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Abstract

THE REMOVAL OF THE WINNEBAGO FROM WISCONSIN IN 1873-74

by

Lawrence W. Onsager

The Winnebago are a Siouan-speaking tribe which historically occupied eastern and southern Wisconsin. This thesis uses their culture and history as a background for telling the story of the removal of the Wisconsin remnant in 1873-74. This non-treaty-abiding faction of the tribe was forcibly taken to Nebraska where the treaty-abiding faction had a reservation.

The Wisconsin Winnebago had four reasons for resisting removal. 1) Based on their experience with prior removals, they knew that many of their children and elderly would die. 2) They feared attack by the western Sioux. 3) As woodland Indians, the Winnebago considered Wisconsin to be superior to Nebraska as a place to live. 4) They had religious reasons for not wishing to leave the home of their ancestors.

The whites pushed for removal because: 1) Many settlers feared a repeat of the massacre of whites such as occurred in Minnesota in 1862. 2) Politically

influential owners of Wisconsin cranberry marshes did not want unauthorized picking of cranberries by the Winnebago. 3) The general prejudice against the Indians was also a factor.

Because the removal legislation was passed during the time when governmental policy was not to use troops, the Winnebago were not to be removed forcibly. Instead, efforts were made to coerce them through the use of persuasion, bribery and threats. The Winnebago were successful in passive resistance for about ten months. The frustrated proponents of removal finally obtained the use of troops and removed four-fifths of the Winnebago during December, 1873 and January, 1874. Public outcry stopped the use of troops and they were withdrawn.

In Nebraska, the Wisconsin Winnebago were not well-treated and they returned to Wisconsin in the spring. In March, 1875, Congress extended the benefits of the homestead act to any Indian who was a head of family, twenty-one years old, and had abandoned tribal relations. This gave the Winnebago the opportunity to obtain legal status in Wisconsin. In 1881, a separate census was made of the Wisconsin Winnebago, and they became, in effect, a separate tribe from the Nebraska Winnebago.

The removal agents were the beneficiaries of the removal effort. Money that should have gone to the Wisconsin Winnebago went into their pockets.

LOMA LINDA UNIVERSITY

Graduate School

THE REMOVAL OF THE WINNEBAGO INDIANS FROM WISCONSIN IN 1873-74

By

Lawrence W. Onsager

A Thesis in Partial Fulfillment of the Requirements
for the Degree Master of Arts in History

September 1985

c1985

Lawrence W. Onsager

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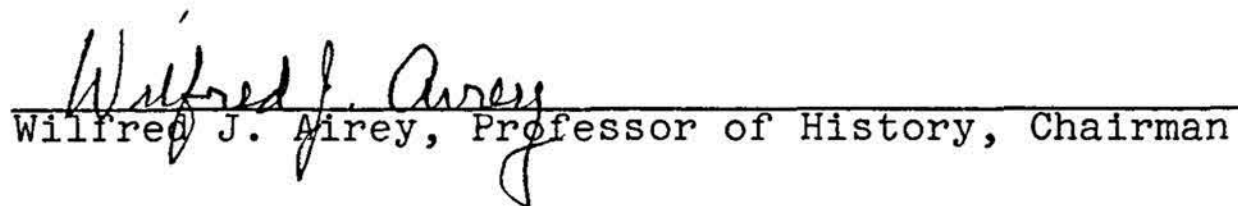
Each person whose signature appears below certifies that this thesis in his opinion is adequate, in scope and quality, as a thesis for the degree Master of Arts.



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CHAPTER I

INTRODUCTION

The last attempt to remove the remainder of the Winnebago Indians from Wisconsin was made in 1873. Part of the tribe had been moved previously by the treaty of 1837 and, after successive removals to Iowa, Minnesota and South Dakota, were located on a reservation in Nebraska. The Wisconsin remnant had been removed in 1840 along with the treaty-abiding portion of the tribe but had returned to their old haunts in Wisconsin. The subsequent removals of the Wisconsin remnant in 1848, 1850, and 1873 required special legislation and appropriations and were not really part of the government's official removal policy. This policy related to treaties of land cession and the hopefully peaceful removal of the Indians who were party to the treaty. In 1840 the Winnebago split into two enclaves, the treaty-abiding faction and the disaffected bands or Wisconsin remnant. This resistance to removal by part of the tribe forced the government to take extraordinary efforts to remove them. For this reason, Dr. Nancy Lurie, a noted anthropologist and Winnebago expert, feels that in this instance the term "removal" is

a misnomer and that the term "evacuation" or some other term should be used to distinguish these special efforts by the government from the term "removal." She feels this is important "because so little is written or understood about the fact that the Indians were not passive, totally helpless pawns in the government's removal policy."[1]

By the 1870's the Wisconsin remnant numbered about eight hundred to one thousand and were scattered between the Wisconsin and Black Rivers, from the Mississippi River on the west, east as far as Buffalo Lake in Marquette County and north to Black River Falls and Wisconsin Rapids. The headwaters of the Yellow, Lemonweir, and Black Rivers in Juneau, Monroe, and Jackson Counties were favorite locations for their lodges because of good hunting and fishing and an abundant crop of natural foods such as wild rice, blueberries, blackberries, and cranberries.[2]

This thesis, which attempts to tell the story of the removal of the Winnebago to Nebraska in 1873-74 and their return to Wisconsin in 1874, begins with a brief look at Winnebago culture in an attempt to understand some of the reasons the Wisconsin remnant resisted removal.

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[1]Nancy Oestreich Lurie to Lawrence W. Onsager, 9 August 1981, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska.

[2]U.S. Department of Interior, Office of Indian Affairs, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Department of the Interior, for the Fiscal Year Ended 30 June 1863, pp. 336-67; 1869, p. 889.

The chapters on Winnebago history prior to the removal attempt are necessary background material for understanding the position taken by the whites and Indians.

CHAPTER II

WINNEBAGO CULTURE

The Winnebago are a Siouan-speaking tribe found originally in the Green Bay-Lake Winnebago area of northeastern Wisconsin. Linguistically they are closely related to the Iowa, Oto, and Missouri Indians located in the lower Missouri River basin. In their traditions, these lower Missouri tribes state that they were once part of the Winnebago tribe and broke away, leaving the Winnebago in Wisconsin.[1]

The name Winnebago is of Algonkian origin. Translated it means "people of the filthy water" in the Sauk and Fox language, and "filthy water" in Ojibwa. This probably refers to the dead fish that choked the lower Fox River every summer. The French called them the "Puans" and the English translated that as "Stinkards."[2]

The Winnebago called themselves "ho-cagra" which has been translated as "people of the parent speech" or "big fish people." The Winnebago prefer the latter,

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[1]Nancy Oestreich Lurie, "Winnebago," in Handbook of North American Indians, gen. ed. William C. Sturtevant, vol. 15: Northeast, ed. Bruce G. Trigger (Washington: Smithsonian Institution, 1978), p. 690.

[2]Ibid., p. 706.

feeling that it refers to the large sturgeon which once abounded in their area.[1]

Prehistory and Habitat

From accounts given by the French, Winnebago traditions, and archeological evidence, it appears that originally the Winnebago lived in large settled villages, practiced horticulture extensively, and were a numerous and powerful tribe. Many anthropologists believe they are part of the Mississippian Pattern. The Lake Winnebago Focus of the upper Mississippian Pattern is the group that is considered to be the ancestors of the present Winnebago. The people of the Lake Winnebago Focus probably entered Wisconsin from the upper Mississippi valley about 1,000 A.D. A recent study by Janet Spector challenges the evidence for this theory. She feels that the evidence is purely circumstantial because to date no archeological site has revealed known historic Winnebago artifacts in conjunction with the Lake Winnebago Focus.[2]

One anthropologist estimated that in 1634 the tribe could have had a total population as high as 10,000. He felt that this would not be an unreasonable population for a horticultural tribe who were occupants of the

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[1]Ibid.

[2]George I. Quimby, Indian Life in the Upper Great Lakes, 11,000 B.C. to A.D. 1800 (Chicago: University of Chicago Press, 1960), pp. 103-5; Janet D. Spector, "Winnebago Indians, 1634-1829: An Archeological Ethnohistoric Investigation" (Ph.D. dissertation, Univ. of Wisconsin-Madison, 1974), pp. 9-36.

richest agricultural area in Wisconsin with the additional benefits of lake and stream resources. Another anthropologist estimated a total population of 3,800 at the time of Columbus. Epidemics, possibly introduced by the French, and a series of wars with the surrounding tribes nearly exterminated the Winnebago in about 1639-40. At about that time, the Winnebago territory was overrun by the Sauk, the Fox, the Potawatomie, the Kickapoo, and the Mascouten, all Algonquian peoples and remnant Huron fleeing from the Iroquois. These disasters and the demands of the fur trade are believed to explain why, by the 18th and 19th centuries, the Winnebago took on many cultural aspects of the Algonquian tribes who surrounded them during their recovery period. The Algonquians were hunters and gatherers who lived a roving existence with seasonal changes of residence, small villages, and a lack of emphasis on agriculture.[1]

The Winnebago originally occupied the Wolf River-Fox River drainage basin which includes Lakes Winnebago, Butte des Morts, Winneconne, and Poygan.[2] This river system lies in two major geographical provinces of

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[1]Robert L. Hall, The Archeology of Caracajou Point, with an Interpretation of the Development of Oneota Culture in Wisconsin, 2 vols. (Madison: University of Wisconsin Press, 1962), 1:154; Robert E. Ritzenthaler and Pat Ritzenthaler, The Woodland Indians of the Western Great Lakes (Garden City, N.Y.: The Natural History Press, 1970), p. 5; Nancy Oestreich Lurie, "The Winnebago Indians: A Study in Cultural Change" (Ph.D. dissertation, Northwestern University, 1952), p. 47.

[2]Quimby, pp, 103-5.

Wisconsin. One is the Central Plain Province which consists of extensive sand flats, large stretches of marsh, and a few scattered sandstone and quartzite hills ranging from 20 to 200 feet in height. The other is the Eastern Ridges and Lowlands Province which consists of level lowlands and ridges of low rolling hills. The Central Plain is relatively infertile as an area for corn agriculture, but the Eastern Ridges and Lowlands Province is the most fertile agricultural area in the state.[1]

The lower Fox River from Lake Winnebago to Green Bay and the upper Wolf River above Shawano Lake are rapid rivers with steep grades. The Lake Winnebago Focus sites are concentrated on the slow meandering portions of these rivers; the upper Fox which starts near the Fox-Wisconsin portage and flows into Lake Winnebago, and the Wolf River from Shawano Lake to its confluence with the Fox River. These waterways (both rivers and lakes) are slow moving, shallow, and silty with large concentrations of fish, mollusca, waterfowl, and wild rice.[2]

The lower Wolf River-upper Fox River area is on the border of major plant and animal provinces and climatic zones. This provides a wide variety of plants

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[1]Lawrence Martin, The Physical Geography of Wisconsin, 2d. ed. (Madison: Wisconsin Geological and Natural History Survey, 1932; reprint ed., Madison: University of Wisconsin Press, 1965), pp. 209, 317.

[2]Richard Peske, "Winnebago Cultural Adaptation to the Fox River Waterway," Wisconsin Archeologist 52 (1971):64-5.

and animals within a relatively restricted area. At least 182 plant species reach their range limits in the area. The Winnebago were within easy reach of prairies, oak openings, southern hardwoods, northern hardwoods, and conifer in addition to the riverine-acustrine area in which they had their permanent villages.

In addition to the large number of waterfowl, deer and elk were found in the area. Originally the area had the largest concentration of deer in the state. Bison were found in the prairie areas of southcentral Wisconsin.[1]

Some of the known prehistoric village sites are Doty Island in Lake Winnebago located at the mouth of the Fox River where it empties out of Lake Winnebago, McCauley at the mouth of the Fox River where it empties into Lake Winnebago, and Lasley's Point at the junction of the Fox and Wolf Rivers. These three sites are located at strategic water travel junctions. The Winnebago were linked to northern Wisconsin via the Wolf River, the Great Lakes via the lower Fox River and the Mississippi via the upper Fox River and the Wisconsin River.[2]

The Rock River band of Winnebago were located on the upper Rock River and its headwaters. The largest village was on Lake Koshkonong, a broad, shallow expansion of the Rock River. Wild rice grew abundantly over almost its entire surface. The abundant plant and animal

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[1]Ibid., p. 66.

[2]Ibid., p. 67.

resources made the area an important habitation site. The surrounding countryside consisted of burr oak groves and prairies known as oak openings or oak savannahs.[1]

Economy

The economy of the fur trade era involved hunting and trapping for peltry and food, gardening, and gathering of wild foods. Caleb Atwater, a treaty commissioner in 1829, wrote this description of their food and its preparation:

> The women contrive to hide some of the food, when they have an abundance, so as not to be at any time entirely destitute. While at Prairie du Chien, I enquired for some wild rice, and to my surprise, a squaw produced several quarts of it, which had been gathered the autumn before, near Lake Puckaway, kept until then, and brought one hundred and fifty miles, for fear of needing it while away from home, attending on the council.
>
> They parch their rice and corn, in order the better to preserve them, and sometimes bury them in the ground to keep them from being stolen. . . . Their parched grains would not be spoiled by lying in the ground, for a considerable length of time.
>
> Their food consists of fish, either fresh or dried in the smoke--of the meat of wild animals, and wild rice or Indian corn. They are fond of soup, to make which they use meat and corn meal. They boil a kettle full of corn in water and wood ashes, until the hull will come off, when they wash off the ashes in pure water, and lay the corn on mats in the sun to dry. That operation being performed, thoroughly, they pound it quite fine in a mortar and put it in a kettle with the flesh, and boil it a long time, until the meat is boiled into rags, when the soup is placed in large wooden bowls for eating.

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[1]Spector, pp. 81-82.

> Though they have their likes and dislikes as to food, yet they eat almost any animal they kill. Not over nice about any part of the animal, they eat entrails and all . . . . They change their diet as often as they conveniently can, and every season produces a change of food. Their dog feasts are greatly admired by them, and no epicure among us, can find any food more to his liking, than the flesh of a fat dog is to an Indian. They generally live on flesh of some kind, yet, they prefer that which is fresh, to salted meats, but they often mix the two sorts in cooking. The meats they eat being wild and tender, easily digested, and so thoroughly boiled, broiled, roasted or fried, that they can eat large quantities of them without injury.[1]

Clan Organization

The Winnebago tribe was divided into two halves called by anthropologists the upper and lower moieties. The upper moiety included the bird clans and the lower moiety included creatures belonging to the land. The moieties regulated marriage. An upper moiety member had to choose a mate from the lower moiety and vice-versa. The anthropologist, Paul Radin, was told that the moities determined the residential structure of villages, with earth clans inhabiting the northeast half of each settlement and those of the Sky moiety the southwest. This arrangement, denied by some informants, resembled the organization of the Omaha camp circle. It also provided the structure for the camps of war parties but was not used on journeys for other purposes or on occasions when

[1]Caleb Atwater, Remarks Made on a Tour to Prairie du Chien, thence to Washington in 1829 (Columbus, Ohio: Isaac N. Whiting, 1831), p. 102-103. All quotations are exactly as written in the original throughout this thesis and sic will not be used.

an entire community moved. Besides segregating clans spatially and linking them through reciprocal obligations in activities such as burial, the moieties structured opposition by providing the organization for lacrosse games. The pronounced tendency for members of the Earth moiety to deny statements made by those of the opposite group might also reflect such opposition.[1]

Radin lists twelve clans for the Winnebago. The upper moiety included the Thunderbird, Warrior, Eagle, and Pigeon clans. The lower moiety included the Bear, Wolf, Water-spirit, Deer, Elk, Buffalo, Fish, and Snake clans.[2]

Chieftainship

The chief of the tribe was always chosen from certain families in the Thunderbird clan. He was a civil chief and all of his functions were connected with peace. He could not lead a war party but could accompany one. His lodge contained a sacred fireplace around which only Thunderbird clan members could sit. This lodge was an asylum for wrongdoers and the Thunderbird chief acted as an intercessor between wrongdoers and their avengers. A murderer was tied and taken to his avengers with the chief

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[1]Charles Callender, "Great Lakes--Riverine Sociopolitical Organization," in Handbook of North American Indians, gen. ed. William C. Sturtevant, vol.15: Northeast, ed. Bruce G. Trigger (Washington: Smithsonian Institution, 1978), p. 615.

[2]Paul Radin, The Winnebago Tribe (Washington, D.C.: Smithsonian Institution, 1923: reprint ed., Lincoln: University of Nebraska Press, 1970), pp. 142-3.

leading the way and carrying his sacred pipe. He could also prevent unauthorized war parties from departing. Naw Kaw Caromanie held this position in the 1820's and 30's.[1]

According to Caleb Atwater, a commissioner at the 1829 Winnebago treaty, there were two civil chiefs for each village or band. When the civil chiefs met together, it was called the grand council of the Winnebago tribe. Charles Trowridge, acting Indian agent at Green Bay in 1823, and Atwater both stated that the civil chieftainship was hereditary. Spector states the clan which provided the chiefs was probably the Thunderbird clan. Although this seems to be true, for the chief of all the tribe, a check of the clan memberships of the headmen in the Kinzie census of 1829 shows that members of the Hawk, Bear, Wolf, and other clans were also village chiefs. A treaty was not considered valid unless a proper number of Bear clan members were present. The Bear clan dealt with things of the earth and its members had to be present to give their approval of land cessions to the American government.[2]

The soldier or police chief was always chosen from the Bear clan. The symbols of this office were a curiously whittled baton and crooks that were carried in battle. This leader and other Bear clan members policed and guarded the village, inflicted punishment for transgressions of law and custom, took charge of the whole

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[1]Ibid., pp. 161-2.

[2]Spector, pp. 61-65.

tribe when it was on a communal warpath or engaged in hunting, etc. It was in the official lodge of the Bear chief that prisoners were confined before being killed or tortured, and it was in the same lodge where the sacred war bundles were stored and guarded against contamination.[1]

A member of the Buffalo clan served as village crier and intermediary between the chief and the rest of the tribe.[2] However, many times a half-breed was chosen as an intermediary between the chief and the whites. On great occasions the principal chiefs appeared as orators themselves.[3]

Warfare

War and the life of the warrior was probably the most important aspect of Winnebago life for the men. It gave a man social standing and individual prestige within the community, and prayer for success on the warpath was the most important prayer offered to the spirits.

There were two reasons for going on the warpath--to revenge a slain relative, or to obtain glory. Before a man went on the warpath either individually or with a party, he must be specially blessed with war powers. Without this blessing, the man would be coerced

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[1]Paul Radin, The Road of Life and Death; A Ritual Drama of the American Indians (New York: Pantheon Books, Inc., 1945), p. 52.

[2]Radin, The Winnebago Tribe, pp. 152-3.

[3]Atwater, p.123.

by the peace chief to abandon his plan. A man obtained this blessing through fasting. A sufficient blessing or "complete road" provided food, the specific place and number of enemies to be killed, how the war party was to return safely and many other details. A man unable to obtain war powers could either purchase them or volunteer for a large war party. A volunteer did not need a special blessing. The Hawk or Warrior clan had special war functions. Some informants claimed this clan did not have to fast for war powers, although others denied it.[1]

A Victory or Scalp dance was held when a successful war party returned. Juliette Kinzie, wife of the Winnebago Indian agent, described a scalp dance she witnessed at the Fox-Wisconsin portage in the 1830's:

> The scalps are stretched on little hoops, or frames, and carried on the ends of slender poles. These are brandished about in the course of the dance, with cries, shouts, and furious gestures. The women, who commence as spectators, becoming excited with the scene and the music which their own discordant notes help to make more deafening, rush in, seize the scalps from the hands of the owners, and toss them frantically about, with the screams and yells of demons. I have seen as many as forty or fifty scalps figuring in one dance.[2]

Before the war party entered the village, a messenger was sent ahead to say that all the war party had perished. Then after the preparation for mourning had begun, the war party would rush into the village. The

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[1]Radin, The Winnebago Tribe, pp. 108-9.

[2]Juliette A. Kinzie, Wau-Bun; The Early Days in the Northwest (New York: Derby Jackson, 1856), p. 462.

scalps were left outside the village and the warriors who had been left behind would rush out and count coup upon the scalps. The Winnebago followed the custom of "counting coup" in warfare. The warrior who struck a slain enemy first obtained the first war honor; the one striking it second, the second honor; the one striking it third, the third honor; and the one who actually killed the enemy, obtained the fourth and least important honor. Everyone then went to where a stake had been set up for the Victory dance and the war honors of those who had won them were distributed to their sisters, who wore them proudly around their necks. After the Victory dance that day, which was led by the warrior who won the first war honor, the Hokixere dance, in which they tried to trample upon and conquer the soul of the scalp, was danced in the dancing lodge the next four nights in a row.[1]

All important undertakings were decided in council by the principal members of each clan. Each made a speech and the matter was discussed until a consensus was reached. The order of entering the lodge and the exact seating arrangement is unknown.[2]

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[1]Ibid., p. 115.

[2]Radin, The Winnebago Tribe, p. 110.

Religious Concepts

The Winnebago did not have a supernatural power or magic power concept. "Wakan" means sacred. If something was "wakan," the Winnebago might make a tobacco offering to it because it has the power of bestowing blessings on him.[1]

To the Winnebago the world was inhabited by many spirits that demonstrated their existence by the blessings they bestowed on a man which enabled him to be successful. The principal deities of the Winnebago were:

Earthmaker, or the great spirit, who was expected to give man life. He created everything with the definite purpose of benefiting mankind. Earthmaker sent out the Trickster, the Bladder, the Turtle, He Who Wears Heads as Earrings, and the Hare to rid the world of evil spirits and giants.

Sun was the husband of Moon. He blessed only men and was not a true guardian spirit. One of his blessings was success in war.

Moon was a female deity who blessed women but was not a true guardian spirit.

Earth was a female deity and offerings were made to her at the Medicine Dance and the war-bundle feasts. She was not a guardian spirit.

Morning Star was a guardian spirit associated with war.

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[1]Ibid., pp. 234-5.

Disease-giver dealt out death from one side of his body and life from the other. His specific blessings dealt with war and the curing of disease and he played an important role at war-bundle feasts.

Thunderbird was easily approachable by men. He blessed them with practically everything but particularly victory on the warpath.

Water-spirit, a water monster, was considered an evil spirit in eternal enmity with Thunderbird and was the most evil and dangerous of all the deities for men. However, one of the Water-spirits was the deity in control of the earth and the "bones" of a Water-spirit were one of man's most prized possessions because of the remarkable power with which they were endowed.

Snakes were the specifically sacred animals of the Winnebago, intermediaries between the deities and man.

Other deities included fire, light, and numerous animal spirits.[1]

Spirits possessed the power to give man things of socio-economic value such as rain or success on the warpath. These powers were in the hands of a comparatively few spirits and the same powers were sometimes possessed by different spirits. The spirits were definitely localized. There were as many spirits as there were lakes, hills, rivers, strange rock formations, etc. They were looked upon from two points of view. They

[1]Ibid., pp. 237-9.

could be viewed first as guardian spirits capable of bestowing certain blessings and second as protectors of their own precincts to whom offerings were made for temporary protection. For example, tobacco was offered when crossing a river or lake as recompense for trespassing and a prayer offered for protection from storms.[1]

Fasting induced a religious feeling which was considered necessary to overcome certain crises in life. Blessings were obtained in direct proportion to the power of mental concentration an individual was capable of. Tobacco was the most important offering. Each spirit was offered whatever it was supposed to like. Animals were offered their favorite foods. Disease-giver was offered dogs at the war-bundle feasts. Prayers were offered for material goods or perceived needs.[2]

Ceremonial Organization

The four types of ceremonies were: the clan ceremonies, religious societies, the Medicine dance and a semipermanent organization like the Hokixere dance, in which only warriors who had counted coup could participate.

The clan feasts were given in the spring and offerings were made to the clan animals. The War-bundle

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[1]Ibid., pp. 240-1.

[2]Ibid., pp. 262-3.

or Winter Feast consisted of two parts. The first part was consecrated to the night spirits and the second part to the Thunderbirds. Both were concerned with war powers. Tobacco, buckskins, and eagle feathers were offered to the spirits as a general ceremony of thanksgiving for victory.[1]

There were at least four secret societies: the society of those who have been blessed by the night spirits, the society of those who have been blessed by the buffalo, the society of those who have been blessed by ghosts, and the society of those who have been blessed by the grizzly bear.[2]

The Medicine-Rite was a secret society whose function was to heal the sick, prolong life, and instill Winnebago virtues. Membership was divided among five ceremonial bands responsible for specific parts of the ceremony and could be obtained for both men and women by replacement of a deceased member. The culture hero, Hare, was considered the creator of the society. The important ceremonies were held in the summer. One of the most important parts of the ceremony was the ritualistic killing and coming to life again of a new member. This

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[1]Ibid., p. 380.

[2]Ibid.

was symbolic of the belief that all members of the society would receive the gift of reincarnation.[1]

The Hokixere dance was given after a successful war party by the four individuals who counted coup, and it is an example of a temporary society. "The main purpose [of the dance] was the desire to transfer to the victor, from the skull or scalps of the slain enemies obtained on that particular warpath, the valor and prowess for which the slain person was noted."[2]

Attitude Toward the White Man

The attitude of the Winnebago toward the white man and his civilization can probably best be expressed in their own words.

Day-Kau-Ray, a prominent mixed blood chief, spoke on education in the early 1830's:

> Father,--The Great Spirit made the white man and the Indian. He did not make them alike. He gave the white man a heart to love peace, and the arts of a quiet life. He taught him to live in towns, to build houses, to make books, to learn all things that would make him happy and prosperous in the way of life appointed him. To the red man the Great Spirit gave a different character. He gave him a love of the woods, of a free life, of hunting and fishing, of making war with his enemies and taking scalps. The white man does not live like the Indian--it is not his nature. Neither does the Indian love to live like the white man--the Great Spirit did not make him so.

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[1]Paul Radin, The Autobiography of a Winnebago Indian (University of California Publications in American Archeology and Ethnology, 1920; reprint ed., New York: Dover Publications, 1963), pp. 18-19.

[2]Radin, The Winnebago Tribe, p. 270.

Father,--We do not wish to do anything contrary to the will of the Great Spirit. If he had made us with white skins, and characters like the white men, then we would send our children to this school to be taught like the white children.

Father,--We think that if the Great Spirit had wished us to be like the whites, he would have made us so. As he has not seen fit to do so, we believe he would be displeased with us, to try and make ourselves different from what he thought good.

Father,--I have nothing more to say. This is what we think. If we change our minds, we will let you know.[1]

Hoowaneka, Little Elk, a mixed blood orator, spoke at Prairie du Chien, in July 1829 against the sale of their lands:

The first white man we knew was a Frenchman--he lived among us, as we did, he painted himself, he smoked his pipe with us, sung and danced with us, and married one of our squaws, but he wanted to buy no land of us! The "Redcoat" came next, he gave us fine coats, knives and guns and traps, blankets and jewels; he seated our chiefs and warriors at his table, with himself; fixed epaulets on their shoulders, put commissions in their pockets, and suspended medals on their breasts, but never asked us to sell our country to him! Next came the "Blue coat," and no sooner had he seen a small portion of our country, than he wished us to see a map of THE WHOLE of it; and, having seen it, he wished us to sell it ALL to him. Gov. Cass, last year at Green Bay, urged us to sell ALL our country to him, and now, you fathers, repeat the request. Why do you wish to add our small country to yours, already so large? When I went to Washington, to see our great father, I saw great houses all along the road, and Washington and Baltimore Philadelphia and New York are great and splendid cities. So large and beautiful was the President's house, the carpets, the tables, the mirrors, the chairs, and every article in it, were so beautiful, that when I entered it, I thought I was in heaven, and the old

[1]Kinzie, p. 120.

> man there, I thought was the Great Spirit; until he had shaken us by the hand, and kissed our squaws, I found him to be like yourselves, nothing but a man! You ask us to sell all our country, and wander off into the boundless regions of the West. We do not own that country, and the deer, the elk, the beaver, the buffalo, and the otter now there, belong not to us, and we have no right to kill them. Our wives and our children now seated behind us, are dear to us, and so is our country, where rest in peace the bones of our ancestors. Fathers! pity a people, few in number, who are poor and helpless. Do you want our country? your's is larger than our's. Do you want our wigwams? you live in palaces. Do you want our horses? your's are larger and better than our's. Do you want our women? your's now sitting behind you, (pointing to Mrs. Rolette and her beautiful daughters, and the ladies belonging to the officers of the Garrison,) are handsome and dressed better than our's. Look at them yonder! Why, Fathers, what can be your motive?[1]

The Winnebago and the Americans had a fairly long history of ill will. The Winnebago kept to themselves and always remained sullen and war-like in their attitudes toward the whites. Contemporary descriptions of the Winnebago varied according to the prejudice of the particular writer. Joseph Street, the Winnebago Indian agent stationed at Prairie du Chien, described a proud people:

> Individually they are fierce, savage and high-minded--delighting in the chase and priding in acts of chivalry and deeds of War. The men are large, tall, straight, and very muscular--consider labor degrading--and use no ornaments except medals. The women partake much of the same traits of character--they consider all the little arts and manufactures common amongst other Indians trifling and useless. They make but few mats or baskets and those are coarse, ill-shapen and inelegant. Their moccasins are plain and

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[1]Atwater, pp. 121-2.

> ungarnished and they seldom wear any kind of ornament.
>
> There is a savage scowl, a gloomy dignified reserve, and high manly bearing, that to the eye, easily points out the Winnebago warrior, amidst a crowd of Indians of other tribes. In his formation and appearance, nature seems to have an assurance that he is a man.[1]

Colonel Charles Whittlesey wrote a less complimentary description based on his services with the militia during the Black Hawk Indian War of 1832:

> The Winnebago is the reverse of a Menominee. Tall in figure, haughty in his mien, proud of his nationality, and ever ready for war, he indulges in less drink and idleness than his neighbor, practices theft and murder, and repulses the advance of the white man. We had too often seen their treachery and duplicity, to be anxious to spend much time with them.[2]

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[1]Charles E. Brown, "Lake Monona," Wisconsin Archeologist N.S. 1 (1922):127.

[2]Charles Whittlesey, "Recollections of a Tour Through Wisconsin in 1832." Wisconsin Historical Collections 1 (1855; reprint 1903):74.

CHAPTER III

WINNEBAGO HISTORY TO 1837

The French and British, 1634-1783

The earliest white contact with the Winnebago was by the French in 1634, although the Winnebago were aware of the French earlier due to trade with the Ottawa tribe to the east, from whom they obtained French goods. Initially the Winnebago were hostile to the French. During their recovery period, however, they were usually allied with the French although on occasion they allied themselves with the Fox Indians in opposition to the French. The Fox were the dominant tribe on the Fox-Wisconsin drainage area from the middle of the 1600's until driven out by the French in 1728. In that year, a French military expedition under Marchand de Lignery burned five villages, including the Winnebago village. The burning of their village caused a split to develop within the Winnebago tribe with part of the tribe joining the Fox on the Mississippi and the other group joining the French. By 1742, the split within the tribe had become permanent. The pro-French group returned to the Green Bay-Lake Winnebago area and rebuilt their village on

Doty's Island in Lake Winnebago. The pro-Fox group settled on the Rock River drainage area. During the French and Indian War and the American Revolution, the Green Bay Winnebago supported first the French and then the British. The Rock River Band either remained neutral or were hostile to the French and British.[1]

During the French and Indian War, the Winnebago fought against the British. In 1755, there were forty-eight Winnebago among the 2,000 Indian allies with the French general, Montcalm, when he attacked Fort William Henry at the upper end of Lake George in New York State. After the fall of Quebec to the British in 1760, the French lost the power to carry on an organized resistance. Lt. James Gorrell and a small body of British troops occupied the French post at Green Bay on October 12, 1761. Among the Indians that met him were delegations from three Winnebago bands. The Winnebago were not involved in Pontiac's conspiracy in 1763 and some Winnebago went with Gorrell when he left to rescue the survivors of the attack on Fort Michilimackinac.[2]

After Gorrell's withdrawal, Green Bay was not reoccupied, and the British showed little interest in the Wisconsin area until the American Revolution. In 1777, a party of Winnebago were with Charles Langlade, a

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[1]John A. Jones, "Winnebago Ethnology," in Winnebago Indians, (New York: Garland Publishing Company, 1974), pp. 36-39, 71, 73.

[2]Ibid.

French-Ottawa fur trader at Green Bay, when he reported in Quebec to Sir Guy Carleton, the Governor of Canada. Langlade was sent to join General John Burgoyne's forces. However, Burgoyne disliked Indian auxiliaries because of their cruelty and desire to loot. In August, the western Indians returned home unhappy with Burgoyne's attempts to restrict them. In February of 1779, George Rogers Clark captured Fort Vincennes, and fear that Clark was planning an attack on Detroit effectively neutralized the French inhabitants and the Indians in the entire western area during the remainder of the American Revolution.[1]

On August 22, 1778, at Fort Bowman, Illinois, Clark entered into a treaty of alliance and friendship with the Rock River band of Winnebago led by Chonrachon. The Winnebago around Green Bay continued to serve the British. In 1780, Patrick Sinclair, Lt. Governor of Michilimackinac, ordered Captain Emanuel Hesse, a trader formerly in the British 60th regiment, to assemble the Winnebago, Menominee, and the Sauk and Fox at the Fox-Wisconsin Portage to wait for orders and prepare for an expedition against the Spanish and the Americans. An unsuccessful attack was made on the Spanish at St. Louis. Although the Winnebago attempted to storm St. Louis and had a chief and three men killed, the attack failed because the Sauk and Fox fell back. When the war ended

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[1]Ibid., p. 58.

in 1783, the British retained control of Wisconsin and the upper Michigan peninsula.[1]

The Winnebago had not been located at the Fox-Wisconsin Portage until stationed there under Captain Hesse. In 1783, however, the Winnebago began plundering traders at that point. Langlade reported that Antione Reihle had been one of those plundered at the Portage.[2]

American Sovereignty Period

At the beginning of this period the Winnebago lived in summer villages around Lake Winnebago, along the Fox River to the Fox-Wisconsin Portage, and on the headwaters of the Rock River. The village near the Fox-Wisconsin Portage was founded in 1793 to be near a white trader from Mackinaw named Laurent Barth. Barth purchased from the Winnebago the right to transport goods over the portage. Each fall some of the Winnebago met at Prairie du Chien with the fur traders and went from there to fur-trapping grounds for the winter. These included the Mississippi River north of Prairie du Chien, the Black River, the upper Wisconsin River, and its tributaries such as the Lemonweir. The Winnebago were probably also carrying on winter hunts with the Sioux as it was reported that there was considerable intermarriage between the two

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[1]Ibid., pp. 61-62.

[2]Ibid., p. 68.

tribes. The Winnebago on the Fox River considered those on the Rock River to be the outlaws of the nation.[1]

Tecumseh and the Prophet

The Winnebago were among the staunchest advocates of the Shawnee Prophet, Tenskwatawa, "The Open Door," and his brother Tecumseh. Tenskwatawa preached the giving up of all aspects of white culture and promised a return of the blessings of the Great Spirit if all Indians would live again as Indians. His message spread among the Great Lakes, Ohio Valley, and Southeastern Indians. Under the influence of these leaders, the Winnebago virtually abandoned Wisconsin, and a sizable number of Winnebago spent the summer of 1810 on the banks of the Wabash River in Indiana. Naw Kaw Carramaunee and Four Legs, two Winnebago leaders, were members of Tecumseh's personal escort. One old Winnebago chief complained that all the village chiefs had been deposed and that the warriors managed everything. These warriors breathed nothing but war against the United States.[2]

On November 7, 1811, the Prophet's force clashed with the Americans in the Battle of Tippecanoe. A British report stated that six Winnebago were killed. William H. Harrison, the Governor of Indiana Territory, claimed that forty Winnebago were killed. However, the Indians had not

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[1]Ibid., pp. 76-83.

[2]Ibid., pp. 88-89, 112.

suffered a major defeat and were soon back on the Wabash. In June, 1812, Governor Ninian Edwards of Illinois Territory reported that the majority of the Winnebago tribe was at Tippecanoe with Tecumseh and the Prophet.[1]

On October 5, 1813, the Battle of the Thames broke the Indian power in the midwest and helped to end the war of 1812. Tecumseh was killed in the battle. Naw Kaw and Four Legs fought with him. Even though the Winnebago were with Tecumseh at his death, they developed a myth that Tecumseh's skin was bullet proof. In the myth it was claimed that he wore a white deer-skin hunting shirt in battle and that the bullets shot at him would go through his shirt and fall harmlessly aside. Then old and feeble Tecumseh, wishing to make his son bullet proof also, retched and threw up a smooth black stone about three inches long said to be his soul. He gave this to his son so that he could never be killed by bullets but would die of old age.[2]

After Tecumseh's defeat the Winnebago were among the Indians who escaped. Since they were in a mood to continue the war, the peace between England and the United States in 1814 caught them by surprise. They protested to the British agents at Michilimackinac and were given

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[1]Ibid., pp. 71-92; Glen Tucker, Tecumseh, Vision of Glory (Indianapolis: Bobbs-Merrill, 1956), pp. 16-17, 126.

[2]Reuben G. Thwaites, ed., "Narrative of Spoon Decorah," Wisconsin Historical Collections 13 (1895):459-460.

presents to hold them in readiness in the event of renewed hostilities. On June 3, 1816, the United States entered into a treaty of peace and friendship with that portion of the Winnebago living on the Wisconsin and Fox Rivers. No treaty was made with the Winnebago on the headwaters of the Rock River.[1]

Military Occupation

In 1816, the arrival of the first American troops in Wisconsin began the actual exercise of the sovereignty acquired from Great Britain under the treaty of 1783. Colonel John Miller arrived at Green Bay in August of 1816 with four companies of the 3rd U. S. Infantry, where he proceeded to build Fort Howard. The Winnebago were hostile and opposed to the building of the fort by the Americans, whom they called Chemokeman or Long Knives. Nat-aw-pin-daw-qua, or the Smoker, a Winnebago chief who had fought against the Americans in the War of 1812, made a speech at Green Bay in August of 1816, to Colonel John Bowyer, the Indian agent. Although in this speech he was threatening, suspicious, fearful, and supplicating all at the same time, the over-all impression is one of hostility. At one point the Smoker threatened:

> You know that the Master of Life governs us all. It is him who placed us on the earth and is our Master. Should your intentions be to destroy

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[1]Jones, "Winnebago Ethnology," pp. 103-104.

> us, I doubt if you could succeed because he protects us as well as you.[1]

The Winnebago around Lake Winnebago traded at Green Bay, and those on the headwaters of the Rock River traded at Milwaukee and Chicago, although both groups preferred the British traders. The Winnebago continued to visit the British at Drummond's Island annually for presents. The presents were said to be a reward for their services in the War of 1812, but the effect was to help the British retain control of the fur trade. The Winnebago remained hostile and uncooperative toward the Americans. In 1820 Jedediah Morse reported that no other tribe seemed to have as much jealousy of the whites or such reluctance to have anything to do with them. In January 1820, Colonel John Bowyer, the Indian agent, reported to Lewis Cass, Governor of Michigan Territory, several instances of Winnebago hostility in the previous year. Bowyer arrested the Smoker, the great chief of the Winnebago and son of Nat-aw-pin-daw-qua, because a party of Winnebago fired upon Captain William Whistler, his children and four or five soldiers at the entrance to Lake Winnebago in August of 1819. The Smoker denied knowledge of the incident and was released upon promising to deliver the leader of the guilty party. Bowyer believed that

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[1]Ibid., pp. 105-107; "Arrival of American Troops at Green Bay in 1816," Wisconsin Historical Collections 13 (1895):441-442, 444.

nothing but a strong fort at the Fox-Wisconsin portage would keep the Winnebago under control.[1]

The Treaty of August 19, 1825

In 1825 the U. S. government brought together the Indians of the Old Northwest for a grand council. The purpose was to make peace between the Winnebago, Sioux, Chippewas, Sauk, Fox, Menominee, and a portion of the Ottawa, Chippewa, and Pottawatomi living on the Illinois River, and to set the boundaries of the lands claimed by the various tribes. This was done to facilitate future land cession treaties. During the council, Naw Kaw Carramaunee, principal Winnebago chief, made the following speech expressing the Winnebago views on land claims:

> My fathers, what has been said coincides with my feelings--I am glad you have met us here to make peace and give us good advice. I have a small tract of Country of which I wish to tell you. It is where I was born & now live. It commences at our village on Lake Winnebagoe. The Lands I claim are mine and the nations here know it, is not only claimed by us but by our brothers the Sacs & Foxes Menomonees Iowas, Mahas [Omahas] & Sioux they have used it in common--it would be difficult to divide it--It belongs as much to one as the other. My fathers I am much pleased with the counsel you have given to our young men--My father, have patience with me. I do not speak for myself alone but for 4 chiefs, namely: the Boy of Wyno-Spuck, the elder Four Legs, and Dog's Head, and for my uncle who is absent. My Father I did not know that any relations had any particular land--It is true every one owns his lodge & the ground he may cultivate. I had thought the Rivers

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[1]Jones, "Winnebago Ethnology," pp. 105, 110, 114-15.

> were common property of all redskins & not used exclusively by any particular nation.[1]

The Indian view that the land was shared in common by several tribes was ignored by the government and as a result of this treaty the Winnebago country became northwest Illinois, with the Rock River being the southern and eastern boundary, and southern Wisconsin, bounded by the Mississippi River on the West and on the North by the Black, Wisconsin and Fox Rivers.[2]

The Winnebago War of 1827 and the Treaty of August 1, 1829

The Winnebago took this division of territory by the U. S. Government very seriously and in 1827 became incensed over the invasion of their territory by the white lead miners from Galena, Illinois. In October 1826, a report circulated that the Winnebago were planning to attack Fort Crawford, located at Praire du Chien, Wisconsin. While making preparations to defend the fort against an attack, Colonel Josiah Snelling received orders to abandon Fort Crawford and remove to Fort Snelling located on the west bank of the Mississippi River near the mouth of the Minnesota River. The fort was named in Snelling's honor by General Winfield Scott in 1824. Colonel Snelling acted on the orders so quickly that the Winnebago thought the troops had fled because of fear of them. Two Winnebago, who had been confined in the Fort

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[1]Niles Register, 9 August 1825, p.190.

[2]Jones, "Winnebago Ethnology," p. 128.

Crawford guard house the previous winter, were taken along to Fort Snelling.[1]

Early in the winter of 1826-27, the Winnebago heard an unfounded rumor that the British and Americans were going to war in the spring. They held councils to decide about what they should do and only did enough hunting to maintain a bare subsistence. In the spring of 1827, the Winnebago were again stirred up by the false news that the two Winnebago prisoners at Fort Snelling had been executed. The Winnebago band near the St. Peter's River had suffered numerous indignities at the hands of the whites, and Red Bird, a well-known Winnebago leader, was chosen to seek revenge. On June 26, he and two others killed two men at the lower end of Praire du Chien. On the same day, a keel-boat was attacked on the Mississippi River near the mouth of the Bad Ax River while returning from Fort Snelling. The attackers were believed to be Winnebago Indians. It did not matter that the two men who were killed were innocent of any wrongs against the Indians. According to the law of Indian retaliation, any member of the people who commit a wrong against them may suffer for it.[2]

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[1]James H. Lockwood, "Early Times and Events in Wisconsin," Wisconsin Historical Collections 2 (1856,reprint 1903):154-156; Evan Jones, Citadel in the Wilderness: The Story of Fort Snelling and the Old Northwest Frontier (New York: Coward-McCann, 1966), p. 52.

[2]Lockwood, pp. 155, 162, 180.

Quick action by Michigan Territorial Governor Lewis Cass prevented further difficulties. Traveling by bark canoe from Green Bay, he made a circuit of 1600 miles in four weeks including stops at Prairie du Chien and St. Louis. Colonel William Whistler moved troops from Fort Howard at Green Bay to the Fox-Wisconsin portage, where he was joined by General Henry Atkinson from St. Louis. Volunteers from the lead miners led by Henry Dodge also converged on the portage. Colonel Snelling also returned two companies from Fort Snelling to Fort Crawford at Prairie du Chien. This show of strength put a rapid end to the so-called "Winnebago War," a misnomer reflecting white hysteria rather than actual fact. Naw Kaw Carromaunee delivered the three alleged murderers, Red Bird, Sun, and Buffalo Calf, to Colonel Whistler at the Fox-Wisconsin portage. Red Bird died in prison while the other two were convicted and sentenced to be hanged. President John Quincy Adams, however, pardoned them.[1]

A treaty council was called in August 1828, at Green Bay, to cede the lead mines area in northwest Illinois and southwest Wisconsin. Colonel Pierre Menard, the treaty commissioner, was only able to set up a temporary boundary line between the Winnebago and the United States. The Winnebago delegates would not enter

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[1]Jones, "Winnebago Ethnology," p. 130; Lockwood, p. 154; Lurie, "The Winnebago Indians: A Study in Cultural Change," pp. 108-109; Thomas L. McKenney, "The Winnebago War," Wisconsin Historical Collections 5 (1868, reprint 1907):200-202.

into a binding agreement because their people had not had sufficient time to consider the matter and they were not delegated to sell their lands. A treaty of cession was contemplated for the next year. As a direct result of the disturbances among the Winnebago, Fort Winnebago was established in 1828 in the heart of their territory at the Fox-Wisconsin portage.[1]

The treaty of August 1, 1829, ceded the Winnebago territory that lay north of the Rock River in Northern Illinois and south of the Wisconsin River in Southern Wisconsin. This gave the whites the lead mining areas of northern Illinois and southern Wisconsin. The Winnebago continued to live primarily on the headwaters of the Rock River in Wisconsin, around Lake Koshkonong and scattered from Lake Winnebago to the Fox-Wisconsin portage.[2]

The Black Hawk War and the Treaty of September 15, 1832

The Black Hawk War began with the crossing of the Mississippi River by a band of Sauk and Fox Indians led by Black Hawk. This alarmed the whites and troops were called out. Eventually Black Hawk retreated through Wisconsin and his band was cut to pieces by the whites at the mouth of the Bad Ax River on the Mississippi River. Every effort was made by the whites to keep the Winnebago neutral but with only partial success. The Winnebago

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[1]Jones, "Winnebago Ethnology," pp. 140-142.

[2]Ibid., p. 143.

guides who led the whites were suspected of deliberately leading them through swamps and nearly impenetrable thickets to give Black Hawk time to retreat. Many Winnebago aided the Sauk and Fox in every way possible without declaring war. A few of the Winnebago warriors were known to have joined war parties and several were accused of murdering whites near Blue Mound, Kellogg's Grove, and Lake Koshkonong.[1]

In the treaty of September 25, 1832, held at Rock Island, Illinois, the Winnebago were forced to cede all their lands on the headwaters of the Rock River and the area between Lake Winnebago and the Fox-Wisconsin portage because of their participation in the Black Hawk War. In return, they were given an annuity of $10,000 for twenty-seven years and an area known as the Neutral Ground west of the Mississippi River in Iowa. The Winnebago were to move to the Neutral Ground by June 1, 1833.[2]

The Neutral Ground was a territory forty miles wide and two hundred miles long located mainly in northeastern Iowa but embracing a small triangle in southeastern Minnesota. It was formed in 1830 in an attempt to prevent fighting between the Sioux and the Sauk and Fox tribes. The boundary settled on between the two

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[1]Ibid., pp. 153-156.

[2]Ibid., p. 157; "Treaties between the Winnebago Indians and the United States of America, 1816-1865," Journal of the Wisconsin Indians Research Institute 2 (June, 1966):31.

tribes at the grand council held at Praire du Chien in 1825 was a line west of the Misissippi River from the mouth of the upper Iowa River to the upper fork of the Des Moines River. In July 1830, a treaty council was held at Prairie du Chien. After four days of talk, the Sioux sold a strip of land twenty miles wide on the north side of the boundary line to the government and the Sauk and Fox sold a strip twenty miles wide on the south side of the line. The Indians promised not to fight in the zone of land between the tribes, and so it was called the Neutral Ground.[1]

Removal from Southern Wisconsin and Northern Illinois

During the winter of 1832-33, rumors of Indian unrest spread throughout the West. The War Department learned that the Winnebago had threatened settlers. As a result, in January 1833, General Henry Atkinson received orders that should he fear any hostilities by the Winnebago he was to order forward Major Henry Dodge's two companies of mounted rangers. By the end of January, Atkinson reported that the rangers were ready for active service, although he was sure the Winnebago were not planning an attack. He preferred to investigate all reports before taking action. Consequently, he intended to keep the rangers inactive until spring when he planned

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[1]John E. Briggs, Iowa Old and New (Lincoln: University Publishing Co., 1939), pp. 100-101.

to send units to Rock River and the mining district of southwestern Wisconsin.[1]

In the spring of 1833, the Winnebago showed a strong disposition to remain on the lands they had ceded in September 1832. Most of the Winnebago were unwilling to go to the Neutral Ground and place themselves between the Eastern Sioux in Minnesota and the Sauk and Fox in Iowa because they might be attacked from both sides. The presence of the Winnebago Indians in Wisconsin was sure to cause renewed friction with the mining population, and the Secretary of War wanted the Winnebago to fulfill the treaty of 1832 and move out of the ceded lands. Because of the threatening attitude of the Winnebago, Major Henry Dodge held a council with them April 29, 1833, at the Four Lakes (Madison, Wisconsin). White Crow, Whirling Thunder, and other headmen were present. The Indians desired to stay and raise another crop of corn. Pierre Paquette, the well-known, part-Winnebago Indian trader at the Fox-Wisconsin portage, interpreted Dodge's speech. Nothing definite was accomplished in convincing the Winnebago to leave their ceded lands, and Dodge declared that the Winnebago were the most difficult Indians to understand that he had ever met.[2]

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[1]Roger L. Nichols, General Henry Atkinson, A Western Military Career (Norman: University of Oklahoma Press, 1965), p. 180.

[2]Louis Pelzer, Henry Dodge (Iowa City: The State Historical Society of Iowa, 1911), p. 74.

John H. Kinzie, the Winnebago sub-agent at Fort Winnebago, reported on May 29, 1833, that the Rock River Winnebago planned to settle between Devil's Lake and the Baraboo River north of the Wisconsin River in present-day Sauk County, Wisconsin, rather than to go to the Neutral Ground in Iowa. In May, Dodge received orders to demand the return of eight Winnebago prisoners who had escaped the previous fall. They were accused of murdering several whites at Kellogg's Grove in June 1832, during the Black Hawk War. Dodge met the Winnebago in council in mid-June at Fort Winnebago. He delivered a stern talk telling them that if the murderers were not surrendered immediately, and if the remainder of the tribe didn't remove north of the Wisconsin River, he would send soldiers to hold their headmen hostage and drive the remainder across the Wisconsin. Paquette was again the interpreter. These threats were effective, and the eight murderers were delivered to the Winnebago subagent John H. Kinzie and lodged in the guard house at Fort Winnebago. This was followed by the exodus of the Winnebago from the Rock River country across the Wisconsin River to the north. A company of Dodge's mounted rangers were stationed near the Four Lakes with orders to patrol the border of the cession. In spite of this, many of the Winnebago returned to their former homes. Dodge suspected that two traders at the Fox-Wisconsin portage, Dougherty and Mack, were advising them to return to the Rock River country.

Dougherty was married to a daughter of Whirling Thunder, a leading headman, and had some influence with the Winnebago. Dodge also suspected that the Winnebago and Menominee were planning some resistance together because they seemed friendly with each other, and a few Winnebago were hunting on Menominee lands east of the Fox River. General Atkinson was apprehensive that if the Winnebago were allowed to remain south of the Wisconsin River during the winter of 1833-34, it would increase the difficulty of forcing them north again. Game was not plentiful in the hills north of the Wisconsin and the Winnebago living there did not welcome the newcomers and by mid-November Atkinson had decided to let them hunt for the winter on their old hunting ground among the wooded hills and clear streams of their old Rock Valley homes to prevent their starvation.[1]

The Winnebago continued to occupy their former lands in Wisconsin although the whites pushed them from place to place and they had no means of earning a livelihood. John H. Kinzie resigned as Indian agent at Fort Winnebago in the summer of 1833 and Indian affairs were subsequently handled by the military commanders of the fort who lacked Kinzie's understanding of the Winnebago. In their plight the Winnebago were ready to fight with everybody. James D. Doty, an attorney

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[1]Jones, "Winnebago Ethnology," pp. 157-158; Nichols, pp. 182-184; Pelzer, pp. 75-77.

representing the eight Winnebago accused of murder during the Black Hawk War, wrote Secretary of War Lewis Cass that something must be done to prevent a possible Indian war. Cass was concerned and in 1835 Edmund A. Brush was sent as a special agent from the Indian Department to investigate why the Winnebago didn't move to Iowa.[1]

Brush discovered that allegations that the Fox River-Lake Winnebago bands were ignorant of the treaty of 1832 were not true. The sons of Black Wolf and the Duck had been deputed for the purpose of notifying the rest of the tribe concerning the provisions of the treaty, and both Pierre Paquette, their interpreter, and John H. Kinzie, their agent, had also notified them of the results. Black Wolf, a spokesman for the tribe, in a conference held at Paquette's house at the Fox-Wisconsin portage, said:

> That though not present himself at Rock Island [site of the 1832 treaty] his people were and he admitted that they signed away their land. It was done and would remain so.[2]

The Rock River bands also acknowledged the treaty.[3]

The Winnebago reiterated their fear of the Sioux and the Sauk and Fox as their reason for not removing to Iowa. Whirling Thunder, Little Priest, and White Crow

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[1]Alice E. Smith, James Duane Doty: Frontier Promoter (Madison: State Historical Society of Wisconsin, 1954), pp. 129-30.

[2]Jones, "Winnebago Ethnology," p. 159.

[3]Ibid.

were, however, in the process of leading about 500 members of the Rock River bands north of the Wisconsin River to the Baraboo River. The Duck had led about 100 from the Fox River-Lake Winnebago area north of the Wisconsin and 300 more were in the act of crossing during Brush's visit. About 100 more were at the Fox-Wisconsin portage but were planning to cross over. This left about 200 Winnebago in the Four Lakes country and about 1,000 to 1,200 along the Koshkonong, Catfish and Sugar Creeks and the Pecatonica and Rock Rivers. These Winnebago were split into two groups. One group planned to move west of the Mississippi with the Sauk, Fox and Potawatomie and the other group was going north of the Wisconsin River. The Menominee Indians were insistent that the Winnebago leave the area because they were encroaching on Menominee lands north and west of Lake Winnebago.[1]

In the fall of 1836, Governor Henry Dodge, who had come to Fort Winnebago to make the annuity payments to the Winnebago, held a council and attempted to make a treaty by which they would cede their remaining lands in Wisconsin and move south of the Missouri River. Although Dodge expected Paquette, who was part-Winnebago and very influential with them, to advocate removal, Paquette told the Winnebago that he had not seen the land south of the Missouri River, and they would have to make up their own minds. Not wishing to leave Wisconsin, the Winnebago

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[1]Ibid., pp. 160-161.

refused to make such a treaty. At the 1837 annuity payment, again held at Fort Winnebago, Dodge invited the Winnebago to send a delegation to Washington, D.C.[1]

Suspicious that this was another attempt to obtain their remaining lands, the Winnebago asked if they would be expected to make a treaty. Dodge put them off by saying that they could get acquainted with the President and obtain presents. After much persuasion, they agreed to send a delegation. The twenty-man delegation was not authorized to sign a treaty. They were only to plead their case to keep their home in Wisconsin. The delegation was led by Kar-i-mo-nee, Naw Kaw Karimonee's successor, and Big Boat Decorah, respected civil chiefs. The rest of the delegation included Yellow Thunder, several Decorahs, and another member of the Kar-i-mo-nee family. Most of them were the sons or other relatives of prominent men.[2]

The Final Wisconsin Land Cession,
The Treaty of November 1, 1837

The delegation arrived in Washington on the evening of October 13 and a council was held on October 17. In his welcome speech, Commissioner of Indian Affairs Carey A. Harris immediately offered to buy all of the Winnebago lands east of the Mississippi. The

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[1]Ibid., pp. 163-164.

[2]Lurie, "Winnebago," p. 699.

Winnebago spokesman, Wa-kaun-ha-kah or Snake-skin Decorah, did not express shock at the offer. He stalled, saying:

> My Father You know very well that I do not do anything according to my own head I do just as you tell us all our chiefs and braves are alike we believe in what you say to us My Father you know when two people Shake hands they Speak and when they Speak the great Spirit hears them
>
> What the chiefs and braves have heard they were pleased to hear when you do anything you take time to consider we wish to do the Same we wish two days to consider we will then give you an answer what you have said to us we consider as sacred as if it came from above.[1]

The delegation declined to sell, saying they lacked authority to make such a treaty. Every influence was brought to bear upon them, and they began to worry that winter would set in, and prevent their returning home to their families. The Indians lacked the means to pay their expenses for the trip back and the government kept them there and urged that they make a treaty. They finally signed on November 1, protesting that they did not have the authority to sell their lands. The treaty provided for the usual payments and other services. They were to remove to the Neutral Ground in present Iowa and not to occupy a twenty-mile-wide tract of land, except for hunting, which bordered on the west bank of the Mississippi River. The tribe was promised that the

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[1]Winnebago Council with Carey A. Harris, 17 October 1837, T494, Documents Relating to the Negotiation of Ratified and Unratified Treaties with Various Indian Tribes, 1801-69, Roll 3, Frame 640, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Neutral Ground could be exchanged for more desirable land. They understood that they had the assurance of occupying Wisconsin for eight more years. The delegation thought they were buying time to renegotiate a better treaty. The treaty, however, read eight months. The interpreter later admitted that he had been directed to deceive the Indians.[1]

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[1]Jones, pp. 165-166; Lurie, "Winnebago," p. 699.

CHAPTER IV

THE TREATY-ABIDING FACTION AND THE WISCONSIN REMNANT, 1838-1861

Although not easily definable, the next few years saw the beginning of the Wisconsin Winnebago as a separate group from the treaty-abiding faction. This was the faction that would not obey the government and remove according to the treaty provisions of 1837. These Winnebago have protested down to the present day that the treaty was invalid. Nancy Lurie, a Winnebago specialist, has made a study of previous treaties and agrees with the Winnebago point of view.

More important than the fact that the delegation was made up of young men was the actual number of signers and the low proportion of Bear Clan members, because one of the functions of the Bear Clan was to deal with anything pertaining to land. Forty-three men signed the treaty of 1829 and thirty-nine the treaty of 1832. Only twenty men signed the treaty of 1837. Only two members of the 1837 delegation can be identified with the Bear Clan--Little Priest and Little Soldier. Seven Bear Clan members signed the treaty of 1829 and eleven the treaty of 1832. Furthermore, because of the deception involved in the length of time they could remain in Wisconsin, the

entire Winnebago tribe felt they had been outraged and forced to leave their native homes. One young member of the delegation, son of a prominent chief, dared not visit his father for a long time after his return from Washington.[1]

The principal dissident leaders were Yellow Thunder and Dandy. After the 1840 removal, Yellow Thunder purchased forty acres of land in Sauk County near the Wisconsin Dells. This land legalized his presence in Wisconsin and served as a refuge for a large band of Winnebago under his leadership until his death in 1874.[2]

Dandy, a peace chief[3] and prophet, also known as Roaring Thunder or The Thunders Cheer Him,[4] was a nephew of Four Legs, a prominent chief during the War of 1812. Although a small, thin man of rather insignificant appearance, he acted as a spokesman and symbol of resistance to the government. Dandy did not legalize his

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[1]Nancy Oestreich Lurie, "A Check List of Treaty Signers by Clan Affiliation," Journal of the Wisconsin Indians Research Institute 2 (June, 1966):51; Henry Merrell, "Pioneer Life in Wisconsin." "Wisconsin Historical Collections" 7 (1876, reprint 1908):393.

[2]Lurie, "The Winnebago Indians: A Study in Cultural Change," p. 164.

[3]A peace or civil chief had no authority over his people. He represented them because he belonged to the Thunderbird or Chief clan and was greatly respected. He could only present the group consensus. Frances R. Perry to Lawrence W. Onsager, 9 September 1980, Personal files of Lawrence W. Onsager.

[4]Flora Thundercloud Bearheart to Frances Perry, October 1973, Fieldnotes in possession of Frances Perry, Black River Falls, Wisconsin.

presence by taking land. He and his followers became fugitives residing in the northernmost parts of the old Winnebago territory in Jackson, Monroe, and Juneau counties. Dandy said he had a right to live in the state and declared that he would never be forced to leave the state alive.[1]

Dandy first came to the attention of the whites when he accompanied the Winnebago delegation to Washington, D.C., in 1828. He was called the Little Soldier on the trip because he bore the hardships well. The purpose of the trip was to impress the Winnebago with the power of the Americans. Dandy went as a representative of Four Legs' band.[2]

By 1836 Dandy was one of the principal leaders of the Fort Winnebago or Portage band. Major John Green, the commander of Fort Winnebago, reported a council held during the annuity payment of 1836 on November 1, at which Dandy spoke for the entire tribe.

> We are all here, and, I have not come here to speak for myself, but for the Nation--whatever your great father tells you, you must obey--Our great father would not like to give the Chiefs the money to divide--and we think we have a father here who will do well for us. We want the money as our old Father (Mr. Kinzie) divided it, that is

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[1]Lurie, "The Winnebago Indians: A study in Cultural Change," pp. 162,164; Milwaukee Sentinel, 13 January 1873, p. 1, Microfilm copy. Because of the large number of newspapers used, the complete information on place of publication will be given in "Works Cited."

[2]Louise P. Kellogg, "The Winnebago Visit to Washington in 1828," Wisconsin Academy of Sciences, Arts and Letters, Transactions 29 (1935):348-9.

> among heads of Families, we are poor and many of us without Breech Clouts and Blankets--
>
> Many of the claims against us are not true.
>
> Father when I hear you speak I always like you--Father you told us you would act honorably towards us always,--Father likes his children, and likes to do favors for them--Whatever the president tells my father, he tells us he will obey--We want our annuity in Silver next Year, and we wish to know if we Can't have it earlier.[1]

During the council, Dandy showed the humor and shrewdness for which he was afterwards known. A series of claims against the tribe were presented to Dandy and he stated the tribes position on each. When presented with a claim for a cow by H. McDonald, Dandy said he knew nothing about it. The cow, Dandy said, "was killed by the cold weather, and he [McDonald] must get his pay from the North wind."[2]

Major Green met with Dandy again on March 20, 1838. Dandy, who had just come from Black River where he had wintered with his band, complained that a number of whites were intruding on Winnebago lands. Upon his arrival at the Dells of Wisconsin, he had found one house built and several white men living in it. Dandy told Green that he had difficulty preventing his young men from injuring the men, and he and his band were enraged at the intrusion because they had not consented to the sale of

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[1]John P. Bloom, ed., Territorial Papers of the United States, v.27 (Washington: National Archives, 1969), p. 669.

[2]Ibid., p. 670.

their lands. Dandy also informed Green that at least twenty whites were intruding along the Wisconsin River from the mouth of the Pine River to the Baraboo River. When asked about the new treaty of 1837, Dandy admitted that one of their young chiefs, the son of Black Wolf, did go to Washington, but he was not authorized to sell their land. Dandy would not admit the right of any chief to sell their lands unless this authority was given by the full council of the Winnebago nation. Dandy informed Green that the delegation had not communicated any information about the treaty to the tribe. He and his people were very unhappy with this state of affairs since they did not want any trouble with the whites. Dandy asked for Green's advice and wanted to know if the intruding whites would be compelled to leave the Winnebago lands.[1]

During this time, Dandy became known to white authorities as a dissident who would resist removal. In the fall of 1838, John H. Kinzie, the former subagent at Fort Winnebago, reported to Governor Henry Dodge of Wisconsin Territory a conversation he had with Dandy during the annuity payment at Fort Winnebago. While slightly intoxicated and under the impression that the talk was private and confidential, Dandy stated they would resist as far as possible any attempt to remove them from their homes in Wisconsin. He intended to visit the

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[1]Bloom, pp. 986-987.

Chippewa, Menominee, and Sioux during the coming winter to see what could be done. He wished them to be strong together. He also planned to go to Canada, and after his return would visit Kinzie in Chicago. Dandy said that Kaishkepeykah, leader of a band of 345 Winnebago, was a dog for deciding to move west of the Mississippi, and that the rest of the tribe was displeased with him for leaving his home in Wisconsin. Dodge reported that he planned to watch Dandy closely during the winter and if possible frustrate his intentions. No further references are found about an attempted alliance with the Sioux and Menominee.[1]

The Removal of 1840

By 1839, the Winnebago were scattered in several bands in Wisconsin and Iowa. Big Boat Decorah's band lived on the Black River east of the Mississippi River about one hundred miles above Fort Crawford (Prairie du Chien). The band of his brother, Snakeskin Decorah, resided in the same vicinity on the Mississippi River. Winneshiek's band was on the upper Iowa River, fifty miles west of Fort Crawford. The band of Two Shillings was at the Winnebago school on the Yellow River in Iowa. Two Shillings was named for an incident that occurred in 1828 while he was a member of the delegation to Washington, D.C. The united bands of Little Priest and Whirling Thunder were at a new farm recently opened fifteen miles

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[1]Ibid., pp. 1090-1091.

west of the school. Yellow Thunder's band resided in the Menominee Country on the south side of the Wisconsin River fifteen miles from Fort Winnebago (Portage, Wisconsin). Kar-i-mo-nee's band on the Baraboo River was twenty-seven miles from Fort Winnebago. Dandy's and Little Soldier's bands were sixteen miles from Fort Winnebago, on the same river. Decorah's band was eight miles from Fort Winnebago on the same river. This Decorah was probably White French, son of Old Gray-headed Decorah who died in 1836. The Big Head's band had no settled home, but camped wherever it was most convenient.[1]

In January 1839, Governor Dodge wrote T. Hartley Crawford, the Commissioner of Indian Affairs, concerning his views on the removal of the Winnebago. He believed that the Indians would not make any attack on the white settlements in the middle of the winter. It would, however, require a strong mounted force to remove them in the spring because Dandy and Black Wolf's Son, two of the principal headmen of the Fox-Wisconsin portage bands, adamantly opposed the removal.[2]

The Secretary of War, Joel R. Poinsett, notified General Henry Atkinson in February 1840 that the Winnebago Indians in Wisconsin were to be moved west of the Mississippi by force. Previously, two companies of

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[1] U. S. Commissioner of Indian Affairs, Annual Report, 1839 (Washington: 1840), p. 487.

[2] Bloom, p. 1148.

dragoons had been stationed in Iowa to allay Winnebago fears of attack from the Sauk and Fox Indians. When the Winnebago had still refused to move, Poinsett sent this order to Atkinson. In March, 1840, General Atkinson wrote Wisconsin Territory Governor Henry Dodge asking him to have the Winnebago subagent, David Lowry, assemble the Indians for removal by April 20, preferably at Prairie du Chien. Dodge assured Atkinson that the bands along the Mississippi River and the lower Wisconsin River would move. He felt, however, that the bands near the Fox-Wisconsin portage would present difficulties, and the best way to get them to move would be to gather them at Fort Winnebago and load them onto boats for removal to Prairie du Chien. Once there, the Indians could be escorted to the Neutral Ground by mounted troops.[1]

By April, 1840, about sixty percent of the Winnebago had agreed to remove to Turkey River in northeast Iowa. Governor Dodge, the subagent David Lowry, and General Atkinson felt this was the best that could be done, particularly since the treaty only called for the Indians to go twenty miles west of the Mississippi. On April 15, 1840, Lowry reported to Governor Dodge that after considerable trouble and delay, he had succeeded in assembling the chiefs of the Portage bands for a council. During the council, Yellow Thunder spoke against meeting with General Atkinson in Prairie du Chien and indicated

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[1]Nichols, pp. 211-212.

more than once that he was ready for war. The other chiefs spoke in milder terms but also declined to comply with General Atkinson's wishes. On the following day, the Winnebago were more conciliatory and Dandy arose and spoke for them.

> Yellow Thunder's talk had hurt his ears very much and he hoped it would not be sent to his great father--thought that they must see the Indians and have longer time to study before they acted. In the meantime, they would send one of their warriors to hear what General Atkinson had to say and when he returned the chiefs would go down.[1]

Lowry remonstrated with the Winnebago leaders against sending a common brave to meet with General Atkinson, warning that Atkinson expected their biggest chiefs to see him. Lowry was fearful that the object in sending a brave to Prairie du Chien first was to form an alliance with the Indians of the Mississippi. He recommended to Dodge that Yellow Thunder, Dandy, and Little Soldier be taken prisoner as soon as possible. He felt that if any fighting were to take place that these men would be the leaders.[2]

On April 24, 1840, Dandy, Carrimonee, Little Decorah, and twelve braves from Fort Winnebago arrived at Prairie du Chien. Subagent Lowry felt that Dodge and

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[1]D. Lowry to H. Dodge, 15 April 1840, M234, Letters Received by the Office of Indian Affairs, Roll 702, Frames 161-163, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Ibid.

Atkinson should view this as an opportunity to influence them to remove without resistance or delay. Although still refusing to move, these headmen agreed to meet for further talks. A council was held on May 1 with Dodge and Atkinson. These headmen begged to remain in Wisconsin and claimed that in 1837 the President had told them they would not have to move. On the afternoon of May 2, Atkinson told them they would not receive their annuities until they went to Prairie du Chien. Atkinson stopped further attempts by the Indians to negotiate. He promised to send their plea to the President but told them that his orders were to remove them by force if necessary. Atkinson told Dandy that he expected him to return to Fort Winnebago and start moving with his people in about three weeks.[1]

On the morning of May 3, Atkinson announced that the Winnebago near the Fox-Wisconsin portage would not receive their annuities as long as they remained east of the Mississippi River. When these bands, led by Yellow Thunder and Little Soldier, refused to move, Atkinson had the two headmen arrested and confined. Yellow Thunder and Little Soldier were told in council that as soon as their bands were prepared to remove they would be released. No mention was made of Dandy at this time. Meanwhile, Colonel William J. Worth with the Eighth Infantry had arrived at Fort Winnebago from Fort Howard which was near

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[1] Nichols, p. 213.

Green Bay. This gave Atkinson a combined force of over 1,000 men. After sending a detachment to choose the site for a military post along the Turkey River in Iowa to protect the Winnebago from the Sioux and the Sauk and Fox, Atkinson left on May 6 for Fort Winnebago. Yellow Thunder was still in confinement with his wife, who was considered to be an exceedingly troublesome woman who had caused problems by counseling the other Indians not to move. They were to remain in prison until all the bands had started to Prairie du Chien. Little Soldier had already been released to join his band and accompany them down river.[1]

On May 30 and June 3, a group of Winnebago totaling 1,500 were escorted down river to Prairie du Chien. Dandy, Little Soldier, and thirty-four others proceeded on horses to La Crosse but were to be in Prairie du Chien by June 5. Atkinson sent Captain Edwin V. Sumner with his dragoons to find a few scattered lodges that had not come in.[2]

John T. De La Ronde, an early fur trader at the Fox-Wisconsin portage, served as their guide and interpreter. According to De La Ronde:

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[1]George Bently to D. Lowry, 30 May 1840, M234, Letters Received by the Offices of Indian Affairs, Roll 702, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Nichols, p. 215.

We went down to Rock River to look for Masimanikaka; from there we went to Madison, and thence to Fox River. We picked up two hundred and fifty Indians, men, women, and children, and we took them down to Prairie du Chien. Before we got there, at the head of the Kickapoo River, we came to three Indian wigwams. The captain directed me to order the Indians to break up their camp, and come along with him. Two old women, sisters of Black Wolf, and another one, came up, throwing themselves on their knees, crying and beseeching Captain Sumner to kill them; that they were old, and would rather die and be buried with their fathers, mothers, and children, than be taken away; and that they were ready to receive their death blows. Captain Sumner had pity on them, and permitted them to stay where they were, and left three young Indians to hunt for them.

A little farther on, we came to the camp of Kejiqueweka and others; when they were told by the captain, through me, to break up their camp, and put their things in the wagon, and come along. After they had thus deposited their little property, they started south from where we were. The captain bade me to ask them where they were going. They said they were going to bid goodbye to their fathers, mothers, and children. The captain directed me to go with them, and watch them; and we found them on their knees, kissing the ground, and crying very loud, where their relatives were buried. This touched the captain's feelings, and he exclaimed, "Good God! What harm could those poor Indians do among the rocks!"[1]

Because of the Winnebago dread of attack by the Sauk and Fox Indians when they reached the Neutral Ground, Atkinson tried to arrange an armistice between the two tribes. On June 16, 1840, he held a council with the Winnebago to discuss the possibilities of peace. In July,

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[1]John T. De La Ronde, "Personal Narrative," Wisconsin Historical Collections 7 (1876, reprint 1908):363.

Sauk and Fox delegation met with them and both tribes agreed to terms on July 9.[1]

Despite this, the Fox-Wisconsin portage and Rock River bands remained on the west bank of the Mississippi rather than move twenty miles further west as their treaty stipulated. By August, because dysentery and fever had broken out, some of the bands crossed to the east side of the Mississippi and spread out in search of food. Dandy was reported to be at Big Canoe's camp on the east side of the Mississippi. He was too sick to move but promised to recross the Mississippi as soon as he was able. The return of the Winnebago to Wisconsin, and a rumor that they planned an attack upon the Sauk and Fox in combination with the Sioux, caused Atkinson to order additional troops to Fort Crawford. A report that the Winnebago had returned peaceably to Iowa caused him to cancel the reinforcements. It was estimated that nearly one thousand of the Winnebago died from sickness and disease during the summer. Throughout the fall of 1840, the Winnebago refused to move further west. In November, Atkinson reported that goods were distributed to them at Fort Crawford because of the lateness of the season and their suffering from the cold. There was doubt that the annuity money would be received before winter set in, but it was received on November 5. The annuity was paid at the new post on Turkey River, Fort Atkinson. Nearly all

[1]Nichols, p. 216.

of the Indians moved to Turkey River with the exception of Yellow Thunder and Dandy. David Lowry, the Winnebago agent, established his residency at Turkey River. With the onset of winter, to the chagrin of the whites, the Winnebago scattered for their winter hunts and many recrossed the Mississippi River.[1]

The Wisconsin Remnant

Although removed in 1840, by March, 1841, Dandy was at Green Lake on the Fox River forty miles northeast from Fort Winnebago. Dandy told the state authorities he would go to Prairie du Chien as soon as the Wisconsin River was navigable. This was believed to be a ruse to prevent the military from being sent for him. Twenty Winnebago at Fox Lake in Dodge County claimed that it was the intention of the entire tribe to return to their old homes in the spring. Big Thunder, with a band of one hundred, was reported to be at Black River Falls. The bands of Dandy and Big Soldier were apprehended by Captain Clark W. Thompson on the Fox and Puckaway Lakes. The eighty-five Indians in the two bands were delivered to

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[1]Nichols, pp. 216-17; General Geo. Brooke to General H. Atkinson, 9 August 1840, M234, Letters Received by the Office of Indian Affairs, Roll 702, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Fort Crawford, and by May, 1841, had been located west of the Mississippi on the Iowa River.[1]

In the autumn of 1842, the Winnebago agent, David Lowry, reported that the Winnebago were still scattered. Over 800 had wandered into lands north of the Neutral Ground, over 200 more were on the Upper Iowa River near the Mississippi, while only 756 were at or near the Turkey River agency. Many still refused to leave the vicinity of the Mississippi, while hundreds had slipped back into Wisconsin.[2]

The trouble caused by these wandering bands of Winnebago who recrossed the Mississippi brought a storm of protests from the whites who were coming in ever-increasing numbers to southwestern Wisconsin. Troops at Fort Crawford were frequently called upon to round up the straying bands of Indians and send them back to Iowa. Moreover the pressure of settlers in the Territory of Iowa made the acquisition of the Neutral Ground highly desirable.[3]

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[1]Lt. Col. J. G. McIntosh to Gen. G. M. Brooke, 10 March 1841; Gen. G. M. Brooke to Gen. H. Atkinson, M236, A Microfilm Supplement to the Territorial Papers of the United States, Wisconsin, 1836-1848, Roll 29, Frames 300-301, 324, Miscellaneous publications of the National Archives, Washington, D.C.

[2]Bruce E. Mahan, Old Fort Crawford and the Frontier (Iowa City: State Historical Society of Iowa, 1926), p. 224.

[3]Ibid., p. 225.

Because of this pressure, Governor John Chambers of Iowa made an effort to induce the Winnebago to move to Minnesota in July, 1843. Chambers' efforts failed. A second attempt to buy the Neutral Ground from the Winnebago failed in 1844, and Governor Henry Dodge of Wisconsin Territory met with them in June 1845, for a third attempt. The result was indecisive and Dodge recommended that the Winnebago be permitted to select a new reservation in the Sioux country of Minnesota. He also recommended that delegations of both Sioux and Winnebago should journey to Washington to deal directly with the government. Dodge knew from past experience that it was easier to persuade the Indians to make a treaty when they were away from the rest of the tribe and their white friends.[1]

In the fall of 1845, Dodge reported that the Winnebago remaining in Wisconsin were troublesome and annoying. Dandy's band was hunting and fishing on the Wisconsin and Fox rivers. Maw-zaw-maw-ne-kaw, the son of Whirling Thunder, a Winnebago headman who had killed Pierre Paquette in 1836, was located with his band on the upper Rock River and had been there several years. During the summer of 1845, Dodge had sent troops from Fort Winnebago to remove the Indians, but the troops were unable to locate them. The Menominee Indians complained that the Winnebago continued to hunt, make maple sugar,

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[1]Ibid.

and to fish within their country. Twenty lodges of Winnebago had wintered on Menominee land at the mouth of Lemonweir River about seven or eight miles north of the Wisconsin Dells.[1]

The Muscoda Incident

On February 1, 1846, a violent confrontation between angry Wisconsin settlers and intoxicated Winnebago resulted in the death of two of the Winnebago. For a time there was considerable excitement and the settlers feared further difficulties. The Winnebago prudently withdrew and no further trouble occurred.

The trouble had begun in late October of 1845 on the Wisconsin River near Muscoda, Grant County, Wisconsin Territory, when a number of whites met about fifty Winnebago coming up the river. The whites claimed that the Indians had two papers. One was from their agent Jonathan Fletcher, giving them permission to go to Rock River to hunt, and another was from B. W. Brisbois, the American Fur Company agent, testifying to their good behavior. The whites destroyed the papers and refused to let the Indians pass. They then escorted the Indians about twelve miles downriver. Fletcher later denied giving fifty Indians permission to hunt in Wisconsin Territory. He claimed that in October, 1845, he gave Yellow Thunder and Maw-zaw-maw-ne-kaw, the son of Whirling

[1] U. S. Commissioner of Indian Affairs, Annual Report, 1845, pp. 492, 494.

Thunder, permission to go and retrieve their property in Wisconsin. Yellow Thunder had been residing in Wisconsin and had come into Iowa for the annuity payment, intending to return to Wisconsin. He had agreed to reside in the Neutral Ground and had gone back for his property. Fletcher claimed that Yellow Thunder was a man of his word and that he would hold himself responsible for Yellow Thunder's good conduct as long as he was fairly treated. Maw-zaw-maw-ne-kaw and his wife had permission to go to Rock River to get their traps. Fletcher indicated, however, that he had known many Winnebago were crossing the Wisconsin River in search of food. He had talked the situation over with Captain Edwin Sumner, and they decided not to return the Indians during the winter unless difficulties arose.[1]

The white resentment of the return of the Winnebago to Wisconsin Territory boiled over on February 1, when several intoxicated Winnebago borrowed a canoe on the north side of the Wisconsin River in Richland County. The canoe belonged to John R. Smith, an early settler of Richland County. When Smith discovered what had happened he ran down to his landing and called repeatedly for them to return the canoe. The Indians refused to return and landed at Muscoda in Grant County on the south side of the

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[1]Robert McCloud, Sworn Statement, 7 February 1846; Jonathan Fletcher to Henry Dodge, 16 February 1846, U. S. Indian Office files, 1846, U. S. Mss. BN, Box 30, Microfilm copy, State Historical Society of Wisconsin, Madison, WI.

river. Levi Parrish, a Grant County resident, heard Smith calling and told the Indians as they landed to take the canoe back. When the Indians refused, Parrish and two other men took the canoe back to Smith. Smith and several other men crossed the river in the canoe and went in search of the Indians. They were found hiding in the house of Hiram Heath, who was known to be friendly to them. These men and several other citizens of Muscoda held a meeting and decided that Heath should turn the Indians out of his house and that the Indians should leave town immediately. The Indians left town for a few minutes but soon returned. The whites then decided to drive the Indians out of town and attacked them. John R. Smith took a club and began flogging one of the Indians. One of the Indians threw a club at Samuel Quinhart, and an Indian man and woman wrestled a club from a man named Edwin Buck. Buck was then struck with such force above the eye that he was knocked down and severely cut. Another Indian tried to shoot his attackers but his gun flashed. The Indians fled and soon outran their pursuers. By this time about eleven white men had gathered because of the disturbance. Angered by the attack, about eighteen armed Indians returned to the scene. James B. Estes, who had just at that moment arrived on the scene, told the other men to remain where they were and he would go and talk to the Indians alone and unarmed. As Estes walked up to the group of Indians one of them pointed his gun at him.

Estes called to the Indian not to shoot but to come to him. While Estes was talking to the Indian, William S. Booth joined him. Another Indian ran up and threw down his gun and blanket. When Booth tried to step between him and his gun, the Indian drew his knife and slashed at Booth twice. The Indian then retrieved his gun and blanket. Booth called for a man named McCloud to shoot the Indian but Estes told McCloud not to shoot. The Indians then retreated 30 or 40 paces and opened fire on the whites. Estes then ordered the whites, who had only four rifles, to fire and four of the Indians were wounded. Three or four of the Indians fired a number of times before they retreated but were too intoxicated to be effective.[1]

A message was sent on February 2 to Madison, Wisconsin, for Henry Dodge, governor of Wisconsin Territory, so that Dodge received news of the fight on the evening of February 3. He promptly presented the facts to the territorial legislature and recommended the adoption of a memorial to the Secretary of War asking for troops to protect the settlers of Wisconsin. Within a half-hour, resolutions were adopted to that effect, and the militia law of the Territory was revised to handle the emergency. The territorial legislature adjourned and Dodge

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[1]James B. Estes, Sworn Statement, 7 February 1846, U. S. Indian Office files, 1846, U. S. BN, Box 30, Microfilm copy, State Historical Society of Wisconsin, Madison, WI; Wisconsin Herald, 7 February 1846, p. 2; 21 February 1846, p. 2, Microfilm copy.

immediately left for Muscoda, where he arrived on the evening of February 6. There he found sixty armed volunteers over whom he took command. Upon investigation he found that two of the four wounded Winnebago had died. A third, shot near the spine, was expected to die shortly. Dodge took thirteen Winnebago prisoner and sent a letter to the Winnebago agent, Jonathan Fletcher, to come to Muscoda with a detachment of U. S. dragoons as soon as possible and take care of the prisoners.[1]

Many settlers had left their homes in a panic and gathered together for security. The families in the Kickapoo settlement prepared to fortify as well as they could at Mount Sterling in northern Crawford County. At the Kickapoo settlement, about thirty Winnebago had been taken prisoner. A portion of the Winnebago were still in Grant County on the headwaters of the Grant River.[2]

On February 7, Lieutenent Thomas R. Thompson started from Fort Crawford at Prairie du Chien with his twenty-five dragoons, the entire force of the garrison. On February 8, Captain Sumner arrived at Fort Crawford with a small force from Fort Atkinson and proceeded toward Muscoda along the north side of the Wisconsin River. The troops went into camp at Muscoda and made excursions in

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[1]H. Dodge to J. E. Fletcher, 8 February 1846, U. S. Indian Office Files, 1846, U. S. BN, Box 30, Microfilm copy, State Historical Society of Wisconsin, Madison, WI.

[2]Wisconsin Herald, 14 February 1846, p. 3, Microfilm copy.

the vicinity to collect and remove the Indians. Five hundred of the Winnebago were reported to have crossed the Wisconsin River and escaped north into the pine forests. As soon as the settlers' excitement was allayed, part of the troops marched to the Baraboo River where the troopers apprehended Dandy, the dissident leader. He was retained as a hostage for the removal of his band as soon as the weather moderated and the streams were free from ice. On February 28, Maw-zaw-maw-ne-kaw, the leader of the Rock River band, was also captured near Eustis Rapids on the Rock River and retained in custody with the same view. During much of February, the weather was below zero and the snow was from eight to twelve inches deep. The detachment returned to Fort Crawford on March 8, after a month of arduous field service.[1]

The entire affair at Muscoda involved intoxicated Winnebago and immoderate behavior on the part of the whites. The Indians had obtained whiskey at a whiskey shop kept at Muscoda. The whites could have prevented the trouble if they had not antagonized the Indians by attacking them with clubs. Borrowing a canoe without permission to cross the river was a common occurence practiced by both the whites and the Indians. Many of the reports complain that the only source of trouble with the Winnebago in the 1840's was the difficulty in restraining

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[1]Wisconsin Herald, 7 February 1846, p. 3; 14 February 1846, p. 3, Microfilm copy; Mahan, p. 228.

them within the limits of their lands in Iowa. A clue to why they showed this strong partiality for Wisconsin can be found in reports of the Muscoda affair. Agent Fletcher stated that now that the Muscoda incident had occurred, the Winnebago would be brought back to Iowa and forced to remain, even if starvation were the consequence. Obviously they were returning to Wisconsin because they were unable to find enough food in Iowa to survive.[1]

Dandy's Capture in 1846

Dandy was captured by U. S. dragoons commanded by Captain Sumner and guided by John T. De La Ronde. He was caught after a hard chase by the dragoons, who had to leave their horses and follow him on all fours through a windfall. Dandy was made to ride on horseback, his legs fastened with ox-chains under the horse's belly. He demanded to see Dodge and was taken to him. Governor Dodge asked Dandy what he wanted of him, after having given so much trouble to the government. Dandy replied that he wished to meet with Dodge in council. When Dodge granted the request, Dandy took out a Bible he had in his bosom and asked the governor through the interpreter, John T. De La Ronde, if it were a good book? Dodge was surprised to see the Bible and asked how Dandy had gotten it. Dandy replied that if the governor would answer his

[1] J. E. Fletcher to H. Dodge, 16 February 1846, U. S. Indian Office Files, 1846, U. S. BN, box 30, Microfilm copy, State Historical Society of Wisconsin, Madison, WI.

question, he would tell all that he wanted to know. Dodge told Dandy that the Bible was a good book and that he could never have a better one in his hand. Dandy then asked if a man would do all that was in the Bible, could anything more be required of him? Dodge said no. Dandy then indicated that if Dodge would find a statement in the Bible that he should go to Turkey River, Iowa, he would go. Otherwise he would never go there to stay. Dodge became angry and told him his trick would not work. Dandy was then replaced on the horse, chained up again, and taken to Fort Crawford.[1]

Dandy arrived at Fort Crawford on February 25. From there he was to be sent to Fort Atkinson, where he was to have been confined until his band, 160 strong, came to him from far up the Wisconsin River. The ox-chain had blistered Dandy's legs and feet and he pretended to be too sick to even turn himself in bed. Because he was too ill to ride on horseback, a buggy was provided to take him on to Fort Atkinson. Just before he was to start, on the morning of February 26, acccompanied by the two dragoons who had him in custody, Dandy desired one of them to help him to the privy. He walked half bent and groaning at every step. When about half way across the area within the fort, he suddenly sprang off like a deer, bade the soldier good bye in English, and ran like a streak for the

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[1]Wisconsin Herald, 7 March 1846, p. 2, Microfilm copy; La Ronde, p. 364.

east gate where the sally-port or small gate was open. The soldier, not thinking that a weapon was needed to guard a half dead Indian, was unarmed. He immediately began chasing Dandy. Fearful that he could not reach the little gate before his guard reached him, Dandy dropped suddenly across the path a few feet short of the gate. The soldier unable to stop himself, pitched over Dandy and struck his head against the gate with such force that it stunned him. Before he could recover, Dandy was out of sight among the Mississippi River bluffs.[1]

The Treaty of 1846 With the Treaty-abiding Winnebago

This treaty was desirable because of the pressure of the whites to settle the Neutral Ground and was given impetus by the Muscoda affair. Governor Dodge's recommendation of the previous year that the Winnebago should journey to Washington, D.C., and deal directly with the government was followed in 1846. Washington was a convenient place for negotiations with a few selected chiefs because they could not be influenced by the traders or their own people not to cede their lands. A plan was conceived of transporting the Winnebago to the north and placing them as a buffer tribe between the warring Sioux and Chippewa. In the treaty, concluded on October 23, 1846, the Winnebago surrendered all rights to the Neutral Ground and agreed to remove to a reservation of not less

[1] Wisconsin Herald, 7 March 1846, p. 2, Microfilm copy.

than 800,000 acres in Minnesota within one year after ratification of the treaty by the U. S. Senate. The Senate ratified the treaty on February 4, 1847. The Winnebago delegated the selection of their new home which was to lie north of the Minnesota River and west of the Mississippi River to Henry M. Rice. The lands Rice selected, and with difficulty obtained from the Chippewa, lay between the Watab River on the south and the Long Prairie and Crow Wing Rivers on the north.[1]

Henry M. Rice, who later became a territorial delegate and the first senator from the state of Minnesota, was born in Vermont in 1816. After a varied career he was hired to run the sutler's store at Fort Snelling in 1839. The following summer Rice accompanied the troops to the Winnebago reservation in northeastern Iowa where he became sutler at the newly constructed Fort Atkinson. In 1842 he connected himself with Hercules L. Dousman and other Indian traders of Prairie du Chien, Wisconsin. Assigned the Winnebago trade, Rice conducted himself in this trade in a way that gained him the good will of the Winnebago to a remarkable degree.[2]

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[1]Mahan, p. 230; William Folwell, A History of Minnesota (Saint Paul: Minnesota Historical Society, 1921-1930), 1:310; Edward D. Neil, History of Minnesota From the Earliest French Explorations to the Present, 4th ed. (Minneapolis: Minnesota Historical Company, 1882), p. 483.

[2]Folwell, 1:239-40.

The Removal of 1848 From Iowa and Wisconsin

The tribe as a whole was not satisfied with the Treaty of 1846, and in the spring of 1847 an incident occurred that added to the difficulty in getting them to move to the country of the Sioux. A Sioux war party, seeking revenge on the Sauk and Fox Indians, murdered several Winnebago near the Red Cedar River. The military forced the Sioux to pay horses and money for the murdered Winnebago, which satisfied the Winnebago desire for revenge and prevented further bloodshed. However, the incident was not forgotten. The Winnebago had no desire to place themselves in a position to be attacked by the powerful Sioux. In the fall of 1847 the last payment of annuities to the Winnebago in the Neutral Ground took place near the agency on Turkey River. No sooner did they receive their annuities than they went in great numbers to the Mississippi. There they recrossed the river into Wisconsin, where settlers complained of minor depredations on hogs, poultry, and other possessions.[1]

In January, 1848, citizens of Dodge County, Wisconsin, complained to Governor Dodge that ten to fifty Indians were causing problems. In February, Captain James M. Morgan, at Governor Dodge's request, sent a detachment of thirty men from Fort Atkinson under Lieutenant J. H. McKenney to remove these wandering Winnebago. The troops rode to Dubuque, Iowa, crossed the Mississippi, and went

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[1]Mahan, pp. 235-6.

to Beaver Dam, Wisconsin, with orders to arrest any Winnebago Indians found. Unable to find a single Winnebago in Dodge or Fondulac counties, McKenney proceeded down the Rock River to Watertown in Jefferson County. There he found only some Menominee and Pottawatomie Indians. The troops passed through Madison on their return to Fort Atkinson by way of Fort Crawford and the Military Trail.[1]

For weeks prior to the time set for the Winnebago departure from the Neutral Ground, detachments from Morgan's company were engaged in rounding up stragglers who tried to escape the migration by stealing back to Wisconsin. In the meantime, the company of territorial volunteers called the Dodge Guards, stationed at Fort Crawford and commanded by Captain Wiram Knowlton, were gathering together groups east of the Mississippi preparatory to escorting them to Prairie la Crosse (La Crosse, Wisconsin) to join the main body enroute.[2]

The dissident leaders, Dandy and Yellow Thunder, were of special interest. On May 10, Jonathan E. Fletcher, the Winnebago Indian agent, reported to the Commissioner of Indian Affairs that he had investigated the complaints of depredations in Wisconsin committed by

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[1]Mahan, p. 236; J. H. McKenney to Commissioner of Indian Affairs, 17 March 1848, M234, Letters Received by the Office of Indian Affairs, Roll 932, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Ibid.

the bands led by Dandy and Yellow Thunder. He was unable to fix any charge against them and believed that the Winnebago in Wisconsin were encouraged to remain by the whites in whose communities they lived. A considerable number of Winnebago were in Wisconsin, and Fletcher sent two Indian runners with a message to Dandy, Yellow Thunder and others to rejoin the tribe at Turkey River prior to the removal. The wanderers in Wisconsin were told that troops would gather them up forcibly if they did not come in voluntarily.[1]

The Winnebago in Wisconsin were scattered through the country along the Wisconsin and Fox Rivers, through the Kickapoo River Timbers, and the Lemonweir Valley. Because the Winnebago were not returning from Wisconsin voluntarily, in May Lieutenent John H. Fonda of the Dodge Guards was ordered to take fifty troopers to gather up the Indians. On the 10th of May, they camped in a valley near the Baraboo River and three days later were on Dell Creek in Sauk County. Here a scouting party captured a Winnebago man, who told Fonda that part of the tribe was encamped on Seven Mile Creek, a tributary of the Lemonweir River in the southern part of present Juneau County. Fonda captured and brought in several hundred Winnebago to

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[1]J. E. Fletcher to W. Medill, 10 May 1848, M234, Letters Received by the Office of Indian Affairs, Roll 932, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Prairie du Chien without incident, where they were turned over to regular troops from Fort Atkinson.[1]

In late May, 1848, Captain Morgan succeeded in gathering all the Winnebago in the Neutral Ground near the agency on Turkey River except two or three of the Mississippi River bands, who were to be escorted up the Mississippi in canoes by part of Captain Knowlton's troops. The Indians grumbled at preparations to move northward because of their apprehension of attacks by the Sioux in Minnesota. A large portion expressed a desire to remove to the Missouri River among the Pottowatomie instead. A final flare-up resulted in all but two bands making an attempted flight toward the Missouri. Captain Morgan dispatched Lieutenant McKenny with fifty troopers to stop the flight. McKenny overtook the Winnebago and brought them back to the encampment where preparations to start for Minnesota continued.[2]

It was agreed that the tribe should move in two parties, one in canoes and boats up the Mississippi in the charge of Henry Rice and the other, by land, under the direction of Jonathan Fletcher, their agent. On June 8, 1848, about 1,200 Winnebago were started north headed for Wabasha's Prairie on the west bank of the Mississippi. Constant watchfulness by the soldiers was required to

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[1]John H. Fonda, "Early Wisconsin," Wisconsin Historical Collections 5 (1868, reprint 1907): 279-82.

[2]Mahan, pp. 237-38.

prevent small parties from sneaking away at night. At Wabasha's Prairie, they were joined by 900 Winnebago from Wisconsin. Captain Knowlton and his Dodge Guards had brought them from the mouth of the Black River to the Prairie. At this point, the Winnebago refused to move any farther and attempted to purchase twenty square miles of land (where Winona, Minnesota, is now located) from Wabasha, the Sioux chief. Captain Seth Eastman was summoned from Fort Snelling. He joined Captains Morgan and Knowlton, and after some tense councils the Winnebago were persuaded to continue the removal peacefully. On July 30, 1848, the Winnebago reached their destination at the mouth of the Watab River. Captain Morgan and his men stayed to maintain order while the Long Prairie agency was being erected.[1]

By the time the Winnebago reached Long Prairie, half the tribe had stopped along the way. Many strung themselves out along the Mississippi from Sauk Rapids on up. At no time during their residence at Long Prairie were all the tribe collected there. Many built homes along the upper Mississippi; others went to Wisconsin; some returned to Iowa; and a few joined the Omahas on their reservation on the Missouri.[2]

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[1]Mahan, pp. 238-39; Prairie du Chien Patriot, 14 June 1848, p. 2, Microfilm copy; Wisconsin Herald, 24 June 1848, p. 2, Microfilm copy.

[2]Folwell, 1:311-12.

The Removal of the Wisconsin Remnant to Minnesota in 1850

In the winter of 1850, Nelson Dewey, the governor of Wisconsin, moved by petitions from Wisconsin whites, called for the removal of the wandering Winnebago in Wisconsin. These settlers claimed that the Winnebago had made a bargain with the Sioux to kill all the whites north of the Wisconsin River as soon as the snow left. William H. Bruce, the sub-Indian agent for the Menominee Indians, located at Green Bay, Wisconsin, reported that Oshkosh, the head chief of the Menominee, complained that the Winnebago had hunted on Menominee lands during the winter of 1849-50. Although they moved from place to place, their headquarters were on the Lemonweir and Yellow Rivers in what later became Juneau and Monroe counties. Bruce and Captain M. Maloney of the 4th Infantry, stationed at Fort Howard, visited the area where the Winnebago were said to be. They found the settlers of the area fearful of an Indian attack. Although Bruce did not feel that there was reason for alarm, he did state that when the Indians became hungry they would ask for food from the settlers. If it was not given, the Indians resorted to stealing and making threats to obtain the food. Because of this, the scattered settlers assembled together at night for protection.[1]

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[1]W. H. Bruce to O. Brown, 22 March 1850, M234, Letter Received by the Office of Indian Affairs, Roll 932, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Bruce described the Winnebago headmen as Dandy, a shrewd man who was determined not to leave Wisconsin; Yellow Thunder, who had purchased a small tract of land near Dell Creek; Little Carimonee; Split Nose; the Duck; Hill; and the son of Lynx, each having from 30 to 40 men with them. Their total number was thought to be from 1,000 to 1,250 of which 300 to 400 were warriors. They were constantly on the lookout for the arrival of soldiers, and by remaining scattered hoped to succeed in staying in Wisconsin. Although they complained of the poverty of the soil and scarcity of game in Minnesota, the chief reason for returning to Wisconsin was their fear of the Sioux. A trader named Moses Paquette, the son of Pierre Paquette, reported that they would rather die on their old hunting grounds in Wisconsin than go back among the Sioux. Eliphalet Miner of Grand Rapids, who traded with Yellow Thunder's band, reported the same.[1]

In the spring, Orlando Brown, commissioner of Indian Affairs, secretly gave Henry M. Rice a contract to remove the Winnebago. The commissioner felt that federal troops would only scatter the wanderers more widely. The contract, signed on April 13, 1850, was to pay Rice $70 per head for gathering up the Winnebago in Wisconsin and moving them to Long Prairie. Rice asked that the contract

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[1]Captain M. Maloney to Colonel F. Lee, 22 March 1850, M234, Letters Received by the Office of Indian Affairs, Roll 932, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

remain secret because some people would use every means in their power to scatter the Indians throughout the swamps of Wisconsin. The contract aroused a storm of protest from Minnesota Territorial Governor Alec Ramsey and the Territorial Delegate, Henry H. Sibley. They claimed Rice had under-represented the number of Indians to be removed; $70 was three times the amount it should cost; the contract imputed the reputation of Governor Ramsey, the Indian superintendent of Minnesota, and the studied concealment of the contract was a subject of complaint. Orlando Brown, the Indian Commissioner, wrote apologetically to Governor Ramsey that he had not consulted him about the contract because of lack of time and because Ramsey was too busy with handling the Chippewa Indian affairs, and he didn't want to increase his burdens. The protest itself was politically motivated and was part of a struggle by Ramsey and Sibley to retain political power in Washington.[1]

Before the middle of March Governor Ramsey had notified the Commissioner of Indian Affairs that he was sending the Winnebago agent, Jonathan E. Fletcher, to induce the Winnebago to return to Minnesota. Fletcher proceeded to La Crosse, Wisconsin, where the citizens reported the Winnebago had been unusually quiet during the past winter in direct contradiction to the petitions received by Governor Dewey in February. Dandy was

[1]Folwell, 1:313-14, 17.

reported to have said that the Indians were going to kill all the whites when the snow was gone but no importance was attached to the report and no danger was apprehended from the Indians. The agent concluded that there were about 200 Winnebago camped on both sides of the Mississippi between Wabasha's Prairie and Winnoshik. Others were on the Baraboo, Lemonweir and Wisconsin rivers. Short Wing and Caramaunee were at La Crosse. From La Crosse, Fletcher left on April 18 for a five-day trip on horseback to the Lemonweir River. Asa White, a trader among the Winnebago, served as his guide. On the Lemonweir, Fletcher found a large number of Winnebago. Dandy, whose band was said to number 500, and Elk were the principal leaders. Yellow Thunder was also in the neighborhood. Dandy refused to leave Wisconsin. Because the traders encouraged Dandy and the others to remain, Fletcher felt that it would be necessary to silence the traders or resort to force to remove the Winnebago. Whiskey was illegally furnished to the Indians by these traders. No specific complaints were made about the Indians by the settlers but they were felt to retard settlement. Fletcher notified the commissioner that he had made arrangements for removal of the Winnebago but was

permitting them to wait till the grass would be sufficient to feed their horses.[1]

Not waiting for the possible effects of the protests, Henry Rice immediately telegraphed Wisconsin and Minnesota for men, teams and supplies. By May 3, Rice was at La Crosse, Wisconsin. He wrote the Commissioner of Indian Affairs that Fletcher had succeeded in removing three Winnebago. Rice complained that Dandy had left for the interior after seeing Fletcher. Rice believed that if Fletcher had left Dandy alone, he would already have located and visited with Dandy. But now it would be at least ten or fifteen days before he expected to contact Dandy. On May 8, Rice had still not contacted Dandy although he had gathered up some of his band. The Indian runners reported that Dandy had put on his snake skin and disappeared into the swamps.[2]

On May 27, William Bruce, the subagent at Green Bay, reported that Dandy and several other Winnebago had arrived at Green Bay. They had intended to go to Canada but had stopped short and were headed back. By June, Rice reported that he had shipped 323 Winnebago to their

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[1]J. E. Fletcher to Alex Ramsey, 12 April 1850; J. E. Fletcher to O. Brown, 24 April 1850; Asa White, Claim for Service, 18-22 April 1850, M234, Letters Received by the Office of Indian Affairs, Roll 932, Microfilm copy, Record Group 75, National Archives, Washington, D.C; Follwell, 1:314.

[2]H. Rice to O. Brown, 3 May 1850; H. Rice to O. Brown, 8 May 1850, M234, Letters Received by the Office of Indian Affairs, Roll 932, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

reservation. Having fulfilled in part his contract, he sublet the remainder and turned to other pursuits. In November, it was reported that Dandy and most of his band had embarked from La Crosse, on board a steamer, to join the rest of the tribe on the Crow Wing River. Although a newspaper report in December 1850 declared that the removal appeared to be more successful than those previously conducted by the army, the Winnebago soon came back. Many returned to Wisconsin before cold weather set in, as soon as they had gotten their annuity payment. Dandy and his band were among those who returned.[1]

The Blue Earth Reservation

The treaty-abiding Winnebago remained dissatisfied with the Long Prairie Reservation. Only a small fragment of the tribe could be induced to settle down in the vicinity of the agency. A more congenial home was sought for them, and in 1855 the Long Prairie Reservation was exchanged for a much more desirable tract of land on the Blue Earth River in southern Minnesota. Before the end of 1855, Agent Fletcher had removed them to their new home. The whites, who wanted these lands, put pressure on the government, and in the treaty of April 15, 1859, the Winnebago gave up the western half of their new

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[1] Grant County Herald, 21 November 1850, p. 2, Microfilm copy; Folwell, 1:315-16; Moses Paquette, "The Wisconsin Winnebagoes," Wisconsin Historical Collections 12 (1892):409; Prairie du chien Patriot, 18 December 1850, p. 2, Microfilm copy.

reservation for an increase in their annuities and the promise of agricultural implements, stock animals and other necessary aid for farming. Some scholars feel that if the Sioux outbreak of 1862 had not again caused them to be removed, that they would have developed into a prosperous community of small farmers on this reservation.[1]

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[1]Folwell, 1:318-19; U. S. Commissioner of Indian Affairs, Annual Report, 1862, p. 92.

CHAPTER V

EVENTS LEADING TO THE REMOVAL OF 1873-74

The Sioux Uprising of 1862 and the Removal from Minnesota

The events which led to the removal of the Winnebago from Wisconsin in 1873-74 began in 1862. In August 1862, 1300 starving Santee Sioux warriors led by Little Crow went on a rampage and killed over 700 white settlers. Practically all the settlers in twenty-three counties of Minnesota fled eastward. The alarm was intensified by rumors that the Winnebago and Chippewa were going to join in the massacre of the whites. In all, an area of the state of Minnesota two hundred miles long and about fifty miles wide was devastated or depopulated. The Military Department of the Northwest was created in September 1862, under the command of Major General John Pope, to put down the uprising. The fearful settlers reacted angrily. They attempted to murder Indians held prisoner by the army and demanded the remainder of the Santee Sioux be removed from Minnesota. The same fear and resentment which drove the Santee Sioux out of Minnesota after the massacre also forced the Winnebago to move on once more. An act of Congress, February 21, 1863, provided for the removal of the offending Sioux and the innocent

Winnebago, and by executive order, July 1, 1863, the two tribes were assigned to adjoining reservations at Crow Creek, Dakota Territory, on the east bank of the Missouri River. The same act of Congress provided that the remainder of the Blue Earth reservation should be sold for the benefit of the Winnebago.[1]

Two of the treaty-abiding Winnebago leaders, Winneshiek and Waukon, made the following statement of protest about the removal which they asked General Henry H. Sibley to communicate to the President of the United States.

> First. The Winnebagos have had treaty relations with the government for the past forty years the obligations of which on their part have been religiously observed.
>
> Second. The government has doubtless intended to be equally scrupulous in the performance of its engagements, but, as a general thing, those intentions have been thwarted by the bad conduct of the Indian agents, who have either defrauded the Indians, or permitted them to be defrauded by others.
>
> Third. A country was given them on the Blue Earth River in Minnesota as a perpetual residence for the tribe from which they have been suddenly removed without any apparent cause and assigned to a new reservation far from the graves of their fathers and among a strange and perhaps hostile, collection of various bands of Indians.
>
> Fourth. "Wabasha," a Sioux chief, many years since made a donation of land twenty miles square to the first named chief of the Winnebagos as a residence for his band the instrument attesting the grant was sent to their Great Father who approved it but the paper was never returned to Winneshiek and he desires that the land be exchanged for an equal

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[1]U. S. Commissioner of Indian Affairs, Annual Report, 1863, pp. 359-60; J. Sterling Morton, Illustrated History of Nebraska, 3 vols. (Lincoln: J. North & Company, 1905-13), 2:230-31.

> amount on the Chippewa River in Wisconsin and he and his band be allowed to reside thereon.
>
> Fifth. The Winnebago now, as ever heretofore, are willing to obey the commands of their Great Father, the President, and anxious to please him in every way possible. But they ask him to grant them sufficient military protection in the new and dangerous locality to which it has been his pleasure to assign them.[1]

This protest against the removal was futile. Although the Winnebago were not involved in the Sioux uprising, they were Indians and unfortunate enough to live in the vicinity of the Sioux trouble. It was also seen as an opportunity to obtain highly desirable land for white settlement. A total of 1,945 Winnebago were removed. This removal has always been considered as a betrayal of the Winnebago by the federal government. They arrived at Usher's Landing, Dakota Territory, in June of 1863. Immediately, problems were encountered in securing oxen and food supplies. Poor judgment was used in selecting the new reservation. The soil was sandy, rainfall in summer so scant that a corn crop could not be depended upon once in five years, and no hunting was available in the immediate vicinity. Because of this lack of adequate food and fear of the hostile Sioux, most of the Winnebago began leaving for the Omaha Reservation in Nebraska. At least a few undoubtedly made their way back to Wisconsin. One Horn's band of fifty-seven turned up on the Iowa Reserve in November 1863, with Mary Crane acting as

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[1]H. H. Sibley to R. A. Selfridge, 23 May 1863, M234, Letters Received by the Office of Indian Afairs, Roll 937, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

interpreter. She told the agent that they had left Crow Creek because they were starving and complained bitterly about their treatment. Mary Crane returned to Wisconsin and played an important role as interpreter during the 1873-74 removal effort. The government accepted the change in residence of the treaty-abiding Winnebago and on March 8, 1865, a treaty was concluded exchanging the Crow Creek reservation for 100,000 acres along the northern edge of the Omaha reservation in the northeast corner of Nebraska.[1]

The Wisconsin Winnebago and the Indian Panics of 1862 and 1863

In Wisconsin where the settlers were already anxious because of the many bloody reverses of the Union Army, news of the terrible Indian massacre in Minnesota had touched off a wave of senseless panic which swept the state. Beginning on about August 25, 1862, many terrified settlers abandoned their farms and crops and moved into the towns or left the state altogether. At New Lisbon in Juneau County, it was popularly believed that over a thousand warriors were congregated within twenty miles, and picket guards were on duty for several nights at both New Lisbon and Necedah, also in Juneau County. S. D. Hollister of Tomah wrote Governor Edward Solomon asking for the distribution of muskets with bayonets and ammunition in Monroe and Juneau counties.

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[1]Lurie, "The Winnebago Indians: A Study in Cultural Change," pp. 147-51; John A. Burbank to H. B. Branch, 23 December 1863, M234, Letters Received by the Office of Indian Affairs, Roll 937, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Tomah, Tunnel City and New Lisbon were considered the most exposed places. Governor Solomon dispatched 2,000 rifles and ammunition to the several points from which reports of danger came. Hollister echoed the sentiment of the majority of whites in calling for the removal of the Winnebago. On inquiry, the four hundred Indians reported at Tunnel in Monroe County dwindled to fifty; the three hundred on Big Creek proved to be the night camp of a small group on their way to a green corn dance north of Necedah; and the four hundred reported near Scott and Buckley's sawmill in Juneau County proved to be six men accompanied by their women, children and dogs. On August 30, Judge E. S. Miner of Necedah and a group of citizens visited an Indian camp fourteen miles north of Necedah where all the Indians in that part of the state were believed to be congregated. The camp held only seventy-two men. Their leaders protested that they were not going to war and said if the whites attacked they would lay down their arms and offer no resistance. This abated the panic in the vicinity of Necedah but had no effect on the hysteria in other parts of the state. Sheriff Euzeb La Vigne of Wood County and several citizens of Grand Rapids attended a harvest dance at a camp ground called the Bayou. They discovered that there were about 150 Indians in Wood

County who were as badly frightened as the whites had been two weeks previous.[1]

Judge Miner wrote Governor Salomon asking that the Indians be removed. Money and troops could not be diverted from the Civil War effort and Salomon's reply was "give the Indians to understand that they must cease their depredations, and advise the settlers to remain quiet."[2]

Part of the panic may have been caused by reports that Dandy, the well-known leader of the dissident Winnebago, planned to lead an Indian uprising in support of the South. Moses M. Davis, the Indian agent for the Green Bay agency, reported that in March 1862, Indian messengers under the direction of Dandy had visited the Menominee for disloyal purposes. The object of the messengers appears to have been to induce as many Menominee as possible to join Dandy west of the Wisconsin River where a great war council was to be held in the spring. In July on Yellow River, Dandy told a Menominee man that all the western tribes were going to join the South. Governor Salomon requested that Moses M. Davis have Dandy arrested. Davis did not wish to do so because he had no authority over the Winnebago, but he did offer to

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[1]Milton M. Quaife, "The Panic of 1862 in Wisconsin," Wisconsin Magazine of History 4 (Dec. 1920):168-9, 177, 186-7; S. D. Hollister to Edward Solomon, 27 August 1863, State of Wisconsin, Executive Files, State Historical Society of Wisconsin, Madison, Wisconsin; Wood County Reporter, 13 September 1862, p. 2, Microfilm copy.

[2]U. S. Commissioner of Indian Affairs, Annual Report, 1863, p. 362.

accompany the U. S. marshall to assist in arresting Dandy if he were asked.[1]

There is no way of verifying the substance of Davis' report. The early success of the South produced fears that secession agents were operating among the Indians in the United States through Canadian Indians and fur traders. Even the U. S. Consul General at Montreal, Joshua R. Giddings, reported that the recent trouble with the Chippewa Indians in Minnesota was the result of such activity. If Dandy had such an Indian confederation in mind, the Sioux uprising and the subsequent arming of the whites ended all such plans. Protesting his loyalty and worried that the Wisconsin Winnebago might again be removed because of the trouble in Minnesota, Dandy sent his calumet or peace pipe to Governor Salomon during the winter of 1862-63 for the governor to smoke as a token of friendly relations between the State authorities and himself.[2]

During the winter and spring of 1863 the settlers in central Wisconsin remained apprehensive of possible Indian attacks. Considerable excitement was caused among the citizens of Stevens Point in Portage County on June 15, when about a thousand Pottawatomie and Winnebago suddenly appeared

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[1]United States Commissioner of Indian Affairs, Annual Report, 1862, pp. 333-4; M. M. Davis to Edward Solomon, 7 September 1862, State of Wisconsin, Executive Files, State Historical Society of Wisconsin, Madison, Wisconsin.

[2]U. S. Commissioner of Indian Affairs, Annual Report, 1862, p. 88; 1863, pp. 359-60.

among them. There were wild reports that another 3,000 to 5,000 Indians were on the outskirts of Stevens Point. One man was so badly frightened, that in the excitement he climbed a pine tree for safety. Since the peace pipe was smoked in council and a pow wow was held afterwards, the Indians probably were there to protect their friendship with the whites. The fearful whites of Stevens Point circulated a petition which begged the authorities at Madison to forward 500 to 700 soldiers to remove these Indians from their vicinity. The editor of the local paper reported that there was also some excitement about the Indians on Yellow River in northern Juneau County. He felt that the government was duty-bound to remove these savages farther west at once. On account of the Indian excitement the Civil War draft in Portage County was postponed.[1]

Because of these reports, Major General John Pope gave orders on June 22, 1863, to Captain Alexander A. Arnold, Commander of Company C, Thirteenth Wisconsin Regiment, and a native of Trempeleau County, to go to Juneau, Wood and Portage counties to investigate the reports about Indian difficulties. There was great excitement in New Lisbon, Greenfield, and other small towns along the line of the La Crosse and Milwaukee Railroad because of what was considered the suspicious conduct of the large number of Indians that resided in the vicinity. Many strange Indians were reported

[1]Wisconsin Pinery, 19 June 1863, p. 2; 26 June 1863, p. 3, Microfilm copy.

to have joined Dandy's band. These strange Indians were said to be insolent and demanding. They were reported to have quantities of fine shawls, embroidered quilts and other articles supposed by the whites to be part of the plunder of the settlements of Minnesota in 1862. They were believed to be Indians who had escaped from Minnesota before the Winnebago and Sioux were removed. Major General Pope telegraphed the Commissioner of Indian Affairs that several hundred Winnebago who had escaped from Minnesota were now annoying and plundering settlers in the western part of Wisconsin. He offered to collect them and ship them to the Upper Missouri. The Indian Department declared that it had no responsibility for these Wisconsin Indians and informed Pope that no Winnebago had escaped during the removal. The Indians in question were old residents of Wisconsin, and the Indian Department had neither an agent nor money to take care of them. Any expenses in gathering and removing the Wisconsin Winnebago would have to be borne by the War Department. Pope reported the situation to his superiors in the War Department, explaining that the settlements could be protected by sending troops, but it would be expensive and would deprive him of three or four companies, which was the entire military force of the state.[1]

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[1]U. S. War Department. The War of the Rebellion: a compilation of the official records of the Union and Confederate armies, Series 1, vol.22, part 2 (Washington, D.C: Government Printing Office, 1888), pp. 372-3; La Crosse Weekly Republican, 22 July 1863, p. 1, Microfilm copy.

Governor Edward Salomon warned Pope that while he agreed with the necessity of removing the Indians, he was apprehensive that it would be difficult and would require the use, or at least the show, of a considerable military force. Salomon judged that the claim of the Indians that they had not been fairly dealt with in the treaty of 1837, by which their lands had been disposed of to the government, was not without foundation. Dandy, the head chief, had not signed the treaty and declared he would not leave Wisconsin. On the morning of July 2, Salomon had received a letter written by James Hutchins, a Strangite Mormon of Black River Falls, who wrote at the request of Dandy, to ascertain the disposition of the Governor as to the stay of Dandy and the other Winnebago in Wisconsin. Salomon replied to Hutchins that he was unable to give Dandy any information on his staying in Wisconsin because it was a federal matter. Salomon recommended that Hutchins write Major General Pope for information. Salomon then wrote to Pope suggesting that a direct interview with Dandy by someone acting in Pope's behalf might lead to good results or at least ascertain Dandy's state of mind. He recommended John T. Kingston, a former state senator, lumberman, and an acquaintance of Dandy from Necedah in Juneau County, and Dr. Moses M. Davis, the Menominee Indian agent, as sources of valuable information. Salomon felt that even the rumor of intended removal might

incite a hostile feeling among the Indians which would endanger the security of the border settlements.[1]

The whites contributed to the problems with such acts as reported in the Mauston Star on July 8. The editor deplored an act committed in New Lisbon on July 4 when two citizens employed a mob of young boys to stone and drive off with all kinds of abuse an Indian man and his wife who were peaceably passing along the street minding their own business. Such acts could lead to revenge by the Indians and the editor felt that the Indians should be removed by the proper authorities, "not by crowds of brutal boys with sticks and stones and hoots and insults."[2]

Taking Governor Salomon's advice, Pope wrote Kingston asking him to hold a council with the Indians in conjuction with Captain Alexander Arnold and make some satisfactory arrangement to defuse the tense situation. Arnold had already been in Mauston, New Lisbon, Grand Rapids, Stevens Point, Plover, Greenfield, and Sparta investigating the reports of Indian difficulties. On July 9, he went to

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[1]U. S. Commissioner of Indian Affairs, Annual Report, 1863, pp. 359-60; Edward Salomon to James Hutchins, 2 July 1863, State of Wisconsin, Executive Papers, Letterbook Series 33, vol. 9, p. 495, State Historical Society of Wisconsin, Madison, Wisconsin.

[2]Mauston Star, 8 July 1863, p. 1.

Necedah where he arranged for a council with the Wisconsin Winnebago to be held in New Lisbon on July 13.[1]

On the afternoon of July 13, Captain Arnold and John T. Kingston met with the Winnebago to determine the reasons for their suspicious conduct. Other whites present were Judge Eliphalet L. Miner of Necedah, Dr. Theodore Secor, E. C. Sage and two or three other citizns of New Lisbon. The Indians were represented by Dandy, Caromonee, Decorah, Yellow Thunder, Little Snake and others. T. Jeff George acted as interpreter, assisted by a young and intelligent Indian. George, a nineteen-year-old whose full name was Thomas Jefferson George, and his father Lloyd ran a trading post for the Winnebago at New Lisbon.[2]

Captain Arnold opened the council. He told the Winnebago that he had come to find out why so many of them had gathered in Juneau County. The government had many reports of disturbances between the Indians and whites, and he had been sent to find out if the reports were true and if so why. (Here an emphatic ha![3] was uttered by half a dozen Winnebago headmen.) He pointed out that the Winnebago had no

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[1]U. S. Commissioner of Indian Affairs, Annual Report, 1863, p. 360; Alexander A. Arnold, Diary, Area Research Center, Murphy Library, University of Wisconsin-La Crosse, La Crosse, Wisconsin.

[2]Wisconsin Pinery, 29 July 1863, p. 1, Microfilm copy; Dunn County News, 10 October 1929.

[3]Ha is a Winnebago expression meaning "amen" or assent, or, "I listen or I agree." Frances R. Perry to Lawrence Onsager, 9 September 1980, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska.

right to be in Wisconsin, that if there were Menominee among them they should be on their reservation, or if other tribes, on their reservation. (Ha! from Dandy.) There were no soldiers in Juneau County to prevent trouble at present but they could be sent quickly if needed. (Ha!) Captain Arnold wanted to know if there were any Minnesota Indians among them. The families of the white settlers were frightened, and because the women were so afraid the government feared that the white men would become exasperated and kill the Indians. (Ha!) Dandy replied that the Indians were there to pick blueberries and would leave after the berry season. Arnold told them that if they would disperse there would be no trouble. The Indians had been paid for their lands and if they didn't behave they must leave. (Ha!) He had reports of many depredations being committed last fall and said that their headmen must control them and prevent any further crimes. Several of the Winnebago replied that their headmen were not in Juneau County last fall.[1]

Arnold told them that the entire tribe must be held responsible for crimes committed by the Indian men because he could not know individuals. He asked who their chiefs were. They replied that Dandy, his brother, and Caramonee were headmen. Arnold complained that these chiefs were not giving up the bad Indians when crimes were committed.[2]

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[1]Wisconsin Pinery, 29 July 1863, p. 1, Microfilm copy.

[2]Ibid.

Arnold then asked whether the government must send them off or if they wished to stay. Apparently this was so poorly expressed that the Indians misunderstood and thought they were being offered a choice of staying in Wisconsin. This was indicated by the reaction of the Indians. They began an indiscriminate chattering, and Dandy and another leader shook hands with every white present. Dandy's reply was made in a loud tone, with much gesticulation:

> Brothers:--Here sit our Chiefs.--What you say is all right. God knows it; the ground knows it. It is good.--Water under the ground knows it is so; world all around, trees, sand--all know that, I speak true. It is true through the pipe. The stone in the pipe is sacred; so is the wood in the stem; and the tobacco is sacred. The match (holding one in his hand) is the white man's fire. This stick (producing one with holes and notches used in producing fire by friction) is the Indian's fire. Fire is sacred in the sight of God. [Here he produced another stick with notches, representing the generations of his ancestry, tracing from his children through to his grandfather and great-grandfather up to God--the highest. Pointing to the notches and tracing, he said] All is sacred, and I speak by this--all is true.
>
> Brothers:--I want no trouble. I am sorry everyday because some make trouble. Brothers:--God put my grandfather here--me here--my fire here for me. I do not like to build a fire in another place. I am afraid of God. Brothers:--I do not like to go away. I stay here-- make no trouble. I am old man, (he is 83 years old), know many things about the Indians--tell everybody to be peaceful. If they make trouble it will kill me.
>
> (Taking Capt. A. by the hand, he said):
> My Brother:--I shake hands with you. I give you this pipe. I don't like to go away--make no trouble. I don't like Sioux nor Chippewa. Don't like all I traveled in Minnesota last summer. Don't like they kill women and children. I know this man, (Miner). I trade with you all. I hunting, picking berries, trading all my life. I like everybody. Don't know whether they like me or not.

My Brother:--Don't be afraid for your women and children. I never do them harm. Good many men--good many boys. I can't see to them all.--They get whiskey. I can't tell who gives them the whiskey. It makes my people bad. I can't tell who does it. I would like to watch them. Put every man who sells Indians whiskey, in jail.

Well my Brother: Indians sometimes do something ugly--you catch them--do what you like with them. I can't watch them when they are away from me. [Here he passed around the pipe, each taking a "whiff" or two, and then presented it to Capt. Arnold, saying]: I faithful-- never break promise--keep peace. My Brother, I present the pipe as a pledge. Keep it. Carry it with you wherever you go. Let Gen. Pope smoke it. Hold it sacred. Smoke it on every occasion as a pledge of peace.[1]

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[1] Wisconsin Pinery, 29 July 1863, p. 1, Microfilm copy; Frances Perry, curator of Winnebago materials, Historical Society, Jackson County, Wisconsin, comments on Dandy's speech:

> He means, you have indicated that you understand that the Creator put us here in Wisconsin. All creation knows it; Grandmother earth, whose bones are the fixed rocks including the pipestone, most holy, knows it. The stem is made of reed representing plants, and the most holy plant, the tobacco, is craved by all spirits but is only obtained by them when man pours it on the head of the sacred fire so the smoke rises to the spirits. Fire is one of the gifts to man by the Creator. Also the tobacco is offered to the spirits by smoking in the peace pipe here described.
>
> The stick with holes and notches is the fire drill from which the sacred fire for the feast is lighted. When the drill goes through the lower board, a new start is made (Thunder clan, who received fire from Earthmaker). The second stick is a calendar stick--four sided with notches indicating "winters," and pictorial marks indicating clan or tribal historical episodes.
>
> "I am afraid of God." The Creator put us in Wisconsin not Ia., Minn., Dak., or Neb. They are a woodland hunting and gardening people, not a plains people.

After Dandy concluded his speech, Judge E.L. Miner asked if there were any Menominee Indians among them. When they said no, he asked the whereabouts of three Menominee that had passed through Juneau County a while ago. The Indians replied that a man, woman and child had picked berries. Miner then asked if there were any Indians from Minnesota among them. Dandy replied, "No, there is none. No chief knows of one from Minnesota."[1]

Miner continued with a question about the unusual number of ponies among them. The Indians replied that they had raised the ponies. He then asked what tribe the Indians near Stevens Point belonged to. They replied that they were all Pottawatomee from ten miles the other side of Wolf River and that they had all gone back again. Miner told them that when an Indian committed a crime the leaders must inform the whites who had done it. He then asked where they had gotten all the fine blankets and shawls. He told them that the whites in Wisconsin suspected they had gotten them from the whites in Minnesota during the Sioux uprising the previous

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"He presents the peace pipe to Arnold apparently in gratitude, thinking that the Winnebago will be allowed to stay in Wisconsin.

"No Indian tells another what to do," an Indian axiom. Since the bands of Wisconsin Winnebago are so scattered, Old Dandy suggests that white law instead of tribal law punishes Indian offenders. "I can't tell who does it."

Frances R. Perry to Lawrence Onsager, 9 September 1980, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska.

[1]Ibid.

summer. This produced a great deal of excitement among the Indians but the only audible reply was a general and emphatic ha![1]

Judge Miner then asked the Indians if they were willing to go back between the Yellow and Black Rivers in townships nineteen and twenty west. They said they were willing to go there but that they had corn planted near New Lisbon this summer. If the land was good they would plant their corn in townships nineteen and twenty next summer. Dandy said they would go to a place in Jackson County south of The Mormon Settlement in township nineteen.[2]

The Council then turned to the Indian problem with drinking. The Indians declared that they did not go to the homes of the whites when they were drunk. E. C. Sage, of New Lisbon, asked where the Indians got their whiskey. They replied that they obtained it from William Carter and George Salter of Clearfield township, Frank Provonsal, a mixed blood who ran Petenwell Ferry on the Wisconsin River, and others. Some other whites would also buy it for them.[3]

In answer to questions about their numbers, they replied that all the Winnebago who used to stay near Decorah in Trempealeau County, on the Black River, and near La Crosse in La Crosse County were now in Juneau County. In answer to

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[1]Ibid.

[2]Ibid.

[3]Ibid.

the injunction that Indians must not go to private homes to trade, only to stores, Dandy expostulated:

> I like to do what you say. I don't work farm much--only pick berries, hunt, and fish--and trade for what I want. You must not be afraid. What will Indian do, when hungry, who lives far from stores? They must sell deer, fish, &., to get bread. [This he said in answer to the injunction that Indians must not go to dwellings to trade; only to stores.] You do what you like with Indians that get drunk--kill them--put them in prison, or punish them in any other way. We soon done picking berries and then go away. The Pottawatomies asked us if they might come among us to pick berries. We say no, you can't come. They are pledged to have no blood on this land.[1]

Judge Miner told the Indians that if they got drunk they must be arrested. Their leaders were to report them and tell the white authorities who sold them the whiskey. The Indians agreed to this. The council broke up then with the astonishing news that Mrs. George Salter had been murdered by Indians. The editor of the Juneau County Argus was upset at the results of the council. He felt that the Indians and that portion of whites headed by Judge Miner who were in favor of the Winnebago remaining in Wisconsin had the advantage because all they wanted was for the Winnebago to be left alone. He saw nothing else probable as a result of the council. Because of the excitement caused by Mrs. Salter's murder, the whites had no opportunity to realize that the Winnebago mistakenly believed that they were to be allowed to remain in Wisconsin.[2]

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[1]Ibid.

[2]Ibid.

The Salter Affair

The murder of Emma Salter occurred at her home in Clearfield Township, six miles north of New Lisbon. The Salters ran a stage stop midway between New Lisbon and Necedah known variously as Hell's Delight, Half-way House and Clearfield House. George Salter was known to sell whiskey to the Indians and it was believed they killed Mrs. Salter when she refused to sell them whiskey while her husband was away. She was found about four o'clock in the afternoon, lying on the floor, with her head horribly mangled and several wounds about her throat and chest.[1]

George Salter, summoned from a hay marsh about four miles away, arrived home to find that one of the Indians had been captured. In a frenzy, Salter killed the man with the same ax handle used to kill his wife. A German neighbor named Miller then cut off the man's head with a grub hoe and stuck it up on a pole. The next day Salter killed the Indian's brother or cousin who had come looking for him.[2]

The murder of Mrs. Salter and the two Winnebago caused renewed hysteria in New Lisbon, Necedah and the surrounding section of the state. Meetings were held in New Lisbon, a home guard formed, and Governor Edward Salomon was telegraphed for arms and assistance. Governor Salomon

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[1]Mauston Star, 15 July 1863, p. 1; Milwaukee Sentinel, 15 July 1863, p. 1, Microfilm copy.

[2]U. S. Commissioner of Indian Affairs, Annual Report, 1863, pp. 366-7; Milwaukee Sentinel, 15 July 1863, p. 1, Microfilm copy; Daily Milwaukee News, 19 July 1863, p. 1, Microfilm copy.

responded by requesting that Major General Pope send troops to New Lisbon.[1]

Since Captain Arnold was the officer on the scene, his company was sent from Madison. Captain Arnold joined them enroute after making his report to Major General Pope in Milwaukee. Upon their arrival in New Lisbon on the morning of July 15, Captain Arnold placed Dandy, another headman and fourteen other Winnebago Indians under arrest. Salter attempted to kill one of these Indians after he was brought in but was forcibly restrained. The Indians were held for two reasons. First, it was hoped that they could be compelled to produce the murderers of Mrs. Salter. Second, it was to protect the Indians from further reprisals from white settlers such as Salter and his cronies.[2]

On July 16, Captain Arnold visited the Indians west of New Lisbon. In Greenfield Township, Monroe County, where most of the Indian men were gathered, they had sent off their women and children and told Arnold they were angry. Arnold found that the whites throughout the area were scared. He sent forty guns to Necedah and distributed eighty in New Lisbon. Many of the settlers either abandoned their farms entirely or assembled at some village or central point for mutual protection and defense at night. Four miles north of

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[1]U. S. Commissioner of Indian Affairs, <u>Annual Report</u>, 1863, pp. 366-72.

[2]U. S. Commissioner of Indian Affairs, <u>Annual Report</u>, 1863, p. 371; <u>Galesville Transcript</u>, 24 July 1863, p. 4, Microfilm copy.

New Lisbon, a double block house was built for such a purpose. Salter and his German neighbor, Miller, believed that the Indians were hunting them. Miller reported that the Indians had shot at him.[1]

The state and federal authorities received numerous letters and petitions calling for the removal of the Indians. Captain Arnold wrote that the citizens would not organize a militia company until the Winnebago knew that they were to be removed. He felt that it would be easy to remove the Indians and that there would be much trouble if they weren't. Many settlers were ready to exterminate the Indians.[2]

From the beginning many whites felt that the murder of Mrs. Salter was an isolated act committed by four or five Winnebago under the influence of whiskey. The editor of the Mauston Star called many of the statements in the petitions utter nonsence. He was in favor of removal but he called the "bug-a-boo stories, impossible and preposterous, useless except to deter immigration and frighten a few masculine old ladies.[3] The Monroe County Democrat in Sparta reported that judging from the several columns of Indian news in the Juneau County Argus in New Lisbon:

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[1]Arnold, Diary; U. S. Commissioner of Indian Affairs, Annual Report, 1863, pp. 361-2, 366-67; Galesville Transcript, 31 July 1863, p. 4, Microfilm copy.

[2]U. S. Commissioner of Indian Affairs, Annual Report, 1863, pp. 361-365.

[3]Mauston Star, 22 July 1863, p. 1.

> . . .there is either a big scare in that region, or else someone is endeavoring to make a good thing out of the Government in removing the Indians. As the paper is Democratic, the latter supposition is not very probable, and the former seems too absurd for belief. If our accounts from there are otherwise correct, the people of New Lisbon have less to fear from the savages than the savages have from them.[1]

The situation became a political issue with the Democrats claiming that those who made money trading with the Indians were writing to the Republican newspapers saying there was no cause for alarm. The editor of the Mauston Star claimed that the reason for the hullabaloo was because the editor of the Juneau County Argus hoped the Civil War draft would be done away with in Juneau County because of the Indian danger.[2]

On the night of July 24, a rumor swept New Lisbon that the Winnebago were about to attack the town because Dandy had not been released yet from jail. The home guard was called out by the drum and all the houses were put in a state of defense. Few of the whites slept that night but calm returned when the rumor proved to be false.[3]

On July 27, Fernando Winsor, Juneau County judge, wrote Governor Salomon that Judge Clark of Portage had called upon him to seek a writ of habeas corpus to inquire into the

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[1]Monroe County Democrat, 20 July 1863, p. 1, Microfilm copy.

[2]Daily Milwaukee News, 28 July 1863, p. 1, Microfilm copy; Mauston Star, 29 July 1863, p. 1.

[3]Daily Milwaukee News, 29 July 1863, p. 1, Microfilm copy; Galesville Transcript, 31 July 1863, p. 4, Microfilm copy.

reason why Captain Arnold still detained the fifteen Indians at New Lisbon. Captain Arnold had informed Clark that until he received orders from his commanding officer he would continue to detain them. Winsor felt that every rational man in the area realized that there was no danger of an Indian uprising. To prevent a collision between the civil and military authorities, he had requested Clark to withdraw his application for the writ and ask Governor Salomon to obtain their release instead. Salomon forwarded Winsor's letter to General T. C. H. Smith, recommending that he take such action as was necessary to prevent further difficulty.[1]

General Smith ordered Captain Arnold to come to Milwaukee for a consultation on July 31 and on August 1 Arnold returned to New Lisbon with orders to release Dandy and the other Indians. Moses M. Davis, the Menominee Indian agent, called on Dandy shortly before his release:

> Dandy expressed his pleasure at seeing me, remarking that he had not seen an Indian agent for many years. He said that all the Indians concerned in the murder of Mrs. Salter should be brought to the white officers to be punished, but that he could not bring them in until he was released. He expressed a decided determination to remain in this country; said that his God first showed him the light here, and that he should not go away and live by some other light.[2]

Captain Arnold released Dandy that evening after obtaining his promise to turn over the Indians responsible for the murder of Mrs. Salter. Earlier that same day another

[1] Mauston Star, 5 August 1863, p. 2.

[2] U. S. Commissioner of Indian Affairs, Annual Report, 1863, p. 367.

incident had occurred about four miles from New Lisbon on the Germantown Road. Mrs. Isaac Austin was allegedly attacked by several Indians. Supposedly she shot one of the Indians and compelled the others to retreat. Fear seems to have blown the incident out of proportion.[1]

Company C remained at New Lisbon to calm the fears of the settlers in the area. An important consideration was the need to recruit further federal troops in the area for Civil War duty. John T. Kingston, the former state senator and Necedah lumberman, made that point when he wrote Governor Salomon on July 19 asking for the immediate removal of the Indians. He stated that only with great difficulty had the settlers been prevented from starting a war of extermination against the Winnebago. Kingston believed that:

> The government owes it to itself to take speedy action in this matter. It cannot expect men to submit willingly to an additional draft of men from this district, knowing that their families and friends would be left still more to the mercies of the savages.[2]

Walter D. McIndoe, United States Congressman from the Sixth District and a lumberman from Wausau, Wisconsin, volunteered to investigate the murders and the resulting situation, and on July 31 he was appointed as a special commissioner to settle the Indian difficulties in Wisconsin. The alleged attack on Mrs. Austin had caused a brief renewal of the panic and on August 8 a mass convention was held in

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[1]Ibid.

[2]Ibid. p. 362.

New Lisbon. The fire eaters in the crowd tried to organize a mob to exterminate the Indians immediately but failed. The leaders of this movement were those who formerly claimed to be the Indian's best friends, trading with them, selling them whiskey, associating with their women and otherwise demoralizing them. A series of resolutions were passed calling for the removal of the Indians, organizing a military company in each town in the county, and declaring that merchants and traders ought not to sell to or supply the Indians with anything but provisions. The somewhat turbulent meeting then adjourned.[1]

While McIndoe tried to determine the number and location of the various bands, Dandy and eight other headmen of the Winnebago tribe arrived in Madison the morning of August 17 to have a talk with Governor Salomon. An appointment was set for eight p.m. in the executive chamber. The delegation consisted of Dandy; DeKora; Yellow Thunder; Maus-a-min-ka Rain; Good Fish, a Fish clan member; White Water, a Thunder clan member; White Otter, a Water Spirit clan member; Ou-kow-e-ki Feur; and Young DeKorra with John T. De la Ronde as interpreter. They seated themselves in a row with Dandy near the center. A large number of whites were present for the council.[2]

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[1]Mauston Star, 12 August 1863, p. 1; Galesville Transcript, 12 August 1863, p. 2, Microfilm copy; U. S. Commissioner of Indian Affairs, Annual Report, 1863, p. 365.

[2]Wisconsin State Journal, 18 August 1863, p. 2, Microfilm copy.

Salomon then signified he was ready to hear the Winnebago. Old Dandy went forward, made a portentous bow, shook Governor Salomon's hand and began his speech.

> Father! I have a long time desired to see you, and now I have the pleasure of looking at you. I am an old man, and have come a long distance to see you.
>
> Father! I am about to tell you the truth. A great many white people know me, and I have talked often with the white chiefs, and they know that I have told them no lies.
>
> Father! I fear that bad stories have reached you about me and my people, and I want to tell you the whole truth. I call the Great Spirit to witness that I will tell the truth. I am an old man, and soon go out of the world, and shall suffer trouble if I tell lies.[1]
>
> Father! You see this pipe, and these pipes which those two old men hold. The bowl is of stone, and was part of the earth. The tobacco is from the Great Spirit and He sees me. The hole in the stem is straight, and my words shall be straight also. I and my people want to walk in a straight way and have no trouble. Some of my people get drunk and do bad things, but I have no part with them. The white people made me very much ashamed by putting some of us in jail who had nothing to do with the trouble in New Lisbon.
>
> Father! I will tell you the whole truth. I call the four winds to witness that I tell no lies. Now I am about to follow the rule we follow in Indian

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[1]Frances Perry comments:

If a person tells a lie, he will cause himself or a member of his clan to stumble on his way to the Spirit World after death. His [Dandy] being old and nearing the end of his life makes this statement equal to a solemn oath.

Frances Perry to Lawrence W. Onsager, 12 November 1982, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska.

> councils, and smoke the Calumet, and then I will tell you the facts.[1]

Dandy sat down and very deliberately drew a little kinnikinnick (a mixture of dried leaves, bark and tobacco) from his worn and soiled pouch, rubbed it fine, filled his calumet, took a few whiffs, handed it to Governor Salomon, who smoked it, and then passed it on to the other Winnebago headmen. Each of the spectators also took a few puffs and the room filled with the odor of the weed.

Governor Salomon, speaking through the interpreter, expressed himself as being glad to see these chiefs and hoped the difficulties existing between them and the whites might be settled by this council. Salomon then asked Dandy:

"What tribe do you represent?"

Dandy: "Winnebago."

"Do these chiefs all belong to the same tribe?"

Dandy: "Yes."

"Do you command all the Winnebago?"

Dandy: "I am the ruler of them."[2]

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[1]Wisconsin State Journal, 18 August 1863, p. 2, Microfilm copy.

[2]Frances Perry comments:

"I am the ruler of them." No Winnebago peace chief tells anyone what to do. He is a respected Sky clan member who reports on the consensus of the tribe on a controversial subject. He does not rule. Bad interpretation.

Frances Perry to Lawrence Onsager, 12 November 1982, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska.

"Do you speak for yourself and for all the chiefs present?"

Dandy: "For all of them."[1]

Salomon stated that he had smoked with them and was now ready to listen to what the Winnebago had to say. After all had smoked a little, Dandy shook hands with the governor and others nearby. He then spoke as follows:

> I am going to begin now. I am yellow-skinned, but my heart is clean and good. I have travelled all over the country and never had any trouble until a short time ago. The cause of the recent troubles was giving liquor to the Indians. I have often begged of the whites that they would not give the Indians liquor, and told them it would cause trouble. All they desired was to come over and pick berries and fish a little. The Indians were all poor and naked, and wanted to get berries to get clothes with. I have picked berries and fished, but never had any quarrels with the whites.
>
> You understand that I am not able to keep all the Indians under my control. When they start to pick berries, they do not all go together, but go where they have a mind to. I want to tell nothing but the truth.
>
> The tribe is very poor. If they had been able they would have gone to Washington to see their friends there. Eleven of their number had been taken up and put in prison.--Where I was there were four.
>
> The Indian that committed the murder was most of the time crazy. He was half Winnebago and half Menominee. I had no control over him; but had to watch him all the time. It was hard to keep him straight when he was sober; and when he was in liquor he was much worse. When told that this man was killed, the Indians were all glad, because they called him a bad Indian. What I tell you is truth.
>
> I got a white man to read to me your letter, and I am glad to come over and talk about the matter.

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[1]Wisconsin State Journal, 18 August 1863, p. 2, Microfilm copy.

The Indian now in jail is half Menominee. I have nothing to do with him. If anything is done that is wrong to my knowledge, I will come over and tell you about it. The people in Necedah and the Yellow River Country, are all afraid when they see Indians. It was a drunken Indian that got to fighting with the woman and killed her.

I have tried to stop the whites from giving liquor to the Indians. There are some good men; but some sell everything they can to the Indians.

Everybody knows that when the Indians have no liquor they are straight. The Indians like to live with the white man. All they want is to kill game, pick berries and fish.

I am an old man, and am opposed to the removal of the Indians. The chiefs are all old men. Look at them. We want no quarrel. We have to fight hard enough against poverty, without fighting with the people. White men that know us, know us to be good and they shake hands with us.

I hope you will never hear anything bad again. Above where I live I have a son and a daughter picking berries near the Tunnel. They never make any trouble at all.[1]

After shaking hands all around again, Dandy took his seat. Governor Salomon then asked Dandy another series of questions to which he gave answers.

"Where were you when the murder was committed?"

"At the Tunnel."[2]

"How do you know that the man who was killed was the man who committed the murder?"

"There was with the Indian a little white boy who saw him do it."

"Have you talked with this boy?"

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[1]Ibid.

[2]This statement is an error. Dandy was in council with Captain Arnold and the Indian agent, David Griffith, at New Lisbon when the murder of Mrs. Salter occurred.

"Not myself, but other Indians have."

The governor said he had been informed that three or four Indians had committed that murder and that they had run away.

Dandy said, "There was only one, but two Indians had been killed."

The governor said, "he had been informed that Indians had shot white men--what do you know about it?"

Dandy had only heard that White man wanted to kill an Indian.

"Who was it that wanted to kill an Indian?"

"I do not know his name; but he lives between New Lisbon and Necedah."

"Was it the man whose wife was killed?"

"The man whose wife was killed killed two Indians; but he was not the man."

"Do you know of any Indian going to a house to kill a woman?"

"I never knew of my own knowledge, but was told so by the whites. When I was in jail I had no time to speak, but I wanted to find some one to come with me to speak to you."

The governor then spoke to him, in substance, as follows.

"Ever since last fall, when the Sioux Indians in Minnesota had committed so many murders, the whites in this State had been frightened lest they would come over and murder them; therefore, the Indians must be very careful not to commit any depredations. He had been obliged to send soldiers to protect the whites for fear the Indians might kill them.

"Indians are a mysterious people to the whites--they go and come in a singular manner; therefore Indians must be careful. If they want to live in peace with the whites; if they do not want to be put in jail, or to be taken up by soldiers, they must keep away from the whites. He wanted them to inquire of their Chiefs, when they got back, if the Indians had molested any white man. If they find

they have, they must give them up; then the whites will know that they wish to live in peace.

"He had only good feelings toward the Indians; but he could not control all of the white men. If the Indians troubled them any more they would have to be driven away.

"When you go back to the Indians, I want you to inquire particularly who committed the murder of the woman. I want you also to inquire among your people, whether the Indians assaulted a white woman in her house, and whether she killed one of them. I want you then, with your tribes, to get the man or men who committed the murder, and who committed the assault upon the other woman, and deliver them up to me, or to some justice of the peace.

"He would inquire himself, and find out if it is true that Indians assaulted a woman, besides the one that was killed.

"If I see that those men who have committed the wrongs are all delivered up, all will be satisfied. If the Indians will keep away from the whites as much as possible, this difficulty will probably pass over. You shall go home now with your Chiefs, and you must tell all Indians to keep away from the whites; drink no whisky; live peaceably, and deliver up the men who committed the murder, and there probably would be no more difficulty."[1]

Young Decorah then made a few remarks to the governor. He referred to the fact that many whites who knew his father, knew that he had a permit to stay in Wisconsin. He said he had always been good to the whites. He was well known, he said, to the old settlers, many of whom had got lost, and he had brought them to his lodge, and shown them the way out of trouble. If he could find out who had committed the murder, he would report it to the governor. He did not want to hide anything. Referring to the remark of

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[1]Wisconsin State Journal, 18 August 1863, p. 2, Microfilm copy.

the governor that the Indians must not drink whiskey, he told Salomon it was harder to stop Indians from drinking whiskey, than it was for him--the governor--to stop persons from selling it.[1]

Governor Salomon declared that if any white man sold them liquor, they should inform the interpreter, John T. De La Ronde, or some justice of the peace, and they would send him, the governor, the information. The selling of liquor to the Indians was forbidden. The governor promised that if he were informed, all who sold Indians liquor would be punished.[2]

Dandy then spoke again. First he praised their interpreter, and said he had known him twenty-five years. He then spoke of his feebleness and his poverty.

> "How can I go to war with the whites? Can I load my gun with sand?" He did not want to fight. He only wanted to make money out of his berries; and if he quarreled with the whites they would not buy his berries. He was too old to hunt. He would try to satisfy in all things.
>
> He said he had seen better days than now, when the old nation was here. He was well off then, but now he was poor enough. Said he, "If you had seen me in my younger days, and should come now to my wigwam, it would hurt your feelings." He wanted to be on good terms with the whites--to be poor is bad enough, without fighting. They all know me, and never knew me to be a bad Indian. I never hurt the whites.[3]

Good Fish, then made a speech. He stated that he was not much of a speaker, but he told the truth always. He had been anxious to come here. He hoped the governor would take

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[1]Ibid.

[2]Ibid.

[3]Ibid.

him by the hand, and, as long as they did right, he hoped they would be regarded as the governor's children. The governor remarked that he had no power over the question of their removal; that belonged to their Great Father at Washington. He desired to keep at peace with them. After some further conversation, Governor Salomon presented each of the headmen with a pipe and tobacco. Dandy said that when in trouble he would smoke this pipe and think of him. During the entire council, the headman speaking would frequently stop and shake hands with the governor and others in the immediate vicinity.[1]

On September 25, Congressman McIndoe reported the Winnebago were scattered through the counties of Wood, Juneau, Sauk, and Columbia. He found that they had no fixed location but wandered from place to place led by the following headmen: Dandy, Caramonee, Little Snake, Decorah, Yellow Thunder, and Indian Jim. They numbered about 1,000 men, women, and children. He urged that he be given authority to take a census by head of family which would aid in their speedy removal.[2]

McIndoe, a member of the House Committee on Indian Affairs, continued to push for removal of the Winnebago from Wisconsin. In May 1864, a bill he introduced was reported from the committee to the House with recommendation that it

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[1]Ibid.

[2]U. S. Commissioner of Indian Affairs, Annual Report, 1863, pp. 371-2; Wisconsin State Register, 22 August 1863, p. 4, Microfilm copy.

pass. The bill authorized the President to appoint two commissioners to collect the stray bands of Winnebago and Pottawatomie and transport them to their tribal homes in Kansas and Dakota. The bill appropriated $30,000 to pay for the removal. Because military force would be necessary to enforce the removal, the bill failed. Instead, the decision was made to appoint Oliver H. Lamoreaux with headquarters at Stevens Point as special agent for the stray bands of Winnebago and Pottawatomie Indians in Wisconsin. Lamoreaux was a lawyer and farmer who was elected to the state assembly in 1871. He served as special Indian agent to the stray bands of Winnebago and Potowattomie for four years, 1865-1868. The bill that failed to pass in May 1864 had provisions that were similar to the removal bills which passed in 1870 and 1873.[1]

The Agency for the Stray Bands

The Winnebago remained quiet during the four years that Oliver H. Lamoreaux was agent. In 1867 he reported that there had not been one report of any difficulties with the whites that year. The Winnebago had no desire for education and very little interest in the white man's religion. They lived a nomadic life, supporting themselves by hunting, trapping, fishing, and picking and selling berries. They

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[1]Mauston Star, 6 January 1864, p. 1; U. S. Commissioner of Indian Affairs, Annual Report, 1864, p. 187.

raised considerable corn and potatoes in Juneau County and also made a business of raising riding ponies for sale.[1]

In the spring of 1869, John T. Kingston of Necedah, Wisconsin, was briefly Special Agent for the stray bands of Winnebago and Pottawatomie Indians of Wisconsin. Kingston received the appointment on April 14, 1869, but resigned within a short time. Captain David A. Griffith, an army officer detached for the duty, became the new Indian agent on July 5, 1869 making his headquarters at New Lisbon, Wisconsin. A brevet captain, he had served in both the Mexican and the Civil Wars, rising to the rank of Lt. Colonel.

Griffith wrote an annual report similar to Lamoreaux's on the situation of the Indians. He mentioned that they were also assisting in the harvesting of hops for wages and that their condition was fully as good if not better than any Indians he had met with on the plains. Griffith found that the Indians dreaded even the mention of removal from Wisconsin. Since all previous removals had resulted in the Indians returning to Wisconsin almost immediately, he recommended that a tract of land near their old homes in Wisconsin be obtained for them. There they could gradually be settled while carrying on their principal

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[1]U. S. Commissioner of Indian Affairs, Annual Report, 1867, p. 349.

means of livelihood, that of selling the wild blueberries and cranberries that abounded in the area.[1]

In August 1869, Dandy died at Dexterville, Wood County, Wisconsin in his late 70's or 80's. In his last moments, he told his people:

> . . . not to leave the state. If they attempt to drive you away, go at once to the Great Father at Washington; he will have pity on you and protect you.[2]

A large portion of the Wisconsin Winnebago attended his funeral at Dexterville where he was buried. Dandy was the last Wisconsin Winnebago who had general influence as a peace chief, and even he had indicated that the bands were too scattered for him to control.[3]

On September 24, 1869, the day after Captain Griffith submitted his annual report, Bill Dandy, son of the old chief, murdered Frank Provonsal at the cranberry bog in northern Juneau County halfway between Necedah and Hog Island. The murdered man was a French-Indian mixed blood who ran a ferry across the Wisconsin River at Peten-well Rock about three miles northeast of Necedah in Juneau County and was well-known to river men. Provonsal's house served as a headquarters for the wandering Indians and a source of whiskey. He was about fifty-seven years old and was married

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[1]Ibid., 1869, p. 889.

[2]Milwaukee Sentinel, 27 February 1873, p. 2, Microfilm copy.

[3]Juneau County Argus, 2 September 1869, p. 5, Microfilm copy.

to a half-Indian woman. John T. Kingston described Provonsal:

> Frank was probably about one-quarter Indian, a man of no education, possessing many of the imperfections of human nature incident to his early life and surroundings; but was a much better man and citizen than many who possessed superior advantages in these respects.[1]

There were two versions of the murder. Provonsal's friends reported that Bill Dandy came up and asked for breakfast which Provonsal refused. Dandy then asked for and received meat. He left and soon returned with a musket. He called Provonsal's name and when Provonsal looked up shot him. Dandy ran immediately for the marsh. Two Frenchmen and a boy were present.[2]

Dandy's version was that Provonsal had brought whiskey the night before to get them drunk so he could get their cranberries. While all were drunk, Provonsal went into Dandy's wigwam with Dandy's wife. Discovery of this enraged Dandy and led to a fight in which Dandy was whipped. The actual murder the next morning probably occurred in the manner described by Provonsal's friends. Provonsal was in a stooping position when shot; the ball entered just beneath his chin and came out along the lower part of the back. His

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[1]John T. Kingston, "Early Exploration and Settlement of Juneau County," Wisconsin Historical Collections 8 (1879, reprint 1908):375.

[2]Mauston Star, 30 September 1869, p. 1.

body was taken to his home at Peten-well, and he was buried on Sunday, September 27.[1]

After the murder, a party of men from Necedah went after Bill Dandy but returned after failing to find the Indian camp. Captain Griffith was informed of the murder the same day and immediately procured a conveyance and started for the spot. In Necedah he found the whites aroused against the Indians generally. He spoke to the mob and assured them that he would bring the murderer to justice and persuaded them not to destroy or butcher innocent Indians for the crime of one. Taking the deputy sheriff of the county and two other men with him, Griffith found the camp where the murder had been committed just at sunset. They were met by armed Indians who laid down their arms when Griffith identified himself. They had supposed the whites were coming to kill them all. The Indians told Griffith that after the murder they had tied Dandy up, but when no whites had come for him he was released and had gone across the swamps to see George Decorah, one of the Winnebago headmen. Griffith described Decorah as intelligent and trustworthy and able to read and write. Griffith sent a runner requesting that Dandy be brought in to prevent harm coming to innocent members of the tribe. The headmen of the Winnebago brought Dandy to Griffith in New Lisbon on September 29. Fearing a lynch mob, Griffith secretly removed Dandy to Mauston. Captain Griffith

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[1]Juneau County Argus, 30 September 1869, p. 5, Microfilm copy; Mauston Star, 7 October 1869, p. 1.

wrote the Commissioner of Indian Affairs asking if Dandy should be tried by the county court or the federal court. After conferring with the U. S. District Attorney at Milwaukee, Griffith decided to turn Dandy over to the county authorities.[1]

Dandy was indicted by the grand jury at the October term of the Circuit Court for Juneau County for the willful murder of Frank Provonsal. The case was continued until the spring term of the circuit court. The court session began on Monday, May 2, Judge George W. Cate presiding. Dandy was arraigned, the indictment was read, and a plea of not guilty was entered by order of the court. Dandy was then remanded to jail to await trial. The prosecutor for the state was Richard Smith, District Attorney. Griffith, who had obtained permission from the commissioner of Indian Affairs, hired William H. Clark of Baraboo as the defense attorney. Clark was assisted by State Senator William J. Kershaw who had a great interest in the case and had volunteered. A jury trial was conducted during which it was proved that Provonsal had gotten the Indians drunk and had gotten into a quarrel with Dandy about his wife. After being out all night, the jury could not agree, and came back into court eight for acquittal and four for conviction. Failure to procure the attendance of some important Indian witnesses, who stayed away because

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[1]D. A. Griffith to E. S. Parker, 24 September 1869, 1 October 1869, 20 October 1869, M234, Letters Received by the Office of Indian Affairs, Roll 942, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

of fear and ignorance, may have prevented an outright acquittal. Griffith proposed that Dandy be allowed to leave the state, which he was willing to do, and join that part of the tribe living on the reservation in Nebraska. Instead, the case was finally settled when a nolle prosequi[1] was entered during the fall term of the circuit court and Bill Dandy was released. The better class of citizens felt that Provonsal deserved his fate. He was known to sell whiskey to the Indians, but could never be caught because the Indians could not be induced to testify against him.[2]

In his 1870 annual report, Captain Griffith reported that although the Indians were in constant contact with the whites no problems had occurred. In fact the townspeople where the Indians traded their maple sugar, berries, etc. were deriving considerable benefit from the Indians. A large number of the Indians were employed in lumbering, harvesting, and hop picking. The Indians were reported to be steady and hard working. They again expressed a strong desire to remain in Wisconsin and the state legislature proposed that a reservation be set aside for them on the headwaters of the Eau Plain River in western Marathon County. Griffith felt that if that were done there was no reason why the Winnebago

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[1]Formal notice by the prosecutor that prosecution in a criminal case will be ended.

[2]D. A. Griffith to E. S. Parker, 25 May 1870, M234, Letters Received by the Office of Indian Affairs, Roll 942, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; Mauston Star, 4 November 1869, p. 1; 5 May 1870, p. 1; 12 May 1870, p. 1; 19 May 1870, p. 1; 3 November 1870, p. 1.

couldn't become as settled and useful as the Brothertown Indians of Wisconsin.[1]

In 1870 a bill was passed by Congress which prohibited officers of the army from holding civil appointments. Since the duty of Indian Agent was considered to come under this prohibition, Captain Griffith asked to be relieved of his duties as Indian Agent. He was assigned to the Third Infantry on December 3, 1870, and transferred to Fort Larned, Kansas. This left the wandering bands of Indians in Wisconsin without an agent.[2]

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[1]U. S. Commissioner of Indian Affairs, Annual Report, 1870, pp. 787-788.

[2]D. A. Griffith to E. S. Parker, 8 November 1870; D. A. Griffith to H. R. Clum, 16 August 1871, M234, Letters Received by the Office of Indian Affairs, Rolls 942-943, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

CHAPTER VI

THE REMOVAL LEGISLATION

The 1870 Legislation for Removal

In spite of the favorable annual reports of Agent Griffith, an extremely prejudiced attitude prevailed against the Indians among most of the whites in the state. John T. Kingston, for example, wrote in the 1870's:

> The Indian by nature is cruel, treacherous, and revengeful. He is a creature of impulse, outside of his daily routine of life; reason is rarely called into action, unless the cunning of the fox can be termed reason; a coward by nature, rarely attacking his equal in strength or numbers, without some great advantage in position or circumstances. He can endure fatigue, hunger and exposure, because his manner of life leads to those results; but place him and the white man in the same circumstances, and the latter is his superior in every respect.[1]

The memory of the Minnesota Massacre lingered on and the murders of Emma Salter and Frank Provonsal fed the fears of the settlers who continued to demand the removal of the wandering Indians.

The death of Dandy, the old chief, in July or August of 1869, was seen as an opportunity to renew the

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[1]John T. Kingston, "Early Western Days," Wisconsin Historical Collections 7 (1876, reprint 1908):304.

removal effort. In October 1869, Lafayette H. Bunnell, an early settler and resident of Homer, Minnesota, across the Mississippi River from La Crosse, Wisconsin, offered his services as removal agent to Governor Lucius Fairchild of Wisconsin. Bunnell had aided in the removal of the Winnebago from Minnesota in 1863 and claimed that since the recent death of Dandy those Wisconsin Winnebago who had previously utterly refused to be removed were now willing to go. He reported that a deputation of them from Trempealeau County, Wisconsin, had left for the Winnebago reservation on the Missouri to see about a reconciliation between the two halves of the tribe. Bunnell's plans included obtaining the cooperation of the Minnesota congressional delegation. His removal plan called for sending an agent among the Winnebago to take a census and determine the number willing to leave. He referred Governor Fairchild to petitions from both Minnesota and Wisconsin to prove that there was a demand for their removal.[1]

Beginning in the spring of 1870, a number of people began recommending Ephraim Young of Waukesha, Wisconsin, to superintend the removal of the stray bands of Winnebago and Pottawatomie to Nebraska and Kansas respectively. Among the qualifications listed for him

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[1]L. H. Bunnell to Lucius Fairchild, 2 October 1869; L. H. Bunnell to Lucius Fairchild, 31 December 1869, State of Wisconsin, Executive Files, State Historical Society of Wisconsin, Madison, Wisconsin.

were his influence among the Indians, his ability to speak their languages, knowledge of their culture, and his reputation as a man who would be neither bought nor sold. Because of the location of his residence, it is likely that he was better acquainted with the Pottawatomie than the Winnebago. Young's occupation in the 1870 federal census was listed as government detective.[1]

Although Agent Griffith and a memorial to Congress from the Wisconsin state legislature had recommended that the Winnebago be located on a reservation in Wisconsin, numerous petitions and letters from citizens in Wisconsin and Minnesota had convinced Ely S. Parker, the Commissioner of Indian Affairs, that the best solution was to remove the Winnebago to Nebraska and the Pottawatomie to Kansas. He estimated that an appropriation of $65,000 would be necessary to carry out the removal, $30,000 for the Winnebago and $35,000 for the Pottawatomie.[2]

The letters and petitions from Wisconsin and Minnesota were referred to the House Committee on Indian Affairs and on June 6, 1870, the committee offered an amendment to the Indian Appropriation Bill providing

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[1]Charles M. Webb to E. C. Banfield, 7 February 1870; O. W. Wight to J. D. Cox, 14 June 1870, M234, Letters Received by the Office of Indian Affairs, Roll 942, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]E. S. Parker to J. D. Cox, 16 March 1870, M234, Letters Received by the Office of Indian Affairs, Roll 942, Microfilm copy, Record Group 75, National Archives, Washington, D.C.,

$15,000 to remove the Winnebago and $21,000 to remove the Pottawatomie, a total of $36,000. This was $31,000 less than the amount considered necessary by the Office of Indian Affairs for removal of the two tribes. The money was appropriated by the act of July 15, 1870, but the Nebraska Winnebago objected to receiving their Wisconsin brethren. John T. Kingston was mentioned as one possibility for appointment as United States agent to superintend their removal. This was considered to be a sop to Kingston by Wisconsin Congressman Cadwallader C. Washburn. Washburn had promised to support Kingston for the office of U. S. Congressman but had broken the promise and supported Jeremiah Rusk instead. Again bypassing Kingston, Washburn recommended that Captain Griffith be appointed as removal agent with Ephraim Young as his assistant. However, the $15,000 appropriated for the removal was considered totally inadequate, and this appropriation was allowed to expire in June 1871.[1]

Wisconsin Winnebago Reaction to the 1870 Removal Attempt

Rumors of the impending removal reached the Winnebago, and Winneshiek, a prominent headman living in Greenfield Township, Monroe County, Wisconsin, sent a

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[1]Ibid.; Congressional Globe, 1870, pp. 4131-4132, 4134; 1872, pp. 2193-2197; Mauston Star, 4 August 1870, p. 1; C. C. Washburn to J. D. Cox, 18 August 1869, M234, Letters Received by the Office of Indian Affairs, Roll 942, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

message to Governor Lucias Fairchild giving the reasons that he and his people did not wish to leave Wisconsin.

> I want to stay in Wisconsin and pick huckleberries. Got land here. Want to stay here trade & Keep store.
>
> My brother has died here, this old man want to live here till he goes to other world. Everywhere else is miserable Country. My Grandfather has been all over the Country. He has seen it . . . he tells his children here is the best country to stay in and the place for Indian to die & lay bones with his father.
>
> I no like to move away. I want to stay here. Here is best place for my family for my children to grow. We are poor. Can not do well anywhere Else they send us.
>
> I speak for myself & for all Wisconsin Indians. We want to stay here and we shall do no harm to any one. We want to stay in Wisconsin woods.
>
> I want Govr Fairchild to see this which I have spoken & you have written. I ask him to help these poor Indians to stay in the land which is their home.
>
> This Company and the Indians of Wisconsin don't like to go to the Territory. There it is sickly--a miserable Country--the little Children all die. Every family loses its little children. This is the reason we don't like to go there, but wish to stay here where the Children can live.
>
> My father & chief. We take care of ourselves. Some of my men have been around the state. They hear that the Great Father at Washington was going to move us away. I am afraid. My people are afraid and so, I come to see Govr. Fairchild.
>
> Some of your people like me well. They trade with me. They tell me that they hear I am going away that I am to be moved away. They counsel me that I shall come to the Govr and ask him to let me stay.

> . . . I want to hear about this matter of removal.[1]

There is no record of any reply by Governor Fairchild. Since the elected officials almost all supported the removal such pleas were probably ignored.

Agitation for Removal in 1871-72

During 1871 and 1872, the whites continued to press for removal of the Winnebago. In April 1871, Ephraim Young wrote Commissioner of Indian Affairs E. S. Parker asking if and when the removal would take place. He reminded Parker that his proposition was on file and that the spring was the best time to remove the Indians. Governor Lucius Fairchild sent the commissioner a letter from a settler in Crawford County, Wisconsin, which complained of the many annoyances caused by the bands of Indians in the state.[2]

Congressman Rusk forwarded a letter dated February 5, 1872, to the new Commissioner of Indian Affairs, Francis A. Walker, from Eustace L. Brockway, who wished to become the removal agent. Brockway, of Black River Falls, was elected to the state assembly to represent Jackson and Clark Counties for the 1872 session. In the

[1]Council with Winneshiek, head chief of Winnebago, Greenfield, Wisconsin, [1870?] Executive Office Correspondence, State Historical Society of Wisconsin, Madison, Wisconsin.

[2]Ephraim Young to E. S. Parker, 19 June 1871, M234, Letters Received by the Office of Indian Affairs, Roll 942, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

letter he gave the following reasons for the settlers wishing the Indians to be removed. First, they did not obey the game laws. Second, the cranberry marshes had been entered and improved by the whites and the Indians continued to pick and carry the cranberries off. Third, the Indians set fires in the pine forests and burned large amounts of timber. And fourth, the Indians were being cheated and degraded by the whiskey traders. Brockway also pointed out that the Winnebago were opposed to removal and had no faith that the government would protect them in their new homes if they were removed.[1]

On February 13, 1872, Rusk wrote newly elected Wisconsin Governor Cadwallader C. Washburn about the appropriation to remove the Indians. He informed Washburn that he had been to see the Commissioner of Indian Affairs twice regarding the removal but had been referred to the Board of Indian Commissioners. In 1869, President Ulysses S. Grant, with the approval of Congress, had set up the Board of Indian Commissioners which was independent of the Office of Indian Affairs as part of the reform of the government's Indian policy known as the Peace Policy. Because graft and corruption had reached scandalous proportions on the Indian reservations, the major churches were given the responsibility for choosing Indian agents

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[1]Ibid.; E. L. Brockway to Christian Commission, 15 February 1870, M234, Letters Received by the Office of Indian Affairs, Roll 942, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

and directing educational and other activities on the reservations. Grant was convinced by humanitarian reformers that their methods would be more successful than those of the military in the pacification and assimilation of the Indians. In 1871 Congress ended all treaty-making with the tribes. The tribes were no longer to be treated as independent nations. All existing treaties, however, were still considered binding. The Peace Policy failed for several reasons. The church groups quarreled over the assigning of reservations among them; too many of the new agents were no improvement over the previous agents; and few of the religious organizations gave adequate support to the effort. The policy was finally killed during the Hayes administration by politicians eager to regain reservation jobs for office seekers.[1]

The Commissioner had informed Rusk that the appropriation had expired the previous June. Rusk realized it would be difficult but assured Washburn that he would attempt to get a new appropriation. He recommended to Washburn the advisability of having the Wisconsin state legislature memorialize Congress calling

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[1]Alvin M. Josephy, Jr., The Indian Heritage of America (New York: Alfred A. Knopf, 1968), p. 339; Jeremiah Rusk to Cadwallader C. Washburn, 13 February 1872, State of Wisconsin, Indian Affairs File, State Historical Society of Wisconsin, Madison, Wisconsin.

for the removal of the Indians. This would give him a basis for calling for a new appropriation.[1]

The Wisconsin legislature passed a memorial to Congress on March 25, 1872, calling for removal of the roving Indians which incorporated the reasons listed in Brockway's letter almost verbatim. In the spring of 1872 Congress again appropriated $36,000 for removal of the stray bands of Indians from Wisconsin. The purpose of the appropriation was changed from "for removal of stray bands of Pottawatomies and Winnebago from Wisconsin to the tribes to which they respectively belong" to read "for the removal of the Winnebago Indians in Wisconsin from their present homes in that state to the Winnebago reservation in Nebraska, or to such other location as may be selected for them." Dropping the Pottawatomies from the bill seems to have been an attempt to make the appropriation sufficient to carry out the removal of the Winnebago.[2]

In July 1872, Francis A. Walker, the Commissioner of Indian Affairs, notified Governor Washburn that $36,000 originally appropriated by the act of July 15, 1870, had been authorized for the 1872-73 fiscal year for the removal of the Wisconsin Winnebago. Barclay White, superintendent of the Northern superintendency, reported that the Winnebago in Nebraska refused to receive the

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[1]Jeremiah Rusk to Cadwallader C. Washburn, 13 February 1872, State of Wisconsin, Indian Affairs File, State Historical Society of Wisconsin, Madison, Wisconsin.

[2]Congressional Globe, 1872, p. 2193.

stray bands from Wisconsin. White believed that compulsion would be bad policy and Walker felt it would be necessary to send the stray bands to the Indian Territory south of Kansas. Walker doubted the willingness of the Winnebago to leave Wisconsin and asked Washburn for advice on how the removal could be accomplished without using force. He also wanted suggestions on how the Indians could be collected for removal.[1]

In his reply Governor Washburn expressed the opinion that the Winnebago would not leave willingly and that force might be necessary to effect the removal. The Commissioner replied that the congressional act appropriated money to defray the expenses of the removal but did not authorize the use of force which might possibly result in bloodshed. Walker believed that if the Indians were removed by force, force would be required to keep them on their new reservation and continued trouble would be the result. The entire subject along with the governor's views and suggestions was submitted to the Secretary of the Interior. In the 1872 annual report of the Commissioner of Indian Affairs to the Secretary of the Interior, Walker stated that although money had been appropriated to remove the Winnebago for various reasons the removal had not been undertaken. In fact, he doubted whether the removal could be accomplished without

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[1]F. A. Walker to C. C. Washburn, 23 July 1872, State of Wisconsin, Indian Affairs File, State Historical Society of Wisconsin, Madison, Wisconsin.

additional and severe legislation on the part of Congress, as the Indians were attached to Wisconsin and had no desire to leave. He felt that those removed against their will would return and would continue to do so as often as they were removed. Subsequent events proved Walker to be all too accurate in his estimate of the situation.[1]

In September, Congressman Rusk consulted with Governor Washburn about the removal and they concluded that the fall of the year was a poor time to undertake the removal because the Indians had scattered for their fall hunt, and it would be harder to gather them than at any other time of the year. Rusk notified Commissioner Walker that at the proper time they would renew their efforts to have the Indians removed. He expressed the opinion that spring was the best time to carry out the removal. Agitation for removal continued among the settlers. In October the Secretary of the Interior Columbus Delano received a petition for removal of the Indians from citizens of New Lisbon, Wisconsin.[2]

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[1]F. A. Walker to C. C Washburn, 7 August 1872, State of Wisconsin, Indian Affairs File, State Historical Society of Wisconsin, Madison, Wisconsin; Wisconsin State Register, 12 July 1873, p. 2, Microfilm copy; Commissioner of Indian Affairs, Annual Report, 1872, pp. 409-10.

[2]J. M. Rusk to F. A. Walker, 2 September 1872; Petition from G. W. Wilson, et. al., New Lisbon, Wisconsin, to C. Delano, 12 October 1872, M234, Letters Received by the Office of Indian Affairs, Roll 943, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Winnebago Reaction to the 1872 Removal Agitation

There was considerable uneasiness among the Winnebago because of the report that the government was again planning to remove them. In June 1872, they asked Horace Beach of Prairie du Chien to inquire as to the truth of the report. At that time Beach wrote the Commissioner of Indian Affairs for information. He stated that many of the Winnebago were making crops of corn and that they were peaceable and inoffensive notwithstanding the fact that they were charged with many offenses. Beach also began a correspondence with Congressman J. Allen Barber of Lancaster, Wisconsin, about the removal question. Beach, a fifty-three-year-old native of New York State, settled in Prairie du Chien in 1857 where he ran a hardware business for forty years. An active Republican, he served a term in the state assembly in 1864 and was elected Crawford County Treasurer in 1866 and 1868. No doubt he had established a relationship with the Indians by trading with them at his hardware store.[1]

In October, Beach wrote Barber that about fifteen headmen led by Winneshiek were in Prairie du Chien. He had had two or three talks with them through an interpreter. They expressed a great deal of concern about being removed and an aversion to going to Kansas. Not

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[1]Horace Beach to Commissioner of Indian Affairs, 24 June 1872, M234, Letters Received by the Office of Indian Affairs, Roll 943, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

only did they not like the country, they were apprehensive of hostile tribes on nearby reservations. The Indians wished to visit Washington, D.C., to ask the government for lands in Wisconsin and aid to start farms. They told Beach that they felt they must adopt the white man's lifestyle to avoid extermination because they were no longer allowed to pick cranberries and game was becoming scarce.

Beach explained to Barber that he was writing in the cause of humanity. He had known these Indians for fifteen years and as a general rule had found them harmless. Both Beach and Barber had been abolitionists and Beach felt that Barber was in favor of assisting the poor and oppressed of whatever race. Beach was aware that the mass of people would not favor their championing the poor, degraded Indians but he did not plan to adjust his ideas to suit popular opinion. He feared that a trip to Washington would have little result, but the Indians were determined to go. Beach hoped the Indians could interest Congress in helping them and wondered if they could become citizens under the Fourteenth Amendment. The Indians planned to await Barber's advice and counsel before they set out. Beach asked Barber to meet them at Boscobel on

the morning of October 22 where they would arrive by train.[1]

On October 21, Barber forwarded two letters from Beach to Columbus Delano, Secretary of the Interior. Barber referred to the Winnebago as inoffensive and capable of adopting a civilized mode of life. In a letter dated February 24, 1873, Congressman Barber wrote that the Winnebago could be reassured that "no force shall be used to gather them or to force them to remove. You can assure them that they will not be forced away, and no soldiers sent to gather them or drive them off."[2]

The available documents shed no further light on the aid from Beach or Barber for the Winnebago. The Indians, however, did not visit Washington until after the new appropriation was passed in January 1873. It is interesting that a prominent man supported the Indians for humanitarian reasons. This is contrary to the subsequent claims made during the removal that the only white men

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[1]Horace Beach to J. Allen Barber, 16 October 1872; H. Beach to J. A. Barber, 17 October 1872, M234, Letters Received by the Office of Indian Affairs, Roll 943, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Badger State Banner, 5 July 1873, p. 3, Microfilm copy.

supporting the Indians were those making money off them (such as the whiskey trade).[1]

The Final Removal Legislation

Since force had been ruled out it was felt that the removal was not practical without an additional appropriation of $50,000 to support the Winnebago the first year they lived on their reservation. Otherwise, because of their great attachment to Wisconsin, the Winnebago were expected to return there almost immediately. A new bill for the $50,000 appropriation was introduced in Congress, but it met difficulties from the start. The House Committee on Indian Affairs refused to incorporate it into the general Indian appropriation bill. When the Indian appropriation bill went to the Senate, Timothy O. Howe of Wisconsin proposed an amendment which read as follows:

> For this amount, to enable the Secretary of the Interior to remove the Winnebago Indians of Wisconsin from their present location in that State to some suitable place, to be by him selected within the Indian territory west of the ninty-sixth degree of West longitude, and to provide for their subsistence until they are sufficiently established therein and able to provide for themselves, $50,000.[2]

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[1]Beach to Barber, 17 October 1872; and J. Allen Barber to Columbus Delano, 21 October 1872, M234, Letters Received by the Office of Indian Affairs, Roll 943, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Congressional Globe, 7 January 1873, p. 372.

Senator William Buckingham of Connecticut, who had been instructed by the Committee on Indian Affairs to report the amendment, explained that two years before $36,000 had been appropriated to remove them to the Nebraska Reservation but the Nebraska Winnebago refused to receive them. The Secretary of the Interior was satisfied that the Wisconsin Winnebago had no rights upon the Nebraska Reservation and felt he could not send them there without the permission of the Nebraska Winnebago already on the reservation. This amendment was proposed to provide them a home in the Indian Territory and was recommended by both the Commissioner of Indian Affairs and the Secretary of the Interior.[1]

Several senators warmly opposed the amendment. Senator Allen Thurman of Ohio took the position that the Wisconsin Winnebago had lost their tribal organization and were for all intents and purposes citizens under the Fourteenth Amendment. He also understood that the Winnebago did not wish to leave, but some Wisconsin whites wished to get rid of them. Therefore, he felt that the state of Wisconsin should pay for the removal. Senator William Stewart of Nevada did not feel that Indians could be civilized by removing them from all contact with civilization. Senator Howe claimed the Indians were willing to move. He called them a lost tribe which had no way to support itself except by thievery. Thurman took a

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[1]Ibid.

gibe at Wisconsin and said if there were any "Ku Klux" in Wisconsin refusing the Winnebago their rights as voters he hoped Senator Howe would be after them with the Enforcement Act. Vindicate this right in Wisconsin, he said, before going on a crusade against the Southern people. Senator Stewart argued that it would be cheaper to buy the Indians 500 acre farms in Wisconsin than to support them on the frontier. When Senator Thurman asked if the Winnebago were to be forced from Wisconsin at the point of a bayonet, Senator James Harlan of Iowa replied, "no." When Senator George Edmunds of Vermont moved to amend the amendment to say that the Indians should not be removed without their consent, it was carried unanimously. Making the removal of the Winnebago voluntary was part of President Grant's Peace Policy for the Indians.[1]

When the amendment as amended came up for vote, Senator John Sherman of Ohio spoke against the entire government policy of removing partly civilized Indians to the wilderness. The Indians were disheartened by it, he felt, and they would always remain paupers and eventually be exterminated. Senator Howe took issue with him stating that none of the elements of civilization did the Indians any good. They didn't go near the churches or schools and had social customs of their own. He thought the territory to which they would be removed was one of the best suited

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[1] Milwaukee Sentinel, 13 January 1873, p. 1, Microfilm copy.

to them in the entire country. The amendment was carried 21 to 20.[1]

In the conference committee which worked out the differences between the House and Senate versions of the Indian appropriation bill, Congressman Rusk succeeded in retaining the amendment without the provision requiring the consent of the Indians for removal. The $36,000 appropriated by the act of July 15, 1870, was expected to meet all the costs of removing the Indians. The additional $50,000 was to be spent in providing them with homes and maintaining them for a year. The Wisconsin Winnebago were to be paid their full pro rata proportion of annuities then being paid entirely to the Nebraska Winnebago once they were settled in the Indian Territory.[2]

In an article that reported the Senate debate, Frank Moore, the Washington correspondent for the Milwaukee Sentinel, questioned whether the Winnebago would be willing to leave: ". . . the abundant huckleberry ridges, cranberry marshes, muskrat houses and catfish sloughs of Wisconsin for the 'rich soil' of the far-away South?"[3]

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[1]Ibid.

[2]La Crosse Republican and Leader, 19 February 1873, p. 1, Microfilm copy; Sparta Herald, 11 February 1873, p. 1, Microfilm copy.

[3]Milwaukee Sentinel, 13 January 1873, p. 1, Microfilm copy.

Moore had no personal knowledge on the point, but he knew that they had opposed removal two years before and presumed that they opposed it now. Moore explained that nearly all the Wisconsin Winnebago had belonged to Dandy's band, and Dandy had always declared he would never be forced from Wisconsin alive. Most of the remaining Winnebago shared Dandy's strong attachment to Wisconsin and refused to leave for love or money. Moore felt that the majority of the Indian families would be glad to engage in planting corn and pumpkins on a small scale in Wisconsin if they had the chance. However, they would still wish to do their hunting and trapping in season. The Indians knew where the biggest bullheads were found and the location of the best berry grounds. Moore claimed the whites in Wisconsin made thousands of dollars annually from Indian industry. Furthermore, he felt it unjust of Senator Howe to call them paupers and thieves:

> They earn by hunting fur, catching fish, picking hops, picking huckleberries and picking cranberries, more than enough each year to give them a comfortable livelihood. They earn abundantly but are not provident in spending, and they are not all dishonest. General Dousman told me at Prairie du Chien, a few years ago, that in early days he had the names of over one thousand Indians in his books; that he had trusted them more than a hundred thousand dollars and that he never lost fifty dollars by them, all told. In "natural honesty" he placed them far above the whites.[1]

According to Moore, the respected headmen with property included the dissident leaders Yellow Thunder,

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[1]Ibid.

who had forty acres near Wisconsin Dells, and Blue Wing, who had forty acres partly improved near the Tunnel in Monroe County. Blue Wing was a shrewd man with a hundred relatives who could not be hired to leave. Old Caromonee didn't have forty acres, but he had pride and eloquence and could defend his rights in open court beside Daniel Webster. Ahuzipga, "Short Wing," called Old Winneshiek by the whites, had been to Nebraska and had returned. The Winnebago had celebrated a week when he returned to La Crosse. He was a kind and honorable man with the bearing of a Jackson. His father and older brother were also called Winneshiek. He signed the 1846 treaty in Washington, D.C. Winneshiek was the headman of a band near La Crosse. Nehauger, Wan-nu-du-kon-e-grau, So-coris-pink-a, Wau-wun-he-ga and a dozen others Moore could name would also refuse to leave.[1]

On the recommendation of Congressman Rusk, Captain Charles A. Hunt of Melvina, Jefferson Township, Monroe County, Wisconsin, was appointed on January 9, 1873, General Agent for the removal of the Winnebago Indians from Wisconsin. Captain Hunt was a forty-four-year-old native of New York State who had come to Wisconsin in 1845. A Civil War veteran, he moved to Monroe County in 1866 and founded the village of Melvina where he became a farmer, gristmill operator, and first postmaster. Active in politics, he served as a Wisconsin state assemblyman in

[1]Ibid.

1868 and 1870. Hunt's letter of acceptance was dated February 5, 1873. His instructions were to collect the Winnebago at a suitable point on or near the railroad and make the necessary arrangements for their subsistence at that point until they could be shipped to the Indian Territory. He was to be paid at the rate of eight dollars per day for the time actually engaged in the removal and for his actual expenses.[1]

Julius "Shanghai" Chandler, editor of the Augusta Herald, described Hunt's appointment in less flattering terms:

> . . . the eloquent, pompous, patriotic, political, and poetical Captain C. A. Hunt, of Monroe County [has] been appointed to marshall the braves to their new happy hunting grounds,--where the ungentle Apaches may toy with their scalps and estrange the affections of their squaws.[2]

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[1]Sparta Herald, 28 January 1873, p. 1, Microfilm copy; History of Northern Wisconsin (Chicago: Western Historical Company, 1881), pp. 642-3; Acting Commissioner to Charles A. Hunt, 17 January 1873, Washington D.C.; C. A. Hunt to Secretary of Interior, 5 February 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75 National Archives, Washington, D.C.

[2]Augusta Herald, 22 March 1873, p. 2, Microfilm copy.

CHAPTER VII

THE FIGHT TO AVOID REMOVAL USING DELAYING TACTICS

Appeal to Washington

In February, word that the rumored removal was to actually take place reached the Wisconsin Winnebago. Remembering Dandy's deathbed admonition not to remove from Wisconsin and to appeal to the government in Washington if such an attempt was made, they immediately sent a delegation to Washington. The delegation consisted of Old Winneshiek (Short Wing), Old Caromonee, Clonozhunges and Wauchomemick. Mary Crane, also called Indian Mary, an intelligent mixed-blood woman educated at Kalamazoo, Michigan, accompanied them as their interpreter. Her father was a white man and for a number of years she had lived with the whites. She could read and write and spoke English very well. Returning to the Indian lifestyle, she had married a Winnebago and for many years had made her home with him on Prairie Island in the Mississippi River about two miles above Winona, Minnesota. Although not a Winnebago, she had great influence among the various bands.

To pay for the trip to Washington, the Winnebago sold a couple of ponies and other effects for $130. As a precaution, they carried with them a long sheet of foolscap paper containing separate and plainly written certificates signed by several prominent citizens of La Crosse--Charles Seymour, postmaster; Moses Anderson, merchant; Angus Cameron, lawyer; and John M. Levy, ex-mayor. Certifying them to be good Indians, the paper enabled the delegation to travel at half-fare on the railroad and receive other favors on their journey to Washington.[1]

On the morning of February 20, they arrived unannounced at the national capitol, the first "blanket" Indians who had visited the capitol for several years. They caused a sensation as they walked into the capitol building in full splendor of paint and feathers. Their progress through the rotunda was impeded as hundreds of people flocked around them, quizzing them, questioning them, and wondering what strange mission had brought them to Washington.

Learning that Senator Timothy O. Howe of Wisconsin was in his committee room upstairs, they went up to see him. The Senator shook hands and invited them to be

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[1]Milwaukee Sentinel, 25 February 1873, p. 3; 27 February 1873, p. 2, Microfilm copy; Sparta Herald, 18 March 1873, p. 1, Microfilm copy; La Crosse Daily Republican and Leader, 14 April 1873, p. 1, Microfilm copy; Trempealeau Republican, 18 April 1873, p. 3, Microfilm copy; Winona Weekly Republican, 23 April 1873, p. 3, Microfilm copy.

seated. He opened with a "talk" in which he reminded them that the Winnebago tribe had sold all their lands in Wisconsin years ago, and that they had no place to hunt, pick berries, or plant a little corn without going onto other peoples' land. The annuity money all went to the Nebraska Winnebago and the Wisconsin Winnebago had no schools for their children or churches to learn about the Great Spirit. The purpose of the removal, the Senator concluded, was to improve their present condition by giving them lands where they could make good homes. The four Winnebago acknowledged the "talk" with their customary and expressive "ha!"[1]

Indian Mary, the interpreter, informed Senator Howe that they had been told they would be driven from the state by soldiers with guns, and that if they hid their women and children, they would be put in jail. Howe assured them that such stories were not true. Stating he had to keep another appointment, Howe bid them goodby and left. Soon after, they were visited by Wisconsin congressmen Jeremiah Rusk and J. Allen Barber, who arranged for a visit to the Commissioner of Indian Affairs. They were to meet with the President soon after.[2]

At one o'clock the afternoon of February 22, the delegation emerged from their hotel, the Washington House,

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[1]Milwaukee Sentinel, 25 February 1873, p. 3, Microfilm copy.

[2]Ibid.

dressed to meet the Commissioner. Old Carrimonee, thought to be in his eighties, had on plain white men's dress with a slouch hat. He explained that he was getting too old to make a show. Indian Mary was also dressed in a plain outfit. Old Winneshiek, whose age was somewhere between fifty and seventy, was gotten up in an elaborate outfit. The two younger men stunned the spectators, "with their streaming ribbons, fancy leggins, new red blankets, otter-tail pouches, long pipes, eagle feathers, jingling bells, ear-bobs, bead-strings, and red moons on their faces."[1]

The delegation's passage on the avenue to the Patent Office Building where they were to meet with the Indian Commissioner again caused a stir. The Indians' curiosity was aroused by the preparations for the inauguration of President Grant to his second term of office and they were pleased to learn that the whites were preparing for a great medicine dance. Reaching the Patent Office, they climbed the broad granite steps and were conducted along the long hall into the rooms of the Indian Commissioner. Congressman Rusk introduced them and after they were seated, General Cowan, the acting commissioner, indicated his readiness to hear the purpose of their visit.[2]

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[1]Ibid., 27 February 1873, p. 2, Microfilm copy.

[2]Ibid.

Old Winneshiek, the spokesman, stepped forward, shook hands with all the whites present, and addressed the commissioner through the interpreter, Indian Mary, as follows:

> I call you my brothers. God made us all. We had heard what you were going to do with us; that we were to be driven from the place where we had always lived. Our women and children became scared at the stories they heard, so we sold ponies to raise money to come down here. We knew when we started that our Great Father would pity us; he would think "these are my children;" and he would have a different mind when he came to see us, and he would not send us away. They had heard that soldiers were to be sent among them, who would drive them to some country of the West. I know that you all believe in God; that you have pity and good feelings for the red man. I have nothing to say now what we will do. When I get home I shall tell our people what our friends said to us here. We will then talk it over among ourselves, and decide what we will do.[1]

Commissioner Cowan told them that there was no danger of soldiers being sent to drive them away. The government had a great deal of money which would be spent in providing new homes and the removal would be of great benefit to them. As soon as the snow was gone in Wisconsin, a special agent would be sent with one or more of the Winnebago headmen to visit their new home. They were not to listen to any more stories about soldiers being sent among them. They were going to a better country where they would be surrounded with all the means of comfort and independence.[2]

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[1]Ibid.

[2]Ibid.

In a second talk, Winneshiek made an inquiry:

> . . . his older brother Winneshiek had told him that the Sioux Chief Wabasha had deeded a piece of land to the Winnebagoes in payment for ponies and wampum, and that the paper was kept in Washington, where it would not be destroyed.[1]

Commissioner Cowan knew nothing of such a paper.

Old Winneshiek had visited the Winnebago in Nebraska and he declared:

> Many of them died from changing to a warm climate; after they got used to the climate they could stay. His people were afraid of going South to a different climate. Their children would be more apt to get sick, and their old folks die off very soon. They could get deer-meat, fish, flour, corn and berries to live on where they were. They preferred to live in the country where their fathers had lived, and where their fathers and grandfathers were buried. They were willing, however, to send some of their men to this new country and see if it is suited to their wants. After other friendly talk the Winnebago took their leave.[2]

During their visit to Washington, the Winnebago had frequent visits with old friends, a delegation of six Sac and Fox Indians from the Indian Territory. Their interpreter was Lu Gokey, a brother of Joe Gokey, the long time interpreter for the Wisconsin Menominee, who spoke French, English, Fox, Menominee, Chippewa, Pottawatomie, and Ottawa. According to Frank Moore's report, these men told the Winnebago they liked their reservation. Their people were healthy and their ponies fat. They had plenty

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[1]Ibid. Winneshiek was probably referring to the attempt by the Winnebago to purchase Wabasha's Prairie during the removal from Iowa to Minnesota in 1848.

[2]Milwaukee Sentinel, 27 February 1873, p. 2, Microfilm copy.

of timber, game abounded, and since many of them had married Winnebago women they would be happy to have their ancient Winnebago friends occupy a reservation near them.[1]

Because the Winnebago in Nebraska refused to receive the Wisconsin bands, the Office of Indian Affairs needed to find a location for them in the Indian Territory. On March 10, 1873, Frank A. Moore, formerly a La Crosse newspaperman and the Washington correspondent of the Milwaukee Sentinel, was appointed as a special agent to accompany a delegation of two or three of the most prominent and influential Winnebago to the Indian Territory for the purpose of selecting a permanent home for them. He was instructed to meet with Enoch Hoag, Superintendent of the Central Agency, which included the Indian Territory, and confer with him on how to perform this duty.[2]

No doubt, one of the reasons for choosing Moore was to enlist his support for the removal. His articles up to this time had cast doubt on the feasibility and utility of the removal. He knew the Wisconsin Winnebago well and was aware of their aversion to removal or becoming farmers. Moore claimed the appointment was

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[1]Ibid.; Prairie du Chien Courier, 4 March 1873, p. 2, Microfilm copy.

[2]C. Delano to F. A. Moore, 10 March 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; La Crosse Republican and Leader, 2 April 1873, p. 4, Microfilm copy.

unexpected and unsought. His first knowledge of the appointment came from Chief Clerk H. R. Clum who informed him that his commission would be made out and forwarded to Sparta, Wisconsin. Not wanting to show his greenness by asking what the commission was for, Moore decided to wait and find out when he saw Congressman Rusk.[1]

"Shanghai" Chandler expressed the opinion that Moore was less than green:

> Well, now, what's the rip? . . . Is Moore to "Superintend" Hunt? or is Hunt hunted out of his fat job? Forbid it! Jerry Rusk!
>
> "Familiar with Indian character", is he? How'd he catch it? . . . We knew Mr. Moore was one of the very best correspondents in Washington, whose letters in the Sentinel, the past few months, have been regarded by thousands of Wisconsin men and others as the most instructive Bohemiana in Newspaper Row. But, scalp us if we ever knew before why it was he has been hobbying away so for on the Indian question. Cat's out o' the bag, now; Uncle Sam's money to finger; and of a truth we'd as lief he would finger it as anybody we know of--except ourself![2]

Choosing the Delegation to the Indian Territory

Moore's acceptance of the appointment was dated March 12 and that same day he requested six hundred dollars credit at the U. S. Depository in Chicago, that amount being the estimated expenses for taking the delegation to the Indian Territory. The first problem was

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[1]Milwaukee Sentinel, 1 January 1874, p. 3, Microfilm copy.

[2]Augusta Herald, 22 March 1873, p. 2, Microfilm copy.

to choose a delegation of Winnebago leaders acceptable to both the government and the Indians.[1]

By the middle of March, Moore was in Sparta, Wisconsin, conferring with the removal agent, Charles A. Hunt, about choosing the delegation. Moore and Hunt visited the various Winnebago bands who were scattered over western Wisconsin and in Minnesota along the Mississippi. On March 27, they arrived in Trempealeau, Wisconsin, and the next day visited Winneshiek's camp near Lytle's Station, located seven miles southeast on the Black River in La Crosse County. Mary Crane accompanied them and acted as interpreter. From there they went south. On April 2, they were in La Crosse and by April 3 they were at Prairie du Chien where they spent several days looking up the bands of Winnebago in that vicinity.

The two agents chose four men to make up the delegation. When Captain Hunt arrived in La Crosse for a council with the Winnebago to decide on the final make-up of the delegation, he was accompanied by the four delegates he and Moore had chosen. The agent had these

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[1]F. A. Moore to H. R. Clum 12 March 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Indians dressed in the coat, pants, vest and hat of the white man.[1]

The council took place in La Crosse on Tuesday, April 22. After the Winnebago held a medicine dance on Barron's Island[2] in the morning, the council was convened in the Minnesota House. The large dining room of the hotel was crowded with anxious and interested Winnebago. Quite a number of La Crosse's prominent citizens were also present. Mary Crane acted as interpreter.

Captain Hunt opened the council with an account of the visits he and Frank Moore had made to the various bands. He then gave the names of the four delegates that he and Moore had chosen and asked Winneshiek if he was satisfied. Winneshiek objected to the choice of one of the delegates and also to the number of the delegates. He asked for eight delegates or he would withdraw from the council. Winneshiek was told that eight delegates could not be sent. Whereupon Winneshiek and the majority of the Indians present left the room.

After considerable negotiation with Hunt and Moore, Winneshiek agreed to a second council where a

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[1]La Crosse Republican and Leader, April 2, 1873, p. 4; 22 April 1873, p. 4, Microfilm copy; Prairie du Chien Courier, 8 April 1873, p. 2, Microfilm copy; Trempealeau Republican, 28 March 1873, p. 3, Microfilm copy; Wisconsin State Journal, 29 March 1873, p. 2, Microfilm copy.

[2]Barron's Island was a low, marshy island in the Mississippi River directly opposite La Crosse. Pettibone Park is located on the island today.

compromise was reached and five delegates were selected. The delegates chosen were Che-a-nau-chinger, "Stands in the Lodge," son of old Winneshiek, a Thunder clan member; Tcoraminanka, "Sits Blue," the head policeman of the tribe and a Bear clan member; "Joe" Monega, "Walks Over the Earth," son-in-law of old Carrimonee and son of old Ne-hau-ger of La Crosse, a Bear clan member, who had served as a soldier under General Sherman in Company F, Third Regiment, Wisconsin Volunteers; P'etcoga, "Green Forehead," a Wolf clan member and son of old Decorah; and Kar-re-cho-sep-ne-ker, "Little Black Hawk," the richest man of his tribe.

Although several newspapers reported that Mary Crane was to be the interpreter, Samuel W. H. Smith, formerly of La Crosse, accompanied the delegation as interpreter. For Mary Crane it may have been a problem of pay. She stated that she had gone to Washington without pay, in February 1873, but should she go with this delegation, it was to be for pay--Frank A. Moore was paid and why shouldn't she be paid the same?[1]

The clan memberships of the delegates were important. The Thunder clan, from which were chosen the civil chiefs, had the functions of preserving the peace

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[1]Radin, The Winnebago Tribe, pp. 189, 193; Wisconsin State Journal, 28 April 1873, p. 1; Frances Perry to Lawrence W. Onsager, 19 February 1981, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska; Trempealeau Republican, 18 April 1873, p. 3, Microfilm copy.

and of acting as intermediaries. The Bear clan had to be represented because that clan had to do with the business of land in addition to the police and disciplinary functions within the tribe. The Wolf clan was linked to the Bear clan and probably had many similar functions.[1]

After the selection of the delegates, Congressman Rusk assured the Winnebago of the goodwill of the government. He stated that they would find a good home in the West where they would be protected and well cared for by the government.[2]

Trip to the Indian Territory

The trip to choose a reservation was expected to take thirty days. Accompanied by Frank Moore, the delegation left La Crosse on Thursday, April 24, on the steamer Belle of La Crosse. They proceeded by water to Hannibal, Missouri, and from there to Lawrence, Kansas, to meet Enoch Hoag, the Superintendent of the Central Agency, whose agency included the Indian Territory. Hoag accompanied the delegation as it traveled south passing through Parsons, Kansas, on the 29th of April. On April 30 they reached Muskogee, eight miles south of Fort Gibson, in the Indian Territory. Muskogee was the nearest railroad point in the Indian Territory. From there they proceeded west ninty-six miles by team to the Sac and Fox

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[1]Radin, The Winnebago Tribe, pp. 152-3, 190.

[2]Wisconsin State Journal, 28 April 1873, p. 1, Microfilm copy.

Agency. West of this agency was a stretch of one hundred miles of unoccupied territory from which the Winnebago were to choose their reservation.[1]

The first night at the Sac and Fox agency was marked by an Indian scare. Moore reported that he was asleep upstairs at the agency house when he heard a rattle about midnight at the door below, and loud calls for "Uncle John," the agent. The agent threw up the window and discovered Little Island from Keokuk's band and the interpreter, Lu Gokey, who reported that a thousand Kiowa, ancient enemies of the Sac, had been seen ten miles north at sunset, making their way toward the agency. They said that an advance party of five had run upon old Black Hawk's wigwam, eight miles away. The advance party was stealthily watched and followed until it returned to the main war party. All were equipped and mounted, with shields on their arms and black stripes down their faces.

Old Keokuk's band had been aroused post haste and runners were sent all over the reservation to warn the Indians that their ancient enemy was upon them. In less than ten minutes all the men at the agency were aroused. Most of the Sac fled. The traders believed the agency was to be attacked and all the whites massacred. It was a dark night, and they thought the Kiowa would reach the

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[1]Wisconsin State Journal, 28 April 1873, p. 1, Microfilm copy; La Crosse Republican and Leader, 15 May 1873, Microfilm copy, p. 1; Sparta Herald, 6 May 1873, p. 1, Microfilm copy; Wisconsin Mirror, 10 May 1873, p. 2, Microfilm copy.

agency just before daylight, dash in from the prairie on the east, attempt to cut off all retreat by the agency personnel, and speedily finish their work of plunder and killing. The whites all agreed that they should stay and defend the agency.

The agent, who had previously lived among the Kiowa, knew their leaders and couldn't believe they would come to murder the agents. The rest believed differently, and the agent led them to the gunshop where half a dozen rifles, and as many revolvers, were found to be in working order. Another half dozen guns were owned personally by the whites. Plenty of caps, powder, and lead were available at the agency store and gunshop, but scarcely a bullet. A fire was kindled at once and Sam Smith, the interpreter for the trip, set to work with ladle and bullet molds. Time was short and only a few balls were run. Soon the men buckled on powder horns, flasks and revolvers. The doctor, at the other end of the gunshop, prepared his splints and other equipment. The women and children were moved to a hewed log cabin for greater safety and the teams of horses were readied in the barn either for flight or for ambulances. By three o'clock, the dozen white men were armed and prepared for battle. They regretted that fifty rounds would exhaust their

bullets, although they did have a few pounds of buckshot to fall back on.[1]

The five Winnebago made their stand with the whites. Joe Monega was particularly cool. He donned his war costume and was armed with knife, rifle, and revolver. It was just what he liked, he said, as he had come for a fight and wanted to take some scalps back with him.[2]

Four o'clock came, the cocks began crowing, and still there was no sign of the Kiowa. No scouts had yet returned. It grew lighter and the defenders could see dimly far out onto the prairie. They began to think that perhaps there were no Kiowa after all. At five o'clock, the scouts returned from Black Hawk's camp. The five Kiowa turned out to be five Osage, neighbors to the north. They were hunting wild horses and about thirty more of them were camped nearby. They had guns, shields, and warpaint but were guiltless of any designs on the Sac or their agency.[3]

A second Indian scare occurred when a band of seven of the hardest and wildest looking Osage Moore had ever seen came in from the warpath and picketed their horses close by the camps of the Winnebago. They wore

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[1]La Crosse Republican and Leader, 15 May 1873, p. 1, Microfilm copy.

[2]Ibid.

[3]Ibid.

warpaint with heads shaved, except for the comb on top, and were armed with long knives and pistols. Their highest ambition was to steal a horse or plunder a traveler. Moore described the fiercest:

> One of them had a face and an eye that will haunt me always. I have looked into the eye of a panther, wild cat and grizzly bear, but never into one so cold and merciless and steel-like as the eye of this grizzly savage. I shook hands with him, jokes passed around, but he neither spoke nor smiled.[1]

After begging a pan of food from the Winnebago, the Osage slung it into their sacks, mounted their ponies, and tore off into the timber with a yelp and a "how." They were scarcely out of sight when three or four Sac were on their trail watching out that they didn't steal any ponies or cattle. The Winnebago believed the Osage had come into their camp to spy on them and planned to return that night to murder them in their blankets. Little Black Hawk refused to stay in the camp and had a blanket spread for him on the floor of the agency. Three of the Winnebago, called Joe, Mike, and Charlie by Moore, took turns standing guard throughout the night. Their fears were groundless. No Osage came near them.[2]

From the Sac and Fox agency, the delegation traveled five days on ponies looking for a place to locate the reservation along the banks of the Canadian River. They were accompanied by five members of the Sac tribe who

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[1]Ibid.

[2]Ibid.

took pains to show them everything of interest. According to Moore, deer were plentiful. Joe Monega killed a deer within ten minutes the first night they went into camp. Moore felt the Indians could not deny the richness of the country. The Winnebago complained that it was too far from civilization and there were no muskrats. The delegation scouted thirty miles west of the Sac and Fox agency. After examining the region to their satisfaction, they started on the return trip. The delegation attended a grand council at Okmulgee, the capital of the Indian Territory, where all the tribal representatives smoked the peace pipe. Being homesick, the Winnebago very soon continued their return trip to Wisconsin.[1]

Report on the Trip to the Indian Territory

The delegation arrived back in La Crosse on the evening of May 21, and Captain Hunt and Frank Moore called for a council to report the results of the trip. The council was held on May 30, near the village of Lafayette at one of the favorite camping grounds of the Winnebago, five miles northeast of Sparta. Because the previous day had been stormy and unfavorable for travel, and owing to the fact that the Indians prepared for the council by holding a dog feast at a point five miles from the council ground, it was eight p.m. before the between eighty and

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[1]*Wisconsin State Journal*, 23 May 1873, p. 1, Microfilm copy; *Wisconsin Mirror*, 10 May 1873, p. 2, Microfilm copy.

one hundred Winnebago assembled and were ready for business.

A dog feast was held when a great favor was to be asked of the spirits. The dog to be slaughtered was one living in the lodge as part of the family and given the family's clan dogs' name. The dog was considered to be a vicarious human sacrifice which was slaughtered ritually and eaten ritually at the religious feast. Normally when the situation was serious, four dogs were eaten because four was the Winnebago holy number.[1]

Old Winneshiek and the other headmen seated themselves in a grave, quiet manner, and with solemn dignity smoked the peace pipe with the government agents, Hunt and Moore. Mary Crane served as interpreter. Captain Hunt arose, and taking Winneshiek's hand, opened the council by briefly stating the intention of the government to provide a permanent, comfortable home for the wandering bands of Wisconsin Winnebago. He assured them that the government would provide 160 acres of land and an annuity of forty dollars to each man, woman, and child in the tribe who would be removed, and told them they were there to hear the report of the five man delegation sent to choose their new home.

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[1] Sparta Herald, 3 June 1873, p. 1, Microfilm copy; Frances Perry to Lawrence W. Onsager, 16 August 1978, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska; Radin, The Winnebago Tribe, pp. 380-1, 403.

The spokesman for the Indian delegation, called Captain Mike[1] by Moore, arose and proceeded to tell the impressions made on him during the trip into the territory occupied by the Creek and Sac Indians who had been removed there several years before. First the Indian scares were recounted which added to their reluctance to leave Wisconsin. Captain Mike said he did not like the land in the Indian Territory at all. He described it as rocky and rough with a poor red soil. The area was devoid of timber for building or other purposes. The crops and grass were poor and stunted and game was scarce--he had only seen five deer or antelope in going several miles. It was three days travel to the nearest buffalo range and that range was claimed by the Sioux who would doubtless prevent the Winnebago from hunting there. There were no fish in the streams of any account because the water had alkali in it. The Creeks and Sac were poor and sickly; many had a pulmonary disease resembling consumption. The report received the endorsement of all the Winnebago that were present. They showed their acquiesence by nods and ha's of approval.[2]

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[1]Captain Mike or Mike Staces has not been positively identified. He was probably either Tcoraminanka, or P'etcoga.

[2]Sparta Herald, 3 June 1873, p. 1, Microfilm copy; O. G. Winters to U. S. Grant, 30 May 1873, State of Wisconsin, Executive Office Files, State Historical Society of Wisconsin, Madison, Wisconsin.

Frank Moore then stepped forward and briefly recounted the circumstances of the Indian scares they experienced while in the Indian Territory, which turned out to be utterly groundless and without cause. He stated that the journey was protracted and tedious, making the Winnebago delegates tired and homesick, which prevented them from viewing the facts about the country in a proper and reasonable light, even preventing them from thoroughly inspecting the territory designated for Winnebago occupation. He described the land throughout the Indian Territory as excellent for stock raising and the raising of corn and grain. Stock raising was being successfully carried out by the Creeks, Cherokees, and Sac who inhabited the region. He further stated that the climate was moderate and healthful and that the location was entirely favorable for the Winnebago. After Moore's speech was interpreted to them by Mary Crane, the Winnebago expressed disbelief.[1]

Captain Hunt then arose and explained the latest federal views and those of the governor of Wisconsin, pointing out that their removal was determined upon and that they must go. Everything needed for their comfort would be provided until they were ready to start; they would be cared for on their journey, and when they arrived at the reservation. One million dollars in annuity

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[1]Sparta Herald, 3 June 1873, p. 1, Microfilm copy.

arrearages had accumulated in the United States Treasury and would be paid them when they removed to the reservation. All, or nearly all, the land they now occupied was owned by white citizens of Wisconsin to whom the presence of the Indians was an injury and a danger, making it necessary that one or the other should leave. Lawfully, the Winnebago were the ones who should go, and if they would not go peaceably then proper and necessary measures would be taken to accomplish the removal. A reasonable time would be given them to make up their minds, and those that decided to go should meet at a convenient point on the Milwaukee and Saint Paul Railway, where they would be taken care of, transported to their future home, and there amply provided for until their back annuities were paid to them in money. On the other hand, Hunt threatened that those who refused to go would have to bear the consequences.

Captain Hunt's speech made a deep impression on Winneshiek and the others. After consulting among themselves, they asked for a reasonable time to consider the terms offered. Captain Hunt promptly accepted this and he and Winneshiek named a future date for a final decision. The Winnebago requested that Governor Washburn and Congressman Rusk should be at the final conference.[1]

The white attitude was that the report about the reservation in Indian Territory by the five-man delegation

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[1]Ibid.

was colored by preconceived prejudices and probably had been prearranged before the delegation left. They knew that the Winnebago were unwilling to leave Wisconsin if they could possibly avoid it. The whites felt that the reason for this unwillingness was the natural aversion of the Indians to leaving their homes, the graves of their ancestors, and their friends. This was correct as far as it went; however, the whites did not understand how intimately the Winnebago religion was involved in the matter. Dandy had expressed this idea several times. They also knew from previous removals that many died from disease, particularly the elderly and the very young. It was hoped that Captain Hunt's firmness and tact would convince the Indians that removal was in their best interests. Whites counseling the Indians to remain in Wisconsin were libeled as evil and unprincipled. They were to be watched and threatened with punishment if detected giving the Winnebago any more bad advice as they were perceived to be the main obstacle to the prompt removal of the Winnebago from Wisconsin.[1]

The second council at which a final decision was to be made on the question of removal took place on Tuesday, June 10, again near Lafayette five miles northeast of Sparta. About four hundred Winnebago were gathered for the council. The first speaker was Governor Washburn. In a speech characterized by an unfeeling

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[1]Ibid.

determination to drive the Winnebago off, he pointed out that it had been thirty-five years since the Winnebago had sold the last of their lands in Winconsin and agreed to leave in eight months. Many whites had settled on the lands and it was no longer possible for the Winnebago to remain. Washburn had received many petitions to have the Winnebago removed. The federal government had been informed of the problems and the decision was for removal. The delegation to the Indian Territory had reported falsely if they had not said the land was beautiful and fertile. If that land did not suit them, there was still a large area to choose from. They didn't have to go during the hot weather but they were to be removed in the fall whether they wished it or not. The Winnebago were to "puchachee."[1] Washburn declared that he had heard that some of them thought they could avoid removal by buying land in Wisconsin, but as wards of the government they had no right to hold land without governmental consent.[2]

Little Black Hawk attempted to talk Governor Washburn out of his position by explaining what the Winnebago had been told in Washington:

> You are not our Great Father, but our brother. You speak of our agreement to leave Wisconsin.

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[1]Ojibwa word meaning "go on home." Frances R. Perry to Lawrence W. Onsager, 20 May 1977, Personal Files of Lawrence W. Onsager, Lincoln, Nebraska.

[2]Badger State Banner, 5 July 1873, p. 3, Microfilm copy; La Crosse Republican and Leader, 11 June 1873, p. 4, Microfilm copy; Wisconsin State Register, 21 June 1873, p. 2, Microfilm copy.

> Our big Chiefs went to Washington many years ago. Our Great Father is up, same as God in Heaven and when the Indians went to see him he said he pitied them; that they were his children and he was glad they came, and if they did as he told them he would lift them up, and put them inside his heart. The Great Father told them soldiers would not be sent among them, and they need not leave the state.[1]

Governor Washburn retorted that the government had told the Winnebago no such thing, that he did not want to hear any more such nonsense, and unless Little Black Hawk started talking differently the government officials didn't want to hear him. Washburn's remark silenced Little Black Hawk who sat down looking mortified and confused.[2]

In his exasperation, Governor Washburn lied. In previous statements made to the Winnebago, Congressman J. Allen Barber of Wisconsin, Indian Commissioner Walker, Acting Indian Commissioner Cowan, and Senator Howe had all made statements to the effect that no force would be used to gather them up and remove them against their will. Frank Moore and Captain Hunt had also stated that it was not intended to use force but to induce as many Winnebago to go as possible. Hunt subsequently wrote that the question of removal would depend upon the report made by the delegation to the Indian Territory. In reference to land ownership, Senator Howe wrote on February 8, 1873,

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[1] La Crosse Republican and Leader, 11 June 1873, p. 4, Microfilm copy.

[2] Ibid.

that no Indian who owned land would be driven from it. A correspondent of the Prairie du Chien Union suggested that any Indian not wishing to leave Wisconsin, who had served as a soldier in the Civil War and possessed an honorable discharge, should resist by all legal means. He also stated that those Winnebago belonging to Dandy's band, who had never entered into a treaty or taken an annuity, could not possibly be under any treaty obligation to leave. Senator Howe had asserted in debate in the United States Senate that the Wisconsin Winnebago were a lost tribe that had been disowned by their own nation. If they had actually given up tribal relations, many people felt that under the Fourteenth Amendment to the Constitution they were persons born within the United States over whom the United States has jurisdiction and should be considered citizens.[1]

After Washburn finished, Old Winneshiek stood and replied:

> My brothers, the One who made us all, has cleared the skies today, and we will talk kindly to each other, shake hands, and act like brothers. I heard about this removal last winter, and went to Washington. The Great Father always feels sorry for us. He says the whites are getting tired of you, but I regard you as orphan children. He said in the spring you go and see this new country, and come back and talk about it like brothers. We have been moved to other places before. When we move a short distance many of our children die off. If they go a long distance I expect they all die off. We do not dislike the

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[1]Badger State Banner, 5 July 1873, p. 3, Microfilm copy.

> land in this new country. If we go there other Indians come to us and kill us. It is hot and we would all soon die off. You see there are but a few of us left, and if you take us there it will be the end of us. Now, my brother, one word more. We will try and do what our Great Father wishes us to do. We will try and live like civilized people. I have heard the Great Father had said we might remain in the state.[1]

Governor Washburn denied that the Indians were told they could remain in the state. Winneshiek then stated that the Winnebago wanted a reservation on the headwaters of the Black River or in one of the northern counties of Wisconsin bordering on Lake Superior. Washburn said there was no government land available to the Indians and plainly informed him that they must go west. Winneshiek stated that he had no more to say.[2]

After some further discussion, Captain Hunt concluded the council by telling the Indians he was their friend and that removal was for their own good. He told them they were to be removed that season and that he would arrest any white man giving them bad advice and trying to convince them to resist removal. He also promised to arrest anyone found trying to intimidate them, as he had been informed had happened recently. While they were gathering for removal, rations would be supplied those unable to pick berries or work and the sick would be cared for. He presented a proposal by Governor Washburn that

[1]La Crosse Republican and Leader, 11 June 1873, p. 4, Microfilm copy.

[2]Ibid.; Wisconsin State Register, 14 June 1873, p. 2, Microfilm copy.

Winneshiek and one other delegate be sent to the Indian Territory to select their reservation and that they would agree to the Winnebago request that this delegation go first to Washington to confer with the Great Father about their affairs.[1]

The Winnebago agreed that if the Great Father said they had to remove, they would submit and go without further delay. After consultation, the Indians indicated they couldn't agree upon the second delegate but would choose one within ten days.[2]

The council adjourned and the whites were invited to an Indian dance. The music was provided by a drummer and four singers who sang a wild refrain at intervals which seemed to inspire the dancers. The dancers brandished swords, tomahawks, and other warlike implements. The hat was passed among the spectators by a Winnebago leader and the contributions were divided among the performers. After the dance, they all ate a barbecued ox which had been provided for the occasion with the dancers being allowed the first taste of the soup. The crowd, dusty and tired, left the council ground at five p.m.[3]

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[1]La Crosse Republican and Leader, 11 June 1873, p. 4, Microfilm copy; Wisconsin State Register, 14 June 1873, p. 2, 21 June 1873, p. 2, Microfilm copy.

[2]La Crosse Republican and Leader, 11 June 1873, p. 4, Microfilm copy.

[3]Ibid.

The Legal Fight to Avoid Removal

The Wisconsin Winnebago had already retained Henry W. Lee, a lawyer from Portage, Wisconsin, to represent their interests. Lee, a thirty-seven-year-old native of England, came to Wisconsin in 1850. In 1867 he began to study law, and when he was admitted to the Bar he began practicing in Portage. On May 1, 1873, he wrote Chief Clerk H. R. Clum of the Office of Indian Affairs that Congressman Gerry W. Hazelton of Wisconsin had referred him to Clum as the proper authority to address about the removal question. Lee wrote that he represented McWima, a half Winnebago-half Menominee; Pretty Man, half Winnebago-half Chippewa; War Club; and Jacob, George and Henry Battice, the last four being full-blood Winnebago. Lee explained to Clum that for at least twenty years these men had been residents of the town of Douglas in Marquette County and its immediate neighborhood and were held in esteem by many substantial citizens. These men did not wish to be removed and were willing to become citizens if they could be allowed to stay. Lee wanted to know to whom the petitions or memorials from white citizens requesting that the peaceable and law-abiding Indians be allowed to remain should be addressed. Clum failed to respond, so in June, Lee sent a second letter, this time to President

Grant, who referred the letter to the Secretary of the Interior on June 13.[1]

On May 30, Oliver G. Winters, a resident of Black River Falls, wrote President Grant at the request of Winneshiek, Mike Staces, and Carrimonee, remonstrating against the removal of the Winnebago from Wisconsin. He cited Mike Staces' report of the poor conditions in the territory the government wished them to remove to. They requested as an alternative a reservation on government land in Wood County, Wisconsin. The Indians wished to visit Washington again to discuss the removal which they considered a matter of life and death. Grant referred this letter to the Secretary of the Interior also.[2]

On June 13, Edward P. Smith, the Commissioner of Indian Affairs, wrote the Secretary of the Interior that he could not comment on O. G. Winters' letter because he had not yet received Special Agent Frank A. Moore's report of the trip to the Indian Territory in April, 1873. He could respond to a letter from Governor C. C. Washburn urging the speedy removal of the Winnebago. The main

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[1]<u>History of Northern Wisconsin</u>, p. 753; H. W. Lee to H. R. Clum, 1 May 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; H. W. Lee to President U. S. Grant, Portage, Wisconsin, n.d., Correspondence, Executive Office, State of Wisconsin, State Historical Society of Wisconsin, Madison, Wisconsin.

[2]O. G. Winters to U. S. Grant, 30 May 1873, Correspondence, Executive Office, State of Wisconsin, State Historical Society of Wisconsin, Madison, Wisconsin.

problem for the removal advocates was that the acts authorizing money to remove the Winnebago did not authorize the use of force. In the opinion of the Commissioner of Indian Affairs, if force were to be used, further force would be necessary to keep them on their new reservation and only continued trouble and difficulty would be the result.[1]

Lee wrote the Secretary of the Interior on June 23 again asking that the Winnebago not be removed. He enclosed two petitions--one signed by the members of what was known as Dandy's band and another signed by citizens of Columbia, Marquette and Adams counties. Both petitions requested that these Indians be allowed to become citizens and remain in the state of Wisconsin. The Indians also requested that any reservation for them be located either in Wisconsin or with the Nebraska Winnebago.[2]

Lee claimed that the primary cause of the removal requests was the desire of speculators to keep the Indians from picking cranberries in the marshes which the speculators had purchased in northern and central Wisconsin during the early 1870's. He felt that even

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[1]Edward P. Smith to Secretary of Interior, 13 June 1873, Correspondence, Executive Office, State of Wisconsin, State Historical Society of Wisconsin, Madison, Wisconsin.

[2]H. W. Lee to C. Delano, 23 June 1873; Petitions against the removal of Winnebago from Wisconsin, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

those crying for removal would be glad to have these Indians pick their berries if the Indians could be taught that the cranberry marshes were owned by individuals.[1]

A measure of Lee's success on behalf of the Indians can be seen in a telegram sent by C. A. Hunt to Commissioner of Indian Affairs Edward P. Smith, on July 8, 1873. In the telegram, Hunt asked Smith to get an order issued closing all the land offices in Wisconsin to Winnebago Indians trying to file on government lands.[2]

Delegation to Washington and the Removal Order

Captain Hunt had obtained permission from Commissioner Smith to take two headmen and an interpreter to Washington but he was to keep the cost as low as possible. In the request to Smith, Frank Moore stated that a visit by two or three leaders "will deepen impression upon Indians that their removal is necessary and tend to gain their acquiesence."[3]

Winneshiek had agreed to go but the choice of a second delegate continued to be a problem. Hunt tried to persuade Big Hawk, an influential leader in his

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[1]Ibid.

[2]Telegram, C. A. Hunt to E. P. Smith, 8 July 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[3]E. P. Smith to F. A. Moore, Sparta, Wisconsin, 18 June 1873, vol. 112, p. 391, Office of Indian Affairs, Letters Sent, Record Group 75, National Archives, Washington, D.C.

mid-forties, to go. He met with Big Hawk, Henry W. Lee, and John T. De La Ronde near Kilbourn (present Wisconsin Dells) where Big Hawk's band was camping. La Ronde, a farmer in Caledonia Township, Columbia County, was a former fur trader whose mixed blood wife was a member of the Decorah family. He had tried all spring to get a job assisting in the removal but now was opposed to it. Winneshiek and Big Hawk again stated they did not wish to leave Wisconsin. Lee and La Ronde told them they need not go unless they wanted to. Big Hawk informed Hunt that he would not go as a delegate to Washington unless he could take two friends along including Lee as his attorney. Hunt stated that he had no authority to take anyone along except the two delegates and the interpreter. Anyone else would have to go at his own expense.[1]

Because of the impasse caused by Big Hawk's demand to be represented by an attorney, Hunt persuaded two other Winnebago to accompany him to Washington. One of these men was a band leader called Ca Ra Cho Monazga, "Moving Blue Sky Man." He belonged to the Thunder clan and was a member of the Caramonee family. The whites referred to him as White Whale. The second member of the delegation has not been identified. This delegation left Madison for Washington on June 24. A number of Wisconsin Winnebago leaders authorized Lee to write the Secretary of the

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[1]Wisconsin State Register, 28 June 1873, p. 2, Microfilm copy.

Interior that this delegation had gone without their consent and had no authority to represent them. They wanted the Secretary of the Interior to know that they were willing to send delegates to Washington if they could have an attorney present and an interpreter of their own choosing. They had made their wishes known to Captain Hunt in council, but he had refused to report them to the Indian bureau. Instead he had persuaded the two men who accompanied him to go.[1]

In Washington, the delegation with Hunt met with Congressman Rusk and the Commissioner of Indian Affairs, Edward P. Smith. Smith, an ordained minister, had been pastor of the Congregational church in Pepperell, Massachusetts, and a member of the United States Christian Commission before he joined the American Missionary Association in New York city after 1866. When President Grant expanded his policy of appointing Indian agents nominated by church organizations in 1870, the American Missionary Association nominated Smith in the summer of 1870 as agent for the wandering bands of Winnebago and Potawatomie in Wisconsin. When it was determined that these Indians did not have a separate agency, Smith was

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[1]H. W. Lee to C. Delano, [June or July 1873], M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C; White Whale to C. A. Hunt, 7 May 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C; Interview with Frances Perry by Lawrence W. Onsager, Black River Falls, Wisconsin, 7 October 1983.

appointed as Indian agent for the Chippewa Agency in Minnesota on February 18, 1871. On March 7, 1872, Smith accompanied Brigadier General Oliver O. Howard on a peace mission to the Apaches of Arizona and New Mexico. Howard commended Smith for his services, and President Grant nominated him to be Commissioner of Indian Affairs. Smith was appointed as commissioner on March 20, 1873.[1]

The delegation asked Commissioner Smith for a reservation in Wisconsin or on the same line of latitude west of the Mississippi River. They were told that those choices were impossible. As a third choice, they preferred to go to the Winnebago reservation in Nebraska instead of the Indian Territory. Smith agreed to that choice and issued an order on July 1 for the speedy removal of the Indians to that reservation "nolens volens."[2]

The Winnebago still did not wish to leave Wisconsin and Smith decided to go to Wisconsin and attend a council in person to proclaim the removal order. He planned to use troops if necessary to enforce the order. Hunt may have made a tactical error in not persuading Winneshiek and Big Hawk to go to Washington with him. However, Frank Moore wrote on August 18 that from the time

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[1]Richard C. Crawford, "Edward Parmelee Smith, 1873-75," In Robert M. Kvasnika and Herman J. Viola, eds., The Commissioners of Indian Affairs, 1824-1977 (Lincoln: University of Nebraska Press, 1979), pp. 141-43.

[2]Willing or unwilling.

the Winnebago made their first visit to Washington they had plotted and schemed "how not to go," while he and Captain Hunt had spent their time considering and devising the best means to induce them to go. New difficulties constantly presented themselves to delay the removal, and the outcome of the visit might have been the same anyway.[1]

The trouble with the Modoc Indians in California changed the attitude of the government about the use of force to remove the Winnebago. The Modocs defended themselves among the California lava beds. In April 1873, they killed General Edward R. S. Canby and another U. S. mediator, but were finally defeated. Although the Board of Indian Commissioners claimed the Modoc war could not be charged against the President's peace policy, the new order by Smith for the removal of the Winnebago "nolens volens" showed a definite hardening of the attitude of government officials against the Winnebago. On July 10, Secretary of the Interior Columbus Delano informed Commissioner Smith that he was authorized to tell the Winnebago that the government was determined to remove them immediately. Smith was to inform them that removal was necessary to preserve peace between them and the whites of Wisconsin. If they failed to comply, the government would be compelled to remove them by force.

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[1] La Crosse Republican and Leader, 1 July 1873, p. 1; 2 July 1873, p. 1, Microfilm copy; New York Times, 4 July 1873, p. 1, Microfilm copy; Milwaukee Sentinel, 25 June 1873, p. 1, 18 August 1873, p. 2, Microfilm copy.

Barclay White, Superintendent of the Northern Superintendency, was instructed by Commissioner Smith in a letter dated July 14 to withdraw his opposition to removing the Wisconsin Winnebago to Nebraska.[1]

Captain Hunt succeeded in gathering delegations from the various Winnebago bands for a new council to be held Thursday, July 14, again at Lafayette, five miles northeast of Sparta. Hunt invited Henry W. Lee and John T. De La Ronde to attend the council. Considerable outrage was expressed in several newspapers because of Lee's attempts to prevent the removal of the Winnebago. Julius C. Chandler, better known as "Shanghai," editor of the Augusta Herald, bitterly denounced Lee and so far overstepped the bounds of propriety that he laid himself open to an action for libel. Andrew Jackson Turner, the editor of the Portage paper, suggested that Lee sue Chandler immediately.[2]

The new reservation was to be near the Winnebago reservation in Nebraska and was to be equivalent to a square mile for every four Indians. As part of the effort to induce the Indians to leave and gain the support of

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[1]Dee Brown, Bury My Heart at Wounded Knee (New York: Holt, Rinehart & Winston, 1970), pp. 219-40; La Crosse Daily Republican and Leader, 6 May 1873, p. 1, Microfilm copy; Milwaukee Sentinel, 18 August 1873, p. 2, Microfilm copy; Juneau County Argus, 21 August 1873, p. 2, Microfilm copy.

[2]Augusta Herald, 28 June 1873, p. 2, Microfilm copy; Wisconsin State Register, 5 July 1873, p. 2; 19 July 1873, p. 2, Microfilm copy.

disbelieving whites, Captain Hunt proclaimed that in addition to the government subsisting them for one year, each Winnebago would receive a fifty dollar annuity. Schools, agricultural implements, etc., would be supplied by the government. Farmers, blacksmiths, and teachers were to be provided to instruct them. In addition the reservation was close to the buffalo range.[1]

Andrew Jackson Turner of Portage editorialized:

> When all this is considered, we think there is very little occasion for shedding any tears over the cruelty of removing them. They will be vastly better off than they now are, leading a strolling, vagabond life among the whites, getting a muskrat fur Monday, a turtle for Tuesday, a few berries for Wednesday, begging for Thursday, strapping up their belt for their Friday's meal and going hungry Saturday with the possibilities of a catfish for Sunday . . . It is manifestly for their interest that they be removed to a reservation.[2]

Commissioner Smith arrived in Sparta on the night of July 16. The next morning, Smith, accompanied by Congressman Rusk, Captain Hunt, Frank Moore, and quite a number of citizens from Sparta, repaired to the council ground. About two hundred Winnebago men were assembled there with their wives and children scattered around the outskirts. Mary Crane was again the interpreter. Commissioner Smith opened the council with a conciliatory speech in which he pointed out the poverty of the Winnebago and the advantages of reservation life where

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[1]Wisconsin State Register, 19 July 1873, p. 2, Microfilm copy.

[2]Ibid.

they would learn to live by farming not hunting and gathering. Smith told them of all the annuity money available to them if they went to Nebraska. So long as they wandered in Wisconsin they could not have it because they would spend it on whiskey. The government only wished to give it to those who would make good use of it. Smith's advice was for them to go to Nebraska. The government would take care of them until they could get started as farmers there. All their present property would be taken with them to Nebraska. He ended by stating that it was the wish and determination of the government that they should remove.[1]

Little Black Hawk replied that they knew how they were living but their ancestors were born in Wisconsin and they wished to be buried with them. "If we move to Nebraska, we shall be neglected the same as we were when we were brought here, and we do not wish to go."[2]

Big Hawk, described as the most fanatical of his tribe and having done the most to retard removal, announced he had "heard enough of [Commissioner Smith's] talk about sending Indians away" and that "the grass should burn over his (Big Hawk's) dead body before he

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[1] Sparta Herald, 22 July 1873, p. 2, Microfilm copy; Wisconsin State Journal, 22 July 1873, p. 2, Microfilm copy.

[2] Wisconsin State Journal, 22 July 1873, p. 2, Microfilm copy.

would leave the land where his fathers were buried."[1] Big Hawk was a member of the Hawk or Warrior clan whose members did not have to fast in order to obtain the right of starting out on a war party. As a member of this clan, Big Hawk could lead out in any belligerent action as a war chief.[2]

Commissioner Smith replied that they had no choice. The government was determined to remove them and would use force if necessary. While Smith was talking, Big Hawk sang out, "Kar-a-ray (go away), Kar-a-ray (go away)"[3] to the assembled Indians and they instantly rose to their feet and scattered in all directions. Efforts to reconvene the Winnebago failed and the whites returned to Sparta. The results of the council were that a few, about 150 Winnebago, were willing to go to Nebraska of their own accord and were gathered in Sparta for the journey. Congressman Rusk expressed the opinion that others would leave of their own accord also.[4]

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[1]Milwaukee Sentinel, 1 January 1874, p. 3, Microfilm copy.

[2]Paul Radin, The Winnebago Tribe, p. 172.

[3]Milwaukee Sentinel, 1 January 1874, p. 3, Microfilm copy.

[4]Sparta Herald, 22 July 1873, p. 2, Microfilm copy; Wisconsin State Journal, 21 July 1873, p. 1, Microfilm copy.

The Abortive First Removal

On the morning of July 22, 1873, Captain Hunt left for Nebraska with a delegation of five Wisconsin Winnebago chosen to represent the entire tribe and report on conditions at the reservation in Nebraska. Eighty-three others, who were willing to go to Nebraska and remain, accompanied them. Hunt was accompanied by Frank Moore and John T. De La Ronde, who served as the interpreter. The Indians occupied two box cars. They traveled to Sioux City, Iowa, via St. Paul, Minnesota, arriving on Thursday, July 24. After staying overnight in the box cars, the next morning the Winnebago were conveyed the twenty-five miles to their new agency by a dozen teams and wagons hired for the occasion. The procession of Indians attracted a good deal of attention from the citizens of Sioux City. The Winnebago had been outfitted in new suits by Captain Hunt and showed themselves off proudly.[1]

The procession passed through the rolling countryside which resembled Wisconsin with its varied timber, meadow, and prairie land. They drove for several miles along the valley of Omaha Creek before reaching the agency headquarters. Oak groves were interspersed here and there. As they reached the agency they began to notice new houses, eighty of which had been built during

[1]Barclay White to Edward P. Smith, 4 August 1873; C. A. Hunt to Edward P. Smith, 22 August 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

the previous year for the Nebraska Winnebago. The agency buildings consisted of a two-story agency house; a storehouse for farming tools and the issue of rations; a building containing a council room, office and storeroom for annuity goods; a blacksmith shop; carpenters shop; two grist mills; a barn; an interpreters house; a hotel; three day schools; and an industrial boarding school.[1]

The Nebraska Winnebago had not been notified of the government order which brought the Wisconsin Winnebago there and were considerably surprised at their arrival. Runners were sent out at once with the news and friends and relatives of the Wisconsin Winnebago flocked to the agency headquarters by foot, horseback, and teams and wagons. A little reserve was evident at first but soon they were talking together with delight. Their reception was cordial beyond the expectations of the removal agents and before nightfall all were taken into the homes of the Nebraska Winnebago except a family of two who had brought a camp of their own.[2]

The next day, Saturday, July 26, a grand council was convened. The council was attended by the twelve elected Nebraska chiefs, Barclay White, Superintendent of all the Nebraska tribes, Charles Hunt, Frank Moore, and

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[1]Wisconsin State Register, 3 August 1873, p. 2, Microfilm copy; Lurie, The Winnebago Indians: A Study in Cultural Change, p. 152; U. S. Commissioner of Indian Affairs, Annual Report, 1867, p. 287; 1873, p. 553.

[2]Milwaukee Sentinel, 18 August 1873, p. 2, Microfilm copy.

most of the adult males of the Wisconsin delegation, making an assemblage of about two hundred persons. The council was held under the shade trees near the agency building with the chiefs arranging themselves in front on the ground. Barclay White opened the council by telling the Nebraska chiefs that he had received orders from Washington assigning the Wisconsin Winnebago to a home with them on their Nebraska reservation, with an equal share of their annuity funds. White indicated that the order precluded any debate. He also stated that he expected the Wisconsin Winnebago to obey all the rules and laws of the reservation.[1]

Captain Hunt then spoke, explaining to them the circumstances of his coming to Nebraska and the action of the federal government on the question of the removal. He urged them to receive the Wisconsin Winnebago kindly, to aid them, to teach them, and to make them responsible members of the reservation community.[2]

The whites then withdrew from the council and the Indians discussed the matter for several hours. The Nebraska Winnebago objected to the Wisconsin remnant coming to their reservation for two reasons. First, they had but little timberland and second, they thought it unfair, after they had struggled to learn to live on a

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[1]Milwaukee Sentinel, 18 August 1873, p. 2, Microfilm copy.

[2]Ibid.

reservation, that they should be burdened down by those who had done nothing for themselves or others. This feeling persisted until they found that their annuity fund would be divided unless they agreed to welcome the Winnebago from Wisconsin. Another council was held and the Nebraska portion of the tribe agreed to receive those from Wisconsin with two conditions. First, a strip of timberland should be purchased from the Omaha tribe who had an adjoining reservation. Second, they asked that a subagent be appointed to have special charge of the Wisconsin Winnebago.[1]

Chiefs Gray Wolf, Little Hill (Shogoni), Little Decorah (Standing Cloud), Otter Smith, and Yellow Bank all offered words of welcome. Captain Hunt asked them to send three of their leaders to Wisconsin with him to persuade the remainder of the Wisconsin Winnebago to come to Nebraska. This was agreed to. The three chosen were Gray Wolf, head chief; Little Decorah, second chief; and Little Thunder, fourth chief.[2]

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[1]Barclay White to Edward P. Smith, 4 August 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; Milwaukee Sentinel, 1 January 1874, p. 3, Microfilm copy.

[2]Milwaukee Sentinel, 1 January 1874, p. 3, Microfilm copy.

The third day, Sunday, July 27, a great feast was held. Two large oxen were furnished by Captain Hunt for the occasion and a great multitude took part.[1]

Hunt and Moore spent Monday in riding over the reservation which contained 97,000 acres and had a frontage of four miles on the Missouri River. Twenty-five miles in length, the reservation gradually widened out to eight miles in width. It was crossed north and south by three small streams with many small branches on all sides. The timberland along the Missouri River extended for two miles back from the river. The remainder of the reservation consisted of sharply rolling prairie.

The Crow Creek removal from Minnesota had discouraged the treaty-abiding Winnebago in their attempts at acculturation and when they settled in Nebraska they reverted to the old patterns of Indian life. The Nebraska Winnebago lived in small bands made up of extended family units. There were at least seven bands, that of Little Decorah or Standing Cloud numbering 400 to 500 being the largest with the band led by Big Bear being only slightly smaller. These bands of Indians followed a seasonal pattern of life. They planted crops in the open areas during the summer and hunted and built permanent bark

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[1]Ibid.

wigwams in the timberland along the Missouri River during the rest of the year.[1]

Beginning in 1869, Howard White, Winnebago agent and son of Barclay White, began allotting eighty acres of land to heads of households. White was a Hicksite Quaker. As part of President Grant's Peace Policy in Indian affairs, this group of Quakers took control of the Northern Superintendency, which included nearly all of Nebraska. The Quakers advocated a program of assimilation for the Indians based on the establishment of family farms and the breakup of the reservations. During the next four years the agents reported the Nebraska Winnebago to be on the high road to civilization. They claimed to have taken a rebellious, turbulent people and turned them into farmers owning wagons, horses, harness, and furniture for their houses. They dressed in "civilized" clothes, and raised crops for market.

Reports by the whites accompanying the first contingent of Wisconsin Winnebago and research by Nancy Lurie gives a vastly different picture. The living habits of the Nebraska Winnebago remained substantially the same as before. Although substantial houses were on many of the eighty acre tracts, the insides were almost destitute of furniture. The houses were a story and a half, painted brown with three rooms below and two above, lathed and

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[1]Lurie, The Winnebago Indians: A Study of Cultural Change, pp. 152, 155-6; Wisconsin State Register, 3 August 1873, p. 2, Microfilm copy.

plastered throughout. These had been awarded to the more industrious and cooperative men. In fact the houses were used very little. Adjoining nearly every house was a tepee in which they preferred to sleep and a fire in the open air made their stoves in the houses useless appendages. About one-half of the 1500 Winnebago on the reservation had houses, either frame or log, while the rest lived in wigwams. Although a large portion of the men had adopted the white man's dress the women still adhered to their old styles of clothing.[1]

Beginning in 1871, the tribal council consisted of twelve annually-elected chiefs who received a salary of one hundred dollars a year. A head chief was then chosen from those twelve. In 1873, Gray Wolf, brother of Little Priest, was the head chief. He had great influence with the tribe, but his authority was nominal. His primary function was to act as spokesman for the tribe in all business transactions with the Indian agent. Twelve policemen, who acted as peace officers and guardians of the tribe, were appointed to keep order on the

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[1]Lurie, The Winnebago Indians: A Study in Cultural Change, p. 152; Milwaukee Sentinel, 18 August 1873, p. 2, Microfilm copy; Wisconsin State Register, 3 August 1873, p. 2, Microfilm copy; Clyde A. Milner II, "Off the White Road: Seven Nebraska Indian Societies in the 1870s--a Statistical Analysis of Assimilation, Population, and Prosperity," Western Historical Quarterly, 12 (January 1981):37.

reservation. Offenders were arrested and confined in the agency jail.[1]

Tuesday, July 29, Hunt and Moore visited the Omaha agency, ten miles to the south. They wanted to negotiate the purchase of the timberlands, but the Omaha chiefs were off on a hundred days buffalo hunt, five hundred miles to the west. Word was sent to them but no negotiations could be conducted at that time. Captain Hunt conferred with their agent and interpreter who considered that the sale of a strip of timberland two miles wide and six to ten miles long would be a benefit financially to the Omahas.[2]

F. A. Moore in describing the Omaha reservation wrote:

> Their numberless dead-houses on the hill; their large earth cabins; tall teepees; old mission building; and the soured old missionary going to ruin with the building, were among the sights and explorations of the day.[3]

Wednesday at noon, they shook hands and said goodbye to the Quaker agent, Howard White. They also parted from Ne-hau-ger, an aged Winnebago well known in La Crosse, Wisconsin. He had come along with them to keep

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[1]Milwaukee Sentinel, 18 August 1873, p. 2, Microfilm copy; Wisconsin State Register, 3 August 1873, p. 2, Microfilm copy; U. S. Commissioner of Indian Affairs, Annual Report, 1871, p. 866.

[2]Milwaukee Sentinel, 18 August 1873, p. 2, 29 December 1873, p. 2, Microfilm copy; C. A. Hunt to Edward P. Smith, 22 August 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[3]Milwaukee Sentinel, 18 August 1873, p. 2, Microfilm copy.

his son, Joe Monega, company and was anxious to return. Hi-Nucker, the champion card-player, and White Stocking, a woman described as the belle of the expedition, were also anxious to return. Captain Hunt informed them he wasn't in the returning business and they would have to remain in Nebraska. All the Winnebago were given new clothes and full rations. Old Ne-hau-gar was left under a shady burr oak, with his pipe and old skunk skin tobacco pouch in his hand, which he had carried for fifty years.[1]

Captain Hunt arrived in Wisconsin with the five-man delegation of Wisconsin Winnebago and the Nebraska chiefs about the first of August. The three Nebraska chiefs were vested with the authority to invite the Wisconsin bands to Nebraska and were sent out separately to persuade them to remove. Gray Wolf went to Black River Falls, Little Thunder to Tunnel City in Greenwood Township, Monroe County, and Little Decorah went to the Portage band with his brother-in-law, John T. De La Ronde. La Ronde had made a complete turnabout from his former position after being hired by Hunt; he returned from Nebraska totally convinced that removal was the best thing for the Winnebago. In a letter dated August 5, La Ronde wrote an account of the trip to Nebraska, the progress of the Nebraska Winnebago in becoming farmers,

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[1]Ibid., 18 August 1873, p. 2, Microfilm copy.

and the many reasons why the Wisconsin Winnebago should remove to Nebraska.[1]

Removal Advocates Call for the Use of Military Force

Although Captain Hunt, Frank Moore, and Congressman Rusk expressed optimism about the removal of the remainder of the Wisconsin Winnebago, even while Captain Hunt was taking the first group to Nebraska, there was a feeling that force would be necessary to remove the rest. A Chicago newspaper pointed out that the use of force was the way that the recent Modoc war started. However, it went on to state that there were no lava beds in Wisconsin for the Indians to hide in as the Modocs had done.[2]

Meanwhile the Winnebago hired a second, more prominent attorney, Byron Kilbourn of Milwaukee, for a fifty dollar retainer, the same amount that had been given to Henry W. Lee. Kilbourn was a land speculator, railroad promoter, and co-founder of the city of Milwaukee. At an Indian council held on August 12 at Kilbourn City (present Wisconsin Dells), Kilbourn claimed that he had met Secretary of the Interior Columbus Delano in Ohio three weeks before and the secretary denied having given an order to use force, if necessary, in removing the

[1]Ibid.; Sparta Herald, 12 August 1873, p. 1, Microfilm copy; Wisconsin State Register, 9 August 1873, p. 2, Microfilm copy.

[2]Milwaukee Sentinel, 24 July 1873, p. 4, Microfilm copy.

Winnebago. This was contrary to a letter written by Secretary Delano to the Commissioner of Indian Affairs, dated July 10, 1873. In that letter the Secretary stated that the government would be compelled to use force if the Indians wouldn't remove voluntarily. Perhaps Kilbourn made the statement to convince the Indians that he would be a good man to hire. He told Hunt and Moore that he had been given full authority to act for the Indians.[1]

At this same council, Frank Moore reported that Big Hawk was elected war chief under the auspices of Byron Kilbourn. But Moore misinterpreted whatever occurred, since as a member of the Hawk or Warrior clan, Big Hawk could be a war chief without special fasting. After the council, Big Hawk was reportedly going from one band to the other agitating against removal, visiting Old Winneshiek, and counseling with Jacob Spaulding at Black River Falls.[2]

Jacob Spaulding and ex-State Senator William T. Price, both of Black River Falls, were also acting as attorneys for the Indians. Spaulding, the founder of Black River Falls, was well-respected in the state and referred to as "Uncle Jake." Frank Moore wrote that he would not give the Winnebago bad advice, meaning that he hoped Spaulding would tell the Indians that they should

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[1]Ibid., 18 August 1873, p. 2; 1 January 1874, p. 3, Microfilm copy.

[2]Ibid., 1 January 1874, p. 3, Microfilm copy.

remove to Nebraska. Price, a lumberman, lawyer, and Republican politician, was also acting as a counsellor for the Indians at Black River Falls, but refused to take their money.[1]

On August 8, Captain Hunt and Frank Moore held a council with about 150 Winnebago near Grand Rapids (present Wisconsin Rapids) to discuss their removal to Nebraska. The council was held about two and one-half miles outside of Grand Rapids in the Indian camp. Besides the Indians, there were about twenty white men present. Through an interpreter, Hunt told the Indians that the government would pay to the Wisconsin Winnebago the appropriation made at the last session of Congress if they would form themselves into a band and move to Nebraska. The Winnebago replied that they were happy where they were and able to live comfortably by working for the whites to support their families. Hunt again urged them to go, saying that the President of the United States wanted them to prosper and would give them this large sum of money if they would do what he thought was best for them. The interpreter informed Hunt that the Winnebago would think it over and give their answer the next day. Hunt was optimistic but nothing came of this council.[2]

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[1]Ibid., 18 August 1873, p. 2, Microfilm copy.

[2]La Crosse Daily Republican and Leader, 11 August 1873, p. 1, Microfilm copy; Sparta Herald, 12 August 1873, p. 1, Microfilm copy.

Jacob Spaulding visited Governor Washburn in Madison on August 14. He wished to obtain a reservation for the Winnebago about twenty miles east of Black River Falls. Washburn did not support the idea and gave him no encouragement.[1]

On Friday, August 15, Hunt and Moore held a council in Sparta with the three Nebraska chiefs in attendance. Jacob Spaulding represented the Wisconsin Winnebago. Captain Hunt gave them four days to decide upon peaceful removal or submit to force. If they decided not to remove he told them he would employ the rough arm of the government to carry out the removal. It was agreed that the Indians would meet again with Hunt on Tuesday, August 19, at Big Spring near Cataract, ten miles north of Sparta. Jacob Spaulding was to be present and it was hoped that Byron Kilbourn would attend also.[2]

Frank Moore disgustedly reported that the missionary efforts of the three Nebraska chiefs to convince the Wisconsin Winnebago to remove could be summed up as nothing at all. In fact Little Decorah, La Ronde's brother-in-law, was reported to have taken sides with Big

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[1]Milwaukee Sentinel, 18 August 1873, p. 2, Microfilm copy.

[2]Ibid., 16 August 1873, p. 1, Microfilm copy; 18 August 1873, p. 2, Microfilm copy.

Hawk and the other dissident leaders. He was now saying he was not in favor of removal.[1]

Captain Hunt gave his ultimatum to the Winnebago leaders on August 19 at Big Spring. The council began at 2 o'clock in the afternoon with eighty-six Winnebago present, including women and children. Jacob Spaulding attended as the attorney for the Winnebago. Captain Hunt made a speech in which he declared that this would be his last talk with them. If they didn't make up their minds to go voluntarily to Nebraska by Sunday, August 24, troops would come and take them by force. Several of the Winnebago made speeches with Mary Crane acting as interpreter. The Winnebago were alarmed but remained opposed to removal.[2]

Gray Wolf and Little Decorah both spoke against the removal. They told the council that they stayed in Nebraska because they were compelled to and that they were poor and fared badly. Only a small portion of the west bank of the Missouri River had trees and they were cottonwood, unfit for firewood, green or dry. Their annuities were all used in what the agents called improvements and their farms did not supply their wants.

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[1]Ibid., 18 August 1873, p. 2, Microfilm copy; Juneau County Argus, 21 August 1873, p. 2, Microfilm copy.

[2]Milwaukee Sentinel, 20 August 1873, p. 1, Microfilm copy; Trempealeau Republican, 22 August 1873, p. 3, Microfilm copy.

Nor was there any way that they could work to obtain extra money.[1]

The next day Commissioner Smith arrived in Sparta and another council was held with the Indians. Smith, Governor Washburn, and Congressman Rusk participated along with Captain Hunt and Frank Moore. The government agents were determined that the Indians must go to Nebraska by force if necessary. The argument presented to the Winnebago was whether the $61,000 appropriated should be spent for the benefit of the Indians or paid to soldiers to hunt them down and force them away. The Winnebago were still determined not to go, but Captain Hunt's lack of authority to compel them to obey made the removal order temporarily a dead letter.[2]

On August 22, Hunt reported to Commissioner Smith that a second group of Winnebago had consented to leave for Nebraska early the next week. However, because of the advice of Byron Kilbourn and others, the larger portion of the tribe was still unwilling to leave Wisconsin. Hunt felt that it was absolutely necessary to make some display

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[1]Jacob Spaulding to President U. S. Grant, 1 September 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Milwaukee Sentinel, 22 December 1873, p. 8, Microfilm copy; Wisconsin State Register, 30 August 1873, p. 2, Microfilm copy.

of force to convince the Indians that removal was in their own best interest.[1]

Captain Hunt believed that one of the strongest points of the opposition had given way when he received a letter from Byron Kilbourn dated August 25, in which he conceded that Hunt had the authority to remove the Winnebago by force if necessary. Kilbourn recommended to Big Hawk and the rest that they go to their reservation in Nebraska peaceably as soon as possible. He went on to say that he was withdrawing from any further participation in the matter. Hunt read this letter to Mary Crane and a small gathering of Winnebago at Sparta. When he concluded, Mary, in a tone of pure scorn, said, "Yes, Kilbourn has got all the money he can get from the Indians and now he wants to turn them off."[2] Hunt optimistically expressed the opinion that the work of removal would now go on peacefully and successfully.[3]

Hunt's optimism quickly disappeared. On August 29 he sent a telegram to Governor Washburn which stated that the prospect of voluntary removal had not improved and that Washburn should hurry up forces. Washburn met with

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[1]C. Hunt to E. P. Smith, 22 August 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]_Sparta Herald_, 2 September 1873, p. 1, Microfilm copy.

[3]Ibid.; _Wisconsin Mirror_, 30 August 1873, p. 3, Microfilm copy.

Secretary Delano on the 31st but Delano was so afflicted by the death of his grandson the night before that Washburn decided not to pressure him at that time for authority to use troops. He informed Hunt of the situation in a letter dated September 6, and expressed the hope that another group of Winnebago would be removed without force. The following week Washburn discussed the matter with Delano who told Washburn to make his application for force to Commissioner Smith and on Smith's recommendation he would sanction it. Washburn went to see Smith who said that as soon as arrangements could be made to purchase the timberland from the Omahas, he would ask for troops if the Wisconsin Winnebago still wouldn't go without force. Smith told Washburn that if the Omahas would not sell, he would recommend seizing the necessary timber by force. Washburn smoothed the way for obtaining troops by visiting Secretary of War William W. Belknap, who told him that if Delano asked for troops they would be provided without delay.[1]

On September 11, Hunt sent a second party of twenty Winnebago to Nebraska. He reported that they had

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[1]C. C. Washburn to C. A. Hunt, 6 September 1873; 16 September 1873, State of Wisconsin, Executive Dept. Administration, Letter books, general, July 1, 1873-November 1, 1873, Series (1/1/1-11) v. 40, pp. 123, 152. State Historical Society of Wisconsin, Madison, Wisconsin.

arrived in Nebraska and as far as he could learn they were satisfied and content to stay.[1]

Hunt reported to Governor Washburn on September 23 that although he had held repeated councils with the Winnebago over the previous ten days in the vicinity of Sparta, they still persisted in the belief that it was not the intent of the government to remove them by force and that they did not wish to go to Nebraska. On September 19, Hunt had met with Winneshiek. He exhausted every possible argument to induce Winneshiek to consent to the removal and utterly failed. Winneshiek plainly told Hunt that he and the Wisconsin Winnebago would not leave the graves of their ancestors in Wisconsin until they were compelled to do so by force. Nothing but an actual force of troops would or could convince them that the government had decided to use force. Winneshiek went on to say that if soldiers were sent by the government the Winnebago would not fight but would submit and go to Nebraska. He ended the council by telling Hunt that until troops actually arrived the Winnebago would not entertain any further removal propositions.[2]

In Hunt's opinion, with the approach of cold weather, a small display by the military would end in immediate and peaceable removal of the Winnebago without

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[1]C. A. Hunt to C. C. Washburn, 23 September 1873, State of Wisconsin Executive Office Correspondence. State Historical Society of Wisconsin, Madison, Wisconsin.

[2]Ibid.

any great use of the military and without bloodshed. He urged Washburn to obtain a force of soldiers as quickly as possible.[1]

The Final Attempts to Avoid Removal

The strategy of at least a portion of the Wisconsin Winnebago and their white supporters led by Jacob Spaulding was to baffle and prolong any action in the matter of removal until the next session of Congress. At that time they planned to send both Indian and white delegates to Washington in hope of inducing Congress to rescind the removal legislation and provide them with a reservation in Wisconsin. On September 1, Jacob Spaulding wrote President Grant in an attempt to enlist his aid in preventing the removal. He reported that the Nebraska chiefs brought to persuade the Winnebago to remove stayed in Nebraska because they were compelled to remain there. According to Spaulding, the Wisconsin Winnebago wished to become individual land owners and citizens in order to avoid removal. The lands they desired were in Jackson, Monroe and Juneau Counties and were well suited for them, being mostly swamplands adapted to the raising of cranberries, blueberries, and grass with sufficient wood to satisfy their needs. The Winnebago were an industrious people who had sold between $25,000 to $30,000 worth of blueberries in the vicinity of Black River Falls during

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[1]Ibid.

the summer of 1873. Each September they engaged in picking hops and cranberries. Some of them also worked as lumbermen where they were doing well.[1]

A letter written to the _New York Sun_ signed "Republican" was probably sent by the Winnebago lawyer, H. W. Lee. In it he claimed that Senator Howe and others in Wisconsin were attempting, in defiance of law and right, to remove the Winnebago from Wisconsin. The letter told of the appointment of Hunt, who had by promises and threats succeeded in getting eighty Winnebago to Nebraska, where, according to the Nebraska chief Little Decorah they had been left on the plains to starve. Now, without congressional authority, Secretary Delano was ordering a company of U. S. troops from Fort Snelling to remove the rest forcibly. This letter was reviewed very unfavorably in Wisconsin newspapers but probably began to draw some uncomfortable attention to the removal attempt.[2]

E. F. Ring of Sparta, Wisconsin, wrote a letter to Commissioner Smith in October restating all of the many so-called good reasons for removing the Winnebago. According to Ring, the few whites who wanted them to remain in Wisconsin were speculating on their labor and

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[1]Ibid.; Jacob Spaulding to U. S. Grant, 1 September 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]_La Crosse Daily Liberal Democrat_, 10 September 1873, p. 1, Microfilm copy; _Prairie du Chien Courier_, 16 September 1873, p. 2, Microfilm copy.

selling them whiskey. The only true friends of the Winnebago wished to remove them from the degrading and brutalizing influences of Wisconsin to a better climate and a permanent home in Nebraska.[1]

On December 5, H. W. Lee wrote Secretary of the Interior Delano that a large portion of the Wisconsin Winnebago had employed him to represent them. This portion of the Winnebago did not wish a reservation even in Wisconsin. Instead they considered their tribal relations to have ended and wished to receive their share of the annuity payments. They also lodged a claim against the government because harassment by Charles Hunt and other government officials had prevented them from obtaining their usual means of living.[2]

Jacob Spaulding persisted in his attempt to get a reservation set aside in Wisconsin. In mid-December he was in Washington, D.C., with two of the leading Winnebago taking advantage of the reluctance of the Omahas to sell part of their timberland to the Winnebago and contending that the Nebraska Winnebago reservation was hilly and poor, and unfit for Indians. His mission to Washington was in vain; he left for Wisconsin on the morning of

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[1]E. F. Ring to E. P. Smith, 23 October 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]H. W. Lee to C. Delano, 5 December 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

December 22 before word had been received that the Omahas had agreed to sell. One unfortunate result of the trip was that it caused Captain Hunt to go beyond his orders in obtaining troops to forcibly remove the Winnebago because he feared the trip might be successful.[1]

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[1]Badger State Banner, 27 December 1873, p. 2, Microfilm copy; Milwaukee Sentinel, 29 December 1873, p. 2, Microfilm copy.

CHAPTER VIII

THE USE OF MILITARY FORCE

The sending of troops to Wisconsin had been delayed because of the unwillingness of the Omahas to sell the desired timberlands. When they had returned from their buffalo hunt late in the fall, it was discovered they were not disposed to sell. The Commissioner of Indian Affairs was unwilling to force a general removal until the timber deficiency on the Winnebago reservation was provided for.

On November 19, the Nebraska chiefs sent a letter to the Wisconsin Winnebago in which they stated that reports that the Wisconsin Winnebago would not be welcome on the Nebraska reservation were untrue. They were willing to share with their brothers. Through this and other forms of persuasion, Hunt and his subordinates continued to urge the Wisconsin Winnebago to migrate to Nebraska. With the coming of cold weather and the scattering of the bands for their winter campgrounds, little could be done about contacting the Winnebago. In the middle of December the Omahas agreed in general council to sell the strip of timberland. A delegation of

nine Omaha chiefs were to conclude negotiations in Washington, D.C., and receive their pay from the general Winnebago fund.[1]

Anticipating the acquiescence of the Omaha, Secretary of the Interior Delano, based on the recommendation of the Commissioner of Indian Affairs, had already requested that the War Department send troops to Sparta to overawe the Winnebago. At the same time Delano recommended that Special Agent Hunt be directed to use no force without further orders. The Commanding General of the Army, William T. Sherman, was asked to consider deployment of troops for this purpose and on December 4 he ordered General Alfred H. Terry, Commander, Department of Dakota, to comply with the request for troops from the Indian Bureau. Sherman wanted a full company of troops sent with a careful and prudent officer in command.[2]

On December 12, orders were given for Company C and a detachment from Company H, 20th U. S. Infantry, to proceed from Fort Snelling, Minnesota, to Sparta,

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[1]Milwaukee Sentinel, 29 December 1873, p. 2, Microfilm copy; Trepealeau Republican, 12 December 1873, p. 3, Microfilm copy; Memorial to the Winnebago Indians living in Wisconsin, 19 November 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]J. M. Bacon to Adjutant General, U. S. Army, Washington, D.C., 4 December 1873; Alfred H. Terry to Ass't Adjt. Gen., St. Paul, Minnesota, 2 January 1874, M666, Letters Received by the Office of the Adjutant General (main series), Roll 133, frames 6-7, 55-56, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

Wisconsin. 1st Lt. Joseph S. Stafford arrived in Sparta on Tuesday evening, December 16, with orders to select suitable quarters for fifty soldiers for several weeks. Stafford made arrangements for use of the skating rink building in the park. The troops arrived in Sparta by train at 4 a.m. Wednesday under the command of Captain Henry G. Thomas. Both Thomas and Stafford were Civil War veterans. Captain Thomas, thirty-six and a native of Maine, was brevetted a brigadier general, U. S. Army, and major general of volunteers at the end of the Civil War, but had been mustered out of volunteer service in January 1866, as a captain of the 11th U. S. Infantry. He continued in the regular army until 1891 when he retired as a major. Stafford commanded a gunboat during the Civil War.[1]

Thomas reported on December 18 that they had proceeded from Mendota, Minnesota, to Elroy, Wisconsin, on the Chicago and Northwestern railroad. From there they took a freight train the remaining thirty-four miles to Sparta where the men went into quarters. Concerned about his actual authority, Thomas telegraphed his superiors that he had met with Hunt and found that he had no official instructions beyond his appointment and order to remove the Winnebago. After the troops arrived Hunt

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[1]Pauquette, p. 414; Ezra Warner, Generals in Blue (Baton Rouge: Louisiana State University Press, 1964), pp. 836-837; Trempealeau Republican, 26 December 1873, p. 3, Microfilm copy.

learned that Jacob Spaulding, with two Winnebago leaders, had gone to Washington with a petition to be allowed to remain in Wisconsin. Informing Captain Thomas that he should be prepared for action, Hunt sent a special messenger to Black River Falls to determine if the report was true. Finding that it was true and fearing that Spaulding might be successful, Hunt immediately went beyond his orders and wrote a request to Captain Thomas asking him to furnish Hunt with an officer and twenty men to accompany him to Portage, Wisconsin, to assist in capturing Big Hawk and his band. Hunt felt the capture of Big Hawk would break up resistance to the removal. Hunt tempered his request by stating that he did not wish any firing by the troops but only assistance in guarding the Winnebago and, if necessary, placing some of their leaders in irons. He claimed that the main purpose in using troops in this instance was simply to impress upon the minds of the Winnebago that the Great Father was present.[1]

Knowing that the request went beyond his authority, Captain Thomas telegraphed his headquarters in St. Paul for permission to fulfill Hunt's request. Permission was received and preparations were made for 1st Lt. Stafford and twenty enlisted men to proceed to

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[1]H. G. Thomas to Ass't. Adj. Gen., St. Paul, Minnesota, 18 December 1873; C. A. Hunt to H. G. Thomas, 19 December 1873; Alfred H. Terry to Ass't. Adj. Gen., St. Paul, Minnesota, 2 January 1874, M666, Letters Received by the Office of the Adj. Gen. (main series), Roll 133, Frames 55-56, 72-73, 85-87, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

Portage, Wisconsin. Taking three days' cooked rations with them, the detachment left Sparta at 9 p.m. the evening of December 19 on the eastbound train, accompanied by Captain Hunt and one of his assistants, Phydelus Poole, ex-sheriff of Columbia County. At New Lisbon, they were joined by another of Hunt's assistants, William H. H. Cash, a speculator who ran a meat market and general provision store in New Lisbon. He dealt extensively with the Indians from whom he purchased a great many cranberries, blueberries, etc.

Arriving at Portage between one and two a.m., the detachment captured two Winnebago and procured teams and wagons. After crossing the Wisconsin River bridge at Portage, the troops, accompanied by the removal agents, drove about five miles to the Baraboo River where they arrived about 6 a.m. on the morning of December 20. Deploying the troops on the high ground to a position near the Crawford bridge, Lt. Stafford surrounded the lodge of Big Hawk. Stafford entered the camp and informed the Winnebago that the purpose of his visit was to remove them to Nebraska. Considerable parlaying followed and Big Hawk indicated a desire to resist. Captain Hunt wished to use as little force as necessary and tried to persuade Big Hawk and the other leaders to accompany the troops.

After several hours and numerous refusals to accompany them, Hunt gave a signal to Lt. Stafford who ordered a file of men to take Big Hawk out of his lodge

and put him in irons. Big Hawk then told Lt. Stafford if the irons were removed he would submit peacefully. The eighty-six captives, including Big Hawk, were marched to Portage. On their way, Henry Lee, the lawyer for the Winnebago, stopped Lt. Stafford and asked him his name and rank. Stafford asked why Lee wished to know and Lee replied that he planned to have a writ of habeas corpus served upon Stafford for the release of the Winnebago prisoners. Lt. Stafford told Lee that he would answer no more questions and Lee returned to Portage. One Winnebago woman was too crippled to walk and was left behind to be picked up by the wagons sent for their property.

The citizens of Portage first saw the soldiers with their prisoners when they came over a hill near the Catholic church. Conspicuous among them was the towering form of Big Jim. The Winnebago were quickly marched to the railroad depot, housed in box cars and issued rations of fresh beef, bread, and coffee. On his arrival in Portage, Stafford telegraphed both Captain Thomas and the Department of Dakota Headquarters in St. Paul that he was being threatened with a writ of habeas corpus and asked what he should do. In his reply, Captain Thomas told Stafford to write on the back of the writ that he was proceeding on orders from the President of the United States. Thomas told him to get the Indians out of Columbia County as soon as possible and stated that the military responsibility was his. Stafford learned that

Lee had applied to the circuit judge and a commissioner, both of whom refused to issue a writ. Lee then called upon Stafford and asked to see copies of his orders. Stafford refused and they exchanged angry words.[1]

Big Hawk had been holding a winter or war-bundle feast, one of the principal ceremonies of the Winnebago that had developed into a general ceremony of thanksgiving to the spirits. The ceremony includes speeches, a dog sacrifice, and feasting and dancing. All the clans were represented by the owners of each specific clan war-bundle. The war-bundle owners were not supposed to represent their clans at all but the spirits to whom offerings were being made. The main blessings that were contained in the war-bundle were from the Thunderbird and Night-spirit with the principal offerings being made to them.[2]

In an attempt to justify their action, Frank Moore reported that the Winnebago were assembled in an

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[1]H. G. Thomas to Department of Dakota, 19 December 1873; J. S. Stafford to H. G. Thomas, 21 December 1873; J. S. Stafford to H. G. Thomas, 20 December 1873; H. G. Thomas to J. S. Stafford, 20 December 1873, M666, Letters Received by the Office of the Adjutant General (main series), Roll 133, frames 36-39, 41, 45, 80-82, 96, Microfilm copy; Record Group 94, National Archives, Washington, D.C.; Juneau County Argus, 25 December 1873, p. 3, Microfilm copy; La Crosse Daily Republican and Leader, 22 December 1873, p. 4, Microfilm copy; Sparta Herald, 23 December 1873, p. 4, Microfilm copy; Wisconsin State Register, 27 December 1873, p. 3, Microfilm copy; History of Northern Wisconsin, pp. 381, 642.

[2]Radin, The Winnebago Tribe, pp. 157, 379.

enthusiastic council of war on a hill opposite Fort Winnebago when they were seized by the soldiers and carried off. Moore wrote that the people of Portage were frightened at the demonstration by the Indians. Henry Merrell, a pioneer settler of Portage in 1834, took Moore to task for the report, calling the entire statement false. The people of Portage were well aware that the Indians were simply enjoying an annual feast. But he supposed that "this penny-a-liner thinks he must do something for the penny he has received through Capt. Hunt, for helping in the removal of the Indians."[1]

Because of pressure from the citizens of Portage, Hunt took steps to allay any criticism of his actions by investigating to find out whether any of the captives had become land owners or had done anything else to show that they had abandoned their tribal relations and were entitled to remain in Wisconsin as citizens. Enquiry was made to ascertain if Yellow Thunder, Good Village, War-Club-Snake, Swallow, McWima, or Prettyman were among the captives. Only two or three of them were there and they were released along with their families, eight or nine in number. John Little John and High Snake were also among the captives. Several respectable citizens of Portage vouched for their character and progress in becoming citizens. Although Hunt assured these Portage

[1]Wisconsin State Register, 14 February 1874, p. 2, Microfilm copy; Milwaukee Sentinel, 22 December 1873, p. 8, Microfilm copy.

citizens that there was no objection to their returning to Columbia County later if they so desired, the two men were shipped to Nebraska.

At six p.m., seventy-three Winnebago were placed on the westbound train for Sparta. They arrived there at three-thirty a.m. on the 21st and Lt. Stafford delivered the captives to Captain Thomas. The captive Winnebago were lodged over Sunday, under guard, in H. Greve's hop house, near the railroad depot. On Monday morning, they departed on the westbound train for Nebraska escorted by ex-Monroe County Sheriff David Bon, a Mr. Leonard and four other assistants hired by Captain Hunt. They went first to St. Paul and then by way of the Sioux City Railroad to Sioux City, Iowa.[1]

Many of the families of the captives had not been with them when they were captured. Hunt sent his assistant, Phydelus Poole, accompanied by one Winnebago man, and other messengers for their families, who were at several places, including Briggsville, in Marquette County just over the northern boundary of Columbia County.

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[1]Juneau County Argus, 25 December 1873, p. 3, Microfilm copy; Sparta Herald, 23 December 1873, p. 4, Microfilm copy; Trempealeau Republican, 26 December 1873, p. 3, Microfilm copy; Wisconsin State Register, 27 December 1873, p. 3, Microfilm copy; Charles Hunt to E. P. Smith, 29 December 1873, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; Lt. J. S. Stafford to Capt. H. G. Thomas, 21 December 1873, M666, Letters Received by the Office of the Adjutant General (Main Series), Roll 133, frames 80-82, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

Before Poole could reach the camp again, the white neighbors had burned the wigwams and stolen the Indians' ponies; but forty-two ponies were recovered and shipped to Nebraska. The crippled woman could not be found. By Monday evening, December 22, Poole had two or three dozen Winnebago congregated in Portage and on Tuesday evening they were sent by train to Sparta.[1]

On December 22, Captain Hunt requested that a similar expedition be sent out. Again it was a request for immediate action. Captain Thomas forwarded the request to his superiors and permission was granted by telegraph from his department headquarters in St. Paul. Captain Thomas with Hunt and twenty-nine soldiers left Sparta that evening at nine p.m. on the Chicago and Northwestern Railroad for Leroy Station (present Oakdale) in eastern Monroe County.

Because of the number of white adherents who opposed the removal, the utmost security was necessary. Thomas marched his men around the outer edge of Sparta to a point three-quarters of a mile below town to avoid observation while they boarded the train. For the same reason, Thomas mentioned no destination when he

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[1]Charles Hunt to E. P. Smith, 29 December 1873, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; Lt. J. S. Stafford to Capt. H. G. Thomas, 21 December 1873, M666, Letters Received by the the Office of the Adjutant General (Main Series), Roll 133, frames 80-82, Microfilm copy, Record Group 94, National Archives, Washington, D.C.; _Milwaukee Sentinel_, 22 December 1873, p. 8, Microfilm copy.

telegraphed for permission to go on the expedition. He complained that generally in the very small towns they were operating in there seemed to be no secrecy observed by telegraph officers. For that reason, and because of white opposition, Captain Thomas, at the behest of Special Agent Hunt, requested permission to make expeditions requiring instant action without first reporting by telegraph.

Arriving at Leroy Station about eleven that night, they took sleighs and proceeded at five a.m. northeast about seven miles to an Indian camp on Beaver Creek, at the head of the Lemonweir River in Juneau County. A little before daybreak they burst into the camp from all directions, surprising about seventy-five sleeping Winnebago in twelve tents or teepees scattered over half a mile. The leaders present included Chief Caramaunee (perhaps old Caramaunee), Yankee Bill, George Decorah, Big Jim, and Dandy (perhaps Bill Dandy). George Decorah showed fight and drew his gun to shoot but the soldiers quickly seized him and put handcuffs on him. They then tormented him by pricking him with bayonets to teach him a lesson until he begged to have the handcuffs removed, promising to be quiet and go without further trouble. Loading the sleighs and captured ponies with the property of the Winnebago, the force marched to Leroy Station. Taking the one p.m. train they arrived in Sparta about five p.m. That evening seventeen more Winnebago came into

Sparta and gave themselves up. On Christmas Day, Hunt shipped 90 Winnebago to Nebraska with William Y. Baker and a force of assistants in charge. They were scheduled to arrive at Sioux City, Iowa, on the night of the 26th.[1]

Captain Hunt and six soldiers accompanied this shipment of Winnebago as far as the Trempealeau River near Winona, Minnesota, where Hunt stopped the train in a woods and divided his men into two squads. Each squad double-quicked about one and one-half miles and captured three Winnebago lodges apiece for a total of twenty-six Indians. These were Mezom's and Little Bear's bands. Both squads were back with the captured Winnebago in forty minutes. The captured Winnebago were placed on the train and sent with the others to Nebraska making a total of 116.

After saying goodbye to those on the train and securing the property of the twenty-six Winnebago, Hunt and the soldiers took the next train for Trempealeau,

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[1]H. G. Thomas, Telegram to Assistant Adjutant General, Department of Dakota, 22 December 1873; H. G. Thomas to Assistant Adjutant General, Department of Dakota, 23 December 1873, M666, Letters Received by the Office of the Adjutant General (Main Series), Roll 133, frames 74, 89-91, Microfilm copy, Record Group 94, National Archives, Washington, D.C.; C. A. Hunt, Telegram to Commissioner of Indian Affairs, 23 December 1873; C. A. Hunt, Telegram to Commissioner of Indian Affairs, 26 December 1873; C. A. Hunt to E. P. Smith, 29 December 1873, M234, Letters Received by the Office of Indian Affairs, Rolls 944-945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; _La Crosse Daily Republican and Leader_, 24 December 1873, p. 4, Microfilm copy; _Juneau County Argus_, 25 December 1873, p. [illegible], Microfilm copy; _Sparta Herald_, 30 December 1873, p. 2, Microfilm copy.

Wisconsin, a small village on the Mississippi River about eleven miles southeast of Winona, Minnesota. They arrived at six p.m., procured a team and drove down the Mississippi River bottom about six miles where the way was blocked by sloughs. Hunt sent the team back and went on foot with his men two and one-half miles to a wood camp. Here he procured another team and drove one and one-half miles nearer to the river bank where they found a camp of seven Winnebago lodges at ten p.m. Hunt deployed his men, disarmed the Winnebago and made them break camp at once. This was Black Cloud's band of thirty Winnebago. Hunt marched them three miles to the nearest point on the railroad. They got there at midnight and remained by campfires until 1:30 a.m. since there was no railroad station. At that time a passing train was flagged down and they arrived in Sparta at four a.m.

The next night Hunt and a squad of soldiers under Lt. Stafford proceeded down the Mississippi River to Lansing and New Albion, Iowa. Early in the morning they succeeded in capturing fifty-seven more Winnebago. Six more were captured in Minnesota at the mouth of the Root River opposite La Crosse for a total of sixty-three. In

his report Hunt expressed satisfaction with his Christmas work.[1]

The Clash Between Federal and State Authorities

On Friday, December 26, because he was too tired himself, Hunt sent his assistant agent, William H. H. Cash, with Corporal Botsford and six other soldiers for the Baraboo River Indians. Cash proceeded with the soldiers by train from Sparta to Reedsburg in Sauk County where they disembarked and marched two miles to the Big Woods on the Baraboo River bottoms. At daylight they surprised and took thirty Winnebago prisoners who had been living in five lodges. After carefully gathering their prisoners' property, Cash accompanied two of the soldiers eight miles below Reedsburg to Ableman where they captured eight more Indians. After gathering up the Indians' property (Cash made a big point of this in his report), they proceeded by team and joined Corporal Botsford in

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[1]C. A. Hunt to E. P. Smith, 29 December 1873; C. A. Hunt to E. P. Smith, 23 June 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; Milwaukee Evening Wisconsin, 2 January 1874, p. 2, Microfilm copy.

Reedsburg at the railroad depot, where they got everything ready to be transported by the night train to Sparta.[1]

Among the Indians captured were the wife, children and grandchildren of Ah-ha-cho-gah or Blue Wing. An-ha-cho-gah owned forty acres of land in Lincoln Township near Tomah in Monroe County and was considered to be exempt from the removal. Among the Winnebago rounded up by Captain Hunt at Portage the previous week had been Ah-ha-cho-gah's daughter and her husband, known locally as Sunday Chief. Since Sunday Chief had been in the army and had been honorably discharged, many people of Reedsburg felt that he was entitled to exemption from the removal and took up his cause at once. Moses Young began a correspondence with Captain Hunt asking that Sunday Chief and his wife be returned. Unfortunately, they had already been sent to Nebraska. In a letter to Young, Captain Hunt promised to have them returned if it was found that an injustice had been done.

The people of Reedsburg were indignant that more of Ah-ha-cho-gah's family were being forced to leave Wisconsin. As the day progressed they got more and more angry. About six p.m. a writ of habeas corpus was issued

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[1]C. A. Hunt to E. P. Smith, 23 December 1873, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; W. H. H. Cash to H. G. Thomas, 27 December 1873, M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, frames 108-110, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

by A. O. Hunt, a court commissioner, and placed in the hands of Deputy Sheriff H. Dan Buell. Buell proceeded to the railroad at about 7:30 accompanied by two or three hundred thoroughly aroused citizens of Reedsburg determined to see the writ obeyed. Buell exhibited the writ of habeas corpus to Corporal Botsford and demanded that the eleven Winnebago named in the writ be released in his custody. These were the wife of Ah-ha-cho-gah, her four children, and six grandchildren. Botsford refused to recognize the writ and wrote on the back of it "Respectfully returned. I am acting under the orders of the President of the United States and hold them pursuant to his order and most respectfully decline to produce said prisoners." Refusing to accept this, Buell and the large crowd surrounded the soldiers who were trying to board the train and without violence forced them to leave Ah-ha-cho-gah's family behind. Several other Indians took the opportunity to escape during the excitement. Amid great confusion and cheering, the Indians were taken before A. O. Hunt and released after an examination.

Not all of Ah-ha-cho-gah's family that were listed on the writ seem to have been present because only ten Indians were released. In his report Cash lists the following names of Winnebago forcibly removed from his custody without indicating which ones were not on the writ: Smoke, his wife and three children; Ah-ha-cho-gah's wife, Nochaker; Smoke's niece, Green Wing, and child;

Sunday Chief's child, Lightening; and one whose name Cash was unable to learn. Cash caused some hard feelings by telegraphing ahead that the citizens of Reedsburg had wrested a number of Winnebago from him by force of arms and some name calling took place in the newspapers of Reedsburg and Sparta. On December 29, the Indians captured at Reedsburg and those captured in Trempealeau County on Thursday were shipped to Nebraska in the care of Dave Bon and his assistants. The editor of the La Crosse Daily Republican and Leader felt that the interference by the state authorities at Reedsburg with the federal government was unwarranted.[1]

At this point two hundred and seventy-five Winnebago had been captured and sent to Nebraska. For practical purposes all the Winnebago from Sparta southeasterly to Portage and beyond had been gathered up. The scattered remnants of the five captured bands joined Old Winneshiek near Black River Falls. Old Winneshiek moved off to an area where he said no soldiers could get him, probably in the southeast corner of Jackson County

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[1]La Crosse Daily Republican Leader, 30 December 1873, p. 4, Microfilm copy; Reedsburg Free Press, 26 December 1873, p. 3; 2 January 1874, p. 2; 9 January 1874, p. 2, Microfilm copy; Sparta Herald, 30 December1873, p. 2, Microfilm copy; W. H. H. Cash to H. G. Thomas, 27 December 1873; Writ of Habeas Corpus, A. O. Hunt to John Doe, officer and sergeant of the guard of soldiers at the Depot in the village of Reedsburg, Sauk County, Wisconsin, 27 December 1873, M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, frames 64-65, 108-110, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

among the cranberry bogs. Special Agent Hunt estimated that there were at least 500 more to be removed. Besides Winneshiek's band, they were located in widely scattered bands over nearly half the state.[1]

The collision with state authority had been anticipated by Special Agent Hunt and Captain Thomas. It had not occurred at Portage simply because the lawyer for the Indians, Henry W. Lee, was unable to find anyone who would issue a writ of habeas corpus. Besides the incident that occurred at Reedsburg, a great deal of opposition was developing in an unlooked-for quarter. In the small towns and villages along the line of the Chicago and Northwestern Railroad, a good many of the people received their main revenue from selling whiskey to the Indians, buying the blueberries and cranberries they picked, and trading in furs. Captain Thomas sent a copy of a letter from Henry Lee to the Chicago Times to his superiors in St. Paul, Minnesota, to give them an idea of what kind of opposition was developing. In the letter, Lee maintained that the people of Wisconsin had seen in the capture of the eighty-six Winnebago at Portage on December 21

> . . . an exhibition of paternal government that needs but the knout or the bastile to make it complete.

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[1]H. G. Thomas to Assistant Adjutant General, Dept. of Dakota, 27 December 1873, M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, frames 101-103, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

> About 100 Winnebagoes . . . have been arrested . . . and been driven with bayonets and shackles like sheep to the slaughter. Application was made to two republican officials (the only ones accessible) for a writ of habeas corpus, and the writ was refused without reading or hearing the petition read.
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> What kind of a government have we, that, after officially promulgating under date of June 17, 1873, "that in the view of this office, no authority is given in any of the acts of congress, providing funds for the removal of said Indians, TO EMPLOY FORCE AGAINST THE WILL OF SAID INDIANS" . . .
>
> How much longer will the people submit to have their food and clothing taxed out of their reach, to be used up by officials (or Indians), whose sole object, from the highest to the lowest, is plunder?[1]

Phydelus Poole reported to Hunt and Thomas on December 28 that some citizens of Black River Falls were organizing to resist the military. Poole, one of Hunt's assistants, had been sheriff of Columbia County for ten years and was considered to be very reliable. Jacob Spaulding was reported to have taken a petition to Washington, D.C., signed by numerous residents of Black River Falls asking that the Winnebago remain in Wisconsin.[2]

Captain Thomas asked for direction from his headquarters on how he should proceed in collisions of federal with state authority. How far was he authorized

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[1] Sparta Herald, 30 December 1873, p. 1.

[2] H. G. Thomas to Assistant General, Dept. of Dakota, St. Paul, MN, 27 December 1873; H. G. Thomas to Assistant Adjutant General, Dept. of Dakota, St. Paul, MN, 28 December 1873, M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, frames 21-24, 101-103, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

by the law and the department commander to resist a mob such as described by W. H. H. Cash? Could he fire upon them? He was sure that if something could be done to punish Daniel Buell that it would have a wonderfully good effect on future operations. Thomas wished to go to Black River Falls himself and requested that he be ordered to St. Paul via Black River Falls for a conversation with the Department Commander, General Alfred Terry, about the difficulties the troops might encounter in Black River Falls. He wished to find out the situation of the Winnebago at Black River Falls, determine the amount of white opposition to removal, and allay that opposition as far as possible. One thing was certain in Thomas' opinion--the troops could rendezvous in Sparta forever and no Indians would ever come in voluntarily. His hope was that by striking the principal bands and capturing the headmen the whites sent out by Special Agent Hunt could persuade the more distant and scattered Winnebago to join the main body.[1]

The situation was further complicated by the fact that of the 135 Winnebago Special Agent Hunt had persuaded to go to Nebraska after six months labor nearly all had returned. They reported that there was just enough land and timber for the Winnebago already there and that they were not wanted or well treated in Nebraska. Hunt informed the Commissioner of Indian Affairs, Edward P.

[1]Ibid.

Smith, on December 21 that the Wisconsin Winnebago were receiving rations but not clothing and shelter from the agent in Nebraska. This situation was remedied by orders from Washington.

According to Captain Thomas, several of the Winnebago transported most recently to Nebraska had sent back word that conditions were better than they had been led to believe. In the hope that the others could now be persuaded to come in peaceably, Special Agent Hunt secured the services of Eustace L. Brockway of Black River Falls on December 30 to visit the principal chiefs, accompanied by a Winnebago of considerable influence, and induce them to come in. Brockway was a lumberman and ferryman who had served in the state assembly from Jackson and Clark Counties in 1872. He settled in Jackson County in 1845 and had a great deal of influence with the Winnebago. In fact he had expected to be appointed removal agent instead of Charles Hunt.

Captain Thomas reported to his superiors that if Brockway were unsuccessful and the military had to step in again, he needed answers to certain questions. First, the Indians of Wisconsin could by state law acquire property, pay taxes on it, and sue and be sued in the state courts the same as a white citizen. Were such Indian citizens considered to be exempt from removal? The white supporters of the Winnebago helped them acquire worthless tracts of land for as little as ten cents an acre. Thomas

had already decided some cases. He felt that if the landowner was a blanket Indian living in a teepee and hunting for subsistence that it was a case of fraud. If the Indian lived in a house, raised crops, and showed other signs of "civilization" he was released and allowed to stay in Wisconsin. Thomas' second question was about Indians who had served in the U. S. Army. He wanted to know if they were citizens by virtue of having served in the army. Just prior to sending in this report, Thomas received a telegram from Lt. Stafford in Black River Falls on January 2 stating that Brockway had persuaded two headmen and thirty-five warriors to come into Black River Falls. Special Agent Hunt left immediately for Black River Falls.[1]

When he became aware of the conflict with state civil authorities and the possibility of conflict with whites organized to resist the removal, General Alfred H. Terry, Thomas' commander, suspended further action by the troops stationed in Wisconsin. Terry sent a telegram to his superior, Lt. General Philip H. Sheridan, outlining the situation and asking for instructions. Sheridan referred the matter to the Commanding General of the Army, General William T. Sherman, in Washington, D.C. All of these men made a point of stating that Special Agent Hunt

[1]H. G. Thomas to Assistant Adjutant General, Dept. of Dakota, St. Paul, MN, 2 January 1874, M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, frames 114-120, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

without definite authority had requested the use of force which had been judiciously used.

The Secretary of the Interior, Christopher Delano, in his reply to a letter from William W. Belknap, Secretary of War, on January 5, claimed that it was never the intention of the Department of the Interior to allow the troops stationed in Wisconsin to exercise any force to coerce the removal of the Winnebago. Delano had been informed by a number of eminent citizens of Wisconsin (probably Governor Washburn and Congressman Rusk) that the presence of a small number of troops would induce the Indians to remove without the use of violence. He regretted that any force had been used at the request of Charles Hunt and expressly stated that no further force or effort at intimidation was to be made. Delano sent a telegram to the Governor of Wisconsin, William F. Taylor, stating that since the citizens of Wisconsin were resorting to force as well as judicial proceedings to prevent the removal of the Winnebago, he felt that it was advisable to cease the removal effort and requested that the state of Wisconsin undertake the care of the Wisconsin Winnebago.[1]

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[1]Telegram, A. H. Terry to Assistant Adjutant General, Military Division of the Missouri, Chicago, 2 January 1874; Telegram, P. Sheridan to W. T. Sherman, 3 January 1874; W. W. Belknap to Secretary of the Interior, 5 January 1874; C. Delano to W. W. Belknap, 5 January 1874 (misdated 1873), M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, frames [illegible], 11-12, 14-18, 55-56, Microfilm copy, Record Group 94, National Archives, Washington, D.C.

On the same day that Delano was deciding to suspend the removal, the Commissioner of Indian Affairs, Edward P. Smith, received a telegram from Special Agent Hunt stating that 120 Winnebago had been shipped that morning and that Winneshiek and Creek's band was coming in. This new information prompted Delano to write Secretary of War Belknap again on January 8. Although he intended no modification of the views he had expressed in the earlier letter, he now told Belknap that it was desirable that the small force of troops stationed at Sparta be ordered to remain until advised further by his office.

On the morning of January 9, Hunt telegraphed Commissioner Smith from Black River Falls that he had removed a total of 562 Winnebago and that he expected to start between two and three hundred more for Nebraska on Monday, January 12. When the shipment was sent on Monday, most of the Winnebago on the Black River, the Wisconsin River and at Lansing and New Albion on the Mississippi had been captured. He estimated that there would then be about two hundred Winnebago remaining to be removed. Hunt received a telegram on January 10 from Commissioner Smith informing him that the military would be requested to continue operations to remove the Winnebago that he had on hand. He was to await further orders concerning the remaining scattered two hundred. Hunt reported to Commissioner Smith that there was one camp of Winnebago

above Winona, Minnesota, on the Mississippi, one near Berlin in Winnebago County, one above Prairie du Chien on the Mississippi, one at Pewaukee in Waukesha County, one in Crawford County on the Kickapoo River, one on Point Creek in Iowa and a few scattered individuals. On January 12, Hunt shipped 208 Winnebago from Black River Falls by special train. He telegraphed that information to Smith and indicated that the troops were no longer needed unless a decision was made to remove the two hundred still remaining.

Twenty more Winnebago gave themselves up that night and were shipped on January 13 on the regular express train for St. Paul. Hunt returned to Sparta the night of the 13th. He telegraphed Commissioner Smith that the Nebraska Indian agent, Taylor Bradley, was bothered about rations for the large number of Wisconsin Winnebago being shipped. Hunt asked Smith to telegraph Bradley and have him continue feeding the Wisconsin Winnebago.[1]

Special Agent Hunt telegraphed Commissioner Smith on January 16 asking if he should proceed to collect the remaining two hundred Winnebago while the military were

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[1]Telegrams from C. A. Hunt to E. P. Smith, 5 January 1874, 9 January 1874, 12 January 1874, 13 January 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; C. Delano to W. W. Belknap, 8 January 1874, M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, frame 124, Microfilm copy, Record Group 94, National Archives, Washington, D.C.; Badger State Banner, 17 January 1874, p. 3, Microfilm copy; Prairie du Chien Courier, 13 January 1874, p. 2, Microfilm copy.

still in Wisconsin. He felt that their presence had a moral effect although he thought the removal could be finished even after they were gone. Hunt thought agent Bradley should have an assistant to take care of the Wisconsin Winnebago and asked if he should send one. Commissioner Smith replied that it was not desirable to proceed with the removal. Hunt protested on January 19 that all opposition to the removal had died out and to stop now would leave the work only half finished. Some of the remaining Winnebago were asking to be sent to join their friends.[1]

In the meantime, Secretary of the Interior Delano informed the War Department that the troops were no longer needed. The War Department acted quickly to avoid any further difficulties with state authorities. On January 19, the commanding general of the Military Division of the Missouri was notified that the troops were no longer necessary and the troops in Sparta were immediately ordered to return to Fort Snelling. They left Sparta on the 11 a.m. train on January 21, 1874.[2]

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[1]C. A. Hunt to E. P. Smith, 16 January 1874, 19 January 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]W. T. Sherman to Headquarters of the Army, 22 January 1874, M666, Letters Received by the Office of Adjutant General (Main Series), Roll 133, Frame 127, Microfilm copy, Record Group 94, National Archives, Washington, D.C.; Sparta Herald, 20 January 1874, p.1, Microfilm copy.

An article that appeared in the Trempealeau newspaper, although written earlier in January, summarized the removal effort and presented the situation that now existed for Special Agent Hunt.

> It is estimated that there were over a thousand Indians to be removed from this district and nearly 600 of this number have been kidnapped and taken to the reservation. The troops take all they can catch, together with their squaws, papooses, ponies, tents, etc. The expense of removal is large and, no doubt, the whole appropriation will be exhausted before the work is done. There are but few Indians remaining around Trempealeau, but occasionally we see one like "Old Morgan," "Jern Shaw," or "Little Crow's Foot." Mary Crane or "Indian Mary" has gone to Nebraska in advance, but we understand she is not at all contented with her new home, and is occasionally heard to sigh in vain for a return to the Trempealeau bottoms. We expect to see a number of them back before spring; but if they do, the government should treat them as vagrants and imprison them. This would stop many from returning.[1]

The article reveals the extreme racial prejudice against the Indians expressed in most of the newspapers of the nineteenth century and anticipates the problems that Hunt would face in the upcoming spring and summer.

Appeals to Return the Winnebago to Wisconsin

Even though most of the Winnebago had been removed and Hunt was claiming that all opposition had died out, the controversy over the removal continued to heat up. Memorials and petitions were sent to the U. S. Congress

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[1]Trempealeau Republican, 9 January 1874, p.3, Microfilm copy.

and the Wisconsin State Legislature calling for the return of the Winnebago to Wisconsin. Those in favor of the removal reacted by heaping verbal abuse upon the petitioners. They were called "unprincipled shysters and blackmailers" working to "defeat the benevolent action of the government and the true friends of those suffering children of the forests . . . If complete justice was done . . . the state or national government should be authorized to arrest everyone of those men and punish them as they deserve."[1] The tone of this article gives the impression of extreme frustration that anyone would oppose "the right-minded citizens of northern Wisconsin" in the removal "of these ignorant, lazy and improvident Indians."[2]

Senator Allen Thurman of Ohio presented a petition to the Senate on January 19. The petition, signed by many whites and some Winnebago and sent to Thurman by Henry Lee, called for an investigation of the abuses committed against the Winnebago by government agents and asked for the necessary legislation for their protection and return to Wisconsin. Thurman read a passage from the petition which claimed that certain parties, by representing the Winnebago as vagabonds in danger of being murdered by their white neighbors, had induced the government to issue orders to remove them by force. Since the order, a large

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[1]Sparta Herald, 27 January 1874, p. 1, Microfilm copy.

[2]Ibid.

number of Winnebago had been kidnapped and forcibly removed contrary to the laws of the United States. The petition was accompanied by several affidavits and a newspaper article outlining some of the abuses such as removing Indian landowners without letting them properly dispose of their property or even locate their families. Senator Thurman stated that it had not been the intention of the removal bill to force removal of the Winnebago. He then made a motion referring the petition and its accompanying papers to the Committee on Indian Affairs which was approved.[1]

Frank Moore wrote an article ridiculing the petition and intimating that it was fraudulent. He charged that all of the supposed signatures were written in the same hand in blue ink. He called the charges read by Senator Thurman outrageous and claimed that Thurman entirely misunderstood the situation in Wisconsin. Henry Merrell wrote a letter to the newspaper in Portage, Wisconsin, rebutting Moore's report. He called Moore's article a tissue of lies and misrepresentations, claiming that many whites and Indians had signed the petition. Those whose names were written by the same hand were witnesses who could be called upon if necessary in an investigation of abuses committed against the Winnebago.[2]

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[1] Congressional Record (Washington, D.C.: Government Printing office, 1874) vol. II, pp. 743-744.

[2] Milwaukee Sentinel, 27 January 1874, p. 2, Microfilm copy; Wisconsin State Register, 14 February 1874, p. 2, Microfilm copy.

Because of the criticism he was receiving about the cruel way the Indians were being treated in Nebraska and the poor quality of the soil there, Special Agent Hunt offered to pay the expenses of a reporter for the Badger State Banner in Black River Falls to go to Nebraska and investigate the situation. Albridge Eaton, of Black River Falls, accepted the proposal. Eaton was a thirty-five-year-old native of New Hampshire. A Civil War veteran, he had settled in Black River Falls in 1865 and began the manufacture of sashes and doors. Eaton visited the Nebraska reservation in the middle of January with E. L. Brockway and R. J. Bates. Upon his return, he wrote a glowing report about the merits of the reservation. He emphasized the abundance of timber, water, and arable land. Although no attempt was being made to make the Indians other than small farmers, he made a big point of the fact that the land was well-adapted to stock raising. He intimated that Nebraska had a milder climate than Wisconsin by pointing out that there wasn't any snow on the ground and that there had been very little that winter.[1]

This was probably written to contradict the influence of a report by Jacob Spaulding about his trip to the reservation in November. Spaulding claimed that there was only about two hundred acres of scattered timber and

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[1]Badger State Banner, 24 January 1873, p. 3; 7 February 1874, p. 2, Microfilm copy; History of Northern Wisconsin, p. 417.

2,000 acres of tillable land on the reservation. The rest of the land, he described as:

> . . . the worst upheaval of barren hills of yellow clay I ever saw. A more bleak or uninviting region could hardly be found for Indians taken from a timbered country. The Indians don't ask to come back here, all they want is to have a reservation on the swamplands of Wisconsin, out of the way of the whites. They think their money might as well be spent in building homes in this state as in Nebraska where they can find no berries, game, firewood, etc.[1]

Each man saw only what he wanted to see. A 1972 soil survey of Thurston County, Nebraska, evaluates the soils of the county as fertile and, under good management, well suited to crops. The chief problems are water erosion on upland soils, flooding adjacent to streams, and maintaining fertility. About 28 percent of the soils in the county have slopes of more than 10 percent. The trees in the county grow only along the rivers and streams. Most of them are on the bluffs and bottomlands near the Missouri River. On the bluffs are found bur oak, red oak, walnut, basswood and scattered other varieties. Cottonwoods, elms, willows, and other trees that tolerate wetness grow on the Missouri bottomlands. The eastern portion of the county fits Spaulding's description of an

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[1] Juneau County Argus, 26 March 1874, p. 3. Microfilm copy.

upheaval of barren hills. The woodland Winnebago found little to attract them to the reservation.[1]

On January 19 Mark Douglas, the member of the Wisconsin State Assembly from Clark and Jackson Counties, introduced a memorial to Congress against the removal of the Winnebago from Wisconsin. The memorial stated that the tribe had been discovered 341 years ago living quietly in the Green Bay-Lake Winnebago area and that subsequently they had been compelled by the government to move from one reservation to another. It declared that the present Nebraska reservation was totally unfit for Indians and that to compel them to remove there was but another way of insuring their extermination. The memorial requested that a reservation be set aside in Wisconsin consisting of all unsold federal lands in nine townships of Jackson (T20,R1 & R1E; T21, R1W & R1E), Juneau (T19, R2E; T20, R2E & R3E), Monroe (T19, R1E), and Wood (T21, R2E) Counties. It was also requested that $10,000 from the fund belonging to these Winnebago be set aside for further purchase of additional land in these nine townships as needed, since much of the land in these townships consisted of swamps. The memorial was referred to the Wisconsin legislative committee on state affairs chaired by Francis H. West of Milwaukee County's seventh district. The committee

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[1]United States Department of Agriculture Soil Conservation Service and the United States Department of the Interior Bureau of Indian Affairs, Soil Survey of Thurston County, Nebraska (Washington: U. S. Government Printing Office, 1972), pp. 27, 37.

postponed consideration of the memorial until January 28 so that the western part of the state could be heard from.[1]

On January 28 the committee held a lengthy afternoon session in one of the committee rooms at the state capital in Madison.. Charles Hunt, the removal agent, and DeWitt C. Wilson, editor of the Monroe County Republican newspaper in Sparta, appeared in opposition to the memorial. Satterlee Clark, Jared C. Gregory, a prominent lawyer and mayor of Madison in 1873, Henry W. Lee of Portage, and Jacob Spaulding appeared on behalf of the Winnebago. An unidentified delegation of a half dozen Winnebago also appeared before the committee. Sat Clark, a pioneer Indian trader and outspoken Democratic politician, said that he had lived with these Indians a good deal of his life and had a great deal of sympathy for them. He felt that the state government should protect their right to remain in the state. Clark was followed by Jacob Spaulding who urged passage of the memorial and claimed that the whites in Jackson County were almost unanimous in favor of returning the Winnebago from Nebraska. Spaulding presented a petition signed by

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[1]Memorial to Congress, No. 1A, Relating to the Removal of the Winnebago Indians from the State of Wisconsin, 19 January 1874, Assembly Bills, 1874-75, Series No. 2/3/1/2-2, Box 89, Elections and Records, Secretary of State, State Historical Society of Wisconsin, Madison; In Assembly, Journal of Proceedings of the Twenty-seventh Annual Session of the Wisconsin Legislature (Madison: Atwood & Culver, 1874), p. 26; Milwaukee Sentinel, 30 January 1874, p. 5, Microfilm copy.

numerous citizens of Wisconsin calling for the establishment of a reservation for the Winnebago in Wisconsin and requested that the state legislature memorialize Congress for that purpose.[1]

Captain Hunt gave an account of the removal effort and stated that true friends of the Winnebago wanted them in Nebraska, where the government would provide for their needs. He charged that those who wished them to remain in Wisconsin were their enemies who only wished to keep them in the state to cheat them of their money. Spaulding, Lee, and company responded that the zeal of Hunt and others for removal might be explained by the fact that a portion of the appropriation remained unspent and Hunt and his friends would lose a chance to line their pockets if the project were stopped. Bitter comments were exchanged back and forth. Hunt said that the only serious obstacle he had met to removal was the advice and counsel to the Indians of such men as Lee and Spaulding.[2]

Captain Wilson next spoke to the committee and presented several petitions against the return of the Winnebago from Wisconsin. He presented one from Sparta

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[1]Milwaukee Evening Wisconsin, 30 January 1874, p. 2, Microfilm copy; Milwaukee Sentinel, 30 January 1874, p. 5, Microfilm copy; Memorial no. 27, Request for a Winnebago Reservation in Wisconsin, Series 2/3/1/5-7, Box 38, Petitions 1874, Elections and Records, Secretary of State, State of Wisconsin, State Historical Society of Wisconsin, Madison, Wisconsin.

[2]Milwaukee Evening Wisconsin, 30 January 1874, p. 2, Microfilm copy; Milwaukee Sentinel, 30 January 1874, p. 5, Microfilm copy.

signed by judges R. Bunn, T. D. Steele and Thomas B. Tyler, the banker J. T. Hemphill, and 600 other citizens of Sparta and vicinity; one signed by Judge George Graham, D. R. Meloy, R. P. Hitchcock, and 263 other citizens of Tomah and vicinity; one signed by W. H. H. Cash, R. B. Rice, Richard Smith, and 150 others of New Lisbon; one signed by E. H. McMillan and 137 others of La Crosse; one signed by the mayor, city council, and thirty-seven others of the city of Portage; and one signed by the citizens of Caledonia Township, Columbia County.

Wilson also read from a report by Albridge Eaton, who had visited the reservation in Nebraska for the purpose of proving to the citizens of Wisconsin the truthfulness of Hunt's statements of the quality of the soil, timber, climate, and conditions on the reservation. Wilson stated that ninteen out of twenty of the people in the counties where the Winnebago roamed were opposed to the return of the Indians to Wisconsin. He claimed that the feeling in some localities of the state was such that the whites would slaughter the Winnebago if they returned.

Sworn statements were presented by employees of Captain Hunt to refute charges that the Winnebago were mistreated during the removal. William T. Baker of Oakdale Township in Monroe County had assisted in the removal of Yankee Bill's camp. He swore that no violence or unkind treatment was used. (The official report stated that George Decorah was pricked with bayonets to teach him

a lesson.) All their wants were promptly supplied and their property carefully gathered up and forwarded to Nebraska. Baker accompanied the band of Winnebago all the way to Nebraska and claimed that the Indians were cheerful and surprised at their good treatment. The only trouble on the trip was caused by whites in St. Paul who attempted to give them whiskey. Ex-sheriff Daniel B. Bon, for thirteen years a resident of Monroe County, painted a picture of the wretched way the Winnebago lived in Wisconsin and how warmly they were received by their relatives in Nebraska. Other similar statements were made by Michael Bransfield, A. Carnahan, F. Macon Priest, and O. D. Stevens, all of Sparta; W. H. H. Cash of New Lisbon; C. W. McMillan, another ex-sheriff of Monroe county; and P. Pool, ex-sheriff of Columbia County.[1]

Lee and Gregory presented four sworn statements attesting to the character of the Winnebago. Evan Arthur, a resident of the city of Portage since 1852 and a dealer in furs, hides, wool, hops, and other items of commerce, had dealt with the Winnebago for seventeen years and found them to be industrious and law-abiding. John Bean, a resident of Portage since 1855 and a stock dealer and

[1]Ibid.; Remonstrances against the passage of a memorial to Wisconsin requesting the return of the Winnebago to Wisconsin, Sparta, Tomah, New Lisbon, La Crosse, Portage, Caledonia, 26 January 1874; Sworn oaths by W. Y. Baker, D. B. Bon, M. Bransfield, A. Carnahan, W. H. H. Cash, C. W. McMillan, F. M. Priest, and O. D. Stevens, 20, 21, 27 January 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

auctioneer, who had been city assessor for the past two years, attested to the same thing. E. S. Jaeger, a dry goods merchant, who had resided in Portage and neighboring Marquette County for more than twenty years, had traded with the Winnebago for furs and skins and had sold them goods for cash or credit. He found them as honest as the average man and believed they should be afforded the same rights as other citizens. William H. Moore, a thirty-four-year-old farmer residing in Douglas Township, Marquette County, for the past sixteen years, attested that the Winnebago were inoffensive and industrious. Several Winnebago families had bought land and settled in the townships of Oxford and Douglas and were, he felt, entitled to the protection of the laws of Wisconsin. A big point made by the statements presented by Hunt and Wilson was that the Indians didn't dress like white men, didn't send their children to school, didn't live in houses, didn't remain in one place year round, begged for a living instead of working, and were universally hated and feared by the whites. The statements presented by Lee and Gregory attempted to refute those allegations. The racial and cultural prejudice expressed by Hunt and Wilson was typical of the time and place.[1]

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[1]Sworn statements of Evan Arthur, John Bean, E. S. Jaeger and W. H. Moore, 24, 26 January 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Several Winnebago then appeared and their reasons for wishing to remain in Wisconsin were interpreted to the committee. The interpretess was Theresa Prescott, the mixed-blood daughter of Pierre Paquette. She was married to a white farmer and lived in the township of Caledonia in Columbia County. She added her plea for the rights of her people and asked the committee how the whites would like the treatment some of the Indians had received were the case reversed. The committee adjourned to give the issue further consideration.[1]

Jacob Spaulding wrote to Assemblyman West and the committee on state affairs from Black River Falls on January 30. In reflecting on the tussle they had before West's committee, he felt that too little time had been spent on the important question of the future destiny of the Winnebago. He also wanted to take the opportunity to reply to statements made by Hunt and Wilson. First, Hunt had said that he didn't want two reservations for dishonest whites to steal from. Spaulding agreed and proceeded to accuse the former agent in Nebraska, Howard White, of having stolen $100,000 in a four-year period. Second, Wilson had said that he didn't want beggars in Monroe County. Spaulding replied that if the whites who hired the Indians would pay them, many of the Indians would have sufficient money. Third, Spaulding took

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[1]Milwaukee Evening Wisconsin, 30 January 1874, p. 2, Microfilm copy; Milwaukee Sentinel, 30 January 1874, p. 5, Microfilm copy.

exception to Hunt's claim that there were no more than two hundred Winnebago left to be removed. Spaulding claimed that according to his information there were over 600 Winnebago remaining in Wisconsin and that there were nearly 300 more in Iowa and Minnesota along the Mississippi River. They had gone there to search for food and to hide from Hunt and Wilson. Spaulding felt that all of the money Hunt had gotten as special agent had given him the big head and accused him of having stolen the position from E. L. Brockway. Hunt wanted $36,000 more from Congress to remove the remainder of the Winnebago. Spaulding felt that based on the past history of the removal, it would take more like $300,000 to finish it. Besides, he knew that the Winnebago had no intention of remaining on the treeless prairies of Nebraska. Fourth, Black Hawk, Old Winneshiek, Big Hawk, and Young Winneshiek, all headmen, wished to have a settling of all accounts from the Blue Earth Reservation down to the present. They claimed that a large annuity was due them and Spaulding hoped that the committee would either see to it that these claims were investigated and the leaders sent to Washington for a settlement or that Hunt was given the legal right to annihilate the tribe. Fifth and last, Spaulding felt that the report of conditions on the Nebraska reservation by Albridge Eaton was a put-up job.

He felt that he could substantiate his opinion that the reservation was a poor place for woodland Indians.[1]

In February the committee on state affairs reported to the Wisconsin State Assembly that they had given the testimony on both sides careful consideration. The history of the removal was then summarized with an obvious bias toward the version presented by Captain Hunt. Because the removal was almost completed, it was decided that further consideration be indefinitely postponed. The report was adopted unanimously.[2]

On January 30, both the Wisconsin State Senate and the Wisconsin State Assembly introduced a resolution that the federal government had acted wisely in removing the Winnebago and that the removal effort should be continued until the entire tribe was gone from Wisconsin. On Saturday, January 31, senators Samuel D. Burchard of Beaver Dam, representing the thirteenth district, and Romanyo E. Davis of Middleton, representing the twenty-sixth district, opposed the resolution for humanitarian reasons. Burchard felt that the treatment of the Winnebago by the government agents was reprehensible. He claimed the Indians had been torn from well-established homes and compelled to seek new ones. A. E. Bleekman of

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[1]Jacob Spaulding to F. H. West and the Committee on State Affairs, 30 January 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Wisconsin State Register, 14 February 1874, p. 2, Microfilm copy.

Tomah, representing the twenty-fourth district, thought that Burchard spoke from a lack of knowledge of the Indians. He claimed that the government was simply carrying out a compact freely executed by the Winnebago and that the government would be derelict in its duty if it didn't complete the removal.[1]

Davis felt it was the old question of might against right. He failed to understand why the Indians were singled out for treatment that no other class of people were subjected to. Senator H. D. Barron of St. Croix Falls, representing the twenty-fourth district, thought Davis had been reading too much Cooper and Longfellow. He called the Indians a nuisance. They weren't dangerous but were filthy, lazy, and addicted to drunkenness. He called them a bad influence on the community, young men especially. Senator Burchard continued to advocate the cause of the Winnebago and strongly censured Captain Hunt for his treatment of them.[2]

Senator Bleekman thought it remarkable that Burchard and Davis, who had never lived among the Winnebago and knew nothing of their vices, should oppose the opinion of those senators who had resided among them. Senator Carl H. Schmidt of Manitowoc, from the fifteenth district, said he had lived among the Indians and that

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[1]Tomah Journal, 7 February 1874, p. 1, Microfilm copy.

[2]Ibid.

they were not as vicious as senators Bleekman and Barron claimed. As far as his experience went, he found them to be peaceable, good citizens. He disapproved of the forcible removal of the Winnebago. He stated that more blame for Indian crimes should be attached to those whites who furnished liquor to the Indians than to the Indians themselves.[1]

Senator Barron stated that he had served with Captain Hunt in the state assembly and he could testify to his character. Barron claimed that the demoralization of the Indians by the whites was nonsense. History showed that the character of the Indian was directly opposite that given them by novelists such as Cooper. Senator Davis suggested that Bleekman and Barron would sing a different tune if the proposition was to remove all of the lawyers from the state. Blaming the whites for corrupting the Indians, he said the Indians stood above the proud Anglo-Saxons on the score of humanity and Christian virtues and that the Winnebago had the same right as any other class to remain in Wisconsin. Barron replied that according to what David had said he had reason to regret that he was not born an Indian.[2]

Senator Burchard moved that the resolution be referred to the Committee on State Affairs. Bleekman opposed the motion, claiming that it was an attempt to

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[1]Ibid.

[2]Ibid.

kill the resolution. He maintained that removal was for the good of the Winnebago and that he was sorry that there was a disposition to make this a party question. Senator Davis disclaimed any party feeling in the issue. Senator Barron took a jab at Senator Schmidt on the liquor question. He claimed Schmidt was inconsistent and asked how he could be opposed to having liquor sold to Indians while he was opposed to the Graham law and in favor of free liquor for white men. Schmidt replied that he did not find anything about Indians in the Graham law. The motion to refer the resolution to committee was carried by one vote.[1]

In the assembly, John T. Kingston of Necedah introduced the resolution and on February 2 it was referred to the assembly's committee on state affairs. On February 5 the assembly received a message from the senate stating that the resolution had been passed by a vote of 20 to 10 and asking the assembly to concur. The assembly concurred and it became joint resolution number twelve. This resolution declared that the Wisconsin State Legislature approved the removal of all Indians from the

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[1]Ibid.

state and ordered copies forwarded to the U. S. Congress and the Secretary of the Interior.[1]

On February 12 Captain Hunt reported to Commissioner of Indian Affairs Edward P. Smith the result of this effort by Lee and Spaulding to end the removal of the Winnebago. He inquired whether he might renew the removal effort which was stalled for lack of funds. The reason for this was that about $25,000 had reverted back to the U. S. Treasury because it was not spent within the allotted time. A new appropriation by Congress was now necessary to continue the removal.[2]

Lee continued to put on political pressure by writing letters to Secretary of the Interior Delano and President Grant. A petition addressed to Commissioner Smith from New Lisbon, Wisconsin, with twenty-five signers claimed the Winnebago were harmless and important to the commercial well-being of the village since the berries sold in New Lisbon each summer by the Indians amounted to several thousand dollars.

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[1]Senate Journal of Proceedings of the Twenty-Seventh Annual Session of the Wisconsin Legislature (Madison: Atwood and Culver, 1874), pp. 106, 107, 115, 116, 153, 205; Assembly Journal of Proceedings of the Twenty-Seventh Annual Session of the Wisconsin Legislature (Madison: Atwood and Culver, 1874), pp. 211, 228.

[2]C. A. Hunt to Commissioner of Indian Affairs, 12 February 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; Badger State Banner, 14 February 1874, p. 3, Microfilm copy.

On February 23 Hunt received a letter from Commissioner Smith asking what promises he had made to the Winnebago. Hunt denied promising them more than what Smith himself had promised in June at the council in Lafayette, Wisconsin. He felt that Lee and Spaulding were stirring up trouble and that the government must take stringent measures to keep the Winnebago on the reservation.[1]

Removal Continued

During January, Hunt had Antoine Grignon of Trempealeau County detain about fourteen Winnebago on the farms of Warren Bunnell and Volney Kingsley of West Prairie in Trempealeau County. This group of fourteen had been absent when Hunt had captured the rest of their band together with all their guns, traps, and camp equipment. Because of their destitute condition, Bunnell and Kingsley had been obliged to feed them. Hunt had been notified but, because of his lack of funds, he had told Grignon to let them go. The farmers felt that releasing them to starve was inhuman and on February 18, Warren Bunnell induced S. W. Button, a lawyer and Jackson County leader, to write Noah D. Comstock, their state assemblyman. It

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[1]C. A. Hunt to E. P. Smith, 3 March 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

was hoped that Comstock could provide relief for these farmers who had no other prospect of remuneration.[1]

In the meantime, Captain Hunt had telegraphed Washington on February 18 for instructions on what to do about these Indians. The authorities in Washington replied promptly and ordered Hunt to send them to Nebraska. Hunt arrived in Trempealeau on Tuesday, February 24, and with Antoine Grignon's help took twenty-two Winnebago to Pine Creek railroad station in southern Trempealeau County near the Mississippi River. Because the area had just had one of its severest snowstorms of the winter, they had to wait to ship the Winnebago until the tracks to Sioux City, Iowa, were cleared. After they arrived at Pine Creek, the son of Big Nose, who had previously threatened to kill Captain Hunt, tried to borrow five dollars from him. When Hunt refused, he drew a Navy revolver from his blanket and attempted to shoot Hunt. Big Nose and Volney Kingsley anticipated the attempt and took the revolver away from him. He resisted mightily before he was finally subdued. There was no further trouble and this group of Winnebago were sent to

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[1]Trempealeau Republican, 20 February 1874, p. 3, Microfilm copy.

Nebraska on Friday, February 28, with Volney Kingsley in charge.[1]

Hunt continued trying to remove other Indians during this frustrating time while he waited for the removal funds to be reappropriated. On March 17 he telegraphed Commissioner Smith that ten Winnebago had come in voluntarily from Sauk County and were demanding provisions and transportation to Nebraska. In the meantime, the House of Representatives passed a bill reappropriating the funds on March 23, the Senate concurred on March 24, and the President reported that he had signed the bill on April 3. Captain Hunt was sent a telegram with orders to finish up the removal as quickly as possible.[2]

On April 3 Captain Hunt went to Reedsburg to investigate the claims of exemption from removal by Ah-ha-cho-ker and other Winnebago in that vicinity. At first the Indians refused to show their deeds of land, army discharges, or other papers because they feared that

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[1]Sparta Herald, 24 February 1874, p. 3, Microfilm copy; Trempealeau Republican, 27 February 1874, p. 3, Microfilm copy; Telegram, C. A. Hunt to Commissioner Smith, 18 February 1874; Telegram, C. A. Hunt to E. P. Smith, 28 February 1874; Volney Kingsley to C. A. Hunt, 11 March 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Congressional Record, 1874, v. 2, part 3, pp. 2378, 2438, 2793-4; Prairie du Chien Courier, 14 April 1874, p. 2, Microfilm copy; Telegram, C. A. Hunt to E. P. Smith, 17 March 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Hunt would confiscate the papers and ship them to Nebraska. After they were convinced to show their papers in the presence of several of their white friends, Hunt demonstrated impartiality and justice in granting certificates of exemption but told the Indians through an interpreter that they would be better off if they went west.

In order to remain in Wisconsin, many of the Indians acquired worthless patches of cheap land. Spoon Decorah, son of Schachipkaka (White War Eagle), related in an interview, "In 1873, I took up a homestead of 40 acres near Pike Lake, but was never there."[1] Hunt reported that he found about sixty land-holding Indians all together in Reedsburg and Portage. He informed them that they must remain in that vicinity or they would be seized and shipped to Nebraska.

The editor of the Reedsburg Free Press declared that it was a sad commentary upon the honesty of white men in their dealings with Indians that they were so reluctant to show their papers. Although the editor thought that perhaps the Winnebago would be better off in Nebraska, he stated that as long as these people had the legal right to

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[1]"Narrative of Spoon Decorah." Wisconsin Historical Collections, 13(1895): 457.

stay, the citizens of Reedsburg would not consent to see them removed against their will.[1]

Hunt telegraphed Commissioner Smith to express his fears about the Winnebago purchasing land to avoid removal, reporting that at Reedsburg forty-one Winnebago claimed to be members of four families with deeds to land. He asked for guidelines for recognition of these deeds. Was he to recognize deeds of all dates right up to the present? How was he to determine what constituted a family? At present they were claiming all degrees of relationship as family. He did not feel there would be many more Winnebago to remove if the deeds to recently purchased land were recognized.[2]

Hunt and his agents worked diligently to gather up the remaining Winnebago, scattered over an area 200 miles long by 100 miles wide. In a letter sent to Prairie du Chien, Hunt warned that people had better be careful because the Indians recently found dead on islands in the Wisconsin River had died of smallpox. This was obviously an attempt to make the white friends of the Winnebago think twice about hiding them. Hunt ordered George Goodvillage to gather up the Winnebago in the vicinity of

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[1]Reedsburg Free Press, 9 April 1874, p. 3, Microfilm copy; Sparta Herald, 7 April 1874, p. 1, Microfilm copy.

[2]C. A. Hunt to E. P. Smith, 4 April 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Prairie du Chien and bring them to Sparta. Any person knowing the location of a Winnebago was to contact the Prairie du Chien newspaper office or Captain Hunt in Sparta.[1]

The Sparta newspaper reported on April 14 that thirty Winnebago were camped at the foot of Water Street awaiting transportation to Nebraska. Another group was started westward from New Lisbon. On April 15, Hunt telegraphed Commissioner Smith that he had shipped fifty Winnebago that day to Nebraska and had requested the return of White Otter, probably the unidentified Indian mistakenly removed to Nebraska mentioned in the newspaper article accompanying the petition presented January 19 to the Senate by Senator Allen Thurman. Horace Beach of Prairie du Chien had taken up White Otter's cause. On March 23, he wrote Congressman J. Allen Barber that White Otter owned land and paid taxes in Crawford County. White Otter was reported to be heartsick over his removal to Nebraska and worried about his two aged sisters in Wisconsin who had no one to care for them in his absence. Beach thought White Otter should be returned from Nebraska at government expense. The pressure had its effect because on April 1 Hunt telegraphed Washington that there were two Winnebago named White Otter in Wisconsin and that he had not knowingly removed anyone with title to any real

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[1]Prairie du Chien Courier, 14 April 1874, p. 2, Microfilm copy.

estate. Proof was furnished to both Hunt and Smith that, indeed, a White Otter owned two acres in Crawford County and that he was in Nebraska.[1]

In May it was reported that a noticeable number of Winnebago were again around Prairie du Chien. They shrewdly rigged themselves up in any white man's clothing they could obtain because Hunt had used the excuse that they wore blankets to send some of the Indians to Nebraska. The editor of the Prairie du Chien Courier claimed the Indians spread smallpox and other diseases and when Bridgeport, Boscobel, Woodman, and Wauzeka had suffered a few cases of smallpox, the whites there would take effective measures to rid themselves of the Indians. In his final report on June 23 to Edward P. Smith, the Commissioner of Indian Affairs, Captain Hunt stated that a total of 891 Winnebago had been removed to Nebraska at a cost of $40,550.02. He reported that 249 Winnebago remained in Wisconsin because they owned real estate.[2]

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[1] Prairie du Chien Courier, 14 April 1874, p. 2; 12 May 1874, p. 3, Microfilm copy; Trempealeau Republican, 24 April 1874, p. 3, Microfilm copy; Sparta Herald 14 April 1874, p. 4, Microfilm copy; C. A. Hunt to E. P. Smith, 23 June 1874; Horace Beach to J. Allen Barber, 23 March 1874; Telegram, C. A. Hunt to E. P. Smith, 1 April 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2] Prairie du Chien Courier, 12 May 1874, p. 3, Microfilm copy; C. A. Hunt to E. P. Smith, 23 June 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

CHAPTER IX

THE WISCONSIN WINNEBAGO IN NEBRASKA

Although Barclay White, Superintendent of the Northern Superintendency, had been ordered not to oppose the removal of the Wisconsin Winnebago to Nebraska, there were problems from the very beginning. In July, 1873, Captain Hunt was given verbal instructions by the Commissioner of Indian Affairs that once the Wisconsin Winnebago were in Nebraska the agent there would provide for them. Howard White, the Winnebago agent, resigned shortly after that, and on September 1 Taylor Bradley was appointed to replace him. Bradley did not arrive until a month after White left. In September Captain Hunt informed Commissioner Smith that Bradley would not provide rations for the Wisconsin Winnebago because he had no instructions to do so. Although rations were then provided to subsist the Wisconsin Winnebago, on November 12 Taylor wrote Barclay White that the 101 Indians were very poor because they had left Wisconsin before the berry season and arrived after the harvest in Nebraska. As the weather was already cold, he asked what he should do about providing them with shelter and sufficient clothing. Barclay forwarded the request to E. P. Smith, the

Commissioner of Indian Affairs, and asked what he should do after December 1, the date mentioned in his verbal instructions. Bradley was ordered to continue the rations, but as late as December 21 Hunt was complaining that Bradley had no instructions to provide shelter and clothing. Hunt was concerned that the newly captured Winnebago would all return to Wisconsin if they were not properly provided for.[1]

After the initial removal in August and September, the removal was badly managed. Once the military became involved, the treatment of the Indians was brutal. The troops would carry off the women and children while the men were on hunting trips; the men on their return would then have to follow. When the first large group of Indians were captured at Portage, they were not given a chance to bring along their personal effects and adequate clothing. Many died from exposure and inadequate or spoiled food both on the trip and after arriving in Nebraska. Traveling in cattle cars and by foot in late December and January was terribly hard on the women and children and the elderly.[2]

In January Bradley was struggling to provide five pounds of beef and five pounds of flour per week to each of the 730 Wisconsin Winnebago on the reservation. On January

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[1]Taylor Bradley to Barclay White, 12 November 1873; Barclay White to Edward P. Smith, 21 November 1873; Telegram, C. A. Hunt to Commissioner of Indian Affairs, 21 December 1873, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; U. S. Commissioner of Indian Affairs, Annual Report, 1873, p. 517.

[2]Pauquette, p. 412.

22, Bradley telegraphed Washington that although he had finally received 530 blankets and 30 tents for the Wisconsin Winnebago who were poorly sheltered with the reservation Indians, they would not accept anything but food until the remainder of the supplies Hunt had promised them arrived from Wisconsin. This situation continued, although Bradley reported on February 12 that 195 Wisconsin Winnebago had accepted blankets and other goods. The remaining 570 positively refused to take anything. They claimed that Hunt had promised them 900 blankets and a proportionate quantity of flannel, calico, muslin, shoes, stockings, and $42 each when they reached Nebraska. Until they received all of the promised goods they refused to take anything.[1]

Because of the large numbers of Wisconsin Winnebago arriving in Nebraska, Agent Bradley used up the agency wheat supply. The farmers refused to sell additional wheat except for cash. By February 4, H. W. Lee notified Secretary of the Interior Delano that the Winnebago were in a starving condition. Their rations had been cut to 4 pounds of flour and 2 1/2 pounds of beef per week. Lee appealed to President Grant on February 19 for an immediate and impartial investigation of the whole mess, declaring that from two to three Indians were dying of starvation daily, and unless they

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[1]Barclay White to Edward P. Smith, 14 January 1874; Telegram, Taylor Bradley to Commissioner of Indian Affairs, 22 January 1874; Taylor Bradley to Barclay White, 12 February 1874, M234, Letters Received by the Office of Indian Affairs, Roll 944, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

had some hope of redress it was likely they would sell their lives as dearly as possible.[1]

Lee received a letter in Portage, Wisconsin, from Big Hawk who was in Nebraska dated February 18, which told of his peoples' willingness to do whatever it took to obtain a reservation in Wisconsin. They were willing to become farmers and United States citizens if necessary and wanted to make a treaty with that objective in mind. Big Hawk complained that they had not received anything that Captain Hunt had promised, and two or three of them died every day. He claimed that they would not accept the goods offered by Agent Bradley, because Bradley allowed only one item to each Wisconsin Winnebago. If they took a blanket they could get nothing else. If they took a coat, they could not get the pants and so on. When they tried to live on the lands Hunt promised them, the Omaha Indians drove them off.[2]

On April 18, Big Hawk wrote Lee again. He wished Lee to inform his son in Wisconsin that his son, Ha-gah-he, had died the day before. Big Hawk did not wish to stay in Nebraska and wanted to know if there was any hope of returning to Wisconsin. Lee forwarded the two letters to

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[1]Taylor Bradley to Barclay White, 29 January 1874; H. W. Lee to C. Delano, 4 February 1874; H. W. Lee to U. S. Grant, 19 February 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Big Hawk to H. W. Lee, 18 February 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

President Grant who referred them to the Commissioner of Indian Affairs.[1]

Jacob Spaulding and several of the Winnebago leaders wrote N. Colver of New Lisbon, Wisconsin, in March, 1874, about the condition of the Wisconsin Winnebago in Nebraska:

> Little Hawk complains, "That they get no groceries, but little clothing, too little flour, and beef not fit for a dog to eat; and they cannot cut down any trees for firewood, they can only use the dead wood, so they are terribly cold, a death occurs every day, over 70 have died in two months--and they are abused by the Nebraska Indians."
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> Mr. S. says, "A more bleak or uninviting region could hardly be found for Indians taken from a timbered country." The Indians don't ask to come back here, all they want is to have a reservation on the swamp lands of Wisconsin, out of the way of the whites. They think their money might as well be spent in building houses in this state as in Nebraska where they can find no berries, game, firewood, &c. Winneshick writes: "In two years there will be no Winnebagoes if we have to stay here."[2]

Volney Kingsley, hired by Captain Hunt to transfer Winnebago to Nebraska, actively tried to help the Wisconsin Winnebago while he was in Nebraska. He met in council with their headmen on March 10, 1874, with Winneshick presiding. Kingsley and Chow-ca-zinker, Winneshick's son, were delegated to send a petition to President Grant. They asked that Grant relieve the poor starving Winnebago at once or they

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[1]Big Hawk to H. W. Lee, 18 April 1874; H. W. Lee to U. S. Grant, 24 April 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Juneau County Argus, 26 March 1874, p. 3, Microfilm copy.

threatened to leave for Wisconsin by force of arms if necessary.[1]

The Indians complained that they were dying from insufficient food and exposure. Thirty of them had been buried within the previous nine days. The agent provided them only five pounds of flour and five pounds of beef each per week. In Wisconsin they had had deer, ducks, muskrats, pork, tea, coffee, and sugar and lived like white men. Commissioner Hunt told them that if they went to Nebraska they would receive forty dollars and three blankets each. Every man would be given a farm with horses, a wagon and a plow. They would be taught to farm and have good houses, churches, and schools. Not only had they not received any of the things promised by Hunt, but the Nebraska Winnebago mistreated them. They were not allowed to cut wood to keep themselves from freezing, and if they pitched their tents, the Nebraska Winnebago told them that all the land belonged to them and drove the Wisconsin Indians off.[2]

They requested that President Grant send a good man to show them where their farms were and give them some tea, coffee, and sugar. Winneshick was sick and could not get well on the food provided. They wanted the forty dollars and three blankets each that Captain Hunt promised them.

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[1]Petition to U. S. Grant, 11 March 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Ibid.

President Grant's reply was to be addressed to Winneshick in care of H. W. Chase, an attorney at Sioux City, Iowa.

No reply came from the president, and on April 1, H. W. Chase sent another appeal to Grant to help the Wisconsin Winnebago. He enclosed an affidavit by Volney Kingsley who stated that the condition of the Wisconsin Winnebago was deplorable. Old Winneshick, confined to his bed, had sent his son to ask Agent Bradley for a little tea and sugar. Bradley replied, "Be gone. All of you Wisconsin Indians are hogs and want everything. My Indians do not ask for anything." Winneshick told Bradley that as soon as he got well he and all of his tribe would return to Wisconsin. Kingsley assured President Grant that unless something was done they would indeed return to Wisconsin. Not only were they not allowed to cut wood for fire, but Bradley had informed them that if they made log canoes and attempted to hunt or fish for additional food he would put those so engaged into jail.[1]

Return of the Winnebago to Wisconsin

When the Wisconsin Winnebago began returning to Wisconsin, Captain Hunt sent a hurried telegram to Commissioner Smith on May 4, 1874. Because of their dissatisfaction and threats to return enmasse, Hunt suggested that an efficient man be sent to Nebraska to prevent them

[1]Ibid.; Affidavit, Volney Kingsley to U. S. Grant, 1 April 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

from returning. In Hunt's opinion, Bradley was treating the Wisconsin Winnebago as burdens and reluctantly providing for their needs. Hunt wanted Smith to telegraph Bradley to use every means possible to retain the Wisconsin Indians in Nebraska. John Thunder, one of those who returned, told Hunt that the Wisconsin Indians were treated badly. The agency doctor told them that he was not to treat them. The shoemaker and blacksmith would not work for them. Bradley told them that they had no land and that they would not be fed after July. Hunt sent Thunder back to Nebraska at his own request. Hunt reported to Commissioner Smith that Thunder and several other Indians were buying worthless ten-acre tracts of land from H. Mills and G. O. Winters in Jackson County for the purpose of evading further attempts to remove them.[1]

Because of Hunt's concern, Commissioner Smith telegraphed Agent Bradley to ascertain why the Winnebago were returning to Wisconsin. Bradley protested that he was endeavoring through every means possible to help keep them satisfied. He had offered them allotments of land on the western portion of the reservation, but they refused to accept these allotments because they had been promised timberland near the Missouri River. In his defense, Bradley informed Commissioner Smith that it was against his orders

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[1]Telegram, C. A. Hunt to E. P. Smith, 4 May 1874; C. A. Hunt to E. P. Smith, 8 May 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

for any Winnebago to leave the reservation without a pass. However, the Wisconsin Indians paid little heed to this regulation and he was unable to tell if they had left or how many. The entire number of Wisconsin Indians who had come to the reservation, including births since arrival, was 870. Rations were being issued to 840, although Bradley admitted that he could be issuing to a few Indians who were no longer on the reservation. Twenty of the thirty unaccounted for had died. This left ten unaccounted for who had probably returned to Wisconsin.[1]

After listing all of these deaths, an average of one a week since December, Bradley made the unbelievable statement that the Wisconsin Indians had not suffered since their arrival in Nebraska. Indeed, he felt they had fared better than the Nebraska Winnebago. Bradley did concede, however, that because of the extreme cold during the actual removal, that there were one or two instances of suffering. He blamed what problems they now had on their continuous grumbling and bartering away of much of what they received.[2]

While Bradley seemed to know little about Winnebago who were returning to Wisconsin, officials in Wisconsin were dealing with those who had returned. On May 15, Governor William R. Taylor of Wisconsin was interviewed by several

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[1]Taylor Bradley to Edward P. Smith, 11 May 1874; 20 May 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]Ibid.

Winnebago who had been removed and had returned to Wisconsin. Through an interpreter they told him that Captain Hunt had not given them the things he had promised, that there was no hunting, that they could not get sufficient food for their children, and that they were in constant terror of the Sioux. They longed to return to their old haunts and asked Governor Taylor to use his influence to secure permission for them to remain in Wisconsin and for the cessation of forcible removal. The governor did not give them much encouragement but expressed great sympathy for their troubles. Afterwards, at a lawyer's office where they had probably gone for more concrete help, they expressed the opinion that Taylor was a better governor than Washburn.[1]

Because of all these problems, Hunt obtained permission to appoint ex-Monroe County sheriff David B. Bon to go to Nebraska and look after the interests of the Wisconsin Winnebago. When Bon, who had previously aided Hunt in the removal effort, reported to Agent Bradley on May 18, he found three-fourths of the Wisconsin Winnebago dissatisfied and determined to return to Wisconsin. In an effort to reduce their dissatisfaction, Bon urged Agent Bradley to distribute the clothing and blankets they had previously refused. Bon also told Bradley that it was his understanding that the proposed purchase of land from the Omahas had been accomplished and that Bradley was to locate

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[1] Sparta Herald, 19 May 1874, p. 1, Microfilm copy.

the Wisconsin Winnebago on it at once. Surprised by this information, Bradley wrote Commissioner Smith asking for further information since he had not received any notice that the land had actually been purchased. Bradley also wanted to know what he was expected to do in providing for the Wisconsin Indians. He did not have the forty dollars each they so greatly desired.[1]

Despite Special Agent Bon's efforts to relieve their dissatisfaction, the Wisconsin Winnebago began attempting to return to Wisconsin in small groups. On May 27, Bon stopped a group of fifteen at Sioux City who returned to the reservation that night. He reported that White Whale's band of approximately 200 had accepted the removal and were anxious to have their land allotted. He felt that the other bands were also giving up the idea of going back to Wisconsin. Bon thought that their complaints about food were unjustified but that sugar, tea, coffee, rice, etc., should be provided for their sick. Until their land was allotted, he could do little other than keep them from returning to Wisconsin and help them tend their sick. Bon made arrangements with the railroad and ferries not to carry any Indians without a pass from the agent.[2]

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[1]Taylor Bradley to Edward P. Smith, 20 May 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]D. B. Bon to E. P. Smith, 30 May 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Although the land sale had been announced in Wisconsin newspapers in December, it was not until June 15, 1874, that the Commissioner of Indian Affairs directed Bradley White to purchase reservation lands from the Omaha for the Wisconsin Winnebago. On July 1, 1874, at a council held with the headmen of the Wisconsin Winnebago, White delivered the reservation to them. By that time it was much too late to retain the Wisconsin Winnebago in Nebraska. Bon complained to Hunt that he would have to wait until provision was made to pay a surveyor. It would be too late to break land to plant crops and the Indians would lose another year.[1]

Agent Bon's optimism that he could keep the Wisconsin Winnebago from leaving Nebraska was short lived. He reported on July 6 that they were leaving almost daily in small squads. They were swimming the Missouri River for any distance up to thirty miles in either direction and it was almost impossible to stop them. On June 30 a party of Winnebago numbering between thirty and fifty attempted to cross the Missouri River. When they were discovered part of them had already crossed. Others were in the act of swimming their ponies over by the side of a canoe. Those with the ponies and those on the Nebraska side were returned to the reservation. Bon also reported stopping another group that

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[1]Barclay White, Journal, v. 2, pp. 206-207, Microfilm copy, Friends Historical Library, Swarthmore College, Swarthmore, Penn.; D. B. Bon to C. A. Hunt, 6 July 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

same week in the act of crossing. They returned to camp and left again that same night. From fifty to seventy-five had left in the previous ten days, and Bon estimated that 300 of the Indians would leave during July if he and Bradley were not given authority to stop them in Iowa. Barclay White had decided that neither of them had authority off the reservation and they might get themselves in trouble if they followed the Winnebago into Iowa. Bon was powerless to do anything. To add to his troubles, the Indians were getting letters almost daily from Jacob Spaulding, Hugh Mills, H. W. Lee, and others telling them to come back to Wisconsin in small squads. They assured the Winnebago that the government would not disturb them again and that they would get their annuity and a reservation in Wisconsin.[1]

Bon attempted to stop about one hundred Winnebago in Sioux City on July 13. The Indians told Bon that the government had allowed a part of them to remain in Wisconsin and they would not be disturbed if they went back. Bon telegraphed Commissioner Smith for authority to stop them but Smith did not reply.[2]

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[1]Barclay White to E. P. Smith, 3 July 1874; D. B. Bon to C. A. Hunt, 6 July 1874; D. B. Bon to E. P. Smith, 6 July 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

[2]D. B. Bon to E. P. Smith, 15 July 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

Despite Bon's efforts, they continued to come across the Missouri on the ferry to Sioux City and file down to the railroad with all their paraphernalia. If they didn't have sufficient money to pay their railroad fare to Wisconsin, some would start across country on their ponies leaving their luggage to be shipped by rail. Others sold some of their ponies to pay for their fare.[1]

A few Winnebago were back in Juneau County by July 1874 engaged in picking and selling blueberries. They expressed a determination to remain in Wisconsin. In reply to the many questions asked them, they simply said: "Nebraska no good, me no like it; Sioux Indians fight too much; me go way from them, me no fight."[2]

Others were reported on the streets of Kilbourn, and a citizen of Portage met several Winnebago enroute from Prairie du Chien by railroad. They were delighted to be back. The editor of the Portage paper expressed the opinion that since the Winnebago had given up the provision made for them by the government, they should be thrown upon their own resources.[3]

Captain Hunt reported the return of the Winnebago to Commissioner Smith. He was concerned about the strong

[1]Prairie du Chien Courier, 15 September 1874, p. 2, Microfilm copy.

[2]Juneau County Argus, 16 July 1874, p. 3, Microfilm copy.

[3]Wisconsin Mirror, 24 July 1874, p. 3, Microfilm copy; Wisconsin State Register, 25 July 1874, p. 3, Microfilm copy.

feeling expressed by the whites in Wisconsin who had thought they were rid of the Winnebago. Excitement was increasing and he anticipated trouble. Congressman Rusk telegraphed Smith that the Winnebago must be stopped or there would be trouble. He asked Smith to call on the military to return them to their reservation. Smith replied that it did not seem practicable to order the military to hunt the returning Winnebago but suggested that Wisconsin citizens protect themselves by use of the vagrancy law. He felt that a few cases of proper treatment under this law would stop the migration.[1]

Although Congressman Rusk concurred with Commissioner Smith and requested that Governor William R. Taylor take action to stop the Winnebago from returning to Wisconsin by use of the vagrancy law, no action was taken against the Winnebago who continued to return during late July and August. Black Hawk and about thirty others were reported on the hunting grounds of their ancestors in the vicinity of Prairie du Chien. About seventy-five returned to Jackson County where they engaged in picking blueberries in the townships of Manchester and Millston. About one hundred arrived in Winona, Minnesota, on Sunday, August 2. They had traveled overland the entire way and were completely worn

[1]C. A. Hunt to E. P. Smith, 19 July 1874; Telegram, J. M.. Rusk to E. P. Smith, 20 July 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; W.(?) H.(?) Smith to J. M.. Rusk, 22 July 1874, State of Wisconsin, Executive Files, State Historical Society of Wisconsin, Madison, Wisconsin.

out. In the words of the local newspaper, they made a picturesque appearance as they walked or rode over-burdened ponies into the city.

> On one of the diminutive animals was a strongly marked brunette with a child in her arms and a pack of camp utensils swinging from the horn of the saddle. Following this was another pony with a motherly squaw nursing a papoose. But the third pony in the group was doing the best service of all. In the saddle was seated the squaw with a papoose on one side and an older child on the other, while behind rode a ten year old boy and from either side of the saddle depended the well-filled panniers.[1]

Indian Frank, the principal leader of the band, gave several reasons for their return. They were homesick, Nebraska had poor hunting and fishing, in Wisconsin they could pick and sell berries, and 200 of their women and children had died. This is one of several statements that the fatality rate was greater than that reported by the authorities. Unfortunately there is no way to verify it. The newspaper editor in Winona, while taking the statement with a grain of salt, felt that it must be more than mere homesickness that prompted the Indians to undertake the long and difficult journey back to their old haunts. Another editor wondered how Captain Hunt was going to solve this problem.[2]

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[1] Winona Weekly Republican, 5 August 1874, p. 3, Microfilm copy.

[2] J. M.. Rusk to William R. Taylor, 23 July 1874, State of Wisconsin, Executive Files, State Historical Society of Wisconsin, Madison, Wisconsin; Milwaukee Sentinel, 8 August 1874, p. 2, Microfilm copy; Sparta Herald, 11 August 1874, p. 1, Microfilm copy; Trempealeau Republican, 7 August 1874, p. 1, Microfilm copy.

The problem was not solved, and on September 1 the Indian Agent, Taylor Bradley, reported to Commissioner Smith that about 209 of the stubborn and rebellious Wisconsin Winnebago had left for Wisconsin during the month of August. He estimated that despite the efforts of himself and Agent Bon, a total of 464 had returned. Their influence had also caused seventeen young men of the Nebraska Winnebago to return with them.[1]

Some of the trouble predicted by Hunt and Rusk manifested itself on the evening of October 27, when a public meeting was held at Hickory Grove, Necedah Township, Juneau County, protesting the return of the Winnebago to Juneau and surrounding counties. A resolution was passed which stated that the citizens of the Yellow River Valley felt that these Indians were detrimental to the improvement and settlement of the area. They were very concerned about the problem of whites selling whiskey to the Indians and cheating them when purchasing their furs. They resolved that if the problem of the Indians having free access to whiskey and resorting to begging and thievery was not solved within thirty days of the publication of the resolution, they would regulate the problem themselves. The resolution was signed by Henry Thompson, president, and Patrick Keenan, secretary.

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[1]Taylor Bradley to E. P. Smith, 1 September 1874, M234, Letters Received by the Office of Indian Affairs, Roll 945, Microfilm copy, Record Group 75, National Archives, Washington, D.C.; U. S. Commissioner of Indian Affairs, Annual Report, 1874, p. 519.

Fortunately, the problem must have resolved itself because no further accounts of this affair have been located.[1]

End of the Removal Effort

Realizing that some of their tribal members had been allowed to remain because they were land owners and dressed like white men, the returned Winnebago took steps to establish their legal status in Wisconsin. It was reported in Winona, Minnesota, that one of their leaders shrewdly said that he was going to have his band members dress like the whites so the government could not take them back to Nebraska. They had white friends such as Robert E. Bradford, a resident of Millston in Jackson County, write letters to President Grant requesting that those Winnebago who had dissolved all tribal relations and purchased land be allowed to remain in Wisconsin. In this particular case, Bradford reported that, based on an opinion by the Wisconsin State Attorney General, the Millston town officers had allowed these Indians to vote and that their names appeared on the poll sheets.[2]

Another attempt was made in 1875 to pass a memorial to Congress in the Wisconsin state legislature. This time, instead of asking for a reservation, the memorial asked for

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[1]Milwaukee Sentinel, 9 November 1874, p. 2, Microfilm copy.

[2]Winona Weekly Republican, 5 August 1874, p. 3, Microfilm copy; Robert E. Bradford to U. S. Grant, 7 January 1875, M234, Letters Received by the Office of Indian Affairs, Roll 946, Microfilm copy, Record Group 75, National Archives, Washington, D.C.

an act enabling the Wisconsin Winnebago to become citizens and freeholders. Richard Dewhurst, member of the assembly from Clark and Jackson counties, presented the memorial to the assembly on January 26, 1875. The assembly passed the memorial on January 28, 1875, but it failed to pass in the Wisconsin senate.[1]

These legal tactics to keep the Winnebago in Wisconsin became unnecessary when the U. S. Congress passed the deficiency bill of March 3, 1875. This bill extended all benefits of the homestead act of May 20, 1862, to any Indian who was a head of family, twenty-one years old, and had abandoned tribal relations. The land granted to Indians was inalienable for five years after the final patent was issued, which was a necessary protection against improvidence. This act gave the Winnebago the opportunity to gain legal status in Wisconsin and a great many of them began taking up claims of forty acres each. In 1881, a separate tribal roll or census was made of the Wisconsin Winnebago and they became, in effect, a separate tribe from the Nebraska Winnebago.[2]

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[1]Assembly, Journal of Proceedings, 1875, pp. 43, 53, 73, 232.

[2]Lurie, "The Winnebago Indians," p. 169; Pauquette, pp. 415-17; Loring B. Priest, Uncle Sam's Stepchildren (New Brunswick, N.J.: Rutgers University Press, 1942), p. 180; Nancy Oestreich Lurie, "Wisconsin: A Natural Laboratory for North American Indian Studies," Wisconsin Magazine of History 53 (Autumn 1969):12.

CHAPTER X

CONCLUSION

The removal effort was a dismal failure. From the time the Winnebago made their first visit to Washington, D.C., they plotted and schemed how not to go while Charles Hunt, Frank Moore, Jeremiah Rusk, Cadwallader Washburn and others spent their time considering the best means to induce them to go. Winnebago resistance took the form of endless bargaining and legal maneuvering. They constantly found new difficulties to delay the removal.

Reasons for the Removal

The removal effort received support for several reasons. (1) Many people had a lingering fear of Indians because of memories of the massacre of hundreds of whites in Minnesota by the Sioux in 1862. (2) Politically influential owners of the cranberry marshes did not want unauthorized picking of cranberries by the Winnebago. The pressure from this group plus the opportunity that had been perceived when Old Dandy died combined to produce the necessary support in Wisconsin to influence Congress to pass the removal legislation at this time. (3) Another factor was the prejudice against Indians generally. Many perceived them as lazy and improvident because of their cultural differences.

<u>White Opposition to the Removal</u>

A pleasant discovery was the amount of support given to the Winnebago by white residents of Wisconsin. Men such as Jacob Spaulding of Black River Falls, Henry Lee of Portage and Horace Beach of Prairie du Chien fought long and hard to allow the Winnebago to remain in Wisconsin. The citizens of Reedsburg refused to allow removal of those Winnebago they felt had become good citizens. If the repeated allegation made by those in favor of removal that only those who had made money off the Indians wanted them to remain was true, men such as George Salter, who sold whiskey to the Indians, and William H. H. Cash, who engaged in the fur and berry trade with them at New Lisbon, would have fought the removal also.

A series of letters that appeared in the <u>Juneau County Argus</u> from February to April, 1874, illustrates the two points of view. George Salter, notorious for murdering innocent Indians to avenge his wife's murder, initiated the series with a letter favoring the removal. Salter made the claim that only those who made their living cheating Indians were opposed to the removal. A Mr. N. Colver of New Lisbon wrote a reply calling for the Indians to be treated humanely and according to the Christian ethic. William H. H. Cash replied to Colver. Cash used the old argument that the industrious whites put the land to better use and that the Indians were better off on their reservations. He also mentioned several murders and depredations committed by the

Winnebago against the whites; but he failed to mention some of the atrocities committed by the whites such as murdering innocent Indians and placing their heads on poles. Colver replied that if the whites obeyed the law and stopped selling whiskey to the Indians, many of the problems wouldn't exist. Cash wrote that Colver should obtain some first-hand information about the Indians by donning a greasy red blanket and joining them in eating fricaseed dog and dead horsemeat. Colver replied that Cash should know since he sold more meat to the Indians than anyone else did. The exchanges went on with each trying to cite authorities to back his position.[1]

Reasons for the Indian Resistance to Removal

The Winnebago had basically four reasons for resisting the removal. (1) Based on their prior experience, they knew that many of their children and elderly would die. This was probably due to a lack of sanitary conditions rather than a change of climate. The nomadic habits of hunter-gatherers affects their health positively. Small populations constantly on the go are less likely to reinfect themselves from fecal or other matter than a settled population.[2] (2) They expressed great fear of the western Sioux which was probably justified. The Pawnee, also located

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[1]Juneau County Augus, 5 February 1874, p. 3; 26 February 1874, p. 3; 5 March 1874, p. 3; 12 March 1874, p. 3; 19 March 1874, p. 3; 26 March 1875, p. 3; 2 April 1874, p. 3, Microfilm copy.

[2]James V. Neal, "Lessons from a 'primitive' people," Science 170 (November 20, 1970):818.

in Nebraska, suffered repeated attacks by the Sioux in the 1870's. (3) The Winnebago considered Wisconsin much superior to Nebraska as a place to live with ample food available. To expect woodland Indians who lived a nomadic existence in Wisconsin to settle on a treeless prairie and become farmers was just too much. Even the whites had a difficult time learning how to farm on the Great Plains. (4) The least understood and perhaps the most important reason for resisting the removal was religion. Dandy repeatedly gave religion as his reason for not wanting to leave Wisconsin, and members of his band were very prominent in resisting removal. The religion concept was usually expressed as an attachment to the land and was mostly discounted by the whites.

The Decision to Use Force

Charles Hunt has been blamed for employing federal troops to forcibly remove the Winnebago. Although as removal agent he has to share the blame, Governor Washburn and Congressman Rusk anticipated that force would be necessary and played more important roles than Hunt in obtaining the troops to carry out the removal. Washburn wanted the Winnebago out of the state and was not to be denied.

Results

The only people who benefited from the removal were Charles Hunt, Frank Moore and their employees. Money that would have been better spent providing the Winnebago with

homes in Wisconsin went into their pockets. The Wisconsin Winnebago returned and still live in Wisconsin today.

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