

## COMMUNICATION

FROM THE

# SUPERINTENDENT OF INDIAN AFFAIRS

AND THE

INDIAN AGENT OF THE TERRITORY OF NEBRASKA,

ADDRESSED TO

*The Commissioner of Indian Affairs, in relation to the Winnebago reservation.*

FEBRUARY 8, 1866.—Ordered to be printed, to accompany bill S, No. 121.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,  
*Omaha, Nebraska, December 16, 1865.*

SIR: The Winnebago treaty will probably be submitted to the Senate of the United States for adoption or rejection early in the month of January, and as you have requested us to submit our views with reference to it, with such suggestions as we may deem proper for the interest of the tribe and the government, we beg leave to submit the following:

The accompanying map or plat of a portion of the reserve, together with the adjacent lands on the north, will serve to facilitate a correct understanding of what follows.

The best *farming lands* on this reserve are in the valley of Omaha creek. About three hundred acres of these lands were broken some three months since, by late Agent Balcombe, and a crop may be raised upon them the coming season if the treaty be ratified in time, and the necessary appropriations be made to carry it into effect.

We propose that, as a matter of interest to the Winnebagoes, and for the benefit of the government, the lands enclosed within red lines upon the map be purchased for the tribe and added to the reservation recently purchased by them from the Omahas. The reasons in favor of said purchase are briefly as follows:

1. They adjoin the 300 acres of bottom land already broken, and all lie in the valley of Omaha creek, which is very rich and productive.

2. There are 400 acres of broken land upon these improved farms, upon which a crop may be raised the coming summer, thus giving 700 acres of choice land in a body, which, if properly cultivated, with an average yield, will supply all the breadstuffs and vegetables which the tribe will require.

3. The *cost* of those lands (about 800 acres) will be about \$6,500. There are five houses upon them, worth nearly or quite one-half the amount; and, in our judgment, the crop of the *first year* will be worth to the Indians all that these lands will cost. Besides, there is a good mill site upon one of the farms—the only mill privilege within fifteen miles of the reserve—which affords ample

fall for a good water-mill, with plenty of water to propel from one to two run of stones in the driest season.

4. With this purchase all the plough-land necessary for the uses of the tribe will be in a single body, and in the best possible locality. Those who desire farms in severality can be accommodated along the valleys of the small tributaries of Omaha creek, in the immediate vicinity.

5. The purchase of these lands will extend the north line of the reserve to a point from which the Indians can have access, over lands belonging to the government, to a lake indicated on the map, which abounds in fish, and which will furnish an abundant supply for the tribe for many years to come. These government lands, together with this lake, we think should be donated to the uses of the tribe. There are other government lands on the north of the reservation, between the north line and the Missouri river, which are of little value. These should also be given to the Indians, in our judgment, so as to prevent their occupancy by a class of settlers who may hereafter locate upon them for the purpose of conducting an improper or illegal traffic with the tribe. The Winnebagoes were abundantly supplied with fish and game at their former homes in Minnesota; and if this lake be given to them they will, in this respect at least, be as comfortably situated as before their removal. In full council the chiefs and headmen of the tribe repeatedly requested us to ask that this lake, with the adjacent government lands, be given to them by the Great Father.

6. Omaha creek has high and almost perpendicular banks. It will therefore serve as a secure fence against stock at all seasons along the entire west line of the cultivated lands. If the proposed purchase be made, one and a half mile of fencing will be saved, leaving only about five miles of fencing necessary to enclose some 2,000 acres of excellent plough-land—a sufficient quantity for all the requirements of the tribe.

#### SAW-MILL—COTTONWOOD TIMBER.

On a tract of land adjoining the northeast corner of the reservation there are about 700 acres of heavy cottonwood timber. There is a good saw-mill, nearly new, now in operation on this tract. The timber and mill are owned by citizens of Nebraska. It is believed they can be purchased at a fair rate. If so, in order to avoid the delay consequent upon the building of a mill in the coming spring, and to insure a supply of lumber in time to enclose the plough-land for a crop the coming season, we would earnestly recommend that they be purchased. If not, then the building of a mill at the earliest practicable period is the only alternative. This is the only soft-wood timber within several miles of the reserve. Much of it will be needed for the fencing of the land, weather-boarding, and inside finish of the various buildings provided for in the treaty. In our judgment it will cost the Winnebagoes far less to purchase what timber they will require to fit up their reservation at a single purchase than to buy it as their necessities may require, especially as the timber is nearly all owned by two or three individuals who will be much more likely to combine for high rates than to establish low rates by active competition.

#### OTHER LANDS.

The Winnebagoes requested us, in council, to ask that a sufficient appropriation be made from their funds to purchase the small improved farms between the wood land spoken of and the tract enclosed within red lines first referred to. They have land enough without these, and we could not recommend the purchase unless it can be made at a very low rate—say from \$2 to \$5 per acre. There is one strong reason in favor of purchasing these lands if they can be procured at low prices, which we will here mention. It will cause the removal

of all the white men who now occupy them, and leave no white settler between the north line of the reserve and the Missouri river. On the south line is the Omaha reserve, extending about ten miles; on the west the Winnebago reserve extends some twenty miles beyond the breaking; on the east and north is the Missouri river. Thus the tribe will be at no point within five miles of white settlement. This is highly desirable, as it will avoid all collisions and ceaseless applications for damages against the tribe or its individual members.

The Winnebago reserve, as purchased from the Omahas, contains an abundant supply of hard-wood timber for all the purposes of the tribe for all time; but these timbered lands are situate along the bluffs of the Missouri river. They are, of course, not suitable for agricultural purposes. This timber it will be necessary to have, as it may be required by the Indians, to the point selected for their agency buildings and farming lands. It cannot be hauled over the bluffs, but must be brought by way of the road indicated on the map. The *necessity*, therefore, of purchasing some of the lands referred to, and the cession or sale of the government lands spoken of, must be apparent.

The interest of the Winnebagoes would certainly be promoted by extending the north line of their reserve to the Missouri river. If it can be done without too great a diminution of their funds, we would recommend that it be done. If those who own the adjacent lands will dispose of them at fair rates, sound policy would seem to dictate that they be purchased at an early day; if not, then we would be opposed to the payment of exorbitant rates.

As we have felt it to be our duty, as the representatives of this tribe, to ask that these purchases be made in their behalf, we have to ask that, should our recommendation be adopted, some other person or persons than either of us be designated to make them. Such recommendations are not unfrequently made by those who have some personal end to accomplish thereby, and we make this suggestion in order that a measure which we regard as important to the future prosperity of this much-abused tribe may not be embarrassed by a suspicion that the superintendent or agent may seek to realize a personal advantage from the transaction.

And now a word as to the history of the Winnebagoes from 1863 to the present time, and we have done.

Soon after the massacre of the white settlers in Minnesota by the Sioux, it became apparent that not only that tribe, but all the Winnebagoes, (who had no complicity with the Indian murders,) would be compelled to leave the State. Public sentiment in Minnesota seemed to demand their removal, and accordingly an act of Congress was passed, (approved February 21, 1863,) providing for "the removal of the Winnebagoes and the sale of their reservation in Minnesota for their benefit." (See Annual Report Commissioner of Indian Affairs for 1863, page 307.)

This act provides "that the President of the United States is authorized to assign and set apart for the Winnebago Indians a tract of unoccupied lands equal in extent to their diminished reservation, (beyond the limits of any State,) *the same to be well adapted for agricultural purposes.*"

The Commissioner of Indian Affairs, for the purpose of complying with the requirements of said act, on the 10th of April, 1863, issued a letter of instructions to late Agent Balcombe, then in charge of the tribe. (See pages 305, 306, 307, Commissioner's Report, 1863.) In this letter the honorable Commissioner says:

"It has thus become the duty of the President to set about their removal, and he has determined to locate them on the Missouri river, somewhere within a hundred miles of Fort Randall, where it is not doubted they will be secure from any danger of intrusion from whites. Localities may be found there where they can be established with a river front, and abundance of timber for all necessary

purposes, *with a rich and productive soil, easy of cultivation, where they can, with proper efforts, live happily.*"

"Superintendent Thompson has already gone forward to make the proper selection for their new homes, and to purchase farming implements, animals, seeds, and to engage artisans and laborers to build them houses and open farms, *so as to make them more comfortable than they have ever yet been. Everything will be done for their welfare, and they will be greatly advantaged by the change.* They will not only not be required to pay anything for the land they will occupy, but will receive, in such form as will best advance their interests, the proceeds from the sale of their present homes. You will explain the accompanying act of Congress to the Indians at the proper time, and the advantages that will result to them from an early compliance therewith, and direct all your energies to that end. \* \* \* \* \*

"I am well aware of the reluctance of the Winnebagoes to abandon their present reservation, and I regret the necessity of their so doing, but I am equally satisfied the provision which is being made for them will be *for their benefit*, and you will fail in no effort to *convince them of it.*"

Agent Balcombe complied faithfully with these instructions. He "failed in no effort to convince them" that their removal would be "*for their benefit.*" He told them they were to be made "*more comfortable in their new homes than they had ever yet been; that they were to be greatly advantaged by the change;*" that they were *not* to be required to pay anything for the land they were to occupy. All of these inducements and assurances had been made by the proper authorities of the government, and the agent had a right to believe that they would be faithfully complied with.

Thus assured, the Winnebagoes peacefully left their comfortable homes in Minnesota, where they had been surrounded by all the comforts of civilization. They were huddled together (nearly 2,000 souls) on steamboats and transported down the Mississippi, from Mankota to the mouth of the Missouri, and up the Missouri to Crow creek, in Dakota Territory. There they were located by Superintendent Thompson, who had been authorized to make a "*proper selection*" for them, in the midst of a very Sahara of sterility and desolation, where no amount of labor will avail to produce a crop. Agent Balcombe, after becoming satisfied that this reservation was utterly worthless for agricultural purposes, so informed the department. Acting Commissioner Mix, on the receipt of this information, addressed a letter to the agent, (see page 324, Commissioner's Report, 1863,) from which we make the following extract:

"You will inform them (the Winnebagoes) that in case their present location is found unsuited to their wants, measures will be taken to secure for them elsewhere a location that shall not be liable to such an objection." "It is the determination of their Great Father that a home that shall be healthy, pleasant and fertile, shall be furnished to them at the earliest practicable moment. I desire to impress upon your mind, and through you upon the Indians, that it is the intention of the government to deal with them in good faith, and to *fulfil all the promises made to them*; and, further, that in carrying this intention into effect no unnecessary delay will be permitted, and in the mean time they will be supplied with the necessary means of subsistence."

These promises, under the circumstances, were eminently just and proper. That they should have been faithfully fulfilled no one will question. What are the facts? They were removed at their *own expense*. One hundred thousand dollars of their trust bonds were retained to meet this expenditure. They have been subsisted from the day of their removal to the present time from *their own funds*. And so anxious are these poor people to obtain homes for themselves, where they can subsist by honest industry, that they have agreed with the Omahas to pay them \$50,000 for the reservation which they have recently pur-

chased, and to bear all the expenses of fitting it up and providing themselves with horses, farming implements, &c. The government should not permit this sacrifice on the part of this much-abused tribe. Their new homes should be purchased for them without cost to their tribal fund. The cost of their subsistence, since their removal, should be reimbursed to them by the government, and they should be rendered comfortable and self-sustaining at the earliest practicable moment. In every council which we have held with this tribe they recur to these promises on the part of the government, and ask us why it is that the Winnebagoes, who have always been peaceful and loyal, should be thus treated. We can only answer that the government means to deal justly by them, and that their wrongs will be speedily righted. We sincerely hope that the present year will vindicate the sincerity of these oft-repeated promises, and that justice, though tardy in its accomplishment, will be ample and complete.

Very respectfully, your obedient servants,

E. B. TAYLOR,

*Superintendent Indian Affairs.*

CHARLES MATHEWSON,

*United States Indian Agent.*

Hon. D. N. COOLEY,

*Commissioner Indian Affairs.*

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