



Ratified treaty no. 216, Documents relating to the negotiation of the treaty of September 28, 1836, with the Sauk and Fox Indians. September 28, 1836

Washington, D.C.: National Archives, September 28, 1836

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RATIFIED TREATY NO. 216

DOCUMENTS RELATING TO THE NEGOTIATION OF THE TREATY
OF SEPTEMBER 28, 1836, WITH THE SAUK AND FOX INDIANS

O. T. A. - P. du Chien - D 21
Govr of Wisconsin
(Henry Dodge)
Belmont - Oct 29. 1836.

Transmits treaty concluded with the confederated tribes of Sac and Foxes, together with the journal of proceedings.
The quantity of land ceded by this treaty is 4000 acres.

for Journal & Talks. See
File-box "Indian Talks,
Councils," &c., &c.

(Treaty not true!
May 21/84 Christaney)

Ack'd Oct 1. 1836

9-28-36

[TREATY FILE 9-28-36]

Territory of Wisconsin

Pelmont, October 29th 1836

Sir,

I have the honor to enclose you, as Commissioner of Indian Affairs, a Treaty made by me with the Confederated Tribes of Sac and Fox Indians at the Treaty Ground opposite Rock Island in the Territory on the 28th ult. with the Journal containing my talks and the replies of the Sac & Fox Chiefs.

In negotiating with the Sac & Fox Indians for their reservation near the Mississippi River, I found them disposed to ask a high price for this tract of Country containing two hundred & fifty six thousand acres of land.—The Iowa River running nearly at right angles through this Country and the Sac & Fox Indians having located their villages within its limits, they believed the Government would quiet their title at any price. The rapid and increasing settlement of the Country bordering on the Mississippi River within the limits of the Country purchased by General Scott and Governor Reynolds in 1832, and the high value placed by the settlers on their improvements, was within the knowledge of the Sac and Fox Indians, who are a ^{controlled} ~~cautious~~ ~~cautious~~ ~~cautious~~ people, ~~influenced~~ ~~influenced~~ ~~influenced~~ in all their public acts by the undue influence of the traders of the American Fur Company, who receive from ~~from~~ ^{one-fifth} of all their annuity money. This influence, no doubt, was the cause of the Indians asking one dollar and a quarter an acre for their land. The Settlers were determined the Government should be obliged to purchase the reservation, — more than two hundred of them had made ~~the~~ ^{their} improvements on the land before the Treaty was signed.

I told the Indians I would not give them their price; - that it was higher than the Government had ever paid them for land; that I would agree to give them seventy five cents an acre, and that it was not to be considered a precedent in the purchase of other lands. I have no doubt, the land purchased of the Sac and Fox Indians, if sold now, would bring three dollars an acre. I found it impossible to prevent difficulties between the Indians and American Whites until the reservation was purchased. The permitting Indians to retain reservations in the purchase of their Country has a bad effect; it brings them at once into conflict with the settlers, and enables the Indians to ask a higher price for the Country thus reserved by them. I have no doubt the Sac and Fox Indians were advised by their traders to ask the United States Commissioners for this reservation, when the Treaty was made in 1832.

The Sac and Fox Indians would not consent to a proposition I made them to sell their Country and remove south of the Missouri River. The Chiefs and principal men of these nations are under the belief that their Country is to become immensely valuable; and I have no doubt their traders were the means of persuading them selling more of their Country at the Treaty I made with them. It is inconvenient for traders to follow the Indians south of the Missouri River. The members of the American Fur Company find it much more profitable to keep the Sac and Fox Indians located near them.

The Country, yet claimed by the Sac and Fox Indians, is not encompassed by any lands in the United States or Territory, and contains upwards of ten millions of acres. I have no doubt it is the policy of the Government to extinguish the

Indian title to this Country as soon as possible. The proximity
of the white Settlements to the Boundary Line between the
United States and these Indians, and the tide of emigration
being so great to this Country, that the sooner the Country is
purchased and the Sac & Fox Indians removed south of the
Missouri River the better.

I have the honor to be with great respect
Yours obt. Servt

J. C. A. Davis Esq
Commr^s of Ind. Affairs.

A. D. Thompson
for treating with Indians

(Copy)

Journal of the talk or conversation at a Treaty held this 23^d day of September, anno Domini 1836 on the west bank of the Mississippi River opposite Rock Island in the County of Dubuque and territory of Wisconsin between the United States of America by Governor Henry Dodge, a Commissioner for that purpose constituted, of the one part, and the Chiefs, braves and warriors of the confederated Tribes of the Sac and Fox Indians, of the other part:

Governor Dodge addressed the Chiefs, braves and warriors assembled, as follows.

Friends and Brothers - Your great Father, the President of the United States has sent me to see you and take you by the hand in friendship. He has the welfare of all his red children greatly at heart. His wish is to make them all prosperous and happy. You see the rapid march of the white population, and that it is not possible from the current of emigration that is flowing into the country west of the Mississippi river, that you can remain long unmolested in the country you now occupy.

Your great Father, the President of the United States wishes to provide you a country South of the Missouri River where you will not be disturbed by the whites. The country proposed to you, is rich, as to the fertility of its soil; the climate is much more mild than the country you now occupy, and much better adapted to the culture of corn, and near the buffalos. You will be located near your red brothers, who are all peaceably disposed, and where you can never be intruded upon by the white people. You will be under the immediate protection of your great Father the President of the United States, who will keep mounted troops ranging the country, and ready to prevent any intrusion on your rights, either by nations of Indians, or by the white people. I propose to you to purchase the country you now occupy, and your removal South of the Missouri river. I will stipulate on the part of the United States, that a country sufficiently extensive shall be assigned to the confederated tribes of Sac and Fox nations of Indians in proportion to their numbers for their comfortable

comfortable support. The size and talents of the country so assigned to them to be regulated by your great Father the President of the United States, who will protect you in the free enjoyment of the country so set apart for you. It is not the value of your country that is considered by your great Father so great an object. It is your future and lasting happiness, and the great desire he has to promote the best interests of his red children generally that has induced him to make this proposition to your confederated nations. Should you not be disposed to sell your whole country to the United States. I wish you to determine what part of your country you will sell to the United States, how situated, and what will be your terms of sale.

Kookuck

Chief of the Sac Nation.

We have ^{now} heard all you have said, and what our great Father the President of the U.S. says to us. But we will not answer you now. We wish to consult together. We will give you sufficient notice before the time we answer you, as we wish to do every thing right, and nothing wrong, and as we do not understand the paper and our memories are not so long, we wish to inform you that we have requested our Agent, General Street to consult with us. We also, with these two traders (Davenport and Chouteau) and Le Clerc, our old friends, to take part with us, and consult with us. This is the wish of all the braves, and warriors around me.

Gov. Dodge.

The red men can consult with their friends; but what is said by them must be expressed openly in Council, by Kookuck, the Chief man.

Wa-pell-o

Chief of the Fox Nation

You now hear Kookuck. I would repeat the same words; also the braves around me. They have also heard the words of the great Father, the President of the U.S. and tomorrow, after breakfast we will answer to what he has said to us. I think at 9 o'clock.

Gov. Dodge

We will meet you at that time.

Kookuck

Chief of the Sac Nation.

There are many traders here, and other persons who have accounts against us. We wish to meet them all after dinner at three o'clock. There are probably some here having accounts against us which will not be allowed; and we think it would be wrong to keep them here on expenses.

(Adjourning to Saturday, September 24th. at 9 o'clock, A.M.)

Saturday September 24th. met according to adjournment. The Chiefs of the Sac and Fox arose to address Gov. Dodge. The pipe ^{first} having passed through the lodge. Kookuck & Pah-she-pah-ho, Sac Chiefs. Wa-pell-o & Paw-we-shick, Fox Chiefs.

Kookuck spoke as follows:

These Chiefs and braves around me listened to you yesterday. We have all consulted together, and are now ready to answer you. Gen. Street, our Agent knew our wishes when he first came among us, and ever since. A few years ago we requested him to write to Washington, and get permission for us to go there. After looking around us and seeing our situation, we were very anxious to go. A long time ago a Treaty was made by a few Chiefs, Inash-qu-am-mee, and Ahnt-id-way, were two of them; when we looked over that Treaty we were still more anxious to go to Washington to fix it. We wished to talk about this great country, and the mines you set so high a value on, on the east side of the Mississippi river? This is what we wanted to go to Washington for. A few years ago I went myself with a delegation to Washington, where we sold the very great country between the Missouri & Mississippi rivers, and we sold it for a very little; a cent, as you might call it, for we did not know the value of lands. A few years ago we had a Treaty at Prairie du Chien about our lines. We think there was a mistake about them. They were not run as the Chiefs thought. A year or two after, there was another Treaty at Prairie du Chien. We sold a great deal of land, and we did not get enough for it. A few years ago we treated with an officer, a tall man [Gen. Scott] we sold a valuable country, and part of the mines which you value so much. Our chiefs would have said something, but they were in a bad situation,

and they listened to their offer with arms folded. He made the proposition, and they said nothing, but accepted it. The Government of the USA has been liberal in removing the Indians from their villages and lands when they have sold them. Nappelle and his Indians removed peacefully from the other side of the Mississippi river. They expected you would pay them when you left them. They have not asked you for one cent yet. It is true, this piece of land on the Iowa is small, but with this little piece we wish Government to be liberal with us, and pay us for the immense country ceded to you. We also think the line has not been run on it according to Treaty. Also in that Treaty we were to have a Gunsmith and Blacksmith sent among us. We have not heard a word of them. If we cannot get the Blacksmith and Gunsmith, we want to get the money and what the iron and files will cost. You have now heard what my Chiefs and braves have to say to you in answer to your wishing to purchase our whole country. We have talked with all our men, and no one has an idea to sell more than this little reserve.

We have no idea of letting our country. You have now heard what we have to say, and if you wish to meet us on all these points, we will meet you the day after tomorrow, or we will tell you what we will take for the reserve.

Gov. Dodge.

I have no instructions to rescind any former Treaties; my instructions relate to the purchase of your country, and particularly of your reserve on the Iowa river. I regret that there should be any misunderstanding about former Treaties. Your great Father the President of U.S. is desirous of having every thing between you and him distinctly understood. What you have said upon the subject of former Treaties will be immediately communicated to the President in writing. He will then determine what is proper to be done between you and him. That is a subject I do not feel authorized to speak about, the Treaty having been made by former commissioners, but in

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the relation I now stand to you as Superintendent of Indian Affairs I will do every thing in my power to see justice done you; if you do not sell your whole country. I do not wish to urge it upon you, but you will inform me upon what terms you will sell the Iowa reserve. As it respects the Gunsmith and Blacksmith, if the contract on the part of Government has not been complied with heretofore it can be taken into consideration in this Treaty. I have great confidence that the Chiefs and Headmen of these nations will permit no whiskey to be introduced among the braves and warriors at this Treaty. Placing entire confidence in the friendship and integrity of the Chiefs & Braves of these nations, I have brought ^{with me} no troops to keep order, and in this matter I must depend upon the Chiefs. I have nothing more to say at present, but wish to meet you the day after tomorrow at ten o'clock.

Xe-o-huck

Chief of the Sioux.

We have no whiskey in our lodges. We have placed a guard of warriors to keep it out but there are white men here now with bottles in their pockets to give to the Indians.

Governor Dodge then addressed the white people present, urging the propriety of preserving order among the Indians and requesting that every American present would unite with him in keeping from among them the deadly poison of ardent Spirits.

(Adjourned until Monday 10 o'clock A.M.)

Monday September 26th. 10 o'clock A.M. met according to adjournment.

Xe-o-huck

Dark Chief

Day before yesterday we told you we would answer you to-day. We have consulted together, Chiefs, Warriors and Braves, and are now ready to answer you. The terms we propose, are,
1st. We wish you pay all the claims which we have allowed to be true against us.

2^d. We wish to receive next Spring thirty boxes of silver, one thousand dollars

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dollars in each.

3rd. We wish fifteen acres or fifteen thousand dollars annually for ten years
4th. We wish to give to seven half breeds born since the Treaty at Washington, one thousand dollars each.

5th. Our warriors and braves want two hundred horses next spring.

6th. We want two ^{carrying} bushels of corn for two years.

7th. We want two hundred barrels of flour for two years.

8th. We want fifty barrels of pork for two years.

9th. When we settle upon our lands we wish to have two sections broken up where and when we may wish.

10th. We wish the money paid the gunsmith and blacksmith, according to the Treaty of 1832, to be paid to us in our annuity.

11th. We wish the shops on Rock Island to be broken up, and the money added to our annuity.

Gov. Dodge.

I have now heard the terms upon which you will sell the reservation on the Iowa River. For the sake of peace and harmony between the United States and the Sac and Fox nations, I am willing to be liberal. I know it is unpleasant for you to live on a strip of land surrounded by your white neighbors, the people of the United States. Your great Father, the President is desirous that no misunderstanding should exist between his people and you, and to prevent difficulties, I have been sent expressly to purchase this country of you. It is known to contain Two hundred & fifty six thousand acres of land. I propose to give you for that land, one hundred & ninety two thousand dollars, which is just seventy five cents per acre. I will stipulate on the part of Government that the claims which you have allowed to be correct against you, shall be paid, and the remainder of the purchase money, go to furnish such articles as you may wish, payable in ten years. But I wish to be furnished with a Schedule of the claims against you which you have allowed to be correct. As it regards the Blacksmith and Gunsmith, I do not feel authorized to treat.

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It remains with Government to adjust any difficulties with regard to former Treaties. But I will make such representations to your great Father, the President of the U.S. that he will unquestionably have justice done you. I wish all I have said to be distinctly understood. I do not touch former Treaties.

As the days are so short, and we wish to finish the Treaty as soon as possible, I will remain upon the ground till your Chiefs, Warriors and Braves have consulted together, as to my propositions. The friends you wish to consult with, are present - they can retire with you to your lodge - but I wish it to be distinctly understood that I shall give no more than I have proposed.

Ki-o-kuck

Sac Chief

We will retire as you have said, and consult together. The claims against us which we have allowed, are in the hands of our Agent Gen. Street, who is authorized to deliver them to you.

Gov. Dodge

I wish all the warriors and braves to be consulted, that there may be no misunderstanding in regard to this Treaty.

Adjourned to 3 o'clock P.M.

Monday September 26th. 1836, notwithstanding adjournment at 3 o'clock.
Kekukuck

Sac Chief

Our Chiefs, warriors and braves have consulted about your proposals, after reflecting well upon this subject, and the situation of our women and children we have concluded to ~~accept~~ ^{accept} to your proposals. We have agreed to pay one half of the claims against us which we have acknowledged. We hope no one will think hard of this when they reflect on our situation. After next Spring we will pay them five thousand dollars annually in proportion to the amount. We wish to give to seven half breed children, one thousand dollars each. Our Agent Felix St. Train while he was doing good for our nation, was killed. The chiefs have agreed to give to his children, one thousand dollars. At the first payment next Spring, we wish to receive thirty thousand dollars. Then we

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wish to receive ten thousand dollars annually for ten years, next
our Chiefs and Warriors want two hundred Horses next Spring.
We wish the Smith's Shops to be dispensed with, and the amount
added to our annuity. But our great Father, the President of
the U.S. can consider this. The provisions we have struck out,
but we hope the President will consider the situation of our
women and children, and give us provisions. We say nothing about
the breaking up of our land, but we hope it will be made known
to our great Father, the President of the U.S. that we wish
to have it done.

Dr. - Tack

Gov. Dodge

I am much pleased that you have agreed to take the amount
I proposed for your lands. In regard to the Smith's Shops,
your proposition to the President will be submitted at the end
of the Treaty. The Treaty will be prepared by the Secretary of
this commission, and your friend and Agent: Gen. Street. It will
~~be signed by all the Indians present~~ be signed by all the Indians
it tomorrow at two o'clock P.M. I cannot but express my
pleasure at the sobriety and good behavior of the Indians &
during this Treaty. I have not seen an Indian intoxicated,
and I believe good order has universally prevailed.

Adjourned until Tuesday 2 o'clock P.M.

9-28-36

Genl J M Street

Holiday Treatise &c

14 June 1836

Sac & Fox

Street

Ant to And.

12 April 1838

General Jos. M. Street.
Genl. Agent attending "Sackler & Foxes" on the
Voyage to the Atlantic States & returning Home.

He recd from Genl. Dodge	\$2500
Do D ^r Com ^r Harris	3600
	\$6,100

He expended on a/c "Holding Treasur^r" 5,678.40
with certain Bills Act 14 June 1836
Balance in his hand \$421.60

Promissory for Suspense Dr	\$221.59
Do Dr Cr	\$50

Holding Treasur^r &c
Act 14 June '36