

TREATY WITH THE STOCKBRIDGE TRIBE OF INDIANS.

WHEREAS, by an act of Congress, entitled "An Act for the relief of the Stockbridge tribe of Indians, in the Territory of Wisconsin," approved on the third day of March, A. D., 1843, it was provided that the township of land on the east side of Winnebago Lake, secured to said tribe by the treaty with the Menomonee Indians of February 8th, 1831, as amended by the Senate of the United States, and not heretofore ceded by said tribe to the United States, should be divided and allotted among the individual members of said tribe, by commissioners to be elected for that purpose, who were to make report of such division and allotment, and thereupon the persons composing said tribe were to become citizens of the United States.

Nov. 24, 1848.

1843, ch. 101.
Preamble.Ratified March
1, 1849.

And whereas a portion of said tribe refused to recognize the validity of said act of Congress, or the proceedings which were had under it, or to be governed by its provisions, and upon their petition a subsequent act was passed by the Congress of the United States, on the 6th day of August, 1846, repealing the said act of March 3d, 1843, and providing, among other things, that such of said tribe as should enrol themselves with the sub-agent of Indian affairs at Green Bay, should be and remain citizens of the United States, and the residue of said tribe were restored to their ancient form of government as an Indian tribe. It was also provided that the said township of land should be divided into two districts, one of which was to be known as the "Indian district," the other as the "citizen district;" the former to be held in common by the party who did not desire citizenship, and the latter to be divided and allotted among such as were citizens and desired to remain so.

1846, ch. 85.

And whereas it has been found impracticable to carry into full effect the provisions of the act of August 6th, 1846, by dividing the said township of land in the manner specified in said act, without infringing upon private rights acquired in good faith under the act of 1843 hereinbefore referred to, with a view of relieving both the Indian and citizen parties of said Stockbridge tribe of Indians from their present embarrassments, and to secure to each their just rights, articles of agreement and compromise have been entered into, as follows:—

Articles of Agreement and Treaty made and concluded at Stockbridge, in the State of Wisconsin, on the 24th day of November, in the Year of our Lord one thousand eight hundred and forty-eight, by and between the undersigned, acting Commissioners on the Part of the United States of America, and the Stockbridge Tribe of Indians.

ARTICLE I.

The said Stockbridge tribe of Indians renounce all participation in any of the benefits or privileges granted or conferred by the act of Congress entitled "An Act for the relief of the Stockbridge tribe of Indians, in the Territory of Wisconsin," approved March 3, 1843, and

The said tribe renounce all participation in the benefits of the act of March 3,

1843, ch. 101, for their relief, and acknowledge themselves under the guardianship of the U. S.

relinquish all rights secured by said act; and they do hereby acknowledge and declare themselves to be under the protection and guardianship of the United States, as other Indian tribes.

ARTICLE II.

A roll or census to be taken to determine who compose said tribe.

[For roll see post p. 958.]

That no misunderstanding may exist, now or hereafter, in determining who compose said tribe and are parties hereto, it is agreed that a roll or census shall be taken and appended to this agreement, and in like manner taken annually hereafter, and returned to the Secretary of the War Department of the United States, containing the names of all such as are parties hereto, and to be known and recognized as the Stockbridge tribe of Indians, who shall each be entitled to their due proportion of the benefits to be derived from the provisions made for their tribe by this and former agreements; and whenever any of them shall separate themselves from said tribe, or abandon the country which may be selected for their future home, the share or portion of such shall cease, and they shall forfeit all claims to be recognized as members of said tribe.

ARTICLE III.

Lands ceded by said tribe to the United States.

The said Stockbridge tribe of Indians hereby sell and relinquish to the United States the township of land on the east side of Lake Winnebago, (granted and secured to said tribe by the treaty with the Menomonee tribe of Indians of February 8, 1831, as amended by the resolution of the Senate of the United States,) and situated in the State of Wisconsin.

ARTICLE IV.

Said land to be surveyed into lots, and such as were allotted to members of said tribe under the act of March 3, 1843, confirmed to them.

1843, ch. 101.

[Post p. 960.]

The said township of land shall be surveyed into lots, in conformity with the plan adopted by the commissioners elected under the act of March 3, 1843, and such of said lands as were allotted by said commissioners to members of said tribe who have become citizens of the United States (a schedule of which is hereunto annexed) are hereby confirmed to such individuals respectively, and patents therefor shall be issued by the United States. The residue of said lands belonging to the United States shall be brought into market, but shall not be sold at less than the appraised value, unless the Senate of the United States shall otherwise determine.

ARTICLE V.

In consideration of the above cession, the U. S. to pay to said tribe \$16,500, to enable them to settle their affairs.

In consideration of the cession and relinquishment hereinbefore made by the said Stockbridge tribe of Indians, it is agreed that the United States shall pay to said tribe within six months after the ratification of this agreement the sum of sixteen thousand five hundred dollars, to enable them to settle their affairs, obtain necessities, and make provision for establishing themselves in a new home.

ARTICLE VI.

The U. S. also to pay \$14,504 85 to said tribe, being the appraised value of their improvements.

The United States shall also pay to said tribe, within six months after the ratification of this agreement, the sum of fourteen thousand five hundred and four dollars and eighty-five cents, being the appraised value of their improvements upon the lands herein ceded and relin-

quished to the United States, and to be paid to the individuals claiming said improvements according to the schedule and assessment herewith transmitted.

ARTICLE VII.

It is further stipulated and agreed that the said Stockbridge tribe may remain upon the lands they now occupy for one year after the ratification of this agreement, and that they will remove to the country set apart for them, or such other west of the Mississippi River as they may be able to secure, where all their treaty stipulations with the government shall be carried into effect.

Said tribe may remain on the lands now occupied by them for one year after ratification of this treaty.

ARTICLE VIII.

Whenever the said Stockbridge tribe shall signify their wish to emigrate, the United States will defray the expenses of their removal west of the Mississippi, and furnish them with subsistence for one year after their arrival at their new home.

Whenever said tribe signify their wish to emigrate the U. S. to defray the expenses of their removal, and subsistence for one year thereafter.

ARTICLE IX.

It is further stipulated and agreed, that, for the purpose of making provision for the rising generation of said tribe, the sum of sixteen thousand five hundred dollars shall be invested by the United States in stock, bearing an interest of not less than five per cent. per annum, the interest of which shall be paid annually to said tribe, as other annuities are paid by the United States.

\$16,500 to be vested in stocks, the interest of which is to be paid annually.

ARTICLE X.

It is agreed that nothing herein shall prevent a survey of said lands, at any time after the ratification of this agreement, and that said tribe shall commit no waste or do unnecessary damage upon the premises occupied by them.

Survey of said lands provided for.

ARTICLE XI.

The United States will pay the expenses incurred by the sachem and headmen, amounting to three thousand dollars, in attending to the business of said tribe since the year 1843.

U. States to pay the expenses of the sachem and headmen in attending to the business of said tribe.

ARTICLE XII.

This agreement to be binding and obligatory upon the contracting parties from and after its ratification by the government of the United States.

Treaty to be binding as soon as ratified by the U. States.

In witness whereof, the said commissioners, and the sachem, councillors, and headmen of said tribe, have hereunto set their hands and seals, the day and year above written.

Morgan L. Martin,	[L. s.]	John Metoxen,	} Coun- cillors.	[L. s.]
Albert G. Ellis,	[L. s.]	John W. Quinney,		[L. s.]
Augustin E. Quinney, sachem,	[L. s.]	Samuel Miller,		[L. s.]

Zeba T. Peters,	} <i>Coun- cillors.</i>	[L. s.]	*David Palmer,	[L. s.]
Peter D. Littleman,		[L. s.]	Ezekiel Robinson,	[L. s.]
*Abram Pye,		[L. s.]	*James Joshua,	[L. s.]
Joseph M. Quinney,		[L. s.]	*Garrett Thompson,	[L. s.]
Samuel Stephens,		[L. s.]	*Laurens Yocron,	[L. s.]
Jeremiah Slingerland,		[L. s.]	*Thomas Schanandoah,	[L. s.]
*Benjamin Pye, 2d,		[L. s.]	*John W. Quinney, Jr.,	[L. s.]
Simon S. Metoxen,		[L. s.]	*Nicolas Palmer,	[L. s.]
Daniel Metoxen,		[L. s.]	John P. Quinney,	[L. s.]
*Moses Charles,		[L. s.]	*Washington Quinney,	[L. s.]
*Benjamin Pye, 3d,		[L. s.]	*Aaron Turkey.	[L. s.]
*Jacob Jehoiakim,		[L. s.]		

[To each of the names of the Indians marked with an asterisk is affixed his mark.]

In presence of —

CHARLES A. GRIGNON, *U. S. Interpreter.*

Lemuel Goodell,
Eleazer Williams,
Charles Poreuninozer.

Roll or census
of said tribe, as
provided for by
2d article of this
treaty.

*Roll or Census of the Stockbridge Tribe of Indians, taken in conform-
ity with the provisions of the second article of the within agree-
ment.*

Heads of Families.	Male.	Female.	Boys.	Girls.	Total.
Austin E. Quinney	1	1	3	4	9
John Metoxen	1	1	—	—	2
Benjamin Pye, Sen.	1	1	—	1	3
Garret Thompson	1	1	2	—	4
Elisha Konkapot	1	1	1	—	3
John W. Quinney	1	—	—	—	1
John P. Quinney	1	1	1	—	3
Peter D. Littleman	1	1	1	2	5
Jonas Thompson	1	1	1	1	4
James Joshua	1	—	—	—	1
Joseph M. Quinney	1	1	2	1	5
Simon L. Metoxen	1	1	2	5	9
Benjamin Pye, 2d	1	1	1	3	6
Thomas Schenandoah	1	1	—	—	2
Aaron Turkey	1	1	2	2	6
Abram Pye	1	1	4	1	7
Benjamin Pye, 4th	1	1	—	1	3
Benjamin Doxtater	1	1	1	1	4
Moses Charles	1	1	1	1	4
Benjamin Pye, 3d	1	1	1	1	4
Eli Williams	1	—	—	—	1
David Palmer	1	1	1	—	3
Jacob Konkapot	1	1	—	1	3
Daniel Metoxen	1	1	—	—	2
Elizabeth Palmer, (widow)	—	1	1	1	3
Elizabeth Aaron	—	1	1	2	4
Catharine Butterfield	—	1	—	1	2

Roll or Census of Stockbridge Indians. — Continued.

Heads of Families.	Male.	Female.	Boys.	Girls.	Total.
Samuel Miller	1	1	4	2	8
Louisa Jamison	—	1	—	—	1
Jacob Jehoicum	1	—	—	—	1
Anna Turkey	—	1	—	—	1
Jeremiah Slingerland	1	—	3	—	4
John Yocum	1	1	—	2	4
Elizabeth Wilber	—	1	1	3	5
John W. Quinney, Jr., and sister	1	1	—	—	2
Clarissa Miller and son	1	1	—	—	2
Elizabeth Pye	—	1	—	1	2
Phæbe S. Ricket	—	1	—	—	1
Josiah Abrams, wife, and sister .	1	2	—	—	3
Jeremiah Bennet	1	2	—	2	5
Paul Pye	1	1	1	—	3
Peter Bennet	1	—	—	—	1
Ziba T. Peters	1	1	2	—	4
Ezekiel Robinson and brother . .	—	—	2	—	2
Lawrence Yocum	1	—	—	—	1
Moses Duxtater	1	—	—	1	2
Lucinda Quinney	—	1	2	1	4
Jemima Duxtater	—	1	—	—	1
Amelia Quinney	—	1	1	—	2
Peter Bennet, Sen.	1	1	1	3	6
John Bennet	1	1	1	1	4
Levi Konkapot	1	—	—	—	1
Samuel Stevens	1	—	—	—	1
John Killsnake	1	—	—	—	1
Lewis Hendricks	1	—	—	—	1
Diana Davids	—	1	—	—	1
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M. L. MARTIN,
ALBERT G. ELLIS,
AUSTIN E. QUINNEY.

STOCKBRIDGE, Nov. 24, 1848.

John Metoxen,
John W. Quinney,
Samuel Miller,
Ziba T. Peters,
Peter D. Littleman,
Abram Pye,
Joseph M. Quinney,
Samuel Stephens,
Jeremiah Slingerland,
Benjamin Pye, 2d,
Simon S. Metoxen,
Daniel Metoxen,
Moses Charles,

Benjamin Pye, 3d,
Jacob Jehoiakim,
David Palmer,
Ezekiel Robinson,
James Joshua,
Garret Thompson,
Laurens Yocum,
Thomas Schanandoah,
Joshua W. Quinney, Jr.,
Nicolas Palmer,
John P. Quinney,
Washington Quinney,
Aaron Turkey.

Schedule of
lands to be pat-
ented to indi-
viduals under
4th article of this
treaty.

*Schedule of Lands to be patented to individuals under the 4th article of
the above agreement.*

Names.	No. of Lot.	No. of Acres.
Josiah Chicks	1	
Nancy Chicks	2	
John N. Chicks	4	
Jacob Davids	5	
Harvey Johnson	8	
Hannah P. Chicks	10	
Dindemia, Big Deer	$\frac{1}{2}$ E. end 14	22.66
Puella Jourdain	16	
Jacob Chicks	17	
John N. Chicks	18	
Josiah Chicks	20	
Jacob Chicks	21	
Jos. L. Chicks	22	
Jacob Chicks	23	
John N. Chicks	24	
Moses E. Merrill	25, 26, 27	
John N. Chicks	28, 29	
Jane Dean	30	
Marietta Abrams	31	
Catharine Mills	N. $\frac{1}{2}$ 32	30.62
Joseph L. Chicks	33	
John Dick	37	
John More	38	
Isaac Jacobs	40	
Benjamin Welch	41	
Lucy Jacobs	44	
Daniel Davids	47	
Daniel Davids	N. $\frac{1}{2}$ 48	
John W. Abrams	S. $\frac{1}{2}$ 48	
Louisa Davids	50	
Harry E. Eastman	51	
Eunice Abrams	52	
Daniel Davids	53	
John N. Chicks	54	
Hoel S. Wright	S. part of 55	5
Oscar Wright	N. part of 55	57 $\frac{1}{2}$
John Littleman	S. $\frac{1}{2}$ 56	
Daniel Davids	N. $\frac{1}{2}$ 56	
Darius Davids	57	
Margaret Davids	58	
Daniel Davids	60	
Erastus Welch, (a strip) E. of road,	65	6 chains 25 lks. wide off S. side of lot.
Richard Fidler	E. of road, 65	balance of the lot.
Henry Modlin	part 65	W. of road, 54 $\frac{3}{4}$.
Henry Jacobs	63	
Lucy Jacobs	frac'l part of 66	W. of road, 50.50
John W. Abrams	E. $\frac{1}{2}$ 68	
John Dick	70	
Eunice Abrams	N. $\frac{1}{2}$ 76	
Mary Hendrick	E. $\frac{1}{2}$ 78	
Isaac Jacobs and }	79	
George Bennet }		
John N. Chicks	81	

Schedule. — Continued.

Names.	No. of Lot.	No. of Acres.
John N. Chicks and } Jacob Davids }	82	
Nancy Hunt . . .	W. $\frac{1}{2}$ 83 . . .	31 $\frac{1}{2}$
James Menagre and } Betsy Menagre }	part of 84 E. end . . .	15 $\frac{1}{2}$
Betsy Wyatt . . .	W. $\frac{1}{2}$ 85 & 86 . . .	62 $\frac{1}{2}$
William Gardner . . .	87	
Timothy Jourdain . . .	90	
Timothy Jourdain . . .	S. $\frac{1}{2}$ 91 . . .	31.25
Charles Stevens . . .	92 & 94	
Nancy Homm . . .	98	
Joseph L. Chicks . . .	102	
John N. Chicks . . .	103	
John Moore . . .	105	
Josiah Chicks . . .	106	
John N. Chicks . . .	110	
Timothy Jourdain . . .	111, 112	
John Littleman . . .	113	
Nathan Goodell . . .	115	
Charles Stevens . . .	S. part 119 . . .	50
Catharine Littleman . . .	E. part 128 . . .	54.60
John Moore . . .	129	
John W. Abrams . . .	130	
Jacob Davids . . .	131	
Adam Sheriff . . .	W. $\frac{1}{2}$ 132 . . .	31.25
Jacob Davids . . .	133	
Joseph L. Chicks . . .	134	
Catharine Mills . . .	W. $\frac{1}{2}$ 136	
Joseph Duxtater . . .	144 & 145	
Isaac Jacobs . . .	151	
Alexander Abrams . . .	154	
Jacob Davids . . .	155	
Darius Davids . . .	156	
John Littleman . . .	157	
Isaac Jacobs . . .	158	
Hannah W. Chicks . . .	159	
Catharine Mills . . .	160	
Nathan Goodell . . .	170	
John N. Chicks . . .	173	
James N. Lane . . .	174	
Jacob Davids . . .	175	
Job More . . .	176	
Thomas J. Chicks . . .	179	
Harvey Johnson . . .	180	
Nancy Gardner . . .	181	
Abigail Jourdain . . .	182	
Abram Chicks . . .	184	
Bartholomew Bowman . . .	186	
Harriet Jourdain . . .	187	
Andrew Chicks . . .	188	
Sarah Davids . . .	189	
Job Moore . . .	191	
William Gardner . . .	S. part of 192, and 221 . . .	50
Mordy Mann . . .	N. part of 192, and 221 . . .	70
Mary N. Chicks . . .	194	

Schedule.—Continued.

Names.	No. of Lot.	No. of Acres.
William Gardner	220	
Triphane E. Jourdain	222	
Caleb Moore	223	
Isaac Simmons	224	
Isabel Chicks	225	
Sophia M. Jourdain	226	
Jesse Bowman	227	
Catharine Franks	228	
Jonathan Chicks	229	
Jonas Davids	231	
Adam Davids	232	
Linke Jourdain	233	
Elizabeth Moore	234	
Joseph Doxtater	235	
George Bennet	237	
Isaac Simmons	240	
Abigail Moore	263	
Henry Moore	264	
William Scott	265	
William Scott	S. $\frac{1}{2}$ 266	
George Bennet	N. $\frac{1}{2}$ 266	
Reuben Johnson	267	
Silas Jourdain	268	
Jesse M. Jourdain	271	
Simon Gardner	274	
Hannah Moore	276	
Solomon Davids	277	
Edward Howell	279	
Harriet Johnson	280	
Lucinda Gardner	282	
Hope Moore	284	
Jemison C. Chicks	308	
Obadiah Gardner	309	
Rachael Davids	313	
Julius Davids	314	
Elizabeth Bowman	315	
Jeremiah Gardner	316	
Mary Jane Bowman	317	
Nancy Johnson	319	
Jason Simmons	320	
Betsy Menagre	321	
Darius Davids	323	
Humble M. Jourdain	325	
Stephen Gardner	326	
Francis T. Davids	327	
Mary McCallister	328	
Mary Hendrick	335	
Susannah Hendrick	349	
Jacob Moore	355	
David Gardner	357	
George Gardner	359	
Catharine Bowman	360	
Serepta Johnson	361	
Thankful Stevens	362	
William Gardner	364	

Schedule.—Continued.

Names	No. of Lot.	No. of Acres.
Joseph Chicks	365	
John Chicks	366	
Charles Stephens	367, 368	
Timothy Jourdain	369, 370, 371	
Jacob Chicks	372, 373	
Paul D. Hayward	375	
State of Wisconsin	383	School purposes.
Timothy Jourdain	384	
Jeremiah Johnson	385, 389	
American Board of } Commissioners for } Foreign Missions. }	386, 390	
Jacob Chick	387, 391	
Timothy Jourdain	388	
John N. Chicks	392, 396	
William Gardner	393, 394, 397, 398	
Lemuel Goodell	N. end 395	2 acres.

M. L. MARTIN,
ALBERT G. ELLIS.

Valuation of Improvements. (Vide Art. 6.)

	Acres.	Dollars.	Valuation of improvements under article 6 of this treaty.
Austin E. Quinney	163.38	2,760 63	
Joseph M. Quinney	49.50	718 25	
Samuel Stevens	30.90	617 15	
Moses Chicks	38.76	703 26	
Elizabeth Palmer	43.00	980 50	
Samuel Miller	29.06	512 41	
Elisha Konkapot	55.62	880 87	
Peter D. Littleman	5.00	142 50	
John P. Quinney	3.25	168 88	
Heirs of J. Yocum	15.50	267 50	
Aaron Turkey	5.78	78 03	
Benjamin Pye, 2d	6.00	311 00	
John Metoxen	40.00	640 00	
Mrs. B. Wright	50.00	825 00	
Abraham Pye	5.00	67 50	
Benjamin Pye, 4th	30.00	495 00	
Benjamin Pye, Sr.		40 00	
Benjamin Pye, 3d		40 00	
Garrett Thompson	20.00	350 00	
Ziba T. Peters	30.00	485 00	
Betsey T. Aaron	10.00	215 00	
Thomas Skenandoah	3.00	85 00	
Simon S. Metoxen	17.00	349 50	
Elizabeth Wilber	30.00	535 00	
Ezekiel Robinson	41.62	711 87	
J. W. Quinney	4.00	60 00	
School-House	60.00	1,315 00	
		150 00	
		<u>\$14,504 85</u>	

M. L. MARTIN,
ALBERT G. ELLIS.

Amended by
the Senate, Mar.
1st, 1849.

In Executive Session, Senate of the United States, March 1st, 1849.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and treaty made and concluded at Stockbridge, in the State of Wisconsin, on the 24th day of November, in the year of our Lord 1848, by and between Morgan L. Martin and Albert G. Ellis, commissioners on the part of the United States of America, and the Stockbridge tribe of Indians, with the following

AMENDMENT.

Add the following as supplemental articles:

Payment for re-
linquishing cer-
tain claims.

Whereas the Stockbridge and Munsee Indians consider that they have a claim against the United States for indemnity for certain lands on White River in the State of Indiana, and for certain other lands in the State of Wisconsin, which they allege they have been deprived of by treaties entered into with the Miamies and Delawares, or to the lands claimed by them in Indiana, and with the Menomonees and Winnebagoes, or to the lands in Wisconsin, without their consent; and whereas the said Stockbridge and Munsee Indians, by their chiefs and agents, have continued to prosecute their said claims during the last twenty years at their own expense, except the sum of three thousand dollars paid them in 1821; and whereas it is desirable that all ground of discontent on the part of said Indians shall be removed, the United States do further stipulate, in consideration of the relinquishment by them of said claims, and all others, except as provided in this treaty, to pay to the sachems or chiefs of said Indians, on the ratification of this article by them, with the assent of their people, the sum of five thousand dollars, and the further sum of twenty thousand dollars, to be paid in ten annual instalments, to commence when the said Indians shall have selected and removed to their new homes, as contemplated by the seventh article of this treaty.

The President of the United States, within two years from the ratification of this treaty, shall procure for the use of said Stockbridge Indians a quantity of land west of the Mississippi River, upon which they shall reside, not less than seventy-two sections, said Indians to be consulted as to the location of said land, and to be holden by the same tenure as other Indian lands.

JAMES K. POLK.

By the President.

JAMES BUCHANAN,

Secretary of State.