

MENOMONIE INDIANS.

[To accompany bill H. R. No. 108.]

JANUARY 15, 1846.

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

REPORT:

The Committee on Indian Affairs, to whom were referred certain resolutions of the Council and House of Representatives of the Territory of Wisconsin, relative to the extinguishment of the Indian title to lands in that Territory, report :

The resolutions declare "that the rapidity of settlement of the lands bordering on and lying south of the Fox river, as well as the importance of the section of country lying north of the same, demands the early extinguishment of the Indian title to all the lands along said river," and they ask an appropriation "for the purpose of holding a treaty with the Menomonie tribe of Indians, for the extinguishment" of their title to said lands.

With a view to a correct understanding of the objects of the legislative council of Wisconsin, as well as of the character and condition of the Menomonie tribe of Indians, this committee have caused inquiry to be made at the proper department, and have received a communication from the Commissioner of Indian Affairs in relation thereto, which is appended to this report.

The governor of Wisconsin, in his report to the Indian bureau, under date of October 3, 1845, recommends the removal of the Menomonies to the west of the Mississippi river; and after adducing various reasons for the extinguishment of their title, he says: "The Menomonie Indians have always maintained the most friendly relations to the United States, and have refused to receive presents from the British government since the late war. They are now, from their long intercourse with the whites, a most degraded race of people. They are, like all other Indians who are able to obtain spirituous liquors from unprincipled whiskey dealers, doomed to destruction; and the remnant of this nation can only be saved by removing them remote from the white settlements."

The committee cannot doubt as to the course that ought to be pursued in relation to these Indians. They, like their red brethren within the borders of the States, are cursed by the contact with white men. The vices peculiar to civilization visit destruction upon the red race. Such is the teaching of all experience. This government, standing *in loco parentis* to the Indian, is bound, by the strongest moral considerations, to prevent, as far as

possible, the evils to which his relations with the whites inevitably subject him. The tide of immigration is pouring its annual thousands of white men into the Territory of Wisconsin, and it can scarcely be hoped that the condition of the Menomones will not become more deplorable than at present, as the settlements in their neighborhood increase.

With these impressions, the committee beg leave to introduce a bill to effect the objects sought by the legislative council of Wisconsin.

WAR DEPARTMENT,

Office Indian Affairs, 5th January, 1846.

SIR: I have the honor to return herewith the resolutions of the Council and House of Representatives of the Territory of Wisconsin, which you left with me on the 24th ult., relative to the extinguishment of the Indian title to the lands north of the Fox river, and to submit the following statement in relation thereto.

I have examined with much care the action heretofore had with the Menomone Indians, in the form of treaties, and will briefly refer to them in regular order, for the purpose of showing, as far as practicable from the information within my reach, the present possessions of those Indians. I take this occasion to remark, that in the allusion to the pages where the treaties are recorded, I refer to the volume of Indian treaties up to 1837, which is in the possession of your committee.

The first treaty that I find with those Indians is that of 1817, (see page 205,) viz. a treaty of peace and friendship. No land was ceded by it, but the cessions which those Indians had before made to the British, French, or Spanish government, within our limits, were confirmed to the United States. (See 3d art.) The next treaty to which the Menomones are a party, is that concluded on 19th August, 1825, (see page 371,) between the United States and the Sioux, Chippewas, and other Indians. The object of that treaty was to promote peace among the tribes, parties to it, and to establish boundaries among them. For reasons stated in the 8th article, no definite action was had on the question of the Menomone boundary, but it was then understood that their general claim was "bounded on the north by the Chippewa country, on the east by Green bay and lake Michigan, extending as far south as Milwaukee river," and on the west they claim to Black river.

On 11th August, 1827, a treaty was concluded at the Butte des Morts, on Fox river, in the then Territory of Michigan, between the United States and the Chippewa, Menomone, and Winnebago tribes of Indians, for the purpose of defining the boundaries between the tribes respectively named, which was not done by the treaty of 1825, to which they were parties, and for other purposes as stipulated in the 3d article, viz. the establishment of definite boundaries "between the tract claimed by the former French and British governments" at Green bay, and the lands of the Indians, as well to avoid future disputes as to settle the question of jurisdiction.

The treaty concluded with the Menomones on 8th February, 1831, defined the boundaries of their country in a special manner, both on the east

and west sides of Fox river, Green bay, and Winnebago lake. (See page 466.) Up to that time, I do not perceive that they had disposed of any lands to government. By it they ceded all their land on the east side of Green bay, Fox river, and lake Winnebago, estimated at 2,500,000 acres, (see art. 3d, page 468,) and also a portion of the west side of Fox river, for the New York Indians. The boundaries described in the treaty, so far as regards the New York Indians, were modified by a treaty concluded on 27th October, 1832. (See page 549.) By the treaty concluded on 3d September, 1836, the Menomonies cede all the land northeast of Wolf river, (see 1st art., page 669,) and a tract of 184,320 acres upon the Wisconsin. The foregoing statement shows that at this time, according to the admitted boundaries in the treaty of 1831, the Menomonies claim all the land northwest of Fox river, and between Wolf and Wisconsin rivers, except that on the latter river, ceded by treaty of 1836, and between the Wisconsin and Mancy rivers, up to the southern boundary line of the Chippewas.

The accompanying map, purporting to show the lands claimed by the Menomonies after the treaty of 1832, the subsequent cessions by them, and their present possessions, is submitted for the inspection of the committee, with a request that it be returned to this office when the committee shall have acted upon the subject under consideration. The late sub-agent for those Indians estimated the area of the land remaining to them at 4,000,000 acres.

The governor of Wisconsin, in his last annual report to this office, says as follows: "I have, in several of my former reports to your department, recommended the purchase of the Menomonic country by the United States. The extinguishment of the Indian title to that country at an early day is of the first importance to the settlement, growth, and prosperity of the northern settlements of Wisconsin. A part of this country is represented as being well adapted to agricultural purposes. A portion of it abounds in extensive pine forests, and the northern part is said to contain copper ore." For further particulars in relation to those Indians, I respectfully refer you to the report of Gov. Dodge, (9,) and that of the sub-agent for those Indians, (11,) which accompanied my report to the Secretary of War, and which was transmitted by the President with his message to Congress, at the opening of the present session. From those papers, it will be perceived that those Indians are a most degraded race of people; that they have always maintained the most friendly relations to the United States, and that motives of humanity would appear to prompt their removal from their present location. They have hitherto been averse to agriculture, the mechanic arts, and to the education of their children; but from the facts communicated by the sub-agent, it is hoped that the day is not remote, when the Menomonic youth will be the recipients of the beneficiaries contemplated by the Senate in their amendment to the 3d article of the treaty of 1836. (See page 674.)

The investment made under the amendment aforesaid has increased to \$108,204 16, yielding an annual income of \$5,602 25. If those Indians could be prevailed on to abandon the use of ardent spirits, and other vices by which they are surrounded, and remove to a country that shall be assigned them, remote from the causes now operating against them, the interest annually accruing on the investment may be beneficially applied.

The only payments now made to the Menomonies, or on their account,

are under the treaty of 1836, amounting, annually until 1856, to \$25,830, as follows:

Limited annuity for 20 years from 1837	-	-	-	\$20,000
Provisions to the amount of	-	-	-	3,000
Tobacco, salt, cattle, &c.	-	-	-	950
Blacksmith establishment	-	-	-	1,880
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				\$25,830

Very respectfully, your obedient servant,

W. MEDILL.

Hon. C. S. BENTON,

of the Com. Indian Affairs, House Reps., U. S.