DOCUMENTS RELATING TO THE

NEGOTIATION OF AN UNRATIFIED TREATY OF

MAY 24, 1836, WITH THE SAGINAW BAND OF CHIPPEWA INDIANS

Confidential

May 30 - 1836.

The following Treaty was read, & referred to the Comte. on Indian affairs, and ordered to be printed in confidence for the use of the Senate.

Articles of a Treaty, made and concluded at Washington in the District of Columbia, between the United States of America, by their Commissioner, Henry R. Schoolcraft, and the Saganaw bands of the Chippewa Nation.

Article 1st. The Chippewas of Saganaw cede to the United States the following tracts of land, lying within the boundaries of Michigan, reserved for them in the second article of the Treaty of September 24th, 1819; namely;

One tract of eight thousand acres on the east side of the river Au Sable.

One tract of two thousand acres on the Mishowuisk or Rifle river.

One tract of six thousand acres on the north side of the river Kawkawling

One tract of five thousand, seven hundred and sixty acres, upon Flint river, including the site of Reaume's village, and a place called Kishkawbawee.

One tract of eight thousand acres, on the head of the Cass (formerly Huron) river, at the village of Otusson.

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One island in the Saganaw bay, estimated at One thousand Acres, being the island called Shaing wauk okaug, on which Mukukoosh formerly lived.

One tract of two thousand Acres, at Nabobish on the Saganaw river.

One tract of one thousand Acres, on the east side of the Saganaw river.

One tract of six hundred and forty acres at Great bend on Cass river.

One tract of two thousand Acres, at the mouth of Point Augrais river.

One tract of one thousand Acres, on the Cass river at Menoquet's village.

One tract of ten thousand Acres, on the Shiawassee river, at a place called the Big Rock.

One tract of three thousand Acres, on the Shiawassee river, at Ketchewaundaugumink, or Big Lick.

One tract of six thousand Acres, at the Little Forks on the Tetabwassing river.

One tract of six thousand Acres, at the Blackbird's town on the Tetabwassing river.

One tract of forty thousand Acres on the west side of the Saganaw river.

The whole containing One hundred and two thousand, four hundred Acres, be the same more or less.

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Article 2nd. The said Indians shall have the right of living upon the tracts at the river Augrais and Muskowusk or Rifle rivers, on the west side of Saganaw bay, for the term of three years; during which time no white man shall be allowed to settle on said tracts, under a penalty of five hundred dollars, to be recovered at the suit of the informer; one half to the benefit of said informer, the other half to the benefit of the Indians.

Article 3rd. In consideration of the above cessions, the United States agree to pay to the said Indians the nett proceeds of the sales thereof, after deducting the cost of the survey and sale, and the expenses attending the negotiation of this treaty. The lands shall be surveyed and sold as other public lands at the land offices of the proper districts, as soon after the ratification of the treaty as practicable. A special account shall be kept at the Treasury of the amount of the sale of the lands, and after deducting therefrom the sums hereinafter set apart for other objects together with the sums stipulated to be advanced by the United States, One hundred thousand dollars shall be invested under the direction of the President in some State Stock, and the interest thereof shall be annually paid to the said Indians, in the same manner that other annuities are paid. Provided,

that

that if the said Indians shall, at the expiration of twenty years, or any time thereafter, require the said Stock to be sold and the proceeds thereof distributed, among the whole tribe, the same may be done with the consent of the President and the Senate.

Article 4th. The said Indians hereby set apart out of the avails of the lands the following sums; namely,

1st. Ten thousand dollars to constitute a fund for Common schools which shall be invested in the manner above directed and the interest thereof be added annually to the principal until the year 1850, when it shall be applicable to the object above specified; Provided, that it may be sooner so applied if the Indians desire it, and Provided also, that no part of this interest shall be expended until they request it, and that no other application or diversion of either the interest or principal shall be made, without the consent of the President and Senate.

2nd. Twenty thousand Dollars for the purchase of goods and provisions to be made by an officer of the Government under the direction of the President, and delivered to them as soon as practicable after the ratification of this treaty, they paying all the expenses, including insurance.

3d. Twenty five thousand Dollars for the payment

payment of the just debts of the Chippewas, (to be paid to such individuals as the Chiefs may, in open council, designate) under such directions as the President may prescribe, to prevent fraud on the part of the whites in the allowance and distribution of the money and to ensure its being correctly counted.

The Chiefs will meet in council, when properly notified by the Agent, for the purpose of deciding upon the claims presented, at such time as may be appointed; previous to which, every person, having a debt against them, shall file with the Agent, or some other person to be appointed by the President, a bill or invoice of the Articles furnished, the name of the individual and band to whom furnished, with the date and place of sale and such further evidence as shall be adequate to establish the justice of the claim. If the claim is allowed or any part thereof, a receipt in full satisfaction of all debts and claims whatsoever against the Chippewas, shall be signed on the invoice and the same filed in the Office of Indian affairs, where it may be inspected, at any subsequent time, by the Indians. If any balance remain, it shall immediately be divided among the Indians. No claim shall be allowed, of a date prior to the treaty of Saganaw of 1819, nor shall any claim or debt be allowed to any persons whatsoever, who may have received an allowance, of any

description

Transcribed

description at any previous treaty to which the Chippewas were one of the parties.

4th. Thirty thousand dollars to be retained in the Treasury, and to constitute a fund for the expenses of emigrating West, and ten thousand dollars to be retained in the same manner, to enable such portions of them as may choose to re-unite with the Chippewas of Lake Superior, or other kindred tribes of Indians of the North, Provided, that no such arrangements with kindred tribes shall be made without the previous approbation of the President and at the expense of the Indians, and Provided also that if there be any portion of this fund of forty thousand dollars unexpended, after their removal is effected, it shall, if the Indians require it, be paid over to them to be equally distributed among the tribe with the precautions observed in the payment of Annuities.

5th. Eight thousand seven hundred and fifty dollars to be paid to the Chiefs on the ratification of the Treaty.

6th. Two hundred dollars to be expended annually for provisions for the subsistence of the Indians at the payment of the Annuities for the term of twenty years to be continued beyond that term, if they shall at the expiration thereof desire it.

7th. One hundred dollars per annum for three

three years for vaccination and the services of a physician to be continued longer if the Chiefs desire it.

8th. The residue of the proceeds of the lands, after making the above deductions, and paying all expenses justly chargeable to said Indians, shall be invested in State Stock and the interest thereof annually paid to them like other annuities. Such stock or any part thereof, may be sold, under the terms mentioned in the proviso of the second article, and the proceeds applied to the advancement of Agriculture, education, or the mechanic arts, or expended, under the direction of the President, in the purchase of cattle, food, and clothing, or the building of Mills, for the general benefit of the whole tribe.

Article 5th. The United States will advance the amount set apart in the preceeding article, for the purchase of goods and provisions, and the payment of debts; also the sums stipulated to be paid to the Chiefs; the amount of the expenses of this negotiation as audited and certified by the commissioner; a proper allowance for clothing for the Indians now in Washington, and a reasonable sum for the expense of a visit of the delegation of Indians to the south west of the Mississippi.

Article 6th. The blacksmith shop and the

the farmers provided for the Indians in the treaty of Saginaw of September the 24th 1819, shall be continued according to the terms of said treaty, together with cattle and farming utensils to the amount of two thousand Dollars per annum, during the pleasure of the President. And hereafter but two, instead of three, persons shall be employed as agriculturists, one of whom shall reside at Rifle river, the other at the river Augrais. And to secure the faithful performance of their duties, and to attend to the interests of the Indians and the United States, the President shall appoint a person, to reside at or near said locations, during the term of three years, who shall perform such duties as may be assigned him as an overseer or local sub agent, and who shall receive an annual compensation of four hundred and twenty dollars, to be paid by the Government out of the avails of the residuary stock invested for said Indians, or other funds at their disposal. Provided that the said person may, in the discretion of the President, receive the additional sum of two hundred & eighty dollars, the amount heretofore paid to each of the three persons employed to aid the Indians in agriculture.

White

Article 7th. The perpetual annuity of One Thousand dollars, stipulated to be paid in the Treaty of September 24th 1819, shall be paid to the

the said Chippewas, at the same time and place as the annuities herein provided for.

Article 8th. The United States agree to assign, for the residence of the Chippewas, a suitable tract of land on the head waters of the Osage river, west of the state of Missouri, and between the location of the Ottawas and Shawanees; if the lands are not otherwise appropriated before the said Indians visit it; but if so appropriated, then in some other suitable district, at the disposal of the Government west. An officer of the Government will be sent with a delegation of the Indians to visit the country and the selection of a permanent residence shall be made with their approbation and at their expense.

Article 9th. The Chippewas, who are parties to this treaty, set apart out of the proceeds of their lands, the further sum of twelve thousand dollars, to be paid to the chiefs, and by them distributed to such bona fide halfbreeds of their nation as they may deem proper.

Article 10th. The United States agree to pay to the Chippewas, as one of the parties of the treaty of Detroit of the 17th November 1807, the sum of One thousand dollars to quiet their claim to two reservations of land of two sections each, lying in Oakland county, which were ceded to the Government, by the Pottowatomies, at the treaty of St Joseph's on the 19th September 1827. This sum is to be paid over to them at the same time, during the present year, and in the same manner of other annuities.

Ant Campbell

Benj. A. Williams

Geo L Marcus

James Conner

Charles E. Anderson, Secretary.

Baron de Roenne, Prussian Chargé d'

Jno Garland

Maj. U. S. A.

J. H. Kingsbury

1st Lt. 2d Inf.

A. J. Smith Capt

Henry Connor Interpreter to Nez Percés

G. D. Williams

Allen Hutchins

C. M. Knight

G. J. White

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In testimony whereof, the said Henry R. Schoolcraft, Commissioner on the part of the United States, and the Chiefs and delegates of the said bands of Chippewas have hereunto set their hands at the city of Washington, this twenty fourth day of May, one thousand, eight hundred and thirty six.

In presence of Henry R Schoolcraft

Ogima Keegido of Letabecaseing his mark X
Shawun Epenaysee " his mark X
Wasso " his mark X
Aindeew Ossegay of Bigstone his mark X
Naum Gitchigomee of Saganaw his mark X
Maish Kayshing of Lafs river his mark X
Tontagonee of Flint River his mark X
Mukuday Kay Nhiu of Sable his mark X
by Ogima Keegido
Maimwa Kitchewung of Shiawassee his mark X
Wabossowa " his mark X

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June 9. 1836.
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May 24/1836 - Chiefs of Edgmaw
Senate June 8. 1836

Resolution

Refusing to ratify the treaty made with the Ottawaw band of Chippeway Indians

May 24/36

Notes

Un-ratified

In the Senate of the U. S.
June 8th 1836

Resolved, That the Senate do not advise and consent to the ratification of the Treaty between the United States and the Saginaw Bands of Chippewa Indians, concluded at the City of Washington the twenty fourth day of May, in the year One thousand eight hundred and thirty six.

Attest

Walter Lowrie Secy