

RATIFIED TREATY NO. 201  
DOCUMENTS RELATING TO THE NEGOTIATION OF THE  
TREATY OF MARCH 28, 1836, WITH THE  
OTTAWA AND CHIPPEWA INDIANS



Wash. March 30 1836

S315

Henry R. Schoolcraft

Has concluded a treaty  
with the Ottawa & Chippewa  
was by transmits the same.

2 April 1836  
Indian Office

file

*[Faint, illegible handwritten notes, possibly bleed-through from the reverse side of the page.]*

See letter to President  
1 April 1836

[Treaty File]



Washington March 30<sup>th</sup> 1836

Mon: Lewis Cass,

Secretary of war,

Sir

In conformity with your instructions, appointing me a Commissioner to treat with the Chief and delegates of the Ottawa & Chippewa tribes, now in this city, I have, after mature deliberation on their part, concluded a treaty of cession with these tribes, which I have the honor, herewith, of communicating. By the terms of this treaty, they cede to the United States about ten millions of acres in lower Michigan, besides an extensive tract of their pine lands north of the Straits. A few small reservations have been made, to be held in common by the Indians in <sup>and in the cession north of it,</sup> the peninsula, but no private reservations whatever have been permitted, to either white or red man. I have fully carried out the President's wishes on this, hitherto, embarrassing subject, being determined that, if the country was purchased at all, it should belong exclusively to the United States. All claims of this kind have



been provided for, by a money commutation. The just debts of the Indians have been stipulated to be paid, and such general principles fixed on, in adjusting the compensation to the value of the country purchased, as, it is believed, must prove equally advantageous to the tribes, & to the United States.

Their removal to the west of the Mississippi, in the region north of St Anthony's falls, is contemplated, and under the present impulse of emigration, the incipient steps for this measure, may be anticipated within a few years.

The policy of sending these tribes to the sources of the Mississippi, north of the probable extension of our population, is a subject to which your attention is solicited. It is probable, that not only these tribes, but also the Monomoni & Minnetagos, whose position in Wisconsin, is every day becoming more critical, would prefer removal to those latitudes.

Circumstances connected with the wishes of the Indians to return immediately to their homes in the west, & their being destitute of funds, under the action of the President & senate



on this treaty, desirable at an early period

I have the honor to be Sir

Very respectfully

Your Obedt Servant

Mary R Schoolcraft



P316

2 April 1836  
Indian Office

file

See letter to President  
1 April 1836

Wash April 1 1836

H R Schoolcraft

Transmits supplemental  
Article to the treaty with  
the Ottawas & Chippewas



Washington April 14 1836

Am. Lewis Cass  
Secretary of War

Sir: The President having expressed his wishes respecting the propriety of further limitations upon some of the provisions of the treaty of the 28<sup>th</sup> of March, I have called the Chiefs together, and concluded a supplemental article, which I have the honor to submit for his approval.

The effect of this article, upon the payment of the Indian debts, will be to outlaw all the oldest class of claims, comprehending a period of 16 years. By excluding all debts beyond this period, it is not intended, by the Indians, to admit all debts subsequent to it, without careful & discriminated examination by the Commissioner. It is their wish, as individually & collectively expressed to me, that every just debt should be paid, and the tribes relieved from these claims. But they are desirous, at the same time, that a rigid scrutiny should be applied by the Commissioner, in carrying into effect the



provision contained in the fifth article, "for preventing  
the allowance of unjust claims." On this subject  
they have fully expressed their sentiments, appreciating  
the kind feelings of the President (which I have caused  
to be fully interpreted to them) and asking, as it is ex-  
pressed in the supplemental article, that, if there be  
any excess of the fund, it may be used for the  
benefit of their children.

I am sir,

With much respect,

Your obt. servant

Henry R. Schoolcraft



24  
Mackinac July 18. 1836

Henry R Schoolcraft

Original D 33. (86)

Transmits <sup>with</sup> the assent of the  
Chippewas & Ottawas to the  
Senate's Amendment to the  
Treaty with said tribes of  
28th March last. —

Also a Memorial from  
them, in relation to a  
location among the  
Chippewas, west of Lake  
Superior. —

see enclosure

Assent returned to him  
August 9. 1836. see letter  
Ans. August 2. 1836.

S 309

August 1. 1836.  
Indian office.

3-28-36







use only log canoes, and cannot perform the necessary journey along the open lake,  
to this place, which is a just claim for them being paid the sum, due to  
their number that given. The necessary census of the whole population is in process  
of preparation.

I have commenced receiving the claims for debt against the Indians,  
the examination of which, will be conducted according to such instructions as may be  
given. It is proposed that the Council of the Chiefs be summoned for final action upon them.

It is believed that \$200,000 will cover the whole amount of just debts, and it is suggested  
that this amount of the fund may be deposited in the name of Mission, subject  
to the order of the Chiefs of the two Tribes, applied in open Council, to a consolidated abstract  
of all the admitted claims, certified by the Agents.

The claimants under the 6th Article of the Treaty should be notified of their claims  
and action should be had upon them. It is suggested that the sum of \$200,000 be paid to the Chiefs, as a satisfaction  
of the Treaty, and may require special instructions for the purpose.

The funds set apart for education, missions, agriculture, and other objects, in which the voice of  
the tribes should direct, being considerable, it is desirable, so far as my opinion may be extended, that  
the departments should, at an early time, direct the mode in which appropriations of these funds,  
should be made.

Very respectfully,  
Henry R. Schoolcraft

Henry R. Schoolcraft  
Agent for the Indians







To the President of the United States

The undersigned chiefs of the Chippewa and Ottawa tribes, who entered into treaty with the United States, on the twenty-eighth of March, eighteen hundred and thirty six, for the sale of a large portion of their lands in Michigan, having this day decided to the amendments made by the Senate, to the said treaty, which requires a cession of their reservations, at the expiration of five years, respectfully submit, that such aid may be afforded them, as may, at the expiration of said term, enable them to locate themselves among their relations, the Chippewas, west of Lake Superior, and also to remove them, at the earliest possible time

The Chippewas of that remote northern quarter, are separated from us, by an average distance of about nine hundred miles, all of which is however occupied by Chippewas. They hold separate government over their respective villages, have separate interests, and are excluded wholly, from the benefits of the treaty, as they possess no part of the land sold. It would be unjust to them, to require or expect, that they should assign for our residence, a part of their large country, on the head waters of the Mississippi, without an adequate compensation for it. Besides which, they are in an impoverished situation, having barely the means of procuring their subsistence by hunting from year to year.

The undersigned, believe, that by removing to that quarter, with our present sufficient knowledge of the means by which white men live, and by adopting a system of planting, combined, for the present, with hunting, and by carrying with us the school-teaching and blacksmithing privileges, which we have provided, in the treaty, our situation would become prosperous. And we think the location would be permanent, and not subject to disturbance from white settlers, because it is not



Possible that white men will ever desire to live higher north on the  
waters of the Mississippi than the good limestone lands extend -  
This limit is not quite a day's journey above St Anthony's falls, where  
the lands are at first plains, and afterwards greatly intermixed  
with wet lands and forests of some growth, with dry sand ridges and  
lakes, which, although unfavorable to dense and compact white settlements,  
would afford the requisite advantages for scattered Indian villages and  
settlements. The small Indian corn can be raised in those latitudes,  
although the same latitudes in Lake Superior, are forbidding to its growth.

The undersigned, while they acceded to the government's wishes,  
in regard to a South western location, so far as any of their number  
might be induced to go thither, had nevertheless, directed their attention  
mainly to the course of the Mississippi and they took into consideration  
in selling their lands the value of such location and the expense of  
removal to it. They have no reason to suppose that it was the object  
of the Senate to deprive them of any advantage the treaty provide for  
them. They beg leave to present the subject for your consideration,  
and to suggest, that instructions may be given by the government,  
to negotiate with the Chippewas west of Lake Superior and north  
of the mouth of Rum river on the head waters of the Mississippi for  
the purchase of a location for our future permanent residence -

Signed and witnessed at the agency at Michillimackinac  
the fourteenth day of July 1836.

(copy)

Sungayash his mark x  
Suroba Wadick his mark x  
Kewize Shawone his mark x  
Chequa his mark  
Ains his mark x



William Johnston  
U. S. Interpreter  
Francis Wilhelmsson  
Alfred Schoolcraft

John Clitz  
Capt. Infy  
Jas. W. Fenrose  
Sgt. Infy  
Robert Stuart  
Mrs. M. Fanny  
Mrs. Mitchell

Chetwaywa his mark +  
Seegwah his mark +  
Mipulley's his mark +  
Mabunway his mark +  
Mullady Muequet his mark +  
Iawheens his mark +  
Mukond, Eryan his mark +  
Keenozpa his mark +  
Waub Ojeeg his mark +  
Phasco his mark +  
Aaweywa Beag his, or noon clay, his mark +  
Oginau Mininni his mark +  
Megis aubi his mark +  
Cheag aug oos his mark +  
Ton de Kowan his mark +  
Ray tegig wanabee his mark +  
Mukendoy Benais his mark +  
Haysheway his mark +  
Ray anacquot his mark +  
Rish Mwaygwonabee his mark +  
Nanau. Ngomo his mark +  
Eeshawba his mark +  
Isaque Geyzig his mark +  
Mingwegon his mark +  
Kauginwandlooyzi his mark +  
Ossinway his mark +



John A. Drew

Witness to  
signature office 16th July.

William Johnston  
U.S. Interpreter

William Sasley

Pepegwa his mark X  
Ossiginoo his mark X  
Ada Mashoosh his mark X  
Saugitchoway Osagqua her mark X  
Saganitquim his mark X  
Shawunifsee his mark X  
Mussetaw Gweeaw his mark X  
Mauongabo his mark X  
Peendunwar his mark X  
Wanarwana his mark X  
Tukumussemo his mark X  
Shawunegwate his mark X  
Keway Kivahum his mark X  
Nafanguzo his mark X  
Micomamangwa his mark X  
Kauminoa his mark X  
Tshangaukausee his mark X  
Nay Ojiman his mark X  
Oskibuz osh his mark X  
Nigwiyungwina his mark X  
Mauingwoca his mark X  
Aubeluhumig his mark X

I certify that the above signatures have been affixed in my presence.

(Signed)

Henry R. Schooner



S-34-

Mackinac 22 July 1836.

W. R. Schoolcraft.

Transmits duplicate of the  
assent of the Chippewas &  
Ottawas to the amendment  
made by the Senate in  
the ratification of treaty  
with said tribes. - Requests  
the copy previously trans-  
mitted may be returned  
to him and that the one  
now sent may be used as the  
original

Insent Surplus  
sent to State Dept.

See Memorial of  
Chiefs

Done Aug 9. 1836

See letter to Secy. of  
State of 1 Dec. 1836.

Article of Assent copied  
in Miscellaneous Record Bk  
Vol. 2, page

-12



Superintendency of Michigan  
Agency Office  
Michilimackinac July 22<sup>nd</sup> 1836.

Hon. Lewis Cass  
Secretary of War  
Washington.

Sir.

I have this day permitted thirteen of the Southern Chiefs & principal men, who did not reach the Island in time for giving their assent to the treaty, to affix their names to the duplicate in my possession. I therefore, herein, forward this duplicate, and request that it may be taken, for official purposes, in place of the duplicate transmitted by me on the 18<sup>th</sup> instant. I should be pleased to have the former copy returned.

I have the honor to be Sir,  
Very respectfully  
Your Obedt Servt

Nearry R Schouls



1836

~~1837~~

Ottawa & Chippewa

Extract from report  
of J. W. Edwards  
Commr. etc., dated  
Mar. 8, 1837 to  
C. A. Harris

original Commr. Ind Off.  
in Sp. File 124

~~Original report  
on file in Ind. Off.  
not yet located.~~

~~S.S.C.~~

See: Special File 124 / E41

Doubtless refers to  
Treaty with Ottawas and  
Chippewas, March 28, 1836



Exemp<sup>d</sup> Extract  
Report -  
Judge Edmonds to Gov. Harris

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Extract from report of J. H. Edmonds Commissioner, dated March 8<sup>th</sup> 1837, addressed to C. Harris, Commissioner of Indian Affairs.

11  
Sir,

Your communication of the 28<sup>th</sup> February enclosing sundry papers in relation to the distribution of moneys among the half breeds under the treaty with the Ottawa & Chippewa Indians has been received, and I proceed to notice their contents.

First. The letter of Mr Schoolcraft under date of 25<sup>th</sup> November 1836, enclosing a communication from He-wen-ye-shaw-a-no a chief of the Chippewas at Sault St Marie.

That Chief asks "why his wife and children did not receive a half breed allowance. He says "they were all put in the list and did not receive anything as half breeds, but a small share only as Indians".

I ought to explain, once for all, my mode of proceeding. Such a course will be necessary not only for a proper understanding of this case but of others. In your letter of instructions to me, I was referred to the knowledge possessed by "the Indian Agent and the many traders and others who have long lived in that region". Before my arrival at Mackinac, I was informed by letter from the Agent, under date of the 4<sup>th</sup> of August, that he had "prepared a list of all the claimants, which would facilitate my action on them". On my arrival at Mackinac, that list was delivered



to me and after some examination, I put it into the hands of my Secretary, with instructions to prepare the necessary number of copies, in such form as would comply with your instructions and the provisions of the Treaty. My attention was then directed to the examination of the Claims for debt, with which I was in part charged by your instructions of the 5<sup>th</sup> of July, and which I soon found to be a laborious, difficult, and important duty. Supposing, as I then did, that the half breed list was perfect, (with the exception of the names of the women and children) my attention was, for several days, devoted exclusively to the <sup>other</sup> branches of my duties. Frequent applications for admission to and as frequent complaints of exclusion from, the half breed list, recalled my attention to that matter. My call upon the agent for information, as to the basis on which he had made out his list, was promptly met by him and I then learned that he had employed P. Robinson at the Grand River, Messrs Drew and Abbott at Mackinac and James L. Schoolcraft at the Sault Ste Marie, to prepare rolls of those, in their vicinities, who were actually entitled; and that on the reception of their returns the agent had, on careful examination, collated from them, the list with which he had furnished me. Upon receiving these papers from the agent, I announced, agreeable to your instructions, "that the Claims of all persons, either through themselves or others would be received".

I was thenceforth receiving daily applications all of which are entered in the Census Register;



receiving only a few cases, where the applicants were so notoriously and confessedly not entitled, that it did not seem worth while to number my returns with them. After completing the list of all that were entitled, it became necessary to classify them, agreeable to the treaty, and put down upon the Census Register, the sum to which each was entitled. All of which required some time and labor, after the list of claimants should be closed.

The payment of the half breeds was the last business that was done. The Indians were finally paid off during the previous week. The following Monday was set apart for the payment of the Creditors and Tuesday for the payment of the half breeds. I therefore announced that on Saturday the Census Register of the half breeds would be closed against any further admissions. Accordingly on Saturday evening, I completed the classification and set down on one list the distributive share of each one, my secretary prepared the other two lists to compare with it, and on Monday, the two copies were delivered to Major Whiting, agreeable to your instructions.

It was not until after all this, that I learned that Ka-wen-zy Shaw-a-no was a claimant for his wife and children under the half breed allowance. I had not found his or their names on any of the lists furnished me. And although I had seen him, almost daily, it had never been intimated to me that his wife was other than a pure squaw. His application then came too late. Besides, he had himself



received an annuity as a chief of the first class and had drawn for his family their share of the goods and general payments. All this I directed the interpreter to explain to him, and to express to him, the regrets which I had then felt and still <sup>feel</sup> that his application had not been made in season, to entitle his wife and children to receive as half breeds rather than as Indians. He was a very respectable and intelligent man and I should have had no hesitation in placing his family in the first class of Half breed claimants. So I directed the Interpreter to say to him and I am surprised that he should now seem ignorant of the reasons of his exclusion.

If his communication had been forwarded directly to me, it would have given me pleasure to have caused this matter to be again explained to him, in such a manner as to be certain that he should understand it. Now, I can only give you the explanation, express my regret at the circumstances which caused his exclusion, and my conviction, that if the fact that "the Indians hold in higher consideration some of their half breeds than others and the difference in their capacity to use and take care of property and consequently in their power to aid their Indian connections" furnishes a strong ground for a claim under the half breed allowance, no persons could be better entitled than the wife and children of Ke-wen zy Shaw-a-no.

That chief speaks "of many poor persons"



at the Sault Ste Marie "who were entitled to receive" (as half breeds) "and got nothing". This may be so, but if it is, the fault is not mine. I admitted every one who could satisfy <sup>me</sup> that he was entitled. I did not admit all who claimed, but when I rejected any, you will find the reasons (as derived from the testimony before me) set forth in the Census Register. These remarks may also apply to the statement of Mr Schoolcraft, that "repeated applications had been made to him by persons disappointed in the distribution of the half breed allowance" and that "Some of the persons complain of having been unjustly excluded"

There is however a farther explanation due to his latter remark. I found some names on the list furnished me (which were transferred to the Census Register prepared by me) but the persons made no application to me and afforded no explanation or evidence to support their claims. When I came to complete the Register, I inquired for these persons. I had nothing further in regard to them, than the name "Chenier" written twice on the Register. Who they were or what claim they had, or indeed anything about them, I could not from my inquiries ascertain. Of course, I struck the names from the Register. But after the payments had been made, an old gentleman, with that name, presented himself and claimed for his family, but he was then too late. He had neglected his



own interest until the money had all been distributed and there was nothing remaining for me but to explain to him the reasons of his exclusion and express my regrets at the circumstance

I dismiss this subject with one general remark. I felt that any decision of mine adverse to a claim, would, if erroneous, <sup>operate</sup> more palpable injury to individuals than an erroneous decision favorable to admissions. I therefore in all cases of doubt, leaned rather to the side of admission. I could not expect to escape all error. The state of Society, the strong bias of interest, on the minds of the claimants and their friends, and the necessity of taking testimony through the intervention of interpreters, admonished me of my liability to error, but I can say, with great confidence, that no error has happened, when it was in my power to prevent it. ))



I, Geo. W. Manypenny, Commissioner of Indian Affairs do hereby certify that the foregoing from the report of J. W. Edmunds Commissioner etc. is a true and correct extract, taken from the original on file in this Office.

Office Indian Affairs,  
November 3, 1854.

*Geo. W. Manypenny*  
Commissioner

Robert McCalland, Secretary of the Department of the Interior, do hereby certify that Geo. W. Manypenny, whose signature is annexed to the foregoing certificate was at the time of signing the same, Commissioner of Indian Affairs, and that he is responsible for the same due to his official acts as such.

In testimony whereof, I have hereunto set my hand and caused the seal of the Department to be affixed, this 3<sup>d</sup> day of November 1854

*R. McCalland*  
Secretary