

TREATY WITH THE CHIPPEWA, 1842.

Oct. 4, 1812.
7 Stat., 391.
Proclamation, Mar.
23, 1843.

Articles of a treaty made and concluded at La Pointe of Lake Superior, in the Territory of Wisconsin, between Robert Stuart commissioner on the part of the United States, and the Chippewa Indians of the Mississippi, and Lake Superior, by their chiefs and headmen.

ARTICLE I.

Land ceded to the
United States.

THE Chippewa Indians of the Mississippi and Lake Superior, cede to the United States all the country within the following boundaries; viz: beginning at the mouth of Chocolate river of Lake Superior; thence northwardly across said lake to intersect the boundary line between the United States and the Province of Canada; thence up said Lake Superior, to the mouth of the St. Louis, or Fond du Lac river (including all the islands in said lake); thence up said river to the American Fur Company's trading post, at the southwardly bend thereof, about 22 miles from its mouth; thence south to intersect the line of the treaty of 29th July 1837, with the Chippewas of the Mississippi; thence along said line to its southeastwardly extremity, near the Plover portage on the Wisconsin river; thence northeastwardly, along the boundary line, between the Chippewas and Menomonees, to its eastern termination, (established by the treaty held with the Chippewas, Menomonees, and Winnebagoes, at Butte des Morts, August 11th 1827) on the Skonawby river of Green Bay; thence northwardly to the source of Chocolate river; thence down said river to its mouth, the place of beginning; it being the intention of the parties to this treaty, to include in this cession, all the Chippewa lands eastwardly of the aforesaid line running from the American Fur Company's trading post on the Fond du Lac river to the intersection of the line of the treaty made with the Chippewas of the Mississippi July 29th 1837.

ARTICLE II.

Hunting ground.

The Indians stipulate for the right of hunting on the ceded territory, with the other usual privileges of occupancy, until required to remove by the President of the United States, and that the laws of the United

States shall be continued in force, in respect to their trade and intercourse with the whites, until otherwise ordered by Congress.

ARTICLE III.

It is agreed by the parties to this treaty, that whenever the Indians shall be required to remove from the ceded district, all the unceded lands belonging to the Indians of Fond du Lac, Sandy Lake, and Mississippi bands, shall be the common property and home of all the Indians party to this treaty.

Unceded lands to be common property of the Indians.

ARTICLE IV.

In consideration of the foregoing cession, the United States, engage to pay to the Chippewa Indians of the Mississippi, and Lake Superior, annually, for twenty-five years, twelve thousand five hundred (12,500) dollars, in specie, ten thousand five hundred (10,500) dollars in goods, two thousand (2,000) dollars in provisions and tobacco, two thousand (2,000) dollars for the support of two blacksmiths shops, (including pay of smiths and assistants, and iron steel &c.) one thousand (1,000) dollars for pay of two farmers, twelve hundred (1,200) for pay of two carpenters, and two thousand (2,000) dollars for the support of schools for the Indians party to this treaty; and further the United States engage to pay the sum of five thousand (5,000) dollars as an agricultural fund, to be expended under the direction of the Secretary of War. And also the sum of seventy-five thousand (75,000) dollars, shall be allowed for the full satisfaction of their debts within the ceded district, which shall be examined by the commissioner to this treaty, and the amount to be allowed decided upon by him, which shall appear in a schedule hereunto annexed. The United States shall pay the amount so allowed within three years.

Sums to be paid : United States for cession.

Indian debts to be paid by United States.

Whereas the Indians have expressed a strong desire to have some provision made for their half breed relatives, therefore it is agreed, that fifteen thousand (15,000) dollars shall be paid to said Indians, next year, as a present, to be disposed of, as they, together with their agent, shall determine in council.

Provision for half breeds.

ARTICLE V.

Whereas the whole country between Lake Superior and the Mississippi, has always been understood as belonging in common to the Chippewas, party to this treaty; and whereas the bands bordering on Lake Superior, have not been allowed to participate in the annuity payments of the treaty made with the Chippewas of the Mississippi, at St. Peters July 29th 1837, and whereas all the unceded lands belonging to the aforesaid Indians, are hereafter to be held in common, therefore, to remove all occasion for jealousy and discontent, it is agreed that all the annuity due by the said treaty, as also the annuity due by the present treaty, shall henceforth be equally divided among the Chippewas of the Mississippi and Lake Superior, party to this treaty, so that every person shall receive an equal share.

Division of annuity.

ARTICLE VI.

The Indians residing on the Mineral district, shall be subject to removal therefrom at the pleasure of the President of the United States.

Indians on mineral districts subject to removal.

ARTICLE VII.

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

Obligatory when ratified.

In testimony whereof the said Robert Stuart commissioner, on the part of the United States, and the chiefs and headmen of the Chippewa Indians of the Mississippi and Lake Superior, have hereunto set their hands, at La Pointe of Lake Superior, Wisconsin Territory this fourth day of October in the year of our Lord one thousand eight hundred and forty-two.

Robert Stuart, Commissioner.
Jno. Hulbert, Secretary.

Crow wing River,	Po go ne gi shik,	1st chief.
Do.	Son go com ick,	2d do.
Sandy Lake,	Ka non do ur uin zo,	1st do.
Do.	Na tum e gaw bon,	2d do.
Gull Lake,	Ua bo jig,	1st do.
Do.	Pay pe ei gon de bay,	2d do.
Red Ceder Lake,	Kui ui sen shis,	1st do.
Do.	Ott taw wance,	2d do.
Po ke gom maw,	Bai ie jig,	1st do.
Do.	Show ne aw,	2d do.
Wisconsin River,	Ki uen zi,	1st do.
Do.	Wi aw bis ke kut te way,	2d do.
Lac de Flambeau,	A pish ka go gi,	1st do.
Do.	May tock cus e quay,	2d do.
Do.	She maw gon e,	2d do.
Lake Bands,	Ki ji ua be she shi,	1st do.
Do.	Ke kon o tum,	2d do.
Fon du Lac,	Shin goob,	1st do.
Do.	Na gan nab,	2d do.
Do.	Mong o zet,	2d do.
La Pointe,	Gitchi waisky,	1st do.
Do.	Mi zi,	2d do.
Do.	Ta qua gone e,	2d do.
Onlonagan,	O kon di kan,	1st do.
Do.	Kis ke taw wac,	2d do.
Ance,	Pe na shi,	1st do.
Do.	Guck we san sish,	2d do.
Vieux Desert,	Ka she osh e,	1st do.
Do.	Medge waw gwaw wot,	2d do.
Mille Lac,	Ne qua ne be,	1st do.
Do.	Ua shash ko kum,	2d do.
Do.	No din,	2d do.
St. Croix,	Be zhi ki,	1st do.
Do.	Ka bi na be,	2d do.
Do.	Ai aw bens,	2d do.
Snake River,	Sha go bi,	1st do.
Chippewa River,	Ua be she shi,	1st do.
	Que way zhan sis,	2d do.
Lac Courtulle,	Ne na nang eb,	1st do.
Do.	Be bo kon uen,	2d do.
Do.	Ki uen zi,	2d do.

In presence of—

Henry Blanchford, interpreter.
Samuel Ashmun, interpreter.
Justin Rice.
Charles H. Oakes.
William A. Aitkin.
William Brewster.
Charles M. Borup.

Z. Platt.
C. H. Beaulieu.
L. T. Jamison.
James P. Scott.
Cyrus Mendenhall.
L. M. Warren.

(To the Indian names are subjoined marks.)

Schedule of claims examined and allowed by Robert Stuart, commissioner, under the treaty with the Chippewa Indians of the Mississippi and Lake Superior, concluded at La Pointe, October 4th 1842, setting forth the names of claimants, and their proportion of allowance of the seventy-five thousand dollars provided in the fourth article of the aforesaid treaty, for the full satisfaction of their debts, as follows:

Schedule of debts of Indians to be paid.

No. of claim.	Name of claimant.	Proportion of \$75,000, set apart in 4th article of treaty.
1	Edward F. Ely.....	\$50 80
2	Z. Platt, esq., attorney for George Burkett.....	484 67
3	Cleveland North Lake Co.....	1,485 67
4	Abraham W. Williams.....	75 03
5	William Brewster.....	2,052 67
	This claim to be paid as follows, viz:	
	William Brewster, or order.....	\$1,929 77
	Charles W. Borup, or order.....	122 90
		<u>\$2,052 67</u>
6	George Copway.....	61 67
7	John Kahbege.....	37 55
8	Alixes Carpentier.....	24 58
9	John W. Bell.....	186 16
10	Antoine Picard.....	6 46
11	Michael Brisette.....	182 42
12	Francois Dejaddon.....	301 48
13	Pierre C. Duvernay.....	1,101 00
14	Jean Bts. Bazinet.....	325 46
15	John Hotley.....	69 00
16	Francois Charette.....	234 92
17	Clement H. Beaulieu, agent for the estate of Basil Beaulieu, dec'd.....	596 84
18	Francois St. Jean and George Bouga.....	366 84
19	Louis Ladebauche.....	322 52
20	Peter Crebassa.....	499 27
21	B. T. Kavanaugh.....	516 82
22	Augustin Goslin.....	169 05
23	American Fur Company.....	13,365 30
	This claim to be paid as follows, viz:	
	American Fur Company.....	12,565 10
	Charles W. Borup.....	800 20
		<u>\$13,365 30</u>
24	William A. Aitken.....	935 67
25	James P. Scott.....	73 41
26	Augustin Bellanger.....	192 35
27	Louis Corbin.....	12 57
28	Alexes Corbin.....	596 03
29	George Johnston.....	33 24
30	Z. Platt, esq., attorney for Sam'l Ashman.....	1,771 63
31	Z. Platt, esq., attorney for Wm. Johnson.....	390 27
32	Z. Platt, esq., attorney for estate of Dan'l Dingley.....	1,991 62
33	Lyman M. Warren.....	1,566 65
34	Estate of Michael Cadotte, disallowed.....	
35	Z. Platt, esq., attorney for estate of E. Roussain.....	959 13
36	Joseph Dufault.....	144 32
37	Z. Platt, esq., attorney for Antoine Mace.....	170 35
38	Michael Cadotte.....	205 60
39	Z. Platt, esq., att'y for Francois Gauthier.....	167 05
40	Z. Platt, esq., att'y for Joseph Gauthier.....	614 30
41	Z. Platt, esq., attorney for J. B. Poulle.....	64 78
42	Jean Bts. Corbin.....	531 50
43	John Hulbert.....	309 18
44	Jean Bts. Couveillon.....	19 80
45	Nicholas Da Couteau, withdrawn.....	
46	Pierre Cotté.....	732 50
47	W. H. Brockway and Henry Holt, executors to the estate of John Holliday, dec'd.....	3,157 10
48	John Jacob Astor.....	37,994 98
	This claim to be paid as follows, viz:	
	Charles W. Borup.....	1,676 90
	Z. Platt, esq.....	2,621 80
	John Jacob Astor.....	23,696 28
		<u>\$27,994 98</u>
49	Z. Platt, esq., attorney for Thos. Connor.....	1,118 60
50	Charles H. Oakes.....	4,309 21
51	Z. Platt, esq., attorney for Wm. Morrison.....	1,074 70
52	Z. Platt, esq., att'y for Isaac Butterfield.....	1,275 56
53	J. B. Van Rensselaer.....	62 00
54	William Brewster and James W. Abbot.....	2,067 10
	The parties to this claim request no payment be made to either without their joint consent, or until a decision of the case be had, in a court of justice.	
55	William Bell.....	17 62
		<u>\$75,000 00</u>

Robert Stuart, Commissioner.
Jno. Hulbert, Secretary.

[Inclosures.]

OFFICE OF THE LAKE SUPERIOR INDIAN AGENCY,
Bangfield, Wis., May 1, 1863.

Sir: I have to request that you proceed as soon as possible to Lac du Flambeau and make surveys of an Indian reservation, as per article 1 of treaty of September 30, 1854.

You will consult with the Indians and as far as practicable carry out their wishes in the selection of the land. I do not deem it necessary to do anything more than run the exterior lines, and you will mark them thoroughly, so that the Indians can understand the limits of the reservation.

Very respectfully, your obedient servant,

L. E. WEBB, *Indian Agent.*

A. C. STUNTZ, Esq.,
Superior, Bangfield, Wis.

We, the chiefs of Lac du Flambeau bands of Chippewa Indians, in council assembled, hereby agree to concentrate our Indians to a reservation the boundaries whereof to be defined and marked by actual survey as pointed out to us this day by A. C. Stuntz, surveyor, through our interpreter, William W. Johnson, whenever the agent of Chippewa Indians of Lake Superior requires it.

We also petition said Indian agent, our father, and through him our Great Father, the President, that the above-named surveyor be allowed to select for us lands joining our reservation to make up the full amount covered by lakes that may come within the boundaries whenever subdivided so as to ascertain the same. We also ask that there may be added to our reservation certain sugar free lands to be selected so that each family living on the reservation can have their sugar works within the boundaries of the reservation which will not be embraced in the present reservation.

This to accompany the respects of the said surveyor.

Signed this 26th day of May, 1863.

AM MOOSE (his x mark).

ASH KAN BAH WISH (his x mark).

KE WISH TE NO (his x mark).

A. C. STUNTZ, *Surveyor.*

In the presence of—
WILLIAM W. JOHNSON,
WILLIAM BRADFORD.

[Note of survey of Lac du Flambeau Indian Reservation, by A. C. Stuntz, in townships 40 and 41 north, ranges 4, 5, and 6 east of the fourth principal meridian in Wisconsin.]

Commencing at the corner to sections 13, 18, 19, and 24, township 40, between ranges 4 and 5; thence east to corner to sections 13, 18, 19, and 24, between ranges 5 and 6; thence south on range line between ranges 5 and 6 to corner to sections 1, 6, 7, and 12, ranges 5 and 6, township 39; thence east to corner to sections 4, 5, 8, and 9, range 6; thence north to corner to sections 4, 5, 32, and 33, townships 41 and 42 north, range 6 east; thence west on said township line to corner to sections 4, 5, 32, and 33, townships 41 and 42, range 4 east; thence south to a point on fourth correction line 715 links west of corner to sections 32 and 33 (a corner of the reservation); thence east on said correction line to said corner to sections 32 and 33; thence continuing east to corner between sections 2, 3, 34, and 35, townships 40 and 41, range 4 east; thence south to corner to sections 14, 15, 22, and 23, township 40 north, range 4 east (a corner of the reservation); thence east to place of beginning.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 26, 1866.

Sir: By the third section of the second article of the treaty, September 30, 1854, with the Chippewa Indians of Lake Superior and the Mississippi, provision is made for setting apart and withholding from sale "a tract of land lying about Lac du Flambeau" * * * "equal in extent to three townships, the boundaries of which shall be hereafter agreed upon or fixed by the President." (Stat. L., vol. 10, p. 1109.)

As the lands in the vicinity of this lake are about to be offered at public sale, you are instructed to withdraw and withhold from sale the lands described in the accompanying copy of a communication from the Commissioner of Indian Affairs of the 22d instant, until such time as the boundaries of the reservation contemplated by the treaty are fully defined.

In acknowledging the receipt of this letter you will report your action under these instructions.

Very respectfully, your obedient servant,

W. T. ORTO, *Acting Secretary.*

Hon. J. M. EDMONDS,
Commissioner of the General Land Office.