TREATY WITH THE WYANDOTS. 1832.

I do hereby certify that each article of the foregoing convention was fairly interpreted and fully explained by me to the chiefs head men and warriors who have signed the same.

HENRY CONNER, Interpreter.

ARTICLES OF AGREEMENT AND CONVENTION

Made and concluded at McCutcheonsville, Crawford county, Ohio, on the nineteenth day of January, 1832, by and between James B. Gardiner, specially appointed commissioner on the part of the United States, and the Chiefs, Headmen and Warriors of the band of Wyandots, residing at the Big Spring, in said county of Crawford, and owning a reservation of 16,000 acres at that place.

WHEREAS the said band of Wyandots have become fully convinced that, whilst they remain in their present situation in the State of Ohio, in the vicinity of a white population, which is continually increasing and crowding around them, they cannot prosper and be happy, and the morals of many of their people will be daily becoming more and more vitiated—And understanding that the Government of the United States is willing to purchase the reservation of land on which they reside, and for that purpose have deputed the said James B. Gardiner as special commissioner to treat for a cession of the same:—Therefore, to effect the aforesaid objects, the said Chiefs, Headmen and Warriors, and the said James B. Gardiner, have this day entered into and agreed upon the following articles of convention.

Cession of land to U. S.

Article I. The band of Wyandots residing at the Big Spring in the county of Crawford, and State of Ohio, do hereby forever cede and relinquish to the United States the reservation of sixteen thousand acres of land, granted to them by the second article of the treaty made at St. Mary’s, on the seventeenth day of September, eighteen hundred and eighteen, which grant is in the following words, to wit: "There shall be reserved for the use of the Wyandots residing at Solomon’s town and on Blanchard’s fork sixteen thousand acres of land, to be laid off in a square form, on the head of Blanchard’s fork, the centre of which shall be at the Big spring, on the road leading from Upper Sandusky to Fort Findlay."

Article II. The United States stipulate with the said band of Wyandots that, as soon as practicable after the ratification of this treaty, the aforesaid tract of sixteen thousand acres shall be surveyed into sections and put into market and sold in the ordinary manner of selling the public lands of the United States; and when the same shall be sold, or as soon as any part thereof shall be disposed of, (be the price received therefor more or less) there shall be paid to the chiefs, head-men and warriors, signing this treaty, for the benefit of all the said band of Wyandots, the sum of one dollar and twenty-five cents per acre for each and every acre so sold or for sale. The said price shall be paid in silver, and in the current coin of the United States.

U. S. agree to pay for improvements.

Article III. For the improvements now made upon said reservation the United States agree to pay a fair valuation in money, according to the appraisement of Joseph McCutcheon, Esq. (or such person as the
TREATY WITH THE WYANDOTS. 1832.

Secretary of War may depute for that purpose) and an appraiser to be chosen by the said band of Wyandots. And in case the said appraisers shall not be able to agree upon any of their valuations, they shall call to their assistance some competent citizen of the county of Crawford.

ARTICLE IV. There shall [be] reserved for Roe-nu-nas, one of the oldest chiefs of said band, one half section, to contain three hundred and twenty acres, and to include the improvements where he now lives.

ARTICLE V. It is expressly understood between the present contracting parties, that the said band of Wyandots may, as they think proper, remove to Canada, or to the river Huron in Michigan, where they own a reservation of land, or to any place they may obtain a right or privilege from other Indians to go.

ARTICLE VI.* It was expressly agreed before the signing of this treaty, that that part of the fifth article relating to the granting to the said band of Wyandots lands west of the Mississippi, and every other article in relation thereto is wholly null and void, and of no effect.

ARTICLE VII. Inasmuch as the band of Wyandots, herein treating, have separated themselves from the Wyandots at Upper Sandusky and on the Sandusky plains, they ask of the General Government that there may be a special sub-agent and protector appointed for them whilst they remain in the State of Ohio, and they respectfully recommend Joseph McCutcheon, Esq. of the county of Crawford, as a fit and proper person to act in such capacity; and that he may have the power to employ such interpreter as he may think proper in his intercourse with said band.

The aforesaid articles of agreement shall be mutually binding upon the present contracting parties, when ratified by the President of the United States, by and with the consent of the Senate thereof.

J. B. GARDINER.

Roe-nu-nas,
Bear-skin,
Shi-a-wa, or John Solomon,
John McLean,

Matthew Grey eyes,
Isaac Driver,
John D. Brown,
Alex. Clarke.


To the Indian names are subjoined marks.

EXPLANATION.

In the first draft of this treaty, provision was made for the removal of the band west of the Mississippi, but they refused to accept of a grant of land, or to remove there, and the articles having relation thereto were accordingly omitted. It was therefore necessary to omit the 6th article; and circumstances did not admit of time to remodel and copy the whole treaty.

J. B. GARDINER,
Special Commissioner, &c.

* After signing, it was mutually agreed to expunge this article.

2 x 2
ARTICLES OF A TREATY

Made at the City of Washington between Lewis Cass, thereto specially authorized by the President of the United States, and the Creek tribe of Indians.

ARTICLE I. The Creek tribe of Indians cede to the United States all their land, East of the Mississippi river.

ARTICLE II. The United States engage to survey the said land as soon as the same can be conveniently done, after the ratification of this treaty, and when the same is surveyed to allow ninety principal Chiefs of the Creek tribe to select one section each, and every other head of a Creek family to select one half section each, which tracts shall be reserved from sale for their use for the term of five years, unless sooner disposed of by them. A census of these persons shall be taken under the direction of the President and the selections shall be made so as to include the improvements of each person within his selection, if the same can be so made, and if not, then all the persons belonging to the same town, entitled to selections, and who cannot make the same, so as to include their improvements, shall take them in one body in a proper form. And twenty sections shall be selected, under the direction of the President for the orphan children of the Creeks, and divided and retained or sold for their benefit as the President may direct. Provided however that no selections or locations under this treaty shall be so made as to include the agency reserve.

ARTICLE III. These tracts may be conveyed by the persons selecting the same, to any other persons for a fair consideration, in such manner as the President may direct. The contract shall be certified by some person appointed for that purpose by the President, but shall not be valid 'till the President approves the same. A title shall be given by the United States on the completion of the payment.

ARTICLE IV. At the end of five years, all the Creeks entitled to these selections, and desirous of remaining, shall receive patents therefor in fee simple, from the United States.

ARTICLE V. All intruders upon the country hereby ceded shall be removed therefrom in the same manner as intruders may be removed by law from other public land until the country is surveyed, and the selections made; excepting however from this provision those white persons who have made their own improvements, and not expelled the Creeks from theirs. Such persons may remain 'till their crops are gathered. After the country is surveyed and the selections made, this article shall not operate upon that part of it not included in such selections. But intruders shall, in the manner before described, be removed from these selections for the term of five years from the ratification of this treaty, or until the same are conveyed to white persons.

ARTICLE VI. Twenty-nine sections in addition to the foregoing may be located, and patents for the same shall then issue to those persons, being Creeks, to whom the same may be assigned by the Creek tribe. But whenever the grantees of these tracts possess improvements, such tracts shall be so located as to include the improvements, and as near as may be in the centre. And there shall also be granted by patent to

(366)