

The historical connection between the Lac du Flambeau Band of Lake Superior Chippewa Indians and Lafayette County and Shullsburg, Wisconsin is documented in the Native American Graves Protection and Repatriation Act (NAGPRA) Indian Land Cession Tables, specifically under Wisconsin-Present Day Tribes Associated With Indian Land Cessions 1784 - 1894, Map 147. (1).

The historical connection of the Chippewa Indians to the area around Shullsburg, Wisconsin predates the forming of the United States. The Wisconsin Historical Society Essay *Ancient Land and First Peoples, A Short History of Wisconsin* refers to the Chippewa as arriving in the region in about 1500. In the "chronology" section of The Native American Almanac, 2nd edition, p.18,19, reference is made to a Chippewa presence in the area of Lake Michigan and Lake Superior starting around 1615. According to the *Almanac*, the Chippewa were part of "the confederacy of Algonkian-speaking nations (Ottawa, Potawatomi, Chippewa, and possibly Cree,...). These nations have a tradition of political and ceremonial unity." Records indicate that a variety of Tribes: Ho-Chunks, Potawatamie, Menomonee, Ottawa, Chippewa, and others, inhabited the region that was to become Wisconsin.

The author Alice E. Smith in vol.1 of The History of Wisconsin, Exploration to Statehood, p.129, states that "ownership of the region was confused: the Sauk and Fox, the Chippewa, Ottawa and Potawatomi tribes and the Winnegago all hold claims." The idea of physical and permanent ownership of the land did not come from the regions early Native American inhabitants but was rather an introduced Anglo-Saxon concept. The area that was to become Wisconsin was shared Indian territory and the Chippewa Indians played a significant role.

An early chronologist of this period, J. Carver, in his book, Travels Through the Interior Parts of North America in the Years 1766, 1767, and 1768, speaks to the importance of the Chippewa presence in the region when he explains in his book, while relating how difficult one particular native language is to understand, "they converse with other nations in the Chippewa tongue, which is the prevailing language throughout all the tribes, from the Mohawks of Canada to those who inhabit the borders of the Mississippi, and from the Hurons and Illinois to such as dwell near Hudson's Bay." Another period official, Thomas Forsyth, U.S. Indian Agent to the Sauk, wrote in an 1827 letter to Commissioner William Clark, "The Chiefs of the Chippewa Indians, as head of the confederacy of the Chippewa, Ottawa and Potawatamie sent waumpaum...." (2), and in an 1828 letter to Clark, "The Chippewas are the leading nation of the Confederacy existing among the Chippewa, Ottawa, Potawatamie, and it is impossible for any one of those Nations to do any thing without the consent of the whole." (3).

The question of whether or not there was a historical presence by the Chippewa in the area of southern Wisconsin has been exhaustively researched by Professor James W. Oberly of the Department of History at the University of Wisconsin - Eau Claire. Prof. Oberly's Report (4), and subsequent response to comments concerning his original report to Ryan Howell and Erik Gilmore of the Mississippi Valley Archaeology Center are included as attachments. Prof. Oberly writes of the early Chippewa presence:

In two areas of political life, the Ho-Chunks, Chippewas, Potawatomis, Menominees, and other Wisconsin tribes cooperated in the years between 1700 and 1825: diplomacy and warfare. In diplomacy, representatives of the pays d' haut came together to discuss common interests in a long series of inter-tribal councils and gatherings, starting with one sponsored by the French at Montreal in 1701 and continuing irregularly at places such as LaPointe, Detroit, Mackinac, and Prairie du Chien up until the Seven Years War when the French ceded their North American claims to Great Britain. Similarly, after 1765, the Wisconsin Tribes cooperated together in inter-tribal

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diplomacy with the British in North America, both before and after the American Revolution. The Prairie du Chien treaty council of 1825 continued what had been an established tradition of all the Wisconsin tribes meeting in council....

Oberly continued:

The second area of common interest was warfare. At the time that Congress declared war on Great Britain in June 1812, the United States had military posts at Chicago, at Fort Madison (near present-day Keokuk, Iowa), and at Mackinac Island. The U.S. also had trading factories (trading posts) at Prairie du Chien and at Saukenuk, near present day Rock Island. The Wisconsin tribes took part in the capture and/or destruction of all five sites during the War of 1812..... With the American victory on the Thames, the course of the war swung in the west, and in 1814 the U.S. attempted to push back on the Upper Mississippi front with plans to build and hold forts at Saukenuk and Prairie du Chien. Five hundred Menominees, Chippewas, and Ho-Chunks attacked and captured the U.S. Fort Shelby at Prairie du Chien in July, 1814 at a time when an enemy (United States) force threatened control over the Rock River Valley with the placement of a fort at Saukenuk, the tribes of Wisconsin - Chippewa, Potawatomis, Ho-Chunks, Menominees - rallied to defend the greater homeland against the invaders....

The geographic area that includes Shullsburg is listed in U.S. Land Cessions as Royce Area 147 (5). This land was ceded to the United States by the "United Nations of Chippewa, Ottawa, and Potawatamie" in the 1829 Treaty of Prairie du Chien (6). The "Nations" who signed the 1829 Treaty were granted hunting rights.

The Treaty of 1816 recognized the title of the United Nation of Chippewas, Ottawas and Potawatamie to all the land in Royce Area 147 (7). The 1825 Treaty of Prairie du Chien, signed near Shullsburg, was attended by 132 Chippewa, 40 of whom signed, and included "Naukaunosh, the forward man lake Flambeau," in addition to representatives from a large number of tribes.(8).

The subsequent 1826 Treaty was signed by Chippewa leaders including six specifically from Lac du Flambeau: Gitshee Waubeeshaans, Moazonee, Gitshee Migeezee, Mizhauquot, Pamoossay, and Maytaukoossegay (9).

The official presence of the Chippewa Indians in southern Wisconsin was formally ended by the Treaty of 1854, which relegated the Chippewa Bands to a series of reservations in the northern part of the territory (10).

In their 2007 review and subsequent recommendation for approval of the Beloit Casino Trust Land Application - jointly filed by the Bad River and St. Croix Chippewa Tribes, the Midwest Regional Office of the Bureau of Indian Affairs found that large areas of southern Wisconsin were within the historical territory of the Chippewa.

A clear historical connection between the Shullsburg area and the Lac du Flambeau Band of Lake Superior Chippewa Indians exists.

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Notes

- (1 National Park Service, U.S. Department of Interior, National Native American Graves Protection and Repatriation Act (NAGPRA), National NAGPRA Indian Land Cession Tables, Wisconsin, Present-Day Tribes Associated With Indian Land Cessions 1784 - 1894, Map 147 (attached)
- (2 Thomas Forsyth to William Clark, November 15, 1827, Lyman Copeland Draper Manuscripts, Thomas Forsyth Papers, Wisconsin Historical Society, Vol.6 p. 78
- (3 Thomas Forsyth to William Clark, June 2, 1828, Lyman Copeland Draper Manuscripts, Thomas Forsyth Papers, Wisconsin Historical Society, Vol. 6, p. 83
- (4 Report on the History of Indian Occupancy, Territorial Sharing, and Land Cession of the Area Near the Proposed Beloit Casino Site, 1640-1833, James W. Oberly, June 2004, p. 22, 23. The Oberly Reports are included as Appendix G to the Beloit Casino Project Trust Land Application Final Environmental Impact Statement. (attached)
- (5 Bureau of American Ethnology, Indian Land Cessions in the U.S., Wisconsin 1, Map 64, United States Digital Map Library (attached)
- (6 Indian Affairs: Laws and Treaties, vol. II, Government Printing Office, 1904, Charles J. Kappler, Treaty With the Chippewa, Ottawa, and Potawatamie July 29, 1829 (attached)
- (7 Indian Affairs: Laws and Treaties, vol. II, Government Printing Office, 1904, Charles J. Kappler, Treaty With the Ottawa, Chippewa, and Potawatamies August 24, 1816 (attached)
- (8 Indian Affairs: Laws and Treaties, vol. II, Government Printing Office, 1904, Charles J. Kappler, Treaty With the Sioux and Chippewa, Sacs and Fox, Menominee, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Potawatamie, August 19, 1825 (attached)
- (9 Indian Affairs: Laws and Treaties, vol. II, Government Printing Office, 1904, Charles J. Kappler, Treaty With the Chippewa, August 5, 1826 (attached)
- (10 Indian Affairs: Laws and Treaties, vol. II, Government Printing Office, 1904, Charles J. Kappler, Treaty With the Chippewa, 1854, ratified January 29, 1855 (attached)