

### Well, I'll tell ya ...

- In 1823, the Christian Doctrine of Discovery was quietly adopted into U.S. law by the Supreme Court in the celebrated case, JOHNSON v. McINTOSH.

- First of the Marshall Trilogy ...



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### Nuts and Bolts

- In 1773 and 1775, chiefs of Illinois & Piankeshaw tribes deeded away parcels of land to Thomas Johnson
- later these chiefs treated w/ U.S. & retained lands, but dealt other lands away
- U.S. then sold some of these traded lands to Wm M'Intosh --but Johnson's descendents claimed that some of this land was theirs by prior agreement



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### Chief Justice John Marshall

- Christian European nations had assumed "*ultimate dominion*" over the lands of America during the Age of Discovery
- Upon "*discovery*," the Natives lost "*their rights to complete sovereignty, as independent nations,*"
- And only retained a right of "*occupancy*" in their lands.



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### Up-shot

- Chief Justice Marshall ruled for the Court that Indian tribes could not convey land to private parties without the consent of the federal government.
- *“discovery gave title to the government, by whose subject, or by whose authority, it was made, against all other European governments.”*



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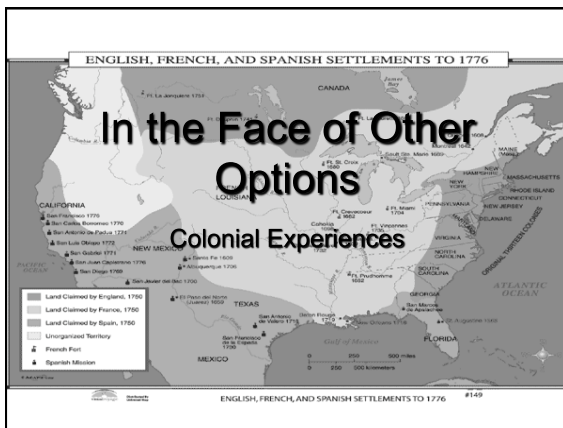
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### Spanish Indian Policy

- Conquest of the “New World”
- Encomienda System (to entrust someone with a mission):– forced labor in the mines and plantations
- Repartimiento – (to divide):indigenous communities provided labor to meet colonial needs
  - Mission system for the salvation of souls.



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### The French Experience in the New World

- French Indian policy is remarkable for its cultural pluralism and its relative lack of conflict in the area now known as Canada
- French-Indian relations in the north were generally peaceful from the founding of Hudson's Bay Company in 1670 to the creation of Canada in 1870
- lack of serious colonial settlement in the north meant that there was little competition over lands
- the French needed Indians for the fur trade & intermarriage with American Indian women was an important part of trade
- these family ties played a large role in the peaceful co-existence

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### Francisation

- Officially, the French promoted "Francisation" as their Indian policy--this called for converting the Indians to Catholicism and remaking every aspect of their culture in the image of France
- Jesuits missionaries came to help carry out this policy

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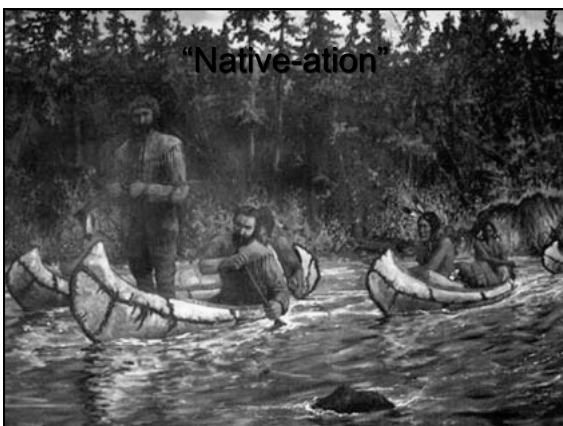
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### "Native-ation"



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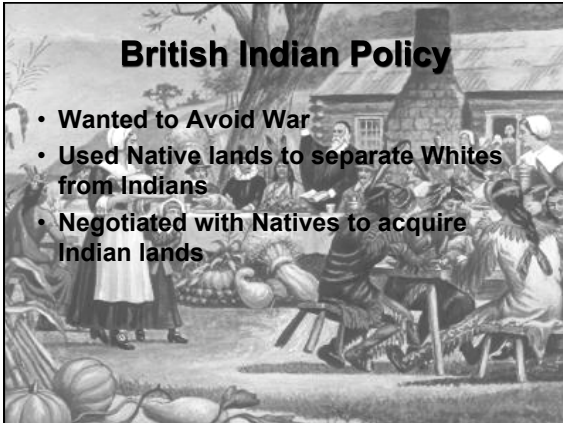
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### British Indian Policy

- Wanted to Avoid War
- Used Native lands to separate Whites from Indians
- Negotiated with Natives to acquire Indian lands



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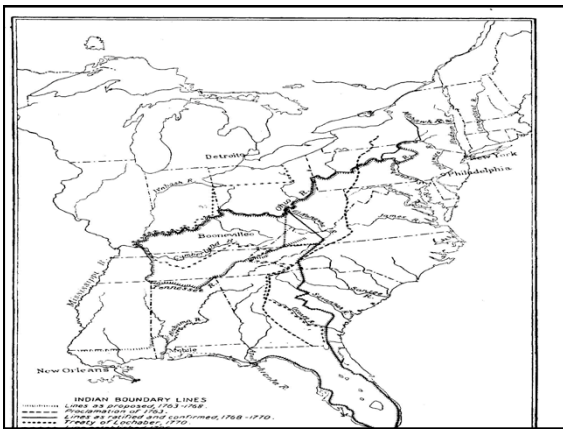
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### French and Indian War

- 1754 - 1763
- Both the British and the French courted Native alliance, but most tribes sided with the British.



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