



JAMES W. GRIMES.

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SAC AND FOX INDIAN COUNCIL OF 1841

Minutes¹ of a Treaty held at the Sac & Fox Indian Agency in the Territory of Iowa on the 15th day of October 1841 by and between Hon. John Chambers², Hon. T. Hartley Crawford³ and Hon. James Duane Doty⁴, Commissioners on the part of the United States and the Chiefs, braves, warriors and head men of the Confederated tribes of Sac & Fox Indians.

The Council having met at 11 o'clock A. M. Gov. Chambers addressed the assembled chiefs, braves and head-men as follows: My friends; We are now about to enter upon a subject of vast importance to you and one of deep interest to the Government of the United States. Your great father, the President, has sent us here to act the part of friends towards you, and we wish you to act as such towards us. We want your own honest & candid opinions upon the subject we are about to submit to you, and not the opinions of your traders and those who have claims against you. We want, I say, your own opinions for we believe you are capable of forming

¹These minutes were recorded by James W. Grimes, of Burlington, then twenty-four years old, and just entering on his illustrious public career. See editorial section. The original is on file in the Bureau of Indian Affairs, Washington, D. C.

²An extended biography and estimate of Gov. Chambers, second territorial governor of Iowa, (1841-1845) was written by William Penn Clarke and published in the Annals of Iowa, Vol. I, page 425.

³Thomas Hartley Crawford was born in Chambersburg, Pa., Nov. 14, 1786. He graduated at the College of New Jersey in 1804 and was admitted to the bar in 1807, practicing at Chambersburg. He was representative in the Twenty-first and Twenty-second Congresses, 1829-33, and was a state legislator in 1833-4. In 1836 he was appointed by President Jackson to investigate alleged frauds in the purchase of the Creek Indian reservation. He was commissioner of Indian affairs, 1838-45, and was judge of the criminal court of the District of Columbia, 1846-63. He died in Washington, January 27, 1863. Recollections of Chambersburg, Pa., says he had a large law practice there, especially in criminal cases. He was of medium height and large build, with a sharp nose and a head inclined to baldness. His arguments were earnest and incisive. (Lamb's Biog. Dictionary.)

⁴James Duane Doty, second territorial governor of Wisconsin, (1841-44), was born in Salem, Washington County, N. Y., in 1799. After studying law he removed to Detroit, Michigan, at the age

correct ones and honest enough to express them. Your friend from Washington who has been sent here by your great father, the President, will explain to you what the President wants. We come as friends, from your great friend the President and we wish to act towards you in pure friendship. We do not wish to entrap or over-reach you, but to act honourably and fairly towards you and we wish and believe you will act so towards us.

Hon. Mr. Crawford:

My friends and brothers: Your great father the President of the United States has sent me in conjunction with my powerful friend on my left and my friend the Governor of Wisconsin on my right, to tell you what he wants. I am extremely happy to see you once more friendly and united, and I sincerely hope you will remain like the iron on a wheel, no part of which can move without the whole. You are met a handsome and powerful people, but you must know that you will become weak if you do not cultivate peace and friendship among yourselves and cease to follow the advice and practice of those whose design is to destroy you. What is better than anything else, you are honest still, but will not remain so if you obey the council of those whose endeavor it is to corrupt you. The times past have satisfied your great father that there is no safety for you unless you are removed beyond the reach of white men, where they can

of nineteen, where he was admitted to the bar, and in 1819 was appointed secretary of the legislative council and clerk of the court of the territory. In 1820 he joined the expedition to explore the upper lakes in canoes. He traveled with it 4,000 miles in command of one of the five canoes, and as secretary of the expedition, assisting in negotiating important treaties with the Indians of that region. In 1823 he was appointed United States judge for northern Michigan. He held his first court at Prairie du Chien, then a military outpost, and having organized the judiciary of his district, filled this position till 1832. In 1830 he was appointed by Congress one of the two commissioners to survey and locate a military road from Green Bay through Chicago to Prairie du Chien, in which work he was engaged about two years. In 1834-35 he was a member of the legislative council of Michigan. Here he was the first to agitate the question of dividing Michigan, which finally led to the creation of Wisconsin and Iowa territories. Returning from the legislature he became an active operator in the public land sales which were opened at Green Bay in 1835-36 and pre-empted several tracts of government land at presumably desirable spots in the wilderness for future towns and cities. One of these tracts situated on an undulating isthmus between four lakes, was laid out in 1837 and named Madison and he selected that as the site for the capital of the new territory. He succeeded in having the seat of government located there in 1836 and was himself a member of the commission to erect a capitol building. In September, 1838, he was elected delegate

have nothing to do with your funds or anything that concerns you. We wish to purchase the lands you now occupy and claim, but not without your full and free consent. To get that assent, freely and without the controul of any body we have sent away all white people from you and from the council house, and want you to be let alone, to get your opinions without the interference of white people. It is the opinion of the Sac & Fox nations we desire and not the opinion of persons coming from a distance who want your money and care nothing about your condition or happiness. Having these views for your advantage, we propose to you in behalf of the President of the United States to cede to the United States all that portion of land claimed by you and embraced within the present limits of the Territory of Iowa. For this we propose to give you one million of dollars and money enough to pay your debts. The country we wish you to remove to should such cession be made, will be on the head waters of the Des Moines and west of the Blue Earth River. To remove apprehension of hostilities from your red brothers in that section, we propose to establish and man three forts there for your protection to be established before your removal from your present villages. Out of the million of dollars we propose that you have farms & farmers, mills and millers, blacksmiths, gunsmiths, school houses, and a fine Council House. But what will be of more value to you

to congress from the territory, and re-elected in 1840, and served until March 3, 1841. He was appointed governor of the territory of Wisconsin, October 5, 1841, serving till September 16, 1844, when he was removed and succeeded by N. P. Tallmadge, but in 1845 Doty was re-appointed, and served till May 13, 1845. His administration was marked by bitter contentions and a collision with the legislature. After his removal from office he was appointed by the war department a commissioner to treat with the Indians of the northwest. He was a delegate to the first constitutional convention at Madison, in 1846, and on the admission of Wisconsin to the Union in 1848, was elected a representative in Congress, serving two terms, 1849-53. He was made superintendent of Indian affairs in 1861, with headquarters at Salt Lake City, Utah, subsequently became treasurer of Utah and in 1864 was appointed by President Lincoln, governor of Utah, which post he held at the time of his death. He died at Salt Lake City, June 13, 1865, leaving the reputation of a man of conspicuous ability who enjoyed the respect of both friends and foes. (Natl. Cyc. Amer. Biog.)

Letters from Henry Dodge to George W. Jones, published in Vol. III, p 292, of the Annals of Iowa, tell of Jones defeating Doty in 1835 for delegate to Congress from that part of Michigan Territory not included in the new state of Michigan, but that Doty defeated Jones in 1838. Henry Dodge seems to have been bitterly opposed to Doty. He charges in these letters that Doty was interested in locating the capitol of Wisconsin at Madison because he was interested in real estate there.

than all, we would propose to build a house for each family, each house to be worth not exceeding one hundred & fifty dollars, to fence and plough six acres of ground for each family. We propose to build for each of the chiefs a house worth not exceeding three hundred dollars and fence and plough twelve acres of ground for each. We then intend you all to live in one village, like brothers. This is the proposition we are authorized to make. If you will once try this mode of life, you will never quit it. The white people have found it good. You will be happy with your wives and children in fine, warm & close houses. Your children will grow strong and be healthy, if kept from the weather & well fed and you will all live long.

But to make your children respected, they should be taught to read & write. To enable them to do so, we propose to place fifty thousand dollars at interest, for the purposes of instruction. If you will live in houses, cultivate the land and educate your children you will be contented and happy. I have now told you the terms upon which we propose to treat. You will probably want time to reflect upon this subject. In making this proposition I have been honest and plain with you and I expect the same from you. Any other course of conduct would be unworthy of you and unjust to the Government.

Gov. Chambers:

My Friends: You have listened to what your friend the chief from Washington has said. I approve of every thing you have heard from him. I am sent here to remain as your superintendent. It is my duty to watch over you and see that no injustice is done to you by any one, either by our traders or the government. If the President should require me to do what was wrong towards you, I would spurn the direction. We have been directed by him to treat with you and to make you proposals for the purchase of your lands. If I thought the proposals you have heard were unjust or dishonourable I would not sanction or advocate them. I may be mistaken as to what is for your interest, but you are capable and must judge for yourselves. I have fought the

red men and esteem them brave. Brave men are always honest and I respect them for their bravery and honesty. You have now been two years without your money. You are surrounded by blood suckers who are constantly endeavoring to obtain all the money paid to you. All the money you yesterday reced. has already gone into their hands. You have paid them enough to supply all your wants for a year. Those of them who sell you whiskey are men who desire only your money and would kill all your women and children to obtain it. They have no souls. They are men of bad hearts and you should not permit them to exercise any influence over you whatever. I believe it to your interest to get out of their reach. Your great father proposes to give you such an opportunity—he proposes to you to go north. I know that in going north you will go towards your enemies the Sioux and Winnebagos but the President authorizes us to propose to establish for you a line of forts for your protection and to place sufficient troops there to prevent aggression upon you, and if they will not be peaceable, to chastize them. Farther south a great many red men have been gathering for some years and frequent difficulties have occurred among them. You would be much safer where we propose to send you. We propose to give you as your friend from Washington has stated, one million of dollars and money enough to pay your debts; to build you out of that one million of dollars comfortable houses and farms, mills, blacksmith shops, school houses, &c. Why is it the white people increase like the leaves on the trees and the red men are constantly decreasing! Because the whites live in comfortable house, are well fed and comfortably clothed. Your band only fifteen years ago numbered no less than sixteen-hundred warriors, and now it numbers but twenty-three hundred persons, including men, women and children. Another reason why the red man is continually decreasing is that the evil spirit has been introduced among you in the shape of liquor impregnated with pepper and tobacco and other poisonous ingredients. But few as you now are, there are young men among you who will yet live to see you a powerful and prosperous people if you settle down and

cultivate the earth as we propose to you. There is no reason why you should not increase as fast as any people on the earth if you live in comfortable houses, are well fed and keep clear of the vultures who are about you. It will indeed be a happy day to me to hereafter go among your homes and find you a happy & strong people. These old men and myself must soon be gone, but if we are so disposed, we can do much good for those who shall come after us. In deciding upon the acceptance of our proposal, we wish you to use your own judgment without the controul of others. We have forbidden white men to have any intercourse with you during the progress of this treaty.

Ke-o-kuck, the Chief:

All our chiefs and braves have heard what you have said to us, and understand your desires. We are glad you have told us to reflect upon it and not decide immediately. Our chiefs and then our braves will have to council together before we can give you an answer. We have to take more time among us in matters of this kind, than the whites do. When the Sun is half gone tomorrow, we will give our answer.

Saturday, 16th Oct. 1841, 12 o'clock, Council met, Gov. Chambers said, We have come to hear what reply the chiefs and braves have to give to our proposals.

Ke-o-kuck, Sac Chief:

We have come together without coming to any conclusion. Many of our people are not accustomed to business and do not understand your propositions. We want them explained slowly and plainly. We do not know whether the houses are to be paid for from the thousand boxes or to be paid besides. We wish this explained so there will be no misunderstanding. We hope we shall be excused for our not understanding, for our people are not much acquainted with business. After you will explain to us, we shall have a council among ourselves alone and then explain & talk over the whole matter among ourselves. We wish a guard stationed around us to prevent interference from the whites while in council.

Hon. Mr. Crawford repeated and explained the proposals made as substantially stated in yesterday's proceedings, whereupon council adjourned 'till Sunday 17th at 10 O'clock.

Sunday 17th Oct. 10 o'clock, Council met.

Kis-ke-kosh, a Fox brave and chief:

Wish-e-co-mac-quet's band are going to give their opinions first and then Ke-o-kuck's band.

Wish-e-co-mac-quet, Sac Chief, called Hard-Fish.

My braves and warriors who sit around me had a council yesterday. All our chiefs, braves and warriors had one council and are all of one opinion. We have thought of our families and those who are to follow us, and my answer is the answer of all. It is a great concern to us and we hope the great Spirit and this earth will bear favourable witness to our answer. It is impossible for us to accept your proposals. We can't subsist in the country where you wish us to go. It is impossible for us to live there. In reflecting upon it, it seems like a dream to think of going and leaving our present homes and we do not want to hear any new proposals.

Pow-e-sick, Fox chief from Iowa River:

You have heard through Wish-e-co-mac-quet the opinion of our whole nation. We have thought of the condition of our families, and what it will be where you wish us to live. We hold this country from our fathers. We have an hereditary right to it, and we think we have a right to judge whether we will sell it or not. According to our custom, our chiefs own all the trees and the earth and they are used for the benefit of our people. We should give up a timber for a prairie country if we went where you wish. I call the great spirit, earth, sky and weather to witness that we choose what is best for our people. After being a powerful people, we are now but the shade of one. We hope the great spirit will now pity and protect us.

Pash-o-pa-ho, Sac brave:

We yesterday listened to what was sent to us from our great father at Washington. We have had a council together about it and now come to give our answer. After thinking of our families and those who are to come after us we think

we cannot accept your proposals. We have already given to government all the land we owned on the other side of the Mississippi River and all they own on this side. Our country is now small and if we part with it we cannot live. We hope you will not be displeased with our refusal.

Kish-ke-kosh, Fox brave:

You have heard the unanimous opinion of our nations. We do not wish to accept your proposals. This is the only country we have. It is small and it is our only timber.

Wish-e-wah-ka, a Fox brave:

You have already heard our opinion. We are all of the same mind. This is the only spot of timber we own and it is small. The country you wish us to remove to is without timber and very poor. We hope our great father will not insist upon our removal.

Ke-o-kuck, Chief of the Sac nation:

Day before yesterday we did not understand the terms upon which you wish to buy our land. We have since then had a council & have come to one mind. We have never heard so hard proposals. We never heard of so hard a proposal as you have made us. The country where you wish to send us, we are acquainted with. It looks like a country of distress. It is the poorest in every respect I have ever seen. We own this land from our fathers, and we think we have a right to say whether we will sell or not. You have read and heard the traditions of our nation. We were once powerful. We conquered many other nations and our fathers conquered this land. We now own it by possession and have the same right to it that white men have to the lands they occupy. We hope you will not think hard of our refusal to sell. We wish to act for the benefit of our children & those who shall come after them, and we believe the Great Spirit will bless us for so doing. As to the proposal to build school houses, we have always been opposed to them and will never consent to have them introduced into our nation. We do not wish any more proposals made to us.

Wa-pel-lo Chief of the Foxes:

You said you were sent by our Great Father to treat with us and buy our land. We have had a council and are of one

opinion. You have learned that opinion from our chiefs & braves who have spoken. You told us to be candid and we are. It is impossible for us to subsist where you wish us to go. We own this country by occupancy and inheritance. It is the only good country & only one suitable for us to live in on this side the Mississippi River and you must not think hard of us because we do not wish to sell it. We were once a powerful, but now a small nation. When the white people first crossed the big water and landed on this Island, they were then small as we now are. I remember when Wisconsin was ours and it now has our name. We sold it to you. Rock River & Rock Island was once ours. We sold them to you. Dubuque was once ours. We sold that to you and they are now occupied by white men who live happy. Rock River was the only place where we lived happily & we sold that to you. This is all the country we have left, and we are so few now, we cannot conquer other countries. You now see me and all my nation. Have pity on us. We are but few and are fast melting away. If other Indians had been treated as we have been, there would have been none left. This land is all we have. It is our only fortune. When it is gone, we shall have nothing left. The Great Spirit has been unkind to us in not giving us the knowledge of white men, for we would then be on an equal footing, but we hope He will take pity on us.

Ap-pa-noose a Sac Chief:

You have truly heard the opinion of our nation from our chiefs and braves. You may think we did not all understand your proposals, but we do. We have had a council upon them among ourselves and concluded to refuse them. We speak for our whole nation. We were told at Washington that we would not be asked to sell anymore of our land, and we did not expect to be asked to do so, so soon. We would be willing to sell some of our country, if we could subsist where you wish us to live. The country you offered us is the poorest I ever saw. No one can live there. Wish our great father at Washington to know the reason why we do not wish to sell.

Gov. Chambers:

My friends: We have heard your answer to the proposals the President directed us to make to you. We hope and have reason to believe you have been governed by your own judgment and not by the advice of others. Your great father has no intention to drive or force you from your lands. I am sent here to remain and to watch over and attend to you—to see justice done, and I will not see wrong done to you while I can prevent it. I have been led to believe that the Country we wish you to go to is different from the description you have given of it. Your friend Gov. Doty has lately been over it and says it is different. He says there is timber there. There must be some mistake. Now I will tell you why your great father proposes to sell at this time. He knows and I know that white people have got near you—are selling you whiskey, and that we cannot prevent them from selling or you from buying. Bad white people are thus encouraged to sell and you are degraded by buying, and you will become more & more degraded until you become entirely extinct. Troops have been sent here, but on account of your proximity to the white settlements, improper intercourse with them cannot be prevented. I had learned and reported to your great father that you bought goods which you did not need and immediately traded them away for whiskey. Your great father thought you wished to pay your debts. I have ascertained that 300,000 dollars will not pay them. This is another reason why he thought you should sell. A few months ago you went to Montrose and bought fifteen thousand dollars of goods, none of which you needed (save perhaps a few horses) and they are now all given to the winds. How will you pay the man of whom you procured them? The whole amount of your annuities for five years will not pay your debts to your traders. They will not trust you any more. They have sold to you heretofore, expecting you would sell your lands and that they would then be paid. You will get no more goods on credit. It was kindness then on the part of your great father which induced him to offer to buy your land—to furnish you money with which you could render yourselves, your wives and children comfortable & happy.

It is my business to superintend your affairs and watch over your interests as well as the interest of government, and I want you to reflect upon the fact that in a few days all your money will be gone, you will be without credit—you may be unsuccessful in your hunts & what will become of you? Even your whiskey sellers will not sell you that without money or an exchange of your horses, guns and blankets for it. Many of you do not reflect upon this now, but you will before a year, with sorrow.

These Chiefs (Gov. Doty & Mr. Crawford) are going away. I am to remain and it will be the first wish of my heart to do you all the good in my power, but I cannot render you much service unless you are more prudent. We shall not come to you any more to induce you to sell your lands however great may be your sufferings. We shall let the matter rest until your misfortunes & sufferings will convince you that you have been guilty of an act of folly in refusing to sell your lands—

The Indians signifying no further disposition to treat, the Council was indefinitely dissolved.

I hereby certify the foregoing to contain substantially true & correct minutes of the council held as above stated by Hon. John Chambers, Hon. James D. Doty & Hon. T. Hartley Crawford with the Confederated tribes of the Sac & Fox Indians on the 15th day of Oct. 1841.

JAS. W. GRIMES,
Secty. of the Commission.

SAC AND FOX INDIAN COUNCIL of 1842

Minutes of a council held by Governor Chambers with chiefs, braves and headmen of the Sac and Fox Mission, commencing on the 4th of October, 1842, at the Sac and Fox Agency, Indian Territory for the sale of their lands in said Territory.

Tuesday morning, 10:00 o'clock, council opened.

Governor Chambers rose and said "My friends, I am glad to meet you once more in council. When I was here last

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