Indian Removal

The Winnebago as a Case Study,

1825-1875

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May 22, 1989

History 402

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Preface

Federal Indian policy has gone through many changes from 1800 to 1825. In the early years of the nineteenth century, the United States was in the process of expanding and solidifying its relatively new borders. Much of Florida was being wrested from Spanish control (the last of Florida was purchased from Spain in 1819), and in 1803 the United States’ size was almost doubled with the Louisiana Purchase. This purchase (and other concurrent international agreements) ended, at least officially, French involvement in North American territory. This huge purchase added more than new lands. It added many more Indians to a country that was beginning to have more (and more serious) Indian problems, especially in the Old Northwest and in the South. Still, the purchase of this vast new territory offered an option to the United States government, that of removing the Indians from east of the Mississippi River to the new territory west of the Mississippi.

Thomas Jefferson, the first president to have this option of Indian removal to the "new west," looked into it for several reasons. William Graves, in his 1988 Ph.D. dissertation entitled The Evolution of American Indian Policy: From Colonial Times to the Florida Treaty (1819), cited Dumas Malone, perhaps Jefferson’s best known biographer:

"his [Jefferson's] (real) concern was to protect his own borders by removing the Indians from them as soon as possible and replacing the redmen with white settlers..."¹

While this solidifying of the United States borders was perhaps a main reason (for Jefferson) for Indian removal west, there were others. Malone goes on to say that Jefferson had "in his own mind no doubt...he was seeking to lead them [the Indians] into the paths of peace and the blessings of agricultural society."\textsuperscript{2} This idea that the Indians should become more like whites (by becoming farmers, for example) and that they might do so better separated from whites, later became one of the rallying points for those supporting Indian removal. The idea of permanent Indian removal to the Trans-American West gained support for several other reasons as well. In the Old Northwest, the government was following the then accepted standard of treating with the Indian for land cessions. From the government's point of view, this process was quite successful.\textsuperscript{3} The Indians, however, were less satisfied with the process, and before the War of 1812, with the Shawnee and Tecumseh and the Prophet leading the way, the Old Northwest was a hotbed of Indian discontent.

The Indians were no less settled in the South. There had been several land cession treaties, by means of which large chunks of Indian land had been ceded, especially for the Creek and Cherokee.\textsuperscript{4} Indian policy in the South was further complicated by the question of jurisdiction. Georgia, for example, claimed that it had jurisdiction over Indians within its borders, which caused conflicts between the federal government and Georgia, most

\footnote{2Ibid., p. 186.}

\footnote{3In the treaties with the Indians of the United States before the War of 1812 that had land cessions, the Indians ceded about 108,000,000 acres of land. (This figure may be a little misleading, as different tribes whose territory overlapped may have ceded the same land to the government twice.) For this land, the government paid the Indian's $635,135 or about .006 per acre, slightly more than one-half cent per acre. U.S. Congress, Senate. Report of the Secretary of War. Statement Showing the Purchases of Indians Lands Since the Establishment of the Present Federal Government. Senate Doc. 616. 26th Congress, 1st Session. (Washington: Government Printing Office, 1840), p. 3.

\footnote{4Ibid., p. 3.}
often with the Indians in the middle. The United States, in dealing with Georgia about the Indians, committed itself to Indian removal in the Georgia Compact of 1803, more than twenty-five years before the Indian Removal Act. This Compact was to "extinguish title to all Indian lands in the state of Georgia as soon as it could be peaceably and reasonably accomplished."  

The War of 1812 did little to settle the Indian question east of the Mississippi. Many tribes fought with the British, and it was doubtful that this was forgotten when the Indians next approached the treaty table. Another result of the War of 1812 was the rise to national prominence of Andrew Jackson. Jackson, a southerner, thought treating with the Indians was "absurd" and that the Indians would only be happy across the Mississippi River. President James Monroe in 1825 proclaimed Jackson's plan for removal, and soon after Jackson was elected in 1828, Jackson continued the crusade which led to the passage of the Indian Removal Act in 1830. The act allowed, among other things, for the president to exchange western lands for eastern Indian lands. The IRA gave him no power to force the Indians to remove west, but it was this document that provided a legal framework for the removal of most Indians west of the Mississippi and the loss (for the Indians) of millions of acres of land.

In looking at the process and effects of Indian removal, it is important to note several things. Perhaps most important is that removal for one tribe was not always the same as removal for another tribe -- there were many variations on Indian removal. Some tribes were simply forcibly moved under guard and under the threat of armed troops. The Choctaw were

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moved, in part, this way. Tribes could be removed to a smaller part of their original territory and allowed to stay, as were the Chippewa. Some tribes were moved west, but not west of the Mississippi, as were the Oneida and other New York Indian tribes. The Oneida were removed to Wisconsin, where they purchased land from the Menomonee. In some cases, the Indians were given (at least in theory) a choice of whether to remove or not. If they chose to stay, they were allowed to homestead or were given allotments of the land that they used to "own." The Cherokee were supposed to have this choice.

Perhaps the best way to understand Indian removal is to look at a single tribe and observe it through the process of removal. Although almost any southern tribe would provide many examples of abuses, broken promises, and perhaps a success or two, there is one Wisconsin tribe that is an excellent example of Indian removal -- the Winnebago. The Winnebago are a good example for several reasons. During the years 1825-1875, the Winnebago experienced all of the types of removal described above, from relocation on their own land to forced removal to consolidation with another tribe. The Winnebago also were a most uncooperative tribe, with one author

7Though the Chippewa were eventually allowed to stay on a portion of their lands, it does not mean that the government did not try to remove them to the west. James A. Clifton, in his article entitled "Wisconsin Death March: Explaining the Extremes in Old Northwest Indian Removal," Wisconsin Academy of Sciences, Arts and Letters 75(Spring) 1987, presents the argument that the government "conspired" to remove the Chippewa Indians from their lands. Clifton's is an interesting and somewhat controversial view of Chippewa-White relations from 1837-60.

8Satz, in his book American Indian Policy in the Jacksonian Era, looks primarily at southern Indian removal, including the Cherokee. One other notable book on Cherokee and southern Indian removal is Grant Foreman's Indian Removal: the emigration of the five civilized tribes of Indian (New York: Russell and Russell) [1972, c1946].
calling them "those master escape artists" because they kept returning home to Wisconsin.9

The Winnebago are a good case study for another reason. Primary source documents provide another fact of Indian removal, that which shows that Indian removal is not a policy just formulated and implemented in Washington. Indian removal was "white driven," with local white settlers having much to do with whether or not and how local Indians were removed. The Winnebago again are an excellent example.

9Clifton, "Wisconsin Death March," p. 4.
The Pre-Treaty Years
The Winnebago Before 1815

The Winnebago had experienced considerable white contact before permanent white settlement in Wisconsin. As with many Indian tribes in the Old Northwest, their first contact with the whites was with the French, which may have taken place as early as 1634 near Green Bay by Jean Nicolet.10 Most early accounts of the Winnebago have them concentrated in relatively large villages between the mouth of the Fox River at Green Bay and the top of Lake Winnebago.

Their relationships with the French and with other tribes in the 1700s sometimes are confusing. Nancy O. Lurie, a noted Winnebago historian, described the Winnebago’s relationships like this:

Suffice it to say here that although the Winnebago were allied with the Fox against the French in the Fox Wars, by 1729 the French had completely won over the tribe, and the Winnebago became actively engaged in fighting the Fox.11

By the middle of the eighteenth century, the Winnebago were well acquainted with whites and were friends of the French. Lurie writes that by this time the Winnebago were living near trading posts and “dependent on Europeans.”12 It was probably during this time that as the need for white goods grew, the Winnebago began their spread south and west in search of furs for trade.

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10There is some discussion as to the exact place where this initial contact took place. For example, Publius Lawson, an early historian of the tribe, places this contact at Red Banks near Green Bay. Other have placed it at Doty Island or near present-day Oshkosh or at other places along the Fox River Valley. The date of 1634 is generally accepted.


12Ibid., p. 54.
The Winnebago, like many Indian tribes, fought with the French against the British, yet when their territory came under the control of the British, they switched allegiance to the British. The Winnebago fought with the British during the Revolutionary War, often traveling great distances to do so.\(^{13}\) This loyalty to the British continued through the War of 1812, with the Winnebago fighting at Fort Macinac, Detroit, and Sandusky, among other places.

Although the Winnebago seemed like dedicated allies to the British, the British view of the Winnebago is almost ironic. Though the Winnebago suffered casualties and provided, at times, several hundred warriors, the British questioned the value of the Winnebago effort in the war. Colonel William McKay, the British commander of the Indians, said that they would not obey unless he held "a blanket in one hand and a piece of pork in the other."\(^ {14}\) Several other British commanders experienced problems with discipline and military order with the Winnebago.\(^ {15}\)

After the War of 1812, the British and the Winnebago formally ended official ties with each other. Though in many instances the traders, the whites with whom the Winnebago had the most contact, stayed the same, there were many changes on the way. By 1815, the Winnebago called their own a triangle-shaped section of land, with the small end near Green Bay to north-central Illinois to just north of present-day La Crosse and back to Green Bay. This amount of land was needed to support the British and Winnebago demand for furs, and it did so. The next whites into Winnebago territory were not as interested in furs as they were in the actual land and

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\(^{14}\) Lurie, *Cultural Change*, p. 58.

\(^{15}\) Ibid., p. 57-58.
what was beneath it or could be grown on it. This was the framework for the next period of Winnebago history.
As mentioned before, there were no immediate or obvious changes for the Winnebago after the War of 1812. Although the Winnebago fought (again) on the losing side, they were not punished as some more eastern tribes were.\textsuperscript{16} Still, there were significant changes in store for the Winnebago. Peace, although perhaps at times still precarious, had come to the Old Northwest after many years of intertribal conflict and international warfare. This lasting peace was to be insured by the increased presence of the United States government in the Old Northwest and also by a series of treaties with the Indians of this area. The Winnebago were no exception, and in 1816 the Winnebago entered the treaty era.

The first treaty between the Winnebago and the United States was not a land cession treaty but a treaty of friendship and peace between the two nations. In the spring of 1816, a group of eleven Winnebago went to St. Louis to sign a treaty that had five articles. Article One promised mutual forgiveness for any injury or hostility committed by either party. Article Two gave to the United States any previous rights or cessions given to the British, French or Spanish by the Winnebago. Article Three acknowledged that the Winnebago were under the protection of the United States, and the last article stated that both sides should give up all prisoners.\textsuperscript{17}

\textsuperscript{16}The Kickapoo was one tribe that was punished after fighting with the British in the War of 1812. They were forced to remove west of the Mississippi except for Kenekuk and his Vermillion band.

This treaty, though promising friendship, did in no way protect Winnebago boundaries. The Winnebago soon were pressured from several different directions. In their northeastern lands, they were under pressure to sell some of their land to New York Indians who were being removed west. In their southern lands, white encroachment was beginning to take place with greater frequency.

At the time of this first treaty, the Winnebago lands included most of southwestern Wisconsin and a significant amount of land in northcentral and northwestern Illinois, especially around the Rock River. When Illinois became a state in 1818, more and more whites began to infringe upon Winnebago lands not only in Illinois, but in Wisconsin as well.

The pressure significantly worsened with the interest other Indian tribes showed in Winnebago lands. The early 1820s saw many "removed" eastern tribes come through Winnebago territory, and some came with plans to stay. The New York Indians, for example, in 1821 approached the Menominee, who occupied lands in common with the Winnebago along the Fox River, with the idea of purchasing land for resettlement in Wisconsin. While the Winnebago did agree to the first request for land, the next year more was requested, and the Winnebago refused to participate in the discussions. As perhaps a portent of things to come, the government ignored Winnebago claims and simply treated with the Menominee for cessions for the New York Indians.18

As mentioned previously, this was only part of the assault on Winnebago lands. At this same time, lead was discovered by the whites in

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northwest Illinois and southwest Wisconsin, mostly in Winnebago territory. Soon thousands of would-be lead miners flocked to the area. This pressure from the south along with pressure on their northeastern lands pushed the Winnebago into closer contact with the Sac, Fox, and Sioux in the west and the Chippewa in the north, and in 1825 another treaty conference was called with these tribes and others meeting in Prairie du Chien to settle boundaries between the tribes of the present-day Illinois-Iowa-Wisconsin-Minnesota area.

The purpose of the treaty was to establish boundaries between these tribes. The Sioux and the Sac, Fox and Chippewa were at this time involved in a series of skirmishes over territory, and the treaty clearly spelled out tribal boundaries for the signing tribes. The principal reason may not have been intertribal peace, though this was desirable. This reason was that by establishing boundaries that were clear to all parties, Indian and white, it was easier for the government to know with whom to treat with when they sought future land cessions. The rapid increase in white population that was taking place throughout the Old Northwest forced upon the Winnebago this next stage of the treaty-system land cessions.

19Kappler, *Laws and Treaties*, 2: 250-255. The articles that deal with boundaries speak in no vague terms. An example of the relative preciseness of the treaty is Article Six: "the southern boundary line of the Chippewa Country shall commence on the Chippewa River aforesaid, half a days march below the falls on that river, and run thence to the source of Clear Water River, a branch of the Chippewa; thence south to the Black River; thence to a point where the woods project into the meadows, and thence to the Plover Portage of the Wisconsin."

The Early Cession Treaties, 1825-29
Prelude to Removal

The Treaty of 1825 did more than just establish paper borders for the Winnebago. It established for the Winnebago, who had never really established exclusive ownership of their lands, more familiarity with this concept.\textsuperscript{21} While on one hand many whites thought that the way to civilize the Indians was to encourage private ownership, whites soon had a problem with the Winnebago claiming the area set forth in the treaty for their own. The problem was that the whites wanted this land, especially in southwest Wisconsin, for their own.\textsuperscript{22} The lead rush in this region was in full force.

Lead had long brought whites to this region but this "lead rush" of the 1820s, while probably not as spectacular as the influx of gold miners into California twenty-five years later, still was important and impressive on its own.\textsuperscript{23} In the present-day Grant County area there were 200 miners in 1825, 1,000 miners in 1826, 4,000 in 1827, and 10,000 miners in the area in 1828.\textsuperscript{24} The Winnebago found it difficult to ignore the lead miners, especially as the miners apparently did not acknowledge their hosts with gratitude. The Indian agent at Prairie du Chien wrote to his superior saying, "Many of them had great contempt for naked Indians and behaved low,

\textsuperscript{21}Jones, \textit{Winnebago Indians}, p. 130.
\textsuperscript{22}William T. Hagen, "Private Property: The Indians' Door to Civilization," \textit{Ethnohistory} 3 (Spring, 1956) 126-37. Hagen looks at the history of the white point of view that the only way to civilize the Indian was to give them their own (not common) lands and encourage them or force them to live and work on it. Private and separate property was, as Hagan writes, "the universal order of progress in human affairs." Hagan, p. 134.
\textsuperscript{23}Jones, \textit{Winnebago Indians}, p. 213. Nicholas Perrot may have seen these lead deposits in the 1600s.
\textsuperscript{24}Ibid., p. 213.
gross, and like blackguards among them."\textsuperscript{25} This large number of whites not only made the area unusable for the Winnebago but was in clear violation of the boundaries set forth in the Treaty of 1825.

In 1827 the Winnebago, in response to this invasion of whites on their land, nominated a warrior named Red Bird to address these grievances. After some hesitation, he attacked a house of French settlers near Prairie du Chien, killing several. White settlers fled, fearing more Indian attacks and in response to this attack, the government threatened massive reprisals against the Winnebago. Red Bird surrendered to spare his tribe.\textsuperscript{26}

This incident, like the Black Hawk War six years later, provided the government with a reason to force the Winnebago to the treaty table. While previous treaties had not been threats of cessions (the Treaty of 1816 was of friendship, the Treaties of 1825 and 1827 had been treaties of boundary settling), the Treaties of 1828 and 1829, which both dealt with the lead mining area, were treaties of cession, in which the Winnebago sold their lands to the whites.

The purpose of Treaty of 1828 was to remove the Winnebago's title to lands in the lead mining region, specifically in Illinois and Wisconsin. It was made "in order to remove the difficulties which have arisen in consequence of the occupation, by white persons, of that part of the mining country...."\textsuperscript{27} This 1828 treaty was provisional, with the actual cession to take place in 1829 with another treaty. The treaty instructed the Indians not to molest or interfere with any whites who might cross the line into Indian country.


\textsuperscript{26} Lurie, \textit{Handbook}, p. 697.

\textsuperscript{27} Kappler, \textit{Laws and Treaties}, 2: 292-293.
Measures for "white removal" from Indians lands would be referred to the President. The treaty also stipulated that the Indians would be compensated for any injuries committed by whites on the Indian side of the line.28

In theory, if a white was found trespassing on Indian lands, the Indians were to go to their agent (Joseph M. Street for most Winnebago), and the agent would have the offending white removed. An example shows how well this theory worked in practice. In 1828, Henry Dodge, (later territorial and state governor) moved into and settled in the lead mine region in Indian country, a clear violation of the treaty. Street, the Indian agent in charge of the area, sent a sub-agent, John Marsh, to tell Dodge to remove at once to avoid being removed by force. Dodge is said to have replied that he would leave the country as soon as he conveniently could, and remained where he was.29 Dodge was able to remain for several reasons. Street had the authority but not the political might to call out the army to remove Dodge. Seldom were the people in power willing to align themselves with the Indians over the enterprising white settler.30 Dodge had another ally on his side -- time. He had but to wait for 1829 when a treaty was signed that ceded all the lead mining region.

The Treaty of 1829 ceded all of the lead mine region held by the Winnebago. For this land, the Winnebago were to receive $18,000 annually for thirty years along with 3,000 lbs. of tobacco and fifty barrels of salt for

28Ibid., p. 293.
29Ruth A. Gallagher, "The Indian Agent in the United States before 1850" Iowa Journal of History and Politics, 14 (Jan., 1916), p. 45. This article and a companion article "The Indian Agent in the United States from 1850" Iowa Journal of History and Politics 14 (April, 1916), pp. 173-238 provide a very good history of both the every day life of an agent and of how changes in federal Indian policy meant changes in and for the agents in the field.
30Ibid., p. 45.
these same thirty years. They were also to receive $30,000 in presents at the signing. There were other provisions in the treaty, provisions that would become common in future treaties with the Winnebago. Blacksmiths were to provide for the Winnebago two yokes of oxen and carts. One clause that would soon become common allowed for the payment of traders’ claims. The treaty allowed for $23,532.28 to pay for claims of traders. Other articles allowed for the payment and land grants to mixed bloods and their descendants.\textsuperscript{31}

This treaty which ceded 2,530,000 acres to the government was among three land cession treaties that would be signed by the Winnebago.\textsuperscript{32} The treaty provided an example of what future treaties would contain, with one important exception. With the election of Andrew Jackson in 1828, a new push was on in Washington and elsewhere for Indian removal to west of the Mississippi. In 1830 the Indian Removal Act was passed, which meant that for the Winnebago the next treaty would not only cost them land but their home in Wisconsin.

\textsuperscript{31}Kappler, \textit{Laws and Treaties}, 2:300-303. The amount in claims may also have been for payment for Red Bird’s actions. Lurie, \textit{Cultural Change}, p. 111.

The 1830s: Cessions and Removal from Wisconsin

The period between the 1829 and 1832 treaties was generally one of unrest, as the growing white population caused increased and continued pressure on the Winnebago lands. Added to this pressure was increased Indian unrest by various tribes in the area. Both were factors that led up to the land cessions and removal treaty of 1832.

The opening of the lead region caused a huge population increase in the area around the lead mines. As mentioned, there was fifty-fold increase in population from 1825 to 1828 in Grant County alone. The miners spread as far as Blue Mounds in present Dane County. This increase in white population was not just because of the miners. With the increase of miners, there was a growing demand for food, wood (lumber), and other goods, causing merchants, farmers, and lumbermen to flock to the area and spread north and east from the lead region. The problem was that the Winnebago still owned the land to the north and east of the lead region.

In 1832 the Sac and Fox, led by Black Hawk and encouraged by a Rock River Winnebago called "the Prophet," left the lands granted to them by the Treaty of 1816 and crossed the Mississippi to return to lands that they once owned on the Rock River. Though Black Hawk led a band of about 1,000, it included women and children, a sign that it was not a war party but went in peace. Few whites in Illinois saw the band as peaceful however, and the militia and soon the army was called upon to repel the "invasion," as the Illinois governor called it. The Winnebago's position on the war is difficult to determine, although most saw the Winnebago as not directly involved or at

least not belligerent. The Winnebago Prophet had relatively few followers among the Wisconsin Winnebago. It is true that some Winnebago traveled and fought with Black Hawk, but most remained loyal to the United States.\textsuperscript{34}

For example, Hagan writes that as many Winnebago were scouts and guides for the army as were allies of Black Hawk.\textsuperscript{35} Indeed, twenty Winnebago fought in the battle of the Bad Axe River, and at the end of the war, Black Hawk and the Prophet were turned over to the government by a band of Winnebago with whom Black Hawk and the Prophet sought refuge.\textsuperscript{36}

The fact that most of the Winnebago had been loyal or even helpful to the government in no way protected them from a punitive treaty after the war. Some of the Winnebago bands were not even represented at the treaty signing, which gave away just under half of their remaining lands in Wisconsin.\textsuperscript{37} The Treaty of 1832 was the first signed by the Winnebago after the Indian Removal Act of 1830 and it contained along with the cession article, in which the Winnebago ceded all their lands south and east of the Fox and Wisconsin Rivers, a provision in Article Two that required them to leave the ceded country. The treaty also provided a place for them to remove to, the so-called "Neutral Ground," which was a tract of land in Iowa that was actually a buffer zone between the Sac and the Fox in the south and the Sioux in the north.\textsuperscript{38}


\textsuperscript{35}Hagan, "Black Hawk War," p. 289.

\textsuperscript{36}Lurie, \textit{Cultural Change}, p. 117.

\textsuperscript{37}Hagan, "The Black Hawk War," p. 289.

\textsuperscript{38}Kappler, \textit{Laws and Treaties}, 2:345-348.
The Treaty of 1832 included several other provisions that were new to the Winnebago. A school was to be provided for the education of the Winnebago children. They were to be taught reading, writing, arithmetic, gardening, agriculture, carding, spinning, weaving, sewing, and other "knowledge as the President...may prescribe....". This clause indicated that the government wanted more than just land from the Winnebago, that the government wanted to civilize and acculturate the Winnebago to white ways. One only has to look at the curriculum of the proposed school to see that its purpose was to educate the Winnebago children in this way. Carding, spinning, and arithmetic had little to do with the traditional Winnebago culture, but had much to do with the white culture.

There were, of course, other articles in the treaty, including ones that set annuities for payment for the ceded lands. The Winnebago were to receive, along with the "Neutral Ground," twenty-seven payments of $10,000. An indication of the government's emphasis on agriculture, six agriculturalists again for the period of twenty-seven years were to be provided, along with twelve yoke of oxen, ploughs, and other agricultural implements. One interesting interpretation of the total annuity payments is that if all the payments of the Treaty of 1832 were paid, they would equal what would be owed the Winnebago under the terms of the 1829 treaty. Thus, for no extra money other than that which was already promised under the 1829 treaty, the government received 2,816,000 acres of land.

39Ibid., 2: 346.
40Ibid., 2: 346.
41Ibid., 2: 347.
42Lurie, Cultural Change, p. 111. U.S. Congress, Senate. Statement of the purchases of Indian Lands, p. 5. While it is true that no extra money was stipulated, the Winnebago did receive land as well as the annuity money, the disputed neutral ground in present-day Iowa. The government gave land to the Winnebago that was still owned
It was soon evident that there were problems with the Treaty of 1832. One problem was the continuing influx of white settlers into the ceded and unceded lands. The Black Hawk War had given many men a chance to look at new areas of what would be Wisconsin and many liked what they saw and returned or stayed.\textsuperscript{43} This rise in settlement again meant an increase in the amount of lumber needed for houses, fencing, and fuel, and the Winnebago still owned the area (north and west of the Wisconsin River) that was rich in pine.\textsuperscript{44}

Aside from this continuing problem of whites wanting still more Winnebago land, there was the problem that the Winnebago did not wish to move either from the ceded lands to their remaining lands north of the Wisconsin River or to the "Neutral Ground." Under white pressure, many Winnebagos did leave the ceded lands and went to the lands north of the Wisconsin, but in a letter to Martin Van Buren, Lewis Cass, Secretary of War, reported that most had gradually returned to the ceded territory. He goes on to say perhaps why they returned:

I have always understood that their country, north of the Ouiconson, is a sterile, barren, region, almost destitute of game, and very unfavourable to any products raised by the Indians.\textsuperscript{45}


\textsuperscript{44}So great was the need for lumber and so small the supply that some settlers in the Prairie du Chien and Belmont areas purchased pre-fabricated houses in Pittsburgh and then shipped the house in pieces to Wisconsin via the Ohio-Mississippi river route. Ibid., p. 11.

Cass also wrote why the Winnebago may not have been able or willing to move west though he thought it best for their survival. He wrote of the "unpleasant feelings" among the tribes in this area [the "Neutral Ground"] and that the Winnebago were "under some apprehensions" being placed so close to their traditional enemies, the Sac and the Fox. The Sioux, who were unhappy about a tribe, even if friendly towards them, being granted the "Neutral Ground," could be made happy with a "small amount of presents" from the Winnebago. Some Winnebago wanted to move west. For example, Henry Gratiot, who was conducting an in-country survey of the Winnebago for Secretary of War Cass, reported that the Rock River band tried to live on remaining Winnebago lands but they were not able to and that they were "extremely anxious" to remove west, once they were reconciled with the tribes above and below the "Neutral Ground."

The Winnebago themselves spoke out on whether to remove to Iowa. At a council at Four Lakes (present-day Madison), White Crow, a Rock River Winnebago chief, said

"yet many provisions had been promised but few delivered. We would not think to remove from our country but we know that we will suffer and that is why we wish to remain in our land another season."

John Kinzie, the Winnebago Indian sub-agent, emphasized White Crow's point in a letter to his boss, George Porter, in Detroit:

"without the aid which we have promised to render them, it would

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46 ibid., p. 2.
47 ibid., p. 2.
48 ibid., letter to Cass from Henry Gratiot, Feb. 25, 1833.
49 Transcript of council at Four Lakes, April 29, 1833, Office of Indian Affairs, Letters Received, Winnebago Agency, Records of the Office of Indian Affairs, Record Group 75, National Archives (Microfilm No. 234, Reel 931).
have been physically impossible for these Indians to have affected
[sic] a removal."50

These reports would show that while the government wanted the Winnebago
removed, they had not quite worked out all the angles to removal to the
satisfaction of the Winnebago.

In 1834 and 1835 the federal government opened land sales offices in
what would become Wisconsin territory in 1836. By 1836 almost 900,000
acres had been sold, showing the large demand for land. The Winnebago
were decimated by small pox in 1834 and were spread out over their
remaining territory and their ceded lands and were unable to resist white
pressure on their lands.51 It was the white drive and demand for land that
led to the Treaty of 1837, the treaty in which the Winnebago ceded all their
remaining lands and were ordered removed west within eight months of
ratification.52

The signing of the Treaty of 1837 is not a bright spot in Winnebago-
federal government relations. Under the guise of simply going to Washington
to meet the Great White Father and receive presents, General Dodge
convinced the Winnebago to send a delegation of nineteen to Washington.
Since on several occasions Dodge declined to say that a treaty would be
expected of them, these men had no authority to speak for the tribe.53 In
fact, most were young sons of chief's or relatives. Only two chief's went, as
they thought they were just going to plead their case to keep their remaining

50 John Kinzie, Prairie du Chien, George Porter, Detroit, May 9, 1833. Ibid.
51 Jones, Winnebago Indians, p. 188. Various reports state that up to one-quarter
of the tribe fell to small pox before it ran its course. 1,000 to 1,500 people.
53 Jones, Winnebago Indians, p. 196.
land.\textsuperscript{54} While the treaty plans were unknown to the Winnebago, it is interesting that two prominent traders, H.L. Dousman and H.H. Sibley, knew much earlier that this treaty was going to be signed.\textsuperscript{55}

Once in Washington, the Winnebago were pressured to sign a treaty. In fact, one report of this said that the Winnebago held out until they realized that they would not be allowed to return home until and unless they signed.\textsuperscript{56} The fear that they would miss the fall hunt and harvest was not all that convinced them to sign. The treaty was explained to them as having a clause which said that they (the Winnebago) would have eight years to leave Wisconsin. What the treaty actually says is eight months, not eight years.\textsuperscript{57} The interpreter later admitted that he was directed to deceive the Indians.\textsuperscript{58}

This treaty, although tainted from the Winnebago point of view, ceded to the government all of their lands east of the Mississippi. It also relinquished Winnebago ownership on almost half of the "Neutral Ground," except for hunting. The treaty allowed $7,000 for removal expenses and money was to be provided to set up a grist mill and to break ground and fence part of their land further west of the Mississippi, another attempt to force the Winnebago into White ways as farmers.\textsuperscript{59} The total amount of the treaty was $1,487,000, with a large amount, $300,000, set aside for individuals -- white traders and mixed bloods. There was considerable

\textsuperscript{54}Lurie, \textit{Handbook}, p. 699.
\textsuperscript{55}Jones, \textit{Winnebago Indians}, p. 196. Dousman wrote a letter from Prairie du Chien in August saying that the Winnebago were to be taken to Washington "ostensibly to make peace...but the real purpose is to get their lands...", p. 196.
\textsuperscript{56}Lurie, \textit{Handbook}, p. 699.
\textsuperscript{57}Kappler, \textit{Laws and Treaties}, 2:498. Article Three reads, "The said Indians agree to remove within eight months from the ratification of this treaty to that portion of the neutral ground...."
\textsuperscript{58}Lurie, \textit{Handbook}, p. 699.
\textsuperscript{59}Kappler, \textit{Laws and Treaties}, 2:499.
leeway in the accounting for this amount. In fact, the head of the commission to investigate whether or not individuals were paid what they should have been paid was estimated to have skimmed off $60,000–100,000 of this $300,000 while investigating and settling claims -- mostly his own claims, apparently.\textsuperscript{60}

Whether the Winnebago agreed or not, they were going to be forced to move west of the Mississippi. During 1837 there were many such land cessions, and about the same time the government also concluded treaties with the Sioux and the Chippewa. In the Sioux's case, they ceded all of their Wisconsin lands and the Chippewa gave up much of their more southern pine-covered lands. In all, Indians ceded almost half of present-day Wisconsin in 1837.\textsuperscript{61} Removal, at least for the Winnebago, was postponed while the various commissions sorted out claims about the 1837 treaty, but it was on the way, ushering in the next era of Winnebago history.

\textsuperscript{61}Smith and Carstensen, \textit{Economic and Historical Background}, p. 18.
Winnebago Removal

The Treaty of 1837 called for total removal, yet it was almost three years before this removal was to be enforced. While, as mentioned before, some of the delay was directly related to the Winnebago reluctance to remove, there were other reasons as well. One reason for the delay was the continued work of the several commissions looking into apparent frauds in the implementation of the Treaty of 1837.⁶² Another problem was that apparently no government officials were completely sure about where to move the Winnebago. The treaty specified that they move west of the Mississippi -- not just across the Mississippi -- to a point twenty miles west of the river.⁶³ Though the treaty said that the Winnebago could hunt on the land closer to the river, they had to settle permanently west of it. Still, there were some who wanted to move the Winnebago farther, much farther west.

As early as 1836, there were suggestions raised in Washington and in the "west" (the states of Illinois and Michigan and the Wisconsin territory) that the Winnebago be moved to an area south and west of the Missouri River. A Senate report in March of 1836 which included "for their own [Winnebago] preservation" a resolution that the Winnebago, through the "judicious use of their own funds," be removed not to Iowa but to this area in present-day Missouri.⁶⁴ In 1837 Territorial Governor Dodge was cited in a House report as saying that one of the reasons the Winnebago refused to

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⁶³Kappler, Laws and Treaties, 2: 498.

remove to Missouri was that "their traders were opposed to their removal
south of the Missouri River," and they influenced the Winnebago not to go.65
David Lowry, who ran the school for the Winnebago at Yellow River in the
"Neutral Ground" and in 1837 became the Winnebago Indian sub-agent,
reported in a letter to Governor Dodge on Jan. 24, 1840, that he had received
a letter from Nicholas Boilvin, a trader and interpreter, that stated that he
[Boilvin] is "much pleased with the country, southwest of the Missouri River,
and the Winnebago would do well to remove there...."66

Several times David Lowry wrote to Governor Dodge that the
Winnebago only had to move twenty miles west of the Mississippi.67 On
April 20, 1840, Lowry wrote to Governor Dodge saying, "It is very important
to the Indians as well as the whites that the design of the provision [Article
Two] be carried out to the letter of the law...."68

Finally in early May of 1840, the order came from Washington to the
army, led by General Atkinson at Fort Crawford, to move across the
Mississippi the Indians that Lowry called "more meek in principole [sic] and
lawful in every respect than any other Indians of the country."69 This initial
removal was accomplished by a regiment of infantry and a company of
dragoons who traveled through southern Wisconsin collecting Indians as
they found them. These troops could be both lenient and quite harsh

65U.S. Congress. House of Representatives. Doc. No. 82, "Exchange of Lands with
Printing Office, 1837), p. 3.
67As territorial governor, Governor Dodge was Superintendent of Indian Affairs
for the territory.
68David Lowry to Governor Dodge, April 20, 1840, David Lowry Papers, State
Historical Society of Wisconsin. See also Lowry to Dodge, April 6, 1840, and Lowry to
Dodge, May 25, 1840.
69Lowry to Dodge, Jan. 13, 1840, Ibid.
toward the Indians. One report said that when the troops came upon one
small village, seven elderly female Winnebago women begged to be
killed rather than be moved. The captain in charge allowed them and
hunters to provide for them to stay.70

The removal process could also be harsh, especially for those
Winnebago who returned to Wisconsin -- a situation that continued until the
end of the removal policy toward the Winnebago in 1875. Yellow Thunder
and Dandy, two Winnebago chiefs, provide good examples of this harshness.
Yellow Thunder was coerced to go to Portage under the guise of receiving
supplies, but once there he was placed under guard and secured with a ball
and chain.71 Dandy's case was perhaps more severe and showed, at least to
the Winnebago, that there was little logic in removal. Dandy was brought to
Mineral Point in a later "removal sweep" in chains, and once there asked
Governor Dodge

"if a man would do all that was in that book [the Bible] could any
more be required of him?" Dodge replied that "that was all that was
necessary," to which Dandy replied, "Look this book all through and if
you find in it that Dandy ought to be removed by the Government
to Turkey River [Iowa], then I will go right off; but if you do not find
it I will never go there to stay."72

Dodge's reply was to chain him on a horse and send him to Prairie du
Chien.73

This scenario continued. The troops would go through the ceded lands
rounding up returned Winnebago, march them to Prairie du Chien, and

70Lurie, Cultural Change, p. 125.
71Ibid., p. 123. Once transported across the Mississippi (under guard), Henry
Merrill reported that Yellow Thunder was back in Wisconsin before his escort made it
back.
72Ibid., p. 126. Dandy escaped and continued to live in Wisconsin, as did Yellow
Thunder, until his death in 1870.
73Ibid., p. 126.
escort them back to Iowa. The presence of the Winnebago in Wisconsin was noted, resented, and feared by the growing Wisconsin white population. The Lancaster Wisconsin Herald of Oct. 30, 1841, reported that "the Winnebago Indians are again trespassing on our territory," and then stated that it would be "an act of outrageous injustice" to remove the troops at Prairie du Chien that check the "daily outrages upon our northern borders."\textsuperscript{74} However, the note of optimism on which the article ended was by no means prophetic. After reporting that a command of thirty troops was rumored to be sent up the Wisconsin to bring in what Winnebagos were still there, the paper stated that this "will take about three weeks."\textsuperscript{75} The process would not take three weeks, but rather continued for the next 34 years.

Despite the number of Winnebago who returned to Wisconsin, many did settle at Turkey River, with approximately 2,600 living there by 1846.\textsuperscript{76} A school was built and slowly developed, as did the farms of those who settled there. There was a concentrated effort to keep the Winnebago in Iowa. As mentioned before, troops were stationed at Prairie du Chien, as well as at Fort Atkinson and at the Turkey River Agency to discourage Indians from leaving. Annuities were only paid in Iowa, and all public buildings, such as schools, were sold at Fort Winnebago and other, older, places of Winnebago concentration. Still, the Winnebago's stay in Iowa was destined to be temporary. White pressure on Iowa land, specifically in the "Neutral Ground," had begun almost before the Winnebago had arrived in Wisconsin.\textsuperscript{76}

\textsuperscript{74}Wisconsin Herald, Lancaster, Wisconsin Territory, Oct. 30, 1841, p. 1.
\textsuperscript{75}Ibid., p. 1.
\textsuperscript{76}Weibel, Federal Relations, p. 42. Lurie places the number of Winnebago still in Wisconsin, a group she calls the "disaffected band," as opposed to the treaty-abiding faction. As she states, this group did eventually gain official standing, though it took almost 40 more years. Lurie, Cultural Change, p. 127.
any number. The territorial legislature of Iowa petitioned Congress in 1842, asking for their [the Winnebago's] removal from Iowa to "some more suitable district of country," which presumably meant anywhere out of Iowa. Although their reasons for requesting the Winnebago's removal were based mainly on points that questioned whether or not the "Neutral Ground" was being appropriately used by the Winnebago (it was supposed to be a buffer zone between the Sac and Fox and the Sioux), the first point of the petition had some validity: "the Indians located on this neutral tract are dissatisfied with their situation." 79

Whether or not the Winnebago were dissatisfied with their "Neutral Ground" lands, they chose Henry Rice, a local trader and land speculator, to scout the surrounding territories for a suitable place for them to relocate. 80 Rice found an area in the Minnesota territory, north of St. Peter's River and west of the Mississippi. In 1846 the Winnebago treated again with the United States, and in return for their "Neutral Ground" lands and adjoining

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77Lowry to Captain Sumner, Commander of Fort Atkinson, July 20, 1841. Lowry Papers. Lowry writes, "I have just learned from undoubted authority that several white men are now hunting on the neutral ground. The Indians express much dissatisfaction at this intrusion and urge that the men be driven from their country."


79Ibid., p. 1.

80It should be mentioned that not all whites were anxious for the Winnebago to leave Iowa. There were several letters to the Commissioner of Indian Affairs in March of 1847 complaining about one Iowa trading post that was giving $4.50 in paper money or goods per gold eagle rather than the authorized rate of $10.00 per eagle with proportionately smaller rates for smaller coins, thus reaping a huge profit on the gold that the Indians were paid for annuities. At this same time, it might be good to look at Rice, for even those whom the Winnebago trusted were all that free from the profit motive. Rice picked out land in northcentral Minnesota, near where, J.R. Brown, in a letter to Commissioner Medill complained, Rice was a partner in a house that supplied 500-1,000 barrels of liquor annually to area Indians. Joseph R. Brown to CIA, Jan. 29, 1847. Letters Received, Winnebago Agency.
hunting regions, the Winnebago were to receive a tract of land not less than
800,000 acres to which they were to remove in one year. 81

This land was almost by definition going to be unsuitable for the
Winnebago. The land was to be purchased from the Sioux and thus the
Winnebago were again between the Sioux and their (the Sioux's) enemy, in
this case the Chippewa. In fact, this is one of the reasons Rice gave the
Commissioner of Indian Affairs for choosing this area. 82 Also, the type of
land made it unsuitable for the Winnebago. This land was wooded -- very
different from the prairie of Iowa or the open meadows of Wisconsin -- and
thus difficult to farm. The fact that this land had prime lumber and was
situated on two navigable rivers made the land more desirable for
lumbermen than for the Winnebago, and soon whites were trespassing on
their reserve.

Actual removal to Crow Wing at St. Peter did not take place until
1848. One of the first tasks of the troops was to round up those Winnebago
who were heading back to Wisconsin instead of north to St. Peter. 83 Though
this effort was not completely successful, the removal continued with the
help and guidance of a company of soldiers and sixty armed Sioux. 84 Once
they arrived, the Indians and soldiers set up another Indian agency.

82Henry Rice to CIA Medill, Feb. 16, 1847. Letters Received, Winnebago Agency.
Rice's other reasons were 1) more than ample room, even for the Menomonee, 2) it
would save money for Fort Atkinson and Crawford because they would no longer have
to be garrisoned, 3) open up lands that were before to close to Indians to be settled, 4)
Iowa and Wisconsin would be relieved of their "troublesome" people and they, having a
permanent home, would have their minds turned to the importance of civilization.
83Bruce E. Mahan. "Moving the Winnebago" The Palimpsest 3 (Feb. 1922), p. 34.
Despite an almost "romantic" style, (he writes of the "first flush of dawn" and
"hundreds of gleaming campfires, among other things) Mahan's facts generally check
out with other sources.
84Ibid., p. 40.
During the 1840s, the Winnebago were continually slipping back into Wisconsin and Iowa, causing distress among the whites. In 1848, fifty-three citizens of Beaver Dam in Dodge County, Wisconsin, signed a petition written by Henry Dodge that said that the summer would be a good time to send mounted troops to remove Winnebago in that area because of cheap and abundant rations. It continued, saying that if the Winnebago were not removed, "it will be difficult to restrain the people of this territory from killing them." The people of Iowa had similar complaints. For example, in a letter to the Secretary of War, one Iowan complained that hundreds of Winnebago had returned and actually were demanding land that whites settled on.

In response to the many complaints about the Winnebago in Wisconsin at this time, a novel removal plan bears a closer look. To many the army seemed ineffective in removing the Winnebago, so in 1850 a contract was given to a non-soldier to effect the removal of the Winnebago in Wisconsin. Henry Rice proposed to the Commissioner of Indian Affairs that for every Winnebago removed from Wisconsin to Minnesota he would receive $75. At this time estimates of the number of Winnebago in Wisconsin varied greatly, from 400 to 1,250 Indians. While Rice did not remove all of these, he did remove 343 Winnebago to Minnesota.

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85 Dodge to Col. Fletcher, June 7, 1848, Letters Received, Winnebago Agency.
86 Ansel Briggs to the Secretary of War, Aug., 8, 1848, Letters Received, Winnebago Agency, Reel 933.
87 William Bruce, Green Bay Sub-agent, to Orlando Brown, CIA, March 22, 1850. Bruce put the number at 1,000-1,250 Winnebago. Alexander Ramsey, territorial governor of Minnesota, to Orland Brown, CIA, April 17, 1850. Ramsey puts the number of unremoved Winnebago at 400 in Wisconsin and 400 in Iowa. Both from Letters Received, Winnebago Agency, Reel 933.
88 For a more complete look at this transaction, see House Report No. 301. This document goes in depth in investigating whether or not Rice's bid of $75 per Winnebago Indian removed was fair and the reasons for discontinuing this policy.
This removal of part of the Winnebago still in Wisconsin did by no means solve the problem of the returning Winnebago. They continued to return to Wisconsin, and the Winnebago Agency in Washington continued to receive many complaints. The Winnebago were not happy at St. Peter, and they continued to leave. In February of 1852, the Winnebago asked to be moved, and the Minnesota legislature agreed. The Winnebago asked for a tract of land recently sold by the Sioux in Minnesota, and after a few years of delay (the first proposed treaty was not ratified, mainly because it placed the Winnebago only forty miles west of St. Paul), the Treaty of 1855 was ratified. With this treaty, the Winnebago gave up their St. Peter lands and received in return eighteen square miles of land near present-day Mankato, along the Blue Earth River. The treaty allowed for payments to be made to the tribe for improvements made at St. Peter and for expenditures for improvements at Blue Earth.89

The Winnebago, once on their new lands, adapted very well. The land was much more suited for agriculture, and they returned to agriculture with enthusiasm and some success. In his annual report to the Commissioner of Indian Affairs, Col. Jonathan Fletcher, the Winnebago agent at Blue Earth, wrote about the good lands the Winnebago chose and that "here, the Winnebago will prosper." He went on to call this land the best and most desirable in Minnesota.90

The fact that the land was fertile and very tillable meant that the Winnebago again would have problems. Their first problem was that there were already whites living, though not legally, on their land at Blue Earth.

89Kappler, Laws and Treaties, 2:690-693.
90J.E. Fletcher, Indian Agent, to Commissioner of Indian Affairs Manypenny, Sept. 13, 1855. Letters Received, Winnebago Agency, Reel 934.
Fletcher reported that there were only fifteen to eighteen settlers on the land, but Rice wrote to the Commissioner of Indian Affairs saying that he was "constantly receiving letters from persons who allege that they have been damaged in consequence of the new home given the Winnebago." Others that were not on the land wanted to be on it, and Governor Ramsey admitted that he knew that within five years "public sentiment will surely demand that country" for white settlers.

The Winnebago were under considerable pressure to move, mainly from those who wanted their lands for farming. In a lengthy letter to the Secretary of the Interior, Jacob Thompson, one area resident, W.R. McMahon, summed up an argument with which many agreed. He argued that as long as the Indians were kept in bands and tribes, they would not change, that the Indians were idle and restless, and that they threatened "worthy white settlers." McMahon suggested that the government break up the tribe and sell their land for $5 an acre, though in the letter he admitted that the land was worth $12 an acre. The government should then take the million dollars from the sale and give each Indian family $2,073, which he said would be enough to buy eighty acres, fence it, and build a cabin and still have $800-1,000 to give the government for "future needs." He said that if the government was thinking about this possibility, he would follow with a petition with a least 20,000 names. Another petition was sent to Thompson on May 2, 1859, with fifteen pages of signatures of southern Minnesotans asking for the Winnebago's removal. The introduction of the

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91Fletcher to CIA, July 17, 1855. Rice to CIA, April 14, 1856. Both Letters Received, Winnebago Agency, Reel 934.
92Alexander Ramsey to CIA, May 21, 1855, Ibid.
93W.R. McMahon to Secretary of the Interior Jacob Thompson, Jan. 15, 1858, Ibid.
petition states that the Indians are on the finest agricultural land in Minnesota and are also a serious annoyance.94

In 1859, partly in response to white pressure and partly to raise money for improvements on their remaining lands, the Winnebago ceded the western portion of the reservation. This treaty also allowed for private Indian holdings and included one clause in Article Four which stated that "the President, with the assent of Congress, shall have full power to modify or change any of the provisions of former treaties...to whatever extent he may judge necessary and expedient for their welfare and best interest."95 This pre-empted any right of negotiation for the Winnebago because the treaties could be abrogated at the president's (and Congress') will.

The Winnebago kept title to this parcel of land until 1862, although with some effort. One difficulty was that, though promised in the Treaty of 1859, the Winnebago were not receiving money from the sale of their lands for improvements. The local agent tried to get improvement funds from Washington and was supported by his intermediate superior, the Superintendent of Indian Affairs, Northern Superintendency, Clark Thompson. St. Andre Balcombe, the agent, wrote and Clark concurred that the only reason the the Winnebago signed the treaty was because of the promise that money would be given for farm implements and improvements. By selling their land, they lost their hunting lands and only retained eighty acres apiece, which were largely unimproved. This caused the Winnebago to want to leave their reservation and take or beg from the

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94Petition from southern Minnesotans to Thompson, May 2, 1855, Ibid. In a resolution from the citizen of Mankato to President Buchanan on March 3, 1859, the people asked for Winnebago removal from "the very garden of Minnesota." Letters Received, Winnebago Agency, Reel 935.
95Kappler, Laws and Treaties, pp. 790-792.
whites, according to Balcombe.\textsuperscript{96} Congress authorized $60,000 in 1862, but a letter from Governor Ramsey to the Secretary of the Department of the Interior asked that it be withheld because the white settlers were highly excitable after recent Indian outrages; the outlay of money from the government would have been perceived as indicating that the Winnebago's situation was permanent.\textsuperscript{97}

The recent Indian outrages were related to the Sioux Uprising of 1862. There were probably many reasons for the Sioux hostilities, but suffice it to say for this paper, that the Winnebago were not the direct cause nor did they participate in the uprising, except to aid the army or local white settlers in either finding or avoiding the Sioux, as either may have desired. Still, White Minnesotans tended to view all Indians alike, and they clamored for the removal of all Indians from their borders.\textsuperscript{98} There was no treaty this time -- the clause in the 1859 treaty meant that none was necessary -- and in February of 1863 the act for the Winnebago removal became law.\textsuperscript{99} A similar act for the Sioux became law a few weeks later. The amount budgeted for Winnebago removal was only $50,000, and the act's only stipulation for location was that it be unoccupied, not be in any state, and be "well suited for agriculture."\textsuperscript{100} The land that was chosen was the upper Missouri River in present-day South Dakota. The Winnebago were rounded up and moved by rail and steamship up the Missouri to their new home on

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\textsuperscript{96}Agent St. Andre Balcombe to William Dole, Superintendent of Indian Affairs, April 16, 1862, Letters Received, Winnebago Agency, Reel 935.
\textsuperscript{97}Ramsey to Caleb B. Smith, Secretary of the Interior, Aug. 30, 1862, Ibid.
\textsuperscript{99}Ibid., p. 354. The headline in the Mankato Independent, when the bill passed the House, read "Glorious News, the Winnebago to be Removed." Ibid., p. 354.
\textsuperscript{100}Ibid., p. 354.
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Crow Creek, a small tributary of the Missouri. Once there, the Winnebago discovered that there must have been a considerable difference of opinion as to what land was "suitable for agriculture." Unlike their Blue Earth reserve, the Crow Creek reserve was almost a desert, almost completely destitute of animals and game.\(^{101}\) The 1,945 Winnebago who removed to Crow Creek found themselves in an area with land "too strong for ploughs."\(^{102}\) As if the disappointing features of the landscape were not enough, the Winnebago were again next to the Sioux, a tribe that the Winnebago were on less than good terms with. The Winnebago blamed the neighboring Sioux for their expulsion from Minnesota, and the mere forty soldiers provided were scant protection for the Winnebago.\(^{103}\)

There were many problems with supplies for the new reservation as well, some the result of poor planning and others unavoidable. 1863 was very dry and the drought ruined any crops that were planted. This lack of rain also meant that any supplies from St. Louis could not be shipped on the river because of low water levels. This situation caused delays because supplies had to be driven by wagon and oxen. The contract for supplies was not let until the middle of October, meaning that the supplies would barely reach Crow Creek before winter, if at all.\(^{104}\)

\(^{101}\)Edmund Jefferson Danziger. *Indians and Bureaucrats Administering the Reservation Policy during the Civil War* (Urbana: University of Illinois Press, 1974), p. 117. Weibel, *Federal Relations*, quotes one person as saying the land at Crow Creek was "a very Sahara of sterility and desolation, where no amount of labor would ever produce a crop." p. 53.

\(^{102}\)Helen Hunt Jackson. *A Century of Dishonor: The Early Crusade for Indian Reform* (New York: Harper and Row, 1965), p. 232. Jackson's report on the Winnebago, though very much anti-government in its focus, does use some source material well, including CIA annual reports from which this passage was taken. It is one of the earliest accounts of the Winnebago removal(s), being first published in 1881.

\(^{103}\)Danziger, *Indians and Bureaucrats*, p. 118.

\(^{104}\)William E. Lass, "The 'Moscow Expedition'" *Minnesota History*, (Summer 1965), pp. 230–237. The "expedition" was so named because the wagon train had to cross 292
By the time the supplies did reach Crow Creek on Dec. 3, 1863, more than 500 Winnebago had fled, some to the Yankton Sioux reservation south along the Missouri or further south to the Omaha in Nebraska. Those Winnebago who stayed found that the promised supplies did not all arrive at the reservation. The traders and the military escort for the train had used the annuity goods for supplies on the trip west, leaving only 200 barrels of flour, 100 bushels of barley for spring planting, and, of course, the cattle.\textsuperscript{105} The cattle or beef is a good example of the deplorable situation of the Winnebago. These cattle were by no stretch of the imagination, fat, corn-fed beef. The cattle had been used in teams to pull the wagons, and once at Crow Wing were slaughtered and simply stored in the snow drifts. Soup was made to stretch the ration in a huge trough. The ingredients were 600 pounds of beef, 100 pounds of pork, and one barrel of flour. The weight of the beef included heads, entrails, hearts, and lungs, and while being cooked by steam from the sawmill, the odor given off was no doubt as reported, offensive.\textsuperscript{106} While this is an extreme example, much that the Winnebago faced at Crow Creek was extreme, and it only serves to illustrate why so many Winnebago perished there or fled from Crow Creek.\textsuperscript{107}

When the Winnebago fled Crow Creek, they went several places. Many went to Nebraska to live with the Omaha, and by August 1864 more than 1,200 had arrived at Omaha lands in Nebraska territory, much to the

\textsuperscript{105}Ibid., p. 238.

\textsuperscript{106}Ibid., p. 239.

\textsuperscript{107}Lurie, \textit{Handbook}, p. 700. Lurie writes that of the 1,934 Winnebago remove to Crow Creek, 1,357 managed to escape by the summer of 1863.
surprise of the Omaha, their leaders, and their agent. Many moved back to Wisconsin and Iowa, causing much alarm in these areas where white settlers were still nervous from the Sioux Uprising. Gen. John Pope, the general who had fought the Sioux, learned that there were 1,000 Winnebago in the area of Juneau County in Wisconsin, causing uneasiness among the whites. Governor Solomon of Wisconsin wrote to the Secretary of the Interior, asking for their removal, saying that people were leaving, and women and children were sleeping in large groups in village halls for protection. Pope said that he would remove the Winnebago if he knew what to do with them, and this was soon settled. The Winnebago, who by this time were finding the Omaha and Nebraska much more hospitable than their previous homes, bought approximately 155,000 acres of good farmland with annuity monies that had not been paid out from the Omaha on the north side of their Nebraska lands. In March of 1865, the agency at Crow Wing was ordered to be struck and removed, and by the ratification of the Treaty of 1865 one year later, the Winnebago had at last a permanent home by.

This "permanent home" was, of course, for those Winnebago that chose to live there. There were still several hundred Winnebago living in Wisconsin, Iowa, and Minnesota. Those in Wisconsin did not go unnoticed. There are many letters in the Wisconsin Executive Department of Indian Affairs correspondence file that deal with these Winnebago that were in

108 Danziger, Indians and Bureaucrats, p. 121.
110 Solomon to Secretary of Interior Dole, July 16, 1863, Letters Received, Winnebago Agency, Reel 936.
111 Ellis, General Pope, p. 36.
Wisconsin. These letters are from white farmers who claimed Winnebago depredations, as well as from Minnesota officials complaining of the same problem in Minnesota.\textsuperscript{113} Some Winnebago claimed their allotted lands in Minnesota (under the Treaty of 1862) and petitioned the government to pay them their share of any annuities there, as they were seeking to have their "relations as Indians be dissolved" and to merge in the communities where they lived.\textsuperscript{114}

Life in Nebraska on their new reservation was far from easy. Joseph Paxson, a physician at the Nebraska agency from 1869-1870, recorded in his diary that the Winnebago there (he counted 1,335 in 1869) suffered from "filthy" living conditions that caused sickness among them.\textsuperscript{115} Still, the Winnebago that made their home on the reservation did not have to suffer the continued removal efforts that the Winnebago still in Wisconsin had to suffer. Periodically a company or squad of troops was sent out to remove those Winnebago in Wisconsin who were considered to be causing trouble. The Winnebago combatted these roundups, not by military confrontations but by dispersing into smaller units and choosing to live in portions of

\textsuperscript{113}Executive Indian Affairs Correspondence, 1848-1913, Series 133, Madison, Wisconsin, Wisconsin State Historical Society.
\textsuperscript{114}Jackson, \textit{Century}, p. 241.
\textsuperscript{115}James L. Sellers, ed., "Diary of Joseph A. Paxson, Physician to the Winnebago" \textit{Nebraska History} 27 (July-Sept. 1946), pp. 143-204. This is a transcript of part of the diary that Paxson kept while a physician to the Winnebago Agency in Nebraska, 1869-1970. Census information came from July 10, 1869, entry. "Sickness" citation came from August 3, 1869. In this article and a continuation of the transcript, entitled "Joseph A. Paxson, Physician to the Winnebago, Part II. 1870," \textit{Nebraska History} 27 (Oct.-Dec., 1946), pp. 244-275, Paxson wrote on the boredom of the agency, the extremes of weather, the bugs, and general conditions at the agency during his time. His observations are perhaps unique from this agency and time period. The original is owned by the State Historical Society of Wisconsin.
Wisconsin where there was less white pressure than there was on their traditional tribal lands in southern Wisconsin.116

Money was appropriated in 1870 to remove these wandering Winnebago, but this money still had not been used by 1872.117 In 1874, when many of the Winnebago in Wisconsin were destitute (they received no annuity money or goods) and had no strong leader in Wisconsin, such as Dandy, these Winnebago experienced the last forced removal of their tribe. Their last removal is a good example of a removal effort that was cruel and unfeeling. Troops covered the state and rounded up nearly 1,000 Indians, most without warning. These Indians were marched on foot most of the way to Nebraska, on short and sometimes poor quality rations, resulting in some deaths. The soldiers who escorted the tribe generally humiliated the tribe and allegedly took liberties with some of the Winnebago women.118 These Indians arrived starving and destitute in Nebraska, but despite the hardships of the travel to Nebraska, by 1875 only 275 of the 860 that arrived there in this removal were still in Nebraska.119

116Lurie, Cultural Change, pp. 160-70. This section has a great deal of information on the disaffected bands still in Wisconsin.
117Commissioner of Indian Affairs Francis Walker to Wisconsin Governor Washburn, July 23, 1872. Wisconsin Executive Indian Affairs correspondence, 1848-1913, Series 133.
118Lurie, Cultural Change, pp. 167-168.
119Ibid., p. 168.
Conclusion

Much negative publicity about the ill-fated removal of 1874 ended forced removal attempts for the Winnebago. Some Winnebago were in Iowa, Minnesota, and Wisconsin, living either as outlaws or on the limited allotments that were given to them over the years. The status of outlaw continued for the Winnebago in these states until 1881 when an act of Congress allowed the Winnebago to homestead land freely, providing they become civilized and settled citizens. They could not sell their land for twenty years, but neither did they have to pay taxes on it.\textsuperscript{120} After 350 years of white-Winnebago contact in Wisconsin, they were finally allowed to live as neighbors.

It is hard not to sound like Helen Hunt Jackson when writing this conclusion. Much had happened to the Winnebago in the nearly sixty years of the treaty process. In 1816 they owned more than one-third of present-day Wisconsin and were a strong, unified tribe. In 1875 the scattered tribe owned few homesteads in Wisconsin and Minnesota and a few hundred thousand acres in northwest Nebraska. When looking at the Winnebago's nineteenth-century history, it is easy to see the federal government as evil, a government that caused great hardship on the Indians.

Still, the purpose of this paper was not to paint such a picture but to show the Winnebago as a case study of federal Indian removal policy. They were removed to smaller portions of their territory in 1829 and 1832. They were removed by force in 1840, 1848, 1863, and 1874. They were removed from their own lands and consolidated with another tribe, as with the Omaha

\textsuperscript{120}Ibid., p. 169. Wisconsin passed an Indian Homestead Act in 1875 although it wasn't as comprehensive.
in 1863-1865. They experienced almost all the "options" that the removal policy offered. Lastly, the Winnebago show that Indian removal was not a policy that was just thought of and implemented from Washington. The removal process for the Winnebago showed considerable local white influence from the first cession treaty in 1829. All these examples help show how the history of the Winnebago illustrates the changes in Indian policy from 1825 to 1875.
Chronology of Winnebago Cessions and Removals
Appendix A

Sources for this map include:


This map was drawn by Kathy Nelson.
Chronology and Brief Description of Treaties Between the Winnebago and the United States


Treaty of April 15, 1859. -- Establishment of the Winnebago Reservation in the Territory of Nebraska, and land assignments, concluded in the City of Washington. [Ratified March 16, 1861; proclamation, March 23, 1861; 12 Stat., 1101]. James Buchanan, President.

Treaty of March 8, 1865. -- A treaty of land cessions in the Territory of Dakota, with additional land grant in the Territory of Nebraska, concluded in the City of Washington. [Ratified February 13, 1866; proclamation, March 28, 1866; 14 Stat., 671]. Abraham Lincoln, President.

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