

# 153

051139

Capt. Kelly  
March 14thWar Department  
March 14. 1856

Sir,

A number of chiefs of the Ottawa and Chippewa tribes from the northwestern part of the peninsula of Michigan, and from the country between Lake Superior and Lake Michigan, having arrived in this city with the view of forming a treaty for a cession of land in those portions of the country, the President has authorized me to inform you that you are hereby appointed a Commissioner to treat with them for that purpose.

You will therefore take an interview with them and announce to them this arrangement. You will ascertain, in the first place, that they are the acknowledged chiefs of those tribes in the quarter of the country from which they come, and arrange agreeably to Indian usages to make a cession of the lands. You will then proceed to make such purchases as they may be prepared to grant. In doing this, you will apportion the pecuniary amount to

be allowed to the value of the country, taking into view its extent, fertility, and other probably advantages which it offers for a sale and the amount which has heretofore been allowed for other cessions. It is impracticable to give any definite directions on this point, and it must of course be left to your own discretion. The great object will be to do full justice to the Indians, and, at the same time, to procure the land upon proper and reasonable terms for the United States.

You will allow no individual reservations. It is desirable, as far as practicable, to extinguish the Indian title as our settlements advance so as to keep the Indians beyond our borders. But if it should be found necessary to allow particular bands to remain upon reservations, those reservations must be held upon the same tenure as the Indians now hold their country, that is, to allow them to retain possession of it till it shall be ceded to the United States.

No claims for debts or other demands against the Indians, will be adjusted

or settled by the treaty. If the Indians should insist upon it, you will be at liberty to assign a reasonable portion of the consideration money to be fixed by them, as a general fund for the payment of just claims against them. These claims to be examined by a Commissioner to be appointed by the President and Senate, and such of them as he finds just, to be paid from this fund. If any portion of the fund remains, it is to be paid over to the Indians.

The usual stipulations for annuities, for farming purposes, for schools, for the purchase and delivery of a reasonable portion of goods will be allowed, but the annuities will not extend beyond the term of twenty years.

You will receive the usual pay of a Commissioner, viz eight dollars a day during every day you are actually employed in this business, and the same sum will be allowed you for such time as you have been engaged, previous to the date of this letter, in communication with that

465.

portion of this deputation which has been some  
time in this city. To be paid upon your certificate

Very respectfully  
Yr most obedt  
Servt  
L. C. Chap.

Henry R. Schoolcraft Esq  
Washington

466.

Washington March 23rd 1836

Sir,

I have received your communication of the 17th  
of February. The chief and Indian delegates  
have refused to, recede from our days promise to your  
letter. They are now engaged in deliberating on  
the sale of their Alutjan lands. Should the result  
be a capon, as there is reason to believe, a general  
provision will be made for the liquidation of their debt,  
and also for their blood relations.

I am Sir,

Very respectfully  
J. R. Brown

Henry R. Schoolcraft

Capt John E. Smith  
Com. Off. & Secy. in C. P. Mackenzie

WAR DEPARTMENT March 14<sup>th</sup> 1836

SIR, A number of chiefs of the Ottawa and Chippewa tribes from the northern part of the peninsula of Michigan, and from the country between Lake Superior and Lake Michigan, having arrived in this city with the view of forming a treaty for a cession of land in those portions of the country the President has authorized me to inform you that you are hereby appointed a Commissioner to treat with them for that purpose.

You will therefore seek an interview with them and announce to them this arrangement. You will ascertain, in the first place, that they are the acknowledged Chiefs of those tribes in the quarter of the country from which they come, and authorized, agreeably to Indian usages to make a cession of the lands. You will then proceed to make such purchases as they may be prepared to grant. In doing this, you will apportion the pecuniary Amount to be allowed to the value of the country, taking into view its extent, fertility, and other probable advantages which it offers for a sale and the amount which has heretofore been allowed for other cessions. It is impracticable to give any definite directions on this point, and it must of course be left to your own discretion. The great object will be to do full justice to the Indians, and, at the same time, to procure the land upon proper and reasonable terms for the United States.

You will allow no individual reservations. It is desirable, as far as practicable, to extinguish the Indian title as our

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settlements advance so as to keep the Indians beyond our borders. But if it should be found necessary to allow particular bands to remain upon reservations, those reservations must be held upon the same tenure as the Indians now hold their country, that is, to allow them to retain possession of it 'till it shall be ceded to the United States.

No claims for debts or other demands against the Indians, will be adjusted or settled by the treaty. If the Indians should insist upon it, you will be at liberty to assign a reasonable portion of the consideration money to be fixed by them, as a general fund for the payment of just claims against them. These claims to be examined by a Commissioner to be appointed by the President and Senate, and such of them as he finds just, to be paid from this fund. If any portion of the fund remains, it is to be paid over to the Indians.

The usual stipulations for annuities, for farming purposes, for schools, for the purchase and delivery of a reasonable portion of goods will be allowed, but the Annuities will not extend beyond the term of twenty years.

You will receive the usual pay of a Commissioner, viz eight dollars a day during every day you are actually employed in this business, and the same sum will be allowed you for such time as you have been engaged, previous to the date of this letter, in communication with that portion of this deputation

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which has been some time in this city - To be paid upon your  
certificate

Very respectfully Yr Mo obt Serv

LEW CASS

HENRY R. SCHOOLCRAFT ESQ<sup>r</sup> Washington

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HRA011890

Request for Admission Number    16 .

Admit or deny that Exhibit 16, attached hereto,  
is a true and accurate copy of correspondence  
dated March 14, 1836            and addressed to *HENRY R. SCHOOLCRAFT*  
~~War Department~~                      from Lew Cass                      ,  
the original of which is located in the National Archives.

Request for Admission Number    16-A .

Admit that Exhibit 16-A, attached hereto, is a  
true transcription of the document referred to above  
as Exhibit 16 .

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HRA011891