

**WINNEBAGO INDIANS.**

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**LETTER**

FROM

**THE SECRETARY OF WAR,**

TRANSMITTING

**A REPORT OF GOV. CASS AND COL. MCKENNEY,**

ON THE SUBJECT OF THE COMPLAINTS OF THE

**WINNEBAGO INDIANS, &c.**

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**FEBRUARY 5, 1828.**

Read, and referred to the Committee of the Whole House to which is committed the bill (No. 103) to enable the President of the United States to hold a treaty with the Chippewas, Ottawas, Pattawatimas, Winnebagoes, Fox, and Sacs Nations of Indians.

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WASHINGTON :

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1828.



## DEPARTMENT OF WAR,

26th January, 1828.

SIR : I have the honor to transmit for the information of the Committee on Indian Affairs, a report from Gov. Cass and Col. McKenney, on the subject of the complaints of the Winnebagoes ; and which contains also a recommendation to procure, by cession, the mineral country owned by them, and by other tribes, as the best remedy to quiet their excitements ; and the sum estimated as the probable cost which may attend the council ; also, the letter of Col. McKenney, which accompanies it.

I have the honor to be,

Very respectfully,

Your obedient servant,

JAMES BARBOUR.

HON. WILLIAM McLEAN,

*Chairman Com. on Indian Affairs, House of Representatives.*

Department of War  
20th January 1881

Sir: I have the honor to transmit for the information of the Committee on Indian Affairs, a report from Lieut. Genl. Col. McKenney, on the subject of the complaints of the Wampanoag, and which contains also a recommendation to prohibit, by cession, the mineral country owned by them, and by other tribes as the best remedy to quiet their excitement; and the sum estimated as the probable cost which may attend the cession; also, the letter of Col. McKenney, which accompanies it.

I have the honor to be,

Very respectfully,

Your obedient servant

JAMES BARBOUR

Hon. WILLIAM M. BROWN

Chairman, Com. on Indian Affairs, House of Representatives

## DEPARTMENT OF WAR,

*Office Indian Affairs, 23d January, 1828.*

SIR : I have the honor to submit a letter from Gov. Cass and myself, on the subject of the Winnebago complaints respecting intrusions upon their lands by our citizens, &c. &c. ; and which contains, besides other things, a recommendation to quiet the disturbances growing out of these complaints, that the country be purchased of them ; and that twenty thousand dollars be appropriated for that object.

I have the honor to be,

Very respectfully,

Your obedient servant,

THOMAS L. MCKENNEY.

Hon. JAMES BARBOUR,  
*Secretary of War.*

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BUTTE DES MORTS,

*Fox River, August, 1827.*

SIR : We have reserved for a special communication the subject of the Winnebago complaints respecting the intrusion upon their land by our citizens. The extract from their speech in council, which accompanies this, will fully explain their feelings. We have promised to refer the whole matter to you, and this promise we now proceed to redeem.

By a treaty concluded by General Harrison, at St. Louis, November 3, 1804, with the Sacs and Foxes, a cession was obtained of a very considerable district of country, extending north to the Ouisconsin, and embracing, as subsequent discoveries have proved, the most valuable portion of the mineral region. Of the difficulties arising out of this cession, in consequence of the claims and complaints of other tribes, it is now unnecessary to speak. They were, however, such as to induce the Government, by the second article of the treaty concluded at St. Louis, August 24, 1816, with the Ottawas, Chippewas, and Pattawatimas, of the Illinois and Malwakee rivers, to retrocede to these tribes all the land north of a line drawn due west from the southerly extreme of Lake Michigan to the Mississippi, with the exception of a small tract, commanding the communication to Chicago, and of certain reservations described in the treaty. Respecting



one of these reservations, there is no difficulty. It is a tract of three leagues square at the mouth of the Ouisconsin river. The right conveyed by the other is more indeterminate. The description is "*such other tracts, on or near to the Ouisconsin and Mississippi rivers, as the President of the United States may think proper to reserve: Provided, that such other tracts shall not, in the whole, exceed the quantity that would be contained in five leagues square.*"

It is not known that the Government has ever distinctly exercised the power herein conferred. The whole region is highly metalliferous, and its products and prospects have drawn there a crowd of adventurous persons. Under certain regulations of the Ordnance Department, leases have been granted to all applicants; and their leases are not confined within any particular district of country. The practical construction given to the right of reservation, secured to the President, is, to allow any person to examine the country, and if he finds such indications of mineral as will, in his opinion, justify the speculation, to lease to him the tract of land upon which it is found. Under this practice, the miners are now at work over a large extent of country; and, we understand, they have crossed the dividing ridge between the Mississippi and Rock rivers, and have established themselves on the land secured to the Winnebagoes, by the treaty of Prairie des Chiens. This has caused, and still causes, great dissatisfaction; and it has, no doubt, produced much of the excitement which has led to the present difficulties. It appears to be indispensably necessary that the power of reservation granted to the President should be immediately exercised, and that, whether one or more tracts are retained, they should be surveyed and marked by clear and definite boundaries. But, certainly, nothing can be more incorrect than a construction which gives the right of location in tracts of one or two hundred acres over the whole country, extending from Rock river to the Ouisconsin, and from the Mississippi to Lake Michigan, and considering the reservation of fifteen miles square complete, when the quantity located equals that extent. It would render the whole country utterly useless to the Indians, and the exercise of separate jurisdiction over these people and ours would be impracticable. All the provisions of the laws, regulating trade with them, would be inefficient; and, in fact, the principles of our Indian policy must be wholly abandoned, if this construction prevails.

We respectfully suggest the propriety of causing these reservations to be immediately surveyed, and to withdraw within the limits of the reservations, all our citizens who are now spread over the country. This measure is called for, no less by a regard for justice on our part, than by the necessity of tranquilizing the Indians. The opportunity is a favorable one of convincing them of our determination to act impartially, as well when our own interest is promoted, as when it is injured by the measure.

The country, however, is more valuable to us than to them. It is, in fact, a most important region, affording inexhaustible supplies of lead. We think it highly necessary that the Indian title to it

should be extinguished, and we anticipate little difficulty in effecting that object. An appropriation of \$ 20,000 would, probably, enable the Government to procure a district embracing the mineral region, and which would yield a productive revenue to the public, and profitable returns to enterprising individuals.

Very respectfully,

Your obedient servants,

LEWIS CASS,  
THOS. L. MCKENNEY.

Hon. JAMES BARBOUR,  
*Secretary of War.*

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*Extract from the Journal of the Commissioners' of Tuesday, August 14.*

“There are a great many Americans on our land, working it without our permission. I want you to tell our great Father to stop it ; to reach out his long arm and draw them back.”

