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Petition of Miami Indians, praying that the Secretary of the Interior be authorized to ascertain the arrearages due them and the prompt payment of the same out of the funds set apart by the Treaty of June 5, 1854. (To accompany bill S. no. 327.)

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P E T I T I O N
OF
M I A M I I N D I A N S ,

P R A Y I N G

That the Secretary of the Interior be authorized to ascertain the arrearages due them and the prompt payment of the same out of the funds set apart by the treaty of June 5, 1854.

[To accompany bill S. No. 327.]

MARCH 17, 1864.—Referred to the Committee on Indian Affairs

JUNE 23, 1864.—Ordered to be printed.

To the Congress of the United States :

Your petitioners, whose names are hereunder signed, respectfully state that on the 5th of June, 1854, a treaty was made between the United States and the Miami Indians, by which the moneys of the tribe were divided between the Western Miamies and Indiana Miamies, the tribe having before the date of the treaty separated, one division settling in Kansas, and the other remaining in Indiana ; the Western still maintaining their tribal existence, and the Indiana Miamies being scattered among the whites and having no tribal relations.

By the fourth article of said treaty the sum of \$231,004 was set apart for the Indiana Miamies ; from this sum was deducted, by the Senate amendment to said treaty, \$9,746 14, leaving a balance of \$221,257 86 ; in addition to this, the Indiana Miamies, by said fourth article of said treaty, were entitled to \$6,863 64 out of each of the remaining eight instalments of the annuity of \$12,500, (under the treaty of 1840,) subject to a deduction provided in the sixth article of the treaty ; they were also entitled, by fifth article of the treaty, to their proportion of two payments, \$25,000 each, in 1854 and 1855, and also to \$4,059 08 by same article. These sums constituted the share set apart by the treaty for the Miamies, then in the State of Indiana, and by the Senate amendment it is particularly defined who were to be counted Indiana Miamies, entitled to said moneys ; that is to say, 302 persons, whose names are on a certain list therein named, and their descendants. Now, we state it to be true that the undersigned, Thomas Richardville, or Wah-pe-wong-quah, Ap-ish-ac-quah, and Me-ta-con-squah, were all counted as Indiana Miamies in the division of moneys when said treaty was made, and our shares were and are included in the sums above named as set apart under said treaty for the Indiana Miamies ; and, moreover, our names are on said list, and in the first payment after said treaty (in 1854) we all drew, but since then our annuities, excepting said Richardville's, have been wrongfully withheld from us up to this date.

Your petitioners further state that Oy-an-deah and Kish-eco-quah, his wife, were both counted as Indiana Indians, and their shares set apart as above stated, and their names are on said lists, and that Oy-an-deah and wife had three children, two born before said treaty, and their names placed on said list, namely, Sar-car-che-quah and Me-ter-con-se-quah, and one born after treaty, namely, James Oy-an-deah; that said Oy-an-deah and wife, and two children, (Sar-car-che-quah and Me-ter-con-se-quah,) all drew out of the annuity of the Indiana Miamies in 1854, but their payments have been withheld ever since. Said Sar-car-che-quah died in the fall of 1858; Oy-an-deah died March, 1860; Kish-eco-quah died in December, 1862, (the annuities of each being in arrear and unpaid since 1854,) and leaving two children and heirs, the said Me-ter-con-se-quah and James Oy-an-deah, both still living in the State of Kansas, and entitled to all the arrearages due their deceased father, mother, and sister, as well as the arrearages due each of them in their own right. The annuity of said Me-ter-con-se-quah being in arrear since 1854, and that of James Oy-an-deah since his birth in 1856.

We would further state, that *we have since date of said treaty gone to Kansas near our friends and relations*, the Western Miamies, who have frequently given us of their moneys on our promise to pay it back so soon as we could get our own money out of the Indiana funds, but our rights in the Indiana payments have been withheld so long, thereby rendering us unable to repay the money so generously advanced to us by our Western Miami friends, they being needy themselves, they have for the last several payments been unable to help us in the least.

Now we beg the passage of an act authorizing the Secretary of the Interior to ascertain the arrearages due us as aforesaid, and providing for its prompt payment at as early a day as possible, out of the funds set apart by said treaty, for the Indiana Miamies on said list, and providing for the payment of the arrearages due said Oy-an-deah and wife, and daughter, at their death to the surviving heirs, the said Me-ter-con-se-quah, and James Oy-an-deah, all to be paid at Osage agency, Kansas.

ME-TER-CON-SE-QUAH,
 JAMES OY-AN-DEAH,
 By THOMAS F. RICHARDVILLE,
 GEO. WASHINGTON,
 AP-PINS-AC-QUAH,
 THOMAS F. RICHARDVILLE.

N. B.—The said Thomas Richardville has received his pay up to this time, and only wishes to provide in the act to have his portion of said moneys hereafter sent to Osage agency, Kansas.

WASHINGTON CITY, D. C.

Thomas Richardville, being duly sworn, states that he has been well acquainted with George Washington, or Wah-pe-pin-zeah, and Ap-pin-ac-quah for the last fifteen years, and knows that at the date of the treaty, fifth of June, 1854, and long afterwards, they were residing in the State of Indiana, and that they were counted as Indiana Miamies in the division of the moneys, mentioned in said treaty, between the Western Miamies and the Indiana Miamies. He believes their names are on the list of 302 mentioned in the Senate amendment to said treaty, and that they both live in Kansas, near the Western Miamies, and have for the last several years.

And he was also well acquainted with Oy-an-deah and Kish-e-co-quah, his wife; that they were also Indiana Miamies, and so counted at the date of and after said treaty, and that they had three children, namely, Sar-car-che-quah, Me-ter-con-se-quah, and James Oy-an-deah, the first two born before said treaty.

and the last afterwards, in the year 1856. Said Oy-an-deah and wife and two children drew annuities at the first payment after said treaty in 1854, out of the moneys set apart by the treaty for the Indiana Miamies; but he thinks their annuities remained unpaid afterwards until the death of the said Oy-an-deah and wife and their oldest child, Sar-car-che-quah; that said Oy-an-deah died March, 1860, his wife, Kish-e-co-quah, died 1862, and their oldest child, Sar-car-che-quah, about September, 1858; that said Me-ter-con-se-quah and James Oy-an-deah are the only living children of said Oy-an-deah and wife, and only heirs to their deceased sister, said Sar-co-che-quah; and that said Oy-an-deah and family moved to Kansas after the date of said treaty, and died there, and their said surviving children still live there, in the family of this affiant, Thomas Richardville. He also states that he was classed as an Indiana Miami, and his moneys set off accordingly in making said treaty; and that he also moved to, and still lives in, Kansas, near the Western Miamies; and that he has one child living, Josephine Richardville, born last September; and that he has received his pay up to this time out of the Indiana moneys, but not without much delay and expense; and that it is the wish, as well as the interest, of himself and child, and the said Ap-pin-ac-quah, and said George Washington, or Wah-pe-pin-zeah, and the said heirs of Oy-an-deah and wife, to have their shares of said Indiana moneys hereafter paid to them at the Osage agency, in Kansas, as well as the arrearages due said George Washington, or Wah-pe-pin-zeah, and said heirs of Oy-an-deah. He thinks there are no arrearages due said Ap-pin-ac-quah.

THOMAS RICHARDVILLE.

Sworn to and subscribed before me this 18th day of March, 1864.

[SEAL.]

EDM. F. BROWN,

Notary Public.

Baptiste Peoria, being duly sworn, states that he is, and was, well acquainted with all the persons named in the above affidavit of Thomas Richardville, namely, George Washington, or Wah-pe-pin-zeah, Ap-pin-ac-quah, Oy-an-deah, and Kish-e-co-quah, his wife, and their three children, Sar-co-che-quah, Me-tah-con-se-quah, and James Oy-an-deah, and that the statements of said Richardville concerning them he knows to be true, having been present when said treaty of the fifth of June, 1854, was made, and being then well acquainted with all the Western Miamies, and also being their interpreter at the time of making said treaty, and becoming well acquainted with the persons above mentioned soon after they moved from Indiana to Kansas, which was long after date of said treaty, and he is well satisfied they were all counted as Indiana Miamies in dividing the moneys mentioned in said treaty between the Western Miamies and Indiana Miamies, except the said James Oy-an-deah, born afterwards. He also knows said Thomas Richardville has one living child, named Josephine Richardville, born September last. He also states that when said treaty was made the moneys and annuities of the tribe were divided between the Indiana Miamies and the Western Miamies, according to population, as nearly as could be ascertained, excepting the proceeds of the lands of the Western Miamies, which was to go exclusively to them.

his
BAPTISTE × PEORIA.
mark.

Witness:

EDM. F. BROWN.

DISTRICT OF COLUMBIA,

County of Washington, ss:

Sworn to and subscribed before me this 18th day of March, 1864.

[SEAL.]

EDM. F. BROWN,

Notary Public.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, June 11, 1864.

SIR: I have the honor to acknowledge, by reference from your department of the 3d instant, a communication from Hon. J. R. Doolittle, enclosing a petition and testimony, together with the draft of a bill, designed for the benefit of certain Miami Indians, now residing in Kansas, but entitled to draw from the funds of the Miamies residing east of the Mississippi.

The justice of paying the Indians in question, from the funds of the eastern Indians, is conceded by this office, but the exact amount of *arrearages* cannot be ascertained until the examination of the roll by the Secretary of the Interior, contemplated in the proposed act, has been made; it is believed, though, that the whole amount of money involved in the bill will not exceed \$1,500, when the rights of the petitioners have been clearly ascertained and defined.

The papers enclosed by Mr. Doolittle are herewith returned.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

Hon. J. P. USHER,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 13, 1864.

SIR: I have the honor to transmit to you, herewith, a report from the Commissioner of Indian Affairs, dated the 11th instant, on the subject of the proposed bill "for the relief of Thomas Richardville and other Indiana Miami Indians, now residing in the State of Kansas."

I concur in the views expressed by the Commissioner of Indian Affairs, and return the proposed bill and other papers which you submitted to the department a few days since.

I am sir, with much respect, your obedient servant,

J. P. USHER,
Secretary of the Interior.

Hon. J. R. DOOLITTLE,
Senate of the United States.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, June 22, 1864.

SIR: The letter of Hon. J. R. Doolittle, chairman Committee on Indian Affairs' United States Senate, referred by your department to this office on the 21st instant, the receipt of which I have the honor to acknowledge, makes the following inquiries in connexion with the report of this office of the 11th instant, relative to certain Miami Indians in Kansas, entitled to draw their annuities from the funds of the Miamies east of the Mississippi, viz:

"1st. Upon what ground have the payments of annuities been withheld by the department?"

"2d. Upon what ground does the department admit the validity of their claim?"

The above inquiries can be answered as one, which answer is as follows, viz: Some of the names of the Miami Indians, in the bill and testimony referred to in the report from this office of the 11th instant, are on a certain roll recognized in the Senate's amendments to the treaty with the Miamies, June 5, 1854,

as being Miami Indians entitled to draw their annuities in Indiana, while others mentioned in the bill appear to be the descendants, and likewise entitled to draw (according to the terms of the amendments) in Indiana.

After drawing in Indiana for a year or more, the Indians in question, it appears, removed to Kansas, and from the fact that they were permitted, with the consent of the Kansas Indians, to draw annuities from the funds of those people, this office has heard no complaint from them until very recently, in the present form.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

Hon. J. P. USHER,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 23, 1864.

SIR: In reply to the inquiries of your letter, without date, concerning the Indiana Miami Indians in Kansas, I have the honor to communicate herewith a report of the Commissioner of Indian Affairs, dated the 22d instant, in relation to the subject.

Very respectfully, your obedient servant,

J. P. USHER,
Secretary.

Hon. J. R. DOOLITTLE,
Chairman Committee on Indian Affairs, U. S. Senate.