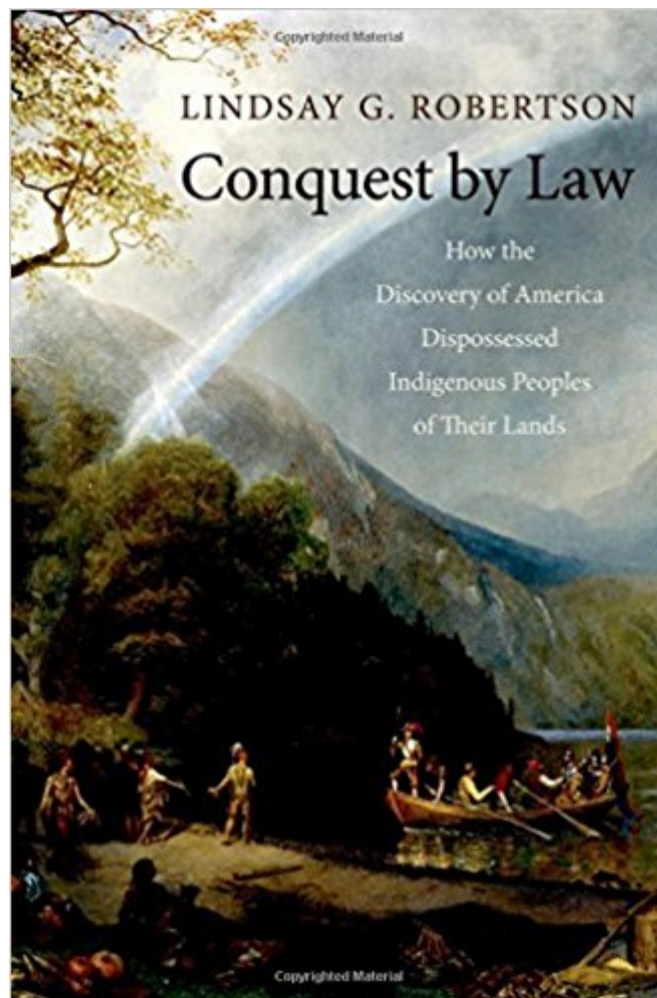




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Conquest By Law: How The Discovery Of America Dispossessed Indigenous Peoples Of Their Lands



Synopsis

John Marshall's landmark 1823 decision in *Johnson v. M'Intosh* gave the European sovereigns who "discovered" North America rights to the land, converting Native Americans in one stroke into mere tenants. In 1991, while investigating the historical origins of this highly controversial decision, Lindsay Robertson made a startling find in the basement of a Pennsylvania furniture-maker--the complete corporate records of the Illinois and Wabash Land Companies, the plaintiffs in the case. Drawing on these records, *Conquest by Law* provides, for the first time, a complete and troubling account of collusion, detailing how a spurious claim gave rise to a doctrine--intended to be of limited application--which led to the massive displacement of Native Americans and the creation of a law that governs indigenous people to this day.

Book Information

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It is not granted to every historian to discover a trunkful of old documents up in an attic somewhere. The fact that the Illinois-Wabash papers, which fortuitously fell into the capable hands of this particular historian, were located in a basement instead, hardly alters the aura surrounding this discovery, nor does it affect the drama of the issues involved. In sifting through the evidence brought to light by this remarkable find, Lindsay G. Robertson has provided more than a mere tale of "olden days" which might be of interest to a cloistered few: he has produced a revolutionary document which may have far-reaching consequences on the "history" of the future, as well as on our reading of the past. Mr. Robertson's capable exposition of a complex history, and the drawing out of the major themes and undercurrents informing the events of the period makes this work of

interest to a broader public than just those who may find themselves involved professionally, or by association, or in the case of Native Americans and aboriginal peoples elsewhere, because it is very much part of their own story. Indeed, the wider ramifications of the judgment in the case of Johnson v. M'Intosh for both Canada and Australia and the indigenous peoples of those far-flung lands, heighten the importance of the decision itself and extend the range of interest of this original work of historical detection and analysis. It is not an easy story to come to grips with, and our thanks must go to the author for his careful unravelling and clear explanation of the facts surrounding what has partly been obscured by the mists of time, and partly intentionally covered up by many of the original participants. We live in an age which has much to consider in the way of recognizing past faults.

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