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RATIFIED TREATY NO. 179
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF OCTOBER 27, 1832, WITH THE MENOMINEE INDIANS

February 13 1833.

Commissioner of
Indian Affairs,

Specy Bay. 1833
Detroit Jan 24. 1833
From Gov

George B Porter.
Relative to the location
of the New York Indians
among the Menomies -

10-27-32

Answered

To the Honorable
Lewis Cass
Secretary of War

Sir,

In pursuance of the Instructions contained in your Letter of the 11th September 1832 I proceeded to Green Bay, for the purpose of procuring if practicable, the assent of the Menominee to the change proposed by the Senate of the United States, at the last Session, in their ratification of the Treaty concluded with them (the Menominee), at Washington in February 1831.

From the difficulty attending the navigation of our Lakes, on the fall of the year I did not reach Green Bay until the 20th October. After performing the duty assigned, it was found impracticable to return to Detroit, otherwise than by land, through the Indian Country.

A Report of my proceedings could not therefore be made, by the commencement of the present Session of Congress.

To the full and minute Journal kept by my Secretary, which is enclosed I must refer, for all that occurred. The result of my labors will be found in the Agreement entered into with the Menominee, and also with the several Tribes of the New York Indians, which is herewith transmitted. By which it will appear that an arrangement has been effected, satisfactory to them, and just to the Government.

On examining the Resolution of the Senate of the United States contained in your Instructions; and finding that the Stipulation proposed therein contemplated the running of a new line to commence at a point on Fox River, one mile above the Grande Chute, (which is, along the shore of Fox River

about 20 Miles above the Oldmill Dam) I anticipated an objection on the part of the Menominees, and that they would not consent to the change thus proposed.

On meeting them in Council I found that my apprehensions were well founded. No consideration could induce them to assent to it. After asserting at every meeting that they would do nothing to please the New York Indians: — that they had no right either to ask or expect any thing at their hands; the reasons particularly assigned for dissenting to this proposed change, were in substance these: — That as part of the Menominees lived above and part below the Grande Chute, & as far down as Menominee River, they were constantly passing up and down Fox River in their boats — That a portage had to be made from the foot of the Grand Kakasin near which is the house and confirmed claim of their Trader, Augustin Gregnon, to the Grande Chute: — that this was their own trading ~~ground~~ ground: — and they never would give it up; — that they were urged when at Washington to cede, to the United States, the land between these two points, and would not; — That by this Treaty, the United States, are to erect a Grist and Saw Mill on Fox River for them: and the Grande Chute is the only place reserved to them, at which a mill can be erected, on Fox River; and this is the spot at which it has been understood the mill would be put up — And that as the New York Indians had last winter at Washington only asked to extend their line, from the old mill dam, up Fox River as far as the lower line of Gregnon's farm (being upwards of 9 miles along the margin of the River) they should not now ask to cede ten miles and a half further up — thereby depriving the Menominees of their portage and trading grounds, & of the advantages of a mill; and of ground

peculiarly dear to them which they always passed over in visit-
ing the Little ^{Big} Butte des Morts and the Upper Trading
Post - All which will particularly appear, as expressed by
themselves, on reference to the accompanying Journal [see
pages 7 to 20 inclusive].

Having thus failed in the first
efforts which I was directed to make, viz to procure if
possible the unconditional assent of the Menominee Chiefs
to the Treaty as conditionally ratified by the Senate,
without which it could not be binding on them; the next
act, in compliance with your instructions, was to endeavour
to procure their assent to the best practicable terms
short of those proposed by the Senate - After much
pains and exertion, as will be seen by reference to the jour-
nal (page 20 to 28 inclusive) the Menominees consented
to this proposition viz - to cede the land along Fox River
from the old mill dam to the lower line of Gignons
farm at the Grand Kakalin and extending thence
on a line parallel with the present S. W. line of the
Tract of 500,000 acres set apart by the Treaty for
the New York Indians, so far as to include 200,000 acres
in exchange for an equal quantity of land on the
North Eastern side of the tract. -

It has been ascertained by
actual survey that from the old mill dam along the
margin of the River to the lower line of Gignons
farm the distance is 9 miles 24 Chains and 50 links:
The perpendicular breadth of the strip of land between
parallel lines N. W. and S. E. passing through these two
points would be equal to about $8\frac{3}{4}$ miles. - By run-
ning back forty miles, which is the extent of the S. W.
line of the 500,000 acres this breadth of $8\frac{3}{4}$ miles would
include a tract of 224,000 acres.

It will be recollected that
at Washington in January 1832 the tract thus described

was that asked by Daniel Bread the Deputy representing the Six Nations of New York Indians, and because the Government could not grant it to him as it belonged not to them but to the Menominees whose assent could not then be obtained the compromise or adjustment of all existing difficulties was on this account alone, defeated.

In pursuing my instructions the next step was to ascertain whether the New York Indians would signify their acceptance of the modifications required by the Menominees - All their Chiefs and Head men were accordingly assembled, and the proposition submitted to them - Owing, as is believed to the conduct and misrepresentations of an interested individual they were made to say that they would not accept this just and liberal offer - The management taken of these Indians - the attempts to keep them from attending the Council and the means resorted to for accomplishing the rejection of the proposition submitted are all set forth in the Journal I see pa: 29 to 43 inclusive. Very soon thereafter many of these Indians were convinced of their folly and voluntarily signed a paper agreeing to accept of the modifications proposed by the Menominees. I see pa: 44-52

This was followed by the suggestion that if the whole of them could be brought together in Council a final arrangement might probably be made of the whole affair. They were consequently notified to attend at the Council room: and assembled accordingly - A new proposition was now made by them - Mr. Williams on their behalf stated that this was the last and final proposition of the New York Indians and if it should be acceded to by the Menominees, they would agree to end all matters in dispute, and that the Treaty should be ratified by the Senate

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of the United States [see pages 49 to 52 inclusive of the Journal] - This proposition, being repeated and explained to all of them, and assented to as well understood, was then submitted to the Menominees, and they having signified their acceptance of it, an agreement for each was drawn up, signed and executed. [see pages 52 to 54] which are forwarded herewith to you.

After all the labor bestowed the result is, that the only modification of the proposition contained in the Resolution of the Senate of the United States, is this; that the Menominees are permitted by the voluntary offer of the New York Indians, to retain the Grant on Fox River and the land for three miles back, from the Little Rapid Croche up to and above the Grande chute being a distance of about eleven miles - I have since examined this land, in passing up Fox River. The soil is generally poor. The land considerably broken and for agricultural purposes of but little value - As, on the lands now secured to the New York Indians, they have a sufficiency of Water Power for Mills and hydraulics. For purposes generally, they do not need the fall at the Grande chute - And if secured to them, it is not probable that they would ever use it, being so far distant from the best lands where their farms will be made.

Attached to the Treaty is a Draft, with the necessary explanations on its face exhibiting the Tract of 500,000 Acres set apart by the Treaty for these New York Indians - the change contemplated by the Resolution of the Senate; and the modification of the same now made by consent of the parties.

Hoping therefore that what has been

done will meet your approbation and be approved
by the President and Senate of the United
States.

I have the honor to be, with great
regard, yr. Obedt. Servant.

J. S. Miller
" " "

Detroit January 24th 1833

Del.

10th. 1832.

From

Mr

Geo

Porter

Journal

Of a visit to the Indians
at Green Bay.

Accompanied

Letter from Dr Porter

July 25 1833

Clifford

Journal of George B. Porter
Governor of the Territory of Michigan and
Superintendent of Indian Affairs, on his visit
to Green Bay, in pursuance of the following
Letter of Instructions from the Honorable
Lewis Cass, Secretary of War

Detroit September 11th 1832.

Sir,

In the ratification, by the Senate, of the Treaty concluded with the Menomones, at Washington, on the 17th February 1831, there is a proviso which will require the assent of that tribe, before the Treaty can be obligatory upon them. I have the honor to request that you will proceed to Green Bay, and endeavour to procure the assent of the Menomones to the change proposed by the Senate.

By a reference to the Treaty, and to the accompanying resolution of the Senate, you will find the proposed stipulations to which the assent of the Menomones is desired.

For the purpose of procuring this assent, an appropriation of three thousand dollars was made at the last Session of Congress. For so much of this amount as may be necessary to accomplish the object, you can draw bills upon the War Department. The appropriation will be applicable to the purchase of provisions, to the payment of your own compensation & to such other objects as are usual & proper in our intercourse with the Indians upon similar occasions.

The expense of this business will in no event, exceed the amount appropriated, and you will please to transmit to the Treasury the necessary vouchers for your expenditures, with as little delay as practicable.

In the execution of this duty, the whole matter must be confided to your discretion. The controversy between the Menomonic and the New York Indians is well known to you, & the agency which, at the request of the Department, you had, last winter, in endeavouring to effect a compromise with the latter, has made the subject familiar to you. It is important to both parties, as well as to the prosperity of the section of the country in which they are situated, that this perplexing affair should be brought to a conclusion, & I indulge the hope that you will be able to procure the assent of the Menomonic Chiefs to the proposed alteration in the treaty. Should you, however fail in this object, you will then endeavour to procure their assent to the best practicable terms, short of those proposed by the Senate. You will, in that case, give them to understand distinctly, that in doing this, the Government is not pledged to agree to the terms proposed by them, but that you merely receive the proposition with a view to transmit it for the consideration of the President & Senate. If this course becomes necessary, it would be very desirable that the New York Indians should also signify their acceptance of the modifications required by the Menomonic. But your first efforts will be directed to an attempt to procure the unconditional assent of the Menomonic to the treaty as ratified by the Senate.

You will be allowed while executing this duty, the usual pay of an Indian Commissioner, that is, eight dollars a day, for every day employed, & eight dollars for every twenty miles of travel.

To His Excellency
Scott Porter
Governor of Michigan
Detroit

I have the honor to be
Very respectfully
Yours
Levee

On the receipt of this Letter the necessary arrangements were made for proceeding to Green Bay by the first good vessel. — Edmund C. Brush Esq. of the Indian Department at this place, was requested to accompany me as Secretary under the belief, that his services were really necessary — A knowledge of the subject and the experience of the past winter left no room for doubting the propriety of having an Assistant in the labors which would devolve upon me — He consented to serve.

Owing to contrary winds, the "Mariner" Capt. Johnson in which we had agreed to take passage did not reach Detroit until the ninth of October. — In consequence of ill health Mr. Brush could not leave home. And thus I was deprived of all the advantages, anticipated from his great experience, ability and talents — I then employed Captain Joshua Boyer as Secretary, and the vessel having got ready for sailing on the subsequent day, we left Detroit for Green Bay.

I have examined the following Journal of our proceedings kept by him, during our absence and certify it to be correct.

J. J. Miller
" " " " " "

Detroit.
December 10. 1832

Wednesday.
October 10. 1832. A.M.
Left Detroit in the "Mariner" Captain Johnson,
for Green Bay.

Thursday Morning Oct. 11
Run aground in the Rapids of St. Clair near
Fort Gratiot at 5 O'clock. A.M. — After many hours spent

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in ineffectual attempts to get the vessel off [and the winds
having changed, so as to render it impossible to get away
the Governor went on shore, and employed John Reily a
half-breed Indian to proceed to Detroit, and bring any
communications from the War Department which had
reached there since his departure, - Being anxious to receive
Letters relative to the pay of the Menominee Warriors - the
arms purchased for them ~~had~~ ~~been~~ which were daily expected
- For which service he paid him Twenty five dollars -

In the evening of this day the vessel got
afloat, but the wind being ahead, remained at anchor in
the Rapids.

Friday October 12th

With a light breeze overcome the Rapids - and en-
tered Lake Sturon; lay at anchor until next morning

Saturday Oct. 13th

At 6 o'clock A.M. received from Detroit the papers
sent for - Wind ahead - remained at anchor - At 5 o'clock
P.M. wind more favorable, and weighed anchor - Made
Laginar Bay during the night - but owing to a violent
gale put back - and at daylight found ourselves in the
St. Clair river below Fort Gratiot.

Sunday Oct. 14th

Remained at anchor in the Rapids of St. Clair -

Monday Oct 15th

Weighed anchor - once more overcame the
Rapids - and went ahead.

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Tuesday October 16th
Made Michilimackinac - wind ahead; - and
remained at anchor during the night.

Wednesday Oct 17th
Wind ahead; - remained at Mackinac; - visit-
ed the Indian Agency in the charge of George Johnson
Sub-Agent; - examined the State of the buildings particular-
ly as an appropriation had been asked for repairing them; -
- visited the Missionary School - Fort Year

Thursday Oct 18th
At 1. A. M. weighed anchor and set sail for
Green Bay; - During the night anchored in the
mouth of the Bay.

Friday Oct 19th
Winds ahead; - and made but little way; -

Saturday Oct 20th
About the middle of the day neared the Fort; but
for want of wind could not enter the mouth of Fox River -
Went ashore in a boat; and took lodgings at the public
house of John P. Stroud Esq. -

Sunday Oct 21st
Went up, in the afternoon to the House of the
Indian Agent Col. Boyd about 4 miles distant; -
about which the Menominee Indians had their encampment

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The chief and Headmen on learning that their Father (the Governor) had arrived, insisted on seeing him, and were introduced to him by Col. Boyce in the Council room. Those of them who had been at Washington in 1834 immediately recognized him: and all expressed much satisfaction. In answer to their various enquiries and complaints of the delay which had taken place, — that they were tired of waiting, &c. the Governor informed them that this was not the proper day for doing business: — that this was the day set apart for worshipping the Great Spirit: but that tomorrow he would meet them in the Council room and explain every thing to them and tell them all their Great Father, the President of the United States wished them to do — He explained to them the cause of the delay: and fixed on ten o'clock the next morning for meeting them in Council — They requested that their Father would bring an Interpreter with him who understood the Menominee language: — that heretofore they had got into great trouble in consequence of the Interpreters not fully understanding their language: that the Interpreter regularly employed at the Agency (Mr. Prickett then present) was a good man — meant to do every thing rightly: that he understood the Chippewa language well and enough of the Menominee to answer the common purpose of giving them their provisions — and otherwise attending to their wants, but they must have for this important business an Interpreter who understood the Menominee language well — To this the Governor answered that he had made himself acquainted with all that had been done about this business from the beginning; and to guard against any mistake or misunderstanding in this Council he had employed Charles A. Grignon as Interpreter, who understood their language very well; and whose character was unimpeachable. With this they were greatly pleased and then retired.

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Monday, October 22^c

At the Agency House at Green Bay
Present His Excellency G. B. Porter Governor - Charles
A. Grignon Interpreter, Col. George V. Boyd Indian
Agent - Richard Prickett Interpreter, and a large
concourse of Citizens.

The Chiefs and head men of the Menominees
being introduced, the Governor rose and addressed them
at great length: - explained to them the several provis-
ions of the Treaty which they had entered into with
their Great Father the President of the United States -
- expatiated upon the benefits secured to them by it: - and
stated the causes which had operated to prevent the
ratification of it by the Senate of the United States -
That the New York Indians had, last winter, sent on
a Deputation to Washington City to oppose the Treaty -
That knowing the great importance to all concerned
of having an end put to the unfortunate Controversy
which had so long been carried on, their Great Father
sent for him (the Governor) and instructed him to
meet the Deputations from the different tribes and en-
deavour to effect an arrangement which would be satis-
-factory to them and just to the Government. That
he proceeded to Washington accordingly; and he would
now explain to them minutely and fully all that had
been done. He then referred to his Report made to the
Secretary of War on the 3^d day of February 1832, and
recapitulated the several propositions therein contained: and
what the New York Indians had at last said they would
agree to. That after a satisfactory arrangement had been
made with the Stockbridge, Munsee, and Brotherton
tribes, by which they were to be located on the East side
of Lake Winnebago - to be paid for their improvements,
&c. &c. the Six Nations and St. Regis Tribe insisted

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upon an additional quantity of land on the north side of
Fox River to the amount of at least 200,000 acres to be
laid off along the south west line of the Tract designated
and set apart for the New York Indians in the late Treaty
and to extend up Fox River as far as the lower line of
Grignon's farm. — That in answer to this, he had in-
formed them that the land thus described, between the
old milldam and Grignon's line did not belong to the
United States: that by the Treaty it was reserved to the
Menominees: and hence he could not undertake to
give it to them — That this did not satisfy them, and
no arrangement was effected —

That he would here show
them the final proposition drawn up by Samuel W
Beall (who was now present listening) to what he said
and signed by Daniel Bread at Washington on the
14th January 1832 in which it is stated that "if the
Commissioners could guarantee an exchange of 200,000
acres, on the north side of this tract [500,000 acres]
for a like number to be added to the South side
the undersigned would agree to a settlement. But
to effect this the Commissioners declare that they
have no power" — (The paper was exhibited to them)

He wished that they might
understand him perfectly. — No final arrangement
was made, because these New York Indians insisted
upon having the land from the old mill dam up to
Grignon's lower line — and extending back along the
South West line of the 500,000 acres set apart for them
by the treaty, so as to include 200,000 acres; in ex-
change for which they were willing to give up the like
quantity on the north East side of the Tract — That
as they, the Menominees, were not present to give
their assent to this, the Government of the United States
would not undertake to grant it as it belonged, not

Delaware

to them, but to the Abenomees.

That all attempts at negotiation having failed, the Treaty together with the objections, made to its ratification and all that had been done, were submitted to the Senate of the United States - That that Honorable body had conditionally ratified the Treaty, and he would here state to them the changes or alterations they had made - [The Governor here read the Resolution of the Senate, and on a large map placed before them, explained particularly the object and effect of it: - Mr Grignon the Interpreter repeated it, until they all stated that they understood it perfectly well] - The Governor then informed them that their Great Father the President of the United States had sent him here to obtain if possible their assent to these stipulations proposed by the Senate. That if they would consent the whole matter could be settled at once, and they would receive the benefits of the Treaty. - (upon which he again enlarged) - That until it was settled they could get nothing - That he hoped that they would take this into most serious consideration: and agree to give their unconditional assent to the Treaty as ratified by the Senate. That he did not come here to advise them to do any thing that was wrong. That the advantages to accrue to them if the Treaty were ratified would be so great, that he indulged the hope that they would consent to the proposed alteration. That they must not leave the Council, in ill humor as some of them were about to do. - but think well of all he had said - consult together, and give their answer to-morrow.

Tuesday Oct 23rd
 At the Agency house. —
 Present His Excellency, G. B. Porter, Charles A. Grignon

Interpreter - Col. George Boyd Indian Agent, Rich-
ard Prickett Interpreter and a great number of the
Citizens -

The Chiefs being introduced the Council was opened.
Grizzley Bear - Rose and said that Osh-kosh -
called the "Brave" or "The Claws" - was their 1st Chief -
that he was not here - but his Brother was here fully
authorized to act for him, and that he would speak -
- that all their other Chiefs and Principal men
were here: and if ^{their father} was ready to hear this young man
he would speak. - The young man thus referred to was
Akee-o-mi-ni, or Little Brave - He said,
Father you say you are glad to see us: we also
are pleased to see you: - we have waited a great
while to see you: and now since you have come we
think we see in you, our Great Father the Pres-
ident of the United States - Many of our Chiefs
and principal men have seen our Great Father:
and they believe he intends to do what is right for
us and our people: We are a great way from him,
and we hope you will say to him that we expect
he will protect us and assist us: - and we look to
you too to protect us and see that we are not wronged -
When the first white man came to us he said that
we should not be wronged: and that they did not
want to drive us away from our land: and so the
white men who came with these N. Y. Indians said:
that they would not wrong us, if we would only let
them sit down among us: It would be a long story
to tell you all - Now if we should go away what
would become of us? We hope then father you
will not let any one drive us away - No matter in
what way it has been proposed to settle this old
dispute the N. Y. Indians always opposed it - We
ask you therefore Father to help us, so that we may

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get what we were to have by the Treaty.

There is one thing that we would like to have done - There are some of these half breeds who have been brought up among us - and live among us, and we wish them to have some of our land - We will let you know what we want for them hereafter. This man (Grizzly Bear) is our Speaker - He will speak for us all - My Grandfather was the 1st Chief, and when he died my father was the Chief in his place, and therefore you see that I have a right to be considered a Principal man. They had this man for their Orator - He was born and brought up along side of them - And he is our Orator as all our Chiefs will inform you. He will now speak for us all - I have done.

Grizzly Bear - Prepared his Pipe: and all smoked it - He remarked, Father this is our custom - We smoke to please the Great Spirit before we begin any important business like this. This is our War Chief's pipe - Now I will begin - Father, this man who stands in the place of our first Chief, has told you right - We are pleased to see you - and we think we see in you our Great Father the President of the United States - We know all about this dispute and what these A.S. Indians tried to do against us. But I need not go all over it. When Col. Stambaugh was here, and first talked to us about it he said, your Great Father wants to see you. We thought we were going to settle and agreed to go and see our Great Father. But we did not think that we were to give these N.E. Indians a right to make Sugar on our Land: and cut down our maple Trees - When we were with our Great Father the President we told him that we would not allow these A.S. Indians any thing. But he said to us My Children if you like me, you must let these N.E. Indians have a piece of your land: as much as will

be necessary for them - We then began to make the bargain
 - We know what we agreed to - We sold [pointing to
 the map] all on this side of the River [the East side]
 and the Lake, because the Potawatamies had already
 sold a part of our Land on the same side and got
 a heap of money and annuities - and we got none
 of it - We did not wish any more of our Land sold
 by them, and we agreed to sell it ourselves to our
 Great Father - Afterwards we gave away 500,000
 acres for these M.J. Indians and when they got us to
 agree to that I told our Great Father, and every
 one about us heard it, that we would not give
 them a step more - First we offered to give a
 piece on the West side of Fox River, but not so big
 as it is now [pointing to the 500,000 acres as laid down
 on the Map] But our Great Father then said we
 should give more and we agreed to do so - I said,
 my children, I ask you to grant a piece to the M.J.
 Indians but I will pay you for it. We were then
 all satisfied and we thought that the M.J. Indians
 there were all satisfied too. But they staid there
 to make objections - We don't know what they mean
 - We don't like it, that they act so - Our Great Father
 said to us - now my children I am pleased that you
 have behaved so well. If these M.J. Indians will
 not accept of what you have agreed to give them, they
 shall not remain two days on your land. I will send
 them off. You have behaved very generously. You have
 given more than I expected you would have done.

Our Father Col. Boyd tells us that he speaks
 to us with one mouth: that he has but one mouth and
 one heart - We say so too - We settle a matter in our
 hearts: and as it is there we all agree to it, and nothing
 else - Father we have done as you have told us -
 We have all been together and consulted this morning -
 We all agree in what I tell you - It is bad enough

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that you have had to come so far: and bad enough that we have had to wait here, so that we cannot for so long a time get to our hunting grounds - We are anxious to get away and therefore have soon decided and are all of one mind.

Father you have Senators, who think themselves Great Men. But they do not know one place from another, on this Fox River or they never would ask us to do what is in the paper you read and which was explained to us. They agree to make a thing such a way. We may be considered by them small. But we have our War Chiefs - and we do like your Senators, consult them all, and when we all agree on any thing, it cannot be made otherwise - Now I don't see why they refuse what our war chiefs offered - We were too generous - agreed to give them too much. But these N.Y. Indians were not satisfied. and if we had given them half as much more they would not have been satisfied. Our Great Father the President told us, when we sold to him all on the East side, you have all on the West side of Fox River - It is your own Country and you can do with it as you please -

Now Father I have told you what we agreed to give these N.Y. Indians - We are not disposed to give them any more - I told our Great Father the President so - I cannot see their object in asking us to make this exchange - true it is, there is to be the like quantity given for it, below. But if this land is good for them, it is good for us too.

Father, these N.Y. Indians have behaved so badly: - and opposed every thing that is right for so long a time, that we begin to hate them - They are dogs - They want to take our Land from us without paying for it - They hunt on our land and kill our deer: - Have they any right to do so? we are becoming

angry - mad - Father we have seen these N. Indians hunting on our Land above the Grand Chute - they have killed a great many of our deer - They have been hunting all the way out to the Veig river or River of the Lake (Wolf River) - Was this their agreement? No - They were to cultivate the land - This is what they wanted land for, they said: - not to hunt deer on.

Father if they had fulfilled the first agreement as they ought to have done: - complied with the provisions of it, we perhaps might have attempted to satisfy them. But they did not do so: and we don't know how to satisfy them.

Father, our Chief asked you to take care of us - In the name of all our people I tell you that we expect you will take care of us - We cannot do just whatever these N. Indians want - They are always wanting more -

Father, here is this tract we agreed to give them on your Map - I do not see why they should refuse it - Land is but Land - nothing else - We are ignorant of the way you measure land - We do not know what you mean by the Acres you speak of - What is it? - Father there is a house put up where they want this land at the Grand Chute - so you see they made up their minds before they went, to get the land by that House.

Father you told us that these N. Indians said they bought a great deal of our land - I ask you, with what did they pay for it - We received nothing - nor did any of our people receive any thing of consequence - How then can they say they bought our Land? -

Father you now understand me - We do not agree to the proposition made by the Senate - We cannot agree to it - And we ask you to tell all that we have said to our Great Father and the Senate, and

to see that we are not wronged - We look to you to help us.
Father I am now done - If any of our Chief wish to
speak, they will do so. -

A-yah-ma-ta -

Father what this young man told you
is true - My father was a Chief - He was wise and
he had this man [Grizzly Bear] for his Speaker - He
was the Orator. My father's name was Nah-ro - He
was a Chief - Can you see therefore Father that I am a
principal man.

Father, all that our Orator has said is
right - I approve of it all - These are my sentiments
and he spoke for all of us. The Great Spirit knows, and
we call him to witness, that we all consulted together
and we came to the conclusion he has told you.

Father, We your children, do not
look well - we are ragged: and we have no good
clothes - But we are all the principal men of the
Nation - Every one of us is here but one: and this
young man is here in his place.

Father there is no use in talking the
same thing over again - This is not our custom - We
consult together: and when we have agreed one of us
speaks - that is sufficient - This is our custom - I have
now done -

Shaw-e-no-geshig -

Father you see your children
before you - All these here are our principal men
of the nation - I have nothing to say more than
our Speaker told you - We all approve what he said
- Father we stand in need of clothes: and we have
nothing to get them with - We have no money: and we
have waited here so long to see you that we have lost

a great deal, which we would have had if we had gone out hunting, as we are accustomed to do -

Father we have been expecting the annuity which was to be paid us for the land we ceded - We need it very much - We hoped it would come soon but it did not come.

Father, I tell you this, - We were looking anxiously - and every Schooner we saw we supposed brought our annuity money - Our children are in great want of clothes - They thought they would be supplied, when a vessel would come here, with our money - But all our thoughts are in vain -

Father our families had nothing for a long time but potatoes to eat - We helped people to dig up potatoes, and got some of them - Now Father we would like to grease our mouths with some meat.

Cheno-ma-bee-mee.

Father I have something to say to you - and I did not know whether to say it now - or wait until you would be done speaking - But as you say I may speak, I will tell you. Father, I want to tell you something about the Saw Mills, on our land - The object of our Great Father in granting mill privileges, we understand is, that we might derive some benefit from it - that by having lumber sawed we could get some of it, to have houses made for ourselves.

Father - Mr Childs first spoke to my uncle who died lately; - He asked him for the privilege to build a mill on his river (Goose River) and said if he would grant him this privilege his Great Father would give him permission to do it - He afterwards built the mill, and while he had it, he gave us a present

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every year, as he had promised, he would do - But since he gave his right to another or sold it to another, we never got any thing. This I wanted to tell you the first opportunity: and I thought I could not have a better chance - I went to Mr. Arnold the present owner of the mill and spoke to him about it, and he said that several of his cattle had been killed: and that the loss he had sustained thereby, was more than would pay for these last 4 Years - Now father is that a good answer? The pay is coming to me in right of my uncle, and am I to be wronged out of it because others may have done wrong? Now Father look at all these new buildings you see in this country: all the lumber for them was made at Arnold's mill. He must make a great deal of money - will get rich - Should not he give us something? He could very well afford to do it. He promised to do so, and he does not do it - I hope father you will see that justice is done to us - We do not complain of his having the mill - We only complain that he does not pay us, as he promised -

This Father is all I have to say. I wished to wait until all about the Treaty was over - But as you asked if any of us had any thing more to say, I thought I would tell you of this matter.

Butler
V-e-wait-e-naw, or the Rain.

Father I come from the Menominee River - I am glad to see you here, and I have something to say - I hope you will listen to me. I have a story like what this (last) young man told you - I am a Chief - I sprung from the family and am related to this young man [alluding to the Little Brave] I was brought up on Menominee river - My Grandfather's home was there, and so was my father's - and so is mine.

Father I do not like to have the Menominee River dammed up - Is this what our Great Father gave

them permission to do? Did he direct this? - I ask you Father is it the words of our Great Father that our River should be dammed the whole way across? We used to catch plenty of fish - it was our principal means of subsistence - Father I think these men should be satisfied with cutting down all our best timber and sawing it up without stopping the fish. I have nothing to say against the grant - Our Chiefs gave their permission - sent it to their Great Father. But have these men the right to dam the River so that the fish can not go up the River? Father did we ever sell all the fish? - I have no recollection of doing this - Father this man says he owns all the fish in that River and all the cranberries - we never sold all these. Did we? - [Here Governor Porter asked who it was that he referred to - he replied it was the Otter (Farnsworth)] Father all I wish is that the Channel of the River may be left open, so that the fish can go up and down: and that we may catch them as heretofore, to subsist on. [Here they were asked if they had any thing more to say: and having all answered no - that they were done. Gov. Porter informed them that he wished to confer with their Father (Col Boy) and would return in a few minutes.]

On his return,

Grizzly Bear said he had something more to say - and being told to proceed, he said: - Father I wish you to listen to me - As this young man [Little Brave], told you, there are several of these half breeds - a great many of them: half menominee - they have been brought up with us - and we have a good feeling for them - we are favorable to them - They are part of our blood - I mentioned this when we were at Washington and a provision, in their behalf, was to have been inserted in the Treaty

It was understood so - We intended it; but somehow it was omitted; they forgot to put it in - Now Father, I want you to write down, where these people are each to have a tract a piece - It is below the Grand Butte, and all along down the river on the West side - I told this to our Great Father when I saw him at Washington and when we were making the Treaty.

Father I hope you will have pity on us - Our Great Father has pity on the Menominee Children - He said he would give us Farmers to live among us; and to raise for us Corn and all kinds of Vegetables - Now Father about these Farmers I have something to say - We do not like the idea of having them among us - We would rather have the money - the valuable consideration to be paid to them would do us good - Father these Farmers will eat up all the Flour and give the Bran to their Hogs - We never will get any thing of what they raise. You must tell our Great Father about all this - He also wished us to have Mills: and to make these it will require Millwrights, and Carpenters: and we are told that with these mills, the Boards will be sawed to make houses for us - Now Father, we do not want these mills - nor any mechanics among us - We can build our own houses, - Or you tell our Great Father to give us the money - the Cash, and it will do us more good -; or if he chooses to give us more money than all these things will cost, we will take it - Our people know what to do with money. Our Great Father has pity on us - We know this - But Father I wish to ask you is he a merchant? He sent us goods - Why did he do this? We want him to send us the Pewster, and then we can buy our blankets and every thing we need - We can do this ourselves. Our Great Father promised to send us money too. but we have never seen it yet. Our people are poor as you see, and they should have some -

I told our Great Father the President that my Village was at the Putta des Morts - and that these half breeds were with us there - and I wished them to have their Land there, and from thence down the River. My father lived and died there - I live there, and the principal Chief lives there too - the Brother of this young man [Little Wave]

Father you know we always take the advice of our Great Father: and we do what he tells us to do - We therefore expect that he will have pity on us and protect us - You know when the Sacs and Foxes killed some of our people: our Great Father said we must not raise the Tomahawk and kill them: and altho' it was very hard to restrain our War Chiefs and young Warriors, we obeyed - And afterwards when our Great Father sent us word to go after these Sacs and Foxes we went at once, and had our satisfaction - our revenge.

Then father, at the time that three men were killed near Praires du Chien by the Chippewas, we did not go after them - when we were told we must not, we did not mind it; - And so father you will find that we will do - If any more of our people should be killed we will do just as our father here [Col Boyd] may tell us to do -

Now Father we are done: and we are anxious to go home - after we hear what you have further to say to us - We understand all you said: and we cannot agree to give these New York Indians what is proposed by the Senate -

Governor Porter here addressed them as follows:

My Children, I am pleased to find that your Orator has so good a recollection of all that

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passed when he and your chiefs were at Washington,
to make the Treaty. I had nothing to do with making
this Treaty, and cannot inform you why it was that the
reservations you wished to make for your friends, the
half breeds, were not inserted. But, that can not now
be helped - I have not any authority to grant them -

Original
The complaints you make concerning the mill
privilege on Goose River and the stoppage of the fish
in Menominee River will be attended to by your Father
Col Boyd - Mr. Strout is here and states that he has
paid the annual sum agreed on for the mill privilege, up
to the last year, and that this has not been paid because
you will not agree to whom it shall be paid, the person
who theretofore received it, being dead. He is ready
and willing to pay it when this shall be determined -
But these are little matters that I did not come here
to talk about - Col Boyd will attend to all such com-
plaints - I will caution the New York Indians, and
tell them that they must not hunt on your lands -
or injure your Sugar Camps. But you must not
entertain bad feelings against them - You are all
my children and I wish to see you all living in peace
and harmony. I hope you will again consider what I
stated to you yesterday, and consent that the Treaty
shall be ratified with the alterations proposed by the
Senate.

Mrs Grizzly Bear rose in haste, as though much
enraged, and declared that they never would consent
to any such thing. - That no one who had any know-
ledge of the ground, could ask them to do it. That
a part of their people lived above and a part
below the Grand Chute - That on passing up and
down the river with their canoes, they had to make a
portage at the Grand Chute, and at the Big Hakealm,
and their people were in the constant habit of passing

along the shore from the latter place, where one of their Traders lived, to the Big Chute and above it: and they never would consent to give up this ground: ~~that~~ if these Wabenokies intended to rob them of it, they would defend themselves - They had their guns: - had gone at the request of their Great Father to fight the Sacs and Foxes, and,

He was here interrupted by the Governor who commanded him to stop - that he must not get out of humour nor talk in this way. That he must listen patiently until he would hear all he had to say - He then proceeded.

I am well aware of your conduct - Your Great Father has heard with pleasure what his Menominee Warriors have done. And I ~~was~~ have to tell you that they will not go unrewarded. - Major Forsyth, the paymaster of the U.S. Army, is now here. prepared to pay them in Species: and I have instigated your Father Col. Boyd to give them the Guns which they used during the campaign [This was received with great good feeling.] - But remember these Guns are to ~~hunt~~ hunt with: not to fight with, unless your Great Father so directs - You see then how good your Great Father is to you - You must not be obstinate - When you tell me that you do not want Farmers - nor Mills among you, and all this I can very easily perceive that there have been "Bad birds flying about your Heads" - Your Great Father knows better than you do what will be for your good - And we will not send among you such Millers and Farmers as you describe - We will give you honest men - That you need money, as you state, I have no doubt - And I will tell you how you will get it - You must listen to me - I hope the words that I speak will go into your ears and never come out again -

I have come a great distance to see you - Your Great Father has sent me here to give you good advice - And you must give me your attention. Until this Treaty be ratified you cannot expect to receive any benefit from the several provisions contained in it. The Senate of the United States have refused to ratify it as it was originally made - All attempts at compromise or negotiation have hitherto failed - If you will not assent to the several stipulations contained in this Resolution of the Senate; which I understand you distinctly to say you will not; nor consent to any thing which will enable us to effect an arrangement, the whole Treaty must fall to the ground: and what then will be your situation? I beg you to reflect on this -

I wish you to consult together once more and let me know what you will agree to do - I do not ask you to do any thing to please these New York Indians - And for your own good as well as theirs that your Great Father is solicitous that this perplexing affair should be brought to a conclusion. When at Washington last winter I stated to Daniel Bread and the other Deputies there present, that I had no doubt but that you would agree to give up the land along Fox River from the Old mill Dam to the lower line of Grignon's tract at the Big Kakalin and extending thence in a line parallel with the present S.W. line of the tract of 500,000 acres set apart by the Treaty for these New York Indians, so far as to include 200,000 acres - in exchange for an equal quantity of land on the North Eastern side of the Tract. [Here he explained it to them on the map] - But I could not undertake to guarantee this, as you were not present and your decision could not for this reason be obtained - Your Great Father was of the same opinion: and at their request he promised to recommend it to you to do so - This was all that these New York Indians finally asked and because I could not, without your consent, grant

it to them; the compromise was not effected. I now ask you whether you will agree to do this - I advise you to do it - Your Father and friends Col Boyd is of opinion that you ought to do it. Should you consent to it I will transmit it, as your proposition for the consideration of the President and Senate of the United States - It will show, that you are not obstinate, but willing to make a great sacrifice for the sake of peace. Besides this, it is reasonable to suppose that these N.B. Indians will assent to it - I will have them assembled and should they signify their acceptance of your offer, an agreement can be entered into while I am here which will ensure the final ratification of the Treaty at the next Session of the Senate. You must be convinced that I would not advise you to do this, if I thought it was wrong - I will now give you time to consult together - Be cool and deliberate - Think well of all that I have said to you - and come back with a good speech in your mouth -

As you are so very anxious to get away to your Wigwams and your hunting grounds I will stay here this day and meet you at St. Joseph in the afternoon to hear your answer.

Same day: - St. Joseph P.M.

The Council again assembled and Governor Porter having informed them that he was prepared to hear what they had to say.

Grizzly Bear said

Father it seems to take you a long time to do business - you white men - It is many years that this matter has been unsettled. We have waited a long time to see you - you have given us good reasons why you could not come sooner.

You could not control the winds and the sea. You now see all the principal men of our nation here - We ask you to take care of our nation - to protect us and to be good to our children after we are dead -

Houston

Father it does not take us so long to do our business - It would take us a long time to talk this matter all over - We do not talk much - We are so brought up. The forest is our life, and, as you perceive, we do not like to part with it - or any of our lands as we said to you before.

But, father, you are sent here - we take you to be a good man and that you would not advise us to any thing that is not for our good - Your words have gone into our ears. We hold you fast by the hand.

We never refuse good advice from our father. We hope you will tell us the truth - We expect that what we have agreed to do will satisfy the Senate - You must understand me Father - There must be no mistake - You have been very particular in making us understand all you have said - That is all right - Now understand what we agree to do - We agree to give the land from the old mill dam up along the River to the Big Kakalin, where one of our Traders lives (Augustus Grignon) - at the lower line; and then to extend back as you have said [on a line parallel with the South West line of the tract of land described in the treaty] so far as will include 200,000 Acres - and we are to receive an equal quantity of land on the North Eastern side of the Tract, on the Oconta Creek.

But we have one exception to make - Augustus Grignon has sugar camps at which he makes sugar - we do not know exactly where they are, so as to describe them to you - They are back from the River, on this land which we agree to give up. He must have the privilege to make sugar as heretofore at his Camp

And there are some others of our Friends, the Traders, who have Sugar Camps back here, and it is our wish that they may not be interfered with either -

Now my Father I hope it will be as we have told you. And it must be understood that these N.Y. Indians shall not hunt on our Lands - We forbid them to do so - have told them so. And besides this it must be understood that the communication shall not be stop'd, where we let them have the lands. The road is open to all, and we must have the right to pass along, as other people will do.

Father, you should know too that we granted a tract of land to one man and the Secretary of War, gave him permission to hold it. He has the privilege - This is to be excepted in what we grant to the New York Indians - There is a Mill Seat on it - It is Apple Creek - [Here Governor Porter enquired the name of the person to whom it was granted. The answer was, to Charles A. Grignon.] - Father, I do not see why this was not included in the Treaty because I told our Great Father before we signed the Treaty that he [Charles A. Grignon] was to have this Section of land. and it appears it was not included in the Treaty - You must also tell the N.Y. Indians that they must not spoil these Sugar Camps.

We hope that what we have agreed to do, will be satisfactory to our Great Father the President and to the Senate of the United States - and to you. And after this if the New York Indians hunt upon our Land we will break their Guns - This is our custom: and besides this, which is the practice of all your Red Children, the N.Y. Indians will now have notice of what we will do, if we catch them hunting on our Lands. Father you must not be angry with us for this - We are determined to do so.

And we rely on you to protect us, and to help us along - These N.Y. Indians are hard to be satisfied - They are made like you are - They have education and pride themselves upon it. But Father they have no ears - They are like Dogs - when we give them a piece they want more.

They have no hearts or souls. And as I told you before, they behave so badly that we hate them. What we agree to do now, is for our Great Father's sake and for your sake.

You advise us to do so, and we never refuse good advice coming from our Father. They have no right to ask or expect any thing from us. I have told you all except this which I now tell you, that you may let them know, that we now agree to fix a line and if we find a house of the N.Y. Indians over this line we will pull it down and put it back on their ground - Father you must not be angry with us - You see we have, in pursuance of your advice agreed to do so much for peace: and having done this, we are determined on what I last told you.

Father we told you before about the half breeds - That what we agreed to give them ought to have been included in the Treaty. and that we told our Great Father and all of them around us this before we signed the Treaty. I need not say any thing more. I am done.

P. wait-e-naw -

Father we are all of the same opinion - our great Speaker has told you what we have agreed to do. - We are now all done.

Governor Porter here remarked to them that he did not wish to hear any thing about the privileges of these Sugar Camps - That although it might be just enough that they should be reserved for their friends, yet it would be very wrong to insist

upon these trifling privileges, if they should be objected to by the New York Indians - And that it would be making a great deal out of a trifle, if this should be assigned as the cause or furnish an excuse for preventing an adjustment and settlement.

Upon this a Consultation was had among the Chiefs: after which - Grizzly Bear replied -

Father we do not agree to grant any thing to please the New York Indians - We do not care whether they like this or not - We have done so much to please you under the hope that it will be satisfactory to our Great Father and the Senate: and these little privileges we insist on.

Governor Porter here informed them that he would communicate all that they had agreed to do to their Great Father that it might be laid before the Senate. That they must understand it distinctly that in receiving their propositions, the Government is not to be considered as pledged to agree to the Terms proposed by them; but that, in receiving their propositions, he did it with a view to transmit it for the consideration of the President and the Senate. That he was further instructed to see the N.Y. Indians and ascertain whether they would accept the modifications now requested required by them, (the Menominee) - That if the New York ^{Indians} would signify their acceptance of the proposition now made he would draw up a general agreement to that effect; have it signed, and the whole matter might then be considered as settled and determined. That he had invited these New York Indians to a Council tomorrow: and after he had heard what they would say he would communicate the Result

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to them the Menominees - that as they were unprepared to get away he would try and do this tomorrow afternoon.

clifford
Having thus received the proposition of the Menominees, the next step was to assemble the Chiefs of the different Tribes of New York Indians; to submit it to them, and to ascertain whether they would signify their acceptance of it. Several of the Chiefs and head men were in the neighborhoods - Samuel W Deall had called at the Governor's lodgings and stated that all had been notified to attend and he would undertake to have them assembled at 12 o'clock tomorrow.

Wednesday October 24th

The Governor - Interpreters - and many Citizens met at the Council room at the appointed hour, and remained there until 2 o'clock -

As none of the New York Indians attended, it was thought best to give them notice in writing: - and the more especially so, as it was alleged that notwithstanding what had been said by Mr Deall, Daniel Bread and some others had not been notified to attend and that some advantage would be taken of it. - The following notice was then prepared, and copies of it served on all the Chiefs and Head men of the Tribes therein stated, viz:

"To the Chiefs and head men of the Six Nations of New York Indians of the St Regis Tribes - and also of the Stockbridge Munsie & Brotherton Tribes."

"Having been directed by the Secretary of War
 "to come on to this place, for the purpose of procuring,
 "if practicable, the assent of the Menominees to the
 "proviso or Resolution of the Senate, in the ratifi-
 "cation of the Treaty made with the Menominees
 "at Washington in February 1831 - which assent is
 "required before the Treaty can be obligatory upon them.
 "and having used my best efforts with them to
 "effect this object: but without success. And having
 "next proceeded according to my instructions which
 "were, that if I failed in obtaining their assent to
 "the proposed alteration made in the Treaty by the
 "Senate that I should endeavour to procure their
 "assent to the best practicable Terms, short of those
 "proposed by the Senate; and having received from
 "the Menominees their last & final proposition -
 "I am now according to my instructions to ascer-
 "tain whether the New York Indians will signify
 "their acceptance of the modifications required
 "by the Menominees."

"I have therefore to request you
 "to meet me at the Office of the Indian Agent
 "Col. Boyd, as soon after you receive this notice
 "as practicable - I hope no delay will take place.
 "The sooner you can come the better. This day at
 "12 o'clock, was assigned as the hour of our first
 "meeting. As none of you have attended, we shall
 "meet again tomorrow at 10 o'clock, if which you
 "will all take notice."

"Green Bay -"

Oct. 24. 1832"

"G. B. Porter"

Thursday October 25th
 The Chiefs and head men of the Six Nations

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of New York Indians - of the St Regis Tribes, and also of the Stockbridge, Muncie and Brotherton Tribes assembled at the Agency House Present. His Excellency the Governor, Col. Boyd Indian Agent - Charles A. Grignon and Richard Prickett Interpreters: and a large concourse of Citizens. (By request of Mr. Beall the Menominees were not invited)

Mr. John W. Quinney made a neat address in the English language, welcoming their Father to this Country, and hoped the Great Spirit would aid and assist him in putting an end to this perplexing affair - That from what he had seen during the last winter at Washington he was convinced their Father would do every thing in his power to effect an adjustment of their differences, on fair and just principles - and being now assembled they were anxious to hear what proposition he had to make to them.

The Governor after returning the Compliment ~~to~~ addressed them at length; stated what his instructions were - what he had said to the Menominees, and all that had passed or occurred in the various Councils held with them - That they had absolutely refused to give their assent to the Treaty as ratified by the Senate; and that he had finally prevailed on them to agree to the proposition which he would now submit to them: and which he urged them strenuously to accept [As the Proposition and the substance of all that was said is contained in the following writing, prepared by the Governor agreeably to the request therein stated it is needless here to repeat it.]

On concluding his remarks they observed that they were not prepared now to reply but they would

retire and consult together and would return and give their answer at 4. o'clock this afternoon — .
 After withdrawing from the Council room John W. Dinnery returned & requested to be furnished in writing, with a Copy of the proposition made by the Menominees. — Together with their Father's advice: — what he had said &c. It was accordingly prepared, and is in the following words:

"At a meeting of the Head men of the
 "Six Nations of New York Indians; of the St Regis
 "Tribe — and also of the Stockbridge Muncie and
 "Brotherton Tribes, at the Agency House at Green
 "Bay, on the invitation of George B Porter Commis-
 "sioner specially appointed, &c. — on the 25th day
 "of October 1832."

"The said George B Porter, having
 "explained to them, what his instructions were,
 "viz: — to procure if practicable the assent of the
 "Menominees to the proviso, expressed by the Sen-
 "ate of the United States, in their Resolution of
 "the 25th June 1832, to the ratification of the Treaty
 "made with the Menominees at Washington in February
 "1821 — which assent is requisite before the Treaty can
 "be obligatory upon them (the Menominees): — and
 "should he (the said George B Porter) fail in this
 "object that he would then endeavour to procure their
 "assent to the best practicable terms short of those
 "proposed by the Senate — with a view to transmit it
 "for the consideration of the President and Senate —
 "And in case this course should become necessary that
 "it would be very desirable that the New York Indians
 "would also signify their acceptance of the modifica-
 "tions required by the Menominees."

"Having also read to them the

" said resolution of the Senate and the Conditional ratification
 " of the said Treaty predicated thereon: and that his best
 " efforts had been used to procure the unconditional assent
 " of the Menominees to the Treaty as ratified by the
 " Senate: - but without success: - That he had, after failing
 " in this object, endeavoured to procure the assent of the
 " said Menominees to the best practicable terms short of
 " those proposed by the Senate, with a view to transmit
 " it for the consideration of the President and Senate:.
 " And having explained to the Council present, what
 " the Menominees had agreed to do, and that he had
 " therefore assembled the New York Indians, to ascertain
 " whether they would accept the modifications required
 " by the Menominees; by doing which the perplexing di-
 " puts, which had so long existed, to the prejudice of
 " all concerned, and the prosperity of this Section of
 " the Country, would be brought to a conclusion - And
 " having then explained to them, what had been done
 " during the last Winter at Washington City, with a
 " view to end this difficulty; and what presented a
 " final adjustment of the question there - And having
 " advised them to consent and agree to the proposition
 " now made by the Menominees. And the said Indians
 " being about to adjourn to consult and confer together,
 " preparatory to giving their answer, a request is made that
 " the proposition of the Menominees be given to them in
 " writing - In compliance with which the following is
 " given as the substance of what the Menominees will
 " agree to do, as stated by them in open Council: "

"viz: -"

Burton " That for the purpose of ending this dispute
 " and that they may then receive the benefit of the
 " several Stipulations in the Treaty: and under the ad-
 " vices of their Great Father, and their Father now
 " present among them; and in the hope and expectation

"that what they have agreed to do will be satisfactory
 "to their Great Father the President, and the Senate of
 "the United States, they agree to give up and cede
 "the land along Fox River from the Old mill dam to
 "the lower line of Augustin Grignon's tract at the Big
 "Kakalin: and extending thence on a N. W. line or a
 "line parallel with the present South Western line of
 "the tract of 500,000 acres, set apart by the Treaty for
 "the New York Indians so far as to include a tract
 "of 200,000 acres, without including any of the con-
 "firmed private land claims — and in lieu of this
 "the New York Indians to give in exchange an equal
 "quantity (200,000, acres) of land on the North
 "Eastern side of the Tract on the Oconto Creek — being
 "a part of the same Tract of 500,000 acres as afore-
 "said. The only exception to the said grant of the
 "200,000 acres as aforesaid, between the Old mill
 "dam and the lower line of Grignon's farm as aforesaid
 "and extending back for quantity, being stated by the
 "Menominees as follows: — that they had given a
 "tract of land with a mill seat on it — and the privi-
 "lege of erecting a mill, to Charles C. Grignon: being
 "on Apple Creek, and that the Secretary of War gave
 "him permission to hold it. And that this was to be
 "excepted in what they agree to grant to the New York
 "Indians — Further, that Augustin Grignon has
 "Sugar Camps at which he makes Sugar, some-
 "where on the land that they agree to give up, — and
 "that he must have the privilege to make Sugar
 "as heretofore at his Camps. And that it is their
 "wish that such of their Traders as are accustomed
 "to make Sugar may not be interfered with: and
 "that the Sugar Trees might not be cut down.
 "And further, that the New York Indians shall
 "be prevented from hunting or building houses on their

" (the Menominee) land. And that it must be under-
 " stood, that the communications should not be stopp'd;
 " but the roads through the land be open to all and
 " that they shall have a Right to pass along as other
 " people will do." "G.B. Porter"

Same day at Ft of Lock P.M.

Present - His Excellency the Governor - Col Boyd -
 the Interpreters and many Citizens:

The Indians did not appear, agreeably to appoint-
 ment. - Soon afterwards the following note signed
 by John Matoxin but drawn up in the handwriting
 of Samuel W Beall, was delivered by one of their
 runners. -

"Green Bay Oct 25th"

"The undersigned in behalf of the Chiefs
 " and Head men of the New York Indians in Coun-
 " cil assembled would respectfully inform His Excellen-
 " cy that in consequence of the late hour { 4 O'clock }
 " at which his communication arrived, they will be
 " unable to meet the appointment as made for this
 " afternoon."

"Any hour in the morning most convenient
 " to His Excellency to meet, will be equally agreeable to
 " the New York Indians"

"John Matoxin"

His Excellency
 G. B. Porter Esq

To which the Governor returned by the bears
 this answer "

"At the request of the New York
 " Indians I will agree to waive the meeting this
 " afternoon - and I assign 9 O'clock tomorrow
 " morning as the hour of meeting to receive their

"answer."

"G B Foster"
"Oct 25. 1832"

"To the Chiefs and
Principal men of the
Several Tribes of N.Y.
Indians"

Friday October 26.

At 9 o'clock A.M. - agreeably to appointment the Governor - Col. Boyd - the Interpreters and many Citizens attended - But no Indians appeared. -

About 10 O'clock, Sampson Marquis a Stockbridge Indian appeared and addressing himself to the Governor, in the English language remarked, that the rest of the Indians who had met us in Council yesterday, were at Mr. Beall's Office - that he was drawing up a paper for them to sign by which they refused to accept of the propositions made by the Menominee; and as soon as it should be completed, a Committee or Deputation would bring it to the Council Room. That Mr. Beall had told them not to meet again in Council; but to let him advise them and draw up in writing an answer to any proposition which might be made to them - That he (Sampson Marquis) and many more of their people were dissatisfied with this mode of doing business: - that their Chiefs and head men did not understand what Mr. Beall would write down - that he would write it his own way, and not as they wanted it; - and that it was heard when all the Stockbridges, Brothertons and Munsees were perfectly satisfied with the

proposition made to them last Winter at Washington and which was still within their power, that Mr Beall should prevent them from coming to a Settlement - That he was astonished at their people for being so blind, not only to their own interest; but to the motives of Mr Bealls conduct. That the contract entered into long ago with Mr Beall, was, to pay him Six hundred dollars per year, for his services so long as the dispute remained unsettled - That this sum was principally paid to him out of their money -; that the Six Nations paid little or none of it; and now when they (the Stock-bridges Head) had got all they wanted, it was asked that they should pay to keep up a dispute, to their great prejudice, and seriously affecting their true interests - That he thought it his duty to come and state these facts, and to ask their Father whether something could not be done to prevent Mr Beall from interfering in their concerns.

4-95

Delaware

About one o'clock P.M. John W. Quinney accompanied by some others, appeared in the Council Room and presented a paper of which the following is a Copy -

"To His Excellency - G. B. Porter Esquire."

"We The undersigned Chief and Principal
 "Men of the several Tribes of New York Indians
 "now resident in the vicinity of Green Bay, having
 "received and considered the proposition of the
 "Menomonic Tribes (as contained in the letter of
 "your Excellency of Oct 25th) to amend the modifi-
 "cation of the Senate to the Treaty of February 1834,
 "and being advised by your Excellency to accede to
 "said amendment of the Menomonies - Beg leave

"respectfully, but explicitly, to state that we have
 "neither power nor inclination to close with any
 "terms other than those expressed in the aforesaid
 "modification of the Senate."

"We cannot express the surprise we
 "feel, that an obstruction should be offered from
 "any quarter, to prevent a settlement of the matter
 "as it stood upon the final and impartial action of
 "the Senate of the United States — And we are
 "mortified to find, that after all our sacrifices we
 "should again be called on by the officers of the Govern-
 "ment to make further concessions."

"We intreat your Excellency, as the
 "general Father and Head of all the Tribes of the
 "North West to review the past history of this long
 "and distressing contest, and if you can then find it
 "in your heart to term us obstinate and unyielding
 "we have erred in attributing to you feelings towards
 "us you do not possess."

"If in the course of the few remarks
 "we shall make to your Excellency at this time, an ex-
 "pression should escape us, which may be wounding to
 "your ear, or unbecoming the Red Man when ad-
 "dressing his Father, our apology will be found
 "in the necessity of asserting our rights respect-
 "fully, but firmly, and in the feelings we must
 "possess in our present unparalleled condition."

"In the course of the various nego-
 "tiations regarding our claims in this Territory we
 "have constantly retreated and yielded up our rights
 "when called upon by the Government, until this
 "spirit of concession seems to have rendered us
 "contemptible in the eyes of the Menomones —
 "How else can they now ask more of us?"

"If a desire of peace and an

"attachment to the Government of the United States
 "has exposed us to privations and losses we should
 "otherwise have avoided - It will not - It cannot,
 "therefore be supposed that we will now or at any time
 "yield anything to the perfidy of our Menomonic
 "Brethren."

"No good reason exists, why they should
 "not cheerfully have yielded to the will of the Senate.
 "We believe that to the Oconto residing on the Oconto,
 "the tract in that vicinity is more valuable than the
 "Lands on the south and that they would gladly have
 "closed with the offer of exchange, if left free to ex-
 "press an opinion."

"There is no weight in the remark, that the
 "proviso of the Senate by granting to the Six Nations
 "the course of the river from the Mill dam to the
 "Grand Shute, worked an injury to the mills or farms of
 "the Menomonies."

"The water power at the outlet of the
 "Winnepago Lake is great; - is included in their tract.
 "and would be as useful and available for the Menomo-
 "nies as that at the Grand Shute - Besides from
 "the reports of Col. Stambaugh, we are to believe that
 "the Oconto and the streams in its vicinity abound with
 "excellent Mill seats. Equally unfounded is the consid-
 "eration that if the Six Nations possess the river above
 "Gignon's line to the Grand Shute the Menomonies
 "will have no privilege of encampment and portage -
 "with what nation of the world and with what Indian
 "Tribe is the permission of temporary rest, from the peaca-
 "ble Traveller withheld? And why does not the objec-
 "tion, if good, hold the more strongly, for the difference
 "in distance between the Rapides des Peres and Gign-
 "on's line, now proposed to be allowed to the New
 "York Indians?"

"But upon the assumption that the modification
 "was of real injury to the selling operations of the
 "Menomones, as intended by the Treaty to be carried
 "at the Grand Shute. Would it not be preferable
 "that by a subsequent arrangement the Government
 "should select the Winnebago Rapids or some
 "other waterpower for that purpose, instead of
 "jeopardizing the welfare of both parties in opening
 "the door for another contest more bitter and obdu-
 "rate from duration?"

"It is manifestly so impossible
 "that the exceptions in the proposition of the
 "Menomones in favor of their Traders and some
 "of the French inhabitants of the Country should be
 "acceded to, that we would not refer to them
 "but that the attention of your Excellency may be
 "called to the quarter from whence all our diffi-
 "culties have sprung - and that you may per-
 "sonally attest the influence which this part of the
 "white population exercise upon the movements of
 "the Menomones."

"From our knowledge of the
 "easy means by which Government effectuates its
 "plans with Indians generally and from all which
 "has met our notice during the present negotiation
 "with the Menomones, justice to ourselves requires
 "us to express the decided belief that if the same
 "persevering efforts which were exerted in obtaining
 "the assent of the Menomones to the proposition
 "now submitted to us, had been employed in
 "procuring their unconditional concurrence in the
 "modification of the Senate, Your Excellency would
 "have accomplished what we are informed has
 "been the main object of your Mission. As it is -
 "we have the consoling reflection that whatever

"may be the result of the present violation of the will
and expressed intention of the Senate by the non-acceptance of the Menomonees - However injurious to the interests of the Country and the rights of individuals, no dispassionate Tribunal will attribute to us any portion of folly or obloquy which may be attached to the transaction"

"Green Bay Oct 26th 1832"

"attest
H. Beall"

"Onondaga"

- Henry ^{his} Powles _{mark} "
- John ^{his} Anthony _{mark} "
- Nathaniel ^{his} & Neddy _{mark} "
- Cornelius ^{his} & Stevens _{mark} "

" Seneca { Geo ^{his} & Jameson _{mark} "

" St Regis & Tuscaroras { E. Williams "

" Brotherton { Randal Aoner "

- John Metoxin "
- Jacob Cheek Hanson "
- Stockbridge { Robt ^{his} & Konkapt _{mark} "
- John W. Quinney "

" Munsee { Capt Porter ^{his} _{mark} "

Huron

Upon reading it, the Governor remarked, that he had expected something like this. That their friend Samson, Marquis had been here sometime before, and gave him to understand what they were doing: and why it was, that since the adjournment of the meeting yesterday morning, they had not attended

at the Council room nor given an answer to the proposition submitted - He then repeated what Sampson had stated: explained to them the interest which VBeall had in keeping up this dispute: - that he was to receive of them yearly and every year Six hundred dollars; - and that if a settlement or adjustment of their difficulties took place, he would lose what, according to the opinion of all the Citizens of the place was the present means of affording him a livelihood. That he (the Governor) had come here as their Father, entertaining for them the best feelings of kindness and good will, to hold a Council with them - That instead of meeting him in the Council Room according to their appointment, and stating to him candidly and honestly, what their views and wishes were, they had suffered this interested man VBeall to draw up a paper which they did not fully understand - that they had signed their names to it and now presented it. That it contained insinuations and falsehoods, which even the author of it ought to be ashamed of. That Col. Boyd, the Indian Agent at this place, and more than twenty other Individuals, many of whom were now present, had attended the Councils, and witnessed every thing which had passed since the first meeting with the Menomonees on Monday last; and could attest that the representations made to them (the W^B Indians) were false and without even the semblance of truth.

The Governor then turned to several passages in the paper and, on reading each, enquired if this were true? To which they answered that they could not say it was - that they had no knowledge of it: and some remarked that they did not know that such a thing was in the paper. He then told them that this showed how improper it was to do

business in this way - That they should return and bring their friends with them - He wished to hear from themselves, what they had to say: and what their answer was - That if they would only think and act for themselves he did not despair of settling the whole matter before he went home - That they now had an opportunity which might not again occur, and they should embrace it. That no exertions should be spared to bring about a settlement of the differences which existed - That he would wait in the Council Room until they could return with such of their friends as chose to accompany them - That should they refuse to meet him in Council they must on reflection perceive that such conduct would not place them in a very enviable light before the President and Senate of the United States -

Soon afterwards, the Chiefs and head men of the Stockbridge, Muncie and Brotherton Tribes, returned: and wished to hear as they expressed it, their father's advice. The Governor repeated to them what he had previously stated: - the great evils which had been experienced by all concerned in this unprofitable controversy: - the opportunity there now was of settling it - the liberal offer, which he had prevailed on the Menominee to make, with a view to the final adjustment of all their difficulties, and that the ^{the} Indians should seriously reflect before they came to a decision refusing to accede to the proposition now made to them: - that if they refused to accept now (when the agent of the Menominee had been obtained) of what their deputation last winter asked, and were obstinate and unyielding in their demands, they might find when it was too late, that such a course of conduct would not advance their interests. That as the Tribes

as the hands now present were satisfied with the proposition made in regard to them, it did not in his opinion become them to hold back:— but that they should at once come forward and express their opinion (if such was their belief: and from what he had heard he had no doubt it was) that the offer now made by the Menominees was such that all the N.S. Indians should signify their acceptance of it; that the expression of this opinion on their part might have the effect of inducing Daniel Bread and the other principal men of the Six Nations to come into the measure: and thus end all further trouble and enable them to set down in peace and harmony.

After consultation, it was remarked by some of them that they were perfectly satisfied:— that the offer made by the Menominees was reasonable and fair, and they were convinced that it ought to be accepted by all the N.S. Indians:— but they had been told that they must all go together and that if the others held back, they could not agree to any thing:— and situated as they were they did not know whether it would be right for them to sign any agreement—

The Governor here informed them that he had said all he could say and they should use their pleasure.

They then consulted together— spoke to their Father Col Boyd, and then stated that they had determined to show their willingness to have the matter settled and would sign an agreement— Upon which, as it was late in the day (and they were anxious to get away) a short agreement was drawn upon the back of the proposition of the Menominees as drawn out in writing and furnished by Governor Porter to the N.S. Indians yesterday (see it on p. 32 & 35 of this Journal) & it was signed— It is in the following words:

For the purpose of settling and adjusting this long protracted dispute, we hereby acknowledge that we will accept the modifications required by the Menominees.

Done at the Agency house at Green Bay this 26th day of October in the year of our Lord One thousand eight hundred and Sixty two.

Signed sealed and Delivered in the presence of us
George Boyd
U.S. Indian Agent
Saml. Abbott
Joshua Boyer
Henry S. Baird
Charles A. Grignon
A. J. Irwin
Eben Childs

John Metocin
Jacob Chicks
Robert ^{his mark} Nonkapot
Thos J. Hendrick
Austin Quinney
Sampson Marquis
Capt ^{his mark} Porter
William Dick
Daniel Dick
Elkanah ^{his mark} Dick

John W. Quinney having objected to signing the agreement thus worded, an additional instrument was drawn up, to meet his wishes, and was signed by him, of which the following is a copy: -

"I hereby signify my acceptance of the modifications required by the Menominees as set forth in their proposition within stated, with this exception that I am of opinion that the reservations which they wish to make of the privilege of Charles A. Grignon & of the Sugar Camps ought not to be made. My opinion is that the Menominees have agreed to grant a sufficient quantity of good land and suitable in its location for the New York Indians, but that the land should be clear of these incumbrances."

Done at the Agency house at Green Bay,

Handwritten signature/initials

"this twenty sixth day of October A.D. one thousand eight
hundred and thirty two."

"Signed, sealed & delivered"

"J. W. Quinney"

"in presence of us"

"George Boyd" "Charles A. Grignon"

"U.S. Ind. Agt." "Eben Childs"

"Samuel Abbott"

"Joshua Boyer"

"Henry S. Baird"
Sic. 4.

On preparing to withdraw from the Council, they were advised by the Governor to see Daniel Bread and the other chiefs and head men representing the Six Nations: — tell them what they had done; and inform them that on the morrow the Governor intended closing the Council, being anxious to set out on his return to Detroit. — That if they had any thing further to say he would attend at the Council room, tomorrow to hear it. — They then left the room.

It having been stated that it was possible that the head men of the Six Nations would yet assent to the proposition of the Menominees if it were varied in certain particulars, the Governor sent for the Menominees who soon after entered the Council room.

The Governor stated to them that he was sorry, that he had come here under the belief that all this dispute could be settled: — but that the A. N. Indians would not agree to the offer made: and that they particularly objected to the reservation made by them of the Sugar Camps — Grignon's privilege ~~land~~: and that he wished, for the sake of peace, that his Menominee children would agree to give up these exceptions or reservations: and also consent, if it could not be otherwise

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settled, that the line for the additional 200,000 Acres should set out at some point higher up Fox River, to be agreed on by the parties - That in case the Menominee would now agree to have this dispute compromised on these principles he would give them Corn - Presents - provisions &c (mentioning the amount of each)

Grizzly Bear rose and said -
Father - You do not seem to know us - We do not change our mind so soon as this - We have already told you that when we have any thing to do, we consult together and decide; and when done, so it must be - We have also told you that we do not care any thing for the New York Indians - whether they are pleased or not. - We will not do any things for them - We would not take all the money our Great Father has, nor all the good things you have offered, to give the N.Y. Indians any more of our Land - You tell us that if we do not agree to do something now by which a settlement will be effected the Treaty will fall to the ground, and we will lose all the advantages secured to us by it - We say, no matter, let it fall to the ground - We will not do any more - We are willing to do what is right - We take you and our father Col. Boyd by the hands, believing that in so doing we take our Great Father by the hand - But we know that our Great Father would not ask us, for his sake, to do more. What you want us to do is for the New York Indians, and we say No - we will do nothing more -

He here appeared very much enraged and all of them rose to go out -

After something said to soothe their feelings, they retired - being then late at night - It being understood that an agreement for them to sign would be prepared in the course of the next day, and

that when it should be completed and signed they might return home.

Saturday Morning Oct. 27th

At the suggestion of some of the New York Indians a notice in writing of which the following is a Copy was given to all the Chiefs and Head men: viz:

"To the Chiefs and Principal men of the New York Indians as well of the Stockbridge, Munsee & Brotherton town Tribes, as of the Six Nations & St Regis Tribe"

"Previously to closing with the Menominees, by obtaining their signatures to the agreement which I have drawn up, I think it right to invite you to meet me at the Agency house, that you may have an opportunity once more of saying whether you will all accept the proposition made by the Menominees: or whether you have any thing further to say or propose to me when assembled in Council — It is Saturday. & I must close my labors here to day — The sooner you can come to the Agency house to meet me, the better — The Menominees are very impatient, & threaten to go home immediately."

"G. B. Porter"
 "Sat. morning"
 "Oct 27 - 1832"

Between 12 and one o'clock, all the Chiefs and Head men of the New York Indians as well of the Stockbridge Munsee and Brotherton Tribes as of the Six Nations and St Regis Tribe attended in the Council Room —

Present His Excellency Governor Porter — Col Boyd — the Interpreters and a large concourse of Citizens —

Eleazer Williams rose and said, Father to show you that we are willing to make a sacrifice, for the sake of having this dispute settled

we have attended agreeably to your notice of this morning, and I am instructed by the New York Indians to make this, as their last and final proposition: viz: The New York Indians will agree to settle this controversy, on condition that they have granted to them in exchange for 200,000 acres on the North Eastern side of the tract of 500,000^{ac} described in the Treaty, an equal quantity on the South West side, to be laid off as follows:—

(Beginning) at the Old Mill Dam and thence extending up Fox River to the Little Rapid Croche:— thence running back from the River three miles:— thence in the direction of the course of Fox River keeping back three miles from the same, until it shall intersect the first stream which empties into Fox River above the Grand Chute, and thence running on a line parallel with the South West boundary line of the tract of 500,000 acres described in the Treaty, the necessary distance to include 200,000 acres.

To this Governor Foster answered that it was needless to confer longer about it, if these boundaries were insisted on — That in no event could the line extend further up Fox River than where it would intersect a line running north West commencing one mile above the Grand Chute which was the point mentioned in the Resolution of the Senate, and which had been pointed out again and again to the Menominees.

That, as in this proposition, it was agreed not to ask the front on Fox River higher up than the Little Rapid Croche; and that above this point the claim of the New York Indians was not to approach nearer to the Fox River than three miles, he supposed one of the strongest objections which the Menominees had heretofore made would thereby be removed. Their portage ground and trading post would remain free to them — and that if the proposition now made was varied so that

Clifford

The line should not run higher up than where it would intersect a North West Line commencing one mile above the Grand Chute, it was possible that the Menominees could be induced to accept of it: and that he would use every exertion to get them to agree to it - that they (the N.Y. Indians) should confer together, and determine whether they would thus modify their proposition - After a few moments they agreed to vary their proposal - Daniel Bread then said that his only remaining objection to entering into an agreement to this effect was the reservation of the Sugar Camps and the privilege of Charles A. Gignou - That if these were removed he would willingly enter into the agreement - Upon being informed that the privilege of Charles A. Gignou was approved by the Secretary of War and that the Governor had no authority to destroy it, Daniel Bread said he would not object to this, but he hoped that the Secretary of War would grant him a privilege elsewhere in lieu of this. (and Mr Gignou being present said he would release this, if a privilege were given to him in such other place as he should select, on the lands described in the Treaty, as ceded to the United States or reserved to the Menominees) - Daniel Bread still objected to the reservation of the Sugar Camps - and as Augustin Gignou was not present nor in the vicinity, no arrangement could be made with him concerning it -

The Governor then said, "Well now let me understand you - You say you will consent to enter into an agreement to end all matters in dispute and that the Treaty shall be ratified accordingly by the Senate of the United States on condition that the Menominees will agree to cede for the benefit of the New York Indians, along the South Western Boundary line of the present 500,000 acres described in the first

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"article of the Treaty as set apart for the New York
"Indians a tract of land bounded as follows—
"Beginning on the said Treaty line at the Old mill dam
"on Fox River and thence extending up along Fox River
"to the little Rapid Croche— from thence running a
"north west course three miles— thence on a line run-
"ning parallel with the several courses of Fox River and
"three miles distant from the river, until it will intersect
"a line running on a north west course, commencing at
"a point one mile above the Grand Shute; thence on a
"line running north west so far as will be necessary to
"include, between the said last line and the line des-
"cribed as the south western boundary line of the Five
"hundred thousand acres in the Treaty aforesaid, the
"quantity of Two hundred thousand Acres— and
"thence running north East until it will intersect the
"line forming the South Western boundary line aforesaid.
"and from thence along the said line to the Old mill
"dam or place of Beginning, containing Two hundred
"thousand Acres— Excepting and reserving therefrom
"the privilege of Charles A. Grignon for erecting a mill
"on Apple Creek Fea as approved by the Department of
"war on the twenty second day of April one thousand
"eight hundred and thirty one— and all confirmed
"private land claims on the Fox River, The lines of the
"said tract of land so granted to be run marked
"and laid off without delay by a Commissioner to be
"appointed by the President of the United States—
"And that in exchange for the above, a quantity of land
"equal to that which is added to the South Western side
"shall be taken off from the north Eastern side of said
"tract, described in that article, on the Oconto Creek to
"be run marked and determined by the Commissioner
"to be appointed by the President of the United States
"as aforesaid, so that the whole number of acres to be

"granted to the ^{Stations} and St Regis Tribe of Indians
"shall not exceed the quantity of Five hundred thousand
"and Acres."

To this all gave their assent -

This done the Governor informed them that they
might now retire, and he would have the Menominee
brought into the Council Room, and see whether they could
be persuaded to accept of this proposition, and that he
would expect them (the St. Regis Indians) to return to the
Council Room in the course of an hour when he would
communicate the answer which the Menominee should
give -

At 3 o'clock P.M. - the Menominee Chief and
head men, came into the Council room, and the Governor
explained to them the proposition now made by the St. Regis
Indians - and urged them most earnestly and strenuously
to accept of it. - pointed out the many benefits which
would accrue to them if the Treaty were confirmed. -
That this proposition was a new one. - that it left free
for their use all the lands for three miles back, along
the River, from the Little Rapid Croche to the Grand
Chute and above it - and that he advised them, as their
father and their friends, to agree to it. - that they had
been waiting here for a long time. - their patience was
exhausted and they wanted to go home *Yes Yes Yes* -

Grizzley Bear, enquired very particularly, so as
to understand thoroughly the proposal made. - and
after having it fully explained to them all on the Map,
they conferred together for a considerable time - He then
wished to be distinctly informed whether the Governor
would give them what he had said he would viz.
Presents in Clothing to the amount of \$1000. -
Five hundred Bushels of Corn. Ten Barrels of Pork
Ten Barrels of Flour *Yes Yes* - This being answered

in the affirmative.

Grizzley Bear said -

Father I shake hands with you all - I hold you
fast by the hand - Listen - I am now about to
speak for all our Nation - I am talking to you, but still
I think I am talking to my Great Father with whom I
had the pleasure of shaking hands when we were at
Washington. When I spoke with our Great Father he
did not ask us to do this. But as it cannot be settled
otherwise and you have been sent here by our Great Father
we must take your advice - You are strong we are weak -
I am not talking to these New York Indians. but to you,
representing as you do our Great Father. and I am
willing to do what is thought right by him and you -
I am willing to leave the whole matter to him and to do
as you say -

English

(105)

I hope our Great Father will have pity on us -
When I shook hands with him I thought I would be happy
He told me we would be made comfortable - [You have
told us all; and how it is that we have been so long kept
out of the money and every thing else - We leave it
all to our Great Father - Only just and end to it now,
and let us go home.

I wish you would not intrude on our
Traders - They take care of us. - and when they have a
right they should be permitted to hold it -

[He here shook hands with all present]

Now Father I leave it altogether to my
Great Father and you - If you think it right we are
perfectly willing to do so. - as you explained it - We wish
to get through it to day - To morrow is your Sunday; and
if it is not finished tonight we will be kept two days longer
here -

We do not want to speak more about it
to day -

Father I have a sore throat - Our Father here (Col. Boyd) gave me something for it - I want you to do so too - You understand me - I am dry - And all our people here wants to grate their mouths. Governor Porter here remarked to them that it was now late in the day and it would be impossible to draw up the writing for them to sign before night came, and that they would not like to be called on in the night to sign it.

The reply was - No matter - make it ready - We must sign it to night - We know all about it and you will make it right - They then withdrew.

The New York Indians were then called in, and their part of the agreement being made ready, all present signed it - The Governor asked where Mr. Williams was and why he was not present. The answer given by the others was that as tomorrow would be Sunday, he had to go home this afternoon - that he could not wait - that he had said, if the Menominees agreed to the proposition made he was perfectly satisfied - that they should all sign it: and it was of no consequence whether he signed it or not - The Governor then remarked that if Mr. Williams came in again from his residence on Monday, he could call on him and put his name to the agreement; and he wished them to tell him so - When about to take leave the Governor stated to them all, that he was desirous of bringing them and the Menominees together and making peace among them; and for this purpose he invited them to dine with him on Monday - This invitation being accepted they all withdrew -

Soon afterwards the Menominees were called into the Council Room, and their agreement

being fully explained to them they all signed it: expressing great satisfaction at the prospect now presented of soon getting away to their homes and their hunting grounds - They received and accepted the like invitation for dinner on Monday and then withdrew - And thus closed the business of a busy week - after 10 o'clock on Saturday night -

Monday October 29th

The Chiefs and head men of the Menominee Nation - and of the several Tribes of New York Indians dined with the Governor at the Public House of John Schmitt - Much good feeling existed, - they shook hands and parted as friends, determining to forget and forgive all that had passed, and to live hereafter in peace and harmony with each other.

Tuesday Oct. 30

This day was spent in delivering to the Menominees the Clothing - Corn - Pork - Flour &c according to the Agreement.

Wednesday Oct. 31

The Governor settled his accounts - paid off bills - and made arrangements for leaving Green Bay - There being no vessel in port nor any one expected the hope of returning to Detroit by water had to be abandoned - and preparations were made for a Journey on horseback: visiting on the route the Indian agencies at Fort Winnebago - Chicago - and St Joseph -

Palmer

Thursday. Nov. 1st

Left Green Bay for Fort Winnebago, on horseback in company with John P. Ardent and Alexander Irwin Esquire. Crossed the Fox River at Dickinson's ferry about 6 miles above the Fort; - passed up the West side, examining the country, and particularly the Old mill-race - Little Kakalin - Rapids Croche - Big Kakalin and as high up as the Little Chute - returned to and remained over night at Augustin Grignon's -

Friday. Nov. 2nd

Crossed over Fox River to the East side, and viewed several of the improvements of the Stockbridge, Munsee and Brotherton Indians: visited John W. Dunning - John Meatonin and others - recrossed the Fox River and viewed the country from the Little Chute to the Big Chute; thence up along Fox River to the Little Butte des Morts; and from thence to the Big Butte des Morts - stayed this night at Judge Porlier's on the north side of the Upper Fox River.

Saturday. Nov. 3rd

Crossed the Upper Fox River, near the Big Butte des Morts - and passing through the Winnebago country, arrived that night at Paquette's farm (within about 14 miles distance of Fort Winnebago)

Sunday. Nov. 4th

Got to the House of the Indian Sub Agent John A. Kinzie Esquire, near Fort Winnebago, in the forenoon.

Monday. Nov. 5th

Remained at the Agency: examining the several matters connected therewith, especially the Books and papers of the Agent: the manner of keeping his accounts and transacting his business: -

the new house he had erected at the expense of the Government: the Blacksmith's Shop &c. The Boat with the annuity money not having yet reached there; By appointment tomorrow is assigned for holding a Council with the Indians, at the Agency house.

Tuesday Nov. 6th

After a stormy night, the ground in the morning being covered with snow, some inches deep, the Boat arrived about the middle of the day. Owing to the severity of the weather which prevented many of the Indians who were bad off for clothing from leaving their wigwams, and the advantages which the snow furnished for hunting, in consequence of which many of the young men had left their encampments they did not assemble in Council, agreeably to the appointment - A postponement until tomorrow was asked by them and acceded to by the Governor.

Wednesday Nov. 7th

The Chiefs and head men convened at the Agency house. The speeches of the Chiefs and the reply of the Governor were carefully taken down by Mr. Keizer. A copy will be forwarded to the Department of War - The arrangements for the payment of the annuity money, being made, and the decisions had on the conduct of such of the Indians as had behaved improperly agreeably to the instructions of the War Department of 22^d June 1832 directing that no portion of the annuity should be paid to the families of such Individuals as had been engaged in hostilities, tomorrow is assigned for the payment of the annuity to such as are entitled to it -

Thursday Nov. 8th

Annuity money paid by the Sub Agent to all those entitled to receive it

Friday Nov. 9th

Agreeably to the request of the Chiefs the Governor went over to the Fort, and in the presence of the White Crow, Little Priest and other Chiefs, saw the seven individuals of their nation who had been surrendered (as the murderers of United States Citizens) in compliance with the 9th Article of the Treaty of Fort Armstrong of the 15th Sept. 1832. Gov. Porter having taken occasion to remark to these chiefs that they now saw their complaints were groundless: the prisoners were comfortable and properly taken care of.

Saturday Nov. 10th

Set out for Chicago through the Indian Country, having employed Rattle Grignon as Guide, and he to receive \$25. for the services of himself and horse. For this expedition the Governor purchased two riding horses (for himself & Secretary) and two pack horses - a saddle, bridle, halters, circingles, cruppers, Corn &c. - the packs, saddles and corn bags were obtained at the Fort. The first night came to and remained at the deserted house on the Galena Road.

Sunday Nov. 11th

Travelled 46 odd miles, and that night encamped near Rock River, below the Four Lakes -

Monday Nov. 12th

Travelled 40 odd miles, and that night encamped at No. Beck-hucks village, at Lake Ou Grand Pied -

Tuesday Nov. 13th

The pack horses being much fatigued owing to the quantity of Corn they were obliged to carry, the Governor purchased of John Latondre and Indian Trader, another horse,

Indian Saddle Co. — came on this day to Fox River —
the distance supposed to be 30 miles and encamped on
the West Bank of the River.

Wednesday Nov. 14th

After a severe ride of about 45 miles reached
Chicago, at a late hour in the evening and put up
with Mark Beaubien —

Thursday Nov. 15th

Visited the Indian Agency — inspected the Books
papers &c of Col. Owen the Agent — saw the Interpreters
for the several Indians belonging to that Agency and was
informed by them that some of the Chiefs wished to call
on the Governor and state their grievances — Tomorrow was
assigned for the purpose —

Friday Nov. 16th

Bad weather — The Governor considerably
indisposed — having taken a severe cold in his neck
while laying out at night — Nothing done —

Saturday Nov. 17th

The Governor continued much indisposed —
But at the appointed hour, met the Chiefs, with their In-
terpreters Cross — Calwell and Robinson; in the presence
of Col. Owen the Indian Agent and other respectable
Citizens — The two Chiefs who addressed the Governor
observed that they would not detain him as they saw he was
unwell; that they came to complain of the manner in
which the late Treaties were made in Indiana — that

they were dissatisfied with them — that they were made at night and
they knew no reason why all this should be done in the dark —
That they had a memorial prepared and signed which they
wished to send to their Great Father the President of the United
States, and they begged that their Father (The Governor) would for-
ward it to Washington — The memorial was then presented —
After which the Chief remarked that they had nothing more
to say, except to entreat that their situation for want of provisions
as represented by their father Col. Owen might be taken into
serious consideration — That owing to the War, they had raised
no Corn — and their people must die with hunger if some
assistance was not granted — They begged to be supplied with
corn early in the Spring —

Sunday Nov. 18th

The Governor, much indisposed — unable to leave his bed —

Monday Nov. 19th

The Governor, no better —

Tuesday Nov. 20th

Same as yesterday —

Wednesday Nov. 21st

Same as yesterday — Late in the evening Dr. Winslow
from Miles (100 miles off) who had been sent for to take
charge of the Garrison then without a U.S. Surgeon, arrived and
commenced his attendance on the Governor —

Thursday Nov. 22^d

The Governor still very unwell —

Del

for

to

Geo

July 1833

F

Porter

Journal

of a visit to the Indians
at Green Bay

Accompanying

Letter from Geo. Porter

July 24 1833

February 13 1833.

Commissioner of
Indian Affairs,

Green Bay, Wis. 1833
Detroit Jan 4. 1833
Dear Sir

George B. Porter.
Relative to the location
of the New York Indians,
among the Menomies -

10-27-32

Answered

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To the Honorable
Lewis Cass
Secretary of War

Sir,

In pursuance of the Instructions contained in your Letter of the 11th September 1832 I proceeded to Green Bay, for the purpose of procuring if practicable, the assent of the Menominee to the change proposed by the Senate of the United States, at the last Session, on their ratification of the Treaty concluded with them (the Menominee), at Washington in February 1831.

From the difficulty attending the navigation of our Lakes, in the fall of the year I did not reach Green Bay until the 20th October. After performing the duty assigned, it was found impossible to return to Detroit, otherwise than by land, through the Indian Country.

A Report of my proceedings could not therefore be made, by the commencement of the present Session of Congress.

To the full and minute Journal kept by my Secretary, which is enclosed, I must refer, for all that occurred. The result of my labors will be found in the Agreement entered into with the Menominee, and also with the several Tribes of the New York Indians, which is herewith transmitted. By which it will appear that an arrangement has been effected, satisfactory to them, and just to the Government.

On examining the Resolution of the Senate of the United States contained in your Instructions; and finding that the Stipulation proposed therein contemplated the running of a new line to commence at a point on Fox River, one mile above the Grande Chute, (which is, along the shore of Fox River

about 20 Miles above the Oldmill Dam) I anticipated an objection on the part of the Menominees, and that they would not consent to the change thus proposed.

On meeting them in Council I found that my apprehensions were well founded. No consideration could induce them to assent to it. After asserting at every meeting that they would do nothing to please the New York Indians: — that they had no right either to ask or expect any thing at their hands; the reasons particularly assigned for dissenting to this proposed change, were in substance these — That as part of the Menominees lived above and part below the Grande Chute, & as far down as Menominee River, they were constantly passing up and down Fox River in their boats — That a portage had to be made from the foot of the Grand Kakatin near which is the house and confirmed claim of their Trader, Augustin Gregnon, to the Grande Chute: — that this was their own trading ~~territory~~ ground: — and they never would give it up — that they were urged when at Washington to cede, to the United States, the land between these two points, and would not; — That by the Treaty, the United States, are to erect a Grist and Saw Mill on Fox River for them: and the Grande Chute is the only place reserved to them, at which a mill can be erected, on Fox River; and this is the spot at which it had been understood the mill would be put up — And that as the New York Indians had last winter at Washington only asked to extend their line, from the old mill dam, up Fox River as far as the lower line of Gregnon's farm (being upwards of 9 miles along the margin of the River) they should not now ask to come ten miles and a half further up — thereby depriving the Menominees of their portage and trading grounds, of the advantages of a mill, and of ground

peculiarly dear to them which they always passed over in visit-
ing the Little & Big Butte des Morts and the Upper Trading
Post - All which will particularly appear, as expressed by
themselves, on reference to the accompanying Journal [see
pages 7 to 20 inclusive].

Having thus failed in the first
efforts which I was directed to make, viz to procure if
possible the unconditional assent of the Menominee Chiefs
to the Treaty as conditionally ratified by the Senate,
without which it could not be binding on them; the next
act, in compliance with your instructions, was to endeavour
to procure their assent to the best practicable terms
short of those proposed by the Senate - After much
pains and coercion, as will be seen by reference to the jour-
nal (page 20 to 28 inclusive) the Menominees consented
to this proposition viz. to cede the land along Fox River
from the old mill dam to the lower line of Grignon's
farm at the Grand Kakalin and extending thence
on a line parallel with the present S. W. line of the
Tract of 500,000 acres set apart by the Treaty for
the New York Indians, so far as to include 200,000 acres
in exchange for an equal quantity of land on the
North Eastern side of the tract. -

It has been ascertained by
actual survey that from the old mill dam, along the
margin of the River to the lower line of Grignon's
farm the distance is 9 miles 24 Chains and 50 links:
The perpendicular breadth of the strip of land between
parallel lines N. W. and S. E. passing through these two
points would be equal to about $8\frac{3}{4}$ miles. - By run-
ning back forty miles, which is the extent of the S. W.
line of the 500,000 acres this breadth of $8\frac{3}{4}$ miles would
include a tract of 224,000 acres. -

It will be recollected that
at Washington in January 1832 the tract thus described

was that asked by Daniel Bread the Deputy representing the Six Nations of New York Indians, and because the Government could not grant it to him as it belonged not to them but to the Menominees whose assent could not then be obtained the compromise or adjustment of all existing difficulties was on this account alone, defeated.

In pursuing my instructions the next step was to ascertain whether the New York Indians would signify their acceptance of the modifications required by the Menominees. All their Chiefs and Head men were accordingly assembled, and the proposition submitted to them. Owing, as is believed to the conduct and misrepresentations of an interested individual they were made to say that they would not accept this just and liberal offer. The management taken of these Indians - the attempts to keep them from attending the Council and the means resorted to for accomplishing the rejection of the proposition submitted are all set forth in the Journal I see pa: 29 to 43 inclusive. Very soon thereafter many of these Indians were convinced of their folly and voluntarily signed a paper agreeing to accept of the modifications proposed by the Menominees. I see pa: 44-57

This was followed by the suggestion that if the whole of them could be brought together in Council a final arrangement might probably be made of the whole affair. They were consequently notified to attend at the Council room: and assembled accordingly. A new proposition was now made by them. Mr. Williams on their behalf stated that this was the last and final proposition of the New York Indians and if it should be acceded to by the Menominees, they would agree to end all matters in dispute, and that the Treaty should be ratified by the Senate

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of the United States [see pages 49 to 52 inclusive of the Journal] - This proposition, being repeated and explained to all of them: and assented to as well understood, was then submitted to the Menomines, and they having signified their acceptance of it, an agreement for each was drawn up, signed and executed: [see pages 52 to 54] which are forwarded herewith to you.

After all the labor bestowed the result is, that the only modification of the proposition contained in the Resolution of the Senate of the United States, is this; that the Menomines are permitted by the voluntary offer of the New York Indians, to retain the front on Fox River and the land for three miles back, from the Little Rapid Croche up to and above the Grande chute being a distance of about eleven miles - I have since examined this land, in passing up Fox River: The soil is generally poor - The land considerably broken and for agricultural purposes of but little value - As, on the lands now secured to the New York Indians, they have a sufficiency of Water Power for Mills and hydraulic purposes generally, they do not need the fall at the Grande chute - And if secured to them, it is not probable that they would ever use it, being so far distant from the best lands where their farms will be made.

Attached to the Treaty is a Draft, with the necessary explanations on its face exhibiting the Tract of 500,000 Acres set apart by the Treaty for these New York Indians; the change contemplated by the Resolution of the Senate; and the modification of the same now made by consent of the parties.

Hoping therefore that what has been

done will, must your approbation and be approved
by the President and Senate of the United
States.

I have the honor to be, with great
regard, yr. Obedt. Servant.

J. G. Miller
" " " " " "

Detroit January 24th 1833.