

Roll and Schedule referred to in articles two and three of the Treaty herunto annexed.

Names of heads of families of emigrating party.	No. of each family.	No. of acres of land to each family.	Value of lands in dollars and cents.	Appraised value of improvements.	Total value of lands and improvements and amount to be paid to head of each family.
Thomas T. Hendrick	6	713	\$713 00	\$480 50	\$1,193 50
Robert Konkapot	4	490½	490 50	939 00	1,429 50
Timothy Tousse	6	642	642 00	135 00	777 00
Elisha Konkapot	6	642	642 00	67 50	709 50
Cornelius Charles	7	686	686 00	—	686 00
Jonas Konkapot	3	321	321 00	56 25	377 25
Levi Konkapot	1	107	107 00	384 00	491 00
David Abrams	2	214	214 00	—	214 00
Dolly Dockstader	5	597	597 50	168 75	766 25
Eli Hendrick	3	321	321 00	238 25	559 25
Simeon Konkapot	3	321	321 00	—	321 00
Lydia Hendrick	1	107	107 00	305 00	412 00
Thomas S. Branch	1	131½	131 50	—	131 50
John Baldwin	1	107	107 00	—	107 00
John W. Newcom	5	535	535 00	—	535 00
Jonas Littleman	1	107	107 00	—	107 00
Henry Skickett	3	321	321 00	—	321 00
Betsy Bennet	1	107	107 00	—	107 00
Peter Sherman	1	107	107 00	390 00	497 00
David Calvin	1	44½	44 50	—	44 50
Eli Williams	1	107	107 00	—	107 00
Catherine Littleman	6	642	642 00	—	642 00
James Rain	6	642	642 00	40 00	682 00
Big Deer	1	107	107 00	—	107 00
Ziba T. Peters	3	246½	246 25	144 30	390 55
Cornelius Chemaucum	2	214	214 00	—	214 00
And other heirs of Phebe Ducham		187½	187 50	530 75	718 25
	80	8,767½	8,767 75	3,879 30	12,647 05

ARTICLES OF A TREATY

Nov. 28, 1840.

Proclamation,
June 7, 1841.

Made and concluded at the Forks of the Wabash, in the State of Indiana, this twenty-eighth day of November in the year of our Lord one thousand eight hundred and forty, between Samuel Milroy and Allen Hamilton, acting (unofficially) as commissioners on the part of the United States, and the chiefs, warriors and headmen of the Miami tribe of Indians.

Lands ceded
to the U. S.

ART. 1. THE Miami tribe of Indians, do hereby cede to the United States all that tract of land on the south side of the Wabash river, not heretofore ceded, and commonly known as "the residue of the Big Reserve." Being all of their remaining lands in Indiana.

ART. 2. For and in consideration of the cession aforesaid, the United

States agree to pay to the Miami tribe of Indians the sum of five hundred and fifty thousand dollars. Two hundred and fifty thousand dollars of which sum to be set apart, and applied immediately after the ratification of this treaty and an appropriation is made by Congress to carry its provisions into effect, to the payment of the debts of the tribe, as hereinafter stipulated. And the residue, three hundred thousand dollars, to be paid in twenty equal yearly instalments.

Consideration therefor. (See amendments.)

ART. 3. The Miamies, being desirous that their just debts shall be fully paid; it is hereby, at their request stipulated, that immediately on the ratification of this treaty, the United States shall appoint a commissioner or commissioners, who shall be authorised to investigate all claims against any and every member of the tribe, which have accrued since the 6th day of November, 1838, or which may accrue before the date of the ratification of this treaty, without regard to distinction of blood in the claimant or claimants. And whose duty it shall be to enquire into the equity and legality of the original cause of indebtedness, whether the same now is, or may then be in the form of judgments, notes, or other evidence of debt, and report for payment out of the money set apart by this treaty for that purpose, such claims only, or parts of claims, as shall be both legal and just. And his or their award when approved by the President of the United States shall be final.

Commissioners to investigate claims. (See amendments.)

ART. 4. It is further stipulated that the sum of twenty-five thousand dollars be paid to John B. Richardville. And the sum of fifteen thousand dollars to the acting executor of Francis Godfroy deceased, being the amount of their respective claims against the tribe; out of the money set apart for the payment of their debts by the second article of this treaty.

Payments to J. B. Richardville, and the executor of F. Godfroy.

ART. 5. And whereas the late war chief, (Francis Godfroy,) bequeathed to his children a large estate, to remain unsold until the youngest of said children shall arrive at the age of twenty-one years. It is therefore stipulated, that the United States shall pay to the family of said deceased chief their just proportion of the annuities of said tribe, at Fort Wayne, from and after the time the tribe shall emigrate to the country assigned to them west of the Mississippi.

Payments to the family of F. Godfroy.

ART. 6. It is further stipulated, that the sum of two hundred and fifty dollars shall be paid annually by the United States, and accepted by the Miamies in lieu of the labour stipulated to be furnished by the fourth article of the treaty of the 23d of October 1826, for the purpose of preventing the dissatisfaction, occasioned heretofore, in the distribution of said labour amongst the differant bands.

Payments in lieu of labor.

Ante, p. 300.

ART. 7. It is further stipulated, that the United States convey by patent, to Me-shing-go-me-sia, son of Ma-to-sin-ia, the tract of land reserved by the 22d article of the treaty of the 6th of November 1838, to the band of Ma-to-sin-ia. And the same provision made in favour of John B. Richardville and family, in the 14th article of the treaty of the 6th of November 1838, is hereby granted and extended to the above named Me-shing-go-me-sia, and to his brothers.

U. S. to convey certain land to Me-shing-go-me-sia. (See amendments.)

Ante, p. 569.

ART. 8. It is hereby stipulated, that the Miami tribe of Indians shall remove to the country assigned them west of the Mississippi, within five years from this date; the United States paying every expence attending such removal, and to furnish rations to said tribe for twelve months after their arrival at said country. And the United States shall also cause four thousand dollars to be expended to the best advantage in supplying good merchantable pork and flower to said tribe, during the second year of their residence at their new homes. Which sum is to be deducted from their annuity of that year.

Removal of Indians.

In case of the sum set apart for the payment of debts being either too great or too small. (See amendments.)

ART. 9. It is further stipulated, that should there be an unexpended ballance of the "two hundred and fifty thousand dollars," after the payment of the debts of the tribe as provided in the second article of this treaty; such ballance is to be paid over to the Miamies at the next payment of annuities after the amount of said ballance shall have been ascertained. And, should the sum so set apart for the purpose aforesaid, be found insufficient to pay the said debts, then the ascertained ballance due on the same, to be paid out of the annuity arising from this treaty.

Reservations of land to J. B. Richardville and F. Lafountain.

ART. 10. It is stipulated and agreed between the contracting parties, that there shall be, and hereby is granted and reserved to John B. Richardville, principal chief, seven sections of land, from the land ceded in the first article of this treaty; at such point or points as he may select (not less than one section at any one point,) to be conveyed to him by patent from the United States. And also, in like manner, one section of land to Francis Lafountain, at the rapids of Wildcat, to be surveyed under his direction.

Provisions of former treaties not altered, except, &c.

ART. 11. Nothing in this treaty shall be so construed as to impair the force or validity of former treaty stipulations, existing between the United States and the Miami tribe of Indians, not altered by nor coming within the purview of any of the provisions of this treaty.

Expenses of this treaty to be paid by U. S.

ART. 12. It is hereby stipulated, that the United States provide for the payment of the expence which may be necessarily incurred in the negotiation of this treaty.

Treaty binding when ratified.

ART. 13. This treaty shall be binding on the United States, and on the Miami tribe of Indians, from and after the date of its ratification by the President by and with the advice and consent of the Senate of the United States. But, if the same shall not be so ratified before the 4th day of March next, it shall be of no binding force or validity.

Assent of the Indians to this treaty.

ART. 14. We the chiefs warriers, and headmen of the Miami tribe of Indians, having examined and considered the foregoing articles, after the same had been interpreted and explained to us to our satisfaction, do hereby agree and request, that the said articles shall be taken and held as a treaty between the parties thereto; and when ratified as provided in the last preceding article, be binding on our tribe, and on the United States, as fully to all intents and purposes as though the same had been officially and formally made on the part of the United States.

In testimony whereof, we, Samuel Milroy, and Allen Hamilton, on behalf of the United States, (as aforesaid,) and the chiefs, warriers, and headmen of the Miami tribe of Indians, have hereunto set our hands.

Done at the Forks of the Wabash, in the State of Indiana, this twenty-eighth day of November, one thousand eight hundred and forty.

SAMUEL MILROY,
ALLEN HAMILTON.

John B. Richardville,
Prin. Chief.
Wau-pa-pin-shaw,
O-zan-de-ah,
Cha-pine,
Me-shing-go-me-zia,
Wauk-a-shing-guah,
To-pe-ah,

Pe-wan-pe-oh,
Ma-ze-quah,
Ma-gou-zah,
Peshe-a-wauh,
Po-quah-Godfroy,
Na-kun-sah,
Ko-es-say,
Shin-go-me-zia,

Te-moo-te-oh,
Ma-qua-co-nong,
Mon-go-sou,

Tuc-ke-mun-guagh,
Bo-wa-wah.

Signed in the presence of H. B. Milroy, Secretary. David Carrier. Geo. M. Maxwell. Robert H. Milroy. Peter Andre, Interpreter.

To the Indian names are subjoined marks.

IN SENATE OF THE UNITED STATES,
February 25, 1841.

Resolved (two-thirds of the Senators present concurring) That the Senate advise and consent to the ratification of the treaty made and concluded at the Forks of the Wabash in the State of Indiana, the twenty-eighth day of November in the year of our Lord eighteen hundred and forty, between Samuel Milroy and Allen Hamilton, acting as commissioners on the part of the United States, and the chiefs warriors and headmen of the Miami tribe of Indians; with the following amendments; *Provided*, That the assent of the said Indians shall be properly obtained to the same—to wit:

In the second article, strike out the words "two hundred and fifty," and insert *three hundred*; and, in the latter clause, strike out "three hundred," and insert *two hundred and fifty*.

Add to the third article the following: Two hundred and fifty thousand dollars of the sum set apart in the second article of this treaty shall be applied to the payment of debts contracted before the twenty-eighth day of November, 1840; and the residue of said sum, after such debts are satisfied, being fifty thousand dollars, to the payment of debts contracted between the last-named date and the time of the ratification of this treaty by the Senate of the United States; giving the preference, in the application of said sum of fifty thousand dollars, to debts contracted for provisions and subsistence.

In the seventh article, strike out the words "twenty second" and insert *second*.

In the same article, at the first period, insert—to be held in trust by the said Me-shing-go-me-zia, for his band; and the proceeds thereof, when the same shall be alienated, shall be equitably distributed to said band, under the direction of the President.

In article nine, strike out "two hundred and fifty" and insert *three hundred*; and strike out the whole of that article after the word "ascertained."

Insert after article 11 an additional article; Article 12. The United States hereby stipulate to set apart and assign to the Miamies, for their occupancy west of the Mississippi, a tract of country bounded on the east by the State of Missouri, on the north by the country of the Weas and Kaskaskias, on the west by the Pottawatomies of Indiana, and on the south by the land assigned to the New York Indians, estimated to contain five hundred thousand acres.

Attest:

ASBURY DICKINS,
Secretary.

Feb. 25, 1841.

Resolution of the Senate, assenting to the ratification of the treaty, with amendments.

Assent of the Indians to be obtained.

Amendments to the 2d article.

Amendments to the 3d article.

Amendments to 7th article.

Amendments to 9th article.

Additional article.

Boundaries of the land assigned to Indians.

We the undersigned chiefs headmen and warriors of the Miami tribe of Indians residing in the State of Indiana, do hereby give our free and voluntary assent to the foregoing amendments, made by the Senate of the United States on the 25th day of February last, to the treaty concluded by us with the United States on the 28th day of November 1840;

May 15, 1841.

Assent of the Indians to the amendments of the Senate.

the same having been submitted and fully explained to us by Samue. Milroy and Allen Hamilton, commissioners on the part of the United States for that purpose, in full council assembled at the Forks of the Wabash in the State of Indiana.

In testimony whereof we have hereunto set our hands, and affixed our seals respectively this fifteenth day of May 1841.

Na-wa-lin-guah,
Pe-she-wah,
O-yan-de-ah,
Na-kan-yah,
Shin-go-me-zia,
Pe-wau-pe-ah,
Te-mob-te-ah,
Wau-pe-mun-guah,
Sha-pen-do-ziah,
Wan-pe-pin-ce-ah,
Co-i-sey,
Mah-con-zah,
Pa-cong-ye-ah,
Mah-qui-e-cah,
Cau-te-mon-guah,
Mong-gon-zah,

Mah-gon-zah,
Con-o-cot-wah,
Shau-cot-to-wah,
Sha-pen-do-zia,
Cant-ah-chin-guah,
Ma-ze-quah,
Cant-au-seep-au,
To-pe-ah,
Ma-con-zah,
Maun-go-zah,
Ka-lah-ca-mic,
Keel-son-sauh,
Keel-swah,
Benjamin,
John B. Richardville,
Poqua Godfroy.

Done in presence of Samuel Milroy, Allen Hamilton, Commissioners. H. B. Milroy, Secretary to Commission. Peter Andrie, Grigway Boudie, Interpreters.

To the Indian names are subjoined a mark and seal.

[For Treaty with the Wyandott of March 17, 1842, see *post* p. 607.]

ARTICLES OF A TREATY

May 20, 1842. *Made and concluded at Buffalo Creek, in the State of New York,*
Proclamation, *on the twentieth day of May in the year one thousand eight*
Aug. 26, 1842. *hundred and forty-two, between the United States of America,*
acting herein by Ambrose Spencer their Commissioner, thereto
duly authorized, on the one part, and the chiefs, headmen and
warriors of the Seneca nation of Indians, duly assembled in
council, on the other part.

Preamble.

WHEREAS a treaty was heretofore concluded, and made between the said United States, and the chiefs, headmen, and warriors of the several tribes of New York Indians, dated the fifteenth day of January in the year one thousand eight hundred and thirty-eight, which treaty having been afterwards amended, was proclaimed by the President of the United States, on the fourth of April one thousand eight hundred and forty, to have been duly ratified.

Ante, p. 550.

And whereas on the day of making this treaty, and bearing even date herewith, a certain indenture was made executed and concluded by and between the said Seneca nation of Indians and Thomas L. Ogden, and Joseph Fellows, assignees under the State of Massachusetts, in the presence, and with the approbation of a Commissioner appointed by the United States, and in the presence and with the approbation of Samuel Hoare, a superintendent on the part of the commonwealth of Massachusetts, which indenture is in the words and figures following to wit