

The Treaty of Lake Poygan in 1848

Wisconsin DPI Standards Alignment:

Social Studies B.4.1 – Identify and examine various sources of information that are used for constructing an understanding of the past, such as artifacts, documents, letters, diaries, maps, textbooks, photos, paintings, architecture, oral presentations, graphs, and charts.

Social Studies B.4.7 – Identify and describe important events and famous people in Wisconsin and United States history.

Social Studies B.4.10 – Explain the history, culture, tribal sovereignty, and current status of the American Indian tribes and bands in Wisconsin.

Social Studies B.8.4 – Explain how and why events may be interpreted differently depending upon the perspectives of participants, witnesses, reporters, and historians.

Social Studies B.8.10 – Analyze examples of conflict, cooperation, and interdependence among groups, societies, or nations.

Social Studies E.4.12 – Explain how beliefs and practices, such as ownership of property or status at birth, may lead to conflict among people of different regions or cultures and give examples of such conflicts that have and have not been resolved.

Social Studies E.4.14 – Describe how differences in cultures may lead to understanding or misunderstanding among people.

Goal: Students will see the Treaty of Lake Poygan in 1848 as an example of the type of agreements made by the United States Government with Native groups to facilitate the settlement of Wisconsin by Yankee and European settlers.

- Objectives:**
- 1) Students will state in one sentence why the Treaty of Lake Poygan in 1848 was so important to both the Menominee and the U.S. Government.
 - 2) Students will be able to state in one sentence why the Treaty of Lake Poygan in 1848 was so controversial.
 - 3) Students will read the historic or paraphrased text of the Treaty of 1848.
 - 4) With a partner, students will create a diagram or chart detailing what each side signing the treaty gave up and what they each gained.

Background Information for Teachers:

The Treaty of October 18, 1848 was a very important treaty made between the U.S. Government and the Menominee people. The treaty was considered to be important

because in it, the Menominee ceded the rights to all of their lands in Wisconsin to the United States Government. In exchange for their land, the Menominee were to receive land in Minnesota known as the “Crow Wing” country plus \$350,000. The money would cover the costs of moving the tribe to their new homeland and would also provide for grants and annual payments to members of the tribe.

However, the treaty was also controversial. The Menominee who signed the treaty were not recognized as government leaders according to the laws of the tribe. Because the proper representatives did not sign the treaty, many Menominee did not recognize it as a legal document. But, the Federal Government did recognize it and insisted on enforcing it. Also, it is believed that confusion existed as to whether or not the Menominee would be allowed to stay on the land even after giving title of it to the U.S. Government. This treaty was eventually replaced with the treaty of 1854.

Two versions of the treaty follow: one is an excerpt of the treaty of 1848, using the original language (accompanied by a glossary); the other is a version paraphrased for younger readers. Depending upon the reading level of your students, choose a version of the treaty for them to read silently. Later, have students choose a partner with whom to create a diagram/chart listing what the Menominee and U.S. Government each gave up in the treaty and a second chart detailing what each group gained. (This activity can be done as a class with younger groups.) Also have students who have practice in long division figure out the cost per acre if the government gave the Menominee \$350,000 for 600,000 acres (58¢ per acre). The government could then sell the land for around 70¢ an acre. How much money would the government receive from sale of this land?

(\$420,000) What profit did the government make off of the Menominee land? (\$70,000)

Do students think that this deal was “fair” to the Menominee?

Explain to your students that the Treaty of Lake Poygan of 1848 is only one of many treaties made between the United States Government and sovereign Indian nations.

Because treaties were written in English and translated to Indians by government employed officials, the meanings could be misconstrued or important points glossed over.

In addition, due to the differences in Native and white philosophies, the same word or phrase may have different meanings for each group. The concept of land ownership is one example of this. It was not unusual for the United States Government to negotiate treaties with those they recognized as tribal leaders, but who were not in fact recognized as leaders according to the laws and traditions of the tribe. Also, promises made through the treaty process often went unfulfilled. These circumstances resulted in the use of treaties against Wisconsin Indian tribes and in a lack of trust of the U.S. Government by the tribes. For more examples of treaties made between the U.S. and Wisconsin Indian tribes, look in Patty Loew’s *Indian Nations of Wisconsin*.

**Text from the Original Treaty of Lake Poygan of October 18, 1848
between the Menominee Nation and the United States of America**

[The following are the] Articles of a treaty made and *concluded* at *Lake Pow-aw-hay-kon-nay*, in the State of Wisconsin on the eighteenth day of October, one thousand eight hundred and forty-eight, between the United States of America, by William Medill, a commissioner *duly appointed* for that purpose, and the *Menomonee* tribe of Indians, by the chiefs, headmen, and warriors of said tribe.

Article I. It is *stipulated* and *solemnly* agreed that the peace and friendship now so happily *subsisting* between the Government and people of the United States and the Menomonee Indians shall be perpetual.

Article II. The said Menomonee tribe of Indians agree to *cede* and do *hereby* cede, sell, and *relinquish* to the United States all their lands in the State of Wisconsin, wherever situated.

Article III. In consideration of the *foregoing* cession, the United States agree to give, and do hereby give, to said Indians for a home, to be held as Indians' lands are held, all that country or tract of land ceded to said United States by the Chippewa Indians of the Mississippi and Lake Superior in the treaty of August 2, 1847, and the *Pillager band of Chippewa Indians*, in the treaty of August 21, 1847, which may not be assigned to the Winnebago Indians, under the treaty with that tribe of October 13, 1846, and which is *guarantied* to contain not less than six hundred thousand acres.

Article IV. In *further and full consideration* of said cession, the United States agree to pay the sum of three hundred and fifty thousand dollars, at the several times, *in the manner, and for the purposes following, viz . . .*

To the chiefs, as soon after the same shall be *appropriated* by Congress as may be convenient, to enable them to arrange and settle the affairs of their tribe *preparatory* to their removal to the country set apart for and Given to them as above, thirty thousand dollars . . .

In such manner and at such times as the President shall *prescribe*, in consideration of their *removing themselves*, which they agree to do, without further cost or expense to the United States, twenty thousand dollars . . .

To be *laid out and applied* under the direction of the President, in the establishment of a *manual-labor* school, the *erection of a grist and saw mill*, and other necessary improvements in their new country, fifteen thousand dollars . . .

And the balance, amounting to the sum of two hundred thousand dollars, to be paid over to the tribe, as Indian *annuities* are required to be paid, in ten equal annual *instalments commencing* with the year one thousand eight hundred and fifty-seven, and when their annuities or annual instalments under the treaty of 1836 shall have *ceased* . . .

Paraphrase of the Treaty of Lake Poygan of 1848

This legal agreement is made at Lake Poygan in Wisconsin on October 18, 1848 between William Medill, as a representative of the Government of the United States of America, and the chiefs, leaders, and warriors of the Menominee tribe of Indians.

Article I. It is decided and agreed that the Menominee and the Government of the United States should continue to be friends with each other forever.

Article II. The Menominee agree to give up the rights to all of their lands in Wisconsin. They will sell their lands to the United States Government and will move off of them.

Article III. In exchange, the United States Government will give the Menominee land that it got from the Chippewa Indians in an August 2, 1847 agreement and from the Pillager Band of Chippewas in an August 21, 1847 agreement. This land cannot be given to the Winnebago Indians because of an October 13, 1846 agreement. The parcel of land is guaranteed to be at least 600,000 acres.

Article IV. Also, the United States Government agrees to pay the Menominee Indians \$350,000 as follows: (some sections are left out here)

\$30,000 to the chiefs to prepare the tribe to move to their new lands.

\$20,000 once they have moved to the new lands without asking the U.S. Government for more money to help them move.

\$15,000 to build a mill to grind grains and a sawmill on their new lands.

The remaining \$200,000 will be paid as equal annual payments for ten years beginning in 1857, after payments agreed upon in the 1836 treaty have ended.

Glossary for the Treaty of Lake Poygan of 1848

Treaty – An agreement made between two independent, self-governing nations or bodies.

concluded – Made legal, certified

Lake Pow-aw-hay-kon-nay – Lake Poygan

duly appointed – Assigned to a task

Menomonee – Another spelling for Menominee

stipulated -- Determined

solemnly – Sincerely, with every intention of holding true to the agreement

cede – To hand over

hereby – By virtue of this treaty

relinquish – To give up

foregoing – Preceding, previously mentioned

Pillager band of Chippewa Indians – This was a group of Chippewa (Ojibwa) Indians that moved into Northern Minnesota after defeating a group of Dakota. They pushed into the Leech Lake area in the 1760s. They were probably known as the “Pillager Band” because of their warlike behavior and bravery.

guarantied – Another spelling for guaranteed

in further and full consideration of – In exchange for

in the manner, and for the purposes following, viz . . . – The money will be used for the following purposes and distributed in the following ways

appropriated – Set apart for a particular use

preparatory – Prior to, in preparation for

prescribe -- Determine

removing themselves – Moving off the ceded lands to another area

laid out and applied – Planned and implemented

manual-labor – Work done by humans without machines; work requiring physical strength

erection of a grist and saw mill – Building of a grist mill for grinding grains and a saw mill for cutting lumber

annuities – Annual payments

instalments – Another spelling for installments

commencing – Beginning. *Ten equal annual instalments commencing . . .* The annual payments would begin in 1857. They would be divided into 10 equal portions given one per year over the next 10 years.

ceased – Ended