

REMOVAL OF THE WINNEBAGOES.

SEPTEMBER 17, 1850.

Laid upon the table, and ordered to be printed.

Mr. CROWELL, from the Committee on Indian Affairs, made the following

REPORT:

*The Committee on Indian Affairs, to whom was referred the resolution of the House of Representatives of the 6th May, 1850, respecting the contract made with Henry M. Rice for the removal of the Winnebagoes from Iowa and Wisconsin to their lands in Minnesota, report:*

That they have given to the subject referred to them all the attention which its importance seemed to invite and render necessary to a full understanding of the facts and circumstances connected with the contract that the Indian Department made, with Mr. Rice.

The House not having clothed the committee, in the resolution requiring the investigation, with power to send for persons and papers, a request was made in writing to the Commissioner of Indian Affairs for a copy of the contract with Mr. Rice, and all the evidence in his possession relative to the fitness of said Rice to perform the service, and all other facts connected with the contract in the possession and under the control of the Indian Department. This request was promptly complied with, and every facility was afforded by the Commissioner for the most thorough and searching investigation. The correspondence with the Commissioner, marked A, and the papers which he communicated to the committee, from No. 1. to No. 39, are hereto appended, and made part of this report.

It may not be improper to remark here, that the facts disclosed in the communication from the Commissioner of Indian Affairs satisfy the committee that the necessity was pressing for the immediate removal of the Indians from Iowa and Wisconsin; and it is nothing more than simple justice to an upright and faithful officer to say that the measures which the Commissioner adopted, under the circumstances, to accomplish this object, were provident, humane, and effective, and meet the entire approbation of the committee. And, without entering upon the discussion of the question of the right and power of Congress to annul a contract entered into by the executive department, upon a subject-matter clearly within its constitutional jurisdiction, and in fulfilment of obligations imposed by existing laws, it is sufficient to observe that there appears to be no reason for its exercise in the case under consideration.

As the facts upon which the committee have formed their opinion are all embraced in the documents herewith published, it is not deemed necessary to recapitulate them here, or to indulge in extended remarks upon them. They are submitted to the consideration of the House, under

the firm belief and the clear conviction that its judgment will be formed upon them without prejudice, and will therefore be just and right.

In the protest which was presented by the Hon. H. H. Sibley, delegate from the Territory of Minnesota, to the Commissioner of Indian Affairs, exceptions were taken to the price which, by the terms of the contract, Mr. Rice was to receive for the removal of the Indians. The method of removing the Indians to their new homes by the military, usually practised heretofore, has justly fallen into disrepute; and the most experienced Indian agents, and those best acquainted with the Indian character, now recommend the mode adopted in the present instance, as not only more humane, and much better calculated to conciliate the Indians and preserve friendly relations with them, but less expensive to the government. The committee, in approving the course pursued by the Commissioner of Indian Affairs in making the contract for the removal of the Winnebagoes, are fully sustained by Colonel D. D. Mitchell, superintendent of Indian affairs at St. Louis, a gentleman of great experience, and whose opinions upon all subjects relating to Indian affairs are much, and very justly, respected. Colonel M., in a letter to the Commissioner of Indian Affairs, says: "Since that time," referring to the time of writing a former letter, "I have seen a copy of the contract and the accompanying instructions, every part of which I cordially approve; and I would have done precisely the same thing had I been in your place."

But if the plan of removing the Winnebagoes adopted in this instance was in fact more expensive, which is by no means the case, it still ought to be preferred, in the judgment of the committee, to a removal by the military.

One object—and it is a very important object—of making the contract with Mr. Rice to remove the Indians was, by kind treatment, to inspire their minds with friendly feelings towards the government of the United States, which has too often treated them unkindly, and presented to them the bayonet when it ought to have extended the calumet of peace.

There are some papers, presented to the committee by Mr. Rice and Mr. Sibley, published in an appendix to this report.

In view of all the facts, the committee unanimously recommend the adoption of the following resolution:

*Resolved*, That the committee be discharged from the further consideration of the subject.

#### COMMITTEE-ROOM OF INDIAN AFFAIRS,

May 9, 1850.

SIR: The House of Representatives, on the 6th instant, adopted the following resolution, to wit:

*Resolved*, That the Committee on Indian Affairs be instructed to inquire into the facts connected with a contract made by the Indian Department with Henry M. Rice for the removal of those Winnebago Indians now in the States of Wisconsin and Iowa to their own lands in Minnesota Territory, and what steps, if any, should be taken to annul said contract.

At a meeting of the committee on the 7th instant, the subscribers were appointed a sub-committee to conduct the investigation required by the resolution. You are therefore respectfully requested to furnish us with a

copy of the contract referred to, and all written communications that you may have received recommending the removal of the Indians and the making of the contract with the said Rice for that purpose, and all the evidence in your possession in relation to the fitness of said Rice to perform the service, and all other facts connected with the contract in the possession and under the control of your department. You will also inform us what number of Indians are to be removed, and the estimated expense of their removal.

You will greatly oblige us by giving an answer at your earliest convenience.

Very respectfully,

JOHN CROWELL,  
ROBT. W. JOHNSON.

HON. O. BROWN,  
*Commissioner of Indian Affairs.*

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A.

DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, May 14, 1850.*

GENTLEMEN: Your communication of the 9th instant was received on the 10th, and, in answer to the inquiries and the resolution of the House of Representatives of the 6th contained therein, I have the honor to transmit to you a copy of the contract with H. M. Rice for the removal of the Winnebagoes, and all written communications received at this office recommending the removal of the Indians. I also transmit herewith a copy of an "official protest" filed in this office by the Hon. H. H. Sibley, delegate from the Territory of Minnesota, and of my reply to the same. This answer would have been sent to you early on Monday morning; but, the mail of that day bringing letters from Governor Ramsey, Agent Fletcher, and Mr. Rice, I thought it better to send them with this, rather than make them the subject of a special communication. These last letters might have been withheld, as they arrived after the answer to your communication was ready for transmission, and consequently did not come within your call; but, as it is my earnest desire that the committee and the country should be in full possession of every fact that bears on the transaction—as well that which is unfavorable to it as that which sustains it—I preferred delaying this communication for one day, in order to lay before you the unfavorable opinion of the governor of Minnesota.

In my answer to Mr. Sibley, I endeavored to show the necessity for immediate action, the policy of the mode adopted, and the fitness of Mr. Rice, the agent, to carry out the views of the department. The papers herewith submitted do, in my judgment, vindicate fully the course pursued. In addition to the written evidence, I would respectfully request the committee to invite the Hon. George W. Jones, of the United States Senate, to state to them his knowledge of Mr. Rice and of the Winnebago Indians, and to get his views of the reasonableness of the contract in regard to the compensation. I would also request that, if any further information is desired, they would hear the opinions of Captain Eastman, of the United States army, now in this city. I regret that Colonel Mitch-

ell, marshal of the Territory of Minnesota, has left the city. I would beg leave to remark that Governor Ramsey has fallen into an error when he supposes that there is a conflict between the contract and my letters of instruction to him of the 15th and 19th ultimo. And it will also be seen that he has inadvertently given Mr. Rice authority beyond either the instructions or the contract. The letter of Mr. Rice, which is the last in the series of papers, will show that, in regard to the number to be removed, he gives no reason to suppose that it will materially vary from the number contemplated by the contract. In the concluding paragraph of Governor Ramsey's letter, he mentions the name of one gentleman who would have taken the contract at \$30, and that others would have been glad to have taken it at a still more reduced price. I have no doubt of this; but the question was not with me who would *undertake* this delicate and important matter—one involving the lives of our people, and the justice, the honor, and the humanity of our government—for the *least* price, but I desired to obtain a man who *could most certainly, most speedily, and most wisely* accomplish the wishes of the department, and do the same at a fair rate of compensation.

My information led me to believe that Mr. Rice was precisely the man to do this—that there was no other who could have done it with the same certainty and success; and I accordingly made the contract with him. It was not an ordinary case of letting a contract to the lowest bidder—as in cases of mail contracts, contracts for printing, or for furnishing supplies—but it was one requiring peculiar qualities, such as are possessed but by few. I estimated the number of Indians to be removed, who would fall under the fair construction of the contract, as ranging between three and four hundred. I am still of the opinion that it will not be found to vary much from that estimate. If by this contract the department succeeds in removing these Indians, and placing them in such a comfortable position as will incline them to remain, the end will have been accomplished at a *cheaper rate*, and more humanely, than if they had been hunted down by mounted dragoons, or driven by infantry at the muzzles of their guns.

These explanatory remarks are considered as pertinent to the inquiries addressed to me by the honorable the committee, and are most respectfully submitted.

ORLANDO BROWN.

MESSRS. JOHN CROWELL,  
R. W. JOHNSON,  
Committee.

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No. 1.

*Articles of agreement made and entered into by and between Orlando Brown, Commissioner of Indian Affairs, on behalf of the United States, of the first part, and Henry M. Rice, of the Territory of Minnesota, of the second part.*

A portion of the tribe of Winnebago Indians having never removed to their country on the upper Mississippi river, in the vicinity of the Crowwing river; and others having abandoned it after removal, and sought

homes elsewhere, the party of the second part hereby agrees and binds himself to collect all such, wherever they may be, and to remove them to their said country at the earliest practicable period during the present year.

He further agrees and binds himself to furnish the Indians so to be removed with ample subsistence, of a suitable and acceptable kind and quality, from the time they shall be collected, in parties or otherwise, for removal, until after their arrival in their aforesaid country, and, in order to make them comfortable on the route thereto, to supply them with the requisite number and quantity of tents and cooking utensils, and with a comfortable outfit, to consist of blankets, shoes, and other suitable and necessary articles of wearing apparel which they may need for their comfort.

And with the view of influencing and inducing the said Indians to remain contentedly in their country, the party of the second part further agrees and binds himself to plant, or to cause to be planted, for them, in a careful and proper manner, and in some suitable part or parts of their said country, a full and sufficient crop of the various kinds and descriptions of grain and vegetables usually cultivated by, and suitable for, the Indians in the vicinity of their aforesaid country—the quantity of land to be so planted to be not less than one hundred acres. In the case of such of the said Indians as may not arrive in their country in time to commence the cultivation of their crops when so planted, the party of the second part further agrees and binds himself to cultivate the same in a proper manner until after their arrival, and they can undertake and continue the cultivation of their crops for themselves.

In consideration of the above and foregoing, the party of the first part hereby promises and obligates himself to pay, or to cause to be paid, to the party of the second part, without any unnecessary or unavoidable delay, the sum of seventy dollars for each and every Indian removed as aforesaid; which said sum is to be considered, and is to be, in full of all and singular of the foregoing covenants and stipulations by the party of the second part, and of all other considerations and particulars whatsoever arising out of, or connected with, the execution of the said covenants and stipulations: the said payment to be made upon muster-rolls of the Indians actually removed as aforesaid, to be certified to as correct by the United States agent for the said tribe of Winnebago Indians.

And the party of the first part further agrees and promises that the land which is to be planted for the Indians to be removed, or so much of it as may not, prior to such removal, have been fenced and broken up and prepared for planting, shall be suitably fenced, and so broken up and prepared, at the expense of the United States, or of the said tribe of Winnebago Indians.

It is to be, and is, clearly understood by both of the parties to this agreement, that the Indians stipulated to be removed and paid for shall include only those who have never removed to their said country on the upper Mississippi river, and such as have abandoned it with no view of returning thereto; and that in no case is payment to be made a second time for any Indian who may be removed to, and afterwards leave, the said Winnebago country.

It is further stipulated and understood by and between the parties to this agreement, that, in addition to the muster-rolls to be certified to by the



United States agent for the Winnebagoes, the party of the second part shall, as the Indians removing reach St. Paul, Minnesota, furnish to the governor and *ex officio* superintendent of Indian affairs for the Territory a correct list or roll of all the said Indians that reach and pass that place—which said list or roll is to be forwarded to the Office of Indian Affairs at Washington; and that, if there be on the rolls certified to by the said agent any Indian or Indians not on the said list or roll, no payment whatever is to be made for or on account of the same.

Done and executed on this thirteenth day of April, in the year of our Lord one thousand eight hundred and fifty.

ORLANDO BROWN, [L. s.]

*Commissioner of Indian Affairs.*

HENRY M. RICE, [L. s.]

*of Minnesota.*

Witnesses:

T. R. CRUTTENDEN,

J. T. COCHRANE.

No. 2.

HOUSE OF REPRESENTATIVES,

*Washington, April 18, 1850.*

SIR: Since the personal interview with you yesterday, when the fact of a contract having been entered into between the department and Henry M. Rice for the removal of the Winnebagoes to their own homes in Minnesota Territory by the latter first became known to me, and I took the liberty to express my strong objections to such a course on the part of this government, I have maturely weighed the subject, and hereby enter my official protest against the contract, and respectfully ask that it may be annulled, for the following reasons, to wit:

*First.* It is evident that the department has been grossly deceived by Mr. Rice as to the number of Indians now absent from their own lands, and his ability to perform what he has undertaken. The Winnebagoes who remained in Iowa and Wisconsin, and refused to remove to the Crow-wing country provided for them, were variously estimated at from five to eight hundred souls. To these are to be added some two hundred and fifty or three hundred who have returned from their own country in Minnesota to rejoin them. From various sources worthy of credence, I have received information which leads me to believe that full one-half of the whole tribe are now absent from the spot which the government has set apart for their dwelling-place. Consequently, when Mr. Rice induced the department to enter into a contract with him upon his representation that there were not exceeding three or four hundred souls, when he knew that there were fully a thousand or twelve hundred, he practised a deception upon it, which fully exonerates it from any obligation to carry out the contract. As to Mr. Rice's ability to perform his part of the engagement, I would merely mention, as a fact, that the contract for the removal of the whole tribe of Winnebagoes was confided to him last year, when he had much greater influence with them than he has at present, not having resided near them since that time; and the records of the department will

show that it was not only executed in a very slovenly and imperfect manner, but would not, in fact, have been executed at all, but for the aid afforded by the volunteer companies and other troops, and of a detachment of eighty of the principal men among the Sioux, who were called upon by Captain Eastman to assist in effecting this object. Mr. Rice endeavored to shift the responsibility of the failure upon the Indian agent, General Fletcher, but without relieving himself from the burden.

*Second.* The amount contracted to be paid Mr. Rice is entirely too much, even if the mode of thus removing fugitive Indians to their own lands by private contract was not liable to grave objections, which is by no means the case. Seventy dollars per head for transporting Indians two, three, or, at the most, four hundred miles, for the greater part of the way by regularly-travelled routes, is at least three times what it should cost under proper management.

The statement made to you that their former removal had cost upwards of sixty-nine dollars per head, I do not hesitate to declare entirely incorrect, although, as I before remarked, that removal was conducted in a most extravagant and unmethodical manner. There are no data in the possession of any officer of the government which could enable him to make an estimate even approximating the truth. Much of the removal and subsistence fund was expended for goods and other articles, in addition to the expenses incurred in transporting them. But, sir, should the service proposed by the contract be performed, is it not evident that those of the Winnebagoes who are opposed to remaining in their own country will, after the receipt of their annuities, again return to their old haunts in the States named, and the government in a few months be necessitated to resort to the same method of removal, and thus, after an expenditure of seventy or a hundred thousand dollars, to go over the same ground, with precisely the same results?

*Third.* There is another great objection to the proposed course which is worthy of careful consideration. It involves a most serious and undeserved imputation upon the character and efficiency of the officers of the Indian Department who are charged with the duty of attending to the affairs of the Winnebagoes, and, if persisted in, must result in bringing upon them the contempt of the Indians. It is a direct mode of implying that they are unequal to the discharge of the duties and responsibilities of their several stations. Especially is this the case with respect to our worthy and energetic chief magistrate, Governor Ramsey, who is even now using the means at his disposal to effect the return of the vagabond bands to their proper destination. It does not become me to anticipate what will be his course, when he learns that his authority as superintendent of Indian affairs is wrested from him, to be conferred for the time upon an individual who was represented to you by the governor, as well as myself, as wholly irresponsible and unreliable. I may safely venture to assert, however, that a gentleman of his high character and dignified position will hardly be content to play a subordinate part to any private individual within his own superintendency—least of all, to a man for whom I know him to entertain no particular sentiments of respect.

If the government is determined to attempt the removal of the Winnebagoes without the employment of a military force, there is no man who can effect more towards the accomplishment of this object than Governor

Ramsey himself. He is much more influential among the Indians of the tribe designated than Mr. Rice. But, sir, it is my decided conviction that an absolute necessity exists for the exhibition of a respectable mounted force among the Winnebagoes, who are by far the most turbulent and ill-disposed of the northwestern tribes, while they are also the most cowardly. An energetic officer, with one hundred dragoons, in addition to the force already stationed in that quarter, would, under the direction of Governor Ramsey, not only serve to overawe them, but would suffice to remove nine-tenths of the absentees, at less than one-fourth the cost proposed in the contract with Mr. Rice. Nay, sir, I firmly believe that a bonus of twenty dollars to each individual Indian, to be paid after their removal, would cause the greater part to transport themselves back to their own country, without any additional expense to the government. But the facilities for returning to their old places of abode in Iowa and Wisconsin are so great, that only a sufficient force of mounted men will insure their remaining on their own lands.

Finally, I take the liberty of stating my opinion that the present scheme of Mr. Rice is derogatory to the dignity of the government, which should be able to manage a tribe of vagabond Indians without courting the support and supposed influence of any individual in carrying out his designs. Why I was not consulted in a matter so nearly affecting the peace and general interests of Minnesota Territory, of which I am the representative on this floor, I am at a loss to decide. I was present at the Indian Office for more than two hours on the 13th instant—the day on which the contract was signed; and, although the subject of the removal of the Winnebagoes was discussed, and Governor Ramsey's official despatch read to me by yourself, in the presence of Colonel Mitchell, Mr. Rice also being present in the office, I did not receive a single intimation that a measure of so much importance as the contract alluded to was about to be consummated, or I should have protested against it on the spot. This apparent studied concealment I deem to be, on my part, a just subject of complaint.

If the department, upon a reconsideration of the case as presented in this letter, should determine to cancel the contract on the grounds herein set forth, and which I can substantiate when necessary, Mr. Rice can be telegraphed in time to prevent his incurring any expense which may give him a claim upon the government hereafter. By the most expeditious route he cannot reach Galena before Tuesday or Wednesday of next week, where a telegraph message would meet him.

Should it, on the contrary, be decided that the provisions of the contract shall not be annulled, notwithstanding the objections presented to its fulfilment, it will be my duty to take such other measures as I shall deem expedient to arrest a scheme which, besides involving the expenditure of a very large sum of the public money, can in no case be attended with any beneficial results either to the government or to the Indians. I am satisfied that other persons than Mr. Rice, who I learn were active in urging this measure upon the department, are more or less pecuniarily interested in the success of his contract.

I need not say, sir, that in the foregoing communication I intend no personal disrespect to yourself or other officers of the department. I will



be obliged to you for a reply to this communication as soon as Monday morning, if convenient.

I am, sir, very respectfully, your obedient servant,

H. H. SIBLEY,

*Delegate from Minnesota.*

Hon. ORLANDO BROWN,  
*Commissioner Indian Affairs.*

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No. 3.

DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, April 25, 1850.*

SIR: Your "official protest," under date of the 18th instant, has been received, and the suggestions and objections urged therein have been carefully considered. It is a matter of regret that the contract entered into between myself, on the part of the government, and Henry M. Rice, of Minnesota, for the removal of the Winnebago Indians to their own homes, meets with such decided opposition from a gentleman occupying the position you do, and whose views on all subjects are entitled to so much consideration. I cannot, however, but flatter myself with the hope that, when you have reflected upon the motives that influenced me in making the contract, and the facts on which it rests for its vindication as a wise and urgent measure of policy, you will be inclined to give credit for correctness of intention, at least, and will probably acquiesce in what has been done. Indéed, so anxious am I for such a result, that I must beg your patience while I endeavor to show that there is much difference of opinion between us as to an understanding of much that seems to be considered by you as material in your protest. With regard to the declaration that you were not consulted, and the intimation that there was a studied concealment of the intention to make the contract, I will let that pass, with the simple remark that I can see no earthly reason why the department would desire to keep you, in particular, or any other person, in ignorance of it. In regard to your position as delegate of the Territory of Minnesota, it did not occur to me that that was a reason for consulting you about the terms of a contract which intended to relieve Iowa and Wisconsin from a troublesome and dangerous population, and to remove the Indians back to their own homes. I rather regarded it as an affair of deep interest to the people of those two States; and, having received urgent letters from the governor of one of them, and petitions from many respectable citizens who felt themselves aggrieved, there did seem to be a propriety in holding interviews with the senators by whom those States were represented. Iowa and Wisconsin, being aggrieved, have complained in urgent language; Minnesota, on the other hand, having no cause of complaint, has made none. This, I trust, will be satisfactory on that point.

Your next most important objection is as to the mode adopted for the removal of the Winnebagoes. I have thought it alike called for by a respect to justice and humanity to remove them by peaceable means, and to avoid the miseries and expense of a possible, if not probable, outbreak and Indian war. You seem to think that the employment of dragoons

and United States troops is absolutely essential, and, moreover, that it is the most economical plan. In my judgment, it would not be a very easy thing to get such a force as you intimate, as it could not with safety be drawn from other quarters; but even the force suggested by you would be inadequate, if the military arm was employed. The Indians are scattered over Iowa and Wisconsin, in different localities; and it would require at least three companies of dragoons—one for Iowa, and two for Wisconsin; and the cost for the operations of such a force would be greater than the amount that Mr. Rice can receive under his contract. It is by no means certain that the Winnebagoes could in any reasonable time—a time corresponding to the emergency of the case—be removed by the military; for the Indians would break and escape from them, as they did in 1848. Add to this the further consideration that the Winnebagoes are already dissatisfied, and the employment of a military force would render them still more so, and increase the difficulty of keeping them in their country. It is certainly the policy of the country, as well as its duty, to conciliate them, and place them in their new homes under such circumstances as will have a tendency to satisfy them to remain there. Had this been done originally, the present difficulty would have been avoided. The Indians were placed in their country without the means of maintaining themselves, and were compelled to leave and seek subsistence by hunting. Had proper provision been made for them, such as had removed would have remained, and the rest would have soon followed, when they knew their predecessors were contented and comfortable. We are endeavoring to avoid a repetition of this error; and Mr. Rice is required to remove them comfortably, to furnish them with a full outfit of blankets, shoes, &c., cooking utensils and tents, ample subsistence, and to put in and cultivate, as far as may be necessary, a full crop for them; and, moreover, huts are to be erected for them, and some subsistence is to be furnished after their arrival. The whole measure is therefore, in its design, one of humanity—such as has been too seldom practised towards the Indians—and is therefore justifiable on that ground alone, be the expense what it may. And we have besides the encouraging example of the effect of persuasive measures in the recent events in Florida. The government has given to the Winnebagoes a country not so well suited to them as the one they left; it does not furnish as much game, is more inhospitable in climate, not so fertile in soil; and it is surely the duty of the government to make them as comfortable as circumstances will permit. With the point of the bayonet as the only means to prick them on to what is, at best, with them, a reluctant move, we might drive, but could not reconcile them. The expense, therefore, even at your own estimate, ought to be incurred, rather than run the hazard of more violent measures; but it is the opinion of this department that the result will approximate very near to the expectations entertained here. My information leads me to the conclusion that there will not be more than four hundred who will fall within the terms of the contract. I know we differ about this, and time will show whether the information on which I acted was erroneous or not. I did not act unadvisedly in the compensation agreed on in the contract. It is very difficult, I know, to form an estimate of the probable cost of such a measure, but this was done as well as could be under the circumstances; and I conferred with Senator Jones and others, who expressed the opinion that the sum stipulated was not exorbitant. Be this as it may, the responsi-

bility attaches to the office that makes the contract; and it does not avoid this responsibility. In looking at the compensation, perhaps you have not reflected maturely upon the present condition of the Indians. They are now greatly dispersed. Some are far in the interior of Iowa, others in Wisconsin, some as far over as in the vicinity of the Menomonic country, near Lake Michigan. It will require the employment of a number of persons to aid in collecting and conducting them; many will probably have to be transported in canoes, that will have to be sent up different streams for them; and the expense of getting those far in the interior to the Mississippi, whence they will have to be transported in steamboats to Fort Snelling, will be very heavy. It is believed that, taking into consideration this expense, and what it will cost to supply and do all that Mr. Rice is required to do by his contract, the amount allowed him is not excessive; and that, if he meets with untoward difficulties, he will scarcely save himself from loss.

Perhaps I might properly close here; but you object to Mr. Rice as in many respects unsuitable, and not able to carry out his contract. Not knowing the reasons for such an opinion, other than appear in your protest, I beg leave to say to you that you have fallen into an error relating to Mr. Rice's having had a contract for the removal of the Winnebagoes last year. The Winnebagoes removed in 1848. Mr. Rice offered to remove them by contract, but his offer *was declined*. By the treaty of 1846, the Winnebagoes were to remove themselves, and the department directed the removal to take place under the direction and management of the agent, assisted (if necessary) by the military. The agent and military together could not successfully accomplish it without the aid of Mr. Rice, and his aid was sought. Captain Eastman, to whom you refer, bears testimony to the very valuable services of Mr. Rice on that occasion; and this officer, who had such ample opportunity for forming an opinion of the capacity and influence of Mr. Rice, considers him as eminently qualified. Senator Jones, of Iowa, by letter and in person, warmly commends him to the department; and Colonel Mitchell, the marshal of Minnesota, concurs fully in their recommendations. I was, therefore, upon such representations, warranted in contracting with him. Indeed, the impression made here by these gentlemen was, that he was *the only man* whose influence with the Indians was such as to enable him to effect what was proposed. I do not know that it is necessary for me to say anything about the position in which Governor Ramsey may be placed. I think that the governor is well assured of the fact that he is held in high regard by me, both as an officer and as a man. He knows that the department never has distrusted him; and, in what has been done in this present matter, he will, I am sure, readily believe that nothing disrespectful was intended. In a matter of such urgency as the one under consideration, there was not time for consultation with him; but he has been fully apprized of all that has been done, of the reasons for doing it, and of the ends to be effected thereby: and there I am perfectly willing to let it rest—feeling satisfied that the governor will find no fault.

I have been, perhaps, a little tedious in this answer, but I wished to let you see that I had not acted without such care and consideration as ought to have proved satisfactory. All the letters and communications on the

subject in the office will be most cheerfully submitted to you for your perusal. The contract, whether wise or not, is a binding contract, and not subject to repeal, even if I desired to do so, which I do not.

Very respectfully, your obedient servant,  
 ORLANDO BROWN, *Commissioner*.

Hon. H. H. SIBLEY.

No. 4.

WASHINGTON, March 19, 1850.

SIR: There are from two to four hundred Winnebago Indians residing in Wisconsin, Iowa, and the settled parts of Minnesota. I propose to remove them to their own country the following summer, as follows, viz:

For all that I may remove and subsist during their removal, and deliver to, and take receipts from, their agent, I shall be paid at the rate of seventy-five dollars per head—payment to be made by the department as soon as I shall produce the agent's receipts for any number not less than one hundred. I believe that this will be the most expeditious and cheapest manner that can be pursued by the government.

Should you entertain this proposition, it should not be made public, for there are many persons who would take every means in their power to scatter the Indians through the swamps of Wisconsin, and then it would be next to impossible to find them.

Very respectfully, your obedient servant,

HENRY M. RICE.

Hon. O. BROWN,

*Commissioner of Indian Affairs.*

P. S.—I would respectfully refer you to Colonel D. D. Mitchell, superintendent of Indian affairs, St. Louis, and Colonel A. M. Mitchell, of Minnesota—to whom the situation of the Winnebagoes is well known.

H. M. R.

No. 5.

SENATE CHAMBER,  
 Washington, March 18, 1850.

SIR: I hasten to lay before you a communication directed to you, and enclosed to me, by his Excellency Nelson Dewey, Governor of the State of Wisconsin. This letter will apprise you, as I learn from Governor Dewey, of the return to Wisconsin of a large number of the Winnebago tribe of Indians. The citizens of that State have suffered greatly from the encroachments of this tribe of Indians for some years; and I am apprehensive, unless the most energetic measures are taken by your department, in conjunction with that of the War Department, that difficulties of a serious character may ensue. I fear that these Indians, from their known bad character, may commit trespasses of a kind so outrageous as to excite collision, if not bloodshed. Besides the danger of loss of life

from immediate contact of these Indians with our citizens, the pecuniary loss which the latter sustain by the lawless conduct and thieving propensities of the former are of such a magnitude as imperatively to demand the active interposition of the government.

I am, sir, with high consideration, your obedient servant,

HENRY DODGE.

Hon. THOMAS EWING,

*Secretary of the Interior.*

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No. 6.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*Lancaster, February 20, 1850.*

SIR: It is said that several hundred Winnebago Indians have returned from their homes in Minnesota Territory to their old hunting-grounds in this State on the waters of the Bad Axe, La Cross, and Black rivers, and have become a great trouble and annoyance to our citizens in that part of the State; and it is said that they threaten to drive the whites from the country, as soon as grass grows.

Herewith I send enclosed a letter, with sundry petitions to me, to the Secretary of the Interior, requesting his favorable action for their removal, and to protect our citizens from their assaults and depredations.

Knowing your acquaintance with the Indian character, and the interest you feel in the welfare of the western part of the State, I have enclosed the accompanying letter to the Secretary, with petitions, and request you to hand them to him; and I have also to request you to lend your aid to secure favorable action on the part of the general government to remove these Indians, or at least to afford ample protection to our citizens from their depredations, and allay their fears of personal danger from these Indians, by placing troops in the neighborhood of their locality.

It is believed that the number of United States troops on the upper Mississippi is inadequate to keep the Indians in proper subjection—and the more so, as the Winnebagoes are dissatisfied with their northern home, and the Menomonies, it is expected, are soon to be removed to the same locality.

Fond du Lac and the adjoining counties are also annoyed with sundry Indians of the Winnebago, Menomonie, and other tribes, to which fact I have also called the attention of the Secretary.

If I have not addressed the proper department for relief in the premises, you will please have it referred to the proper one.

Your early attention to this matter will render an important service to many of our common constituents, and oblige

NELSON DEWEY.

Hon. HENRY DODGE,

*Senator in Congress from Wisconsin, Washington City.*



No. 7.

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*Lancaster, February 20, 1850.*

SIR: It is represented to this department by the petitions of sundry respectable citizens of this State residing on the Mississippi and its waters north of the Wisconsin river, which are herewith transmitted, that large numbers of the Winnebago tribe of Indians have left their homes in Minnesota Territory, descended the Mississippi, and located themselves in that part of this State referred to. It is also represented, and I think correctly, that they are a great annoyance and trouble to the settlers in that region, and have committed numerous depredations upon their property and persons, by driving them from their homes and firesides in some instances, and stealing and destroying their property. It also appears that they have assumed quite a threatening attitude towards the whites, threatening to drive and exterminate them from the country. Unless some immediate measures are taken to remove them from the limits of this State, where they have no right, or at least to check their boldness, apprehensions are entertained that serious difficulties may arise by their presence, and perhaps war. I have, therefore, thought proper to transmit the accompanying petitions, addressed to me, to the Secretary of the Interior, who has supervision of the various Indian tribes, and bring the subject officially to the notice of the general government, which has reserved to itself exclusive control over the Indian nations. I have to solicit your immediate attention to this matter, and request the speedy removal of these Indians, or at least to place a sufficient force in their vicinity to protect our citizens from their intrusions and assaults.

It is believed by those best acquainted with the northwestern Indians that additional military forces should be placed upon the waters of the upper Mississippi, to effectually protect the settlers on both sides of that river, and keep the Indians in proper subjection. The government owes it to the inhabitants who have settled upon the public domain to shield them from Indian intrusion; and the early interference of the government to effect the removal of these Indians may prevent consequences that may be deeply regretted.

It is also represented to me that sundry Indians of the Winnebago, Menomonie, and other tribes, have returned south of the Fox river, in this State, in Fond du Lac and adjoining counties, and are a great source of annoyance to the inhabitants. I have therefore called your attention to it, and request your favorable action to effect their removal.

I trust you will give the subject of this letter your immediate attention and favorable action, to relieve our citizens from the presence of these Indians, and quiet their well-grounded fears relative to them.

NELSON DEWEY.

HON. THOMAS EWING,

*Secretary of the Department of the Interior,  
Washington City.*

No. 8.

DEPARTMENT OF THE INTERIOR,  
*Office of Indian Affairs, April 8, 1850.*

SIR: In compliance with your directions, I have the honor to report upon the communication of Governor Dewey, of Wisconsin, and its enclosures, referred by you on the 5th instant, in relation to the injury and annoyance suffered by citizens of Wisconsin from refugee Winnebago Indians, and the importance of early measures being taken for their removal to their country on the Mississippi river.

A portion of the Winnebagoes have never removed to their new country—which is in the vicinity of Crow-wing river—having broken and fled when the body of the tribe emigrated in 1847. Others, from some cause or causes of dissatisfaction, have left since removal; and a part of those thus absent are in Iowa, and the rest, comprising the larger portion, are scattered in several sections in Wisconsin.

It is known to this office that the military department has taken measures to protect the citizens of both States, as far as possible, from depredation and outrage by them; and the impracticability of operating until after the opening of the spring, and the difficulty of determining as to the best mode of proceeding, only, have prevented this office from recommending proper measures for their removal, which should be effected at the earliest practicable period. So long as they remain among our citizens, they will annoy them, and commit depredations upon their property, in despite of every precaution that can be taken, which may lead to difficulties in which the rest of the tribe, and probably other tribes, may, and probably will, take part. Their remaining away has a tendency to seduce others from their country; and it will have a bad effect with reference to the removal of the Chippewas and the Menomonies from the lands heretofore ceded by them, which is intended to take place during this season. They should, therefore, be sent back to their country as soon as this can be done, and under circumstances calculated to induce them to remain there.

The Winnebagoes will be greatly averse to being removed by the military, which would excite dissatisfaction, and be prejudicial to success in detaining them after removal; while it is very doubtful whether this mode would be attended with success, as the Indians would probably break and scatter, and, from the nature of the country, would place themselves where the troops could not follow. It would certainly be attended with very great expense. Pacific and persuasive means would, it is believed, be attended with greater success and much better effects on the minds of the Indians; and I am therefore disposed, with your approbation, to enter into arrangements with some person of character and standing, acquainted with the country and the Indians, and having influence with them, to undertake their removal, and subsistence on the route, at a stipulated and reasonable sum, to be agreed upon, and who will obligate himself to make such arrangements for them in their country as will have a tendency to keep them there, by aiding such as remove sufficiently early to put in their crops, and to do such additional planting and cultivation as may be requisite for the remainder, so that they can immediately join their brethren on their arrival in the remaining culture of their crops. This would at once identify them with the country; they would, in the mean time, make themselves comfortable by building huts, as those that

have remained in the country have done; and, having raised sufficient, with the aid of their fall annuities, to make them comfortable during the winter, there would be little if any cause to apprehend their again leaving. The portion for which such arrangements have been made have so far remained contentedly and in good faith; and it is believed that it is only because all have not in this way been aided, that a portion have wandered off in pursuit of game and other means of subsistence elsewhere.

I am satisfied that an arrangement of the kind above referred to can be made immediately, so that the Indians, or the greater portion of them, can be got to their country early in the season. Indeed a proposition to that effect has already been made, by a gentleman whose character, standing, and influence with the Indians are known to the department, and testified to by the senators from Iowa, and Captain Eastman, of the army, long stationed on that frontier. There would be an ample guarantee that it would be efficiently and in good faith carried out. Great reliance is placed upon the opinions and views of Captain Eastman, who well understands the character of the Winnebagoes, was engaged in their removal in 1847, and knows the difficulties to be encountered; and he is decidedly in favor of such an arrangement as that proposed.

The subject is respectfully submitted for your consideration and decision.

OLANDO BROWN.

Hon. T. EWING,  
*Secretary of the Interior.*

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No. 9.

DEPARTMENT OF THE INTERIOR,  
*Washington, April 11, 1850.*

SIR: I have duly considered your report, of the 8th instant, upon the communications of the governor of Wisconsin and the Hon. Henry Dodge, in relation to the condition of certain Winnebago Indians now within the limits of the State of Wisconsin, and, in view of the appeal made to this department, I approve of the course you recommend for the removal of those Indians to their own country. In any arrangement that may be made, the requisite precautions will, of course, be adopted by you for their comfortable removal, and their kind treatment on the route; that only such Indians are to be embraced in the arrangement as are now out of their country and distant from it, and are not merely temporarily absent on hunting expeditions, or for other temporary purposes; and also that none of the Indians shall be paid for twice, in case of any of them again leaving their country.

Very respectfully, your obedient servant,

T. EWING,  
*Secretary.*

ORLANDO BROWN, Esq.,  
*Commissioner of Indian Affairs.*

No. 10.

MINNESOTA SUPERINTENDENCY,  
*Saint Paul, February 19, 1850.*

SIR: The enclosed is the copy of a communication just received from Governor Dewey, of Wisconsin. I have addressed the commandant at Fort Snelling and the agent of the Winnebagoes on the subject, and desired them to take active measures to effect a return of these Indians; but I fear that the lateness of the season, and the consequent weakening of the ice of the Mississippi, which furnishes the most convenient avenue of communication with the south in the winter, will prevent any very efficient measures from this quarter at this time.

I have directed the agent to bring a knowledge of your order of the 30th ultimo to the Indians at home and abroad, especially to those in Wisconsin and Iowa, immediately; and I have great confidence in its rigid execution, repressing their wandering propensities in the future, and thus saving the department much trouble.

Very respectfully, your obedient servant,

ALEXANDER RAMSEY.

HON. ORLANDO BROWN,  
*Commissioner of Indian Affairs, Washington city, D. C.*

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*Madison, January 29, 1850.*

SIR: It has been represented to this department by sundry citizens of this State, residing east of the Mississippi river and on the waters of Chippewa and Crawford, that a large party of Winnebago Indians, numbering several hundreds, and consisting principally of warriors, have left their home west of the Mississippi, in the Territory over which you preside, descended that river, and taken up their abode in that portion of this State above referred to. It is also represented that these Indians are becoming very troublesome to the citizens residing in that portion of this State, and are committing various depredations upon their property, by killing their cattle and stealing their property, and they even threaten to inflict violence upon the persons of the inhabitants, and drive them from the country, claiming it as their own. The people of that portion of the State are apprehensive that serious difficulties may result from the presence of these Indians, as they assume quite a threatening and hostile attitude towards them, and their numbers give them a confidence in their strength and importance which renders them insolent and oppressive in the highest degree. The people believe that their lives and property are at the mercy of these Indians, and that, unless relief is interposed on the part of the general government, or its constitutional authorities, their lives and property will be sacrificed to the rapacity of these savages. The absence of United States troops at Fort Crawford adds to their insolence, and increases their overbearing attitude.

As the State authorities have no control, in the first instance, over the Indian tribes, unless actual violence is committed, I have thought it my duty, as well as proper and expedient, to call your attention to this matter, as these Indians are under your superintendency, and to request your

interposition in behalf of that portion of this State annoyed by their presence, and to request that effectual relief may be extended, by their removal from the country, as they have no right to remain within the limits of this State. Unless some steps are taken by the general government to check their insolence, serious consequences may follow, which may result in bloodshed, and finally war. The national government having the exclusive control over the Indian nations, I have thought it imprudent for the State authorities to interfere with them, unless actual violence should be committed, or the general government fail to afford the relief our citizens have a right to claim at its hands; any other course might lead to serious consequences. I trust, therefore, that you will give your early attention to this matter, and extend relief to the people of this State, and secure them against the intrusions of these Indians, by causing their removal or otherwise. A company of United States troops in their vicinity would keep them peaceful towards the inhabitants; in case their removal could not be effected during the winter season.

I rely with the utmost confidence upon your favorable action, relative to the removal of these Indians and suppressing their depredations upon the property and persons of our citizens, believing that your interference will prevent consequences deeply to be regretted, and produce a friendly disposition on the part of the Indians.

NELSON DEWEY.

ALEXANDER RAMSEY,  
Governor of Minnesota Territory,  
and superintendent of Indian affairs in said Territory.

No. 11.

MINNESOTA SUPERINTENDENCY,  
Saint Paul, March 12, 1850.

SIR: I have just received another communication from Governor Dewey, of Wisconsin, on the subject of the removal of the Winnebago Indians from that State, a copy of which I enclose. I have addressed him an answer, with the assurance that the agent for the Winnebagoes will, in a few days, visit the locality of these Indians, and take measures for their removal. I suspect the representations made to Governor Dewey by his people are much exaggerated, but still the subject shall receive every attention at my hands. Colonel Loomis, lately in command at Fort Snelling, informed me that there was no force at that post that could be spared for this service, and I have therefore concluded to send the agent down, who, I have reason to think, will be able to induce the return of the Indians; at any rate, through him we can have reliable information on the subject. I have ordered him to write to Governor Dewey directly, if, upon a view of the premises, he finds the fears of the people of Wisconsin to be groundless.

Very respectfully, your obedient servant,

ALEXANDER RAMSEY.

Hon. O. BROWN,  
Commissioner of Indian Affairs, Washington.



STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,  
*Lancaster, February 20, 1850.*

I addressed you from Madison, a few days since, relative to the Winnebago Indians who have left their homes in the Territory over which you preside, and located themselves in this State, on the waters of Bad Axe, La Cross, and Black rivers, and become quite troublesome to the inhabitants of that section of country, requesting your interference for their removal, and to protect our citizens from their depredations, &c.

Since addressing you the note referred to, citizens of that section of this State have petitioned me, asking relief of a military character from the executive of this State, representing in urgent terms the hostile and unfriendly attitude assumed by those Indians, threatening personal violence to them, and, in some instances, already driving the settlers from their homes and firesides, and plundering them of whatever their fancy induced them to take.

The people apprehend that serious difficulties will follow from the presence of these Indians, unless some effective steps are taken to check their boldness and effect their early removal.

These Indians have no right to remain within the limits of this State; and the general government owes to our citizens, to whom they have sold lands and invited to settle on the public domain, to protect them from the annoyance and depredations of these and all other Indians—and the more particularly so, as it has reserved to itself the control, in all respects, of the Indian tribes, and withheld any interference with them on the part of the States.

These Indians being, as I conceive, properly under your superintendency and jurisdiction, I have again to solicit your aid and interference for their immediate removal, or at least to place a sufficient force of United States troops in their neighborhood as will protect our citizens from their depredations, and allay their fears. A small force might be sufficient.

Your interposition may prevent serious difficulties between our citizens and these Indians, and will avoid the interference of State authorities in the matter. I trust and hope you will give the subject your immediate attention, and extend such aid in the premises as is in your power.

You will have the goodness to write me on this subject, addressed to this place, by return of mail.

NELSON DEWEY.

ALEXANDER RAMSEY,  
*Governor of Minnesota Territory,  
and Superintendent of Indian Affairs.*

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No. 12.

OFFICE INDIAN AFFAIRS, April 15, 1850.

SIR: I have the honor to acknowledge the receipt of your letters of the 19th February and 12th March, enclosing communications from the governor of Wisconsin, in relation to the annoyances and evils caused to the citizens in several sections of that State by Winnebago Indians who

have left their country on the upper Mississippi, and the urgent necessity that exists for their early removal back to their homes.

There are a portion of the same Indians in Iowa, in respect to whom similar complaints have been made; and the department has for some time had under anxious consideration the subject of the best mode of getting them back to their country, with as little difficulty as possible, as soon as the season opened sufficiently for the commencement of operations for the purpose.

The fact is not to be disguised that a considerable portion of the Winnebagoes are dissatisfied with their country; but it is believed that this dissatisfaction is properly to be attributed to other causes than the locality and nature of the country. So far as I have been able to inform myself, I am inclined to think that, with proper management, they may be made comfortable and contented there; and I fear that it is mainly because sufficient measures have not been adopted to secure their comfort, that many have become dissatisfied and left their homes. I do not mean by this remark, however, to cast censure upon any one. The removal and establishment of the tribe in 1847 were attended with many difficulties: many things were required to be done for their comfort and convenience, some of which required time, and could not be accomplished in season to satisfy the natural impatience of the Indians.

They went to the country at rather an unpropitious season; and, when the spring came, they were destitute of the means of living there until they could plant and raise a crop; and, before the spring payment of their annuities was made to them, many were compelled to leave the country to hunt and procure subsistence elsewhere.

To effect the return of those that have left their country, and the removal there of those which have never gone, will be a work of very considerable difficulty, requiring much tact, energy, and influence. To attempt their removal by military force would be attended with great expense, while it might tend to exasperate them, and increase the difficulty of inducing them to remain in their country when they were got there. If they were disposed to resist, as many of them no doubt would be, serious difficulties and bloodshed might ensue. They would certainly break and scatter; and such is the nature of the country where many of them in Wisconsin are, or where they could readily go, they could easily elude the troops, and the difficulty and expense of their removal would be thus much enhanced; and, in the mean time, in consequence of their feelings of exasperation, the lives and property of our frontier citizens would be greatly endangered. Under these circumstances, and with these views, it has seemed to the department much the best to adopt a course that will have a conciliatory effect, and which, though it will be attended with some considerable expense, will involve less than the employment of military force, and, it is believed, will accomplish the object peacefully, and at a much earlier period; and with far more favorable results, with respect to inducing the Indians to remain in their country.

The course determined on, with the approbation of the Hon. Secretary of the Interior, has been the making of a contract with Henry M. Rice, esq., of Minnesota, for the removal of such of the Winnebagoes as never emigrated to the upper Mississippi, and such as have left there with no intention of returning. Those that are absent only on mere hunting expeditions, or for other temporary objects, will, of course, return of their own accord,

or can easily be induced to do so. Such as these are not embraced in the contract—a copy of which is enclosed, for the information of yourself and the agent.

You will perceive that payment to Mr. Rice is to be made on rolls to be certified by the agent as correct; and you will please to instruct him to exercise the proper and necessary care and discrimination, in order to insure that none are included on the rolls but such as are intended to be embraced by the contract, as explained above; while, at the same time, a fair and liberal course is to be pursued with respect to the rights and interests of the contractor. You will perceive that another set of rolls are to be left with you, of the Indians as they pass up by St. Paul; the object of which is, an additional guard against paying for Indians absent for temporary purposes only, which is probably the case with any out of their country above St. Paul.

With a view of inducing the Indians to remain, the contract, as you will perceive, requires Mr. Rice, at his own expense, to put in a crop for them of all such descriptions of grain and vegetables as can be raised and are cultivated by the Indians in that region of country; and he is also required to cultivate so much of the crop as may be necessary for such of the Indians as do not arrive in season to do it for themselves—the cultivation on his part, however, being continued only till their arrival, when, as in the case of all, every proper inducement and persuasive means should be adopted to induce them to go to work for themselves. The quantity of land to be planted is to be not less than one hundred acres, which is founded on the estimate of three hundred Indians. If there be more coming within the terms of the contract, an additional proportionate amount of planting will of course be required. So far as there may not be land already fenced and broken up, these are to be done at the expense of the government or the Indians; and instructions should be given to the agent to cause them to be done in season for planting. The lands to be used for the purpose are to be selected and designated by Mr. Rice, who feels a deep interest in the welfare of these Indians, and who, the department is satisfied, will select such as will be most suitable for a proper location for them, and give them the most satisfaction—a consideration of much importance with reference to their remaining in the country. The further to secure this desirable object, measures should be adopted to have a sufficient number of huts erected as soon as possible for the Indians to reside in; and you will please to give instructions accordingly. Timber being plenty, and there being a saw-mill in the country, it is presumed that this can be done at a comparatively small expense; and the greatest economy must be observed. In the location of the huts, the wishes and inclinations of the Indians should, as far as practicable, be consulted, in order to contribute towards their being satisfied.

To this end, the early payment of the spring annuity will also have a good effect, and the agent should go for and have the money ready with as little delay as possible. The Indians that remove may need still further means of subsistence than their share of the annuity will enable them to procure; and you are authorized to take measures to supply them with provisions, as they may want them, to the extent of one-half of the amount which the government furnishes them under treaty stipulations, leaving the other half to be supplied, as usual, when their annuities are paid in the fall. All the Indians in the country will of course have to participate in

those furnished this spring, as to supply some, and not others, though they may not actually need such aid, would cause great dissatisfaction on the part of those not supplied.

With the adoption and proper carrying out of all these measures, which will no doubt have the hearty co-operation of both yourself and the agent, it is believed that the comfortable establishment of the Indians in the country, and their remaining there, will be secured, and that there will thus be an end of the perplexity, trouble, and anxiety on account of these Indians to which the department has for some time been subjected. From the great influence Mr. Rice is known to possess with the Winnebagoes, his commendable anxiety for their welfare, and his known energy and efficiency, the department cannot doubt his success in effecting their return to their country.

Very respectfully, your obedient servant,

O. BROWN.

His Excellency ALEX. RAMSEY,  
*St. Paul, Minnesota.*

No. 13.

DEPARTMENT OF THE INTERIOR,  
*Office of Indian Affairs, April 19, 1850.*

SIR: You are aware that much alarm and annoyance among the citizens in portions of Wisconsin and Iowa have been caused by Winnebago Indians, some of whom never removed to their new country on the upper Mississippi river, and others have left it and returned to the vicinity of their old haunts lower down the Mississippi; and your department has taken measures to secure adequate protection to the citizens, and to quiet their apprehensions.

It being a matter of great importance to get all these refugee Winnebagoes to their country as soon as practicable; and in as quiet and peaceful a manner as possible, I have the honor to state for your information that a contract has been made with H. M. Rice, esq., of Minnesota—who has great influence with these Indians, and can exercise a powerful control over them—by which he has undertaken to remove them, and to aid in establishing them in their country, under such circumstances as will have a tendency to induce them to remain there.

I would respectfully suggest that the military officers in command in that section of the country be advised of this arrangement, in order that, in any measures they may contemplate for giving protection to the citizens, they may as far as possible avoid interfering with Mr. Rice's operations, and that they may give him any aid or co-operation in their power, so far as it may be judged to be necessary. It is hoped that, with the arrangement that will be made to make these Indians comfortable in their country, and to induce them to remain there, the latter object will be effected; though a sufficient amount of force, stationed at the proper points, to prevent the escape of any so disposed, may, for some time, be requisite or important to secure that object.

Very respectfully,

ORLANDO BROWN.

Hon. G. W. CRAWFORD,  
*Secretary of War.*

No. 14.

## DEPARTMENT OF THE INTERIOR,

*Office of Indian Affairs, April 19, 1850.*

SIR: In transmitting the enclosed copy of a communication of this date, addressed to the Hon. Secretary of War, I beg leave to state, what I omitted in my letter of the 15th instant, that among the reasons for making the arrangement with Mr. Rice for the removal of the Winnebagoes was the fact that the matter required immediate and efficient action; that there was not time to consult with you as to the best course to be pursued; and, Mr. Rice being here, and having ample assurance that he would be able to effect the return of the Winnebagoes, and the removal of such as had never gone to their country, as expeditiously, and with as little, and probably less, difficulty, than in any other way, it was deemed advisable, under all the circumstances of the case, to make the arrangement with him. The department was also not unmindful of the fact that your duties as governor and superintendent of Indian affairs are very arduous; and, as much of your time and attention will be required in effecting the removal of the Chippewas, it was not deemed just or proper to tax you further, in relation to the removal of the Winnebagoes, than to the extent to which your attention to the subject is requested in my letter of the 15th instant.

You will perceive that particular care is to be taken that no Indians be admitted on the rolls, on which payment is to be made to Mr. Rice who are only temporarily absent from their country; and the second set of rolls, to be delivered to you at St. Paul, are intended to serve as a check in that respect with reference to Indians above that point; and, so far as it may be able to make the examination and to discriminate, you will please to take such precaution as may be in your power to exclude from the rolls to be delivered to you any of the same class of Indians taken up from below St. Paul, taking the manifest intent of the contract as your guide in all these matters.

Very respectfully,

ORLANDO BROWN.

His Excellency ALEXANDER RAMSEY,

*Governor and Superintendent, St. Paul, Minnesota.*

No. 15.

GREEN BAY SUB-AGENCY,

*March 22, 1850.*

SIR: I would beg leave respectfully to notify the department that, in consequence of there being many rumors afloat referring to the return of the Winnebagoes to this State—from which they had been removed in 1848, in accordance with the provisions of the treaty previously entered into by them; and Captain Maloney, United States army, having received instructions from Colonel Lee, the commanding officer at Fort Howard, to make as thorough an investigation of the matter as practicable,—I deemed it proper to assist him in so doing; and I will now proceed to relate the result of those inquiries.



On mentioning the matter to Oshkosh, the head chief of the Menomonie nation, he complained very much that, during the past winter, many of the Winnebagoes had hunted upon lands now occupied by the Menomonies, and which the latter ceded to the United States by the treaty of 1848. He stated that the Winnebagoes were scattered all over the country adjacent to the Wisconsin river, in small encampments, and that their numbers were large; that he had been visited by several of the Winnebago warriors, who stated that they were unwilling to return to their own country west of the Mississippi, and that a part of two bands had been in the country last occupied by the Winnebagoes; and ceded by the Menomonies in 1848; that, for some time past, they had moved about from place to place, but their headquarters were on the Lemenway and Yellow rivers, which empty into the Wisconsin on the west side; and that they were determined, if possible, by stratagem, to remain in the country. We accordingly visited that portion of the country where the Winnebagoes were said to be; and, in the neighborhood of Barraboo river, which empties into the Wisconsin about three miles below Fort Winnebago, I found many of the citizens much alarmed; and, in some cases, where all the settlements were sparse, and at a considerable distance from each other, they would leave their own houses, and several families assemble together, for the purpose of protecting themselves and families during the night, as they apprehended an attack at that time; but I myself could see no reason for their so doing, except that an unusual number of Winnebagoes had made their appearance in that country during the past winter, and among them many strange Indians. In some cases, indeed, when the Indians were excited by hunger, they would go to the settlements to beg for something to eat, and, if it was not freely given to them, they would frequently resort to stealing to procure it, and even, in some instances, they would proceed to threats. When they were in liquor, they would appear saucy, thus annoying the present sparse population, and tending in some cases to prevent others from locating themselves in the region formerly occupied by the Winnebagoes, where they are now skulking about, and, should they feel so disposed, could do much injury before they could be arrested by the government. The names of the principal Winnebagoes are: the Dandy, who is a shrewd man, and has been in the country for some years, and is apparently determined not to leave; the Yellow Thunder, who is at the head of a small band, and has, as I am informed, succeeded in purchasing a small tract, near the mouth of Dell creek, on which he resides; the Little Carrimanau, Split-nose, the Duck, and the son of a prominent Indian formerly known as the Lynx. Their whole number may be stated at from 1,000 to 1,250 souls, of which there are from 300 to 400 warriors; and they are constantly moving about on the head-waters of the Black and La Cross rivers, which empty into the Mississippi on the east side, between seventy and eighty miles above Prairie du Chien, and thence to the Barraboo, Lemenway, and Yellow rivers, and Dell creek, which empty into the Wisconsin on the west side, and extending from Fort Winnebago northwardly up the Wisconsin some sixty or seventy miles: and some few are occasionally found on the banks of the Fox river. They are constantly on the alert, and on the look-out for the arrival of soldiers, and continue in small encampments, and as much scattered as possible, and hope, by so doing, to succeed in remaining where they are, though I do not believe that they

have any hostile intentions, further than to procure for themselves the necessaries of life, except while under the influence of liquor, to which they are much addicted.

They give as their reasons for returning to this State, first, the poverty of the soil in their new country; secondly, the thickness of woods where the game is, which prevents their hunting successfully; thirdly, the scarcity of game; and fourthly, the danger and dread in which they stand of the Sioux, which prevents their penetrating far enough into the country, for fear of being cut off by them; and, indeed, the latter seems to be the principal, if not the only, reason, from what I can learn from various persons who have returned from that country during the past winter.

I have the honor to remain, very respectfully, your most obedient servant,

W. H. BRUCE,  
*Sub-Indian Agent.*

Hon. ORLANDO BROWN,  
*Commissioner Indian Affairs.*

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No. 16.

FORT HOWARD, GREEN BAY, WISCONSIN,  
March 22, 1850.

SIR: Herewith I have the honor to make the following report, agreeably to instructions received from you, dated Fort Howard, March 7, 1850, to proceed and accompany William Bruce, sub-Indian agent, to Oshkosh's encampment, head chief of the Menomonie tribe of Indians, near the Grand Rapids, Wisconsin river; also, to proceed further in the Winnebago country, and ascertain what brought back the Winnebago Indians, and what number of them have returned. I arrived, in company with Mr. Bruce, the sub-agent, at Oshkosh's encampment, on the 12th instant. Oshkosh seemed happy to see us, he appearing very much distressed, he having been threatened by his warriors in relation to the murder of his son-in-law, who was killed last January by a white man, Joseph Kayan, and his warriors holding him responsible for to seek redress. Oshkosh and the relatives of the deceased being present, Mr. Bruce talked with them in relation to the murder, telling them that the murderer had been tried, acquitted, and had left the country; Mr. Bruce stating to them that he had done all that could be done, which appears to have reconciled the Indians very much; and I am of opinion that it will die away, leaving Oshkosh to be out of all danger and threats from his warriors. Oshkosh says he will have the delegation ready to start from the 1st to the 10th of May next, when the grass commences to show itself, when Mr. Bruce says the word.

In relation to the Winnebagoes, Oshkosh says there are a great many of them here more than of his; they frequently come about his camp asking for sugar; says they will not leave their old ground—would sooner die first; was informed by a man of the name of Panquet, who has just returned from the Winnebago new country, (a trader,) who says the half of them have returned to their old ground; they are frightened to live among the Sioux and Fox Indians, and would sooner die on their old

hunting grounds than go back amongst those Indians. Also, Mr. Mines, who lives at the Grand Rapids, and trades some with Yellow Thunder's band, says the same; and a number of other persons, who see some of them frequently. They are separated in small bands, headed by the following named Indians, who formerly were chiefs in their new country: Canomonee, Dandy, Yellow Thunder, Lynx, Split-nose, Hill, and the Duck, each having from thirty to forty men with them, and reside about the Lemenway river, Black river, Dell creek, Barraboo river, and are constantly moving about in that section of the country; and I am of opinion that this information can be relied upon. They frequently come to the new settlers' houses, when men are in the woods at work, and demand something to eat; have done no harm as yet, but the people who are making new farms, and their houses so far from each other that they are very much alarmed, and can't tell the moment they will commence; and some of the new settlers have left their houses, having come into the more settled parts of the country. In case they are removed this summer, they have a very large country to fall back upon, and all of them have good horses or ponies; and I would suggest that dragoons are the only troops who can hunt them up, and make them give up, by hunting them, and keeping them from hunting, which is the only means they have of living. The country is full of game.

I am, sir, very respectfully, your obedient servant,

M. MALONEY,  
*Brevet Captain 4th Infantry.*

Colonel F. LEE,  
*4th Infantry, commanding post,  
Fort Howard, Wisconsin.*

True copy:

B. D. FORSYTHE,  
*Lieutenant post.*

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No. 17.

GREEN BAY SUB-AGENCY, *March 22, 1850.*

SIR: Having received from Oshkosh, head chief of the Menomonie nation, a request to visit that portion of the tribe living on Wisconsin river, (according to the arrangement made with him by me in January last, and of which I notified the department in my communication referring to the difficulties with that nation,) I accordingly started from here on the 7th instant, in company with Captain Maloney, United States army, who went with me, under an order from Colonel Lee, the commanding officer at Fort Howard. We arrived at Oshkosh's village on the 12th instant, and found he was absent at his sugar camp, and immediately despatched a runner to request him to come in, which he accordingly did the next day, accompanied by several of his band; and after some conversation with them, I found them to be friends of the man murdered in January last by Kayan—a detailed account of which transaction accompanied the communication above referred to. I became satisfied that the white population would remain perfectly passive in the matter, as Kayan had left that part of the country; but I found the Indians

who accompanied Oshkosh very much incensed against the latter for having twice prevented them from revenging themselves on Kayan, as stated in my previous communication. I thereupon counselled with them, and stated that I had taken much trouble in the matter, and used my best endeavors to get a rehearing of the case before the proper tribunal, but had hitherto failed. I should, nevertheless, continue to use my best endeavors to effect that object, of which they seemed satisfied. But I found, on talking with Oshkosh and his friends, that he was not safe, as threats had been openly made by the friends of the deceased; and Oshkosh stated, that there was but one way to effect a reconciliation, and that was, to comply with the Indian custom of making presents to the nearest relations and friends of the deceased, in compensation for the loss sustained by his death. He stated that he would willingly do so, but could not, as he had no means. The Indians present, among whom was Oshkosh's son; together with Oshkosh himself, requested me to aid him in this matter, and have the amount deducted from their next annuity payment. After counselling with Captain Maloney, I became satisfied that something ought to be done. I acceded to their request, and promised that the presents should be made, though I could not do it at the time, as there was nothing to be had there. The friends and relatives of the deceased accepted my proposition, and agreed to proceed no further, as I made myself personally responsible to them that the presents should be forthcoming as soon as I arrived at the sub-agency. The amount will not exceed fifty dollars, and I have procured the goods, to be paid for out of the next annuity payment.

I would also state that I made it a part of my business to inquire into the feelings of that portion of the tribe then assembled; and I found, to my satisfaction, that they were daily becoming more inclined to comply with the views of the government, and that the delegation would start to explore their new country as soon as the proper time arrived; and my present intention is, to call upon them to do so as early as practicable.

I have the honor to remain, very respectfully, your most obedient servant,

WM. H. BRUCE, *Sub-Indian Agent.*

HON. ORLANDO BROWN,  
*Commissioner of Indian Affairs.*

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No. 18.

FEBRUARY 19, 1850.

SIR: The enclosed article is cut from a newspaper printed in Dubuque, Iowa; and, as its tendency will be to mislead many in regard to the treatment of the Winnebago Indians by our government, you will oblige me much by sending me a brief statement exhibiting their number, the quantity of land allowed them, the amount of money paid them annually, and all other favors granted them—by which I may be enabled to refute this wholesale charge against the government, of fraud and injustice to those Indians.

Very respectfully, sir, your obedient servant,

GEO. W. JONES.

HON. O. BROWN,  
*Commissioner of Indian Affairs.*

No. 19.

DEPARTMENT OF THE INTERIOR,  
*Office of Indian Affairs, February 23, 1850.*

SIR: I return herewith the newspaper slip enclosed in your letter of the 19th instant, and have the honor to inform you that the statements therein—that the government has “swindled” the Winnebagoes; that it compelled them to sell their hunting-grounds for just what it “was willing to give, and accept, in part payment, such lands as were utterly unfit for the habitations of man”—are without any just foundation whatever.

The Winnebagoes were not “compelled” to sell their late country, in Iowa, at all. As important as its acquisition was for the rapidly increasing white population in that State, and for its redemption from the barrenness and desolation of Indian occupancy; and as necessary as were its purchase and the removal of the Indians, in order to put a stop to their depredations and outrages upon our frontier citizens,—no compulsion whatever, nor any improper influence or persuasion, was used to induce them to dispose of it. The treaty by which it was acquired was made with a number of their most intelligent chiefs, aided by the advice and counsel of several white persons, whose interest it was—being traders among them—that they should receive the largest amount, in reason, for their country. In exchange, the United States purchased and gave to them a country nearly as large as that they sold; and the large sum of \$190,000 in addition; and the country so given to them is known to be far better for the Indian occupancy than that they disposed of. It contains an abundance of good land, on which corn, wheat, and the ordinary vegetables, can, it is believed, with ordinary industry, be raised without difficulty; and it is, moreover, interspersed with lakes, containing abundance of fine fish, and producing large quantities of wild rice, both of which are favorite articles of food with our northern Indians. The greatest objection to it is, that is somewhat more rigorous in winter than where they formerly resided, though the difference in this respect must be quite limited. On this account, the government was anxious that the Winnebagoes should go southwest; and the greatest influence or persuasion that was used towards them was to induce them to do so. But this they peremptorily refused, and insisted on going north. By the treaty they had the privilege of selecting a country for themselves, or of appointing an agent to do so for them; they adopted the latter course, and appointed a gentleman of character and intelligence, who had aided them in making the treaty, in whom they had the utmost confidence, and who was known to be much attached to them, and to have a warm regard for their welfare. He selected their present country, and, after reporting to the Indians fully its character and advantages, they confirmed the selection; and it is believed that it is only a portion of the more idle and worthless of the tribe that really manifest dissatisfaction with it—operated upon, probably, by those who formerly drove a profitable, but accursed, traffic with them in spirituous liquors, which their removal broke up.

The means and resources of the Winnebagoes, derived from the government, show its liberality in its dealings with them. They are, proportionately, the richest and best off of any of our northern tribes. Numbering but about 2,000, they have a country of at least 800,000 acres,



much of it good land, with the other advantages that have been mentioned; while they receive annually about \$52,000 in money, \$30,775 in goods, provisions, salt, and tobacco, and some \$14,000 for assistance in agriculture, for blacksmiths, iron and steel, medical assistance and medicines, and schools. If, under these circumstances, their situation is not comfortable, it is because of their own idle and reckless conduct, and their refusal to be governed by the advice of their agents, and to avail themselves, in a proper manner, of the means provided for their benefit and welfare.

ORLANDO BROWN.

Hon. G. W. JONES, *Senate*.

No. 20.

WINNEBAGO AGENCY, *November 1, 1849.*

SIR: Having certified to the correctness of your account for services as a delegate for the Winnebago Indians to visit Washington, in 1846, for the sale of their lands in the State of Iowa, I deem it proper to make a brief explanation of the circumstances under which said service was rendered.

When the Winnebago chiefs were invited to send a delegation to Washington, in the fall of 1846, several of the old and most influential chiefs declined going, but they authorized certain individuals to represent them in the delegation. "Watch-ha-ta-kow," one of the most influential of the chiefs, authorized you to represent him in said delegation, and insisted on your being one of the delegates of the tribe. As you visited Washington at your own expense, I consider it but just that the amount of your travelling expenses should be refunded; and, in consideration of the important services you rendered the government in effecting a treaty, I have no hesitation in saying that your account, as charged, is just, and ought to be allowed.

Very respectfully, your obedient servant,

J. E. FLETCHER,

*Indian Agent.*

H. M. RICE, Esq., *St. Paul's.*

No. 21.

SENATE CHAMBER,  
*Washington, December 6, 1849.*

SIR: We have the honor to enclose you, herewith, the account of Henry M. Rice, esq., of St. Paul's, Minnesota Territory, for service rendered the government in 1846, in effecting a treaty with, and assisting to conduct to and from this city, a delegation of the Winnebago Indians.

The account itself is certified and approved by General J. E. Fletcher, the agent of the Winnebago Indians. He has, in addition to this usual and formal certificate, addressed a letter to Mr. Rice, which we also enclose, which goes to show the value of the services rendered by Mr. Rice

to the government in effecting the important treaty which was concluded in 1846 with those Indians.

In addition to what General Fletcher has so justly said in behalf of Mr. Rice's services and influence at the time referred to, we have no hesitation in saying that we believe the treaty could not have been effected but for the services of Mr. Rice. All who know Mr. Rice, and who are also acquainted with the character of the Indians with whom he has been so long and so intimately acquainted, will admit that his influence over them is equal to, if not more potential than, that of any other man.

We recollect well, at the time the treaty referred to above was made, that it was conceded that the same could not have been effected but for the exertions of Mr. Rice: first, in inducing the nation to send a delegation to Washington; and, afterwards, in accompanying them to the seat of government, and, while here, in convincing the delegation of the propriety of concluding the treaty for the sale of their country in our State, and for their removal to, and location on, the Crow wing.

It will be recollected—and the records of the Indian Bureau show the same—that some four or five or six efforts were made in different years, previous to 1846, to induce the Winnebagoes to cede their lands west of the Mississippi to the general government, without effect.

The charges made by Mr. Rice for his extraordinary services referred to are exceeding reasonable, and especially so when we consider the extensive sacrifices to his private affairs at the time. We therefore hope that you will direct his account to be paid, not only because of the services he has already performed, but as an inducement to him and others who may be similarly situated hereafter to lend their influence to the general government.

We are, very respectfully, sir, your obedient servants,

A. C. DODGE.  
GEO. W. JONES.

HON. ORLANDO BROWN,  
*Commissioner of Indian Affairs.*

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No. 22.

U. S. SENATE,  
Washington, D. C., April 9, 1850.

SIR: It is of the utmost importance to the people residing on what is called the Neutral Ground, in Iowa, as well as those of western Wisconsin, that the bands of Winnebagoes who have recently left their new homes, near Fort Gaines, in Minnesota Territory, should be required to return to them. Unless this can be effected within a short time, it is very much to be apprehended that serious collisions will take place between those Indians and citizens of the two States referred to above.

My opinion is that the best mode suggested, or which may be advised, is to employ Henry M. Rice, esq., of Minnesota, who is now in this city, and who is known to have more influence with these Indians than any or perhaps all other white men, to go directly to where those Indians now are scattered through northern Iowa and western Wisconsin, have them col-

lected and returned by steamboats to St. Paul's, and sent thence by land to their homes near their agency. I believe that Mr. Rice is the ONLY man who can induce these Indians to return to their homes; but he cannot do this unless he is furnished with ample means to enable him to furnish them with provisions, clothing, horses, &c., &c., and by making liberal presents to the heads of those families who have returned to Wisconsin and Iowa.

I am firmly of the opinion that Mr. Rice can do more to induce the Winnebagoes to return to Minnesota than one hundred U. S. dragoons, and at infinitely less expense to the government, and certainly without any danger of embroiling our northern frontier in another Indian war, such as occurred in 1832 with the Sacs and Foxes, when the Black Hawk war was brought on, *solely*, in my opinion, in consequence of sending to Rock Island the U. S. troops from St. Louis. Had a similar course then been adopted with reference to the Sacs and Foxes as I now suggest as to the Winnebagoes—and as others have suggested before myself—I have no doubt the evils of the Black Hawk war would have been averted.

Mr. Rice is the only man who can effect the removal of the Winnebagoes without delay or bloodshed, and this because of his unbounded influence over those Indians. I hope his appointment will be made immediately, and ample means placed in his hands to enable him to carry out speedily and peaceably the much desired object.

Respectfully, your obedient servant,

GEO. W. JONES.

ORLANDO BROWN, Esq.,

*Commissioner of Indian Affairs, Washington, D. C.*

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No. 23.

WASHINGTON CITY, May 6, 1850.

SIR: You have done me the honor to consult me, and to request my views, respecting the Winnebago Indians that have left their country, and the best course to pursue to get them back and to induce them to remain there. I respectfully submit the following as the result of my reflections upon the subject. Portions of the Winnebagoes having come over to and in the vicinity of the Menomonies' country, and caused more or less uneasiness and alarm among our citizens, I thought it proper to obtain and communicate all the information I could respecting them; and, accompanied by Captain Maloney, of the army, I accordingly, with that view, made a tour of observation to the vicinity of a number of the different bands. The results you have in my report, and in one made by Captain Maloney, a copy of which I submitted. To effect the removal of the refugee Winnebagoes from the section where they now are, and to succeed in keeping them in their own country, will be a work of no little difficulty, and may involve considerable expense. To attempt their removal by military force would be attended with a very heavy expenditure, while success, unless after very considerable delay, would be uncertain; and the effect of such a removal upon the Indians would be very

unfavorable, with reference to prevailing upon them to remain in their country, unless they were severely chastised by the military, and compelled through fear so to remain.

This course would, however, be inhuman, there being nothing to justify it; and, before it could be accomplished, the lives and property of many of our citizens might be endangered, if not sacrificed. I think, on the contrary, that they ought, under the circumstances, to be treated with consideration and kindness. They have several times been removed within a comparatively short space of time, and have abandoned their former residences with great regret; and they begin to think that the government has very little consideration for them, and does not intend to permit them to remain permanently anywhere. I have no doubt that a feeling of this kind has operated, to a considerable extent, to prevent their having a disposition to settle down and make themselves comfortable in their new country—though there are other causes for their not doing so.

The country given to them on the upper Mississippi is less fertile, and furnishes less game, than their former residence, and the climate is more severe. They are also settled directly between the Sioux and Chippewas, who are almost constantly at war. The Winnebagoes dread the Sioux, and to some extent the Chippewas also, and they fear becoming involved in their difficulties. There is another circumstance which may have operated to cause many to be dissatisfied with their country, and to leave it: after being removed in 1848, I am informed they reached there too late to plant and establish themselves comfortably for the winter, and that, from the scarcity of the game, they were compelled, after exhausting their annuities, to go elsewhere in search of subsistence.

I think, under all these circumstances, the government should, as far as possible, pursue a humane, kind, and liberal course towards them, and, if possible, induce them to return to their own country by persuasive measures. It ought in justice to be done, if they could be induced to go. There would be a much greater chance of their remaining when they got there, though I do not think that this end can be entirely effected unless the government will extend to them a liberal hand, and do all in its power to aid them in comfortably establishing and maintaining themselves for a year or more; and, under the most favorable circumstances, there will be some still disposed to wander off again—to prevent which, as well as to give them a feeling of security from danger from the Sioux or Chippewas, it will be essential that an adequate military force be kept up, for a time at least, at proper points in the vicinity of their country.

The course I have suggested will, I am aware, involve a considerable expense; for the Winnebagoes are very averse to going to their country, and it will be a difficult and expensive undertaking to get them to do so. An attempt to remove them by force, as I have stated, would be of doubtful success, unless after considerable delay, as the Indians are much scattered, and such is the nature of the country that they could easily evade the troops, and fall back into the thick forests and swamps in which the country immediately in rear of their present location abounds; and hence it would be difficult, and in many places impossible, for the troops to follow them. Indeed, I may say, without intending any reflection upon our gallant army, that military operations against the Winnebagoes,

during the last ten years have fully shown the necessity of adopting some other course to effect a contented disposition on the part of these poor, unhappy people, to remain in their own country.

In 1840 there were two regiments of infantry and one company of dragoons actively engaged in effecting their removal west of the Mississippi, at an immense expense; and immediately after their removal, large parties were constantly returning, and year after year the troops were engaged in searching out their remote locations in Wisconsin, and sending them to their own homes. Military were employed to remove them in 1848; but many of their numbers, I understand, made their escape, who have never gone to their country on the upper Mississippi, and many have since left it—the military force in that quarter probably being too small, and not of the right kind to prevent their doing so.

The resort to forcible measures towards these Indians for so long a time has probably tended to keep them in a dissatisfied and discontented state; and it appears to me that, under the circumstances of their case, the effect of a more humane and liberal course of policy should now be tried with these miserable and unhappy people.

In alluding to the probable heavy expenses of attempting their removal now by military force, I refer only to those in Wisconsin, having no information in relation to those in Iowa. To effect the removal of the former, Colonel Lee, commanding the troops at Green Bay, in a report upon the subject, stated, I think, that from four to six companies of infantry and one or two of dragoons would be necessary. To transport this amount of force to the different stations where it would have to operate, and to maintain it there during the time it would necessarily be occupied, probably several months at least, would certainly be attended with a very heavy expense.

Having thus given you the result of my reflections upon the different points apparently involved in the matter under consideration, I have the honor to be, sir, your most obedient servant,

W. H. BRUCE,  
*Indian Sub-agent.*

HON. ORLANDO BROWN,  
*Commissioner of Indian Affairs.*

No. 24.

DEPARTMENT OF THE INTERIOR,  
*Office of Indian Affairs, May 6, 1850.*

SIR: Since advising you on the 15th ultimo that the department had entered into a contract with Henry M. Rice, esq., for the collection and removal of certain Winnebagoes therein indicated from Iowa and Wisconsin, I have received a communication from the Hon. H. H. Sibley protesting against said contract. Inasmuch as your name enters into Mr. Sibley's letter and my answer to the same, upon reflection, I have determined to lay the entire correspondence before you—copies of which you will accordingly find herewith enclosed, also a duplicate copy of the contract, in case of the miscarriage of the one forwarded on the 15th ultimo.



Convinced as I am of the erroneous view taken by Mr. Sibley as to the false position in which this measure will place yourself and General Fletcher, and relying, as I do, upon your well-known sound discretion and judgment, any further notice of this particular point than that contained in my answer to Mr. Sibley is deemed entirely superfluous. I therefore submit the whole subject to your Excellency, with entire confidence as to the result.

Very, &c.,

ORLANDO BROWN.

His Excel. Governor ALEX. RAMSEY,  
*St. Paul's, Minnesota.*

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No. 25.

OFFICE OF INDIAN AFFAIRS,  
*May 10, 1850.*

SIR: I would respectfully call your attention to the enclosed communication from a committee of Congress in relation to removing the Winnebagoes.

The part to which I would particularly call your attention is the "fitness of Mr. Rice to perform the services." You did me the honor to express in a personal interview a favorable opinion of his fitness—having had personal evidence of his influence with the Indians. Will you please state to me in writing the substance of what was said by you at a former interview, as the committee desire written evidence?

Most respectfully, yours, &c.,

ORLANDO BROWN.

Captain EASTMAN.

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No. 26.

WASHINGTON, D. C., *May 11, 1850.*

SIR: I have the honor to acknowledge the receipt of your communication of May 10, 1850, requesting me to state my opinion of the fitness of Mr. Rice to remove the Winnebago Indians from Wisconsin and Iowa to their own country, in Minnesota Territory.

Mr. Rice has been a trader with the Winnebagoes for many years, and during that time has obtained great influence over them. In 1847, while I was engaged in removing this tribe from Wabasha's Prairie to their new country, in Minnesota Territory, his influence was called into requisition, and he assisted me materially in peaceably removing them. My opinion of his fitness for this duty is founded entirely on the influence he had then over the Winnebagoes; and if he still retains it, which I believe he does, he will not only be able to fulfil his contract with the government, but have the most of them removed back to their own country in less than two months from this.

Very respectfully, your obedient servant,

S. EASTMAN,  
*Captain 1st U. S. Infantry.*

ORLANDO BROWN, Esq.,  
*Commissioner Indian Affairs.*

No. 27.

SPRINGVILLE, *February 16, 1850.*

SIR: The population here and at the northern part of our county (Crawford) are very much excited about the Indians. There are several hundred in our vicinity; and they have threatened several families with death; on the border settlements, if they did not leave their dwellings.

The Indians are dissatisfied with the lands assigned them up north, (at Crow-wing;) they say that they will have their old homes back again, or other lands where game is more abundant, else they will kill every family (white) north of the Wisconsin river.

The people here cannot protect themselves and prosecute their agricultural pursuits the approaching season. Our country here, for the last two years, has settled rapidly, and we anticipate an augmentation to our numbers here, at the Round Prairie, of 100 per cent. against next November. Several memorials or petitions have been forwarded to you and the War Department in relation to this matter; but we cannot learn, as yet, what action you have made or may make in the premises.

Some of our inhabitants, who profess to understand all about the Indian character, think that you, as commander-in-chief of the militia, ought to send about two companies—one to rendezvous in the vicinity, and another at Black river. The Indians are all along the Mississippi river, from township 10 north to township 21 or 25, and a great many on Black river and La Cross; and it is said that there are several hundred on Coon river, from ten to fifteen miles from this place.

We hope that you, in your wisdom and magnanimity, may take such steps as will relieve the fears of our population.

You will confer an especial favor on our citizens by dropping me a few lines, showing what disposition you make of it.

I am, sir, with great respect, your Excellency's obedient servant,

ISAAC SPENCER.

To his Excellency NELSON DEWEY,

No. 28.

*To his Excellency Governor Dewey.*

The undersigned, citizens of the town of Bad Axe, ask your honor that you order your troops sent to remove the Indians from our settlements; they are daily threatening the lives of the citizens, and have driven some from their homes. Mr. Pettit, one of the best men that we have, has been driven from his home. The question may be asked, "if he has not sold whiskey to them?" but can be answered, "No." Mr. Pettit is every way a fine man; he fought under Taylor at Buena Vista, and is anything but a coward; but the Indians drove him with tomahawks, and were seven in number, and he alone: and this is not the first time. And for the safety of our lives and property, there should be something done, and right soon; for the Indians are making all the preparations they can for the worst.

Samuel Nelson  
M. P. Gillett

H. H. Bailey  
Wm. W. Reed

Geo. W. Hawkins  
James Bishop  
De Witt C. Pardun  
Jeremiah Frame  
James Frame  
Daniel Crame  
John Crame  
Jacob Spalding

Thomas H. Reed  
N. B. Palmer  
Walter P. Pardun  
Jesse Pardeux  
Silas Frame  
Geo. W. Swan  
James Crome.

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No. 29.

PRAIRIE DU CHIEN, *February 18, 1850.*

DEAR SIR: This note will be handed to you by Mr. Pettit, of Crawford county; he has been appointed by the citizens of Round Prairie and La Cross to present to your Excellency a petition praying for assistance to aid in removing the Indians from our frontier settlements. The Winnebagoes have returned to the waters of Black river and La Cross, and threaten to massacre the inhabitants, without regard to age or sex, unless they leave the country and move south of the Wisconsin river. The bearer of this note was driven from his home last week, with his family, into the settlement, and his life threatened if he did not comply. From the best information we can get, there are perhaps one thousand Indians on the waters of Black river and La Cross. There are men enough in this county to drive the Indians from the country, but no one wishes to take the responsibility; and if you can render us no assistance in the shape of men or munitions of war, we wish to be advised if any private citizen would be justifiable in raising a volunteer company, and furnishing them with supplies sufficient to enable them to act efficiently in such an emergency. Do me the favor to drop me a line by the bearer, advising me what course to take in the premises.

Your obedient servant,

W. T. STINTING.

GOV. NELSON DEWEY, *Madison, Wisconsin.*

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No. 30.

*To his Excellency Nelson Dewey, Governor of Wisconsin.*

Your petitioners, of Crawford county, would humbly represent to your Excellency that we are greatly annoyed by nearly all of the Winnebago nation of Indians being in this county, between the waters of Black river and Bad Axe; and it is reported by those who are acquainted with them that there are companies of other Indians arriving daily among the Winnebagoes, and that the Winnebagoes say that they have formed and bargained with other Indians to murder all of the whites north of the Wisconsin river as soon as the snow leaves, so that the whites cannot track them. They are decidedly hostile, and have entered the dwellings of several of our citizens who live isolated from the settlements, and taken away whatever they wanted, and threatening death in case of resistance; and that they ordered and compelled some of our citizens to leave their

homes; and that great consternation prevails throughout our entire settlement; and we are not in a situation to protect ourselves; and many of our settlers are preparing to leave the country; and we are of the opinion that, if we do not get assistance, and there should be a general outbreak, it will set our county back at least five years; besides, the lives of many valuable citizens are in danger. We would therefore beg leave to petition your Excellency to raise a sufficient force of the militia to keep them under subjection; and would suggest that at least three hundred men be raised, and one hundred be stationed at Round Prairie, one hundred at Prairie La Cross, and one hundred at Black River Falls; and we are of opinion that they ought to be here in fifteen days from this time. And we further recommend to your favorable consideration the bearer of this petition, Mr. George F. Pettit, as a gentleman of undoubted veracity.

William Wallace Defue  
George H. Ensign  
J. Higgins  
Jonathan Pettit  
Orin B. Wisel  
James Foster  
Jerome Gillett  
A. H. Gillett  
Thomas Gillett  
Cyrus Gillett  
Leonard Gillett  
Samuel L. Ingrain  
Benj. Rhoades  
Bela Rhoades  
Benjamin Welse  
George G. Gice  
William Welse  
Jacob Johnson  
Lagrant Stirling  
Lewis Stirling

L. J. M. Devall  
Andrew Briggs  
George S. McCormack  
Andrew Briggs  
George P. Taylor  
Abner Conklin  
Ransom Lamb  
Wm. H. Griffin  
Josephus Stiles  
Abraham Stiles  
John Stiles  
A. H. Alder  
John Tanner  
Henry C. Swain  
Benjamin McCormick  
William Haverland  
Alexander Catsham  
Anson G. Tainter  
Ezekiel Tainter.

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No. 31.

*To his Excellency Nelson Dewey.*

Your petitioners, of Crawford county, would humbly represent to your Excellency that we are greatly annoyed by all of the Winnebago nation of Indians being in this county, between the waters of Black river and Bad Axe; and it is reported by those who are acquainted with them that there is a portion of the Sioux arriving daily among them, and that the Winnebagoes say that they have formed a bargain with the Sioux to murder all the whites north of the Wisconsin river as soon as the snow leaves, so they cannot be tracked. They are decidedly hostile, and entered the dwellings of several of our citizens who live isolated from the settlements, and carried off whatever they wanted, threatening death in case of resistance; and that they ordered and compelled some of our citizens to leave their homes; and that great consternation prevails through-

out our entire settlements; and that we are not in a situation to defend ourselves; and many of our citizens are preparing to leave the county; and we are of the opinion that, if we do not get assistance, and there should be a general outbreak—which we have every reason to expect—it will set our county back at least five years, and ruin many of our citizens; besides, the lives of many valuable members of this community are in danger: that we would therefore beg leave to petition your Excellency to raise a sufficient force of the militia to keep them under subjection; and would recommend at least three hundred men be raised—one hundred to be stationed at Round Prairie, one hundred at Prairie La Cross, and the remainder at the falls of Black river; and we are of the opinion that they should be here within fifteen days after the receipt of this petition. And we would further recommend to your favorable consideration the bearer of this petition, Mr. George F. Pettit, as a gentleman of undoubted integrity. In duty bound, your petitioners will ever pray.

Wm. C. McMichael  
Baker Graham  
Benjamin Graham  
Edmund Strong  
Walter Bert  
Peter Lamals  
Leverett H. Alvord  
David Countryman  
Joseph Walle  
Henry Waters  
J. H. Ludduth  
Rufus S. Goff  
Edward S. Cox

Charles Waters  
Charles B. Cox  
Luther W. Arms.  
George Smith  
A. W. Gilott  
Wm. D. Spangos  
Martin Nienhart  
Richard Sturg  
H. Murphy  
N. W. Murphy  
Martin Waddle  
Daniel Cox.

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No. 32.

*To his Excellency Governor Dewey.*

The undersigned, citizens of the town of Bad Axe, ask of your honor that you order troops out to remove the Indians from our settlement. They are daily threatening the lives of the citizens, and have driven some from their homes. Mr. Pettit, one of the best men that we have, has been driven from his home. The question may be asked, "if he has not sold whiskey to them?" but can be answered, "No." Mr. Pettit, in every way, is a fine man. He fought under Taylor at Buena Vista, and is anything but a coward. But the Indians drove him with tomahawks, and were seven in number, and he alone. And this is not the first case. And for the safety of our lives and property there should something done, and that right soon; for the Indians are making all the preparations they can for the worst.

George Dacey  
A. W. Gillett  
Thomas Harriss  
Edmund Strong  
J. C. Taylor  
Quintan Armstrong

John Allen  
Nelson Rhoades  
Jackson Plick  
Marion Plick  
John Plick  
Solomon Plick.



No. 33.

*To his Excellency Nelson Dewey.*

Your petitioners would humbly represent that a greater portion of the nation of Winnebago Indians are now between the waters of Black river and Bad Axe, and are acting decidedly *hostile*—entering houses and taking therefrom anything that they take a fancy to, threatening death in case of resistance. They further state, that it is their intention of murdering all the whites north of the Wisconsin in the spring, as soon as the snow leaves, so that the whites cannot track them. It is stated that certain disaffected clans of the Sioux nation are joining them. Dandy Jack, their bravest chief, is daily haranguing his warriors with war speeches; he tells them to fight like braves, or live like dogs. Your Excellency will see at a glance that such a state of affairs is calculated greatly to injure a new and flourishing settlement. We would therefore suggest to your Excellency that immediate steps be taken to extend to us that protection the laws of our country guaranty. There should be, in our opinion, at least three hundred soldiers stationed in this county—one hundred on Round Prairie, one hundred at the mouth of La Cross, and one hundred on Black river. Believing that immediate action may save the lives of some, at least, of our citizens, you will give your earliest possible attention. And, as in duty bound, we will ever pray.

Isaac Spencer  
Thomas Gillett  
Jerome Gillett  
A. W. Gillett  
William Gillett  
James M. Bailey  
William Clark  
James A. Ceesse  
Lars Christofarson  
Isaac S. Crumes

Mose Decker  
Leonard Gillett  
Cyrus Gillett  
Rufus Gillett  
Samuel Nelson  
James Clark  
George G. Guist  
Benjamin Wells  
Wm. Crumes  
Simon Rundull.

No. 34.

SPRINGVILLE, CRAWFORD COUNTY, WISCONSIN,  
February 18, 1850.

DEAR SIR: I cannot, in justice to my family and neighbors, forbear addressing a few lines to you, who appear to be the only source from which we can expect aid. It is in consequence of the danger to which we view ourselves and children exposed that I write these lines; and I would not hesitate to say—at least it is my opinion—that every mother within the circle of this vicinity would most earnestly join me in soliciting your assistance, to provide means for our safety—I mean to protect us from the Indians. We are apprized of the fact that we are nearly surrounded by the savages. We understand they are in almost every part of our settlement. It appears that they are viewing the country, to find the residence of every inhabitant. We are informed by the French (who

are connected with their tribe) of their intention. They say, if we do not leave the country before spring, we shall leave then. They have said they would be revenged on us for their misfortunes. They do not appear friendly, as before they were removed, a year ago. They show their malignity by keeping at a distance; and, if people call to them, they return no answer, but make off with an air of contempt, when before they would come nigh, and be friendly. Now, the question is: Is it our privilege, or theirs, to inhabit this place, (or country?) If it is theirs, we want orders to leave immediately. If ours, we want them to leave, so that we can enjoy it, without having our mind constantly perplexed with the idea of being either robbed or murdered. This, sir, is a subject which excites the feelings of almost every individual, although but few are willing to acknowledge that we are in danger of our lives, while their conduct proves the reverse. Many have quit work—such as rail-making—and keep close about their houses. Women are afraid to have their husbands go from home. Indeed, some of the frontier settlers are leaving their houses, and coming into the settlement. I have conversed with many of good understanding, and find every person has his fears with regard to our safety. The savages, if they should rise, would soon finish their work of death in our little settlement, unless something is done to prevent them. In fact, this subject demands your attention; something must be done immediately. We are anxiously expecting and impatiently waiting to know what course to pursue. Please inform us, by directing to Clement Spaulding, postmaster, of Springville, Crawford county, Wisconsin.

Accept this from your humble suppliant,

H. Y. SPAULDING.

Hon. NELSON DEWEY.

May we hear from you by the first mail?

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No. 35.

MINNESOTA SUPERINTENDENCY,  
St. Paul, May 2, 1850.

SIR: I have the honor to enclose a communication, written by General Fletcher, Winnebago agent, intended to have been sent directly to you, as I advised him to do; but, returning on the "Nominee," he brought it with him, that I might transmit it.

Very respectfully, your obedient servant,

ALEX. RAMSEY.

Hon. O. BROWN,

*Commissioner Indian Affairs; Washington, D. C.*

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No. 36.

STEAMBOAT "NOMINEE,"  
April 24, 1850.

SIR: Repeated and greivous complaints from citizens of Wisconsin, respecting hostilities and depredations threatened and committed by the Winnebago Indians, and the application of Governor Dewey for the re-

removal of said Indians, induced Governor Ramsey to direct me to repair to the scene of their alleged hostilities and depredations and ascertain the facts, and also to endeavor to induce the Indians to return to their own country. Accordingly, I left the agency at Long Prairie on the 24th ultimo, on that service. After a tedious journey of 200 miles by land, and 140 miles in a skiff, I reached Prairie-a-la-Crosse; in the neighborhood of which place the troubles with the Indians were reported to have arisen. I found some 200 Indians scattered along the Mississippi, within a range of some 80 miles. After the most diligent inquiry, I could not learn that there was any foundation for the reports respecting the hostile intentions of the Indians. Two families left the neighborhood of the Indians last winter on account of the fear of them. I could not learn that the Indians had injured these families in any way. I found the Indians were invited and encouraged by many of the citizens on the Mississippi to come and hunt and trade there. I find that a majority of the citizens trade with the Indians, and many furnish them whiskey: in fact, the facility with which the Indians obtain whiskey in Wisconsin is one of the principal inducements which keep them there. Most of the Indians on the Mississippi have agreed to return to their own country as soon as they can collect their families.

From Prairie-a-la-Crosse, I went to the Lemenway river, where I found a large number of Winnebagoes. Dandy and Elk are the principal chiefs there. Yellow Thunder is also in the neighborhood. Dandy refuses to leave the country. The traders there encourage him and his people to remain; and it will be necessary to silence these traders, or resort to force to remove the Indians. Whiskey is furnished the Indians in that neighborhood by their traders.

The citizens do not complain of any serious misconduct on the part of the Indians. All property lost is, of course, charged to them; but, on examination, I found that, with one exception, no proof could be found. Some of the citizens wish to have the Indians leave the settlement. There is no doubt that the presence of the Indians greatly retards the settlement of the northern portion of Wisconsin.

On my return to Prairie-a-la-Crosse last evening, I was informed that Mr. H. M. Rice has been appointed agent to remove the Winnebagoes from Wisconsin and Iowa. Elk and his party will be in to Prairie-a-la-Crosse in a few days; and I presume that by the time Mr. Rice arrives, the Indians will be ready to remove. I have made arrangements for the removal and subsistence of the Indians, and, as soon as the grass will subsist their horses, they will remove.

I have concluded to return to the agency, as it is important that I should be there to superintend farming operations for the Indians.

I have the honor to be, with great respect, your obedient servant,

J. E. FLETCHER,  
*Indian Agent.*

Hon. O. BROWN,  
*Commissioner, &c.*

No. 37.

MINNESOTA SUPERINTENDENCY,  
*St. Paul's, May 2, 1850.*

SIR: The mail received this morning per steamer "Nominee" brought me your communications of the 15th and 19th ultimo, respectively, relating to the contract made with H. M. Rice, esq., for the removal of the Winnebagoes. The boat carrying the return mail will leave again to-day, and I am therefore necessarily precluded, for want of time, from giving my opinion as fully upon the subject, and making suggestions relative thereto, as I should have desired.

I regret very much that time did not admit of your consulting with me before entering into this contract, as I am satisfied the subject was not properly understood in Washington.

The agent, as you will perceive from his communication, also sent by this mail, was progressing in the duty I charged him with of removing these Indians. He informs me that several hundred were ready to leave in the early boats, and that the balance of those who were temporarily absent would have returned so soon as they received information that the money had gone up.

It is needless to inform any one at all familiar with Indian character, and the manner in which influence over Indians is exercised through their half-breed relatives and numerous hangers-on, that it is vain to expect that the agents of the government can control these people, after knowledge of the fact of a contract of this character has reached them, to wit: that \$70 per head could be obtained for the shipment homeward of each Indian.

What are familiarly known on this frontier as "Dandy's band" (consisting of a few hundred Indians, under the leadership of a chief of that name) have never been in the country north of the Watab. In addition to these, there are a few hundred others in Wisconsin and Iowa, and a like number on the Missouri, who never yet have been in Minnesota. There are several hundred, who, for the want of dragoons here to intercept them, are in the habit of going to their old hunting grounds in Wisconsin from mere love of roving, and because of the great ease with which they there obtain whiskey. They usually go down after each payment, and return before the ensuing one.

If the contract is intended to apply only to those first named, to wit: "Dandy's band," and those who as yet have never been up, it may cover five or six hundred Indians; if intended to apply to the residue likewise, it will cover twelve hundred.

Now, on this head, I respectfully ask explicit instructions. Indians anywhere in Minnesota, whether above or below St. Paul's, are easily controlled; and I judged, learning that those above St. Paul's were to be excluded from the roll, that the inference followed that *all*—both classes I have referred to—were to be placed upon the rolls, and paid for at \$70 per head. But as the amount to be paid is so much larger than the actual expense of removal, and as there is an apparent contradiction in the terms of the contract and the instructions contained in your letters of the 15th and 19th ultimo, I have directed Mr. Rice to bring up all the Indians he finds, keeping a strict account of the expense involved in the transmission of such Indians as have been here before, especially such as have hereto-

fore attended payments; premising that, as to such, government would reimburse his actual expenses, with such additional compensation as he and the agents of government might determine upon, if you say that, under the contract, such as have attended payments heretofore are not to be paid for at the rate of \$70 per head.

This was the best that could be done under the circumstances, for it would be impossible, or at least extremely difficult, now to bring on those collected by the agent differently from those under charge of the contractor; and moreover, your instructions aforesaid, and telegraphic despatch, require me to send the agent below at once.

I will, as I feel the interests of government absolutely require it—especially as the agent is to leave at once for St. Louis—appoint a gentleman of character, familiar with Indian faces, names, &c., to assist General Fletcher in checking the roll. His other duties are sufficiently arduous to require this aid, and the immense importance of the thing to government will, I feel, justify it. I shall employ such person, subject to your approval of the person and contract, and think that \$4 per diem will have to be paid to insure the services of a proper person.

I received your telegraphic despatch, dated April 16, 1850, in these words: "Efficient measures have been adopted for removal of Winnebagoes. Agent need not go among them, but to St. Louis for annuities, and instructions will be sent at once."

At that time the agent had been absent among them sixteen days, and, as you will see by his communication, had effected considerable in the work of removal.

It is of course of no consequence as respects the contract with Mr. Rice; but I simply mention, as it is information your bureau should be in possession of, and may be of use hereafter, that a gentleman who possesses probably as much influence over the Winnebagoes as any other man in the country (I allude to Hon. David Olmstead) says that he would gladly have taken the contract at \$30 per head, with the expectation of making a large profit at that price; and from my knowledge of the country, I am satisfied it could be done for less.

Very respectfully, your obedient servant,

ALEX. RAMSEY.

Hon. O. BROWN,

*Commissioner of Indian Affairs, Washington, D. C.*

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No. 38.

DEPARTMENT OF THE INTERIOR,  
*Office of Indian Affairs, May 14, 1850.*

SIR: I have the honor to acknowledge the receipt of your letter of the 2d instant. I regret equally with yourself that the necessity for prompt and immediate action on the subject of the removal of the Winnebagoes, who were causing much alarm among our citizens, did not admit of my consulting you: but, as explained in my letter of the 19th of April, the exigency of the case seemed to admit of no delay; and as the requisite number of troops to effect their removal could not easily be obtained, and the policy of employing the military is more than doubtful, in my estimation, especially as it could be done only at an enormous expense, I saw



no alternative to making the arrangement I did, having, as I believe, and still believe, ample assurance that it would be successful, and involve far less expense than the employment of the requisite number of troops to effect the object, to say nothing of the greater humanity of the measure.

You say that there is an apparent contradiction between the contract and instructions as to the Indians below St. Paul to be embraced in the contract, and ask for explicit instructions in relation thereto. On a careful consideration of the contract and the instructions, I am unable to perceive any such contradiction as you intimate: on the contrary, it seems to me that there is entire harmony and consistency between the two. The contract itself is very explicit as to the class or classes of the Indians to be embraced in it and paid for, viz: "That the Indians stipulated to be removed and paid for shall include only those who never removed to their said country on the upper Mississippi river, and such as have abandoned it with no view of returning thereto;" that is, in respect to the latter, those who, after removal, permanently abandoned the country, and were substantially in the same situation, with reference to non-residence and indisposition to go there, as those who had never gone; hence the stipulation that ground was to be planted, and huts prepared for them, to induce them not only to go, but to remain. The department was aware that numbers of those out of the country had left it only temporarily, and were in the habit of wandering from it in search of game, or for other temporary objects, and going back again. All such, wherever they may be, are excluded from the arrangement with Mr. Rice, both by the contract and the instructions. It was supposed and believed—and, no doubt, correctly—that *all* the Winnebagoes above St. Paul were only temporarily absent, and not, therefore, within the terms of the contract; and one object of the second set of rolls, to be delivered to you, was, to detect whether any of them got upon the rolls to be certified by Agent Fletcher, and, if so, to exclude their being paid for; while you were specifically requested, in the instructions of the 19th of April, to exclude all of the same class of Indians taken up from below St. Paul from the rolls delivered to you. It seems to me, therefore, that there is no contradiction between the contract and instructions, and no ambiguity or uncertainty as to the Indians to be embraced in the arrangement with Mr. Rice; and so, I think, you will discover on a further examination.

With respect to what you say about the price stipulated to be paid to Mr. Rice, I am aware that, for any Indians that may be on or near the Mississippi, and for mere removal, the price would, of course, seem to be very extravagant; but many of the Indians to be removed by him are far in the interior of Wisconsin, others in the interior of Iowa, and all more or less scattered. It will require much trouble and expense to get them as far as the Mississippi, or, indeed, to get them to move at all; and when, in addition to this, there is taken into consideration all that Mr. Rice is required to do for them, in carrying out the benevolent and humane policy of the government towards them, I do not think that the price can be regarded as unreasonable. From all the information I have been able to obtain, he will experience great difficulty, and be obliged to incur very heavy expense, in carrying out his contract.

Very respectfully, your obedient servant,

ORLANDO BROWN.

His Excellency ALEXANDER RAMSEY,  
Governor, &c., St. Paul, Minnesota.

No. 39.

## PRAIRIE LA CROSS, WISCONSIN, May 3, 1850:

SIR: On my arrival at Prairie du Chien, on the 25th ultimo, I found that my telegraphic despatches had been duly received, and that runners were out in every direction. At this place and immediate vicinity I found a large number of Winnebagoes. Their agent, General Fletcher, had been among them some time, and was unable to take them up; he took up only *three*, and abandoned the others before receiving orders so to do. The Indians positively refused to go with him, and he took away his interpreter, and did not make any provision for their *subsistence or removal*. From this place I went to Wabashaw Prairie, on the Iowa side, and found some there; they were very much exasperated because their agent had threatened them with troops. The Dandy, after seeing the agent, left, and went further into the interior. It will be ten or fifteen days before I shall be able to see him. Had the agent kept away, I should have seen him ere this, or would be able to do so in a day or two. From this place I went to St. Paul, and from that point sent men, teams, seed, &c., to plant their fields; seven Winnebagoes accompanied me. Governor Ramsey had doubts in regard to the contract. He is of the opinion that some that are here are only temporarily absent, and has doubts about their being included in the contract, although he thinks that they have only visited their agency for the purpose of getting their annuities. He promised to submit the point to the department, and I told him that I would proceed with the removal, and abide the decision. I do not think that any intended to return with their property, or for any other purpose than getting their money; but if a part did intend to return and remain in their own country, they could not without assistance. They are two hundred miles below St. Paul, and are in a most miserable condition. Their money and goods have all been squandered for whiskey, and they are now destitute of almost everything, and their agent left them nothing. Were they able to get up without aid, how am I to select those ~~that have~~ no intention of returning from those that wish to return? And could I make the selection, I could not, in any way, cause more dissatisfaction than by doing it. It would be very hard to say to one Indian, "You must get up the best way you can, because you are willing to do as the department wishes;" and at the same time say to his companion, "You have acted badly in not complying with your treaty stipulations; and I am authorized by the department to clothe, feed, and transport you and your family, free of expense to yourself, to your own country." If I acted upon that principle, I could not remove one-half. They must all be located alike, and they must *all* feel that the government wishes to treat them kindly; else their removal will be only temporary.

I am of the opinion that all that are below St. Paul are clearly included within the contract, and shall act accordingly. I have made every arrangement for their comfort, and have so arranged as to be able to take them up without any inconvenience to themselves. I have left provisions at all suitable points; also, tents, shoes, &c. I have engaged twenty teams, at St. Paul, to be ready on our arrival, so that they may reach their agency in time for their annuities. From all I can now learn, I have no hesitancy in saying that I shall succeed in removing them, and that

their removal will be permanent, provided they are furnished with a proper agent.

I meet with opposition, as I anticipated; and our delegate, H. H. Sibley, has represented that I have practised fraud upon the department—that the number of Indians will amount to *one thousand*. So far as the fraud is concerned, I am not alarmed; and in regard to the number of Indians, I hope the department will wait until they are removed—their number will then be known. I must here remark, that, if our delegate estimates the Indians as he did the population of the Territory he represents, allowances are to be made for him. That the Territory might be early organized, it was represented as containing twenty-five thousand whites; but nine months after, when the census was taken; there were not quite five thousand. I hold myself responsible to the department for any written or verbal statement that I have made, and trust that if any doubts now exist, they will soon be removed. I am in hopes to go up with a party of them next week, and will then be able to give the department positive information in regard to their numbers, and also of the ultimate success of the undertaking. I have been on the move continually since I left Washington, and find it, in the situation I am in, quite difficult to make as clear a report as I should like; but trust the department will make all due allowances for the position I am in.

Very respectfully, your obedient servant,

HENRY M. RICE,

*Of Minnesota, Removal Contractor.*

Hon. O. BROWN,

*Commissioner of Indian Affairs, Washington, D. C.*

## APPENDIX.

### No. 1.

WASHINGTON CITY, D. C., June 18, 1850.

SIR: While engaged in fulfilling a contract made between you, on behalf of the United States, and myself, for the removal of the Winnebago Indians from the States of Wisconsin and Iowa, I was informed that an attempt was being made to impugn the motives of your department in giving me that contract, and at the same time to fasten the charge of *fraud* and gross deception on my part in obtaining the same. Those charges coming from a source that *should* be respectable, I deemed it necessary to repair to this city, hoping that I should be granted the privilege of replying to them—confident that I should be able to prove that they were false, and were made in a spirit of malice and revenge.

Being unaware of the specifications of those charges which have been made a subject of investigation, I, of course, cannot at present reply to them in detail; but, conscious of no wrong, I feel strong in the conviction that, whatever may be their nature, an exposition of the facts will fully vindicate myself and others implicated from any and every dishonorable charge, either in intention or action, in letting the contract, or in its execution: and for these facts allow me to refer you to the statements of Messrs. Haney, Bishop, and others, which I to-day ask leave to lay be-

fore you. And, in addition to these, permit me to call your attention to some facts in regard to former removals of these Indians, which facts are to be found on file in the War Department, and which came under my own observation.

In the year 1840, about 1,200 of these Indians were to be removed, under treaty stipulations, a distance of 120 miles, viz: from Fort Winnebago to the west bank of the Mississippi river. The summer was spent by General Atkinson, who had charge of their emigration, with six companies of the sixth regiment of infantry, in attempting it. He called to his aid General Brooke, with most of the fifth infantry; and General Worth was ordered, with the eighth regiment of infantry, from Sackett's Harbor, to repair to Wisconsin, and with his ten companies to aid in the removal of the Winnebagoes. This large force of over two regiments succeeded in forcing a large majority of them across the Mississippi, and to remain during the presence of the troops; while about 300 of them never did leave the swamps of Wisconsin, but have remained there during a period of over ten years, in violation of their treaty stipulations; and to the great and constant annoyance of the inhabitants of that section, whose petitions for relief for the last few years show, conclusively, the fear in which they held this troublesome band of Indians. From the year 1840 to 1848, from three to six companies of dragoons and infantry were kept in Wisconsin and Iowa to protect the citizens and remove this renegade party to their own country; and the files of the War Department will show that hundreds of thousands of dollars were thus expended, but without accomplishing the object.

In 1846, the authorities of the tribe negotiated a treaty with the government, stipulating to remove to a country five hundred miles north of their old home. The summer of 1848 was spent, and over one hundred thousand dollars, in removing about 1,300 Indians; and you will permit me to say, without fear of contradiction by any of my *present accusers*, or any one else, that, but for my personal efforts and the efforts of those connected with me, *this much* would not have been accomplished. In 1849, a large number of young men went north for the purpose of drawing their annuities, but left their relatives behind, with the intention of returning to them as soon as the annuity payment was over; which intention they fully carried out: thus leaving in Iowa and Wisconsin about 400—to which number should be added a party that have expatriated themselves and gone to live with tribes west of the Missouri river, numbering about 200. The contract binds me to remove all of those who never did remove, and all who had abandoned their country with no intention of returning, which includes the 600 above mentioned; although at the time of taking the contract I had overlooked those *west* of the Missouri. Any one acquainted with the country and the distance will know that seventy dollars per head for removing, feeding, and clothing this party—admitting that they should be *willing* to go—will not cover the actual expense of the undertaking, to say nothing of the risk and trouble. I agreed to plant and cultivate for them not less than one hundred acres of land. The seed and men I had to procure from a distance of nearly five hundred miles from their agency. I had no time to lose; and at a great expense I procured seed and men, and had *two hundred and twenty-five* acres of land planted in time, and left good men to take care of the fields until the Indians should remove, at which time they are to be turned over to them. I also agreed to furnish them with suitable transportation, with good and

wholesome provisions, with blankets, tents, cooking utensils, shoes, and everything necessary to their comfort. I have removed 323, and respectfully refer you to the accompanying papers to show whether I have fully complied with my part of the contract or not.

I have had, and have now, a very competent interpreter in the country, employed, (including all of their own half-breeds, and all others that can exert any influence among them,) at a large expense, engaged in hunting them up and assembling them at different points on the Mississippi river for embarkation. And here you will indulge me in one word relative to the difficulties I have had to encounter, beyond those indicated by the unsuccessful efforts and fruitless expenditures of the government, heretofore alluded to. And these obstacles were such as I had not anticipated, and are from a source that *should* stand above reproach. The *proofs* are herewith submitted. The persons who have thus violated the laws of the land, by attempting to prevent the execution of treaty stipulations, by throwing obstacles in the way of my removing these Indians, are largely connected with the trade in the Indian country, and under their licenses claim protection from the same laws they have so grossly violated. Provisions, ammunition, &c., have been sent down to them after they were assembled for embarkation, and gratuitously given them, to induce them to scatter, and enable them to subsist, and thus defeat me in my efforts. Whiskey has been dealt out to them profusely, and everything done that malice and personal hostility could suggest, and unprincipled agents execute, to render this attempt to remove these disaffected Winnebagoes another failure.

During the summer I shall remove the balance of the tribe—at least use every effort in my power; and should I fail, it will be at my own cost—the government runs no risk. Their agent spent over three weeks last spring, and removed only five Indians; and three of those left him and returned into Wisconsin before I commenced operations. Before I reached Wisconsin, their agent had abandoned the undertaking; and I would respectfully refer you to the letter of one of his interpreters to show the condition in which he left the Indians, and the hopelessness of his making further attempts.

In conclusion, permit me to add that, in view of the history of this disaffected people and the cost of efforts made heretofore to induce them to leave their old homes, and which is in possession of the War Office, I believe that the committee will sustain the Hon. Commissioner of Indian Affairs in what he has done in this, exonerate *him* from any charge of improper action, and conclude that he has adopted the most judicious and least expensive mode of removing these troublesome Indians to their new home in the north.

I left my business in the West, and hastened here, while this subject was before the committee, to vindicate my character against the malicious attacks which have been made here, confident that I should show to my friends that, of whatever nature those charges may be, I have been worthy of the generous support they have given me during my absence.

With much respect, I have the honor to be your most obedient servant,

HENRY M. RICE,

*Removal Contractor.*

Hon. COMMISSIONER OF INDIAN AFFAIRS.



## No. 2.

STATE OF WISCONSIN, *county of Crawford*, ss:

John M. Levy, of Prairie La Cross, in said county, being duly sworn, deposes and says as follows, to wit: I am an Indian trader, and have traded among the Winnebago Indians for several years, and speak their language. On or about the 13th day of May, in the year 1850, Mr. Joseph Mosher, of St. Paul, and who is book-keeper and chief clerk of the fur company, composed of P. Chouteau, jr., of New York and St. Louis, and the Hon. Henry H. Sibley and Charles W. Borup, of Minnesota, doing business at St. Paul under the name of the Minnesota Outfit, came to my house at Prairie La Cross, at which place Henry M. Rice was assembling the Winnebago Indians for the purpose of removing them to their own country, and said he was a friend of the Hon. Henry H. Sibley, and asked permission to remain in my house, which was granted. After being with me a short time, he began to question me in regard to the probable success of Mr. Henry M. Rice in removing the Indians, and told me that, if money could prevent his removing them, he must be prevented; and he requested me to use all the means in my power to thwart their removal, and said that if I would, the company would reward me handsomely, as money was no object to them in the matter. He remained with me that night and the next day, and then left for St. Paul.

About the 17th day of May, 1850, I received by the steamer "Nominee," on her downward trip, 5 barrels of flour, 2 kegs of powder, 10 bags of shot, and 1 package of cloth, being the same articles mentioned in the letter of Charles W. Borup, dated May 16, and a bill of lading, which were carried down by the boat and mailed to me at Prairie du Chien; which articles Mr. Mosher had previously requested me, on behalf of the fur company, to distribute among the Indians, to induce them to scatter through the country, so as to prevent Mr. Rice from removing them. The next week Mr. Mosher paid me another visit, and urged me to spare neither pains nor expense in preventing Mr. Rice from carrying out his contract with the government for the removal of the Indians, and said that Rice must be stopped at all hazards. He also told me that Dr. Borup desired me to go up to St. Paul, to have a talk with me. Accordingly, on the 22d of May, I went to St. Paul, on the steamer "Nominee," and the next day had a conversation with the said Doctor Charles W. Borup, who then told me, among other things, that the amount Mr. Rice was to receive for removing the Indians was to be paid out of their annuities; and if I could make the Indians understand that, and they would refuse to go with or be removed by Mr. Rice, they would find a plenty of friends at St. Paul. He asked me during the conversation if I knew Mr. Chouteau, Mr. Sarpy, and Mr. Sere, members of the company.

The Indians were supplied with whiskey at every point along the river, in the vicinity of Prairie La Cross, after they had been collected by Mr. Rice, and, while in their drunken carousals, squandered the tents, clothing, &c., furnished by him, and afterwards scattered into the back country.

All the Indians collected or removed by Mr. Rice were well fed, clothed, and provided for, by him.

JOHN M. LEVY.

Acknowledged, sworn, and subscribed to before me, this seventh day of June, A. D. 1850.

[L. s.]

D. G. FENTON,  
*Judge County Court, Crawford county, Wisconsin.*

No. 3.

TERRITORY OF MINNESOTA, *county of Ramsey, ss:*

Putnam P. Bishop, of said county, and of the age of twenty-six years, being duly sworn, deposes and says: That he was employed by Henry M. Rice, on the 4th day of May, 1850, to take charge of a gang of men and teams, with instructions to plant two hundred acres of land with corn, potatoes, and pumpkins, near the Winnebago agency in said Territory; and, according to the estimate of Mr. Griswold, agency farmer, and said deponent; he, the said deponent, caused to be planted, agreeably to said instructions, in a good and husband-like manner, two hundred acres of land near the agency as aforesaid; and there are now at that place a sufficient number of men employed to take charge of and protect the fields so planted until the same shall be put in the possession of the Indians. And said deponent further says, that said two hundred acres of land so planted with corn, potatoes, and pumpkin seeds, as aforesaid, was all the land the Indian agent had prepared for planting, except such as he had reserved for other purposes.

P. P. BISHOP.

RAMSEY COUNTY, *ss:*

I, Ellis G. Whitall, a notary public in and for said county, do certify that, on this 5th day of June, in the year 1850, the above-named P. P. Bishop personally came before me and made oath that the foregoing affidavit is true, and subscribed his name thereto; and I further certify that I am well acquainted with the said Putnam P. Bishop, that he is a man of respectability, and that his reputation for truth and veracity is unquestionable.

In witness whereof, I hereunto set my hand and affix my seal of [L. s.] office, the day and year aforesaid, at St. Paul.

ELLIS G. WHITALL,  
*Notary Public.*

In addition to the foregoing two hundred acres, I have at my own expense ploughed, fenced, and planted, just above the mouth of the Watab river, and within the Winnebago country, twenty-five acres of land, which has been turned over to Indians that I have removed.

HENRY M. RICE,  
*Removal Contractor.*

## No. 4.

TERRITORY OF MINNESOTA, *county of Ramsey, ss:*

John Haney, jr., of said county, being duly sworn, deposes and says as follows, to wit: I am twenty-seven years of age; am doing a forwarding and commission business at St. Paul, and know Henry M. Rice, who has recently brought up from the country below about three hundred and twenty-three Winnebago Indians; and for the transportation of all of said Indians to their own country I furnished an ample number of good horse teams, with careful teamsters, and in charge of safe, prudent, and suitable conductors. Each party were furnished with a full supply of good and wholesome provisions, consisting of pork, flour, hard bread, sugar, and tea; and also with tents, blankets, shoes, leggins, and every other article necessary to their comfort. I have resided eleven years with the Winnebago Indians, and am well acquainted with them and their language; and I saw personally to their wants. They made no complaints, but, on the contrary, expressed themselves well satisfied with their conveyances, provisions, &c. I assisted in the removal of the tribe in 1848, by their agent; and those removed by Mr. Rice were better provided with transportation and subsistence than those removed in 1848. A large number of those brought up by Mr. Rice have never before been removed; and of those who had been removed before, the largest portion had been absent from their own country about one year, and the remainder had been absent not less than six months. None of the Indians composing the aforesaid number of three hundred and twenty-three were brought up twice by Mr. Rice. I am not in any way connected with him in business, and have no interest whatever in the removal of said Indians; and the transportation and subsistence, and clothing and equipage, so far as the same were supplied by me, were procured at the cost and on behalf of Mr. Rice, he being accountable to me only for my time and trouble.

JOHN HANEY, Jr.

TERRITORY OF MINNESOTA, *Ramsey county, ss:*

I certify that the above-named John Haney, jr., this day appeared before me, and swore and subscribed to the foregoing affidavit; and I also certify that I am well acquainted with the said John Haney, jr., and that his reputation for truth and veracity is unquestionable, and his standing and respectability are good.

In witness whereof, I hereunto set my hand and seal of office, this [L. s.] 5th day of June, in the year 1850, at St. Paul.

ELLIS G. WHITALL, *Notary Public.*

ST. PAUL, May 16, 1850.

Received of Minnesota Outfit the undermentioned articles, in good order, which I promise to deliver in like good order, and without delay, to M. Levy, at Prairie La Cross, at the rate of two dollars per cwt., paid by shippers.

Mark.	Articles.	Weight.
Levy	10 bags shot	250 lbs.
	5 bbls. flour.	
	2 kegs powder	100 lbs.
	1 package cloth.	

For steamer "Nominee."

J. H. MAITLAND, Clerk.

No. 5.

OFFICE MINNESOTA OUTFIT,

Saint Paul, May 16, 1850.

DEAR SIR: As agreed upon with Mr. Mosher, we send you 5 barrels flour, 2 kegs powder, 1 package cloth, a few papers vermilion. You will receive, by the first boat from Galena, 225 lbs. lead. Have not got a pound of pork, but will send it you from Galena.

Do the best you can with it. You may rest assured we will duly appreciate all you do.

If you need anything else, please inform us.

Yours respectfully,

CH. W. BORUP.

J. M. LEVY, Esq., Prairie La Cross.

Notice.

Charles W. Borup has been appointed by me to adjust the affairs of the Winnebago and Chippewa Outfit.

H. H. SIBLEY.

OCTOBER 18.

No. 6.

FORT HOWARD, WISCONSIN,

March 23, 1850.

SIR: I have the honor to transmit you, herewith, a copy of Captain Maloney's report, together with a copy of a report made by Mr. Bruce,

sub-Indian agent, to Orlando Brown, Commissioner of Indian Affairs, which Mr. Bruce has kindly furnished me.

From all the information I can gather—and I believe I am pretty correctly informed—the Winnebagoes who have returned to Wisconsin number some (in all) 1,200—from 350 to 400 of them being warriors. Their intention is not hostility to the whites; they seem to be drawn there—partly, at all events—by an instinctive love for their old country—their familiar hunting-grounds—with a hope, perhaps, that they will be permitted to stay there. They say they cannot live in their new country; that there is no good hunting there; and that the country is very cold, and not adapted to cultivation. The truth is, they are afraid of their Indian neighbors, with whom they are on no very friendly terms.

As yet, these Indians have committed no depredations in the country, at least none of any account. But I fear this will not last long. They gradually will get bold and overbearing, and, when they find they have created a timidity among the whites, as they naturally will, they will doubtless gradually commence aggressions. Some of the boldest spirits of the Winnebago nation are among them—former chiefs of great influence and daring—Dandy, Yellow Thunder, Caramonee, Split-nose, The Duck, &c. Yellow Thunder has bought forty acres of land on Dell creek, resides there, and is cultivating it. Could these chiefs be got together, and talked with, or singly advised, perhaps some good might result from it; at all events, it is worth trying. Their own Indian agent should go among them, or some one they are familiar with, who has influence over them. He should carry with him influential Indians of their own tribe—men well disposed to the government of the United States—satisfied with their new country, and willing to stay there. Such an influence might have a salutary bearing. I therefore most respectfully recommend it to be done at once, and before any compulsory means are taken. It may save great expense, much trouble, and very likely bloodshed.

There are a good many white settlers about in the country the Indians have returned to, and it seems they and the Indians are very much mixed up, principally on Yellow river, the Lemenway, Dell creek, and the Barra-boo, all running into the Wisconsin from the west. Adams (county seat of Sauk county) has a population of some 1,000, and there are many other thriving villages and settlements about in the country.

The Indians are in bands of thirty and forty, and scattered over a large tract of country, from high up on the Black river, running west into the Mississippi, across to the Wisconsin river. There will be great difficulty, I fear, to hunt them all up and get them away—and here another question arises: How are they to be kept away after they are carried back to their own country, being so near their old and favorite haunts? But this, now, is not my business. It will be very much like hunting up the Seminoles in Florida; they, too, may fall further back, north and east, into a vastly extended region of country. They cannot easily be compelled to go away, without mounted men to hunt them up; it would take footmen years to do it, unless very numerous, if the Indians would choose it, they being well supplied with good ponies and horses.

My plan would be, in the event of being compelled to resort to force: first, establish three or four points for permanent depots, from which troops can readily be supplied, and where the Indians can be carried



when first taken—say, main depot at Fort Winnebago, two companies of infantry; one company of infantry at Fort Bass, on the Wisconsin river, about sixty-five miles above Fort Winnebago, and a few miles below Grand Rapids; another infantry company on Black or La Cross river as high up as navigation, (if navigable at all,) or as high as, on better information, may be deemed proper; and a fifth company somewhere between the last post and Point Bass. A sixth company of infantry, perhaps, would not be amiss, stationed at Fort Crawford, Prairie du Chien; it at least would give quiet and safety, perhaps, to numerous settlers back of the fort and up on the right bank of the Wisconsin river. I would recommend it. I am presuming that this number of infantry companies are about all that can *well* be made available; otherwise, I would recommend that two companies be stationed at each of these points, and afterwards, if necessary, establish more posts. This would completely hem in these Indians in a given section of country. They then should be hunted up by dragoons, assisted by scouting parties from the infantry; two companies of dragoons would be sufficient. I hold it, that without mounted troops these Indians cannot well be collected; they could hold in the country for years, were they so disposed.

From Fort Winnebago to Point Bass is sixty-five miles—a good wagon-road all the way; provisions can be teamed from the fort, by loads of 2,500 to 3,000 lbs., without difficulty, and wagons and teams can be hired in the country. Flour can be delivered, in any quantity, at Fort Winnebago—got in the country for \$4 50; and pork and other stores, and forage—if sufficient cannot be got in the country—by way of the Mississippi and Wisconsin. From Point Bass to nearest point west, on Black river, is about fifty miles. I have no knowledge of the Black and Cross river countries, nor am I able to get any. Perhaps, when I hear from Mr. Fenton, of Prairie du Chien, he may say something about it. Should the Indian agent of the Winnebagoes come down, with his delegation, he could find out very readily. Better still, perhaps, that an officer of the army, from Fort Snelling, be ordered to accompany the agent; he could go on with him among the Indians; it doubtless would have a happy influence. These Indians are very shy; are all the time on the alert, expecting troops sent after them, or something to turn up.

I trust the general will excuse this my presumption, (if it is at all presuming,) as I deem it highly necessary that I should give him my own full, clear views on the whole subject.

As to difficulties with the Menomonies, I don't apprehend any; they will doubtless send off their advance exploring party this spring, and will all move when required. They now begin to see they must do so or starve; traders won't give them any more credit. The true policy towards these Indians is not to pay them one cent more this side the Mississippi. But the Winnebagoes should be got off first; they are dangerous neighbors; there is no knowing to what extent they may influence the Menomonies. It is quite certain that a good many of the latter do not want to migrate; they only will go because they can't help it, and can't do better; hence the danger of Winnebago influence—perhaps to joint action, great and vexatious obstinacy, and even open resistance.

I will here respectfully remark that, should troops be ordered to occupy

Fort Winnebago this summer, I understand it is pretty well filled up with citizens, residing there by authority of the quartermaster's department. They all should have early warning to go out in due time.

I am, very respectfully, your most obedient servant,

FRANCIS LEE,

*Brevet Colonel U. S. Army.*

Brevet Major E. BACKUS,  
*Acting Asst. Adjt. General,*  
*Detroit, Michigan.*

True copy:

WM. MALONEY,

*Bt. Capt. 4th Infantry, commanding post.*

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No. 7.

ST. PAUL, MINNESOTA TERRITORY,  
*April 24, 1850.*

DEAR SIR: Having understood from Mr. Brisbois, of Prairie du Chien, that you were expected there soon, and also that you were to attempt the removal of the Winnebagoes, I thought it would interest you to learn the result of an attempt made by J. E. Fletcher, Indian agent, to induce those Winnebagoes to return to their homes who left last fall; also to persuade those to move up who had never been to their new country. General F., agent, left St. Paul the 1st day of April: I accompanied him as interpreter. The first Winnebagoes we saw were opposite the mouth of Black river, Wisconsin. They were a part of "Short Wing's" party. Mr. F. informed them of his object in visiting them; to which they replied that the chief ("Short Wing") was not at home, and they should leave it to him to answer their father.

We then proceeded to Prairie La Cross, Wisconsin, opposite the mouth of Root river. We there learned that "Short Wing" was at the head of a large party scattered along the Mississippi, from the mouth of Root river up about twenty-five miles; that "Kay-ray-maw-nee-kaw" was camped near Black River lake, Wisconsin; that the "Elk" was upon the Wisconsin river, but was expected in with his band to the Mississippi soon. After we had remained at Prairie La Cross a few days, "Short Wing" came, with his head-men and braves, representing a large majority of the Winnebagoes who left their country last fall. During the council "Short Wing" was very abusive—among other things telling Mr. F. that, when his red children asked him for bread, he fed them with lime, or told them to go and eat hay, and finally closed his speech by saying that they would not go up again. "Kay-ray-maw-nee-kay" came, and said he had no Indians with him, and could only speak for himself and family; that he intended to go up again, but would not go up then; that he should wait to see Mr. Rice or Mr. Lowry. Mr. F. wished me to go down the river forty or fifty miles, to see if there were any down there. When I returned, I found a letter from him, stating that he had gone over to the Wisconsin river, to see the Indians there; Mr. White accompanied him. When they returned, Mr. White said that the "Dandy" was very abusive indeed, telling Mr. F. that he would not go. We got upon the first boat that came along, and arrived here today.

We have been gone twenty-four days, and have returned with five Indians—all that were willing to come. I think that you will not find them very favorably disposed in respect to removal, as they were very much incensed against Mr. F., and I presume will be ready to transfer a part of it to any one who shall attempt to remove them. One cause of resentment (as they considered it) was that he would give them no provisions. Mr. F. has left no orders with any person below, I believe, except Mr. White, who is to move up with his family next week. He left word with him to bring up those who were willing to come with him, and left five barrels of flour to feed those who choose to come. This is all the provisions he has left with him, or with any one, to feed them. Mr. White may possibly bring up some few of his relatives, but I think it doubtful. I think you can safely set down the exact number removed by Mr. F. at five.

I remain, sir, very respectfully, yours, &c.,

E. A. M. HATCH.

H. M. RICE,  
*Prairie du Chien.*

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No. 8.

WASHINGTON, D. C., June 17, 1850.

SIR: To your note of this date, requesting a statement from me in relation to the contract you have entered into with the government for the removal of certain Winnebagoes from Wisconsin and Iowa, I cheerfully respond, and, in doing so, I shall briefly give you a narration of facts touching the queries you have propounded.

The Winnebagoes to be removed were about 600 in number, in the States of Iowa and Wisconsin. Those on the east side, comprising a majority of the whole number to be removed, have never resided in their own country since the emigration of the tribe to the west bank of the Mississippi, and have never visited their home in the north.

The causes which have operated upon these people to prevent them from carrying out their treaty engagements are to be found in their strong attachment to their old haunts in Wisconsin, the efforts of unprincipled, avaricious whites to retain them, but mainly in their inordinate love of whiskey, which they cannot so readily obtain in the Indian country. In regard to the cost of the contemplated removal, I can but say that, if the object is effected, it will have been a cheaper removal than the government has been able to effect heretofore. The means which you have used have thus far resulted favorably; and I would add that, from my knowledge of these people and their country, I am satisfied that troops could do but little, and that at a very heavy expense. By the plan adopted, you are enabled to employ all the persons in the country that can speak their language, and to command all the influence that can be exerted to induce them to come in and remove north. You are enabled to render them comfortable on the route, and to make preparation for their subsistence and comfort upon their arrival at their new home. With these means, I doubt not you will succeed, and that they will be contented at their new position when they are all removed; whereas if you attempt to force them, they will retire into the swamps and prairies of

northern Wisconsin, where they can laugh at you and your troops for years.

My opinions on this subject are not the result of information which I have derived from rumors or reports, but from a *tolerably intimate personal acquaintance* with these people and the country they occupy, inasmuch as I have lived constantly with them for the last 17 years; and the knowledge I have of their feelings, locality, &c., has produced the conviction on my mind that the Interior Department of the government has taken the *cheapest* method of ridding those two frontier States of these disaffected Indians, and, by continuing the plan you have thus far pursued, the result of your efforts will prove that it has adopted the most *effectual* method.

Very respectfully, yours, &c.,

S. B. LOWRY.

H. M. RICE, Esq.,  
*Removal Contractor.*

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No. 9.

WASHINGTON, June 15, 1850.

SIR: Letters I have received from Minnesota induce me to believe that an attempt will be made to prejudice you against Doctor Charles W. Borup, of St. Paul, by representations that he had made use of improper means to prevent the removal of the Winnebagoes under the contract with Mr. H. M. Rice. I trust no *ex parte* statements of any kind will be assumed as correct until an opportunity is afforded Doctor Borup to rebut them.

Doctor Borup is connected with me in business, as you are probably aware; and, to prevent even a suspicion that we were disposed to thwart the views of the government, I both telegraphed and wrote to him, as well as to others of my friends, to throw no obstacle in the way of the removal of the Indians. I did this because I recognised the full propriety of non-interference with the plan in the country, after it had received the sanction of the proper officers of the government here. I have no cause to doubt that Doctor Borup entirely coincides with my views on this subject; and, in justice to him, I trust that if any charges are made against him he will be allowed to meet them. Should he fail to do so after proper notice, I have but to say that I shall be prompt to condemn and repudiate his course. My other partners, Messrs. P. Chouteau, jr., & Co., since my connexion with them in business, have ever concurred with me in a desire to advance the views of the government, so far as it was proper to do so.

Very respectfully, your obedient servant,

H. H. SIBLEY.

HON. ORLANDO BROWN,  
*Commissioner of Indian Affairs.*

No. 10.

HOUSE OF REPRESENTATIVES,  
Washington, June 19, 1850.

GENTLEMEN: I charged deception and fraud as to the number of Winnebagoes to be removed. In his letter of the 18th instant, addressed to the honorable Commissioner of Indian Affairs, Mr. Rice acknowledges that he had *overlooked* two hundred on the Missouri, thus making up the number of six hundred, instead of between two and four hundred, as mentioned in his proposition. Let us see how this accords with the information furnished by Governor Ramsey and others, in their communications, now before you. "If the contract," the governor says, "is intended to apply to those first named, to wit, 'Dandy's band,' and those who as yet have never been up, it may cover five or six hundred Indians; if intended to apply to the residue likewise, it will cover twelve hundred." Mr. Rice, in his letter of May 3, (doc. 39,) claims that "all that are below St. Paul are clearly included within the contract, and I shall act accordingly."

In doc. 15, Bruce, Indian agent, writes that the number in Wisconsin alone is between one thousand and twelve hundred souls. His statement is corroborated by Captain Maloney, in doc. 16, who estimates the number of men in each of the seven small bands in *Wisconsin* at from thirty to forty, which, allowing each man a family of five, the usual ratio, would make between one thousand and fifty and fourteen hundred souls.

Brevet Colonel Lee writes to A. A. Adjutant General Backus, at Detroit, from Fort Howard, 23d March last: "From all the information I can gather—and I believe I am pretty correctly informed—the Winnebagoes who have returned to Wisconsin number some (in all) twelve hundred, from three hundred and fifty to four hundred being warriors."

Hon. David Olmstead writes me, under date of May 2, from St. Paul, thus: "You are doubtless acquainted with all the circumstances connected with Rice's infamous contract for the removal of the Winnebagoes, though your friends here have nothing from you in that regard. There are now some eighteen hundred Winnebagoes below and on the Missouri. If everything is allowed to go on smoothly, Rice will clear one hundred thousand dollars by the transaction."

These are the words of a gentleman who has resided among the Winnebagoes for years, and who is as familiar with their numbers and location as any man living. His respectability is fully vouched for by the two members from Iowa, as per annexed statement.

In my "official protest" against the contract, I asserted my belief, drawn from my own knowledge of affairs in that region, that there were a thousand or twelve hundred souls absent from their own country, and it is proved by the foregoing quotations that I considerably underestimated the number. In the face of the facts here presented from the most authentic and reliable sources, is it not plain that the statement of Mr. Rice as to the number of Winnebagoes to be removed was wholly incorrect and deceptive? And yet upon this basis, and the information thus derived from him, was the contract entered into with him.

We next come to the price stipulated to be paid for the transportation of the Indians, which is \$70 per head, and which includes the necessary food and clothing for the Indians, and the ploughing and planting of 225



acres of land, as he reports—albeit he was only obliged to put in a crop of 100 acres. It is well known that the natives require but a small supply of clothing during the summer months, so that this item may be looked upon as a very inconsiderable one, as also that for tents, inasmuch as nearly every family is already furnished with them, or with lodges of bark, or other transportable material. But allowing a liberal sum for all these contingencies, including transportation, subsistence, and ploughing, what justification can be offered for the payment to any man of about twenty cents per mile for the removal of man, woman, and child of these Winnebagoes?

Governor Ramsey states, in his communication of May 2, now before you, "that a gentleman who possesses probably as much influence over the Winnebagoes as any other man in the country (I allude to Hon. David Olmstead) says that he would gladly have taken the contract at \$30 per head, with the expectation of making a large profit at that price; and, from my knowledge of the country, I am satisfied it could be done for less."

Senator Cooper informs me that his brother, Hon. David Cooper, judge of the supreme court in Minnesota, had written him on the subject of this contract, asserting that it would have been taken by a reliable and responsible individual for \$10, or even less, a head.

Colonel S. Stambaugh, who is well acquainted with the location of the northwestern tribes generally, replies to certain inquiries propounded by me, in part, thus: "I do not hesitate to say that upon the price per head *for removal* being communicated, I at once expressed the opinion that the department must surely have been imposed upon in regard to the nature and value of the service, as it was a fact which could easily be established here, that if the roving bands of Winnebagoes could be removed at all in the manner indicated to the country provided for them on the west of the Mississippi by the treaty of 1846, the removal could be effected for less than *one-third* of the sum allowed under the present contract. I entertain the same opinion now, after having read the contract, and believe that men entirely competent to perform the duty would gladly undertake it at \$20 per head. In declaring this belief, I mean to insinuate nothing disparaging to the capacity of Mr. Rice, or in regard to his influence with the Winnebagoes. I predicate my opinion upon my knowledge of the country where the removal is to take place, of the character of the Indians to be removed, and of the position they occupy with the government of the United States."

The document of which the foregoing is an extract is filed with this communication.

I need add nothing to the quotations I have brought before you to bear me out in the charge I have made of the utter extravagance of the price stipulated to be paid under the contract with Mr. Rice. But if more were needed, it would not be difficult to procure the certificate of every disinterested man in the Northwest at all acquainted with the subject to substantiate my position.

I come now to another fact of material import to the full understanding of the subject. I refer to the injunction of secrecy contained in Mr. Rice's proposition to the Commissioner of Indian Affairs. The reason alleged is, that if publicity were given to the proposal, ill-disposed persons might induce the Indians to scatter and secrete themselves in the swamps and

forests, where they could not be found. Was this the real object? We shall see. No sooner had the contract been signed than Mr. Rice, according to his own statement before you, himself gave it publicity by telegraphing his friends to send out runners to collect the Indians, and the whole matter was made public before he reached Minnesota. The veil is entirely too flimsy to exclude the light. Mr. Rice well knew that if the terms of the contract had been made known to any of the representatives in Congress from the West before the instrument was fully executed, they would have been met with a decided protest on their part against any such arrangement. Hence the vital necessity to him of secrecy until the measure was consummated beyond withdrawal. And thus a course of policy was adopted involving an unnecessary expenditure of many thousands of dollars, and it might be of the peace of the frontier, without consulting a single representative in the House, or a single officer of the Indian Department in Minnesota. It may well be doubted whether, as a legal question, any officer of this government has a right to enter into an arrangement to anticipate an appropriation by Congress during its session for objects like this, and without the existence of any great and pressing emergency to justify such a procedure.

I proceed now to the question of the manner in which this contract has thus far been carried out. Governor Ramsey states in his communication to the Commissioner that the Indian agent, General Fletcher, had collected several hundred Winnebagoes on or near the Mississippi, preparatory to their removal, and that they had consented so to remove. Mr. Rice arrived before their embarkation was actually effected, and claimed to remove them under his contract at \$70 each, and did so. Up to the 4th instant, Mr. Rice had succeeded in removing three hundred and twenty-three individuals, only thirty-five of whom had not before been removed. All the rest, that is two hundred and eighty-eight, had previously been paid on their own lands in Minnesota, and were perfectly willing, as Governor Ramsey and General Fletcher state, to go back again, for the same purpose, with little or no additional expense to the government. But Mr. Rice forgets all about the *saving clause* in the contract, which provides that none who are but temporarily absent shall be paid for, and now claims the snug sum of \$22,610, for removing three hundred and twenty-three Winnebagoes. But this is not all. The great influence of Mr. Rice over this tribe—that boasted influence which procured him this contract—has suddenly failed, and it is found that the large numbers remaining behind will not listen to him. Whereupon he enters into an arrangement with Hon. David Olmstead, whereby the latter is to have the sole charge of the removal after the 20th instant, upon certain conditions. That is to say, Mr. Rice, being unable to carry out the contract, farms it out to an individual who can. That is the precise state of the case, as I can show by documentary evidence in my possession. With regard to the assertions of Mr. Rice, that he has been interfered with and annoyed in the removal by third persons, I have nothing to say, except that, if he means to insinuate that I have had any direct or indirect agency in such unwarranted proceedings, he does me gross injustice. All my efforts have been directed to prevent any attempt on the part of my friends to thwart the views of the government, as expressed through the authorized channel of the Indian Department. I have sought a remedy for what I conceived a gross wrong perpetrated on the department and the government, where such a remedy could

properly be obtained; nor have I any reasons, other than those he himself has advanced, to believe that any person in anywise connected with me, in business or otherwise, has been guilty of interference with him in the removal. If the charge is true, the offender is justly amenable to the laws, and should be punished. I, for one, will neither uphold nor shield him, in any such case.

I have thus, gentlemen, endeavored to show the committee:

*First.* That the contract was based upon misrepresentation, as to the number of Indians to be removed.

*Second.* That the price stipulated to be paid for such removal was exorbitant, and wholly disproportioned to the services to be performed.

*Third.* That the concealment or secrecy practised towards the representatives of the States and Territory interested was improper in a high degree.

*Fourth.* That Mr. Rice's influence among the Winnebagoes, the belief in which on the part of the Commissioner obtained him the contract, was entirely overrated.

In conclusion, I would remark that I have drawn up this statement because, whatever may be the decision of the committee in the case before it, it is my wish to be placed right upon the record. And even should the committee see fit not to recommend the annulment of the contract, (which I do not anticipate, however,) the grounds of objection urged will be considered of so strong and valid a nature as to absolve me from any imputation of personal or private motive in bringing the matter before the House. Such motive I solemnly disclaim, and assert that I should have pursued the same course towards the dearest friend I had on earth, if he had placed himself in the same predicament with the present contractor. I did not take any step in this affair without having first consulted with old and tried friends in and out of Congress; and I willingly abide the judgment of the committee, whatever it may be.

I have the honor to be, very respectfully, your obedient servant,

H. H. SIBLEY.

Hon. Messrs. CROWELL and JOHNSON.

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No. 11.

HOUSE OF REPRESENTATIVES,  
Washington, June 20, 1850.

GENTLEMEN: I have the honor to state what I expect to prove, in case the honorable Committee on Indian Affairs shall conclude to press the investigation now pending before it.

I intend to show, by the testimony of Captain Eastman, now on duty in this city, and who has been quoted as favoring the contract, that he not only did not know its terms until some time after the instrument was executed, but that he would have given a decided opinion against it, if he had been consulted on the subject. I intend to show, by the testimony of Hon. James D. Doty, formerly superintendent of the Winnebagoes, and well acquainted with their character and location, and of Colonel S. Stambaugh, who has, also, a general acquaintance with the tribes of the Northwest, that the price stipulated to be paid to Mr. Rice is so extra-

gant as to warrant the inference that the department was imposed upon by him. I expect to prove, by the testimony of Governor Doty, also, that an offer to remove the Winnebagoes at a much lower rate, during a former administration, was rejected. In fine, I expect to be fully able to show, by the testimony of leading men in Minnesota and other portions of the West, who are well qualified to judge, that the number of Indians removed and to be removed greatly exceeds the number stated by Mr. Rice, and that the price stipulated to be paid him for the removal is entirely disproportioned to the services to be rendered, and is a wanton expenditure of the treasure of the government.

I have the honor to be, very respectfully, your obedient servant,

H. H. SIBLEY.

Hon. Messrs. CROWELL and JOHNSON.

No. 12.

HOUSE OF REPRESENTATIVES,  
*Washington, July 15, 1850.*

GENTLEMEN: In the evidence submitted to the honorable Committee on Indian Affairs in the case now before it, relating to the contract with H. M. Rice for the removal of the Winnebagoes, there is an affidavit of a certain man (Levy by name) charging some individuals connected with me in business with obstructing the removal. The evident intention of this and other accompanying papers is to endeavor to throw a suspicion upon me of having endeavored to thwart the views of the government, which I indignantly repel as a foul and slanderous imputation; and I beg leave to place the rebutting evidence of two of the most respectable citizens of Minnesota before the committee, which I have the honor to enclose herewith, to show how utterly groundless is the whole charge embodied in Levy's deposition, which, *it appears*, was manufactured at St. Paul, and sent down two hundred miles for his signature.

Yours, very respectfully,

H. H. SIBLEY.

Hon. Messrs. CROWELL and JOHNSON.

No. 13.

I do hereby state the following facts, relative to my visit to Prairie La Cross: That Doctor Borup requested me to go down, for the purpose of collecting a balance due him, as agent, by Levy. I had also an intention, if land was selling at low rates, to invest some funds on my own account in the neighborhood of Prairie La Cross. I went to the house of Mr. Levy—made it my stopping-place whilst at the Prairie. We spoke of Mr. Sibley, and he spoke to me as being an old friend and acquaintance of Mr. Sibley and some of the gentlemen connected with him in business. We spoke freely to one another on the subject of the contract. I stated that a protest had been entered against it by Mr. S. and Governor Ramsey; also that Doctor Borup was anxious that the action of govern-

ment in the matter should soon be known. I asked Mr. Levy whether the Indians were willing to come up? He stated they were not, generally. I asked him if they could not be prevailed upon to stay until government took action upon the protests entered? Mr. Levy said *he* could prevail upon them if he had provisions. I asked him if goods could not be sold to them while they remained there? He replied, yes. I told him I would, when I returned, speak to Doctor Borup on the subject. I did speak to Doctor Borup on my return, who said he had no objection to sending Levy a small lot of goods—that he felt exceedingly anxious to hear what the result of the protests would be; but distinctly and plainly told me that he would not interfere in any way with the government or its plans. I had told Mr. Levy the same thing myself.

The goods—consisting of five barrels of flour and a few other articles for trade—were sent him at my suggestion, but no whiskey or intoxicating liquor of any kind.

So anxious was Doctor Borup about not interfering with government that he sent me down again, to explain fully his views, and prevent any wrong. And, for the purpose of having this perfectly understood, I brought Mr. Levy up to St. Paul, where I understand (not being present at the time Levy had an interview with Doctor B.) that Doctor Borup declined all action in the matter.

To make the whole matter plain, I distinctly aver that Mr. Levy, by saying or insinuating that Doctor Borup, or any other gentleman connected with him in business, through my agency, wished him to thwart, or in any manner interfere with, the plans of the government in carrying out the contract with Mr. Rice, states what is an absolute falsehood.

JOSEPH MOSHER.

Subscribed and sworn before me, at St. Paul, in the Territory of Minnesota, this 4th day of July, A. D. 1850.

CHAS. R. CONWAY, [L. S.]

*Notary Public, Minnesota Territory.*

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No. 14.

I, Davie Olmsted, of Long Prairie, in the Territory of Minnesota, being duly sworn, depose and say: That I was present on or about the 25th day of May, A. D. 1850, and heard part of a conversation between Charles W. Borup and John M. Levy, concerning the removal of the Winnebago Indians, in which the said Levy said that he could easily prevent the Indians in his vicinity from emigrating to their lands in Minnesota, and offered to do so, provided said Borup would pay him for the same. Borup appeared to be anxious that the Indians should not be removed under Rice's contract, but informed Levy, at the same time, that he would do nothing which would interfere with the government in the matter. Mr. Levy said, further, that he could be well paid by Mr. Rice for assisting him in the matter, but that he would prefer keeping the Indians in his neighborhood. Dr. Borup replied, that he had received



especial instructions from Mr. Sibley not to throw any obstacles in the way of the removal of the Winnebagoes, and declined making any offer to said Levy for the purpose of preventing the removal.

DAV. OLMSTED.

Subscribed and sworn before me, at St. Paul, in the Territory of Minnesota, this 4th day of July, A. D. 1850.

CHARLES R. CONWAY, [L. s.]  
Notary Public, Minnesota Territory.