

## Advent of the New York Indians into Wisconsin

---

By Albert G. Ellis

The Holland Land Company had, for many years, held the pre-emption right of purchase from the Indians, to most of the land of Western New York, having derived it from Massachusetts originally, subsequently confirmed by the State of New York. A large purchase was made of the Indians, by Phelps and Gorham, of nearly all the lands east of Genesee River. Of the balance, lying *west* of that river, a large cession was made to that company, at a council of the Senecas, held at Geneseo, in Sept. 1797; *excepting certain reservations*. These reservations were large and included the most choice parts of the whole.

"In 1810, the Holland Land Company sold all their pre-emptive right to the Indian reservations to David A. Ogden, for fifty cents per acre." Mr. Ogden and his associates in this purchase were afterward known as the "Ogden Company." Up to 1817, they had succeeded in extinguishing but a part of the Indian title; the large reservations of Cattaraugus, Alleghany, Tonnewanda, Tuscarora, and Buffalo, still remaining. The anxiety of the company to effect the extinguishment of the Indian title to these reservations, and the removal of the Indians, had exhibited itself in various forms, and sundry unsuccessful efforts, for years. In this year, a new plan was conceived, and its accomplishment set on foot, to wit:—to secure in the West, by consent and aid of the

## 416 Wisconsin Historical Collections [vol. ii]

General Government, an extensive grant of lands from the western tribes, as a home or hunting ground for the several tribes holding the reservations in Western New York. This plan was pondered with great care, thoroughly matured, decided and acted upon by the Ogden company, with equal skill and vigor. One of the first steps, was to secure the consent and co-operation of the War Department, which was obtained.

A band of Indians, known as the Stockbridges—more properly the Mo-he-kun-nucks—had moved from Massachusetts at an early day, having obtained a cession of some five by seven miles square from the Oneidas, on the southern border of their reservation, in the county of Oneida, N. Y. The Mo-he-kun-nucks sold off a small tract on their southern border, to a few associated Indians from the remnants of various bands of New England tribes, now known as the *Brothertowns*. These two tribes had resided for several years on their new possessions near the Oneidas.

About the year 1817, a young leader, chief of the Mo-he-kun-nucks, Solomon U. Hendrick, a man of much more than ordinary energy and talent among the Indians, succeeded to the head of affairs. He regarded the languishing condition of his people as a reproach to the former name and glory of the old Mo-he-kun-nucks, and used all his eloquence to persuade the young men to arouse, and make at least one effort to retrieve their name and character. He argued, with equal force and sound reason, that their then paralyzed condition was owing to their confinement to a small space of ground, and being surrounded and preyed upon, by the white inhabitants, from whose pernicious contact and example, especially with regard to drunkenness, they were sustaining a loss of all moral and physical energy and action; and urged, that their only hope for the future lay in *emigration westward*, and the securing of such an extent of country, as would enable them to form new settlements, at such distance from the whites, as to escape from grog-shops and whiskey.

Their resident missionary, Rev. John Sergeant, fell in with and seconded the views of the young chief. In a short time the whole

## 1817-20] Coming of New York Indians 417

tribe was indoctrinated with the new scheme, and anxious for its consummation. The American Board of Missions gave their influence and aid; through whose suggestions the late Dr. Jedediah Morse, of New Haven, became deeply interested in the plan. This gentleman counselled the Indians and their friends to take immediate measures to have a visit paid, by some discreet agents, to the Western tribes, to select a proper point for location, and open negotiations for a cession of lands. Dr. Morse himself was thought to be the very person to undertake such a mission. Application being made to the Secretary of War, Dr. Morse was commissioned to make a general tour among the North-Western Indians, with a view to forming a better understanding between those tribes and the Government. Under this appointment, this gentleman spent the summer of 1820 in visiting several of the North-Western tribes. Whatever other purposes may have occupied the attention of this commissioner, it is certain that of securing a western retreat for the Stockbridges and other New York Indian tribes was a leading one; though the writer has no evidence of any collusion in the matter, at this date, with the Ogden Land Company. Green Bay was a point specially visited by Dr. Morse, where he spent nearly three weeks, and preached the first protestant sermon ever delivered at that place.\*

It must not be omitted here, that a part of the same tribe, adhering to a chief of much influence, named John Metoxen, about the same period, sought a western asylum among the Miami Indians, on White River in Indiana, and actually moved out to that country in 1817 and 1818†. The United States Government, however, purchased out the Miamies, and with that purchase fell the expectations of Metoxen and his adherents to a

---

\*Dr. Morse remained fifteen days at Green Bay, from the 7th to the 23d of July, 1820, as we learn from his Report. He was the guest of Col. J. Smith, then commandant of that garrison. L. C. D.

†The Miamies had, many years before, given the Stockbridges a large tract of land on White River, and confirmed it in July, 1817, and that summer two Stockbridge families moved there and took possession of the land, and the next year a large body migrated, but before their arrival, the Miamies had ceded their country to the Federal Government.

L. C. D.

## 418 Wisconsin Historical Collections [vol. ii]

home in that country. The whole party moved to Green Bay in 1822.

A remarkable personage appeared among the Oneida Indians in the year 1816-17, no other than Eleazer Williams, a descendant of Rev. John Williams, of Deerfield memory, but who more recently claims to be the Dauphin of France—Louis Seventeenth. It is no part of the present purpose to discuss his claims to be Dauphin, nor even to enter into his former history previous to his appearance at Oneida, further than to account for his location with that tribe. As a descendant of Rev. John Williams\*, he was sought out by the friends of the family, at the age of fourteen, and placed with Dr. Ely, of Long Meadow; he remained among the people of New England five years, after which he returned to his father, Thomas Williams, one of the St. Regis' Indians. Arrived at that village from his studies in New England, he was soon approached by the Roman Catholics, who proposed to him to accept authority from their Bishop as teacher to the Indians of his tribe. This was in 1811. The War of 1812 called him to a new sphere. By invitation, he joined Gen. Brown's army, under good pay, in *confidential* service; collecting through the Canada Indians important information of the movement of the British troops, and thereby, in several instances, rendering very important service to the American interests. He was in the affairs at Plattsburg and Sackett's Harbor, leading the French and Indians in those engagements, in one of which he received a wound from a splinter in the left side.

After the war he returned to St. Regis. Of an ambitious turn of mind, he did not long remain quiet in that village. In the summer of 1816, he made a tour in the State of New York, among the several tribes of the Six Nations. The Oneidas received him with kindness and attention. They were more inclined to civili-

---

\*The Rev. John Williams and family were captured in 1704, and taken to Canada, and his daughter, Eunice, remained, became a firm Catholic, and married an Indian, by whom she had several children. With her Indian husband, she subsequently visited Deerfield, dressed in Indian style, and all efforts to regain her were ineffectual. From her descends Eleazer Williams.  
L. C. D.

## 1811-17] Coming of New York Indians 419

zation, and a party of them to christianity, than any other tribe of the Six Nations. Making his observations and reflections on their condition, after a short visit, he went to New York, sought an interview with the late Bishop Hobart, gave him an account of the condition of these Indians, and submitted to him a plan for their christianization, and the engrossing of the whole tribe in the Episcopal Church. The Bishop readily fell in with the suggestions of Mr. Williams, and immediately commissioned him as Catechist and Lay Reader to the Oneida Indians. Williams, besides being tolerably versed in the christian system and in theology, was thorough master of the Indian language, his mother tongue, besides being a natural orator and most graceful and powerful speaker, the *sine qua non* of persuasion and success with Indians.

He found at Oneida a nominal christian party, and the name only of a church under the patronage of the Presbyterians, a Mr. Jenkins being missionary. Jenkins was weak, inefficient, without influence; and his *cure* partook of the like character; the numbers were small, and the congregation on the decline. Williams saw at a glance his vantage ground. He told the Oneidas, it was a mistake in that order of christians to intrude themselves among Oneidas, and called to their recollection the fact, that two venerable missionaries of the London Missionary Society of the Church of England had many years ago planted the gospel among them. That old Dr. Barclay and Dr. Ogilvie,\* of that church had been specially commissioned by the Great Head of the church, to baptize the Oneidas, and that he, Williams, had been sent by the same divine authority to remind them of the claims of that church, and to bring them back to their allegiance. Instant success attended these addresses. Many of the older Indians of both sexes remembered Dr. Barclay and Dr. Ogilvie, and confirmed the statements and claims of the young Catechist:

---

\*Rev. Henry Barclay and Rev. John Ogilvie were both, at different periods, missionaries to the Mohawks—the former at Fort Hunter in 1735, and the latter in 1756-62; notices of them may be seen in *Doc. Hist.*, N. Y. ii, 714; iii, 1152; iv, 310.

## 420 Wisconsin Historical Collections [vol. ii]

the whole christian party very soon forgot Jenkins, and hung on the teachings of Williams.

But his views went further; four-fifths of the whole tribe were Pagans, and held christianity in utter abhorrence; and the conversion of this part of the tribe now engaged his attention. Assuming a tone of authority, and demanding of them to listen to a message to them from the Great Spirit, he assembled them in the open air, and challenged them either to obey or refute the Gospel. In a few weeks the Pagan party made a formal renunciation of paganism, and recognized christianity as taught by the Protestant Episcopal Church as the true faith, and announced their determination, as a tribe, to receive it and encourage its promulgation among the people. The following winter, the chief of this party, taking Williams and their interpreter, repaired to Albany, and there treated with the Governor of the State for a cession of a part of their reservation, for the express purpose of building a Protestant Episcopal Church, and providing a small fund for the support of a minister. The church was built in course of the year—a very neat edifice, about thirty-six by fifty feet, with a small tower, tastefully painted, and otherwise fitted up in an appropriate manner for a place of worship. Williams entered it as minister, though not as yet ordained; and the worthy Bishop was called to consecrate it, and confirm about fifty communicants.

The eclat of this sudden success of the Gospel at Oneida, under the efforts of Mr. Williams, sped far and wide, and brought him suddenly to great notice, and to a dizzy height. Had he been content to have continued in the work there, he might have been very useful to the Indians, and an honor to the Church. But the field was quite too small for his vaulting ambition: the little band of some fifteen hundred Oneidas, too incomparative to compensate his time and talent.

Whether Mr. Williams borrowed the idea from Dr. Morse,\* the

---

\*“This was a plan of Dr. Morse’s,” said Rev. John Sergeant in a letter, dated Dec. 16, 1821; and Dr. Morse appears to have been in correspondence with Mr. Sergeant about it, as early as June, 1818.—See Morse’s *Indian Report*, appendix, 115, 118. L. C. D.

## 1817-18] Coming of New York Indians 421

Mo-he-kun-nucks, or the Ogden Land Company, or whether it was, as he stoutly maintained, original in his own mind, certain it is, that some time in 1818, he began to broach cautiously among his Indian people a proposition of removing all the Indians of that State, as well as many of those of Canada, and the Senecas at Sandusky, to the neighborhood of Green Bay, and there unite them in one grand confederacy of cantons, but all under one federal head; the government to be a mixture of civil, military, and ecclesiastic, the latter to be pre-eminent. Grand, imposing and fascinating in the extreme were the plans and designs of the new government, which he conceived and embodied, to lay before the Indian Chiefs. With some of the younger men, the thing took deeply; but with the older and more sober minded chiefs, it had no charm, and his late popularity, so high, now descended more quickly than it had risen.

Seeming to withdraw his proposition, he however adroitly plied his ingenuity with the younger men of note and talent in the tribe, and very soon succeeded in drawing into his plans some four or five of the young hereditary chiefs. Having secured this point among the Oneidas, he visited the other tribes of the Six Nations, and by holding out dazzling promises of future glory and aggrandizement, he enticed a few young men of each tribe to enter into his scheme. He next addressed the War Department, in imitation of the Stockbridges, 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 response of the Department was favorable, having doubtless been influenced by other parties moving for the same objects.

Thus, it is to be observed, that whether singular or not, there was a combination of influences, dissimilar in motive but perfectly consonant in purpose, all operating at the same moment in urging a removal of the New York Indians to Green Bay. Each one of the parties claimed the eclat of originating the scheme: we incline to the belief, however, that they all, the Land Company, the

## 422 Wisconsin Historical Collections [vol. ii]

Mo-he-kun-nucks and Mr. Williams, might, and probably did conceive, at pretty near the same period of time, the idea of a new home for these Indians in the West. But to proceed: In the winter of 1819 and 1820, the application of the Oneidas, Tuscaroras, Senecas, Onondagas, St. Regis and Stockbridge delegates (the latter acting independent and separate) was made to the War Department, for permission to visit the Indians in the neighborhood of Green Bay. The response of the Department was made by granting them a copy of an order to the several Superintendents of Indian affairs, and Commandants of military posts, to issue to the delegates, not exceeding twelve, certain amounts of rations, blankets, powder, lead, &c., and to facilitate their movements on their journey. The Superintendent of Indian affairs at Detroit was moreover ordered to make a requisition, on the naval officer stationed at that place, for a U. S. vessel, should one be at that post fit for service, to be put at the disposal of the delegates to take them across Lake Huron and Michigan to Green Bay. Thus equipped, in July of 1820, the delegation repaired to Detroit\*, and paid their respects to Gen. Cass.

As Superintendent of Indian Affairs, Gov. Cass received the party courteously; but it was soon apparent that as Governor of Michigan, the project of New York's quartering her Indian tribes on his territory, would receive no special encouragement, beyond the line of his duty, in obedience to the orders of his superiors. By him the delegates were furnished with the blankets, powder, lead, rations, &c.; but were informed that no Government vessels

---

\*In the *Detroit Gazette* of Friday, July 28, 1820, we find the following mention of Mr. Williams' arrival and mission: "Rev. E. Williams, who has for several years past been officiating as a preacher for the Oneida Indians, in the State of New York, arrived here in the steamboat *Walk-in-the-water* last Saturday. He is accompanied by some of the men of the tribe, who constitute a delegation to visit the Indians in this Territory, for the purpose of ascertaining the prospect of success in the endeavor to christianize them. We learn that it is a further object with the delegation, to find a suitable tract of country within the Territory, to which the Oneida Indians, or a part of them, will remove—for this purpose the country in the vicinity of Green Bay will be visited. No doubt can be entertained of the importance of this project. The influence which the example of Indians who are in a great measure civilized, will have over the habits of their more unfortunate brethren, will, perhaps, have much more effect in weaning them from their savage modes of living, than all the theoretical lessons which can be given them by white men."  
L. C. D.



## 1819-21] Coming of New York Indians 423

were fit for the service.\* They were further informed (and the news was astounding enough), that their proposed journey to Green Bay, if for the purpose of treating with the Menomonees, would be quite unnecessary, as that tribe had a few days before ceded to the United States, Col. John Bowyer, Indian Agent at Green Bay, acting as commissioner, *forty miles square* of their land in the immediate vicinity of Fort Howard. The eye of their intended purchase, the key to the country they sought—this purchase by the United States frustrated all their plans, defeated their dearest hopes. Chagrined but not discouraged, the delegates retraced their steps to New York. That State took the cause of its Indians in keeping. Bowyer's treaty was rejected by the Senate, and the ground again cleared of the impediments.

A new order was issued from the War Department to the Superintendents of Indian Affairs, and the commandants of military forts in favor of the delegates, for a renewal of their effort in 1821. Fourteen delegates went, three from the Stockbridges, four from the Oneidas, one from the Onondagas, two from the Tuscarora's, three from the Senecas, and one from the St. Regis, and arrived in Detroit in July of that year. Gov. Cass again received them courteously, but informed them that the French inhabitants at Green Bay were hostile to their intentions. The steam-boat *Walk-in-the-water* being expected in a few days on her trip to Green Bay, with a detachment of United States troops for that post, it was determined by the delegates to take passage in her. Gov. Cass added to the party, Charles C. Trowbridge, clerk in his Indian Bureau, to superintend the negotiations for the United States. The party arrived at its destination early in August, 1821.† No Indian Agent was found at Green Bay, Colonel

\*From Hanson's *Lost Prince*, it appears that Gov. Cass was absent holding a treaty, as he says, with the Pottawattamies at Maumee River—but really on his exploring expedition to the copper region of Lake Superior—and Lieut. Gov. Woodbridge, with whom they conferred, declined furnishing them aid, as he said he had no authority to assist them.  
L. C. D.

†The *Detroit Gazette* of July 13th, 1821, thus notices the arrival at Detroit of Mr. Williams and his delegation: "Arrived yesterday morning in the steamboat *Walk-in-the-water*, the Rev. Eleazer Williams, missionary to the Onelda Indians, with a deputation of the Six Nations, who are on their way to visit their brethren in the vicinity of Green Bay. The object of those who compose this mission, is (under the auspices

## 424 Wisconsin Historical Collections [vol. ii]

Bowyer having died the winter before, and the vacancy not having been filled.

The Menomonees and Winnebagoes having been apprised of the intended visit of their *grandfathers*, the *Not-ta-ways*, but a few days delay occurred before they appeared on the bank of Fox River, to meet their Eastern brethren. The reception of the delegates was cordial by the Menomonees and Winnebagoes, and had there not been a third party to interfere, the New York Indians would probably very soon have accomplished their object. The French inhabitants and half breeds settled at Green Bay, numbered about five hundred souls;\* their alliance with the In-

---

of the General Government) not only to endeavor to plant the gospel among the Western Indians, but to treat with them for a tract of their territory, with a view hereafter to locate themselves, and such of their brethren as may be disposed to remove to that region. Thus it appears that our Government is not only willing, but is using practical means to ameliorate the condition of this unhappy people, and by an effort to concentrate and christianize them, rescue them from gradual extermination, their name from oblivion, and render them happy here and hereafter."

Mr. Williams and his party left Detroit on the 31st of July, in the *Walk-in-the-water*, with upwards of 200 passengers, mostly connected with the army, and arrived at Green Bay on the 5th of August. A corporal of the U. S. Infantry, who was a passenger in the boat, was drowned in attempting to swim the Fox River at Green Bay.

On this visit to Green Bay, Gen. Ellis accompanied Mr. Williams. In Hanson's *Lost Prince*, we find it stated, "As the mission at Oneida has suffered greatly in consequence of his [Mr. Williams] absence in 1820, he procured immediately on his return from the West, in the fall of that year, the services of a young gentleman of the name of Ellis, to act as lay reader. The health of Mr. Ellis was weak, and, in the spring of 1821, Mr. Williams determined to take him with him to the West for the benefit of his health." For some time Mr. Ellis acted as school teacher for the mission school of the New York Indians, near Green Bay. Remaining in the country, Mr. Ellis has proved himself a useful citizen. He executed, at Green Bay, in 1827, the first printing in Wisconsin. It was printing tickets for a lottery scheme, which was done on brevier type, and instead of a press, a "plainer" was used to take the impression. When the *Green Bay Intelligencer*, the pioneer newspaper of Wisconsin, was commenced, Dec. 11th, 1833, by J. V. Suydam, Mr. Ellis, after two or three numbers were issued, became connected with it; and twenty years later, we find him establishing the *Pinery* newspaper at Stevens Point, high up the Wisconsin. In the first Territorial Legislature, in 1836, he served as one of the representatives of Brown county, and again in 1840, '41, '42 and '43. He is now Register of the U. S. Land Office at Stevens Point.

L. C. D.

\*The French inhabitants consisted of two classes. 1st. Of former clerks of the old North West Fur Company, who had located there in early times, for the express purpose of Indian trade. These were generally men of good common education, intelligent, shrewd and of great influence with the Indians, among whom they had married. 2d. Of such men, engagees in the Indian trade, as had from age or infirmity become disabled from pursuing the voyaging business, and had retired, taking up small patches of land, and finding subsistence in a kind of mixed life of agriculture and hunting; they, too, were all married with Indian women, had half breed families, and exercised a strong influence over the natives.

A. G. E.

## 1821]      Coming of New York Indians      425

dians, particularly the Menomonees, was very close, and their influence with them very strong, almost potential. Some of the more shrewd among them very soon penetrated the ambitious design of Williams, which was no less than a total subjugation of the whole country, and the establishment of an Indian government, of which he was to be the sole dictator. The French and traders immediately organized into an opposition to the whole programme of the delegates. They were familiar with the Menomonees and Winnebagoes, present at their debates, counselled and advised with them in their deliberations, and when the answer of the Menomonees and Winnebagoes was given, it was a deliberate and decided refusal to cede them an inch of soil west of Lake Michigan. It was plain to all, that the French and half-breeds had answered, and not the Indians. The delegates expressed as much in their reply and affectionately requested their brothers to re-consider the matter, and answer for themselves, independent of the French and half-breeds.

Several days were spent by both parties in out-door discussions; the French and half breed interest, finding their position not safely tenable, counselled a kind of compromise, which being adopted, resulted in proposing a cession to their Eastern brethren, the Not-ta-ways, of a strip of land five miles in width, running across the Fox River at Little Chute as a centre, and thence to the North-west and South-east, equi-distant with their claims or possessions. In offering this cession to the delegates as their ultimatum, these tribes urged their limited possessions, the poverty of their hunting grounds, and their inability in consequence to subsist their people! The possessions of the Menomonees then reached from the mouth of Green Bay to the Milwaukee River, North and South, and from Lake Michigan to the Mississippi, South-east and North-west. Those of the Winnebagoes included all the remainder of what is now known as Southern Wisconsin, except the inconsiderable tract west of Sugar River, claimed by the Sauks and Foxes. They were very much crowded, of course! The delegates saw that the object was, by placing them on a

## 426 Wisconsin Historical Collections [vol. ii]

great thoroughfare, the Fox River, between these two tribes, to establish such a surveillance over them as effectually to prevent any design or movement the New York Indians might ever attempt, contrary to the wishes or interests of the grantees, or the French inhabitants. After much deliberation, and a good deal of hesitation, it was concluded on the advice chiefly of Hendrick, the Mo-he-kun-nuck chief, to accept the grant. A treaty was accordingly drawn up by Mr. Trowbridge, and signed by the parties on the 18th of August, and witnessed by the citizens and U. S. officers at the post. Five hundred dollars were paid the Menomonees and Winnebagoes at the time, and fifteen hundred dollars stipulated to be paid in goods the following year, in full for the cession.

On returning to New York, Mr. Williams found a more formidable opposition to his proceedings, than he had met with at Green Bay. The Oneidas had held several councils disapproving of the whole plan of removing to Green Bay, condemning Mr. Williams' movements in the most severe terms, formally and solemnly repudiating the purchase at the West, and announcing, in the most earnest manner possible, their determination never to remove. All the other tribes, except the St. Regis, very soon took corresponding action on the subject, and censured in the severest manner the young men, delegates, who had assumed as such, to pledge the several tribes to their Western brethren. These proceedings were duly laid before the War Department. The Oneidas immediately divided into two parties on this question, as did also the Onondagas and Tuscaroras. The Senecas, as a body, all remained under the influence of their head chief, steadily opposed.

The tact and skill of Williams among the Indians, and the Ogden Land Company with the Department, enabled the friends of the measure to prosecute it still further; all the old delegates in all the tribes remained true, and induced considerable numbers of their immediate friends to join them. They had no idea of remaining satisfied with the trifling cession obtained of the

## 1821-22] Coming of New York Indians 427

Menomonees and Winnebagoes in 1821, but determined on a renewed effort the next year for its extension. Notwithstanding the remonstrances of the opposition, a new order was obtained from the War Department, providing for another visit to Green Bay. The delegation was still larger than the former year. John Sergeant, Jr., was commissioned by Gov. Cass to superintend such further negotiations as might be had, on the part of the United States. The party arrived at the Bay on the 1st of September, 1822, and took possession of the old Indian Agency House, on the west side of the Fox, which had been vacated by the decease of Col. Bowyer.

In about ten days the Menomonees and Winnebagoes assembled to greet their new friends the *Not-ta-ways*, as they called the New York Indians, and to receive the \$1,500 payment, in goods, on the cession of 1821. Such an assemblage of wild Indians, young and old, women and papooses, was seldom seen. Of the two tribes, there could not have been less than five thousand souls, besides the New Yorkers, the French, half breeds, and Americans. The best specimen of Indian character, and especially of a war dance, ever seen by the writer, was there given for several days. The Winnebagoes of that day at least, exhibited the largest, most perfectly formed set of both men and women, almost ever seen anywhere. The great display of action and muscle in these dances, struck the beholder with admiration and terror. The ring round the dancers contained several thousand, all singing in chorus to the lead of the chief drummer; the voices of the Winnebago women prevailing in clarion tones above the whole.

The payment of the fifteen hundred dollars worth of goods, was made with as much ceremony as possible by the delegates, accompanied by a set speech setting forth the great advantages that would be derived to their Western brethren by their settling among them. After the payment and the proper receipts of acknowledgment on the treaties, followed feasting, dancing, and a general hilarity for two days. The delegates then invited the Menomonees and Winnebagoes to a formal council, and renewed

## 428 Wisconsin Historical Collections [vol. ii]

the effort for a further extension of territory. Every argument and a most liberal offer in the shape of annuities for ten years, were proposed in vain. The Winnebagoes gave the answer, stoutly refusing further negotiations. That tribe soon left in a body to repair to their hunts. The Menomonees lingered, and were again got into council with the delegates, which conference continued for several days, and finally resulted in the great transaction which gave the New York Indians the foot-hold on Fox River, which they have in part maintained to this day. The Menomonees, for a trifling consideration, ceded to the New York Indians a *right in common* to the whole of their lands. Although some two of the principal chiefs were not present to join in this important cession, this treaty, as well as the one of the previous year, were approved by the President, and the New York Indians thereby recognized as joint owners with the Menomonees of all their immense territories comprising nearly half of the State of Wisconsin.\*

---

\* This treaty or purchase included all the country, beginning at the Grand Kakalin, on Fox River, thence east on the lower line of the purchase of the New York Indians of the preceding year, to or equi-distant with the Man-a-wah-ki-ah (Milwaukee) River; thence down said river to its mouth; thence northerly, on the borders of Lake Michigan, to and across the mouth of Green Bay, so as to include all the islands of the Grand Traverse; thence from the mouth of Green Bay northerly, to the Bay de Noque, on Lake Michigan; thence a westerly course, on the height of land separating the waters of Lake Superior and Michigan, to the head of the Menomonee River; thence continuing nearly the same course until it strikes the north-eastern boundary line of the land purchased by the New York Indians the year preceding, and thence south-easterly to the place of beginning. This appears to have been a complete cession of "all the right, title, interest and claim" of the Menomonees, to the country described, reserving, however, "the free permission and privilege of occupying and residing upon the lands herein ceded, in common with them—the Stockbridge, Oneida, Tuscarora, St. Regis and Munsee nations; *Provided nevertheless*, That they, the Menomonee nation, shall not in any manner infringe upon any settlements or improvements whatever, which may be in any manner made by the said Stockbridge, Oneida, Tuscarora, St. Regis or Munsee nations." The consideration was one thousand dollars in goods to be paid in hand, and one thousand dollars more in goods the next year, and a similar amount the year following. This treaty was concluded Sept. 23d, 1822. But President Monroe did not approve to its full extent, this purchase; his approval, bearing date March 13th, 1823, is thus qualified: "The foregoing instrument is approved so far as it conveys to the Stockbridge, Oneida, Tuscarora, St. Regis, and Munsee tribes or nations of Indians, that portion of the country therein described, which lies between Sturgeon Bay, Green Bay, Fox River, and that part of the former purchase made by said tribes or nations of Indians of the Menomonee and Winnebago Indians, on the 8th of August, 1821, which lies south of Fox River, and a line drawn from the south-eastern extremity of said purchase to the head of Sturgeon Bay, and no further; that quantity being deemed sufficient for the use of the first before-mentioned tribes or nations of Indians." This treaty, and that of the preceding year, may be found in full, appended to the Address of Hon. Morgan L. Martin before the *Wisconsin State Historical Society*, Jan. 21, 1851. L. C. D.

## 1822]      Coming of New York Indians      429

The small immigrant party of some fifty of the Stockbridges, which came on this year, located late in the fall at the Grand Kakalin on the east side of the Fox River. The year following, another tribe, which had joined the Mo-he-kun-nucks in the purchase, to-wit, the Munsees, became identified in the interest, and a small party of the Brothertowns reached Green Bay the following year, and located at Little Kakalin, on the east side of the river.

The several tribes of the New York Indians now hoped to be able to occupy, without further hindrance or trouble, their new homes, jointly with the Menomonees; but subsequent events proved their wishes but half attained. The whites and traders at Green Bay saw that the Menomonees had been grossly overreached by their new friends, the New York Indians, in a bargain. They very soon showed that tribe, that in making the *Not-ta-ways* equal owners with them in their country, they could no longer control their own affairs, especially in the great business of treating with their great Father; that the New York Indians, if their treaties were to stand, would, in a short time, out-general them in tactics, and probably in numbers, and put them completely in the back ground in all public matters. The arguments had their effect, and in a short time the Menomonees repented of the bargain, and sought means to invalidate the treaties. The same ingenuity which had helped them to a dislike, found a ready pretext for denying and repudiating the treaties, especially the last one. It was said, that at the treaty of 1812, several of the chiefs highest in authority were not present, which, being true, gave the tribe a good reason for denying and withholding sanction to the arrangement. As usual in such cases the Menomonees separated into two parties, the one adhering to the treaties and the interest of the New York Indians the other denying them and resisting their rights to any part of the country. The adverse party had the support of all the trading interest, together with most of the half breeds, and soon became the strongest, both in point of influence and numbers.

## 430 Wisconsin Historical Collections [vol. ii]

Things were scarcely more favorable to the New York Indians in that State than in the West. The opposition to the whole plan became stronger with time, and great bitterness of feeling evinced itself by every sort of evil, and often false and slanderous report, about the Western Indians and country. Not one of the Senecas, Tuscaroras, or Onondagas, would hear a word of emigration. A small party of Oneidas, together with a second one of the Stockbridges, came out in 1823—the former under the lead of Neddy Atsiquet, located at Little Kakalin, where they remained until 1825, when they removed to Duck Creek.

With the opposition of a large part of the Menomonees to the treaties, and that of most of the several New York tribes to emigration, the Stockbridges, and a few of the Oneidas, being the only ones who had come out, things wore on with a discouraging prospect for the ultimate success of Williams' grand scheme, and the views and interests of the Ogden Company, till the year 1827, when the matter of the rights of the New York Indians came up before the council, at the treaty of Butte Des Morts, Hon. Lewis Cass and Col. Thomas L. McKinney, commissioners.\* The second

---

\*It was at this treaty, that Oshkosh, the present head Chief of the Menomonees, was first recognized. After the Council was opened, Gov. Cass said: "We have observed for some time the Menomonees to be in a bad situation as to their chiefs. There is no one we can talk to as the head of the nation. If anything should happen, we want some man, who has authority in the nation, that we can look to. You appear like a flock of geese, without a leader, some fly one way and some another. Tomorrow, at the opening of the Council, we shall appoint a principal chief of the Menomonees. We shall make enquiry this afternoon, and try to select the proper man. We shall give him the medal, and expect the Menomonees to respect him."  
A. G. E.

From Hanson's *Lost Prince*, or Life of Rev. Eleazer Williams, we make the following notice of Oshkosh, as related in that work in connection with the treaty of Butte des Morts, in 1827: "On August 7th, two young men were called in front of the commissioners (one named Oiscoss, alias Claw, the other was called Carron). Col. McKinney then addressed them, and put medals around their necks. Oiscoss or Oshkoshe, as the name is spelled in the printed treaty, was made head chief, and the future organ of communication with the Commissioners—and thus, by his instrumentality, the property of the New York Indians was given over to the United States. A short story, which Mr. Williams told me in conversation, will show who Oiscoss was, and what a 'proper person' was found in him. One morning, at dawn of day, about a year previous to the treaty of Butte des Morts, a young half-breed Indian, who was a distant relative of Mrs. Jourdan, the mother-in-law of Mr. Williams, was paddling in his canoe down Hell Creek, a branch of the Fox River. It was still dark, so that objects could not be distinctly discerned. As he glided by the tall rushes growing near the bank, he observed them move, as if some animal was among them. Supposing it to be a deer he fired at the spot where he saw the motion, and then paddled through an opening in the reeds to see the effect of his shot. To his inexpressible horror he found an Indian in



## 1823-27] Coming of New York Indians 431

article of that treaty is in the following words, to wit: "Much difficulty having arisen from the negotiation between the Menomonee and Winnebago 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 Menomonees, and the whole subject having been 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 commissioners, so that the same can be decided by the President of the United States; it is agreed by the Menomonees and Winnebagoes, 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." The United States Senate, in its ratification of this treaty, took care to save the New York Indians, by providing "that the said treaty shall not impair or effect any right or claim which the New York Indians, or any of them, have

---

his canoe, which was half drawn on shore, drooping lifelessly over the side of his bark, with a shot through his head. As the deed was accidental, he had no wish to conceal it, and putting the body in his own canoe, paddled down to Green Bay, to the encampment of Oiscoss, as the Indian killed belonged to his party. On landing, he went straight to Oiscoss, and informed him of what had happened, when Oiscoss, who was drunk at the time, drew his knife, and plunging it repeatedly into his body, continued stabbing him till he was dead. He was arrested for murder, but as he was a man of great influence among the Indians, was acquitted. But though he had escaped the law, there was another tribunal, of a different kind, to which he was still exposed. There is a traditional institution among the Indians, very similar to the avenger of blood. Mrs. Jourdan, as the relative of the slain, and a *medicine woman*, had only, according to the custom of the nation, to take a pipe and a war-club, and lay them down at the feet of any of the chiefs of the Menomonees, and pronounce the name 'Oiscoss,' in order to insure a just and immediate retribution. When the day appointed for the council at Butte des Morts drew near, fearing that unless he was reconciled with her, his life might be taken, he proceeded to her house, acknowledged the murder, threw himself on her mercy, and implored pardon. It was granted, and the only punishment he received was the fierce invective which the eloquent tongue of an indignant woman can bestow."

L. C. D.

## 432 Wisconsin Historical Collections [vol. ii]

to the lands, or any of the lands, mentioned in the said treaty," which was just equivalent to rejecting the second article of the treaty altogether.

In 1830, Messrs. Erastus Root and James McCall, of New York, and John T. Mason, Secretary of Michigan, were appointed commissioners by the United States to effect between the contending Indians an adjustment of the whole matter. They arrived at Green Bay in August, and immediately assembled the Menomonees and New York Indians. Eight days were spent in council, and great exertions used by the commissioners to bring the party to terms. The Menomonees were inflexible. Oshkosh, a powerful and influential chief, was at the head of the nation. He confessed to no knowledge whatever of the claims of the New York Indians; said as they were in the country, they could stay during good behavior, but must be regarded as tenants at will, and in no sense considered as owners or controllers of the soil. Several of the other chiefs held the same language. The commission broke up, effecting nothing.

Col. Samuel C. Stambaugh, of Pennsylvania, was appointed Indian Agent to succeed Henry B. Brevoort, who had been removed. The new agent soon became acquainted with the relative position of the contending parties, and espoused the interests of the Menomonees, traders and whites, in opposition to the New York Indians. He affected to have examined the several treaties, and the whole ground of the claims under them, and told the Menomonees that they were without validity or force, and that duty to themselves and their children demanded an absolute denial of the whole claim. No advice could have gone further to place him in favor with, and in the confidence of, this tribe. The Agent told the chiefs, that no other tribe of Indians in the United States was so poor as they were; that with a wide waste of lands entirely useless to them, they had not a dollar of annuity, while many of their neighbors received annually twenty to fifty thousand dollars; that, happily for them, he had been sent among

## 1830]      Coming of New York Indians      433

them, just in time to save them from the rapacity of Indian and white sharpers from New York, and that now they could in place of giving away their country to the New Yorkers, sell a small portion of it to the United States, and have heavy annuities for all time to come. It was unnecessary for him to repeat the argument. His plan was as much opposed by the French and traders as that of the New York Indians had been, but without the least effect. The Menomonees were for going to Washington and making a treaty to get annuities. Stambaugh applied to Gov. Cass, Superintendent of Indian Affairs, for permission to take ten of the Menomonee chiefs to Washington that fall—got a flat refusal, to which he paid not the least attention, but left Green Bay with fourteen Menomonees on the 8th November, 1830. Arriving at Detroit about the 20th, he was received with evident surprise and reserve by the Superintendent. Prolific in excuses, he soon made it fair weather with Gov. Cass, who sanctioned the proceeding, and added Robert A. Forsyth, his special confidant in all Indian matters, and John T. Mason, late Secretary of Michigan Territory, to the delegation.

Mr. Williams, and Daniel Bread, principal chief of the Oneidas, had followed up Col. Stambaugh to Detroit, and were by Gov. Cass also added to the party, all of which were now under Col. Stambaugh, as Indian Agent from Green Bay, travelling toward Washington at public charge. The 11th of December found the whole party in Washington, and duly recognized by Hon. Mr. Eaton the Secretary of War, and Gen. Jackson, President of the United States. The occasion was one of intense interest to all parties concerned. John W. Quinney, one of the Stockbridge tribe (Hendrick having died four years before), was in attendance for the Stockbridges. Thos. L. Ogden, Esq., of New York, protected the rights of the New York Indians, and incidentally the interests of the Ogden Land Company, who had not yet abandoned the hope of procuring the proper location, and inducing several bands of Senecas to migrate to Green Bay.

The Menomonees were formally presented to the President, and

## 434 Wisconsin Historical Collections [vol. ii

the chief speaker, Grizzly Bear, or *Kaush-kaw-no-niew*,\* announced the object of their visit, to clear a friendly path between their lodges and the President's mansion, to cement a lasting and perpetual friendship between his people and those of his Great Father; and finally, to give him a small piece of their land, and to beg an annual remembrance of their Great Father in the shape of an annuity. In all this, not a word was said, or an allusion made, to the New York Indians, although they were present at the presentation. The President replied kindly to the speech, promised them every attention during their stay at the seat of Government, and referred them to Gen. Eaton, Secretary of War, and Col. Stambaugh, whom he named as commissioners to treat with them, for an answer to their proposition to sell lands. The New York Indians and their friends watched the proceedings with painful, fearful interest. They saw their claims to the Menomonee country were to be put on trial before Gen. Eaton and Col. Stambaugh as commissioners, one of whom, at least, they knew to be hostile to their dearest rights. They called separately on the Secretary, and made known to him briefly their position, and the ground of their rights. Gen. Eaton was really candid, and well disposed to see full justice done them; and they were indebted to him alone for the meagre provision finally made for them in the treaty.

---

\*A Washington correspondent of the *Baltimore Republican*, gives the following interesting anecdote of Grizzly Bear, while on this visit to Washington: "We met Col. Stambaugh today in the rotunda of the Capitol, and while we were looking at the representations over the door-ways of the rotunda, the veteran Indian Agent told us, that in 1830, with a delegation of Menomonee Indians, he visited the Capitol, and explained the nature and design of the stone groups in the rotunda, when the chief, Grizzly Bear, turned to the eastern door-way, over which there is a representation of the landing of the Pilgrims, and said: '*There Ingin give white man corn;*' and to the north, representing Penn's treaty: '*There Ingin give um land;*' and to the west, where Pocahontas is seen saving the life of Captain John Smith: '*There Ingin give um life;*' and lastly to the south, where the hardy pioneer, Daniel Boone, is seen plunging his knife into the breast of one red man, while his foot rests on the dead body of another: '*There white man kill Ingin.*'"

Though the representation relative to Boone is in fact without foundation, still the old chief's conclusions and sarcasm are expressed with sententious brevity and striking effect.

*Kaush-kaw-no-niew* or *the Great Speaker*, was a man of great personal dignity. His name of Grizzly Bear was given him, for convenience sake, by Col. Stambaugh. He died about three or four years after the treaty of 1831.

L. C. D.

## 1830-31] Coming of New York Indians 435

After several delays, and much informal negotiation, in which the claims of the New York Indians were thoroughly discussed, the commissioners and the Menomonees finally met on the 8th of February, 1831, when the treaty, since familiarly known as the *Stambaugh treaty*, was definitely concluded, and signed by the parties. The New York Indians were not parties to the treaty. In order to a proper understanding of the subject, it is necessary to make copious extracts. The treaty sets forth the boundaries as claimed by the Menomonees, taking all the lands east of Fox River, Green Bay and Lake Winnebago, and from Fond du Lac south-easterly to the sources of the Milwaukee River, and down the same to its mouth—this tract was ceded to the United States. They claimed westerly and north-westerly, everything west of Green Bay from the Shoskonabie [*Es-co-na-ba*] River to the upper forks of the Menomonee, thence to Plover Portage of the Wisconsin, and thence up that river to Soft Maple River; west to Plume River of the Chippewa, thence down the Chippewa thirty miles; thence easterly to the fork of the Monoy or Lemonweir River, and down that river to its mouth; thence to the Wisconsin Portage, thence down the Fox to Lake Winnebago.

The first article of the treaty relates exclusively to the New York Indians, and is in the following words: "The Menomonee tribe of Indians declare themselves the friends and allies of the United States, under whose parental care and protection they desire to continue; and though always protesting that they are under no obligation to recognize any claim of the New York Indians to any portion of their country; that they neither sold, nor received any value, for the land claimed by these tribes; yet, at the solicitation of their Great Father, the President of the United States, and as an evidence of their love and veneration for him, they agree that such part of the land described, being within the following boundaries, as he may direct, may be set apart as a home to the several tribes of the New York Indians, who may remove to, and settle upon the same, within three years from the date of this agreement, viz: Beginning on the west side of Fox River,

## 436 Wisconsin Historical Collections [vol. ii

near the 'Little Kackalin,' at a point known as the 'Old Mill Dam,' thence north-west forty miles; thence north-east to the Oconto creek, falling into Green Bay; thence down said Oconto creek to Green Bay; thence up and along Green Bay and Fox River to the place of beginning; excluding therefrom all private claims confirmed, and also the following reservation for military purposes: Beginning on the Fox River, at the mouth of the first creek above Fort Howard, thence north sixty-four degrees west to Duck Creek; thence down said Duck Creek to its mouth; thence up and along Green Bay and Fox River to the place of beginning. The Menomonee Indians also reserve, for the use of the U. States, from the country herein designated for the New York Indians, timber and firewood for the United States garrison, and as much land as may be deemed necessary for public highways to be located by the direction and at the discretion of the President of the United States. The country hereby ceded to the United States, for the benefit of the New York Indians, contains by estimation, about five hundred thousand acres, and includes all their improvements on the west side of Fox River. As it is intended for a home for the several tribes of New York Indians, who may be residing upon the lands at the expiration of three years from this date, and for none others, the President is empowered to apportion the lands among the actual occupants at that time, so as not to assign to any tribe a greater number of acres than may be equal to one hundred for each soul actually settled upon the lands; and if at the time of such apportionment, any lands shall remain unoccupied by any tribe of the New York Indians, such portion as would have belonged to said Indians, had it been occupied, shall revert to the United States. That portion, if any, so reverting, to be laid off by the President of the United States. It is distinctly understood, that the lands hereby ceded to the United States for the New York Indians, are to be held by those tribes, under such tenure as the Menomonee Indians now hold their lands, subject to such regulations and alteration of tenure, as Congress and the

## 1831]      Coming of New York Indians      437

President of the United States shall, from time to time, think proper to adopt."

After making provision for an extensive farming and educational establishment for their own benefit, (which, by-the-by, proved abortive, the traders and Roman Catholics persuading the Indians to reject all its proposed benefits,) they return to the New York Indians again, in the sixth article, as follows: "The Menomonee chiefs request that such part of it as relates to the New York Indians, be immediately submitted to the representatives of their tribes. And if they refuse to accept the provision made for their benefit, and to remove upon the lands set apart for them, on the west side of Fox River, that he [the President] will direct their immediate removal from the Menomonee country; but if they agree to accept the liberal offer made to them by the parties to this compact, then the Menomonee tribe, as dutiful children of their Great Father, the President, will take them by the hand as brothers, and settle down with them in peace and friendship."

Thus were the long cherished schemes of one of the principal actors, Eleazer Williams, finally crushed forever. Those of the Ogden Land Company were also nearly forlorn. The tract of land set off for the New York Indians, was quite too limited, and by no means inviting for agricultural purposes. But the greatest objection of all was, the limitation of time to three years as the extent to which the tract would be open for occupancy. No reasonable hope could be entertained of getting the consent of the Senecas, and other Western bands, to whose reservations the Ogden Land Company's right of pre-emption attached, to remove in so short a time. The treaty was therefore regarded as nearly a final bar to the whole enterprise, and given up in despair.

The New York delegates, however, kept up courage, and continued their remonstrances against the injustice and cruelty of the stipulation. They had the sympathy of the New York Senators and politicians generally. Col. Stambaugh soon found that he had over-shot the mark, and that the treaty would likely be rejected by the Senate, and further that his appointment as

## 438 Wisconsin Historical Collections [vol. ii]

Indian Agent at Green Bay, not yet confirmed, would be rejected. Acting under these apprehensions, he undertook a cure of the evil—a correction of his blunders. Accordingly, the Menomonees having been previously instructed, they were again brought before the commissioners, on the 17th of February, and the following supplementary agreed to, to-wit:

“Whereas, certain articles of agreement were entered into and concluded at the city of Washington, on the 8th day of February, instant, between the undersigned, commissioners on behalf of the United States, and the chiefs and warriors representing the Menomonee tribe of Indians, whereby a portion of the Menomonee country, on the north-west side of Fox River and Green Bay, was ceded to the United States, for the benefit of the New York Indians, upon certain conditions and restrictions therein expressed: And whereas, it has been represented to the parties to that agreement, who are parties hereto, that it would be more desirable and satisfactory to some of those interested that one or two immaterial changes be made in the *first* and *sixth* articles, so as not to limit the number of acres to one hundred to each soul who may be settled upon the land when the President apportion it, as also to make unlimited the time of removal and settlement upon these lands by the New York Indians, but to leave both these matters discretionary with the President of the United States. Now, therefore, as a proof of the sincerity of the professions made by the Menomonee Indians, when they declared themselves anxious to terminate, in an amicable manner, their disputes with the New York Indians, and also as a further proof of their love and veneration for their Great Father, the President of the United States, the undersigned representatives of the Menomonee tribe of Indians, unite and agree with the commissioners aforesaid, in making and acknowledging the following supplementary articles a part of their aforesaid agreement.

“*First.* It is agreed between the undersigned, commissioners on behalf of the United States, and the chiefs and warriors representing the Menomonee tribe of Indians, that, for the reasons



## 1831]      Coming of New York Indians      439

above expressed, such parts of the first article of the agreement, entered into between the parties hereto, on the eighth instant, as limits the removal and settlement of the New York Indians upon the lands therein provided for their future homes, to three years, shall be altered and amended, so as to read as follows: That the President of the United States shall prescribe the time for the removal and settlement of the New York Indians upon the lands thus provided for them; and, at the expiration of such reasonable time, he shall apportion the land among the actual settlers in such manner as he shall deem equitable and just. And if within such reasonable time, as the President of the United States shall prescribe for that purpose, the New York Indians shall refuse to accept the provisions made for their benefit, or having agreed, shall neglect or refuse to remove from New York, and settle on the said lands, within the time prescribed for that purpose, that then, and in either of these events, the lands aforesaid shall be and remain the property of the United States, according to said *first* article, excepting so much thereof as the President shall deem justly due to such of the New York Indians as shall actually have removed to, and settled on, the said lands.

"*Second.* It is further agreed, that the part of the sixth article of the agreement aforesaid, which requires the removal of those of the New York Indians, who may not be settled on the lands at the end of three years, shall be so amended as to leave such removal discretionary with the President of the United States. The Menomonee Indians having full confidence, that in making this distinction, he will take into consideration the welfare and prosperity of their nation."

This relieved the treaty of two of its odious features in the view of the New York Indians. Still the country set off was objectionable both in *quality* and *quantity*, and they avowed their intention of opposing the ratification of the treaty. As was anticipated, the Senate refused to take up either the treaty, or the nomination of Stambaugh as Indian Agent at Green Bay at that session of Congress. An expedient was resorted to by Col.

## 440 Wisconsin Historical Collections [vol. ii]

Stambaugh, and the Secretary of War to save the treaty, which was to add a stipulation to it, whereby its conditions were to stand good till the next session of the Senate. This was done on the 15th of March. There was, of course, now a vacancy in the Indian agency at Green Bay. The President appointed Stambaugh special Agent to return to Green Bay with the Menomonees, and close up the accounts of the expenses of the expedition. The treaty was taken up at the next session of Congress.

The proviso added to it by the Senate, shows the influence the New York Indians had with that body. It is in the following words, to wit:—“*Provided*, That for the purpose of establishing the rights of the New York Indians on a permanent and just footing, the said treaty shall be ratified with the express understanding, that two townships of land on the east side of Winnebago Lake, equal to forty-six thousand and eighty acres, shall be laid off (to commence at some point to be agreed on), for the use of the Stockbridge and Munsee tribes; and that the improvements made on the lands now in the possession of the said tribes on the east side of the Fox River, which said lands are to be relinquished, shall, after being valued by a commissioner to be appointed by the President of the United States, be paid for by the Government: *provided*, however, that the valuation of such improvements shall not exceed the sum of twenty-five thousand dollars: and that there shall be one township of land adjoining the foregoing, equal to twenty-three thousand and forty acres, laid off and granted for the use of the Brothertown Indians; who are to be paid by the Government the sum of one thousand and six hundred dollars for the improvements on the lands now in their possession, on the east side of Fox River, and which lands are to be relinquished by said Indians. Also, that a new line shall be run parallel to the south-western boundary line, or course of the tract of five hundred thousand acres described in the first article of this treaty, and set apart for the New York Indians, to commence at a point on the west side of Fox River, and one mile above the Grand Chute on Fox River, and at a sufficient distance

## 1831]      Coming of New York Indians      441

from the said boundary line as established by the said first article, as shall comprehend the additional quantity of two hundred thousand acres of land, on and along the west side of Fox River, without including any of the confirmed private land claims on the Fox River, and which two hundred thousand acres shall be a part of the five hundred thousand acres intended to be set apart for the Six Nations of the New York Indians and the St. Regis tribe; and that an equal quantity to that which is added on the south-western side, shall be taken off from the north-eastern side of said tract, described in that article, on the Oconto creek, to be determined by a commissioner to be appointed by the President of the United States; so that the whole number of acres to be granted to the Six Nations and St. Regis tribe of Indians, shall not exceed the quantity originally stipulated by the treaty."

This proviso of the Senate was fully satisfactory to the Stockbridges, Munsees and Brothertowns, and silenced all objections from them; that for the Six Nations and St. Regis tribes, although satisfactory, fell so far short of the policy of Williams, and the Ogden Land Company, that they abandoned the whole concern, and from that day, gave up all hope or attempt at a general colonization of the Six Nations at or in the neighborhood of Green Bay.

When the treaty came to be promulgated, in July of 1832, with the proviso of the Senate thereto, a new difficulty arose with the Menomonees, who declared their intention never to permit a New York Indian to occupy a foot of land south of the Little Kakalin line, proposed by themselves in the treaty. It then became necessary to get *their assent* to the Senate amendment, or to make a new arrangement before peace could be had between the parties. For this purpose, Hon. George B. Porter, Governor of Michigan, was appointed commissioner, in the fall of 1832, to repair to Green Bay, and essay a final settlement of the difficulties. Gov. Porter was a man of indomitable energy and perseverance, of consummate tact and penetration, and brought to his task a firm determination not to leave the ground till the object was accomplished. Both parties soon found, that they had got past the

## 442 Wisconsin Historical Collections [vol. ii]

use of all dissimulation, braggadocia or humbug. A very brief discussion by Gov. Porter brought all parties to an amicable understanding, and a final settlement of affairs. This arrangement, concluded by Gov. Porter, Oct. 27th, 1832, is so important to this history, that the following extracts are herewith copied:

*“First.* The said chiefs and head men of the Menomonee nation of Indians, do not object to any of the matters contained in the proviso annexed to the resolution of the Senate of the United States, so far as the same relate to the granting of three townships of land on the east side of Lake Winnebago to the Stockbridge, Munsee, and Brothertown tribes; to the valuation and payment for their improvements, &c., (ending with the words *‘and which lands are to be relinquished by said Indians’*). They therefore assent to the same.

*“Second.* The said chiefs and head men of the Menomonee nation of Indians, objecting to all the matters contained in the said proviso annexed to the resolution of the Senate of the United States, so far as the same relate to the running a new line parallel to the south-western boundary line or course of the tract of five hundred thousand acres, described in the first article of the treaty, and set apart for the New York Indians, to commence at a point on the south-western side of Fox River, and one mile above Grand Chute, on Fox River, and at a sufficient distance from the said boundary line, as established by the said first article, as shall comprehend the additional quantity of two hundred thousand acres of land, on and along the west side of Fox River, without including any of the confirmed private land claims on the Fox River, to compose a part of the five hundred thousand acres intended to be set apart for the Six Nations of the New York Indians and St. Regis tribe, *agree*, in lieu of this proposition, to set off a like quantity of two hundred thousand acres, as follows: The said Menomonee nation hereby agree to cede, for the benefit of the New York Indians, along the south-western boundary line of the present five hundred thousand acres described in the first article of the treaty as set apart for the New

## 1832]            Coming of New York Indians            443

York Indians, a tract of land bounded as follows: Beginning on the said treaty line, at the old mill-dam on Fox River, and thence extending up along Fox River to the little Rapid Croche; from thence running a north-west course three miles; thence on a line running parallel with the several courses of Fox River, and three miles distant from the river, until it will intersect a line running on a north-west course, commencing at a point one mile above the Grand Chute; thence on a line running north-west, so far as will be necessary to include, between the said last line and the line described as the south-western boundary line of the five hundred thousand acres in the treaty aforesaid, the quantity of two hundred thousand acres; and thence running north-east until it will intersect the line forming the south-western boundary line aforesaid; and from thence along the said line to the old mill-dam, or place of beginning, containing two hundred thousand acres. Excepting and reserving therefrom the *privilege* of Chas. A. Grignon for erecting a mill on Apple creek, etc., as approved by the Department of War, on the twenty-second day of April, one thousand eight hundred and thirty-one, and all confirmed private land claims on the Fox River. The lines of said tract of land so granted, to be run, marked, and laid off without delay, by a commissioner to be appointed by the President of the United States. And that in exchange for the above, a quantity of land equal to that which is added to the south-western side, shall be taken off from the north-eastern side of the said tract, described in that article, on the Oconto creek, to be run, marked, and determined by the commissioner to be appointed by the President of the United States, as aforesaid, so that the whole number of acres to be granted to the Six Nations and St. Regis tribe of Indians, shall not exceed the quantity of five hundred thousand acres."

Of which terms and conditions, the several tribes of the New York Indians signified their acceptance and approval, in an article of agreement entered into with Gov. Porter, and signed by their head men, on the 27th day of October, 1832, in the follow-

## 444 Wisconsin Historical Collections [vol. ii]

ing words: "So far as the tribes to which we belong are concerned, we are perfectly satisfied, that the treaty should be ratified on the terms proposed by the Menomonees. We further believe, that the tract of land which the Menomonees in the within agreement are willing to cede, in exchange for an equal quantity on the north-east side of the tract of five hundred thousand acres, contains a sufficient quantity of good land, favorably and advantageously situated, to answer all the wants of the New York Indians and St. Regis tribe. For the purpose, then, of putting an end to strife, and that we may all sit down in peace and harmony, we thus signify our acceptance of the modifications proposed by the Menomonees; and we most respectfully request, that the treaty, as now modified by the agreement this day entered into with the Menomonees, may be ratified and approved by the President and Senate of the United States."

This was a substantial settlement of the whole question, and gave perfect satisfaction to all the New York Indians who had moved on, or were even expected to move on to Green Bay. The whole of the Stockbridges, Brothertowns, a part of the Munsees and some eleven hundred of the Oneidas, moved soon after on to their respective locations. The Stockbridges immediately abandoned their location at the Grand Kakalin, and occupied the new grounds assigned them east of Lake Winnebago; and the Brothertowns did the same. The Oneidas continued by accessions of small parties annually to augment the settlement at Duck Creek.

There was one interest, that of the Land Company, that was not appeased. As matters now stood, there was virtually no suitable home for such of the western tribes in New York as occupied the reservations to which this Company held the pre-emption right of purchase, and no prospect of their selling and removing West. With the vast amount at stake, the large sums of money locked up in these prospective rights, it was not to be expected that the Company would rest, or cease their exertions to purchase out and remove these Indians. A thousand plans were proposed and rejected, till at length an attempt was made to induce them to re-

## 1833-38] Coming of New York Indians 445

move to the Indian Territory, south-west of the Missouri. The agency of the General Government was obtained, and a commissioner, Ranson H. Gillett, appointed on the part of the United States, to treat with the "chiefs, head-men and warriors of the several tribes of the New York Indians."

The treaty purports to have been made at Buffalo Creek, on the 15th of January, 1838. The United States are styled one of the parties, though in fact they had but a small share in the transaction. The ostensible object would seem to have been, the providing the several bands of the Senecas with a *home!* To a careful observer, the result sets forth quite a different purpose. But not to anticipate. The first article, after the preamble, contains a relinquishment or cession by the New York Indians of "all their right, title and interest to the lands secured to them at Green Bay by the Menomonee treaty of 1831." This cession purports to be made by the New York Indians, as if for those who had acquired the lands. But not one of the individuals subscribing this treaty, except Eleazer Williams as for the St. Regis, ever had any lot or part whatever in bringing about the Green Bay treaties. They were, one and all, of those who had always opposed and repudiated those treaties, and the acquisitions under them. The parties really interested in those treaties were all at Green Bay, and had no cognizance of this Buffalo Creek treaty.

However, as if sensible of this fact, and for a show of justice to the few Oneidas, and others there, this cession contains what purports to be a reservation, doubtless as if for their benefit; the reserving clause is, however, unintelligible, and in fact reserves nothing—vide U. S. Indian Treaties, p. 55. So then the New York Indians living on their reservations in that State, in 1838, affect to sell out their lands in Wisconsin! Then the United States for such a cession, are made on their part to stipulate, to provide all the New York Indians homes south-west of Missouri, to include one million eight hundred and twenty-four thousand acres of the best land in the West; and to pay them the sum of 411,000 dollars in cash, besides for sundry improvements some 50,000 dollars more!

## 446 Wisconsin Historical Collections [vol. ii]

The only consideration to the United States, for this immense stipulation in favor of the New Yorkers, is a cession of their pretended rights (which were void and valueless) to about 100,000 acres at Green Bay, worth at that day about ten cents per acre, say ten thousand dollars. It is clear, that this immense sum was not to be paid to the Senecas, Tuscaroras, Tonnewandas, and Onondagas, for their rights at Green Bay, the only consideration made in the deed of cession.

It is natural to inquire after the real consideration that these tribes were to offer for these 1,824,000 acres of choice land in Missouri, and the \$411,000 in cash. It is proposed in this treaty to furnish them *homes* in the West. Had they no homes in New York? A little further on in the treaty, we find they had 117,469 acres of the best land in New York, probably under-estimated by the commission one quarter; call it, at least, 150,000 acres, worth ten dollars an acre at that day, making the snug little sum of one million four hundred thousand dollars for the reservations. Where did this go to? The reservations were all ceded by this hocus pocus legerdemain proceeding, called a treaty between the United States and the Seneca Indians, to Messrs. Ogden and Fellows, for the ostensible sum of two hundred and two thousand dollars. This treaty after all had but slight bearing on affairs at Green Bay; it left the bona fide settler from the New York tribes, in full possession of their lands, which, but for their own counsels, they might have had to this day.\*

It is necessary to allude to but one other transaction touching the New York Indian settlement at Green Bay. In February of the same year, 1838, under the advice of Rev. Solomon Davis, their missionary, the Oneidas resolved on having some money, and for that purpose negotiated with the United States. They were the sole representatives of the large cession of the treaty of

---

\*It may be added, that this treaty of the Ogden Company with the Senecas, which was obtained by fraud and bribery, was so materially amended by the United States Senate, as to make it almost a new one, and still it was not satisfactory to a majority of the Senecas, who yet remain in the occupancy of their ancient and much loved domain. L. C. D.



## 1838]      Coming of New York Indians      447

1831, by the Menomonees, on the west side of the Fox River. This Mr. Davis, with four of the Oneida chiefs, repaired to Washington, and there with Carey A. Harris, Esq., as commissioner appointed by the President on the part of the United States, signed a treaty of which the following is a copy:

*Art. 1.* The First Christian and Orchard parties of Indians, cede to the United States all their title and interest in the land set apart for them in the first article of the treaty with the Menomonees, of February 8th, 1831, and the second article of the treaty with the same tribe, October 27th, 1832.

*Art. 2.* From the foregoing cession there shall be reserved to the said Indians, to be held as other Indian lands are held, a tract of land containing one hundred acres, for each individual, and the lines shall be so run as to include all their settlements and improvements in the vicinity of Green Bay.

*Art. 3.* In consideration of the cession contained in the first article of this treaty, the United States agree to pay to the Orchard party of the Oneida Indians three thousand dollars, and to the First Christian party of Oneida Indians thirty thousand and five hundred dollars, of which last sum three thousand dollars may be expended, under the supervision of the Rev. Solomon Davis, in the erection of a church and parsonage house, and the residue apportioned, under the direction of the President, among the persons having just claims thereto; it being understood that said aggregate sum of thirty three thousand and five hundred dollars is designed to be in reimbursement of monies expended by said Indians, and in remuneration of the services of their chiefs and agents, in purchasing and securing a title to the land ceded in the 1st article. The United States further agree, to cause the tracts reserved in the 2nd article, to be surveyed as soon as practicable.

*Art. 4.* In consideration of the sum of five hundred dollars, to be paid to him by the chiefs and representatives of the said parties of Oneida Indians, John Denny (alias John Sundown),

## 448 Wisconsin Historical Collections [vol. ii]

their interpreter, agrees to relinquish to them all his title and interest in the tract reserved in the 2nd article of this treaty.

*Art. 5.* It is understood and agreed that the expenses of this treaty, and of the chiefs and representatives signing it, in coming to and returning from this city, and while here, shall be paid by the United States.

*Art. 6.* This treaty to be binding upon the contracting parties when the same shall be ratified by the United States."

It was ratified by the Senate, and promulgated on the 17th May, 1838. By it the possessions of the Six Nations were reduced to the present reservation of the Oneidas on Duck Creek, near Green Bay, being about eight by twelve miles, and containing some sixty one thousand acres. Some twelve hundred of these people now live there, and are slowly progressing in civilization. Several attempts have been made to curtail this reservation without success. Until some hungry white man shall gain their confidence sufficiently to make them abandon their own prudence, and go to Washington, they will probably remain there, and in the end possibly become sufficiently enlightened to assume citizenship, and be lost in the general mass of our American people.

The Brothertowns have entirely laid aside the aboriginal character, been admitted to all the rights of citizenship, and remain quietly and prosperously pursuing the avocations of civilized men. The Stockbridges are not as fortunate. A premature attempt to imitate their neighbors, in 1834, resulted in a failure, and a division of the tribe, which has never been healed. Their affairs are in an unsettled state, and the Government has now pending a negotiation for a final adjustment of the difficulties between the citizen and Indian parties.

Written, as this article has been, in a remote part of the State, out of the reach of libraries, without a scrap of the records of the transactions, and only from recollection of events transpiring more than thirty years ago, this paper is unworthy the character of history; but the main facts narrated being true, it may serve

1838]      **Coming of New York Indians**      449

to point the future historian to the sources from which to draw the material for a more accurate and faithful account of the whole matter.

Stevens Point, Jan. 5th, 1856.