

January 26th, 1821

In relation to this matter the following is their petition to the government. "We the Chiefs of the Oneida Nation understanding from His Excellency the Governor of the State that there as yet reaming due sum of money in the funds of Marie S. Miller and Nathan Williams Esq. Over and above the expenses of building the Oneida Church which seems money may be appropriated for the moral and religious importance of the Oneida people. I hereby request and authorized the said Miller and Williams to pay the amount in their hands Red Man Eleazar Williams, their Pastor and teacher for the purpose of paying the expenses all ready insure for in proofing the ground around the church and for building a vestry room for the church for aiding in the creation of a parsonage house as also for the purchase of a small bill for our children in morality and religion done at Oneida this 26th day of January 1821.

A.G. Ellis

Captain Peters
Hendrick Schuyler
Jacob Otshetic
William Jagohowi
Hendrick Powles
Peter Neddy
Silas Anausente
Daniel Bread

Enclosure 0053

In the following explanation of the _____ by the Chiefs of the 1st Christian Party may suffer from a extract of their letter to Domestics and foreign Missionary Society of the Protestant Episcopal Church of Philadelphia dated 20th of February 1824.

Father and Brothren,

We now speak of that part in which Mr. Williams in a letter by a number of Oneida Indians, to you right Rev. Bisloy Nobont, with having applied certain monies contributed by the Indians for the purpose of founding a school.

This we doubt not a surplus of the monies raised by us for the prayer of building chapel for religious worship. When we found after completing the chapel that there was still money left. It was requested that Mr. Williams, M.S. Miller Esq. The Commissions should meet us on the 26th of January 1821, the gentlemen explains we believe to the understanding of all how our money has been explained and informed _____ there be sum still remaining was in the hand of the Governor of the state under who's authority they had acted. They then asked the Chief and Warriors in what way the remainder should be expended we at first proposed an answer.

Enclose 0054

Treaty 8

Author's Introduction. In many ways, this treaty, known simply as the Treaty of Butte des Mortes (Hill of the Dead), is a continuation of the 1825 Treaty of Prairie du Chien. This treaty, like the earlier one, focused primarily on tribal boundaries, but also included provisions for educational funds for tribal children. The main negotiations, however, involved boundary lines among the Chippewa, Menominee, and Winnebago Nations that had not been settled at Prairie du Chien.

The area in dispute was the land that the New York Indians had obtained in a series of intertribal treaties in the early 1820s. (See treaty 6 for example) The Winnebagos (now known as the Ho-Chunks) disputed these sales, as did some Menominees, and the conflict made determination of these tribes' boundaries with the Chippewas difficult.

The Treaty of Butte des Mortes in 1827 settled most of the disputed claims and left those not settled for the attention of President John Quincy Adams. By agreeing to the negotiated borders, the Winnebagos and Menominees confirmed the sale of lands to the New York Indians, made at Green Bay in 1821.

Like the 1825 treaty, the Treaty of Butte des Mortes provided written boundaries for tribes that historically had shared lands. This made it much easier for the U.S. government when it sought future land cessions from these tribes. The journal of the treaty negotiations also provides a vivid example of how the U.S. government intervened in tribal affairs. To make it easier to negotiate with the Menominees, the government appointed one man, Oshkosh, as chief of the tribe, a move that showed complete disregard for tribal politics and culture. (See fundamental 10)

Treaty of Butte des Mortes between the United States and Chippewa, Menominee, and Winnebago Tribes (1827)

Oratory

The words of three tribal representatives are excerpted here, showing the different perspectives of the Wisconsin and New York tribes that were in conflict over boundaries. (*Documents Relating to . . . 1801-1869*, Roll 2)

The Menomonie Chief addressed them.

Father.

. . . They [the New York Indians] told us on their arrival that they had not come here for land—that they had enough in their own country—that they had come only to take us by the hand. We understood their object to be, not to purchase land, but to procure the grant of a small piece to sit down upon, that they might live with us like brothers. We never comprehended either that they wished, or that they had, purchased any part of our territory. This is the absolute truth

Four Legs [a Winnebago] spoke.

My Father.

. . . They [the New York Indians] said, 'Our Brothers! It was at the request of our Great Father that we have come here to meet you. We are here on your land. Our Brothers! Winnebagoes. Menomones! We are poor. We ask you to take pity on us. We are not masters of our own land, neither of the waters within it nor of the trees upon it. We ask of you therefore, the charity to let us sit down upon your land here'

It was not a sale, nor a gift, but it was a loan. We had too little ourselves to be willing to sell it. The New York Indians told us, that we should not regret the loan, nor the charity we had yielded them

The Seneca Chief Cornelius Baird, then came forward & spoke as follows.

Father.

. . . We came from the East. We had a place there While we were walking on the sea shore, we discovered you You began to grow & spread, & the Indians began to

melt The time has come when we have not enough to live on & our Great Father has sanctioned our coming here to live with our brothers On our arrival, the terms of our contract were discussed with our brothers, the Menomones & Winebagoes We did not expect then that we should now be charged with doing this in a secret manner

Complete Written Document

Articles of a treaty made and concluded at the Butte des Morts, on Fox river, in the Territory of Michigan, between Lewis Cass and Thomas L. McKenney, Commissioners on the part of the United States, and the Chippewa, Menomonie, and Winebago tribes of Indians.

Aug. 11, 1827.

7 Stat., 303.

Proclamation, Feb. 23, 1829.

ARTICLE 1. Whereas, the southern boundary of the Chippewa country, from the Plover Portage of the Ouisconsin easterly, was left undefined by the treaty concluded at Prairie du Chien, August 19, 1825, in consequence of the non-attendance of some of the principal Menomonie chiefs; and, whereas it was provided by the said treaty, that, whenever the President of the United States might think proper, such of the tribes, parties to the said treaty, as might be interested in any particular line, should be convened, in order to agree upon its establishment;

Chippewa southern boundary left undefined by treaty of 1825.

Southern boundary settled.

Therefore, in pursuance of the said provision, it is agreed between the Chippewas, Menomones and Winebagoes, that the southern boundary of the Chippeway country shall run as follows, namely: From the Plover Portage of the Ouisconsin, on a northeasterly course, to a point on Wolf river, equidistant from the Ashawano and Post lakes of said river, thence to the falls of the Pashaytig river of Green Bay, thence to the junction of the Neesau Kootag or Burnt-wood river, with the Menomonie; thence to the big island of the Shoskinaubic or Smooth rock river, thence following the channel of the said river to Green Bay, which it strikes between the little and the great Bay de Noquet.

ART. 2. Much difficulty having arisen from negotiations between the Menomonie and Winebago tribes and the various tribes and portions of tribes of Indians of the State of New York, and the claims of the respective parties being much contested, as well with relation to the tenure and boundaries of the two tracts, claimed by the said New York Indians, west of Lake Michigan, as to the authority of the persons who signed the agreement on the part of the Menomones, and the whole subject having been fully examined at the Council this day concluded, and the allegations, proofs, and statements, of the respective parties having been entered upon the Journal of the United Commissioners, so that the same can be decided by the President of the United States; it is agreed by the Menomones and Winebagoes, that so far as respects their interest in the premises, the whole matter shall be referred to the President of the United States, whose decision shall be final. And the President is authorized, on their parts, to establish such boundaries between them and the New York Indians as he may consider equitable and just.

ART. 3. It being important to the settlement of Green Bay that definite boundaries should be established between the tract claimed by the former French and British governments, and the lands of the Indians, as well to avoid future disputes as to settle the question of jurisdiction—It is therefore agreed between the Menomonie tribe and the United States, that the boundaries of the said tracts, the jurisdiction and title of which are hereby acknowledged to be in the United States, shall be as follows, namely:—Beginning on the shore of Green Bay, six miles due north from the parallel of the mouth of

Territorial difficulties between certain tribes referred to the President of the United States.

Indian recognition of United States title to a certain tract of land.

Boundaries thereof.

Proviso.

Proviso.

Distribution of goods
among the Indians.

Annual appropriation
for education of Indians.

Right of United States
to punish certain
Winnebagoes.

Treaty to be obligatory
when ratified.

Fox river, and running thence in a straight line, but with the general course of the said river, and six miles therefrom to the intersection of the continuation of the westerly boundary of the tract at the Grand Kaukaulin, claimed by Augustin Grignon; thence on a line with the said boundary to the same; thence with the same to Fox river; thence on the same course, six miles; thence in a direct line to the southwestern boundary of the tract, marked on the plan of the claims at Green Bay, as the settlement at the bottom of the Bay; thence with the southerly boundary of the said tract to the southeasterly corner thereof; and thence with the easterly boundary of the said tract to Green Bay. Provided, that if the President of the United States should be of opinion that the boundaries thus established interfere with any just claims of the New York Indians, the President may then change the said boundaries in any manner he may think proper, so that the quantity of land contained in the said tract be not greater than by the boundaries herein defined. And provided also, that nothing herein contained shall be construed to have any effect upon the land claims at Green Bay; but the same shall remain as though this treaty had not been formed.

ART. 4. In consideration of the liberal establishment of the boundaries as herein provided for, the Commissioners of the United States have this day caused to be distributed among the Indians, goods to the amount of fifteen thousand six hundred and eighty-two dollars, payment for which shall be made by the United States.

ART. 5. The sum of one thousand dollars shall be annually appropriated for the term of three years; and the sum of fifteen hundred dollars shall be annually thereafter appropriated as long as Congress think proper, for the education of the children of the tribes, parties hereto, and of the New York Indians, to be expended under the direction of the President of the United States.

ART. 6. The United States shall be at liberty, notwithstanding the Winnebagoes are parties to this treaty, to pursue such measures as they may think proper for the punishment of the perpetrators of the recent outrages at Prairie du Chien, and upon the Mississippi, and for the prevention of such acts hereafter.

ART. 7. This treaty shall be obligatory after its ratification by the President and Senate of the United States.

Done at the Butte des Morts, on Fox river, in the Territory of Michigan, this eleventh day of August, 1827.

Lewis Cass,
Thomas L. McKenney.

Chippeways:

Shinguaba Wossin, his x mark,
Wayshkee, his x mark,
Sheewanbeketoan, his x mark,
Mozobodo, his x mark,
Gitshee Waubezhaas, his x mark,
Moazoninee, his x mark,

Mishaukewett, his x mark,
Monominee Cashee, his x mark,
Kominikey, jun. his x mark,
Kimiown, his x mark,
Kominikey, sen. his x mark,
Keshiminey, his x mark,
Woiniss-atte, his x mark,
Powoisnoit, his x mark,

Menomines:

Manbasseaux, his x mark,

Myannechetrabewat, his x mark,
Penabeme, his x mark,
Kegisse, his x mark,

L'Espagnol, his x mark,
Kichiaemtort, his x mark,
Hoo Tshoop, (or four legs,) his x mark,
Tshayro-tshoan Kaw, his x mark,
Karry-Man-nee, (walking turtle,) his x mark,

Attikumaag, his x mark,
Umbwaygeezhig, his x mark,
Moneto Penaysee, his x mark,
Akkeewaysee, his x mark,
Sheegad, his x mark,
Wauwaunshkau, his x mark,
Anamikee Waba, his x mark,
Ockewazee, his x mark,

Menomines:

Oskashe, his x mark,

Joseette Caron, his x mark,
Sau-say-man-nee, his x mark,
Maunk-hay-raith, (tatood breast,) his x
mark,
Shoank Skaw, (white dog,) his x mark,
Shoank-tshunksiap, (black wolf,) his x
mark,
Kaw-Kaw-say-kaw, his x mark,
Wheank-Kaw, (big duck,) his x mark,
Shoank-ay-paw-kaw, (dog head,) his x
mark,

Witnesses:

Philip B. Key, secretary,
E. Boardman, captain Second U.S. In-
fantry,
Henry R. Schoolcraft, United States In-
dian agent,
Henry B. Brevoort, United States Indian
agent,
Thomas Rowland,

Sar-ray-num-nee, (walking mat,) his x
mark,
Waunk-tshay-hee-sootsh, (red devil), his
x mark,
Wau-kaun-hoa-noa-nick, (little snake,)
his x mark,
Kaw-nee-shaw, (white crow,) his x
mark.

D.G. Jones,
R.A. Forsyth,
S. Conant,
E.A. Brush,
Jn. Bpt. Feois Fauvel, clergyman,
Jesse Miner,
Henry Conner, interpreter,
John Kinzie, jun.

[NOTE.—This treaty was ratified with this proviso, contained in the resolu-
tion of the Senate: "That the said treaty shall not impair or affect any right or
claim which the New York Indians or any of them have to the lands or any of
the lands mentioned in the said treaty."]