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## Article Title: The Mormons and the Office of Indian Affairs: The Conflict Over Winter Quarters, 1846-1848

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Article Summary: For two years during their exodus from Illinois to the Salt Lake Valley, the Mormons occupied a way-station known as Winter Quarters. Near present-day Omaha, this area was originally occupied by the Omaha Indians and other border tribes. By law, the federal government guaranteed the sanctity of Indian lands, so the Mormons' selection of this area for thousands of whites brought government and church leaders into conflict. A study shows that the major concern of the Indian Department was to protect the Indian land, realizing that contact between such a large body of whites and the Indians would cause deterioration in the ability of these tribes to survive in their environment.

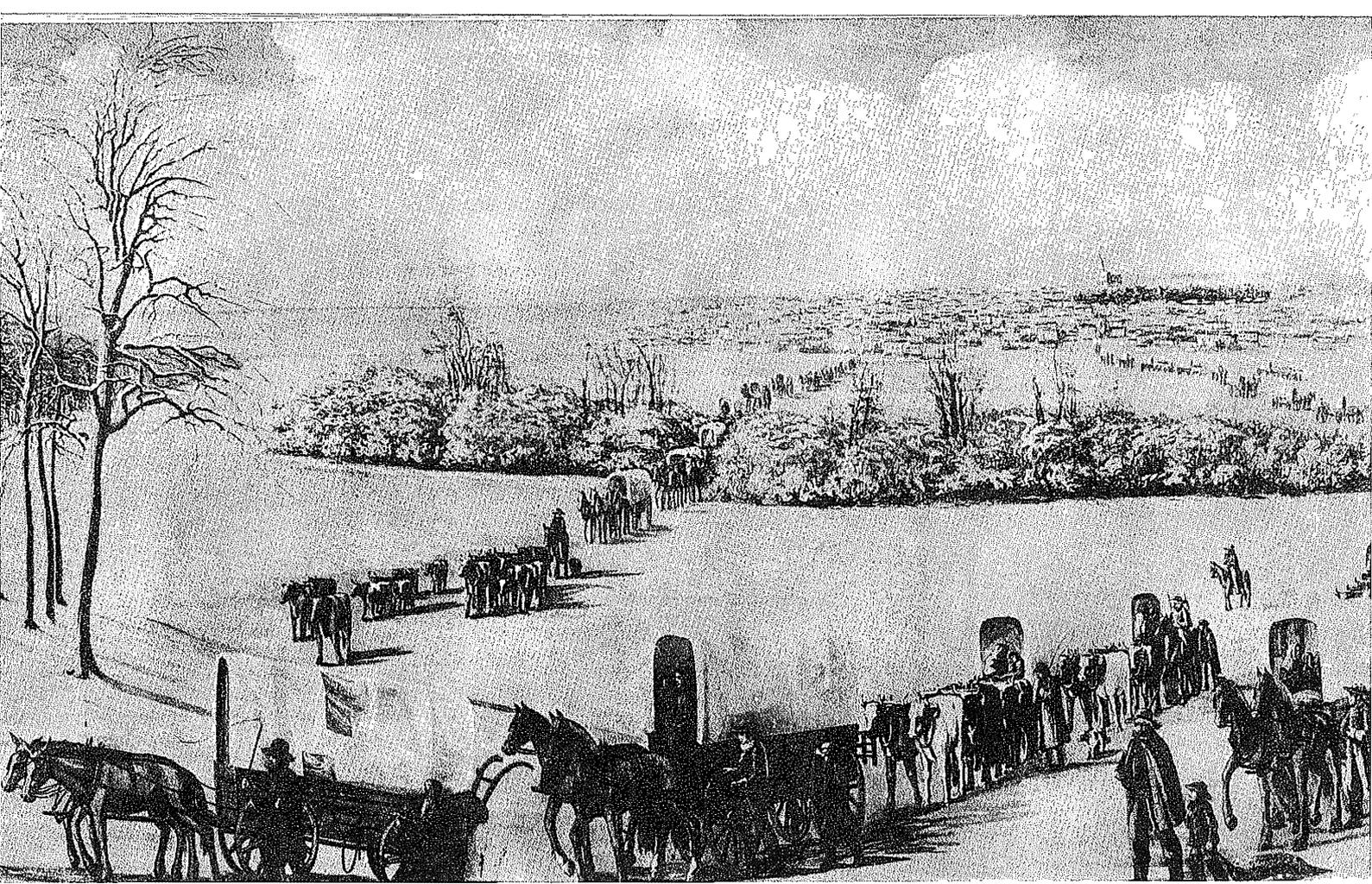
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Photographs / Images: Brigham Young; Drawing by George Simons; Sculpture of refugees; Painting by C C A Christensen of the exodus of the Mormons from Nauvoo



*This painting by pioneer artist C.C.A. Christensen depicts the exodus of the Mormons from Nauvoo across the frozen Mississippi River in 1846. (Courtesy of the Information Service, The Church of Jesus Christ of the Latter-Day Saints)*

**THE MORMONS AND THE OFFICE  
OF INDIAN AFFAIRS:  
The Conflict Over Winter Quarters, 1846-1848**

By ROBERT A. TRENNERT, JR.

For two years during their exodus from Illinois to the Salt Lake Valley, the Mormons occupied a way-station known generally as Winter Quarters. This area near present-day Omaha, Nebraska, was originally occupied by the Omaha Indians and several other border tribes. As the federal government by law guaranteed the sanctity of Indian lands, the Mormons' selection of this area for the residence of thousands of whites brought government and church leaders into immediate and prolonged conflict. This conflict is one of the most misunderstood, as well as neglected, aspects of the Mormon trek. Mormon historians have tended to assume that federal officials, like so many other Americans at the time, acted from overt prejudice and stupidity in denying help to the suffering emigrants and demanding that the Saints leave Indian lands.<sup>1</sup> Such views have oversimplified the situation, if not distorted it, and fail to take into account the working of federal Indian policy. The real question involved not just the Latter-Day Saints but also the fate of the Indian tribes on whose land they settled.

At the time of the Mormon exodus, the federal government was attempting to protect the tribes living in the Missouri Valley from the degrading effects of American expansion, which was just then assuming major significance on the plains. These so-called border tribes inhabited both sides of the Missouri River and were in a delicate position, being located between the expanding settlements to the east and the powerful

Plains Indians to the west. On the east bank of the Missouri River near Council Bluffs in western Iowa Territory, resided such tribes as the Potawatomi, Ottawa, and Chippewa, who had been moved there from Michigan and Illinois in 1837. West of the river, in unorganized country, lived the Oto, Omaha, and Missouri. For the most part these tribes were destitute and on the verge of extinction. Few in number, they were constantly being raided by the Sioux and other hostile tribes and were defrauded by unscrupulous traders and whiskey sellers.

Contemporary observers were keenly aware of the miserable condition of these tribes. Edward McKinney, a Presbyterian missionary to the Omaha and Oto, described the condition of his wards as truly deplorable: "Their entire destitution . . . leaves them almost always both naked and hungry."<sup>2</sup> Even nature seemed to be working against the survival of the Indians. In 1846 nearly 10 percent of the tribesmen living on the east bank of the Missouri were reported by their agent to have died from a variety of diseases.<sup>3</sup> Contact with white men just as effectively weakened the Indians. What little personal wealth the Indians possessed often went for illegal alcohol as tribesmen exchanged much of what they owned—guns, horses, blankets—for a few quarts of watered whiskey. Travel along the Oregon Trail also adversely affected these people who depended so greatly upon the buffalo for their livelihood. As the superintendent of the Office of Indian Affairs at St. Louis wrote his superiors in 1846: "The buffalo is already greatly diminished in number. . . . The emigration to the west is already keeping up an almost continual tide of travel over the plains, and all experience proves that game rapidly disappears before the fire-arms of the white man."<sup>4</sup> All of these conditions, then, combined to make the situation of the border tribes precarious in the extreme. Any large scale influx of white settlers threatened their further decimation.

A number of federal laws existed for the protection of these tribes. Of major significance was the Indian Intercourse Act of June 30, 1834, which was passed in conjunction with the removal policy of the 1830's. These laws created an Indian barrier by defining the unorganized territory west of the Mississippi as "Indian Country," where whites were not permitted without passports establishing the length of their

stay. The various laws were thus designed to safeguard the Indian in his new "permanent home." Penalties were set for anyone selling liquor to or defrauding the Indians; no whites were permitted to hunt or trap in the Indian country; no person could settle or inhabit any land guaranteed to the Indians; and the government pledged to forcibly remove anyone violating these laws.<sup>5</sup>

The Indian barrier philosophy, however, did not provide for expansion and in the years following the passage of the intercourse laws the concept of a permanent Indian sanctuary slowly began to crumble under pressure of the white advance. During the 1840's more and more Americans travelled through Indian lands, and settlement expanded into western Iowa and Missouri. The process of settlement inevitably brought white demands that all tribes in Iowa Territory be removed. Under such pressure, the Office of Indian Affairs negotiated treaties in the summer of 1846 removing the Potawatomi, Ottawa, and the few other remaining tribes to Kansas country.<sup>6</sup> But the Iowa tribes were given several years to move; in the meantime they remained under the protection of the laws of 1834. The tribes west of the Missouri, where no whites lived, were not affected by the 1846 treaties and were still considered part of the Indian barrier. Bureau officials hoped these bands might by allowed to remain on their ancestral homelands.

The weak condition of the border tribes thus presented the government with numerous problems. To Thomas H. Harvey fell the primary responsibility of assuring the survival of these Indians. Appointed on October 3, 1843, as superintendent of Indian Affairs at St. Louis, Harvey was charged with the care of all the tribes between the Missouri River and the Rocky Mountains.<sup>7</sup> The superintendent was a realist, had few illusions about the supposed benefits of white contact with the native population, and strongly believed in justice for his wards. To him, as long as the Indians were on their own land, they must be protected from the advance of white Americans. He realized, however, that whites had the right of passage through Indian country, but only on well-defined roads.<sup>8</sup>

Under Harvey's command were a number of agents and subagents who dealt with the individual tribes. The man most directly concerned with the Mormons was John Miller, the



*Brigham Young*

agent at Council Bluffs. The Council Bluffs Agency, charged with responsibility for the Omaha, Oto, Missouri, and Pawnee, lay on the west side of the Missouri about twenty miles below Council Bluffs at Bellevue. Though denounced by the Mormons as bigoted and inept, John Miller was one of the better men in the Indian service and was devoted to protecting the tribes in his charge from both frontiersmen and the ineptitude of the government.<sup>9</sup> Across the Missouri in Iowa, the Council Bluffs Subagency under Robert B. Mitchell handled the Ottawa, Chippewa, and Potawatomi until their removal to Kansas. Upon these two agencies the Mormons descended in 1846.

The Mormons, forced to leave their homes in Nauvoo, Illinois, set out in February, 1846, for a new Zion somewhere beyond the Rocky Mountains. Considering the destitute condition of many of the emigrants, a mass exodus in any one season was manifestly impossible. By the early summer it became increasingly clear to Brigham Young and the Mormon leadership that the Saints must stop somewhere along the way so that the large group could winter and be resupplied. Being wary of other emigrants, many of whom were the hated Missourians who had previously evicted them, the Mormons had chosen to stay north of the established trails. This meant they penetrated previously unspoiled Indian lands where whites were forbidden. Such movements brought them into immediate collision with the Indian Office. Under ordinary circumstances any large body of

people intending to remain in Indian country would have been resisted. The fact that the emigrants were Mormons complicated the situation even more.

Most people on the frontier, including many Indian agents, knew little of the Mormons or their purpose. There existed a general fear they would decide to remain in the area or perhaps stir up the Indians against other whites. Such fears were intensified by a prejudice against the Mormons and their contrasting culture. Those concerned with Indian affairs believed the Saints would lay waste Indian lands, cheat and bring alcohol to the red men, and cause more unrest among the tribes.<sup>10</sup>

When the Mormon advance guard started moving into the Indian territory in June, 1846, various reports and rumors began filtering into the Indian Office. As there was little direct contact with the Saints, such tales were quick to spread. One of those who recorded some of these reports was the Rev. John Dunbar at the Pawnee Mission on Loup Fork. In June, Dunbar wrote to his Presbyterian superiors: "Very recently a report has been circulated that they were very hostile to our government, and would excite, (and even now were exciting) the aborigines against it. Quite an excitement prevails now in the border counties on this subject, and it is said, they have killed, and committed some other depredations already, but this is considered doubtful."<sup>11</sup> Other reports said the Mormons were preparing to build a fortified city on the Missouri or perhaps to help the British in the Oregon dispute.<sup>12</sup>

At the end of June, Mitchell reported to Harvey that some five to eight thousand Mormons were within the limits of his subagency, but that they had already built a ferry and were preparing to cross into Omaha country. So far he saw nothing to complain about, as the Mormons were keeping clear of the Indians and expressing their intention of going at least as far as Grand Island on the Platte before settling down for the winter. He did note, however, that "they have made two farms [Garden Grove and Mt. Pisgah, Iowa] on their travel for the benefit of the poor who are coming after them and I think likely one [also] in the limits of this Sub Agency."<sup>13</sup> Harvey replied that as long as the emigrants conducted themselves "with propriety" and were only in Indian country on their way west, they would

not be bothered. Apparently Harvey saw no objection to the Saints wintering at Grand Island, which was about 150 miles out on the prairie at the point where the Oregon Trail joined the Platte, but he found it difficult to understand how such a large body could arrive at that desolate spot.<sup>14</sup>

Some Mormons indeed hoped to go as far westward as possible. One group under George Miller and James Emmett actually reached the Presbyterian Mission on Loup Fork, which Dunbar had just abandoned. But the advance group found conditions on the prairie intolerable and finally moved north to the Niobrara in Ponca country and wintered there. It thus became increasingly clear that most of Young's followers would have to stay along the Missouri River. The question was where. If they located on the Iowa side, they might encounter opposition from the white inhabitants; if they went into Indian country, they were violating the intercourse laws.

From the Mormon point of view, the decision to move across the Missouri seemed the most desirable. Two events soon closed the matter. On June 27, Capt. James Allen arrived in camp with a message from President James K. Polk asking for five hundred Mormon volunteers to join Gen. Stephen S. Kearny and the Army of the West marching on Mexican territory now that the war had been declared. Such a request, besides providing the Saints with some desperately needed cash, gave Brigham Young a reason to claim that the loss of five hundred able-bodied men would stall the exodus. Young thus agreed to form a Mormon battalion if he received permission to winter on Omaha and Potawatomi lands. Allen agreed, though both men knew he had no authority to make such a grant.<sup>15</sup> To fortify his position, Young next turned to the Indians for permission to remain. Big Elk, the aging chief of the Omaha, his son Standing Elk, a half-breed interpreter named Logan Fontenelle, and about eighty tribesmen were called to council by the Saints on August 28. Young put forth his case, intimating government approval, and asked for "the privilege of stopping on your lands this winter or untill [*sic*] we can get ready to go on again."<sup>16</sup> In return for this privilege, the Mormons offered to construct a trading house, plant crops, and establish a school. Big Elk accepted the terms largely because the well-armed Saints offered protection from their enemies, the Sioux. The treaty, of

course, was extralegal. The Mormons also negotiated a similar agreement with the Potawatomi and then sent both "treaties" to the Office of Indian Affairs and to the President with the request that they be given official permission to remain.<sup>17</sup>

Brigham Young did not wait for an answer. By the end of August, "Winter Quarters of the High Council of the Camp of Israel" were officially located on Omaha lands. Large groups of Saints moved across the Missouri at a spot about eighteen miles above Bellevue and began laying out a town on the table land just above the river. Other villages were constructed in the same general vicinity, as well as one on Potawatomi lands on the Iowa side. In all areas log houses went up, cattle were put to graze, and a substantial quantity of timber was cut for the coming cold weather.

Meanwhile, in Washington, D.C., Commissioner of Indian Affairs William Medill began reacting to the Mormon pleas for wintering on Indian lands. Medill hesitated to place much confidence in their promises to move on. He feared the Mormons might actually be intending to construct a permanent community on the Missouri and thus create resentment and hardship among the Indians. On September 2, 1846, therefore, he wrote to Harvey that if the Mormons were simply stopping for the winter there could be no objection. If they stayed for any considerable time, he predicted nothing but trouble. Not only would it agitate the Indians, but it might have embarrassing political consequences as well. The Mormons could interfere with the removal of the Iowa tribes, delay the sale of that land to whites, and in all probability bring on a confrontation between Iowa and the federal government. Yet both President Polk and Medill wanted to be fair to the Mormons and therefore worked out a seemingly acceptable compromise. Not knowing that so many of the Saints had already gone into Omaha country, Polk decided to grant permission to remain on the Potawatomi purchase in Iowa if the government could be "satisfied that they will leave and resume their journey in the Spring, or at such period as the season for travelling will justify, *and that no positive injury is likely to arise to the Indians from their stay among them.*"<sup>18</sup> Thus the Mormons were given permission to stay in Iowa and to make such improvements and raise such crops as were necessary for survival.

Authorization to remain on Potawatomi lands solved only a small part of the problem. By the time winter set in, about ten thousand Saints were settling down across the Missouri where no approval had been granted, while only about three thousand remained on the Potawatomi lands.<sup>19</sup> Moreover, Winter Quarters was taking on aspects of a permanent community. Schools, churches, and other civil establishments were operating by October. Soon thereafter a water mill went into operation to provide flour for the inhabitants of more than five hundred log and sod houses.<sup>20</sup>

Brigham Young, Alpheas Cutler, and the other Mormon leaders, realizing the illegal status of most of their camps, decided to appeal to Superintendent Harvey to understand their situation and grant permission to remain in Omaha country until all the emigrants had passed through. This proved a difficult task.

In early November, Harvey visited the Mormon camp to see for himself what the Saints were up to. Unfortunately for the emigrants, the most impressive aspect of their camp was the excellent workmanship and the look of permanence. Besides the log cabins and other improvements, Harvey inspected the water mill ("the timbers are of the most durable kind") and a pair of expensive mill stones just arrived from St. Louis.<sup>21</sup> After roaming the town for some time Harvey met with Brigham Young to apprise him of the fact that his people were trespassing on Omaha Indian lands. Young, undoubtedly annoyed by this snooping gentile who seemed to be obstructing his plans, answered Harvey by stressing the "promptness of their people entering the service of the United States upon the call of the Government, . . . [and] that they could not go on until the return of the volunteers."<sup>22</sup> When Harvey asked how long the Saints might be expected to remain, Young rather belligerently indicated it might take two to four years.

Harvey was little impressed with the Mormon reasons for staying. Not understanding their fear of gentiles, it made no sense to him that they selected this land for their camp. "If the object of the Mormons was simply to winter in Indian country," he reported, "it would certainly have been more convenient to have remained on the Potawatomi side in the bottom timber where they would have been protected from the

North wind by the high land, with good winter grazing for their stock, instead of moving over to the prairie, facing the North."<sup>23</sup> The superintendent also could see no substantial reason for such permanent improvements if they really intended to move on. Logically, then, it seemed as if a permanent Mormon town, another Nauvoo, was not beyond the realm of possibility.

As a result of his inspection Harvey refused permission for the Mormons to remain. Being careful to indicate no bias, he wrote Alpheas Cutler, the president of the High Council, "that no white persons are permitted to settle on the lands of Inds. *without authority of the Government*. Your party being Mormons does not constitute the objection but the fact of your being there without authority of the government."<sup>24</sup> Cutler answered Harvey on November 6 by arguing that the only reason the Mormons stopped on Indian lands was that their men were called into service and that otherwise they would have gone past the mountains. "*This is what stopped us,*" Cutler exclaimed and promised they would leave as soon as possible next spring. He stated that they were building a permanent-looking encampment simply as protection from the freezing weather and that these improvements would be useful to the Omaha when they left.<sup>25</sup> Harvey did not change his mind but he made no overt move to oust the Mormons, and indeed he was in a delicate position; forcing the refugees to move might result in bloodshed, while allowing them to remain could develop into serious Indian trouble. Under such circumstances he decided to wait for specific orders from Washington.

The Saints realized that they too were in a delicate position. Although the government had taken no overt action against them, their illegal status could result in a forcible eviction at any time. Under such circumstances they decided to go over Harvey's head (believing his attitude was based on prejudice) and appeal once more to Washington. This time they selected Thomas L. Kane to carry their plea to the heads of government. Kane was a young Philadelphian who had so admired the Mormons that he made the difficult journey west during the summer of 1846 to witness and record the exodus. Being both a friend of the Saints and son of one of President Polk's political friends, he proved an invaluable aid and lobbyist.<sup>26</sup> He went to work on the administration in December.

Kane employed a strategy that was based partly on propaganda and partly on fact. After stressing Mormon loyalty to the United States, he implied that the government was persecuting the Saints by denying the privilege of wintering on Indian lands when other whites had done the same thing. Here Kane pointed to some encampments along the Oregon Trail, although the more southerly route did not pass through lands legally occupied by Indians.<sup>27</sup> Then he said that the government had never done anything to protect the Omaha and that the tribe actually benefited by the Mormon presence:

The once powerful and gallant nation is, you are aware [he wrote to Secretary of War Marcy], completely within striking distance of the Sioux, and its numbers from the effects of their hostility are diminishing so rapidly every year that it appears threatened with extinction. The Mormons they hope will prove an important protection to them, and when they made their treaty—so to call it—annexed, they esteemed this protection, of value more sufficient to remunerate them for any loss of wood or game they might incur by their lease.<sup>28</sup>

This claim, although exaggerated, was valid. In December, for example, the Sioux descended on the Omaha villages and slaughtered seventy-three members of the tribe, mostly women and children.<sup>29</sup> After this the Omaha took care to remain close to the well-armed Mormons when trouble threatened.

While Kane prepared his arguments and made unofficial inquiries, it became increasingly apparent to the Indian Department that all was not harmonious between the Mormons and the Omaha. The Saints despoiled Indian lands to provide for their camps and graze cattle. In early February, 1847, Samuel Allis, who had been at the Pawnee Mission, wrote: "Its a great pity that they were ever permitted to stop here on Indian land, they are cutting timber fast, the Indians are also killing the Mormon's cattle almost by the hundreds which is making them bad."<sup>30</sup> The Indians themselves complained to Agent Miller that their guests were killing game and laying waste much of the land. So concerned did Miller become that he flatly told Brigham Young at the beginning of April that the best service the Saints could render the Omaha would be to leave as soon as possible and stop the great destruction of timber and game, "which to the Indians is a great loss."<sup>31</sup>

The Saints exhibited less concern with the destruction of Indian lands than with the loss of their own cattle, the numbers of which Hosea Stout recorded in his journal as being

"incredible."<sup>32</sup> They should have expected as much. The Omaha simply could not resist the temptation to slaughter stray cattle on their own land. Several times the High Council attempted to persuade tribal leaders to stop these depredations. When this failed, the Council authorized more drastic measures. Armed groups were sent among the herds to forcibly keep the Indians away, while the Mormon "police" searched the surrounding country with orders to "give them [Indians] a severe flogging" in case they were found.<sup>33</sup> Fortunately no one was killed, but a number of confrontations between Mormons and Indians only served to increase tensions.

To further complicate matters, most Mormons, including the leadership, believed that government officers were encouraging the Indian raids in an attempt to drive the Saints off the land. There is no evidence that such was the case, but these suspicions made it even more difficult for the Mormons, the Indians, and the federal government to get along. Young himself might have eased tensions by playing down the difficulties with the government; but he chose, perhaps as a means of uniting his suffering people, to continue the persecution theme. More than once he launched public tirades against the Office of Indian Affairs, telling his people that "the Omaha & Oto agent was stirring them [the Indians] up to commit depredations on our cattle."<sup>34</sup>

Meanwhile, Young decided he could send only a minimal party of 148 people on to Utah in 1847, and the rest would have to spend another year along the Missouri. It therefore became even more incumbent upon Thomas Kane to secure permission to remain on Indian lands. On April 20, 1847, Kane, acting for the High Council, stated Mormon intentions of remaining another year to Secretary of War William L. Marcy. Kane realized that the government, by hesitating to force the refugees off the Omaha lands, was unofficially permitting a *de facto* situation to exist. But now they wanted to remain longer than expected, a development which could easily try the patience of the administration. Carefully, then, he asked that the Mormons be permitted to stay where they were, since only a portion of the refugees had yet started west, and during the next few years perhaps as many as 30,000 more would be heading for Utah. "During the course of the emigration," he stated, "[which would be] necessarily tardy from their poverty



*This drawing was made by George Simons and is part of a collection of sketches housed in the Council Bluffs Public Library.*

as well as their numbers, they will occupy various stations as the winter quarters of detachments and for growing crops which must form their subsistence. Beginning at Council Bluffs, the first of these stations will be in the Omaha country.”<sup>35</sup> Kane also suggested that since their migration would take them across so much Indian land, they might perform a return service for the government if one of their members had permission to treat with the tribes on behalf of the United States.

Assuming that government sympathy for the Mormons might not be enough, however, Kane also addressed a letter to William Medill, the commissioner of Indian Affairs, in which he stressed the great benefit their presence brought to the Indians. He used the unique argument that the intercourse laws did not apply to the Mormons. “It will suffice however, for my present purpose, to remind you that the laws on the subject of the residence of whites on the Indian lands are intended solely for the

protection of the Indians, and are therefore not applicable without a forced construction to the present case.”<sup>36</sup> With such a premise Kane stated the Mormons were actually safeguarding the Omaha from the Sioux and other wild tribes while the government, on the other hand, had not “sent these Indians a single sheep or a single soldier to stand in the way of their death by murderers or starvation.” He even hinted that the Saints were remaining solely for the sake of protecting the Omaha.

Medill was disappointed that the Mormons had broken their promise to spend only the winter along the Missouri and rejected their argument for remaining any longer. In a letter to Marcy on April 24, the Indian commissioner stated that the Saints had already asked for and been granted temporary residence on the Potawatomi lands, and even though they had crossed the Missouri to Omaha country, they had been allowed to remain. The Mormons well understood that such a stay must be temporary and had stated they would move on in the spring. Now, however, they asked for semi-permanent residence on Indian lands. This was too much for the commissioner: “Are they more deserving the protection of the Government and entitled to privileges which are not granted to the mass of the bold & hardy pioneers who already have crossed the plains . . . ?”<sup>37</sup> Furthermore, such an action might set a harmful precedent, for the government had no way of knowing the true intentions of the Saints:

It will thus appear that these people, not being satisfied with the consent already given them to remain unmolested during their temporary sojourn at the place where they now are—and where, so far as the Department is informed, they have not been disturbed—seek to be, in some official way noticed and recognized by the Government, with the view, it may be, of setting up hereafter, a right, by settlement and occupancy, and relying upon their numbers, and strength of asserting their independence of the agents of the Department in the execution of the laws in the Indian Country.

Medill then invoked the intercourse laws of 1834 in rejecting the Mormon request, stating that the department had already done all it legally could by allowing matters to go so far before rejecting their claim; one might even note a certain amount of favoritism. The decision itself was clearly based on a primary concern for the Indians and not to harass the Mormons.

Thus, refused permission for the Mormons to remain, Kane tried to feel Medill out as to whether the government actually intended to prevent them from remaining another winter. “Is it

the intention of the War Department to remove them by force from the Omaha Country; so long as their continued residence is desired by the Indians [and] is necessary to the furtherance of their emigration?" he asked.<sup>38</sup> To demonstrate the Mormon desire to be cooperative. Kane also asked again that they be allowed to conclude treaties with other Indians.

Polk's administration was not prepared to forcibly eject the Mormons. Even if enough troops could be rounded up, the expense, scandal, and possible bloodshed were more than the President and his advisors were willing to endure. Thus Medill decided to tell the Mormons nothing more and depend upon the uncertainty to hurry them along. Undoubtedly the field officers were also instructed to encourage the Saints to move on during the summer. If this did not work, however, there existed no plans to eject the trespassers and they would be allowed to remain, albeit illegally. But as to giving them permission to appoint one of their number to deal with the Indians (a practice the Saints frequently used later in Utah), Medill had plenty to say, "I have only to remark that, when the Mormons shall be authorized to 'conclude' treaties with the 'Sioux, Pawnees, Crows, Utahs or other Indians,' it will be time enough for this Bureau to 'make any suggestions for their guidance.'"<sup>39</sup> He then read Kane the law which forbade individuals from negotiating treaties and implied they would be prosecuted to the fullest for any such action.

The Saints, of course, were already committed to remaining. Once again, as they had done the previous year, assurances were given to Harvey that they would move on the next spring.<sup>40</sup> Harvey was naturally skeptical and hoped to hurry them on. A number of events hardened the opposition of both government officials and the Indians to any continued residence. During the summer Harvey tried to re-establish the Pawnee Mission and school at Loup Fork in an attempt to locate the Pawnee north of the Platte and to teach them agriculture. When Alexander McElroy, the man hired to carry out this project, arrived at the mission, he found that a passing party of Mormons had "carried off every thing of value that they could find, cut the breaking ploughs to pieces, & carried off the Irons, & all the Iron that was here, & cut the Doors of Houses to pieces for the Hinges and nails."<sup>41</sup> Such activities put a crimp in Harvey's plans to

pacify the tribes and undoubtedly increased his hostility to the Saints. Harvey also feared that if the Mormons continued to improve the land and then departed, a number of the tribes might go to war for possession of the abandoned facilities.<sup>42</sup>

Agent Miller was even more vehement about getting the Mormons to move on. As a result, he became one of the most hated persons at Winter Quarters. He did not believe their promises to move and felt that the longer they remained the more disastrous it would prove to the Indians. In August he reported that problems were increasing. While a few of the Saints had indeed gone west in the spring, it was equally true that a great many more had come in.<sup>43</sup> Every indication seemed to confirm that they intended to make the Omaha lands a permanent half-way station. During the summer at least three or four thousand acres were planted in corn and other staples. Also, the Indians were now actively complaining against the continued residence of the Saints. At least one Mormon was killed by the Omaha and the tribe continued to slaughter cattle on the justification that the Mormons were "destroying their game range, and cutting down and destroying their timber."<sup>44</sup> Miller saw all of this as reducing the tribe to desperate straits. The destruction of timber presented a particularly serious problem because most of the country was destitute of wood, thus forcing on the tribe the alternatives of freezing or making forays into the territory of their enemies.

Fortunately for the resolution of the controversy, the location of Winter Quarters became increasingly less suitable to the Saints. A real threat of bloodshed arose as losses to the Indians continued. It daily became more difficult for Mormon leaders to keep their own people from attacking the Indians. Moreover, they still believed the Indian agents were their enemies and were trying to harass them.<sup>45</sup> The growing troubles with the Omaha finally brought matters to a climax, and this no doubt was furthered by the fear the government might yet take action against the settlement. When Brigham Young returned from Utah in October after successfully establishing Salt Lake City, he realized that most of the emigrants would be able to move on in 1848. A half-way station would still be needed for those yet to come, but perhaps it would lessen difficulties if they placed it on a legal basis by

removing it to the Potawatomi lands. Thus, the High Council decided in January, 1848, to order the abandonment of Winter Quarters. Citing the heavy losses from Indian depredations as well as other reasons, their leaders told Saints remaining west of the Missouri either to go ahead to Utah in 1848 or to move back across the river.<sup>46</sup> The new forwarding station became known as Kanessville and proved to be the site of present-day Council Bluffs, Iowa.

The High Council's decision quietly ended the confrontation. Indian officials did not object to the creation of a semi-permanent station of Potawatomi lands.<sup>47</sup> By this time most of the Potawatomi were already in Kansas and the possibilities of Indian troubles were accordingly reduced. Moreover, the sanctity of Omaha lands, the point of the controversy, would be maintained. When the travel season began in the spring of 1848, the Saints lived up to their promise and abandoned Winter Quarters. So the government finally prevailed and the land reverted to the sole occupancy of its original owners.

Unfortunately, the whole affair was really unnecessary and has created a regrettable legacy. It is clear that the Mormons might have erected their way station on the Potawatomi purchase and thus avoided a conflict with both the Indian Office and the Indians. For reasons which were grounded in their own psychology, however, the Saints chose the Omaha country. Their stories of persecution have survived in Mormon history and have thus left an onus on the men of the Indian service. Yet a study of the entire story shows that the major concern of the Indian Department in dealing with the Mormons between 1846 and 1848 was to protect the sanctity of Indian land. Department officials realized that contact between such a large body of whites and the Indians would cause a deterioration in the ability of these tribes to survive in their environment. In this prediction they were correct, and it can only be concluded that if the Mormon encampment was not positively harmful to the Indians, it did them little good. As a result of the settlements, a good portion of the few remaining natural resources was destroyed. The easy access to cattle and other property also led to stealing and even murder, things the Intercourse Act had been designed to prevent. Of course, one might say that all this made no difference because soon



*This sculpture by Avard Fairbanks stands at the entrance of the*

thereafter the pressure of American settlement forced the government to move the remaining border tribes anyway, and in the long run the tribes fared no better because of the action against the Mormons. This is to miss the point, for while some might have predicted such an eventuality, it was by no means a certainty by 1848 that the Indians must be moved.

Often pointed out are the Mormon statements of concern for the Indians, whom they called Lamanites, but one suspects that in this case much of the concern was expressed to justify their objective of remaining in Indian country. One must also admit, however, that a group of L.D.S. missionaries went west from Palmyra, New York, in 1830 to preach the gospel to the Lamanites.<sup>48</sup> So they were not entirely unconcerned with the fate of the Indians. But survival came first, and by the time the Saints finally departed, the purpose of Winter Quarters had been fulfilled. The refugees had been resupplied, refitted, and had continued on their journey.

## NOTES

1. A good example of the Mormon point of view may be seen in such works as Ray B. West, Jr., *Kingdom of the Saints: The Story of Brigham Young and the Mormons* (New York, 1957), 168-169, and Morris R. Werner, *Brigham Young* (New York, 1925), 212-213.

2. Edward McKinney to Agent John Miller, September 16, 1847, in the *Annual Report of the Commissioner of Indian Affairs, 1847*, 30th Congress, 1st Session, *Senate Executive Document 1* (Serial 503), 926-929.

3. Robert B. Mitchell to Thomas H. Harvey, September 11, 1846, *Annual Report of the Commissioner of Indian Affairs, 1846*, 29th Cong., 2nd Sess., *Senate Ex. Doct. 1* (Serial 493), 300-301.

4. Thomas H. Harvey to William Medill, September 5, 1846, *Ibid.*, 286-287.

5. The full text of the acts of June 30, 1834, are found in *The Public Statutes at Large of the United States of America* (Boston, 1854). Vol. IV, 729-737.

6. The major treaties were with the Chippewa, Ottawa, and Potawatomi, and were signed in June, 1846. Altogether these tribes gave up some six million acres in Iowa and western Missouri. For information relating to the negotiation of these treaties, see *Annual Report, C.I.A., 1846*, 217. The actual treaties are in National Archives and Records Service, Record Group 75, Office of Indian Affairs, Ratified Treaties.

7. Unpublished list of jurisdictional histories of the Office of Indian Affairs, 1824-1880, by the National Archives, n.d.

8. In 1846 Harvey called upon the government to purchase well defined routes through the Indian Country so that passage could take place without upsetting the Indians. See Harvey to Medill, September 5, 1846, *Annual Report, C.I.A., 1846*, 286.

9. Miller was often outspoken in his criticism of the government's handling of the Indians, and during his tenure in office (1846-1849) wrote numerous letters directly to the secretary of war demanding that frontier troops be placed in a position to protect the border Indians rather than stationing them on the Oregon Trail.

10. See, for example, Miller to Harvey, September 10, 1847, in *Annual Report, C.I.A., 1847*, 860-861.

11. John Dunbar to the Rev. David Green, secretary of the American Board to Commissioners of Foreign Missions, June 30, 1846, in William E. Connelly, ed., "Letters Concerning the Presbyterian Mission in the Pawnee Country, near Bellevue, Nebraska, 1831-1849," *Collections of the Kansas State Historical Society*, XIV (1918), 683-686.

12. Wallace Stegner, *The Gathering of Zion: The Story of the Mormon Trail* (New York, 1964), 75. Throughout the Mormon stay there were various reports that they were being courted by British agents.

13. Mitchell to Harvey, June 29, 1846, National Archives and Records Service, Record Group 75, Office of Indian Affairs, Letters Received (hereinafter referred to as OIA, LR), Council Bluffs Agency. Mt. Pisgah and Garden Grove were spots along the trail where the advance groups stopped to plant crops for those who followed.

14. Harvey to Medill, July 13, 1846, in *Ibid.*

15. In an interview with Thomas Harvey, Brigham Young stated that "he supposed that Capt. A. had no more authority [to make such a grant] than he had." See Harvey to Medill, December 3, 1846, OIA, LR, St. Louis Superintendency.

16. See *On the Mormon Frontier: The Diary of Hosea Stout, 1844-1861*, ed. Juanita Brooks (Salt Lake City, 1964), 188-189.

17. The treaty with the Potawatomi was recorded by Thomas L. Kane and is quoted in William Mulder and A. Russell Mortensen, *Among the Mormons: Historic Accounts by Contemporary Observers* (New York, 1958), 211-212.

18. Medill to Harvey, September 2, 1846, OIA, LR, St. Louis Superintendency (author's italic).

19. On December 3, 1846, Harvey estimated the population at Winter Quarters at 10,000. Thomas Kane confirms these figures in a letter to Secretary of War William Marcy on December 20, 1846. Both letters are in *Ibid.*

20. Clyde B. Aitchison, "The Mormon Settlements in the Missouri Valley," *Proceedings of the Nebraska State Historical Society*, XV (1907), 16. Aitchison lists 538 log houses and 83 sod houses at Winter Quarters in December, 1846.

21. Brigham Young had actually gone to quite an expense to acquire these mill stones, paying out some \$8,000 of the Mormon funds. To make this sacrifice for a temporary mill seemed inconceivable to Harvey.

22. Harvey to Medill, December 3, 1846, OIA, LR, St. Louis Superintendency. Gentile denotes any person who is not Mormon.

23. *Ibid.*

24. Harvey to Cutler, November 5, 1846, in *Ibid.*

25. Cutler to Harvey, November 6, 1846, in *Ibid.*

26. A good description of the background and political activities of Kane is presented by Bernard DeVoto in *Year of Decision, 1846* (Boston, 1943), 242-243.

27. Some renegade Pawnee bands did inhabit (illegally) portions of the trail after 1833. In that year the Pawnee had agreed to move north of the Platte, thus technically clearing that route. In any case, under ordinary circumstances no whites stayed on the plains during the winter if they could help it.

28. Kane to Marcy, January 20, 1847, OIA, LR, Miscellaneous 1847.

29. This incident was reported by both the Mormons and other observers. Perhaps the best account is contained in the *St. Louis Daily Missouri Republican*, January 17, 1847; see also the report of John Miller, December 15, 1846, OIA, LR, Council Bluffs Agency.

30. Allis to Green, February 1, 1847, in Connelly, "Presbyterian Mission," 739-740.

31. Miller to Young, April 4, 1847, OIA, LR, Council Bluffs Agency.

32. Stout, *Diary*, 250.

33. *Ibid.*, 251.

34. *A Mormon Chronicle: The Diaries of John D. Lee, 1848-1876*, ed., Robert G. Cleland and Juanita Brooks (San Marino, California, 1955), I, 27.

35. Kane to Marcy, April 20, 1847, OIA, LR, St. Louis Superintendency.

36. Kane to Medill, April 21, 1847, *Ibid.*

37. Medill to Marcy, April 24, 1847, *Ibid.*

38. Kane to Medill, April 24, 1847, *Ibid.* Kane was also presenting the case directly to the President. See O. O. Winther, ed., *A Friend of the Mormons: The Private Papers and Diary of Thomas Leiper Kane* (San Francisco, 1937), 35-36.

39. Medill to Kane, April 29, 1847, OIA, Letters Sent, Letter Book, Vol. 39.

40. Harvey to Medill, October 29, 1847, *Annual Report, C.I.A., 1847*, 840.

41. Alexander McElroy to Miller, May 17, 1847, OIA, LR, Council Bluffs Agency.

42. Harvey to Medill, October 29, 1847, *Annual Report, C.I.A., 1847*, 840-841.

43. Miller to Harvey, August 9, 1847, OIA, LR, Council Bluffs Agency.

44. Miller to Harvey, September 10, 1847, in *Annual Report, C.I.A., 1877*, 860-861.

45. Stout's *Diary*, for example, is filled with invective against the agents. He called Mitchell "a most infamous and an inveterate enemy to us" and could hardly find words to express his feelings toward Miller.

46. Letter from the High Council to the Latter Day Saints on the Eastern Bank of the Missouri, January 10, 1848, quoted in Stout, *Diary*, 295-296.

47. Miller, expressing department policy, stated several times that there could be no serious objection for the Saints to remain on the Potawatomi lands.

48. Andrew Johnson, *Church Chronology* (Salt Lake City, Utah: *Deseret News*, 1914), 5.