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## John Hays and the Fort Wayne Indian Agency

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John Hays should have known better than to take an appointment as Indian agent at Fort Wayne in 1820. It was a hard, dangerous, exasperating, body-racking job; and he was too experienced in frontier life to underestimate its demands.

Perhaps he was tired of the little Illinois town on the Mississippi where he had lived for twenty-seven years. Cahokia had seemed a promising spot when he settled there in 1793 as agent for the trading house of Todd and Hay. One of the oldest settlements of the Illinois country, and a county-seat town, it then rivaled ancient Kaskaskia in importance.<sup>2</sup> For several years before, Hays had traded with the Indians of Canada and the Northwest; he had a good English education and a fluent command of French. Since more of Cahokia's five hundred inhabitants were French than English, it was a great advantage to be bilingual. The fact probably helped Hays to secure his appointment as sheriff of St. Clair County in 1802, and as postmaster of Cahokia, both of which offices he held year in and year out without regard to the direction of political tides.<sup>3</sup>

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<sup>1</sup> Hays was born in the city of New York in 1770, according to a sketch of his life in John Reynolds, *The Pioneer History of Illinois* . . . (Belleville, Ill., 1852), 186-88; see also Francis S. Philbrick (ed.), *The Laws of Indiana Territory, 1801-1809* (Indiana Historical Bureau Reprint of Illinois Historical Collections, XXI, Indianapolis, 1931), cclxxi-cclxxii.

<sup>2</sup> On Cahokia at this period, see Solon J. Buck, *Illinois in 1818* (*Illinois Centennial Publications*, introductory volume, Springfield, 1917), 79-80, 89-92.

<sup>3</sup> William Wesley Woollen, Daniel W. Howe, and Jacob P. Dunn (eds.), *Executive Journal of Indiana Territory, 1800-1816* (Indiana Historical Society Publications, III, No. 3, Indianapolis, 1900), 109.

When the firm of Todd and Hay dissolved, Hays was sufficiently established to go into business for himself, or rather into several businesses. Part of the time he had goods for sale in the village. Every autumn he went or sent a boat far up the Mississippi with goods for the Indian trade.<sup>4</sup> These expeditions covered months, sometimes all winter; during the summers he devoted himself to farming in the rich bottomlands near Cahokia.

In all these occupations, public and private, Hays showed good judgment and an ability to get along in the world. His marriage followed the same estimable pattern, if we are to believe his townsman John Reynolds, who says somewhat sententiously that Hays "married a lady in Vincennes, of excellent family, and what is still better, of sound, good sense. They lived together in Cahokia, and raised a respectable family."<sup>5</sup>

In 1814, Hays became collector of internal revenue for Illinois Territory.<sup>6</sup> This did not add appreciably to his income, but it did widen his political acquaintance and strengthen his reputation as a good public servant. About this time Cahokia's century-old glories began to fade, and it sank gradually to the status of a slack river town, noted only for the roistering weekly balls of its French-Canadian *voyageurs*. By 1820 the occasional travelers through the area spoke of Cahokia with pity or distaste. One of them dispatched the town in a single scathing sentence. "At two o'clock," he wrote, "we entered and passed through the village of Illinois, which is separated into two parts by the pestiferous channel of Cahokia creek, and a few minutes later our carriage halted on the banks of the Mississippi."<sup>7</sup>

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Hays says that he served sixteen years as sheriff and fourteen years as postmaster. Letter to John C. Calhoun, April 22, 1822, National Archives (hereafter NA), War Dept., Sec. War, Letters Rec'd. A photostat of this letter and others cited from the National Archives are now in the Indiana State Library.

<sup>4</sup> On the strength of his wide experience in the Indian trade, Hays was asked for information on the routes and disposition of forces from Montreal to Michilimackinac during the War of 1812. Letter to Governor Ninian Edwards, August 20, 1812, in E. B. Washburne (ed.), *The Edwards Papers* . . . (Chicago Historical Society Collections, III, Chicago, 1884), 81-83.

<sup>5</sup> Reynolds, *Pioneer History of Illinois*, 187.

<sup>6</sup> U. S. Senate, *Executive Journal*, II, 457, 461.

<sup>7</sup> Henry R. Schoolcraft, *Travels in the Central Portions of the Mississippi Valley* . . . (New York, 1825), 225.

Hays saw his business declining with the town. Being a practical man, he began to look for something better. A land-office post—a fairly sedentary employment—would have suited him exactly, and it is likely that he asked the aid of his political friends in securing one. What actually came his way was the offer of the Indian agency at Fort Wayne, hundreds of miles away in the Indiana wilderness.

We can imagine him meeting the post rider on a hot June day and fishing from the mailbag a red-sealed letter addressed to himself.<sup>8</sup> "Department of War, 24 May, 1820," began the neat script. "Sir, You have been appointed, with the approbation of the President of the United States, Indian agent at Ft. Wayne, in the place of Dr. Turner, whose appointment ceased on the 15th instant, and should the Senate at their next session advise and consent thereto, you will be commissioned accordingly."

Because the mails moved slowly over the long road between Washington and the Illinois country, the secretary of war included directions to be followed in case Hays accepted the appointment. After executing a heavy bond, he was to repair at once to Fort Wayne and there report to the secretary, at Washington, and to Lewis Cass, governor of Michigan Territory and head of the Indian superintendency of which the Fort Wayne agency was a part.

It was an offer full of promise, with a tempting salary of \$1,200 a year. Of course, the responsibilities were heavy. Fort Wayne had been a resort for the Indians for a century. The Miami and Potawatomi who frequented the place, sometimes in throngs of three or four thousand, still had large landholdings in Indiana; and it was certain that the government would soon be urged to secure further cessions. To gain and hold the Indians' confidence would require intelligence and tact.<sup>9</sup>

Hays' life had fitted him particularly well for the duties of managing agency funds and dealing with the traders. He knew their problems and weaknesses. To control the liquor business in the Indian country was a task no one

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<sup>8</sup> Calhoun to Hays, May 24, 1820, NA, Int. Dept., Ind. Aff., Sec. War Letter Book D.

<sup>9</sup> Lewis Cass to Calhoun, March 1, 1821, NA, Dept. War, Sec. War, Letters Rec'd.

had ever accomplished. Immense quantities of whisky went into Fort Wayne, and the problem was particularly troublesome there. Distribution of the Miami annuities, the annual installments due the Indians in payment for ceded lands, was likely to present difficulties, also. The Miami were a quarrelsome lot, restless under the domination of Jean B. Richardville, one of the cleverest, trickiest, and wealthiest half-breeds in the western country. He had secured good terms for the Miami when they sold their lands, and the annual payments ran above \$18,000. But the Indians distrusted his division of the sum.

Two serious drawbacks should have decided Hays against accepting the agency. Fort Wayne was a long way from the Mississippi River, and he could scarcely take his family with him. Could he himself withstand the physical hardships of supervising a district covering hundreds of square miles—practically all of northeastern Indiana? When he was a youngster buying furs and selling blankets in the Red River country, he had survived rough journeys and scant food. On one occasion, caught in a devouring prairie snow-storm, he had weathered three days and nights of extreme cold and near starvation. Now he was fifty years old; those days recalled themselves in the agonies of rheumatism and a susceptibility to fever, and the Fort Wayne Indian agency was no place in which to find a remedy for either.

Misgivings or not, Hays decided in favor of the post. On the sixteenth of July he dispatched to the secretary of war a bond for \$10,000, which was subsequently increased to \$30,000.<sup>10</sup> If this seems a large security, it must be remembered that the agent was responsible for the huge sums paid annually, in cash, to the Indians.

Hays and a servant reached Fort Wayne on the fourteenth of August, 1820, after a "long and tedious journey of 18 days."<sup>11</sup> He had expected to take over the agency at

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<sup>10</sup> Calhoun to Hays, August 3, 1821, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E; Hays to Cass, July 20, 1822, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>11</sup> Hays to Calhoun, August 14, 1820, NA, War Dept., Sec. War, Letters Rec'd. Hays met some of the Eel River Miami on his journey up the Wabash and found them dissatisfied with the agency administration and incensed at the principal chief, Jean Baptiste Richardville, for his favoritism to the Mississinewa bands.

once, but Turner had absented himself on the plea of illness. It was not a heartening beginning, but it gave the new agent time to examine his situation thoroughly.

From the stockade, set high on the right bank of the Maumee, he could look down upon the junction of the St. Mary's and St. Joseph's rivers. To right and left stretched heavy forests of oak, hickory, and mulberry; and the lands to the southwest descended across a swampy portage of eight miles to the headwaters of the Little River.

From the fort a cart track angled down to the river-bank and boatlanding, the bustling center of the town's traffic in furs; and three embryonic roads, boggy and stump filled, led respectively to Detroit, north and west toward Fort Dearborn and Lake Michigan, and southeast to Fort Recovery, Ohio.

Until 1819 a garrison of United States troops had been stationed within the stockade. When they departed, the Indian agency was moved from an old log council house outside the walls to quarters inside. The structure was a substantial one, rebuilt five years before, near the site of General Wayne's original fort. It was composed of hewn log buildings, joined by a double twenty-foot picketed fence, and inclosing an area of about sixty square yards. To afford the maximum protection against attack, the outer walls of the buildings rose abruptly to a height of thirty-five feet, with the roofs slanting down towards the inside of the inclosure. In the dry August days of his first survey, Hays did not discover a source of much later irritation—leaky roofs.

Eighteen or twenty cabins composed the village. In one of these Samuel Hanna and his partner, James Barnett, kept a little store as an adjunct to their fur-trading operations; another was headquarters for Francis Comparet, agent of the American Fur Company, and his partner, Alexis Coquillard; but most of the population was as impermanent and improvident as the Indians off whom they lived.<sup>12</sup>

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<sup>12</sup> Capt. James Riley and Thomas Teas, quoted in Harlow Lindley (ed.), *Indiana as Seen by Early Travelers* (Indiana Historical Collections, III, Indianapolis, 1916), 241-43, 250-51; Wallace A. Brice, *History of Fort Wayne . . .* (Fort Wayne, 1868), 285-89, [pt. 2] 4-5; Schoolcraft, *Travels in the Central Portions of the Mississippi Valley*, 78, 89-90; William H. Keating (comp.), *Narrative of an Expedition to the Source of St. Peter's River . . . in the year 1823* (2 vols., Philadelphia, 1824), I, 79ff.

Sharing the stockade with the Indian agency was an Indian school kept by Isaac McCoy, a Baptist preacher turned missionary. McCoy promptly presented himself and asked permission to remain. A visit to the school impressed Hays with the abilities of the twenty-six little Potawatomi and Miami, leavened with a sprinkling of Shawnee, Chippewa, and Mohegans. While the boys studied agriculture and mechanics, McCoy's hard-working wife taught the girls spinning, weaving, knitting, and sewing. They excelled at anything requiring imitative ability—they could copy writing with exactness long before they learned to read. Hays granted McCoy's request cheerfully, not foreseeing the results. Within a year the number of students had doubled; in their free moments they raced about the stockade like trapped woods creatures and caused an amount of damage that nearly drove the agent to distraction.<sup>13</sup>

Most valuable to Hays of the acquaintances made in his first days at Fort Wayne was Benjamin B. Kercheval. Kercheval had been in and about the fort for five or six years. Without any official position beyond occasional service as interpreter, he had nevertheless made himself extremely valuable to the Indian Department. Hays took an instant liking to the man and soon came to depend on his detailed knowledge of the agency and surrounding Indians.<sup>14</sup>

Dr. William Turner, the former agent, returned to Fort Wayne on August 28. The next day he formally transferred to Hays the physical property of the agency—the public buildings inside the stockade, the keys, the agency records; five dwelling houses outside the fort, one blacksmith shop, one coal house, one root house, one stable; two pastures, one timothy meadow, and one field, all fenced; one wagon and two wheelbarrows; and an assortment of tools for the fields and shop.<sup>15</sup>

<sup>13</sup> Isaac McCoy, *History of Baptist Indian Missions . . .* (Washington, 1840), 80; Hays to Calhoun, July 19, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; McCoy to Calhoun, October 1, 1821, NA, War Dept., Sec. War, Letters Rec'd; Schoolcraft, *Travels in the Central Portions of the Mississippi Valley*, 74-75.

<sup>14</sup> Hays to Calhoun, May 12 [22?], 1821, NA, War Dept., Sec. War, Letters Rec'd; McCoy, *History of Baptist Indian Missions . . .*, 129; *The John Tipton Papers* (3 vols., Indiana Historical Collections, Indianapolis, 1942), I, 298n.

<sup>15</sup> Hays' receipt, August 29, 1820, Tipton Papers, Indiana State Library.

For the next three months Hays applied himself to the problems of the agency. Turner had contracted with an Ohioan named Benjamin Levell to build a saw- and gristmill for the Miami Indians on the banks of a small creek above the Mississinewa. The Miami were entitled to the mills—they had been promised by the Treaty of St. Mary's two years before—but Turner made the mistake of signing a contract involving \$5,600 before it had been approved by Governor Cass. At the end of August, Levell represented to Hays that the work was finished and that he had not received a cent.

When Cass saw the contract, he considered the price too high and refused to allow a settlement without an examination of the mills. To complicate the situation, the mill dam broke. Chief Richardville complained furiously to Governor Cass; Hays sent posthaste for Levell. Repairs were made under the supervision of an experienced millwright, but Hays made the three-day journey down the Wabash to see for himself what had been done. The mills looked all right to him, but the chiefs would have nothing to do with them; so Cass let the account wait until the next year.<sup>16</sup>

Payment of the Miami annuity did not take place until the middle of November. This was at least a month late, but the delay was not the agent's fault. He had received a check to cover the payment—the amount was \$18,181—on October 14; but the check was on the Bank of Cincinnati, and it took four weeks to send a messenger there and haul the boxes of silver dollars back to Fort Wayne.<sup>17</sup>

As the season progressed, the Miami assembled about the fort—approximately eleven hundred of them. More than a thousand dollars worth of beef and flour were issued to them while they waited for the payment, but they chafed at being kept from the fall hunt. It had become an absolute necessity, rather than an amusement. Bear, otter, and beaver

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<sup>16</sup> Contract between William Turner and Benjamin Levell, March 17, 1820, Hays to Calhoun, August 28, 1820, Cass to Hays, September 15 and October 22, 1820, NA, War Dept., Sec. War, Letters Rec'd; Turner to Cass, May 12, 1820, Hays to Cass, October 1, 17, November 1, 26, 1820, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>17</sup> C. Vandeventer to Hays, September 15, 1820, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E; Hays to Vandeventer, October 16, 1820, NA, War Dept., Sec. War, Letters Rec'd; Hays to Cass, October 16, November 19, 1820, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

were already rare; and most of the furs taken were raccoon and deer. Even an expert hunter seldom made more than one pack of furs in a season; this would not clothe a family, and its money value was not more than a hundred dollars. Gaudy clothing and jingling copper bells on leggings and shot pouches belied their uneasy temper, and Hays reported afterward that never in his thirty-one years of experience with Indians had he seen so turbulent a congregation.<sup>18</sup>

Part of the tribe felt that they had been cheated at the last annuity payment, which Chief Richardville had handled as he pleased. To quiet them Hays instituted a new method of division. The money was still handed over to the chief, but he was required to distribute it on the spot, one silver dollar at a time to each member of the watching circle of tribesmen.<sup>19</sup>

As usual, quantities of liquor had been brought in by the traders for sale at the payment. The agent ordered it sent inside the fort, but the Indians found plenty of secret caches and began a carousal which lasted for days. Hays was as much surprised as he was relieved when they departed, at last, without massacring the settlers or burning the stockade.<sup>20</sup>

At the beginning of each quarter it was the agent's duty to submit a statement of his disbursements for the last three months, accompanied by detailed accounts and receipts, and also an estimate of expenditures for the next quarter. Regular items were the agent's salary, \$300; \$126 for a blacksmith and the same amount for an interpreter; \$45 for the blacksmith's assistant; and a contingent fund which ran around \$500 or \$600.<sup>21</sup> If the agent made payments which were not approved when he later submitted his accounts, he was the sufferer—a most unwilling and articulate sufferer, judging from the records of the Indian Office. Getting

<sup>18</sup> Keating (comp.), *Narrative . . . 1823*, I, 124; Schoolcraft, *Travels in the Central Portions of the Mississippi Valley*, 99-104, 111-12; William Lee to Hays, February 5, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Hays to Calhoun, March 13, May 12 [22?], 1821, NA, War Dept., Sec. War, Letters Rec'd.

<sup>19</sup> Hays to Calhoun, August 14, 1820, *ibid.*; Keating (comp.), *Narrative . . . 1823*, I, 80-81.

<sup>20</sup> McCoy, *History of Baptist Indian Missions*, 84-85; Hays to Calhoun, March 13, 1821, NA, War Dept., Sec. War, Letters Rec'd.

<sup>21</sup> William Turner to Cass, May 12, July 8, 1820, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Hays, statement of accounts, March 31, 1821, Tipton Papers.



things done under this system required the foresight of a prophet and the patience of Job.<sup>22</sup>

Hays had his feelings hurt in his first struggle with the payroll. Expecting to be paid from the date of his appointment in May, he felt abused when the department ruled that his salary should begin on July 16, the date on which he had dispatched his bond to Washington. He protested in every report to headquarters, until reminded that his letter of July 16 was his first notification to the department that he intended to accept the agency, and that he had not left Cahokia until several days later.<sup>23</sup>

Late in November, 1820, Hays journeyed to Cahokia to see his family. He was not happy at Fort Wayne. His health had suffered in the five months since he left home, and he begrudged the months away from his family and his business affairs. He was alarmed by the uncontrollable temper of the Miami and their mad passion for whisky and revolted by the grasping attitude of the traders who furnished the liquor.

Before his departure he informed Cass that he was contemplating resigning; and to Major Benjamin F. Stickney, who was summoned to act as subagent, he intimated that he would not return.<sup>24</sup> Whether or not Calhoun had heard of Hays' dissatisfaction, he allowed his appointment to go before the Senate for approval in January, 1821, and it was confirmed on March 3.<sup>25</sup>

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<sup>22</sup> On August 28, 1820, Hays sent to Governor Cass a draft for \$2,500, part of the amount included by Turner in his estimate of expenses for the quarter ending June 30, 1820. Cass was not in Detroit, and William Woodbridge, acting governor, having no notification of Hays' appointment, refused to honor the draft without approval from Washington. Hays to Cass, August 28, 1820, C. Vandeventer to Woodbridge, September 26, 1820, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Woodbridge to Calhoun, September 4, 1820, NA, War Dept., Sec. War, Letters Rec'd. This is but one example of many delays in handling agency accounts.

<sup>23</sup> Hays, estimate of expenses, October 5, 1820, Tipton Papers; Hays to Cass, September 23, October 1, 17, November 1, 1820, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd, 1820; Hays to Calhoun, March 13, July 8, 1821, NA, War Dept., Sec. War, Letters Rec'd; Calhoun to Hays, August 3, 1821, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E.

<sup>24</sup> Hays to Cass, November 1, 19, 26, 1820, Benjamin F. Stickney to Cass, December 9, 1820, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.; Stickney applied for the Fort Wayne agency.

<sup>25</sup> Calhoun to the President, January 10, 1821, Newton D. Mereness Calendar of Papers from the National Archives; U. S. Senate, *Executive Journal*, III, 235, 255.

Stickney was meanwhile appointed to another post, and in April he turned the Fort Wayne agency over to the ever-useful Kercheval.<sup>26</sup> Hays, ill at Cahokia, learned with dismay of Stickney's intended departure and implored the appointment of a subagent and the establishment of a military force at Fort Wayne. "It is neither [at] Chicagoe, Green Bay, Prairie du Chein, Falls of St. Antoney, Rock river, or any part of the Mississippi or even Michilimakanac . . . that in my opinion a Military force would be more necessary," he wrote to Secretary Calhoun.<sup>27</sup>

Under the circumstances, Hays felt obliged to return to Fort Wayne, but it was May before he dared attempt the journey. He collapsed after the first fifteen miles. Several weeks later he started out again, with one of his daughters to look after him.<sup>28</sup>

While he was on the way, Governor Cass stopped at Fort Wayne, on his way to conduct a treaty at Chicago. Kercheval gave him the hospitality of the fort and next day accompanied him to the Miami mills. Although neglected and unused, the mills seemed honestly built; and Cass conceded that the builder should be paid.<sup>29</sup>

One purpose of Cass's journey was to collect information on Indian history and customs. He was interested in a man-eating society of the Miami, a small hereditary association whose members were said to devour prisoners of war. On this subject he found the chiefs smoothly evasive, for the society had been in disrepute for years. The next summer he pursued his investigation through the agents of his superintendency. Hays made some inquiries but lost all interest when informed that to learn the society's inner mysteries he must become a member.<sup>30</sup>

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<sup>26</sup> Hays to Calhoun, March 13, 1821, NA, War Dept., Sec. War, Letters Rec'd; Stickney to Cass, April 20, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>27</sup> Hays to Calhoun, March 13, 1821, NA, War Dept., Sec. War, Letters Rec'd.

<sup>28</sup> Hays to Calhoun, May 12 [22?], 1821, April 22, 1822, NA, War Dept., Sec. War, Letters Rec'd.

<sup>29</sup> Schoolcraft, *Travels in the Central Portions of the Mississippi Valley*, 113-14; Cass to Calhoun, October 26, 1821, NA, War Dept., Sec. War, Letters Rec'd.

<sup>30</sup> Schoolcraft, *Travels in the Central Portions of the Mississippi Valley*, 104-05; Keating (comp.), *Narrative . . . 1823*, I, 101-07; Hays to Cass, October 20, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; *Ontwa, the Son of the Forest* (New York, 1822), 129-36; Ker-

During his second summer at Fort Wayne, Hays was obliged to curtail agency expenses from \$5,000 to less than \$3,000 in line with a general reduction of funds for the Indian Department. He had always cut corners economically and felt that further retrenchment would seriously disaffect the Indians. The amount assigned him would not pay for the occasional pound of tobacco or loaf of bread which every Indian considered his due. Hays' vigorous protest was echoed by other agents, and Calhoun was obliged to allow them a little leeway.<sup>31</sup>

Hays wanted money also to repair the agency quarters, now in a "perfect decaying state," as he reported to Calhoun, and particularly in need of shingles. And what was to be done about McCoy's Indian pupils, who were tearing the public buildings to pieces? Government property outside the stockade was suffering, too, for everyone made free use of the government timber.<sup>32</sup>

Asking for instructions on these matters, the agent made a special plea for some government order, perhaps from the President, to end the sale of liquor to the Indians.<sup>33</sup> Of all the troubles an agent had to contend with, this was the first and last and most insoluble. The Indians would part with anything they had to secure whisky. By supplying it, the traders obtained for themselves the annual take in furs and most of the annuity money. Although trespass and liquor violations were punishable under the Trade and Intercourse Act, the courts were so far from Fort Wayne as to make prosecutions impracticable. Taking every advantage of this fact, Indians and traders united against the government to make its regulations worth just so many bits of paper.<sup>34</sup>

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cheval also made some inquiries among the Miami. Kercheval to Cass, February 27, 1822, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>31</sup> Hays to Calhoun, July 8, 1821, NA, War Dept., Sec. War, Letters Rec'd; Calhoun to Cass, August 3, 1821, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E.

<sup>32</sup> Hays to Calhoun, July 8, 19, 25, 1821, NA, War Dept., Sec. War, Letters Rec'd.

<sup>33</sup> Hays to Cass, September 2, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Calhoun to Hays, November 13, 1821, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E.

<sup>34</sup> Schoolcraft, *Travels in the Central Portions of the Mississippi Valley*, 92-93, 118-23; John Johnston to Cass, March 24, 1821, Kercheval to Cass, June 8, 1822, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Hays to Calhoun, March 13, 1821, NA, War Dept., Sec. War, Letters Rec'd; McCoy, *History of Baptist Indian Missions*, 143-44.

In the northern part of Indiana the Potawatomi were more numerous than the Miami. They had ceded little of their land, however, and their annuities were small. It had suited the government to pay them at Detroit, but the Potawatomi objected to traveling a hundred miles for their annual stipend while the Miami were paid at Fort Wayne. Starting out hungry on the long journey, the young men provisioned themselves off the cattle and hogs of the settlers. This resulted in claims for depredations which had to be paid out of the annuity, and the net result was a wearisome trip and no reward for their trouble. Hays earnestly recommended that the payment be transferred to Fort Wayne.<sup>35</sup>

The government took no notice of the request, but the following spring, with fine inconsistency, sent out a letter reproaching the Indians for crossing from Detroit into Canada and accepting presents from the British. An outstanding warrior and orator named Metea replied for the tribe, with a biting reference to the pleas they had made to be paid at Fort Wayne and an unblushing confession that he himself annually received a present from the British. He would willingly relinquish the custom, he said, if the United States would give him as much at Fort Wayne. Cass thought Metea a lying trickster, influenced by traders who wanted a chance at more annuity money; and for two years longer the Potawatomi were obliged to receive their payments at Detroit.<sup>36</sup>

Hays had some success during the summer in an attempt to interest the Miami in farming. One band asked for plows and harness and rails enough to fence a communal field, agreeing to pay for tools and labor out of their annuity.<sup>37</sup> This request, coming from the truculent Miami, gave Hays almost his first feeling of accomplishment to balance against many frustrations.

In October, for the second time, he paid the Miami annuity. The occasion had a less explosive quality in 1821

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<sup>35</sup> Hays to Calhoun, July 19, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>36</sup> Kercheval to Cass, June 13, 1822, Hays to Cass, July 8, 1822, Calhoun to Cass, August 16, 1822, *ibid.*; Metea to the President, July 12, 1822, Cass to Calhoun, September 11, 1822, NA, War Dept., Sec. War, Letters Rec'd.

<sup>37</sup> Hays to Cass, October 10, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Calhoun to Hays, November 13, 1821, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E.

than in 1820, partly because the Indians trusted Hays to make a fair division and partly because sickness kept many of them from attending.<sup>38</sup> With the payment over, Hays intended to take his daughter home and leave the agency in Kercheval's hands. The thought of resigning again occupied his mind,<sup>39</sup> but new orders from Washington thwarted him. The Wea and Kickapoo on the Wabash above Vincennes had recently ceded their lands and most of them had moved beyond the Mississippi. The agency which served them was discontinued, and Hays was ordered to take over the records. When he reached Vincennes, the retiring agent, William Prince, was not ready to make the transfer. Hays went on to Cahokia and there was stricken with an illness that kept him bedfast through the winter.<sup>40</sup>

In May, 1822, he returned to Vincennes. There were still 170 Wea and 523 Kickapoo on the Wabash, all determined to remain until removed by force, and all determined to forego their annuities rather than receive them on the Mississippi. Could they be paid at Fort Wayne, or at Fort Harrison near Terre Haute? To refuse meant that they, like the Potawatomi, would visit the British whenever opportunity offered; to grant their request would complicate the machinery of payments. Disliking both alternatives, Calhoun gave Hays the hopeless task of cajoling the Indians into going west.<sup>41</sup>

Back at Fort Wayne, Hays found the agency funds in a deplorable state. The government was two full quarters behind with its allowance and the clamor of creditors was loud and angry. Among them was Benjamin Levell, unfortunate builder of the Miami mills, who had been summoned to make new repairs. Hays settled his long-standing account after an examination which indicated that what the mills needed most was someone to look after them.<sup>42</sup>

<sup>38</sup> Hays to Cass, October 20, 1821, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>39</sup> Hays to Cass, September, 2, 15, October 20, 1821, *ibid.*

<sup>40</sup> Hays to Cass, April 16, 1822, *ibid.*; Hays to Calhoun, April 22, 1822, NA, War Dept., Sec. War, Letters Rec'd.

<sup>41</sup> Hays to Calhoun, May 15, 1822, *ibid.*; Hays to Cass, July 8, 23, August 11, 1822, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Calhoun to Hays, July 18, 1822, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E.

<sup>42</sup> Kercheval to Cass, April 1, June 8, 1822, Hays to Cass, July 8, 1822, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

Isaac McCoy proposed a solution. His church board wanted to establish a new mission among the Miami. Why not locate it at the mills and let a missionary serve as miller? Hays and Cass liked the idea, but McCoy could not find a qualified person willing to accept the position; and having been appointed superintendent of a school for the Potawatomi at St. Joseph's, Michigan, he could not take it. The failure of this scheme left the mills as before, unguarded and unused.<sup>43</sup>

In July, Hays learned that the agency allowance would be \$3,600—better than last year's but still short of what he needed. "Stricter economy can not be used, than what I have heretofore used," he wrote to Cass. "I refuse the Indians almost every article they ask for, the Indians are much surprised at the sudden change . . . they say, they were formerly accustomed to obtain what they asked for. it is very unpleasant . . ."<sup>44</sup>

Cass could only advise continued economy. He suggested that Hays reduce expenses by allowing each chief to receive and distribute the annuity money for his village. But the Indians had tried this method, and their chiefs had "entrapped" them.<sup>45</sup> They assembled at the fort late in September and stayed for ten days. Early in the summer McCoy had induced most of the settlers to join a temperance society, but it was never effective. Some of the Fort Wayne traders and all the outsiders who came to the payment brought their usual stock of liquor. There were six murders.<sup>46</sup>

A more cheerful aspect of the payment was the willingness with which the Miami paid their debts for farming equipment and asked for more. "I have succeeded in getting that Tribe . . . to cultivate the Earth," Hays wrote with satisfaction, and listed the villages where fencing had been begun and a few log houses built—Turtle Town, on Eel River; the Forks of the Wabash; and White Raccoon's vil-

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<sup>43</sup> McCoy, *History of Baptist Indian Missions*, 123-24, 145-51; Cass to McCoy, July 16, 1822, Cass to Hays, July 16, 1822, NA, War Dept., Sec. War, Letters Rec'd.

<sup>44</sup> Hays to Cass, July 20, 1822, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>45</sup> Hays to Cass, August 11, 1822, *ibid.*

<sup>46</sup> Hays to Cass, July 20, 1822, *ibid.*; McCoy, *History of Baptist Indian Missions*, 164.

lage. "At this village," said Hays, "they have twenty head of Cattle, and some Hogs, and they raise corn sufficient to accommodate Travellers that may pass the road. they can give a good breakfast or Dinner. they make butter &c. and raise numbers of chickens. I expect ere long many will follow their example, and be Industrious."<sup>47</sup>

Hays stayed the winter through at Fort Wayne and then resigned. Rheumatism and fevers had depleted his strength; he could no longer endure the fatiguing journeys to and from Cahokia, and he hoped for an appointment nearer home. He sent his resignation to Washington by Benjamin Kercheval, whom he confidently expected to succeed him. But he had indiscreetly let word get about that he intended to resign, and the Indiana delegates in Congress moved swiftly to put their own appointee into office. Hays learned with bitter disappointment of their success. Not his friend Kercheval, who knew the agency and could be trusted to carry out his policies, but a stranger named John Tipton was to succeed him.<sup>48</sup>

In a friendly letter expressing regret at Hays' resignation, Calhoun asked him to stay until after the Miami annuity payment.<sup>49</sup> This was an added disappointment, for he was anxious to be off as soon as possible. He instructed the chiefs to come to Fort Wayne in May for their money. Cass disapproved, for the early payment would take the Indians from the fields at corn planting time and might cost them their crop. He urged the agent to remain until autumn and make the payment at the usual time.<sup>50</sup>

But Hays was in a frankly rebellious mood: "it certainly would be one of the hardest cases in a free government like ours was I compelled to remain at Fort Wayne untill August, through the most oppressive heat of Summer, and most sickly season. I certainly might bid a final adieu to ever seeing my family . . . as the last summer I Experienced severe Indisposition, and . . . should I attempt to re-

<sup>47</sup> Hays to Calhoun, February 24, 1823, *John Tipton Papers*, I, 296-98. See also McCoy, *History of Baptist Indian Missions*, 129-30.

<sup>48</sup> Hays to Calhoun, February 24, 1823, Hays to Cass, April 17, 1823, *John Tipton Papers*, I, 298-300, 303-04.

<sup>49</sup> Calhoun to Hays, March 28, 1823, NA, Int. Dept., Ind. Aff., Sec. War Letter Book E.

<sup>50</sup> Cass to Hays, April 23, 1823, NA, Int. Dept., Ind. Aff., Sec. War, Letters Rec'd; Hays to Cass, May 7, 1823, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

main at Fort Wayne the present summer . . . I should not be able to get Home."<sup>51</sup>

John Tipton reached Fort Wayne by May 16 and waited impatiently for Hays to complete his duties.<sup>52</sup> As Cass had surmised would be the case, the Indians were busy in the cornfields and took their own time about coming to the fort. Stragglers hung about for days, whisky flowed potently, and the usual number of tomahawkings made Hays glad that his connection with the agency was nearly over. In the first week of June he completed the payment and relinquished his office to Tipton.<sup>53</sup>

For three years he had lived in an atmosphere of squalor and trickery and sudden death. He had conducted the Fort Wayne agency with notable integrity in a period reeking with scandals of misappropriated funds and ugly deals between agents and traders. His superiors lamented the resignation of a man who had served them "honourably, faithfully and disinterestedly."<sup>54</sup> What had he accomplished toward the solution of the Indian problem? Almost every incident of his life at Fort Wayne was colored by the drama of danger or privation, but the sum total was significant only as the efforts of one battalion are significant in the course of a total war.

He turned his face homeward to Cahokia the day after transferring the agency to Tipton, and there he spent his remaining years in the cultivation of his extensive lands and in the quiet happiness of association with his family and friends.<sup>55</sup>

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<sup>51</sup> Hays to Cass, May 7, 1823, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd.

<sup>52</sup> Hays to Tipton, April 21, 1823, Tipton to Cass, May 16, 1823, Hays to Tipton, May 19, 1823, *John Tipton Papers*, I, 304-05, 306-07, 308-09.

<sup>53</sup> Keating (comp.), *Narrative . . . 1823*, I, 81-82, 124-27; Hays to Cass, May 31, 1823, NA, Int. Dept., Ind. Aff., Mich. Supt'cy, Letters Rec'd; Hays, receipt for salary to June 5, 1823, Tipton Papers.

<sup>54</sup> Cass to Hays, March 7, 1823, NA, Int. Dept., Ind. Aff., Sec. War, Letters Rec'd.

<sup>55</sup> The date of John Hays' death has not been found, nor was his will discovered in the records of the St. Clair County Probate Court. Papers relating to the administration of his estate indicate that he died in or before 1836. See letter of E. C. Schobert, deputy clerk, Belleville, Illinois.