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Logging the Great Lakes Indian Reservations: The Case of the Bad River Band of Ojibwe

MICHELLE M. STEEN-ADAMS, NANCY E. LANGSTON, AND
DAVID J. MLADENOFF

INTRODUCTION

The harvest of the Great Lakes primary forest stands (ca. 1860–1925) transformed the region's ecological, cultural, and political landscapes. Although logging affected both Indian and white communities, the Ojibwe experienced the lumber era in ways that differed from many of their white neighbors. Throughout the Great Lakes region, speculators and timber barons harvested off-reservation forests as quickly as markets and technology would allow, and the story of the devastation wrought by these practices has been well told.¹

On reservation lands, however, officials intended forests to be protected from the worst practices of the lumber era. Reservation forestry was developed in part as a corrective response to the lumber era's excesses. Indian Office foresters were expected to manage tribal forests for Indians' long-term benefit, providing income through stumpage payments, ensuring steady employment in logging and processing, and protecting a resource base for future generations. Tribal trust doctrine had established a fiduciary relationship between the United States and Indian nations. Consistent with this doctrine, the Indian

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Office was thus expected to protect reservation stands from the widespread trespass, destruction, and theft that were occurring across Indian country. Yet by 1930 only a small fraction of reservation forest stands remained.²

When the 125,000-acre Bad River Reservation was established in 1854, it contained some of the most productive forests in the Great Lakes region, making it an ideal case study to examine the forest history of lands administered by the Indian Agency. This reservation, along with other Ojibwe reservations in the area that became Wisconsin, Minnesota, and Michigan, was managed by the La Pointe Agency, now the Great Lakes Agency (fig. 1).³

This article uses the forest history of the Bad River Reservation to investigate why the agency failed to protect forest resources for the long-term benefit of tribal members, as directed by Indian Agency forest policy. We argue that forest conservation failed for four reasons: 1) upheaval of the traditional Ojibwe economy and transformation into a timber-dependent economy; 2) ineffective supervision of reservation agents by senior officials in Washington, D.C.; 3) collusion and graft fostered by an institutional structure that encouraged close relationships between the Indian Office and the designated timber contractor; and 4) Indian Agency beliefs that the forest-adapted Ojibwe culture should be changed into one modeled on

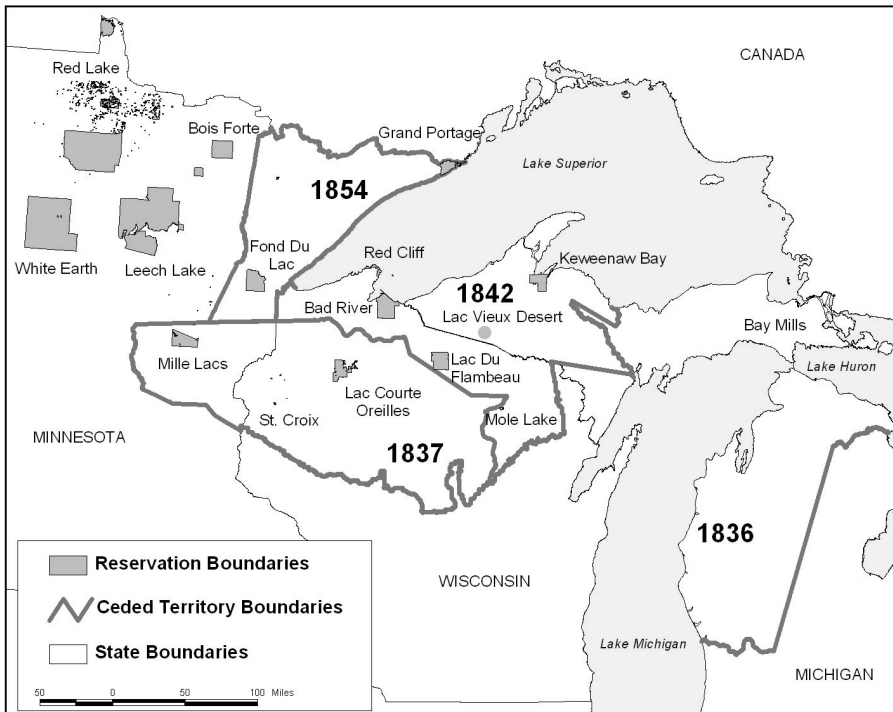


FIGURE 1. Great Lakes Ojibwe ceded territory and reservations. Map dates indicate relevant treaties. Note: Ceded territory and tribal reservation boundaries are representations and may not be the actual legal binding boundary. Map Credit: Esteban Chiriboga, Great Lakes Indian Fish and Wildlife Commission (GLIFWC).

white, settled agriculture. Although the Indian Agency expected foresters to conserve forests, foresters were also expected to implement practices that would transform reservation forests into farmsteads. Harvesting forests would promote assimilation by encouraging Indians to farm and providing them with the capital to do so. These twin goals—conserving forests for the future and cutting forests to hasten assimilation—conflicted with each other, and the result was disastrous for both the reservation forest and economy.

Significance of Forests to Traditional Ojibwe Culture and Economy

The Ojibwe initially inhabited the region near the Atlantic Ocean, probably at the mouth of the St. Lawrence River. In the late sixteenth or early seventeenth century, the tribe migrated westward and settled around Lake Huron, then settled along the southern shore of Lake Superior. By the 1670s, Ojibwe bands developed settlements around Chequamegon Bay, pushed there in search of sanctuary from Iroquois and Sioux war parties and drawn by the rich forest, riparian, and aquatic resources, and later by the fur trade.⁴

When European fur traders arrived in the mid-seventeenth century, forests functioned as a cornerstone of the Ojibwe diet and economy. Women gathered a wide variety of understory plants for food, medicine, and cultural practices, and planted small gardens (*gitiganing*), growing squash, corn, yams, and beans. Men hunted during the spring and summer at the forest edge, where understory vegetation attracted game. In the late fall, families migrated south in pursuit of white-tailed deer and elk that wintered in the forest interior. The break of winter brought on the flow of sugar maple (*Acer saccharum*) sap. Tribal members collected the sap from sugar bushes and then boiled it into syrup, as Eliza Morrison, a deceased Bad River Band member, recalled in her autobiography, “There is one thing we always had, that is maple sugar. We had everything ready by the first run of the sap. We went on in the old Indian way of tapping maple trees.”⁵

Forest resources also contributed to Ojibwe material culture. Women collected bark from white birches (*Betula papyrifera*) to make dishes and pails, and used boiled basswood (*Tilia* spp.) and cedar (*Thuja* spp.) bark to make cord. Young saplings and brush species were sturdy yet flexible, so they could withstand bending into an arc and thus served as the skeleton of wigwam houses, while cedar boughs were spread on the ground to provide a floor. In some instances, the creation of a household item drew upon knowledge of several species. For example, a pail was frequently constructed with the bark of a white birch, sewn together with basswood cord, and sealed with pitch from pine (*Pinus* spp.) or tamarack (*Larix laricina*). Birch bark was used to make canoes, which were vital for the collection of wild rice in wetlands and for transportation in a place where waterways functioned as highways.⁶

US-Chippewa Treaty History Sets the Stage for Forest Clearance

Driven by pressure to open forest and mineral resources for white development, the United States negotiated cessions of natural resources and land

through treaties with the Great Lakes Ojibwe, beginning with the 1837 Treaty with the Chippewa (also called the Treaty of St. Peters and the Lumberman's Treaty [7 Stat. 528]). The 1837 treaty was negotiated in response to lumbermen's desires for the valuable pine stands of central Wisconsin and Minnesota. Ojibwe bands ceded the white pine (*Pinus strobus* L.) and red pine (*P. resinosa*) stands that grew in the headwaters of the Chippewa, Flambeau, Namekagon/St. Croix, Black, and Yellow rivers in exchange for annuities of cash and goods and the right to continue hunting, fishing, and gathering food and other materials in the ceded territory. Ethnohistorian Charles Cleland argues that the Ojibwe understood the 1837 treaty as a cession of timber only: they believed they retained the right to use hunting and fishing grounds and thus strenuously voiced their need to maintain access to these resources in their negotiations with Governor Henry Dodge and Commission Secretary Van Antwerp.⁷

In 1850, President Zachary Taylor revoked hunting, gathering, and fishing on the ceded territories of the Great Lakes and Mississippi Ojibwe, concluding that the bands had to "remove to their unceded lands." Although the bands had understood that they had ceded only the pine stumpage and mineral deposits, retaining access to the land, the United States understood the treaties to confer a transfer of land ownership and a temporary right to hunt, fish, and gather. For the Ojibwe, the costs of the disputed terms of agreement were heavy. In the years 1850 and 1851, bands were lured to Sandy Lake, Minnesota, to collect annuity payments. Some 5,500 people suffered exposure to bitter winter conditions and starvation, and several hundred people died.⁸

Several years later, the Treaty with the Chippewa of 1854 (La Pointe Treaty of [10 Stats., 1109]) negotiated the cession of Ojibwe territory in northeastern Minnesota, reinforced land cessions in Wisconsin by settling emergent disputes of the 1837 and 1842 treaties, and established nine Ojibwe reservations from a small portion of this and previous land cessions, four of which lay in Wisconsin (Bad River, Lac du Flambeau, La Courte Oreilles, and Red Cliff). To administer the upper Great Lakes reservations, the La Pointe Agency was created.⁹ The Ojibwe perception of the 1854 treaty was mixed. The treaty benefited the tribe by finally guaranteeing a homeland within its former territory, rather than requiring westward removal, and thus offered some protection from enemy tribes. Yet more than twenty-two million acres of land were lost in the treaty, reducing the area available to each individual from 8.6 square miles to 0.11 square miles—a reduction of 98.7 percent.¹⁰

The federal government quickly began to promote logging on ceded lands. Government agents conducted public land surveys, informing lumbermen about the location of valuable timber stands.¹¹ Soon one of the most rapid timber booms in the world was underway. In just twenty-five years, from 1873 to 1898, lumbermen processed 66 billion board feet (bbf) of Wisconsin pine. By 1898, the twenty-seven northern Wisconsin counties contained just 13 percent of the original pine volume.¹²

TIMBER POLICIES OF THE GREAT LAKES RESERVATIONS: OBJECTIVES FOR CULTURAL TRANSFORMATION

Because Bad River and other La Pointe Agency reservations had been created before the height of the Great Lakes lumber era (ca. 1898), reservation lands contained the last significant stands of primary forest in the region. For the Ojibwe, who had lost most of their land, the forest stands served as their primary source of livelihood. Yet for the region's lumbermen, reservation forests represented a valuable prize: much of the remaining old growth. To Indian Agency foresters, allowing white-owned lumber companies to harvest reservation forests seemed to have the potential to bring money and jobs to the tribes, yet the legal status of reservation logging was uncertain.¹³

Before logging could get underway on Ojibwe reservations in the Lake States, key legal questions had to be resolved: did the timber belong to the Indians or the federal government? Who would control the rate and location of harvests, control the receipts from logging, enforce the contracts, and decide how much forest should be replanted and thus conserved for future generations?

The 1854 Treaty with the Chippewa laid the foundation to harvest the Great Lakes reservations by transforming communal tribal property into private property. Article 3 authorized a US government survey of the reservations and assignment of allotments to heads of Indian households. Because Congress anticipated that the allotments would eventually become farmsteads, the 1854 treaty aimed to convert primary forests in Indian country into a landscape of farms and woodlots. Timber could be legally harvested only on allotted parcels, not on the remaining unallotted parcels that lay within reservation boundaries.¹⁴

In *United States v. Cook* (1873), the US Supreme Court ruled that allottees had no right to the timber on their allotments unless it was harvested to develop a farmstead. If the timber was not cut for the purpose of developing a farm, the court argued that the cut was wasteful and unauthorized, and thus the harvest payment would revert to the US government. The General Allotment Act of 1887 ([24 Stat. 388], also known as the Dawes Severalty Act) further tightened harvest restrictions. Although the General Allotment Act divided Indian reservations into allotments of private property, thus facilitating forest harvest, the act forbade allottees from selling the live (green) timber. Indians could clear trees from an allotment to create a farmstead, but they could not sell the timber commercially. The Dead and Down Act of 1889 (25 Stat. 673) partially reversed the restrictive policy established by *United States v. Cook* and the General Allotment Act. This act allowed tribal members to sell dead and down timber, as long as they did not intentionally set fire to it. Although restrictions to selling green timber persisted, permitting sale only if cut to develop a farm, the act recognized the commercial property right of allottees to the dead and down timber on their allotments.¹⁵

These rulings all shared the assumption that farms were better than forests, and that economic development for tribes after annuities were exhausted depended on farming cutover land, rather than reforesting it. The

treaties of 1837, 1842, and 1854 had stipulated that annuities would be paid to the Great Lakes Ojibwe. To promote the transition to an agricultural economy, the government promised that the agency would also furnish the tribes with a blacksmith, a farming instructor, agricultural materials, and livestock.¹⁶

Indian Office officials were aware that cutover region farmsteads usually failed, and thus the vision of transforming migratory woodland Indians into settled, prosperous farmers was precarious at best. Planners, government officials, and foresters raised concerns about a number of impediments to settled agriculture in the region, including the short growing season, poor soils, and the scarcity of labor and capital; such factors have informed the various arguments that historians, geographers, and scientists subsequently developed to explain the widespread farm failure.¹⁷ Nonetheless, Indian agents argued that reservation farmsteads could succeed because of a unique advantage: the Indian Office could direct the transformation of forests into marketable stumpage and thus generate capital to finance farmsteads. If harvests could be carried out in a systematic, regulated way, Indian Agency leaders believed they might use the payments from logging to finance tribal farms, avoiding the farm failures from widespread undercapitalization. Logging revenue would fund the transition from an Indian economy dependent on annuities to one based on an exchange of goods and labor and thus integrated into the national economy. Receipts from timber on allotments would function as farm capital, which would be put to work with technical instruction and material support.

EARLY HISTORY OF LOGGING THE BAD RIVER RESERVATION (1882–1893): SUCCESSES, FAILURES, AND LESSONS

One of the La Pointe Agency's first tasks was to implement practices to realize Congress' vision of orderly, well-planned harvests. Agency officials recognized the substantial economic value embodied by the forest stands at Bad River, as well as three other La Pointe reservations (Lac Courte Oreilles, Lac du Flambeau, and Fond du Lac).¹⁸ In 1882, Commissioner of Indian Affairs Hiram Price and the La Pointe Indian Agent William R. Durfee drafted legislation to authorize logging on the Ojibwe reservations. Known as the Durfee Plan, this legislation allowed allottees under La Pointe Agency jurisdiction to sell a portion of the green, standing timber on their allotments.¹⁹ For the first time, La Pointe Agency Indian residents could sell green timber in contrast to the restrictions imposed by the Cook Decision of 1873. The Durfee Plan allowed Indians in the La Pointe Agency to sell up to three-quarters of the timber on their allotments, reserving the other one-quarter for future needs, such as fuel wood and fences.²⁰ Nearly 77 million board feet (mmbf) were sold from these four La Pointe reservations between 1882 and 1885 and were valued at more than \$428,000. Most of the proceeds went to the tribes through Indian employment and stumpage payments.²¹

Durfee tried to strike a balance between the existing strict regulation and opportunity for Indians to realize some economic benefit from their timber property. For the three years of his tenure, the plan did improve tribal members' economic conditions while conserving one-quarter of the

allotted timber for future generations. Yet under the Durfee Plan, the Indian agent, not the tribal member holding the allotment, made the final harvest decisions. The Durfee Plan assumed that the Indian agent knew more about forestry than the tribe and was trustworthy. Yet agents often knew little about local forest conditions, and they were usually unaware of the many ways that the Ojibwe knew, used, and valued the forest. Without an honest agent who protected tribal interests, the policy was susceptible to an abuse of power, as the next La Pointe agent soon demonstrated.

In 1885, James T. Gregory, an employee of the Superior Lumber Company of Ashland, Wisconsin, replaced Durfee as the La Pointe agent. The rate of forest clearance at Bad River, Lac Courte Oreilles, Lac du Flambeau, and Fond du Lac soon rose by nearly 500 percent, on average. Whereas 77 mmbf had been cut during Durfee's three-year tenure as La Pointe agent, more than 380 mmbf were harvested during the next three years.²² The harvests authorized by Gregory, which totaled nearly 40 percent of the estimated original timber volume of the four reservations (1 bbf), generated less than \$400,000 in cash and \$440,000 in merchandise for the bands.

In response to tribal members' outcry over Gregory's actions, the US Senate Select Committee on Indian Traders conducted an investigation.²³ The committee found that the estimated 1 bbf of original (preharvest) timber should have generated at least two million dollars for the bands, securing the purchase of food and other necessities as annuities dwindled.²⁴ Moreover, Gregory had allowed numerous irregularities. First, he had allowed loggers to harvest unallotted parcels, thereby leaving future allottees with parcels stripped of timber. Second, he had hired white rather than Indian loggers, ignoring policies stipulating that Indians should carry out the contracts. Third, he had allowed loggers to cut only the best trees within stands (a forbidden practice known as *high-grading* that reduced the value of future forests). Finally, Gregory had designed contracts that exposed the Indian allottee, rather than the contractor, to an undue risk of property loss from fire or other causes of damage. The Senate investigators concluded, "Law and regulation were alike set at defiance by Mr. Gregory. He seemed to have thought that his duty to someone—certainly not the Government nor the Indians—was to open the Indian reservations to rapacious lumbermen, to deprive the Indians of their timber under the flimsiest forms of contracts, and enrich the lumber contractors within the shortest possible period."²⁵

Although the Senate investigators blamed Gregory for the local abuses, they also argued that systemic violations of power extended to the highest administrative levels in the Interior Department, including the late Commissioner of Indian Affairs J. D. C. Atkins and Secretary of the Interior William Vilas.²⁶ Atkins and Vilas had failed to carry out their supervisory responsibilities, the Senators concluded: "Where, during all of this period of maladministration, were the Secretary of the Interior, Mr. Lamar, and the Commissioner of Indian Affairs, Mr. Atkins? The answer must be, so far as the committee can ascertain, that they were asleep."²⁷ The report also found that corruption may have guided the initial appointment of Gregory, noting that Secretary of Interior Vilas may have responded to pressures from John H. Knight,

president and principal stockholder of the Superior Lumber Company. Vilas held a large proportion of shares in the Superior Lumber Company, and after Knight asked Vilas to appoint Gregory, Vilas soon complied.

CONTEST FOR CONTROL OVER RESERVATION FORESTS BETWEEN THE INDIAN AGENCY AND US FOREST SERVICE

Remote from the Ojibwe reservations, senior officials in the Indian Agency were beginning to spar with the Department of Agriculture's new agency, the US Forest Service, over forest management on tribal lands.²⁸ Two issues were at the heart of these debates. First, officials disagreed about the agency that should have rightful authority over reservation forests. Indian Agency officials believed that tribal forests fell under their jurisdiction because of their location within reservation boundaries, while the US Forest Service argued it had superior capacity to manage forest resources, and thus should manage Indian forests. Second, officials debated management objectives: should foresters prioritize maximizing yield from existing stands, thereby facilitating widespread conversion to farmsteads, as Indian Agency foresters advocated? Or should they implement scientific forestry in order to promote desired forest conditions, as the US Forest Service preferred?

Joseph R. Farr, who began his career as a logger and eventually became general superintendent of logging operations at the Indian Agency in 1899, argued that accelerating harvests should be the top priority on reservation lands. Farr believed that by rapidly harvesting reservation timber, the Indian Agency would be able to fulfill its fiduciary responsibility. Indians would benefit by minimizing timber waste and employment in sawmills and logging camps. Well-managed timber operations would provide income, which could then finance the transformation of forest stands into farmsteads.

Gifford Pinchot, the first chief of the US Forest Service, countered that scientific, conservation-oriented forestry should be adopted on reservation lands, thus promoting future forests. Pinchot argued that the Indian Agency should employ trained foresters from the US Forest Service to manage reservation forests, rather than focus on logging alone. Indian Office employees, who typically developed their know-how through logging, rather than a formal forestry education, made poor foresters for tribal lands, Pinchot insisted.²⁹ In 1908, Commissioner of Indian Affairs Francis E. Leupp and Chief Forester Pinchot worked out a cooperative agreement between the Indian Office and the US Forest Service. Trained Forest Service employees would supervise forestry operations on the reservations, which corresponded with President Theodore Roosevelt's goal to achieve better coordination between federal agencies. The Indian Agency would thus relinquish its autonomy over tribal forests and support Forest Service decisions, such as the resources that should be allocated to prevent fires and construct and maintain sawmills.³⁰

In 1909, just a few months after Leupp and Pinchot brokered the inter-agency cooperative agreement, the arrangement fell apart. Disagreements over interpretation of federal laws such as the Dead and Down Act of 1889, agency autonomy, and management priorities led to the rupture.³¹ After the

prospect of interagency collaboration had dissolved, Congress authorized one hundred thousand dollars to fund a Forestry Division within the Indian Service (Act of March 3, 1909, 35 Stat. 781–783).³² This legislation established the Forestry Division of the Indian Service, thereby creating a formal structure to manage Indian forests, and it affirmed the authority of the Indian Service, rather than the Forest Service, to manage tribal timber resources.

Forestry Branch of Indian Agency Adopts Some Practices Consistent with Scientific Forestry

Despite the breakdown of the joint Indian Agency-Forest Service agreement, the newly established forestry branch of the Indian Agency implemented some practices that were consistent with Pinchot's scientific forestry ideals.³³ For example, the agency instituted a practice known as *seed tree retention* on some sites. Foresters reserved a few mature, seed-bearing trees of a desired timber type from harvest, hoping that seeds from those mature trees would lead to natural reforestation. The Morris Act of 1902 directed Indian Agency loggers to retain 5 percent of standing volume as seed trees in order to promote reforestation on Ojibwe reservations in Minnesota; a 1908 expansion of the Morris Act directed loggers to retain 10 percent of volume.³⁴ Likewise at Bad River and Lac du Flambeau, Indian Agency loggers occasionally applied seed tree retention to the valuable white pine stands.³⁵

The Office of Indian Affairs also implemented harvest policies to minimize logging waste, thereby promoting timber conservation and scientific management. Loggers were instructed to cut trees low to the ground rather than waste the volume of the trunk bottom, a practice that scale inspectors monitored and reported to the La Pointe agent and the commissioner of Indian Affairs.³⁶ Finally, in an effort to reduce loss from wildfire, loggers were required to burn piles of harvest slash in a controlled fashion.³⁷

Cooperation with Wisconsin State Forester E. M. Griffith demonstrates another aspect of the Indian Agency's effort to adopt scientific forestry ideals. The agency initially interacted with Griffith to confer over management of selected reservation land that was potentially subject to inclusion in the newly created Wisconsin state forest reserve, in keeping with 1905 Wisconsin legislation.³⁸ Yet the agency officials communicated about topics far beyond the forest reserve question. Officials asked Griffith to review timber contracts and help craft logging practices. In 1908, for example, La Pointe Indian Agent S. W. Campbell urged the commissioner of Indian Affairs to defer to Griffith regarding Lac du Flambeau stands: "I would respectfully request that some rules and regulations governing the cutting of pulpwood . . . be formulated and approved by you and the State Forester. This cutting should be done under the supervision of the State Forester."³⁹ Through this interaction, the agency strove to adopt more scientific, professional forestry practices on the reservations.

Although the agency adopted some aspects of scientific forestry, stark differences between policies of the Office of Indian Affairs and the US Forest Service remained. US Forest Service silviculturists aimed to convert old-growth forests into managed stands by using silvicultural practices to supply

future timber needs.⁴⁰ In contrast, the Indian Agency aimed to maximize the yield of existing stands, rather than managing future forests. The relatively small reservation stands, which stood out like postage stamps amidst a cutover landscape, and the complicated pattern of ownership, in which allotted and unallotted parcels neighbored one another, stymied implementation of the kind of scientific forestry that Forest Service leaders like Pinchot and Bernard Fernow envisioned. Thus, although the Indian Agency shared some ideals in common with the Forest Service, the two agencies implemented forest practices in quite different ways.

BAD RIVER FOREST HARVEST: THE STEARNS LUMBER COMPANY ERA (1894–1922)

The Senate Select Committee's findings of its 1888 to 1889 investigation of Chippewa allotments and timber contracts (S. Rep. 2710) led the commissioner of Indian Affairs to halt logging on the La Pointe reservations temporarily while reforms were being developed. In 1893, these reforms became part of the La Pointe Plan, which was intended to address the Senate investigators' concerns. The plan created a structure of direct, centralized oversight by the commissioner of Indian Affairs. This supervisory structure aimed to bring about alignment between Congress' vision of forest management and actual harvest practices on the reservations, yet the new structure soon created problems of its own.

The La Pointe Plan stipulated that all timber contracts would require approval from the commissioner of Indian Affairs. Clear-cuts would be allowed only if the tribal landholder would benefit. Contractors would be required to pay tribal landholders outright for the stumpage, rather than impose the risk of timber loss due to fire or other natural disturbance. Contractors would be allowed to hire non-Indian labor only if they could demonstrate the impossibility of finding suitable tribal members. Most important, the plan stipulated that a single contractor would harvest each reservation (with minor exceptions, for example, of a specified species, such as cedar). Through a competitive bidding process, one company would be awarded a long-term, monopoly contract to harvest the timber of an entire reservation, subject to supervision by the Indian agent and the commissioner of Indian Affairs.⁴¹

The 1893 La Pointe Plan paved the way for the Stearns Lumber Company to clear nearly all the marketable stands of timber from the Bad River Reservation (fig. 2). J. S. Stearns, one of Michigan's most powerful lumbermen and briefly the Michigan secretary of state (1899–1900), won the Bad River contract after the company's 1894 incorporation.⁴² This contract conferred the right to harvest white pine, the most valuable timber species, as well as other marketable coniferous species, including red pine, hemlock (*Tsuga canadensis*), spruce (*Picea glauca*), tamarack (*Larix laricina*), balsam fir (*Abies balsamea*), and cedar (*Thuja occidentalis*), and deciduous species, including basswood (*Tilia americana*), elm (*Ulmus americana*), ash (*Fraxinus nigra*), maple (*Acer saccharum*), birch (*Betula papyrifera*), oak (*Quercus alba*), and aspen ("poplar" [*Populus tremuloides*]).⁴³

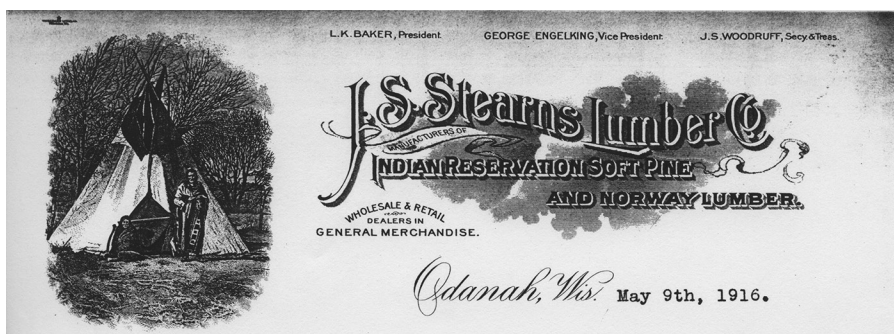


FIGURE 2. Above: Stearns Lumber Company logo as presented on company letterhead.

Right: Enlargement of representation of Ojibwe people on Stearns Company letterhead. Although tipi structure is characteristic of Plains Indians, the Great Lakes Ojibwe typically lived in wigwams. Source: Letterhead of correspondence from Stearns Lumber Co. Superintendent (name illegible) to R. W. Hayes, Record Group 75, Great Lakes Branch of National Archives (Chicago).



Loggers cleared the Bad River primary forest stands during a twenty-eight-year period (1894–1922), harvesting 1.25 to 1.5 bbf of lumber (figs. 3 and 4).⁴⁴ The Stearns Lumber Company cut and processed the vast majority of the reservation timber. Clear-cutting was the primary harvest method. After the harvests, remnant patches remained on inaccessible steep slopes or river valley bottoms.

Harvest Irregularities Persist, Despite La Pointe Plan Objectives

In 1889, five years after Stearns began logging Bad River stands, a group of seven chiefs and headmen petitioned the secretary of the interior to address irregularities, an early indication of the ongoing contest for control over timber resources between the tribe and Indian agents that persisted into the 1920s. The chiefs complained of abuses in which pine timber was “squandered and wasted.” Despite band efforts to understand and address the situation, Indian Agent Scott refused to provide information, thus obstructing tribal control over their property.⁴⁵

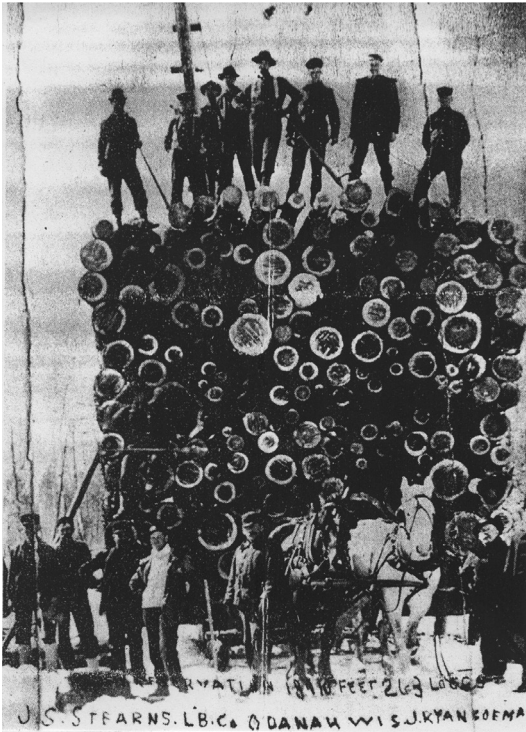


FIGURE 3. *Left: Timber harvest at Bad River by Stearns Lumber Company. Words at bottom of photo state that this sled carries 263 logs, which would yield 18,910 feet of lumber. Source: Washburn Area Historical Society Archives.*

FIGURE 4. *Below: Ashland, Odanah, and Marengo Railroad Company, a subsidiary of the J. S. Stearns Lumber Company, and associated buildings, Bad River Reservation. After initially using the White and Bad rivers to transport logs, the lumber company later employed railroad transport (1905–ca. 1922). Source: Washburn Area Historical Society Archives.*



Although the contract for Bad River timber was ostensibly awarded to a corporation, the company was a corporation in name only; in reality, one person controlled the company. Of the company's 1,500 shares, J. S. Stearns owned 1,498 shares. Stearns' stake in the company was worth \$149,800; the two other shareholders, Howard M. Carter and Ira C. Wood, each held a one hundred dollar share.⁴⁶ Stearns borrowed and put up the fifty thousand dollar bond, "guaranteeing the faithful performance of certain timber contracts between said Justus S. Stearns and allottees of the Bad River Indian Reservation."⁴⁷ The ownership structure of the company suggests the importance of individual personalities in the elements of timber contracts, such as stumpage prices. Rather than developing business decisions through a corporate board of directors, J. S. Stearns had nearly absolute authority over the Stearns Lumber Company.

S. W. Campbell, a Civil War veteran of Scotch ancestry, became La Pointe agent in 1898. Campbell soon became notorious among tribal members for excluding Indian involvement from harvest oversight. Rather than depositing stumpage payments directly into tribal members' accounts, Campbell ordered that funds be "turned over to him."⁴⁸ Campbell then oversaw the accounts, acting as an intermediary for withdrawals. When a Bad River member sold timber, he or she could take no more than 5 percent of the sale as cash and was obliged to deposit the rest into a bank account. During Campbell's tenure, withdrawals could not exceed ten to fifteen dollars per month, in contrast to the limit enforced by his predecessor, Indian Agent Scott, of twenty-five to thirty dollars. Campbell required that any request for cash that exceeded twenty-five dollars be related to farmstead development, stating that he intended "to compel more of the Indians to seek work in the mills and lumber yards."⁴⁹

Antipathy between Bad River Band members and Campbell deepened in response to distrust over the management of tribal bank accounts. Campbell argued that if Indians had unrestricted ability to manage their personal bank accounts, the stumpage payments would be quickly depleted with little lasting benefit to the tribe. He claimed to be protecting tribal members from being swindled by unscrupulous whites. Band members protested, arguing that Campbell failed to respect Indian autonomy. For example, Bad River member John Doherty hired an Ashland law firm to argue that Campbell's control over tribal accounts unfairly restricted access to personal property. Doherty's lawyers argued, "if Doherty . . . desires to purchase even a suit of clothes, he must purchase it on time, and live and pay for the same out of his ten dollars a month."⁵⁰

Campbell soon had control over more than two million dollars in tribal accounts, and evidence shows that rather than protecting tribal members from being swindled by whites, he did the cheating himself.⁵¹ Doherty's lawyers testified that Campbell abused his power, failing to deposit funds owed to their client.⁵² More than a decade later, the US Department of the Treasury detailed Campbell's corruption, finding that in 1912, "checks for approximately \$33,327.95 of the \$54,771.01 credited as properly disbursed, were not delivered to the Indians entitled, but that the proceeds went into

the Northern National Bank to the credit of S. W. Campbell.” The investigation also found evidence of collusion between Campbell and Stearns: “A large number of checks appear to have been endorsed by the payees and passed on to the J.S. Stearns Lumber Co. . . . The question of consideration naturally arises, which also requires explanation.”⁵³

Rapid Liquidation of Bad River Stands: Causes and Consequences

Indian Agent Campbell’s association with Stearns dramatically expanded the company’s harvest capacity. The Indian Agency supported Stearns from its most senior level in Washington, D.C., to its scalers on the ground. In 1907, Acting Commissioner of Indian Affairs C. F. Larrabee wrote to the La Pointe agent: “From and after this date all timber contracts covering timber on allotted lands within the Bad River reservation, Wisconsin, should be made in favor of the J.S. Stearns Lumber Company and properly signed by the company, by its President, which signature should be attested by the Secretary.”⁵⁴ Scalers, forest guards, and cruisers worked in coordination with the logging superintendent to set up and then review logging operations on the ground.⁵⁵ This institutional structure, comprised of a hierarchical cadre linking the US Indian Agency and the Stearns Corporation, enabled a fast-paced liquidation of the Bad River Reservation forest stands.

The rate of forest harvest at Bad River soon exceeded that of neighboring off-reservation sites, as the town of Drummond, Wisconsin, demonstrates. In Drummond the Rust-Owen Lumber Company harvested a comparable amount of pine from an area similar in size to Bad River (1.2 bbf from 80,000 acres at Drummond, compared to 1.25–1.5 bbf from 75,000 acres logged on the reservation).⁵⁶ Yet the Rust-Owen operation lasted two decades longer than Stearns Lumber Company. Whereas Stearns carried out logging at Bad River for twenty-eight years (1894–1922), Rust-Owen operated for forty-eight years (1882–1930), indicating a more regulated rate of harvest. Rust-Owen employed only about one-third as many employees as the Stearns Lumber Company, but mill jobs lasted twenty years longer.⁵⁷

The rate of forest harvest was faster on-reservation than off-reservation for several reasons. First, Stearns had the administrative and technical support of the Indian Agency, from the ground level to the most senior level. In contrast, off-reservation companies had to carry out the logistics of logging an 80,000-acre area without the administrative and technical support of the federal government. Second, agency officials believed they had a good rationale to clear the reservation. Consistent with the US trust responsibility, agency officials believed that forest clearance would ultimately benefit tribal members because it would provide employment and prepare allotments for farmsteads.

Indian allottees also hastened the pace of forest clearance, as tribal members responded to pressures that emerged from the upheaval of the traditional economy. Allottees could derive income from their lands only after allowing them to be harvested. The Ojibwe could no longer rely on hunting, fishing, and gathering to provide subsistence, now that their activities were largely restricted to reservations, despite the negotiated treaty rights. In 1910, Shell Lake County

Judge L. H. Mead documented the poverty that characterized many Ojibwe in the wake of homeland loss, white settlement, and conversion of native ecosystems to agricultural systems. He observed, "You understand, there is nothing here for the Indians, as there was when I came here twenty-seven years ago. Practically all the blueberry fields are fenced in, the cranberry marshes are owned by other people, and a great many of the cranberry marshes are turned to use for hay meadows. The fishing that they had then has been taken charge of by the sporting element from the cities; and deer, duck, and game has been driven farther west and north." Even when jobs were available, racism meant that Indians had less opportunity than whites. Judge Mead commented, "These Indian boys could not go to one of our farmers, generally speaking, and get work as quick as a white man could."⁵⁸

Loss of access to traditional means of subsistence and the limited employment opportunities made timber harvests the only alternative to starvation. For example, a woman named Andakwe, also known as Mrs. Corrie Albert, a Lac du Flambeau tribal member, wrote to the commissioner of Indian Affairs urging him to allow her to log her allotment: "[I] would like to have it cut so as to get the money to buy Mr. [Albert] a home. . . . I need the money bad. I have informed the company several times but haven't got no satisfaction [*sic*] reply."⁵⁹ Nevertheless, tribal members resisted liquidating culturally important species. On the Lac du Flambeau Reservation, allottees attempted to reserve sugar maple stands, commonly known as sugar bushes, and paper birch from harvest. The Indian Agency foresters denied their requests, assuming that maple and birch were not valuable timber trees for future stands.⁶⁰

The Stearns Lumber Company also used the threat of fire to push for rapid logging. Most foresters of the era believed that salvage operations after a fire would help reduce insect damage to the trees that had been killed but not burned, as well as to the surrounding stands. Lumberman E. M. Hamilton observed, "Before I came to [the Bad River] Agency, there were seventy million feet lost to the Indian[s] because burned timber was not [taken] care of at the time it was burned and killed, but was left on the ground and worms got into it and it was never cut."⁶¹ In the fall of 1908, fires consumed an estimated 500 mmbf at Bad River. The Stearns Lumber Company conducted a salvage operation so large that the volume exceeded the processing capacity of the Odanah mill, thus prompting company officials to petition the commissioner of Indian Affairs to process some of the timber off-reservation.⁶² When asked to justify the increased rate of harvesting and milling, company President L. K. Baker said, "we had only one motive in cutting this timber and that was to save it." As a consequence of the "excessive amount of lumber put on the market," lumber prices between 1909 and early 1912 were "the poorest known for a long time," according to Baker.⁶³

Forest fires opened the unallotted part of Indian reservations to salvage harvest, which were otherwise illegal to log, according to the Act of June 4, 1888.⁶⁴ Besides expanding a lumber company's access to stumpage, higher profits and lower prices also increased interest in salvage operations. Stumpage rates were much reduced on sites exposed to fire. Discounts could range from 12.5 percent for white pine to 75 percent for balsam fir.⁶⁵

Salvage harvests presented numerous opportunities for abuse, as tribal members soon learned. The more forest that Stearns could claim was fire damaged, the more cheaply they could log it. The lumber company manipulated salvage discounts by adding live trees to salvage sales, despite strenuous protests from band chiefs and other members. During 1911 and 1912, three Bad River members, Henry Condecon, Simon Denomie, and Joseph Current, hired Washington, D.C., attorney Z. Lewis Dalby to represent them in a case against Stearns over salvage logging abuses. The tribal members alleged that Stearns had violated contracts by adding green trees and entire healthy stands to the salvage units.⁶⁶

At first, Stearns denied guilt yet offered to pay a “gratuity” of one thousand dollars to the tribe. Before considering this offer, the Indian Office investigated whether Stearns had logged live trees. Stearns argued that “practically all of the timber on Tribal lands we have cut are fire killed,” but agency forester A. P. Chittenden estimated that “at least 30% . . . was probably green at the time of cutting, but most . . . would have died within a year or two.” Commissioner of Indian Affairs R. G. Valentine sided with the foresters’ appraisal that patches of live trees had been subject to salvage harvest rates and recommended the settlement should be increased from one thousand to two thousand dollars.⁶⁷

The tribal council rejected this offer as inadequate and directed their attorney to bypass the Indian Office and petition the secretary of the interior. In 1911, the lawyer representing the tribe wrote to the secretary of the interior that Campbell, “upon whose recommendation [the Indian Office] is apparently proposed to act, has no right to be heard at all in this matter, for his own interest is necessarily involved. . . . The mere existence of trespass is . . . evidence of dereliction on its own part.”⁶⁸ The following June, Stearns settled with the tribe for \$8,125.60, more than four times what Campbell had proposed. This case demonstrates the band’s persistence to protect the value of its timber resources. Three factors helped to bring about this victory for the tribe: their ability to hire a good attorney, unite the tribal council in opposition to an unfair settlement, and persuade the secretary of interior to intervene.

Emergence of a Timber-Dependent Economy at Bad River

The harvest and milling of timber functioned as the engine of the Bad River economy. Stumpage payments infused cash into tribal members’ bank accounts. These payments were nearly the sole source of reservation income. At Bad River, the harvested reservation timber was worth seven million dollars (in 1932), according to a court-ordered study by logging engineer William Heritage.⁶⁹ Also, forest resources generated income through employment. Hundreds of Bad River Indians worked for the Stearns Lumber Company in its mill or as lumberjacks. During 1914 and 1915, the company employed five hundred tribal members and one thousand whites. These workers earned a total of \$34,800, at wages of \$1.15 to \$4.00 per day.⁷⁰ Finally, many tribal members generated income from the market spurred by the lumber

operations, either by renting out livestock teams to the Stearns Company or by selling the produce of their farms to white logging crews.⁷¹

Although forest harvests promoted Indian interaction with whites, it fell short of the agency's vision of serving as an engine for tribal development. Employment opportunities, in the logging camps and in the mills, drew whites to the reservation. Although Stearns' 1893 contract stipulated prioritizing Indian employment, Stearns largely employed nontribal members: during 1914 and 1915, whites who worked in the mill outnumbered Indians by a factor of two to one.

Like many timber-dependent communities, Stearns ran a company store that controlled much of the town's economy.⁷² Paychecks as well as stumpage payments cycled back into the Stearns Company Store. The company store benefited from its monopoly position, leaving Indian customers little choice but to pay inflated prices, as occurred in other company towns, according to tribal interviews and a recent Bad River study.⁷³ Indian workers were paid in coupons, which were redeemable only at the Stearns Company Store, whereas white workers were paid in cash. The dollar value for these coupons was a fraction of their face value, and a dollar bought only half as much merchandise at the Stearns establishment than in Ashland.⁷⁴ In 1909, the US Senate Committee on Indian Affairs investigated the Indian agent who set up timber deals with Stearns for collusion with the company, yet the practices continued. In 1912, one tribal member wrote in the reservation newspaper, the *Odanah Star*: "It seems to one as though the Indian Department at Washington D.C. is being operated not for the benefit of the Indian on this reservation, but for the express purpose of this octopus, this great timber and money grabbing monster, this 'sapper' of the Indian's vitality."⁷⁵ Although tribal council members voted to discontinue the store, the Indian agent continued to back the store, and it remained open.⁷⁶

The Bad River Reservation economy was dependent on timber harvests from the outset, and this dependence deepened through the lumber era. Because annuity payments were finite, timber revenue grew increasingly important to the Bad River economy. As early as 1888, the Indian agent cautioned that if stumpage payments ever ceased, the Bad River Band would face great hardship.⁷⁷ A 1913 article in the *Odanah Star* urged the community to prepare for the end of the timber operations. "It will be but a matter of a few short years . . . when the long whistle will blow . . . and thus chronicle the passing of all the lumbering industries in this section," cautioned newspaper editor Henry Ashmun.⁷⁸ Less than a decade later, Ashmun's editorial would prove to be prescient.

By 1921, the Stearns operation in Odanah had grown to a capacity of 60 mmbf per year, but local sources of timber were depleted on the reservation.⁷⁹ Once loggers finished clearing the marketable timber from the reservation, Stearns claimed that they would keep the mill going by transporting logs from Michigan, Stearns' native state, for processing.

Before the proposed stumpage source changed, however, workers at the Odanah mill staged a strike. The 1921 strike against the labor conditions at the Stearns mill offers a rare glimpse into Ojibwe dissent during the

logging era and taps into the labor movement in the upper Midwest. Tribal members faced great pressures to accept the wage and labor conditions that the contractor offered to them. Other than stumpage payments, a job in the Stearns operation was nearly the only way to generate income on the reservation. That Indian laborers embraced a strike indicates that working conditions were grim, as other accounts attest.⁸⁰

The Bad River strike against Stearns has parallels with labor events in other parts of the Midwest. In the northern Minnesota Iron Range, iron miners struck in 1916, protesting unsafe working conditions, and a year later, a strike led by the Industrial Workers of the World, sometimes referred to as the Wobblies, paralyzed the region.⁸¹ Common bonds of ethnicity drew together the Finnish laborers of the Iron Range, just as ethnicity likely united Bad River Band members.

In contrast to neighboring white communities, the Ojibwe confronted a unique combination of financial and institutional impediments to organizing their dissent into a strike. They relied on the Indian Service to carry out a wide range of personal, basic needs: managing tribal members' bank accounts—into which stumpage payments were deposited, promoting communication of technical assistance through the government farmer, and even legitimizing the land allotments on which they lived. Because Stearns Lumber Company was tightly enmeshed with the Indian Agency, staging a strike meant not only a statement of resistance against the forest contractor but also against the agency, a risky move in view of the dependence on the agency. Thus, the workers' decision to strike suggests that labor conditions were bleak, and yet when conditions degenerated enough, the Ojibwe could organize and resist.

In response to the strike, Stearns abruptly closed operations at Bad River in late 1921 and moved their processing mill to the Michigan Upper Peninsula. The closure devastated the Bad River economy. Hundreds of tribal members lost their jobs and stumpage payments ceased. Families that had eked out a precarious subsistence during the lumber era fell into poverty. Whites who had worked in the lumber camps and mills also lost their jobs and moved out of Odanah, and an economy based on the forest industry ground to a halt.

CONCLUSION

Indian Agency officials and foresters of the logging era intended the harvest of reservation timber to occur in a regulated, systematic way, guided by scientific forestry principles, unlike off-reservation sites in the Lake States, where logging companies left behind devastation as they moved to the next lumber frontier. Congress believed that forests on Indian reservations in the La Pointe Agency could be harvested and managed so as to foster landscape change and, in turn, cultural change. Primary forest stands would finance farmstead development through stumpage receipts. Indians would thus adopt the culture of the yeoman farmer.

To achieve this vision, Congress developed the Indian Agency Forestry Division—a new branch in the agency. Congress passed legislation and authorized funding to develop the young division's institutional capacities. The

agency developed a hierarchical, regulatory structure to liquidate reservation forests as efficiently as possible. Like the US Forest Service, the Indian Agency was staffed by a cadre of specialists, ranging from timber cruisers, to the Indian agent, to the commissioner of Indian Affairs.

In his 1943 retrospective report, Great Lakes Agency Superintendent J. C. Cavill described the reservation forest history to Commissioner of Indian Affairs Walter Woehlke: "To summarize, the clear cutting of the [Bad River] reservation was done primarily to secure the highest possible returns in money . . . for the allottee, and to reduce the forest cover . . . so that clearing the land for farming would be cut to the minimum."⁸² This statement, written two decades after the cessation of primary forest harvest at Bad River, reveals two important assumptions: first, that timber harvest should financially benefit Indian allottees, and second, that harvests would transform the Bad River culture and economy from one centered on the forest environment to one based on agriculture.

The cultural and landscape transformations that the Indian Agency and Congress anticipated failed to develop, however. Policies aimed to reorganize the reservation into a coherent patchwork of farmstead allotments instead left behind abandoned stump lands, an impoverished community, and a land base fragmented among tribal and nontribal owners, which stymied efforts to coordinate resource management.⁸³

Environmental historians have observed similar stories of unforeseen consequences in the US Forest Service during the early twentieth century and again during the post-World War II era.⁸⁴ Like the Forest Service, the Indian Agency aimed to transform a landscape to conform to officials' visions of an ideal, which required the removal of primary forests. Unlike the Forest Service, however, the Indian Agency simultaneously aimed to carry out a yet more complicated transformation: it aimed to change a culture. The agency assumed that with enough cultural and economic pressure, technical assistance, and encouragement, Indians administered by the La Pointe Agency would set aside their woodland culture and adopt yeoman farming.

Four factors help to explain why the actual consequences of reservation forest harvests differed so starkly from the Indian Agency vision. First, the agency confronted both economic and environmental pressures to liquidate stands. The land cessions of the Ojibwe treaties, in combination with the collapse of the fur-exchange economy, left the Ojibwe economy in chaos. The treaties altered Ojibwe usufruct rights to territory, despite the treaty rights that the tribe had negotiated. Thus, the viability of securing subsistence and an economy through hunting and gathering gradually disappeared. Indians, as well as Indian Office officials and foresters, turned to timber in order to fill the economic vacuum. Whether agents were motivated by a sincere intent to address tribal members' real circumstances of hunger and poverty or by unscrupulous self-interest, Indian agents shared the belief that forest stands could fill a void in the reservation economy. Impoverished Indian allottees also pressed to secure the sorely needed cash. Environmental conditions functioned as a different sort of pressure: the threat of fire motivated the commissioner of Indian Affairs, Indian agents, timber contractors, and tribal members to press for salvage operations and rapid forest liquidation.

Second, senior administrators in the Office of Indian Affairs often lacked the ability to supervise Indian agents adequately, due to the geographic distance between Washington, D.C., headquarters, the La Pointe Agency, and reservations. Working from their reservation posts, Indian agents did submit reports for administrative review and request guidance in procedural questions. Yet the distance between Washington, D.C., and the Great Lakes permitted a great deal of agent autonomy. Some agents, such as Durfee, capitalized on the institutional freedom to develop practices that corresponded with local conditions, but other agents, such as Gregory and Campbell, exploited their situations for personal gain. When unscrupulous agents were in charge, tribal forests were depleted and members suffered.

Third, after the La Pointe Plan of 1893, the Indian agents and forest contractors secured disproportionate influence over harvest practices and revenues, thus promoting rapid forest liquidation. The establishment of a single contractor system fostered close relationships between the local Indian agent and timber contractor. Frequent accusations of corruption and graft demonstrate the institutional weaknesses of the arrangement. Ironically, this plan had been intended to protect reservation forests from the depredations seen under Gregory's tenure. Finally, the Indian Agency believed it could and should transform a culture of woodland dwellers into farmers.

After the contractor liquidated the forests and pulled out of the region, the timber-based economy collapsed. The Indian Agency got exactly the opposite of what it intended: a farming economy foundered on the reservation, and an economically viable forestry industry failed to develop until the emergence of a pulpwood industry in the 1950s, as Steen-Adams and colleagues argue elsewhere.⁸⁵ Tribal natural-resource agencies must still contend with the ecological consequences of the era.

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NOTES

1. Lucille Kane, “Settling the Wisconsin Cutovers,” *Wisconsin Magazine of History* 40 (1956): 91–98; Robert Gough, *Farming the Cutover: A Social History of Northern Wisconsin, 1900–1940* (Lawrence: University of Kansas Press, 1997); James Kates, *Planning a Wilderness: Regenerating the Great Lakes Cutover Region* (Minneapolis: University of Minnesota Press, 2001).

2. Edmund J. Danziger, *The Chippewas of Lake Superior* (Norman and London: University of Oklahoma Press, 1979); Alan S. Newell, Richmond L. Clow, and Richard N. Ellis, *A Forest in Trust: Three-Quarters of a Century of Indian Forestry, 1910–1986* (Missoula, MT: Historical Research Associates, 1986); Patty Loew, “Newspapers and the Lake Superior Chippewa in the ‘unProgressive’ Era” (PhD diss., University of Wisconsin–Madison, 1998).

3. In 1895, enrollment of the Bad River Band was 645 members; in 2009 the band numbered 6,945 enrolled members. The La Pointe Agency became a subagency in 1836 and a full agency in 1851. It was later subsumed into the Great Lakes Agency and, finally, the Great Lakes Consolidated Agency. Danziger, *Chippewas of Lake Superior*, 107–8; Tribes of Wisconsin, Wisconsin Department of Administration, Madison, January 2009, Wisconsin State Tribal Relations Initiative, <http://witribes.wi.gov/index.asp?locid=57> (accessed 25 May 2009). Helen Tanner, *Atlas of Great Lakes Indian History* (Norman and London: University of Oklahoma Press, 1987), 162–68.

4. Danziger, *Chippewas of Lake Superior*, 3–40.

5. Charles Cleland, “Preliminary Report of Ethnohistorical Bias of the Hunting, Fishing, and Gathering Rights of the Mille Lacs Chippewa,” in *Fish in the Lakes, Wild Rice, and Game in Abundance: Testimony on Behalf of the Mille Lacs Ojibwe Hunting and Fishing Rights*, comp. James M. McClurken (East Lansing: Michigan State University Press, 2000), 8–16; Eliza Morrison, *A Little History of My Forest Life: An Indian-White Autobiography* (Tustin, MI: Ladyslipper Press, 2002), 62. Other research on the role of sugar maple stands in Ojibwe culture includes Matthew M. Thomas and Janet M. Silbernagel, “The Evolution of a Maple Sugaring Landscape on Lake Superior’s Grand Island,” *The Michigan Academician* 35 (2003): 135–58; Matthew M. Thomas, “Historic American Indian Maple Sugar and Syrup Production: Boiling Arches in Michigan and Wisconsin,” *Midcontinental Journal of Archaeology* 30, no. 2 (2005): 299–326.

6. Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650–1815* (New York: Cambridge University Press, 1991); Danziger, *Chippewas of Lake Superior*, 68–90; Morrison, *A Little History of My Forest Life*, 68–76.

7. Cleland, “Preliminary Report.”

8. Charlie Otto Rasmussen, *Ojibwe Journeys: Treaties, Sandy Lake, and the Waabanong Run* (Odanah, WI: Great Lakes Indian Fish and Wildlife Commission Press, 2003); Danziger, *Chippewas of Lake Superior*, 88–90.

9. *Treaty with the Chippewa* (Washington, DC: Government Printing Office, 1854); J. P. Kinney, *Indian Forest and Range: A History of the Administration and Conservation of the*

Redman's Heritage (Washington, DC: Forestry Enterprises, 1950); Danziger, *Chippewas of Lake Superior*, 91–92.

10. Ronald N. Satz, *Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective* (Madison: Wisconsin Academy of Sciences, Arts, and Letters, 1996).

11. Lisa A. Schulte and David J. Mladenoff, "The Original US Public Land Survey Records: Their Use and Limitations in Reconstructing Presettlement Vegetation," *Journal of Forestry* 99 (2001): 5–10; M. M. Steen-Adams, "Change on a Northern Wisconsin Landscape: Legacies of Human History" (PhD diss., University of Wisconsin–Madison, 2005).

12. Whereas Wisconsin primary forests contained an estimated 129.4 billion board feet (bbf) of white pine, just 17.4 bbf remained after lumbermen harvested the primary forests. Filibert Roth, "On the Forestry Conditions of Northern Wisconsin," *Wisconsin Geological and Natural History Survey Bulletin*, no. 1 (Madison: State of Wisconsin, 1898), 16.

13. Kinney, *Indian Forest and Range*; Alan G. McQuillan, "American Indian Timber Management Policy: Its Evolution in the Context of US Forestry History," in *Trusteeship in Change: Toward Tribal Autonomy in Resource Management*, ed. Richmond L. Clow and Imre Sutton (Boulder: University Press of Colorado, 2001); Newell, Clow, and Ellis, *A Forest in Trust*.

14. *Treaty with the Chippewa*, 1854.

15. Newell, Clow, and Ellis, *A Forest in Trust*, 24–26. See also Darla J. Mondou, "Our Land Is What Makes Us Who We Are: Timber Harvesting on Tribal Reservations after the NIFRMA," *American Indian Law Review* 21, no. 2 (1997): 259–96; and Brian C. Hosmer, "Creating Indian Entrepreneurs: Menominees, Neopit Mills, and Timber Exploitation, 1890–1915," *American Indian Culture and Research Journal* 15, no. 1 (1991): 1–28.

16. E.g., see *Treaty with the Chippewa*, 1854, art. 5 and 12. See also, *Treaty with the Chippewa*, 1837; and *Treaty with the Chippewa*, 1842. Danziger, *Chippewas of Lake Superior*, 5, 79–80.

17. Vernon Carstensen, *Farms or Forests: Evolution of a State Land Policy for Northern Wisconsin* (Madison: University of Wisconsin College of Agriculture, 1958); Gough, *Farming the Cutover*; Kates, *Planning a Wilderness*.

18. R. S. Kellogg, *Timber Supply of the United States*, US Department of Agriculture, Forest Service—Circular 166 (Washington, DC: Government Printing Office, 1909), table 5. Also see Henry B. Steer, *Lumber Production in the United States, 1799–1946*, US Department of Agriculture, Forest Service, Misc. Pub. 669 (Washington, DC: Government Printing Office, 1948).

19. McQuillan, "American Indian Timber Management Policy," 82.

20. Newell, Clow, and Ellis, *A Forest in Trust*, 1–20.

21. 50th Cong., 2nd sess., *Chippewa Allotments of Lands and Timber Contracts*, Senate Report (SR) 2710 (Washington, DC: Government Printing Office, 1888), i–iii.

22. Between 1885 and 1888, Gregory administered 1,203 contracts, totaling almost 400 million board feet (mmbf); in comparison, just 206 contracts, which totaled 77 mmbf, were filled during the previous three years of the Durfee administration (1882–85). *Ibid.*

23. *Ibid.*, 2.

24. Ibid.

25. Ibid., 6.

26. Vilas was “fully responsible and is censurable.” Ibid., 1.

27. “It does not appear . . . that there was any Secretary of the Interior. As to the Commissioner, his ignorance of what was being done upon his responsibility by Mr. Gregory, is pitiful, and would be ludicrous if it were not disgraceful to the Government that one of its officials could be so utterly inefficient.” Ibid., 7.

28. McQuillan, “American Indian Timber Management Policy,” 84–87; Newell, Clow, and Ellis, *A Forest in Trust*.

29. Samuel P. Hays, *Conservation and the Gospel of Efficiency: The Progressive Conservation Movement, 1890–1920* (1959; repr., Pittsburgh: University of Pittsburgh Press, 1999); Newell, Clow, and Ellis, *A Forest in Trust*; McQuillan, “American Indian Timber Management Policy.” Hays argues that Pinchot, backed by President Theodore Roosevelt and Secretary of the Interior James R. Garfield, strove to expand the reach of the Forest Service to include both Indian reservation forests and as-yet unprotected mineral claims under the jurisdiction of the General Land Office.

30. Hays, *Conservation and the Gospel of Efficiency*, 155–60; Lynn Huntsinger and Sarah McCaffrey, “A Forest for the Trees: Forest Management and the Yoruk Environment, 1850 to 1994,” *American Indian Culture and Research Journal* 19, no. 4 (1995): 155–92.

31. Newell, Clow, and Ellis, *A Forest in Trust*.

32. Ibid., 2–16. Charles J. Kappler, *Indian Affairs: Laws and Treaties*, vol. III, Laws (Washington DC: Government Printing Office, 1913).

33. McQuillan, “American Indian Timber Management Policy,” 87.

34. Jenks Cameron, *The Development of Governmental Forest Control in the United States* (Baltimore, MD: Johns Hopkins University Press, 1928), 228–32; W. M. Wooster, Chairman, Chippewa Investigating Committee, *Report to Commissioner of Indian Affairs*, 14 November 1922, file 307.3, entry 126, PI-63, Records of the Bureau of Indian Affairs, Record Group 75, National Archives and Records Administration, College Park, MD (hereinafter cited as RG 75, NA, BIA).

35. S. W. Campbell to Commissioner of Indian Affairs C. F. Larrabee, 18 January 1808, file 339, NA, BIA; C. F. Larrabee, commissioner of Indian Affairs, to S. W. Campbell, Indian agent, 31 December 1807, file 339, NA, BIA.

36. Documentation of forest loss to fire can be found in Gordon G. Whitney, *From Coastal Wilderness to Fruited Plain* (Cambridge: Cambridge University Press, 1994), 198; Roth, “On the Forestry Conditions”; Anthony Godfrey, *A Forestry History of Ten Wisconsin Indian Reservations under the Great Lake Agency: Precontact to the Present* (Salt Lake City, UT: US West Research, 1996).

37. C. F. Larrabee to La Pointe Agency Indian Agent, 2 October 1907, box 98, file 339, NA, BIA.

38. The Wisconsin Act of 1905 enabled the creation of a state forest reserve and directed the inclusion of all state land north of the 33rd township. Two types of state land were swampland and township sections numbered sixteen; because some of these land designations lay within Indian reservations, for a time these were contested lands between the state reserve and reservations. L. H. Mead, “The Condition of Indian Affairs in Wisconsin,” Hearings before the Committee on Indian Affairs, US Senate, Senate Resolution No. 263 (Washington, DC: Government

Printing Office, 1910), 194–99; Vernon Carstenson, *Farms or Forests: Evolution of a State Land Policy for Northern Wisconsin: 1850–1932* (Madison: University of Wisconsin, College of Agriculture, 1958).

39. S. W. Campbell to Commissioner of Indian Affairs [C. F. Larrabee], La Pointe Indian Agency, Ashland, WI, 14 January 1908, box 98, file 339, NA, BIA.

40. Nancy Langston, *Forest Dreams, Forest Nightmares* (Seattle and London: University of Washington Press, 1995); Paul W. Hirt, *A Conspiracy of Optimism* (Lincoln and London: University of Nebraska Press, 1994).

41. E.g., although the Stearns Lumber Company harvested most of the timber types that grew at Bad River, the Bell Lumber Company (of Minneapolis, MN) held a contract for cedar and other species from 1914 to 1923. Bell harvested a substantial amount from the reservation including nearly 300,000 cedar posts and more than 33,000 cedar poles. “Cedar and other timber cut during the following fiscal years on the Bad River Reservation by Bell Lumber Company,” box “Records of Red Cliff . . .,” file “Bell Lumber Company,” Great Lakes Agency Field Office Records, Bureau of Indian Affairs, Ashland, WI (hereinafter cited as GLAFO).

42. President Grover Cleveland approved the Bad River contract. Articles of Incorporation of the J. S. Stearns Lumber Company, State of Illinois, 1894 and 1907, file 339, La Pointe 70842-08-339 to 3387-08-339, box 98, NA, BIA. Justus Stearns became an enormously powerful businessman and, later, a minor politician. By 1900, his lumbering company was the largest in Michigan. Stearns became secretary of state of Michigan (1899–1900) and made an unsuccessful bid for the Republican gubernatorial nomination. The Stearns Salt and Lumber Company records, 1881–1923, Bentley Historical Library Finding Aids, University of Michigan, <http://bentley.umich.edu/> (accessed 20 August 2008).

43. White pine consistently netted the highest prices. E.g., the 1914 revised contract with Stearns timber set prices that ranged from a high of \$10.00/1,000 board feet (white pine) and \$9.00 (red pine) to a low of \$2.00 (ash, elm, and balsam) and \$1.00 for “poplar” (aspen). Agreement as to bond of J. S. Stearns Lumber Company, 10 February 1914, box 98, file 339, NA, BIA.

44. Estimates of the total volume harvested from Bad River vary from 1.25 bbf to 1.5 bbf; see William Heritage, *Report of Volume and Value Timber Removed from Land Claimed by State of Wisconsin on Bad River Reservation*, 1 February 1932, General Records, 1907–1939, Special Series A, ca. 1859–1934, Timber Report, Bad River Reservation, 1932, box 34 (old box 8), PI-163, E-126, NA, BIA. See also J. C. Cavill, Great Lakes Indian Agency superintendent, to Walter V. Wohlke, commissioner of Indian Affairs, 17 December 1943, “Forest Management Plans” folder, GLAFO.

45. Joseph Buffalo, fellow chiefs, and headmen, to secretary of the interior, 9 January 1899, special case 32, box 34, NA, BIA.

46. Articles of Incorporation of the J. S. Stearns Lumber Company.

47. Agreement as to bond of J. S. Stearns Lumber Company, 22 November 1907 [signed by J. S. Stearns], file 339, folder 93870, La Pointe 70842-08-339 to 3387-08-339, box 98, NA, BIA I.

48. O’Keefe, Foster, Foster and Mars, attorneys, to W. A. Jones, commissioner of Indian Affairs, Ashland, WI, March 24, 1899, special case 32, box 34, entry E 11Ec, NA, BIA.

49. *Ibid.*

50. O'Keefe, Foster, Foster and Mars, attorneys; S. W. Campbell to Harry B. Seddicum, government farmer, 6 July 1910, GLAFO.
51. Kinney, *Indian Forest and Range*, 94.
52. O'Keefe, Foster, Foster and Mars, attorneys.
53. R. J. Tracewell, comptroller, to S. W. Campbell, Indian agent, 18 May 1912, RG 48, entry 749A, CCF-1907-1936, box 1240, file S-1 (pt. 1), Indian Office-La Pointe, Accounts Payable, NA, BIA.
54. C. F. Larrabee to US Indian Agent, La Pointe Agency, 7 December 1907, file 339, folder 93870, La Pointe 70842-08-339 to 3387-08-339, box 98, NA, BIA.
55. William Heritage, cruiser, to commissioner of Indian Affairs, 18 March 1919, file 339, folder 00, La Pointe 70842-08-339 to 3387-08-339, box 98, NA, BIA.
56. Timber could be harvested from only 75,000 acres of the 125,000-acre reservation because a portion of the reservation's original 124,234-acre area had fallen into nontribal ownership; Danziger, *Chippewas of Lake Superior*, 111.
57. Gordon G. Sorenson, *Drummond Centennial, 1882-1982* (Drummond, WI: G. G. Sorenson, 1982); Drummond Diamond Jubilee Committee, *Drummond Diamond Jubilee: 1852-1957* (Drummond, WI: Drummond Diamond Jubilee Committee, 1957).
58. Mead, "Condition of Indian Affairs in Wisconsin," 28.
59. Mrs. Corrie Albert (Ojibwe name Andakwe), to commissioner of Indian Affairs, 12 January 1908, box 98, file 339, folder 3265, La Pointe 70843-08-339 to 3387-08-339, NA, BIA; Danziger, *Chippewas of Lake Superior*, 89-90.
60. Commissioner Larrabee sided with Logging Superintendent Farr's argument that birch and sugar maple on the Fond du Lac Reservation should be harvested. Campbell sided with the tribe. J. R. Farr to C. F. Larrabee, commissioner of Indian Affairs, 14 September 1907, Ashland, WI; S. W. Campbell to C. F. Larrabee, 16 September 1907, Ashland, WI; C. F. Larrabee to S. W. Campbell, 28 September 1907, Washington, DC. All three letters are from box 98, file 339, NA, BIA.
61. E. M. Hamilton to commissioner of Indian Affairs, 25 August 1911, GLAFO.
62. In 1912, Stearns Lumber Company President L. K. Baker estimated that 30 to 35 mmbf of salvage logs from the 1908 fire still remained in the river. The company officials claimed, "If we had not manufactured outside of the Odanah mill, the river would not have held the logs." L. K. Baker to S. W. Campbell, 30 January 1912, GLAFO. Details of the 1908 fires and the loss at Bad River in L. K. Baker to S. W. Campbell, 12 February 1912, GLAFO.
63. Baker to Campbell, 12 February 1912.
64. A. P. Chittenden to commissioner of Indian Affairs, 21 November 1911, doc. 105613, GLAFO.
65. R. G. Valentine, commissioner of Indian Affairs, to S. W. Campbell, 22 December 1911, GLAFO; A. P. Chittenden to commissioner of Indian Affairs, 19 December 1911, GLAFO.
66. F. H. Abbott, assistant commissioner, to S. W. Campbell, 15 January 1912, GLAFO.
67. Valentine to Campbell, 22 December 1911.
68. Deposition of Henry Condecon, notarized by Chas. D. Armstrong, N.P., 20 July 1911, Ashland County, state of Wisconsin, GLAFO.
69. Heritage to commissioner of Indian Affairs, 18 March 1919; Cavill to Wolhlke, 17 December 1943; W. Heritage to John Herrick, commissioner of Indian

Affairs, 3 October 1939, "Forest Management Plans" folder, GLAFO.

70. P. S. Everest, Annual Report, BIA, Narrative and Statistical Reports, La Pointe Agency, 30 June 1914, 16, 18; H. S. Traylor to Cato Sells, commissioner of Indian Affairs, 2 August 1915, BIA, CCF: [?]-1915-150 La Pointe Agency. Cited in Danziger, *Chippewas of Lake Superior*, 112.

71. Morrison, *A Little History of My Forest Life*, 122–23.

72. See Keith C. Peterson, *Company Town: Potlatch, Idaho, and the Potlatch Lumber Company* (Pullman: Washington State University, 1987).

73. John W. Jackson, interview with the author, 17 August 2002; Loew, "Newspapers and the Lake Superior Chippewa."

74. Loew, "Newspapers and the Lake Superior Chippewa," 36–37, 56.

75. "Should Be Investigated," *Odanah Star*, 16 August 1912, 1, cited in Loew, "Newspapers and the Lake Superior Chippewa," 96.

76. Cato Sells, commissioner of Indian Affairs, to secretary of the interior, 14 January 1916, file 5-1, pt. II, Indian Office—La Pointe, Timber—J. S. Stearns Lumber Co., 13 February 1912 to 17 September 1925, CCF 1907–1936, 5-1, La Pointe to Lac du Flambeau, box 1242, NA, BIA.

77. Danziger, *Chippewas of Lake Superior*, 102.

78. Cited in Loew, "Newspapers and the Lake Superior Chippewa," 92.

79. Danziger, *Chippewas of Lake Superior*, 102.

80. Godfrey, *Forestry History*, 112–13.

81. Benjamin Heber Johnson, "Conservation, Subsistence, and Class at the Birth of Superior National Forest," *Environmental History* 4 (January 1999): 80–99; Richard Rajala, "A Dandy Bunch of Wobblies: Pacific Northwest Loggers and the Industrial Workers of the World, 1900–1930," *Labor History* 37 (Spring 1996): 205–34.

82. Cavill to Woehlke, 17 December 1943, GLAFO.

83. For details of Bad River Reservation land-ownership characteristics, see Steen-Adams, "Change on a Northern Wisconsin Landscape"; Charles Williams Loomer, *Land Tenure Problems in the Bad River Indian Reservation of Wisconsin*, Research Bulletin no. 188 (Madison: Agricultural Experiment Station, University of Wisconsin, 1955); Bad River Tribal Department of Natural Resources, *Integrated Resources Management Plan for the Bad River Reservation* (Odanah, WI: Chief Blackbird Center, 2001).

84. Langston, *Forest Dreams*; Hirt, *A Conspiracy of Optimism*.

85. Michelle M. Steen-Adams, Nancy Langston, and David J. Mladenoff, "White Pine in the Northern Forests: An Ecological and Management History of White Pine on the Bad River Reservation of Wisconsin," *Environmental History* 12, no. 3 (2007): 614–48; Michelle Steen-Adams, Nancy Langston, and David J. Mladenoff, "Causes of Farm Failure and Reforestation in the Northern Wisconsin Cutover: Comparing the Influence of Biophysical, Economic, and Cultural Factors," forthcoming.