University of Wisconsin-Eau Claire

LIVING IN PLAIN SIGHT:

THE WINNEBAGO STRUGGLE TO REMAIN IN WISCONSIN DURING THE REMOVAL OF 1863

HISTORY 489
A BACHELOR OF ARTS THESIS SUBMITTED TO THE DEPARTMENT OF HISTORY AT THE UNIVERSITY OF WISCONSIN –EAU CLAIRE

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Abstract

The year of 1863 set the precedent on how the United States government, the State of Wisconsin and many of the local citizens dealt with the Winnebagos. The Winnebagos that attempted to remain in Wisconsin or those that returned to Wisconsin after the forced in many cases were victimized because there was no Winnebago Indian Agent within Wisconsin. In addition, 1863 set the precedent on how the United States government, the State of Wisconsin, and the local population interacted and dealt with each other over the issues concerning the Winnebagos. This paper will initially focus on governmental interaction with the Winnebagos on a federal, state and local level. Examples of this will be articles on meetings between Governor of Wisconsin Solomon and the Winnebago Chiefs that still reside in Wisconsin. Also, correspondence concerning the local populations and their open hostility toward the Winnebagos that lived near them. Secondly, this paper will focus on governmental interaction with each other concerning the Winnebagos. Examples of this are ongoing correspondence between Governor Edward Solomon, Commissioner Charles Mix and Major General Pope. The conclusion of the paper will focus on the reaction of the local populations of Wisconsin that interact with the Winnebagos. Examples of this are correspondence between Solomon and the local citizens in addition, to correspondence between Solomon and Pope concerning the local reaction to events and issues surrounding the Winnebagos.
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Since the beginning of History 489 I have found myself waking up in the middle of the night wondering what I am forgetting or what did I miss? I have chosen a subject both limited secondary sources and primary sources. There are no fuzzy feelings just a frightening prospect of possible failure. As I think of this I am also reminded of something Gunnery Sergeant Lester always told me

“Ferries, quit screwing around, you’re burning daylight.”

Although it has been rough, I have enjoyed gathering and discovering information about the Ho-Chunk people. It was disturbing to realize that I had never considered how important that the Ho-Chunks history was to Black River Falls and how it was overlooked in the school system.

The idea of doing my capstone on the Ho-Chunks started back in History 482. I grew up in Black River Falls and I knew little history concerning the Ho-Chunks. At this time because I am not mobile, and I still have immediate family in Black River Falls, I figured I could accomplish two tasks. First, I could research the Ho-Chunks and get a better understanding of the people who play a big part of the history of Black River Falls. Second, I could research the Ho-Chunks for my capstone and not have to travel long distances.

This paper has turned out to be a monumental learning experience. Due to there being limited secondary sources, I spent many hours conducting archival work and sitting in front of the microfiche machine. This may have been the reason why I had to get a stronger prescription for my glasses. All of the information about the removal of the Ho-Chunks from Minnesota to Crow Creek Reserve and those that never left Wisconsin is spread out over many archives and libraries and would require immense amounts of research. Because of this, I had to limit the scope of what I was able to research. The reason why I chose 1863 is because it was a pivotal
year that provoked significant changes and actions within all levels of government concerning
the Ho-Chunks. In addition, 1863 was a focal point of fear, anger and hatred directed towards
the Ho-Chunks just for being American Indians. This Hysteria originated from the 1862 Sioux
Uprising in Minnesota. Because of the hysteria within the local populations there was a large
amount of simultaneous documented information allowing me to accumulate more data for my
research.

I have a desire to learn more about the Ho-Chunks that never left Wisconsin and those
that returned after forced removal. There is a limited amount of information out there but in the
future I hope to gather enough to create a better understanding of the history surrounding the Ho-
Chunk that escaped removal and why they returned to Wisconsin. In addition, at a later date I
want to focus my study primarily on the history of the Ho-Chunks in the surrounding areas of
Jackson County and Black River Falls.
Introduction

In 1837, the Winnebago signed a treaty with the United States government and ceded all of their remaining lands east of the Mississippi River (view Appendix A). By doing this they were viewed by the U.S. government and the Wisconsin Territory as relinquishing all their rights to a tribal homeland within the Wisconsin Territory. The 1837 treaty and the removals that followed forced the Winnebagos to adapt to the changing situations that were continuously being pressed upon them. In many cases, adapting meant one of three things, going where the government was sending you or hide and try not to get caught, and if caught plan an escape back to Wisconsin by any means possible. During this time of removal, many of the Winnebagos improvised and overcame the obstacles before them. Those individuals were able to avoid capture and remained in Wisconsin.

This paper will study four points concerning the Winnebago and how agencies of the U.S. government failed to act in 1863. The first point was why the U.S. government did not choose to act on the Winnebago removal from Wisconsin. The second point was that the government of the State of Wisconsin was caught wanting to proceed with the removal of the Winnebago but could not afford to pay the price removal entailed. The third point was the difficult interaction between the U.S. governmental agencies and the State of Wisconsin concerning the removing of the Winnebago from Wisconsin to the Crow Creek Reserve in the Dakota Territory (view Appendix C). The fourth point was overcoming the hysteria among the local populations throughout western Wisconsin instigated by the 1862 Sioux Uprising. In addition, this paper also will study the context of the Winnebago struggle to remain in Wisconsin, and the actions that local citizens took to remove the Winnebago.
Almost all of the primary information gathered on this paper was researched through the documentation of meetings and correspondence between federal and state officials and the local populations. The paper will begin with the Minnesota Sioux Uprising of 1862 and then discuss the reservation and removal system and the Indian agencies implemented by the U.S. government. The paper will end with the State of Wisconsin fighting the U.S. Governments to have the removal of the Winnebagos from Wisconsin reinstated and the hysteria of the local populations in western Wisconsin and the State of Wisconsin.
The Minnesota Sioux Uprising of 1962

Figure 1. Sioux Uprising 1862: Siege of New Ulm Minnesota

The Minnesota Sioux uprising was considered to have been the largest American Indian uprising in American history. To the Sioux the uprising was a story of two engagements. The first engagement was between the Sioux and the surrounding white settlements. The second engagement was the struggle of the Sioux leadership to reestablish cultural cohesiveness.¹ What can be determined was that there were many civilian casualties and that the uprising did not spontaneously occur. This event was an ongoing issue that was triggered by a fit of rage. The civilian casualties were mainly German white settlers who failed to understand United States Governmental policy when it came to encroaching on Sioux land. In addition, it was partially

the U.S. Government’s fault to check up and enforce the policy of keeping white settlers off of
Sioux land.  

When discussing the Sioux and their interaction with white settlers the word reciprocity
came up frequently. Reciprocity means the behavior in which two people or groups of people
give each other help and advantages. Reciprocation was adherently followed by the Sioux and
failure to reciprocate made it impossible for a person to be part of the Sioux kinship network.
Many white settlers rejected reciprocation with the Sioux creating, extreme tension within the
Sioux community. If a person is not a part of the Sioux kinship network they are considered
intruders. The failure to practice reciprocity and the practice of cultural dissimilarity were
factors that led to the deaths of many white settlers. 

The initiation of the war was the result of economic, political and social problems within
the tribe. The Sioux had suffered economic hardship due to the previous year’s poor crop yields,
the harsh winter, and the failure of the agency to follow treaty provisions, which entailed the
distribution of allotted annuities in a timely manner. Due to Indian Agent Douglas Galbraith’s
failure to adapt to the seriousness of the situation within the tribe and his unrealistic commitment
to following governmental policy, the Sioux were forced to look at a warehouse full of food
while they starved. Political weaknesses within the tribe led to a Sioux loss of land due to the
illegal encroachment of white settlers. This political weakness allowed cultural traditionalists to

2 Ibid., 240-242, 246-247.

(Accessed April 13, 2010).

4 Anderson, Kinsmen of Another Kind: Dakota-white Relations in the Upper Mississippi Valley, 1650-1862, 241-
243.

5 Richard N. Ellis, General Pope and U.S Indian Policy (Albuquerque: University of New Mexico Press, 1970), 3-
5.
ambush the tribal leadership and lead the Sioux towards war. In addition, social issues created a deep division within the tribe between the traditionalist and those that became farmers. This division affected the political structure in such a way that besides being in conflict with the settlers and the militia, it was in conflict with its own people. When war was declared there was no tactical battle plan and a majority of Sioux would not participate or were forced to fight against their will. This social change in the tribe created a political structuring that left the minority dictating to the majority. Because the traditionalists did not have the full support of the Sioux nobody defied them.⁶

What is left out in most instances is the kinship interaction between the tribe, the mixed bloods and white settlers that practiced reciprocation. In many instances white settlers were a part of the Sioux kinship network through reciprocity or as valuable friends to mixed bloods who were protected because they were part of the kinship network. Many mixed bloods had forgone what they considered the old ways and cut their connection to the tribe. In many cases mixed bloods were hated worse than the white settlers because they turned their back on the tribe. Although they were not a part of the tribe they were still protected because of the kinship network. If any mixed blood individual would have been killed, their killer would fall under tribal law and action was taken to avenge the death of the person killed.⁷

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⁷ Ibid., 257-259.
Due to the Civil War and the lack of American troops in Minnesota, the Sioux unrest was allowed to occur and go unchecked. The uprising started on August 18th, with attacks on both the lower and upper Sioux agencies, followed by attacks on Fort Ridgely and the town of New Ulm. The first people to die during the uprising were the agency employees and the civilians in the surrounding farms and towns. Within days the panic spread over the Minnesota frontier and farms were abandoned and then burned by the Sioux. Militia volunteers and civilians at Fort Ridgely and New Ulm were barely able to hold off numerous Sioux attacks. 8

Due to the hysteria in the northwest and the fear of the Winnebagos and the Chippewas joining the Sioux, President Lincoln dispatched Major General John Pope to the scene. Pope was instructed to employ whatever forces necessary to suppress hostilities. While Pope worked to get weapons and men, Colonel Henry Sibley commanded American forces in Minnesota and

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8 Ellis, General Pope and U.S Indian Policy, 5, 10.
continued to fight the Sioux. The Sioux surrendered in smaller groups with a final large surrender on the 26th of September. Pope informed Sibley that there would be no treaties with the Sioux. It was Pope’s intention to exterminate the Sioux.\footnote{Ibid., 12.}

Due to the outcome of the uprising there was backlash within Minnesota over the death of the white settlers. There was backlash over what would happen to the Sioux people and prisoners. Governor Alexander Ramsey of Minnesota and Pope feared that Minnesota residents might take matters into their own hands and urged President Lincoln to take action. Ramsey suggested that if the President did not want to take action, to turn the condemned prisoners over to Minnesota. While Minnesota residents screamed for vengeance, the Sioux prisoners on their way to Fort Snelling were attacked and injured. Those Sioux that were not imprisoned were
removed and isolated to the Dakota Territory. Many white settlers benefited from the removal of the Sioux to the Dakota Territory. First, there was the belief of safety on the frontier. Second, there was the angle of greed that allowed for the confiscation of Sioux lands, in addition to the sale of those lands for a profit. Third, it allowed for the influx of more white settlers and settlement of the Minnesota’s frontier. In addition to the removal of the Sioux to the Dakota Territory, the innocent Winnebago were also removed to Dakota Territory. The Sioux losses before the uprising were horrible but Sioux loses after the war was devastating.\textsuperscript{10}

\textsuperscript{10} Ibid., 13-16.
The Reservation System and Indian Removal

The reservation system and the setting aside of land was an old idea that was part of a U.S. government’s policy concerning Indian removal. These reservations became an enclave of Indians surrounded by a white population that in most cases feared and despised them. The reservation went from an allotment system to a barrier system. In the early nineteenth century reservation lands were allotted to a specific tribe as a replacement for their land that had been taken by the U.S. government through treaties, acquisitions, confiscation and forced removals. By the mid nineteenth century the U.S. government switched from the allotment system over to the barrier system. The barrier system was implemented to separate, contain and concentrate the Indian people in places where the U.S. government could watch and control them. It was believed that the barrier system would have the support of the white population due to the fact that it protected the whites from the Indians, the Indians from the whites and allowed for white greed.11

It was also believed that placing the American Indian on reservations was part of ongoing process towards removing the Indians migratory nature and civilizing them. The reservation system had five elements:

The first element was the implementation of self sufficiency. The conversion from hunter to farmer was instrumental toward the process of self sufficiency which then would lead to land ownership. The Second element was the isolation from greedy and manipulative white men. These white men would trick, rob and kill them without a cause or reason. And because they were white they would in most cases get away with it unless caught by the authorities. The Third element was an education in manual labor. Element three goes along with element one

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because both were beneficial to the promotion of Indian self sufficiency. The Fourth element was the practice of Christianity. To be truly civilized in the 19th century required a belief in Christianity and its regular practice. In many cases the Indian people substituted their tribal beliefs in place of Christianity. The fifth element was the protection of individual property rights. The fifth element was a continuation of the second element which was supposed to protect the Indian from greedy white men. What makes this element hypocritical was that the government did not protect them from greedy white men because in many cases the greedy white men worked for the government or were connected to governmental officials which gave them the ability to steal from the Indians at will.\textsuperscript{12}

Indian removal and the reservation system allowed for massive amounts of white greed to go unchecked both on the reservation and off the reservation. Off the reservation, containment of the American Indian opened safe passage of trains and stagecoaches across what once was tribal land. In addition, it allowed the access of former tribal lands to the white settlers, miners and cattleman. On the reservation, the government did not protect Indians from white greed. This was possible due to the fact that many greedy white men worked for the government or were connected to governmental officials which gave them the ability to steal from the Indians at will.\textsuperscript{13} The increase of uprisings and war between white settlers, the U.S. government and the different Indian nations was not a coincidence. The Sioux had no U.S. government official in any position of authority to assist them on the reservation and continuous land transactions by the U.S. government, created great hostility within each Indian nation.\textsuperscript{14}

\textsuperscript{12} Francis P. Prucha, William T. Hagen, and Alvin M. Josephy Jr., \textit{Lectures 1970-1971.}, 23.


\textsuperscript{14} Ibid., 231-232.
Indian removal was one of three options that the U.S. government was presented with in the mid nineteenth century. A second option was a policing action to prevent conflict between settlers and the Indians. This option was unrealistic in 1862 and 1863 due to the fact that the office of Indian Affairs was new and undermanned. The office of Indian Affairs was not able to police the large tracts of American frontier and enforce U.S. governmental policy. In addition, the American Civil War was taking place and at this time the Union Army was soundly being driven back by the advancing Confederate Army. The Union Army could not spare troops to police the Minnesota frontier or protect the residents of Minnesota and Wisconsin. The third option was removal of the white settlers and the prevention of white settlers on to Indian lands. This option held the U.S. government to their word but as shown in past events in American-Indian relations, the settlers would not be stopped by governmental policy and the government would not enforce the policy.\textsuperscript{15} The first option of Indian removal only benefited the white population. The second option of enforcement could have benefited both the Indian and White populations but it would have been short lived because of the settlers’ failure to follow U.S. governmental policy, the government’s failures to punish white settlers for their violations and because of a lack of governmental funding to enforce of the zones that required. The third option would have benefited the Indians but would have only been short lived because the U.S. government did not take it serious. The Indians were viewed as hindering progress and stifling the United States economically.\textsuperscript{16}

The Minnesota Winnebagos had again fallen victim to white greed. The Winnebago had suffered from white greed with the confiscation of their native lands in Wisconsin (view

\textsuperscript{15} Ellis, \textit{General Pope and U.S Indian Policy}, 35-38.

Appendix A). The Winnebago had lost the profitable lead mines in southern Wisconsin due to white greed, and then they were driven from Wisconsin when the rest of their native lands were confiscated for farmland.17 Under an 1863 Congressional order the Winnebago were removed from their Minnesota reservation to the Crow Creek reserve in the Dakota Territory. This move was presented to the Winnebagos as a precautionary measure to protect them from white retribution over the Sioux Uprising one year earlier. In reality they were removed due to hysteria and white greed. First, the white Minnesota population made no distinction between Hostile or peaceful Indians. Although the majority of the Winnebagos had not participated in the Sioux Uprising and they also brought white settlers on to their reservation (view Appendix B) to protect them from the Sioux, the white Minnesota population feared the Winnebagos simply because they were Indians. Second, the Winnebago reservation in Minnesota (View Appendix B) covered a large area of excellent farmland. This farmland had been desired by many of Minnesota’s white settlers for a long period of time. The Sioux Uprising was the justification to confiscate the Winnebago’s lands and remove them from Minnesota to the Dakota Territory (view Appendix B and C).18

17 Ellis, General Pope and U S Indian Policy, 35.

18 Edmund J. Danziger Jr., Indians and Bureaucrats; Administering the Reservation Policy during the Civil War (Chicago: University of Illinois Press, 1974), 117 121.
A Short History of Indian Agencies and the Winnebagos

The original mission of the Indian Agent was to secure peace with the Indians and to introduce and promote American civilization within the tribe they resided with or near. The Indian agent was considered a valuable asset to the settlement of the American Indian and the northwestern part of the United States. In the late eighteenth century the implementation of Indian Agents within specific tribes required one of two actions. First, there was treaty induction and second there was legislative induction. The initial dealings between the U.S. government and the Indian nations specifically revolved around treaties. A major provision of those treaties required a set number of Indian Agents to reside within that specific tribe. In addition to the treaty based implementation of Indian Agents was a legislative induction of Indian Agents into specific Indian nations. While the treaty based induction was for the life of the treaty the legislative approach was temporary. Many of the temporary appointments of Indian Agents were for two year increments to be renewed under the authority of the president of the United States. Legislative induction would not allow Indian Agents any type of permanent status.\textsuperscript{19}

Agencies of the U.S. government were ordinarily created by an act of Congress. The Bureau of Indian Affairs was not created that way. Originally all Indian Affairs were handled by multiple organizations that originated during the revolutionary war before the United States was even a legitimate country. In 1786, these multiple organizations were united and called the Indian Department by an act of the Congressional Confederation. The Indian Department was created as an executive function, but in 1789 was put under the authority of the Department of War.\textsuperscript{20} The authority issues became very complicated due to two reasons. First the Secretary of


\textsuperscript{20}Ibid., 40.
War was provided his power over the Indian Department by a delegation of authority from the President of the United States. Second, there was no congressional act delegating authority over the Indian Department to the Secretary of War. Due to this the Secretary of War could not transfer any issues concerning Indian affairs to the head of the Indian Department.21

An 1818 act of Congress set up guidelines for the appointment of Indian agents. Due to wording in the act, what was supposed to happen and what actually was accomplished were two totally different outcomes. The Indian Department believed that this act gave them the authority to expand the system of resident agents. What the act was supposed to do was to align the appointments of Indian agent with the constitutional requirement that all U.S. governmental officers be approved through Congressional oversight.22 When the Congressional act of 1834 was released creating the BIA, it also reorganized the field of force within the War Department and restricted the BIA from appointing Indian agents.23

In 1824, the Indian Department changed its name to the Bureau of Indian Affairs. The BIA would remain leaderless for another eight years until the 1832 act of Congress granted power to a Commissioner of Indian Affairs to take over all function of the Indian Department. Due to the act of Congress the Commissioner of Indian Affairs had the delegated authority to control the finances and the administration of Indian affairs. In addition, because the Commissioner of Indian affairs had the delegated authority, the BIA was able to form a better internal structure and a more effective chain of command.24 The 1832 act of Congress set the

21 Ibid., 46.
22 Ibid., 47.
23 Ibid., 48-49.
24 Ibid., 47-50.
precedence for all BIA organizational and structural regulations for the rest of the nineteenth
century and into much of the twentieth century.25

The tri-level organizational structure that became the cornerstone of the BIA was
instrumental in creating the majority of misfortune that the Winnebagos suffered on their
removal from Wisconsin and Minnesota. Because there was an established hierarchal structure
within the BIA, by 1863 many of those people appointed as Indian agents were opportunists and
did not have the Winnebago’s interests in mind.26 At that time agents that were chosen were not
chosen for their interaction skills which promoted interaction and fostered the tribal kinship
network of family ties or the practice of reciprocity.27 By 1863 most Indian agents gained their
jobs through political connections or because they were noticed as being a good bureaucrats.
You did not require a military background or need know the people where you were placed to
become an Indian agent. Many of the BIA practices such as strict authoritarian rules when
dealing with the Indians and allowance of white greed were instrumental in promoting the 1862
Sioux Uprising and the hysteria that ensued.28

The Indian agent always resided with the Indian Nation that he was assigned to. When
the Winnebago were removed from Wisconsin (view Appendix B) to Minnesota (view Appendix
C) and then from Minnesota to the Crow Creek Reserve (view Appendix D) their Indian agent
went with them. The Winnebagos that were left behind in Wisconsin had no Indian Agent. Due
to the Wisconsin Winnebagos not having an Indian agent they were often victimized by the U.S.

25 Ibid., 46, 50.
government, the State of Wisconsin, local citizens and opportunists. An 1862 amendment of the Indian Intercourse Act which was meant to drive wandering Bands of Indians back to their reservations only allowed protection to those Indians under the supervision of an Indian agent.29

Already hysterical from the 1862 Sioux uprising and the killing of a settler’s wife in Monroe County, tensions between the Wisconsin Winnebago and the local residents continued to escalate. Two specific actions escalated hysteria of Wisconsin’s local population and increased tensions between the Wisconsin Winnebagos and Wisconsin’s local populations. First, the United States Army’s unwillingness to act unless the Winnebagos started any action that would involve military action. Second, the BIA blundered by not allowing the Winnebagos to have an Indian Agent. Fear of the Winnebagos and their mobility, the death of a settler’s wife in Monroe County, and white greed created an atmosphere of escalated tensions within local Wisconsin communities. The Indian Intercourse Act of 1862 and the denial of an Indian agent escalated the Winnebagos tensions throughout Wisconsin. Due to this there was no possibility of an interaction that might decrease the escalated tensions that surrounded the Winnebago community where ever they went.30

29 Ibid., 126-128.
30 Ibid., 127-128, 130.
Old Residents

When using the statement old residents, Stanton was using a play on words. Those removed from Wisconsin to Minnesota (view Appendix B) and those that evaded removal were all old residents of Wisconsin. In Stanton’s statement he is using the statement old residents to signify those Winnebagos wandering Wisconsin that evaded removal. Forced removals with a military escort were not new to the Winnebagos. What is often overlooked is that often when a removal was forcibly carried out there was always a resistance to the removal. For many of the Winnebagos, the path was acceptance of their plight, while others decided on a path of resistance. Unlike other American Indian nations that chose to go to war over a forced removal, the Winnebagos chose a different path of defiance. The Winnebagos path of resistance was often times in plain sight. One path of resistance was the decentralizing of the tribe into bands. To evade capture this made the Winnebagos more mobile, less resistant to drawing attention and easier to hide. Many bands lived under the radar throughout central and west central Wisconsin. Decentralization prevented the Winnebagos from capture and removal in addition to allowing them to remain in Wisconsin, noticeable to only remote farmers and local townspeople.

The local population in western Wisconsin was in fear of a Winnebago uprising similar to what happened with the Minnesota Sioux in 1862. Unsubstantiated rumors between the local populations and both Wisconsin and U.S. government officials increased the hysteria. The disagreement about whether the Winnebagos were old residents of Wisconsin or those who escaped the removal from Minnesota came to a point between July 1st and September 25th, 1863. There were multiple dispatches and correspondences dealing with the information, corrections, as well as the handling of the Winnebagos on a government level. Many of the dispatches and

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31 Ellis, General Pope and U.S Indian Policy, 36.
correspondence concerning information and corrections for this paper were between Secretary of
the Interior John Usher, Secretary of War Edward Stanton, Commissioner of Indian Affairs
William Dole, Acting Commissioner of Indian Affairs Charles E. Mix and Commanding Officer
of the Northwest Office Major General John Pope. Pope sent a dispatch on July 1st, to Dole,
Usher and Stanton, concerning several hundred Winnebagos that had escaped during the removal
from Minnesota, and that they were annoying and plundering the people on the western side of
Wisconsin.

In order to gain back control Pope sent troops to gather the Winnebagos, and wanted an
Indian agent sent to take charge of them. After reading the dispatch from Pope on July 2nd,
Usher sent a dispatch to Mix advising him that he had no funds from which to pay any expenses
pertaining to the collection and the removal of the Winnebagos in question. In addition, Mix
advised that, because of weather conditions in the area that year, it was impracticable to even
suggest such a thing. After this dispatch, Usher sent a dispatch and advised Mix to relay a
dispatch to Pope that no Winnebagos had escaped transit and that they were chasing old residents
of Wisconsin. Again Mix advised Pope that his agency had neither an agent to assign nor the
money to pursue the Winnebagos. Mix also advised Pope that if he arrested any Winnebagos
they would be his to deal with. In a dispatch to usher from the Assistant Brigadier General
Edward Canby advised Usher that Stanton had given Pope such instructions as may, in his

32 U.S. Commissioner of Indian Affairs. Annual Report, 1858-1864. Brookhaven Press, LaCrosse WI. Microform,
Reel 3. 355-362.

33 Ibid., 356.

34 Ibid., 356-357.

35 Ibid., 357-358.
judgment, be necessary. At this time all federal government officials, including Pope, were on the same page. First, the Winnebagos in question were not those who had escaped in transit, but were old Wisconsin residents. Second, Pope was not going to harass, collect, or arrest any Winnebagos unless he deemed it warranted or necessary. Additional correspondence between Usher, Pope, and Solomon validated that Mix was correct in his assessment. The wandering bands in the counties of Clark, Juneau, and Chippewa were old Wisconsin residents and not ones who had escaped the removal from Minnesota.

36 Ibid., 358.
37 Ibid., 358.
Many people in the Federal and State governments, along with the local population, viewed the Winnebagos as an inconvenience. Due to the view that the Winnebagos were an inconvenience, finding a place that was hospitable to the Winnebagos was not a necessity for relocation. This was evident by where the Winnebagos had been relocated to. The Winnebagos were relocated to the Crow Creek Reserve (view Appendix C) which was bordered on three sides by their tribal enemies. To return to Wisconsin, the Winnebagos had to take on nature and the elements, along with the possibility of being captured and murdered. To remain in Wisconsin, the Winnebagos had to take on the governments of the United States and the State of Wisconsin. To remain in Wisconsin also entailed that the Winnebagos had to deal with the local population.

Removal of the Winnebagos from Minnesota (view Appendix B) and Wisconsin (view Appendix A) was ineffective and costly. Originally, the U.S. Government paid for rounding up and capturing wandering bands of Winnebagos. In addition, the Winnebagos paid for their own detention and transport to the Crow Creek Reserve (view Appendix C). After spending large amounts of money on removal, many U.S. government officials started to realize that removal was pointless. Through a dispatch on July 2nd to Mix, Usher advised him to advise Pope that he had no funds from which to pay any expenses pertaining to the collection and the removal of the Winnebagos in question. Due to a lack of federal funds at this time, the U.S. government passed the cost of Winnebagos removal to the State of Wisconsin. Due to the expensive price

40 U.S. Commissioner of Indian Affairs. Annual Report, 360-367
41 Ibid., 356-357.
tag that was attached to the removal of the Winnebagos, the State of Wisconsin was faced with a dilemma. Many Wisconsin citizens still wanted the Winnebagos removed, so Wisconsin had to find a way to finance the removal, or get the U.S. Government to pick up the cost by other means. This would make it affordable for Wisconsin to carry on the removal of the Winnebagos. This was accomplished through the correspondence of prominent state and local officials. They petitioned to have the Winnebagos removed from Wisconsin.\footnote{Ibid., 358-359, 361, 363.}

\begin{figure}[h]
\centering
\includegraphics[width=0.5\textwidth]{salomon.png}
\caption{Governor of Wisconsin Edward Salomon}
\label{fig:salomon}
\end{figure}

In his correspondence to Usher, Solomon indirectly pointed out that Winnebagos removal was the only option. First, Solomon wrote that there were no Winnebago lands within the State of Wisconsin. Second, Solomon wrote that the land that there were not any Winnebagos had turned over was rapidly being bought up by settlers moving into Wisconsin, and that these
settlers relied on the U.S. government to protect the land and its occupants. Third, Solomon becomes defiant about an agreement that allowed the Winnebago to remain in Wisconsin. Solomon stated that, “The State must do what it can to protect the property and lives of its people.” In conclusion, Solomon highlighted the Sioux massacre of 1862 on the western side of Minnesota and wrote that he would not allow that type of action to occur in Wisconsin.

Due to Solomon’s message, there was a general disagreement between government officials on the federal and state level. Solomon wanted the removal of the Winnebagos to continue but did not want to cover the cost to remove them. The BIA did not have the money or the agents to cover the removal of the Winnebagos at that specific time. Mix wrote that the Indian Bureau was leaving the matter of the Winnebago removal to the state of Wisconsin to deal with. Pope also replied that he was unaware of the circumstances under which the Winnebagos were left in the State of Wisconsin and when the tribe was removed, but that he stood ready to assist. Due to Pope’s lack of proper training and knowledge when dealing with the information concerning the Winnebagos, he was unable to perform his duties, and that was unacceptable. Since Pope did not know the situation or what he needed to do to accomplish his mission, he left his troops, the Winnebagos and the locals population in a dangerous situation.

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43 Ibid., 358.
44 Ibid., 358-359.
45 Ibid., 360.
State and Local Reaction

Correspondence between Pope and Solomon specifically concerned the Winnebago removal to the Crow Creek Reserve (view Appendix D). Solomon believed that the only option to conduct a successful removal within Wisconsin was a large scale show of military force. A major part of this belief was related to Winnebago Head Chief Dandy. Solomon believed that Dandy was a man of influence among the Winnebago people in Wisconsin, and questioned his desire to remain at peace. At the same time, Dandy had set up a meeting in Madison with Solomon to reassure him that the Winnebagos were at peace. In addition, Chief Dandy was requesting a Winnebago home within the area that they had been removed from and where they had set up camps.

Pope, in his letter to Solomon, reiterates what Mix wrote to him. In that letter, Mix wrote that the Indian Bureau was leaving the matter of the Winnebago removal to the state of Wisconsin to deal with. Pope also replied that he was unaware of the circumstances under which the Winnebagos were left in the State of Wisconsin and when the tribe was removed, but that he stood ready to assist. Solomon was the only person at this time that was taking a proactive role to remove the Winnebagos from Wisconsin. Pope was to act only in cases where violence should erupt, but he had his hands tied concerning any immediate action that involved the collection, arrest or detainment of the Winnebagos. Also stated was that the soldiers have an

46 Ibid., 359.
47 Ibid., 359-360.
50 Ibid., 357-358.
obligation to protect the Winnebagos from local citizens that had set out to do the Winnebago people harm in any way.

Solomon was receiving many letters from local citizens in towns and villages near the areas of the Winnebagos encampments. At this time, Solomon had received letters of concern from his constituents pressuring him to get the Winnebagos removed. This correspondence was conducted through individual letters, such as one from J.T. Kingston and numerous group petitions from those local citizens in the vicinity of New Lisbon and Tomah, Wisconsin. The letter of petition from the citizens of Tomah was submitted by L.S. Barnes. This piece of correspondence petitioned the Winnebagos removal, but also advised Solomon to the level of information that was circulating within the local towns and villages. Barnes pointed out that the current Winnebagos population was formally removed from Wisconsin and found their way back. Those bands of Winnebagos that Barnes was talking about were the same bands of Winnebagos that Solomon had told Mix were old residents.

The murder of a farmer’s wife in and the assault of another within a short period of time in the summer of 1863 were pinned on the Winnebagos. These two acts of violence frightened the local residents into an obsessive level of panic. Due to the unsubstantiated accusation of murder, Barnes and others like him stated that if the State of Wisconsin did not act in a timely manner, that the local citizens will take matters in to their own hands. Indian Agent M.M. Davis, in correspondence to Dole, agreed with Barnes when he stated that farmers are leaving

51 Ibid., 360-368.
52 Ibid., 3360-362, 365-366.
53 Ibid., 365.
54 Ibid., 363.
their fields and fleeing to the villages for protection. He also agrees with Barnes that many whites are advocating the indiscriminate slaughter of the Winnebagos, where ever they may be found. What Davis was unsure of was whether the incidents of encounter in the two acts of violence that led to the intense excitement of the white population were true or not.55

In the fall of 1863, the areas of west central and central Wisconsin were powder kegs just waiting to go off. The Sioux uprising from a year earlier, and the two recent murders in central Wisconsin, left many local citizens in a panic and incited vigilantism against the Winnebagos. Many vigilantes were not out for justice, but just to remove the Winnebagos out of the areas where they were living. There were many people that instigated the unrest, but there were politicians there to use what had happened as a means to an end. The end was the resumption of the Winnebagos removals from Wisconsin (view Appendix B). The biggest instigator of that subject was Solomon.

55 Ibid., 366-367.
Conclusion

This paper was very difficult to write and is very short and to the point. That was because the majority of the information was gathered primarily through correspondence by the Commissioner of Indian Affairs which is maintained on microfiche in the UW-Eau Claire library. This paper researched the ability of the Winnebago to remain in Wisconsin on the lands that they once controlled (view Appendix B). There were two major reasons why this was able to occur. The U.S. government and its agencies chose not to apprehend or detain the Winnebago who acted within the law. In addition, the mobility of the Winnebago proved to be an obstacle that the State of Wisconsin and the local governments could not afford to stop.

The paper began with the Minnesota Sioux Uprising of 1862 and then discussion of the reservation and removal system and the Indian agencies implemented by the U.S. government. The paper concluded with the State of Wisconsin fighting the U.S. governments to have the removal of the Winnebago from Wisconsin reinstated. The discontinuing of the Winnebago removal from Wisconsin was not because the U.S. government all of the sudden supported a policy that allowed the Winnebago to remain in Wisconsin, but because the government was short on money. This policy turned out to be short lived and in later years the U.S. government resumed forced removal of the Winnebago from Wisconsin. This paper also researched the mobility of the Winnebago throughout central and west central Wisconsin and the reaction of the local populations within that area. The hysteria of the local populations in western Wisconsin played a key role in the attempts to have the Winnebago removed. The reaction of the local citizens went from indifferent to hostile for two reasons. There was the fear of an uprising, and the murder of a local farmer’s wife both of which originated due to the Sioux Uprising in Minnesota. Although there were signs indicating that the murder had possibly been
done by a group of Winnebagos, there was no hard evidence that proved it, just accusations. Through research, this paper has determined four things that allowed the Winnebagos to remain in Wisconsin. First and foremost was the lack of money. Through correspondence, the Secretary of the Interior admits that his department had no money to pay, to gather up the Winnebagos and have them removed. In additional correspondences, it was also noticed that indirectly the State of Wisconsin did not have the funds to provide their own detainment of the Winnebagos. The second reason was a manpower issue. Simply put, the Department of the Interior did not have enough agents to take custody of the Winnebagos that had been detained, or transport them out of state. The third reason was misinformation. Communication between the different agencies of the U.S. Government was not always accurate. In addition to this was the fact that communication between state and federal agencies was often even less accurate. The fourth reason was an increase in the ability of the Winnebagos to remain mobile. The other three reasons along with increased violence directed at the Winnebagos was that it allowed for the Winnebagos to become more mobile around the area they chose to reside in.
Appendix A

Wisconsin Section 245, Winnebago Lands before Removal

Source: http://www.usgwarchives.org/maps/cessions/ilcmap64.htm
Appendix B

Minnesota Section 416, 439, Winnebago Lands before Removal

Source: http://www.usgwarchives.org/maps/cessions/ilcmap33.htm
Appendix C

Dakota Territory Section 468, Winnebago Reservation as of 1863

Source: http://www.usgwarchives.org/maps/cessions/ilcmap12.htm
Future Works

Researching the Ho-Chunks that returned to Wisconsin in addition to those that never left Wisconsin has been an ongoing struggle from the day I decided to make it my capstone. It is my wish to take the summer and conduct more research on the Wisconsin Ho-Chunks. I realize all of the material I utilized and what I presented in my capstone was one sided. I hope this summer to first to work on a combined presentation of work that includes multiple input that includes both a history obtained from the Ho-Chunks archives and governmental files the return and those that never left Wisconsin. Second, I would like to conduct more research on Ho-Chunk Chief Dandy and the part he played in preventing the Ho-Chunks from leaving Wisconsin or convincing them to return. Third, I would like to research the Ho-Chunks of Jackson County and Black River Falls. Fourth, I would like to do a comparison research paper on the Wisconsin Ho-Chunks and the Nebraska Ho-Chunks. My interest being how did the removals affect them individually and how did it affect them as a tribe.
Bibliography

Primary Sources


Secondary Sources


