

12-22-1855

Miami Indians. Letter from the Commissioner of Indian affairs, to the Chairman of the Committee on Indian Affairs, in regard to the Miami tribe of Indians.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Misc. Doc. No. 7, 33rd Cong., 2nd Sess. (1854)

This House Miscellaneous Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

MIAMI INDIANS.

LETTER

FROM THE

COMMISSIONER OF INDIAN AFFAIRS,

TO

*The Chairman of the Committee on Indian Affairs, in regard to the
Miami tribe of Indians.*

DECEMBER 22, 1854.—Laid upon the table, and ordered to be printed.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, December 19, 1854.

SIR: In reply to your letter of the 16th instant, I have the honor to transmit herewith, for your information, a copy of my letter to the Secretary of the Interior, which accompanied the articles of agreement and convention made and entered into by me with the Miami tribe of Indians, on the 5th of the same month, for the purchase of their country west of the State of Missouri.

I have read the remarks of the Hon. Mr. Harlan, referred to by you, as the same appear in the "Globe," and have to state, respectfully, that Mr. Harlan is under a misapprehension of the facts.

The treaty of November 6, 1838, which guarantied to the Miami Indians a country west of the Mississippi, did not "assure" the Indians that they should receive 500,000 acres of land. That treaty (United States Statutes at Large, volume 7, page 571) provided that they should have a country "sufficient in extent and suited to their wants and condition, and to be in a region contiguous to that in the occupation of the tribes which emigrated from the States of Ohio and Indiana." Nor were they so assured by the original treaty with them of the date of November 28, 1840. It provided, (page 583, same volume,) "that the Miami tribe of Indians shall remove to the country assigned them west of the Mississippi, within five years from this date." By an amendment of the Senate made February 25, 1841, (same volume, page 585,) it is provided, that "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." Thus it will be seen that the Miamies had no assurance of the kind referred to by Mr. Harlan.

The land above described by metes and bounds was given to the Miami Indians, and the tribe removed to the tract in 1846. Certain families or bands remained in Indiana as provided by the former treaties, ample, indeed I may say munificent provision having been made for them. Others were induced to return from the country west by virtue of resolutions of Congress, and were paid their share of annuities in Indiana for several years prior to the treaty of June, 1854, when the country west, except 70,000 acres, was ceded to the United States.

All matters of difference between the Miamies of Indiana and the tribe west were fully discussed and satisfactorily compromised, arranged, and provided for by the treaty of June 5, 1854. The Miami Indians of Indiana who were here, were, to use the language in the preamble to that instrument, "assenting, approving, agreeing to, and confirming said articles of agreement and convention." They were headed by Me-shin-go-me-ziah, a prominent man, and who has by the treaty of 1840 a special grant to him and his band, of ten sections of fine land in Indiana.

By the fourth article of the treaty of June 5, 1854, it is expressly provided that no part of the moneys arising or to arise from the sale of the western lands shall ever be paid to the Miami Indians of Indiana. The deputation from Indiana assented to this and every other article of the treaty, and I am at a loss to know how any other conclusion is arrived at by Mr. Harlan. The Miamies west agreed to divide with the Miamies of Indiana the proceeds of certain permanent annuities for salt, tobacco, labor, iron and steel, &c., which belonged to and followed the tribe, and the Indiana Miamies waived their claim to the western land. By this arrangement the Indiana Miamies got a gift of \$19,278 74. Me-shin-go-me-ziah and his colleagues returned home to Indiana after the conclusion of the treaty, and on their motion a full council of the Miamies of that State was held, and another deputation was despatched to Washington to have certain amendments made to the treaty. On the 4th of August, at their solicitation, the Senate amended the treaty, and in the body of the Senate's amendment the following language is used: "The Miami Indians of Indiana being now represented in Washington by a fully authorized deputation, and having requested the foregoing amendments, the same are made binding on them; but these amendments are in no way to affect or impair the stipulations in said treaty contained, as to the Miamies west of the Mississippi, the said amendments being final and not required to be submitted to the Miamies for their consent."

All the Indians, whether from the west or from Indiana, were fully advised by me that the tract did not contain 500,000 acres, and I further advised them that the country the western Miamies resided in was all that was called for by the Senate's amendment of February 25, 1841, and that they could claim no more; and yet the fact that the country was estimated by the Senate to contain 500,000 acres, was equitably considered by me and made an element in the price I paid them, and of this fact they were well advised also. In fact the Miamies

of Indiana, and those west, were fully and thoroughly informed on all matters in relation to the convention of June 5, 1854, and acted understandingly; and the Indiana Indians declared that they were not only fairly treated, but liberally provided for by their western brethren; and that they had obtained more than they had a right to expect.

I may here, I hope, respectfully remark, that the Miami Indians of Indiana, as far as I know, have not at any time, since the treaty was ratified, expressed dissatisfaction; as honest men they cannot do so, and as their guardian I protest against a claim not founded in justice, and which I am sure they have not sought to obtain.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY, *Commissioner.*

HON. JAMES L. ORR,

Chairman of Committee on Indian Affairs,

House of Representatives.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, June 8, 1854.

SIR: I have the honor to transmit herewith articles of agreement and convention made and entered into by me, as commissioner on the part of the United States, and the Miami tribe of Indians, on the 5th instant, the Miami Indians of Indiana also agreeing and assenting thereto.

By this instrument the United States acquire the tract of land (excepting 70,000 acres reserved therefrom for the future homes of the Indians) which was set apart to the Miami tribe by the articles added by resolution of the Senate of February 25, 1841, to the treaty of November 28, 1840, denominated among the Senate amendments as "article 12," which tract, it is recited in said "article 12," "is estimated to contain 500,000 acres."

The actual quantity of land, however, within the boundaries named in the article referred to, does not probably exceed 370,000 acres; and in the conferences between the Indians and myself, this matter of difference was discussed, and was fully understood by them, and was an element in the purchase of the land.

In consideration of this cession, the United States is to pay the sum of \$200,000 to the tribe residing west of Missouri, \$50,000 to be invested, and \$150,000 to be paid in twenty annual instalments, commencing with the year 1860.

The existing treaty stipulations for a blacksmith and miller for the tribe are confirmed, and the limited annuity of \$12,500 established by the 2d article of the treaty of November 28, 1840, is to be paid until it expires; subject, however, to a deduction to reimburse the United States in a balance of \$10,882 43, for that amount advanced to pay to the Eel River Miamies under provision of the 1st section of the act of Congress approved August 30, 1852.

All other permanent annuities of the Miamies, including one of twenty-five thousand dollars, secured by the 4th article of the treaty of October 24th, 1840, after the year 1855, are to cease and determine, and for the

relinquishment of them the United States will pay the Indians the sum of \$421,438 68.

The money annuity of \$12,500 above mentioned, and the said sum of \$421,438 68, will be divided between the Miami tribe west of Missouri and the Miami Indians in Indiana, in a proportion fixed and agreed on between the two branches of the nation.

The United States will also pay the sum of \$30,000 on account of unexpended balances of appropriations heretofore made to fulfil stipulations of former treaties, and of unfulfilled provisions of such treaties, and on account of losses and injuries individuals of the tribe have heretofore sustained; the Indians relinquishing all claims against the United States, in consideration of the payment.

For a full exhibit of the details of the convention thus agreed upon, I would respectfully refer you to the instrument itself, which will be found full and explicit as to the arrangements provided respecting the lands reserved, and also in regard to the objects, time, and manner of the several payments.

I would respectfully request that you will transmit the "articles of agreement and convention" referred to, to the President of the United States, that they may, if they meet his approval, be sent by him to the Senate of the United States for its constitutional action thereon.

The map accompanying the "convention" with the Kaskaskia and other Indians, exhibits also the location of the Miami lands.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,

Commissioner.

HON. R. McCLELLAND,
Secretary of the Interior.