

Book

To The Hon.
H. S. White,
Ch. Com^r Ind. Affairs,
U. S. Senate.

War Department,
July 1. 1836.

Sir,

Understanding that it would be agree-
able to you that I should express my views
in relation to the appropriations for the
Chippewa and Ottawa treaty, I have the
honor to remark that the Indians, parties to
that treaty occupy extensive districts of country
upon Lakes Huron, Michigan and Superior,
and that they will be assembled from remote
distances some time during this summer at
Michilimackinac for the purpose of giving
their assent to the change in the treaty, pro-
posed by the Senate.

They will come, expecting to receive the
annuities, goods &c, and if disappointed, they
will depart very much dissatisfied. It will
be impracticable again to convene them during
the present season, and all the arrangements
therefore for their benefit must be postponed
until next year unless the appropriations
can be so made, as to be used as soon as their
assent is given. And in fact unless this course
is pursued, I consider it very doubtful whether

See Page 155. they will assent to the modification. I have
for letter to
the President therefore the honor to propose that the appropri-
ation be so made that the arrangements for
delivering whatever is required, to those Indians
may be made in time to have the delivery take
place, as soon as their assent is given to the

which ought
to have been
recorded here

changes required. Were the subject open for this course I should think it much better that the goods should be purchased in New York by the Quartermasters Department, and transmitted to Michilimackinac. But if this is thought inadvisable in consequence of the doubt that may exist on the subject of the assent of the Indians, and the possible loss that might ensue to the Government from the disposition of the goods, should their assent be withheld, then public notices in the news papers might be given, of the quantity that would probably be required, and that these would be purchased from the persons offering them upon the lowest terms. With the understanding however, that if the Indians would not assent to the treaty, then the goods would not be wanted, nor would the United States incur any responsibility.

I have the honor to submit for the consideration of the Committee, the form of a proviso which embraces these conditions.

Very &c.,
Lewis Cass.

Provided, however, that no part of the above appropriation for carrying into effect the treaty with the Chippewas and Ottawas, shall be expended, except what may be necessary for the expenses of collecting and subsisting the Indians, and for the expenses of concluding the treaty, heretofore incurred, and to enable a Commissioner to proceed

to Michilimackinac, for the purpose of examining the claims of the half-breeds, until the assent of the said Indians shall be given to the change proposed by the Senate. Arrangements may be made under the direction of the President for paying to the Indians the money and goods as soon as their assent to such change is given. But no responsibility in relation to such delivery shall be incurred by the United States previous thereto, nor shall the said Commissioner enter upon his duties.

To The Hon: War Department,
Post-135. A. Iverson,
Washington,
July 1. 1836.
Sir,

In a letter dated the 29th May and this day received from Col: Hogan he states that Mr. Leonard informed him that he was told by Capt. Page that Judge Iverson had got possession of his (Col: Hogan's) letter, and that nothing escaped him. This information was communicated by Col: Hogan in consequence of the statements made by him some time since that copies of Col: Hogan's communications to the department had been got possession of and made use of to his prejudice. Col: Hogan was requested to point out the circumstances of the matter so that it could be investigated. I am well convinced that there has been a misapprehension on this subject and communicated the above statement for your information. Capt. Page will be requested to report whether this statement with respect to himself is correct and if so what were the grounds of it. Very &c., Lewis Crafts.

To

John W. Edmonds, Esq.,
Hudson, New York.

War Department,
Office Indian Affairs,
July 8. 1836.

Sir,

A commission appointing you to investigate the half breed claims under the treaty with the Ottawa and Chippewa tribes of Indians of March 11th 1836, has been transmitted to you by the Secretary of War. I now proceed, agreeably to the intimation you have received, to prescribe such instructions for the regulation of your duty as appear to be necessary.

In the 6th article of the above mentioned treaty, a copy of which is herewith enclosed, you will find a general description of the trust reposed in you. Mr. Schoolcraft, the Indian agent at Michilimackinac, has been advised of your appointment, and he has been requested to correspond with you and to inform you of the time when the Indians will probably be convened and when it will be necessary for you to reach Michilimackinac. An important change proposed by the Senate to the treaty renders it necessary to procure the assent of the Indians before definitive arrangements are made for its execution. Mr. Schoolcraft has summoned the Indians to meet on the 10th July, for the purpose of procuring their assent; if this is withheld all further proceedings will stop. If, however, it is given, then the necessary arrangements will go on, and I presume the Indians will meet about the beginning of September for the purpose of adjusting their half breed claims, and of re-

receiving the payments which will be made agreeably to the treaty. Mr. Schoolcraft will communicate to you the result and also the day that may be fixed upon.

When you proceed to the execution of your duty you will let it be known, that the claims of all persons, either this themselves or others, will be received. After you have made a census register of the men, women and children, who come within the provisions of the 6th article, you will lay the same in open Council before all the Indians and you will call upon them for their statements respecting the claims of each person named in the list. It is presumable that in most of the cases there will be little doubt or contrariety of opinion on the subject of the claims, and it may be taken for granted, that when all the Indians present assent to the claim of a person to be a half breed that such claim is well founded. Besides the Indians, however, the Agent will be present who is well acquainted with them and also many traders and other persons who have long lived in that region. Their statements will also be received in all doubtful cases, and more particularly should you have reason to believe that any person has acquired such an undue influence over the Indians as to induce them to admit an improper claim. In this branch of your duty, and indeed in every other, I recommend to you to consult freely with the Agent, whose advice, from his knowledge of the people of the Country, will be very useful to you. You must

must likewise satisfy yourself that the several claimants were resident within the country ceded at the ratification of the treaty. On this point, as well as upon the other, you will receive the statement of the Indians made in open Council, and you may also call for any other proof you may think proper. And you will form your judgment upon the circumstances of each case as they may appear to you.

The Census register will shew the names, the ages, as near as may be, and the places of residence. In all those cases where, after an annunciation to the Indians in open Council, the same is fully admitted by them and no doubt is thrown upon the subject by any other person, you will mark them as admitted in open Council. Where they are denied in open Council, and no sufficient proof is adduced to you, that the claims are correct, you will mark them as rejected in open Council. Where doubts may exist, and you proceed to an investigation, you will in those cases give a short summary of the facts upon which they are admitted or rejected, and you will state upon your register, admitted, or rejected, upon examination.

Mr. Schoolcraft has a volume, containing the previous treaties with these Indians and their kindred bands, by examining which, and availing yourself of his personal knowledge of the Indians, you will be able to ascertain who have received allowances, and are consequently excluded from a participation in the

benefits of this treaty.)

The general principles laid down in the 6th article seem to be sufficient to guide you in the distribution. You will cause the whole matter to be clearly explained to the Indians, and you will ascertain in the first instance, whether they desire a division of the claimants into classes. If they do you will then call upon them to designate the class in which each individual whose claim is admitted shall be placed. After this is done the division will be made as required by the treaty. Provision, as you will find, is made in the treaty respecting the mode of payment of the shares of married women, children, orphans &c. These you will carry into effect. You will designate upon the register the wives and children of persons who are entitled to their shares. The sums due to orphans will not be distributed, but will be returned by the Officer in whose hands the money is placed to the Treasury, for subsequent distribution agreeably to the treaty. You are at liberty, however, with the cooperation of the Agent to authorize a small sum to be expended in the purchase of necessary articles for such of these orphans as require it. A special return will be made of these cases. You will observe that the whole sum allowed for these claims is 145,000 f . The sum of 5,000 f being deducted from the amount of 150,000 f , to be applied to the support of the poor half breeds.

You will enquire into the condition

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and capacity of each of these half breeds to manage their own affairs, and if you think that the payment of the whole sum to them at this time will not be useful, you are authorized to allow an instalment upon it, amounting from 1/5 to 4/10 part, at your discretion taking into view the circumstances of the claim.

(The census register will be so made, as to show your action upon each claim, from its presentation to its admission and payment, or its rejection.)

You will give all necessary directions upon the register as before explained, and will authorize the Officer in whose hands the funds may be placed to make the respective payments. Arrangements will be made for the attendance at Michilimackinac of a disbursing Officer for this purpose. The receipt of the Claimants upon this register will be his voucher. You will furnish him with two of them and a third you will transmit to this office.)

(You will be allowed 8¢ per day for every day actually engaged in this business, and 8¢ for every 20 miles of travel, going to and returning from Michilimackinac. The account to be settled upon your certificate of honor.)

The appropriation for the pay and travelling expenses of the Commissioner is 1000¢; that for the compensation and expenses of Clerk, Stationary postage, witnesses, messengers to collect Indians and canoes for them, Subsistence for 2000 Indians for 20 days, fuel for them while on the island.

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and other incidental expenses, attending the Commission, is 3,000 \$, and these amounts must not be exceeded.

It has been supposed here, that but one Council would be called for the examination of these claims, the payment of the annuities, the distribution of goods and other objects, and the sum of 3000 \$ was intended to cover the expenses of it. But should separate Councils be necessary, you will arrange with Mr. Schoolcraft the proper sum to be allotted for each.

The disbursing officer will be instructed to pay this sum of 3000 \$ upon your requisition, on those of the Indian Agent, which will be attached to the several accounts, duly receipted and attested. Mr. Schoolcraft will furnish you with the proper forms.

You are authorized to employ a clerk, at Michilimackinac, to aid you, should you find it necessary, allowing a reasonable compensation therefor. This however will not exceed 200 \$.

Treaty with Ottowas & Chippewas of 1836, enclosed.

Very &c.,
C. A. Harris.

Post- 156.

Auto- 137.

See P. 138.

Whence this

Letter ought

to have been

Recorded.

To
The President of the
United States.

Sir,

I have the honor to transmit herewith a report from the Commissioner of Indian Affairs containing copies of the papers called for by

War Department,
July 1. 1836.

163.
Voucher, care being first taken that the building
is in conformity with the contract.

Very &c.,

C. A. Harris.

Post-177.

To Major,
John Garland,
Washington,
Sir,

War Department,
Office Indian Affairs,
July 9. 1836.

You will please to proceed to the City
of New York and issue notices in some of the
public papers of that City, for the supply of a
quantity of Indian goods amounting to the
sum of \$40,000 ^p. Herewith enclosed is an
invoice prepared by Mr. Schoolcraft of the
articles which he supposed would be most
useful and acceptable to the Indians. You
will in the first instance select samples of all
these articles, of a proper quality, to which you
can refer in the advertisement. It is desirable
that these selections should be made merely
as samples for reference, and not to be paid for
till the goods are taken.

Great care should be used in the selection
of these samples, as the contractors will be
required to furnish articles in all respects
corresponding with them. As estimated values
are inserted in the list, the right should be
reserved to increase or diminish the quantity
of any one description, that the investment,
including, if necessary, the cost of the samples,
may neither exceed nor fall short of the sum
designated, \$110,000 ^p.

Ans

In your notices you will invite proposals for the delivery of any of these articles. The proposals to be opened in the Quarter-Masters Office in New York, on the 8th August next, at which time contracts will be entered into with the persons offering the best terms, regard being had to quality and prices, for the delivery of the various articles at Michilimackinac on or before the 7th September next. The articles will not be received without the most rigid inspection and the officer authorized to receive them, will be at full liberty to reject such as he disapproves of.

A second examination will be made at Michilimackinac, to discover the existence and extent of sea damage. This, whatever it may be, will be borne by the Contractors. No money will be paid upon the contract, until the goods are received by Mr. Schoolcraft, the Indian Agent, at Michilimackinac. By the regulations of 1834, approved by the President, the Contractors will be required to give bond in twice the amount to be furnished, with at least three sufficient securities.

You will observe that this distribution of goods depends on the assent to be given by the Ottawas and Chippewas to certain changes proposed by the Senate in the treaty recently concluded with those Indians. They are summoned to meet at Mackinac for this purpose on the 10th of the present month. It is presumed that the result will be known ^{here}

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here in time to be communicated to New York, on or before the 8th August next. If it is not, no definitive action will take place on the proposals till it is received. And if the Indians refuse their assent then the goods will not be wanted, and the arrangements will be no further proceeded in. All this must be distinctly made known in the notices.

The amount will be paid in the City of New York, as soon as the necessary invoices and certificates of receipt are received at this Office.

Mr. James V. S. Pyley, of Schenectady, New York, will be instructed to report to you in New York, and execute any duties you may require of him in connexion with this business.

Very &c.,

C. A. Harris.

P. S. You will observe that the aggregate cost of many of the articles is not inserted in the estimate. You will also observe, that the estimate contemplates the application of a certain sum to the purchase of tools and stock for the Chippewas at Lac Croche, and others who, like them, are engaged in agricultural and mechanical pursuits. I have no means of ascertaining the number who are in this class, but suppose it will be prudent to reserve 8000^{ff} for the purchase of stock and agricultural implements, and to purchase an additional quantity of mechanical tools for these Indians, to the amount of 700^{ff}. The amount to be invested in goods, and for which you will issue proposals, will therefore be 134,200^{ff} and not 140,000^{ff}, as stated in the body of your instructions.