

TREATY WITH THE OTTAWA AND CHIPPEWA
July 31, 1855

Articles of agreement and convention made and concluded at the city of Detroit, in the State of Michigan, this the thirty-first day of July, one thousand eight hundred and fifty-five, between George W. Manypenny and Henry C. Gilbert, commissioners on the part of the United States, and the Ottawa and Chippewa Indians of Michigan, parties to the treaty of March 28, 1836.

In view of the existing condition of the Ottawas and Chippewas, and of their legal and equitable claims against the United States, it is agreed between the contracting parties as follows:

Article 1. The United States will withdraw from sale for the benefit of said Indians as hereinafter provided, all the unsold public lands for such purposes purchases of lands may likewise be made from the Indians, the consent of the President of the United States, having in every instance, first been obtained therefor.

It is also agreed that any lands within the aforesaid tracts now occupied by actual settlers, or by persons entitled to pre-emption thereon, shall be exempt from the provisions of this article; provided, that sure pre-emption claims shall be proved, as prescribed by law, before the 1st day of October next.

Any Indian who may have heretofore purchased land for actual settlement, under the act of Congress known as the Graduation Act, may sell and dispose of the same; and, in such case, no actual occupancy or residence by such Indians on lands so purchased shall be necessary to enable him to secure a title thereto.

In consideration of the benefits derived to the Indians on Grand Traverse Bay by the school and mission established in 1838, and still continued by the Board of Foreign Missions of the Presbyterian Church, it is agreed that the title to three separate prices of land, being parts of tracks Nos. 3 and 4, of the west fractional half of section 35, township 30 north, range 10 west, on which are the mission and school buildings and improvements, not exceeding in all sixty-three acres, one hundred and twenty-four perches, shall be vested in the said board on payment of \$1.25 per acre; and the President of the United States shall issue a patent for the same to such person as the said board shall appoint.

The United States will also pay the further sum of forty thousand dollars, or so much thereof as may be necessary, to be applied in liquidation of the present just indebtedness of the said Ottawa and Chippewa Indians; provided, that all claims presented shall be investigated under the direction of the Secretary of the Interior, who shall prescribe such rules and regulations for conducting such investigation, and for testing the validity and justness of the claims, as he shall deem suitable and proper; and no claim shall be paid except upon the certificate of the said Secretary that, in his opinion, the same is justly and equitable due; and all claimants, who shall not present their claims within such time as may be limited by said Secretary within six months from the ratification of the treaty, or whose claims, having been presented, shall be disallowed by him, shall be forever precluded from collecting the same, or maintaining an action thereon in any court whatever; and provided, also, that no portion of the money due said Indians for annuities, as herein provided, shall ever be appropriated to pay their debts under any pretence whatever; provided, that the balance of the amount herein allowed, as a just increase of the amount due for the cessions and relinquishments aforesaid, after satisfaction of the awards of the Secretary of the Interior, shall be paid to the said Chippewas or expended for their benefit, in such manner as the Secretary shall prescribe, in aid of any of the objects specified in the second article of this treaty.

Article 2. The United States will also pay to the said Indians the sum of five hundred and thirty-eight thousand and four hundred dollars, in manner following, to wit:

First. Eighty-thousand dollars for educational purposes to be paid in ten equal annual installments of eight thousand dollars each, which sum shall be expended under the direction of the President of the United States; and in the expenditure of the same, and the appointment of teachers and management of schools, the Indians shall be consulted, and their views and wishes adopted so far as they may be just and reasonable.

Second. Seventy-five thousand dollars to be paid in five equal annual installments of fifteen thousand dollars each in agricultural implements and carpenters' tools, household furniture and building materials, cattle, labor and all such articles as may be necessary and useful for them in removing to the homes herein provided and getting permanently settled thereon.

Third. Forty-two thousand and four hundred dollars for the support of four blacksmith-shops for ten years.

Fourth. The sum of three hundred and six thousand dollars in coin, as follows: ten thousand dollars of principal, and the interest on the whole of said last-mentioned sum remaining unpaid at the rate of five per cent annually for ten years, to be distributed per capita in the usual manner for paying annuities. And the sum of two hundred and six thousand dollars remaining unpaid at the expiration of ten years, shall be then due and payable, and if the Indians then require the payment of said sum in coin the same shall be distributed per capita in the same manner as annuities are paid,

and in not less than four equal annual instalments.

Fifth. The sum of thirty-five thousand dollars in ten annual instalments of three thousand and five hundred dollars each, to be paid only to the Grand River Ottawas, which is in lieu of all permanent annuities to which they may be entitled by former treaty stipulations, and which sum shall be distributed in the usual manner per capita.

Article 3. The Ottawa and Chippewa Indians hereby release and discharge the United States from all liability on account of former treaty stipulations, it being distinctly understood and agreed that the grants and payments hereinbefore provided for are in lieu and satisfaction of all claims, legal and equitable on the part of said Indians jointly and severally against the United States, for land, money or other things guaranteed to said tribes or either of them by the stipulations of any former treaty or treaties; excepting, however, the right of fishing and encampment secured to the Chippewas of Sault Ste. Marie by the treaty of June 16, 1820.

Article 4. The interpreters at Sault Ste. Marie, Mackinac, and for the Grand River Indians, shall be continued, and another provided at Grand Traverse, for the term of five years, and as much longer as the President may deem necessary.

Article 5. The tribal organization of said Ottawa and Chippewa Indians, except so far as may be necessary for the purpose of carrying into effect the provisions of this agreement, is hereby dissolved; and if at any time hereafter, further negotiations with the United States, in reference to any matters contained herein, should become necessary, no general convention of the Indians shall be called; but such as reside in the vicinity of any usual place of payment, or those only who are immediately interested in the questions involved, may arrange all matters between themselves and the United States, without the concurrence of other portions of their people, and as fully and conclusively, and with the same effect in every respect, as if all were represented.

Article 6. This agreement shall be obligatory and binding on the contacting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof the said George W. Manypenny and the said Henry C. Gilbert, commissioners as aforesaid, and the undersigned chiefs and headmen of the Ottawas and Chippewas, have hereto set their hands and seals, at the city of Detroit the day and year first above written.

Geo. W. Manypenny

Henry C. Gilbert

Commissioners on part of the United States