

HISTORY  
OF THE  
TERRITORY OF WISCONSIN,  
FROM 1836 TO 1848.

PRECEDED BY AN ACCOUNT OF SOME EVENTS DURING THE  
PERIOD IN WHICH IT WAS UNDER THE DOMINION  
OF KINGS, STATES OR OTHER TERRITORIES,  
PREVIOUS TO THE YEAR 1836.

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## CHAPTER X.

## NEW YORK INDIANS.

From 1818 to 1822, there was a combination of influences dissimilar in motive but perfectly consonant in purpose, all operating simultaneously, which resulted in the removal of a part of the New York Indians, to lands secured for them near Green Bay.

The Holland Land Company, having a pre-emption right of purchasing from the Indians their reservations, which right had been confirmed by the state of New York, sold it in 1810 to DAVID A. OGDEN, who with his associates were known as the "Ogden Land Company." This company, for the purpose of extinguishing the Indian title and thereby perfecting its own, conceived the plan, in 1817-18, of securing in the West, by consent and aid of the general government, an extensive grant of land from the western tribes, as a home or hunting ground for the several tribes of the New York Indians. One of the first steps was to secure the consent and co-operation of the War Department.

The Stockbridge and Brothertown Indians had a small reservation of thirty-five square miles in Oneida county. These Indians, influenced by an educated and eloquent young chief, SOLOMON U. HEDRICK, and their resident missionary, JOHN SEARGEANT, became anxious to obtain a suitable tract of land west of the lakes to which they might remove and where they could have a permanent home. They obtained the influence and aid of the American Board of Missions, by which the late Dr. JEDEDIAH MORSE—whose name is identified with the history of education in America, by the publication of his Geography, Atlas and Gazetteer, and who was the father of S. F. B. MORSE the inventor of the electric telegraph—was induced to undertake the mission of selecting a proper location. Preliminary to this undertaking application was made to the Secretary of War, that he be commissioned to make a general tour among the northwestern Indians, with a view to forming a better understanding between them and the Government.

In 1816-17, ELEAZER WILLIAMS, the same who afterwards advanced the fictitious and preposterous claim to be the Dauphin of France, LOUIS 19th, appeared among the Oneida

Indians. Born among the St. Regis Indians, of which tribe his mother was a native, and with whom he had lived until he was fourteen years old, the Indian language was his native tongue. He spent his boyhood from the age of 14 to 19 in New England schools and acquired a good English education and was tolerably conversant with the Christian system and with theology. He was withal a natural orator and most graceful and powerful speaker. He was commissioned by Bishop HOBART as catechist and lay reader to the Oneida Indians. Great success attended his missionary work, as the result of which the Bishop confirmed about fifty communicants.

But the field for the labors of this missionary confined, as it was to about fifteen hundred Oneidas, was more limited than his ambition. Whether the idea originated with him, or whether it was suggested by the Ogden Land Company, or borrowed from the Stockbridges, he proposed to the Oneidas in 1818, a grand emigration scheme and a confederated Indian Government. This scheme contemplated that the Oneidas, and all other New York Indians, with many of those in Canada and the Senecas at Sandusky, should remove to the neighborhood of Green Bay, and there unite in one grand confederacy of cantons, but all under one federal head. The contemplated government was to be a mixture of civil, military and ecclesiastic, the latter to predominate. The older and more sober minded of the Oneida chiefs lent no favor to the plan, but some of the younger men were more captivated with it, and some of the young hereditary chiefs were drawn into it. He also enticed a few of the young men of each of the other tribes of the Six Nations, to enter into his scheme. He next addressed the War Department, soliciting its countenance and assistance to enable a delegation of twenty, from the several tribes of the Six Nations, to visit the western tribes, for the purpose of obtaining a cession of country for a new home.

The Southern States, and their representatives in Congress and in the executive departments, regarded with extreme jealousy the rapidly advancing power of the free States. By the ordinance of 1787, slavery was forever prohibited in any States to be formed in the Northwest Territory; and the northern boundary of Illinois was by an act of Congress purposely extended more than sixty miles north of the boundary prescribed by the ordinance, in the vain

expectation that the country north of it could never acquire sufficient strength in wealth or numbers to claim admission as a State in the Union.

During the administration of Mr. MONROE, JOHN C. CALHOUN was Secretary of War, and lent his sanction to a plan to devote the territory west of Lake Michigan and north of Illinois as an Indian Territory, in which to colonize all the remaining tribes in the Northern States.

It excites no surprise, therefore, that the Secretary of War yielded a ready acquiescence in, and co-operation with, the plans and application of the Ogden Land Company, Dr. MORSE and Mr. WILLIAMS. The application which had been made in behalf of Dr. MORSE was granted, and he spent the summer of 1820 in visiting several of the northwestern tribes, fifteen days of which were spent at Green Bay, where he was the guest of Col. SMITH, and where he devoted his best efforts to securing a western retreat for the Stockbridge and other New York Indians.

In response to the application of Mr. WILLIAMS, the War Department gave orders to the several superintendents of Indian affairs, and commandants of military posts, to issue to the delegates of the different tribes of New York Indians, not exceeding twelve, certain amounts of rations, blankets, powder, lead, etc., and to facilitate their movements on their journey. A requisition also was ordered to be made on the naval officer at Detroit for a vessel to take the delegates from Detroit to Green Bay, if there was any fit for service.

A copy of these orders was furnished Mr. WILLIAMS, and on the 22d of July, 1820, he arrived with the delegation at Detroit and called on Gen. CASS, then Governor of Michigan Territory and superintendent of Indian affairs.

On his arrival at Detroit Mr. WILLIAMS learned that a treaty had been made with the Menomonees a few days before, in which they had ceded to the United States forty miles square of their land in the immediate vicinity of Fort Howard. This purchase of the very land Mr. WILLIAMS most desired, frustrated all his plans, and for the present, at least, defeated all his hopes; and as there was no government vessel there fit for service he, with his delegation of Indians, retraced their steps to the State of New York. That State took the cause of the Indians in its keeping, and the treaty was rejected by the Senate, and this impediment to the emigration project was removed.

The next year a similar order was made by the War Department, and Mr. WILLIAMS, with fourteen delegates from the tribes of Stockbridge, Oneida, Onondaga, Tuscarora, Seneca, and St. Regis Indians, being joined at Detroit by C. C. TROWBRIDGE, deputed by Gov. CASS, proceeded to Green Bay, where they arrived August 5, 1821. A very large portion of the Menomonees, influenced by the French inhabitants, the traders, and many of the half-breeds, were opposed to any cession of lands. But on the 18th of August a treaty was made, signed by some of the chiefs and head men of the Winnebagoes and Menomonees, by which the land was ceded from Grand Kau-kau-lin to the rapids at the Winnebago lake, and extending on each side of the river, up and down, equi-distant with the lands claimed by the Menomonees and Winnebagoes. This treaty was approved by the President of the United States, but its validity was always denied by a large part of the Menomonees.

On returning to New York, Mr. WILLIAMS found a more formidable opposition to his proceedings than he had met at Green Bay. A large part of the Stockbridges, Oneidas, Onondagas, Tuscaroras and all the Senecas were opposed to the treaty.

In 1822 a new order was obtained from the War Department, which still continued to favor the enterprise, providing for another visit to Green Bay. The delegation was larger than that of the previous year, and JOHN SARGEANT, Jr., succeeded Mr. TROWBRIDGE, on the part of the United States. They reached Green Bay the 1st of September. The Winnebagoes and Menomonees were soon assembled at the agency house at Green Bay, but the Winnebagoes refused all further negotiations, and soon retired up the river. After making the payments agreed upon in the treaty of the previous year, followed by feasting, dancing and a general hilarity of two days, there was much negotiation and a conference which continued for several days, the result of all of which was that on the 23rd day of September, 1822, a new treaty was made between the chiefs assuming to represent the Menomonees, and those assuming to represent the Stockbridge, Oneida, Tuscarora, St. Regis and Munsee Indians, by which the former tribe purport to cede to the latter tribes, all their lands, east, north and west of those ceded the previous year.

This treaty was approved by the President, March 13, 1823, with some modifications of the boundaries.

A small party of about fifty Stockbridges located late in the fall of this year, at the Grand Kau-kau-lin on the east side of the river, and were joined the next year by a party of Munsees. A small party of the Brothertowns reached Green Bay the second year (1823) and located at Little Kau-kau-lin on the east side of the river. A small party of Oneidas came at the same time and located at the same place where they remained until 1825, when they removed to Duck Creek.

The treaty of 1822 excited, if possible, more opposition among the Menomonees, than that of the previous year and a large part of the tribe, probably a majority, were determined that they would disregard it. There was no less opposition to the treaty among most of the New York Indians who were resolved not to emigrate.

On the 11th of August, 1827, a treaty was made at Butte des Morts between Gov. CASS and THOMAS L. MCKINNEY, commissioners on the part of the United States, and the Chippewas, Menomonees and Winnebagoes, the chief object of which was to declare the boundaries between these tribes. In the second article of this treaty it is declared that the difficulties between the Menomonee and Winnebago tribes, and the tribes or portions of tribes of the State of New York, and the claims of the respective parties, as well with relation to tenure and boundaries as to the authority of the persons who signed the treaties, be referred to the President of the United States, whose decision should be final. The resolution of the Senate, ratifying this treaty, contained a provision, that it should not affect any right or claim of the New York Indians, which destroyed the effect of the second article of the Cass treaty.

In 1830, ERASTUS ROOT and JAMES MCCALL of New York, and JOHN T. MASON, Secretary of Michigan Territory, were appointed commissioners by the United States to effect an adjustment of the whole matter between the Wisconsin Indians and the New York Indians. Eight days were spent in council and every effort made to reconcile the Menomonees to the claims in whole or in part of the New York Indians. Nothing could be done. The Menomonees were inflexible. They would agree to nothing except that, as the New York Indians were in the country, they might stay

during good behavior, but must be regarded as tenants at will and having no interest in the land.

About this time Col. SAMUEL C. STAMBAUGH was appointed Indian agent at Green Bay by General JACKSON. On the 8th of November, 1830, he left Green Bay with a delegation of fourteen Menomonee chiefs to visit Washington with a view to making a treaty there for the sale of a part of their lands to the United States. On their arrival there on the 11th of December, the President appointed Gen. EATON, Secretary of War, and Col. STAMBAUGH, commissioners to make a treaty.

After several delays and much informal negotiation the Commissioners and the Menomonees, met and on the 8th of February 1831, agreed upon a treaty, in which it was provided that a tract of land should be set apart as a home for the New York Indians bounded as follows: Beginning on the west side of Fox River, near the little Kau-kau-lin at the 'Old Mill Dam'; then northwest forty miles; then northeast to the Oconto river; then down the Oconto, and up and along Green Bay and Fox River to the place of beginning containing about 500,000 acres, excluding private claims and the military reservation. The treaty in the first article limited the time of the removal and settlement of the New York Indians upon the lands to three years. It further provided in the sixth article, that if the New York Indians then in Wisconsin, should not remove to and settle on the ceded land within three years, the President should direct their immediate removal from the Menomonee country. On the 17th day of February, 1831, a supplementary article was added to the treaty, which provided, that instead of the limitation of three years contained in the first article, the President should prescribe the time for the removal and settlement, and that the removal of the Indians, mentioned in the sixth article, should be left discretionary with the President.

This treaty not having been acted upon at the session which terminated March 4th, 1831, a further stipulation was made on the 15th of March, that it should be laid before the Senate at its next session, with the same effect as at the late session.

The amendments made on the 17th February did not reconcile the New York Indians to the treaty, and they renewed their opposition to it at the next session. The result

was that the treaty was ratified by the Senate on the 25th June, 1832, with an amendment in the interest of the New York Indians, which provided that two townships of land on the east side of Winnebago Lake, equal to forty-six thousand and eighty acres, should be laid off for the use of the Stockbridge and Munsee tribes, and one township adjoining, equal to twenty-three thousand and forty acres, should be laid off and granted for the use of the Brothertown Indians; and that the Stockbridge, Munsee and Brothertown Indians should relinquish to the United States all their claims to any other lands, on the east side of Fox River, and that the United States should pay the Indians for their improvements thereon.

The amendment of the Senate also provided that the southwestern boundary of the 500,000 acre tract on the western side of the Fox River, should be extended southwesterly far enough to add to it 200,000 acres, and that the same number of acres should be taken from the northeast side.

On the 27th October, 1832, a council was held at Green Bay, by GEORGE B. PORTER, Governor of Michigan Territory, commissioned for that purpose by the President, with the representatives of the Menomonees, Stockbridges, Munsees, Brothertowns, St. Regis and Six Nations. The Menomonees assented without objection to so much of the Senate amendment as related to the three townships of land on the east side of Lake Winnebago, but proposed a modification of the southwestern boundary line of the 200,000 acres added on the southwest side, not however affecting the quantity of land added. All the New York Indians, including the St. Regis and Six Nations (generally known as Oneidas), accepted and agreed to the Senate amendments, with the modification proposed by the Menomonees, and requested that they might be ratified and approved by the President and Senate of the United States.

The conflict with the Wisconsin Indians, which had its origin in the three separate schemes of the Ogden Land Company to make its pre-emption rights available, of the Stockbridge, Munsee and Brothertown Indians, to obtain a more desirable home, and of ELEAZER WILLIAMS to build up a grand Indian nation, fostered and encouraged as these schemes were by JOHN C. CALHOUN, to render it impossible that more free states should be organized out of the North-

west Territory, by setting it apart for the sole dominion of Indian tribes, was now terminated. This conflict had continued for more than twelve years, and the result had fallen so far short of the grand hopes and castles in the air, built by WILLIAMS, that he abandoned forever his Utopian scheme and devoted his time to the establishment of his more visionary fiction, that he was the Dauphin—the "Lost Prince" of the house of the Bourbons.

The schemes of the Ogden Land Company, of relegating to the wilds of Wisconsin the Indians who occupied the lands in New York, which the company coveted so much, was attended with the same disaster, and the project of obtaining a home for them near Green Bay was abandoned, to be succeeded by a provision for their transfer a few years later to a reservation made west of Missouri, in the southeastern part of what has since become the State of Kansas, where a reservation of nearly two million acres was, by treaty, entered into January 15, 1838, made for—

"A permanent home for all the New York Indians now residing in the State of New York or in Wisconsin, or elsewhere in the United States."

The hopes of the Secretary of War, and of all others who shared them, of abridging the area of freedom, were also disappointed.

The New York Indians, who had removed or desired to remove to Green Bay, were the only parties to the original plan of emigration that were satisfied with the result. The whole of the Stockbridges, Brothertowns, and part of the Munsees, with about eleven hundred Oneidas, moved soon after to their respective locations, and the community of the Oneidas has been continually augmented by the annual accession of small parties from New York.

By a treaty made with the United States, February 3, 1838, the Oneida Indians, in consideration of \$33,500, ceded to the United States all their title and interest in the land set apart to them by the treaties of 1831 and 1832, reserving a tract of one hundred acres to each individual of the Oneidas, to be surveyed by the government as soon as practicable, so as to include all their settlements and improvements.

By this treaty the possessions of the Six Nations were reduced to a tract of about eight miles by twelve, containing about sixty-one thousand acres. About two thousand of these people now live on this tract, who are slowly pro-

gressing in civilization. There is a missionary church and school in the settlement, under the fostering care of the Protestant Episcopal church. About one hundred and fifty families, comprising about seven hundred and fifty persons, compose the church congregation, of whom about two hundred and fifty are communicants.

The Brothertown Indians had entirely laid aside their aboriginal character, to the extent even of having lost their vernacular, and adopted the English language, and were in a fit situation to abandon their tribal relations and become citizens of the United States. Congress, therefore, by an act approved March 3, 1839, provided that the township of land granted for their use by the Menomonees, should be partitioned and divided among the different individuals composing the Brothertown tribe, and be held by them separately and severally in fee simple. And that thereafter each of them should be citizens of the United States, and their rights as a tribe or a nation should cease and determine. Since then they have been recognized as citizens; have been elected members of the Legislature, and to other offices under the Territorial and State governments, and have become homogeneous with the other inhabitants of the State.

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## CHAPTER XI.

### THE LEAD MINES AND WINNEBAGO WAR.

The history of General SMITH is as complete in relation to the Indian disturbances in Wisconsin, as to the early explorations of the valley of the Mississippi, and this chapter is largely made up of extracts from that rare and valuable work.

Indian wars with their attendant horrors and savage atrocities have ever been concomitants of the primitive permanent settlement of every part of the American continent from those which followed the settlements at Jamestown and Plymouth to the latest conflicts with the savages of the Territories.

Indian traders in the Northwest were suffered to pursue their vocation for nearly two hundred years without mo-