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Charles A. Grignon.

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H.R. Rep. No. 523, 24th Cong., 1st Sess. (1836)

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CHARLES A. GRIGNON.

[To accompany bill H. R. No. 520.]

MARCH 31, 1836.

Mr. HUNTSMAN, from the Committee on Private Land Claims, made the following

REPORT:

The Committee on Private Land Claims, to which was referred the petition of Charles A. Grignon, praying to be perfected in a title to six hundred and forty acres of land, lying upon Fox river, in the Territory of Michigan, have had the same under consideration, and beg leave to report, that the petitioner presents his claims to the Government in the following words and figures, to wit:

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The petition of Charles A. Grignon, of Green Bay, in the county of Brown and Territory of Michigan, respectfully sheweth; that in the year 1831, a grant was made by the chiefs and head men of the Menominee nation of Indians, to your petitioner (who is allied, on the part of his mother, to the said Menominees) of a tract of land, containing one section or six hundred and forty acres, including a site for a mill, and other valuable privileges, situated at the mouth and upon the waters of a stream called "Apple creek," emptying into the Fox river, on the west side thereof, and about thirteen miles from the head of Green bay. That the said grant was sanctioned by the Secretary of War, and was surveyed by your petitioner.

That in the year 1832, at the time of negotiating the treaty between the late Governor Porter, commissioner on behalf of the United States, and the Menominee and New York tribes of Indians, at Green Bay; the said grant was recognised by the said Menominee chiefs. That an objection was made by the chiefs of the Oneida nation at that time, to the reservation of said tract of land, as it was situated within the portion of country allotted to their use. That the said Menominee chiefs refused to sign the treaty unless the reservation of said land was made to your petitioner and his heirs and assigns. That after several unsuccessful attempts made by the Governor, to reconcile the matter between the said parties, he, Governor Porter, applied to your petitioner, in person, and requested several individuals to apply to him upon the subject of said grant, or reservation; and proposed to your petitioner to relinquish the said grant; at the same time promising your petitioner that he should be fully satisfied, by the Govern-

ment, for his said claim, provided he would no longer let the said grant be an obstacle to the final adjustment of the differences, which had so long existed between the Menominee and New York Indians. That at the solicitation of the Governor, he, your petitioner, agreed to relinquish his right to said tract of land, upon the pledge given by Governor Porter, that a full equivalent, either in land or money, should be given by the Government, to the satisfaction of your petitioner, in lieu of said tract; and further, that Governor Porter pledged himself to the Menominee chiefs, in council, as the commissioner of the Government, that your petitioner should be fully satisfied, in regard to said grant; upon which the said Menominee chiefs signed the treaty.

And your petitioner further showeth, that he has repeatedly applied to Governor Porter, during his life time, and also to the Secretary of War, upon this subject, but has received no satisfaction. That during the last fall a paper was addressed to the President of the United States, signed by the said chiefs, which was forwarded by Colonel Boyd, the United States Indian agent at this place, to the Commissioner of Indian Affairs, and by him returned with the remark, that nothing could be done by the Department, and referring your petitioner to your honorable body for relief, &c. although by the said treaty, reference is made to the said grant, and it is thereby expressly reserved.

Your petitioner therefore prays your honorable body, that a law may be passed, giving him a full and adequate equivalent in money, or other land equally valuable, or ratifying and confirming to him and his heirs and assigns, for ever, the said tract of land, according to the intention of the said chiefs, and the pledge of Governor Porter, solemnly made as the commissioner of the Government, or granting such other and further relief as your honorable body may deem meet and proper.

And your petitioner, as in duty bound, will ever pray.

CHAS. A. GRIGNON.

Green Bay, February 4, 1836.

It is distinctly within my recollection, that the late Governor Porter agreed for, and on behalf of, the United States, to give to the memorialist, Charles A. Grignon, one thousand dollars, in lieu of his claim to the section of land on Apple creek, or that he should be allowed to locate one other section of land, at some other point, under the direction of the President of the United States.

Green Bay, February 6, 1836.

GEORGE BOYD,
Indian Agent.

The undersigned, chiefs and head men of the Menominee nation of Indians, to their great father, the President of the United States,

RESPECTFULLY REPRESENT:

That previous to the ratification of the treaty, made and concluded at Green Bay, in 1832; between them and the said United States, a grant was made by them to their relation and friend Charles A. Grignon, of Green Bay; of a tract of land one mile square, lying upon the west side of the Fox river, near said Green Bay, at the mouth and upon the waters of Apple

creek. That, at the time of making said treaty, the said chiefs and head men, on behalf of themselves and the said tribe, expressly stated their wishes, and declared that they would not sign the treaty unless the said tract of land was granted to the said Charles A. Grignon, or he otherwise fully satisfied and paid for the same by the United States. And we do further state, that, immediately before signing the said treaty, we stated our wishes to our late father, Governor Porter, who then pledged himself that our wishes and desires should be granted. But we are informed, and now believe, that our wishes have not been complied with; and although we have long since given to our friend this piece of land, (which gift was sanctioned by our father, Governor Porter,) yet there is not a sufficient grant contained in the treaty to secure to him the tract of land which we so long since gave to him:

We, therefore, in our own behalf, and for the said nation, do earnestly request our great father, the President, to comply with our wishes, and to grant to our relation, the said Charles A. Grignon and his heirs, the said tract of land, to be of the dimensions and situated according to the survey of the said tract herewith transmitted, which has been made with our consent and approbation; or that a full equivalent may be made by the United States to him, the said Charles A. Grignon, in lieu of that tract of land.

Signed, in open council, at the Little Butte des Morts, this 12th day of October, A. D. 1835.

OSH-KOSH,	his × mark.
JAMATA,	his × mark.
COMANIKINOSE,	his × mark.
MUSKAMAJAY,	his × mark.
OLD-SUN-AKEESIS,	his × mark.
KAY-SHAY-NA-MEE,	his × mark.
NOMALCHCEIR,	his × mark.

Signed and sealed in my presence, the day and year above written.

GEORGE BOYD,
United States Indian Agent.

Little Butte des Morts.

Description of a section of land, located to C. A. Grignon, as a mill privilege, on Apple creek, to wit: Beginning at a pine on the bank of Fox river, 7 chains and 26 links below the mouth of Apple creek, from which N. 47° W. distant 11 links are twin oaks, (black); thence west 80 chains is a willow 6 inches diameter, squared; thence S. 80 chains is a pine 8 inches diameter, squared; thence E. 74 chains, 96 links, is Fox river, and a pine on the bank, notched and blazed; thence down the bank of Fox river to the place of beginning; estimated to contain six hundred and forty acres of land.

A. G. ELLIS,
Surveyor, B. C. M. T.

November 1, 1833.

I do hereby certify that at the treaty which was held at Green Bay, in the fall of the year 1832, between the late Governor Porter, commissioner on behalf of the United States, and the Menominee and New York tribes of Indians, I was present, and, at the request of the Governor, assisted in negotiating the said treaty. That at that time the chiefs of the Menominee nation, declared in council, that it was their intention and desire to give to Charles A. Grignon (who is allied to said chiefs, on the side of his mother) a section of land, lying upon Apple river, at its junction with the Fox river, near Green Bay. That the said chiefs stated that they had long since set that tract of land apart for the said Grignon, and supposed it was secured to him and his heirs, as they had when previously at Washington, made the same statement.

That the chiefs of the Oneida nation objected to said grant, as it was situated within the district of country set apart by the treaty for their use. That the Menominee chiefs refused to sign the treaty until Grignon was satisfied in regard to this grant.

That Governor Porter in person, and by others, conferred with Mr. Grignon upon the subject, and pledged himself as the commissioner of the Government, that if he would not insist upon this reservation, or interpose it as an obstacle to the ratification of the treaty, he (the Governor,) would see him fully satisfied by the Government, by an equivalent in land or money. That upon this promise Grignon induced the Menominee chiefs to accede to the terms of the treaty, and that upon its final adjustment, and before the signing of the same, the Governor, in open council, again promised the said chiefs and the said Grignon, that he should be fully satisfied by the Government for the said grant or reservation. The above is a true statement of the facts, according to my best recollection.

R. A. FORSYTH.

Green Bay, January 30, 1836.

We, the undersigned, were present at the making of the treaty, within alluded to, at Green Bay, in the year 1832: we have carefully read the within statement of Major R. A. Forsyth, and are fully satisfied that the facts stated therein are correct and true: and that we have a distinct recollection of the promise made by Governor Porter to Mr. Grignon, that he should be amply remunerated by the Government for the said grant; and we do further state that we are well acquainted with the quality and location of said tract of land, that it is of superior quality, and possesses many advantages, which cannot be found in common locations.

ALEXANDER J. IRWIN.
HENRY S. BAIRD.

Green Bay, February 4, 1836.

Upon an examination of the testimony your committee find that the allegation set forth in the petition is fully sustained by the proof, and that the Government is under a strong moral obligation to grant relief to the petitioner, to the extent prayed for, and have reported a bill accordingly.