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Ratified treaty no. 237, Documents relating to the negotiation of the treaty of February 7, 1839, with the Chippewa of Saginaw Indians. February 7, 1839

Washington, D.C.: National Archives, February 7, 1839

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RATIFIED TREATY NO. 237
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF FEBRUARY 7, 1839, WITH THE
CHIPPEWA OF SAGINAW INDIANS

Supplementary - to treaty of Jan'y 14/37
O.S.A. Saganaw, L. 132.
Hon. Lucius Lyon,
Washington, 10 Jan'y 1839.

Says in 1837 an approp-
riation was made for the erection
of a Light House, at or near the mouth
of Saganaw river, which Light house has
not been erected, because the site for it, is
on lands ceded by Saganaw Treaty of 1836,
& which cannot be had without further
negotiations with the Indians. Recommends
that immediate steps be taken to procure
the assent of the Saganaws, to such a mod-
ification of that Treaty, as will secure to the
U.S. the right to use a tract not exceeding
four acres of land, for the purpose men-
tioned.

Enclosed is a draft of the ne-
cessary supplementary articles.

Recd. 12 Jan'y 1839.

Ans. 12 July 1839.
Draft of treaty handed to letter
received in Merrill's Record Book etc.

Supplementary - to treaty of Jan'y 14/37
L. 132. Jan'y 10. 1839.
Indian Office.

The Commissioner
will authorize the
acting Superintendent
of Indian Affairs for
the State of Oregon
to negotiate a
supplementary article
to the Treaty of the 23
January 1837 and other
treaties made with
the Saganaw tribe
of Chippewas, so as
to obtain the immediate
cession of the land required

In the location of
the Light house
authorizing the said
agent to offer
10 \$ an acre for
the necessary quan-
tity of Land
J. R. P.

Washington Jan^y. 10. 1839.

Sir,

In the year 1837 an appropriation was made by Congress for the erection of a Light House at or near the mouth of Saginaw River in the State of Michigan; which light house, I learn from Mr. Pleasanton, who has charge of the matter, has not been erected because the proper site for it is on lands which were purchased by treaty made with the Saginaw Indians at the City of Washington in the year 1836, which treaty contains such provisions that the necessary land can not be had without further negotiation with the Indians - As the Saginaw Chief are understood to be now in Detroit, I beg leave to recommend that immediate steps be taken to procure their assent to such modification of said treaty as will secure to the U. S. the right to use a tract not exceeding forty acres of land, for the purpose above mentioned, so that the light house may be erected without further delay.

I have the honor to be Sir,

Very respectfully
Your Ob^d. Servant

Lucius Lyon

Hon. J. R. Poinsett
Secretary of War.

of the Saginaw - L. 632. - 1839.

Articles supplementary to
certain treaties between
the U. S. & the Saginaw
tribe of Chippewas.

of the Saginaw. L. 632. 39

12 Jan 1839

Jan 10 - 39 -
Hon Lewis Cass -

Rel. to light house at mouth of
Saginaw River &c,
Recd. in Miscel
Book No. 3. fol 331.

(See letter to Mr. Schoolcraft of 12 July 1839)

Articles supplementary to certain treaties
between the United States and the Sagunaw
tribe of Chippewas.

Art. 1. Whereas the said tribe have, by the treaty of the
14th of January 1837, ceded to the United States, all
their reserves of land in the State of Michigan, and,
on the principle of said reserves being sold at
the public land office for their benefit, and the
actual proceeds being paid to them, as further
defined by stipulations contained in the amend-
ments to said treaty of the 20th Decr. 1837, and of
the 23rd January 1838. And whereas it is
required, by a subsequent law of Congress, to
erect a light house on one of said reserves,
called the Na-bo-bish tract, lying at the mouth
of the Sagunaw river, and to reserve so
much of the same from sale, as may
be necessary; it is therefore hereby agreed,
by the said tribe, that for, and in consideration
of the sum of dollars per acre, one

sixteenth of a section of said tract, situated as aforesaid, shall be, and the same is hereby appropriated & set apart, to be located, & disposed of by the United States, in any manner the President may direct. And the same shall be released from sale, and all claim to any proceeds therefrom, except the sum herein before stipulated, is fully, completely & forever relinquished by said tribe.

Art. 2. This compact shall be submitted to the President & Senate of the United States, to be approved by them, whereupon possession of the land may be immediately taken, and the usufructory right of the Indians thereto, shall cease.

In testimony whereof, the acting Superintendent of Indian Affairs ^{pro tem} for ^{the State of} Michigan, duly authorized for that purpose, and the Chiefs of the said tribe, have hereunto

Let these hands beals, at Detroit in Michigan,
this day of in the year eighteen
hundred and thirty nine.

O.S.C. Saganaw. H. 528.

John Hulbert, ad. Sup.
Detroit, 11 July 1839.

Transmits Supplement-
ary treaty, effected with the
Chippewas of Saganaw, by
which they relinquish their title
to a tract of 40 acres -

Now drawn upon lead
Mr. Smith for the amt, \$125,
of expenses incurred by him,
and requests a remittance
to meet his draft

Rec^d 20 July 1839

Lib. 104 320
125

20 July DR

See letter of 21 July to the Secy
of War

Superintendency Indian Affairs
Detroit February 11th 1839.

Sir:

On the 4th instant I received instructions from A. R. Schoolcraft Esq^r to negotiate a treaty with the Chipewas Saganaw. I transmit the same to Washington in time for the action of the Senate previous to the 4th of March. At the time Mr. Schoolcraft wrote, he had no doubt but the Chiefs would be assembled at Detroit, for the purpose of acting upon the debt claims, now under examination by Mr. Ten Eyck's Commission, that all that would be necessary, would be to obtain the signatures of said Chiefs.

Immediately on the receipt of Mr. Schoolcraft's letter, I called on Mr. Ten Eyck to know at what time he would be prepared for the action of said Chiefs, and received for answer, about the 1st March, this I saw would be entirely too late to meet the wishes of the government. The only alternative was, for myself and Interpreter to visit Saganaw; accordingly this was done without the least delay and the enclosed treaty effected.

You will observe the stipulated price for the said 40 acres is less than was authorized by the government; at the same time the Chiefs were entirely satisfied. My promise to them, at the signing of the Treaty, was, that they should receive their pay, for said 40 acres at the time of

their annuity payment for 1839.

The expenses of negotiating said treaty are \$125, for which amount I have drawn requisitions on Col. Henry Smith, Prinl. Dir. Agent, and request that funds may be placed in his hands to meet the same, as early as the government may deem proper.

I have the honor to be Sir
Your obt. Servant

Geo Hulbert
Act Superintendent
Ind Affairs. Protem

Hon: G. Hartley Crawford
Com. Ind. Affairs
War Department
Washington

C. S. S. Sagoyewew, 1341,
Henry R. Schoolcraft,
New York, 20th Feb, 1839.

Days after the execution
of the Treaty with the Sagoyewew of
the 7th inst, it was thought a prefer-
ence might be given to lands on
the opposite side of the river. Enclosed
a supplementary article, duly exe-
cuted, authorising the President, to
make choice, between the two tracts,

Treaty sent to Secy July 23^d -

Recd 23^d July 1839.

ⁱⁿFile - see letter to Secy of
War transmitting treaty
23 July 1839

Mr Ward

New York February 20th 1839

Sir,

After the execution of the treaty with
the Sagawos of the 7th instant, it was thought
a preference might be given to lands on the
opposite side of the river. The enclosed
supplementary article provides for this con-
tingency.

I have the honor to be Sir

Very respectfully

Your Obedt Servant

Henry R Schoolcraft

Wm D. Hartsell Crawford

Washington.