

It should they conclude to appropriate a portion of that annuity to the establishment and support of a school for the children of this tribe, this shall be granted them.

CHAPTER TWO

Chippewa Treaties

Article 3. The sum of One Hundred Thousand Dollars shall be paid by the United States, to the Half Breeds of the Chippewa Nation, under the direction of the President. It is the wish of the Indians, that these two Sub Agents Daniel P. Bushnell and Miles M. Vinyard, superintend the distribution of this money among their Half breed relations.

Article 4. The sum of Seventy Thousand Dollars shall be applied to the payment, by the United States, of certain claims against the Indians; of which amount Twenty Eight Thousand Dollars shall, at their request, be paid to William A. Attkins, Twenty Five Thousand to Lyman M. Warren and the balance applied to the liquidations of other just demands against them - which they acknowledge to be the same with that presented by Francis L. Doucemon, for the

Article 5. The privilege of hunting, fishing, and gathering the wild Rice, upon the Lands, the Rivers and the Lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States.

Article 6. This Treaty shall be obligatory, from and after its ratification by the United States.

DONE at St. Peter's Mission, Minnesota, this Twenty Ninth day of July Eighteen Hundred and Twenty Seven.

Signed in presence of:
For Francis M. Anthony, Secy to the Com.
M. M. Vinyard, U.S. Sub Agent

Francis L. Doucemon
Chief

Daniel P. Bushnell
U.S. Agent as stated

Wah-ko-see-koo-ka or Flat Mouth
Wah-sam-gas or the Elder Brother

W. H. Factor
C. M. Johnson
H. H. Hobbey
A. L. Johnson

Wah-ko-see-koo-ka
Wah-sam-gas
Wah-ko-see-koo-ka
Wah-sam-gas
Wah-ko-see-koo-ka
Wah-sam-gas





CHIPPEWA TREATIES, A HISTORY AND OVERVIEW



There is little or no general understanding about Indian treaties, just as there is no understanding about the relationships of the various tribes, their inherent and negotiated rights, with the federal government. Likewise, there is almost no knowledge on the part of the educational community in Minnesota, including the local school systems, about the various Indian treaties that affect the Chippewa people, or the role of the United States Senate in either ratifying or refusing to ratify the treaties. This problem is a result of the educational system which fails to deal with Indians and Indian history in a positive sense. It has also been determined to be one of the major reasons for the problems between Indian and non-Indian students, and it is one reason for initiating alternative education for Indian students in Minnesota.

The schools have not provided the people with accurate information about Indian history and most often would rather not deal with Indian history at all. Also, mass media has done little to portray Indians in a positive sense. These two problems are the primary cause of the many stereotypes and misconceptions about American Indians that exist to this day.

The Minnesota Chippewa Tribe welcomes the chance to present facts concerning the inherent and negotiated rights of Indians in Minnesota, a result of negotiations between their ancestors and the United States government years ago. The inherent and negotiated rights of Indian tribes is a subject many people know nothing about. Special rights are guaranteed to Indians through treaties signed and approved both by the Indians and the Federal government.

This unit is an attempt to bring to the attention of the student only those treaties pertaining to the Chippewa people enrolled as members of The Minnesota Chippewa Tribe. In addition, students will be exposed to the specific clauses contained in treaties and understand the differences in meaning of treaties by both the Indians and the Federal Government.

For research purposes an organizational framework about Indian treaties can be found in Chapter 3, Indian Treaties, in Felix Cohen's **Handbook of Federal Indian Law**. This volume of information on Federal Indian Law has been and is still being utilized today as the most reliable and comprehensive study ever completed about Indian Law. Specifically, the chapter on treaties deals with the full scope of Indian treaties and interprets them so that they are easy to understand.

As background information, treaties are documents made between the President of the United States and Indian tribes, and have been regarded as the supreme law of the land, as noted in ARTICLE VI, SEC. 2 of the U.S. Constitution. ARTICLE II, SEC. 2 states that the President has the power to make treaties by and with the advice and consent of the Senate. ARTICLE I, SEC 10 strictly prohibits any states from entering into treaties or alliances with Indian tribes. These articles are as follows:



ARTICLE VI, SEC. 2

of the

UNITED STATES CONSTITUTION

"This constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made; or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby; any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

ARTICLE II, SEC. 2

of the

UNITED STATES CONSTITUTION

"He (the President) shall have the Power, by and with the Advice and Consent of the Senate to make Treaties, provided two-thirds of the Senators present concur;..."

ARTICLE I, SEC. 10

of the

UNITED STATES CONSTITUTION

(limitation of Powers of the States) "No State shall enter into any Treaty, Alliance, or Confederation..."



SA-GI-SWAY-DI-WIN [BIG SMOKE]

"Big Meeting" Old Agency, 1886, Leech Lake

Leech Lake Indians gather at Old Agency at Onigum for an 1886 agreement with the federal government. Ojibwe Indians called any important meeting [Sa-gi-sway-di-win] or a big smoke, as in previous days the ceremonial pipes were filled and smoked at all important meetings.

Before the establishment of the constitution of the United States, treaties had been made with Indians living near colonies. Many foreign nations entered into such treaties. These treaties were considered valid because both parties were sovereign powers. After the adoption of the United States Constitution, Indian tribes still held title to the land and were constantly transferring that title as a result of land cessions included within treaties signed with the United States government. The Federal government attempted to soften the shock of land cession by reserving certain rights for Indians in ceded lands, such as hunting, fishing, and gathering of wild rice. It should be noted that such cases are very much in Minnesota news today, where the State of Minnesota had contended that Indians do not have a right to hunt, fish or gather wild rice on ceded lands. Students should research this problem and come up with a solution. Do you think Indians can legally hunt, fish, gather sugar, and gather wild rice on ceded lands?

Treaties with Indian tribes hold the same dignity as treaties with foreign nations. This fact has been repeatedly confirmed by the federal courts and has never been successfully challenged. Although in some cases where this relationship has been challenged, the courts have continually ruled in favor of the Indians. Unfortunately, no one revealed to Indians, that the Congress of the United States could pass legislation in conflict with a signed treaty. Although the United States government understood that it has a moral obligation to act in good faith when dealing with treaties, the fact is that it has avoided this obligation through the passage of laws in conflict with treaties.¹

At the present time there is a considerable amount of anti-Indian legislation being introduced to abolish tribal self-government and to abrogate all Indian treaties. It should be understood by students that the power to abrogate Indian treaties remains with Congress, though such powers will be exercised only in the best interest of the Indians of the country. If such powers were enacted, the United States government must be acting in "perfectly good faith toward the Indians."

Students may research current anti-Indian Legislation such as Representative Cunningham's Bill H.R. 9054, which calls for the abrogation of all Indian treaties, the termination of the Federal/Indian relationship, and the liquidation of tribal lands and assets. Would this bill, if adopted, be in the best interest of the United States? Would this bill serve the best interest of the Indians of the United States?

Treaties with Indian nations were made for various purposes. There were treaties for mutual protection, for peace, for regulation of trade with the Indians, for rights of way so that corporations might build railroads through Indian land, to provide military posts, and for taking land away from Indians.

As the settlers, railroaders, and miners moved onto the land, Indians were forced into submission and considered "conquered." Since "conquest" was not considered a means of taking legal title to Indian land, the United States government and the Indians, as sovereign nations, negotiated and signed treaties. States and individuals were strictly prohibited from dealing directly with Indians without the consent of the U.S. Government.²

There are those, who, in an effort to abolish Indian tribal rights, point out that Indian tribes were conquered by the superior forces of the United States. Felix Cohen, adequately responds to the theory of conquest in these words:

¹ Felix Cohen, *Handbook of Federal Indian Law*, Chapter 3, the legal force of Indian treaties.

² Trade and Intercourse Act of 1785, Article I, section 10, United States Constitution.



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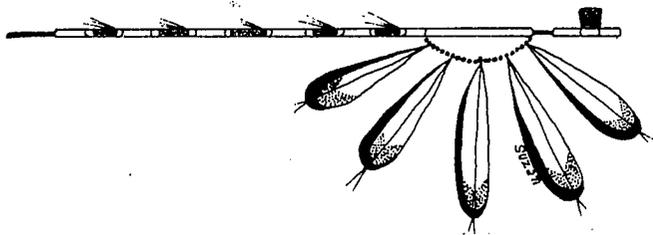
“Conquest renders the tribe subject to the legislative power of the U.S. and terminates the external powers of sovereignty of the tribe. Namely, its power to enter into treaties with foreign nations, but does not by itself affect the internal sovereignty of the tribe, that is, its power of self-government.”³

In view of rights of self-government, the Minnesota Chippewa Tribe, as well as other tribes, do not receive their right of self-government entirely through legislation, but from the treaties themselves. (See Unit II, IRA). Although Indian tribes were conquered, there were never any declared wars upon any Indian nations. Armed conflict on the part of Indians were defensive in nature provoked by inhuman and cruel acts against Indians.

Since nearly all of the Indians signing treaties were unable to read, write or speak English, the treaty clauses and the highly organized, technical language had to be interpreted for the Indians to understand. Clauses were characterized as those written by a stronger nation with a much weaker, defenseless people who were wards of the nation and dependent upon the good faith and protection of the stronger. This was the view taken in 1889 by the Supreme Court in the case of **Jones vs. Meehan**.

“In construing any treaty between the United States and an Indian tribe, it must always (as was pointed out by the counsel for the appellees) be borne in mind that the negotiations for the treaty are conducted, on the part of the United States, an enlightened and powerful nation, by representatives skilled in diplomacy, masters of a written language, understanding the modes and forms of creating the various technical estates known to their law, and assisted by an interpreter employed by themselves; that the treaty is drawn up by them and in their own language; that the Indians on the other hand, are a weak and dependent people, who have no written language and are wholly unfamiliar with all the forms of legal expression, and whose only knowledge of the terms in which the treaty is framed is that imparted to them by the interpreter employed by the United States; and that the treaty must therefore be construed, not according to the technical meaning of its words to learned lawyers, but in the sense in which they would naturally be understood by Indians.”⁴

The technical language contained in the treaties covered a wide range of subjects, and varied according to the treaty. Most of the emphasis of a treaty was upon the land boundaries and the amount of economic trade to be done. In general, treaties included some combination of the following: status as to war and peace, boundaries, passports, extradition, relationships with other powers, dependency as to protection, trade relationships, representation in Congress, power of Congress, power to the President, termination of treaty making, commercial relations for cessions of land, reserved rights on ceded land, payments and services to tribes, jurisdiction that was both criminal and civil, and control over tribal affairs.





WHAT TREATIES MEANT TO THE CHIPPEWA AND THE UNITED STATES



From the beginning of treaty making, Indians and whites recognized that the future depended upon who controlled the land. Less noticeable are the assumptions on both sides which always influenced what was accomplished by a treaty. Occasionally these assumptions were unstated; sometimes they were made very explicit. After the end of the French and Indian War a Chippewa Chief addressed Alexander Henry at Michilimackinac, now the country of Michigan:

“Englishman! Although you have conquered the French you have not yet conquered us! We are not your slaves. These lakes and these woods and mountains were left to us by our ancestors. They are our inheritance, and we will part with them to none. Your nation supposes that we, like the white people, cannot live without bread and pork and beef. But you ought to know that he - the Great Spirit and master of life - has provided the food for us in these broad lakes and upon these mountains.”⁵

*Wabanakwed, meaning White Cloud, a well known Chief of the White Earth reservation, spoke of his people's complaints against the government during the early 1870's. From Wabanakwed's view point, land cessions always meant the loss of political power.⁶

Cash payment for land, he reasoned, meant nothing if a tribe had no political power. He stated that land cessions led to poverty and poverty always led to further removal from the land. Any reservation had to include the reservation of resources on the land. The government giving away pines trees without tribal permission was the same as giving away the reservation itself.⁷

Other Chippewa Chiefs undoubtedly shared Wabanakwed's understanding of this economic fact of life, and as a result many of the Chippewa treaties contain reference to important Indian economic issues. During this time most Indians often assumed that white use of timber and rare minerals, such as copper or iron, would not lead to permanent white settlement. Another assumption was that in exchange for surrendering a great deal of land base, a portion of that land base might be salvaged. Indians sometimes felt that their interests in treaty-making could best be represented by disinterested missionaries, lawyers, and mixed bloods. All these assumptions however, proved to be misleading. It wasn't long before Indian leaders such as BUG-O-NAY-GE-SHIG (Hole-in-the-day) and WABANAKWED came to realize that their people depended directly upon white culture for all major forms of subsistence.

Wabanakwed or White Cloud - This noble patriarch gave the last thirty years of his life in service to the people he led to the White Earth Reservation in the Ojibwe removal of June 1868.

*Waabaanakwed

⁵ William W. Warren, *History of the Ojibwe Nation*, p. 108

⁶ Speech of Wabanakwed, report of the conditions of the Chippewa of Minnesota, St. Paul Pioneer Co., 1875, pp 23-29.

⁷ See *Clapp Act*, unit number 5, Legislation.



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The fact remains that Indians interpreted treaties totally different than the United States, primarily because they were accustomed to making treaties orally and did not understand the concepts of Anglo-Saxon law. The Indians assumed the words, as written in a treaty, were a reflection of everything that had been said at the treaty council. When Indians signed treaties, they believed that they were attesting to everything that had been spoken about at the council.

When Indians entered into any sort of agreement, oral or written, they always considered it a sacred and moral agreement which could not be broken. This belief was continually reinforced through pipe ceremonies that followed the signing of a treaty which was then and still is today a focal point in Indian religion and tradition. Indians didn't know that whites would deliberately break these agreements, nor did they understand the concept of Anglo-Saxon law.

Indians never had any concept of landownership by anyone. Selling land was totally unheard of, and as a result there was genuine confusion on the part of the Indians when the government spoke of buying land during treaty councils. When the Chippewa ceded land, the evidence indicates that the Indians thought that they were only selling the right to mine or cut timber, with the tribe retaining occupancy right. Had the Indians known what was actually taking place, there more than likely would have been warfare and violence written into Chippewa history.



Ojibwe family in a typical winter scene - the way things were.....



WHAT TREATIES MEANT TO THE UNITED STATES



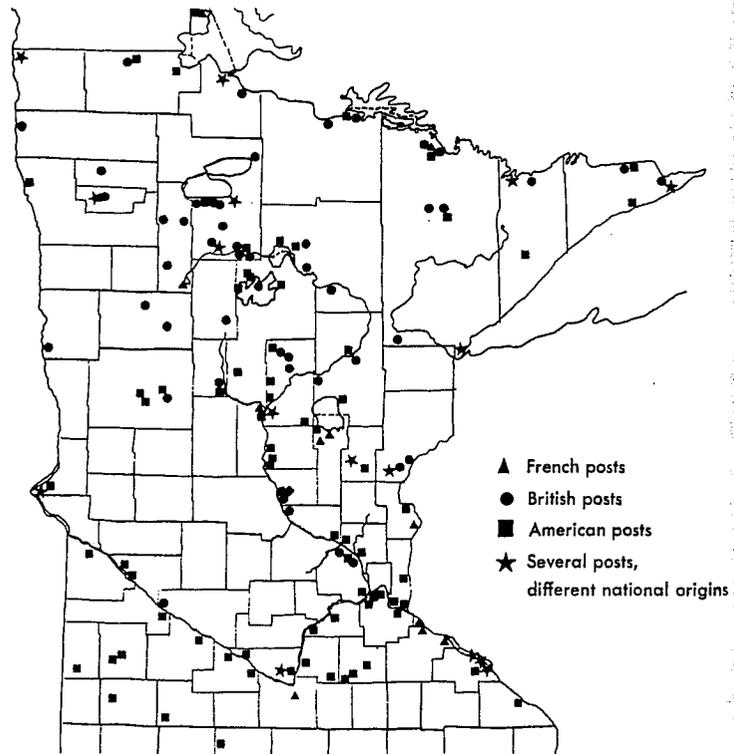
The United States, like the Indians, understood that land ownership meant power and wealth and believed settlement would be permanent and small enough to let Indians exist next to white communities or to assimilate into white society. Americans saw growth and expansion as a national destiny which made the exploitation of natural resources necessary and set up an obligation to consume these resources as rapidly as possible.

A Minnesota land promoter once said:

“It is necessary for the Indians either to change their habits and become **at once** an agricultural people or to give up their lands and themselves to the guardianship of the United States, and thus, to secure regular supplies and the paternal care of the government, as they generally struggle out of the teepee and blanket into the farm house and civilization. Equally necessary is the possession of the territory to the whites.”⁸

(Many attempts to make farmers out of Indians have failed.) This land promoter was making reference to the fact that, although some whites rejected the idea of extermination of Indians, tribes have very little choice if they were to avoid extermination.

In early treaty history the United States saw trade as one of the most important elements of economy that should be grasped from the Indians and exploited to the fullest extent. Although land was of primary importance in all aspects of treaty-making, the fact remains that trade also was considered very crucial during early treaty councils. Fish, fur-bearing animals and other wildlife were plentiful in the northern Minnesota regions which were accessible to markets through Lake Superior. The Chippewa of this region were the primary hunter and providers of furs to the French and British from colonial times.



The American Fur Company became the most influential and the last large fur concern to operate in what soon became Minnesota Territory. An American Fur Company Warehouse at Mendota is shown here in the photograph taken in the 1860's. There, at the confluence of the Minnesota and Mississippi Rivers, trade goods were stored and furs collected. Smaller posts were maintained at Big Stone, Cass, Gull, Leech, Mille Lac, Red, and Sandy Lakes and on the Crow Wing and Red Rivers.

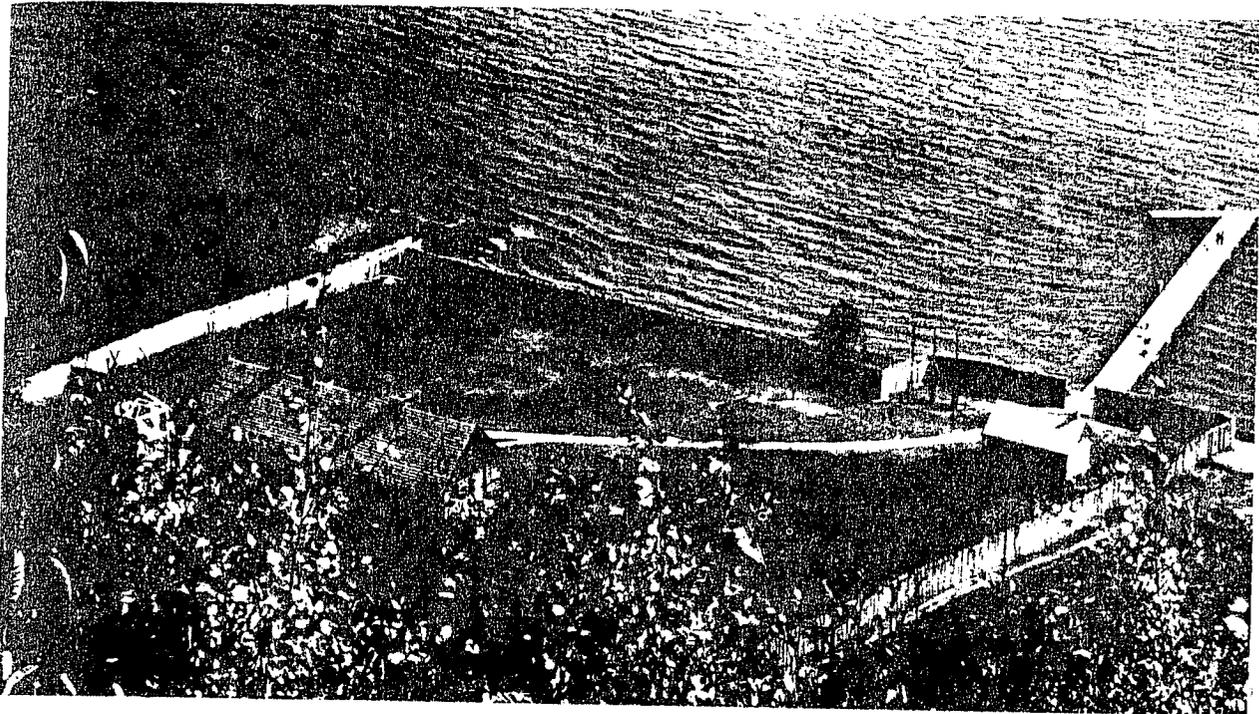
⁸ Theodore C. Belegen, Reading in Early Minnesota History, University of Minnesota, p. 146.

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Grand Portage was the most important of all the North West Company posts. This recent photograph shows the partially reconstructed headquarters, which originally consisted of sixteen buildings enclosed by a stockade. This great post became a very busy place each summer from 1778 to 1803 when hundreds of English traders arrived from the interior to settle the year's business. Trade goods and supplies were brought to Grand Portage from Montreal in large canoes or in the company's own ninety-five-ton sailing ship. Photograph courtesy National Park Service.

The Grand Portage and Fond du Lac Bands of Chippewa held a very strong position in regards to trade with the French and British until 1850. The United States realized* this and focused its concern on the control of Indian trade by discouraging and prohibiting tribal relations with British Hudson's Bay Company and the French Canadian Northwest Company. As the United States gained more control, a crucial factor dominating every treaty council with the Chippewa was the monetary compensation of individual traders. At the treaty council, and in the treaty documents themselves, many tactics were used to discourage trade to both the north and south. Threats to hold back annuities, bribing, and indications of force and violence were used by Americans as ways to disrupt and prohibit Indian trade with Canadians.

Once the United States had complete control of the Indian commerce its attention shifted to gaining access through Indian land for American traders and fur companies. The American Fur Companies and traders, in turn, systematically swindled, cheated, and coerced the Chippewa out of their money appropriated for land cessions in the treaties. In reference to this, once pioneer stated:

"The Indians would enter the front door.... sign their receipt, receive their money and walk out the back door, where stood a crowd of hungry traders, who quickly transferred most of the money from the hands of the Indian to their own pockets for the payment of old debts. The traders commonly claimed all they could see, and the Indians, as a rule, gave up without protest."⁹

⁹ Walter Belliveau, *The Life of Alexis Bailly, Minnesota Pioneer*, ms in the Minnesota Historical Society, St. Paul, MN.

Later the United States realized the importance of the extensive deposits of copper on the shores of Lake Superior and Isle Royale, and the iron deposits of the Vermillion and Mesabi iron ranges. The United States gained control of this great mineral wealth through several "mineral cessions" despite the resistance of the Chippewa.

In conclusion, the United States saw treaties as the only legal means to abolishing Indian claims to land other than by conquest. It was necessary for the government and private interests to coerce Indians into signing the treaties so that the land would be sold to the government. The United States then sold or opened the land to its citizens for settlement. In reality, the Indians never 'sold' land because they never believed anyone could own land. Therefore, in reference to 'sold' above, the concept is actually a misnomer. Nevertheless, the signatures allowed a legal transfer of Indian land, minerals and rights.



Indians visited the Trading Posts twice a year in October and March after the autumn and winter hunts. They traded furs for knives, guns, powder horns, blankets, cloth and some food items. Much of the trade was conducted on credit with values and interest established arbitrarily to the traders' advantage.

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THE END OF TREATY MAKING



Students should understand the reasons that treaty making came to an end in 1871.¹⁰ Originally treaties were approved by the President and two-thirds vote of the Senate with the House of Representatives having no opportunity to express its opinion.

Since the House was responsible for appropriating money, goods, and/or services promised in treaties, they felt that they should have a voice in the whole process. The House would sometimes refuse to allow the necessary appropriations as provided for by the Senate.

The political rift between the House and the Senate made it evident that the treaty system had reached its end with the result being the passage of the **Indian Appropriation Act**, first approved March 3, 1871:

“No Indian nation, or tribe, within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe or power with whom the United States may contract by treaty; but no obligation of any treaty made and ratified with such Indian tribe prior to March 3, 1871, shall hereby be invalidated or impaired.”

Another reason for the House's opposition to the signing of treaties was its disillusionment with the administration of the Office of Indian Affairs. The following statement was extracted from a House Executive Document by the Indian Peace Commission of 1857:

“The records are abundant to show that agents have pocketed funds appropriated by the government and driven Indians to starvation. It cannot be doubted that Indian wars have originated from this cause. The Sioux War, in Minnesota, is supposed to have been produced in this way. For a long time the officers have been selected from the partisan ranks, not so much on the account of honesty and qualifications as for devotion to party interest and their willingness to apply the money of the Indian to promote the selfish schemes of local politicians.”¹¹

Many legal opinions and questions have arisen concerning the Act of 1871 which ended treaty making. Article III, Section 2 of the United States Constitution has been discussed in this unit already, which basically states that “THE President shall have the power to make treaties by and with the consent of the Senate.” The Act ending treaty making appears to be unconstitutional since its effect was to take the President and Senate powers granted to them by the United States Constitution. The following is a legal opinion concerning this Act:

“If there are to be any changes made to the Constitution, it is to be done according to the procedures set out in the Constitution itself. Article V of the constitution states that if two-thirds of both houses feel it necessary, then either can propose an amendment. The amendment will only be valid when ratified by three-fourths of the states. By passing this act, the Congress was changing the powers of the President as set forth in the constitution by legislation rather than the proper amendment procedures.”



¹⁰
Felix Cohen, *Handbook of Federal Indian Law*, p. 66-67. The End of treaty making.

¹¹
History of Indian Treaties, National Institution for the development of Indian Law, p.58



CONTEMPORARY RELATIONSHIPS WITH INDIAN/U.S. TREATIES



Students should understand that treaties are just as important today as they were in the 1800's. Some people have a tendency to consider treaties as just old documents of little significance. This is not true. Treaties are documents of great historical importance, and are considered legal and binding to this day.¹² The constitution of the United States deliberately makes treaties equal in law to any statute or law that the Congress may pass. The State of Minnesota, as well as other states, has attempted to attack the validity of these important documents, but the Supreme Court most often upholds the validity of the Indian treaties.



Photos courtesy of Minnesota Historical Society.

White Earth Delegation in Washington, D.C. 1899

Sometimes Indian communities are confused or misinformed about their rights under treaties. Many of the treaties act as instruments which extinguish title to land, although people tend to interpret them as instruments which create title to land. In the same way, treaties also extinguish other kinds of rights. For example, in 1971 a federal court in the State of Minnesota upheld a decision which favored the right (by treaty) of the Leech Lake Indian Reservation to hunt and fish and gather wild rice on public lands and public waters of the Leech Lake Reservation free of Minnesota game and fish laws. In other words, the treaty extinguished state jurisdiction. That decision was somewhat of a milestone in the 20th century Indian treaty law. It was also an indication to other reservations of The Minnesota Chippewa Tribe that the rights reserved to them through treaty would and should be upheld. As a result, other reservations in Minnesota currently are attempting to gain control, through the legal process, of all rights guaranteed through treaties. The court, in this case, made a politically

¹² United States Constitution, article IV, Clause 2.

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unpopular decision, but one which is constitutionally correct. It is an important case, for it serves to remind America that treaties, the agreements made by Indian nations and the United States government, are still in full force and effect. The question that Indian students and Indians in general should constantly raise is "What was given up or surrendered under the treaties? Under the law, a right not relinquished, as in the case of the fishing, hunting and wild rice rights of the Chippewa of Leech Lake Reservation, remains a right of the Indian nation.



Today, Chippewa Indians must deal with the Minnesota Department of Natural Resources concerning all hunting and fishing matters. While some bands such as Leech Lake have adopted their own conservation codes with the state, others remain at odds with the Department of Natural Resources. Major court cases have paved the way for some of the victories Indians have won in the last ten years.

From 1837 to 1889, different Chippewa groups from what became Minnesota during this time entered into nine treaties and three major legal agreements with the United States. As stated earlier, the Appropriations Act for 1871 forbade further recognition of Indian tribes for the purpose of making treaties. From 1871 on, legal contracts between Indian groups and the government took the form of **agreements**. The government made three with the Chippewa between 1873 and 1889. These treaties and agreements laid the foundation for contemporary Chippewa life, because they transferred most Chippewa lands to non-Indians, in changing traditional tribal ways, and established Indian reservations. It should be pointed out that the major reason for ending treaty making and agreements with Indians was that the government had been successful in transferring Indian ownership of land to non-Indians. There was no further need for treaties since almost all the land has been usurped. Below is a list of treaties made with the six Indian reservations that comprise The Minnesota Chippewa Tribe.

- 1825 - Treaty with the Chippewa, established a boundary between the Chippewa and the Sioux. No land was ceded.
- 1837 - Treaty with the Chippewa, ceded land but created no reservation.
- 1847 - Treaty with the Chippewa of the Mississippi and Lake Superior, ceded land but created no reservation.
- 1847 - Treaty with the Pillager Band of Chippewa signed at Leech Lake, August 21. Ceded land but created no reservation.
- 1854 - Treaty with the Chippewa of Lake Superior and Mississippi. Ceded most of the arrowhead country, created Grand Portage and Fond du Lac Reservations.
- 1855 - Treaty with the Chippewa of the Mississippi. Ceded land and created Mille Lacs and Leech Lake reservations and several others that were later ceded or merged with the Leech Lake reservation.
- 1864 - Treaty with the Mississippi, Pillager and Lake Winnibigoshish Bands of Chippewa. Ceded Mille Lacs reservation, but provided that those Indians should not be compelled to remove.
- 1866 - Treaty with the Bois Forte Band of Chippewa. Ceded land and created Nett Lake Reservation.
- 1867 - Treaty with the Chippewa of the Mississippi. Ceded part of Leech Lake Reservation. (Additions to the reservation were made by executive order in 1873 and 1874.) Created White Earth Reservation.



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WHAT IS THE BASIC OUTLINE OF A TREATY?



A treaty is a contract or agreement between two or more nations, similar to a contract between individuals or corporations. There are two major parts of a treaty agreement.

1. The first part of a treaty is a statement of what the agreement is all about; why the two parties need to make an agreement and what the two parties agree to do. This is the most important part of a treaty because everything must be written down as clearly as possible so that both parties understand what they are agreeing to.

This particular type of treaty is also called a "written compact." The custom of writing down important agreements began in Europe, China and the Middle East many centuries ago. In ancient Europe it was usually only priests and other officials of the church who could read and write. Nearly everything that was written down was of a religious nature and usually written in Latin, the language of the church. The written word, therefore, was seen as something sacred.

When two countries were in conflict over something and wished to settle their differences, they would send "Heralds," messengers who could not be harmed or threatened in any way, according to the laws of all European nations in those days. These heralds would arrange the provisions of a treaty or arrange a meeting of higher officials from each government under the protection of the herald. After the provisions of the treaty had been developed and written down by a priest or other church official, a final meeting was arranged where the leaders of each government or their official representatives would sign or affix a seal or stamp to the written treaty to symbolize their acceptance of the agreement. This written agreement was considered a sacred compact. International treaties are still made in much the same manner today.

2. The second part of a treaty is a list of signatures, stamps, seals or marks of some sort, which personally identify the individuals who have drawn up the treaty and who, by placing their mark on the treaty, agree to live up to their part of the agreement.

Many problems have arisen with treaties because of failures to clearly record or understand the provisions of the treaty. Problems also arise when an identifying mark placed on a treaty might be forged and placed there without the knowledge or consent of the person it supposedly represents. One of the most obvious problems in making a treaty arises when the parties meeting together do not speak the same language. Another arises when one or more of the persons negotiating the treaty cannot read and therefore verify that what has been said is actually what has been written down.

WHY A TREATY?

A treaty is a method for peaceful settling of disagreements between nations as an alternative to warfare. It may also serve as a peaceful method of reaching an agreement which puts an end to warfare.

The basic rationale for a treaty is to settle a disagreement between nations. Such disagreements either lead to war or to negotiations. If negotiations fail, the conflict remains unsettled and usually leads to violence. If negotiations succeed, a pact or agreement is signed which both nations are honor bound to abide by, thus avoiding war. Many nations, like people, have no honor beyond what is personally convenient, and treaties often fail. Where nations negotiate in "good faith," treaties carry the weight of supreme law.



WHO IS INVOLVED IN MAKING A TREATY?



Treaties were and still are usually negotiated between representatives appointed by their governments will full power to develop and conclude the treaty within whatever limitations are placed upon them by their governments. By international law, the signatures of these representatives are presumed to be official only with the final approval (ratification) of the governments involved, unless the ratification requirement is explicitly done away with during the treaty negotiations.

In North America, all of the European nations who came here negotiated treaties with the Native American peoples. They recognized the Indian tribes as nations who by European values had previous title, or ownership, of all lands and their resources in North America. A European country might claim land in America, but this claim could be disputed by anyone, including Indians, until that land had been legally turned over to that government, either by treaty with the previous owners or by right of military conquest and occupation.

Wherever whites attempted to secure land through force of violence, the Indian people resisted. By international law the previous inhabitants of lands that have been invaded or conquered by violence have the moral right to resist that conquest unto death. In order to put an end to the violence of war and the loss of further lives, many of the treaties entered into by white and Indian governments have been treaties of peace designed to settle disagreements over land ownership, use of natural resources, compensation for damages or losses, and the right to self-government.

Whenever white and Indian governments attempted to peacefully enter into treaties, further difficulties arose based on very different concepts of land ownership and land use between the two cultures. The Indian people's land was not owned, but only utilized and cared for by those who inhabited it. Also, the right to utilize land was shared equally, not only with all human beings inhabiting the land, but with all living things upon the land. Though use of specific areas or resources might be given to certain tribes, bands, or families, land title was never a matter of personal ownership to Indians.

For the most part, Indian societies were basically democratic. The individuals who represented their tribes at treaty negotiations with the whites were usually appointed by their people on the basis of their social standing in the tribe or family.

In Europe land ownership was the basis of all secular law. Equal representation and justice was available to free land holders only. The vast majority of Europeans were tenant workers, indentured workers, serf/slaves, or people outside the law. Legal written title to land was the ultimate and usually impossible dream of millions of Europeans. It gave a person the basic right to justice under European law. Without it his very life was at the sufferance of the landed gentry. Written land title gave the owner the power of life and death over everything on his land.



WHO CAN MAKE TREATIES?



Treaties are negotiated between nations that are separate, independent and sovereign. In other words, they are between nations who have the right to control all internal and external affairs of their people. The fact remains that Indian Tribes have been considered sovereign since before European contact, and this has continually been supported by a number of court decisions. Indian tribes could still make treaties with the United States, even though they had limited authority as a result of conquest.

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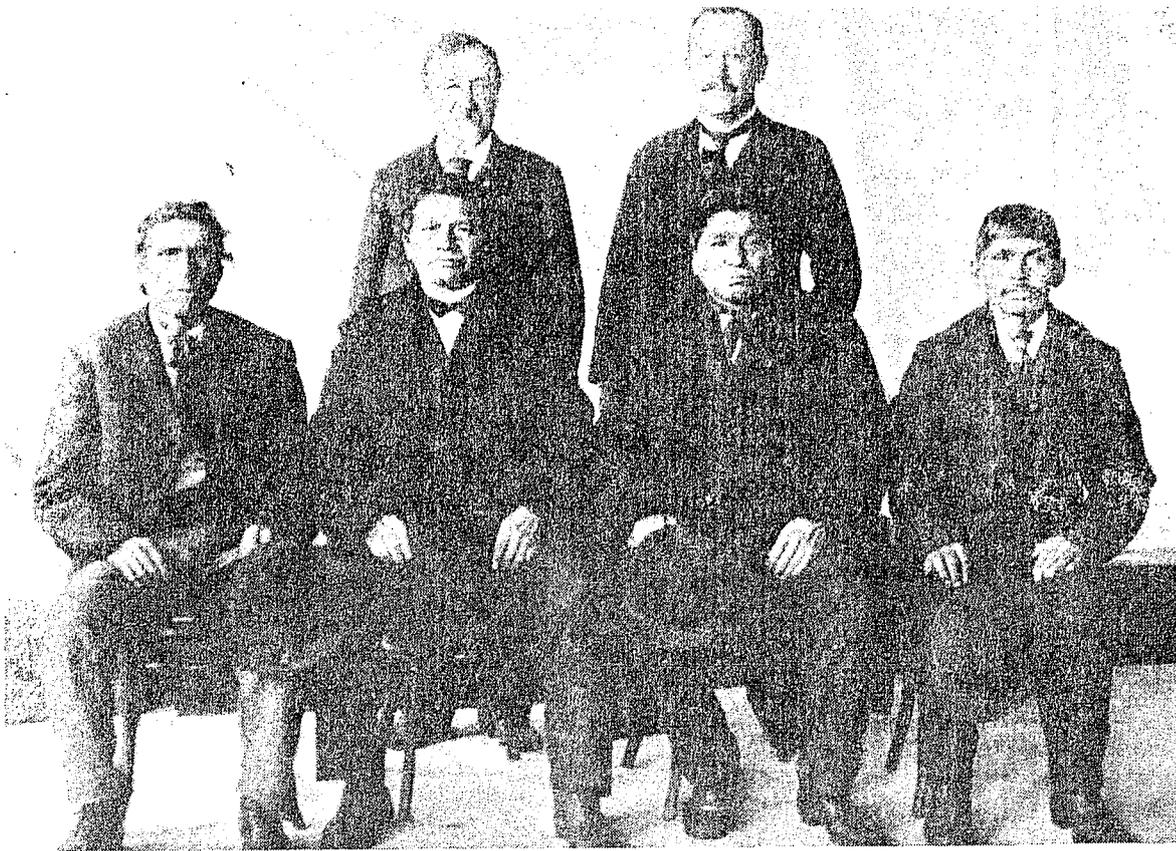
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“Each Indian tribe begins its relationship with the federal government as a sovereign power, recognized as such in treaty and legislation.”¹³



Photos courtesy of Minnesota Historical Society

Mille Lacs Delegation in Washington D.C. 1899



WHAT IS THE CONTENT OF A TREATY?



Treaties do not have a standard format, and each one will vary depending on the subject. Most of the time, treaties are considered very complex documents. Depending upon the subject, such as treaties with the Chippewa, treaties always dealt with acquisition of land, mineral rights, right of way, the establishment of reservations, etc.



STATEMENT OF PURPOSE



Most Chippewa treaties open with an introductory statement. This introductory statement, sometimes called a preamble, lists the dates, parties involved, and the location where it took place. An example is as follows:

Article of agreement and convention, made and concluded at the city of Washington, this eleventh day of March, A.D. one thousand eight hundred and sixty-three, between William P. Dole, Commissioner of Indian Affairs, and Clark W. Thompson, Superintendency, on the part of the United States and Henry M. Rice, of Minnesota, for and on behalf of the Chippewa of the Mississippi and the Pillager and Lake Winnibigoshish bands of Chippewa Indians in Minnesota.¹⁴

¹³ Felix Cohen, *Handbook of Federal Indian Law*, p. 122.

¹⁴ *Treaties and Agreements of the Chippewa Indians*, the Institute for the Development of Indian Law.



PROVISIONS OR PROVISOS



Within the content of treaties are separate sections which designate special conditions that must be adhered to. Provisos are another way in which the United States has taken away power of a sovereign nation. Provisos were never really explained or understood by Indians. An example follows:

“All annuities under this or former treaties shall be paid as the chiefs in council may request, with the approval of the secretary of the Interior, until otherwise altered or amended: Provided, that not less than one half of said annuities shall be paid in necessary clothing, provisions, and other necessary and useful articles.”¹⁵



ANNUITIES



The United States paid Indians for their land with supplies and money. The responsibility for the annual distribution of cash and goods was with the Bureau of Indian Affairs. These annual payments created many problems, since the United States made Indians travel hundreds of miles to payment sites.

An example of this problem existed with the Chippewa of Elk River who refused to travel for payments due them following the 1837 treaty council. They were told to go to La Pointe where the annuities would be distributed. Chief HOLE-IN-THE-DAY responded:

Photos courtesy of Minnesota Historical Society



Annuitiy payment - Grand Portage - 1860's

Indian agent and interpreters gather near the government dock at Grand Portage in the 1860's to distribute annuity payments. Heads of families receive their share for the forth coming.

¹⁵ Ibid., Article 10, p. 102.

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"We are very anxious to see governor Dodge with whom we made the treaty, that we may have a talk with him. It was with him commissioner of the United States we made the treaty, and we are very much disappointed to hear the news we hear this day (that we must go to Lake Superior for our payment) which we have this day decided we shall not do. That we had rather die first: it is on this account we wish to pay you a visit... you sir, Mr. Tolivar, know very well our situation, and that the distance is so great for us to go to Lake Superior to get our pay or even a gun repaired, that it is inconsistent for such a thing to be required of us; even if we did literally place the matter in the hands of the government."¹⁶

Skillfully manipulated, the annuity system gave government officials a powerful weapon with which to coerce tribal conformity with BIA policy: The Snyder Act was passed in 1921, which transferred United States Treaty obligations to the BIA. Services promised in treaties were supported by Congress through direct appropriations to the BIA. An example of annuities written into treaties follows:

"The United States will expend annually for and in behalf of said Bois Forte Band of Chippewa, for and during the term of twenty years from and after the ratification of this treaty, the several sums and for the purposes following, to wit: for the support of one Blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith's shop, fifteen hundred dollars; for one school teacher, and the necessary books and stationary for the school, eight hundred dollars, the chiefs in council have the privilege of selecting with the approval of the Secretary of the Interior, the religious denomination to which the teacher shall belong; for instructions of the said Indians in farming, and the purchase of seeds, tools & etc., for that purpose, eight hundred dollars; and for annuity payments, the sum of eleven thousand dollars, three thousand five hundred dollars to be distributed to them in goods and other articles suited to their wants and conditions."¹⁷



While the government established Indian schools, at White Earth, Onigum, and at Lake Vermillion, the Catholic Church also ran schools attended by many Indian children. The schools were very strict and did much to suppress the native culture of the Indian children.

¹⁶ BIA Pointe Agency, HOLE-IN-THE-DAY, to Major Tolivar and Plimpton, June 3, 1839.

¹⁷ The Institute for the Development of Indian Law, OPCIT* Article 3, 30.



SEALS, MARKS, SIGNATURES



Chippewa headmen and chiefs were usually the ones authorized to sign treaties. Actually, they did not sign their own names but, instead, put an "X" next to their names written in English because they neither could write nor read English. In Chippewa - United States treaties, the list of signers was sometimes very long as in the following example:

Wm. P. Dole, Commissioner of Indian Affairs

*Clark W. Thompson, Superintendent
of Indian Affairs for the north-
ern superintendency.* [seal]

*Henry M. Rice, Gull Lake Band:
Qui-we-shen-shish, or Bad Boy.
his x mark.*

*J. Johnson, Rabbitt Lake Band:
Me-jaw-ke-shick or Sky that
touches the ground.* [seal]
his x mark.

*Ah-ah-o-jaw-wa-ke-shick, Crossing
Sky, his x mark.* [seal]

Sandy Lake and Rice Lake Bands:

*Aw-aw-bedway-we-dung or Returning
Echo, his x mark.* [seal]

Po-ke-ga-ma Band:

*Ma-ya-je-way-dung, or Chistopher
his x mark.* [seal]

Mille Lac Band:

*Shob-osh-kunk, or Passes under
Everything, his x mark.* [seal]

Me-no-min-i-

*Me-no-min-e-ke-shen, or Ricemaker
his x mark.* [seal]

Re-dud-ence, Rats Liver, [seal]
his x mark.

*Te-daw-kaw-mo-say, Walking to and from
his x mark.* [seal]

*Mose-o-nan-nay, or Moose,
his x mark.* [seal]

*me-no-ke-shick, or Fine Day,
his x mark.*

Be-she-kee, or Buffalo, his x mark
[seal]

*Nah-bon-e-aush, Young Man's Son
his x mark.* [seal]

*O-ge-ma-way-che-waib, Chief of
the Mountain his mark.* [seal]

*Ke-me-wne-aush, Raining Wind,
his x mark.* [seal]

*Keh-beh-naw-gay, The Winner
his x mark.* [seal]

Winne-pe-go-shish Band:

*Kob-mub-bey, or North Star,
his x mark.* [seal]

*Mis-co-pe-nen-shey, Red Bird,
his x mark.* [seal]

Cass Lake Band:

*Maw-je-ke-shick, Travelling Sky,
his x mark.* [seal]

*Ma-ne-to-ke-shick, Spirit of the
Day, his mark.* [seal]

*O-gee-tub, The Trader,
his x mark.* [seal]

Executed in presence of---

E.A.C Hatch.

Geo. C. Whiting.

A.S.H. White

George Fuller

James Whitehead.

D. Geo. Morrison

Paul H. Beaulieu, United States interpreter.

Peter Roy, interpreter.

J.G. Morrison, interpreter.

James Thompson.

**EXAMPLES OF SPECIFIC TREATY ARTICLES OF THE CHIPPEWA,
WHAT LAND WAS LOST, WHAT RIGHTS WERE RESERVED AND
HOW METALS AND MINERALS WERE TAKEN.**



The treaties signed in the 1800's for the Chippewa living in Minnesota today are the basis for whatever relationship the Indians have with the United States, whether it be the right to self-government or the right to regulate hunting and fishing on reservation land. In ceding territory to the government of the United States, and in turn the federal government's establishment of reserved tracts of land for the Chippewa of Minnesota, the federal government acts as a private trustee of the rights of the Indians. This has been described by many pro-Indian activists as a clear-cut case of conflict of interest. How can the United States act in the best interest of the Indians, as trustee, when many of its own interests are at stake? Students should research this problem and come up with positive recommendations for change.

Reservation land areas in Minnesota have diminished because of the allotment system, legislative acts, (Unit VI), and easements and rights of ways, to name a few. There was then and there is now a great deal of frustration over the magnitude of lands lost under the so-called trusteeship of the United States government. Original boundaries are delineated in original treaties; however, it is shocking to discover the actual minimal amount of Indian land ownership today. (See Chart Unit IV).

Treaty of 1826 - Article 3: "the Chippewa Tribe grants to the government the right to search for, and carry away, any metals or minerals from any part of their country." The treaty was made and concluded at Fond du Lac of Lake Superior between the commissioner for the United States, Lewis Cass, and Thomas L. McKenny, and the Chippewa Tribe of Indians. In this treaty, the Chippewa agreed to a treaty made previously at Prairie du Chien, Wisconsin, to boundary lines set up to divide them from the Winnebagoes and Menominee. The agreements reached in this treaty were especially advantageous for the federal government to abide by. This article let the federal government and agents of mining explore and mine Minnesota's great Mesabi iron range. In addition, it let settlers take silver from the present sites of Duluth, Minnesota and Isle Royale near Grand Marais, Minnesota. There are also a number of copper mines in the area and semi-precious metals. If the federal government were to pay an honest value for the minerals and metals extracted from the upper Great Lakes regions since the signing of the treaties, the American Indians of this area would be as economically stable as the prominent mining companies and other metal concerns.

Treaty of 1837 - Article 5: "...and gathering wild rice, upon the lands, rivers and lakes included in the territory ceded, is guaranteed to the Indians." This treaty was made and concluded at St. Peters where the St. Peters and Mississippi Rivers join in the Territory of Wisconsin. The United States was represented by Henry Dodge, the governor of the Wisconsin Territory. The chiefs and headmen represented the Chippewa nation. A large amount of land was ceded to the United States by the Chippewa. The treaty specified the annuities to be granted and settled claims against Indians by the agents and traders. Along with the right of gathering wild rice in the lands, rivers, and lakes of the ceded territory, the Chippewa were also given the right to hunt and fish therein.

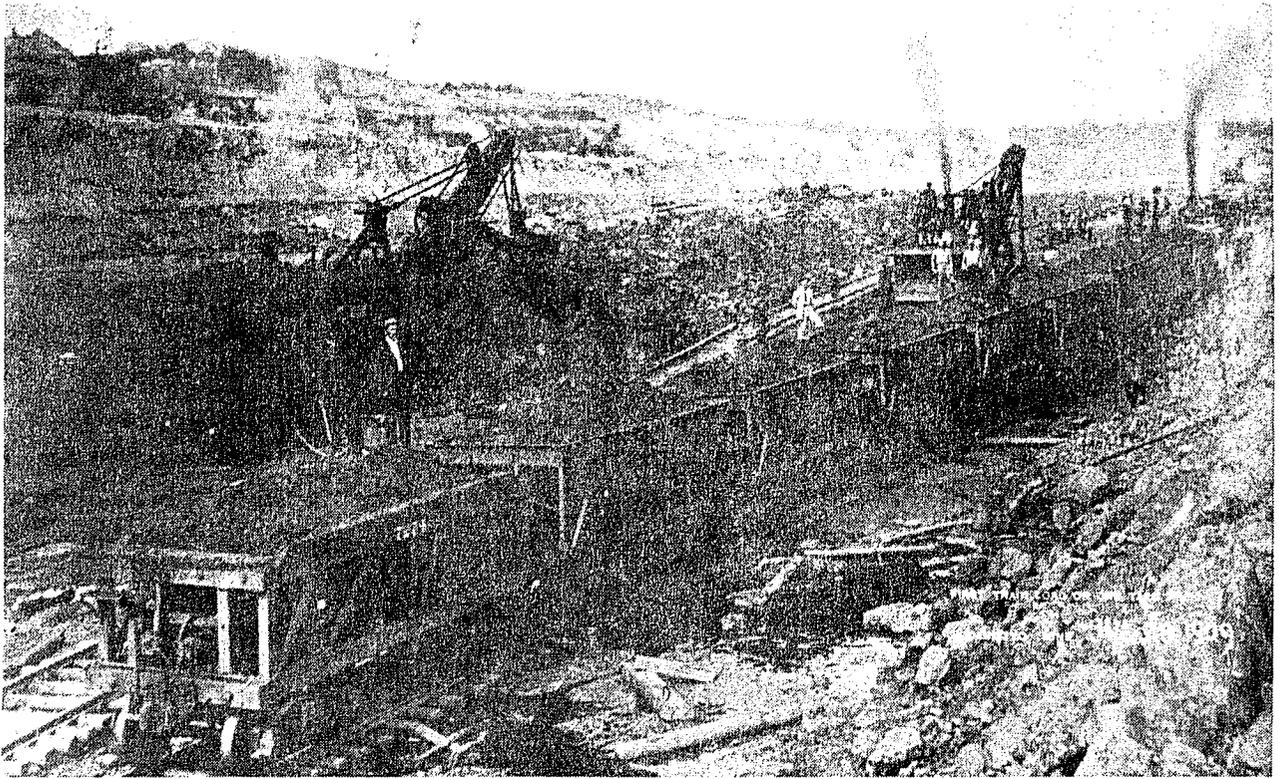


Photo courtesy Itasca County Historical Society

Aquisition of land by white industrialists meant the development of subterranean resources like Northern Minnesota's rich iron ore beds. Taken in 1909.

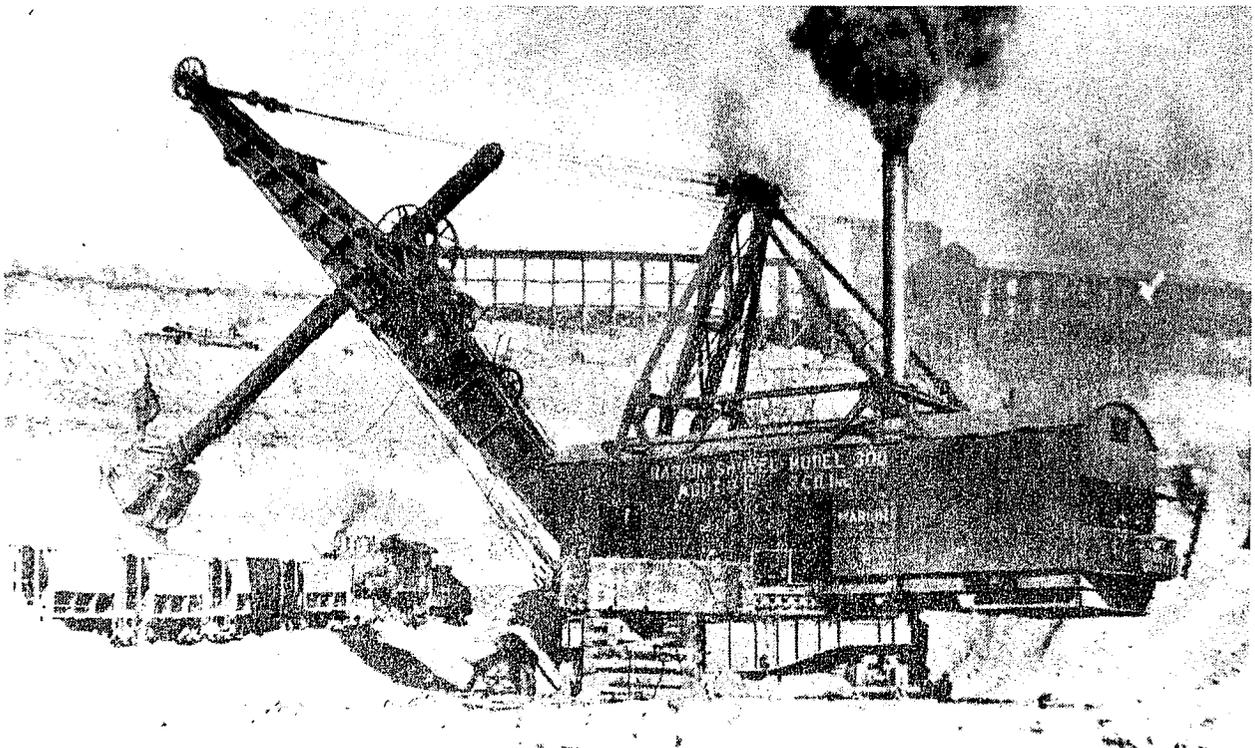


Photo courtesy Itasca County Historical Society

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It is interesting to note that many of the basic foods of the daily diet of the Indians are also basic to the diet of the modern American. It is also interesting to note that almost no changes have occurred in the growing of traditional Indian corn and tobacco. Wild rice and maple sugar remain important Native commodities. These two natural foods are, however, undergoing the same transitional problems of other native staples. As people seek new and different foods, these natural foods will be exploited economically and in the best interest of the non-Indian population. While treaty commitments regarding wild rice are still held, non-Indian interests allow wild rice to be harvested mechanically on public waters. Further, the research conducted on wild rice will only benefit the commercial processor and technician. Just as scientific methods force the small farmer to improve "or get out" so the research will deliver the market in wild rice to the interest of big business.

Treaty of 1842 - Article 5: "Whereas the whole country between Lake Superior and the Mississippi has always been understood as belonging in common to the Chippewa..." This treaty was made and concluded at La Pointe of Lake Superior in the Territory of Wisconsin between Robert Stuart, Commissioner of the United States, and the Chippewa of the Mississippi and Lake Superior Bands, represented by their chiefs and headmen. These bands ceded territory to the United States. Annuities and debts were outlined and settled. Hunting rights were granted to the Chippewa in the ceded territory. Unceded lands were to be held in common by all the Chippewa. Those Indians living on mineral grounds were to be removed at the pleasure of the President. This treaty included Chippewa not included in treaties before and granted them annuities for lands ceded.

The implications of this article are that the federal government of the United States recognized that the Native people living on the land did have aboriginal title to that land, just as we must possibly admit that inhabitants of another land or even planet would indeed be the "owners" of that land, whether or not they had title to that land as we know it or as our government recognizes.

Treaty of 1847 - Article 1: "It is agreed that the peace and friendship which exists between the people of the United States and the Chippewa Indians shall be perpetual." The treaty was made and concluded on August 2, 1847. Henry M. Rice and Isaac A. Verplank represented the United States as its commissioners. The Chippewa of the Mississippi and Lake Superior Bands were represented by their chiefs and headmen. As usual, land was ceded and annuities and claims were outlined and settled. Two interesting articles of this treaty were the first stressing friendship between the two nations and the fifth which was stricken out and not put on record.

Treaty of 1854 - Article 2: "The United States agree to set apart and withhold from sale, for use of the Chippewa of Lake Superior, the following described tracts of land." The treaty was made and concluded at La Pointe in the State of Wisconsin between Henry C. Gilbert and David B. Harrison, Commissioners for the United States and the Chippewa of the Mississippi and Lake Superior Bands represented by their chiefs and headmen. Again land was ceded to the United States government. At this time, the government also specified tracts of land which were to become reservations for the following Bands of Chippewa: The L'Anse and Vieux De Sert from Michigan; the LaPointe, Lac De Flambeau, Lac Court Orielles and Ontonagan from Wisconsin; the Grand Portage and Fond du Lac from Minnesota. The legalities of such reservation were outlined. It was important to the Chippewa to have such rights as hunting and fishing in ceded territory stated in the treaty.

National parks, commercial recreation areas, and other interests mentioned before have reduced the amount of land originally set apart in this article substantially.

CULTURAL STUDIES ON TRIBAL GOVERNMENT

STUDENT WORKSHEET QUESTIONS



CHAPTER TWO PART ONE



1. Who makes treaties with Indian tribes?
2. Who approves them?
3. How were two way treaties broken?
4. What are annuities?
5. When was the first significant treaty signed by the Chippewa?
6. After what date were tribes no longer considered Independent Nations?
7. When were Indians made United States Citizens?
8. How did the United States violate International Law?
9. What was the status Of Indians between 1871 and 1924?
10. When did the United States begin to take title to Indian lands?

CHAPTER TWO PART TWO

1. What is required to make a treaty official?
2. How were oral treaties of Indian nations finalized?
3. Were Indian tribes considered to be sovereign?
4. Why did Indians sign treaties with the United States?
 - a.
 - b.
 - c.
5. In most treaties, what does the **Statement of Purpose** contain?
6. What are the **terms** or articles of treaties?
7. What do you think was the purpose in providing the Boise Forte Band with annuities such as those listed in "G. The Terms"?

CHAPTER TWO PART THREE

- 1.. What is **Consideration**? What form did it take?
2. What other considerations were sometimes given?
3. Describe some difficulties Indians has with the meaning of treaties.
4. What are the most important aspects of treaties as far as the United States is concerned?
5. Why are treaties of long ago still important today?

TREATY WITH THE CHIPPEWA, 1826.

Articles of a treaty made and concluded at the Font du Lac of Lake Superior, this fifth day of August, in the year of our Lord one thousand eight hundred and twenty-six, between Lewis Cass and Thomas L. McKenney, Commissioners on the part of the United States, and the Chippewa Tribe of Indians.

Aug. 5, 1826.

Stat. 7, 290.
Proclamation, Feb.
7, 1827.

WHEREAS a Treaty was concluded at Prairie du Chien in August last, by which the war, which has been so long carried on, to their mutual distress, between the Chippewas and Sioux, was happily terminated by the intervention of the United States; and whereas, owing to the remote and dispersed situation of the Chippewas, full deputations of their different bands did not attend at Prairie du Chien, which circumstance, from the loose nature of the Indian government, would render the Treaty of doubtful obligation, with respect to the bands not represented; and whereas, at the request of the Chippewa Chiefs, a stipulation was inserted in the Treaty of Prairie du Chien, by which the United States agreed to assemble the Chippewa Tribe upon Lake Superior during the present year, in order to give full effect to the said Treaty, to explain its stipulations and to call upon the whole Chippewa tribe, assembled at their general council fire, to give their formal assent thereto, that the peace which has been concluded may be rendered permanent, therefore—

Preamble.

ARTICLE 1.

The Chiefs and Warriors of the Chippewa Tribe of Indians hereby fully assent to the Treaty concluded in August last at Prairie du Chien, and engage to observe and fulfil the stipulations thereof.

Indians agree to the
treaty of Prairie du
Chien.

ARTICLE 2.

A deputation shall be sent by the Chippewas to the Treaty to be held in 1827, at Green Bay, with full power to arrange and fix the boundary line between the Chippewas and the Winnebagoes and Menomonees, which was left incomplete by the treaty of Prairie du Chien, in consequence of the non-attendance of some of the principal Menomonee Chiefs.

A deputation to be
sent to Green Bay.

ARTICLE 3.

The Chippewa tribe grant to the government of the United States the right to search for, and carry away, any metals or minerals from any part of their country. But this grant is not to affect the title of the land, nor the existing jurisdiction over it.

Metals or minerals.

ARTICLE 4.

It being deemed important that the half-breeds, scattered through this extensive country, should be stimulated to exertion and improvement by the possession of permanent property and fixed residences, the Chippewa tribe, in consideration of the affection they bear to these persons, and of the interest which they feel in their welfare, grant to each of the persons described in the schedule hereunto annexed, being half-breeds and Chippewas by descent, and it being understood that the schedule includes all of this description who are attached to the Government of the United States, six hundred and forty acres of land, to be located, under the direction of the President of the United States, upon the islands and shore of the St. Mary's river, wherever good land enough for this purpose can be found; and as soon as such locations are made, the jurisdiction and soil thereof are hereby ceded. It is the intention of the parties, that, where circumstances will permit, the grants be surveyed in the ancient French manner, bounding not less than six arpens, nor more than ten, upon the river, and running back for quantity; and that where this cannot be done, such grants be surveyed in any manner the President may direct. The locations for Oshauguscodaywayqua and her descendents shall be

Location for the use
of the half-breeds.

adjoining the lower part of the military reservation, and upon the head of Sugar Island. The persons to whom grants are made shall not have the privilege of conveying the same, without the permission of the President.

ARTICLE 5.

In consideration of the poverty of the Chippewas, and of the sterile nature of the country they inhabit, unfit for cultivation, and almost destitute of game, and as a proof of regard on the part of the United States, it is agreed that an annuity of two thousand dollars, in money or goods, as the President may direct, shall be paid to the tribe, at the Sault St. Marie. But this annuity shall continue only during the pleasure of the Congress of the United States.

Annuity of \$2,000 in money or goods to be paid them.

ARTICLE 6.

With a view to the improvement of the Indian youths, it is also agreed, that an annual sum of one thousand dollars shall be appropriated to the support of an establishment for their education, to be located upon some part of the St. Mary's river, and the money to be expended under the direction of the President; and for the accommodation of such school, a section of land is hereby granted. But the payment of the one thousand dollars stipulated for in this article, is subject to the same limitation described in the preceding article.

Annual payment for the improvement of their children.

ARTICLE 7.

The necessity for the stipulations in the fourth, fifth and sixth articles of this treaty could be fully apparent, only from personal observation of the condition, prospects, and wishes of the Chippewas, and the Commissioners were therefore not specifically instructed upon the subjects therein referred to; but seeing the extreme poverty of these wretched people, finding them almost naked and starving, and ascertaining that many perished during the last winter, from hunger and cold, they were induced to insert these articles. But it is expressly understood and agreed, that the fourth, fifth and sixth articles, or either of them, may be rejected by the President and Senate, without affecting the validity of the other articles of the treaty.

Rejection of certain articles not to affect the validity of the others.

ARTICLE 8.

The Chippewa tribe of Indians fully acknowledge the authority and jurisdiction of the United States, and disclaim all connection with any foreign power, solemnly promising to reject any messages, speeches, or councils, incompatible with the interest of the United States, and to communicate information thereof to the proper agent, should any such be delivered or sent to them.

Authority of United States acknowledged.

ARTICLE 9.

This treaty, after the same shall be ratified by the President and Senate of the United States, shall be obligatory on the contracting parties.

Ratification.

Done at the Fond du Lac of lake Superior, in the territory of Michigan, the day and year above written, and of the independence of the United States the fifty-first.

Lewis Cass,
Thos. L. McKenney,
St. Marys:
Shingauba Wassin, his x mark,
Shewaubekeetoan, his x mark,
Wayishkee, his x mark,
Sheegud, his x mark.
River St. Croix:
Peezhickee, his x mark,
Sheeweetaugun, his x mark.
La Pointe:
Peexhickee, his x mark,
Keemeewun, his x mark,
Kaubuzoway, his x mark,

Noden, his x mark,
Nagwunabee, his x mark,
Kaubemappa, his x mark,
Chaucopee, his x mark,
Jaubeance, his x mark,
Ultauwau, his x mark,
Myeengunsheens, his x mark,
Moasomonee, his x mark,
Muckuday peenaas, his x mark,
Gitshee Waymirteegoost, his x mark.
Paashuninleel, his x mark,
Wauzhuskokok, his x mark,
Nitumogaubowee, his x mark,
Wattap, his x mark.

Wyauweenind, his x mark,
Peekwaukwotoanskay, his x mark.

Ottoway L:

Paybaunikoway, his x mark.

Lac de Flambeau:

Gitshee Waubeeshaans, his x mark,

Moazonee, his x mark,

Gitshee Migezee, his x mark,

Mizhauquot, his x mark.

Ontonagon:

Keeshkeetowug, his x mark,

Peenaysee, his x mark,

Mautaugumee, his x mark,

Kweeweezaisish, his x mark.

Vermillion Lake:

Attickoans, his x mark,

Gyutsheeininee, his x mark,

Jaukway, his x mark,

Madwagkunageezhigwaab, his x mark,

Jaukogeeshigwaishkun, his x mark,

Neezboday, his x mark,

Nundocheeais, his x mark,

Ogeemauggeegid, his x mark,

Anneemeekees, his x mark.

Ontonagon:

Kauwaishkung, his x mark,

Mautaugumee, his x mark.

Snake River:

Waymittegoash, his x mark,

Iskquagwunaabee, his x mark,

Meegwunauas, his x mark.

Lac de Flambeau:

Pamoossay, his x mark,

Maytaukcoseegay, his x mark.

Rainy Lake:

Aanubkumigishkunk, his x mark.

Sandy Lake:

Osaumemikee, his x mark,

In presence of—

A. Edwards, secretary to the commis-
sion,
E. Boardman, captain commanding de-
tachment,
Henry R. Schoolcraft, United States In-
dian agent.
Z. Fitcher, assistant surgeon,
J. B. Kingsbury, lieutenant, Second In-
fantry,

Fond du Lac:

Shingoop, his x mark,

Monetogeezisoans, his x mark,

Mongazid, his x mark.

Manetogeezhig, his x mark,

Ojauneemauson, his x mark,

Miskwautais, his x mark,

Naubunaygerzhig, his x mark,

Unnauwaubundaun, his x mark,

Pautaubay, his x mark,

Migeesee, his x mark.

Ontonagon:

Waubishkeepeenaas, his x mark,

Tweeshtweeshkeeway, his x mark,

Kundekund, his x mark,

Ogubayannuhquotwaybee, his x mark,

Paybaumausing, his x mark,

Keeshkeemun, his x mark.

River de Corbeau:

Maugugaubowie, his x mark,

Pudud, his x mark,

Naugdunosh, his x mark,

Ozhuskuckoen, his x mark,

Waubogee, his x mark,

Sawbanosh, his x mark,

Keewayden, his x mark,

Gitsheemeewininee, his x mark,

Wynunee, his x mark,

Obumauggeezhig, his x mark,

Paybomidgeewung, his x mark,

Maugeegaubou, his x mark,

Paybaumogeezhig, his x mark,

Kaubemappa, his x mark,

Waymittegoazhu, his x mark,

Oujupenaas, his x mark,

Madwayossin, his x mark.

SUPPLEMENTARY ARTICLE.

As the Chippewas who committed the murder upon four American citizens, in June, 1824, upon the shores of Lake Pepin, are not present at this council, but are far in the interior of the country, so that they cannot be apprehended and delivered to the proper authority before the commencement of the next Summer; and, as the Commissioners have been specially instructed to demand the surrender of these persons, and to state to the Chippewa tribe the consequence of suffering such a flagitious outrage to go unpunished, it is agreed, that the persons guilty of the beforementioned murder shall be brought in, either to the Sault St. Marie, or Green Bay, as early next summer as practicable, and surrendered to the proper authority; and that, in the mean time, all further measures on the part of the United States, in relation to this subject, shall be suspended.

Lewis Cass,
Thomas L. McKenney.

Representing the hands to whom the persons guilty of the murder belong, for themselves and the Chippewa tribe:

Gitshee Meegeesee, his x mark,
Metaukoosegay, his x mark,
Ouskunzheema, his x mark,
Keenesteno, his x mark.

Witnesses:

A. Edwards, secretary to the commission,
E. Boardman, captain commanding detachment,
Henry R. Schoolcraft, United States Indian agent.
Henry Connor, interpreter.

Schedule referred to in the preceding Treaty.

To Oshauguscodaywagqua, wife of John Johnston, Esq., to each of her children, and to each of her grand children, one section.

To Saugemaugqua, widow of the late John Baptiste Cadotte, and to her children, Louison, Sophia, Archangel, Edward, and Polly, one section each.

To Keneesequa, wife of Samuel Ashman, and to each of her children, one section.

To Teegaushau, wife of Charles H. Oakes, and to each of her children, one section.

To Thomas Shaw, son of Obimetunoqua, and to his wife Mary, being also of Indian descent, each one section.

To Fanny Levake, daughter of Meeshwauqua, and to each of her children, one section.

To Obayshaunoquotoqua, wife of Francis Goolay, Jr. one section.

To Omuckackeence, wife of John Holiday, and to each of her children, one section.

To Obimegeezhigoqua, wife of Joseph Due Chene, Jr. and to each of her children, one section.

To Monedoqua, wife of Charles Cloutier, one section.

To Susan Yarns, daughter of Odanbitogeezhigoqua, one section.

To Henry Sayer and John Sayer, sons of Obemau unoqua, each one section.

To each of the children of John Tanner, being of Chippewa descent, one section.

To Wassidjeewunoqua, and to each of her children, by George Johnston, one section.

To Michael Cadotte, senior, son of Equawaice, one section.

To Equaysayway, wife of Michael Cadotte, senior, and to each of her children living within the United States, one section.

To each of the children of Charlotte Warren, widow of the late Truman A. Warren, one section.

To Mary Chapman, daughter of Equameeg, and wife of Bela Chapman, and to each of her children, one section.

To Saganoshequa, wife of John H. Fairbanks, and to each of her children, one section.

To Shaughnomonee, wife of William Morrison, and to each of her children, one section.

To each of the children of the late Ingwaysuh, wife of Joseph Coté, one section.

To each of the children of Angelique Coté, late wife of Pierre Coté, one section.

To Pazhikwutoqua, wife of William Aitken, and to each of her children, one section.

To Susan Davenport, grand daughter of Misquabunoqua, and wife of Ambrose Davenport, and to each of her children, one section.

To Waubunega, wife of Augustin Belanger, and to each of her children, one section.

To Charlotte Louisa Morrison, wife of Allan Morrison, and daughter of Manitowidjewung, and to each of her children, one section.

To each of the children of Eustace Roussain, by Shawwunaubunoqua, Wauwaussumoqua, and Payshaubunoqua, one section.

To Isabella Dingley, wife of Daniel Dingley and daughter of Pimegeezhigoqua, and to each of her children, one section.

To George Birkhead, being a Chippewa by descent, one section.

To Susan Conner, wife of Thomas Conner, and daughter of Pimegeezhigoqua, and to each of her children, one section.

To the children of George Ermatinger, being of Shawnee extraction, two sections collectively.

To Ossinahjeeunoqua, wife of Michael Cadotte, Jr. and each of her children, one section.

To Minedemoeyah, wife of Pierre Duvernay, one section.

To Ogeemauggeezhigoqua, wife of Basil Boileau, one section.

To Wauneaussequa, wife of Paul Boileau, one section.

To Kaukaubesheshequa, wife of John Baptiste Corbeau, one section.

To John Baptiste Du Chene, son of Pimegeezhigoqua, one section.

To each of the children of Ugwudaushee, by the late Truman A. Warren, one section.

To William Warren, son of Lyman M. Warren, and Mary Cadotte, one section.

To Antoine, Joseph, Louis, Chalot, and Margaret Charette, children of Equameeg, one section.

To the children of Francois Boutcher, by Waussequa, each one section.

To Angelique Brabent, daughter of Waussegundum, and wife of Alexis Brabent, one section.

To Odishqua, of Sault St. Marie, a Chippewa, of unmixed blood, one section.

To Pamidjeebung, of Sault St. Marie, a Chippewa, of unmixed blood, one section.

To Waybossinoqua, and John J. Wayishkee, children of Wayishkee, each one section.

Lewis Cass,
Thos. L. McKenney.

TREATY WITH THE CHIPPEWA, 1837.

Articles of a treaty made and concluded at St. Peters (the confluence of the St. Peters and Mississippi rivers) in the Territory of Wisconsin, between the United States of America, by their commissioner, Henry Dodge, Governor of said Territory, and the Chippewa nation of Indians, by their chiefs and headmen.

July 29, 1837.
7 Stat., 536.
Proclamation, June
15, 1838.

ARTICLE 1. The said Chippewa nation cede to the United States all that tract of country included within the following boundaries:

Land ceded to the
United States.

Beginning at the junction of the Crow Wing and Mississippi rivers, between twenty and thirty miles above where the Mississippi is crossed by the forty-sixth parallel of north latitude, and running thence to the north point of Lake St. Croix, one of the sources of the St. Croix river; thence to and along the dividing ridge between the waters of Lake Superior and those of the Mississippi, to the sources of the Ocha-sua-sepe a tributary of the Chippewa river; thence to a point on the Chippewa river, twenty miles below the outlet of Lake De Flambeau; thence to the junction of the Wisconsin and Pelican rivers; thence on an east course twenty-five miles; thence southerly, on a course parallel with that of the Wisconsin river, to the line dividing the territories of the Chippewas and Menomonies; thence to the Plover Portage; thence along the southern boundary of the Chippewa country, to the commencement of the boundary line dividing it from that of the Sioux, half a days march below the falls on the Chippewa river; thence with said boundary line to the mouth of Wah-tap river, at its junction with the Mississippi; and thence up the Mississippi to the place of beginning.

Boundaries.

ARTICLE 2. In consideration of the cession aforesaid, the United States agree to make to the Chippewa nation, annually, for the term of twenty years, from the date of the ratification of this treaty, the following payments.

United States to
make the following
payments annually
for twenty years.

1. Nine thousand five hundred dollars, to be paid in money.
2. Nineteen thousand dollars, to be delivered in goods.
3. Three thousand dollars for establishing three blacksmiths shops, supporting the blacksmiths, and furnishing them with iron and steel.
4. One thousand dollars for farmers, and for supplying them and the Indians, with implements of labor, with grain or seed; and whatever else may be necessary to enable them to carry on their agricultural pursuits.
5. Two thousand dollars in provisions.
6. Five hundred dollars in tobacco.

The provisions and tobacco to be delivered at the same time with the goods, and the money to be paid; which time or times, as well as the place or places where they are to be delivered, shall be fixed upon under the direction of the President of the United States.

The blacksmiths shops to be placed at such points in the Chippewa country as shall be designated by the Superintendent of Indian Affairs, or under his direction.

If at the expiration of one or more years the Indians should prefer to receive goods, instead of the nine thousand dollars agreed to be paid to them in money, they shall be at liberty to do so. Or, should they conclude to appropriate a portion of that annuity to the establishment and support of a school or schools among them, this shall be granted them.

ARTICLE 3. The sum of one hundred thousand dollars shall be paid by the United States, to the half-breeds of the Chippewa nation, under the direction of the President. It is the wish of the Indians that their two sub-agents Daniel P. Bushnell, and Miles M. Vineyard, superintend the distribution of this money among their half-breed relations.

Payment to half-
breeds.

ARTICLE 4. The sum of seventy thousand dollars shall be applied to the payment, by the United States, of certain claims against the Indians; of which amount twenty-eight thousand dollars shall, at their request, be paid to William A. Aitkin, twenty-five thousand to Lyman M. Warren, and the balance applied to the liquidation of other just demands against them—which they acknowledge to be the case with regard to that presented by Hercules L. Dousman, for the sum of five thousand dollars; and they request that it be paid.

Payment of claims
against Indians.

ARTICLE 5. The privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers and the lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States.

Hunting ground.

ARTICLE 6. This treaty shall be obligatory from and after its ratification by the President and Senate of the United States.

Treaty binding when ratified.

Done at St. Peters in the Territory of Wisconsin the twenty-ninth day of July eighteen hundred and thirty-seven.

Henry Dodge, Commissioner.

From Leech lake:

Aish-ke-bo-ge-koshe, or Flat Mouth,
R-che-o-sau-ya, or the Elder Brother.
Chiefs.

Pe-zhe-kins, the Young Buffalo,
Ma-ghe-ga-bo, or La Trappe,
O-be-gwa-dans, the Chief of the Earth,
Wa-bose, or the Rabbit,
Che-a-na-quod, or the Big Cloud.
Warriors.

From Gull lake and Swan river:
Pa-goo-na-kee-zhig, or the Hole in the
Day,

From Lake Courteville:
Pa-qua-a-mo, or the Wood Pecker.
Chief.

From Lac De Flambeau:
Pish-ka-ga-ghe, or the White Crow,
Na-wa-ge-wa, or the Knee,
O-ge-ma-ga, or the Dandy,
Pa-se-quam-jis, or the Commissioner,
Wa-be-ne-me, or the White Thunder.
Chiefs.

From La Pointe, (on Lake Superior):
Pe-zhe-ke, or the Buffalo,
Ta-qua-ga-na, or Two Lodges Meeting,
Cha-che-que-o.
Chiefs.

From Mille Lac:
Wa-shask-ko-kone, or Rats Liver,
Wen-ghe-ge-she-guk, or the First Day.
Chiefs.
Ada-we-ge-shik, or Both Ends of the Sky,
Ka-ka-quap, or the Sparrow.
Warriors.

From Sandy Lake:
Ka-nan-da-wa-win-zo, or Le Brocheux,
We-we-shan-shis, the Bad Boy, or Big
Mouth,
Ke-che-wa-me-te-go, or the Big French-
man.
Chiefs.

Signed in presence of—

Verplanck Van Antwerp, Secretary to
the Commissioner.
M. M. Vineyard, U. S. Sub-Indian
Agent.
Daniel P. Bushnell.
Law. Taliaferro, Indian Agent at St.
Peters.
Martin Scott, Captain, Fifth Regiment
Infantry.
J. Emerson, Assistant Surgeon, U. S.
Army.
H. H. Sibley.

Songa-ko-mig, or the Strong Ground.
Chiefs.

Wa-boo-jig, or the White Fisher,
Ma-cou-da, or the Bear's Heart.
Warriors.

From St. Croix river:
Pe-zhe-ke, or the Buffalo,
Ka-be-ma-be, or the Wet Month.
Chiefs.

Pa-ga-we-we-wetung, Coming Home Hol-
lowing,
Ya-banse, or the Young Buck,
Kie-ke-ta-wak, or the Cut Ear.
Warriors.

Na-ta-me-ga-bo, the Man that stands
First,
Sa-ga-ta-gun, or Spunk.
Warriors.

From Snake river:
Naudin, or the Wind,
Sha-go-bai, or the Little Six,
Pay-ajik, or the Lone Man,
Na-qua-na-bie, or the Feather.
Chiefs.

Ha-tau-wa,
Wa-me-te-go-zhins, the Little French-
man,
Sho-ne-a, or Silver.
Warriors.

From Fond du Lac, (on Lake Superior):
Mang-go-sit, or the Loons Foot,
Shing-go-be, or the Spruce.
Chiefs.

From Red Cedar lake:
Mont-so-mo, or the Murdering Yell.
From Red lake:
Francois Goumean (a half breed).
From Leech lake:
Sha-wa-ghe-zhig, or the Sounding Sky,
Wa-zau-ko-ni-a, or Yellow Robe.
Warriors.

H. L. Dousman.
S. C. Stambaugh.
E. Lockwood.
Lyman M. Warren.
J. N. Nicolle.
Harmen Van Antwerp.
Wm. H. Forbes.
Jean Baptiste Dubay, Interpreter.
Peter Quinn, Interpreter.
S. Campbell, U. S. Interpreter.
Stephen Bonga, Interpreter.
Wm. W. Coriell.

(To the Indian names are subjoined a mark and seal.)

**TREATY WITH THE CHIPPEWA OF THE MISSISSIPPI AND LAKE
SUPERIOR, 1847.**

Articles of a treaty made and concluded at the Fond du Lac of Lake Superior, on the second day of August, in the year one thousand eight hundred and forty-seven, between the United States, by their commissioners, Isaac A. Verplank and Henry M. Rice, and the Chippewa Indians of the Mississippi and Lake Superior, by their chiefs and head-men.

Aug. 2, 1847.

9 Stat., 901.
Ratified Apr. 3,
1848.
Proclaimed, Apr. 7,
1848.

ARTICLE 1. It is agreed that the peace and friendship which exists between the people of the United States and the Chippewa Indians shall be perpetual.

Peace and friendship to be perpetual.

ARTICLE 2. The Chippewa Indians of the Mississippi and Lake Superior cede and sell to the United States all the land within the following boundaries, viz: Beginning at the junction of the Crow Wing and Mississippi Rivers, thence up the Crow Wing River to the junction of that river with the Long Prairie River, thence up the Long Prairie River to the boundary-line between the Sioux and Chippewa Indians, thence southerly along the said boundary-line to a lake at the head of Long Prairie River, thence in a direct line to the sources of the Watab River, thence down the Watab to the Mississippi River, thence up the Mississippi to the place of beginning; and also all the interest and claim which the Indians, parties to this treaty, have in a tract of land lying upon and north of Long Prairie River, and called One-day's Hunt; but, as the boundary-line between the Indians, parties to this treaty, and the Chippewa Indians, commonly called "Pillagers," is indefinite, it is agreed that before the United States use or occupy the said tract of land north of Long Prairie River, the boundary-line between the said tract and the Pillager lands shall be defined and settled to the satisfaction of the Pillagers.

Cession of lands by the Chippewa of the Mississippi and Lake Superior to the United States.

Boundary between the Indians, parties to this treaty, and the "Pillager" band, to be settled to the satisfaction of the latter.

ARTICLE 3. In consideration of the foregoing cession, the United States agree to pay to the Chippewas of Lake Superior seventeen thousand dollars in specie, and to the Chippewas of the Mississippi seventeen thousand dollars in specie; the above sums to be paid at such place or places, and in such manner, as the President shall direct, and to be paid within six months after this treaty shall be ratified by the President and Senate of the United States; and the United States further agree to pay to the Mississippi Indians the sum of one thousand dollars annually for forty-six years; but it is agreed that whenever the Chippewas of the Mississippi shall agree as to the schools to be established, and the places at which they shall be located, the number of blacksmiths and laborers to be employed for them, and shall request the United States to expend, from year to year, the annual payments remaining unpaid, in the support of schools, blacksmiths, and laborers, the same shall be expended by the United States for such purposes; and that Chippewas of full or mixed blood shall be employed as teachers, blacksmiths, and laborers, when such persons can be employed who are competent to perform the duties required of them under this and all former treaties.

In consideration of the foregoing cession, the United States to pay the Chippewa \$17,000.

And further to pay to the Mississippi Indians the sum of \$1,000 for 46 years.

How to be expended.

ARTICLE 4. It is stipulated that the half or mixed bloods of the Chippewas residing with them shall be considered Chippewa Indians, and shall, as such, be allowed to participate in all annuities which shall hereafter be paid to the Chippewas of the Mississippi and Lake Superior, due them by this treaty, and by the treaties heretofore made and ratified.

Half or mixed blood of the Chippewa to be considered as Chippewa.

ARTICLE 5. [Stricken out.]

ARTICLE 6. This treaty shall be obligatory upon the contracting parties when ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac A. Verplank and Henry M. Rice, commissioners as aforesaid, and the chiefs, headmen and warriors of the Chippewas of the Mississippi and Lake Superior, have hereunto set their hands, at the Fond du Lac of Lake Superior, this second day of August, in the year one thousand eight hundred and forty-seven.

Isaac A. Verplank.
Henry M. Rice.

Kai-ah-want-eda, 2d chief, his x mark, Crow-wing.
 Waub-o-jceg, 1st chief, his x mark, Gull Lake.
 Uttom-auh, 1st warrior, his x mark, Crow-wing.
 Shen-goob, 1st warrior, his x mark, Crow-wing.
 Que-wish-an-sish, 1st warrior, his x mark, Gull Lake.
 Maj-c-gah-bon, 2d warrior, his x mark, Crow-wing.
 Kag-gag-c-we guon, warrior, his x mark, Crow-wing.
 Mab uk-um-ig, warrior, his x mark, Crow-wing.
 Nag aun cg-a bon, 2d chief, his x mark, Sandy Lake.
 Wan jc-ke-shig-uk, chief, his x mark, Sandy Lake.
 Kow-az-rum-ig-ish-kung, warrior, his x mark, Sandy Lake.
 Ke-che-wask keenk, 1st chief, his x mark, Lapointe.
 Gab in ub-be, chief, his x mark, St. Croix Lake.
 Kee che-waub-ish-ash, 1st chief, his x mark, Pelican Lakes.
 Nig-gig, 2d chief, his x mark, Pelican Lakes.
 Ud-c-kun-ag, 2d chief, his x mark, Lac flambeau.
 Ta-che-go-onk, 3d chief, his x mark, Lapointe.
 Muk-no-a-wuk-und, warrior, his x mark, Lapointe.
 O-sho-gaz, warrior, his x mark, St. Croix.
 A-dow-c-re-shig, warrior, his x mark, Lapointe.
 Ud-ik-ons, 2d chief, his x mark, Grand Portage.
 Me-zye, 4th chief, his x mark, Lapointe.
 David King, 1st chief, his x mark, Ance.
 Ma-tak-o-se-ga, 1st warrior, his x mark, Ance.
 Assurcens, 2d warrior, his x mark, Ance.
 Peter Marksman, chief.
 Alexander Corbin, chief.
 William W. W. Warren, 1st chief.
 Jno. Pta. Rellenger, his x mark.

Keesh-ri-tow-ng, 1st warrior, his x mark, Lapointe.
 I-aub-ans, chief, his x mark, Rice Lake.
 Tug-wany-am-az, 2d chief, his x mark, Lapointe.
 O-rum-de-kun, chief, his x mark, Ontonagin.
 Keesn-re-tow-no, 2d chief, his x mark, Ontonagin.
 Maj-c-wo-we-clung, 2d chief, his x mark, Puckaguno.
 Ke-che-wa-mibco-osk, 1st chief, his x mark, Puckaguno.
 Mongo-o-sit, 3d chief, his x mark, Fond-du-lac.
 Mug-un-ub, 2d chief, his x mark, Fond-du-lac.
 An-in-as-ung, 1st warrior, his x mark, Fond-du-lac.
 Waub-ish-ashe, 1st chief, his x mark, Chippeway River.
 Make-cen-gun, 2d chief, his x mark, Chippeway River.
 Kee-wan-see, chief, his x mark, Lac Contereille.
 Ten-as-see, chief, his x mark, Puk-wawun.
 Nag-an-is, 2d chief, his x mark, Lac Contereille.
 Ke-chi-in-in-e, 1st warrior, his x mark, Puk-wawun.
 Ke-che-now-uj-c-nim, chief, his x mark, Turtle Portage.
 Bus-e-guin-jis, warrior, his x mark, Lac flambeau.
 Shin-goob, 1st chief, his x mark, Fond-du-lac.
 Shay-u-ash-cens, 1st chief, his x mark, Grand Portage.
 Charles Charlo, his x mark.
 Chief, Battiste Gauthier, his x mark.
 Half-breeds—Lapointe Band:
 Chief, Vincent Roy, his x mark.
 Warrior, John Btse. Cadotte, his x mark.
 Second Chief, Lemo Sayer, his x mark.
 Warrior, Jhn. Btse. Roy, his x mark.
 Michel Bas-he-na, his x mark.
 Lueson Godin, his x mark.
 John Sayer, his x mark.
 Chief, Lueson Corbin, his x mark.

Witnesses—

Wm. W. Warren, interpreter.
 Chas. H. Oakes, Lapointe.
 Roswell Hart, Rochester, New York.
 Henry Evans, Batavia, New York.
 A. Morrison.

S. Hovers.
 Mamoci M. Samuel.
 Henry Blatchford, interpreter.
 William A. Aitken.
 Julius Ombrian.

The following signatures are those of chiefs and headmen parties to this treaty:

Ke-nesh-te-no, chief, Trout Lake, his x mark.
 Mah-shah, 1st warrior, his x mark, Lac flambeau.
 I-oush-ou-c-ke-shik, chief, his x mark, Red Cedar Lake.
 Mah-ko-dah, 1st warrior, his x mark, Mille Lac.
 Pe-tud, 1st chief, his x mark, Mille Lac.
 Aunch-e-be-nas, 2d warrior, his x mark, Mille Lac.
 Mish-in-nack-in-ugo, warrior, his x mark, Red Cedar Lake.

Gah-nin-dum-a-win-so, 1st chief, his x mark, Sandy Lake.
 Mis-quod-ase, warrior, his x mark, Sandy Lake.
 Na-tum-e-gaw-bow, 2d chief, his x mark, Sandy Lake.
 I-ah-be-dua-we-dung, warrior, his x mark, Sandy Lake.
 Bi-a-jig, 1st chief, his x mark, Pukaguno.
 Joseph Montre, 1st chief, Mississippi half-breeds.

Witnesses—

Wm. W. Warren,
 Peter Marksman,
 Interpreters.

Smith Hovers.

The signature of No-din, or The Wind, written by his request on the 3d day of August, 1847, and with the consent of the commissioners—
No-din, or The Wind, his x mark.

In presence of—
William A. Aitkin,
R. B. Carlton.

I approve of this treaty, and consent to the same, August 3d, 1847.
Fond-du-lac.

Po-go-ne-gi-shik, or Hole-in-the-day, his x mark.
Witness—
William Aitkin,
D. T. Sloan.

TREATY WITH THE PILLAGER BAND OF CHIPPEWA INDIANS,
1847.

Articles of a treaty made and concluded at Leech Lake on the twenty-first day of August, in the year one thousand eight hundred and forty-seven, between the United States, by their commissioners, Isaac A. Verplank and Henry M. Rice, and the Pillager Band of Chippewa Indians, by their chiefs, head-men, and warriors.

Aug. 21, 1847.

9 Stat., 908.
Proclamation Apr.
7, 1848.

ARTICLE 1. It is agreed that the peace and friendship which exists between the United States and the Indians, parties to this treaty, shall be perpetual.

Peace and friendship to be perpetual.

ARTICLE 2. The Pillager band of Chippewa Indians hereby sell and cede to the United States all the country within the following boundaries, viz: Beginning at the south end of Otter-Tail Lake; thence southerly on the boundary-line between the Sioux and Chippewa Indians to Long Prairie River; thence up said river to Crow Wing River; thence up Crow Wing River to Leaf River; thence up Leaf River to the head of said river; and from thence in a direct line to the place of beginning.

Cession of lands to the United States.

ARTICLE 3. It is stipulated that the country hereby ceded shall be held by the United States as Indian land, until otherwise ordered by the President.

Country ceded to be held as Indian land until otherwise ordered.

ARTICLE 4. In consideration of the foregoing cession, the United States agree to furnish to the Pillager band of Chippewa Indians annually, for five years, the following articles: Fifty three-point Mackinaw blankets, three hundred two and a half point Mackinaw blankets, fifty one and a half point Mackinaw blankets, three hundred and forty yards of gray list-cloth, four hundred and fifty yards of white list scarlet cloth, eighteen hundred yards of strong dark prints, assorted colors, one hundred and fifty pounds three-thread gray gilling-twine, seventy-five pounds turtle-twine, fifty bunches sturgeon-twine, twenty-five pounds of linen thread, two hundred combs, five thousand assorted needles, one hundred and fifty medal looking-glasses, ten pounds of vermilion, thirty nests (fourteen each) heavy tin kettles, five hundred pounds of tobacco, and five barrels of salt. And the United States further agree that at the first payment made under this treaty, the Indians, parties to this treaty, shall receive as a present two hundred warranted beaver-traps and seventy-five north-west guns.

Annuitiy in goods for five years, in consideration of the foregoing cession.

ARTICLE 5. This treaty shall be obligatory upon the parties thereto when ratified by the President and Senate of the United States.

Treaty to be obligatory when ratified by the President.

In testimony whereof, the said Isaac A. Verplank and Henry M. Rice, commissioners, as aforesaid, and the chiefs, headmen, and warriors of the Pillager band of Chippewa Indians, have hereunto set their hands at Leech Lake, this twenty-first day of August, one thousand eight hundred and forty-seven.

Isaac A. Verplank.
Henry M. Rice.
George Bonja, Interpreter.

Aish-ke-bo-ge-Koshe, or Flat Mouth, first chief, his x mark.
Ca-pe-ma-be, or Elder Brother's Son, second chief, his x mark.
Nia-je-ga-boi, or La Trappe, head warrior, his x mark.
Ca-gouse, or Small Porcupine, headman, his x mark.
Pe-ji-ke, or the Buffalo, second warrior, his x mark.
Ca-ken-ji-wi-nine, or Charcoal, third warrior, his x mark.
Na-bi-ne-ashe, or the Bird that flies on one side, second headman, his x mark.
Ne-ba-coim, or Night Thunder, warrior, his x mark.
Chang-a-so-ning, or Nine Fingers, third headman, his x mark.

Witness: George Bonja, Interpreter.

A. Morrison,
A. R. McLeod,
J. W. Lynde.

TREATY WITH THE CHIPPEWA, 1854.

Articles of a treaty made and concluded at La Pointe, in the State of Wisconsin, between Henry C. Gilbert and David B. Herriman, commissioners on the part of the United States, and the Chippewa Indians of Lake Superior and the Mississippi, by their chiefs and head-men.

Sept. 30, 1854.

10 Stats., 1109.
Ratified Jan. 10, 1855.
Proclaimed Jan. 29,
1855.

ARTICLE 1. The Chippewas of Lake Superior hereby cede to the United States all the lands heretofore owned by them in common with the Chippewas of the Mississippi, lying east of the following boundary-line, to wit: Beginning at a point, where the east branch of Snake River crosses the southern boundary-line of the Chippewa country, running thence up the said branch to its source, thence nearly north, in a straight line, to the mouth of East Savannah River, thence up the St. Louis River to the mouth of East Swan River, thence up the East Swan River to its source, thence in a straight line to the most westerly bend of Vermillion River, and thence down the Vermillion River to its mouth.

Cession to the United States by the Chippewa of Lake Superior.

The Chippewas of the Mississippi hereby assent and agree to the foregoing cession, and consent that the whole amount of the consideration money for the country ceded above, shall be paid to the Chippewas of Lake Superior, and in consideration thereof the Chippewas of Lake Superior hereby relinquish to the Chippewas of the Mississippi, all their interest in and claim to the lands heretofore owned by them in common, lying west of the above boundary-line.

Relinquishment to Chippewa of Mississippi by Chippewa of Lake Superior.

ARTICLE 2. The United States agree to set apart and withhold from sale, for the use of the Chippewas of Lake Superior, the following-described tracts of land, viz:

Reservation for Chippewa of Lake Superior.

1st. For the L'Anse and Vieux De Sert bands, all the unsold lands in the following townships in the State of Michigan: Township fifty-one north range thirty-three west; township fifty-one north range thirty-two west; the east half of township fifty north range thirty-three west; the west half of township fifty north range thirty-two west, and all of township fifty-one north range thirty-one west, lying west of Huron Bay.

2d. For the La Pointe band, and such other Indians as may see fit to settle with them, a tract of land bounded as follows: Beginning on the south shore of Lake Superior, a few miles west of Montreal River, at the mouth of a creek called by the Indians Ke-che-se-be-we-she, running thence south to a line drawn east and west through the centre of township forty-seven north, thence west to the west line of said township, thence south to the southeast corner of township forty-six north, range thirty-two west, thence west the width of two townships, thence north the width of two townships, thence west one mile, thence north to the lake shore, and thence along the lake shore, crossing Shag-waw-me-quon Point, to the place of beginning. Also two hundred acres on the northern extremity of Madeline Island, for a fishing ground.

3d. For the other Wisconsin bands, a tract of land lying about Lac De Flambeau, and another tract on Lac Court Orielles, each equal in extent to three townships, the boundaries of which shall be hereafter agreed upon or fixed under the direction of the President.

4th. For the Fond Du Lac bands, a tract of land bounded as follows: Beginning at an island in the St. Louis River, above Knife Portage, called by the Indians Paw-paw-sco-me-me-tig, running thence west to the boundary-line heretofore described, thence north along said boundary-line to the mouth of Savannah River, thence down the St. Louis River to the place of beginning. And if said tract shall contain less than one hundred thousand acres, a strip of land shall be added on the south side thereof, large enough to equal such deficiency.

5th. For the Grand Portage band, a tract of land bounded as follows: Beginning at a rock a little east of the eastern extremity of Grand Portage Bay, running thence along the lake shore to the mouth of a small stream called by the Indians Maw-ske-gwaw-caw-maw-se-be, or Cranberry Marsh River, thence up said stream, across the point to Pigeon River, thence down Pigeon River to a point opposite the starting-point, and thence across to the place of beginning.

6th. The Ontonagon band and that subdivision of the La Pointe band of which Buffalo is chief, may each select, on or near the lake shore, four sections of land, under the direction of the President, the boundaries of which shall be defined hereafter. And being desirous to provide for some of his connections who have rendered his people important services, it is agreed that the chief Buffalo may select one section of land, at such place in the ceded territory as he may see fit, which shall be reserved for that purpose, and conveyed by the United States to such person or persons as he may direct.

7th. Each head of a family, or single person over twenty-one years of age at the present time of the mixed bloods, belonging to the Chippewas of Lake Superior, shall be entitled to eighty acres of land, to be selected by them under the direction of the President, and which shall be secured to them by patent in the usual form.

ARTICLE 3. The United States will define the boundaries of the reserved tracts, whenever it may be necessary, by actual survey, and the President may, from time to time, at his discretion, cause the whole to be surveyed, and may assign to each head of a family or single person over twenty-one years of age, eighty acres of land for his or their separate use; and he may, at his discretion, as fast as the occupants become capable of transacting their own affairs, issue patents therefor to such occupants, with such restrictions of the power of alienation as he may see fit to impose. And he may also, at his discretion, make rules and regulations, respecting the disposition of the lands in case of the death of the head of a family, or single person occupying the same, or in case of its abandonment by them. And he may also assign other lands in exchange for mineral lands, if any such are found in the tracts herein set apart. And he may also make such changes in the boundaries of such reserved tracts or otherwise, as shall be necessary to prevent interference with any vested rights. All necessary roads, highways, and railroads, the lines of which may run through any of the reserved tracts, shall have the right of way through the same, compensation being made therefor as in other cases.

Survey and patents
of reservation.

ARTICLE 4. In consideration of and payment for the country hereby ceded, the United States agree to pay to the Chippewas of Lake Superior, annually, for the term of twenty years, the following sums, to wit: five thousand dollars in coin; eight thousand dollars in goods, household furniture and cooking utensils; three thousand dollars in agricultural implements and cattle, carpenter's and other tools and building materials, and three thousand dollars for moral and educational purposes, of which last sum, three hundred dollars per annum shall be paid to the Grand Portage band, to enable them to maintain a school at their village. The United States will also pay the further sum of ninety thousand dollars, as the chiefs in open council may direct, to enable them to meet their present just engagements. Also the further sum of six thousand dollars, in agricultural implements, household furniture, and cooking utensils, to be distributed at the next annuity payment, among the mixed bloods of said nation. The United States will also furnish two hundred guns, one hundred rifles, five hundred beaver-traps, three hundred dollars' worth of ammunition, and one thousand dollars' worth of ready-made clothing, to be distributed among the young men of the nation, at the next annuity payment.

Payments for said
cession.

ARTICLE 5. The United States will also furnish a blacksmith and assistant, with the usual amount of stock, during the continuance of the annuity payments, and as much longer as the President may think proper, at each of the points herein set apart for the residence of the Indians, the same to be in lieu of all the employees to which the Chippewas of Lake Superior may be entitled under previous existing treaties.

Blacksmiths and as-
sistants.

ARTICLE 6. The annuities of the Indians shall not be taken to pay the debts of individuals, but satisfaction for depredations committed by them shall be made by them in such manner as the President may direct.

Annuities not to be
withheld for debt, but
may be for depreda-
tions.

ARTICLE 7. No spirituous liquors shall be made, sold, or used on any of the lands herein set apart for the residence of the Indians, and the sale of the same shall be prohibited in the Territory hereby ceded, until otherwise ordered by the President.

Spirituous liquors.

ARTICLE 8. It is agreed, between the Chippewas of Lake Superior and the Chippewas of the Mississippi, that the former shall be entitled to two-thirds, and the latter to one-third, of all benefits to be derived from former treaties existing prior to the year 1847.

Division between Chippewa of Mississippi and of Lake Superior of benefits of former treaties.

ARTICLE 9. The United States agree that an examination shall be made, and all sums that may be found equitably due to the Indians, for arrearages of annuity or other thing, under the provisions of former treaties, shall be paid as the chiefs may direct.

Arrearages.

ARTICLE 10. All missionaries, and teachers, and other persons of full age, residing in the territory hereby ceded, or upon any of the reservations hereby made by authority of law, shall be allowed to enter the land occupied by them at the minimum price whenever the surveys shall be completed to the amount of one quarter-section each.

Preemption.

ARTICLE 11. All annuity payments to the Chippewas of Lake Superior, shall hereafter be made at L'Anse, La Pointe, Grand Portage, and on the St. Louis River; and the Indians shall not be required to remove from the homes hereby set apart for them. And such of them as reside in the territory hereby ceded, shall have the right to hunt and fish therein, until otherwise ordered by the President.

Annuities, how paid.

ARTICLE 12. In consideration of the poverty of the Bois Forte Indians who are parties to this treaty, they having never received any annuity payments, and of the great extent of that part of the ceded country owned exclusively by them, the following additional stipulations are made for their benefit. The United States will pay the sum of ten thousand dollars, as their chiefs in open council may direct, to enable them to meet their present just engagements. Also the further sum of ten thousand dollars, in five equal annual payments, in blankets, cloth, nets, guns, ammunition, and such other articles of necessity as they may require.

Stipulations for Bois Forte Indians.

They shall have the right to select their reservation at any time hereafter, under the direction of the President; and the same may be equal in extent, in proportion to their numbers, to those allowed the other bands, and be subject to the same provisions.

They shall be allowed a blacksmith, and the usual smithshop supplies, and also two persons to instruct them in farming, whenever in the opinion of the President it shall be proper, and for such length of time as he shall direct.

It is understood that all Indians who are parties to this treaty, except the Chippewas of the Mississippi, shall hereafter be known as the Chippewas of Lake Superior. *Provided*, That the stipulation by which the Chippewas of Lake Superior relinquishing their right to land west of the boundary-line shall not apply to the Bois Forte band who are parties to this treaty.

ARTICLE 13. This treaty shall be obligatory on the contracting parties, as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Henry C. Gilbert, and the said David B. Herriman, commissioners as aforesaid, and the undersigned chiefs and headmen of the Chippewas of Lake Superior and the Mississippi, have hereunto set their hands and seals, at the place aforesaid, this thirtieth day of September, one thousand eight hundred and fifty-four.

Henry C. Gilbert,
David B. Herriman,
Commissioners.

Richard M. Smith, Secretary.

| | | |
|----------------------------------|----------------------------------|---------|
| La Pointe Band: | May-mosh-caw-wosh, headman, | |
| Ke-che-waish-ke, or the Buffalo, | his x mark. | [L. s.] |
| 1st chief, his x mark. | Aw-de-konse, or the Little Rein- | [L. s.] |
| Chay-che-que-oh, 2d chief, his x | deer, 2d chief, his x mark. | [L. s.] |
| mark. | Way-we-ge-wam, headman, his x | [L. s.] |
| A-daw-we-ge-zhick, or Each Side | mark. | [L. s.] |
| of the sky, 2d chief, his x | Fond Du Lac Band: | |
| mark. | Shing-goope, or the Balsom, 1st | |
| O-ske-naw-way, or the Youth, 2d | chief, his x mark. | [L. s.] |
| chief, his x mark. | Mawn-go-sit, or the Loon's Foot, | [L. s.] |
| Maw-caw-day-pe-nay-se, or the | 2d chief, his x mark. | [L. s.] |
| Black Bird, 2d chief, his x | May-quaw-me-we-ge-zhick, head- | [L. s.] |
| mark. | man, his x mark. | [L. s.] |
| Naw-waw-naw-quot, headman, his | Keesh,-kawk, headman, his x | [L. s.] |
| x mark. | mark. | [L. s.] |

- Ke-wain-zeence, headman, his x mark. [L. s.]
- Waw-haw-ne-me-ke, or the White Thunder, 2d chief, his x mark. [L. s.]
- Pay-baw-me-say, or the Soarer, 2d chief, his x mark. [L. s.]
- Naw-waw-ge-waw-nose, or the Little Current, 2d chief, his x mark. [L. s.]
- Maw-caw-day-waw-quot, or the Black Cloud, 2d chief, his x mark. [L. s.]
- Me-she-naw-way, or the Disciple, 2d chief, his x mark. [L. s.]
- Key-me-waw-naw-um, headman, his x mark. [L. s.]
- She-gog headman, his x mark. [L. s.]
- Ontonagon Band:
- O-cun-de-cun, or the Buoy 1st chief, his x mark. [L. s.]
- Waw-say-ge-zhick, or the Clear Sky, 2d chief, his x mark. [L. s.]
- Keesh-ke-taw-wug, headman, his x mark. [L. s.]
- L'Anse Band:
- David King, 1st chief, his x mark. [L. s.]
- John Southwind, headman, his x mark. [L. s.]
- Peter Marksman, headman, his x mark. [L. s.]
- Naw-taw-me-ge-zhick, or the First Sky, 2d chief, his x mark. [L. s.]
- Aw-se-nece, headman, his x mark. [L. s.]
- Vieux De Sert Band:
- May-dway-aw-she, 1st chief, his x mark. [L. s.]
- Posh-quay-gin, or the Leather, 2d chief, his x mark. [L. s.]
- Grand Portage Band:
- Shaw-gaw-naw-sheence, or the Little Englishman, 1st chief, his x mark. [L. s.]
- Ke-che-e-nin-ne, headman, his x mark. [L. s.]
- Haw-claw-gaw-me, headman, his x mark. [L. s.]
- Way-me-te-go-she, headman, his x mark. [L. s.]
- Pay-me-ge-wung, headman, his x mark. [L. s.]
- Lac Du Flambeau Band:
- Aw-mo-se, or the Wasp, 1st chief, his x mark. [L. s.]
- Ke-nish-te-no, 2d chief, his x mark. [L. s.]
- Me-ge-see, or the Eagle, 2d chief, his x mark. [L. s.]
- Kay-kay-co-gwaw-nay-aw-she, headman, his x mark. [L. s.]
- O-che-chog, headman, his x mark. [L. s.]
- Nay-she-kay-gwaw-nay-be, headman, his x mark. [L. s.]
- O-scaw-bay-wis, or the Waiter, 1st chief, his x mark. [L. s.]
- Que-we-zance, or the White Fish, 2d chief, his x mark. [L. s.]
- Ne-gig, or the Otter, 2d chief, his x mark. [L. s.]
- Nay-waw-che-ge-ghick-may-be, headman, his x mark. [L. s.]
- Quay-quay-ke-cah, headman, his x mark. [L. s.]
- Bois Forte Band:
- Kay-baish-caw-daw-way, or Clear Round the Prairie, 1st chief, his x mark. [L. s.]
- Way-zaw-we-ge-zhick-way-sking, headman, his x mark. [L. s.]
- O-saw-we-pe-nay-she, headman, his x mark. [L. s.]
- Caw-taw-waw-be-day, headman, his x mark. [L. s.]
- O-saw-gee, headman, his x mark. [L. s.]
- Ke-che-aw-ke-wain-ze, headman, his x mark. [L. s.]
- Naw-gaw-nub, or the Foremost Sitter, 2d chief, his x mark. [L. s.]
- Ain-ne-maw-sung, 2d chief, his x mark. [L. s.]
- Naw-aw-bun-way, headman, his x mark. [L. s.]
- Wain-ge-maw-tub, headman, his x mark. [L. s.]
- Aw-ke-wain-zeence, headman, his x mark. [L. s.]
- Shay-way-be-nay-se, headman, his x mark. [L. s.]
- Paw-pe-oh, headman, his x mark. [L. s.]
- Lac Court Oreille Band:
- Aw-ke-wain-ze, or the Old Man, 1st chief, his x mark. [L. s.]
- Key-no-zhance, or the Little Jack Fish, 1st chief, his x mark. [L. s.]
- Key-che-pe-nay-se, or the Big Bird, 2d chief, his x mark. [L. s.]
- Ke-che-waw-be-shay-she, or the Big Martin, 2d chief, his x mark. [L. s.]
- Waw-be-shay-sheence, headman, his x mark. [L. s.]
- Quay-quay-cub, headman, his x mark. [L. s.]
- Shaw-waw-no-me-tay, headman, his x mark. [L. s.]
- Nay-naw-ong-gay-be, or the Dressing Bird, 1st chief, his x mark. [L. s.]
- O-zhaw-waw-sco-ge-zhick, or the Blue Sky, 2d chief, his x mark. [L. s.]
- I-yaw-banse, or the Little Buck, 2d chief, his x mark. [L. s.]
- The Mississippi Bands:
- Que-we-san-se, or Hole in the Day, head chief, his x mark. [L. s.]
- Caw-nawn-claw-waw-win-zo, or the Berry Hunter, 1st chief, his x mark. [L. s.]
- Waw-bow-jieg, or the White Fisher, 2d chief, his x mark. [L. s.]
- Ot-taw-waw, 2d chief, his x mark. [L. s.]
- Que-we-zhan-cis, or the Bad Boy, 2d chief, his x mark. [L. s.]
- Bye-a-jick, or the Lone Man, 2d chief, his x mark. [L. s.]
- I-yaw-shaw-waw-ge-zhick, or the Crossing Sky, 2d chief, his x mark. [L. s.]
- Maw-caw-day, or the Bear's Heart, 2d chief, his x mark. [L. s.]
- Ke-way-de-no-go-nay-be, or the Northern Feather, 2d chief, his x mark. [L. s.]
- Me-squaw-dace, headman, his x mark. [L. s.]
- Naw-gaw-ne-gaw-bo, headman, his x mark. [L. s.]
- Wawm-be-de-yea, headman, his x mark. [L. s.]
- Waish-key, headman, his x mark. [L. s.]
- Caw-way-caw-me-ge-skung, headman, his x mark. [L. s.]
- My-yaw-ge-way-we-dunk, or the One who carries the Voice, 2d chief, his x mark. [L. s.]
- John F. Godfroy,
Geo. Johnston,
S. A. Marvin,
Louis Codot,
Paul H. Beaulieu,
Henry Blatchford,
Peter Floy,

Interpreters.

Executed in the presence of—

Henry M. Rice,
J. W. Lynde,
G. D. Williams,
B. H. Connor,
E. W. Muldough,
Richard Godfroy,

D. S. Cash,
H. H. McCullough,
E. Smith Lee,
Wm. E. Vantassel,
L. H. Wheeler.

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TREATY WITH THE CHIPPEWA, 1855.

Articles of agreement and convention made and concluded at the city of Washington, this twenty-second day of February, one thousand eight hundred and fifty five, by George W. Manypenny, commissioner, on the part of the United States, and the following-named chiefs and delegates, representing the Mississippi bands of Chippewa Indians, viz: Pug-o-na-ke-shick, or Holc-in-the-day; Que-we-sans-ish, or Bad Boy; Wand-e-kaw, or Little Hill; I-awe-showe-we-ke-shig, or Crossing Sky; Petud-dunce, or Rat's Liver; Mun-o-min-e-kay-shuin, or Rice-Maker; Mah-yah-ge-way-we-durg, or the Chorister; Kay-gwa-daush, or the Attempter; Carw-caug-e-we-goon, or Crow Feather; and Show-baush-king, or He that passes under Everything, and the following-named chiefs and delegates representing the Pillager and Lake Winnibigoshish bands of Chippewa Indians, viz: Aish-ke-bug-e-koshe, or Flat Mouth; Be-sheck-kee, or Buffalo; Nay-bun-a-caush, or Young Man's Son; Maug-e-gaw-bow, or Stepping Ahead; Mi-gi-si, or Eagle, and Karo-be-mub-bee, or North Star, they bring thereto duly authorized by the said bands of Indians respectively.

Feb. 22, 1855.

10 Stat. 1165.
Ratified Mar. 3, 1855.
Proclaimed Apr. 7,
1855.

10 STAT
1165

ARTICLE 1. The Mississippi, Pillager, and Lake Winnibigoshish bands of Chippewa Indians hereby cede, sell, and convey to the United States all their right, title, and interest in, and to, the lands now owned and claimed by them, in the Territory of Minnesota, and included within the following boundaries, viz: Beginning at a point where the east branch of Snake River crosses the southern boundary-line of the Chippewa country, east of the Mississippi River, as established by the treaty of July twenty-ninth, one thousand eight hundred and thirty-seven, running thence, up the said branch, to its source; thence, nearly north in a straight line, to the mouth of East Savannah River; thence, up the St. Louis River, to the mouth of East Swan River; thence, up said river, to its source; thence, in a straight line, to the most westwardly bend of Vermillion River; thence, northwestwardly, in a straight line, to the first and most considerable bend in the Big Fork River; thence, down said river, to its mouth; thence, down Rainy Lake River, to the mouth of Black River; thence, up that river, to its source; thence, in a straight line, to the northern extremity of Turtle Lake; thence, in a straight line, to the mouth of Wild Rice River; thence, up Red River of the North, to the mouth of Buffalo River; thence, in a straight line, to the southwestern extremity of Otter-Tail Lake; thence, through said lake, to the source of Leaf River; thence down said river, to its junction with Crow Wing River; thence down Crow Wing River, to its junction with the Mississippi River; thence to the commencement on said river of the southern boundary-line of the Chippewa country, as established by the treaty of July twenty-ninth, one thousand eight hundred and thirty-seven; and thence, along said line, to the place of beginning. And the said Indians do further fully and entirely relinquish and convey to the United States, any and all right, title, and interest, of whatsoever nature the same may be, which they may now have in, and to any other lands in the Territory of Minnesota or elsewhere.

Cession to the
United States.

ARTICLE 2. There shall be, and hereby is, reserved and set apart, a sufficient quantity of land for the permanent homes of the said Indians; the lands so reserved and set apart, to be in separate tracts, as follows, viz:

Reservations for
permanent homes.

For the Mississippi bands of Chippewa Indians: The first to embrace the following fractional townships, viz: forty-two north, of range twenty-five west; forty-two north, of range twenty-six west; and forty-two and forty-three north, of range twenty-seven west; and, also, the three islands in the southern part of Mille Lac. Second, beginning at a point half a mile east of Rabbit Lake; thence south three miles; thence westwardly, in a straight line, to a point three miles south of the mouth of Rabbit River; thence north to the mouth of said river; thence up the Mississippi River to a point directly north of the place of beginning; thence south to the place of beginning. Third, begin-

For the Mississippi
bands of Chippewa.

ning at a point half a mile southwest from the most southwestwardly point of Gull Lake; thence due south to Crow Wing River; thence down said river, to the Mississippi River; thence up said river to Long Lake Portage; thence, in a straight line, to the head of Gull Lake; thence in a southwestwardly direction, as nearly in a direct line as practicable, but at no point thereof, at a less distance than half a mile from said lake, to the place of beginning. Fourth, the boundaries to be, as nearly as practicable, at right angles, and so as to embrace within them Pokagomon Lake; but nowhere to approach nearer said lake than half a mile therefrom. Fifth, beginning at the mouth of Sandy Lake River; thence south, to a point on an east and west line, two miles south of the most southern point of Sandy Lake; thence east, to a point due south from the mouth of West Savannah River; thence north, to the mouth of said river; thence north to a point on an east and west line, one mile north of the most northern point of Sandy Lake; thence west, to Little Rice River; thence down said river to Sandy Lake River; and thence down said river to the place of beginning. Sixth, to include all the islands in Rice Lake, and also half a section of land on said lake, to include the present gardens of the Indians. Seventh, one section of land for Pug-o-na-ke-shick, or Hole-in-the-day, to include his house and farm; and for which he shall receive a patent in fee-simple.

For the Pillager and Lake Winnibigoshish bands, to be in three tracts, to be located and bounded as follows, viz: First, beginning at mouth of Little Boy River; thence up said river to Lake Hassler; thence through the center of said lake to its western extremity; thence in a direct line to the most southern point of Leech Lake; and thence through said lake, so as to include all the islands therein, to the place of beginning. Second, beginning at the point where the Mississippi River leaves Lake Winnibigoshish; thence north, to the head of the first river; thence west, by the head of the next river, to the head of the third river, emptying into said lake; thence down the latter to said lake; and thence in a direct line to the place of beginning. Third, beginning at the mouth of Turtle River; thence up said river to the first lake; thence east, four miles; thence southwardly, in a line parallel with Turtle River, to Cass Lake; and thence, so as to include all the islands in said lake, to the place of beginning; all of which said tracts shall be distinctly designated on the plats of the public surveys.

And at such time or times as the President may deem it advisable for the interests and welfare of said Indians, or any of them, he shall cause the said reservation, or such portion or portions thereof as may be necessary, to be surveyed; and assign to each head of a family, or single person over twenty-one years of age, a reasonable quantity of land, in one body, not to exceed eighty acres in any case, for his or their separate use; and he may, at his discretion, as the occupants thereof become capable of managing their business and affairs, issue patents to them for the tracts so assigned to them, respectively; said tracts to be exempt from taxation, levy, sale, or forfeiture; and not to be aliened or leased for a longer period than two years, at one time, until otherwise provided by the legislature of the State in which they may be situate, with the assent of Congress. They shall not be sold, or alienated, in fee, for a period of five years after the date of the patents; and not then without the assent of the President of the United States being first obtained. Prior to the issue of the patents, the President shall make such rules and regulations as he may deem necessary and expedient, respecting the disposition of any of said tracts in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased person; and should any of the Indians to whom tracts may be assigned thereafter abandon them, the President may make such rules and regulations, in relation to such abandoned tracts, as in his judgment may be necessary and proper.

ARTICLE 3. In consideration of, and in full compensation for, the cessions made by the said Mississippi, Pillager, and Lake Winnibigoshish bands of Chippewa Indians, in the first article of this agreement, the United States hereby agree and stipulate to pay, expend, and make provision for, the said bands of Indians, as follows, viz: For the Mississippi bands:

For the Pillager and Lake Winnibigoshish bands.

Reservations may be surveyed and allotted.

Payment to the Mississippi band for the above cessions.

Ten thousand dollars (\$10,000) in goods, and other useful articles, as soon as practicable after the ratification of this instrument, and after an appropriation shall be made by Congress therefor, to be turned over to the delegates and chiefs for distribution among their people.

Fifty thousand dollars (\$50,000) to enable them to adjust and settle their present engagements, so far as the same, on an examination thereof, may be found and decided to be valid and just by the chiefs, subject to the approval of the Secretary of the Interior; and any balance remaining of said sum not required for the above-mentioned purpose shall be paid over to said Indians in the same manner as their annuity money, and in such instalments as the said Secretary may determine; *Provided*, That an amount not exceeding ten thousand dollars (\$10,000) of the above sum shall be paid to such full and mixed bloods as the chiefs may direct, for services rendered heretofore to their bands.

Twenty thousand dollars (\$20,000) per annum, in money, for twenty years, provided, that two thousand dollars (\$2,000) per annum of that sum, shall be paid or expended, as the chiefs may request, for purposes of utility connected with the improvement and welfare of said Indians, subject to the approval of the Secretary of the Interior.

Five thousand dollars (\$5,000) for the construction of a road from the mouth of Rum River to Mille Lac, to be expended under the direction of the Commissioner of Indian Affairs.

A reasonable quantity of land, to be determined by the Commissioner of Indian Affairs, to be ploughed and prepared for cultivation in suitable fields, at each of the reservations of the said bands, not exceeding, in the aggregate, three hundred acres for all the reservations, the Indians to make the rails and inclose the fields themselves.

For the Pillager and Lake Winnibigoshish bands:

Ten thousand dollars (\$10,000) in goods, and other useful articles, as soon as practicable, after the ratification of this agreement, and an appropriation shall be made by Congress therefor; to be turned over to the chiefs and delegates for distribution among their people.

Forty thousand dollars (\$40,000) to enable them to adjust and settle their present engagements, so far as the same, on an examination thereof, may be found and decided to be valid and just by the chiefs, subject to the approval of the Secretary of the Interior; and any balance remaining of said sum, not required for that purpose, shall be paid over to said Indians, in the same manner as their annuity money, and in such instalments as the said Secretary may determine; provided that an amount, not exceeding ten thousand dollars (\$10,000) of the above sum, shall be paid to such mixed-bloods as the chiefs may direct, for services heretofore rendered to their bands.

Ten thousand six hundred and sixty-six dollars and sixty-six cents (\$10,666.66) per annum, in money, for thirty years.

Eight thousand dollars (\$8,000) per annum, for thirty years, in such goods as may be requested by the chiefs, and as may be suitable for the Indians, according to their condition and circumstances.

Four thousand dollars (\$4,000) per annum, for thirty years, to be paid or expended, as the chiefs may request, for purposes of utility connected with the improvement and welfare of said Indians; subject to the approval of the Secretary of the Interior; *Provided*, That an amount not exceeding two thousand dollars thereof, shall, for a limited number of years, be expended under the direction of the Commissioner of Indian Affairs, for provisions, seeds, and such other articles or things as may be useful in agricultural pursuits.

Such sum as can be usefully and beneficially applied by the United States, annually, for twenty years, and not to exceed three thousand dollars, in any one year, for purposes of education; to be expended under the direction of the Secretary of the Interior.

Three hundred dollars' (\$300) worth of powder, per annum, for five years.

One hundred dollars' (\$100) worth shot and lead, per annum, for five years.

One hundred dollars' (\$100) worth of gilling twine, per annum, for five years.

One hundred dollars' (\$100) worth of tobacco, per annum, for five years.

Hire of three laborers at Leech Lake, of two at Lake Winnibigoshish, and of one at Cass Lake, for five years.

Payment to the Pillager and Lake Winnibigoshish bands for said cessions.

Expense of two blacksmiths, with the necessary shop, iron, steel, and tools, for fifteen years.

Two hundred dollars (\$200) in grubbing-hoes and tools, the present year.

Fifteen thousand dollars (\$15,000) for opening a road from Crow Wing to Leech Lake; to be expended under the direction of the Commissioner of Indian Affairs.

To have ploughed and prepared for cultivation, two hundred acres of land, in ten or more lots, within the reservation at Leech Lake; fifty acres, in four or more lots, within the reservation at Lake Winnibigoshish; and twenty-five acres, in two or more lots within the reservation at Cass Lake: *Provided*, That the Indians shall make the rails and inclose the lots themselves.

A saw-mill, with a portable grist-mill attached thereto, to be established whenever the same shall be deemed necessary and advisable by the Commissioner of Indian Affairs, at such point as he shall think best; and which, together, with the expense of a proper person to take charge of and operate them, shall be continued during ten years: *Provided*, That the cost of all the requisite repairs of the said mills shall be paid by the Indians, out of their own funds.

ARTICLE 4. The Mississippi bands have expressed a desire to be permitted to employ their own farmers, mechanics, and teachers; and it is therefore agreed that the amounts to which they are now entitled, under former treaties, for purposes of education, for blacksmiths and assistants, shops, tools, iron and steel, and for the employment of farmers and carpenters, shall be paid over to them as their annuities are paid: *Provided, however*, That whenever, in the opinion of the Commissioner of Indian Affairs, they fail to make proper provision for the above-named purposes, he may retain said amounts, and appropriate them according to his discretion, for their education and improvement.

Payment to the Mississippi bands under former treaties may be made in cash.

ARTICLE 5. The foregoing annuities, in money and goods, shall be paid and distributed as follows: Those due the Mississippi bands, at one of their reservations; and those due the Pillager and Lake Winnibigoshish bands, at Leech Lake; and no part of the said annuities shall ever be taken or applied, in any manner, to or for the payment of the debts or obligations of Indians contracted in their private dealings, as individuals, whether to traders or other persons. And should any of said Indians become intemperate or abandoned, and waste their property, the President may withhold any moneys or goods, due and payable to such, and cause the same to be expended, applied, or distributed, so as to insure the benefit thereof to their families. If, at any time, before the said annuities in money and goods of either of the Indian parties to this convention shall expire, the interests and welfare of said Indians shall, in the opinion of the President, require a different arrangement, he shall have the power to cause the said annuities, instead of being paid over and distributed to the Indians, to be expended or applied to such purposes or objects as may be best calculated to promote their improvement and civilization.

How the above annuities shall be paid.

ARTICLE 6. The missionaries and such other persons as are now, by authority of law, residing in the country ceded by the first article of this agreement, shall each have the privilege of entering one hundred and sixty acres of the said ceded lands, at one dollar and twenty-five cents per acre; said entries not to be made so as to interfere, in any manner, with the laying off of the several reservations herein provided for.

Preemption rights in said cession.

And such of the mixed bloods as are heads of families, and now have actual residences and improvements in the ceded country, shall have granted to them, in fee, eighty acres of land, to include their respective improvements.

Grants of land to mixed bloods.

ARTICLE 7. The laws which have been or may be enacted by Congress, regulating trade and intercourse with the Indian tribes, to continue and be in force within the several reservations provided for herein; and those portions of said laws which prohibit the introduction, manufacture, use of, and traffic in, ardent spirits, wines, or other liquors, in the Indian country, shall continue and be in force, within the entire boundaries of the country herein ceded to the United States, until otherwise provided by Congress.

Laws extended to said reservations.

ARTICLE 8. All roads and highways, authorized by law, the lines of which shall be laid through any of the reservations provided for in this convention, shall have the right of way through the same; the fair and just value of such right being paid to the Indians therefor; to be assessed and determined according to the laws in force for the appropriation of lands for such purposes.

Roads may be constructed.

ARTICLE 9. The said bands of Indians, jointly and severally, obligate and bind themselves not to commit any depredations or wrong upon other Indians, or upon citizens of the United States; to conduct themselves at all times in a peaceable and orderly manner; to submit all difficulties between them and other Indians to the President, and to abide by his decision in regard to the same, and to respect and observe the laws of the United States, so far as the same are to them applicable. And they also stipulate that they will settle down in the peaceful pursuits of life, commence the cultivation of the soil, and appropriate their means to the erection of houses, opening farms, the education of their children, and such other objects of improvement and convenience, as are incident to well-regulated society; and that they will abstain from the use of intoxicating drinks and other vices to which they have been addicted.

Stipulations as to conduct of the Indians.

ARTICLE 10. This instrument shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and the Senate of the United States.

In testimony whereof the said George W. Manypenny, commissioner as aforesaid, and the said chiefs and delegates of the Mississippi, Pillager and Lake Winnibigoshish bands of Chippewa Indians have hereto set their hands and seals, at the place and on the day and year hereinbefore written.

George W. Manypenny, commissioner. [L. s.]

| | |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Tug-o-na-ke-shick, or Hole in the Day, his x mark. [L. s.] | Mah-yah-ge-way-we-durg, or The Chorister, his x mark. [L. s.] |
| Que-we-suns-ish, or Bad Boy, his x mark. [L. s.] | Kay-gwa-dansh, or The Attempter, his x mark. [L. s.] |
| Wand-e-kaw, or Little Hill, his x mark. [L. s.] | Caw-cang-e-we-gwan, or Crow Feather, his x mark. [L. s.] |
| I-awe-showe-we-ke-shig, or Crossing Sky, his x mark. [L. s.] | Show-baush-king, or He that Passeth Under Everything, his x mark. [L. s.] |
| Petud-dunce, or Rat's Liver, his x mark. [L. s.] | |
| Mun-o-min-e-kay-shein, or Rice Maker, his x mark. [L. s.] | |
| Aish-ke-bug-e-koshe, or Flat Mouth, his x mark. [L. s.] | Chief delegates of the Mississippi bands. Mang-e-gaw-bow, or Stepping Ahead, his x mark. [L. s.] |
| Be-sheck-kee, or Buffalo, his x mark. [L. s.] | Mi-gi-si, or Eagle, his x mark. [L. s.] |
| Nay-bun-a-caush, or Young Man's Son, his x mark. [L. s.] | Kaw-be-mub-bee, or North Star, his x mark. [L. s.] |

Chiefs and delegates of the Pillager and Lake Winnibigoshish bands.

Executed in the presence of—

Henry M. Rice.
Geo. Culver.
D. B. Herriman, Indian agent.
J. E. Fletcher.
John Dowling.
T. A. Warren, United States interpreter.

Paul H. Beaulieu, interpreter.
Edward Ashman, interpreter.
C. H. Beaulieu, interpreter.
Peter Roy, interpreter.
Will P. Ross, Cherokee Nation.
Riley Keys.

**TREATY WITH THE CHIPPEWA, MISSISSIPPI, AND PILLAGER
AND LAKE WINNIBIGOSHISH BANDS, 1864.**

Articles of agreement and convention made and concluded at the city of Washington this seventh day of May, A. D. 1864, between William P. Dole, Commissioner of Indian Affairs, and Clark W. Thompson, superintendent of Indian affairs for the northern superintendency, on the part of the United States, and the Chippewa chief Hole-in-the-day, and Mis-qua-dace, for and on behalf of the Chippewas of the Mississippi, and Pillager and Lake Winnebagoish bands of Chippewa Indians in Minnesota.

May 7, 1864.

13 Stat., 693.
Ratified Feb. 9, 1865.
Proclaimed Mar. 20,
1865.

ARTICLE 1. The reservations known as Gull Lake, Mille Lac, Sandy Lake, Rabbit Lake, Pokagomin Lake, and Rice Lake, as described in the second clause of the second article of the treaty with the Chippewas of the twenty-second of February, 1855, are hereby ceded to the United States, excepting one half section of land, including the mission buildings at Gull Lake, which is hereby granted in fee simple to the Reverend John Johnson, missionary, and one section of land, to be located by the Secretary of the Interior on the southeast side of Gull Lake, and which is hereby granted in fee simple to the chief Hole-in-the-day, and a section to chief Mis-qua-dace, at Sandy Lake, in like manner, and one section to chief Shaw-vosh-kung, at Mille Lac, in like manner.

Gull Lake and other reservations ceded to the United States, except, etc.

Hole-in-the-day-
Mis-qua-dace, Shaw-
vosh-kung.

ARTICLE 2. In consideration of the foregoing cession, the United States agree to set apart, for the future home of the Chippewas of the Mississippi, all the lands embraced within the following-described boundaries, excepting the reservations made and described in the third clause of the second article of the said treaty of February 22d, 1855, for the Pillager and Lake Winnebagoish bands; that is to say, beginning at a point one mile south of the most southerly point of Leach Lake, and running thence in an easterly course to a point one mile south of the most southerly point of Goose Lake, thence due east to a point due south from the intersection of the Pokagomin reservation and the Mississippi River, thence on the dividing-line between Deer River and lakes and Mashkordens River and lakes, until a point is reached north of the first-named river and lakes; thence in a direct line northwesterly to the outlet of Two Routs Lake, then in a southwesterly direction to Turtle Lake, thence southwesterly to the headwater of Rice River, thence northwesterly along the line of the Red Lake reservation to the mouth of Thief River, thence down the centre of the main channel of Red Lake River to a point opposite the mouth of Black River, thence southeasterly in a direct line with the outlet of Rice Lake to a point due west from the place of beginning, thence to the place of beginning.

Reservation for the
Chippewa of the Mis-
sissippi.

Boundaries.

ARTICLE 3. In consideration of the foregoing cession to the United States, and the valuable improvements thereon, the United States further agree, first, to extend the present annuities of the Indians, parties to this treaty, for ten years beyond the periods respectively named in existing treaties; second, and to pay towards the settlement of the claims for depredations committed by said Indians in 1862, the sum of twenty thousand dollars; third, to the chiefs of the Chippewas of the Mississippi, ten thousand dollars, to be paid upon the ratification of this treaty; and five thousand dollars to the chief Hole-in-the-day, for depredations committed in burning his house and furniture in 1862.

Annuities to be ex-
tended for ten years.

Payment toward
settlement for depre-
dations, and to the
chiefs.

ARTICLE 4. The United States further agree to pay seven thousand five hundred (\$7,500) dollars for clearing, stumping, grubbing, breaking, and planting, on the reservation hereby set apart for the Chippewas of the Mississippi, in lots of not less than ten acres each, at such point or points as the Secretary of the Interior may select, as follows, viz: For the Gull Lake band, seventy (70) acres; for the Mille Lac band, seventy (70) acres; for the Sandy Lake band, fifty (50) acres; for the Pokagomin band, fifty (50) acres; for the Rabbit Lake band, forty (40) acres; for the Rice Lake band, twenty (20) acres; and to expend five thousand dollars (\$5,000) in building for the chiefs of said bands one house each, under the direction of the Secretary of the Interior.

Payments for clear-
ing, etc., lots in res-
ervation.
See art. 14.

Houses for chiefs.

ARTICLE 5. The United States agree to furnish to said Indians, parties to this treaty, ten (10) yoke of good steady work oxen, and twenty log-chains annually for ten years, provided the Indians shall take proper care of and make proper use of the same; also for the same period annually two hundred (200) grubbing-hoes, ten (10) ploughs, ten (10) grindstones, one hundred (100) axes, handled, not to exceed in weight three and one-half pounds each, twenty (20) spades, and other farming implements, provided it shall not amount to more than fifteen hundred dollars in one year; also two carpenters, and two blacksmiths, and four farm-laborers, and one physician.

Oxen, plows, and agricultural implements to be furnished.

ARTICLE 6. The United States further agree to pay annually one thousand dollars (\$1,000) towards the support of a sawmill to be built for the common use of the Chippewas of the Mississippi and the Red Lake and Pembina bands of Chippewa Indians, so long as the President of the United States may deem it necessary; and to expend in building a road, bridges, &c., to their new agency seven thousand five hundred dollars (\$7,500;) and to expend for new agency buildings, to be located by the Secretary of the Interior for the common use of the Chippewas of the Mississippi, Red Lake, and Pembina, and Pillager and Lake Winnebagoshish bands of Chippewa Indians, twenty-five thousand dollars (\$25,000.)

Carpenters, blacksmiths, laborers, and physician.

Sawmill.

Road, bridges, etc.
Buildings.

ARTICLE 7. There shall be a board of visitors, to consist of not less than two nor more than five persons, to be selected from such Christian denomination or denominations as the chiefs in council may designate, whose duty it shall be to be present at all annuity payments to the Indians, whether of goods, moneys, provisions, or other articles, and to inspect the fields, buildings, mills, and other improvements made or to be made, and to report annually thereon, on or before the first day of November; and also as to the qualifications and moral deportment of all persons residing upon the reservation under the sanction of law or regulation, and they shall receive for their services five dollars per day for the time actually employed, and ten cents per mile for traveling expenses; *Provided*, That no one shall be paid in any one year for more than twenty days' service, or for more than three hundred miles' travel.

Board of visitors to be present at annuity payment, make inspection, and report annually.

Pay.

ARTICLE 8. No person shall be recognized as a chief whose band numbers less than fifty persons; and to encourage and aid the said chiefs in preserving order, and inducing by their example and advice, the members of their respective bands to adopt the pursuits of civilized life, there shall be paid to each of said chiefs annually out of the annuities of said bands, a sum not exceeding one hundred and fifty dollars, (\$150,) to be determined by their agent according to their respective merits.

Chiefs with bands of less than fifty not to be recognized.

Gratuities.

ARTICLE 9. To improve the morals and industrial habits of said Indians, it is agreed that no agent, teacher, interpreter, trader, or other employees shall be employed, appointed, licensed, or permitted to reside within the reservations belonging to the Indians, parties to this treaty, missionaries excepted, who shall not have a family residing with them at their respective places of employment or trade within the agency, whose moral habits and fitness shall be reported upon annually by the board of visitors; and no person of full or mixed blood, educated or partially educated, whose fitness, morally or otherwise, is not conducive to the welfare of said Indians, shall receive any benefit from this or any former treaties, and may be expelled from the reservation.

Agent, teachers, etc., to have families.

Improper persons not to have benefits of treaties.

ARTICLE 10. All annuities under this or former treaties shall be paid as the chiefs in council may request, with the approval of the Secretary of the Interior, until otherwise altered or amended, which shall be done whenever the board of visitors, by the requests of the chiefs, may recommend it: *Provided* That no change shall take place oftener than once in two years.

Payment of annuities.

ARTICLE 11. Whenever the services of laborers are required upon the reservation, preference shall be given to full or mixed bloods, if they shall be found competent to perform them.

Preference given to full or mixed bloods as laborers.

ARTICLE 12. It shall not be obligatory upon the Indians, parties to this treaty, to remove from their present reservations until the United States shall have first complied with the stipulations of Articles IV and VI of this treaty, when the United States shall furnish them with

Indians not to remove from present reservations until, etc.

all necessary transportation and subsistence to their new homes and subsistence for six months thereafter: *Provided*, That, owing to the heretofore good conduct of the Mille Lac Indians, they shall not be compelled to remove so long as they shall not in any way interfere with or in any manner molest the persons or property of the whites: *Provided*, That those of the tribe residing on the Sandy Lake reservation shall not be removed until the President shall so direct.

ARTICLE 13. Female members of the family of any government employe[e] residing on the reservation, who shall teach Indian girls domestic economy, shall be allowed and paid a sum not exceeding ten dollars per month while so engaged: *Provided*, That not more than one thousand dollars shall be so expended during any one year, and that the President of the United States may suspend or annul this article whenever he may deem it expedient to do so.

Certain females may be paid as teachers.

Proviso.

ARTICLE 14. It is distinctly understood and agreed that the clearing and breaking of land for the Chippewas of the Mississippi, as provided for in the fourth article of this treaty, shall be in lieu of all former engagements of the United States as to the breaking of lands for those bands, and that this treaty is in lieu of the treaty made by the same tribes, approved March 11th, 1863.

Provisions for clearing, etc., lands to be in lieu of former provisions.

In testimony whereof the said Wm. P. Dole and Clark W. Thompson, on behalf of the United States, and Chippewa chiefs, Hole-in-the-day and Mis-qua-dace, on behalf of Indians parties to this treaty, have hereunto set their hands and affixed their seals this seventh day of May, A. D. one thousand eight hundred and sixty-four.

W. P. Dole, Commissioner Indian Affairs.

[SEAL.]

Clark W. Thompson, Superintendent Indian Affairs.

[SEAL.]

Que-ze-zance, or Hole-in-the-day, his x mark.

[SEAL.]

Mis-qua-dace, or Turtle, his x mark.

[SEAL.]

Signed in presence of

Peter Roy, special interpreter.

Benjn. Thompson.

TREATY WITH THE CHIPPEWA—BOIS FORT BAND, 1866.

Articles of a treaty made and concluded at Washington, District of Columbia, this seventh day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, party of the first part, by their commissioners, D. N. Cooley, Commissioner of Indian Affairs, and E. E. L. Taylor, thereunto duly authorized, and the Bois Forte band of Chippewa Indians, parties of the second part, by the undersigned chiefs, head-men, and warriors of said bands, thereunto duly authorized.

Apr. 7, 1866.

14 Stats., 765.
Ratified Apr. 26,
1866.
Proclaimed May 5,
1866.

ARTICLE 1. The peace and friendship now existing between the United States and said Bois Forte bands of Indians shall be perpetual.

Peace and friendship.

ARTICLE 2. In consideration of the agreements, stipulations, and undertakings to be performed by the United States, and hereinafter expressed, the Bois Forte bands of Chippewas have agreed to, and do hereby, cede and forever relinquish and surrender to the United States all their right, title, claim, and interest in and to all lands and territory heretofore claimed, held, or possessed by them, and lying east of the boundary line mentioned and established in and by the first article of the treaty made and concluded by and between the United States of the one part, and the Chippewas of Lake Superior and the Mississippi of the other part, on the 30th day of September, A. D. 1854, and more especially in and to all that portion of said territory heretofore claimed and occupied by them at and near Lake Vermillion as a reservation. The Bois Forte band of Chippewas in like manner cede and relinquish forever to the United States all their claim, right, title, and interest in and to all lands and territory lying westerly of said boundary line, or elsewhere within the limits of the United States.

Cession of lands to the United States.

Boundaries.

ARTICLE 3. In consideration of the foregoing cession and relinquishment, the United States agree to and will perform the stipulations, undertakings, and agreements following, that is to say:—

The United States to set apart a reservation.

1st. There shall be set apart within one year after the date of the ratification of this treaty, under the direction of the President of the United States, within the Chippewa country, for the perpetual use and occupancy of said Bois Forte band of Chippewas, a tract of land of not less than one hundred thousand acres, the said location to include a lake known by the name of Netor As-sab-a-co-na, if, upon examination of the country by the agent sent by the President of the United States to select the said reservation, it is found practicable to include the said lake therein, and also one township of land on the Grand Fork River, at the mouth of Deer Creek, if such location shall be found practicable.

2d. The United States will, as soon as practicable after the setting apart of the tract of country first above mentioned, erect thereon, without expense to said Indians, one blacksmith's shop, to cost not exceeding five hundred dollars; one school-house, to cost not exceeding five hundred dollars; and eight houses for their chiefs, to cost not exceeding four hundred dollars each; and a building for an agency house and storehouse for the storage of goods and provisions, to cost not exceeding two thousand dollars.

The United States to erect shop, school-house, houses for chiefs, and other buildings.

3d. The United States will expend annually for and in behalf of said Bois Forte band of Chippewas, for and during the term of twenty years from and after the ratification of this treaty, the several sums and for the purposes following, to wit: For the support of one blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith's shop, fifteen hundred dollars; for one school-teacher, and the necessary books and stationery for the school, eight hundred dollars, the chiefs in council to have the privilege of selecting, with the approval of the Secretary of the Interior, the religious denomination to which the said teacher shall belong; for instructions of the said Indians in farming, and the purchase of seeds, tools, &c., for that purpose, eight hundred dollars; and for annuity payments, the sum of eleven thousand dollars, three thousand five hundred dollars of which shall be paid to them in money per capita, one thousand dollars in provisions, ammunition, and tobacco, and six thousand five hundred dollars to be distributed to them in goods and other articles suited to their wants and condition.

To pay annuity for twenty years.

Objects of annuities.

ARTICLE 4. To enable the chiefs, head-men, and warriors now present to establish their people upon the new reservation, and to purchase useful articles and presents for their people, the United States agree to pay them, upon the ratification of this treaty, the sum of thirty thousand dollars, to be expended under the direction of the Secretary of the Interior.

Payment of \$30,000 to Indians.

ARTICLE 5. In consideration of the services heretofore rendered to the said Indians by Francis Roussaire, senior, Francis Roussaire, jr., and Peter E. Bradshaw, it is hereby agreed that the said persons shall each have the right to select one hundred and sixty acres of land, not mineral lands, and to receive patents therefor from the United States; and for the like services to the Indians, the following named persons, to wit: Peter Roy, Joseph Gurnoe, Francis Roy, Vincent Roy, Eustace Roussaire, and D. George Morrison shall each have the right to select eighty acres of land, not mineral lands, and to receive from the United States patents therefor.

Grant of lands to certain persons for services.

ARTICLE 6. It is further agreed that all payments of annuities to the Bois Forte band of Chippewas shall be made upon their reservation if, upon examination, it shall be found practicable to do so.

Annuities to be paid upon the reservation, etc.

ARTICLE 7. It is agreed by and between the parties hereto that, upon the ratification of this treaty, all former treaties existing between them inconsistent herewith shall be, and the same are hereby, abrogated and made void to all intents and purposes; and the said Indians hereby relinquish any and all claims for arrears of payments claimed to be due under such treaties, or that are hereafter to fall due under the provisions of the same; except that as to the third clause of the twelfth article of the treaty of September 30, 1854, providing for a blacksmith, smith-shop, supplies, and instructions in farming, the same shall continue in full force and effect, but the benefits thereof shall be transferred to the Chippewas of Lake Superior.

Inconsistent provisions of former treaties abrogated.

ARTICLE 8. The United States also agree to pay the necessary expenses of transportation and subsistence of the delegates who have visited Washington for the purpose of negotiating this treaty, not exceeding the sum of ten thousand dollars.

Part of treaty of Sept. 30, 1854, to remain in full force.

In testimony whereof, the undersigned, Commissioners on behalf of the United States, and the delegates on behalf of the Bois Forte band of Chippewas, have hereunto set their hands and seals the day and year first above written.

Payment of expenses of delegation to Washington.

| | |
|-------------------------------------------------------------|---------|
| D. N. Cooley, Commissioner of Indian Affairs. | [L. S.] |
| E. E. L. Taylor, Special Commissioner. | [L. S.] |
| Gabeshcodaway, or Going through the Prairie, his x mark. | [L. S.] |
| Babawmadjeweshcang, or Mountain Traveller, his x mark. | [L. S.] |
| Adawawnequabenace, or Twin-haired Bird, his x mark. | [L. S.] |
| Sagwadaçamegishcang, or He who Tries the Earth, his x mark. | [L. S.] |
| Neoning, or The Four Fingers, his x mark. | [L. S.] |
| Wabawgamawgau, or The Tomahawk, his x mark. | [L. S.] |
| Ganawawbamina, or He who is Looked at, his x mark. | [L. S.] |
| Gawnandawawinzo, or Berry Hunter, his x mark. | [L. S.] |
| Abetang, or He who Inhabits, his x mark. | [L. S.] |

In presence of—

| | |
|----------------------------------------------------------|---------|
| Luther E. Webb, | [L. S.] |
| United States Indian agent for Chippewas, Lake Superior. | |
| Joseph D. Gurnoe, | [L. S.] |
| United States interpreter, Lake Superior. | |

| | |
|-------------------|-----------|
| J. C. Ramsey. | } [L. S.] |
| Benj'n Thompson. | |
| Peter Roy. | |
| D. Geo. Morrison. | |
| Vincent Roy, jr. | |
| W. H. Watson. | |

TREATY WITH THE CHIPPEWA OF THE MISSISSIPPI, 1867.

Articles of agreement made and concluded at Washington, D. C., this 19th day of March, A. D. 1867, between the United States represented by Louis V. Boggy, special commissioner thereto appointed, William H. Watson, and Joel B. Bassett, United States agent, and the Chippewas of the Mississippi, represented by Que-we-zance, or Hole-in-the-Day, Qui-we-shen-shish, Wau-bon-a-quot, Min-e-do-wob, Mij-we-ke-ke-shik, Shob-osh-kunk, Ka-gway-dosh, Me-no-ke-shick, Waj-numee, and O-gub-ay-gwim-ay-arush.

Mar. 19. 1867.
16 Stats., 719.
Ratified Apr. 8,
1867.
Proclaimed Apr. 18,
1867.

Whereas, by a certain treaty ratified March 20, 1865, between the parties aforesaid, a certain tract of land was, by the second article thereof, reserved and set apart for a home for the said bands of Indians, and by other articles thereof provisions were made for certain moneys to be expended for agricultural improvements for the benefit of said bands; and whereas it has been found that the said reservation is not adapted for agricultural purposes for the use of such of the Indians as desire to devote themselves to such pursuits, while a portion of the bands desire to remain and occupy a part of the aforementioned reservation, and to sell the remainder thereof to the United States: Now, therefore, it is agreed—

ARTICLE 1. The Chippewas of the Mississippi hereby cede to the United States all their lands in the State of Minnesota, secured to them by the second article of their treaty of March 20, 1865,* excepting and reserving therefrom the tract bounded and described as follows, to wit: Commencing at a point on the Mississippi River, opposite the mouth of Wanoman River, as laid down on Sewall's map of Minnesota; thence due north to a point two miles further north than the most northerly point of Lake Winnebagoish; thence due west to a point two miles west of the most westerly point of Cass Lake; thence south to Kabe-kona River; thence down said river to Leech Lake; thence along the north shore of Leech Lake to its outlet in Leech Lake River; thence down the main channel of said river to its junction with the Mississippi River, and thence down the Mississippi to the place of beginning.

Cession of lands.

Reservation,
Boundaries.

And there is further reserved for the said Chippewas out of the land now owned by them such portion of their western outlet as may upon location and survey be found to be within the reservation provided for in the next succeeding section.

Further reservation.

ARTICLE 2. In order to provide a suitable farming region for the said bands there is hereby set apart for their use a tract of land, to be located in a square form as nearly as possible, with lines corresponding to the Government surveys; which reservation shall include White Earth Lake and Rice Lake, and contain thirty-six townships of land; and such portions of the tract herein provided for as shall be found upon actual survey to lie outside of the reservation set apart for the Chippewas of the Mississippi by the second article of the treaty of March 20, 1865, shall be received by them in part consideration for the cession of lands made by this agreement.

Land for farming.

ARTICLE 3. In further consideration for the lands herein ceded, estimated to contain about two million of acres, the United States agree to pay the following sums, to wit: Five thousand dollars for the erection of school buildings upon the reservation provided for in the second article; four thousand dollars each year for ten years, and as long as the President may deem necessary after the ratification of this treaty, for the support of a school or schools upon said reservation; ten thousand dollars for the erection of a saw-mill, with grist-mill attached, on said reservation; five thousand dollars to be expended in assisting in the erection of houses for such of the Indians as shall remove to said reservation.

Payments for lands
ceded.

Schools.

Mills.

Houses.

Cattle, &c.

Five thousand dollars to be expended, with the advice of the chiefs, in the purchase of cattle, horses, and farming utensils, and in making such improvements as are necessary for opening farms upon said reservation.

* This refers to the treaty of May 7, 1864, proclaimed March 20, 1865, ante p. 862.

Six thousand dollars each year for ten years, and as long thereafter as the President may deem proper, to be expended in promoting the progress of the people in agriculture, and assisting them to become self-sustaining by giving aid to those who will labor.

Agriculture, etc.

Twelve hundred dollars each year for ten years for the support of a physician, and three hundred each year for ten years for necessary medicines.

Physician, etc.

Ten thousand dollars to pay for provisions, clothing, or such other articles as the President may determine, to be paid to them immediately on their removal to their new reservation.

Provisions and clothing.

ARTICLE 4. No part of the annuities provided for in this or any former treaty with the Chippewas of the Mississippi bands shall be paid to any half-breed or mixed-blood, except those who actually live with their people upon one of the reservations belonging to the Chippewa Indians.

No part to any half-breed, etc., except, etc.

ARTICLE 5. It is further agreed that the annuity of \$1,000 a year which shall hereafter become due under the provisions of the third article of the treaty with the Chippewas of the Mississippi bands, of August 2, 1847, shall be paid to the chief, Hole-in-the-Day, and to his heirs; and there shall be set apart, by selections to be made in their behalf and reported to the Interior Department by the agent, one half section of land each, upon the Gulf Lake reservation, for Min-a-ge-shig and Truman A. Warren, who shall be entitled to patents for the same upon such selections being reported to the Department.

Annuities.

Hole-in-the-Day and his heirs.

Land to Min-a-ge-shig and Truman A. Warren.

ARTICLE 6. Upon the ratification of this treaty, the Secretary of the Interior shall designate one or more persons who shall, in connection with the agent for the Chippewas in Minnesota, and such of their chiefs, parties to this agreement, as he may deem sufficient, proceed to locate, as near as may be, the reservation set apart by the second article hereof, and designate the places where improvements shall be made, and such portion of the improvements provided for in the fourth article of the Chippewa treaty of May 7, 1864, as the agent may deem necessary and proper, with the approval of the Commissioner of Indian Affairs, may be made upon the new reservation, and the United States will pay the expenses of negotiating this treaty, not to exceed ten thousand dollars.

Reservation to be located.

ARTICLE 7. As soon as the location of the reservation set apart by the second article hereof shall have been approximately ascertained, and reported to the office of Indian Affairs, the Secretary of the Interior shall cause the same to be surveyed in conformity to the system of Government surveys, and whenever, after such survey, any Indian of the bands parties hereto, either male or female, shall have ten acres of land under cultivation, such Indian shall be entitled to receive a certificate, showing him to be entitled to the forty acres of land, according to legal subdivision, containing the said ten acres or the greater part thereof, and whenever such Indian shall have an additional ten acres under cultivation, he or she shall be entitled to a certificate for additional forty acres, and so on, until the full amount of one hundred and sixty acres may have been certified to any one Indian; and the land so held by any Indian shall be exempt from taxation and sale for debt, and shall not be alienated except with the approval of the Secretary of the Interior, and in no case to any person not a member of the Chippewa tribe.

Survey.

Indians having ten acres under cultivation to be entitled to receive a certificate for 40 acres, etc.

Land exempt from taxation and not to be alienated, except, etc.

ARTICLE 8. For the purpose of protecting and encouraging the Indians, parties to this treaty, in their efforts to become self-sustaining by means of agriculture, and the adoption of the habits of civilized life, it is hereby agreed that, in case of the commission by any of the said Indians of crimes against life or property, the person charged with such crimes may be arrested, upon the demand of the agent, by the sheriff of the county of Minnesota in which said reservation may be located, and when so arrested may be tried, and if convicted, punished in the same manner as if he were not a member of an Indian tribe.

Arrest and punishment of Indians for crimes.

In testimony whereof, the parties aforementioned, respectively representing the United States and the said Chippewas of the Mississippi, have hereunto set their hands and seals the day and year first above written.

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|-----------------------------------------------|---------|
| Lewis V. Bogy, special commissioner. | [SEAL.] |
| W. H. Watson. | [SEAL.] |
| Joel B. Bassett, U. S. Indian agent. | [SEAL.] |
| Que-we-zance, or Hole-in-the-Day, his x mark. | [SEAL.] |
| Qui-we-shen-shish, his x mark. | [SEAL.] |
| Wau-bon-a-quot, his x mark. | [SEAL.] |
| Min-e-do-wob, his x mark. | [SEAL.] |
| Mi-jaw-ke-ke-shik, his x mark. | [SEAL.] |
| Shob-osh-kunk, his x mark. | [SEAL.] |
| Ka-gway-dosh, his x mark. | [SEAL.] |
| Me-no-ke-shick, his x mark. | [SEAL.] |
| Way-na-mee, his x mark. | [SEAL.] |
| O-gub-ay-gwan-ay-aush, his x mark. | [SEAL.] |

In presence of—

T. A. Warren, United States interpreter.
 Charles E. Mix.
 Lewis S. Hayden.
 George B. Jonas.
 Thos. E. McGraw.
 John Johnson.
 George Bonga.