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RATIFIED TREATY NO. 253

DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF OCTOBER 18, 1848, WITH THE MENOMINEE INDIANS

Yule Day - C. 230 (18)
Resolution of the
Senate

In Executive Session Senate of the United States

April 12. 1848.

Resolved, That the President be advised to enter into negotiations with any Indian tribes who may have title to lands within the territory of Wisconsin for the extinguishment of such title.

Resolved. That it is inexpedient to repeal the resolution, to wit: "That in the future negotiation of Indian treaties, no reservations of land should be made in favor of any person, nor the payment of any debts provided for."

Referred to the Secretary of War who will cause the proper steps to be taken to carry this resolution into effect. April 15. 1848.

James K. Polk

Referred to Comr. of Indian Affairs

W. L. Mc (Apr 27).

O. A. Green Bay
C. 230.
Commissioner of Indian
Affairs.

Returns instructions &
accompanying papers with the
original treaty concluded with
the Menomonee Indians for
all their lands in the State

of Wisconsin on
18. October 1848.

Deposition of G. M. Smith
Champion 25. Nov 1852. C. 230

Rec^d 1st Nov 1848.



J. H. Y. J. H.

Copy Report of C 230
Com^r. of Indian Affairs - Sep^r 2^d 1847
to Sec^y. of War. calling attention
to error in report of 27 Jan^y 46
upon the application of the
Memoroes for the payment
to them annually of the interest
on the 26000 \$ under treaty of 26th
to copy of endorsements by the
Sec^y. and President Chever

Copy

War Department

Office Indian Affairs.

September 2, 1877.

Sir:

On the 24th January 1876, a report from an application of the Nemmonsee Indians for the payment to them of the interest accruing upon investments made for their benefit, was made to the War Department. Should an error occurred, that it is proper should be brought to your notice, and the decision of the President, then made, if deemed necessary, corrected or modified.

It will be seen by reference to that report, which will be found herewith, that, in the provision of the treaty authorizing the investment, it is stipulated, "that the sum of \$75,000 shall be allowed to the said Indians, and this sum shall be invested in some safe stocks, and the interest thereof as it accrues, shall also be so vested until such time as in the judgment of the President the income of the aggregate sum can be usefully applied to the execution of the provisions in the said 4th article or to some other purposes beneficial to the said Indians."

The 4th article above mentioned refers evidently to the 4th article of the treaty of 1831, which provides for the employment of farmers, millers and of women to instruct the females in housewifery - also for the erection of farmers and millers houses and mills, and for the purchase of stock animals, &c, and not to the 4th article of the treaty of 1826, which is the one quoted in the report and refers to the payment of annuities.

Considering it questionable whether under this new aspect of the matter, it is competent for the Executive to permit the money to be paid over to the tribe as annuity, it has been retained here, that a reconsideration of the subject may be had.

It is proper for me to add, that the President's decision was communicated to the tribe, and that they now demand the payment of the money under that decision.

Wm James Buchanan

Acting Secretary of War.

Respectfully,

Your Obedt Servt.

W. Medill.

(Endorsement by Acting Secy. of War)

The question, as to the power of the President to make the within order in view of the corrected report now submitted by the Commissioner of Indian Affairs, is referred to the Attorney General for his opinion.

James Buchanan

Sept. 3, 1847.

Secy. of War ad. in.

(Endorsement of Attorney General)

15 Sept. 1847.

Returned to Secretary of War in pursuance of his letter of 9th instant.
A. G.

(Endorsement by the President)

I have reconsidered the case referred to in the within report of the Com^r. of Ind. Affairs, and am satisfied, on conference with the Attorney General, that I possess not the power, under the treaty of 1836, as amended by the Senate, to direct the interest accruing on the Menomonee fund to be paid to the Indians as annuity; but on the contrary that it must be reinvested, until the period shall have arrived when it can be usefully applied to the execution of the provisions of the 4th article of the treaty of 1831. My order therefore, of the 28th Jan^y 1846, which was made upon the report of the Com^r of Indian Affairs of the 27 January 1846, is hereby rescinded, it appearing that said report placed a wrong construction upon the amendment to the third article of the treaty of the 3rd Sept. 1836.

James K. Polk

Sept. 15, 1847.

copy. C 230.

Report of Comr. of Ind. Affairs to the
Secy. of War - dated Jan'y 27 1826,
relative to the request of the Seminoles
that the interest accruing on the
\$76,000 invested for them under
Treaty of 1836, be paid to them
annually - and decisions of
the Secy. of War & President.

Original
of
1826

(Copy)

War Department,

Office Indian Affairs,

January 27, 1846.

Sir:

I have had the honor to receive a letter from His Excellency
Gov: Dodge, enclosing a communication from the Chiefs and Head
men of the Mesquimuncie tribe of Indians, requesting that the interest
on the sum of \$76,000 provided by the treaty of September 3^d
1836, in the ratification thereof, may be paid to their people
annually as it shall become due. The provision is as
follows. "The United States and agree," the sum of \$76,000

"shall be allowed to the said Indians, and this sum shall

"be invested in some safe stock and the interest thereof

"as it accrues shall also be so vested until such time

"as in the judgment of the President the income of the

"aggregate sum can be usefully applied to the execution

"of the provisions in the said 4th article or to some other

"purpose beneficial to the said Indians." The 4th

article of the treaty above referred to, is in the following words-

"Art. 4- The above annuities shall be paid yearly and

"every year, during the said term, in the month of June

"or July, or as soon thereafter as the amount shall be

"received; and the said Mesquimuncie nation do agree to

"remove from the country ceded, within one year after

"the ratification of this treaty."

The following statement exhibits the investments and re-investments
of interest, from time to time:

| | |
|--|-----------|
| April 1, 1837. Invested in 5 percent Kentucky bonds, | \$ 76,000 |
| which being bought below par yielded | 77,000 |

February 1, 1840. Interest re-invested in 5 percent Pennsylvania Bonds, yielded \$ 9,500
 February 1, 1841. " " " " " " " 2,500
 January - 1845 Interest re-invested in United States Gov. Bonds " 19,204.16
 Whole amount of investment, \$ 108,204.16

Yielding an annual interest as follows:

On Kentucky Bonds \$ 2,850

On Pennsylvania Bonds 600

On United States Stocks 1,152.26

Annual interest \$ 5,602.26

There is on hand, on this day, which may be re-invested
 or applied, interest amounting to the sum of \$ 7,482.42.

I beg leave to enclose the communication of Gen. Dodge,
 with its enclosures, by which it will be seen that the Governor says
 "the request, I think is both reasonable and just."

I therefore respectfully
 lay the whole subject before you that it may be submitted
 to the President, for his approval or rejection of the request
 of the Monuments, if, in your judgment it shall be proper.

Respectfully,

Your Obedt. Servt.

W. Medill.

Hon. W. L. Marcy
 Secretary of War.

(Endorsement by the Secretary)

To the President - I see no objection to complying with the application for the payment
 of the interest on the sum invested as recommended by Gen. Dodge
 & the Commissioners of Indian Affairs.

27. Jan'y. '46 -

W. L. Marcy.

(Enclosure to the President)

Upon the facts contained in the within communication and upon the recommendation of the Secretary of War & Governor Briggs, the Commissioner of Indian Affairs is instructed to invest the sum of \$7,482 ^{4/100}, the interest now on hand, in United States stocks, which added to the sum already invested, will make the principal amount to \$115,686. ^{5/100}, the annual interest upon which he is authorized to pay annually as it accrues, through their agent, to the Indians in the same manner that their annuities are paid.

James H. Polk

Jan 28. 1846.

TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

WINNEBAGO TRIBE OF INDIANS.

CONCLUDED OCTOBER 13, 1846.—RATIFIED FEBRUARY 1, 1847.

JAMES K. POLK,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, Greeting:

WHEREAS, a treaty was made and concluded at the city of Washington, on the thirteenth day of October, in the year one thousand eight hundred and forty-six, between the United States of the one part, by their commissioners, Albion K. Parris, John J. Abert, and T. P. Andrews, and the Winnebago tribe of Indians of the other part, by a full delegation of said tribe specially appointed by the chiefs, head men, and warriors thereof: which treaty is word for word, as follows, to wit:

Articles of a treaty made and concluded at the city of Washington, on the thirteenth day of October, in the year one thousand eight hundred and forty-six, between the United States, on the one part, by their commissioners, Albion K. Parris, John J. Abert, and T. P. Andrews, and the Winnebago tribe of Indians, of the other part, by a full delegation of said tribe specially appointed by the chiefs, head men, and warriors thereof.

ARTICLE 1. It is solemnly agreed, that the peace and friendship which exists between the people of the United States and the Winnebago Indians shall be perpetual. The said tribe of Indians giving assurance, hereby, of fidelity and friendship to the government and people of the United States, and the United States giving to them, at the same time, promise of all proper care and parental protection.

ARTICLE 2. The said tribe of Indians, hereby agree to cede and sell, and do hereby cede and sell to the United States, all right, title, interest, claim and privilege to all lands, where ever situated, now or heretofore occupied or claimed by said Indians, within the States and Territories of the United States, and especially to the country now occupied, inhabited, or in any way used by them, called the "Neutral Ground," which tract of country was assigned to said Indians by the 2d article of the treaty of Fort Armstrong, concluded on the 15th day of September, 1832, and ratified on the 13th day of February, following.

ARTICLE 3. In consideration of the foregoing purchase from, or cession by the said Indians, the United States hereby agree to purchase and give to

the said indians, as their home, to be held as all Indian lands are held, a tract of country north of St. Peters and west of the Mississippi rivers, of not less than eight hundred thousand acres, which shall be suitable to their habits, wants, and wishes: *Provided*, Such land can be obtained on just and reasonable terms.

ARTICLE 4. The United States agree to pay to said tribe of Indians the sum of one hundred and fifty thousand dollars for the land, and the sum of forty thousand dollars for release of hunting privileges, on the lands adjacent to their present home, making the sum of one hundred and ninety thousand dollars, being in further consideration of the cession or sale made to the United States by the 2d article of this treaty; to be paid as follows: Forty thousand dollars to enable them to comply with their present just engagements, and to cover the expenses of exploring and selecting (by their own people, or by an agent of their own appointment,) their new home; twenty thousand dollars in consideration of their removing themselves, and twenty thousand dollars in consideration of their subsisting themselves the first year after their removal; ten thousand dollars to be expended for breaking up and fencing lands, under the direction of the President of the United States, at their new home; ten thousand dollars to be set apart & applied under the direction of the President to the creation and carrying on of one or more manual labor schools for the benefit of said tribe of Indians; and five thousand dollars for building a saw and grist mill. The balance of said sum of one hundred and ninety thousand dollars, viz: eighty-five thousand dollars, to remain *in trust* with the United States, and five per cent. interest thereon, to be paid annually to said tribe or applied for their benefit, as the President

of the United States may, from time to time direct for the period of thirty years, which shall be in full payment of the said balance: *Provided*, That no part of the said consideration moneys shall be paid until after the arrival of said tribe of Indians at their new home, and appropriations shall have been made by Congress; and that the sums for meeting their present engagements, for removal and subsistence, and for exploring their new home, shall be paid to the chiefs in open council, in such manner as they in said council shall request.

ARTICLE 5. It is further agreed by the parties to this treaty that the said tribe of Indians shall remove to their new home within one year after the ratification of this treaty, and their new home shall have been procured for them, and they duly notified of the same.

ARTICLE 6. It is further agreed by the parties to this treaty, that the President may, at his discretion, (should he at any time be of opinion that the interest of the Indians would be thereby promoted,) direct that any portion of the money, not exceeding ten thousand dollars per annum, now paid in goods, as provided for by the last clause of the 4th article of the treaty of the 1st of November, 1837, be applied to the purchase of additional provisions, or to other purposes.

In testimony whereof the commissioners, Albion K. Parris, John J. Abert, and T. P. Andrews, and the undersigned chiefs, headmen, and delegates of the Winnebago tribe of Indians, have hereunto subscribed their names and affixed their seals, at the city of Washington, this thirteenth day of October, one thousand eight hundred and forty-six.

Comm's { ALBION K. PARRIS, [L. s.]
 { JOHN J. ABERT, [L. s.]
 { T. P. ANDREWS, [L. s.]

| | | |
|--------------------------------|-------------|---------|
| Hoong-ho-no-kaw, | his x mark, | [seal.] |
| Is-jaw-go-bo-kaw, | his x mark, | [seal.] |
| Co-no-ha-ta-kaw, | his x mark, | [seal.] |
| Naw-hoo-skaw-kaw, | his x mark, | [seal.] |
| Shoong-skaw-kaw, | his x mark, | [seal.] |
| Kooz-a-ray-kaw, | his x mark, | [seal.] |
| Waw-ma-noo-ka-kaw, | his x mark, | [seal.] |
| Ha-naw-hoong-per-kaw, | his x mark, | [seal.] |
| Wo-gie-qua-kaw, | his x mark, | [seal.] |
| Waw-kon-chaw-she-shick-kaw, | his x mark. | [seal.] |
| Chas-chun-kaw, | his x mark, | [seal.] |
| Naw-hey-kee-kaw, | his x mark, | [seal.] |
| Ah-hoo-zheb-kaw, | his x mark, | [seal.] |
| Waw-wo-jaw-hee-kaw, | his x mark, | [seal.] |
| Babtist-Lasalica, | his x mark, | [seal.] |
| Waw-kon-chaw-per-kaw, | his x mark, | [seal.] |
| Kaw-how-ah-kaw, | his x mark, | [seal.] |
| Hakh-ee-nee-kaw, | his x mark, | [seal.] |
| Waw-kon-chaw-ho-no kaw, | his x mark, | [seal.] |
| Maw-hee-koo-shay-naw-zhee-kaw, | his x mark, | [seal.] |
| Maw-nee ho-no-nic, | his x mark, | [seal.] |
| Maw-ho-kee-wee-kaw, | his x mark, | [seal.] |
| Sho-go-nee-kaw, | his x mark, | [seal.] |
| Watch-ha-ta-kaw, | } | [seal.] |
| By Henry M. Rice, his delgate, | | |

WITNESSES :

John C. Mullay, Secretary to Board of Commissioners.

J. E. Fletcher, Sub-agent.

S. B. Lowry,

Peter Mananaige,

Antoine Grignon,

his

Simeon x Lecure,

mark.

} Interpreters.

H. L. Dousman.

Richard Chute.

John Haney.

George Cahn.

James Maher.

Now, THEREFORE, be it known that I, JAMES K. POLK, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the first day of February, eighteen hundred and forty-seven, accept, ratify and confirm the same, and every article and clause thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.



DONE at the City of Washington, the fourth day of February, in the year of our Lord one thousand eight hundred and forty-seven, and of the Independence of the United States the seventy-first.

JAMES K. POLK.

By THE PRESIDENT :

JAMES BUCHANAN,

Secretary of State.

C 230

Now, therefore, be it known that I, James K. Polk, President of the United States of America, having seen and considered said treaty, do in pursuance of the advice and consent of the Senate as expressed in their resolution of the first day of February, eighteen hundred and forty-seven, accept ratify and confirm the same, and every article and clause thereof.



JAMES K. POLK
PRESIDENT OF THE UNITED STATES OF AMERICA

WHEREAS a treaty was made and concluded on the 21st day of August, 1847, between the United States of America and the Pillager Band of Chippewa Indians, which treaty is hereby published for the information of all concerned;

TREATY

BETWEEN

THE UNITED STATES OF AMERICA,

AND THE

PILLAGER BAND OF CHIPPEWA INDIANS,

CONCLUDED AUGUST 21, 1847.

RATIFIED APRIL 7, 1848.



JAMES K. POLK,
PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at Leech Lake on the twenty-first day of August, in the year one thousand eight hundred and forty-seven, between the United States by their Commissioners, Isaac A. Verplank and Henry M. Rice, and the Pillager band of Chippewa Indians by their chiefs, headmen, and warriors; which treaty is word for word as follows, viz:

Articles of a treaty made and concluded at Leech Lake on the twenty-first day of August, in the year one thousand eight hundred and forty-seven, between the United States by their commissioners, Isaac A. Verplank and Henry M. Rice, and the Pillager band of Chippewa Indians, by their chiefs, headmen, and warriors.

ARTICLE 1.

It is agreed that the peace and friendship which exists between the United States and the Indians parties to this treaty, shall be perpetual.

ARTICLE 2.

The Pillager band of Chippewa Indians hereby sell and cede to the United States all the country within the following boundaries, viz: Beginning at the south end of Otter Tail lake; thence southerly on the boundary line between the Sioux and Chippewa Indians to Long Prairie river; thence up said river to Crow Wing river; thence up Crow Wing river to Leaf river; thence up Leaf river to the head of said river; and from thence in a direct line to the place of beginning.

ARTICLE 3.

It is stipulated that the country hereby ceded shall be held by the United States, as Indian and, untill otherwise ordered by the President.

ARTICLE 4.

In consideration of the foregoing cession, the United States agree to furnish to the Pillager band of Chippewa Indians annually, for five years, the following articles: Fifty three-point Mackinaw blankets, three hundred two-and-a-half-point Mackinaw blankets, fifty one and-a-half-point Mackinaw blankets, three hundred and forty yards of gray list cloth, four hundred and fifty yards of white list scarlet cloth, eighteen hundred yards of strong dark prints, assorted colors, one hundred and fifty pounds three-thread gray gilling twine, seventy-five pounds turtle twine, fifty bunches sturgeon twine, twenty-five pounds linen thread, two hundred combs, five thousand assorted needles, one hundred and fifty medal looking-glasses, ten pounds of vermilion, thirty nests (fourteen each) heavy tin kettles, five hundred pounds of tobacco, and five barrels of salt. And the United States further agree, that at the first payment made under this treaty, the Indians parties to this treaty shall receive as a present two hundred warranted beaver traps and seventy-five north-west guns.

ARTICLE 5.

This treaty shall be obligatory upon the parties thereto when ratified by the President and Senate of the United States. In testimony whereof, the said Isaac A. Verplank and Henry M. Rice, commissioners, as aforesaid, and the chiefs, headmen, and warriors of the Pillager

band of Chippewa Indians, have hereunto set their hands, at Leech Lake, this twenty-first day of August, one thousand eight hundred and forty-seven.

ISAAC A. VERPLANK.
HENRY M. RICE.

GEORGE BONJA, Interpreter.


Aish-ke-bo-ge-Koshe, or Flat mouth,
1st chief, his x mark.
Ca-pe-ma-be, or Elder brother's son,
2d chief, his x mark.
Nia-je-ga-boi, or La Trappe, head
warrior, his x mark.
Ca-gouse, or Small Porcupine,
headman, his x mark.

Pe-ji-ke, or the Buffalo, 2d warrior, his x mark.
Ca-ken-ji-wi-nine, or Charcoal, 3d
warrior, his x mark.
Na-bi-ne-ashe, or the Bird that flies
on one side, 2d headman, his x mark.
Ne-ba-coim, or Night-thunder, war-
rior, his x mark.
Chang-a-so-ning, or Nine Fingers, 3d
headman, his x mark.

Witness.—GEORGE BONJA, Interpreter,
A. MORRISON,
A. R. McLEOD,
J. W. LYNDE.

Now, therefore, be it known that I, JAMES K. POLK, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the third of April, one thousand eight hundred and forty-eight, accept, ratify, and confirm the same, and every article and clause thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

 DONE at the City of Washington, the seventh day of April, in the year of our Lord one thousand eight hundred and forty-eight, and of the Independence of the United States of America the seventy-second.

JAMES K. POLK.

BY THE PRESIDENT:

JAMES BUCHANAN, Secretary of State.

Polk's Personal Copy
C 230

C 230

Pott. treaty
June 5, 1842
Rat. July 22, 1846

TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND

THE POTTOWAUTOMIE TRIBE OF INDIANS.

CONCLUDED JUNE 5TH, 1846. RATIFIED JULY 22^D, 1846.



JAMES K. POLK.

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all and singular to whom these presents shall come, Greeting:

WHEREAS a treaty was made and concluded at the Agency on the Missouri river, near Council Bluffs, on the fifth day of June, and at Pottawatomie creek, near the Osage river, south and west of the State of Missouri, on the seventeenth day of the same month, in the year of our Lord one thousand eight hundred and forty-six, between T. P. Andrews, Thomas H. Harvey, and Gideon C. Matlock, commissioners on the part of the United States, on the one part, and the various bands of the Pottawatomie, Chippewas, and Ottawas Indians on the other part; which treaty is word for word as follows, to wit:

WHEREAS the various bands of the Pottowautomie Indians, known as the Chippewas, Ottawas, and Pottowautomies, the Pottowautomies of the Prairie, the Pottowautomies of the Wabash, and the Pottowautomies of Indiana, have, subsequent to the year 1828, entered into separate and distinct treaties with the United States, by which they have been separated and located in different countries, and difficulties have arisen as to the proper distribution of the stipulations under various treaties, and being the same people by kindred, by feeling, and by language, and having, in former periods, lived on and owned their lands in common; and being desirous to unite in one common country, and again become one people, and receive their annuities and other benefits in common; and to abolish all minor distinctions of bands by which they have heretofore been divided, and are anxious to be known only as the POTTOWAUTOMIE NATION, thereby reinstating the national character; and whereas the United States are also anxious to restore and concentrate said tribes to a state so desirable and necessary for the happiness of their people, as well as to enable the government to arrange and manage its intercourse with them: now, therefore, the United States and the said Indians do hereby agree that the said people shall hereafter be known as a nation, to be called the POTTOWAUTOMIE NATION; and to the following:

ARTICLES OF A TREATY made and concluded at the Agency on the Missouri river, near Council Bluffs, on the fifth day of June, and at Pottawatomie creek, near the Osage river, south and west of the State of Missouri, on the seventeenth day of the same month, in the year of our Lord one thousand eight hundred and forty-six, between T. P. Andrews, Thomas H. Harvey, and Gideon C. Matlock, commissioners on the part of the United States, on the one part, and the various bands of the Pottowautomie, Chippewas, and Ottawas Indians on the other part:

ARTICLE 1. It is solemnly agreed that the peace and friendship which so happily exist between the people of the United States and the Pottowautomie Indians shall continue

forever. The said tribes of Indians giving assurance, hereby, of fidelity and friendship to the government and people of the United States; and the United States giving, at the same time, promise of all proper care and parental protection.

ARTICLE 2. The said tribes of Indians hereby agree to sell and cede, and do hereby sell and cede to the United States, all the lands to which they have claim of any kind whatsoever, and especially the tracts or parcels of lands ceded to them by the treaty of Chicago, and subsequent thereto, and now, in whole or in part, possessed by their people, lying and being north of the river Missouri, and embraced in the limits of the Territory of Iowa; and also all that tract of country

lying and being on or near the Osage river, and west of the State of Missouri: it being understood that these cessions are not to affect the title of said Indians to any grants or reservations made to them by former treaties.

ARTICLE 3. In consideration of the foregoing cessions, or sales of land to the United States, it is agreed to pay to said tribes of Indians the sum of eight hundred and fifty thousand dollars, subject to the conditions, deductions, and liabilities provided for in the subsequent articles of this treaty.

ARTICLE 4. The United States agree to grant to the said united tribes of Indians possession and title to a tract or parcel of land containing five hundred and seventy six thousand acres, being thirty miles square, and being the eastern part of the lands ceded to the United States by the Kansas tribe of Indians, by treaty concluded on the 14th day of January, and ratified on the fifteenth of April of the present year, lying adjoining the Shawnees on the south, and the Delawares and Shawnees on the east, on both sides of the Kansas river, and to guarantee the full and complete possession of the same to the Pottowautomie nation, parties to this treaty, as their land and home forever; for which they are to pay the United States the sum of eighty seven thousand dollars, to be deducted from the gross sum promised to them in the 3d article of this treaty.

ARTICLE 5. The United States agree to pay said nation of Indians, at the first annuity payment after the ratification of this treaty, and after an appropriation shall have been made by Congress, the sum of fifty thousand dollars, out of the aggregate sum granted in the third article of this treaty, to enable said Indians to arrange their affairs, and pay their just debts before leaving their present homes; to pay for their improvements; to purchase wagons, horses and other means of transportation, and pay individuals for the loss of property necessarily sacrificed in moving to their new homes: said sum to be paid, in open council, by the proper agents of the United States, and in such just proportions, to each band, as the President of the United States may direct.

ARTICLE 6. The said tribes of Indians agree to remove to their new homes on the Kansas river, within two years from the ratification of this treaty, and further agree to set apart the sum of twenty thousand dollars to the upper bands, (being ten dollars per head,) and ten thousand dollars to the lower

bands, (being five dollars per head,) to pay the actual expenses of removing; and the sum of forty thousand dollars for all the bands, as subsistence money, for the first twelve months after their arrival at their new homes; to be paid to them so soon as their arrival at their new homes is made known to the government, and convenient arrangements can be made to pay the same, between the parties to this treaty: the aforesaid sums to be also deducted from the aggregate sum granted by the United States to said tribes of Indians by the 3d article of this treaty.

ARTICLE 7. The balance of the said sum of eight hundred fifty thousand dollars, after deducting the cost of removal and subsistence, &c., it is agreed shall remain with the United States, *in trust* for said Indians, and an interest of five per cent annually paid thereon, commencing at the expiration of one year after the removal of said Indians, &c., continuing for thirty years, and until the nation shall be reduced below one thousand souls. If, after the expiration of thirty years, or any period thereafter, it shall be ascertained that the nation is reduced below that number, the said annuity shall thenceforth be paid *pro rata* so long as they shall exist as a separate and distinct nation, in proportion as the present number shall bear to the number then in existence.

ARTICLE 8. It is agreed upon by the parties to this treaty that, after the removal of the Pottowautomie nation to the Kansas country, the annual interest of their "improvement fund" shall be paid out promptly and fully, for their benefit, at their new homes: If, however, at any time thereafter, the President of the United States shall be of opinion that it would be advantageous to the Pottowautomie nation, and they should request the same to be done, to pay them the interest of said money in lieu of the employment of persons or purchase of Machines or implements, he is hereby authorized to pay the same, or any part thereof, in money, as their annuities are paid at the time of the general payment of annuities. It is also agreed that, after the expiration of two years from the ratification of this treaty, the school fund of the Pottowautomies shall be expended, entirely in their own country, unless their people in council, should at any time express a desire to have any part of the same expended in a different manner.

ARTICLE 9. It is agreed by the parties to this treaty that the buildings occupied as a missionary establishment, including twenty

acres of land now under fence, shall be reserved for the use of the government agency; also the houses used for blacksmith house and shop shall be reserved for the use of the Pottowautomie smith; but should the property cease to be used for the aforementioned purposes, then it shall revert to the use of the Pottowautomie nation.

ARTICLE 10. It is agreed that hereafter there shall be paid to the Pottowautomie nation, annually, the sum of three hundred dollars, in lieu of the two thousand pounds of tobacco, fifteen hundred pounds of iron, and three hundred and fifty pounds of steel, stipulated to be paid to the Pottowautomies under the third article of the treaty of September 20, 1828.

In testimony whereof, T. P. Andrews, Thomas H. Harvey, and Gideon C. Matlock, aforesaid commissioners, and the chiefs and principal men of the Pottowautomie, Ottawa, and Chippewas tribes of Indians, have set their hands at the time and place first mentioned.

T. P. ANDREWS, }
TH. H. HARVEY, } Commissioners.
G. C. MATLOCK, }

Mi-au-mise, (the Young Miami,) his x mark.
Op-te-gee-shuck, (or Half Day,) his x mark.
Wa-sow-o-ko-uck, (or the Lightning,) his x mark.
Kem-me-kas, (or Bead,) his x mark.
Mi-quest, (or the Wampum,) his x mark.
Wab-na-ne-me, (or White Pigeon,) his x mark.
Na-no-no-uit, (or Like the Wind,) his x mark.
Patt-co-shuck, junior, his x mark.
Catte-nab-mee, (the Close Observer,) his x mark.
Wap-que-shuck, (or White Cedar,) his x mark.
Puck-quon, (or the Rib,) his x mark.
Sena-tehe-wan, (or Swift Current,) his x mark.
Shaub-poi-tuck, (the Man goes Through,) his x mark.
Wab-sai, (or White Skin,) his x mark.
Shaum-num-teh, (or Medicine Man,) his x mark.
Nah-o-sah, (the Walker,) his x mark.
Keahh, his x mark.
Ne-ah-we-quot, (the Four Faces,) his x mark.
Wa-sash-kuck, (or the Grass Turner,) his x mark.
Ke-ton-ne-co, (or the Kidneys,) his x mark.
Sah.ken-na-ne-be, his x mark.
Etwa-gee-shuck, his x mark.
Saass-pucks-kum, (or Green Leaf,) his x mark.
Ke-wa-ko-to, (Black Cloud Turning,) his x mark.
Meek-sa-mack, (the Wampum,) his x mark.
Chau-cose, (Little Crane,) his x mark.
Co-shae wais, (Tree top,) his x mark.
Patt-qui, his x mark.
Me-shuk-to-no, his x mark.

Ween-co, his x mark.
Joseph Le Frambeau, interpreter, his x mark.
Pierre or Perish Le Clerk, his x mark.
M. B. Beaubien, interpreter,
Pess-co-wnk, (Distant Thunder,) his x mark.
Naut-wish-cum, his x mark.
Ob-nob, (or he Looks Back,) his x mark.
Pam-wa-mash-kuck, his x mark.
Pacq-qui-pa-chee, his x mark.
Ma-shaus, (the Cutter,) his x mark.
Ci-co, his x mark.
Francois Bourbonnai.
Chas. H. Beaubien.
Shau-on-nees.
Paskal Miller.
Joseph Glaudeau.
Joseph Laughton.
Ca-ta-we-num, (the Black Dog,) his x mark.
Sine-pe-num, his x mark.
Chatt-tee, (the Pelican,) his x mark.
Me-shik-ke.an, his x mark.
Teh-cah-co, (Spotted Fawn,) his x mark.
Ca-shah-kee, (the Craw Fish,) his x mark.
Shem-me-nah, his x mark.
Nah-kee-shuck, (In the Air,) his x mark.
Mich-e-wee-tah, (Bad Name,) his x mark.
Patte-co-to, his x mark.
Shau-bon-ni-agh, his x mark.
Kah-bon-cagh, his x mark.
Wock-quet, his x mark.

WITNESSES.

R. B. Mitchell, Indian sub-agent.
Richard Pearson, T. D. S. McDonnell,
A. G. Wilson, W. R. English,
S. W. Smith, S. E. Wicks,
Edward Pore, Lewis Kennedy,
John H. Whitehead, L. T. Tate,
John Copeland,

We, the undersigned, chiefs and head men, and representatives of the Wabash, St. Joseph, and Prairie bands of the Ottawa, Chippewas, and Pottowautomie Indians, do hereby accept, ratify, and confirm the foregoing articles of a treaty in all particulars. Done at Pottowautomie creek, near the Osage river, west and south of the State of Missouri, this seventeenth day of June, A. D., 1846.

To-pen-e-be, his x mark.
We-we-say, his x mark.
Gah-gah-amo, his x mark.
I-o-way, his x mark.
Mah-go-quick, his x mark.
Zhah-wee, his x mark.
Louison, his x mark.
Mash-kum-me, his x mark.
Crane, his x mark.
Esk.bug-ge, his x mark.
No-a-ah-kye, his x mark.

| | | | |
|-------------------------|-------------|---------------------|-------------|
| Abraham Burnet, | his x mark. | Ke-sis, | his x mark. |
| Ma-gis-gize, | his x mark. | Pame-qe-yah, | his x mark. |
| Nas-wah-gay, | his x mark. | Pcme-nuek, | his x mark. |
| Pok-to, | his x mark. | Be-to-quah, | his x mark. |
| Little Bird, | his x mark. | Mesha-de, | his x mark. |
| Shim-nah, | his x mark. | William Hendricks, | his x mark. |
| Ma-kda-wah, | his x mark. | Nma-quoise, | his x mark. |
| Black Wolf, | his x mark. | Mas-co, | his x mark. |
| Root, | his x mark. | Peter Moose, | his x mark. |
| Niena-kto, | his x mark. | Kah-dot, | his x mark. |
| Ma-je-sah, | his x mark. | Za-k-ta, | his x mark. |
| Mah-suck, | his x mark. | Ah-bdah-sqa, | his x mark. |
| Bade-je-zha, | his x mark. | Wah-nuck-ke, | his x mark. |
| Kah-shqua, | his x mark. | Wah-be-enn-do, | his x mark. |
| Little American, | his x mark. | At-yah-she, | his x mark. |
| Match-kay, | his x mark. | Qua-qua-tah, | his x mark. |
| Wane-mage, | his x mark. | Nah-nim-muck-shuck, | his x mark. |
| Wah-wah-suck 2d, | his x mark. | Antoine, | his x mark. |
| Black Bird, | his x mark. | No-zha-kum, | his x mark. |
| Wah-wah-suck 1st, | his x mark. | Na-che-wa, | his x mark. |
| Wab-mack, (Henry Clay,) | his x mark. | Ahn-quot, | his x mark. |
| T-buck-ke, | his x mark. | Jos. N. Bourassa, | his x mark. |
| Zah-gna, | his x mark. | Kka-mage, | his x mark. |
| N. D. Grover, | his x mark. | Jude W. Bourassa, | his x mark. |
| Big Snake, | his x mark. | Bossman, | his x mark. |
| En-ne-byah, | his x mark. | Joel Barrow, | his x mark. |
| Jau-ge-mage, | his x mark. | | |
| Sin-be-nim, | his x mark. | | |
| No-clah-Koshig, | his x mark. | | |
| Os-me-at, | his x mark. | | |
| Wah-bah-koze, | his x mark. | | |
| I-o-wa 2d, | his x mark. | | |
| Wah-we-sueah, | his x mark. | | |
| Mowa, | his x mark. | | |
| Moses H. Scott, | his x mark. | | |
| Kah-kee, | his x mark. | | |
| Andrew Jackson, | his x mark. | | |

WITNESSES.

| | |
|-----------------------|---------------------|
| Joseph Bertrand, Jr., | J. Lykins, |
| R. W. Cummins, | M. H. Scott, |
| Indian Agent, | Washn. Bossman, |
| Leonidas A. Vaughan, | John T. Jones, |
| Robert Simerwell, | James A. Poage, |
| Thomas Hurlburt, | Joseph Clymer, Jr., |
| J. W. Polk, | W. W. Cleghurn. |

NOW, THEREFORE, BE IT KNOWN that I, JAMES K. POLK, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twenty-second of July, one thousand eight hundred and forty-six, accept, ratify, and confirm the same, and every article and clause thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

DONE at the City of Washington, the twenty-third day of July, in the year of our Lord, one thousand eight hundred and forty-six; and of the Independence of the United States, the seventy-first.

JAMES K. POLK.

BY THE PRSIDENT :

JAMES BUCHANAN,

Secretary of State.



C 230

Chiefs of Miss. + Lake
Superior

Aug 2 1847

Rat. Apr 7, 1848



JAMES K. POLK

PRESIDENT OF THE UNITED STATES OF AMERICA

WHEREAS a treaty was made and concluded at the Fort de La Poudre, in the Territory of Colorado, on the second of August, in the year one thousand eight hundred and forty-seven, between the President of the United States and the Chipewa Indians of the Mississippi and Lake Superior, by their chiefs and headmen, the said treaty is hereby published in full force and effect, and the same shall be observed by all the parties thereto.

TREATY

BETWEEN

THE UNITED STATES OF AMERICA,

AND THE

CHIPPEWA INDIANS OF THE MISSISSIPPI AND LAKE SUPERIOR.

CONCLUDED AUGUST 2, 1847.

RATIFIED APRIL 7, 1848.



JAMES K. POLK,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at the Fond-du-Lac of Lake Superior, on the second of August, in the year one thousand eight hundred and forty-seven, between the United States by their Commissioners, Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their chiefs and headmen; which treaty is, word for word, as follows :

Articles of a treaty made and concluded at the Fond-du-Lac of Lake Superior on the second day of August, in the year one thousand eight hundred and forty-seven, between the United States by their commissioners, Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their chiefs and headmen.

ARTICLE 1.

It is agreed that the peace and friendship which exists between the people of the United States and the Chippewa Indians shall be perpetual.

ARTICLE 2.

The Chippewa Indians of the Mississippi and Lake Superior cede and sell to the United States all the land within the following boundaries, viz: Beginning at the junction of the Crow Wing and Mississippi rivers, thence up the Crow Wing river to the junction of that river with the Long Prairie river, thence up the Long Prairie river to the boundary line between the Sioux and Chippewa Indians, thence southerly along the said boundary line to a lake at the head of Long Prairie river, thence in a direct line to the sources of the Watab river, thence down the Watab to the Mississippi river, thence up the Mississippi to the place of beginning; and, also, all the interest and claim which the Indians parties to this treaty have in a tract of land lying upon and north of Long Prairie river, and called One-day's hunt; but, as the boundary line between the Indians parties to this treaty, and the Chippewa Indians, commonly called "Pillagers," is indefinite, it is agreed that before the United States use or occupy the said tract of land north of Long Prairie river, the boundary line between the said tract and the Pillager Lands shall be defined and settled to the satisfaction of the Pillagers.

ARTICLE 3.

In consideration of the foregoing cession, the United States agree to pay to the chiefs of the Chippewas of Lake Superior seventeen thousand dollars in specie, and to the chiefs of the Chippewas of the Mississippi seventeen thousand dollars in specie; the above sums to be paid at such place or places as the President shall direct, and to be paid within six months after this treaty shall be ratified by the President and Senate of the United States; and the United States further agree to pay to the chiefs of the Mississippi Indians the sum of one thousand dollars annually for forty-six years; but it is agreed that whenever the Chippewas of the Mississippi shall agree as to the schools to be established, and the places at which they shall be located, the number of blacksmiths and laborers to be employed for them, and shall request the United States to expend, from year to year, the annual payments remaining unpaid, in the support of schools, blacksmiths, and laborers, the same shall be expended by the United States for such purposes; and that Chippewas of full or mixed blood, shall be employed as teachers, blacksmiths, and laborers, when such persons can be employed who are competent to perform the duties required of them under this and all former treaties.

ARTICLE 4.

It is stipulated that the half or mixed bloods of the Chippewas residing with them shall be considered Chippewa Indians and shall, as such, be allowed to participate in all annuities which shall hereafter be paid to the Chippewas of the Mississippi and Lake Superior, due them by this treaty, and by the treaties heretofore made and ratified.

ARTICLE 5.

The United States agree to establish an agen-

cy on or near the Mississippi river, at a point convenient for the Chippewas of the Mississippi, immediately after the ratification of this treaty, or as soon thereafter as may be, to be located at such point as the President shall direct, and the amount of annuities to which the Chippewas of the Mississippi are entitled under this and all former treaties shall be paid to them at the said agency, and the amount of their just

In testimony whereof, the said Isaac A. Verplank and Henry M. Rice, commissioners as aforesaid, and the chiefs, headmen, and warriors of the Chippewas of the Mississippi and Lake Superior, have hereunto set their hands, at the Fond-du-Lac of Lake Superior, this second day of August, in the year one thousand eight hundred and forty-seven.

ISAAC A. VERPLANK,
HENRY M. RICE.

| | |
|----------------------------------|------------------------------|
| Kai-ah-want-eda, 2d chief, | his x mark, Crow-wing. |
| Waub-o-jceg, 1st chief, | his x mark, Gull lake. |
| Uttom-aub, 1st warrior, | his x mark, Crow-wing. |
| Shen-goob, 1st warrior, | his x mark, Crow-wing. |
| Que-wish-an-sish, 1st warrior, | his x mark, Gull lake. |
| Maj-c-gah-bon, 2d warrior, | his x mark, Crow-wing. |
| Kag-gag-c-we-guon, warrior, | his x mark, Crow-wing. |
| Mab-uk-um-ig, warrior, | his x mark, Crow-wing. |
| Nag-aun-cg-a-bon, 2d chief, | his x mark, Sandy-lake. |
| Wan-jc-ke-shig-uk, chief, | his x mark, Sandy-lake. |
| Kow-az-rum-ig-ish-kung, warrior, | his x mark, Sandy-lake. |
| Ke-che-wash-keenk, 1st chief, | his x mark, Lapointe. |
| Gab-im-ub-be, chief, | his x mark, St. Croix lake. |
| Kee-che-waub-ish-ash, 1st chief, | his x mark, Pelican lakes. |
| Nig-gig, 2d chief, | his x mark, Pelican lakes. |
| Ud-c-kum-ag, 2d chief, | his x mark, Lac-flambeau. |
| Ta-che-go-onk, 3d chief, | his x mark, Lapointe. |
| Muk-no-a-wuk-und, warrior, | his x mark, Lapointe. |
| O-sho-gaz, warrior, | his x mark, St. Croix. |
| A-dow-c-re-shig, warrior, | his x mark, Lapointe. |
| Keesh-Ri-tow-ng, 1st warrior, | his x mark, Lapointe. |
| I-aub-ans, chief, | his x mark, Rice lake. |
| Tug-wany-am-az, 2d chief, | his x mark, Lapointe. |
| O-Rum-de-kun, chief, | his x mark, Ontonagin. |
| Keesh-re-tow-no, 2d chief, | his x mark, Ontonagin. |
| Maj-c-wa-we-clung, 2d chief, | his x mark, Puck a guno. |
| Ke-che-wa-mibco-osk, 1st chief, | his x mark, Puck a guno. |
| Mong-o-sit, 3d chief, | his x mark, Fond-du-Lac. |
| Mug-un-ub, 2d chief, | his x mark, Fond-du-Lac. |
| An-im-as-ung, 1st warrior, | his x mark, Fond-du-Lac. |
| Waub-ish-ashe, 1st chief, | his x mark, Chippeway river. |
| Make-cen-gun, 2d chief, | his x mark, Chippeway river. |
| Kee-wan-see, chief, | his x mark, Lac Contereille. |
| Ten-as-see, chief, | his x mark, Puk-wa-wun. |
| Nag-an-is, 2d chief, | his x mark, Lac Contereille. |
| Ke-chi-in-in-e, 1st warrior, | his x mark, Puk-wa-wun. |
| Ke-che-now-uj-c-nim, chief, | his x mark, Turtle Portage. |
| Bus-e-guin-jis, warrior, | his x mark, Lac-flambeau. |
| Shin-goob, 1st chief, | his x mark, Fond-du-Lac. |
| Shay-u-ash-cens, 1st chief, | his x mark, Grand Portage. |
| Ud-ik-ons, 2d chief, | his x mark, Grand Portage. |
| Me-zye, 4th chief, | his x mark, Lapointe. |
| David King, 1st chief, | his x mark, Ance. |
| Ma-tak-o-se-ga, 1st warrior, | his x mark, Ance. |
| Assurcens, 2d warrior, | his x mark, Ance. |
| Peter Marksman, chief, | |
| Alexander Corbin, chief. | |
| William W. W. Warren, 1st chief. | |

proportion of annuities resulting from former treaties shall be determined by the President.

ARTICLE 6.

This treaty shall be obligatory upon the contracting parties when ratified by the President and Senate of the United States.

Jno. Pta. Rellenger, his x mark.
 Charles Charlo, his x mark.
 Chief, Battiste Gauthier, his x mark.
 Half Breeds—Lapointe Band.
 Chief, Vincent Roy, his x mark.
 Warrior, John Btse. Cadotte, his x mark.
 Second Chief, Lemo Sayer, his x mark.
 Warrior, Jhn. Btse. Roy, his x mark.
 Michel Bas-he-na, his x mark.
 Lueson Godin, his x mark.
 John Sayer, his x mark.
 Chief, Lueson Corbin, his x mark.

Witnesses—

Wm. W. Warren, interpreter.
 Chas. H. Oakes, Lapointe.
 Roswell Hart, Rochester, New York.
 Henry Evans, Batavia, New York.
 A. Morrison.
 S. Hovers.
 Mamoci M. Samuel.
 Henry Blatchford, interpreter.
 William A. Aitken.
 Julius Ombrian.

The following signatures are those of chiefs and headmen parties to this treaty :

Ke-nesh-te no, chief, Trout lake, his x mark.
 Mah-shah, 1st warrior, his x mark, Lac-flambeau.
 I-oush-ou-c-ke-shik, chief, his x mark, Red Cedar lake.
 Mah-ko-dah, 1st warrior, his x mark, Mille Lac.
 Pe-tud, 1st chief, his x mark, Mille Lac.
 Aunch-e-be-nas, 2d warrior, his x mark, Mille Lac.
 Mish-in-nack-in-ugo, warrior, his x mark, Red Cedar lake.
 Gah-nin-dum-a-win-so, first chief, his x mark, Sandy lake.
 Mis-quod-ase, warrior, his x mark, "
 Na-tum-e-gaw-bow, 2d chief, his x mark, "
 I-ah-be-dua-we-dung, warrior, his x mark, "
 Bi-a-jig, 1st chief, his x mark, Pukaguno.
 Joseph Montre, 1st chief, Mississippi half-breeds.

Witnesses—

Wm. W. Warren, }
 Peter Marksman } Interpreters.
 Smith Hovers.

The signature of No-din, or The Wind, written by his request on the 3d day of August, 1847, and with the consent of the commisssoners—

No-din, or The Wind, his x mark.

In presence of William A. Aitkin, R. B. Carlton.

I approve of this treaty and consent to the same, August 3d, 1847. Fond-du-Lac.

Po-go-ne-gi-shik, or Hole-in-the-day, his x mark.

Witness—

William Aitkin,
 D. T. Sloan.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the third of April, eighteen hundred and forty-eight, resolve as follows:

In executive session Senate of the United States, April 3, 1848.

Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of a treaty made and concluded at the Fond-du-Lac of Lake Superior, on the second day of August, in the year 1847, between the United States, by their commissioners, Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their chiefs and headmen, with the following amendments: Strike out of article 3 the words "the chiefs of" wherever they occur in said article. Insert in article 3 after the words "place or places" where they first occur, the following words: *and in such manner.*

Strike out the 5th article of the treaty, in the following words: "Article 5. The United States agree to establish an agency on or near the Mississippi river, at a point convenient for the Chippewas of the Mississippi, immediately after the ratification of this treaty, or as soon thereafter as may be, to be located at such point as the President shall direct; and the amount of annuities to which the Chippewas of the Mississippi are entitled under this and all former treaties shall be paid to them at the said agency; and the amount of their just proportion of annuities resulting from former treaties shall be determined by the President."

Now, therefore, be it known that I, JAMES K. POLK, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the third day of April, eighteen hundred and forty eight, accept, ratify, and confirm the said treaty, with the amendments set forth in the said resolution.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.



DONE at the City of Washington, the seventh day of April, in the year of our Lord one thousand eight hundred and forty-eight, and of the Independence of the United States of America the seventy-second.

JAMES K. POLK.

By the President:

JAMES BUCHANAN, *Secretary of State.*

Treaty with Menomonees
October 18th 1788.

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JAMES K. POLK,
PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these Presents shall come, Greeting:

Whereas a treaty was made and concluded at Lake Powaw-hay-kon-nay, in the State of Wisconsin, on the eighteenth day of October, one thousand eight hundred and forty-eight, between the United States of America, by William Medill, a commissioner duly appointed for that purpose, and the Menomonee tribe of Indians, by the chiefs, head men, and warriors of said tribe; which treaty is, word for word, as follows, to wit:

ARTICLES OF A TREATY made and concluded at Lake Powaw-hay-kon-nay, in the State of Wisconsin, on the eighteenth day of October, one thousand eight hundred and forty-eight, between the United States of America, by William Medill, a commissioner duly appointed for that purpose, and the Menomonee tribe of Indians, by the chiefs, head men, and warriors of said tribe:

ARTICLE I. It is stipulated and solemnly agreed that the peace and friendship now so happily subsisting between the Government and people of the United States and the Menomonee Indians shall be perpetual.

ARTICLE II. The said Menomonee tribe of Indians agree to cede, and do hereby agree to cede, sell, and to relinquish to the United States all their lands in the State of Wisconsin, wherever situated.

for a period of 25 years

ARTICLE III. In consideration of the foregoing cession, the United States agree to give, and do hereby give, to the said Indians for a home, to be held as Indian's lands are held, all that country or tract of land ceded to the said United States by the Chippewa Indians, of the Mississippi and Lake Superior, in the treaty of August 2, 1847, and the Pillager band of Chippewa Indians, in the treaty of August 21, 1847, which may not be assigned to the Winnebago Indians, under the treaty with that tribe of October 13, 1846, and which is guaranteed to contain not less than six hundred thousand acres.

ARTICLE IV. In further and full consideration of said cession, the United States agree to pay the sum of three hundred and fifty thousand dollars, at the several times, in the manner and for the purposes following, viz:

To the chiefs, as soon after the same shall be appropriated by Congress as may be convenient to enable them to arrange and settle the affairs of their tribe preparatory to their removal to the country set apart for, and given to them as above, thirty thousand dollars.

To such persons of mixed blood, and in such proportion to each, as the chiefs in council, and a commissioner to be appointed by the President, shall designate and determine,

and as soon after the appropriation thereof as may be found practicable and expedient, forty thousand dollars.

In such manner and at such times as the President shall prescribe, in consideration of their removing themselves, which they agree to do, without further cost or expense to the United States, twenty thousand dollars.

In such manner and at such times as the President shall prescribe, in consideration of their subsisting themselves the first year after their removal, which they agree to do, without further cost or expense on the part of the United States, twenty thousand dollars.

To be laid out and applied, under the direction of the President, in the establishment of a manual labor school, the erection of a grist and saw mill, and other necessary improvements in their new country, fifteen thousand dollars.

To be laid out and applied under the direction of the President, in procuring a suitable person to attend and carry on the said grist and saw mill for a period of fifteen years, nine thousand dollars.

To be laid out and applied under the direction of the President, in continuing and keeping up a blacksmith's shop, and providing the usual quantity of iron and steel for the use and benefit of said tribe, for a period of twelve years, commencing with the year one thousand eight hundred and fifty-seven, and when all provision for blacksmith's shops under the treaty of 1836 shall cease, eleven thousand dollars.

To be set apart, applied, and distributed under the direction of the President, in payment of individual improvements of the tribe upon the lands above ceded to the United States, five thousand dollars.

And the balance, amounting to the sum of two hundred thousand dollars, to be paid over to the tribe, as Indian annuities are required to be paid, in ten equal annual instalments, commencing with the year one thousand eight hundred and fifty-seven, and when their annuities or annual instalments under the treaty of 1836 shall have ceased.

ARTICLE V. It is stipulated and agreed, that the sum now invested in stocks, under the Senate's amendment to the treaty of 1836,

with the interest due thereon at this time, shall be and remain invested, under the direction of the President, and that the interest hereafter arising therefrom shall be disposed of as follows: that is to say, so much thereof as may be necessary to the support and maintenance of the said manual labor school, and other means of education, and the balance be annually paid over in money as other annuities, or applied for the benefit and improvement of said tribe as the President, on consultation with the chiefs, may, from time to time, determine.

ARTICLE VI. To enable the said Indians to explore and examine their new country, and as an inducement to an early removal there-to, it is agreed that the United States will pay the necessary expenses of a suitable delegation to be selected for that purpose, under the direction of the President.

ARTICLE VII. It is alleged that there were less goods delivered to the said Indians at the annuity payment of 1837 than were due and required to be paid and delivered to them under the stipulations of their treaties with the United States then in force; and it is therefore agreed that the subject shall be properly investigated, and that full indemnity shall be made to them for any loss which they may be shown to have sustained.

ARTICLE VIII. It is agreed that the said Indians shall be permitted, if they desire to do so, to remain on the lands hereby ceded for and during the period of two years from the date hereof, and until the President shall notify them that the same are wanted.

ARTICLE IX. It is stipulated that Robert Grignon, who has erected a saw mill upon the Little Wolf river, at his own expense, for the benefit and at the request of said Indians, shall have the right of a pre-emptor to the lands upon which said improvements are situated, not exceeding in quantity on both sides of said river one hundred and sixty acres.

ARTICLE X. This treaty to be binding on the contracting parties as soon as it is ratified by the President and Senate of the United States.

In testimony whereof the said William Medill, Commissioner as aforesaid, and the chiefs, head men, and warriors of the said Menomonee tribe of Indians, have hereunto

Now, therefore, be it known that I, JAMES K. POLK, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the nineteenth day of January, one thousand eight hundred and forty-nine, accept, ratify, and confirm the same, and every article and clause thereof.

In testimony whereof I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington the twenty-third day of January, in the year of our [L. s.] Lord one thousand eight hundred and forty-nine, and of the independence of the United States of America the seventy-third.

By the President:

JAMES BUCHANAN,

Secretary of State.

set their hands and seals, at the place and on the day and year aforesaid.

W. MEDILL, [SEAL.]

Commissioner on the part of the United States.

Signed and sealed in the presence of us:

ALBERT G. ELLIS, Sub-agent,
CHAS. A. GRIGNON, U. S. Interpreter,
F. J. BONDUEL, Missionary Priest
among the Menomonee Indians,

M. L. MARTIN,
P. B. GRIGNON,
SAMUEL RYAN,
A. G. GRIGNON,
JOHN B. JACOBS.

| | |
|----------------------|-------------|
| Osh-kosh, | his x mark. |
| Jau-ma-tau, | his x mark. |
| Waw-kee-che-un, | his x mark. |
| Sage-toke, | his x mark. |
| Wy-tah-sauh, | his x mark. |
| Kee-chee-new, | his x mark. |
| Chee-cheequon-away, | his x mark. |
| Corron Glaude, | his x mark. |
| Sho-nee-nieu, | his x mark. |
| Lamotte, | his x mark. |
| Chee-que-tum, | his x mark. |
| Shaw-wan-on, | his x mark. |
| Ah-ko-no-may, | his x mark. |
| Shaw-poa-tuk, | his x mark. |
| Wau-po-nan-ah, | his x mark. |
| Sho-na-new, jr., | his x mark. |
| Pah-maw-po-may, | his x mark. |
| Naw-kaw-chis-ka, | his x mark. |
| Show-anno-penese, | his x mark. |
| Tah-ko, | his x mark. |
| Osh-kish-he-nay-new, | his x mark. |
| Little Wave, | his x mark. |
| Mtck-atah-penese, | his x mark. |
| Wa-pee-men-shaw, | his x mark. |
| Ah-ke-na-pe-new, | his x mark. |
| Ah-kaw-mut, | his x mark. |
| Kee-she-teu-ke-tau, | his x mark. |
| She-pau-na-ko, | his x mark. |
| Naw-kaw-nish-kau-wa, | his x mark. |

Witnesses: WILLIAM POWELL,

JOHN B. DUBE,

JOHN G. KITTSON,

ROBT. GRIGNON,

CHARLES CARON,

ANTOINE GOTREAU,

F. DESNOYERS,

LOUIS G. PORHIR,

O. W. F. BRUCE.

JAMES K. POLK,

Memorandum.

The Menomonic Indians residing within the limits of the State of Wisconsin lay claim to a large area of country in said State which has been purchased by the United States from the Winnebago and Chippewa Nations of Indians. The following statement of facts conclusively show, it is thought, that there is no good foundation to rest said claim; but on the contrary that the only land which can actually be claimed by them is located within the lines on the accompanying map -

By the treaties of 19. August 1825 - and August 11. 1827 (see Indian treaties pp. 373. - 6. art. - 374. 8. art. 412. 1st article) the boundary line ^{agreed on} between the Chippeways, Winnebagoes and Menomonic is described on the accompanying map by red lines.

The lines between the Chippeways & Winnebagoes, described at p. 373. have been respected by the United States - and treaties for the land North & South of those lines have been entered into by the Govt. with the said Indians - 1. with the Chippeways on ^{the} 29. July 1837 - ^{blue dotted lines} 2nd with the Winnebagoes on 1. Nov. 1837 -

The boundaries in the treaty last referred to are not given - but the official records of the office indicate the area to be 5,000,000 acres for which the sum of \$1,500,000 was given - It is known that the extent of the cession was computed according to the lines designated in the 6. article of the treaty of 14. August 1825.

The first treaty concluded with the Menomonee Indians for a cession of their land was concluded on 8. February 1831. The boundaries claimed by them on the West side of Fox river & Green Bay are described in the second paragraph of the treaty at page 466 - and are delineated on the map by blue lines - A glance only is sufficient to show an increased claim to land than was for what they admitted in the treaty of August 11. 1827 - It is not necessary here to remark on the limits east of Fox river & ^{Green Bay} ~~Green Bay~~ - They have been not in dispute and their title to the land within those limits had been extinguished -

Again by the treaty of 3. September 1836 ^(p. 609) by which it was intended to extinguish all their title to land East of Wolf river & North or East of Fox river and Green Bay - the boundaries described in the treaty of 1827 as the dividing lines between the Chippewas and Menomonees are referred to as the Northern and limit of the cession - thereby indicating very clearly, that Gov. Sady, who was the Commissioner on the part of the United States,

as well as the Indians themselves, respected the lines fixed between the Chippewas & Menomonees, as the true northern limit of the land belonging to the latter named Indians - and to that extent admitting the boundaries claimed by the treaty of 1831 as founded in error and consequently relinquished by the Indians -

Notwithstanding this, it appears from a letter of the sub-agent Ellis to Gov. Saylor of 11 Dec. 1846 - that these Indians, thro. their Chief "Oshkosh", claim within the green lines seen on the map - - "From a comparison of the various lines of boundary designated on the map it is seen that the present claim is for a very large area which has been purchased from the Chippewas by the treaties of 1837 & 1842 - ^{red dotted lines} and from the Winnebagoes by the treaty of 1837 - and without regard to the boundaries claimed and defined by the Menomonees themselves in the treaty of 1831 - and then referred to in the treaty of 1836 -

That the action of the Government in treating with the Chippewas, and Winnebagoes for their lands, according to the lines established by the treaty of 1825 & 1827, has been ~~the~~ correct, is fortified by the fact, that at the Council preceding the treaty of 1825

when the Indians described the land claimed by each tribe,
the Menominee Chief, "Grizzly Bear" said "My father,
"Why should I not listen to you. The Menominees have never
"had any difficulties with any people. The small piece
"of land claimed by the Menomonees commences at
"Green Bay & goes from there to the Falls above River
"of Green Bay - But is so small that we can't turn
"round without touching our neighbors. But we
"travel about a great deal and go where there
"is game among the Nations around - who do not
"restrain us from doing so."

At the Council held in 1827 at which the treaty
of 1827 was concluded. when the subject of the claims of
the New York Indians for land purchased of the
Menomonees was under consideration, the 1st Chief
of the Menomonees said: "My father. From the
"time that the Stranger Indians first came here, we have
"no knowledge of having ever ceded any part of our
"country to them. When I heard of their arrival I sent my brothers
"to them to say, that we could not sell any part of our land
"because it was so small."