



MISUNDERSTANDINGS TO MASSACRES

THE BLACK HAWK WAR OF 1832

BY MIKHAEL WEITZEL, SR.

Misunderstandings to Massacres

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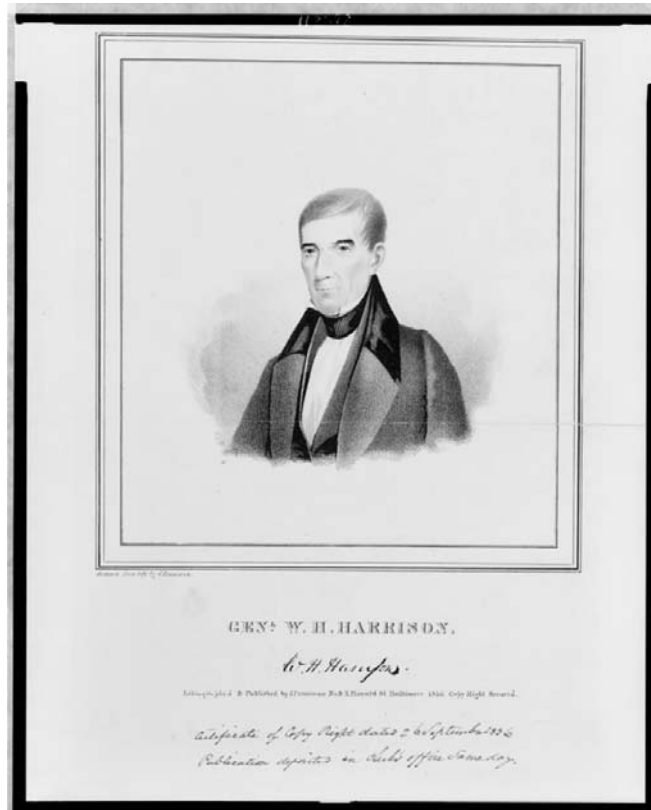
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Cover Photo: Black Hawk, courtesy Library of Congress.

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¹ Photos courtesy of Library of Congress. www.LOC.gov

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Pre-History

Any event involving Native Americans in United States history finds its origin during the Golden Age of Discovery. The policies, official and unofficial, of colonization practiced by the major European powers set the stage for centuries of future events. Early visits to the North American continent by Norse explorers had been temporary and fleeting, and most importantly the Norse did not introduce new technology and life-ways to the aboriginal population. Columbus's discovery and the flood of discoverers, explorers, and colonists that inundated the New World afterwards impacted Native American life across the American continents. There were three major components Europeans brought to the New World that irrevocably impacted Native American life-ways; technology, disease, and Colonial Policy.

Prior to "first contact" Native Americans generally led a hygienic lifestyle that included various forms of personal upkeep. Some cultures incorporated various rituals in a spiritualistic manner, other cultures simply bathed regularly. Europeans differed greatly. Population centers in Europe contained significantly larger populations than those in the Americas. The regimented social systems in Europe, combined with centuries of guidance and education under the Roman Catholic Church produced a population accustomed to lower hygiene standards. Crowded living conditions and poor personal hygiene skills combined to introduce many diseases across Europe. By the time Columbus set sail the Black Death had been ravaging Europe for over a century and a half. The Europeans that survived these pandemics, and even the less severe diseases common throughout Europe, strengthened their immune systems, and bred more virulent forms of disease. From first contact, these diseases spread like wildfire through the

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Americas. Aboriginal populations could not hope to resist these diseases and populations fell decimated to pneumonia, measles, small pox, and other diseases. Some Native American cultures failed to fight these new diseases, rapidly dying to extinction. Other cultures managed to endure the ravages of the diseases and eventually returned to their pre-contact population levels. Climate, diet, cultural practices, genetics, and luck influenced the results of each cultures battle with European introduced disease.

Horses, steel, gunpowder, large dogs, and domestic farming are some of the many new technologies and life-ways Europeans brought with them to the Americas. Some of these were accidentally introduced to the aboriginal cultures, like horses. Others were purposefully given, like steel tools and weapons. Revolutionary technology rapidly disseminated across the New World and led to major paradigm shifts in cultural life-ways. The horse, for example, abandoned early during the age of discovery by Spanish explorers, quickly found its use disseminated from Central America to the plains of North America. This new ability to rapidly move great distances spurred major changes in food gathering, hunting, and enforceable territorial boundaries. Some of these paradigm shifts in culture and lifestyle occurred naturally and produced ripple effects across the continents. Other changes occurred intentionally, initiated through colonial policy.

The third major influence of change introduced by the European powers to the New World created many different and lasting effects across the continents. Colonial policy towards the Native Americans and towards land use differed greatly. Each European power developed its own distinct policy, and those policies evolved and changed as the history of exploration and colonization unfolded.

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The Spanish began colonization with Columbus's voyage in 1492. Early Spanish Colonial Policy grew from the foundation of the *Reconquista*². This seven and a half century struggle to liberate Spain from Muslim occupiers formulated a basic Roman Catholic policy towards non-Christians. The *Encomendero* system encouraged Spanish explorers to generate their own funding for exploration and colonization. Once a successful colony was established, the Spanish Crown received one-fifth of all precious metals extracted from the new colony. In return, the explorer, and party, were given tracts and a proportionate amount of native slave laborers, guaranteed for two life times. This system dominated Spanish colonization through the 16th century. Spanish policy favored sending minimal amounts of Spanish citizens to oversee the slave labor driven extraction of precious metals and valuables from the New World. Spanish colonization received Church backing with Papal Bulls repeatedly giving Spain ownership of the New World. Throughout this system of colonization there were those within the system trying to change it. Las Casas, a university trained church officer sent to the New World, lobbied the Spanish Monarchy and the Roman Catholic Church during his sixty year career to end the slavery of the Indians. He fought against a system that was self corrupting. Las Casas repeatedly gained royal decrees to end slavery; however the laws were not enforced by the political and church officers in the New World. Las Casas petitioned heavily to replace the enslaved labor of Native Americans with indentured servitude and paid laborer imported from Spain. These ideas were never implemented. Las Casas also recommended the importation of African slaves to replace Native American slavery. This suggestion found implementation only so far as to see the

² The *Reconquista* represents roughly 750 years of Spanish history beginning with the Battle of Covadonga in 722 and culminating with the conquest of Granada in 1492. The Spanish slowly pushed Muslim occupiers out of Spain over the course of seven and a half centuries.

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beginning of African slaves to New Spain. As the 17th century began, shortly after Las Casas's death, the Spanish monarchy began a proactive paradigm shift to end the enslavement of Native Americans. However, the Spanish never fully invested in its colonies by importing Spanish labor to New Spain. Throughout Spanish colonization Spain viewed the colonies as a resource to be exhausted and made no serious attempts at establishing self-sustaining or self-perpetuating colonies.

French colonization parallel's Spanish efforts in some ways. France focused on mercantile and missionary explorers to found French colonies. France used these explorers and colonists to establish trade centers to receive merchandise and materials for shipment back to France. Furs, food stuffs, and lumber were purchased through trade with the Native American tribes. Whereas Spanish colonists justified the enslavement of Native Americans as a form of conversion to Christianity, the French actively sent missionaries in a good faith attempt at conversion. The French trading colonies were established with at least a passing acknowledgment to the Papal Bulls granting the New World to Spain. The French actively explored in attempts to find a northwest sea passage to the Pacific Ocean and their colonies in the Indies. The colonies they established in the New World, initially, were considered temporary and only for the support of the search for the elusive northwest passage. French colonial policy focused on purchasing the allegiance of Native American tribes through gifts. Some of these gifts were innocuous technological items unavailable in the new world, like glass beads, others had a more profound effect, like steel tools and weapons, and gunpowder. The French presented gifts to the tribes they encountered, to buy the tribes allegiance to the King, whom they taught the Native Americans to call their Great Father. The French did find tribes that

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refused to be bought, either through their own moral ideals or because they had already sworn allegiance to the British or Spanish. When they encountered this, the French subsidized other, friendly tribes, to wage war on those tribes refusing to ally themselves to France. This policy directly led to the Sauk tribe's migration from the upper Great Lakes of Canada to the Mississippi River, Rock River junction. The French policy did not encourage French citizenry to immigrate to the New World, mainly out of compliance to the Papal recognition of Spanish possession of the New World. Later in the colonial era French citizens moved to the Americas, however they never amassed great numbers and only a few civilized centers of colonization.

The British entered colonization later than the Spanish and French. They also began with a colonial policy entirely different than the policies of their European contemporaries. Like Spain and France, the British crown viewed the colonies as a method of increasing the home country's wealth. However, Britain believed that the most effective method towards that end was the establishment of self-sufficient colonies endeavoring in self-perpetuating commerce that would realize a profit for the crown. From the beginning England chartered companies to venture forth to the New World. The Protestant reformation impacted British colonial policy on two levels. First, the Anglican Church founded by Henry VIII did not abide by the Papal recognition of Spanish ownership of the Americas. Second, the spirit of reformation created many small, splinter churches, each with their own interpretations and philosophies. Some of these splinter groups found their views were not appreciated in England. This combination opened the flood gates for English immigrants to the Americas. English colonies began with a purpose of growing and making a profit in trade. Tobacco

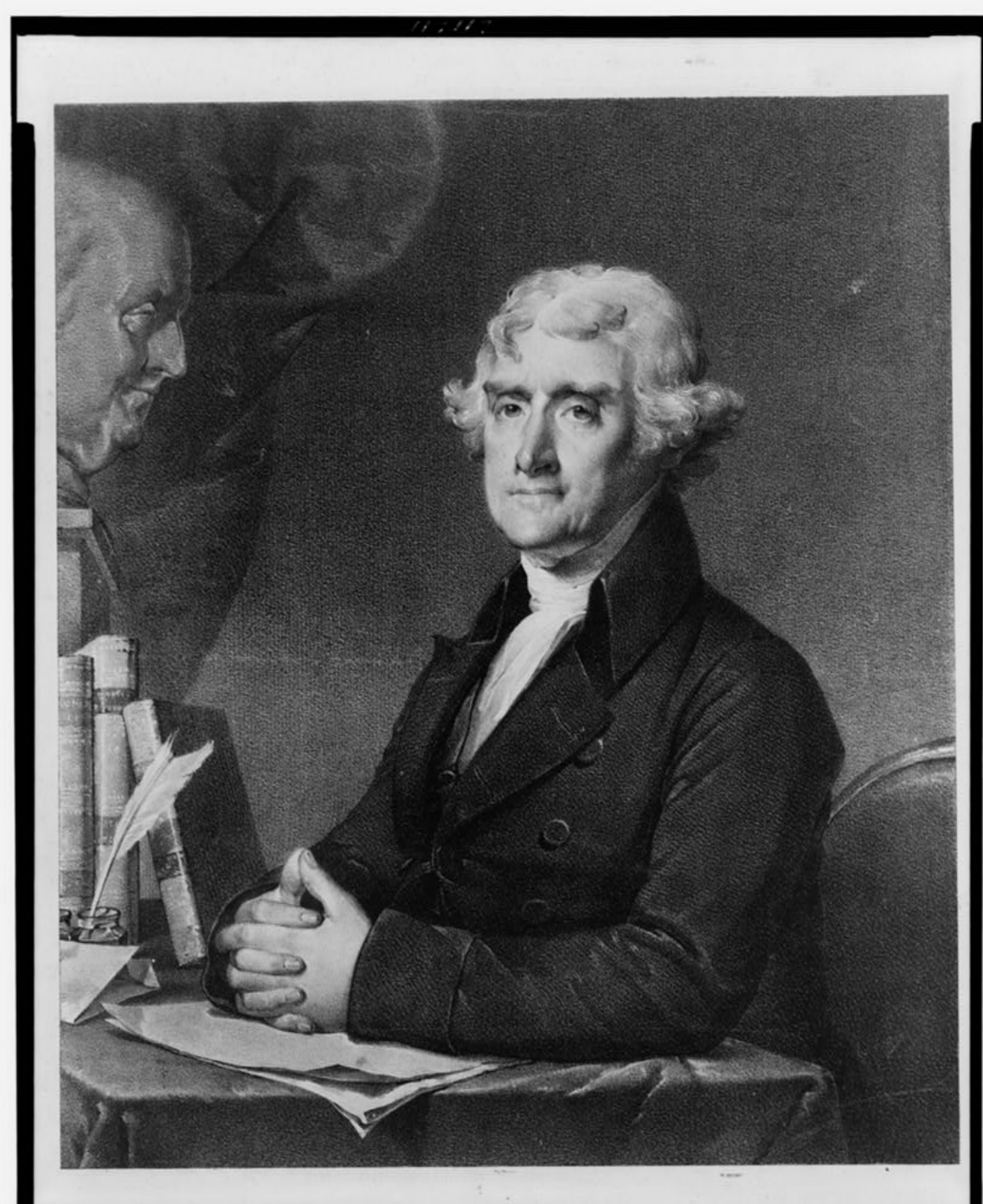
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plantations, rum distilleries, tar and lumber industry for ship building, and many other industries became the focal points of English colonies. English policy towards Native Americans evolved around the notion that Britain's colonies would grow. England encouraged emigration to the New World. While religious groups founded charter colonies in the northern colonies, the British government emptied out prisons for debtors to populate the Georgia colony. The British government encouraged colonies to purchase additional land from Native Tribes through treaties and gifts. The British also encouraged the giving of gifts that would cause the tribes to become dependent on England. The introduction of steel tools, cook ware, and weapons created life-ways changes in the Native American tribes that required a continued infusion of more items, unattainable except through European sources. In areas where European influences overlapped, this led to bidding wars between the European powers in efforts to win tribes loyalties. Tribes in these areas quickly learned politics and most proved very successful at playing European rivalries against each other for the tribes benefit. The British home country expected its colonies to deal with Native American issues on their own, from land acquisition to hostilities and treaty enforcement. This led to many different tactics on Anglo-Native relationships ranging from militant enforcement, as found in Virginia, to financial sanctions effectively used by Pennsylvania colonists. Eventually this policy evolved into a basic policy that saw the British colonies acquiring land through treaty with the first tribe that would sell the land. That tribe's rightful or lawful ability to sell the land rarely impacted the legality of the treaty. Once they gained possession of land through these treaties, the British actively expanded and improved their possession. The British dealt with the tribes in different ways. Some they paid, in trade goods, to relocate.

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Some tribes received subsidizing from the British to go to war against neighboring tribes and relocating off of land bought by the British. Some tribes were systematically eradicated by the British and allied tribes.

For three and a half centuries the Native Americans found themselves influenced to some degree by the European colonists and explorers. They endured the introduction of new diseases. They received new technologies that changed their life-ways. They faced colonial policies that varied greatly. Some tribes dealt directly with one European power and its policies, others found themselves in overlapping areas of influence and faced conflicting policies. All of the tribes found their populations ravaged by new diseases after their first contact. They also found their land and resources systematically stripped from them, whether through force or coercion. The colonial policies that evolved during the age of colonization led to the United States policy towards Native Americans after the birth of the new Nation. The experience gained by the Native American Tribes after two centuries of European influence shaped their reaction to the American government and American settlers.



President Thomas Jefferson

³ Photo courtesy of Library of Congress. www.LOC.gov

US Government Policy

Thomas Jefferson codified American policy towards Native Americans 27

February 1803 in his letter to Governor William H. Harrison. Jefferson's unofficial letter spelled out the strategy and tactics for the American government to expand its borders across the country. Jefferson wrote,

"I may with safety give you a more extensive view of our policy respecting the Indians, that you may the better comprehend the parts dealt out to you in detail through the official channel, and observing the system of which they make a part, conduct yourself in unison with it in cases where you are obliged to act without instruction. Our system is to live in perpetual peace with the Indians, to cultivate an affectionate attachment from them, by everything just and liberal which we can do for them within the bounds of reason, and by giving them effectual protection against wrongs from our own people. The decrease of game rendering their subsistence by hunting insufficient, we wish to draw them to agriculture, to spinning and weaving. The latter branches they take up with great readiness, because they fall to the women, who gain by quitting the labors of the field for those which are exercised within doors. When they withdraw themselves to the culture of a small piece of land, they will perceive how useless to them are their extensive forests, and will be willing to pare them off from time to time in exchange for necessities for their farms and families. To promote this disposition to exchange lands, which they have to spare and we want, for necessities, which we have to spare and they want, we shall push our trading uses, and be glad to see the good and influential individuals

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among them run in debt, because we observe that when these debts get beyond what the individuals can pay, they become willing to lop them off by a cession of lands. At our trading houses, too, we mean to sell so low as merely to repay us cost and charges, so as neither to lessen or enlarge our capital. This is what private traders cannot do, for they must gain; they will consequently retire from the competition, and we shall thus get clear of this pest without giving offence or umbrage to the Indians. In this way our settlements will gradually circumscribe and approach the Indians, and they will in time either incorporate with us as citizens of the United States, or remove beyond the Mississippi. The former is certainly the termination of their history most happy for themselves; but, in the whole course of this, it is essential to cultivate their love. As to their fear, we presume that our strength and their weakness is now so visible that they must see we have only to shut our hand to crush them, and that all our liberalities to them proceed from motives of pure humanity only. Should any tribe be foolhardy enough to take up the hatchet at any time, the seizing the whole country of that tribe, and driving them across the Mississippi, as the only condition of peace, would be an example to others, and a furtherance of our final consolidation.”⁴

Jefferson’s policy begins benignly with the gifting and low cost sale of goods and technology intended to change the life-ways of the Native American tribes from hunting to agriculture. This causes a direct decrease in the land required to sustain the tribe.

⁴ Jefferson, Thomas. Personal correspondence to William H. Harrison February 27, 1803. Revolution to Reconstruction. <http://odur.let.rug.nl/~usa/P/tj3/writings/brf/jeff151.htm> (accessed January 07, 2008).

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Jefferson's policy required the tribes' agreement to not sell their land to anyone except the US Government. To gain this caveat Jefferson's agents, like Harrison, instituted the same policies and tactics introduced by the French and British, the giving of gifts. The forceful removal of all members of any tribe that actively resisted the expansion of the United States and its settlers brought a more nefarious end to Jefferson's policy. Jefferson's policy virtually continues British policy, only adding the caveat of land sale restricted to the US Government only.

At the time of writing the letter to Harrison, Jefferson's priorities lay in the settling of the lands closest to Spanish territories, the mouth of the Mississippi River and the southern portion of the Louisiana Purchase. Jefferson's doctrine continued to influence US Government policy toward Native Americans for years to come. American policy recognized the differences between tribes, and recognized each tribe as its own independent Nation. This stance by the US Government became a significant factor leading to the success of its policies and expansion. By individual recognition and diplomacy the US Government took advantage of inter-tribal rivalries and war, successfully preventing the Native Americans from organizing an effective defense against American encroachment diplomatically or militarily. Early attempts to organize and confederate, like the Confederation begun by *Tecumseh* and his brother *Tenskwatawa* and crushed at the battle of Tippecanoe⁵, found their attempts defeated by American forces. This policy of individual treaties with each tribe allowed the US Government to prevent an organized Native American resistance. This policy basically ensured that any conflict between the US Government and Native Americans would occur with only one

⁵ For additional information see Tunnell, Harry D., Major, "To Compel with Armed Force: A Staff Ride Handbook for the Battle of Tippecanoe". Combat Studies Institute.

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tribe at a time. When one tribe opened hostilities with the US Government, this policy encouraged other tribes to stay out of the conflict. Most tribes found they had nothing to lose by remaining out of the conflict, at the time, but would risk losing their land, people, and potentially more by entering the conflict on the side of the hostile tribe. As we will see later in this study, the Winnebago tribe remembered its loss and forced migration west after the Battle of Tippecanoe and overtly refused to aid Black Hawk and his band during their odyssey. The US Government policy led to a culture amongst the Native American tribes that believed hostile resistance risked losing everything, so there was no reason to resist unless everything was already at risk.

The earliest policies of European explorers and colonists influenced both the fledgling US Government's policy, and the reactions of the Native Americans to US expansion. Although it is difficult to evaluate the policies, actions and reactions based on modern ethics, morals, and policies, by understanding the evolution of these interactions, a better context of the situation and relationships between the US settlers and the Sauk and Fox Indians can be formed to better understand why the events of the Black Hawk War transpired as they did.

Sauk and Fox Pre-History

By the time of first contact with Europeans, the Sauk and Fox tribes lived on the Michigan peninsula. Wars with the Iroquoian peoples forced the Sauk and Fox tribes south to the head of Green Bay in Wisconsin. The Fox tribe attempted to control the fur trade in the region, setting them at odds with the French. As discussed earlier, the French began subsidizing other tribes to war against the Fox tribe. This led to the Fox, and the allies the Sauk, to migrate further south. By 1764 the Sauk and Fox tribes settled on the Rock River, near its junction with the Mississippi River. The two tribes established themselves into a routine. In the winter season the tribe members would spread out throughout the tribe's territory and hunt. In the spring they would gather together near the *Saukenuk*, their capital on the Rock River, near its junction with the Mississippi River. During the spring, summer and fall they would plant and grow corn, wage war on neighboring tribes, and defend their territory from the tribes that waged war on them, and conduct tribal business.

The Sauk tribe is described as being very politically organized. A war chief and a civil chief led the tribe. These two leaders were advised by a council. This group acted as a policy making, advisory and executive form of government for the tribe. The council controlled hunting and the fur trade allotting hunting territories and declaring when the hunting season ended. The council enforced a form of martial law in late winter to early spring, ensuring no one returned to the summer villages early to plunder the caches of others.

The tribes followed a democratic process to enter treaties with other tribes and the US Government. All men, women, and children voted to enter into treaty negotiations. Negotiations could not begin until a majority of the tribe agreed. The Chiefs and their

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council conducted negotiations; however, another simple majority vote from the tribe ratified, or vetoed the treaty. This democratic process made it difficult and frustrating to purchase land from the Sauk and Fox tribes.

Another aspect of this democratic government allowed warriors to organize war bands. Charismatic war leaders could recruit from the tribe to conduct campaigns of war and retribution. The Chiefs and their council could sanction these enterprises, attempt their own diplomatic attempts to dissuade warriors to join the war band, or collectively apply diplomatic pressure on the war band leader to slow down, or delay his campaign. They however lacked any executive authority to actively prevent a group of warriors from launching on a campaign.

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The US Army in 1832

The US Army found itself drastically reduced in size after the conclusion of the War of 1812. By the mid 1820's congress slashed the size of the standing army a final time from 10,000 to 6,000 men. These men consisted of artillery units spread along the Atlantic coast and Gulf of Mexico, and infantry dispersed across small forts and garrisons along the Mississippi River frontier. Congress reduced the size of infantry companies to 51 men in 1821. The US Army did not have any cavalry units prior to the Black Hawk War.

The Quartermaster department held the responsibility for equipping the regular army troops. Militia laws required State Militia's to be similarly equipped. The States were responsible for the cost of equipping their militia, however, the Federal Government found it necessary to provide equipment and supplies during the Black Hawk War as well as the many other conflicts between the War of 1812 and the Mexican-American War.

“That uniform consisted of a pair of trousers and a roundabout (coat with no tails) jacket made of cadet gray kersey wool. The jacket collar and epaulets were framed in white piping and the entire coat was fitted with white metal infantry buttons. The greatcoat was made of charcoal gray wool and closed with brass buttons. The “chackos” was the fatigue or forage cap authorized by regulations in 1825. It was a wheel cap of dark blue wool. The crown was framed in white and the top of the crown was decorated with 20 “spokes” of black worsted cord radiating out from the center. A white metal button covered the center of the cords. The cap was finished with a wide brim of black leather called a “poke”. Each man was issued one forage cap for each 5-year enlistment. As such, only

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one remaining chackos exists today. The men were undoubtedly wearing their flannel or cotton shirts, a black leather neck stock, woolen socks and a pair of 1822 regulation boots, black leather lace-up boots that rose to four inches above the ankle. The US Army ceased issuing the gray uniforms in 1830, however many units continued to use them into the late 1830's.

For equipment, the men would have had a metal-banded wooden canteen painted Prussian blue and decorated with white letters "U.S." and the regimental number and company letter. These canteens were carried on a sling of red-brown or "russet" leather. A white cotton haversack with three buttons was used to carry rations, and a black painted cloth knapsack was used to carry the blanket and greatcoat. This pack was quite likely the pattern of 1825 knapsack that would see service until the end of the Mexican War. Each knapsack was marked with the regimental number. A set of Pattern of 1828 leather cross-belts, an 1808 cartridge box and a pick/brush set completed the ensemble. Debate exists today among historians as to which belt plate was worn at the time. The round 1826 white metal plate was issued to all men by 1832; however the poor quality of the plates and other factors combined to continue the use of the oval 1819 brass "U.S." belt plate. Undoubtedly the men used a mix of both plates. The men were armed with the 1816 United States flintlock musket, either from the Springfield or Harper's Ferry arsenal. These smoothbore, .69 caliber flintlock muskets fitted an 18" steel socket bayonet and a

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leather sling. Whether or not musket slings were brown or white is another debate among historians. The current belief is that they were “russet” or red-brown. “Many of these equipment items are never discussed in writing during the conflict; however their presence in regulations almost guarantees their presence in the field.”⁶



MUSKET MODEL 1816 FLINTLOCK .69⁷

⁶ Carter, Greg. “The Appearance of U.S. Soldiers on Campaign in the Mineral District, 1832.” Greg Carter 2004.

⁷ Photo courtesy of National Park Service. <http://www.museum.nps.gov>

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United States Musket Model 1816 –

The .69 caliber Model 1816 flintlock smoothbore musket, along with the very similar Model 1835, was the mainstay infantry weapon during the Mexican War. From 1816 until 1840, over 675,000 Model 1816 flintlock muskets were produced at the Springfield Armory in Massachusetts and the Harpers Ferry Armory in Virginia.¹⁵ The Model 1816 enjoyed the highest production run of any flintlock musket produced by the United States. The weapon measured 57 and 11/16 inches in overall length, weighed 9 pounds, 5 ounces and, as with most smoothbore muskets, had no rear sight. The Model 1816 had a one-piece, full stock of walnut and the three steel bands that secured the barrel to the stock were retained with springs. A steel ramrod with a button shaped head was stored under the barrel. The weapon was fitted with a lug near the end of the barrel to support a 16-inch, triangular blade bayonet.

The Model 1816 was manufactured as three distinct types. Type I weapons were produced until 1822 and were finished with both bright and browned parts. The lower sling swivel was affixed to a stud in front of the trigger guard. The Type II model consisted of those weapons manufactured from 1822 to 1831, had parts finished in brown, and the lower sling swivel was riveted to the trigger guard itself. Finally, Type III muskets were made from 1831 to 1840. All parts were finished bright and included small improvements, such as the addition of the ball-shaped section to trigger guard where it was drilled for the lower sling swivel. This final production run was known as “National Armory bright.”

A good deal is known about the Model 1816 flintlock muskets that were issued to the Mormon Battalion in August 1846 at Fort Leavenworth thanks to surviving weapons maintained by the LDS Museum of Church History and Art. These weapons have been authenticated by Battalion experts and are periodically displayed for the public by museum curators. All of the surviving Mormon Battalion Model 1816's in the LDS Museum collection are Type II weapons, stamped “Harpers Ferry” on their casehardened lock plates and dated “1827.”

The Model 1816 was one of the oldest weapons to see action during the Civil War. With the development of the percussion cap ignition system in the 1830s, the Model 1816 musket became obsolete. Many of these flintlocks eventually found their way to state militias and a number were later modernized by replacing the flintlock with the percussion system.

From MUSKETS AND RIFLES.

<http://www.mormonbattalion.com/history/halford/3-muskets.htm>

Buck and Ball

Another reality of the 1830s American military experience was the Army's reliance on so-called “buck and ball” cartridge ammunition. Simply described, “buck and ball” consisted of one .63 cal. round ball and three .31 cal. buckshot, rolled into a cartridge with approximately 100 grains of gunpowder.

Dating from its adoption in an order issued by General George Washington on October 6, 1777 prior to the battle of Germantown, “buck and ball” evolved as the standard American Army cartridge for its smoothbore military muskets throughout the War of 1812 and into the Black Hawk War. In fact, “buck and ball” was unique to the American military system, as the armies of Britain and France did not as a rule employ this style of ammunition Braun, Robert, “The Guns of Apple River Fort.”

http://www.geocities.com/old_lead/arfguns.htm

The militia's equipment was older

than that issued to the regulars.

"Sangamon County militiamen most

certainly obtained guns

manufactured for the War of 1812, if

not earlier conflicts." On April 28,

1832, *"Capt. A. Lincoln of*

Sangamon (drew) 30 Muskets &

Bayonets." He also received *"flints"*

and *"1 Keg Powder."* Additionally,

some militiamen carried their own

arms consisting of flintlock rifles

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dating back to the Revolutionary War as well as shot guns. After the Black Hawk War commenced, and the US Army Quartermaster Department found itself required to supply the militia as well as the Regular Army this created extra difficulties.

A private in the US Army received a salary of \$2 a month in 1832.⁸ Militiamen recruited for the Black Hawk War received \$6.66 a month, this amount tripled if they provided their own horse. In addition, militiamen received travel pay, and land grants after the campaign ended.

Army logistics created numerous difficulties for the Quartermaster department. Army forts and garrisons along the frontier required equipment and supplies not readily available in the wilderness areas. The Ordnance Department manufactured arms in eastern armories to be provided to US Army troops throughout the country. Military clothing and equipage was similarly manufactured in government owned factories in the east. Eastern Depots stockpiled the supplies before their transport west. Permanent equipment, like weapons, clothing, and equipage, usually required a single large quantity delivery coinciding with the creation of the fort or garrison. After that, replacements could be shipped in much smaller loads. However, Congress dictated the soldier's daily rations by law. Daily rations during the 1830's included beef (1 1/4 lbs) or pork (3/4 lbs); flour or bread (18 ounces); whiskey, rum, or other liquor (1/4 pint); vinegar (4 quarts per 100 men); soap (4 lbs per 100 men); salt (two quarts per 100 men); and candles (1 1/2 lbs per 100 men).⁹ These supplies required constant bulk deliveries. The Quartermaster department also held the responsibility of supplying each fort and garrison with required

⁸ "Soldier's Pay." Time Magazine 30 September 1940.
<http://www.time.com/time/magazine/article/0,9171,764734,00.html>

⁹ Arms, L.R. "A Short History of the US Army Noncommissioned Officer." NCO Museum.

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fuel, straw, forage, and building and repair materials, as well as the transportation of troops. The rivers and Great Lakes served as the logistics highways to transport goods west. To supply forts and garrisons away from these major waterways, independent traders received contracts to haul the goods by wagon. The Federal Government began construction of a military road between Chicago and Detroit in 1825 specifically for the transportation of supplies.

“Specifications called for the road to be 30 feet wide, with all trees less than 12 inches wide to be cut to within six inches of the ground and those over 12 inches wide to be cut to within one-foot of the ground. These stumps were left in the ground to rot, rather than removed from the right-of-way, and posed a hazard to anyone on the road who might collide with them and tip their wagon. Bridges were to be constructed across substantial streams, and smaller streams would be filled in with heavy logs and topped with a handrail. Causeways constructed of poles and brush bundles (corduroy) were laid across the road in marshy and wet areas and then covered with dirt from the side ditches that had been dug.”¹⁰

The militia organized as cavalry. The fact that they brought and rode their own horses seems to be the only similarity they shared with organized cavalry as it later developed or had been seen during previous wars. Phillip St. George Cooke, US Army, traveled with Illinois militia after their initial muster and march to Dixon’s Ferry. He described the militia,

¹⁰ Wisconsin Historical Society. “Military Roads.”
http://www.wisconsinhistory.org/archstories/early_roads/military_roads.asp

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“The Volunteers on this short march, gave us a fine specimen of what was to be expected of their services. They had been ordered to take on their horses some twelve or fifteen day’s rations; on the second morning’s march they raised the cry of ‘Indians! Indians!’ when several hundreds without orders, or the least order, galloped out of the column, and scattered at full speed over the prairies; --on joining again several miles beyond, it appeared that they had all thrown away the incumbrance[sic.] of provisions: it was said to have been a manoeuvre[sic.] for that object.”¹¹

Officers below the battalion level were elected through popular vote. The militia volunteered for short periods and twice during the campaign the armies halted as men mustered out or re-volunteered and elected new officers.

¹¹ Cooke. 160

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Prelude to War

In September, 1804, a party of Sauk hunters attacked and killed a number of American settlers constructing their homestead on Sauk land near the Cuivre River. This group belonged to a minority faction within the Sauk and Fox tribes that believed military action against the American Government would cause the Americans to treat the Sauk and Fox more generously. The American Government's policy of treating with each tribe individually, as discussed above, led to this conclusion. The Sauk easily saw the better, if not preferential, treatment and generosity the American Government paid towards the Sauk and Fox enemy the Osage. They concluded that the more generous treatment of the Osage stemmed from the American Government fearing the Osage. The Sauk Chiefs attempted a more conciliatory tone with the American Government. When the hunting party returned to the Sauk village they, "threw down the scalps before their town Chiefs, and tauntingly said 'Now you that make the land to smile, go cry with the whites.'"¹²

The Sauk Chiefs denounced the murders. Settlements of Sauk and Fox, living down the Mississippi River abandoned their villages fearing retaliatory attacks from the Americans. Two deputy Chiefs, traveled to St. Louis to denounce the murders and to "Bury the Dead".¹³ These deputies discovered the American settlers reacting exactly as the Chiefs and Council feared. They found the settlements building stockades, forts, and arming themselves. In St. Louis, settlers clamored for a retaliatory strike against the closest Sauk settlements, desiring to raze them to the ground.

¹² Wallace, 18.

¹³ The Sauk and Fox, along with many of the other tribes in the area followed a custom described as "Burying the Dead". In this custom, when members of one tribe killed members of another, and the offending tribe desired to prevent a war of escalation, they sent delegates to present gifts in an attempt to appease the tribe of the slain. If the value of the gifts satisfied the attacked tribe, they were accepted as recompense for the attack and war was averted.

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The deputized Chiefs inquired into the cost to “Bury the Dead”. Governor Harrison, newly arrived in St. Louis two weeks before the deputized Chiefs arrival, and the government of St. Louis demanded the “murderers” be handed over under the implicit threat of war. They also invited the Chiefs and a large delegation of Sauk and Fox to travel to St. Louis for treaty negotiations. President Jefferson’s letter to Harrison has already been discussed above, additionally Harrison received direct instructions in June to acquire land cessions from the Sauk on both sides of the Illinois.¹⁴

On 27 October 1804 another small deputation, led by Quashquame, traveled to St. Louis. They brought with them at least one of the warriors responsible for killing the American settlers to stand trial. As the Sauk delegation arrived, Harrison concluded treaty negotiations with the Osage. The Osage delegation left St. Louis, carrying many presents from Governor Harrison and convinced of their great superiority over the other tribes. Harrison began negotiations with the Sauk intent on gaining land cessions. Quashquame’s delegation lacked the authority to negotiate any sale of land, however, he did have the specific responsibility to settle the issue of the killings near the Cuivre River and remove the threat of war. The Sauk and Fox Chiefs hoped that an amicable resolution to the violent incident could lead to friendlier political and commercial relations with the US Government.

Quashquame, Pashipaho and three additional Indians, one of which represented the Fox tribe, signed the Treaty of 1804 between the US Government and the tribes of the Sauk and Fox. This treaty, shown in appendix A, did establish the Sauk and Fox as allies of the US Government and pledged the US Governments protection from the Osage. It

¹⁴ American State Papers: Indian Affairs, I: 693-695.

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established a speedy and just system to settle complaints between the Sauk and Fox and the US Government. It began organized trade between the parties. It forwarded the desire by the US Government to negotiate a peace treaty between the Fox and Sauk and the Osage. It awarded the Sauk and Fox tribes annual annuities of \$1,000 and an immediate payment of \$2,234.50. However, the treaty also:

“Article 2 provides that the general boundary between the U. S. and the Sacs and Foxes shall be as follows: Beginning at a point on the Missouri river opposite to the mouth of Gasconade river; thence in a direct course so as to strike the river Jeffreon at the distance of 30 miles from its mouth, and down the said Jeffreon to the Mississippi; thence up the Mississippi to the mouth of the Ouisconsing river, and up the same to a point which shall be 36 miles in a direct line from the mouth of said river; thence by a direct line to the point where the Fox river (a branch of the Illinois) leaves the small lake called Sakaegan; thence down the Fox river to the Illinois river, and down the same to the Mississippi. And the said tribes relinquish to the U. S. all claim to lands within said boundaries.

By article 11 the Sacs and Foxes cede to the U. S. a tract of land 2 miles square for the establishment of a military reservation either on the upper side of the Ouisconsing or on the right bank of the Mississippi.”

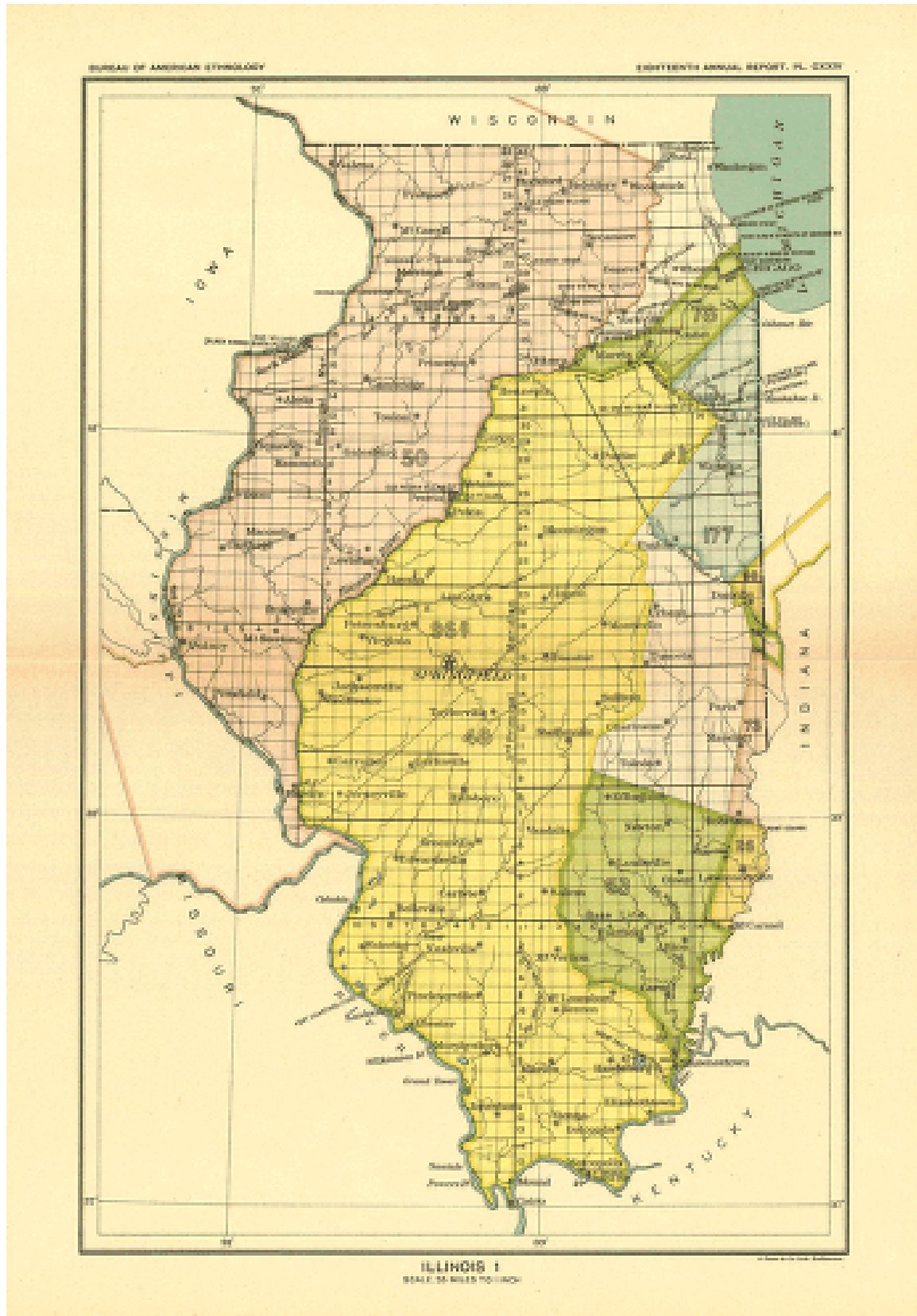
The following maps show the land cession in pink, labeled section 50.¹⁵

¹⁵ U.S. Serial Set, Number 4015, 56th Congress, 1st Session, Pages 666 and 667.
http://memory.loc.gov/cgi-bin/query/D?hlaw:1::temp/~ammem_5upu::

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The cession included the provisions that the Sauk and Fox would continue to enjoy full possession of their land, except for the small tract established by article 11 (this tract would later be claimed on Rock Island). The wording of the treaty could easily be interpreted by the delegation of Sauk and Fox as a formal declaration of protection from the US Government of the land established in the cession and not an outright loss of

¹⁶ Maps courtesy of Illinois State Archives.
<http://www.cyberdriveillinois.com/departments/archives/archives.html>

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territory. The earlier policies of both the British and French, of claiming vast swaths of land across the continent as their territory without physical possession of the land could easily have reinforced the failure of the delegates to realize the full depth of the treaty. There have been claims alleging Governor Harrison plied Quashquame and party with liquor in order to coerce them into signing the treaty. There have also been claims alleging the initial confrontation and subsequent violence resulted when American settlers made indecent advances on a Sauk daughter and the girl's father responded by killing the offending settler. Both of these claims are valid and highly probable, but neither claim can be definitively proven. However there is ample definitive proof of similar actions in other incidents during this period of American history.

The Treaty of 1804 became the catalyst for future difficulties. The methods of negotiation that ended with the signing of the treaty conflicted with the established methods of the Sauk and Fox tribes, as discussed earlier. In 1805, a new delegation of Sauk and Fox Chiefs traveled to St. Louis. They presented the following request, *"We were desirous to oblige the United States, but we had never before Sold Land, and we did not know the value of it, we trusted our beloved white men to Speak for us, and we have given away a great Country to Governor Harrison for a little thing, we do not say we were cheated, but we made a bad bargain and the Chiefs who made it are all dead, yet the bargain Stands, for we never take back what we have given, but we hope our Great Father[the President]will consider our Situation, for we are very Poor, and that he will allow us Something in addition, to what Governor Harrison has promised us."*¹⁷

¹⁷ Territorial Papers, XIII: 168.

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This message delivered to St. Louis one year after the signing of the Treaty of 1804 is significant. Here, the tribes acknowledge the sale of the land to the US Government and voice their first objection to the very low price paid for it.

The US Government did not take any immediate action on the land cession. As discussed above, President Jefferson focused the growing Nation's attention on the southern areas of the Louisiana Purchase in areas bordering Spanish territory. St. Louis grew, as well as Prairie du Chien, just outside the northern boundary of the land cession. For one decade after the Treaty of 1804 the Sauk and Fox continued life the same as they lived before the treaty. In 1805, the US Government successfully negotiated a peace treaty between the Sauk and Fox and the Osage tribes. A minority faction within the tribes began expressing their dissatisfaction with the Treaty of 1804 and the US Government. The Chiefs diligently tried to keep this dissent in check.

The outbreak of the War of 1812 brought a new dilemma to the Sauk and Fox tribes. The Treaty of 1804 aligned their interests with the US Government. However they still enjoyed friendly relations with the British fur traders to the north. The Sauk and Fox tribes tried to remain neutral through the conflict. The dissatisfied faction within the tribes could no longer be held in check and actively allied themselves with the British. Black Hawk led approximately 500 warriors east to join the British Army outside of Chicago. The British sent rifles, gunpowder, and steel tomahawks to the Sauk and Fox to encourage them to join against the Americans. By 1814 Black Hawk had returned to the Rock Island area. On 21 July 1814 he led an attack on several American gunboats and supply boats anchored off of Campbell's Island. The attacking warriors killed several Missouri militiamen and US Regulars and burned one gunboat. The remaining boats

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escaped by drifting back down the Mississippi River to St. Louis. Brevet Major Zachary Taylor, US 7th Infantry organized a reprisal force of 334 officers and men composed of regulars, militia, and rangers. Taylor's force met the Sauk warriors at Credit Island. The Sauk received reinforcements from the British in the form of artillery. Taylor's force found itself forced to retreat back down to St. Louis after heavy fighting.

The Treaty of Ghent 1814 provided, “

“The United States of America engage to put an end immediately after the Ratification of the present Treaty to hostilities with all the Tribes or Nations of Indians with whom they may be at war at the time of such Ratification, and forthwith to restore to such Tribes or Nations respectively all the possessions, rights, and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven previous to such hostilities. “

The Fox tribe, having remained allied to the United States throughout the War of 1812, signed a new treaty with the US Government in September 1815. Article 4 of the new treaty required the re-affirmation of the Treaty of 1804. The Treaty of 1816 with the Sauk tribe required the re-affirmation of the Treaty of 1804 in Article 1. In 1815, Colonel R.C. Nichols, 8th US Infantry, led an expedition from St. Louis with the following orders: occupy the country at the mouth of the Rock River, protect anticipated settlers, control the Sauk and Fox tribes, and to open and protect the Mississippi River transportation and communication line between St. Louis and Ft. Crawford, at Prairie du Chien. The expedition wintered at Cantonment Davis 140 miles below Rock River. Nichols was arrested and the following spring Brevet Brigadier General Thomas A.

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Smith continued the expedition in April 1816. Smith surveyed the country at the juncture of the Mississippi and Rock Rivers and chose the western end of Rock Island to begin construction of a fort. On 10 May 1816 the troops landed and began construction of Fort Armstrong, named in honor of the Secretary of War. The first American settler arrived with the 8th Regiment. George Davenport received the contract as sutler for Fort Armstrong, and shortly after he became Indian Agent for the US Government in the area.

By 1822, the Sauk and Fox tribes met many of the articles of the Treaty of 1804, including reaching a peace with the Osage tribe. In 1822 The Sauk and Fox tribes signed a treaty forever after exempting the US Government from its responsibilities of Article 9 of the Treaty of 1804, in exchange for \$1000 of merchandise. Article 9 required the US Government maintain a trading house for the Sauk and Fox tribes.

Other than the construction of Fort Armstrong, the Sauk and Fox tribes enjoyed another decade of un-interrupted life as they knew it. In addition to the construction of the Fort, the US Government also ceded parts of the land within the boundary of the Treaty of 1804. The Ottawa, Chippewa, and the Potawatomi received a bulk of the land within Illinois north of an east-west line extending from the southern edge of Lake Michigan and all of the land in Wisconsin. The Winnebago also received land from within the boundaries.

In the Spring of 1828, the first American Settlers began arriving in the Area. The first spring nine men, some with families, arrived and established themselves in the country near Rock Island. The Sauk and Fox still traditionally abandoned their villages on and around the Rock River during the late fall and did not return until the spring, spending the winter dispersed through the Sauk and Fox hunting grounds. As settlers

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arrived they moved into the abandoned homes left empty by the absent Sauk and Fox. Captain J. Plympton, 5th Infantry and commanding officer at Fort Armstrong, and his replacement Major S. Burbank, 5th Infantry, as well as George Davenport quickly saw the impending problems caused by the arrival of settlers. They strongly encouraged the Sauk and Fox to relocate west of the Mississippi River. In 1812 a portion of the Sauk tribe relocated to Missouri where they declared their ardent support of America during the conflict. The commanding officers and Davenport suggested the Rock River Sauk and Fox relocate to Missouri as well.

Indian Agent Thomas Forsyth left St. Louis under direction from Missouri Governor William Clark to persuade the Sauk and Fox tribes to migrate west. Illinois Governor Ninian Edwards began issuing threats to have the Illinois Militia remove the Sauk and Fox by force.

Forsyth continued negotiating with the Sauk and Fox into 1829, as more American settlers arrived in the area. The US Government, and the Sauk and Fox Indians desperately tried to keep hostilities from exploding. However, the new settlers continued to assume Sauk and Fox land, houses, and property through squatting. Additionally, the settlers repeatedly physically¹⁸ attacked Sauk and Fox tribesmen during the



Keokuk

¹⁸ Photo courtesy of Library of Congress. www.LOC.gov

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summer of 1829. In the fall, the Sauk and Fox tribes left for their winter hunt. Chief Keokuk vowed to never return to Rock Island.

At this stage events began to unfold rapidly. More American settlers began moving into the area. The Galena Lead Rush¹⁹ combined with the desire for farm land brought increasing numbers of settlers and their families to the region beginning in the 1820's. Although the term does not appear in history until 1840, the settlers brought with them a mentality of manifest destiny. On 25 May 1828 Governor Ninian Edwards, Illinois, wrote General Clark,

"I have only time to ask you whether any, and what definitive arrangements have been made for removing the Indians from the ceded lands of this State, in pursuance of the directions of the Secretary of War, and what is the prospect of immediate success? The Secretary's letter gave me no reason to believe that this measure would not have been accomplished before this time. The General Government has been applied too long enough for its own action to have freed us from so serious a grievance. If it declines acting with effect, those Indians will be removed, and that very promptly."

Four days later, Governor Edwards called the Sauk and Fox presence "an invasion of the rights of a sovereign and independent State" and declared he would remove them by force if the President failed to do so.²⁰ Edwards's statements and actions showed no intention of honoring any of the Treaties signed between the Federal Government and the

¹⁹ The Galena Lead Rush preceded the California Gold Rush by over twenty years. At its peak, in 1845, the Galena, IL region produced over 85% of the Nation's lead. For more information visit <http://www.galenahistorymuseum.org/galenafacts.htm>

²⁰ Wallace, pg. 28.

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Sauk and Fox tribes. His statements and desires were those of his constituents. They shared a simple Indian policy of removal by force, either geographic removal, or extermination.

In May 1830, at Prairie de Chien, Captain Wunkoop Warner, subagent at Fever River and an employee of American Fur Company, summoned the Fox chiefs to meet with the Sioux to conduct peace negotiations. The Fox accepted. Warner then informed the Sioux of the Fox's agreement to attend and told the Sioux of the Fox's travel plans. The Fox chiefs from the villages around present day Dubuque left for the meeting in canoes, unarmed. The sixteen men and one woman put to shore on 5 May 1830 to cook their evening meal when roughly fifty Sioux, Winnebago and Menominee warriors attacked them, killing sixteen of the unarmed Fox. The attacking party sent one half Winnebago Fox home, after breaking his arm, to carry the tale to the Fox.

This ambush caused a general mobilization amongst the Sauk, Fox, and Sioux tribes in the area. Forsyth, Indian agent for the Sauk and Fox, and the Sioux agent Taliaferro tried to prevent an all out war between the tribes. They postponed the immediate outbreak of war through convincing both sides to send large delegations of chiefs to St. Louis to meet with General Clark. Clark hoped to use the meeting as an opportunity to gain more territory through cessions of land. In the mean time, the Fox Indians around Dubuque evacuated their villages. American settlers immediately occupied the villages. Under Forsyth's advisement, these squatters were driven out by the Federal Government. By July 1830, the Sauk and Fox, and the Sioux reached an agreement. The Federal Government purchased small tracts of territory between the two groups. The treaty held one major flaw. It did not include any provisions for covering

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the dead. This lack of a Sioux payment of gifts to the Fox left the murder of the sixteen representatives un-avenged.

During this tense time, Black Hawk led a group of Sauk Indians back to the Rock Island area after their winter hunt. They found even more white settlers occupying the Sauk villages left the previous fall. Black Hawk instructed his followers to take no hostile action towards the settlers. They spent the spring and summer trying to grow corn and other crops. American settlers had already planted most of the prime farming land in the area. When the Sauk women found land to plant, they often returned the next day to find their planting undone, new crops planted by the American settlers, and a new fence surrounding the field they had labored in the previous day. Many of the Sauk men traded their weapons and traps away for whisky during the summer months. A general depression seemed to exist over Black Hawks followers. Half the Sauk tribe left for new territory west of the Mississippi River. The social activities, games, and celebrations were not followed for two years. Black Hawks followers tried to live in their villages, but found themselves treated as invaders by the American settlers. They endured constant verbal and physical abuse from the settlers. Black Hawk met with the American leaders at Fort Armstrong several times during the summer. They ordered Black Hawk to relocate west of the Mississippi River. Black Hawk ardently refused, citing Article 4 of the Treaty of 1804. As summer 1830 faded into fall and then winter, Black Hawk's followers left for the winter hunt ill prepared, provisioned, and equipped. Their return in the spring of 1831 presented the same situation as the previous summer. More American settlers populated the Rock Island area. The settlers fenced in more farm land. Whisky

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trading robbed the Sauk of even more of their scarce resources. Verbal and physical abuse increased in frequency and ferocity.

General Edward P. Gaines, commander of the US Army in the district, received orders to remove Black Hawk and his followers this summer. Illinois Governor John Reynolds, called up several hundred militia, “to remove them [Black Hawk and his followers] *dead, or alive* over to the west side of the Mississippi.” His force arrived on the Rock River in a steam ship. Black Hawk peacefully complied with the order, but explains the reason in his autobiography,

“I would have remained and been taken prisoner by the regulars, but was afraid of the multitude of pale faces, who were on horseback, as they were under no restraint of their chief.”²¹

The US Army regulars, whom Black Hawk would have stood his ground against and let himself and his followers be taken prisoner by, consisted of infantry and artillery, as discussed earlier. The mounted “palefaces” that Black Hawk feared were the Illinois militia. Black Hawk and his followers requested provisions, which Gaines supplied. These supplies and provisions lacked in sufficient quantity to see the Sauk through the remainder of the summer and into the next spring. Black Hawk sent a number of warriors back to their fields the next night. American settlers, having already moved in and claimed the abandoned village, fired on the Sauks warriors as they tried to recover enough corn to feed the tribe through the winter. The next morning the American settlers immediately began lodging complaints of Sauk depredations committed during the night. This incident was not unique, nor the first. It is however, a good example of the *modus*

²¹ Jackson. Pg. 141

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operandi of the settlers. After claiming land, and accompanying structures, through squatting and erecting fences they would then declare the returning Sauk as invading, hostile war parties, claim that the Sauk had committed grievous depredations against them, their homesteads, and their property, and demand protection.

In August 1831, a band of Fox and Sauk warriors assembled as a war party and traveled to Prairie du Chien. They found a camp of roughly twenty-five Menominee intoxicated and preparing to sleep for the night. The war party fell upon the Menominee and killed all of them in revenge for the previous summer's massacre that the Menominee played a part of. The failure of Clark's peace negotiations to include "covering the dead" led to this reprisal raid.

The next spring, 1832, General Henry Atkinson, under orders from the Commander in Chief of the Army, demanded the Sauk and Fox hand over the warriors guilty of murdering the Menominee outside Prairie du Chien. Three men, related to the victims of the massacre in 1830, appeared; however the rest had fled to Black Hawk's band of followers and could not be turned over. The United States Government did not demand the perpetrators in the 1830 massacre, and never pursued legal action or punishment against them. This very different reaction towards the Fox and Sauk, caused Black Hawk's followers to see a perceived preferential treatment of the Sioux, the Winnebago, and Menominee over the Sauk and Fox. Despite another miserable winter characterized by insufficient supplies, stored produce, and traps and rifles; Black Hawk's band grew significantly in the spring of 1832.

When Going Home is an Act of War

Black Hawk received several messages from the Federal Government and the Illinois Government in early spring 1832 instructing him not to cross the Mississippi River and not to return to the Rock Island area. Black Hawk believed in the legality of the Treaty of 1804 and trusted in the American Government to uphold, abide by, and enforce the treaty. Believing he had every right to do so, Black Hawk led his followers back to Rock Island in the spring of 1832. He sent several messages of his own, declaring his peaceful intention to follow the Sauk traditional lifestyle on the land protected for them by the American Government. Additionally, Black Hawk received an invitation from the half-Sauk Winnebago leader, the Prophet, to bring Black Hawk's followers to the Prophet's village to live for the summer. In the mean time, the American settlers accumulated volumes of depositions and documents justifying their claim to the territory, defending their actions, and painting Black Hawk's band as a savage military force intent on attacking peaceful Americans. Part of this accumulated documentation included a "treaty" of 1831. This alleged "treaty" stated the Sauk and Fox were forever forbidden to set foot in Illinois. All of this documentation was transmitted to Washington D.C.

Black Hawk crossed the Mississippi River with approximately 1,000 followers. Of these, estimates range from 300 to 500 of those followers being warriors. The remainder of the band consisted of children, elderly, and women. The group received further encouragement from the Prophet, who claimed to have dreams of Sauk and Fox success against the encroaching Americans. Black Hawk believed he held the legally valid high ground and set forth on a course that offered him various options dependent

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The Belligerents	
US Forces General Atknison 1500 regular US Army Infantry 51 men or less per company ≈9000 militiamen Organization varies significantly	Black Hawk's band Black Hawk ≈500 warriors ≈1000 non-combatant civilians

upon American reaction. His first choice, dependent on America fulfilling its obligations to the Treaty of 1804, consisted of simply living on Rock River with his followers, defending his position through defiance and force if necessary. Second, he could accept payment for Rock Island, and take advantage of an honorable permanent migration west of the Mississippi River. Finally, if the first two choices failed, he could move his band onto other public lands within the cession of 1804.

The mindset of the frontier settlers and the Illinois State Government made the first course of action impossible. General Clark and newly appointed Indian Agent St. Vrain refused to negotiate a purchase for Rock Island, removing the second course of action. These decisions, combined with the Prophet's invitation made the third choice the only viable option for Black Hawk. His only other choice involved abject surrender, a course involving Black Hawk's loss of integrity and in direct conflict with his personal beliefs.

On 5 April 1832 Black Hawk's Band, labeled Black Hawk's British Band because of Black Hawk's allegiance to the British during the War of 1812, crossed the Mississippi River. The group traveled up the east bank of the Mississippi River. The warriors walked along the bank while the women, children, elderly and the group's supplies and

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equipment traveled in canoes. The group passed Fort Armstrong unmolested as it proceeded to the Prophet's village.

They arrived at the village around 20 April. Instead of the warm reception they had been promised, the Winnebago Chiefs refused to allow the British Band to stay. Additionally, the Prophet's vision of Sauk and Fox success against the Americans included a promise of British military aid waiting for the band at the Prophet's village. Black Hawk's followers found that there was no British support waiting for them. At this time General Atkinson sent a message to Black Hawk asking him to return to the west of the Mississippi River immediately. Black Hawk, along with Napope and Kinnekonesaut two of the chiefs within Black Hawk's followers, responded to Atkinson's message. They explained they were peaceful and had been invited by the Winnebago. They resolutely refused to cross back to the western side of the Mississippi River.

Black Hawk's meager supplies dwindled rapidly. Their difficulties the two previous summers, combined with meager hunts the two preceding winters had left the tribe ill prepared to spend a long time traveling. The Winnebago refusal to allow the group to live near the Prophet's village for the summer season became a grave wound to the disenfranchised Sauk and Fox Indians. Black Hawk knew the group needed to find a suitable place to settle soon, to begin growing crops.

Meanwhile, messages reached Governor Reynolds, Secretary of War Lewis Cass, and Major General Alexander Macomb about Black Hawk's "invasion". General Atkinson became the de facto commander at Fort Armstrong. Governor Reynolds immediately issued orders to mobilize 1,500 militiamen. Atkinson decided not to

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immediately act because Black Hawk had not actually broken any laws. In response to Governor Reynolds actions, General Atkinson issued orders to the 1st, 5th, and 6th US Infantry Regiments to mobilize troops to Fort Armstrong, Rock Island, Illinois.

Black Hawk knew he had to take action to avoid starvation. He gathered his followers and moved farther up the Rock River, intent on asking the Pottawatomie for aid. Black Hawk gathered his trusted chiefs and advisors and told them the Prophet's visions were false. There would be no British Aid, and the other tribes would not join the Sauk and Fox in defense from the Americans nor to evict the Americans from their land. He instructed those assembled to keep these facts secret from the rest of the band, for fear of destroying morale and fragmenting the group.²²



5th Regiment, US Infantry 1828-1832

Two factors affected Black Hawk's decision on a course of action. First, the thousands of militia called out in response to Black Hawk's followers entering Illinois worried Black Hawk. His previous experiences with the militia taught him that the men were under no control, lacked any cohesive discipline, and could readily and easily commit atrocities on Native Americans. Second, the majority of Black Hawk's band consisted of non-combatants. A group of only

²² 5TH REGIMENT OF INFANTRY, WINTER SERVICE DRESS 1828-1832. US Army Center for Military History. <http://www.military-historians.org/company/plates/images/US.htm#z>
Photo courtesy of US Army Heritage and Education Center. <http://www.carlisle.army.mil/ahec/>

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warriors could have readily faced the militia and regular army and fought an honorable battle to what ever consequence it led to. The responsibility for the safety of the elderly, the young, and the women removed the option of facing the Americans in combat. Additionally, Black Hawk learned the militia pursued him from Fort Armstrong. This meant a retreat back down the Rock River to cross the Mississippi River was a path directly into the hands of the militia. Black Hawk did not trust the militia to allow him to explain his position and desire to leave Illinois. He feared the militia would indiscriminately attack his people at the first opportunity.

Black Hawk desperately sought a peaceful solution to his predicament. General Atkinson likewise sought the same peaceful solution. Both leaders sent numerous messages via couriers to affect this. General Atkinson methodically prepared his troops for the campaign to afford the messengers the time to deliver their missives and return. The militia, spurred on and encouraged by Governor Reynolds, did not take the patient, peaceful course. Companies and divisions moved out towards Dixon's Ferry and spy companies spread out to search for the band of Sauk and Fox.

Earlier sections of this text described the pay and equipment of the militia and there has been some discussion on the general quality of the volunteers. There were militiamen that volunteered out of a sense of duty. There were volunteers that conscientiously carried out their duties. There is archival evidence that Abraham Lincoln, during his first enlistment and elected Captain of his company, physically stood in front of an elderly Native American and promised to fight any of his men that tried to harm the old man. Unfortunately, these ethical volunteers seem to be the minority. For the most part, volunteers enlisted in the militia for the money, the adventure, and the

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opportunity to settle old grievances, real or imagined, against any Native American target they could find. Their leadership from the company level and below was elected through popular vote. This often meant an unpopular order instigated at best the simple ignoring of the order and at worst, an impromptu election for a more popular leader.

The cooperation of the Federal Government in Washington D.C. and the Illinois State Government could have easily reached a peaceful settlement to the situation. General Atkinson and Black Hawk both tried to find the peaceful way out of the crisis. On 14 May 1832 the opportunity for a peaceful solution ended. Major Isaiah Stillman unknowingly led his company of 275 militiamen into camp eight miles from Black Hawk's camp.

Black Hawk cautiously sent three messengers to the militia camp to parlay a peaceful settlement and to request an escort for the Sauk and Fox group to return to the west of the Mississippi River. Black Hawk distrusted the militia after his previous experiences with them. He sent a small group of warriors behind the messengers to observe the messengers' reception by the militia.

Stillman's company received a double ration of whiskey before setting out to find Black Hawk's trail. The men began consuming their ration soon after stopping to make camp. When the three messengers arrived some of the militiamen had already become impaired. Stillman also lacked an interpreter amongst his men. As the three messengers carefully tried to relay their message of surrender some of the militiamen spotted the second group of warriors hiding amongst the trees. These volunteers assumed the Sauk messengers were a decoy and that an ambush was imminent. They immediately shot two

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of the three messengers. They missed the third, who initially tried to run, then fell to the ground and feigned death.

The volunteer cavalymen quickly mounted their horses and gave chase to the fleeing second group of Sauk warriors. Their disorganized pursuit took a few minutes to gain momentum. The horses had already been corralled for the evening and had to be rounded up and re-saddled. The lack of discipline and organization in the company increased the time it took as the men worked against each other to pursue the fleeing Native Americans.

The observation group returned to Black Hawk's camp. Most of Black Hawk's warriors were away, hunting for food. Black Hawk found roughly forty warriors and quickly organized a defensive line outside the camp. As the first elements of Stillman's company neared the hastily prepared line, Black Hawk's warriors sprang from hiding and opened fire in a concentrated volley. Their accuracy and cohesion magnified their apparent numbers. Only a few of Stillman's men were killed, but the remainder decided they were greatly outnumbered. These initial volunteers turned and fled. As they passed follow on troops, their panicked rout proved contagious. Stillman's entire company, minus only a couple of resolute souls, fled away from Black Hawk's camp. Their flight took them through their own camp, abandoning their supplies and the company did not regroup until it reached Dixon's Ferry.

Black Hawk's small group of warriors pursued the fleeing militiamen. The few that did not flee were quickly dispatched. The Sauk warriors quickly pillaged what few supplies they could quickly carry back to their own camp and left. Black Hawk, fearing reprisal immediately set his band in motion, heading north. Stillman's command fled to

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Dixon Ferry, roughly twenty-five miles west. Fifty-three volunteers did not arrive at the ferry and were feared dead. Eventually, the militiamen would learn that eleven fell during the battle of Stillman's run and forty-two volunteers deserted and returned home.

By the end of the day, 14 May 1832, the opportunity for a peaceful resolution ended. Three factors played into the loss of the chance for a peaceful resolution. The first factor was the lack of discipline in Stillman's Company. Major Stillman exerted no command and control over his company at any point between the arrival of the three messengers and the company's regrouping at Dixon's Ferry. The second issue was the lack of an interpreter. The militiamen's inability to understand the Sauk messengers allowed their imaginations to run wild. Finally, the whiskey ration was the third issue. The militias' inebriated state fueled their imagination and compounded their lack of discipline. This combination catalyzed to remove the chance for a peaceful resolution.

The Chase Begins

Black Hawk knew his situation left him little advantage over the pursuing American forces. His band was grossly outnumbered by the Americans. Furthermore, his small group of warriors protected the large number of non-combatants in the band. Black Hawk had no artillery. His supplies, by this point, were nearly depleted and his band faced hunger shortly. As mentioned earlier, if Black Hawk's band consisted solely of warriors they would gladly have faced the Americans in an honorable battle to the death. Instead, Black Hawk faced a predicament of heroic proportions. Outgunned, outmanned, and out-supplied Black Hawk needed to focus on the advantages he did have. His band knew the land. Black Hawk held the initiative in the campaign and could choose the route his band took. If he could hold the initiative, he could spread out and mire the pursuing Americans, diminishing their numeric superiority, separating their forces and negating American artillery.

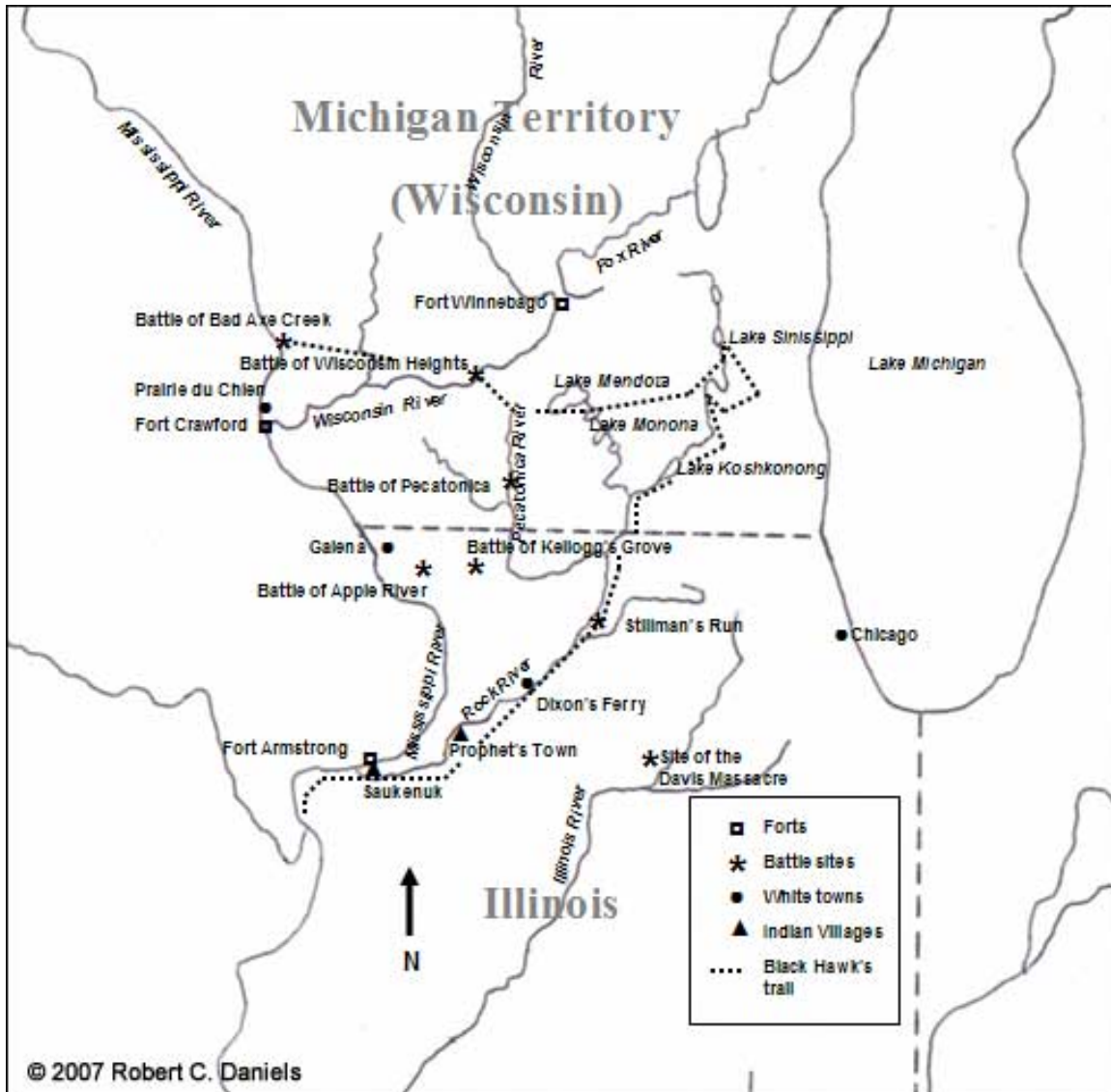
Black Hawk sent his warriors out in small groups with two missions. They searched for food as their primary mission, hunting as they travelled. They also formed a cavalry screen and decoy for the main band. Black Hawk led his main band north into Wisconsin, but the smaller parties gave the impression that Black Hawk moved west towards Iowa.

The other Native American tribes in the area refused to officially assist Black Hawk's band. They knew their political relationship with the US government was shaky at best. Any overt support of Black Hawk's band would give the Americans excuse to evict their tribe to the west of the Mississippi River. This did not stop tribes, and

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individuals from offering covert support to Black Hawk. Small packages of supplies were given, when able. Additionally, the tribes Black Hawk encountered as he moved north, although refusing to shelter the band even temporarily, provided Black Hawk with intelligence on American troop movement as well as information on the terrain and territory of the area. Some of the tribes provided misinformation to the pursuing Americans, others told the truth to both sides of the conflict. A few Native Americans took advantage of the conflict to settle old grudges. On 14 June 1832 Kickapoo warriors ambushed American farmers, killing six men. They staged the attack to be blamed on Black Hawk's band.

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23 There were several skirmishes between the Illinois militia and Black Hawk's screening parties during June. On 16 June 1832 American settlers retaliated against one of Black Hawk's hunting parties. The American settlers, with a two to one advantage, attacked Black Hawk's party and drove them from their homesteads near Pecatonica. The first Battle of Kellogg's Grove occurred the same day as Pecatonica. On 24 June 1832 Black Hawk's warriors raided the Apple River Fort. As the majority of the force placed the fort under siege, the remainder of Black Hawk's warriors collected supplies,

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food, and horses from the surrounding settlements and drove off livestock, before withdrawing into the Wisconsin wilderness. The following day another Black Hawk party fought militiamen at Kellogg's grove a second time. The fighting was intense during this second battle. In the aftermath, the Sauk and Fox warriors had killed or taken many of the militiamen's mounts. When the relief party arrived their reaction was recorded,

"I remember just how those men looked...rode up the little hill where their camp was...morning sun was streaming upon them as they lay heads toward us on the ground...every man had a round red spot on the top of his head about as big as a dollar, where the redskins had taken his scalp..."

*Abraham Lincoln.*²⁴

Meanwhile, Black Hawk led his main band north towards Lake Koshkonong.

By 1 July 1832 General Atkinson and Governor Reynolds consolidated and organized their forces. During the previous month and a half, since the Battle of Stillman's Run the Militia volunteers operated with little central authority or strategy. The US Infantry regulars organized at Fort Armstrong, preparing for a river movement to catch up with the swifter cavalry militia. By July, the Americans realized Black Hawk was moving north into Wisconsin, not towards Iowa. The skirmishes fought through June further galvanized the militiamen and the settlers of the region on a path of extermination. The Governor wielded his political influence to push the military towards a strategy that would favor his constituent's desires.

²⁴ Efflandt. 10.

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The mounted militiamen received fifteen days of supplies. The US Army Infantry packed eighteen days worth of supplies on mules and pack horses and drove sixty head of cattle behind them. General Atkinson believed his army held enough supplies for eighteen to twenty days of march before follow on supplies would meet them in the field. The militiamen split into two divisions. They set out with a division on each side of the Rock River.

General Atkinson and Governor Reynolds accompanied the division marching on the eastern bank of the Rock River. By July 3rd or 4th the Division crossed the site of Stillman's Run. Scraps of uniforms and ruined camp supplies still littered the site. Additionally, the surrounding terrain gave the Americans their first taste of the days ahead. The ground surrounding the camp was a soupy morass. The boggy terrain and the thick woods virtually negated any advantage for the mounted militiamen. Lacking training as cavalry, they would be forced to conduct any combat on foot. The swampy ground also slowed the militiamen down to a pace barely faster than the marching infantry.

Adding to the difficulties of the march, the Militiamen and their leaders viewed every Native American they saw as a threat. They fired at lone Native Americans seen from a distance, labeling them as spies. The second night, when they camped, General Atkinson kept the Division at a state of near paranoia. Sentries fired their rifles at sounds in the night, causing Atkinson to call the entire camp to arms and keeping them ready for an attack for hours at a time. The sleepless nights led into days of relentless march through rough terrain. The clinging bogs gave way to steep bluffs before meeting more swampy terrain again.

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As the Americans entered Wisconsin the swampy terrain was broken by long expanses of prairie. This added a new burden to the march as the militiamen soon realized the scarcity of water across the prairie. As the divisions marched, Spy Companies under Major Ewing found fresh trails. Atkinson believed Black Hawk and his band were camped eight miles ahead. In the late afternoon the entire Division marched in line abreast, ignoring the broken terrain, in order to close the gap and be in position to launch a morning attack the next day. They marched for ten miles as the sun sank towards the horizon on their left. As dusk fell, the Division approached a wood and received scattered rifle fire from within. The entire division immediately went on the defensive, placing pickets and corralling the horses and pack animals. Once the animals were secured the Division formed into three Brigades and marched into the wood. After the exhausting and waterless march of the day, the prospect of ending the pursuit and defeating Black Hawk and his band restored morale to the militiamen. The Americans believed they would shortly end the conflict and return home. However, the snipers that had stopped the Division slipped away in the woods. After pushing into the woods about a mile, the Americans made camp near a pond the scouts had discovered. With the much needed water, the Americans made camp. Nerves ran high during the night, and one militia sentry shot a fellow militiaman.

By 3 July 1832 the Americans reached the southern bank of Lake Koshkonong, part of the four lakes region of Wisconsin. The US Army infantry received orders to establish a camp and defensive breastworks. From this camp, the mounted militiamen set out scouring the region for signs of Black Hawk and his band. At this point, the militiamen viewed nearly every trail, whether human or game, as Black Hawk's. Every

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ancient camp site was seen as one vacated by Black Hawk the day before. They declared every Native American seen from a distance as members of Black Hawk's band. They viewed every hidden draw in the terrain as the hiding place of their elusive quarry.

Black Hawk knew he could not afford to lose the initiative and allow the American movements to dictate his. He moved his main band north around the eastern bank of Lake Sinissippi before the Americans reached Lake Koshkonong. The terrain in the four lakes region was wild and rough. Black Hawk kept some of his warriors as screens and decoys near Lake Koshkonong, trying to lead the Americans west and south, away from the main band. Black Hawk faced growing challenges. He needed to keep the initiative, staying ahead of the Americans and maintaining as many options for movement as possible. However, his warriors could not hunt enough game to feed the main band. Black Hawk needed to find a safe place for his people to plant crops before the summer ended. If he could not find a place for his followers to farm before it was too late, they would perish through the winter. Black Hawk's people were starving. As they hid near Lake Sinissippi, trying to fish and gather roots, his followers resorted to killing horses for meat. Black Hawk recognized the loss to his mobility this presented, but the alternative was a people too emaciated to run, a people dying of starvation. Black Hawk refused to see his people die at the hands of the militiamen, and he could not let them succumb to hunger either.

As the Americans searched for signs of Black Hawk's band, they found the camp site Black Hawk's band occupied near Lake Koshkonong a week before. They found several Sauk dead buried at the site with scalps and ornaments over their burial sites. They also found the skulls and hands of settlers and militia killed during the skirmishes

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of June. Besides scalps, those following Black Hawk began cutting the heads and hands off of those they killed.²⁵

By this time another group of militiamen formed near Galena and marched towards the Four Lakes area. Additionally, Indian agents throughout the Wisconsin territory began collecting information from their respective tribes. While some tribes covertly supported Black Hawk and his band, others actively used the campaign to try and settle old grudges. The Menominee offered 200 warriors to assist the Americans.

While the terrain took its toll on the Americans as they marched, it also insulated them from communication. At this time, the only method of communication available to Atkinson and Reynolds was the use of “expresses” or messengers. Written orders, intelligence, and communication were given to Militia, civilian, and Native American messengers who then had to search for the recipient of the dispatch. These messengers were vulnerable to attack by Black Hawk’s scouts, other hostile Native Americans, the terrain and weather, and simply getting lost, all of which prevented communication from being delivered. This system also created a delay of hours to days for orders and information to be delivered. It also meant that General Atkinson’s knowledge of his troops’ position, almost constantly on the move pursuing Black Hawk, was always outdated. This was further complicated by distances often being estimated, and positions given by distance from a landmark rounded off to miles. One troop disposition was given

²⁵ Thayer. *Hunting A Shadow*. 33. Two obedient Sauk chiefs later explained to William Clark, Superintendent of Indian Affairs at St. Louis, the Sauk were told the Americans planned to kill or castrate the Sauk men. After eliminating or crippling the men, they planned to import a large number of Negro slaves into the region for the purpose of breeding with the Sauk women to produce slaves to work the region. The wives and daughters of the warriors following Black Hawk led their men to committing these atrocities because of these beliefs.

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as “encamped within 5 miles of Apple River.” This reported location fell somewhere within almost thirty one and a half square miles of rough wilderness.

In the first week of July, the Americans in pursuit of Black Hawk began to experience a new difficulty. The nearly perpetual rainfall began to swell the creeks and rivers. The units of General Atkinson’s command spent significant amounts of time fording the flooded streams and rivers during their march towards Lake Koshkonong. In many instances flooding prevented wagons of supplies from following the army. Medical supplies, food, and forage for the horses became scarce as the wagons hauling them left the campaign and returned to the nearest fort or town when they were unable to ford the creeks. Additionally, the militiamen began reporting lost equipment and supplies, taken by the swift moving waters when they swam their horses across the creeks. Small items like clothing and cookware and even entire horses were lost in the waters. The fording of the streams combined with the constant rain made the gunpowder damp at best. By the end of the first week of July the militiamen were demoralized, damp, and despondent. They were short on food and supplies, their equipment was soaked, or lost in the flooded streams, and they lacked confidence in their rifles being able to fire with damp powder. They had yet to find and engage Black Hawk’s main force, and had lost two significant engagements with Black Hawks skirmishers. Adding to the difficulties in the wilderness of Wisconsin, President Andrew Jackson, and Secretary of War Lewis Cass added their influence to the campaign. Written communication from Atkinson to Washington D.C. took significantly longer than the news and civilian rumor from Chicago, Rock Island, and the area surrounding the campaign. By mid-June, the administration had not received written communication

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from Atkinson for over a month. Acting Secretary of War John Robb sent a letter to Atkinson dated 12 June admonishing and censuring Atkinson's ability to command. On 16 June, Cass sent a letter informing Atkinson the General Winfield Scott was enroute to take command of the campaign after gathering regular Army forces from New England and the Great Lakes. Atkinson received Robb's letter on 5 July and Cass's the next day.

By 8 July Atkinson's Divisions consolidated and enjoyed the first full war council of the campaign. Friendly Native American scouts and Atkinson's spy companies agreed that Black Hawk and his band had moved into a swampy thicket known as *terre tremblante*. Between the dense growth in the thicket and the rain, the Americans could not follow the trail with their horses and wagons. The nearly depleted state of their supplies and the *terre tremblante* convinced Atkinson and his commanders to return down the Rock River and establish a new base of operations.

By 9 July Atkinson's forces exhausted their supplies. Their nearest depot lay eighty miles away at Fort Winnebago. Food and forage had been depleted. Clothing and shoes were wearing out from the weather and wild terrain. Engineering supplies were rapidly dwindling to exhaustion from the numerous bridges and fords that the regular Army built over or through the many swollen creeks during the march. Atkinson estimated it would take six days to replenish his forces and renew the pursuit of Black Hawk. Scouting parties of both militia spy companies and friendly Native Americans brought back conflicting reports on the whereabouts of Black Hawk. General Atkinson came to the conclusion that Black Hawk moved his main band further northwest away from the American force, deeper into the wilderness of the Wisconsin territory. Rumors began running rampant in the American camp. The discovery of a rocky ford on the

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Rock River ideal for an ambush cast doubt on the Chief White Crow, the leader of one group of friendly Native Americans. Three days prior, White Crow pushed for the Americans to pursue Black Hawk when Atkinson ordered the retrograde back down the Rock River from Lake Koshkonong. If they had followed White Crow's advice the American's would have been led to the rocky ford. In addition, the loss of horses during the campaign led to conflict amongst the militiamen when two men claimed ownership of the same animal. Atkinson ordered hearing boards of officers to decide ownership. General Winfield Scott's lead companies, and Scott himself, were due to land in Chicago the next day. Atkinson had informed his command of General Scott's impending arrival and relief force, but had yet to inform them that Scott was taking over command of the campaign. General Atkinson realized, and admitted in his writings to Washington D.C. that his force would fail to capture Black Hawk unless Black Hawk chose to engage the Americans in combat.

Furthering the difficulties the Americans experienced General Dodge's militiamen from the mining district of the Michigan and Galena arrived at Atkinson's camp. When the mounted militiamen left Fort Hamilton, near present day Wiot, Wisconsin, they took two to three days supplies and food with them. They expected to receive replenishment supplies and food from Atkinson. Upon their arrival Atkinson ordered Dodge's men to begin building fortifications. Dodge refused, informing Atkinson that he and his men came to fight Indians, not build forts. Atkinson did not have any food or supplies to give Dodge and his men, but the situation was interpreted by Dodge's men that Atkinson refused to give them food because they were not building

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forts. The officers and command structure did not take actions to correct this misconception and morale continued to plummet.

Atkinson ordered Generals Henry, Alexander and Dodge to take their brigades to Fort Winnebago and draw twelve days of supplies for the entire force and return. They also received orders to pursue Black Hawk's band if they found his trail going or returning from Fort Winnebago. Atkinson sent General Posey's brigade north west to Fort Hamilton to draw supplies and remain at the fort and serve as a blocking force to check Black Hawk's movements west. Atkinson sent additional orders via express to Captain Palmer at Dixon's Ferry and Lieutenant Homes at Fort Hamilton. He ordered Palmer to immediately send wagons of supplies to the American camp. He ordered Homes to stockpile thirty to forty days worth of supplies for 3000 men at Fort Hamilton and immediately begin shipping it to the campaign. Atkinson also discharged seventy of the ninety-five Pottawatomie because the Americans felt the Pottawaotmie ate too much.

Second Lieutenant Philip St. George Cook observed the situation from the infantry camp of the regular army marching with the militiamen. Atkinson and his staff failed to coordinate resupply efforts to coincide with the march, causing a week long delay as additional supplies were sought. Cook also blamed the militiamen for wasting and abandoning bulk supplies issued by the barrel and refusing to carry the cumbersome supplies through the march. He also criticized the sutlers and wagon trains that received contracts to bring supplies to the army for being too timid and abandoning their supply

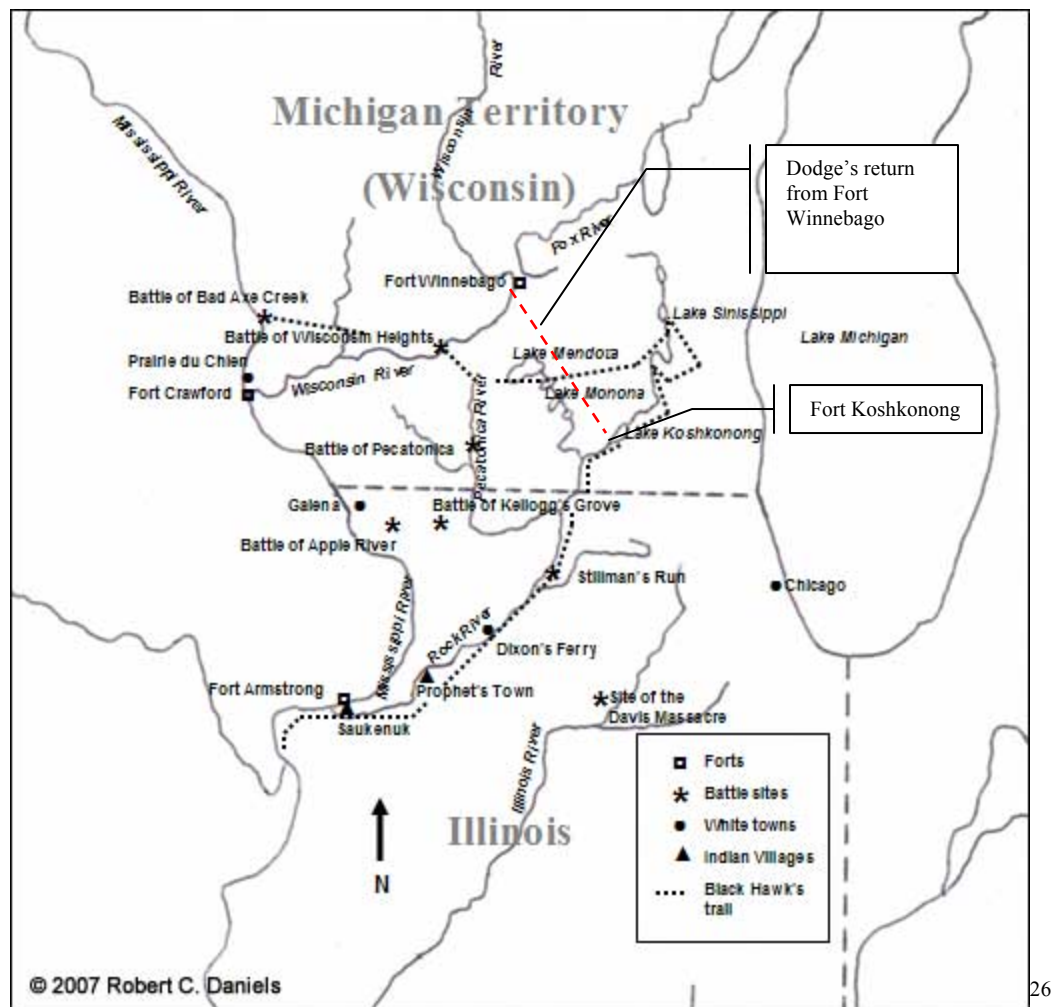
10 July 1832

After serving two voluntary enlistments, the first term receiving election to Company Captain, Abraham Lincoln received an honorable discharge from the Illinois Militia at present day Cold Springs, Wisconsin. That night, his horse was stolen and he walked and canoed 250 miles to New Salem, Illinois.

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trains at the merest thought of hearing an Indian in the wilderness.

On 10 July 1832 Governor Reynolds left the campaign. He wrote that the lack of supplies, and the desertion of many Illinoisans and the general miasma of camp morale, convinced that the campaign would never catch Black Hawk and his band, convinced him to return to his political duties in Illinois. When he departed a number of senior Illinois militia officers accompanied him on his return to Illinois.



On 12 July 1832 General Atkinson reconsidered a letter he received over a week prior from George Boyd, the Indian Agent at Green Bay. Boyd offered the services of

²⁶ Map by Robert C. Daniels used with permission. www.robertcdaniels.com

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200 Menomonie warriors. The Menomonie had a history of conflict with the Sauk and were eager to seek revenge against their foe. Atkinson, his army stalled in the swamps near Lake Koshkonong and the *terre tremblante* and devoid of supplies, the majority of the mounted militia scattered on their way to the forts in the region to gather much needed supplies, and General Scott's arrival and Atkinson's removal from command of the campaign immanent, 200 warriors locating and harassing Black Hawk's band would be a much needed relief. Atkinson ordered the Fort at Green Bay to supply the warriors, conceding that his force had no supplies for itself and could not supply 200 more. He ordered the Menomonie to locate Black Hawk's band and harass them from the north and west, checking their movement. He also ordered the Menomonie to kill the horses Black Hawk's band had, to slow their movement.

By 16 July 1832 supplies began arriving from Fort Hamilton via Blue Mound, replenishing the Americans and slightly raising morale. On the same day, Atkinson received an express about General Scott and the regular Army troops he was bringing to the campaign. The steamer *Henry Clay*, the lead ship of Scott's convoy, and the ship Scott traveled on was quarantined two miles above Detroit. Cholera had broken out on board. Atkinson would retain command of the expedition until its end. While waiting for supplies, Atkinson's troops erected fortifications. On 18 July 1832 the fort was named Fort Cosconong (Koshkonong).

On 19 July 1832 Atkinson's forces left Fort Koshkonong in pursuit of Black Hawk. After a fifteen mile march in heavy rain, the troops made camp and were hit by a severe storm. The troops were soaked with pouring rain. Thunder and lightning filled the night sky, spooking the horses into stampeding.

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The same day, Dodge's division discovered Black Hawk's trail while returning to Fort Koshkonong from Fort Winnebago. Dodge sent Atkinson a letter informing him of the discovery and his intention to pursue Black Hawk's band. Dodge described the trail and the state of Black Hawk's band;

“...it must be the trail of the main body of the enemy the direction is about a south west course they have peeled the bark of the oaks and have dug in different places in search of wild potatoes...”

Henry Dodge²⁷

Black Hawk's followers were starving by this time. They had killed most of their horses and what few remained were not enough to carry all of the sick and the group's meager possessions. The Sauk and Fox tribesmen following Black Hawk were desperately hungry and exhausted from their long flight. They had taken to eating the bark from trees and chewing on tanned hide for sustenance. By 21 July 1832 Black Hawk knew Dodge's troops closed to within a mile of Black Hawk's band. He decided to cross the Wisconsin River the next day.

By 22 July 1832 Dodge's scouts confirmed Black Hawk and his band moved southwest towards the Mississippi River when they found Black Hawk's abandoned camp in the swampy woods to the northeast. Dodge sent another express to Atkinson informing Atkinson of his pursuit of Black Hawk and imploring Atkinson to warn the civilians in the southwestern Wisconsin territory. The Army's failure to promptly capture Black Hawk in April and the growing length of the campaign as it stretched into

²⁷ Thayer. *Hunting A Shadow*. 244

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its third month caused the civilian population to live in conditions of growing paranoia and fear. Governor Reynolds described the atmosphere in the mining district as oppressive with fear. He described the citizens living within forts, unwilling to farm or mine for fear of being ambushed by Black Hawk's marauding band. Their provisions dwindled due to this lack of productivity and Reynolds feared many would leave the area in search of food and work or perish.

Dodge's militiamen caught up with Black Hawk as the Sauk attempted the river crossing. The Sauk warriors, committed in mid-afternoon, conducted a series of feints to delay Dodge's troops. As darkness descended Black Hawk's warriors put up a token rear defensive action as the militiamen took position on the heights overlooking the river. Black Hawk's band crossed the Wisconsin River in the early part of the night. The militiamen took position in high grass on the heights. The grass, heavily laden with rain water from earlier showers, fouled their gunpowder, decreasing their effectiveness as they began firing at the fleeing Sauk. The engagement became known as the Battle of Wisconsin Heights. Dodge's militiamen claimed to have killed over a hundred Sauk, demoralized the remainder, and forced Black Hawk's band into a route. Black Hawk later accounted that he lost six from his band, and those six were elderly, ill, and unable to cross the river.

Atkinson arrived with the regulars and his division of militiamen the next morning, 23 July. The Americans spent three days building rafts before they could cross the river. Black Hawk spent those three days moving as fast as his band could travel down the Wisconsin River to the Pine River. His plan at this point was to move to the Bad Axe River and follow it to the Mississippi River north of Prairie du Chien. During

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this flight, the elderly, the sick, and the wounded began to fall. Fearful of the American militiamen pursuing them, Black Hawk's band dared not stop to bury their dead.

“On our march across the country and during and after the action I witnessed scenes of distress and misery exceeding any I ever expect to see in our happy land. Dead bodies male & female strewed along the road – left unburied exposed – poor – emaciated beings – some dead from wounds recd. [received] in the engagement on the Ouisconsin – others by disease. The elms – the linns along their route were barked to give them food Scattered along the route lay vestiges of [horses] tired out by travel – and killed to give life & sustenance to their master.”

Lieutenant Robert Anderson²⁸

In anticipation of Black Hawk trying to cross the Mississippi River, Lieutenant James W. Kingsbury was placed in command of fifteen infantrymen and five volunteers on the chartered steamboat *Warrior*, under Captain Throckmorton, at Fort Crawford. The *Warrior* with a detachment of regulars and volunteers and armed with a six pound cannon began patrolling the Mississippi River from its junction with the Wisconsin River north.

By the close of July 1832, Black Hawk had lost all control over his band. The Sauk and Fox who had followed Black Hawk across the Mississippi River three and a half months prior were fleeing for safety to the western bank of the Mississippi River any way possible. On 29 July 1832 the *Warrior* encountered several Sauk canoes entering

²⁸ Thayer. Massacre at Badaxe. 101

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the Mississippi River from the Wisconsin River and opened fire. Some of the canoes escaped the *Warrior* and reached the western shore of the Mississippi River. Their escape to safety was short lived. Atkinson gave permission to the Sioux to hunt the Sauk and Fox west of the Mississippi River.

In the afternoon of 1 August 1832 the *Warrior*, returning down the Mississippi to Prairie du Chein, spotted the Sauk and Fox on the eastern Bank of the Mississippi River, near the mouth of the Badaxe, building canoes and rafts. Black Hawk instructed his warriors not to shoot and waded into the Mississippi River waving a white flag in an attempt to surrender and spare his followers hardship. The Sauk and Fox on the bank of the river stood, unarmed, as Black Hawk swam out towards the steamboat. The troops on board saw what looked like warriors behind the main body of Sauk and Fox preparing weapons and taking cover behind trees. The *Warrior* opened fire on Black Hawk and his band. Kingsbury ordered the six pounder loaded with canister and opened fire on the mass of Sauk and Fox on the bank. Black Hawk turned around, swimming for shore. His followers began firing at *Warrior*. The battle lasted about two hours. The Americans killed over twenty-five of Black Hawk's followers. One American infantryman received a wound in his leg. Running low on firewood for the boiler, Captain Throckmorton withdrew *Warrior* to Fort Crawford.

During the night Black Hawk devised one final plan to protect what remained of his band. He sent twenty warriors east to prepare a delaying action to buy time for the remainder to cross. Black Hawk himself takes a small group of warriors and heads north to draw the Americans away from the main band. Black Hawk believed he was the only

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target of the American Army and they would pursue him, leaving his followers unmolested after he left.

In the early morning hours of 2 August 1832 General Atkinson formed his forces for the final attack on Black Hawk and his band. Dodge's division would lead the army, followed by General Hugh Brady's regulars. Henry's division, then Posey's division, and finally Alexander's division would bring up the rear. Spies from Dodge's division encountered the twenty warrior delaying action early in the morning. Dodge's division follows them and engages the Sauk warriors. Atkinson arrives and orders Posey and Alexander north to outflank the Sauk and anchor the right flank of the army to the Mississippi River. Atkinson orders the regulars to assault the Sauk warriors line and orders Dodge to disengage from the fight and move south with Henry to anchor the left flank on the Mississippi River. After the first few Sauk warriors fell Atkinson and his Brigadiers lost control of the militiamen. The volunteers, consumed with battle lust and fury, charged forward ignoring their officers' orders. The slaughter began. Within minutes the situation devolved from a military campaign to a scene of murders and rape on both flanks of the American army.

“A little Indian boy concealed in the driftwood
jumped from his hiding place and ran for his life. Dixon
[Dickson] ordered Rittenhouse to shoot the child.

The brave soldier raise his gun but lowered it
saying, ‘Captain, I cant shoot a child’!

Dixon thereupon cursed him and said ‘nits breed
lice’, and again ordered the him to kill the boy.

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He again raised his gun but dropped it and said ‘I tell you Captain I can’t shoot that child’.

Just then a big Dutchman [John House] came up and Dixon ordered him to shoot the poor boy. He did so and sent a bullet through his heart.

Presently another jumped from the driftwood and the Dutchman took aim and blew the top of his head off.”

Dr C.V. Porter²⁹

“During the battle, a Sac mother took her infant child, and fastening it to a large piece of cottonwood bark, consigned it to the treacherous waves rather than to captivity. The current carried the child near the bank when [Big Tooth John] House coolly loaded his rifle, and taking deliberate aim, shot the babe dead. Being reproached for his hardened cruelty, he grimly replied, ‘Kill the nits, and you’ll have no lice.’”³⁰

By mid-morning *Warrior* returned and joined the battle. Black Hawk’s twenty warriors quickly succumbed to the onslaught of the Americans. The militia descended on the unprotected flanks of Black Hawks band. Black Hawk’s final plan to lure the Americans away from his followers by heading north failed. The Americans did not know Black Hawk had left his band.

²⁹ Thayer. Massacre at Bad Axe. 184

³⁰ Thayer. Massacre at Bad Axe. 185.

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The Sauk fled to the Mississippi, trying to cross and escape the Americans. The militiamen doggedly pursued, raping and killing any Sauk they found. *Warrior* added her firepower to the fight, killing any Sauk or Fox that appeared on the shore. Very few Sauk or Fox crossed the Mississippi River. The Mississippi River ran red with the blood of the wounded and killed. For days afterwards the bodies of the slain floated down the river. The few Sauk and Fox that reached the western bank of the Mississippi River found themselves in Sioux territory. Days later the Soix present Atkinson with 68 scalps. The Sioux also capture 22 women from the Sauk and Fox that crossed the river.

Black Hawk escaped north during the night. In April 1832, approximately 1500 Sauk and Fox followed Black Hawk across the Mississippi River to the Prophet's village. On 2 August 1832 approximately 150 of those followers escaped the Americans, crossed the Mississippi River, and avoided the Sioux to return to their former tribes. On the eastern bank of the Mississippi river fewer of Black Hawk's followers escaped. All together, roughly 13% of Black Hawk's band survived past the 2 August 1832 Battle of Bad Axe.

General Scott disembarked his troops near Chicago after the Asiatic cholera stopped ravaging the men. He marched his force to Fort Armstrong. When the troops arrived the Asiatic cholera broke out again, decimating the civilian and military population at Fort Armstrong and Rock Island. Lieutenant Phillip St. George Cooke, not feeling the effects of the disease for several days left Fort Armstrong and traveled to St. Louis. Upon reaching the city, he sent his uniforms to the laundry. His cholera infected clothes passed the disease to the launderers and it quickly spread through the city.

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Black Hawk surrendered to the Winnebago. Lieutenants Robert Anderson and Jefferson Davis traveled up the Mississippi River from Fort Crawford and took Black Hawk into custody. Davis escorted Black Hawk to St. Louis where Black Hawk was formally arrested and placed in chains. The close of the Black Hawk campaign secured the ability for the Americans to continue and expand their settlements in the mid-west. Black Hawk was transported east and sent on a tour of the largest American cities and arsenals. The Americans wanted to impress on Black Hawk the sheer magnitude of their ability to sustain war so he would warn the tribes to the west against going to war against the Americans. Afterwards he was released and returned to the Sauk with little influence amongst his people.

The conclusion of the Black Hawk campaign began major changes in the American Military Establishment. The lack of regular cavalry and the dependence on militia to fill that role encouraged the formation of the US Army Dragoons under the command of newly commissioned Colonel Henry Dodge. From this point on the US Army would maintain a form of cavalry in its regular forces. The debacle at Stillman's Run caused Secretary of War Lewis Cass to end the whisky ration for the US Army and instituted a coffee ration in its place. The role of the regular army began shifting away from a skeletal force viewed by the Federal Government as there only to defend the frontier. They moved away from the reliance on poorly trained volunteer militiamen raised at a moment's notice to defend the Nation in times of war. The Army moved towards a competent combat force able to conduct combat operations. In times of war the regular army would become a core cadre, leading and training volunteers. The lessons of the Black Hawk campaign began the experience of leaders and changed the

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policies of the Army that would evolve in the Mexican American War a decade later and eventually culminate with the American Civil War.

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Appendix

A. Correspondence to and from Governor Harrison and the Treaty of 1804.

1804.]

THE SACS AND FOXES.

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once sold it to the State of Georgia, and received payment in full for it. Ten thousand dollars, with an annuity of one thousand five hundred dollars, will probably be sufficient.

The second object is, the purchase of the Indian title to that tract of land, situate between the Oconee and Oakmulgee rivers, called the Oakmulgee fork, bounded as follows, viz: beginning at the junction of the Oakmulgee with the Oconee, and extending northward, including the whole of the lands between the two rivers, to fort Wilkinson, on the Oconee, or as far as the Creeks will consent to cede; if facility can be given to the obtaining of this highly important object, by relinquishing that part of Tallassee county, to the westward of a line to be drawn from the mouth of Kettle creek, near the mouth of the Oakmulgee, to the St. Mary's river, at the southern extremity of the great Akinfonoka swamp, you will consider yourselves authorized to make such a compromise, but no part of the Tallassee tract is to be relinquished, if the other object can otherwise be obtained on reasonable terms. The northern boundaries of the Oakmulgee tract must be governed by circumstances and your own discretion. If the purchase can be extended to fort Wilkinson, or the Indian path which crosses the Oconee, a little below the fort, making the path leading from thence to the Buzzard roost the northern boundary line between the Oconee and Oakmulgee rivers, it may not be prudent to urge a further extension at present. For which tract, bounded as above, you will be authorized to engage the payment of twenty-five thousand dollars, and an annuity of two thousand; but, if this tract can only be obtained by relinquishing a large part of the Tallassee tract, you will make such deductions from the sums, collectively, as may, in your judgment, be proper.

Mr. Jonathan Halstead, agent at the factory, will furnish the necessary provisions and other accommodations for yourselves, and for the Indians who may attend the treaty. The furnishing of any spirits, or not, to the Indians, will be left to your discretion and directions.

Given at the War Office of the United States, this 12th April, 1802.

H. DEARBORN.

To Brig. Gen. JAMES WILKINSON, &c.

Commissioners for treating with certain nations of Indians south of the Ohio.

WAR DEPARTMENT, April 2d, 1804.

SIR:

The Governor of Georgia having requested that an effort should be made with the Creeks, at their council, proposed to be held in May next, to obtain a further cession of land between the Oconee and Oakmulgee, or in Tallassee county, the President of the United States has thought proper to direct, that you, with the aid of General David Meriwether, (who is directed to meet you at said council) should make every reasonable and prudent exertion, in your power, to obtain from the Creeks such further cession of lands, for the accommodation of the State of Georgia, as the Creeks can be induced to give up, on such terms as may be considered reasonable.

To enable you to meet any expense, or to make such payments as may be stipulated, I have written to the cashier of the Bank of Savannah, (Georgia) to answer your drafts for a sum not exceeding, in the whole, twelve thousand dollars. If you shall be so fortunate as to obtain such cession as shall ultimately require a larger sum, exclusive of an annual stipend, it will remain with Congress to provide the fund therefor. In the mean time, four or five thousand dollars may be stipulated to be paid in October or November next, in such articles as may be deemed most useful for them. General Meriwether not having an appointment as commissioner should not prevent his opinion having as full weight, in any transaction at the proposed conference, as it would have if he had received an appointment as a commissioner. You will, nevertheless, consider yourself responsible for whatever you agree to. It is desirable the most perfect harmony should prevail between General Meriwether and yourself.

If you should think it expedient to have one or two thousand dollars' worth of goods at the council, and they can be furnished at the factory, you are hereby authorized to draw on Mr. Halstead for the same, and you will make such arrangements, with respect to provisions, as you may judge expedient. You will let the chiefs know that General Meriwether has been particularly requested, by the President of the United States, to attend with you for the purpose aforesaid.

I am, &c.

H. DEARBORN.

Col. BENJAMIN HAWKINS.

8th CONGRESS.]

No. 107.

[2d SESSION.]

THE SACS AND FOXES.

COMMUNICATED TO THE SENATE, DECEMBER 31, 1804.

To the Senate of the United States:

Most of the Indians residing within our Northern boundary, on this side the Mississippi, receiving from us annual aids in money and necessaries, it was a subject of complaint with the Sacs, that they received nothing, and were connected with us by no treaty. As they own the country in the neighborhood of our settlements of Kaskaskia and St. Louis, it was thought expedient to engage their friendship; and Governor Harrison was accordingly instructed, in June last, to propose to them an annuity of five or six hundred dollars, stipulating, in return, an adequate cession of territory, and an exact definition of boundaries. The Sacs and Foxes, acting generally as one nation, and coming forward together, he found it necessary to add an annuity for the latter tribe also, enlarging proportionably the cession of territory; which was accordingly done by the treaty, now communicated, of November the 3d, with those two tribes.

This cession giving us a perfect title to such a breadth of country on the eastern side of the Mississippi, with a command of the Ouisconsin, strengthens our means of retaining exclusive commerce with the Indians, on the western side of the Mississippi: a right indispensable to the policy of governing those Indians by commerce rather than by arms.

The treaty is now submitted to the Senate for their advice and consent.

TH: JEFFERSON.

December 31, 1804.

Articles of a Treaty, made at Saint Louis, in the district of Louisiana, between William Henry Harrison, Governor of the Indiana territory and of the district of Louisiana, Superintendent of Indian Affairs for the said territory and district, and commissioner plenipotentiary of the United States, for concluding any treaty, or treaties, which may be found necessary with any of the Northwestern tribes of Indians, of the one part; and the chiefs and head men of the united Sac and Fox tribes, of the other part.

ARTICLE 1. The United States receive the united Sac and Fox tribes into their friendship and protection; and the said tribes agree to consider themselves under the protection of the United States, and of no other Power whatsoever.

ART. 2. The general boundary line, between the lands of the United States and of the said Indian tribes, shall be as follows, viz: Beginning at a point on the Missouri river, opposite to the mouth of the Gasconade river; thence,

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in a direct course, so as to strike the river Jefferson, at the distance of thirty miles from its mouth, and down the said Jefferson to the Mississippi; thence, up the Mississippi, to the mouth of the Ouisconsin river, and up the same to a point, which shall be thirty-six miles in a direct line from the mouth of the said river; thence, by a direct line, to the point where the Fox river (a branch of the Illinois) leaves the small lake called Sakaegon; thence, down the Fox river, to the Illinois river, and down the same to the Mississippi. And the said tribes, for, and in consideration of the friendship and protection of the United States, which is now extended to them, of the goods (to the value of two thousand two hundred and thirty-four dollars and fifty cents) which are now delivered, and of the annuity hereinafter stipulated to be paid, do hereby cede, and relinquish forever, to the United States, all the lands included within the above described boundary.

ART. 3. In consideration of the cession and relinquishment of land, made in the preceding article, the United States will deliver to the said tribes, at the town of St. Louis, or some other convenient place on the Mississippi, yearly and every year, goods suited to the circumstances of the Indians, of the value of one thousand dollars, (six hundred of which are intended for the Sacs, and four hundred for the Foxes,) reckoning that value at the first cost of the goods in the city or place in the United States, where they shall be procured. And if the said tribes shall hereafter, at an annual delivery of the goods aforesaid, desire that a part of their annuity should be furnished in domestic animals, implements of husbandry, and other utensils, convenient for them, or in compensation to useful artificers, who may reside with, or near them, and be employed for their benefit, the same shall, at the subsequent annual delivery, be furnished accordingly.

ART. 4. The United States will never interrupt the said tribes, in the possession of the lands which they rightfully claim; but will, on the contrary, protect them in the quiet enjoyment of the same, against their own citizens, and against all other white persons, who may intrude upon them. And the said tribes do hereby engage, that they will never sell their lands, or any part thereof, to any sovereign Power but the United States; nor to the citizens or subjects of any other sovereign Power, nor to the citizens of the United States.

ART. 5. Lest the friendship which is now established between the United States and the said Indian tribes, should be interrupted by the misconduct of individuals, it is hereby agreed, that, for injuries done by individuals, no private revenge or retaliation shall take place; but, instead thereof, complaint shall be made by the party injured to the other; by the said tribes, or either of them, to the superintendent of Indian affairs, or one of his deputies; and by the superintendent, or other person appointed by the President, to the chiefs of the said tribes. And it shall be the duty of the said chiefs, upon complaint being made, as aforesaid, to deliver up the person, or persons, against whom the complaint is made, to the end that he, or they, may be punished agreeably to the laws of the State or territory where the offence may have been committed. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian, or Indians, belonging to the said tribes, or either of them, the person or persons so offending, shall be tried, and if found guilty, punished, in the like manner as if the injury had been done to a white man. And it is further agreed, that the chiefs of the said tribes shall, to the utmost of their power, exert themselves to recover horses, or other property which may be stolen from any citizen or citizens of the United States, by any individual, or individuals of their tribes. And the property so recovered, shall be forthwith delivered to the superintendent, or other person authorized to receive it, that it may be restored to the proper owner. And in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen, as aforesaid, if sufficient proof can be obtained, that such property was actually stolen by any Indian, or Indians, belonging to the said tribes or either of them, the United States may deduct from the annuity of the said tribes, a sum equal to the value of the property which has been stolen. And the United States hereby guaranty to any Indian or Indians, of the said tribes, a full indemnification for any horses, or other property, which may be stolen from them, by any of their citizens: *Provided*, That the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States.

ART. 6. If any citizen of the United States, or other white person, should form a settlement, upon lands which are the property of the Sac and Fox tribes, upon complaint being made thereof, to the superintendent, or other person having charge of the affairs of the Indians, such intruder shall forthwith be removed.

ART. 7. As long as the lands which are now ceded to the United States remain their property, the Indians belonging to the said tribes shall enjoy the privilege of living and hunting upon them.

ART. 8. As the laws of the United States, regulating trade and intercourse with the Indian tribes, are already extended to the country inhabited by the Sacs, and Foxes, and as it is provided by those laws, that no person shall reside, as a trader, in the Indian country, without a licence under the hand and seal of the superintendent of Indian affairs, or other person appointed for the purpose by the President, the said tribes do promise and agree, that they will not suffer any trader to reside among them, without such licence, and that they will, from time to time, give notice to the superintendent, or to the agent for their tribes, of all the traders that may be in their country.

ART. 9. In order to put a stop to the abuses and impositions which are practised upon the said tribes, by the private traders, the United States will, at a convenient time, establish a trading house, or factory, where the individuals of the said tribes can be supplied with goods at a more reasonable rate than they have been accustomed to procure them.

ART. 10. In order to evince the sincerity of their friendship and affection for the United States, and a respectful deference for their advice, by an act which will not only be acceptable to them, but to the Common Father of all the nations of the earth, the said tribes do, hereby, solemnly promise and agree, that they will put an end to the bloody war which has heretofore raged between their tribes and those of the Great and Little Osages. And for the purpose of burying the tomahawk, and renewing the friendly intercourse between themselves and the Osages, a meeting of their respective chiefs shall take place, at which, under the direction of the above named commissioner, or the agent of Indian affairs residing at St. Louis, an adjustment of all their differences shall be made, and peace established, upon a firm and lasting basis.

ART. 11. As it is probable that the Government of the United States will establish a military post at, or near, the mouth of the Ouisconsin river, and as the land on the lower side of the river may not be suitable for that purpose, the said tribes hereby agree, that a fort may be built, either on the upper side of the Ouisconsin, or on the right bank of the Mississippi, as the one or the other may be found most convenient; and a tract of land, not exceeding two miles square, shall be given for that purpose; and the said tribes do further agree, that they will, at all times, allow to traders, and other persons, travelling through their country, under the authority of the United States, a free and safe passage for themselves, and their property, of every description; and that, for such passage, they shall at no time, and on no account whatever, be subject to any toll or exaction.

ART. 12. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall have been ratified by the President, by and with the advice and consent of the Senate of the United States.

In testimony whereof, the said William Henry Harrison, and the chiefs and head-men of the said Sac and Fox tribes, have hereunto set their hands, and affixed their seals.

Done at St. Louis, in the district of Louisiana, on the third day of November, one thousand eight hundred and four, and of the independence of the United States the twenty ninth.

ADDITIONAL ARTICLE.

It is agreed that nothing in this treaty contained shall affect the claim of any individual, or individuals, who may have obtained grants of land from the Spanish Government, and which are not included within the general boundary line laid down in this treaty: *Provided*, That such grant have at any time been made known to the said tribes, and recognised by them.

WILLIAM HENRY HARRISON.

[Signed also by a number of chiefs and warriors of the Sac and Fox tribes of Indians.]

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THE WYANDOTS AND OTHERS.

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WAR DEPARTMENT, June 27, 1804.

SIR:

Your Excellency's letter, of the 24th ultimo, has been duly received and considered. It is the opinion of the President of the United States, that every reasonable accommodation ought to be afforded the old Kaskaskias' chief. You will, therefore, please to satisfy every reasonable request he may make on the score of living; he certainly is entitled to attention, and ought to be enabled to live decently, and in a due degree of independence. You will please to draw on this Department, for such sums as may be necessary for furnishing him with suitable supplies for his family use, from time to time. Directions will be given, for having the boundary line ascertained, run, and marked, as soon as possible. All adjustments with these nations, whose claims may interfere with the Kaskaskias' boundary, as per treaty, will rest with your Excellency. You will take such measures, and make such pecuniary advances to individual chiefs or others, as their respective cases require. It may not be improper to procure from the Sacs, such cessions on both sides of the Illinois, as may entitle them to an annual compensation of five or six hundred dollars; they ought to relinquish all pretensions to any land on the southern side of the Illinois, and a considerable tract on the other side; and, if any of the principal chiefs of the other nations shall discover an indication to follow the example of the old Kaskaskias' chief, they ought to be encouraged, more especially the Piankeshaws, whose lands divide the Vincennes territory, on the Wabash, from the cessions of the Kaskaskias. It would also be desirable to obtain the tract between the Southern line of the Vincennes territory and the Ohio. You will, of course, embrace every favorable opportunity for obtaining cessions of such parts of the above mentioned tract as may occur by a fair and satisfactory bargain. It is suggested by the President of the United States, for your consideration and opinion, whether it would not be expedient to give certain annuities, to each actual family, during the existence of said family, even if the aggregate to a nation, should be increased 15 or 20 per cent. For instance, we give the Piankeshaws five hundred dollars per annum; suppose they have fifty families, we agree to give the nation twelve dollars for each family annually, and when a family becomes extinct, the annuity to cease, or if, when its members decrease, the annuity to decrease in proportion.

I am, &c.

Gov. WM. H. HARRISON.

9th CONGRESS.]

No. 108.

[1st Session.]

WYANDOTS AND OTHERS.

COMMUNICATED TO THE SENATE, DECEMBER 11, 1805.

To the Senate of the United States:

I now lay before the Senate, the several treaties and conventions following, which have been entered into, on the part of the United States, since their last session:

A treaty between the United States and the Wyandot, Ottawa, Chippewa, Munsee and Delaware, Shawanee, and Pattawatamy nations of Indians.

A treaty between the United States and the agents of the Connecticut land companies on one part, and the Wyandot, Ottawa, Chippewa, Munsee and Delaware, Shawanee, and Pattawatamy nations of Indians.

A treaty between the United States and the Delawares, Pattawatamies, Miamies, Eel rivers, and Weas.

A treaty between the United States and the Chickasaw nation of Indians.

A treaty between the United States of America and the Cherokee Indians.

A convention between the United States and the Creek nation of Indians, with the several documents necessary for their explanation.

The Senate having dissented to the ratification of the treaty with the Creeks, submitted to them at their last session, which gave a sum of two hundred thousand dollars for the country thereby conveyed, it is proper now to observe, that, instead of that sum, which was equivalent to a perpetual annuity of twelve thousand dollars, the present purchase gives them an annuity of twelve thousand dollars for eight years only, and of eleven thousand dollars for ten years more, the payments of which would be effected by a present sum of one hundred and thirty thousand dollars, placed at an annual interest of six per cent. If, from this sum, we deduct the reasonable value of the road ceded through the whole length of their country from Oakmulgee, towards New Orleans, a road of indispensable necessity to us, the present convention will be found to give little more than the half of the sum which was formerly proposed to be given; this difference is thought sufficient to justify the presenting this subject a second time to the Senate.

On these several treaties, I have to request that the Senate will advise whether I shall ratify them or not.

TH. JEFFERSON.

December 11, 1805.

A Treaty between the United States of America and the sachems, chiefs, and warriors, of the Wyandot, Ottawa, Chippewa, Munsee and Delaware Shawanee, and Pattawatamy nations, holden at fort Industry, on the Miami of the lake, on the 11th day of July, Anno Domini 1805.

ARTICLE 1. The said Indian nations do again acknowledge themselves, and all their tribes, to be in friendship with, and under the protection of, the United States.

ART. 2. The boundary line between the United States and the nations aforesaid shall, in future, be a meridian line drawn north and south, through a boundary to be erected on the south shore of lake Erie, one hundred and twenty miles due west of the west boundary line of the State of Pennsylvania, extending north until it intersects the boundary line of the United States, and extending south until it intersects a line heretofore established by the treaty of Greenville.

ART. 3. The Indian nations aforesaid, for the consideration of friendship to the United States, and the sums of money hereinafter mentioned, to be paid annually to the Wyandot, Shawanee, Munsee, and Delaware nations, have ceded, and do hereby cede and relinquish, to said United States, forever, all the lands belonging to said United States, lying east of the aforesaid line, bounded southerly and easterly by the line established by said treaty of Greenville, and northerly by the northernmost part of the forty-first degree of north latitude.

ART. 4. The United States, to preserve harmony, manifest their liberality, and in consideration of the cession made in the preceding article, will, every year, forever, hereafter, at Detroit, or some other convenient place, pay and deliver to the Wyandot, Munsee, and Delaware nations, and those of the Shawanee and Seneca nations, who reside with the Wyandots, the sum of eight hundred and twenty-five dollars, current money of the United States, and the further sum of one hundred and seventy-five dollars; making, in the whole, an annuity of one thousand dollars; which last sum of one hundred and seventy-five dollars has been secured to the President, in trust for said nations, by the Connecticut land company, and by the company incorporated by the name of "the proprie-

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B. Treaty of Ghent

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January 10, 2008

Transcript of Treaty of Ghent (1814)

Treaty of Peace and Amity between His Britannic Majesty and the United States of America.

His Britannic Majesty and the United States of America desirous of terminating the war which has unhappily subsisted between the two Countries, and of restoring upon principles of perfect reciprocity, Peace, Friendship, and good Understanding between them, have for that purpose appointed their respective Plenipotentiaries, that is to say, His Britannic Majesty on His part has appointed the Right Honourable James Lord Gambier, late Admiral of the White now Admiral of the Red Squadron of His Majesty's Fleet; Henry Goulburn Esquire, a Member of the Imperial Parliament and Under Secretary of State; and William Adams Esquire, Doctor of Civil Laws: And the President of the United States, by and with the advice and consent of the Senate thereof, has appointed John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, Citizens of the United States; who, after a reciprocal communication of their respective Full Powers, have agreed upon the following Articles.

ARTICLE THE FIRST.

There shall be a firm and universal Peace between His Britannic Majesty and the United States, and between their respective Countries, Territories, Cities, Towns, and People of every degree without exception of places or persons. All hostilities both by sea and land shall cease as soon as this Treaty shall have been ratified by both parties as hereinafter mentioned. All territory, places, and possessions whatsoever taken by either party from the other during the war, or which may be taken after the signing of this Treaty, excepting only the Islands hereinafter mentioned, shall be restored without delay and without causing any destruction or carrying away any of the Artillery or other public property originally captured in the said forts or places, and which shall remain therein upon the Exchange of the Ratifications of this Treaty, or any Slaves or other private property; And all Archives, Records, Deeds, and Papers, either of a public nature or belonging to private persons, which in the course of the war may have fallen into the hands of the Officers of either party, shall be, as far as may be practicable, forthwith restored and delivered to the proper authorities and persons to whom they respectively belong. Such of the Islands in the Bay of Passamaquoddy as are claimed by both parties shall remain in the possession of the party in whose occupation they may be at the time of the Exchange of the Ratifications of this Treaty until the decision respecting the title to the said Islands shall have been made in conformity with the fourth Article of this Treaty. No disposition made by this Treaty as to such possession of the Islands and territories claimed by both parties shall in any manner whatever be construed to affect the right of either.

ARTICLE THE SECOND.

Immediately after the ratifications of this Treaty by both parties as hereinafter mentioned, orders shall be sent to the Armies, Squadrons, Officers, Subjects, and Citizens of the two Powers to cease from all hostilities: and to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea after the said Ratifications of this Treaty, it is reciprocally agreed that all vessels and effects which may be taken after the space of twelve days from the said Ratifications upon all parts of the Coast of North America from the Latitude of twenty three degrees North to the Latitude of fifty degrees North, and as far Eastward in the Atlantic Ocean as the thirty sixth degree of West Longitude from the Meridian of Greenwich, shall be restored on each side:-that the time shall be thirty days in all other parts of the Atlantic Ocean North of the Equinoctial Line or Equator:-and the same time for the British and Irish Channels, for the Gulf of Mexico, and all parts of the West Indies:-forty days for the North Seas for the Baltic, and for all parts of the Mediterranean-sixty days for the Atlantic Ocean South of the Equator as far as the Latitude of the Cape of Good Hope.- ninety days for every other part of the world South of the Equator, and one hundred and twenty days for all other parts of the world without exception.

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ARTICLE THE THIRD.

All Prisoners of war taken on either side as well by land as by sea shall be restored as soon as practicable after the Ratifications of this Treaty as hereinafter mentioned on their paying the debts which they may have contracted during their captivity. The two Contracting Parties respectively engage to discharge in specie the advances which may have been made by the other for the sustenance and maintenance of such prisoners.

ARTICLE THE FOURTH.

Whereas it was stipulated by the second Article in the Treaty of Peace of one thousand seven hundred and eighty three between His Britannic Majesty and the United States of America that the boundary of the United States should comprehend "all Islands within twenty leagues of any part of the shores of the United States and lying between lines to be drawn due East from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other shall respectively touch the Bay of Fundy and the Atlantic Ocean, excepting such Islands as now are or heretofore have been within the limits of Nova Scotia, and whereas the several Islands in the Bay of Passamaquoddy, which is part of the Bay of Fundy, and the Island of Grand Menan in the said Bay of Fundy, are claimed by the United States as being comprehended within their aforesaid boundaries, which said Islands are claimed as belonging to His Britannic Majesty as having been at the time of and previous to the aforesaid Treaty of one thousand seven hundred and eighty three within the limits of the Province of Nova Scotia: In order therefore finally to decide upon these claims it is agreed that they shall be referred to two Commissioners to be appointed in the following manner: viz: One Commissioner shall be appointed by His Britannic Majesty and one by the President of the United States, by and with the advice and consent of the Senate thereof, and the said two Commissioners so appointed shall be sworn impartially to examine and decide upon the said claims according to such evidence as shall be laid before them on the part of His Britannic Majesty and of the United States respectively. The said Commissioners shall meet at St Andrews in the Province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall by a declaration or report under their hands and seals decide to which of the two Contracting parties the several Islands aforesaid do respectively belong in conformity with the true intent of the said Treaty of Peace of one thousand seven hundred and eighty three. And if the said Commissioners shall agree in their decision both parties shall consider such decision as final and conclusive. It is further agreed that in the event of the two Commissioners differing upon all or any of the matters so referred to them, or in the event of both or either of the said Commissioners refusing or declining or wilfully omitting to act as such, they shall make jointly or separately a report or reports as well to the Government of His Britannic Majesty as to that of the United States, stating in detail the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they or either of them have so refused declined or omitted to act. And His Britannic Majesty and the Government of the United States hereby agree to refer the report or reports of the said Commissioners to some friendly Sovereign or State to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one Commissioner together with the grounds upon which the other Commissioner shall have refused, declined or omitted to act as the case may be. And if the Commissioner so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done in such manner that the said statement may be referred to such friendly Sovereign or State together with the report of such other Commissioner, then such Sovereign or State shall decide ex parte upon the said report alone. And His Britannic Majesty and the Government of the United States engage to consider the decision of such friendly Sovereign or State to be final and conclusive on all the matters so referred.

ARTICLE THE FIFTH.

Whereas neither that point of the Highlands lying due North from the source of the River St Croix, and designated in the former Treaty of Peace between the two Powers as the North West Angle of Nova Scotia, nor the North Westernmost head of Connecticut River has yet been ascertained; and whereas that part of the boundary line between the Dominions of the two Powers which extends from the source of the River St Croix directly North to the above mentioned North West Angle of Nova Scotia, thence along the said Highlands which divide those Rivers that empty themselves into the River St Lawrence from those which

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fall into the Atlantic Ocean to the North Westernmost head of Connecticut River, thence down along the middle of that River to the forty fifth degree of North Latitude, thence by a line due West on said latitude until it strikes the River Iroquois or Cataraquy, has not yet been surveyed: it is agreed that for these several purposes two Commissioners shall be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding Article unless otherwise specified in the present Article. The said Commissioners shall meet at se Andrews in the Province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall have power to ascertain and determine the points above mentioned in conformity with the provisions of the said Treaty of Peace of one thousand seven hundred and eighty three, and shall cause the boundary aforesaid from the source of the River St Croix to the River Iroquois or Cataraquy to be surveyed and marked according to the said provisions. The said Commissioners shall make a map of the said boundary, and annex to it a declaration under their hands and seals certifying it to be the true Map of the said boundary, and particularizing the latitude and longitude of the North West Angle of Nova Scotia, of the North Westernmost head of Connecticut River, and of such other points of the said boundary as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And in the event of the said two Commissioners differing, or both, or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them or either of them, and such reference to a friendly Sovereign or State shall be made in all respects as in the latter part of the fourth Article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SIXTH.

Whereas by the former Treaty of Peace that portion of the boundary of the United States from the point where the fortyfifth degree of North Latitude strikes the River Iroquois or Cataraquy to the Lake Superior was declared to be "along the middle of said River into Lake Ontario, through the middle of said Lake until it strikes the communication by water between that Lake and Lake Erie, thence along the middle of said communication into Lake Erie, through the middle of said Lake until it arrives at the water communication into the Lake Huron; thence through the middle of said Lake to the water communication between that Lake and Lake Superior:" and whereas doubts have arisen what was the middle of the said River, Lakes, and water communications, and whether certain Islands lying in the same were within the Dominions of His Britannic Majesty or of the United States: In order therefore finally to decide these doubts, they shall be referred to two Commissioners to be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding Article unless otherwise specified in this present Article. The said Commissioners shall meet in the first instance at Albany in the State of New York, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall by a Report or Declaration under their hands and seals, designate the boundary through the said River, Lakes, and water communications, and decide to which of the two Contracting parties the several Islands lying within the said Rivers, Lakes, and water communications, do respectively belong in conformity with the true intent of the said Treaty of one thousand seven hundred and eighty three. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two Commissioners differing or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them or either of them, and such reference to a friendly Sovereign or State shall be made in all respects as in the latter part of the fourth Article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SEVENTH.

It is further agreed that the said two last mentioned Commissioners after they shall have executed the duties assigned to them in the preceding Article, shall be, and they are hereby, authorized upon their oaths impartially to fix and determine according to the true intent of the said Treaty of Peace of one thousand seven hundred and eighty three, that part of the boundary between the dominions of the two Powers, which extends from the water communication between Lake Huron and Lake Superior to the most North Western point of the Lake of the Woods;-to decide to which of the two Parties the several Islands lying in the Lakes, water communications, and Rivers forming the said boundary do respectively belong in conformity with the true intent of the said Treaty of Peace of one thousand seven hundred and eighty three, and to cause such

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parts of the said boundary as require it to be surveyed and marked. The said Commissioners shall by a Report or declaration under their hands and seals, designate the boundary aforesaid, state their decision on the points thus referred to them, and particularize the Latitude and Longitude of the most North Western point of the Lake of the Woods, and of such other parts of the said boundary as they may deem proper. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two Commissioners differing, or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations or statements shall be made by them or either of them, and such reference to a friendly Sovereign or State shall be made in all respects as in the latter part of the fourth Article is contained, and in as full a manner as if the same was herein revealed.

ARTICLE THE EIGHTH.

The several Boards of two Commissioners mentioned in the four preceding Articles shall respectively have power to appoint a Secretary, and to employ such Surveyors or other persons as they shall judge necessary. Duplicates of all their respective reports, declarations, statements, and decisions, and of their accounts, and of the Journal of their proceedings shall be delivered by them to the Agents of His Britannic Majesty and to the Agents of the United States, who may be respectively appointed and authorized to manage the business on behalf of their respective Governments. The said Commissioners shall be respectively paid in such manner as shall be agreed between the two contracting parties, such agreement being to be settled at the time of the Exchange of the Ratifications of this Treaty. And all other expenses attending the said Commissions shall be defrayed equally by the two parties. And in the case of death, sickness, resignation, or necessary absence, the place of every such Commissioner respectively shall be supplied in the same manner as such Commissioner was first appointed; and the new Commissioner shall take the same oath or affirmation and do the same duties. It is further agreed between the two contracting parties that in case any of the Islands mentioned in any of the preceding Articles, which were in the possession of one of the parties prior to the commencement of the present war between the two Countries, should by the decision of any of the Boards of Commissioners aforesaid, or of the Sovereign or State so referred to, as in the four next preceding Articles contained, fall within the dominions of the other party, all grants of land made previous to the commencement of the war by the party having had such possession, shall be as valid as if such Island or Islands had by such decision or decisions been adjudged to be within the dominions of the party having had such possession.

ARTICLE THE NINTH.

The United States of America engage to put an end immediately after the Ratification of the present Treaty to hostilities with all the Tribes or Nations of Indians with whom they may be at war at the time of such Ratification, and forthwith to restore to such Tribes or Nations respectively all the possessions, rights, and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven previous to such hostilities. Provided always that such Tribes or Nations shall agree to desist from all hostilities against the United States of America, their Citizens, and Subjects upon the Ratification of the present Treaty being notified to such Tribes or Nations, and shall so desist accordingly. And His Britannic Majesty engages on his part to put an end immediately after the Ratification of the present Treaty to hostilities with all the Tribes or Nations of Indians with whom He may be at war at the time of such Ratification, and forthwith to restore to such Tribes or Nations respectively all the possessions, rights, and privileges, which they may have enjoyed or been entitled to in one thousand eight hundred and eleven previous to such hostilities. Provided always that such Tribes or Nations shall agree to desist from all hostilities against His Britannic Majesty and His Subjects upon the Ratification of the present Treaty being notified to such Tribes or Nations, and shall so desist accordingly.

ARTICLE THE TENTH.

Whereas the Traffic in Slaves is irreconcilable with the principles of humanity and Justice, and whereas both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavours to accomplish so desirable an object.

ARTICLE THE ELEVENTH.

This Treaty when the same shall have been ratified on both sides without alteration by either of the

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contracting parties, and the Ratifications mutually exchanged, shall be binding on both parties, and the Ratifications shall be exchanged at Washington in the space of four months from this day or sooner if practicable. In faith whereof, We the respective Plenipotentiaries have signed this Treaty, and have hereunto affixed our Seals.

Done in triplicate at Ghent the twenty fourth day of December one thousand eight hundred and fourteen.

GAMBIER. [Seal]

HENRY GOULBURN [Seal]

WILLIAM ADAMS [Seal]

JOHN QUINCY ADAMS [Seal]

J. A. BAYARD [Seal]

H. CLAY. [Seal]

JON. RUSSELL [Seal]

ALBERT GALLATIN [Seal]

Transcriptions courtesy of [the Avalon Project](http://www.avalonproject.org) at Yale Law School.

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The Black Hawk War of 1832

C. Treaty of 1815 with the Fox tribe

TREATY WITH THE FOXES. 1815.

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In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners as aforesaid, and the aforesaid Chiefs and Warriors, have hereunto subscribed their names and affixed their seals, this thirteenth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

WM. CLARK,
NINIAN EDWARDS,
AUGUSTE CHOUTEAU.

Shamaga, the lance,
Weesaka, the Devil,
Catchemackeseo, the big eagle,
Chekaqua, he that stands by the
tree,
Kataka, or sturgeon,
Mecatch, the eagle,

Neshota, the twin,
Quashquammee, the jumping fish,
Chagosort, the blues' son,
Pocama, the plumb,
Namachewana, Chaha, the Sioux,
Nanochaatasa, the brave by hazard.

Done at Portage des Sioux, in the presence of R. Wash, Secretary of the Commission. Thomas Levers, lieut. col. commanding 1st regt. I. T. P. Chouteau, agent. T. Paul, C. C. T. Jas. B. Moore, capt. Samuel Whiteside, capt. Jno. W. Johnson, U. S. factor and Indian agent. Maurice Blondeaux. Samuel Solomon, Noel Moigraine, Interpreters. Daniel Converse, 3d lieut.

To the Indian names are subjoined a mark and seal.

A TREATY OF PEACE AND FRIENDSHIP,

Made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners Plenipotentiary of the United States of America, on the part and behalf of the said States, of the one part; and the undersigned King, Chiefs, and Warriors, of the Fox Tribe or Nation, on the part and behalf of the said Tribe or nation, of the other part.

Sept. 14, 1815.
Ratified, Dec.
26, 1815.

THE parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

ARTICLE I. Every injury or act of hostility by one or either of the contracting parties against the other, shall be mutually forgiven and forgot.

Injuries, &c.
forgiven.

ART. 2. There shall be perpetual peace and friendship between the citizens of the United States of America and all the individuals composing the said Fox tribe or nation.

Perpetual
peace and
friendship.

ART. 3. The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at Fort Clark, on the Illinois river, to be by him restored to their respective nations as soon as it may be practicable.

Prisoners to be
delivered up.

ART. 4. The said Fox tribe or nation do hereby assent to, recognize, re-establish, and confirm, the treaty of St. Louis, which was concluded on the third day of November, one thousand eight hundred and four, to

Treaty of St.
Louis, of Nov.
3, 1804, con-
firmed.

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TREATY WITH THE IOWAS. 1815.

the full extent of their interest in the same, as well as all other contracts and agreements between the parties; and the United States promise to fulfil all the stipulations contained in the said treaty in favor of the said Fox tribe or nation.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners as aforesaid, and the aforesaid King, Chiefs, and Warriors, of the Fox Tribe or Nation aforesaid, have hereunto subscribed their names and affixed their seals, this fourteenth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

WM. CLARK,
NINIAN EDWARDS,
AUGUSTE CHOUTEAU.

Pierremaskin, the fox who walks crooked,	Paquampa, the bear that sits,
Muckkatawagout, black cloud,	Aquoqua, the kettle,
Namasosanamet, he who surpasses others,	Nemarqua,
Waapaca,	Machenamau, the bad fish,
Mackkatananamakee, the black thunder,	Pesotaka, the flying fish,
Pashechenene, the liar,	Mishecaqua, the hairy legs,
Wapasai, the white skin,	Capontwa, all at once,
Catchacomm, big lake,	Mowhinin, the wolf,
Malasenokama, the war chief,	Onigou,
Kechaswa, the sun,	Wonakasa, the quick riser,
Mataqua, the medical woman,	Nanatawaka, the scenting fox.

Done at Portage des Sioux, in the presence of R. Wash, Secretary to the Commission. Thomas Levens, lt. col. comdt. 1 regt. I. T. P. Chouteau, agent. T. Paul, C. C. T. Jas. B. Moore, capt. Samuel Whiteside, capt. Jno. W. Johnson, U. S. factor and I. agent. Maurice Blondeaux. Samuel Solomon, interpreter. Noel Mograine, interpreter. Daniel Converse, 3d lieu.

To the Indian names are subjoined a mark and seal.

A TREATY OF PEACE AND FRIENDSHIP,

Sept. 16, 1815. *Made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners Plenipotentiary of the United States of America, on the part and behalf of the said States, of the one part; and the undersigned, King, Chiefs, and Warriors, of the Iaway Tribe or Nation, on the part and behalf of the said Tribe or Nation, of the other part.*

Ratified, Dec. 26, 1815.

THE parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

Injuries, &c.
forgiven.

ARTICLE 1. Every injury, or act of hostility, by one or either of the contracting parties against the other shall be mutually forgiven and forgot.

Perpetual
peace and
friendship.

ART. 2. There shall be perpetual peace and friendship between all the citizens of the United States and all the individuals composing the said Iaway tribe or nation.

D. Treaty of 1816 with the Sauk Tribe

A TREATY OF PEACE AND FRIENDSHIP

Made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of the Sacs of Rock river and the adjacent country, of the other part.

May 13, 1816.

Proclamation,
Dec. 30, 1816.

WHEREAS by the ninth article of the treaty of peace, which was concluded on the twenty-fourth day of December, eighteen hundred and fourteen, between the United States and Great Britain, at Ghent, and which was ratified by the president, with the advice and consent of the senate, on the seventeenth day of February, eighteen hundred and fifteen, it was stipulated that the said parties should severally put an end to all hostilities with the Indian tribes, with whom they might be at war, at the time of the ratification of said treaty; and to place the said tribes inhabiting their respective territories, on the same footing upon which they stood before the war: Provided, they should agree to desist from all hostilities against the said parties, their citizens or subjects respectively, upon the ratification of the said treaty being notified to them, and should so desist accordingly.

Preamble.

And whereas the United States being determined to execute every article of the treaty with perfect good faith, and wishing to be particularly exact in the execution of the article above alluded to, relating to the Indian tribes: The president, in consequence thereof, for that purpose, on the eleventh day of March, eighteen hundred and fifteen, appointed the undersigned William Clark, governor of Missouri territory, Ninian Edwards, governor of Illinois territory, and Auguste Chouteau, esq. of the Missouri territory, commissioners, with full power to conclude a treaty of peace and amity with all those tribes of Indians, conformably to the stipulations contained in the said article, on the part of the United States, in relation to such tribes.

And whereas the commissioners, in conformity with their instructions in the early part of last year, notified the Sacs of Rock river, and the adjacent country, of the time of the ratification of said treaty; of the stipulations it contained in relation to them; of the disposition of the American government to fulfil those stipulations, by entering into a treaty with them, conformably thereto; and invited the said Sacs of Rock river, and the adjacent country, to send forward a deputation of their chiefs to meet the said commissioners at Portage des Sioux, for the purpose of concluding such a treaty as aforesaid, between the United States and the said Indians, and the said Sacs of Rock river, and the adjacent country, having not only declined that friendly overture, but having continued their hostilities, and committed many depredations thereafter, which would have justified the infliction of the severest chastisement upon them; but having earnestly repented of their conduct, now imploring mercy, and being anxious to return to the habits of peace and friendship with the United States; and the latter being always disposed to pursue the most liberal and humane policy towards the Indian tribes within their territory, preferring their reclamation by peaceful measures, to their punishment, by the application of the military force of the nation — Now, therefore,

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TREATY WITH THE SACS. 1816.

The said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the undersigned chiefs and warriors, as aforesaid, for the purpose of restoring peace and friendship between the parties, do agree to the following articles:

Treaty of St. Louis, of Nov. 3, 1804, confirmed. Ante, p. 34.

ART. 1. The Sacs of Rock river, and the adjacent country, do hereby unconditionally assent to recognize, re-establish, and confirm the treaty between the United States of America and the united tribes of Sacs and Foxes, which was concluded at St. Louis, on the third day of November, one thousand eight hundred and four; as well as all other contracts and agreements, heretofore made between the Sac tribe or nation, and the United States.

Sacs placed on the same footing as before the war; provided, &c.

ART. 2. The United States agree to place the aforesaid Sacs of Rock river, on the same footing upon which they stood before the war; provided they shall, on or before the first day of July next, deliver up to the officer commanding at cantonment Davis, on the Mississippi, all the property they, or any part of their tribe, have plundered or stolen from the citizens of the United States, since they were notified, as aforesaid, of the time of the ratification of the late treaty between the United States and Great Britain.

Consequences of a failure or neglect to deliver up property.

ART. 3. If the said tribe shall fail or neglect to deliver up the property aforesaid, or any part thereof, on or before the first day of July aforesaid, they shall forfeit to the United States all right and title to their proportion of the annuities which, by the treaty of St. Louis, were covenanted to be paid to the Sac tribe; and the United States shall for ever afterwards be exonerated from the payment of so much of said annuities as, upon a fair distribution, would fall to the share of that portion of the Sacs who are represented by the undersigned chiefs and warriors.

When to take effect.

ART. 4. This treaty shall take effect and be obligatory on the contracting parties, unless the same shall be disapproved by the president and senate of the United States, or by the president only: and in the mean time all hostilities shall cease from this date.

In testimony whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto set their hands and affixed their seals, this thirteenth day of May, one thousand eight hundred and sixteen.

WM. CLARK,
NINIAN EDWARDS,
AUGUSTE CHOUTEAU.

Anowart, or the One who Speaks,
Namawenane, or Sturgeon Man,
Nasawarku, the Fork,
Namatchesa, the Jumping Sturgeon,
Matchequawa, the Bad Axe,
Mashco, Young Eagle,
Aquaosa, a Lion coming out of the Water,
Mucketamachekaka, Black Sparrow Hawk,
Poinaketa, the Cloud that don't stop,
Mealeseta, Bad Weather,
Anawashqueth, the Bad Root,
Wassekenequa, Sharp-faced Bear,

Sakeetoo, the Thunder that Frightens,
Warpaloka, the Rumbling Thunder,
Kemeallosa, the Swan that flies in the Rain,
Pashekornack, the Swan that flies low,
Keotasheka, the Running Partridge,
Wapalamo, the White Wolf,
Caskupwa, the Swan whose wings crack when he flies,
Napetaka, he who has a Swan's throat around his neck,
Mashashe, the Fox,
Wapamukqua, the White Bear.

St. Louis, May 13th, 1816. Done in the presence of R. Wash, Secretary to the commission. R. Paul, C. T. of the C. J. Bt. Caron, Samuel Solomon, Interpreters. Joshua Norvell, Judge Adv. M. M. Joseph Perkins. Joseph Charless. B. G. Tavar. Charles Wm. Hunter. Cerré. M. La Croix. Guyol de Guirano. Boon Ingels. Moses Scott. James Sawyer.

To the Indian names are subjoined a mark and seal.

The Black Hawk War of 1832

E. Treaty of 1822

ARTICLES OF A TREATY

Entered into and concluded at Fort Armstrong, by and between Thomas Forsyth, Agent of Indian Affairs, authorized on the part of the United States for that purpose, of the one part, and the Chiefs, Warriors, and Head Men, of the United Sac and Fox Tribes, for themselves and their Tribes, of the other part.

Sept. 3, 1822.

Proclamation,
Feb. 13, 1823.

WHEREAS by the ninth article of the Treaty made and entered into between the United States and the Sac and Fox Tribes of Indians, concluded and signed at Saint Louis, in the District of Louisiana, on the third day of November, one thousand eight hundred and four, it is stipulated, in order to put a stop to the abuses and impositions which are practised upon the said Tribes by the private traders, the United States will, at a convenient time, establish a trading house or factory, where the individuals of the said Tribes can be supplied with goods at a more reasonable rate than they have been accustomed to procure them. Now, We, the said Chiefs, Warriors, and head men of the said Tribes, for and in consideration of the sum of one thousand dollars to us, now paid in merchandize out of the United States' Factory, by said Thomas Forsyth, on behalf of the United States, the receipt whereof is hereby acknowledged, do exonerate, release, and forever discharge, the United States from the obligation contained in the said ninth article above recited, and the aforesaid ninth article is, from the date hereof, abrogated and of no effect.

Ninth article
of treaty of 3d
Nov. 1804, ab-
rogated; con-
sideration.
Ante, p. 84.

In witness whereof the said Thomas Forsyth, and the Chiefs, Warriors, and head men, of the Sac and Fox Tribes, have hereunto set their hands, and affixed their seals, this third day of September, in the year of our Lord one thousand eight hundred and twenty-two.

THOMAS FORSYTH,
United States' Indian Agent.

Pushee Paho,
Quash Quammee,
Nesowakee,
Keecocuck,

Wapulla,
Themue,
Mucathaanamickee,
Nolo.

In the presence of S. Burbank, Major United States' Army. P. W. Craig, Assistant Surgeon United States' Army. J. M. Baxley, Lieutenant 5th Infantry. George Davenport. Samuel C. Muir. John Connolly. Louis Betelle, Interpreter.

To the Indian names are subjoined a mark and seal.

The Black Hawk War of 1832

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