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Ratified treaty no. 172, Documents relating to the negotiation of the treaty of October 20, 1832, with the Potawatomi of the Prairie Indians and the Kankakee Indians. October 20, 1832

Washington, D.C.: National Archives, October 20, 1832

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RATIFIED TREATY NO. 172
DOCUMENTS RELATING TO THE NEGOTIATION OF THE TREATY OF
OCTOBER 20, 1832, WITH THE POTAWATOMI OF THE PRAIRIE INDIANS
AND THE KANKAKEE INDIANS

Resolutions
Sen. Senate
18th 1832

File Letter B
confirming nominations
of Commissioners for
extinguishing Indian title
in Indiana —

In Senate of the United States
July 13th 1832.

Resolved, That the Senate do advise
and consent to the appointment of
Jonathan Jennings
John W. Davis,
Marcus Brume, —
of Indiana, to be Commissioners, for
the purpose of holding Indian treaties,
and of extinguishing Indian Title
within the State of Indiana, and so
much of the lands of the Potawatamies
as lies in the State of Illinois and
Territory of Michigan, agreeably to the
provisions of the Act of Congress, to
enable the President to extinguish
Indian title within the States of
Indiana and Illinois, and the
Territory of Michigan, approved July 9.
1832. _____
agreeably to the respective nominations.

Attest,

Walter Lawrence Selby

Copied

Letter of Lewis Cass
to Messrs Jennings Davis
and Brown, Commissioners
to negotiate treaties
with Ottobrookians
1832,

[TREATY FILE Oct. 70/1032]

Department of War
July 14. 1832.

Hon. Genl. Jennings
Doct. John W. Davis
Mearns Jerome Esq. }
Gentlemen

An Act of Congress, passed the present Session, authorises the appointment of three commissioners to hold treaties, and to extinguish Indian title within the States of Indiana & Illinois, & the Territory of Michigan.

You have been selected to performe this duty, & you will receive herewith your respective commissions, and to one of you will be sent a copy of the Act. Referred to, & a volume of the Indian Treaties & Laws.

You will please to notify the Department, without delay, of your acceptance or non acceptance of this appointment; If you accept, you will communicate with each other, and determine upon a time & place for meeting, & entering upon the duties thereby devolved upon you.

It is the object of the government, in this measure, to extinguish entirely, so far as it can be effected, the native title to all Indian lands in the State of Indiana, & to so much of the land of the Potawatomes, as lies in the State of Illinois & the Territory of Michigan; & to procure the removal of the tribes now occupying them west of the Mississippi.

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It is desirable, that any arrangement you may make to accomplish this object, should be based upon the condition, that the Indians, if they consent to emigrate, should also agree that their location west of the Mississippi, should be selected by the government, & its extent be as great, as the President may think required by their numbers and habits. Should the Indians refuse positively to negotiate, under an impression that the country beyond the river is insalubrious, unhealthy or insufficient, you may then enter into a conditional arrangement, allowing them to send a Deputation to examine that region. If, after such visit & examination, they signify their acceptance of the tract designated for them, the treaty will be binding upon them, and depend only upon the ratification of the Senate. As these exploring expeditions however, have been expensive & sometimes fruitless, you will not assent to such a measure unless you should be convinced, that an arrangement can not otherwise be effected.

You may consent, on the part of the Government, to the insertion in the treaties you may form, of provisions for transportation & subsistence, for furnishing implements of agriculture, rifles, blankets &c. & for education, similar to those in the recent compacts with the Southern & South Western Indians, proportioning them to the actual numbers of the respective tribes. No annuity will be granted for a longer term than twenty years; & in determining the amount, you

will perceive that the sums, heretofore granted, furnish no just criterion, inasmuch as in addition to the pecuniary stipulations, a country is now provided for the Indians, suited to their habits, & sufficient for their numbers and wants.

Should it not be practicable to complete an arrangement with all the tribes the present year, you will so limit your expenditures, that there will be a fund reserved, with which another effort may be made the next season, when possibly the Indians may be more inclined to negotiation & removal.

Commissioners will be appointed to adjust all unsettled Indian concerns west of the Mississippi; and among other things they will have it in charge, to ascertain proper locations for the tribes, with whom you are authorized to frame treaties. When their report is received, the government will be prepared to designate the positions for those tribes, who shall have entered into treaty engagements.

The Surveyor of public Lands in Missouri and Illinois will be requested to send to one of you a map of the Indian Country in Illinois; & the Surveyor General, to furnish a map of the lands in Indiana, & in Michigan south of Grand river, to which the native title has not been extinguished.

The Indian agents at Chicago & on the Wabash will be directed to carry into effect the instructions they may receive from you, relating to the object

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of your mission, & generally to cooperate with you in accomplishing the purpose of the Government.

Your compensation will be eight dollars a day, for every day employed upon this business, excepting the time spent in travelling, during which you will be allowed eight dollars for every twenty miles of travel.

Mr. Henry Hoover has been directed to report to you, as your Secretary. He will be allowed five dollars a day, to include his services & expenses, and five dollars for every twenty miles of travel. Those accounts will be adjusted upon vouchers, stating the time & distance, & certified by you to be correct.

Should you find it necessary to purchase provisions or presents for the Indians, you will take bills of parcels therefor regularly receipted; & you will accompany them with certified abstracts showing the distribution of the property purchased.

You are authorized to employ Interpreters, if others than those attached to the several agencies are needed, & such other persons, to aid you, as you may find necessary.

To defray the expenses of your mission, you are hereby empowered to draw upon the Department, to the amount appropriated by law. You will in no event exceed that amount, & I rely upon your care for the public interest

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to bring your expenditures as far within it, as may be practicable, consistently with the attainment of the objects of the Government.

You will keep a regular Journal of your proceedings, & account of your expenses which, with regular vouchers for the latter, you will transmit to this Department, as soon after the close of your negotiations as possible.

I have the honor to be &c
Lew Cass.

of Jon Jennings
to the
Commissioners

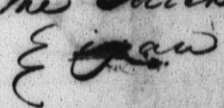
Report of the Commissioners
who negotiated the Miami
and Potawatami Treaty.

October 1832

The undersigned, Commissioners authorized
to negotiate with the Miami and Pottawatomie
Indians, Report:

That incidents peculiar in
their character, connected with pecuniary interests
and commercial ambitions, together with the known
character of the chief of the Miamis for subtlety
and avarice, rendered unsuccessful any negotia-
tion with those people.

It is however, highly probable
that, in a limited period, another attempt may
be successful; and if so, highly advantageous
to the State of Indiana.

Commencing our negotia-
tions with the Pottawatomies, they seemed to be
a local interest claimed by different bands, in
relation to their relative rights to the soil, not well
~~to be adjusted without separate treaties with~~
those of the Prairie we have therefore negotiated
a Treaty by which they have ceded their right
of soil in the State of Illinois, East of the River
Ohio and Illinois; likewise in the State of
Indiana and Territory of Michigan South of
Grand River dated the 25th. of last month;
likewise a Treaty with the Mabels and Oldham
Pottawatomies, for their right of soil ^{part} of the Mich-
E. 

made in the States of Indiana, dated the 26th.
of the same month, and also with the St. Joseph,
Cold Water, Wabash, and Elkheart Treaties
for their right of soil in the States of Indiana
and Illinois and the Territory of Michigan,
South of Grand River, dated 27th. ult. res-
pecting reservations made in each Treaty, for
different bands, and for individuals, at the
request of those bands respectively.

We found those people destitute of
clothing necessary to shield them from the
inclemency of the approaching winter; and
the necessary ammunition to enable them
by the chase to procure subsistence for
their families. At their request, we purchased
and delivered, in part payment for the articles
aforesaid, merchandise and stores to the
value of One Hundred & Fifty Eight Thousand
one Hundred and Seventy five dollars and
Thirteen cents (\$158,175.⁰⁰/₁₀₀ 3)

Vouchers and Bills of parcels are
forwarded, accompanying the Treaties. Having
no funds at our Command to pay the amount,
we have drawn drafts upon you, in favor
of those of whom the purchases were made,
payable after the ratification of the Treaties.

and the necessary appropriations by Congress.

There not being a sufficient quantity of merchandise at the Treaty Ground to be had at fair prices to meet our engagements with those Indians therefore we have requested West Marshall, Indian Agent at Fort Tuler, to purchase and deliver this Autumn, according to stipulations in said Treaties, merchandise to the value of Eighteen Thousand, Eight Hundred and One Dollars and Twelve cents (\$18,801.¹²/₁₀₀) which we request may be paid according to his drafts.

Abstracts of the Horses purchased for the use of those Indians are herewith transmitted, and we have signed vouchers for the amount due each person from whom such Horses were purchased, which sums in like manner we request to be paid.

It was ascertained that the influence of those concerned with the Indians in Commerce, and to whom they were indebted, was so commanding, and not less so as to render it on our part indispensably necessary to adjust their claims to an aggregate amount of One Hundred, Eleven Thousand, Eight Hundred & Seventy nine Dollars (\$111,879.⁰⁰/₁₀₀) and to provide for their payment in the Treaties.

For those expenses we believe they have been
liberally paid, including the assurances made in
said Treaties when their ratifications shall take
place, and the appropriations made incident thereto.

Believing the United States were
under a moral obligation to those People, we
have been disposed with a reference to a due
regard to our instructions, to do ample justice,
and although the sums stipulated to be paid
may appear large, it will be seen that they
have ceded on the face of the Treaties, more
than four millions of Acres, to which they had
a right of Soil. We have also, in conformity
with our instructions, made provisions for
the removal of those People west of the Missis-
sippi, with a view to the humane Policy of
the United States in Relation to them.

The peculiar circumstances
under which we were placed by the number
of Persons who attended those Treaties, rendered
it impracticable to avoid exceeding the amount
appropriated to defray the expenses incident
to the negotiations, by Three Thousand Seven
Hundred and Sixty five Dollars, Eighty one Cts.
(\$3765.⁸¹/₁₀₀) which we expect will not be view-
ed as venient to the Government to remunerate; and

Vouchers for the same, for services rendered & supplies furnished will be forwarded to the proper department by our ~~proper~~ ^{Special} Commissioner, with the other expenditures of our Mission for Settlements.

For further particulars we beg leave to refer you to the Journal of our Proceedings here with transmitted, and have the honor to be

With great Respect,

Your Obedt. & Humbl. Servts.

(Sigsd.)

Jonathan Runnells
John W. Davis
Mark Crum