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RATIFIED TREATY NO. 209
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF SEPTEMBER 3, 1836, WITH THE MENOMINEE INDIANS

Wm. Green Bay 223

Gov of Wisconsin

(Henry Dodge.)

Belmont, Oct 29. 1836

Transmits treaty con-
cluded with the Menomonee
Inds on the 30 of Sept 36
for a cession of lands. The
quantity ceded is upwards
of 4000000 of acres.

Transmits also his jour-
nal of proceedings - and
talks had with the New York
which, he has no doubt, made
a favorable impression &c

File

See N.Y. reg. for talk had with
N.Y. Inds.

Act^o Lech 12 1836

The treaty sent to Sec^y of War

Lech 27 1836 original of same
of proceedings -

Territory of Wisconsin

Beltmont, October 29th 1836.

Sir, I have the honor to enclose you, as Commissioner of Indian Affairs, to be submitted to His Excellency, the President of the United States, a Treaty made by me with the Menominee Indians ~~at~~ the Treaty Ground on the Fox River, in this Territory, on the 3rd ult. with the Journal containing my talks with the Menominees and their answer. In the Treaty, made with the Menominees at Washington in February, 1828, it was stipulated on the part of the Menominee Indians that they would sell their Country to the United States whenever the President of the United States should require them to do so, and the President to fix the price of the remaining Country. Confidently believing the Menominee Indians did not understand the Treaty then concluded between them and the United States, as well the Treaty made by Governor Porter in 1832, and from the apparent discontent of these Indians when their former Treaties were explained to them, I was decidedly of the Opinion it was the proper course to purchase of the Menominees the District of Country they were then disposed to sell. The white Settlements are rapidly approaching them. They owned the most valuable part of the Country on the Fox River, where their farms were located, as well as their Mills, from which they derived no advantage. It appears almost impossible to ~~restrain~~ to restrain these Indians from their wandering habits. Finding an entire unwillingness on the part of the Menominees to remove to the Country proposed to them by the Government, South of the Missouri River (at this time), I thought the best plan to effect their ultimate removal would be to purchase such parts of their Country, as would oblige them to see in a short time their whole Country. The Country retained by the Menominees that would be most valuable is between the mouth

of Wolf River, and the postage of the Wisconsin and Fox Rivers, when the Wild Rice grows in great abundance. When the Country is surveyed on the East side of the Fox River, and brought into Market - from the fertility of its soil it will sell immediately and the Menominees will have to sell the balance of their Country. The approach of the white settlements will oblige them to do so, and to remove to the Country south of the Missouri River. The Menominee Country on the Wisconsin River is barren of game, and valuable only for its pine timber. The Country purchased of the Menominee Indians on the Wolf and Menominee Rivers is valuable for the fertility of its soil, as well for the pine which will be much wanting in the general market. The Country bordering on Fox River, Green Bay and Lake Michigan. The extent of the Country purchased is upwards of four millions of acres of land.

In negotiating with the Menominee Indians I found it impossible to treat with them, without agreeing to pay one half of their debts, and make provision for their Half-breeds, that are between two and three hundred in number. The friends of these Indians endeavoured to impress on their minds the increased value of their Country, as well as the value of the Country heretofore ceded to the United States, for which they had received a small amount. The Indians, seeing the white people so eager to secure choice spots of land near the navigable Rivers, place a much higher value on their Country than they did a few years since.

You will receive enclosed Talks I held with the different nations of New York Indians in the vicinity of Green Bay. I have no doubt I made a favourable impression on their minds, which facilitated Mr. Schermuhorn in effecting a Treaty with them.

In my course, in treating with the Menominee Indians, I endeavoured to keep steadfastly in view what I believed to be the policy of the Government, the good of the frontier people of this Territory, as well as the welfare of the Indians.

I have the honor to be with the greatest respect
Your obedient Servant

A. C. Dodge, US Commissioner
for treating with Indians

To C. A. Harris, Esq
Comm. of Ind. Affairs

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copy

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1836

1836

Green Bay

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A Journal

of the proceedings of a treaty held by Hon Henry
Dodge, Governor of Wisconsin Territory, Commissioner
on behalf of the United States, and the Menomonic
Nation of Indians, begun & held at Cedar Point, near
Green Bay, on Fox river August 29. 1836

On Monday the 29. day of August A. D. 1836 at 10
o'clock A.M. the chiefs & headmen of the Menomonic
Nation of Indians being assembled, by previous appointment,
at Cedar Point on Fox river, near Green Bay W.T., the
Council was opened in the usual manner by Henry
Dodge, Governor of Wisconsin Territory, who appeared
as ^{the} Commissioner on behalf of the United States.

Henry S Baird of Green Bay was appointed by the
Commissioner as Secretary

Chas. A Gignou and Wm Powell were appointed
by him as Menomonic Interpreters during the treaty.

After opening the Council, the objects of the treaty, and
the wishes of the government were stated by the Commissioner
to the Indians in the following talk.

" To the Chiefs, Headmen & Warriors of the Menomones.
Friends & Brothers,

Your Great Father the President of the United
States has sent me to see you and to take you by the

Hand

hand in friendship; he has the welfare of all his red children greatly at heart. His wish is to make them all prosperous & happy. You see the rapid march of the white population and it is not possible, from the current of emigration that is flowing into the country west of Lake Michigan, that you can remain in peace in the country you now occupy, surrounded as you must be in a short time, with a white population. Your Great Father wishes to provide you a country west of the Mississippi river and south of the Missouri river, where you can live unmolested. The country is rich in regard to its soil; the climate is much more mild than the country which you now occupy, and better adapted to planting, the culture of corn & the raising of cattle. You will be located near your ^{red} brethren where you will live in peace and where you will never be intruded upon by the white people. You will be under the immediate protection of your Great Father, the President of the U States, who will keep troops ready to prevent any intrusion on your rights, either by other nations of Indians, or by the white people.

I propose to you to purchase the country you now occupy and your removal west of the Mississippi and south of the Missouri rivers. I will stipulate on the part

of the United States that a country sufficiently large shall be assigned to your nation in proportion to your numbers, for your comfortable support: the size & extent of such country to be left to your Great Father, the President, who will protect you in the full enjoyment of the country so set apart for you. It is not the value of your country that is considered by your Great Father an object to the United States: It is your future & lasting happiness and the great regard he has for his red children generally that has caused this proposition to be made to you nation. Should you not be disposed to sell your whole country to the United States, I wish you to determine what part of your country you will sell and where situated.

I will call your attention to the articles of agreement made and concluded at the city of Washington on the 8th of February 1821, between the Commissioners on the part of the United States & the Chiefs & headmen of the Menomonic nation of Indians; this article ^{of agreement} has since been confirmed by the President & Senate of the U States, & reads as follows.

"The boundary, as stated and defined in the agreement, of the Menomonic country; with the exception of the cession herein before made to the United States, the Menomonies claim as their country, on the West side of Fox river will remain to them as heretofore for a hunting ground until the
Pres.

President of the United States shall deem it expedient to extinguish their title. In that case the Menomonee tribe promise to surrender it immediately upon being notified of the desire of the government to possess it. The additional annuity then to be paid the Menomonee tribe, to be paid by the President of the United States.

The Interpreters being sworn translated the above into the Menomonee language.

Osh-kosh (principal Chief of the Menomonee nation) spoke as follows, "Father, we speak to you today & shake hands with you: tomorrow we will come and see you again stalk with you."

Council adjourned until tomorrow morning at 10 o'clock.

Tuesday morning August 30. 1836.

Council met and opened. The Menomonees assumed the proposition of the Commissioner, made to them on yesterday, by Osh-kosh - their principal chief, who spoke as follows:

"Father, we always thought that we owned the land that we occupied; but yesterday we heard that our Great Father had a right to take it when he wanted it; we did not so understand the treaty: Father here are some of the Chiefs who went to Washington, who tell me
that

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that they only sold the land on the East side of Fox river, and never bound themselves to their great father, the President, to sell that on the west side of the river; and were much surprised when they heard that the Chiefs had agreed to sell the rest, when the President chose to take it from them. Father, I repeat to you that I never knew till yesterday that our Great Father, the President had a right to take from us the land on the west side of the Fox river, and here are some of the Chiefs present who went to Washington and made the treaty; and Charles A. Gignou, the Interpreter and Mr Ellis were also present at the treaty, and you will please listen to what they, the Chiefs, have to say upon the subject. The Chiefs are A-yam-a-taw, Big Wave, Little Wave and Shaw-ne-naw."

I-yam-a-taw spoke as follows. Father, I hope you will listen to what I have to say to you. I am one of the Chiefs who went to Washington, accompanied by Charles A. Gignou & Mr Ellis. Father, when we first saw you here we were very desirous of hearing what you had to say to us. What we heard from our great Father was altogether different from what we expected to hear from him. Father, Messrs Gignou & Ellis were present as witnesses at Washington and I take the Supreme Being to witness that what I am going to relate in regard to that treaty

treaty

treaty is nothing but truth. Father, I know that you are sent here by our Great Father, the President, and we look upon you in the same way we did upon them, when we made the treaty at Washington. Father, it was understood by us that our land on the east side of Fox river we ceded to our Great Father and no more, nor did we bind ourselves to our Great Father that he should purchase the balance of our land on west side when he should require it. Father, our Great Father told us at Washington that the balance of our land on the west side of Fox river should remain to and be ours as long as we should live; and that we should have the right to give a piece of our land on the west side of the river to the half breeds of Menomonic blood, & that the President would not want to purchase any more of our land. Father, what I ^{related} ~~stated~~ to you just now is the truth. The Great Spirit above hears me & who knows every thing and sees everything that passes, and we never made any ^{other} agreement to sell our lands with our Great Father. This is all I have to say upon the subject."

The Big Weave, Little Weave & Shaw-me-naw appeared to and confirmed the above statement of I-yam-a-taw.

Osh-losh again spoke as follows. "Father listen

to

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to what I have to tell you. I am not prepared to give you an answer upon the subjects you spoke to me yesterday. I want to consult with my nation in relation to it and to have all day to make a decision. Father I have one more favor to ask of you - that you will permit us to choose two of our relations to assist us in making the treaty."

The Commissioner told them he was willing to give the indulgence as it was necessary for them to consult together in regard to the treaty; but he would expect to hear definitively upon the subject tomorrow. And that he had no objection to their consulting with as many of their friends as they pleased, but that anything which was communicated to him in council must be through their chiefs. That he wished to take no advantage of them - he wished to treat them as friends & brothers. And anything done by him with them should not hereafter be misunderstood.

Council adjourned till tomorrow 10 o'clock. A.M.

Wednesday morning August 31. 1846.

The Council was speedily agreeably to adjournment and the Commissioner informed the Menomones that he was ready to hear their answer to his proposition.

Osh. Kosh. spoke as follows. "Father you have

made

made known to us your business with us; and now we are going to give you an answer upon that subject.

Our Great Father has made up his mind to get a piece of our land, and has sent you to ask us what we will do, we have heard that you are very kind to the Indians and we hope that we will not see the contrary. I have consulted with my nation on the subject & we have made up our minds to let you have the piece of land we have marked upon the map. The piece or tract of land granted or ceded is described as follows. Beginning at the mouth of Wolf river and running up and along the same to a point on the north branch of the same where it crosses the extreme north west or rear line of the five hundred thousand acre tract heretofore granted to the New York Indians; thence along the line last mentioned in a north-easterly direction three miles; thence in a northwardly course to the upper fork of the Menomonic river at a point to intersect the line between the Menomonic & Chippewa nations of Indians. Thence following the said boundary line last mentioned in an easterly direction as established by the treaty of the Bute des Morts in 1827, to the smooth rock or Thor-Kin Acbee river, and thence down the same to where it empties into Green Bay, between the little

and great Bay de Noquet. thence up and along the west side of Green Bay (including all the Islands therein) to the mouth of Fox river; thence up and along the said Fox river and Winnebago lake to the place of beginning, saving and reserving out of the district of country above ceded and described all that part of the five hundred thousand acre tract, heretofore granted (by the treaties of the eighth day of February 1831 and the 27. day of October A.D. 1832 between the United States and the Menomonies) to the New York Indians which may be situated within the boundaries herein before described. The quantity of land contained in the tract hereby ceded being about three millions of acres.

Osh-kosh in continuation said; "Father we would like when you ask us a question to give you an answer directly, but we have to consult with our people and we will meet you this evening and give you an answer as to the price of our land. Our Father knows that we are not like him prepared to give an answer upon business without consulting amongst ourselves."

The Commissioner expressed himself fully satisfied with them and the Council adjourned till 4 O'clock P.M.

At 4 O'clock the Commissioner received a message from the Menomonies, saying they were sorry they could not meet
him

him today as they were not fully prepared with their answer, but would be in the morning.

The Council adjourned till tomorrow 9 o'clock A.M.

Thursday Sept. 1. 1836.

The council met, present the same chiefs as yesterday. Osh-Kosh spoke as follows; "Father you are sent here by our Great Father to purchase our land of us; we have come to a conclusion for the portion of land, and have set a price upon it. You told us yesterday that you wanted an answer to the proposition you have made us; we were not ready to give you one yesterday; now my chiefs have made up their minds and I hope you will give us what we ask. Father we ask for the land which we offered to sell to you, eighty boxes (containing one thousand dollars each) for each year for the term of twenty years; in addition to which we also ask three thousand dollars worth of provisions per year for the same term of twenty years. Father, since you have been here is the only time for a long space that we have had plenty of tobacco, & therefore we also ask for two hundred pounds of tobacco per year for the same term of twenty years. Also thirty barrels of salt per annum for the same term. You

Knew

Know we are very poor and we ask for two blacksmiths and tool siron for the same teime. For the improvements, farming utensils and other things belonging to us and situated upon our reservation on Fox river and Winnebago lake seventy five thousand dollars, (that sum to be also in lieu and full discharge of the salaries of farmers, miller, & education &c &c according to the provision of the treaty of 1831 & 1832. Further, that is what we desire to get for the land we offer to sell you. If we come to an agreement that is what we expect to get for twenty years. If we agree we would desire our payments to be made at this place. Further, there are the accounts which we owe to our trader, and we want our Great Father to pay them also in addition to the above annuities, as a further consideration of the sale of said land. Further, this is the price we have set we now want you to consider it, and if you think we ask too much we will expect an answer from you tomorrow, as to what you will give and will hear you with pleasure." The accounts which were handed in and are mentioned in Osh - Kosh's speech were in favor of the following persons & for the following amounts -

- N^o 1 John Lawe's account 25.000
- 2 Augustin Gignou 20.000
- 3. Poule & Gignou 8.500.

N ^o 4.	Charles A Gignon	10.000
5	John Lowe & Co	12.000
6	Walter T Webster	200.
7	John P Arndt	1.100.
8	Farnsworth & Brush	5.000
9	James Porter	15.000
10	Heirs of Lewis Beaupre	3.000.
11	Domenich Brunette	463.
12	Alup: J Bruin	2.500.
13	Am: fur Co. western outfit	800.
14	Charles Gignon	2.400
15	Joseph Rolette	3.500
16	Chas A F Alup: Gignon	1.500.
17	James Reed	1.400.
18	Peter Poull	3.500.
19	Paul Gignon	11.000.
20	Wm Dickinson	3.000.
21	Robt. M Eberts	148.
22	Joseph Jourdain	100.
23.	James Knaggs	1.100.
24	E Childs	400.
25	Lewis Nourse	10.000
26	Wm Farnsworth	5.000.
27	Sam & Bruin & Geo Boyd Jr	200.
28	Aneas Gignon	5.000.

29	Pierre Gignon dec. by Robt & P. B. Gignon	12,000
30	Stanilas Chapue	200.
31	John Lawe	2,400.
32	William Dincson	500.
33	Stanilas Chapue	5,000.
34.	Louis Gignou	14,500.

The Commissioner said he had listened to the Menomones and heard the price they asked for their country; and that he would tell them tomorrow what he would give them for it, but that he would not give them what they asked, for if he did he was sure the senate would reject the treaty, and would be contrary to the instructions he had received from the government, also that it might be unfortunate for the Indians if he did, for if so it would be thought by the government that they wanted to impose upon them; and they would therefore deprive themselves of the sale of the country - that he wanted to do no act that would injure them, and if he gave the price asked he would do so. By the provisions of the treaty read to them the amount of the annuity might be fixed by the President at what amount he pleased and by giving the price asked of him he would be acting contrary to every treaty which had been made in the country - that he would meet them in the morning at

9 O'clock, and would take into consideration the amount of their improvements, and would endeavor to make such a treaty as would be approved by the Senate; he wished to take no advantage of them, that he was desirous of leaving this as soon as possible. Council adjourned until tomorrow morning 9 O'clock.

Friday September 2^d 1836.

Council opened with the menomonic, the Commissioner stated to them what he would give them for their country - his proposition was as follows.

"The United States will pay the menomonic for the tract of land they offer to sell the following amounts.

An annuity of twenty thousand dollars for twenty years making 400.000.

Two blacksmiths, with shops, together with the necessary quantity of iron, tools &c &c for the same term } 26.500.

Thirty barrels of salt per ann. for same term 2.400.

Two thousand pounds of tobacco per annum for the same term } 5.000.

Three thousand dollars worth of provisions per annum for the same term } 60.000.

One thousand dollars per annum for purposes of education, to be used under direction of Superintendent or agent, for same term 20.000.

Five hundred dollars per annum for the purchase of such articles of husbandry & farming utensils as they may require (under same direction) 10.000.

And pay the sum of ninety three thousand two hundred and ten ⁵⁰/₁₀₀ dollars for claims (that being one half of each of the claims and accounts handed in to the Commissioner by them yesterday 93.210

And also to pay the sum of seventy five thousand dollars for their improvements &c including salaries &c of farmers, Millers &c &c as demanded by them 75.000

Making in all the sum of \$ 692.110.

The Commissioner also stated to them that he had taken into consideration the quantity of good and bad land contained in the tracts proposed to be ceded and had endeavored to do them ample justice, and that was the amount he would give them; that he had reduced the amount of the claims of their creditors one half because he thought they ought to be satisfied with that amount at present, and because if he allowed the whole amount he would be obliged to reduce their annuities, which he did

did not wish to do, that the course he had pursued
 was a just one, having in view the rights of the Indians,
 the interests of the government and the welfare of
 the country generally - that he would meet them at
 3 o'clock in the afternoon for an answer. Osh-Kosh
 said "Father you know that we are very poor,
 you see our young men, they are almost naked, we
 have nothing but our land to depend upon - When
 that is gone all is gone - we hope you will consider
 this - The seventy five thousand dollars for our
 improvements, we want for ourselves, and we
 want it added to our annuity - The land which you
 have asked us for on the Wisconsin river, and which
 you say you want for the sake of the Pine timber, we
 will let you have - we will sell you a tract of
 land twenty four miles long and three miles wide
 on each side of the Wisconsin river (the said tract to
 commence at a point on said river two miles above
 the grant or privilege heretofore granted to Amable
 Gignou and running up and along said river
 twenty miles in a direct line and being the aforesaid
 width of three miles on each side thereof. And
 to contain four entire townships or ninety two thousand
 and sixty acres of land. He also said "the land
 granted is good and well timbered land, and

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as they depended upon fishing, he hoped his Great Father the President would not suffer the river to be dammed, also as they wanted a passage for their canoes up and down the river. Father - this land that you have asked us for we will let you have at such price as you please and as we wish to make some provision for our relatives of mixed blood we want the amount divided amongst our relatives of mixed blood. The Commissioner told them he did not wish to set a price upon their land, that he was pleased at their confidence in him, but told them to set their own value upon their land. Upon which Osh. Kosh replied that they would set the price of eighty thousand dollars, and that he had a favor to ask; we have been imposed upon and abused by some of our friends, and we are going to complain about it. When Mr Whitney asked for the privilege of a mill he asked for three miles, which they had granted, but he had gone beyond that and cut timber ^{everywhere} ~~upon~~ on our lands. When he spoke to us about building a mill he did not ask to farm; he has a farm at the mill and has also sent a man more than three miles from his mill to make a farm. This we do not like and think it is wrong, we wish to have somebody sent to survey Whitney's grant and if he has cut timber beyond his claim, that he be required to pay us for it, as he gets a great price for his lumber he ought to pay us; if he would pay us for the timber

timber we would say nothing, but he has not paid us all he promised for the grant." The Commissioner told them he would consult with the agent and if Mr Whitney had cut timber beyond his claim, as he was a just man, he would pay them for it and that he must conform to the terms of his grant.

A-gam-a-taoo said. Father - you have heard what we had to say and that we are willing to sell you the land on the Wisconsin and what we will sell it for. Our friends of mixed blood all want to get something and we want to give it to them. Your red children have listened to what you have to say - we are always willing to do what is right, but it takes longer to do things with us than with you - we are not so wise as you are.

Osh-Kosh said. We are desirous of allowing the whole amount of the claim of Wm Dickenson of \$7,000 as we think he has lost a great deal of money in building our houses. And as it regards the allowance of \$10,000 to their relation and friend Charles A Gagnon, as it was for a tract of land now very valuable and which had been previously given by them to him, as a mark of their regard for him & for his services to their nation, but which he had been wrongfully deprived of they would not consent to reduce his claim in the least & they insisted upon the whole being paid. The Commissioner stated that that as it

resp-

respected the allowance to Mr Dickinson he had no objection to allow it, except that if he did so others would object and it might be the means of defeating the treaty; that as he has a full knowledge of all the circumstances, relative to Chas. A. Gaynon's claim, and knew that he should have the land or a full equivalent for it, neither of which he had received, he would, under all circumstances of the case allow the full amount. (a written consent of the creditors having been obtained and signed by all of them & handed in by Mr Dickinson, consenting to allowance of the full amount of his claim, the commissioners consented to allow the full amount. \$3000.) The council adjourned till 3 o'clock P.M.

Friday Afternoon.

Council opened.

Osh. Koshu said - Father - my chief and nation are satisfied with the offer you have made to us, and they have told us it was a good price for our lands, and we find every thing as you mentioned to us in council - we agree to accept of it, Father - there is only one thing we do not like in this treaty, that is the one thousand dollars a year for a school, we do not want schools, we do not wish our children to read papers - we are willing to accept the amount and we wish to give the

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amount to our friend and relation Robert Gignou.
 We wish them to receive that amount every year. I am
 satisfied and all my nation are satisfied. We are
 glad to shake you by the hand in friendship. We will
 all be satisfied after making those little alterations.
 A-yam-a-tam said. Father. it is only to signify
 my approval to what our chief has said that I
 speak. We are satisfied with the proposal made to
 us to day. Osh-Kosh said. My people request that
 the payment will be made at the lower end of Ma-
 ne-hem-nah like, on their own land.

The Chiefs also expressed a wish that they might
 receive their annuities at a time when it might not
 interfere with their planting or hunting. They would like
 to receive it about hoeing time in June or July.

The Commissioner told them they asked too much
 for the land on the Wisconsin, but if they would give
 four townships in addition, making forty eight miles in
 length and three miles in width on each side of the
 river Wisconsin he would give them the sum of \$70,000,
 and as they expressed their wish to provide for their half
 breeds or relatives of mixed blood, he would recommend
 that a commissioner be appointed by the President who
 should divide and apportion that sum amongst them.

Osh-Kosh Father. since you have made up your
 mind

mind to ask us for more than you did this morning. I am going to tell you what we have to say, and as we have agreed to what you offered we hope you will give us what we are going to ask. When a child asks anything of his father he always grants it. We will give you the land you ask for, for \$80,000 which will be giving you double the quantity we offered you this morning for the same sum. The Commissioners agreed to give that sum for eight townships. And the chiefs said it was their wish that the amount should be divided equally amongst all persons possessing Indian blood, who should be included by said chiefs in the list to be hereafter made, and that a Commissioner shall be appointed by the President to ascertain and apportion the same amongst those entitled to receive it. The Council adjourned till tomorrow at 8 o'clock.

Saturday, September 3 1836

Council met, and the treaty being read and fully explained and signed, was concluded.

Oth. Kosh said. Father listen to what I have to tell you. You have come to listen to us and I have come to tell you what my nation have told me to say. When I see you I think I see our great Father the President. I never saw him, but I think when I see you I see him.

Father

Father. the annuities which we now receive are not sufficient for us and we would be glad to take a credit for our traders to the amount of six thousand dollars, to be paid next year. And we wish you to speak to the President to that effect. Commissioner told them he would do all he could to satisfy them and would recommend to the President to consent; that their traders would be safe in advancing that amount, as they were to receive annuities to that amount.

Council adjourned.

A Journal

of the proceedings of a treaty held by Hon Henry Dodge, Governor of Wisconsin Territory, Commissioner on behalf of the United States, and the Menomonic nation of Indians, begun & held at Cedar Point, near Green Bay, on Fox river August 29th 1836---

On Monday the 29th day of August A D 1836 at 10 o'clock A M, the chiefs & headmen of the Menomonic nation of Indians being assembled, by previous appointment, at Cedar Point on Fox River, near Green Bay W.T., the council was opened in the usual manner by Henry Dodge, Governor of Wisconsin Territory, who appeared as ^{the} commissioner on behalf of the United States.

Henry S Baird of Green Bay was appointed by the Commissioner as Secretary

Cha^s A Grignon and W^m Powell were appointed by him as Menomonic Interpreters during the treaty.

After opening the council, the object of the treaty and the wishes of the government were stated by the Commissioner to the Indians in the following talk.

"To the Chiefs, Headmen & Warriors of the Menomonies:
Friends & Brothers,

Your Great Father the President of the United States has sent me to see you and to take you by the hand in friendship; he has the welfare of all his red children greatly at heart-- his wish is to make them all prosperous & happy. You see the rapid march of the white population and it is not possible, from the current of emigration that is flowing into the country west of Lake Michigan, that you can remain in peace in the country you now occupy, surrounded as you must be, in a shorttime, with a white population. Your Great Father wishes to provide you a country west of the Mississippi river and south of the Missouri river, where you can live unmolested. The country is rich in regard to its soil: the climate is much more mild than the country which you now occupy, and better adapted to hunting, the culture of corn & the raising of cattle. You will be located near your ^{red} brethren where you will live in peace and where you will never be intruded upon by the white people. You will be under the immediate protection of your Great Father, the President of the U States, who will keep troops ready to prevent any intrusion on your rights, either by other nations of Indians, or by the white people.

I propose to you to purchase the country you now occupy and your removal West of the Mississippi and South of the Missouri rivers.

I will stipulate on the part of the United States that a country sufficiently large shall be assigned to your nation in proportion to your numbers, for your comfortable support: the size & extent of such country to be left to your Great Father, the President, who will protect you in the full enjoyment of the country so set apart for you. It is not the value of your country that is considered by your Great Father an object to the United States: It is your future & lasting happiness and the great regard he has for his red children generally that has caused this proposition to be made to your nation. Should you not be disposed to sell your whole country to the United States, I wish you to determine what part of your country you will sell and where situated.

I will call your attention to the articles of agreement made and concluded at the city of Washington on the 8th of February, 1831, between the Commissioners on the part of the United States & the chiefs & headmen of the Menomonic nation of Indians: this article of agreement has since been confirmed by the President & Senate of the United States & reads as follows.

"The boundary, as stated and defined in the agreement, of the Menomonic country, with the exception of the cession hereinbefore made to the United States, the Menomonies claim as their country, on the west side of Fox river will remain to them as heretofore for a hunting ground until the President of the United States shall deem it expedient to extinguish their title. In that case the Menomonic tribe promise to surrender it immediately upon being notified of the desire of the government to possess it. The additional annuity then to be paid the Menomonic tribe, to be paid by the President of the United States."

The Interpreters being sworn translated the above into the Menomonic language.

Osh-kosh (principal chief of the Menomonic nation) spoke as follows, "Father, we speak to you today & shake hands with you: tomorrow we will come and see you again & talk with you."

Council adjourned until tomorrow morning at 10 o'clock.

Tuesday morning August 30. 1836.

Council met and opened. The Menomonies answered the proposition of the Commissioner, made to them on yesterday, by Osh-kosh-- their principal chief, who spoke as follows:

"Father, we always thought that we owned the land that we occupied; but yesterday we heard that our Great Father had a right to take it when he wanted it; we did not so understand the treaty: Father here are some of the Chiefs who went to Washington, who tell us that they only sold the land on the East side of Fox river, and never bound themselves to their great father, the President, to sell that on the West side of the river; and were much surprised when they heard that the Chiefs had agreed to sell the rest, when the President chose to take it from them. Father, I repeat to you that I never knew until yesterday that our Great Father, the President had a right

to take from us the land of the West side of the Fox river, and here are some of the chiefs present who went to Washington and made the treaty; and Charles A. Grignon, the Interpreter and Mr Ellis were also present at the treaty, and you will please listen to what they, the chiefs, have to say upon the subject: The Chiefs are A-yam-a-taw, Big Wave, Little Wave and Shaw-we-naw"

I-yam-a-taw spoke as follows. Father, I hope you will listen to what I have to say to you. I am one of the chiefs who went to Washington, accompanied by Cha^s. A Grignon & M^r Ellis. Father, when we first saw you here we were very desirous of hearing what you had to say to us. What we heard from our Great Father was altogether different from what we expected to hear from him. Father-- Messr^s Grignon & Ellis were present as witnesses at Washington and I take the Supreme Being to witness that what I am going to relate in regard to that treaty is nothing but truth. Father, I know that you are sent here by our Great Father, the President, and we look upon you in the same way we did upon him, when we made the treaty at Washington-- Father, it was understood by us that our land on the east side of Fox river we ceded to our Great Father and no more, nor did we bind ourselves to our Great Father that he should purchase the balance of our land on west side when he should require it; Father, our Great Father told us at Washington that the balance of our land on the West side of Fox river should remain to and be ours as long as we should live; and that we should have the right to give a piece of our land on the West side of the river to the half breeds of Menomonic blood & that the President would not want to purchase any more of our land. Father, what I stated related to you just now is the truth. The Great Spirit above hears me & who knows everything and sees everything that passes; and we never made any^other agreement to sell our lands with our Great Father. This is all I have to say upon the subject."

The Big wave, Little Wave & Shaw-we-naw assented to and confirmed the above statement of I-yam-a-taw.

Osh-kosh again spoke as follows. "Father listen to what I have to tell you. I am not prepared to give you an answer upon the subject you spoke to me yesterday. I want to consult with my nation in relation to it and to have all day to make a decision. Father I have one more favor to ask of you-- that you will permit us to choose two of our relations to assist us in making the treaty."

The Commissioner told them he was willing to give the indulgence as it was necessary for them to consult together in regard to the treaty; but he would expect to hear definitely upon the subject tomorrow: And that he had no objection to their consulting with as many of their friends as they pleased, but that anything which was communicated to him in council must be through their Chiefs. That he wished to take no advantage of them-- he wished to treat them as friends & brothers-- and anything done by him with them should not hereafter be misunderstood.

Council adjourned 'till tomorrow 10 o'clk. A M

Wednesday morning August 31. 1836.

The council was assembled agreeably to adjournment and the Commissioner informed the Menomonicies that he was ready to hear their answer to his proposition.

Osh-kosh. spoke as follows. "Father you have made known to us your business with us; and now we are going to give you an answer upon that subject."

Our Great Father has made up his mind to get a piece of our land, and he has sent you to ask us what we will do, we have heard that you are very kind to the Indians and we hope that we will not see the contrary. I have consulted with my nation on the subject & we have made up our minds to let you have the piece of land we have marked upon the map. The piece or tract of land granted or ceded is described as follows--Beginning at the mouth of Wolf river and running up and along the same to a point on the North branch of the same where it crosses the extreme north west or rear line of the five hundred thousand acre tract heretofore granted to the New York Indians; thence along the line last mentioned in a north-easterly direction three miles; thence in a northwardly course to the upper fork of the Menomonic river at a point to intersect the line between the Menomonic & Chippewa nation of Indians. Thence following the said boundary line last mentioned in an easterly direction as established by the treaty of the Brete des Morts in 1827, to the smooth rock or Shoos-kin Aubree river, and thence down the same to where it empties into Green Bay, between the little and great Bay de Noquet; thence up and along the west side of Green Bay, (including all the Islands therein) to the mouth of Fox river; thence up and along the Fox river and Winnebago lake to the place of beginning, saving and reserving out of the district of country above ceded and described all that part of the five hundred thousand acre tract, heretofore granted (by the treaties of the eighth day of February 1831 and the 27. day of October A D. 1832 between the United States and the Menomonicies) to the New York Indians which may be situated within the boundaries herein before described. The quantity of land contained in the tract hereby ceded being about three millions of acres.

Osh-kosh in continuation said: "Father we would like when you ask us a question to give you an answer directly; but we have to consult with our people and we will meet you this evening and give you an answer as to the price of our land. Our Father knows that we are not like him prepared to give an answer upon business without consulting amongst ourselves."

The Commissioner expressed himself fully satisfied with them and the Council adjourned 'till 4 o'clock. P.M.

A 4 O'flock the Commissioner received a message from the Menomonies, saying they were sorry they could not meet him today as they were not fully prepared with their answer, but would be in the morning.

The council adjourned 'till tomorrow 9 oflock A M.

Thursday Sept. 1. 1836.

The council met, present the same chiefs as yesterday-- Osh-kosh spoke as follows; "Father you are sent here by our Great Father to purchase our land of us; we have come to a conclusion for the portion of land, and have set a price upon it. You told us yesterday that you wanted an answer to the proposition you have made us; we were not ready to give you one yesterday; now my chiefs have made up their minds and I hope you will give us what we ask. Father we ask for the land which we offered to sell to you, eighty boxes (containing one thousand dollars each) for each year for the term of twenty years; in addition to which we also ask three thousand dollars worth of provisions per year for the same term of twenty years. Father since you have been here is the only time for a long space that we have had plenty of tobacco, & therefore we also ask for two hundred pounds of tobacco per year for the same term of twenty years. Also thirty barrels of salt per annum for the same term. You know we are very poor and we ask for two blacksmiths and tools & iron for the same time. For the improvements, farming utensils and other things belonging to us and situated upon our reservation on Fox river and Winnebago lake, seventy five thousand dollars (that sum also to be in lieu and full discharge of the salaries of farmers, miller & education &c &c according to the provision of the treaty of 1831 & 1832. Father, that is what we desire to get for the land we offer to sell you. If we come to an agreement that is what we expect to get for twenty years: If we agree we would desire our payments to be made at this place. Father, these are the accounts which we owe to our traders, and we want our Great Father to pay them also in addition to the above annuities as a further consideration of the sale of said land. Father, this is the price we have set we not want you to consider it, and if you think we ask too much we will expect an answer from you tomorrow, as to what you will give and will hear you with pleasure." The accounts which were handed in and are mentioned in Osh-kosh's speech were in favor of the following persons & for the following amounts--

Nº 1	John Lawe's account	25.000
2	Augustin Grignon	20.000
3	Powell & Gignon.	8.500
Nº 4	Charles A Grignon	10.000
5	John Lowe & Co	12.000
6	Walter T Webster.	200
7	John P Arndt	1.100.
8	Farnsworth & Brush.	5.000
9	James Perlier	15.000
10	Heirs of Lewis Beaupre'	3:000.
11	Dominick Brunette	463.
12	Alex ^r J Irwin	2.500.
13	Am: fur Co. Western outfit.	800
14	Charles Grignon	2.400

15 Joseph Rolette	3.500
16 Cha ^s A & Alex ^f Grignon	1.500.
17 James Reed	1.400.
18 Peter Powell	3.500.
19 Paul Grignon	11.000.
20 W ^m Dickinson	3.000.
21 Rob ^t M Eberts.	148.
22 Joseph Jourdain.	100.
23 James Knaggs	1,100.
24 E Childs	400.
25 Lewis Rouse	10.000
26 W ^m Farnsworth.	5.000.
27 Sam ^l Irwin & Geo Boyd Jr	210.
28 Aneyas Grignon	5.000.
29 Pieire Grignon dec ^d by Rob ^t & P. B. Grignon	12.000
30 Stanislas Chapue	200.
31 John Laws.	2.400.
32 William Dicinson.	500.
33 Stanislas Chapue	5.000.
34. Lewis Grignon	<u>14.500.</u>

The commissioner said he had listened to the Menomonies and heard the price they asked for their country; and that he would tell them tomorrow what he would give them for it, but that he would not give them what they asked, for if he did he was sure the Senate would reject the treaty, and would be contrary to the instructions he had received from the government. also that it might be unfortunate for the Indians if he did, for if so it would be thought by the government that they wanted to impose upon them; and they would therefore deprive themselves of the sale of the country-- that he wanted to do no act that would injure them, and if he gave the price asked he would do so. By the provisions of the treaty read to them the amount of the annuity might be fixed by the President at what amount he pleased and by giving the price asked of him he would be acting contrary to every treaty which had been made in the country-- that he would meet them in the morning at 9 o'clock, and would take into consideration the amount of their improvements and would endeavor to make such a treaty as would be approved of by the Senate; he wished to take no advantage of them, that he was desirous of leaving this as soon as possible." Council adjourned until tomorrow morning 9 o'clock.

Friday September 2^d 1836.

Council opened with the Menomonies, the commissioner stated to them what he would give them for their country-- his proposition was as follows--

"The United States will pay the Menomonies for the tract of land they offer to sell the following amounts.

An annuity of twenty thousand dollars for twenty years making	400.000.
Two blacksmiths, with shops, together with the necessary quantity of iron, tools &c &c for the same term . .	26.500.
Thirty barrels of salt pr ann: for same term	2.400.
Two thousand pounds of tobacco per annum for the same term	5.000.
Three thousand dollars worth of provisions per annum for the same term	<u>60.000.</u>
One thousand dollars per annum for purposes of education, to be used under direction of Superintendent or Agent, for same term	20.000.
Five hundred dollars per annum for the purchase of such articles of husbandry & farming utensils as they may require (under same direction	<u>10.000.</u>

And pay the sum of ninety three thousand two hundred and ten 50/100 dollars for claims (that being one half of each of the claims and accounts handed in to the commissioner by them yesterday 93.210

And also to pay the sum of seventy five thousand dollars for their improvements &c including salaries &c of farmers, millers &c & cattle as demanded by them. 75.000

Making in all the sum of-----\$ 692.110.

The commissioner also stated to them that he had taken into consideration the quantity of good and bad land contained in the tract proposed to be ceded and had endeavored to do them ample justice, and that was the amount he would give them; that he had reduced the amount of the claims of their creditors one half because he thought they ought to be satisfied with that amount at present, and because if he allowed the whole amount he would be obliged to reduce their annuities, which he did not wish to do, that the course he had pursued was a just one, having in view the rights of the Indians, the interest of the government and the welfare of the country generally-- that he would meet them at 3 o'clock in the afternoon for an answer. Osh-kosh said "Father you know that we are very poor, you see our young men, they are almost naked, we have nothing but our land to depend upon-- When that is gone all is gone-- We hope you will consider this-- The seventy five thousand dollars for our improvements &c we want for ourselves and we want it added to our annuity-- The land which you have asked us for on the Wisconsin river, and which you say you want for the sake of the Pine timber, we will let you have-- We will sell you a tract of land twenty four miles long and three miles wide on each side of the Wisconsin river (the said tract to commence at a point on said river two miles above the grant or privilege heretofore granted to Amable Grignon and running up and along said river twenty miles in a direct line and being theforesaid width of three miles on each side thereof. And to

countain four entire townships or ninety two thousand and sixty acres of land. He also said, "the land granted is good and well timbered land, and as they depended upon fishing, he hoped his Great Father the President would not suffer the river to be dammed, also as they wanted a passage for their canoes up and down the river. Father-- this land that you have asked us for we will let you have at such price as you please and as we wish to make some provision for our relatives of mixed blood we want the amount divided amongst our relatives of mixed blood" The commission told them he did not wish to set a price upon their land, that he was pleased at their confidence in him, but told them to set their own value upon their land-- Upon which Osh-kesh replied that they would set the price of eighty thousand dollars, and that he had a favor to ask; we have been imposed upon and abused by some of our friends, and we are going to complain about it. When M^r Whitney asked for the privilege of a mill he asked for three miles, which they had granted, but he had gone beyond that and cut timber ^{everywhere} on our lands. When he spoke to us about building a mill he did not ask to farm; he has a farm at the mill and has also sent a man more than three miles from his mill to make a farm. This we do not like and think it is wrong. We wish to have somebody sent to survey Whitney's grant and if he has cut timber beyond his claim, that he be required to pay us for it; as he gets a great price for his lumber he ought to pay us; if he would pay us for the timber we would say nothing, but he has not paid us all that he promised for the grant." The Commissioner told him he would consult with the agent and if M^r Whitney had cut timber beyond his claim, as he was a just man, he would pay them for it and that he must conform to the terms of his grant.

A-gan-a-taco said. Father-- you have heard what we have to say and that we are willing to sell you the land on the Wisconsin and what we will sell it for-- Our friends of mixed blood all want to get something and we want to give it to them. Your red children have listened to what you have to say-- We are always willing to do what is right, but it takes longer to do things with us than with you-- We are not so wise as you are.

Osh-kesh said-- We are desirous of allowing the whole amount of the claim of W^m Dickinson of \$3,000 as we think he has lost a great deal of money in building our houses. And as it regards the allowance of \$10,000 to their relation and friend Charles A Brignon, as it was for a tract of land now very valuable and which had been previously given by them to him, as a mark of their regard for him & for his services to their nation, but which he had been wrongfully deprived of they would not consent to reduce his claim in the least & they insisted upon the whole being paid. The commissioner stated that that as it respected the allowance to M^r Dicinson he had no objection to allow it, except that if he did so others would object and it might be the means of defeating the treaty; that as he has a full knowledge of all the circumstances relative to Cha^s A Grignon's claim, and knew that he should have the land or a full equivalent for it, neither of which he had received, he would, under all circumstances of the case allow the full amount. (a written consent of the creditors having been obtained and signed by all of them & handed in by M^r Dickinson, consenting to allowance of the full amount of his claim, the commissioner consented to allow the full amount of \$3000.) The council adjourned till 3. oflock P.M.

Friday Afternoon.

Council opened.

Osh-kosh said-- Father-- my chief and nation are satisfied with the offer you have made to us, and they have told us it was a good price for our lands and we find everything as you mentioned to us in council-- we agree to accept of it. Father-- there is only one thing we do not like in this treaty, that is the one thousand dollars a year for a school, we do not want schools, we do not wish our children to read papers--We are willing to accept the amount and we wish to give the amount to our friend and relation Robert Grignon. We wish him to receive that amount every year. I am satisfied and all my nation are satisfied-- We are glad to shake you by the hand in friendship-- We will all be satisfied after making those little alterations. A-yem-a-taw said-- Father-- it is only to signify my approval to what our chief has said that I speak-- We are satisfied with the proposal made to us to day-- Osh-kosh said-- my people request that the payment will be made at the lower end of Wa-ne-hem-nah, lake, on their own land.

The chiefs also expressed a wish that they might receive their annuities at a time when it might not interfere with their planting or hunting--they would like to receive it about hoeing time in June or July.

The commissioner told them they asked too much for the land on the Wisconsin, but if they would give four townships in addition, making forty eight miles in length and three miles in width on each side of the river Wisconsin he would give them the sum of \$70,000, and as they expressed their wish to provide for their half breeds or relatives of mixed blood, he would recommend that a commissioner be appointed by the President who should divide and apportion that sum amongst them.

Osh-kosh Father-- since you have made up your mind to ask us for more than you did this morning, I am going to tell you what we have to say, and as we have agreed to what you offered we hope you will give us what we are going to ask-- when a child asks anything of his father he always grants it. We will give you the land you ask for, for \$80,000 which will be giving you double the quantity we offered you this morning for the same sum: The Commissioner agreed to give that sum for eight townships. And the chiefs said it was their wish that the amount should be divided equally amongst all persons possessing Indian blood, who should be included by said chiefs in the list to be hereafter made; and that a commissioner shall be appointed by the President to ascertain and apportion the same amongst those entitled to receive it. The council adjourned 'till tomorrow at 8. o'clock.

Saturday September 3^d 1836

Council met, and the treaty being read and fully explained and signed, was concluded.

Osh-kosh said-- Father listen to what I have to tell you. You have come to listen to us and I have come to tell you what my nation have told me

to say. When I see you I think I see our great Father the President. I never saw him, but I think when I see you I see him. Father-- the annuities which we now receive are not sufficient for us and we would be glad to take a credit for our traders to the amount of six thousand dollars, to be paid next year. And we wish you to speak to the President to that effect. Commissioner told them he would do all he could to satisfy them and would recommend to the President to consent; that their traders would be safe in advancing that amount, as they were to receive annuities to that amount.

Council adjourned.

Territory of Wisconsin
Belmont, October 29th, 1836

Sir,

I have the honor to enclose you, as Commissioner of Indian Affairs, to be submitted to his Excellency, the President of the United States, a Treaty made by me with the Menominee Indians at the treaty ground on the Fox River, in this territory, on the 3rd ult., with the Journal containing my talks with the Menominees and their answers.

In the Treaty, made with the Menominees at Washington in February, 1831, it was stipulated on the part of the Menominee Indians that they would sell their Country to the United States whenever the President of the United States should require them to do so, and the President to fix the price of the remaining Country. Confidently believing the Menominee Indians did not understand the Treaty then concluded between them and the United States, as well the Treaty made by Governor Porter in 1832, and from the apparent discontent of these Indians when their former Treaties were explained to them, I was decidedly of the opinion it was the proper course to purchase of the Menominees the district of Country they were then disposed to sell. The white settlements are rapidly approaching them. They owned the most valuable part of the country on the Fox River, where their farmers were located as well as their mills, from which they derived no advantage. It appears almost impossible ~~to restrain~~ to restrain these Indians from their wandering habits. Finding an entire unwillingness on the part of the Menominees to remove to the Country, proposed to them by the Government, south of Missouri River (at this time), I thought the best plan to effect their ultimate removal would be to purchase such parts of their Country, as would oblige them to sell in a short time their whole Country. The Country retained by the Menominees that would be most valuable is between the mouth of Wolf River and the portage of the Wisconsin and Fox Rivers, when the wild rice grows in great abundance. When the Country is surveyed on the East side of the Fox River, and brought into market from the fertility of its soil it will sell immediately, and the Menominees will have to sell the balance of their Country. The approach of the white settlements will oblige them to do so, and to remove to the Country south of Missouri River. The Menominee Country on the Wisconsin River is barren of game, and valuable only for its pine timber. The Country purchased of the Menominee Indians on the Wolf and Menominee Rivers is valuable for the fertility of its soil, as well for the pine which will be much wanting in the general (paper torn, word not distinguishable) the Country bordering on Fox River, Green Bay and Lake Michigan. The Extent of the Country purchased is upwards of four millions of acres of land.

In negotiating with the Menominee Indians I found it impossible to treat with them, without agreeing to pay one half of their debts and make provision for their half-breeds, that are between two and three hundred in number. The friends of these Indians endeavoured to impress on their minds the increased value of their Country, as well as the value of the Country heretofore ceded to the United States, for which they had received a small amount. The Indians, seeing the white people so eager to secure choice spots of land near the navigable Rivers, place

a much higher value on their Country than they did a few years since.

You will receive enclosed talks I held with the different nations of New York Indians in the vicinity of Great Bay . No doubt I made a favorable impression on their minds, which facilitated Mr. Schermehorn in effecting a Treaty with them.

In my course, in treating with the Menominee Indians, I endeavoured to keep steadfastly in view what I believed to be the policy of the Government, the good of the frontier people of this Territory, as well as the welfare of the Indians.

I have the honor to be with the greatest respect,

Your obedient Servent

H. Dodge, U.S. Commissioner
fr treating with Indians

To C. S. Harris, Esq.
Comm. of Ind. Affairs.

On Tuesday the Thirtieth day of August A.D. 1836, at 4 O'Clock P.M. a council was called with the Stockbridge, Oneida, Brothertown and Munsee and St. Regis Indians at which the following chiefs and Headmen appeared.

John Matoxen
John Quiney
Austin Gunney
Thomas Hendricks
Jacob Chicks
Captain Porter
Timothy Jourdan
Robert Konhapot

Stockbridges

Jacob Cornelius
John Cornelius Oneides
Thomas Lodowich
Honyus Smith

Randall Abner Brothertown

A letter was received from Daniel Breadman Oneida addressed to the Commissioner which is in the words following--

"Duck Creek Aug^t 29th 1836--

To His Excellency Governor Dodge, Sir, In behalf of my nation allow me to express to you our determination not to attend the Council to be holden the present week at the Little Shute. We say to you in the most respectful manner that we not only now refuse but will forever hereafter refuse to mingle in Council with the Menominee, Stockbridge and Brothertown Tribes. We have nothing to do in conjunction with them. The Oneida Nation must therefore be regarded as standing alone. Any communication coming from the Government to them shall be respectfully considered. Should there be a proposition for us to dispose of any part of our country however, it must be expected that our answer will be more in accordance with what may be deemed a strict regard of our own interests than with the feelings and views of your Excellency "(Signed)" Daniel Bread

A true copy from the original, John M. McCammon Secy"

A letter of which the following is a copy was addressed immediately sent by an Oneida as a messenger to the Oneida Chiefs "

"Treaty Ground Cedar Point, on Fox River, near little Shute August 30, 1838

To Cornelius Stevens, Cornelius Bear, Adair Swamp, Elizah Scandadoc, Thomas King and Henry Powlis, Chiefs and Headmen of the Oneida Nation-- Friends and Brothers. I am instructed by the President of the United States (your Great Father) to hold a treaty with your nation and also with the Stockbridge, St. Regis and Brothertown tribes: a communication has been addressed by Col. Boyd the Indian agent to you, requiring your presence at the Treaty. This Communication has been disregarded by you, and an answer sent by Daniel Bread, declining attendance at ~~this~~ time and place. As the representative of your Great Father the President, and the Commissioner appointed by the United States, and in pursuance of my instructions, I now require your immediate attendance and shall expect this request to be complied with, without delay as the chiefs of the other tribes are now in attendance at this place.

(signed) H. Dodge "

A letter was also received from the Brothertowns addressed to Col. Boyd, which is in the words following "Dear Sir, we received your note informing us that Gov. Dodge was desirous to have an interview with the principal men of the Brothertown tribe of Indians as soon as possible 3 miles below the Grand Shute, the late arrival of which will not permit us to be at that place before sometime on Monday next.

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Your most obedient servant--
Dennisburgh, August 27th 1836
George Boyd Esqr. U.S.I.A.

Elkanah Dick
David Fowler
Thomas Commuch
Alonzo D. Dick

A letter was also addressed to the above chiefs of the same purport as that addressed to the Oneidas--- Sent by a Brothertown as a Messenger. There not being a full representation of the New York tribes, the council adjourned until tomorrow--

Wednesday August 31, 1836--5 O'Clock P.M. A council was opened with the Stockbridge, Brothertown and Munsee Indians. The same persons of Stockbridge nation appeared as yesterday, and Elkanah Dick, Thomas Commuch and Alonzo D. Dick as additional chiefs and of Brothertowns. The Commissioners addressed the Chiefs as follows-- "To the Stockbridge, Munsee, Brothertown tribes of Indians who have emigrated from New York or such of these tribes as are resident in this Country-- Friends and Brothers. Your Great Father the President of the United States has sent me to see you and take you by the hand in Friendship. He has the welfare of all his red children greatly at heart: he is pleased to hear of the improvements you have made in the art of agriculture. Your nations have long since laid aside their arms once used in war, and exchanged them for the peaceful implements of Husbandry. The Game of the forest you know is not to be depended upon for support: it is by the cultivation of the soil alone that you can expect to provide for yourselves and families, as also for the rising generation that is to follow you-- You see the rapid march of the white population, and it is not possible from the current of immigration which is flowing into the country west of Lake Michigan, that you can remain and improve in the country you now occupy, surrounded as you must be in a short time, with a dense population. Your great father the president of the U.S. wishes to provide you a country west of the Mississippi and south of the Missouri Rivers, where you can live unmolested: this country is rich as regards the fertility of the soil: the climate is much milder than that of the country you now occupy, and better adapted to the culture of corn and the raising of cattle. You will be located near your red Brethren where you will never be surrounded or intruded upon by the white settlements: You will be protected by the United States troops, who will preserve peace between all the nations of Indians who may be located west of the Mississippi and south of the Missouri Rivers and prevent the whites from intruding on your rights. I propose to you to purchase the country you now occupy and your removal west of the Mississippi and south of the Missouri rivers. I will stipulate on the part of the United States that a country sufficiently extensive shall be assigned to each of your nations in proportion to their numbers for their comfortable support the size and extent of which country to be left to your Great father the President, who will protect you in the full enjoyment of the country he may so set apart for your use--- Your great Father has that parental care for you that a father has for his children: It is not the value of the land that is considered by him as an object in making this proposition to you: it is the future and lasting happiness of his red children that governs him in his course: to improve your condition and to provide for your children and the rising generation and also to preserve the remnant of Indian nations once powerful from becoming extinct, are the motives which have induced him to make this proposition.

The Commissioner further stated that the Indians could take time to consider of the proposition and give him an answer at a s early a period as possible.
Council adjourned until tomorrow 10 O'Clock A.M.

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Immediately after the above, a Council was held with the Oneida Nation. The following chiefs and headmen having appeared in council: Jacob Cornelius, John Cornelius, Thomas Ledewish, Honyus Smith and Christian Peachtree. A letter was received from the residue of the chiefs of which the following is a copy--

"Duck Creek Aug. 31, 1836---
To His Excellency Gov. Dodge--

Your talk of the 30th has been received. The Chiefs met in Council and after seriously deliberating upon the same have come to the conclusion not to comply with your request. The letter you acknowledge as having received from Daniel Bread is a fair expression of our views. We have nothing more to say--

Witness
Ticorohiathe

his
Cornelius x Stevens
his mark
Arddy Atsequette
mark
Elijah x Shenando
mark
Thomas x Keny
mark
Daniel x Williams
mark

P.S. Henry Powles & Adam Swamp are absent from the tribe!

The Commissioner then addressed the Chiefs & headmen present, in substance and to the same effect as he had previously done the Stockbridge & Brothartowne ---

Those parts of the Treaties of 1831 & 1832 relative to the New York Indians were then read & explained to the Indians in their own language--

The Commission told the chiefs that they could take time to consider and deliberate & give an answer at a convenient time. That he knows the disposition of the President to be kind & friendly, and that he was surprized that a part of the chiefs had refused to attend: he expressed himself well pleased with those who had attended but displeased with those who had refused whose conduct should be fully explained to their Great father the President.

Council adjourned till tomorrow morning.

Thursday Sept. 1, 1836--

Council with the Oneidas, the same chiefs present as yesterday, Jacob Cornelius" We want you to listen--yesterday we heard what you wanted & we have come to tell you what we think of it. We are very glad we heard all we did yesterday & that president thinks of his red children. We are glad & well pleased at least to hear that he wishes to use us well, and of his intentions, as we think he intends to do us good. We have counselled together here & our Great father has expressed his wish to move us west of Mississippi & south of Missouri, and thinks it would be better for all of the New York Indians to move them there; we understand this and will let him know what we think. We are not afraid to tell our minds for we know our Great Father likes us-- When we left N.Y. we came to G. Bay intending to live in a great woods,

because where we lived we were surrounded by too many white people, we are much pleased with the land we have now & the manner in which we work & live: want to help the land which the Pres. agreed to give us here, and not sell it: we think if we do not stay here we will never stop moving, and we do not like to move from place to place. We are different now in mind from our forefathers. They knew how to hunt, but we see our white brethren farming and we like to do so to: we are very happy since we commenced farming. We ask the favor of our Great father the President, that we may stop here. We think we will not have so good a chance to farm if we remove west of the Mississippi. Another thing, we do not want to follow the footsteps of our forefathers. Hunting is no good to us: & we want to live by farming: we have said but little & in such a way as was proper for us: we want to farm & we want a school for our children, so that they may be educated, & become a part of the people of the United States. Such is our minds and when we become fit to be citizens we will tell our great father the president: we only want to have our land secured so that no one shall interfere with us: we want all the land which we are entitled to set apart in one body: so that we may know how much we are entitled to. The other party, called the first christian party, of our tribe do not wish to become citizens: we must be governed by the treaty & when the president pleases to apportion the land we must submit: we are willing to abide by the treaty. We wish to ask of our Great Father the favor that he would not again ask us to go west of Mississippi. That is all we have to say on the subject-- Father we wish to say to you that we are very glad to see you here & we feel in our hearts that you use us well, & that you do so: we have faith in you: we believe you are doing good here, and we believe the president has faith in you. We ask of you to endeavor to settle the difficulties between our nation: we have two denominations of christians & they do not agree. Our party (the Orchard party) live about four miles from the other (first christian party). We are all methodists: In the other party there are some methodists. We the Orchard party are poor and not able to buy a house for school house. Mr. Clash the Methodist Superintendent gave us a school house which is situated in the part of country occupied by the other party: some of the female missionary's of our party kept school in that house: and the other party do not like to have us occupy it. The Chiefs of that party objected to our having the house there as they wanted to have school of their own. All of the Methodists that belong to the first Christian party say that they want the Methodist school as they like it best. The chiefs of the other party & their warriors held a Council and went to the house & tore it down, and have not left one Log Standing: they also took teams to remove the teacher & her things, She refused to go: and they then took away without her consent all her cloths furniture & provisions & carried them to the place where she formerly lived at the Mission house, is all they have done: and we ask of you to regulate the matter in your own way & settle it as you think best: we look upon you as the representative of our Great Father the President & we leave it with you".

The Commissioner said "I have listened with patience to what you had to say: I will represent to the President what you have said & also all about your religious differences. In this Country every one can worship his God as he pleases, whether he belongs to one denomination or another., and none can interfere with him: religion teaches him that he should do to others as he would be done by. I am sorry that any differences exist and that they should exercise their own opinions & not be dictated to by others. You should live as friends & brothers: I have sent for the chiefs and hope they will come & communicate with me, as you have done & state their difficulties. I would be glad to see you all friends again--a weak people should never be divided but should live in peace & harmony--

Council adjourned--

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Thursday September 1st 1836 12 O'Clock M

A Council was held with the Brothertown Indians, present the same chief as yesterday--
The following answer was given in writing by the Chief & Head men of the Nation to the proposition made on yesterday by the Commissioner viz

"To His Excellency H. Dodge Gov. of Wisconsin Territory. Father in answer to the propositions made to the delegates of the Brothertown Tribes of Indians to dispose of their lands and remove west of the Mississippi and south of the Missouri Rivers, we would respectfully reply that we are very happy to hear that our great father the President of the United States is so mindful and solicitous for the welfare of us his children we cannot but express heartfelt gratitude to him for his benevolent feelings towards us-- Father, but as we have long since laid aside those arms made use of in war for the peaceful impliments of agriculties and husbandry, and as our great Father the president of the United States was pleased to grant to us this tract of land on which we now reside, with which we are so well pleased & suited with both as to soil & climate that we could not at present feel a disposition or a desire to make the exchange. Father we would further state that as we have so far progressed in the arts of civilization and having and having for several generations past been brot. up among & in the neighborhood of white People in the State of New York when the Legislature were pleased to enact Laws for one benifit and protection and as we have lost the Language manners and customs of our forefathers and can speak no other language than the English, it would not in our opinion ameliorate our condition to be removed into a country where its inhabitants are almost wholly uncivilized and entirely an Indian Country, the Brothertown Indians would have to acquire a new Language & new manners and customs which they fear would not increase their happiness.

Father we would further state as one of our reasons for removing from the state of New York that as our reservations was to small and under a deep sense of this we were influenced by a very small degree of that spirit so common to our Brethren the white people which induces them to provide and establish their children so that they may be enabled to live comfortably. We thought that with the means in our possession we could purchase a sufficient quantity of land so that all of our children individually could have comfortable farms, but after rral the track which we now occupy is hereby bearley sufficient to answer our necessities but if hereafter the Brothertown Indians should have a desire to sell their lands here and remove to some other country they feel it their duty to inform their great father the President and petition for his approbation for the same, we would now after having given a civil reply to the before mentioned propositions express our deep sense of the high estimation we still entertain for our great Father the President of the United States as also to your excellency: we would wish that you may enjoy the blessing of a long and prosperous life--

We are with the most profound respect your most obedient, servants--

Signed Sept. 1st 1836
Cedar point Treaty ground--

Randall Abner	
Elcanah Dick	Peace
Thomas Connach	Makers
Alonzo D. Dick	&
Daniel Fowler	Principle
Solomon Paul	men of
David Dick	the
William Fowler	Tribe

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The Commissioner said he had read their answer which should be communicated to their great Father, and told them that as they had lost their language, they could perhaps be incorporated with their white bretheren--That he did not know what might be the decision of the Government--That he was well pleased with their conduct while present which had been moral and correct, and that he should inform the President of that fact--

The Council adjourned

Friday September 2 1836

A Council was held with the Stockbridge & Munsee Indians present the same Chiefs as before

John Metocsin, said "Father I am requested to say a few words in addition to the written answer now given-- I thank the great Spirit for permitting you to meet us to hold a council fire with your red children, feel thankful to our Creator for giving us health for finishing the business for which we have met, that business which our great Father has with his red children. I will only say that we who are present return you our thanks for the attention and kindness you have shewn us while here" The following answer to the Commissions propositions was then handed in---

"To His Ex. Henry Dodge Gov^r of Wisconsin Territory and Commissioner on the part of the United States for treaty Indians Tribes-- Father- We the undersigned Chiefs and principle men of the Stockbridge & Munsee Tribes of Indians residing on the East shore of the Winebago Lake, Wisconsin Territory, desire you to hear us a few words in reply to the talk you delivered to us the day before yesterday-- We are pleased to find our Great Father has not forgotten us, but has sent you to see us & to take us by the hand in Friendship. We are also pleased to hear that he has the welfare of all his red children greatly at heart and wishes to make them prosperous and happy-- We therefore thank the great Spirit above for incling his heart to have compassion for us & all his red children in this western country-- We likewise thank our great father for it with respect to the proposition made to us for the country we now occupy and our removal west of the Mississippi and South of the Missouri we would most respectfully and frankly reply that so important a movment is worthy of the greatest and most careful consideration, and that we have given it the same-- We do not say that we will not comply with this request of our great father-- But Father before giving our consent before agreeing to give our place, we have a wish to visit the country west of the Mississippi and South of the Missouri- We wish to go in a company of six or seven persons and Examine the country proposed, and this we would do if our great father would shew us the way this present fall or a year from this time. Should we find a country west better suited to our wants than this where we are now, where we could be sure of a peaceful permanent home then we would leave our present possasions . We thank you Father & this: you our great Father for the kind expressions of regard for us, and we hope that this kindness & good will, will always be continued to us-- Signed at the Treaty ground on the west Bank of Fox River W- T- this 2nd day of Sept. 1836 for and in behalf of the rest -- by your excellences most obdt & dutiful children

John Metoxin
Austin Qunney
Jacob Chiefs
Timothy Gordon
Robert Konkapot

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Thomas T. Hindrick
Captain Porter
Jn^o W. Quinney
Hendrick Aupaunt
Peter Sheman
Andrew Miller

The Commissioner said he had read and heard with much interest their answer to his proposition, and was gratified to hear them express an inclination favorable to their removal that he would inform the President of their wish to visit the the country west of the Mississippi & have a person appointed to accompany them to shew the country-- That he would also inform him of their good character and moral conduct, and if the country does not suit them do all in his power to have them made comfortable--

Council adjourned

Same afternoon

A council was held with that part of the Onedia nation (called the first christian party) who had previously declined attending a letter having been previously recd from them by the Council Commissioners in the following words-- (see original letter hereto annexed marked thus*)

The Commissioner said that he regretted that the chief present had not met with their brethren: that their great father would be happy to be informed that they all live in peace--they were a weak people, and should be united; he regretted to hear they were so much divided, and that their party had destroyed the School House of the other party--it was to be regretted that any religious dissensions should exist--religion teaches us to do as we would be done by--and desired as their father that they should live in peace and harmony together.

Elijah Scanand, said-- "Father we are very happy that the great spirit has permitted us to meet you here; I think it necessary to say that we wish to answer you through our principle speeches"--

Dea. J. Bread Said-- "Friend & Father as this is the last day of the council, we wish to say a few words in answer to your proposition: We have long since heard that this proposition would be made to us: we believe the President to have good feeling for his red children this day has brought forth an expression of that kind. I have heard it-- We know that parents have kind feeling for their children. We believe the Greatfather has the same feeling for us.

He has told us that the country south of the Missouri and west of the Mississippi is a place calculated to make us happy: You have heard a few words from your red children, the Onidas in regard to our land. This thing has discouraged as well those who are here & those who have not removed here; our removal toward the setting sun. It is a hard case and proves the report to be true that our great father to remove us further we have hardly laid down our packs or cleared land enough to live on, when word comes for us to go on. As to the advise of the President we have long been prepared to answer such a demand we have gone about far enough; we expected to have a chance to remain where we are: we are sorry we cannot answer you as you desire; it is hard to finish a place where we can be at rest: wherever we go whites can go also, and to get away from them is impossible. We beg you to let us rest here where we are. If you see us improving, why cannot we be left alone until we chose to change our residence and go further-- You are rich enough--you can cause Rivers to flow the contrary way and cause the hills to be leveled down our great Father and

Creator has given you riches and religion. We wish the president to look at his wealth. We hope he will consider former Treaties. He possesses all the lands of the Indians except a few spots and we hope he will let us rest for the sake of the good he has already rec^d from us-- We thank you for the good wishes and the example set us in cultivating Land-- We understand now-- Our Great Father thinks the proposed country is better for us than our own-- We have the bad effects of moving often to be like a feather to be driven by the wind is bad it is better to be of a heavier substance and stick close to the ground. If we move often we will at last land on some mountain-- We have no doubt that the President has good feeling towards his children-- He is endowed with power by the great spirit & is the guardian of his Red Children-- We are in great trouble-- We work hard to live-- and there appears to be a whip over us. We do not reap the benefit of our Labor--every one is for his own interest-- We think we have shewn our kind feeling to our white Brethren & have given them sufficient land to live on. This country is not so thickly peopled as many others-- The whites do not disturb us and we want to remain where we are. We are happy to have heard what the President had to say-- We will now be better satisfied as we have been in suspense we now know his wishes-- We thank him for his former good wishes but we think this climate is better for us than that would be it would soon cause us to become extinct and we could not live with our Red Brethern-- By the Treaty of Peace we have declared to be his children & that he was to take care of us that treaty was sealed by shaking of hands & a silver seal- The token of friendship passed between us- the silver seal of that Treaty is getting rusty-- We have not had it for many years We are not discouraged by its failure for we have confiden in our great Father and believe he will pay us our back annuities and the interest-- We believe you will put the president in mind of these his promises perhaps he has forgotten~~it~~ them & we hope you will remind him of it-- We feel thankful to the great Spirit that he has not forgotten us and that a man of good feeling has been chosen to meet us here-- We wish to say in regard to the School House as this is important we wish time to answer it in writing the Chiefs have taken pains to provide for themselves & children This was open for all-- We hope all may live in peace as you recomand. We will let you know as soon as poss^{ible}--

Council adjourned.

Tuesday Sept. 6th 1836--

A council was held at Green Bay by the Commissioner with certain of the chief of the Onida Nation to wit-- Daniel Bread, Sam Swamp, Henry Powles, Eljar Scanado & Thomas King - the several treaties here read and fully explained in their own tongue Daniel Bread said-- We have understanding the treaty and know its provisions--and we wish your advice and also what you will state ~~what~~ is the intention of the Gov^r or the President & if they wanted to take those lands--the Commissioner told them the treaty was very plain and that so far as he was interested he would see a liberal construction of the treaty--he would always lean towards the weaker party as they were less able to protect themselves--and that such he knew to be the disposition and intention of their great father the president.

Daniel Bread in continuation said "You have shewn your tender feelings to us-- he endeavored to give the vews of chiefs & nation what were their wishes and wants they have always been willing to give their attention to matters of such moment as those proposed. It appears that the whites and Indians always want the same tracts of land and that they have suffered for want of friends but they see in you a friend of

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the weak It is the minds of the Chiefs of your party that we have long sought for a place of rest and security we think we should now look only to our interest and not to that of other Tribes, & hope our great Father will look to our interest as this is a matter of great moment we think no decision should be made without consideration. We think the rest of the Tribes now in New York should be again invited to come here and if they refuse then we will make other arrangements with the Government & as we consider you as our father, and state your good feelings towards us we wish you to understand that we are the only Tribe who own the land here. We are the only Tribes who have paid any thing towards its purchase & we think after they refuse to come here that we are the only tribe who should be contracted with for its purchase. We have confidence in you and we hope as we have honorably obtained the land the president will not resort to dishonorable means to take from us our lands. We hope he will only get it in a proper way. We hope that you will see we have our rights and that we may not be wronged. We wish to let you know all--the land was for the six nations & we think they should be notified and if they refuse to remove the president ~~should be notified~~ may be informed of it-- We have confidence in your ability & as you are endowed with power--We wish you to use it for the benefit of us the weak which will acquire our gratitude.

Some say allow to the Indians a few acres which is enough for them but we hope and rely upon you that you will use your influence to see ample justice done to us-- That is all we have to say at present--

Commissioner told them that all they had said should be communicated to the president and that so far as he could he could represent their rights in as favorable light as possible under the treaty--that the sooner their rights under the treaty was defined the better for all parties--

Council adjourned.

Treaty Ground. Sept. 2. 1836

To His Excellency Gov. Dodge.

The Chiefs of the First Christian party of Onéida Indians are now on the Ground & will have an attentive ear to what you have to say. By refusing to comply with your request they did not intend any disrespect to your Excellency individually, nor to their great Father, whom you represent. They were governed in their conduct by a mutual agreement intered into with the Orchard party, that as we knew of no business of interest to our nation we would decline attendance. If our course in this affair has caused any unpleasant feelings it is to us a matter of sincere regret. Father, this is the truth!

Daniel Bread
Elijah Shenando (seal)
Adam Swamp