

THE NATIONAL ARCHIVES

LIST OF DOCUMENTS CONCERNING
THE NEGOTIATION OF
RATIFIED INDIAN TREATIES
1801 - 1869



Compiled by John H. Martin

Special List No. 6

WASHINGTON : 1949

To make the records in the National Archives more available for use by Government officials, scholars, and other investigators, the Archivist of the United States in February 1941 directed the establishment of a systematic program for the compilation of finding aids. This program includes provision for the compilation of preliminary checklists and preliminary inventories. These preliminary finding aids are prepared without waiting for decisions as to the final arrangement of the records, and in many other respects they are provisional in character. They are intended to be superseded eventually, after the material has been more carefully studied and has been definitively arranged, by final inventories. Other types of finding aids, such as calendars, special lists, and indexes, are compiled from time to time as the need arises and as circumstances permit.

The present work is a select list of documents concerning the negotiation of ratified Indian treaties that are in the National Archives in Record Group 75, Records of the Office of Indian Affairs, and Record Group 48, General Records of the Department of the Interior. The list does not include similar items that may exist in other record groups, nor does it include documents pertaining to unratified treaties or other agreements with Indian tribes or bands. The original signed and ratified treaties, to which reference is made in the first column of the list, are maintained in a numbered file organized by the Department of State and now in the National Archives in Record Group 11, General Records of the United States Government.

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CONTENTS

	Page
Introduction	1
Abbreviations and terms used in list	5
List of documents concerning the negotiation of ratified Indian treaties	7
Appendix--officials concerned with the negotiation of the Indian treaties	167
A. United States Commissioners, 1801-68	167
B. Commissioners of Indian Affairs, 1832-69	174
C. Secretaries of War, 1801-49	174
D. Secretaries of the Interior, 1849-69	175

INTRODUCTION

The negotiation of formal treaties with the Indians by the Government of the United States followed a custom established by Great Britain and the colonial governments. Indian treaties were made by authority of the Continental Congress and during the Confederation period, and then continued to be made under the Constitution adopted in 1789. It was decided very early that compacts entered into with Indian tribes required ratification by the Senate and had the same status, force, and dignity as agreements with sovereign nations. This practice of according full treaty status to agreements with Indian tribes continued until 1871, when it was discontinued by act of Congress.¹

Ratified Indian treaties are one of the basic sources of documentation of the Government's policy toward Indians and the legal status of the tribes. To obtain a full historical or legal understanding of any law or treaty it is frequently necessary to study documentary materials that throw light on the policies, purposes, and interpretation of the document by the persons chiefly responsible for bringing it into being. This is especially true of treaties with Indian tribes, which contain many provisions of which the true historical or legal significance is open to difference of interpretation. It has, furthermore, been "a cardinal rule in the interpretation of Indian treaties . . . that ambiguities are resolved in favor of the Indians."² For this reason historians and attorneys interested in particular treaties have for many years made a practice of combing public and private records for materials that throw light on the circumstances surrounding their drafting, negotiation, and ratification. The largest single groups of such materials are those that have been examined for the purpose of preparing this list, and it is the purpose of the list to facilitate such searches. The list includes all documentary materials in the records of the Bureau of Indian Affairs (Record Group 75) and the Office of the Secretary of the Interior (Record Group 48) that are easily identifiable as throwing light on the authority, intent, and understanding of the men who negotiated these treaties. For the most part the records listed fall into three broad categories, as follows:

¹16 Stat. 566. For studies of the treaty-making process and legal significance of Indian treaties, see Ralston Hayden, The Senate and Treaties, 1789-1817 (New York, 1920); and Felix Cohen, Handbook of Federal Indian Law (Washington, 1942). Information concerning the various Indian tribes may be found in Frederick Webb Hodge, Handbook of American Indians (2 vols. Washington, 1907-10. Bureau of American Ethnology Bulletin 30).

²Cohen, Handbook of Federal Indian Law, 37.

1. Instructions issued to treaty commissioners or others, first by the Secretary of War and later by the Secretary of the Interior, empowering them to negotiate treaties, outlining the scope of their authority, and describing the general character of the treaty desired. (After 1837 many of the instructions were issued by the Commissioner of Indian Affairs.)
2. Records of treaty council proceedings, including minutes of meetings, speeches, journals, and similar papers documenting the course of the negotiations.
3. Correspondence concerning the treaty during and immediately after the negotiation period, up to the time of its transmittal to the President for submission to the Senate. Correspondence concerning amendments made in the Senate has been included. If documents important to the history of a negotiation are missing from the files, an effort has been made to cite others that throw light on it.

It should be emphasized that not all these types of documentation exist for each treaty, but whenever such documents have been found they have been listed. An occasional reference has also been made to published documents, although no rigorous search has been made for such documents, nor has any attempt been made to indicate which of the documents appearing on this list have been published.

In preparing the list, the letters ultimately received in the Bureau of Indian Affairs were checked for the identity of the original addressee. Although the first Commissioner of Indian Affairs was appointed in 1832, a large majority of letters received continued for a time to be addressed to the Secretary of War. By 1837, however, the prestige of the new official was such that practically all of the incoming letters were addressed to him.

Some three hundred and seventy treaties with Indian tribes had been formally ratified or perfected and proclaimed as part of the law of the land before the making of treaties with Indians was discontinued in 1871. The original signed ratified Indian treaties were maintained by the Department of State in an "Indian Treaty File" and are now in the National Archives (in Record Group 11, General Records of the United States Government).³ All these treaties have been published in

³A copy of a card index to Indian treaties that was compiled in the Department of State is available in the National Archives. It is in three parts, arranged by date, by place of signing, and by tribe; and it includes references to pertinent documents in the "Miscellaneous Letters" and "Domestic Letters" series in Record Group 59, General Records of the Department of State.

the well-known work edited by Charles J. Kappler.⁴ They begin with the treaty of September 17, 1778, with the Delawares and conclude with the treaty of August 13, 1868, with the Nez Percés. As no documents of importance concerning the negotiation of the early treaties have been uncovered, the present list begins with those concerning the treaty of October 24, 1801, with the Chickasaw; it ends with those concerning the treaty of August 13, 1868, with the Nez Percés. The treaties in the list are presented in the numerical and chronological order in which they were maintained by the Department of State (Nos. 30-374 as assigned by the Department). Included in the list are two unnumbered treaties for which the ratification was not completed, one with the Sioux signed on September 23, 1805, and one with the Sioux and other tribes signed at Fort Laramie on September 17, 1851. The documents for each treaty are listed chronologically.

When the National Archives received the older records of the Bureau of Indian Affairs, they were found to contain a segregated file of documents generally referred to as "Treaties, Talks, and Councils." This file, which included a miscellany of oversized or rolled-up documents, apparently segregated largely because of their awkward physical nature, related to Indian negotiations of all sorts and to both ratified and unratified treaties; and they included much that did not relate to treaties or negotiations of any kind. There were also many extra copies of ratified Indian treaties. The documents appearing in the present list are in this segregated file or in the regular files of the Bureau of Indian Affairs and of the Indian Division, Office of the Secretary of the Interior. If a document is in the segregated file, that fact is indicated by the use of an asterisk (*). If not, a citation is given to the file of which it forms a part.

Other record groups in the National Archives that contain documents concerning the negotiation of ratified Indian treaties are:

Record Group 107, Records of the Office of the Secretary of War, in the correspondence files.

Record Group 46, Records of the United States Senate. This group contains the messages of the President and related papers pertaining to Indian treaties, together with most of the unratified treaties, arranged by Congress under the heading "President's Messages--Indian Relations."

Record Group 11, General Records of the United States Government. The "Indian Treaty File" in this group, in addition to the original

⁴Charles J. Kappler, ed., Indian Affairs: Laws and Treaties (Washington, 1904-13. 3 vols.); vol. 2, Treaties. See also Statutes at Large, vol. 7 (Boston, 1846), and American State Papers: Indian Affairs (Washington, 1832-34. 2 vols.).

signed and ratified Indian treaties, which are usually accompanied by the ratifications by the Senate and the Presidential ratifications and proclamations, also contains in some cases copies of messages of the President to Congress regarding treaties, copies of letters of instruction to Indian commissioners, and journals and correspondence of the commissioners.

The segregated map files of the War Department, the Bureau of Indian Affairs, the Office of the Secretary of the Interior, the United States Senate, and the Department of State have not been searched for the purposes of this list. These are in the Cartographic Records Branch of the National Archives.

This list has been in course of preparation for 9 years, and during that period various members of the staff, in addition to John H. Martin, have made contributions to it. Special mention should be made of the work of Gaston Litton on this project during the years 1939-40. Final revision was done by Carl L. Lokke.

ABBREVIATIONS AND TERMS USED IN LIST

Abbreviations Used in Citing Documents

*	Segregated File
IA, LR	Letters received by the Secretary of War concerning Indian affairs, 1801-24
IA, LS	Letters sent (copies) by the Secretary of War concerning Indian affairs, 1801-24
OIA, LR	Letters received by the Bureau (later Office) of Indian Affairs, 1824-69
OIA, LS	Letters sent (copies) by the Bureau (later Office) of Indian Affairs, 1824-69
ID, LR	Letters received by the Indian Division of the Office of the Secretary of the Interior
ID, LS	Letters sent (copies) by the Secretary of the Interior (Indian Division)

Documents forming a part of the records of a field agency of the Bureau of Indian Affairs are indicated in the following manner:

Mackinac Agency, LR	Letters received by Mackinac Agency
Mich. Suptcy., LS	Letters sent (copies) by Michigan Superintendency

Abbreviated Forms Used for Offices and Titles of Officials

Sec.	Secretary
Gov.	Governor
Department	War Department, 1801-49; Department of the Interior, 1849-69
IA	Indian affairs, used for period 1801-24 when the Secretary of War directly supervised Indian matters
OIA	Office of Indian Affairs (after 1824)
Supt.	Superintendent
Suptcy.	Superintendency
Commr.	Commissioner
U. S. Ind. Agt.	United States Indian Agent
ID	Indian Division (Office of the Secretary of the Interior)

Standard Terms Used for Particular Types or Classes of Documents

Instructions.--Refers to the letters of instruction to the treaty commissioners and others from the Secretaries of War and Interior and from the Commissioner of Indian Affairs.

Council.--Refers to a meeting only. (In the records this word is used both for a "meeting" and for a "talk" delivered orally to which no response was made.)

"Talk."--May refer to a transcript of a speech, a written petition, a letter, or a message (written or verbal).

Record of Council, Council Proceedings, Journal of Proceedings or Journal of Commissioners, and Minutes of Conference or Minutes of Council.--Refer to the most important class of documents (only 45 in number) pertaining to the negotiation of the treaties, and the type most frequently missing from the files. In a great many cases a complete record of the treaty-councils was not kept; in other cases the only record of these meetings was forwarded to some other office and not returned. The titles appearing on the documents are used unless misleading. (In practice, these terms and variations of them were often misused.)

LIST OF DOCUMENTS CONCERNING THE NEGOTIATION OF RATIFIED INDIAN TREATIES

<u>Treaty</u> ⁵	<u>Document</u>
No. 30 1801, Oct. 24 Chickasaw Chickasaw Bluffs	(1) Sec. of War to Gen. Jas. Wilkinson and Wm. R. Davie, June 18 and 24, 1801, notifying them of their appointment to serve jointly with Benj. Hawkins in holding conferences with several "Indian Nations south of Ohio." (IA, LS, vol. A, p. 53, 56-58) (2) Sec. of War to John McKee and Return J. Meigs, Ind. Agts., June 18, 1801, enclosing "invitation of President" to Cherokee, Chickasaw, and Choctaw to meet U. S. comrs. in conference. (IA, LS, vol. A, p. 54-56) (3) Instructions, June 24, 1801. (IA, LS, vol. A, p. 59-67) (4) Sec. of War to Benj. Hawkins and Jas. Wilkinson, June 25, 1801, enclosing instructions (above). (IA, LS, vol. A, p. 69-70) (5) Sec. of War to Benj. Hawkins and Jas. Wilkinson, July 16, 1801, advising that Andrew Pickens was to act as comr. in place of Wm. R. Davie; same to Andrew Pickens, same date, notifying him of his appointment. (IA, LS, vol. A, p. 101-102) (6) Treaty comrs. to Sec. of War, Aug. 19-Nov. 14, 1801, relating their proceedings. (IA, LR, 1801) (7) Benj. Hawkins and Jas. Wilkinson to R. J. Meigs, Oct. 26 and 28, 1801, re the Chickasaw treaty. (Cherokee Agency, LR, 1801)

⁵The treaty numbers shown are those assigned the original treaties by the State Department in the "Indian Treaty File" (in Record Group 11, General Records of the United States Government). Under the number of each treaty appear the date of the treaty, the name of the tribe or tribes concerned, and the place of signing. Treaties earlier than No. 30 are not included as no documents of importance concerning the negotiation of the early treaties have been uncovered among the records searched in preparing the list (Record Group 48, General Records of the Department of the Interior, and Record Group 75, Records of the Bureau of Indian Affairs).

Treaty

Document

No. 31
1801, Dec. 17
Choctaw
Fort Adams (on the
Mississippi)

(1) Comrs. to Sec. of War, Dec. 11, 1801, re arrival of Indian delegates and preparations for conference.*⁶

(2) Minutes of conference with chiefs of Choctaw Nation, Dec. 12-17, 1801 (certified copy including text of treaty. 28 p.)*

See items 1-6 under Treaty of Oct. 24, 1801.

No. 32
1802, June 16
Creeks
Near Fort Wilkinson
on the Oconee River

(1) Comrs. to Gov. of Ga. and others, May 10-June 27, 1802, re their proceedings. (Creek Agency, LS, 1802)

(2) Treaty (certified copy lacking signatures).*

(3) Jas. Wilkinson, Benj. Hawkins, and Andrew Pickens, Comrs., to Sec. of War, June 17, 1802: a report in two copies, enclosing a copy of the treaty (above). (3 p. each)*

(4) Instructions, July 17, 1801. (IA, LS, vol. A, p. 103-105)

See items 1-2 and 4-6 under Treaty of Oct. 24, 1801.

No. 33
1802, June 30
Seneca--Citizens of
Co. of Ontario and
State of N. Y.
Buffalo Creek, N. Y.

(1) Instructions, Mar. 17, 1802. (IA, LS, vol. A, p. 194)

(2) Sec. of War to Geo. Clinton, Gov. of N. Y., Mar. 17, 1802, re proposed negotiations between Holland Land Co., citizens of N. Y., and any one of the Six Nations of Indians. (IA, LS, vol. A, p. 195)

Note: The text of this agreement ("held under authority of United States") that appears in Kappler, p. 60-61, lacks final paragraph of text printed in American State Papers: Indian Affairs, 1:666.

⁶Documents marked with an asterisk (*) are in the segregated file known as "Treaties, Talks, and Councils" in Record Group 75.

Treaty

Document

No. 34
1802, June 30
Seneca--Citizens of
Amsterdam and Re-
public of Batavia
Buffalo Creek, N. Y.

Treaty (copy).*
See note under treaty of same date with citi-
zens of State of New York.
Note: "Treaty held under authority of United
States."

No. 35
1802, Oct. 17
Choctaw
Fort Confederation
on the Tombigbee
in the Choctaw
Country

(1) Treaty (original copy with signatures).*
(2) Talk (certified copy) delivered before Gen.
Wilkinson by Mingo Homastubby in council on
Oct. 18, 1802. (Creek Agency, LR, 1802)
(3) Report (certified copy) of Dec. 18, 1802,
to Sec. of War, transmitting treaty (not otherwise
identified, but unratified) concluded by Comrs.
Wilkinson, Hawkins, and Perkins on previous day,
which discusses in detail the boundary line of
the Choctaw Nation. (IA, LR)
See items 1-5 under Treaty of Oct. 24, 1801.

No. 36
1803, June 7

Delaware
Shawnee
Potawatomi
Miami
Eel River
Wea
Kickapoo
Piankashaw
Kaskaskia

(1) Instructions, Feb. 21, 1803. (IA, LS,
vol. A, p. 328-331)
(2) Sec. of War to Wm. Henry Harrison, Treaty
Comm., Sept. 23, 1803, acknowledging receipt of
"treaties, conventions, etc." (IA, LS, vol. A,
p. 375)
(3) Journal of accounts of John Johnston,
U. S. Factor at Ft. Wayne, dated Jan. 1, 1804,
which includes an account of council proceedings,
June 1-7, 1803. (Office of Indian Trade, Ft.
Wayne Factory, LR, 1804)

Ft. Wayne on the
Miami of the Lake

No. 37
1803, Aug. 7

See items 1-2 under Treaty of June 7, 1803.

Eel River
Wyandot
Piankashaw
Kaskaskia
Kickapoo

Vincennes

Treaty

Document

No. 197 (continued)
Agency House,
Caddo Nation,
La.

(2) Committee on Indian Affairs to Sec. of War, Feb. 20, 1835, inquiring as to expediency of treating with Caddo. (OIA, LR, Caddo, 1835)

(3) Jehiel Brooks, to Sec. of War, Feb. 21 and 25, 1835, relating to history of the Caddo and applying for appointment as treaty comr. (OIA, LR, Caddo, 1835)

(4) Instructions, Mar. 25, 1835 (OIA, LS, vol. 15, p. 209-212)

(5) Journal (copy) of proceedings, May 30 - July 1, 1835 (OIA, Misc. Records, vol. 1, p. 267-274)

(6) Jehiel Brooks, Comr., to Sec. of War, June 10, 1835, reporting plans for assembling Caddo*

(7) Brooks to Sec. of War, Aug. 18, 1835, transmitting original treaty and abstract of it*

(8) Brooks to Sec. of War, Nov. 9, 1835, forwarding journal* (Notation on back of letter says journal was sent to Senate on Jan. 11, 1836)

No. 198
1835, Aug. 24

Comanche
Wichita
Cherokee Muscogee
Choctaw
Osage
Seneca
Quapaw

Camp Holmes,
eastern border
of the Grand
Prairie near
the Canadian
River in the
Muscogee Nation

(1) Montfort Stokes, Matthew Arbuckle, and F. W. Armstrong, Comrs., to Sec. of War and Comr. of Indian Affairs, Mar. 6 - Aug. 3, 1835, concerning plans for holding councils, reports of meetings with Indians, etc. (OIA, LR, Western Suptcy., 1835)

(2) Instructions, Apr. 8 and Mar. 26, 1835. (OIA, LR, Western Suptcy., 1835)

(3) Journal of proceedings, May 4 - Sept. 13, 1835 (OIA, Misc. Records, vol. 1, p. 240-261)

(4) Comrs. to Sec. of War, Sept. 23, 1835, re presents distributed at the councils, treaty accounts, etc. (OIA, LR, Western Suptcy., 1835)

(5) Stokes and Arbuckle to Sec. of War, Sept. 26, 1835, transmitting the original treaty and certified copy of it*

(6) Lt. W. Seawell, Sec. of Treaty Commission, to Sec. of War, Nov. 3, 1835, giving information concerning appointment of secretary, keeping of journal, etc. (OIA, LR, Western Suptcy., 1835)

Treaty

Document

No. 199
1835, Dec. 29
Cherokee
New Echota, Ga.

- (1) Synopsis of treaties between the United States and the Cherokee Nation from the Treaty of Nov. 28, 1785, to the Treaty of Dec. 29, 1835. (OIA, LR, Cherokee, 1836)
- (2) Wm. Carroll and J. F. Schermerhorn, Comrs., to Cherokee and the War Dept. (a large number of letters). (OIA, LR, Cherokee, 1835-36)
- (3) Unratified treaty made with Cherokee on Mar. 14, 1835. (OIA, LR, Cherokee, 1835)
- (4) Address (printed copy) of Andrew Jackson to the Cherokees in the East dated Mar. 16, 1835, listing proposed treaty stipulations*
- (5) Instructions, Apr. 2, 1835 (OIA, LS, vol. 15, p. 259-265)
- (6) Treaty (printed copy) with proclamation of May 23, 1836*

Note: Supplemental articles to this treaty were signed on Mar. 1, 1836.

No. 200
1836, Mar. 26
Potawatomi
(Mesquawbuck's
Band)
Turkey Creek
Prairie, Ind.

- (1) Instructions, Jan. 25, 1836 (OIA, LS, vol. 17, p. 458-461)
- (2) Abel C. Pepper, Comr., to Sec. of War and Comr. of Indian Affairs, Mar. 30, Apr. 15 and 30, Aug. 8, and Oct. 15, 1836, transmitting treaties made with various bands of Potawatomi Indians and reporting details of negotiations*
- (3) Pepper to Sec. of War, Sept. 10, 1836, re treaty with Ash-Kum's band and other bands of Potawatomi. (OIA, LR, Potawatomi, p. 19, 1836)

No. 201
1836, Mar. 28
Ottawa
Chippewa
Washington

- (1) Instructions, Mar. 14, 1836 (OIA, LS, vol. 18, p. 179-180)
- (2) H. R. Schoolcraft, Comr., to Sec. of War, Mar. 30 and Apr. 1, 1836, transmitting treaty and the supplemental article*
- (3) Sec. of War to President, Apr. 1, 1836. (OIA, LS, vol. 18, p. 368)
- (4) Schoolcraft to Sec. of War, Apr. 6 and 26, 1836, enclosing estimates of moneys and goods required to carry out treaty. (OIA, LR, Chippewa and Ottawa, S-315, S-316, 1836)
- (5) Schoolcraft to Sec. of War, June 20, 1836, concerning the assembling of Indians to consider amendments to treaty. (OIA, LR, Chippewa and Ottawa, S-1, 1836)

Treaty

No. 201 (continued)

(6) Schoolcraft to Sec. of War, July 18 and 22, 1836, enclosing the articles of assent by the Ottawas and Chippewas to the Senate amendments to the treaty--one enclosure.*

(7) Articles of assent to amendment and articles of assent to supplemental article of treaty. (OIA, Misc. Records, vol. 2, p. 12-18)

(8) Extract (certified copy) from a report of Mar. 8, 1837, from J. W. Edmonds concerning the distribution of money to the half-breeds under art. 6 of treaty.*

No. 202
1836, Mar. 29
Potawatomi
(Waukewa's Band)
Tippecanoe River,
Ind.

See items under Treaty of Mar. 26, 1836.

No. 203
1836, Apr. 11
Potawatomi
(Aubbeenaubee's
Band)
Tippecanoe River,
Ind.

See items under Treaty of Mar. 26, 1836.

No. 204
1836, Apr. 22
Potawatomi
(Bands of Okahmans,
Keewawnay, Neeboash,
and Matchislaw)
Indian Agency,
Ind.

See items under Treaty of Mar. 26, 1836.

No. 205
1836, Apr. 22
Potawatomi
(Naswawkee's and
Quashquaw's Bands)

See items under Treaty of Mar. 26, 1836.

TreatyDocument

No. 205 (continued)
Indian Agency,
Ind.

See items under Treaty of Mar. 26, 1836.

No. 206
1836, Apr. 23
Wyandot \
Washington

- (1) Instructions:
July 11, 1834. (OIA, LS, vol. 13, p. 158-161)
Feb. 2 and 5, 1836. (OIA, LS, vol. 18, p. 3-5, 17)
- (2) John McElvain to Comr. of Indian Affairs, Jan. 31 and Feb. 10, 1835, re plan of extending law of State of Ohio over Wyandot and effect of this upon further negotiations with the tribe. (OIA, LR, Wyandot, 1835)
- (3) Robert Lucas to Sec. of War, Mar. 24, 1835, enclosing report of Mar. 22, 1835, re his proceedings as comr. to treat with Wyandot Indians--no treaty resulting. (OIA, LR, Wyandot, 1835)
- (4) Gov. Lucas to the President, Jan. 20, 1836, enclosing a letter of Jan. 13 addressed to him by Wm. Walker, Head Chief, advising that the Wyandot council was ready to reopen negotiations for the sale of their lands*
- (5) Lucas to Sec. of War, Mar. 28, 1836, concerning negotiations with Wyandot on basis of instructions, received*
- (6) Sec. of War to President, Apr. 27, 1836. (OIA, LS, vol. 18, p. 338)
- (7) McElvain to Sec. of War, May 21, 1836, recommending approval of treaty by President. (OIA, LR, Wyandot, M-372, 1836)
- (8) Comr. of General Land Office to Sec. of War and Comr. of Indian Affairs, June, Nov., and Dec. 1836, re survey of lands ceded in treaty. (OIA, LR, Ohio and Wyandot, 1836)
- (9) Purdy McElvain (Subagent to Wyandot) to Comr. of Indian Affairs, Nov. 3, 1836, urging treaty be carried out. (OIA, LR, Ohio, M-28, 1836)

No. 207
1836, May 9
Chippewa

- (1) Instructions, Mar. 14, 1836. (OIA, LS, vol. 18, p. 179-180)
- (2) Treaty (copy) and signatures, in handwriting of H. R. Schoolcraft, Comr.*

Treaty

Document

No. 207 (continued)
(Swan Creek and
Black River Bands
in Mich.)
Washington

(3) Sec. of War to President, May 10, 1836.
(OIA, LS, vol. 18, p. 394)

(4) Sec. of Treasury to Act'g Sec. of War,
Sept. 27, 1836, informing him that the Comr.
of the General Land Office had been instructed
to make surveys required by the treaty. (OIA,
LR, Mich., T-32, 1836)

(5) Schoolcraft to Comr. of Indian Affairs,
Dec. 20, 1836, concerning the wish of the Indians
to send an exploring party to select their new
lands provided by art. 4 of treaty. (OIA, LR,
Mich., S-131, 1836)

No. 208
1836, Aug. 5
Potawatomi
Near Yellow River,
Ind.

Note: This treaty deals with Pepinawaw,
Notawkah, and Mackahtahmoah and their bands.
See items under Treaty of Mar. 26, 1836.

No. 209
1836, Sept. 3
Menominee
Cedar Point on Fox
River, near Green
Bay, Wis. Ter.

(1) Sen. Res. of Feb. 26, 1836, re extinguish-
ing of the Indian title to lands in vicinity of
Green Bay. (OIA, LR, Green Bay, 1836)

(2) Geo. Boyd, U. S. Ind. Agt., to Sec. of
War, Mar. 18, 1836, submitting proposals for a
treaty. (OIA, LR, Green Bay, 1836)

(3) Instructions, July 7, 1836. (OIA, LS,
vol. 19, p. 138-144)

(4) Comr. of Indian Affairs to Gov. Henry
Dodge, July 18 - Dec. 12, 1836, re negotiations.
(OIA, LR, Wis. Suptcy., 1836)

(5) Dodge to Comr. of Indian Affairs, Aug.
12, 1836, describing his proceedings following
receipt of instructions to treat with Sauk and
Fox, Menominee, and Winnebago Indians. (OIA, LR,
Wis. Suptcy., D-10, 1836)

(6) Dodge to Comr. of Indian Affairs, Oct.
29, 1836, transmitting treaty and journal of
proceedings, Aug. 29 - Sept. 3, 1836. (File in-
cludes typed copy of journal)*

(7) Dodge to Comr. of Indian Affairs, Oct.
29, 1836, reporting and enclosing accounts for
holding treaties with Menominee, Sauk and Fox,
and Winnebago. (OIA, LR, Wis. Suptcy., D-24.
1836)

Treaty

Document

No. 209 (continued)

(8) List of claimants under an amendment to the second article of the treaty, with affidavits, etc. (OIA, LR, Wis. Suptcy., 1836)

Note: The report of Gov. Dodge of Oct. 29, 1836, item 6 above, also enclosed a record of talks held by him with St. Regis and other New York Indians in Aug. 1836 (OIA, LR, Green Bay, 1836); a treaty (unratified) was made with these Indians by J. F. Schermerhorn on Sept. 16, 1836. (OIA, LR, N. Y., S-140, 1836)

No. 210
1836, Sept. 10
Sioux
(Wahashaw's
Band)
(No place given.)

(1) Col. Zachary Taylor to Gov. Henry Dodge, Sept. 12, 1836, enclosing receipt for money paid at this treaty. (OIA, LR, St. Louis, 1836, in folder labeled "Platte Purchase")

(2) Dodge to Comr. of Indian Affairs, Oct. 29, 1836, enclosing treaties with Sioux and with Sauk and Fox.*

See items 3 and 4 under Treaty of Sept. 3, 1836.

No. 211
1836, Sept. 17

Iowa
Sauk and Fox of the
Missouri (west of
Mo.)

Fort Leavenworth,
Mo.

(1) Wm. Clark, Comr., to Comr. of Indian Affairs, Sept. 10, 1835 (copy), re removal of Sauk and Fox to south of the Missouri River. (OIA, LR, St. Louis, 1836, folder marked "Platte Purchase")

(2) Sec. of War to Clark, June 30, 1836, copy of instructions for holding treaty (enclosure of letter from Sec. of War to Gov. Henry Dodge, July 2, 1836). (OIA, LR, St. Louis, 1836, folder marked "Platte Purchase")

(3) Clark to Sec. of War, July 19, 1836, replying to instructions of June 30, 1836, and enclosing sketch of country "proposed to be given to Iowas and Sacs." Sketch in file. (OIA, LR, St. Louis, C-37, 1836)

(4) Hon. Wm. H. Ashley to Sec. of War, July 22, 1836, re extinguishment of title to land between the State of Mo. and the Missouri River. (OIA, LR, St. Louis, A-30, 1837)

(5) Clark to Sec. of War, Sept. 27, 1836, forwarding treaty.*

(6) Clark to Sec. of War, Jan. 24, 1837, forwarding estimate of funds needed to carry out Treaties of Sept. 17 and Oct. 15, 1836. (OIA, LR, St. Louis, C-189, 1837)

Treaty

Document

No. 219
1837, Jan. 14

Chippewa
(Saginaw Band)

Detroit, Mich.

(1) Instructions, Sept. 30, 1836, with copy of instructions of May 17, 1836. (Mich. Suptcy., LR, 1836)

(2) H. R. Schoolcraft, Comr., to Comr. of Indian Affairs, Jan. 2, 1837, re the assembling of the Indians for the negotiations*

(3) Treaty, copy. (Mich. Suptcy., LR, 1837, No. 2, p. 256-257)

(4) Schoolcraft to Comr. of Indian Affairs, Jan. 16, 1837, forwarding treaty*

(5) Comr. of Indian Affairs to Schoolcraft, Feb. 6, 1837, acknowledging receipt of treaty. (Mich. Suptcy., LR, 1837)

No. 220
1837, Jan. 17

Choctaw
Chickasaw

Doaksville, near
Fort Towson,
Choctaw Country

(1) Wm. Armstrong, Act'g Supt. of Western Ter., to Comr. of Indian Affairs, Jan. 18, 1837, enclosing certified copy of agreement; Jan. 27, 1837, enclosing copy of agreement and copies of correspondence between tribes, including addresses in council, Jan. 11-16, 1837; Feb. 3, 1837, enclosing accounts for expenses for negotiations and giving information on the assembling of the Choctaws to meet the Chickasaw delegates. (OIA, LR, Choctaw, A-103, A-114, A-127, 1837)

(2) Memorial from Chickasaw chiefs, Feb. 7, 1837, requesting aid from the Government in removing to lands obtained by the agreement with the Choctaws. (OIA, LR, Chickasaw, C-222, 1837)

(3) Henry R. Carter, conductor of Chickasaw delegation, to Comr. of Indian Affairs, Feb. 21, 1837, enclosing original agreement*

(4) Sen. Res., Feb. 25, 1837.*

(5) Articles of agreement (certified copy) between the Choctaw and Chickasaw tribes, with the approval of the President, Mar. 24, 1837.* (Agreement is also recorded in this form in Misc. Records, vol. 2, p. 220-224.)

Note: Enclosures of letter of Feb. 21, 1837, from H. R. Carter, item 3 above, consisting of power of attorney and private instructions to Chickasaw delegates from chiefs of tribe, both dated Nov. 12, 1836, and letter of Feb. 5, 1837, from Benj. Reynolds, Chickasaw Agt., introducing Carter to the Department. Copy of agreement also in file. (OIA, LR, Chickasaw, C-199, 1836)

TreatyDocument

No. 221
1837, Feb. 11
Potawatomi
Washington

- (1) Treaty (text) and abstract of its provisions copied in OIA, Misc. Records, vol. 2, p. 167-169.
- (2) Comr. of Indian Affairs to Sec. of War, Feb. 11, 1837 (OIA, LS, vol. 21, p. 60)

No. 222
1837, May 26

Kiowa
Kataka
Tawakaro

Fort Gibson,
West of Arkansas

- (1) Instructions, Apr. 7, 1837. (OIA, LS, vol. 21, p. 250-253)
 - (2) Treaty (authenticated copy)*
 - (3) Comr. of Indian Affairs to Sec. of War, Dec. 13, 1837, reporting on treaty. (OIA, LS, vol. 23, p. 61-64)
- Note: Letter of Montfort Stokes, Comr., Nov. 5, 1841, which forwarded this copy of the treaty (item 2 above), was referred to the Second Auditor on Apr. 11, 1842. (See Registers of Letters Received, No. 21, S-3068, 1842)

No. 223
1837, July 29
Chippewa
St. Peters,
Wis. Ter.

- (1) Instructions:
Mar. 25, 1837*
May 13, 1837. (OIA, LS, vol. 21, p. 412-414)
- (2) Wm. R. Smith, Treaty Comr., May 18, 1837, reporting actions since receiving instructions. (OIA, LR, Wis. Suptcy., S-252, S-324, 1837)
- (3) V. P. Van Antwerp, Sec. of Treaty Commission, to Comr. of Indian Affairs, Apr. 14, 1837, accepting appointment as secretary; Sept. 1, 1837, reporting on treaty. (OIA, LR, Wis. Suptcy., A-21, V-46, 1837)
- (4) Gov. Henry Dodge, Comr., to Comr. of Indian Affairs, Apr. 21, 1837, accepting appointment as comr.; June 2, 1837, acknowledging receipt of instructions; Sept. 20, 1837, forwarding accounts of expenses as comr. (OIA, LR, Wis. Suptcy., W-218, W-242, W-337, 1837)
- (5) Dodge to Comr. of Indian Affairs, Aug. 7, 1837, reporting on treaty.*
- (6) Van Antwerp to Comr. of Indian Affairs, Sept. 30, 1837, transmitting journal of proceedings, July 20-29, 1837.*
- (7) Comr. of Indian Affairs to Sec. of War, Dec. 13, 1837, reporting on treaty. (OIA, LS, vol. 23, p. 61-64)