

INDIAN AFFAIRS: LAWS AND TREATIES

Vol. II, Treaties

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TREATY WITH THE CHIPPEWA, 1842.

Oct. 4, 1842. | 7 Stat., 591. | Proclamation, Mar. 23, 1843.

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| Margin Notes |
|---|
| Land ceded to the United States. |
| Hunting ground. |
| Unceded lands to be common property of the Indians. |
| Sums to be paid by United States for cession. |
| Indian debts to be paid by United States. |
| Provision for half breeds. |
| Division of annuity. |
| Indians on mineral districts subject to removal. |
| Obligatory when ratified. |
| Schedule of debts of Indians to be paid. |

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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 1.

THE Chippewa Indians of the Mississippi and Lake Superior, cede to the United States all the country within the following bounderies; viz: beginning at the mouth of Chocolate river of Lake Superior; thence northwardly across said lake to intersect the boundery 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 2.

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

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

ARTICLE 3.

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.

ARTICLE 4.

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.

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.

ARTICLE 5.

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.

ARTICLE 6.

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

ARTICLE 7.

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

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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, | <i>Po go ne gi shik,</i> | 1st chief. |
| Do. | <i>Son go com ick,</i> | 2d do. |
| Sandy Lake, | <i>Ka non do ur uin zo,</i> | 1st do. |
| Do. | <i>Na tum e gaw bon,</i> | 2d do. |
| Gull Lake, | <i>Ua bo jig,</i> | 1st do. |
| Do. | <i>Pay pe si gon de bay,</i> | 2d do. |
| Red Ceder Lake, | <i>Kui ui sen shis,</i> | 1st do. |
| Do. | <i>Ott taw wance,</i> | 2d do. |
| Po ke gom maw, | <i>Bai ie jig,</i> | 1st do. |
| Do. | <i>Show ne aw,</i> | 2d do. |
| Wisconsin River, | <i>Ki uen zi,</i> | 1st do. |
| Do. | <i>Wi aw bis ke kut te way,</i> | 2d do. |
| Lac de Flambeau, | <i>A pish ka go gi,</i> | 1st do. |
| Do. | <i>May tock cus e quay,</i> | 2d do. |
| Do. | <i>She maw gon e,</i> | 2d do. |
| Lake Bands, | <i>Ki ji ua be she shi,</i> | 1st do. |
| Do. | <i>Ke kon o tum,</i> | 2d do. |
| Fon du Lac, | <i>Shin goob,</i> | 1st do. |
| Do. | <i>Na gan nab,</i> | 2d do. |
| Do. | <i>Mong o zet,</i> | 2d do. |
| La Pointe, | <i>Gitchi waisky,</i> | 1st do. |
| Do. | <i>Mi zi,</i> | 2d do. |
| Do. | <i>Ta qua gone e,</i> | 2d do. |
| Onlonagan, | <i>O kon di kan,</i> | 1st do. |
| Do. | <i>Kis ke taw wac,</i> | 2d do. |

| | | |
|-----------------|----------------------------|---------|
| Ance, | <i>Pe na shi,</i> | 1st do. |
| Do. | <i>Guck we san sish,</i> | 2d do. |
| Vieux Desert, | <i>Ka she osh e,</i> | 1st do. |
| Do. | <i>Medge waw gwaw wot,</i> | 2d do. |
| Mille Lac, | <i>Ne qua ne be,</i> | 1st do. |
| Do. | <i>Ua shash ko kum,</i> | 2d do. |
| Do. | <i>No din,</i> | 2d do. |
| St. Croix, | <i>Be zhi ki,</i> | 1st do. |
| Do. | <i>Ka bi na be,</i> | 2d do. |
| Do. | <i>Ai aw bens,</i> | 2d do. |
| Snake River, | <i>Sha go bi,</i> | 1st do. |
| Chippewa River, | <i>Ua be she shi,</i> | 1st do. |
| | <i>Que way zhan sis,</i> | 2d do. |
| Lac Courtulle, | <i>Ne na nang eb,</i> | 1st do. |
| Do. | <i>Be bo kon uen,</i> | 2d do. |
| Do. | <i>Ki uen zi.</i> | 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.)

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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:

| 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 Berkett | 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 |
| | | <hr/> \$2,052 67 |
| 6 | George Copway | 61 67 |
| 7 | John Kahbege | 57 55 |
| 8 | Alixes Carpentier | 28 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 Bazil Beaulieu, dec'd | 596 84 |
| 18 | Francois St. Jean and George Bonga | 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 |
| | | <hr/> \$13,365 30 |
| 24 | William A. Aitken | |
| 25 | James P. Scott | 935 67 |
| 26 | Augustin Bellanger | 73 41 |
| 27 | Louis Corbin | 192 35 |
| 28 | Alexes Corbin | 12 57 |
| 29 | George Johnston | 596 03 |
| 30 | | 35 24 |
| 31 | Z. Platt, esq., attorney for Sam'l Ashman | 1,771 63 |
| 32 | Z. Platt, esq., attorney for Wm. Johnson | 390 27 |
| 33 | Z. Platt, esq., attorney for estate of Dan'l Dingley | 1,991 62 |
| 34 | Lyman M. Warren | 1,566 65 |
| 35 | Estate of Michael Cadotte, <i>disallowed</i> . | |
| 36 | Z. Platt. esq., attorney for estate of E. Roussain | 959 13 |
| 37 | Joseph Dufault | 144 32 |

| | | |
|----|--|-------------|
| 38 | Z. Platt, esq., attorney for Antoine Mace | 170 35 |
| 39 | Michael Cadotte | 205 60 |
| 40 | Z. Platt, esq., att'y for Francois Gauthier | 167 05 |
| 41 | Z. Platt, esq., att'y for Joseph Gauthier | 614 30 |
| 42 | Z. Platt, esq., attorney for J. B. Uoulle | 64 78 |
| 43 | Jean Bts. Corbin | 531 50 |
| 44 | John Hulbert | 209 18 |
| 45 | Jean Bts. Couvellion | 18 80 |
| 46 | Nicholas Da Couteau, <i>withdrawn</i> . | |
| 47 | Pierre Cotte | 732 50 |
| 48 | W. H. Brockway and Henry Holt, executors to the estate of John Holliday, dec'd. | 3,157 10 |
| | 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 |
| | | <hr/> |
| 49 | | \$27,994 98 |
| 50 | | <hr/> |
| 51 | Z. Platt. esq., attorney for Thos. Connor | 1,118 60 |
| 52 | Charles H. Oakes | 4,309 21 |
| 53 | Z. Platt, esq., attorney for Wm. Morrison | 1,074 70 |
| 54 | Z. Platt, esq., att'y for Isaac Butterfield | 1,275 56 |
| | J. B. Van Rensselaer | 62 00 |
| | William Brewster and James W. Abbot | 2,067 10 |
| 55 | 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. | 17 62 |
| | William Bell | <hr/> |
| | | \$75,000 00 |

Robert Stuart, Commissioner.

Jno. Hulbert, Secretary.

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