, as well as dispossession of the lands where their ancestors were buried and the sites where their seasonal ceremonies took place, reoriented their views of land. It took on a significance that was less historical and spiritual and more material and practical once they were moved west.

The plots of land on which they were deposited were places where they would attempt to rebuild their lives, and families tried to return to normality. Fields were plowed and game was hunted in the forests of their new homes. As one removal followed another, however, a return to a “normal” life was hard to achieve. As early as 1838, just after they had experienced their second
forced removal and upon rumors of a third, a small number of Potawatomi petitioned for private ownership of their land on the Osage River in Kansas. They were denied. Therefore, it is understandable that the Citizen Potawatomi were intrigued by the idea of private property and the promises of the 1861 treaty that their homes would be treated “in the like manner with the property of other citizens” (“Treaty with the Potawatomi”).

Security was even more important in 1861, by which time the government had changed its stance on private land ownership for Native Americans. Rather than urging or suggesting, Indian agents were now threatening the Potawatomi with another removal if they did not take allotments and sell off their surplus lands. Therefore, when it is stated in the treaty of 1861 that the government would “allot lands in severalty to those of said tribe who have adopted the customs of the whites and desire to have separate tracts assigned to them,” one must question whether the tribal members who sought allotments really did so simply because they had adopted such customs or because they wanted the presumed security of holding private land (“Treaty with the Potawatomi”).

Certainly educated mixed-bloods led the way by signing the treaty and were influential members of the tribe, but to assert that the rest of those who signed were merely followers seems overly simplistic. Several decisions made by the Citizen Potawatomi after they signed the treaty of 1861 suggest that there is more to the story. For example, the individuals who signed the treaty never stopped self-identifying as Indian or even Potawatomi. They had become “Citizen Band Potawatomi” – a title that indicated they had transformed themselves to adapt to the new circumstances they faced. Also, they often took their plots in contiguous parcels that would allow them to continue living near immediate family and kinsmen. Therefore, I argue that the Citizen Band did not simply take allotments because they wanted to be like whites. Rather, they reasoned that fee simple ownership of their land (meaning they had absolute ownership with rights to sell or pass on the land as an inheritance), a concept that Euro-Americans clearly understood, would provide them with a degree of protection from further encroachment upon their lands, protection they would not have as an independent Indian tribe.

While they had logical reasons to seek out allotments, pressure for the Potawatomi to take allotments and citizenship also came from multiple sides and undoubtedly played a role in the Citizen Band’s decisions to sign the treaty. First, the federal government was always pushing to acquire more land
to be used for government purposes or for settlers. Thus, the stipulation that the surplus lands would be up for sale was a strong incentive for the government to push for the treaty (“Treaty with the Pottawatomie”). Second, the Leavenworth, Pawnee, and Western Railroad, which was extending westward, pressured the U.S. to acquire these lands because it would be easier and more profitable for the railroad to only negotiate land acquisition with the United States government, rather than going through the tribal government as well (Miner and Unrau 29). Kansas had also received statehood earlier in 1861, thus Kansans were likely anxious for the government to open up lands for settlement and the building of a new railroad to benefit the state.

The Complications of Allotment: External Notions of Indians as Landowners and Citizens

While the federal government’s professed motivation behind the change in Indian policy from removal to reservations, and then to allotment, was to foster self-reliance among Native Americans, allotment did not enjoy universal support within the government. The question of making the Potawatomi landowners and citizens was a source of confusion and debate among band members and policymakers from the signing of the treaty of 1861 through the General Allotment Act of 1887. Most nineteenth-century legislators and reformers did not believe that allottees, like other U.S. citizens, should have free reign to do with their land as they pleased, despite the stipulation in the 1861 treaty that they would. Opponents contended that Native Americans were not responsible enough to own land privately, arguing that they would be easily tricked out of their land by speculators or other manipulative individuals. The opinion that Native Americans could not properly make use of a piece of land if it were given to them was the result of the long held dual perceptions in Anglo-American society that Native Americans were somehow closer to nature, yet at the same time ignorant of how to tame it and use it to advance their own society. This notion would only serve to complicate debates about Indian land policy and perpetuate the belief that Native Americans possessed a child-like naiveté about what was best for them (Sheehan 9-16; Berkhofer 72-80).

Lawmakers agreed that further desolation was plausible if allottees were given too much freedom; thus, in almost all cases patents were not given at the instance of allotment. In the case of the treaty of 1861 it was stipulated that the President of the United States would decide which household heads
were “sufficiently intelligent and prudent to control their affairs and interests” and he would convey the title to the land to them in fee-simple (“Treaty with the Pottawatomie”).

Similarly, policymakers highly contested the granting of citizenship, not just because of racist beliefs that Native Americans were not worthy to be citizens of the United States, but also because of their pre-existing status as “citizens” of their own tribes. Government officials feared that the rules of U.S. citizenship would not clearly apply to Native American citizens, even if they were made to legally give up their tribal citizenship. As we will see with the Potawatomi, many of these fears were well deserved.

The unclear nature of the Citizen Band’s U.S. citizenship and tribal status seriously hindered their success as allottees in Kansas, because despite their newly acquired title, members of the Citizen Band were not truly considered citizens of the United States or Kansas. After signing the treaty of 1861, the Citizen Potawatomi became citizens who bore the burdens of that classification, such as taxation, without enjoying the protections or privileges of citizens. To make matters worse, they were Indians who were often denied the rights and assistance given to other Indian tribes. Indeed, they were even referred to as “quasi-citizen” in official government communications (“Letter from the Secretary of the Interior”).

The band’s condition of de jure rather than de facto citizenship was lamented by Dr. Luther Palmer, a non-Indian who served as physician to the Potawatomi. In the 1867 Annual Report to the Commissioner of Indian Affairs it is recorded that he had made repeated pleas on behalf of the Potawatomi to bar whites from their land. He was told the government could do nothing because “the offence not having been committed upon an Indian reserve, the United States court has no jurisdiction.” He then applied to the state courts for redress, again he was told that nothing could be done because “it was determined that, inasmuch as the Indian was not a citizen of the United States, or of the State of Kansas, he had no right in the courts of the State to redress his grievances” (“Annual Report of the Commissioner of Indian Affairs” 305). It is important to note that while the government argued and debated as to whether the Citizen Potawatomi were Indians or citizens of the United States, for the members of the Citizen Band there was no argument: they were both Potawatomi and American citizens. Also, policymakers debated whether giving the Potawatomi land and citizenship would ensure that they would become self-sufficient farmers (Sheehan 9-16; Berkhofer 72-
Opponents of allotment argued that because Native Americans did not farm extensively, they did not know how to make the most of the lands that they inhabited. The debate was put to the test in 1861 when the representatives of the pro-allotment Potawatomi put pen to paper, placing themselves in a unique circumstance of being Native Americans, as well as allottees and United States citizens.

**Dispossession and Disappointment: The Reality of Allotment for the Citizen Band**

The Citizen Potawatomi set off on the path to allotment when, in 1861, the government informed them that they could either choose to take allotments and accept citizenship, or they could simply sell off all of their lands to the railroads and move once again. No alternatives, such as keeping their land commonly on a reduced reservation, were presented as an option. Neither the Citizen Band nor the Prairie Band asked to be put in the situation to make such a decision, but the Citizen Band reacted one way to the pressure and the Prairie Band another.

The Prairie Band resisted assimilation and refused to leave Kansas. They summarily presented their intentions to continue to hold their land communally in a statement written by one of their tribal headmen, Shawguee. He informed the Commissioner of Indian Affairs, William P. Dole, that “This place is mine: I can leave it or keep it as I please” (Murphy 256-257). The Prairie Band’s resistance ultimately worked. The Leavenworth, Pawnee, and Western Railway, which was more concerned about purchasing vast amounts of land to build their tracks than seeing that Indians were making progress toward assimilation, pressured the government to concede that the Prairie Band be allowed to continue holding their lands in common on a greatly reduced reservation. As a result, a majority of the 30-square-mile reservation became “surplus land,” which opened it for sale to the railroad. The concession was made sometime between September of 1861 and November 15th when the treaty was signed by members of the Citizen Band. It is not clear whether or not members of the Citizen Band knew that the alternative of continuing to hold their lands in common on a reduced reservation had been offered, but the fact that they indeed signed the treaty suggests that a consensus had been reached that taking allotments was a wise decision.
Though the records do not indicate whether or not the Citizen Band was aware of the concession made to the Prairie Band, they do indicate that the Citizen Band felt increasingly insecure because of the government’s threats to make its members move again if they did not take allotments. Kansas had just been admitted to statehood in January of 1861 and some of the Potawatomi who had been removed from Council Bluffs to prepare for Iowa’s statehood knew that pressure to control the Indian population would grow stronger as the numbers of white settlers increased. The message conveyed by Indian agents in the years just before the 1861 treaty offers another explanation as to why the Citizen Potawatomi chose to sign. In 1859 Agent William E. Murphy wrote in his *Annual Report to the Commissioner of Indian Affairs* that “[t]heir preservation and permanency on their present reserve can only be effected by citizenizing them, and granting them title in fee simple to the land” (148). Whether statements such as these were made out of true concern for the preservation of the Potawatomi or were veiled threats is unclear. What is clear is that a majority of Potawatomi perceived that their situation in Kansas was becoming increasingly unstable.

Evidence that the tribal members were being intimidated by the threats of government agents is expressed in a letter written by a Potawatomi, Rufus H. Waterman, to Assistant Commissioner Mix on July 26, 1859 – the same year that Agent Murphy made the above claim – in which he questions whether the government intended to let the Potawatomi stay on their reserves or to “move us again to some unknown region.” He declared that the question was important because many tribal members had made extensive improvements, and were prepared to make more, such as setting out orchards, buildings, barns, etc. if they had some assurance they could keep their farms (“Letters Received”). Clearly, the Potawatomi were not letting their defenses down. They wanted to maintain their land, but in the event they could not, they needed to be prepared for whatever course of action the government was going to present to them.

These circumstances forced both the Citizen and Prairie Bands to make a decision regarding their respective fates. The Citizen Band felt that taking allotments and agreeing to become citizens would help them improve their condition. They had lived through a tumultuous period in which tribal status had been defined, redefined, and jeopardized by both internal and external elements. They were also confident that because agriculture was already practiced by a large percentage of the band, they would be just as successful at farming land each member owned individually as they were on land that
the tribe held communally. Additionally, in notable contrast to the Prairie Band, the Citizen Band had been lauded by their Indian agents for years for their degree of acculturation and reassured of their fitness to live among whites (Murphy 221-224). Essentially, the Citizen Band had plausible reasons to believe that signing the treaty would improve their chances of staying and successfully farming on their land in Kansas.

In the end, 1,400 of the estimated 2,170 Potawatomi living on the thirty mile square reservation made the decision to sign the treaty of 1861 and hoped that they would finally gain a sense of stability (Mitchell 39). Indeed, for the first two years after signing the treaty it seemed that things were advancing as the government suggested. Most of the individual signers of the treaty were making efforts to claim their allotments and advance toward citizenship. Moreover, members of the Citizen Band had built houses and opened new fields (Murphy 262).

The 1861 treaty had a profound effect on the governmental structure of the Citizen Band as well. Historians and Native Americans often criticize allotment agreements because they almost always forced those who signed to accept U.S. citizenship at the expense of tribal governments. On paper this was true for the Potawatomi treaty of 1861, but in many ways allotment had the opposite effect.

The Potawatomi had a historically weak tribal hierarchy that included a series of headmen who spoke for their band and kinsmen. Division and infighting had plagued the tribe for decades as different groups had unique reactions to government pressure, and throughout all of their removals they had no organized form of government. As the federal government’s preparation for the treaty of 1861 proceeded, however, it became increasingly necessary for Indian agents and policymakers to have an organized representative body for the Potawatomi people with whom they could negotiate. Thus, with the expressed approval of their Indian agent, William W. Ross, a six-man Business Committee was organized so “a written record of their proceedings could be kept, and the wants of the tribe made known” wherein the issues that arose in relation to treaty negotiations could be managed (“Letter Received” 19th January 1863). The government agents and railroad representatives had their own, often nefarious, agendas in supporting a committee and allotment; nonetheless, with the organization of the Business Committee the Potawatomi were beginning to take on a structure that they had never enjoyed before. Unfortunately, the committee was not
yet strong enough to ensure that the stipulations of the 1861 treaty were adhered to, and by 1867 a majority of those who had accepted allotment and citizenship had been dispossessed of their land.

The treaty of 1861 proposed an order of events that was intended to result in full assimilation and self-sufficiency for the Citizen Potawatomi. First, individuals who signed the treaty would become citizens of the United States. After an individual acquired citizenship his/her Indian agent could recommend to the President that the individual receive a patent or personal title, to a plot of land. Finally, once allottees held the patent to their land they took on the privileges and burdens of land ownership including the right to sell if they so chose, as well as the legal responsibility to pay taxes. Indian agents were entrusted with the task of protecting the interest of the Indians to whom they were assigned, but were often more concerned with getting as much land into the hands of the U.S. government, and thereby the railroads, as possible (Mitchell 43-44). As a result, the proposed process was ignored and the Citizen Potawatomi were taxed almost immediately upon choosing an allotment. Unable to pay these taxes, many were forced to sell the lands to either the railroads or white settlers, who were eager to purchase them at a reduced price. Therefore, it can be argued that it was the Citizen Potawatomi’s liminal status as “quasi-citizens” – subject to the burden of excessive taxation but having virtually no legal recourse to counter these attacks – that hurt them as individuals and further strained the cohesion of the band.

Equally damaging to the success of the Citizen Band was the lack of funds available to purchase basic necessities. Most allottees were reliant on the promised profits from the sale of their “surplus land” to buy supplies and equipment such as plows and seed that were essential for farming. When these funds were heavily delayed landowners were forced to sell their plots so that they could at least break even (Murphy 284). All the conditions were working against them.

In 1867, the Citizen Band made another decision that they hoped would benefit their families, when they decided to avail themselves of the “escape clause” written into the 1861 treaty, a clause which suggests that the government knew the agreement lacked sufficient safeguards for success, and that it suspected that the Citizen Potawatomi would end up in a condition of destitution in which they had no choice but to sell off the rest of their land. Article VIII of the treaty established that if at any time a band of Potawatomi
Kelli Mosteller

wanted to move from the reservation in Kansas their lands would be sold and the money used to buy them a new home somewhere else (“Treaty with the Potawatomi”). At the time the treaty was drafted it was assumed that the Prairie Band would be the group to leave, but many Citizen Band members decided that putting distance between themselves and the influx of railroads and white settlers would be beneficial. The conditions of the move were laid out in a treaty signed on February 27, 1867, in which it was agreed that a delegation of Citizen Potawatomi would accompany a representative of the Commissioner of Indian Affairs to Indian Territory where they would select a tract of land, not exceeding 30-square-miles, which they would buy from the proceeds of the sale of the rest of their lands in Kansas (“Treaty between the United States”).

There was a two-year grace period after the 1867 treaty was signed in which the Potawatomi Indian agent was to create a census of who would be selling their lands and moving to Indian Territory. There was not, however, a mass exodus of Citizen Potawatomi in the years immediately after the treaty was signed and the census was completed. Many of the families were too poor to finance such a move, and because of their quasi-citizen status they were not receiving aid from the government as other Native Americans were. As a result, many Citizen Band members were forced to move onto the reduced acreage of the Prairie Potawatomi Reservation until they could figure out a way to get to Indian Territory.

The Citizen Potawatomi’s destitution was reported by Citizen Band member Joseph N. Bourassa in a plea to the Potawatomi’s Indian agent in 1875 in which he wrote that a majority of allotted Indians were in “extreme want” with “[n]othing to feed their families, no money and no land.” He stated that “many of them wish and intend to move South as soon as they can raise the means,” because they could no longer live in Kansas (“Letters Received” March 10, 1875). The conditions reported in this statement suggest that the government’s two-fold plan of making the Citizen Band self-sufficient farmers and acquiring their surplus land was only partially fulfilled. The railroad and Anglo-American settlers did end up taking possession of a significant amount of the Potawatomi’s former land holdings, but the Citizen Potawatomi were no closer to self-sufficiency than they were before the treaty; many were actually in a worse position.
Lessons Learned: The Experience of the Citizen Band in Indian Territory

The chaos and disappointment of the treaty of 1861 left an indelible mark on the Citizen Band. Because the promised protections of allotment and citizenship were only selectively applied the process actually offered very few benefits. They also came to realize that the government was obviously not going to honor its commitments without some pressure directly from the Citizen Potawatomi. The Citizen Band was disheartened, but not defeated. The unclear status of the band, possessing limited rights as U.S. citizens and having their rights as Indians curtailed, did not deter them from using their nominal U.S. citizenship to further their petitions for their rights or for the application of more favorable treaty terms. As a result of the treaty of 1867, the band had their rights explicitly laid out in writing and the Citizen Band resolved to continually press for them.

Life on the reservation in Indian Territory was not easy, however, because after they had made their land selections the Citizen Potawatomi who moved there were virtually abandoned by the Indian Department. For a decade they were not assigned to an agency, they were given almost no aid, and they had no Indian agent who could voice their concerns to the government. It was during this period of exile that the Citizen Band began to take on a separate identity and unify as an extended family that had to rely on one another to survive. It was ultimately the members of the Business Committee’s and other prominent headmen’s persistent petitions and demands for acknowledgment of the band’s rights during their decade of disenfranchisement that led to the Citizen Potawatomi once again receiving government aid.

It is hard to know how many Citizen Potawatomi relocated to Indian Territory in the early 1870s. Provisions for allotment were not made for those who moved until an act of Congress was passed on May 23, 1872. The act, titled “Act to Provide Homes for the Pottawatomie and Absentee Shawnee Indians in Indian Territory,” was created once families had been given the opportunity to make the journey and get settled on the new reservation (159). These years gave families enough time to survey the land and choose their plots. A rough estimate from 1874 put the Citizen Band population in Indian Territory at about one hundred, and by 1875, 131 allotments had been made to members of the Citizen Band (Murphy 306). In 1877, the band’s pleas were finally answered when the Citizen Potawatomi
were assigned to the Sac and Fox Agency in Indian Territory and once again became recipients of annuities. The funds gave a few Citizen Potawatomi the small boost they needed to make the move to Indian Territory, so that, in 1880, the Indian agent from the Sac and Fox Agency put number of Potawatomi on the reservation at roughly 300 (Murphy 306).

These numbers do, however, give us some indication of the pattern of migration that the Citizen Potawatomi followed. An 1872 allotment map indicates that members of the Anderson family took fifteen continuous plots in one section of the reservation and twenty-three continuous plots nearby, all along prime acreage near the Deep Fork Canadian River. Thus, a single family possessed over one-third of the allotments that had been issued by 1875. This data indicates that, when possible, families chose to move in family units. Their actions also show that the Citizen Potawatomi who moved to Indian Territory were dually concerned with continuing to living in extended kinship groups that were fundamental aspect of Potawatomi society, as well as acquiring fertile plots that were likely to support successful farms.

The Citizen Band’s unclear status had been a terrible hindrance to them during their experience in Kansas. By the time they relocated to Indian Territory, however, they had learned to use their liminal position to their advantage by invoking their rights as U.S. citizens and Native Americans interchangeably as it suited their needs. For example, after the Dawes- Severalty Act was passed, the Citizen Band invoked their citizenship to argue for their rights when issues arose around the petitions of the Absentee Shawnee, who shared their assigned lands. In December of 1887, Citizen Potawatomi member Anthony F. Navarre wrote a letter to the Commissioner of Indian Affairs, J. D. C. Atkins in which he argued that the more agreeable conditions of the Act of May 23, 1872 should be applied to the Citizen Band rather than the Dawes Act of 1887. The act of 1872 clearly stated that the Citizen Band was allowed to “select allotments of lands in severalty anywhere within the 30-mile-square tract in the Indian Territory.” It also allowed for the allotment of land to “each head of a family, and to each other member 21 years of age, not more than one-quarter section” (“Act to Provide Homes for the Pottawatomie”). This included women who were heads of their households and even unmarried adult women. Under Dawes only male heads of households could receive an allotment that large. The 1872 act also stipulated that the Absentee Shawnee needed to have made substantial improvements on the reservation in order to claim a home there, but made
no such stipulation for the Citizen Potawatomi. Therefore, under the 1872 act the Citizen Band were entitled to a greater amount of acreage and the right to take it wherever they pleased, as opposed to the conditions of the Dawes Act. In light of these differences Navarre protested that:

The Pottawatomie Citizens' Band are citizens of the United States; hence the law of February, 1887, is not applicable to that band, but only to Indians in 'tribal relations' and other Indians not citizens of the United States.

Therefore, in behalf of my people I appeal earnestly for your decision at once upon the question as to the quantity of acres of land we are entitled to, and as to the right to select anywhere within the said tract the allotments of our lands. ("Letter from the Secretary of the Interior" 9)

By invoking the band’s citizenship and pointing out that they did not fall under the heading of Indians in “tribal relations,” Navarre used the government’s excuses and terminology to argue for the collective rights of his band. Navarre claimed that the Citizen Band had the rights of both United States citizens and of other Native Americans. In short, the Citizen Band was learning the rules of the game.

The Citizen Band did not let the issue die there. An estimate from May of 1887 puts the number of Citizen Potawatomi on the reservation in Indian Territory at 306 individuals. According to a letter from Commissioner Atkins that year there were supposedly an additional 1,000 Citizen Potawatomi residing in Kansas at this time who would not move to Indian Territory unless they were assured they could take their allotments anywhere within the reservation. This included the fertile lands north of the Little River that were being claimed by the Absentee Shawnee ("Letter from the Secretary of the Interior” 10). The coordination of the band in two different locations hundreds of miles apart is striking, and suggests there was a sophisticated level of organization and communication between the two groups of Citizen Potawatomi about what they needed to do to ensure their demands were heard by the government.

The increasing political acumen of the Citizen Band is made even more evident by the fact that they did not rely on their Indian Agent or the Commissioner of Indian Affairs to decide these important questions. In November of 1887, A.B. Peltier, Battin Pambaya, Stephen Nehahonquot, and Joseph Moose, all members of the Business Committee, bypassed their
agent and wrote a letter directly to President Grover Cleveland to present their argument for the more favorable conditions of the act of 1872 to be put into place. They ignored the pressure to recognize traditional Euro-American gender roles by pointing out that under the General Allotment Act women of the band were excluded from taking allotments as heads of households. They also reinforced that stipulations in the act of 1872 stated that members of the Citizen Band had the right to select their allotments from anywhere within the 30-mile-square tract. They expressly demanded that they be given the rights accorded to them by past treaties (“Letter from the Secretary of the Interior” 10).

The frustration that the government felt about the Citizen Band’s continuous demands is evident in Commissioner J. D. C. Atkins’ protest, which stated that he did not “see that these Indians have any cause for complaint.” According to the Commissioner the Citizen Potawatomi had been allotted lands in Kansas and had “wasted their substance in riotous living” and upon their removal to Indian Territory few had availed themselves of the chance to buy tracts of land from the government (“Letter from the Secretary of the Interior” 10). Despite the protests of the Commissioner, the Citizen Potawatomi by acting together as a band with a united front were able achieve their goal. On July 11, 1890, President Benjamin Harrison approved a recommendation by Secretary of the Interior John H. Noble to request that “authority be granted to the Citizen Pottawatomie Indians to elect whether they will take allotments under the act of 1872 or 1887” (“Letter from the Secretary of the Interior” 20).

Their resolve was put into action once again on May 9, 1883, when a group of Citizen Potawatomi men wrote a letter to Major J.V. Carter, U.S. Indian Agent to the Sac and Fox Agency, invoking rights granted to them by previous treaties and agreements with the federal government (Bourbonnais Family Documents). The appellants contended that Special Agent Townsend was allowing all white men who were married to Potawatomi women to enroll as members of the tribe despite the band’s “unanimous protest.” His actions, they argued, violated the act of Congress on May 23, 1872, which gave the Potawatomi full discretionary rights to designate “who shall be members of the Citizen Band of Pottawatomies.” The appellants also recalled that in the 1861 treaty whites became members of the tribe “by an act of our council and not by marriage,” and that only then could the white men receive land and annuities like any other member of the band.
Also significant is the language used throughout the petition. The council members chose to make their appeal in the name of “we the Citizen Band of Pottawatomie.” Though the Citizen Band had lost their federal recognition as an Indian tribe for a few years because of their status as U.S. citizens, they never stopped self-identifying as Potawatomi. Instead, the band used their status as United States citizens, a designation intended ultimately to destroy tribal ties, to argue for their rights as a tribal entity which alone had the power to decide who would be considered members of the tribe. This petition, therefore, suggests the Citizen Potawatomi had their own ideas about citizenship, because they used their status as U.S. citizens to regulate and define who could achieve a culturally-based citizenship that was perhaps more sacred in their opinion.

Put another way, the Council invoked rights granted to them in past treaties and congressional acts to defend their own “rights and privileges” to make their own decisions regarding to the band’s affairs. This suggests, once again, that assimilation was not the sole or even primary motivation for allotment and citizenship. History had taught the individuals on this council that they would be better able to defend their homes by accepting citizenship than by refusing to work out agreements with the government. They had also learned, as a result of the treaty of 1861, that the government would not always honor its agreements unless it was challenged; and that is precisely what the Citizen Band intended to do.

When the men and women who became the Citizen Band arrived at their agency on the Kansas River on November 15, 1861, they knew they were about to enact sweeping changes in the lives of their people. They were abandoning their traditional relationship with the government and their kinsmen with the hope that taking allotments and citizenship would afford them the luxury of resisting removal and other government policies that had nearly destroyed any semblance of the life they led before the arrival of non-Indians. At the time, no one expected the decades-long struggle the band would have to endure to have the rights they were given that day recognized. After their destitution and near extinction as a band, in the 1870s and 80s, members of the Citizen Potawatomi made a fourth and final move to Indian Territory where they showed their resolve to be simultaneously recognized as citizens of the U.S. and members of the Citizen Band Potawatomi who were privileged to the expressed rights of both groups.
The Citizen Band’s resolve to use their hybrid status as Indian-citizens proved essential as allotment became the official Indian policy of the federal government with the Dawes Act of 1887. The experience of allotment in Kansas had been a learning experience for the government as well as the Potawatomi, resulting in the implementation of a twenty-five year trust period before Indians could gain fee simple title to their lands. Even with their political insight the Dawes Act took its toll on the Citizen Band, as it did on virtually every other Native American group subject to its rules. Hundreds of allotments were made to the Citizen Potawatomi, and per Article Five of the Act, hundreds of thousands of acres of “surplus lands” were sold to the government at a reduced rate and opened to white settlers with the Oklahoma Land Runs of 1890 (“Act to Provide for the Allotment of Lands in Severalty”). In many ways, however, the Citizen Potawatomi fared better than many other tribes who resisted early allotment efforts and were eventually forced into private land ownership with the passing of the Dawes Act, or even later by the work of the Jerome Commission in 1889 (Hagan).

As the above circumstances of the Potawatomi Nation suggests, one cannot consider Native Americans, or even individual tribes, a homogenous group. Therefore, one cannot look at allotment as having one primary outcome of “beneficial” or “detrimental.” While the cultural destruction that almost always went hand in hand with allotment was devastating, the Citizen Potawatomi realized that they were never likely to have stability unless they had more control over their land. This realization influenced their approaches toward the federal government and their decision to sign the allotment treaty of 1861. There is not one story of allotment. Rather, it has as many stories as the countless Native Americans who were forced to make the decision to accept or reject the government’s efforts to allot their land.
Works Cited


United States, Statutes At Large. *Act to Provide Homes for the Pottawatomie and Absentee Shawnee Indians in Indian Territory*. 17 (1871-1873) 159.

---. *Act to Provide for the Allotment of Lands in Severalty to Indians on the Various Reservations (General Allotment Act or Dawes Act)*. 24, (1887) 388-391.


---. Treaty with the Chippewas, Ottawas, and Pottawatimies, 7 Statutes at Large (1833). Print.

---. Treaty with the Pottawatomie, 12 Statutes at Large (1861).

---. Treaty between the United States of America and the Pottawatomie Tribe of Indians, 14 Statues at Large (1867).