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RATIFIED TREATY NO. 310

DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF APRIL 15, 1859, WITH THE WINNEBAGO INDIANS

Winnepagoes of Minnesota

Indian Office

April 2, 1859. 1000

Indian Office
Winnepagoes
for Secretary Thompson

Winnebagoes of Minnesota

Indian Office, April 2, 1859, 1 o'clock

The delegation met in full force, accompanied by Capt. Colwell, Agent C. H. Mer, Peter Menauge, Interpreter, Gnd Lowry, George Culver, &c. Gnd. Lowry acted as Interpreter, occasionally assisted by P. Menauge.

Cour. Mer. Say to the Winnebagoes that I am now ready to hear what they may have to say.

Wah-condecorah, (the chief, and an eminent orator of the tribe, who is in about the 85th year of her age, rose, and, after shaking the hands of the Commissioners and others, then sat down on a chair facing and near ~~the~~ Mr. Mer, and) said: Father, as was intimated before, I had some special business referred to me with the rest of the delegation, and I am glad of the opportunity to tell it to you to-day. The story I am about to tell will be chiefly about myself, and I will try and not be too fond of it, or make it too long. The matter which I shall speak about is no secret, as it is known and understood by a great many of my white brethren as well as to the Winnebagoes. When I was a young man, my village was near to Prairie du Chien; and, while living there, the white man came

along and built a white village where I lived. Further, I have come to-day to talk to you about something which I did for you a long time ago, when Mr. Armstrong was your Agent, and you must have some record of it among your papers. One of the tribes of our red brethren, a long time since, took up arms against our Great Father - against his white children. We were quiet in our villages, when we were surprised by the news that the Sacs and Foxes were at war with the whites. It came from Prairie du Chien in a letter that a battle had been fought and a great many killed. Soon after that, we again heard that another battle had been fought and a great many whites killed. I, father, had no sympathy with my red brethren who committed these acts, for I was then in mourning for ^{an esteemed} a member of my own family, whom the Sacs and Foxes had killed a short time before. While in that state of mind, our father the Agent, and one of our soldiers fathers, talked to me about your troubles with the Sacs and Foxes; and, having some white blood in my veins, I listened with pleasure to what they said. This ^{last mentioned} father, at the Council which we held in reference to the matter, presented me with a United States flag, a soldiers coat and uniform.

found, a military cap, and told me the words of our
 Great Father in this City. They told me that our
 Great Father wanted us to dig up the tomahawk
 which, at his request, we had buried before, and
 use it against the faces along side of his white
 soldiers. I did as requested, and, as I told
 you before, was glad of the opportunity. I
 went from that Council to my village, sum-
 moned my young men to the field, and we
 started on the trail of the enemy. We started
 alone until we got near to where Gov. Dodge
 was, when we encamped, sent him word, and
 he came over with forty soldiers to fight with
 my war party. I went with these men, fol-
 lowed on the enemy's trail, and soon got
 into a battle, in which twelve of our men
 got killed. The Winnebago followed Gov.
 Dodge on the trail until the Battle of Bad-axe,
 and were in the thickest of the fight. After
 that battle, Gov. Dodge sent another message
 that he had whipped the faces and Foxes, but that
 he wanted me to take care of the River, prevent
 the enemy from crossing, and what all I could.
 We did as directed. Gen. Street, and Agut,
 then told us to go on the war trail, and take
 all the women and children we could, saying

that wish was the wish of our Great Father. We obeyed
 his orders, and, my father, we were all summer on
 the war trail. Many nights, during the time,
 we didn't sleep a wink, in our anxiety to catch
 men and women belonging to the enemy, in
 compliance with the instructions of our Great
 Father. I see before me now one of the
 young men who accompanied me in that
 war, who, with the other chiefs present, can
 attest to the part we took in that contest. As
 a consequence of this, we lost our crops entirely
 that season, and suffered much. The Saes,
 in their retreat, whenever they came across
 our fields, destroyed our crops, and this made
 us fight the harder for our Great Father.
 When Genl. Atkinson and Genl. Dodge fought the
 battle of Bad-axe, many of the Saes escaped
 across the River, and we overtook and killed
 them, men, women and children. After Genl.
 Atkinson and Genl. Dodge came down the River
 to Fort Crawford, and people brought down to them
 a great many prisoners — more than they could
 take care of — and they were sent down to Rock
 Island. We were then told that our Great
 Father wanted the ringleaders taken and secured,
 such as Black Hawk, the Prophet, &c. Genl. Dodge

told us this, and, at the same time said he wished us to go back first and take care of the crops, and then to meet him at Rock Island. We started, but about that time we heard from some of our young men that Black Hawk and his men were encamped on Keesicko River, near Fort Winnebago. When Gov. Dodge heard of this, he asked us if we would not take him and the Prophet prisoner? The Prophet was taken by the whites. We were told to ask ~~Thaddeus~~ ^{Thaddeus} to give himself up, and, if not, to fight him to the death. We took Black Hawk prisoner, and brought him to the Fort. Ke-no-hump-ka-kah was the person that did it. The war was then over, and we went back to our fields, but we found every thing destroyed. We then had to go back again, and our white brethren at the Fort gave us flour and other things to live upon. — On our way down the River with the prisoners, on the occasion referred to, we met Gov. Clark, Superintendent of Indian Affairs at St. Louis, and he accompanied us to Rock Island. He knew all about the facts referred to, and must have communicated them to the Government. He expressed himself much pleased at what we

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had done, said we would be rewarded by our Great Father for it, and took possession of the prisoners. We met Gen. Scott at Rock Island; he drew his sword, and put it into his scabbard, putting it into its scabbard, said he had no use for it, as his red brethren had rendered it useless. We also remarked that, if the faces and Foxes again went to war with the whites, there would not be a dog of them left to howl! - ^{adding} ~~He also said~~ that our Great Father had heard of what had been done, had heard of me; and, in his name, (pointing to Gov. Dodge) thanked us for the assistance we had given to Gov. Dodge in the war. He said, at the Council which was then held, that our Great Father would remember us for the part we took in the war; that he always provided for his own soldiers money and land, and that he would tell him of our services, and that he would do something of the same sort for us. Since that time, father, your Winnebago children have never forgotten the matter: they remember Gen. Scott's words, and have always believed that their Great Father would do as he promised.

We lost many of our people in that war, and among them, a brother of Little Hill there (pointing to him) was killed - it was

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just about the close of the war when that happened. Since that time, we understand, father, that our Great Father has provided for his white soldiers who served in that war, and, in addition to the pay and rations which they received, has given them land also. This being the case, we think he ought to do something for us; also, per, in obedience to his wishes, a great many Weminbegoes served in that war. I am not talking of myself alone, but of all who served. A great many Indians in Wisconsin, who took no prisoners as we did, have got paid for their services in the war. We took more than they and Gov. Dodge combined. Now, what was the other consequence to us of that war? Why, ~~our~~ Great Father, after whipping the face and Jesus, made peace with them, but there was no peace made between them and us. The face hated the Weminbegoes for the part they took against them, and, after peace, the first person they struck at was my own family, because I was prominent against them. While I was absent from my lodge, they stole upon it, and struck at my wife and children, all of whom they killed. I then thought of my brother warriors Gov. Dodge, who got me

to bring the tomahawks, and felt sure he would remember me in my trouble and afflictions. For ten long years the Jacs and Foscs kept up their hostilities, striking us, every now and then, with their war parties, and at Red Cedar, especially, they killed men, women and children, and destroyed every thing that fell in their way. This all happened, or was brought upon us, for listening to the words of our Great Father. If I have done any thing worthy of your notice for the defense of your white children, I hope you will remember it. You will find something about it in the records of this Office, and I hope you will hunt it up, and do what you can, for we are poor and needy.

Cour. The old Chief has related incidents which I know and understand; but I want to ask him a few questions. He says he first started with a war chief from Prairie du Chien. Does he recollect and can he give his name?

Chief. I can't recollect it. He was the old Commissionser at Fort Crawford.

Cour. Was it Col. Zach. Taylor?

Chief. No: I think it was his predecessor in the Command there.

Cour. I wish it understood that I

don't call in question at all the truth of his statements,
 My object is ^{simply} to try and elicit all the facts, so as
 the better to help him along. As he has such
 a good recollection of prominent matters, perhaps
 he can state the number of Winnebago warriors
 Gen Lowry. Which? All engaged in the war?
 Cour. No, the number of Winnebago
 with him.

[Here a running conversation took place
 between the Chief and other members of the tribe,
 as if to refresh each other's memory about the
 question submitted for answer.]

Chief. Between thirty and forty in the
 first part of the war. My brother, who is still
 living, also went with sixty odd from Pierre La
 Croix.

The Prophet rose, and in a very animated
 manner, after shaking hands, addressed Cour. Me: I
 will, father, tell you a word about this matter.
 There was, first and last, a good many Winne-
 bagoes engaged in the war, and some of them
 have children still living, who are needy.
 The old man, father, told you the truth. I,
 although then a very young man, was with
 him in the war. The few, who were engaged
 in it also, did not take the part we did in the war,

have got paid; and the Menominees, who literally did nothing at all, have also been paid by their Great Father. The Winnebagoes were three months on the war trail, and did more than all the rest combined. What the old man told you about the consequences to us of that war, is every word true. We suffered much in person and property, but we do not come here to ask our Great Father to pay us the value of the crops lost or destroyed. It is now too late to think about that, but we mention it so that you may recollect it in connection with what we claim in virtue of the promises made us at the time. The Menominees took one prisoner, took him home, magnified the exploit until they got paid; and that prisoner was a little girl! The fierces also took one prisoner, and, after the war, sent him home.

Cour^r. (to Gen. Lowry) Ask the old Chief if he recollects who commanded the Winnebagoes - a white man or an Indian?

Chief (after some conversation with Gen. Lowry) said Gov. Dodge himself first took command of him when they met him on the trail.

Cour^r. Col. Stambaugh, the Menominee

Agent, sent to the War Department a list of the members of that tribe who were enrolled to serve in the war, and it is of file in the Department, and that makes the difference between them and the Winnebagoes. I want to know if Gen Dodge took a list of the names of those Winnebagoes who volunteered and served. Did he put their names on paper, or give them certificates ^{as to} their services?

Old Chief. All the papers he ever had were burnt up at Fort Winnebago.

Cour. Did Gen Dodge or any one else take down the names of the old Chief's party? [No answer being given,] the Cour. then asked if the party served three months?

Old Chief. Yes, all served three months.

Cour. When discharged and sent home, did any military chief pay them as soldiers?

Old Chief. No pay was ever received.

Cour. That is the difficulty. No doubt every thing the old Chief says is true, but I fear there is no means of identifying the party who served in the Pension Office.

Old Chief. All that we ever received in the way of pay at the time that Gen Scott had

the interview with ~~that~~ was this. He turned over to the Wunneboes some horses which had been taken from the Joes and Foxes; but I do not know whether they were intended as pay or not.

[Gov. Mic then sent a Clerk to hunt for a special Wunneboes file, under the hope that it might throw some light upon the subject under consideration. Nothing was found, however.]

Little Hell. Father, I want to say a word in behalf of the old man. I hope you will consider what he said to be the truth, and I hope that all the gentlemen listening will consider what I am about to say ^{to} be the truth.

The ~~news~~ of the battle between the whites and the Joes and Foxes was first brought to their notice through the agency of their Interpreter, and, considering it authentic and official, our warriors got ready and started off at once to join Gov. Dodge. Paquette, I recollect, was then our Interpreter. He accompanied us on our march, and followed with us Gov. Dodge in his march to the battle of Bad-axe. My uncle, who was in the battle, killed one of the Joes, and turned his scalp over his eyes. Some of those present were in the battle that day, and they know the names of our warriors who fought with Gov. Dodge. They are still in our recollection. There is one, in particular, who greatly distinguished himself.

There was a good many of our warriors in the battle. I myself was there, but did not arrive until the evening, when the battle was over. There were a great many Winnebagoes who fought hard, and Gov. Dodge, after the fight was over, expressed himself as glad at their conduct. He thanked them for their conduct, and especially one of my young men, at the time. None of the names of those in that battle are forgotten by us, for they are still fresh in our memory. The person who took Black Hawk's prisoner is a relative of mine, and, ever since, he is known amongst us by the name of "Black Hawk". I mention these things, father, to show you that we still remember that battle, and those who signalized themselves in it by their bravery. My own brother was killed in the war, and as our old Chief told you, we helped the whites to beat the furs and Foxes, and lost to the number of one hundred scalps.

Cour. (to Gen. Loomy.) Ask if Gen. Stuart was not their Agent?

Old Chief. No, he never was in the war trail; and so saying, he handed the Cominpinnes two papers, one of which was a certificate of character signed by Gen. Peter B. Potter, Secretary of War, and Gen. J. Adams, President, in which Wawca corroh was recommended

to the regard and kind attention of all who should meet him. The other was a blank, unsigned certificate of a similar character, serried with the picture of a large Eagle, and apparently prepared for the signature of Supt. Clark of St Louis. In the middle of this the name of the old Chief was mentioned, and, owing to its handsome prima facie appearance, the old man seemed to value it ~~as~~ ^{to} highly, and preserve it with as much care, as the more authentic document which accompanied it.

Cour. (to Gen. Lowry.) Say to the Winnebagoes that I will put one of my young men on Monday to search for the papers which ~~may~~ aid them in finding out and establishing their claims for military services. The Big War Chief (Sicoy Floyd,) has papers and despatches in his possession which will ^{doubtless} throw much light upon their connection with, and services in, the Fox and Tio Fox War, and I will try and get them for their information and my own. The result of the examination in reference to that subject will be communicated to them, after we have got through with the other business which brought them here. In respect to the treaty matter, I have not been able, as yet, to see the Big Chief about me, but hope, by Monday next, to do so, and ascer-

entain his wishes. I hope, by Monday night, to
 be ready for them. Say to them that I
 am determined to comply with so much of
 their request as requires that a portion of their
 money shall be applied to the purchase
 of horses, and that I will talk to their
 Superintendent and Agent, and give them
 the necessary directions. That is all
 I have to say at present.

The delegates then shook hands,
 and took their departure for their lodgings.

(End.)

Lasting interview of the Winnelagoes,
with the Com^r: ad interim of Indian Affairs,
in the Office of Indian Affairs Apl. 18. 1859

Commissioner to Interpreter. Say to the Winnelagoes
that I am glad to see them this morning,
and am now ready to hear what they
may have to say.

Baptiste. Father we are pleased that you
are able to see and talk with us this
morning, though we do not greet you as
smilingly as we have done heretofore, because
since our last talk with you, we have lost
one of our brave and beloved chiefs, yet
notwithstanding ~~our~~ great loss, we are
able to go to our people cheerfully, as
we feel that we have done much good
for them while here.

We would now call your attention to
one thing about which we have talked

several times; I allude to the \$300,000 granted to us by the Rock River treaty, for our benefit and civilization. And I would have you recollect, Father, that we have sold our Great Father a large quantity of land, and are now reduced very much, and are very greatly in need of money. So when our treaty is ratified we hope you will give us this money for our improvement at home. This is the wish of all the chiefs, as they have told you before our treaty was made. You want us, Father, to act like white men, and we want to tell you that it requires a great deal of money to do so. We ask you to take all these things into consideration, as we will not see you again, and when the proper time comes place the money in the hands of our Agent for our civilization.

The man we have lost was in earnest in this matter up to his death. He was a good man, never drank whiskey and was an example to be followed by all the

tribe. It was also his wish that
 this money be expended at home for
 our improvement and civilization.
 Our people at home understood that
 our Great Father would show us the
 way and help us to do right. And
 we believe that our Father will assist
 us in the matter about which we are
 now speaking. We are very poor, as
 we have told you, our annuities are rapidly
 running out, we need money and will need
 more next year than this. We wish you
 to take all these things into consideration.
 We wish to leave our talk behind, so that
 you ^{will} know our wishes. But you will
 hear from us again, through our Father the
 Agent, in regard to the amount we will
 need for our civilization. And we hope
 that our Father will not expend the money
 without consulting our wishes. We
 leave you confidently expecting that our
 treaty will be ratified by the Great Council,
 and all our desires and wishes remembered.
 One other ^{thing} I would say; our young ^{men} would
 ask that their Great Father will furnish

them with \$1000. to carry them home. And, though one is dead and cannot ask, I would say that the Chiefs are not too modest to make the same request.

When our young men leave their villages to hunt, it is always expected that when they return home they will bring something to make ^{gladly} the hearts of their friends and relatives; and when we return to our people, from visiting these great towns of the East, they will expect us to bring something with us to show that we have seen our Great Father; We ask therefore, that our Great Father will give each of us something to carry home ~~with us~~ to please our wives and children. We also ask that something may be sent to the family of the deceased Chief to be used in the ceremony of mourning.

One other thing: we have already reminded you of the services rendered by the Old man, to Gov. Dodge, during the Black Hawk war, and would like to hear from you upon the subject.

Father we would again call your attention to the scalping of one of our young men by the Sioux. The chiefs have told you nothing but the truth about this matter, and they earnestly wish to settle it peaceably with the Sioux. What have you to say Father about this matter?

Father, we have nothing more to say now, and anxiously await your permission to leave for our homes.

Yes Father we would like to say something about the agent who was lately among us -

Comm. Hold! it is useless to speak to me about that.

The Comm. then said, - I have listened attentively to what their speaker has said to day. I have here (showing a roll of manuscript) in black and white, all that has been said at our previous interviews; and it will not be forgotten. They have heard from the lips of their Father the Secretary of the Interior, and from

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The lips of their Great Father the President, that the treaty recently signed, if ratified by the Great Council, would be carried out in true and religious faith.

They have heard from me whilst negotiating that treaty what were my intentions concerning the Winnebagoes. And in the event of accident to myself, or to those above me, I have put it all upon paper, so that those coming after me will know their wishes.

In all human probability, 12 moons will have passed away before they can expect to reap any benefits from the provisions of that treaty. And I am glad that they understand the necessity of its being first submitted for the approval of the Great Council. And when it consents to it, this Office will take steps to carry out the provision for the sale of their lands; from the sale of which, they must look to be benefited. They have very wisely left the disposition of their funds to the wisdom of their Great Father.

Relative to the \$300,000 to which the speaker refers, I would state that if the President thinks fit, it will be applied, in conjunction with the funds arising from the sale of their lands, to the extension of their improvements, and other beneficial objects.

In reference to the services rendered to Gov. Dodge by the Old man, I will have to refer to other Departments of the Government, but have no time now to do it. I have noted the matter in black and white, - it will not be forgotten, and if any thing can be done for him it certainly will be.

I earnestly request that the Chiefs will restrain their young men from revenging upon the Sioux the scalping of their brother, and in the meantime steps will be taken by the Government to have the matter satisfactorily settled.

As to the request for a thousand dollars to carry home the delegation, I will

consult with their father the Superintendent upon the subject and provide a sum sufficient for that purpose. And upon their arrival in the village of New York, there will be \$50 placed in the hands of each of them to purchase suitable presents to carry to their homes. The like sum will be furnished to purchase presents for the family of their deceased comrade, and a like amount for his eldest daughter now here.

Baptiste - I would wish to speak upon a matter of a private or individual nature, and ask my Father if he would hear me now or at some other time.

Com^r. Let him proceed.

Baptiste - By the treaty of 1837 five of my relatives, ^{and myself} were entitled to receive ~~to~~ ~~receive~~ proportions of half breed money. I have recently received, through my Father the Com^r. of Indian Affairs, my share of

This money - some \$850, principal & interest.
 But my relatives have not received theirs yet.
 The money was paid to the ^{Special} Commissioner under
 the treaty, Nicholas Boilvin, and I would
 wish to know if the securities of said
 Boilvin are good? I believe they are
 nearly all dead.

I hope you will be able to trace up
 something for my relatives.

I am also requested to state to my
 Father that Frank Leboed, connected with
 the Winnebagoes, was entitled under an old
 treaty to one section of land, which he
 did not get, and he wishes to know if he
 cannot now select a section in lieu thereof.
 and if so, he wishes to be empowered to sell
 it, as he will receive a reservation in
 common with other Winnebagoes under
 the new treaty.

Comr. I have noted all that has been said
 and will examine into the matter and
 transmit the result of my investigation
 to their Agent. I remembered where the
 money belonging to Baptiste was hid, and

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dig it up for him - and will do the same for his relatives if I can find where it is buried.

Papitiste. (Shaking hands with the Commission and pointing to the Delegation). That is all you will hear from us to-day - our speaker is mourning the loss of his brother, more bitterly even than me, and we cannot express all we feel. Father I try to feel and act like a white man. And now will you tell us when we can leave for our homes?

Comm. So far as business is concerned this is our last interview. Your father, the Superintendent will start with you for your homes as soon as possible, perhaps tomorrow.

I am now about to present to each of you an image of your Great Father, the President, as emblematic of his approbation of your conduct whilst in this City. I will send one to the Prophet's son

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who will now take the place made vacant
by his father's death. I will also send one ^{by the agent}
to W whom you left at home
to attend to the business of your people
during your absence.

This is probably the last time that I will
see you. The interview is now at an end.

Big. Co, rising and shaking the Commr's hand, said
Father we are pleased. you have made
our hearts glad.