

MIAMI INDIANS.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A report from the Commissioner of Indian Affairs, concerning moneys alleged to have been improperly taken from the funds of the Miami Indians of Indiana and Kansas and paid to other Indians.

JANUARY 6, 1886.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, January 4, 1886.

SIR: The final clause in the first section of the act of March 3, 1885, making appropriation for the Indian service (23 Stat., 383), provides as follows:

The Secretary of the Interior is hereby authorized and directed to report to Congress on or before December 6, 1885, the amount, if any, due the Miami Indians of Indiana and Kansas for money alleged to have been improperly taken from moneys due to said Indians and paid to other Indians, in violation of the treaties of 1854 and 1858, including attorneys' fees necessarily paid by said Indians.

I have the honor to transmit herewith copy of a report of 11th December, 1885, and supplemental report of 2d instant, from the Commissioner of Indian Affairs, to whose office the matters of inquiry set forth in the clause cited more particularly pertain.

The Commissioner expresses some difficulty in comprehending the full scope of the requirements of the law on this subject. He however furnishes copies of papers and reports heretofore made regarding certain money and land claimed by Western Miami Indians to have been wrongfully taken from them by the Government and paid and allotted to certain persons of Miami blood, &c., which he hopes will furnish Congress with such information as will be needed to properly consider any of the questions connected with the funds of the Miamis which may come before it for action.

His supplemental report of 2d instant, above noted, refers only to fees paid to attorneys on account of the said Indians.

I have the honor to be, very respectfully,

H. L. MULDROW,
Acting Secretary.

The SPEAKER of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 2, 1886.

SIR: I have the honor to submit below a statement of certain attorneys' fees paid by Miami Indians, to be considered in connection with my report of 11th ultimo, in reference to that section of the act approved March 3, 1885, Pub. No. 87, p. 24, calling for a report of any indebtedness by the Government to the Miamis of Indiana and Kansas for moneys due to them, and alleged to have been improperly paid to other Indians, "including attorneys' fees necessarily paid by said Indians," viz :

Date.	To whom paid.	Amount.
1874.		
Aug. 5	G. A. Colton, attorney	\$1, 253 99
Aug. 5	Ewing & Embry, assignees of Colton.....	839 32
Aug. 5	John L. Pendry, assignee of Colton	699 43
Sept. 30	G. A. Colton	1, 954 50
Sept. 30	Ewing & Embry, assignees of Colton	2, 550 00
Sept. 30	John L. Pendry, assignee of Colton	2, 125 00
Sept. 30	Charles Sims, assignee of Colton.....	1, 870 50
1878.		
July 23	Ewing & Embry, assignees of Colton	475 92
Sept. 27	G. A. Colton	793 21
Sept. 27	Ewing & Embry, assignees of Colton	317 29
1882.		
Mar. 16	Vandeventer & McDowell.....	5, 102 00
1884.		
Feb. 5	G. A. Colton.....	1, 259 87
Apr. 14do	497 70
Nov. 22do	1, 011 10
	Total	20, 754 83

The above payments, except that to Vandeventer & McDowell, were made under contract between the Miamis of Kansas and G. A. Colton, dated March 12, 1873, being a fee of 10 per cent. on certain treaty moneys and on proceeds of lands sold under act of March 3, 1873 (U. S. Stats. 16, p. 627).

That to Vandeventer & McDowell was paid for services rendered to the Meshingomesia band of Miamis in Indiana.

All of above claims for attorney's fees were thoroughly scrutinized and approved by the Department before payment; were considered reasonable and believed to be necessary.

Respectfully,

Commissioner.

Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 11, 1885.

SIR: I have the honor to respectfully invite your attention to the final clause of the first section of the act making appropriations for this Department, approved March 3, 1885, Pub. No. 87, p. 24, which reads as follows:

The Secretary of the Interior is hereby authorized and directed to report to Congress on or before December 6, 1885, the amount, if any, due the Miami Indians of Indiana and Kansas for money alleged to have been improperly taken from moneys due to said Indians and paid to other Indians, in violation of the treaties of 1854 and 1858, including attorney's fees necessarily paid by said Indians.

The requirements of the act are so vague and comprehensive that it is believed to be impossible for this office to comply with them. Such a report would necessarily comprise a statement, in detail, of all funds which at any time became due to the Miamis, from the Government, or payable to them through it, and of the disposition made of all such funds, and of all lands at any time recognized as the property of the Miamis, and a full explanation of the reasons and copies of the authorities for the disposition made of the same; as it contains no reference to any specific allegation, by any person, of misapplication of any particular fund of the Miamis, nor to such of said cases wherein these Indians improperly paid attorney's fees; and it is believed that a complete record of all monetary transactions between these Indians and the Government, such as said statements would necessarily be, is only in the possession of the Treasury Department.

With the hope that office report of January 16, 1885, in reply to a communication from the clerk of the House Committee on Indian Affairs, transmitting a petition of certain Western Miami Indians praying that their tribe be reimbursed for certain money and land which they claimed was wrongfully taken from them by the Government, and paid and allotted to certain persons of Miami blood, under act of June 2, 1858 (U. S. Stats., 11, p. 322)—which petition was accompanied by a request of said committee to be furnished with any information this Department had relative to the subject-matter of said petition, and the views and suggestions of the Department in reference thereto—may furnish Congress with such information as will be needed to properly consider any of the questions connected with the funds of the Miamis which may come before it, I inclose herewith a copy of said report, and respectfully recommend that the same be transmitted to Congress with the foregoing explanation, if the same meets your approval.

Respectfully,

Commissioner.

HON. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 16, 1885.

SIR: I have the honor to acknowledge the receipt, by your reference of 2d instant, of a communication from the clerk of the House Committee on Indian Affairs, transmitting by direction of said committee a petition of certain Western Miami Indians, praying that their tribe be reimbursed for certain money and land which they claim was wrongfully taken from them by the Government and paid and allotted to certain persons of Miami blood, under act of June 12, 1858 (U. S. Stats., 11, page 332), which petition is accompanied by a request of said committee to be furnished with any information this Department may have relative to the subject-matter of said petition, and the views and suggestions of the Department in reference thereto.

In reply I respectfully refer to a communication (copy herewith, marked "A") addressed by this office to the Department under date of May 27, 1858, giving a full report of the status of sixty-eight persons of Miami blood who had been excluded from participating in annuities accruing to the Miami Indians from the Government from 1846 to 1857 inclusive (except for the years of 1851 and 1852), and upon which report the third section of the act above referred to, for the relief of persons of Miami blood who had been so excluded, was based.

In pursuance of the provisions of said act, the names of these sixty-eight persons were placed on a special annuity roll, and they were paid \$34,000.16 of back annuity, \$13,370.89 of which was taken from funds previously set aside for payment to the Western Miamis, but thus diverted for this purpose, and \$15,629.27 was taken from funds previously set aside for the Miamis of Indiana, this diversion of funds being in compliance with office

recommendation of October 14, 1858, and approval of the Department dated 30th of same month (copies herewith, marked "B" and "C" respectively), and said sixty-eight persons, together with five others who were subsequently added (see report by this office to the Department, dated July 12, 1862, and Department approval of 12th December following, copies herewith, marked "D" and "E" respectively), were allotted an average of about 200 acres of land each, or in exact figures 12,733.38 acres, from the 70,000 acres reserved for the Miamis under first article of the treaty of June 5, 1854 (United States Statutes, 10, p. 1093).

It will be observed, that these sixty-eight persons were never regularly enrolled as Western Miamis, but were placed on a special roll, and funds belonging to the whole Miami tribe, East and West, were used to pay their back annuities up to and including the year 1857, and they were then placed on the roll of the Miamis East, where they and the five persons subsequently added remained, and continued to draw their annuities up to and including the year 1868.

The question which may first be considered is, whether these seventy-three persons, so provided for, had a just claim, as being of Miami blood, to a share in the benefits accruing to the Miamis from the Government, looking at both branches of the tribe as a whole.

There can be no doubt from the tenor of the office letters (copies herewith, marked "A" and "D" respectively, and above referred to) that this Department believed the evidence before it sufficient to sustain the claim of these seventy-three persons, and it is evident that Congress held the same opinion, nor does a review of the case now, as then stated, lead this office to a different conclusion, nor has there been any reliable evidence presented that the statements then submitted by the claimants and their friends were untrue.

Their right, as above stated, having been conceded, and attention called to the fact that said sixty-eight persons (to whom five were afterwards added) had not received any annuity for the years 1846 to 1850 inclusive, nor for the years 1853 to 1857 inclusive, amounting to \$34,000.16, Congress, by act approved June 12, 1858, above referred to, directed that these annuities from which they had been excluded be paid to them. On steps being taken to comply with this act, the question arose as to how the amount could be most equitably deducted from the available funds of both branches of the tribe, the branch in Kansas and that in Indiana, when it was decided that in view of the fact that the Western or Kansas Miamis had received an excess over those in Indiana, in proportion to the relative number of the two branches of the tribe, of about \$33,000 of the tribal funds, \$18,370.89 was taken from funds set aside for the former, and \$15,629.27 were taken from the funds set aside for the latter.

The objection advanced by the petitioners, that such payment from their funds was prohibited by the last paragraph of the third article of the act of June 5, 1854 (United States Statutes, 10, page 1094), which reads, "No part of the moneys in this or the preceding article mentioned shall ever be appropriated or paid to the persons, families, or bands who, by the fourteenth article of the treaty of November 6, 1838, by the third and fifth articles of the treaty of November 28, 1840, or by virtue of two resolutions of Congress, approved March 3, 1845, and May 1, 1850, or otherwise, are permitted to draw or have drawn in the State of Indiana their proportion of the annuities of the Miami tribe," is of no force, as the evidence is to the effect that the sixty-eight persons so paid did not draw in the State of Indiana any portion of their annuities for the years above specified; nor does it appear that any of the funds so referred to in the second and third articles of the treaty of 1854 were available, or could have been used, or were used to make these back payments, as none of the reserved lands spoken of in article 2 had been sold at that time, the first payment on account of the \$200,000 spoken of in article 3 was not payable until 1860, and the interest on the \$50,000, also spoken of in article 3, was only available for expenditure for beneficial and educational purposes; and by reference to the records of this office it appears that the funds actually used were as follows:

A balance remaining of the seventeenth of twenty installments per second article treaty November 28, 1840, being the proportion of the Miamis of Kansas of \$12,500, per fourth article of treaty of June 5, 1854, above referred to	\$2, 679 76
Fifth of six equal installments to Miamis residing on ceded lands, for purchase of former perpetual and other annuities and relinquishment of claims, per fourth article of treaty of June 5, 1854	15, 691 13
Total	18, 370 89

Therefore the claim of the petitioners that the treaty of 1854 was here violated is without foundation.

Whether the land from which allotments to the seventy-three persons referred to were

made was the special property of the Western Miamis is not to my mind clearly defined in any of their treaties, nor is that necessary that a decision may be reached in the question now before us. It is sufficient to know that those now known as Western Miamis had moved on said land in compliance with treaty stipulations, and therefore had a better right to it than that part of the tribe remaining in Indiana; but even if we look on this land as a part of their share of the general tribal property, still they, as appears by copy of letter herewith, marked "B," had received over \$17,000 more than their proportionate share of the tribal funds, in addition to the \$18,370.84 hereinbefore referred to, which must be considered. And further, if these seventy-three persons had moved West with the others, they would undoubtedly have received their share of this land without question, and it is plain that the fact of not having moved West was not considered by the Government sufficient reason of itself to deprive any of the Miamis of their shares in the benefits accruing to them as a whole tribe.

These seventy-three persons after having been paid their back annuities from funds of both branches of the tribe, as above stated, were placed on the roll of the Miamis of Indiana, and allowed to share in their annuities, up to and including the year 1866, when, owing to doubts as to their right to a share of the interest on the principal sum of \$221,257.56, provided for the Miami Indians of Indiana, by Senate amendment to the treaty of 1854, the opinion of the Attorney-General in the matter was requested. He was of the opinion that these seventy-three persons had no right to share in this interest (see Opinions 12, p. 236).

The main question decided by this opinion, however, has no relation to the question now before us; being merely as to the specific rights under treaty stipulations of three hundred and two persons—Indiana Miamis—who were embraced in a corrected list agreed upon in said treaty of 1854 to all of a certain sum named therein, and the interest thereon, which the treaty provided should be paid to them to the entire exclusion of all members of other bands or tribes, unless others were admitted to share therein "by consent of the Miami Indians of Indiana, obtained in council according to the custom of the Miami tribe of Indians," and this consent not having been obtained, the names of said seventy-three persons, and of their descendants, were stricken from the rolls of the Indiana Miamis in 1867. This in no way affects the payment of back annuities complained of by the Western Miamis in their petition, but as they have referred to this opinion to sustain their case, and as it contains much data which may assist to a clear understanding of the status of these Indians, it is noted here.

There remains now to be considered how far a decision of the Department, dated May 9, 1873 (copy herewith marked "F"), refusing to allow these seventy-three persons and their descendants to share in the proceeds to be derived from the appraisal and sale of the unallotted part of the Miami lands in Kansas, as provided for in act approved March 3, 1873 (U. S. Stats. 17, p. 631), should be looked upon as governing in the case as stated by the petitioners.

In 1858, when Congress directed that money and lands be given to these sixty-eight or seventy-three persons, they were not then enrolled with either branch of the Miami tribe, but were looked upon as being members of the Miami tribe of Indians at large, and the payment of their back annuities and their shares of the land allotted to them were considered as merely putting them on an equal footing with all the others; but they were subsequently enrolled with the Indiana branch of the tribe, as above stated; and having thus affiliated with that branch they became subject to its conditions (except as expressly prohibited by treaty), one of which conditions was that the Indiana Miamis having in many instances received specific benefits as such under treaties, and having refused to remove to Kansas, as a majority of them had agreed to do, they had no claim, nor did they as a body make any claim to participate in the reserve occupied by those who did remove to Kansas, or to share in the proceeds of any of it that might be sold, and therefore these seventy-three persons were also very properly excluded from sharing in said proceeds.

In the foregoing report I have not attempted to discuss every technical point of law which has been or may be advanced or depended upon by the petitioners to sustain their claims, believing it sufficient to state that case as it appears of record in this office, and as far as possible to indicate the grounds upon which the action of the Government was based in its efforts to carry out the intent and spirit of the law, it having been repeatedly decided by competent authority that the Government has power in the exercise of its functions as guardian of the Indians, who are its dependents, wards, and pupils, and under its protection (see *Cherokee Nation vs. Georgia*, 5 Pet., 17) to modify the application of existing treaties by additional legislation (see eleventh article of treaty, June 5, 1854), as later information and observation may show to be necessary to supply oversights, prevent injustice between tribes, bands of tribes, or individual Indians, and to secure the greatest benefits to all its wards that their various and changeable conditions

will afford. Such a modification cannot be considered a violation of treaty stipulations.

A copy of this report accompanies it, and the petition referred to is respectfully returned herewith inclosed.

Very respectfully, your obedient servant,

H. PRICE,
Commissioner.

Hon. SECRETARY OF THE INTERIOR.

A.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
May 27, 1858.

SIR: I have the honor to acknowledge the receipt of two letters of R. Breckenridge, one addressed to the Hon. J. D. Bright, and the other to his excellency the President of the United States, making application that certain Miami Indians of Indiana may be restored to their tribal rights, both of which letters were referred by you to this office on the 17th February last, for examination and report.

In Mr. Breckenridge's letter addressed to the President, above referred to, he asks that the President may, with the advice and consent of the Senate, make such regulations or adopt such a policy as may lead to their (the parties applying for relief) restoration to their tribal rights by enabling them to obtain their proper shares of annuities of that tribe, past and future, and also that the band of Flat Belly, or that part of it before named, may be enabled to obtain their proportion of improvement funds arising under the various treaties with said tribe.

The Indians refusing to take the matter of the claims of Mr. Breckenridge's clients under consideration, as will hereafter appear, Mr. B. on their behalf now asks relief from the President and Senate, relying upon the eleventh article of the treaty of June 5, 1854, which he believes confer the powers which he desires to be exercised.

Without giving any consideration to the mode of relief suggested by Mr. Breckenridge, I shall, in connection with the reference to the two letters above acknowledged, direct my attention to the printed letter of Mr. Breckenridge, addressed to this office February 16, 1858, herewith, wherein, after using arguments in favor of the admission of his clients on the pay-roll of the Miamis of Indiana, he requests that this office shall answer the following interrogatories:

First. Whether the parties for whom he makes application are of Miami blood?

Second. The bands or families to which these parties belonged?

Taking up the interrogatories in their proper order I shall pursue the question of blood so far as the descendants of Josettee Beaubien or Robidoux and the De Rome family are concerned, after which I will give a list of applicants and then pursue the same course as to the "descendants of Flat Belly, Wahweasse, and the daughter of Mah-quah-nong and her three children." To simplify the same it is proper for me, before referring directly to the correspondence, to give you a succinct statement of the matter, after which I will more particularly refer to the testimony, correspondence, &c., on file in this office deemed necessary to a proper understanding of the matter in issue.

The larger portion of the Miamis emigrated to their new homes in the West in the year 1846, but many, under circumstances which will hereafter be developed, remained in Indiana, while others, rather than remove with the tribe, fled to Michigan and Canada. It seems that after the removal of the main body of the Indians West there was no provision for the payment of those left behind in Indiana and those who fled to Michigan and Canada, except for certain parties provided for by the fourteenth article of the treaty of 1838, the seventh article of the treaty of 1840, and by the joint resolutions of 1845 and 1850, which articles in the treaties and the resolutions referred to provided that the parties named and their descendants be paid their annuities in Indiana.

In 1854, previous to the treaty of that year with the Miamis, a census list of those Indians in Indiana was made out under the instructions of this office by James Lindsay (report March 3, 1854), in which the La Croix, the Minnies and the De Romes were included. [It is proper here to state that it is claimed by the Minnies and La Croix families that they are the relatives of Chief Richardville, and that the De Romes claim to be part Miamis and entitled to annuities, their mother, Maria Christina De Rome, being recognized as a half-blood Miami by a provision in the treaty of October 23, 1826.] The census list of Mr. Lindsay being submitted to this office, Colonel Manypenny, then Commissioner of Indian Affairs, in consultation with the Miami chiefs or headmen then in this city (June, 1854), ruled the members of the families of La Croix, Minnie, and De Rome out of their shares of the annuities for the reason that they were not considered to be of the Miami blood, notwithstanding that between 1846 and 1854 the members of the above-named families, by virtue of proof submitted to this office, were recognized

as of Miami blood, and for a time were paid their annuities in Indiana under special instructions from this office.

It becomes a fact well established by reference to the files of this office that J. P. Richardville was for many years the chief of the Miami Indians, and that before he was exalted to the head of the tribe he was a prominent man among the Miamis from the fact that his name may be found affixed to treaties with those Indians in 1795, 1803, and in 1805. To the first-named treaty he signed on the behalf of the Miamis and Eel River Indians as Pe-fee-wa (or Richardville); to the treaty of 1803 he signed as a Miami the name of "Richerville," and to the treaty of 1805 as "Richardville." It is true that there is a slight difference in the orthography of his name as signed to each treaty, but I am inclined to believe that there can be no doubt that the "Richardsville" of 1795, "Richerville" of 1803, and "Richardville" of 1805 were one and the same person, and identical with J. R. Richardville who afterward became a chief of the Miamis. I also find by reference to the copy of a certain document in the French language, dated May 25, 1805, inclosed in a letter of Jonathan Kellar, 31st July, 1837, that certain elders of the nation of the Miamis renewed a grant of land to Jean Baptiste Richardville, which grant was confirmed by the treaty of October 23, 1834. This ratification of a previous grant appears to have been made in consideration that he, "Richardville," preferred removing with the Miamis, who had appointed him their chief (although his mother on her death-bed had advised him to go to his father and live with the white people), for the services which he had rendered the nation and because he was the only one of his family who remained with them, his uncles having abandoned the nation. In the document referred to it is acknowledged by the chiefs or elders that he (Richardville) is of "their blood."

The above-recited facts fully establish that Richardville was a prominent man among the Miamis before he was elevated to the head of the tribe, and that he was acknowledged to be of Miami blood.

Having become convinced that Richardville was of Miami blood, I now direct the inquiry as to those who claim by virtue of relationship to him, and by reference to the letter of D. H. Colerick, esq., dated April 24, 1851, I find inclosed therein the petition of Mary L. Minnie, praying the payment of annuities to herself and children, accompanied by certain affidavits tending to establish the right of herself and children to such payment.

The affidavit of Allen Hamilton, inclosed as above, states that at the time affiant held the office of subagent to the Miamis in the year 1841, and for several years after, that Mary L. Minnie, who was the acknowledged niece of John B. Richardville, formerly principal chief of the Miamis, drew for herself and children, for several years out of the annuities of the Miami Indians, as an Indian of said tribe, and that it was paid her regularly during his agency.

F. D. Laselle, whose affidavit is also inclosed in Mr. Colerick's letter, swears that he was well acquainted with John B. Richardville, deceased, who in his lifetime was chief of the Miamis; that he was also well acquainted with the tribe generally; that the agents of the United States generally called upon him to assist them in paying the annuities of said tribe, which he did; that said principal chief in his lifetime and until the time of his death, on all proper occasions, recognized Mary L. Minnie to be his sister's daughter; that the said Mary L. Minnie received at the payment made by the agents of the United States of the annuities of said tribe, her and her children's dividends of said money, as other Indians of said tribe, and that she and her children were always recognized on those said and all other occasions as Miami Indians.

Joseph Sinclair's affidavit, inclosed as above, states that whilst affiant was the subagent of the Miami tribe of Indians, under appointment during the administration of President Polk, Mary L. Minnie and her children drew, with the other Indians of said tribe, their dividends of the annuities paid by him as subagent to said tribe: that the said Mary L. Minnie was known and recognized by said tribe as the niece of John B. Richardville, deceased, who was the principal and cherished chief of said tribe in his lifetime.

October, 1851, Frederick De Rome and others of the same family, as Miami Indians, living in Indiana, petition that they may be allowed to receive their share of the annuities in connection with those Indians who are paid at Fort Wayne. November 6, 1851, a letter was addressed to Smallwood Noel, esq., in which he was instructed to include in the pay-roll the De Romes and the family of Mrs. Mary L. Minnie if he found the statement set forth in their petitions to this office to be correct.

December 26, 1851, S. Noel, receiver, &c., in his report upon the claims of the Minnie and De Rome families says that notwithstanding the protest of other Indians against their being placed upon the annuity-list, that he is familiar with the fact that those families are of the Miami tribe of Indians, and of the De Romes particularly uses the following language, which is substantiated by reference to the treaty named: "As to the

De Rome family, Maria Christina De Rome, mother of said children, is recognized as a half-blood Miami by the provisions of the treaty of 23d of October, 1826."

On the 28th June, 1852, G. W. Ewing, esq., inclosed papers on the subject of the right of Angeline La Croix to draw annuities with the Miamis. Among the papers inclosed is the affidavit of W. G. Ewing to the effect that Angeline La Croix is the granddaughter of Josetta Beaubien, the half-sister of the late principal chief of the Miami tribe (John B. Richardville), and that the mother of Angeline La Croix, viz, Mary Louisa Gibeaux, who lives with the Miamis in the West, with her children, draw their annuities with said tribe as the descendants of the said Josetta Beaubien. That all of the said Angeline La Croix's brothers and sisters who are yet alive are living with and among the said Indians and draw their annuities with them. The contents of which affidavit, by W. G. Ewing, are corroborated by the letter of G. W. Ewing, esq.

July 28, 1852, George W. Ewing, esq., filed the affidavit of Angeline La Croix, Allen Hamilton, and Joseph Sinclair, supporting the claim of said Angeline to annuities.

The affidavit of Angeline La Croix, or Geboe, states that her father and mother are west of the Mississippi River with the Miami tribe, to whom they belong, and as such ever since affiant can remember drew a part of the annuities paid said tribe by the United States, and that affiant's mother is the niece of the late principal chief of said tribe, John B. Richardville, deceased, and that affiant always drew her part of said annuities before the tribe left for the West; that she has six children, viz, Pauline, Harriet, Charles, Adaline, Caroline, and Octavia La Croix. (Affidavit signed Angeline Geboe.)

The affidavit of Allen Hamilton, who was for something like four years subagent to the Miami tribe of Indians, is to the effect that Angeline La Croix, formerly Geboe, is personally known to him; that she drew a part of the annuities he paid as agent to said tribe, by the consent of the chiefs; that the mother of said Angeline was niece to the late principal chief, John B. Richardville, deceased; that she has, and her brothers and sisters have always, been viewed by the Miami tribe as part Miamies.

Joseph Sinclear, who was subagent of the Miami tribe of Indians for some time previous, and up to the time of their emigration in 1846, says in his affidavit that he is acquainted with Angeline La Croix, formerly Angeline Gebo; that she drew a part of the annuities paid by him as subagent to said Miami tribe of Indians by the consent and with the approbation of the chiefs of said tribe; that he is informed and verily believes that the mother of the said Angeline La Croix was a niece of the late principal chief, J. B. Richardville, deceased.

On examination of the "original pay-roll of annuity payment of Miamis in 1845," I find that La Croix's wife drew as a quarter-blood \$18.25 for that year; that Mrs. Minnie drew 2 $\frac{3}{4}$ shares, and De Rome 3 shares.

November 24, 1852, Smallwood Noel was appointed special agent to pay the Miamis in Indiana, and his attention directed to copies of papers which had been filed in this office setting forth the claims of Angeline La Croix, a portion of the family of Wah-we-asse or Flat Belly, and also of the family of the Burel, their children and grandchildren, to participate in the annuities. His instructions relative thereto were as follows: "You will examine into these claims, and should you, from the information which you may receive from leading Miamis and citizens of respectability who have a knowledge of the parties, be satisfied that the individuals claiming to participate in the annuities are Miamis and entitled to receive each his or her distributive share, you will place their names on the roll in your possession, and make payment to them accordingly."

S. Noel, February 9, 1853, reports payment of annuities to the Miamis, and incloses pay-roll for the year 1852, from which I perceive that A. Minnie and Mary Louisa Minnie received for \$466.14, being the amount to which their family (23 members) was entitled; Hubert La Croix received for \$141.87, to which his family (7 members) was entitled, and F. F. Randall, attorney and guardian, received for \$222.94, to which the De Rome family (11 members) was entitled.

Mr. Noel, in his report above referred to, also speaks of his adding to the pay-roll the names of those claiming to be of the Old Flat Belly and Wah-we-asse family, and to which I shall refer to more particularly on considering the claims of the descendants of Flat Belly and Wah-we-asse to be placed on the pay-roll, &c.

From the foregoing it appears that the families of Minnie Le Croix and De Rome were previous to the year 1846 recognized as part Miamis, and that, being omitted from the pay-roll after the removal of the Indians to the West, that they were recognized as of Miami blood, and for a time paid their annuities.

I now come down to the treaty with the Miamis of June 5, 1854. In one of the amendments attached to the above treaty made by the Senate August 4, 1854, the following proviso is inserted: "That no person other than those embraced in the corrected list agreed upon by the Miamis of Indiana in the presence of the Commissioner of Indian Affairs in June, 1854, comprising 302 names, as Miami Indians of Indiana, and the increase of the families of the persons embraced in said corrected list, shall be recipi-

ents of the payments, annuities, commutation moneys, and interest hereby stipulated to be paid to the Miami Indians of Indiana, unless other persons shall be added to said list by the consent of the said Miami Indians of Indiana, obtained in council according to the custom of Miami tribe of Indians."

In the list referred to in the above proviso the names of all those whose claim to annuities, &c., now under consideration, were left out, notwithstanding that some of them, viz, the names of the members of the families of Minnie La Croix and De Rome were included in the census list, heretofore referred to, prepared by James Linsey.

June 8, 1854, M. D. Richardville proposes to take additional testimony relative to the descendants of Josetta Beaubiens.

James T. Miller, esq., of Indiana, June 12, 1854, was designated by Commissioner Manypenny to superintend the taking of testimony on the behalf of the descendants of Josetta Beaubien, and was directed to obtain the advice and assistance of a lawyer if necessary.

The testimony taken on the behalf of the descendants of Josetta Beaubien, under the instructions of James T. Miller, June 12, 1854, not being found on the files of this office, Mr. Breckenridge, May 8, 1858, deposited that which purports to be a true copy from a copy of such testimony. The deposition filed by Mr. B. (copies) are as follows:

1st, Allen Hamilton; 2d, John P. Hedges; 3d, Peter Geibo; 4th, Zenia Henderson; 5th, Francis A. Areline; 6th, Frederic Minnie; 7th, Francis Lasselle; 8th, Terrese Bequette; 9th, Ann Hedges, and Thomas Bodiacks.

Allen Hamilton deposes that he has resided at Fort Wayne since 1823, since which time he has been generally conversant with this business since the year 1828; that he knew Josetta Beaubien; that she was the same person to whom a section of land was granted by the treaty of 1818; that she was the sister of John B. Richardville, as the deponent has been informed, by Richardville and Josetta Beaubien and their acquaintances, and that she was generally recognized to be the sister of said Richardville; that he was also acquainted with the children of said Josetta Beaubien, viz: Jack Robidoux, Tousand Robidoux, Joseph Robidoux, Margaret Robidoux, who intermarried with Peter Lafalia, and who is now the wife of Michael Richardville; Maria Louisa, who was married to Louis Gebo; Joseph Robidoux is dead; Hubert La Broix's wife, who resides in this place (Fort Wayne),* is the granddaughter of said Josetta, and the daughter of Maria Louisa Gibeaux.

On cross-examination the above deponent stated that he never heard it questioned in the tribe that the descendants of Josetta Beaubien were not of Miami blood, and that he believed that they were generally recognized as such by the citizens of the country. The deponent also states that during the time he paid the tribe that the descendants of Josetta Beaubien received their annuities the same as the other part-bloods, being paid, according to their degree of blood, half or quarter the full Indian received. They generally got their money after the Indians were paid, or it was paid to such persons as they authorized to draw it.

To the question, "Was their right to receive their annuities ever disputed by any portion of the tribe?" the deponent gave the answer, "I heard some of the chiefs making an objection to their receiving it; but not on account of their not being Miamis, but because they did not live among the tribe, and that they dressed like whites; but other chiefs selected this reason."

To the question, "Were there not white persons living with the Indians who drew annuities without any objection on the part of the Miamis?" the deponent gave the following answer: "If it was so I don't know it; had it been named to the tribe in council they would have objected to any such being paid."

To the question, "Were there to your knowledge any reserves of land made to persons having no Indian blood in them by any of the treaties with the United States?" the deponent answered as follows: "There was a section of land granted to James Godfrey by his Indian name (he was a white man, lived among the Indians, had a Miami woman as his wife) in the treaty of 1838."

To a question on cross-examination the deponent replied that he had always understood that Chief Richardville inherited the chiefship through his mother, who was a Miami in whole or in part and a leading chieftess of the tribe. This was never denied, so far as deponent knew.

John P. Hedges, beingsworn, deposed that he was nearly sixty-four years of age, and had lived at or near Fort Wayne forty-two years; that he first became acquainted with Josette Beaubien by reputation in the year 1818, at the treaty of Saint Mary's, where and when a section of land was reserved by treaty to her, on the Saint Mary's River, adjoining to the reserves to John B. Richardville; that she, Josette, was reputed to be the sister of John B. Richardville; that it was so reported at the treaty, and that the commissioners of Indiana all agreed that she was the sister and part-blood of the Miami tribe of Indians; that shortly after the ratification of the treaty she took possession of her reserve and

continued in the occupancy of the same until her death; that he was personally and intimately acquainted with Chief Richardville; and that at all times since the treaty of 1818 he acknowledged Josette Beaubien to be his sister, and that she was uniformly recognized by his family and the citizens of this county as such; that her Indian blood was plainly shown from her complexion and features; that she died before the treaty of 1826; that the blood of Chief Richardville was said to be half Miami and French.

On cross-examination deponent stated that there was no Indian blood in John B. Bourie, who received one section of land at the treaty of 1826; and that Josette Beaubien, while she lived in this country, was similar to the whites in her way of living; that she was reputed to be the sister of Chief Richardville by the same mother. Did not know that she, Josette, spoke the Miami language. Never heard it denied that Josette and her descendants were not Miamis. The deponent does not himself speak the Miami language.

Peter Geebe, a very old man, who stated that he would be, if living on the 15th March, 1855, one hundred and five years of age, deposed that Josetta Beaubien, with whom he was acquainted, was a half-blooded Indian, that she was a sister of Chief Richardville, and he thinks that she was part Miami, but has been so long ago he cannot recollect; "that he was acquainted with the mother of Chief Richardville, who was the mother of Josetta Robidoux, and whose name was also Beaubien, was not acquainted with the father of Chief Richardville; he thinks the chief's mother lived at the forks of the Wabash; does not remember the mother of Josetta Beaubien."

On cross-examination the deponent stated he saw the chief's mother frequently, and that she was a half-blood Indian, and that he understood that the father of the chief was a white man.

Zenia Henderson deposed that he was forty-seven years old; that he knew John B. Richardville and all of his family; that Richardville was part Miami and part French; that he was well acquainted with Josetta Robidoux; that the chief's children called Josetta aunt, but does not whether she spoke Miami—her children did.

F. S. Areline, forty years of age, deposed that he was acquainted with the descendants of Josetta Beaubien and knows that they have been uniformly recognized as part Miami blood, their appearance evidently indicating that they are of part Indian blood.

Frederick Minnie, past sixty years of age, deposes that he is acquainted with the children of Josetta Beaubien, alias Robideaux; that they were part French and part Miami blood; that he was also acquainted with Josetta Beaubien more than forty years ago; that she was reputed to be the half-sister by the same mother to Chief Richardville; that the chief had two sisters, Josetta and Agatha Beaubien; that Chief Richardville was older than the sisters; that the chief was born near Fort Wayne, and the two girls in Michigan, between Monroe and Detroit; the girls were educated near Montreal, as she has understood.

On cross-examination the deponent stated that he was not acquainted with Chief Richardville's mother, and that he first became acquainted with Josetta Beaubien near Montreal, in Canada.

To the question, Was her mother then living, and where? he answered, "I heard she was living near Monroe."

Francis Lasselle deposes that he is forty-eight years of age, and has resided in this region of country (Fort Wayne) since 1829; that he is acquainted with the descendants of Josetta Beaubien or Robidoux; that they have always been reputed to be of Miami blood, their appearance evidently indicating they are of Indian blood.

On cross-examination the deponent stated that the Robidoux family lived something after the manner of the whites.

Terrese Biquette, fifty-one years of age, deposes that she became acquainted with Josetta Robidoux about twenty-eight years ago; that she was, before her marriage with Robidoux, Josetta Beaubien—half Miami, half French; that she was generally reputed to be and was acknowledged by Chief Richardville to be his half-sister by the same mother, and there were also *two other half-sisters* by the same mother.

On cross-examination deponent stated that she was not acquainted with the other two sisters of Richardville, and that she never saw them.

Ann Hedges, forty-nine years of age, deposes that she was acquainted with Josetta Robidoux; that she was reputed to be the half-sister of Chief Richardville; that her mode of living was similar to that of the chiefs; does not know whether Josetta spoke the Miami language or not.

The deponent's language is French.

Thomas Badiack, fifty-eight years of age, deposes that he has been in this country thirty-nine years; that he was well acquainted with Josetta Robidoux; saw her and her children draw money, at the first and second payments, at Fort Wayne; had been acquainted with Chief Richardville ever since he (deponent) came to the country; heard the chief say that Josetta Beaubien was his half-sister.

To the question, What did she look like? deponent answered, "She looked like Snap Richardville, and about the color." The deponent stated that he was a Canadian-Frenchman; could talk and understood English some.

James L. Miller, May 19, 1855, inclosed depositions intended as rebutting testimony to the foregoing. The depositions or affidavits inclosed by Mr. Miller were made by the following persons, viz: Ro McClure, Weshingomezia, a Miami Indian, Sam McClure, and Dr. William McKinney. Inclosed with the affidavits named is also an argument made by L. P. Milligan, esq., attorney for the Miamis, against the names of descendants of Josetta Beaubien being placed on the pay-roll. Referring you to this argument herewith inclosed I shall now proceed to give the substance of the depositions named above, which it appears were taken at Marion, Grant County, Indiana, November 8 and 9, 1854, pursuant to agreement between the parties.

Robert McClure deposes that he was fifty-one years of age last March, 1854; that he became acquainted with Chief Richardville and his family at Fort Wayne in 1822; was also acquainted with Josetta Robidoux and her family; that they lived like white people and talked English and French; never did Josetta Robidoux talk in the Indian language; when to Richardville's family she spoke English and French, mostly French; heard no talk of their being Indians; they were called French, and Josetta claimed to be of that nation.

Richardville's children claimed to be the cousins of Josetta's children and called Josetta aunt. Have been present at nearly all the payments of the Miamis since 1822 and never saw Josetta Robidoux or any of her children draw money at the table at any of the payments as other Indians do, and does not think that they did draw, at least in the early part of his acquaintance with them. At the forks of the Wabash, about 1834, thinks the descendants of Josetta Robidoux made application to draw annuities as quarter-blood Miamis and the Indians objected, alleging that they were not Indians but French, and his impression is that they were ruled out and not permitted to receive their annuity or pay at the table as other Indians drew. Has been present at a number of their treaties at which Chief Richardville conducted the negotiations. The chief spoke the English language well and conducted the treaties in that language. Is of the opinion that most of the Indians know but little about the stipulations of the treaties, having entire confidence in Richardville as their chief. Has been informed and believes that all the annuities or pay which were drawn by Josetta and her family were drawn through the favoritism of Chief Richardville and without the knowledge or consent of the Indians.

Recollects that at the treaty of 1834 Chief Richardville asked the Indians to permit the descendants of Josetta to draw a small portion or to draw as quarter-blood Indians, and Mehanequa, one of the principal chiefs, objected. Richardville said that these people were his relatives and poor. Mehanequa spoke on behalf of the tribe and said that if they were his relatives and poor, to give them out of his own money and not out of theirs, and it was then claimed that they were relatives of Richardville on the French side and had no Indian blood in them. Deponent knows that in 1822 Margaret Lafaliar (now the wife of Michael D. Richardville), Tousant, Jocko, Joseph Robidoux, and all of Josetta's children claimed to be French, and did not understand at the time that there was any Indian blood in them, although intimately acquainted with them.

Meshingo-mezia (a Miami Indian) was sworn, Samuel McClure, under oath, acting as interpreter. This deponent says he is about 65 years of age; that he became acquainted with Richardville at Fort Wayne, Ind. When first acquainted with him, he was not a chief but a trader; was acquainted with Richardville prior to the treaty with the Miami Indians concluded at Greenville, Ohio; was present at the time the tribe met in council near where the house of Godfrey now stands, on the Wabash River, and elected Richardville chief of the Miami tribe, and the reason why he was so elected was, that he could speak or talk in both the Indian and English language, and could thereby transact their business with the whites better than any of the rest. Richardville's mother was dead long before that time. Kah-kow-wich-kow-yah was chief of the tribe immediately before Richardville, and before him Taw-we-tah, the grandfather of deponent, and before him the great-grandfather of deponent. Among the tribe of deponent women or squaws are never appointed or elected to any office, nor do they inherit any—they have no voice in the councils, nor never had, as deponent understands the customs of his tribe by tradition.

Has always been the understanding of the deponent, from his own knowledge, and from information derived from his mother (who was older than Richardville and well acquainted with his mother), that Richardville was the only child of his mother, and that he had neither brother nor sister.

After the treaty of Saint Mary's, deponent was at a payment at Fort Wayne, and there was not one Frenchman drew an annuity to his knowledge; has been at all the payments from that time to the present, and have never known of any of the French drawing an-

nauties; Jock Robidoux was a Frenchman; Margaret Lafalia was a French woman; she lived with chief Richardville as his wife, as was generally understood by the Indians; never knew Jock Robidoux or Margaret Lafalia, or any of the French relatives of Richardville to draw money at any of the payments, as the Miamis drew it.

By the custom of the Miami Indians no man is permitted to marry or cohabit with his blood relatives.

In the treaties which Richardville made on behalf of the Miami Indians with the United States, most of the reserves and the provisions of money for himself or friends were kept secret from the tribe until the treaty was closed.

Samuel McClure deposed that he was 47 years of age, has lived in this country since the year 1827, and traded with the Miami Indians since the year 1828; has been well acquainted with all their chiefs and principal men, and has attended every payment since the year 1827. In the fall of 1834, at a general council held by the principal men of the Miami tribe, at the forks of the Wabash River, deponent was present, and the question of the right of these French people to participate in the annuity of the tribe came up in council. Chief Richardville said that these people were poor and his friends, and he wished them to draw with the tribe, and as well as deponent can recollect he said they had some Indian blood in them; then Mehanequa objected, and said if they had any Indian blood in them he did not know it, and said if white men mingled with their people and got children they must support them; that they would not. Mehanequa then sat down. Richardville then stood up as though he was in a study. - The agent, Colonel Pepper, deponent thinks, said to Richardville, "Chief, what are you going to do?" Richardville turned to Mehanequa and said, "What are you going to do?" Hereplied "I have told you once, and if I can't be heard I will leave the council;" and arose and left. Richardville said to the agent, "Hold still, I will answer-after a while," and followed Mehanequa into the woods. After some time they came back and Mehanequa took his seat in the council, and it was the understanding of the deponent that they were not to participate in the annuities, and Chief Richardville so notified the agent. Deponent has never known the children or grandchildren of Josetta Robidoux to draw as other Indians at any of their payments with the consent of the tribe. Mehanequa was one of the principal men of the tribe, and one of the most influential, and in the conversation above referred to he spoke on behalf of the tribe.

Margaret Lafalia lived with Chief Richardville, and it was generally considered that she was his wife or concubine. A short time before the death of Chief Richardville and after his death deponent heard a number of the tribe complaining of his course, and that he had cheated them, as they thought, for the purpose of conferring favors on his friends, English and French.

Dr. William McKinsey deposes that in the month of March, 1805, himself and others were sent out on the Wabash River by the Society of Friends in Maryland for the purpose of trying to civilize the Miami Indians. They settled near the forks of the Wabash and made improvements. At that time deponent states White Loon, alias Wepe-mon-quek, was chief of the village, and that Richardville, afterwards chief of the Miamis, was living there at the village a private man. Deponent often met with the Indians in council, and Richardville seemed to have no power and but little influence among them, and was to all appearance very poor. Deponent and his companions looked upon him as rather below an ordinary Indian, in fact, was considered at least half French. Never knew anything of the mother of Richardville, and never heard of his having any brother or sister.

Deponent was quite intimate with the principal men of the village; became also acquainted with some of the chiefs and leading men of the other villages. Prior to deponent's residence with the Miamis he had been with the Shawnee tribe and learned to speak the Shawnee language. This enabled him to converse with the Miamis, as most of them could converse in that language.

It is the understanding of the deponent that they never inherit any office, but were promoted in the tribe on the grounds of valor or statesmanship; that, by their customs, their women never had any voice in their councils, nor were they ever promoted to any office.

Deponent thinks, from his familiarity with the Indians at the village, that if Richardville's mother had been a leading woman or person among them, and lived at the forks of the Wabash, he should certainly have known it. Deponent in his deposition states that he was twenty-one years of age on the 22d day of April, 1805.

In a letter addressed to Messrs. Borden and Breckenridge, March 17, 1856, Commissioner Manypenny uses the following language, viz:

"I have learned that the Western Miamis have admitted some of the persons to a participation in their annuities whom they denied were of Miami descent when the treaty of 1854 was made.

"Upon a proper showing in the cases you refer to I will cause the subject to be brought before the Miamis of Indiana at the next annuity payment."

November 7, 1856, instructions were written to John Dowling, esq., special agent, Peru, Ind., to submit the claims of the clients of Messrs. Borden and Breckenridge to share in the annuities to the Indians in council. In this letter of instructions Mr. Dowling is admonished to take care to state to the Indians that the question is left to their own voluntary action; that it is for them to determine against or in favor of the party applying, the Commissioner at the same time instructing Mr. Dowling to inform the Indians that it is his advice to them to act honestly upon the subject, &c.

John Dowling, esq., December 10, 1856, reports proceedings in relation to the claims of certain individuals to participate in the annuities to the Miamis in Indiana. In this report Mr. Dowling, after detailing his efforts to obtain the consideration of the claim of the applying parties, concludes with the following words: "Finding the Indians inexorably opposed to the opening or consideration of the question as to the admission of the claimants either in gross or in detail, and that they had prejudged the case, I concluded the conference."

From all I could learn from reliable and trustworthy sources I am convinced that a few of the applicants, whose claims were resisted by the Miamis, were fully entitled to participate in the rights, privileges, and immunities of the tribes.

Having now fully considered the testimony aforementioned, so far as it applies to the relations of Chief Richardville by the mother's side, and the members of the De Rome family, I have arrived at the conclusion that the weight of the evidence tends to establish the claims of the former to be considered as a part-Indian blood, through their consanguinity to Chief Richardville, and that the De Rome family should have some consideration, from the fact of some of the members thereof having shared in the Miami annuities as the descendants of Maria Christina De Rome, who was recognized as a half-blood Miami by the treaty of October 23, 1826. (See schedule of grants attached to said treaty. Statutes at Large, vol. 7, p. 302.)

R. Breckenridge, jr., April 2, 1858, files in this office the names of those who are applicants to be restored to their tribal rights as Miami Indians, and to whom, as may be seen by his letter addressed to the honorable Secretary of the Interior, dated March 27, 1858, he requests may be granted 200 acres of land each, under the provisions of the second article of the treaty of June 5, 1854.

To the list of names filed by Mr. Breckenridge April 2, 1858, is attached the affidavit of Francis S. Areline, to the effect that said list is correct, &c., from which list I now extract the names of those who are represented as the members of the Minnie, La Croix, and De Rome families, leaving the descendants of Flat-Belly and Wah-weasse to be referred to hereafter, in connection with their application to be placed on the pay-roll of Miami Indians, &c.

List of the names of the Minnie family, as sworn to by S. Areline, namely:

1. Louisa Minnie, the old mother.
2. Nancy Minnie, aged thirty years.
3. Lewis Minnie, aged twenty-one years.
4. Adeline Minnie, aged nineteen years.
5. Isrial Minnie, aged seventeen years.
6. John Minnie, aged fifteen years.
7. Joseph Minnie, aged thirteen years.
8. Sarah Minnie, aged eleven years.
9. Charles Minnie, aged twenty-three years.

Charlotte Funk, dead.

1. Martin Funk, Charlotte's child, aged five years.
2. Frederick Funk, Charlotte's child, aged three years.

1. Mariah Bowers.

2. James B. Bowers, child of Mariah Bowers, aged seven years.
3. Mariah Bowers, child of Mariah Bowers, aged six years.
4. Joesetta Bowers, child of Mariah Bowers, aged four years.

1. Frederick Minnie.

2. Mary Minnie, child of Frederick Minnie, aged nine years.

1. Mary Louisa Harris.

2. Anna Louisa Harris, daughter of Mary Louisa, aged sixteen years.
3. Amanda Louisa Harris, daughter of Mary Louisa, aged fourteen years.
4. Adeline Harris, daughter of Mary Louisa, aged thirteen years.
5. Joseph Harris, son of Mary Louisa, aged eleven years.
6. Charles Harris, son of Mary Louisa, aged nine years.
7. Melinda Harris, daughter of Mary Louisa, aged seven years.
8. John Harris, son of Mary Louisa, aged two years.

The Minnie family, according to Mr. Areline's list, numbers twenty-five, while according to the census taken by Mr. Lindsey, before referred to, it numbered but twenty-four. This discrepancy is explained by the fact that since 1854 Charlotte Funk has deceased and that two children, namely, Frederick Funk and John Harris, have been born and added to the family.

Of the La Croix family Mr. Areline reports seven living members, viz:

1. Angeline La Croix.
2. Adaline La Croix, aged twenty-three years.
3. Francis La Croix, aged twenty years.
4. Octavia La Croix, aged eighteen years.
5. Caroline La Croix, aged sixteen years.
6. Harriet La Croix, aged twelve years.
7. Marcellus La Croix, aged five years.

Mr. Lindsey's census list reports the above family as numbering eight persons. His report also gives different names to some of the children from those given by Mr. Areline.

The De Rome family, according to Mr. Areline, numbers thirteen living members, named as follows:

1. Frederick De Rome, aged thirty-six years.
2. Harriet E. De Rome, aged three years.
3. Child not named, aged one year.
1. Mary T. Creditor, aged thirteen years.
2. Charles Creditor, aged fifteen years.
3. Edward Creditor, aged eleven years.
4. Octavia, aged nine years.

1. Rosabel, aged twenty-two years.
2. Rosabel's child (Frederick), aged one year.
1. Adelaide (married), aged twenty-four years.
2. Adelaide's child (Emma), aged two years.
1. Solomon De Rome, aged twenty-four years.
2. Emily (Solomon's sister), aged eighteen years.

Mr. Lindsay reported the De Rome family as numbering ten members.

I now leave the descendants of the sisters of Chief Richardville's half sister, and review the testimony in regard to the rights of the descendants of Flat Belly and Wahweasse, including the granddaughter of Mah-quah-co-ning, to be restored to their tribal rights.

The matter of the claims of the descendants of Flat Belly and Wahweasse and others formed the subject of a letter addressed to S. Noel, special agent, dated November 24, 1852, before referred to, in connection with the relatives of Richardville, the chief of the Miamis. On the investigation which Mr. Noel was instructed to make the Miamis protested against the admission of the claimants as participants in the annuities about being paid, and filed affidavits in support of their opposition. Mr. Noel, however, after procuring all the information he could, came to the conclusion that Wah-sah-encks, Kee-shee-co-quah, Joe.-E.-Law, Me-shaw-was, Caw-Caw-Kuh, Durham woman, Nau-go, John Soney, Some-E-Kee-come-o-quah, and Bur-ell were entitled, themselves and families, to share in the Miami annuity and paid them \$770.14, being thirty-eight shares of the same, as will appear by reference to his report and pay-roll, February 9, 1853.

On the 22d of December, 1853, the Hon. A. J. Harlan filed a letter from E. T. Loveland, esq., attorney for Miamis in Indiana, submitting evidence and statement of facts in regard to the admission by Special Agent Noel of certain persons to participation in the Miami annuities, whom the Miamis contended were not entitled thereto, being Pottawatomes, and requesting a revision of Mr. Noel's decision.

Accompanying the above were copies, alleged to be of all the papers and evidence before Mr. Noel *pro and con*; but as this office did not reverse the decision of Mr. Noel in the premises I do not deem it necessary to treat at length in this report the papers filed by Mr. Harlan, but will pass on to the records of this office, in order to ascertain the rights of the parties now under consideration.

By reference to the treaty of 1818 I find that among other names that of Paps-kee-chee, or Flat Belly, appears as a signer thereto, and to the treaty of 1826 the names of "Flat Belly" and Wau-we-as-see are signed as chiefs. Also by the 4th article of the latter-named treaty a house is stipulated to be built for several persons named; among the number the names of Flat Belly and Wau-we-as-see are included.

By article 2 of the same treaty thirty-six sections of land were reserved at Flat Belly's village for the use of the tribe, and again in article 4 a wagon and one yoke of oxen were engaged to be furnished by the United States to Flat Belly among other persons named. The treaty of 1834 was also signed by Flat Belly and Wau-we-as-see, and to the treaty of 1833, as a signer thereto, the name of Ke-mo-to-on appears, who Alexander Laurens in his affidavit asserts was a son of Wau-we-as-see.

By reference to the report of Joseph Sinclear, superintendent of emigration, dated October 14, 1846, I find that Wah-we-as-see and his family of 8 did not remove with the body of the Indians, but are reported to have "fled" among others.

Mr. Sinclear in his report referred to, speaking of the families of Wah-we-as-see and others says the families following have heretofore resided north of Peru, Iowa, are connected with the Pottawatomies, and have fled—some of them have been absent several months. A portion I understand have gone into Canada and a portion to the Pottawatomies in Michigan, being privileged to draw with either nation, and representations having been made to them that the Pottawatomie country west is far superior to that of the Miamis. I also find by referring to the report of S. S. Tipton and Alexander Wilson, dated February 24, 1838, the appraisement of certain property at Flat Belly's village and of Wa-we-as-see, as per Nos. 8 and 9 of said report.

R. Breckenridge, jr., August 18, 1856, inclosed to this office the affidavits of several persons as to the tribal character of the descendants of Flat Belly and others, asking that the names of said Indians may be placed on the list of Miamis of Indiana.

The first of the affidavits, as above inclosed, was made by Alexander Laurent, 66 years of age, who states that he was well acquainted with Flat Belly, a Miami Indian of Indiana, and with his band of brothers, Wah-we-as-see and Mi-aw-que-aw, were members; that they were all Miami Indians; that they have been dead many years, and that he is acquainted with their descendants as follows:

Wah-sah-cuck, the granddaughter of Flat Belly; Jo-e-tah, the son of Wah-sah-cuck; Jo-e-tah, son of Jo-e-tah; Pap-ke-chah, son of Wah-sah-cuck; Pe-pe-aw or Baptiste, son of Wah-sah-cuck; Kish-e-ko-quah, granddaughter of Flat Belly, and her three children.

Me-she-was, grandson of Flat Belly; Cow-cocke-ke, grandson Wah-we-as-see; Lum-e-ke-come-o-quah, granddaughter of Wah-we-as-see, three children of Lum-e-com-e-quah.

That he was also acquainted with Joseph Burel, a half-breed Miami, who was also one of the Flat Belly band; that he died many years since, leaving one son, known as Young Burel, who is now living, and three other sons and one daughter, all of whom he thinks are dead except young Burel. That said young Burel was married, but he does not know whether he has any children or not—thinks he has a nephew called Co-wah-was-see; that he is also acquainted with Pen-girt-no-quah, the daughter of Madeline Du Chaime, whose father was a Miami Indian, whose name he does not remember, and that she has one daughter named Kattas; that he has been acquainted with all of said persons for many years; that they have always been known and recognized as Miamis, and have resided near him since the Miami tribe, including Flat Belly band, were removed west of the Mississippi in 1846 or 1847; that they have not participated in the payment of the annuities to the Pottawatomies made at Paw Paw or any other place, except the two first years after the coming from Indiana to Michigan, when it was found by the agent that they were Miamis, and no payment has since been made to them out of the Pottawatomies' fund; that when they drew, said Pottawatomies knew them to be Miamis, but suffered them to draw merely from charity; that he is and for many years has been acquainted with Nang-go and his sister, Kahtan; that said Nang-go drew annuities among the Miamis prior to their removal to the West, and since then has not been in the receipt of annuities; that his said sister resides among the Miamis, and his daughter is now, or has not long since been, the wife of George Hunt, a half-breed Miami; that all of said persons were of the Miamis of Indiana; that he is also acquainted with Madaline (or Magdalen), the daughter of said Wah-sah-Knk, the grandchild of Flat Belly; that he also now recollects that said Co-ah-was-see, named above as the nephew of young Burel, is the great-grandson of Mianqueaw, and has one child, a daughter.

The above affidavit appears to have been taken August 11, 1856.

The affidavit of Sen-e-go-oh, a Christianized Indian, and chief of the Pottawatomies, of the Silver Creek Mission, in Michigan, in the region of Pokagon, states that affiant is the brother-in-law of Po-ka-gon, formerly chief of the Pottawatomies; that he was acquainted with the band of Flat Belly, of the Miami tribe of Indians, and has been since his childhood; that several of the descendants of Flat Belly and his brothers at the time of the emigration of the Miami tribe west, were Catholics, and for the purpose of getting near a mission came to that, where affiant lives, and settled there among his people, alleging as a reason for not emigrating with their tribe that the Miamis had no religion; that they have made their home in that region ever since, that they have not been incorporated among his people as Pottawatomies, but have always been regarded by them as Miamis, unconnected with them (Pottawatomies) in any tribal capacity or character.

When they first came, they were suffered upon two occasions to draw money as a matter of charity, as they were poor and suffering, but after that the agent, who made payment of their annuities, finding that they were of the Miami tribe, refused to permit them to receive any of said annuities. That he thinks the names of the agents referred to are Babcock and Sprague).

The affiant then names the same Indians as Laurent, as being the descendants of Flat Belly and Wah-we-as-see, &c., with the addition of Otta-bo-quah, known as the daughter of Wingeseah, stating that all the persons are of the Miamis of Indiana; that the band of Flat Belly was a border band, and frequent intermarriages took place between them and the Pottawatomies; that all of said persons are of mixed blood, but they belong to and are a part of the Miami tribe, and are no more Pottawatomies than are those of the band who emigrated West, of whom he has understood that Eto-ge-she-ah is now chief.

Pishaway, a Pottawatomie Indian, aged 44 years, in his affidavit of August 11, 1856, corroborates the statements of the preceding affiants.

Anne Benack, aged 64 years, a communicant of the Catholic church, in her affidavit of 12th of August, 1856, says she is personally acquainted with the several persons named in the affidavit of Sene-go-aw, a Pottawatomie chief, and therein described as members of the Miami tribe of Indians, and she was also acquainted with their ancestors in said tribe, and knows said persons to be members of said tribe; that she has lived near them, and has had personal intercourse with them from her childhood, and knows them to be of the Miami tribe as well as she knows her own husband, Stephen Benack, to have been a Pottawatomie of part white blood; that she, the affiant, is related to them by blood; that she is personally acquainted with Eto-ke-she-ek, the present chief of the Flat Belly band or Elkhart Indians, who removed and now reside west of the Mississippi River, being a part of said Miami tribe, and with his immediate ancestors; that all of the persons named are related to him except Otta-Bo-quah, who is the daughter of Win-ge-se-ah, who was the son of Mah-quah-co-nong, or Pigeon, a well-known chief of Co-as-see band.

Attached to the foregoing affidavits is the certificate of E. Sorin, president of the University of Notre Dame du Lac that he is personally acquainted with Alexander Laurent and Piash-wah, the deponents to the annexed affidavits; that they are communicants of the Catholic Church; that their evidence was given in his presence and in part upon his examination; that he believes them to be persons of veracity, and from his knowledge of the persons of whom they speak in their affidavits, he is satisfied that their evidence is true, many of them being communicants of the Catholic Church and known to him when they were residing in Indiana among the Miamis, and that he is also acquainted with Sem-go-wah, a chief, who is also a man of veracity, and also with Cock ca-me, whose evidence he would believe.

I now beg leave to call your attention to certain other evidence on file in this office tending to establish the fact that the descendants of Flat Belly and Wa-we-asee have heretofore previous to the removal of the Miami tribe to the West been considered as a portion of said tribe. Under the treaty of 1840 Messrs. O. L. Clark, Lot Bloomfield, and Jonathan McCarty were appointed commissioners to investigate the claims of creditors of the Miami Indians, and by reference to their proceedings, contained in two volumes entitled "Miami Investigations," the names of several included in the application of Mr. Breckenridge appear as debtors to the traders, presenting claims against the Miamis, and from their indebtedness to such traders being acknowledged and the amounts being allowed by the commissioners, the inference is easy and natural that they were at the time considered to be of the Miami tribe.

I find on the list filed by Mr. Breckenridge April 2, 1855, the following names of those who were alleged to be the descendants of the Flat Belly Band of Miami Indians. The list referred to is sworn to by Francis Aveline as being correct, he having made careful inquiry relative thereto. Mr. Aveline's certificate is dated March 15, 1858:

Old Waw-saw-cuck and her two children—Pe-po-aw, thirteen years of age, and Madeline, eleven years of age; Jo-e-tah, — of age, and two children not named, three and one years of age; Pap-e-ke-chee, — of age; Kish e-kee-quah, — of age, and three children of seven and eight and eleven years of age; Me-shaw-was, — of age; Pen-gish-e-no-quah, — of age. Child Katas—Cow-wah-see, — of age; child, six years of age.

Otta-Be-quah, of age; child, 16 years of age; descendants of Mah-qua-co-nongo, a Miami Indian of Co-as See's band. See affidavit of Ann Benack.

Can-cock-kee, of age; Lum-ke-com-ko-quah, of age; three children, four, eight, and ten years of age.

I now inclose herewith the following letters, viz: One addressed to this office by R. Breckenridge, jr., dated February 16, 1858, printed copy; also two from the same writer, one addressed to the Hon. J. D. Bright, and the other to the President, both of which were referred to your Department by the President; also one from Mr. Breckenridge, addressed to your Department, March 27, 1858, all of which are connected with the subject now under consideration.

In conclusion, I have the honor to respectfully represent that, from a thorough investigation of all matters bearing upon the question at issue, the conviction is forced upon me that the persons for whom Mr. Breckenridge makes application to be placed upon the pay-roll of the Miami Indians and to receive their annuities (past and fu-

ture) are of part Miami blood; that they have not received any land rent under the treaty of 1854, and that they generally appear to bear the same relation to the Miami tribe as Griggs's wife and children, who were provided for in the amendment to the treaty of 1854; but this office is precluded by the "proviso" in the amendment in said treaty heretofore referred to from placing the names of the parties on the pay-roll of the Miami Indians by which they could draw their annuities, and hence can grant them no relief.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

B.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS, *October 14, 1858.*

HON. J. THOMPSON,
Secretary of the Interior:

SIR: I have the honor to acknowledge your reference of the letter of the honorable Secretary of the Treasury, addressed to you on the 12th of July last, in which he declines to comply with your request that he should place a sufficient sum to the credit of your Department to enable you to carry out the provisions of the 3d section of the act of Congress of the 12th of June last, so far as the back annuities due certain parties of the Miamis in Indiana were concerned, on the ground that he agreed with the Attorney-General that the said 3d section of the act above referred to was not in effect an appropriation; and ascertaining in a personal interview with you on the subject that you now desire to take the amount required for the specified purpose from the tribal funds of the Miamis, I have, after much consideration, concluded to recommend, most respectfully, the following plan for the settlement of the matter in question, which I am persuaded is the most equitable one that can be devised, under the peculiar circumstances of the case.

By reference to the books of this office it appears that there is remaining on hand an unexpended balance of appropriations made prior to the commencement of the present fiscal year, for the Miamis, of \$18,309.03, of which \$2,679.76 belong to the western and \$15,629.27 to the Eastern Indians.

Taking the above unexpended balance of appropriations and applying it as a payment *pro tanto* to the sixty-eight Indians to whom the third section of the act of the 12th of June applies, the amount due them, \$34,000.16, will be reduced to a balance of \$15,691.13.

The amount appropriated for the payment of the annuities of the Western Miamis for the year ending June 30, 1859, is \$37,375.47, taking from which sum the balance due the beneficiaries under the act (\$15,691.13) will leave the Western Indians \$21,684.34, which, divided among 209, the number now supposed to be in the West entitled to annuities, will make per capita of \$103.75 to be paid to each Indian on the pay-roll.

The appropriation for the annuities of the Miami Indians in Indiana for the year ending the 30th of June, 1859, is \$17,926.53. The number of annuitants, including the sixty-eight ordered to be placed on the pay-roll, will be 332; therefore each Indian of the tribe in Indiana will be entitled to a distributive share approximating to \$54, which is about the average of their ordinary annuity.

The following exposé of the facts relating to the annuities of the Miami tribe of Indians, as I have been enabled to collect them from the records of this and the Second Auditor's office, I think will fully justify the foregoing plan of settlement.

The annuities paid to the Miamis, East and West, from the year 1846 to 1853, inclusive, as appears from tabular statements on file in this office, amounted to \$238,563.11, of which sum the Western Indians received \$152,123.55, and those in Indiana received \$86,439.56.

The whole number of Indians East and West paid during the period named averaged 496; the number of those excluded from payment during the same time was 50, making the total number paid and unpaid 546; the amount therefore which each person of the tribe should have received was \$436.

The average number in the West being 273, and each one to receive \$436, they were entitled to only \$119,028, instead of \$152,123.55; the excess therefore received by them was \$33,095.55; so that after paying from their annuities for the present year the \$15,691.13 aforementioned, necessary to pay the sixty-eight persons heretofore excluded from the annuities, an excess of \$17,404.42 will still exist, which they have heretofore received over and above their proper share. The justice and propriety of taking the above balance of \$15,691.13 from the Western Indians is therefore apparent.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Commissioner.

C.

DEPARTMENT OF THE INTERIOR,
October 30, 1858.

SIR: Your report of the 14th instant, in which you suggest a plan for carrying into effect the third section of the act of Congress of June 12, 1858 (ch. 155), has received my careful consideration.

The plan suggested in the report is approved, and you will please take the necessary steps to carry it into execution.

Very respectfully, your obedient servant,

J. THOMPSON,
Secretary.

Hon. C. E. MIX,
Commissioner Indian Affairs.

D.

DEPARTMENT OF THE INTERIOR,
OFFICE INDIAN AFFAIRS, July 12, 1862.

Hon. C. B. SMITH,
Secretary of the Interior:

SIR: I have the honor to acknowledge the receipt of your communication of the 25th ultimo, inclosing papers filed in your Department by Hon. William Mitchell, claiming that the grandchildren and great-grandchildren of John Baptiste La.Breeche are of the blood of the Miami Indians, and entitled to be placed upon the annuity rolls of said Indians and to receive each 200 acres of land under the provisions of the third section of the act of Congress approved June 12, 1858. (See Statutes at Large, vol. 11, p. 332.)

The papers referred to have been examined in this office, and, allowing the deposition of Mr. F. D. Lasalle, a reliable and responsible gentleman of Indiana, its full force, notwithstanding that the notary public has omitted to affix his signature to the certificate, I am of the opinion that John Baptiste La Breech, from the fact of his being permitted to share in the annuities of the Miami Indians prior to 1846, the date of their removal from Indiana, is to be considered as having been of Miami blood, and, as a consequence, that his grandchildren and great-grandchildren are, under the act of June 12, 1858, entitled to participate in the annuities of the Miami Indians paid east of the Mississippi.

Before answering interrogatories proposed in your communication, I deem it proper to explain that the framing and passage of the third section of the act of June 12, 1858, is supposed to have been predicated upon the report from this office to your Department, dated May 28, 1858.

I now proceed to take up the questions of your letter in their regular order, giving such answers as in my judgment appear to be in keeping within the meaning of the act, having the peculiar circumstances and surroundings of its passage through Congress in view.

Question 1. What degree of Miami blood is necessary to entitle a claimant to the benefit of this act?

Answer. Under the act of June 12, 1858, sixty-eight persons claiming to be of "Miami" blood were admitted to participate in the annuities of the Indians. This office, after a long investigation, merely reported the parties as of "Miami blood," without inquiry into its degree.

Question 2. Are persons of "Miami blood" who have been born since the date of the treaties referred to in said act of Congress entitled to the benefit of said act?

Answer. On examination of act of June 12, 1858, I find but one treaty, that of June 5, 1854, particularly referred to. I consider when a family is once entered on the pay-rolls the children are also to be included on the rolls, and to receive "the per capita" through the father or head of the family.

Question 3. Is the act a continuing act for the benefit of all children who have been heretofore born or may be hereafter born of "Miami blood"?

Answer. If the name of the parent is on the pay-roll the children are entitled to the benefits of the act.

Question 4. Are the grandchildren and the great-grandchildren of John Baptiste La Breech entitled to claim the benefit of said act?

Answer. This question is answered in the affirmative by the second paragraph of this report.

Question 5. If they are entitled to arrears of annuities, what is the amount of such annuities, and at what time should the computation of such arrears commence?

Answer. From the date furnished by the testimony filed by Mr. Mitchel, it is in-

ferred that La Bresch drew the annuities of his family up to the year of emigration of the Miamis, which was in 1846. If this inference is correct, each of his grandchildren will be entitled to the same amount as individuals remaining in Indiana received up to the present time, and his great-grandchildren will draw from the date of their birth. To find out the precise amount, access must be had to the old rolls on file in the Second Auditor's office, causing an examination that will occupy several days before the result can be reached.

Question 6. From what fund is such arrears payable?

Answer. When the act passed, this office considered that it carried with it an appropriation to the amount of the arrears of the parties named in the report of this office already referred to; but the Secretary of the Treasury ruled otherwise, and the arrears were necessarily taken from the tribal funds.

Question 7. Have the Miamis any fund applicable to that purpose under the act of Congress, and if so what is the amount of it?

Answer. They have none. The payment will have to be made from the general fund of the tribe.

Question 8. What amount of the 70,000 acres of land reserved by the second article of the treaty of June 5, 1854, is yet undisposed of?

Answer. Twenty-three thousand three hundred and ninety-eight and eighty-nine one hundredths acres.

Question 9. Are the grandchildren and the great-grandchildren of John Baptiste La Breshe entitled to allotment from said law?

Answer. They are.

Very respectfully, your obedient servant,

WILLIAM P. DOLE,
Commissioner.

E.

DEPARTMENT OF THE INTERIOR,
December 12, 1862.

SIR: Referring to your report of the 12th of July, respecting the claim of the grandchildren and great-grandchildren of John Baptiste La Breche, which was the subject of a communication to you from this Department on the 12th November ultimo, I now have, further, to direct that their claim for annuities be settled in accordance with the report above referred to, and the precedents of the Indian Office.

The papers are herewith returned.

Very respectfully, &c.,

CALEB B. SMITH,
Secretary.

WM. P. DOLE, Esq.,
Commissioner of Indian Affairs.

STATE OF MICHIGAN,
County of Monroe, ss:

On the 5th day of March, A. D. 1862, personally appeared Lewis Hiron, aged 64 years, and resident of Frenchtown, county of Monroe and State of Michigan, before me, a circuit court commissioner in and for said county, who, being duly sworn according to law, deposes and says that he was well and personally acquainted with John Baptist Labresh, during his lifetime, and that he resided formerly in this county; that he was his deponent's, father in-law. Deponent states further that said John Baptist Labresh was of Miami blood, that he was of the tribe of Indians known as the Miami tribe, and deponent states that he, Labresh, always repaired to Fort Wayne and joined with the chief of the tribe, whose name was Richardville, and they with the rest of the tribe repaired to a place on the Wabash, appointed for the payment of the annuities to that tribe of Indians, and that said Labresh with the other Indians received his yearly annuities regularly. That he always went after his said annuity himself, excepting the last time he drew, which to the best of deponent's recollection was about 17 or 18 years ago, when he gave a power of attorney to a man by the name of Morisian to draw his said annuity for him, and said Labresh subsequently informed deponent that said Morissian did receive said annuity and brought the same to him. Deponent states that he himself was accustomed to go to the same place and receive the annuity that was due to his wife, as daughter of said Labresh, and that when he did so on one occasion, he remained a month or six weeks at the residence of the chief of said tribe of Indians (the said Richardville), who informed him that said Labresh was of the Miami tribe of Indians blood; that he was a relation of his, the said chief; and deponent states that he knows from the features, complexion, and general appearance of the said Labresh, he was of Indian blood; and deponent states that said Labresh commenced drawing his said annuity from and after the treaty made with that tribe of Miami Indians by Governor Cass when governor of the Territory of Michigan, after the war of 1812—can't say precisely what year; that he at that

time drew a section of land, as he informed this deponent, and continued to draw said annuity about 17 or 18 years ago, when, in consequence of said tribe of Indians being removed west of the Mississippi River, and of his advanced age, he neglected to make any further efforts for said annuity, and he died in the month of November, 1855, in the township of Erie, Monroe County, Michigan. Deponent states that his wife, the said daughter of said Labresh, was named Angelina, and that she was also of the said Miami blood, and connected with said tribe of Miami Indians, and that he, deponent, her said husband, was accustomed to draw her yearly annuities from said tribe several years for her, until about two years before her death. She died about twenty-one years ago at her residence in said town of Frenchtown aforesaid in the year 1846, and left three living children—two boys and one girl—who are still living and reside with deponent in the town of Frenchtown in said county of Monroe. The name of the oldest boy is Lewis Hiron, jr., and is now of the age of twenty-eight years and upwards, being born the 28th day of September, 1833, as will more fully appear by the baptismal record; and the said Lewis junior was married in the month of January, 1858, to Susan Simesond, and now resides in said town of Frenchtown, and by said marriage they have two children—two girls; one, named Eliza, was born the 20th of May, 1859; the other, named Victoria, was born the 20th of November, 1860. The other two children of the said Angelina, wife of deponent aforesaid, were named Mary and James, both unmarried, and living with deponent in said town of Frenchtown; the said Mary is now aged 25 years and past, born the 20th of September, 1835, and the said James was born the 4th of October, 1837.

Deponent states further that the said children of said Angelina, his wife, viz, the said Lewis, junior, Mary, and James, all and each of them, show a very strong resemblance to their grandfather, the said John Baptist Labresh, and consequently show very strong indications of Indian blood in their veins. And further this deponent saith not.

his
LOUIS X HIRON.
mark.

Sworn and subscribed before me the day and year above written.

ALEXANDER D. ANDERSON,
Circuit Court Commissioner, Monroe County, Michigan.

STATE OF MICHIGAN,
County of Monroe, ss :

On this 5th day of March, A. D. 1862, personally appeared before me, a circuit court commissioner for said county, Joseph Hiron, aged 75 years, and resident of Frenchtown, in said county, and being sworn according to law, deposes and says that he was personally well acquainted with John B. Labresh during his life, and that said Labresh was of Miami blood, that is to say, that he was one of the tribe of Indians known as the Miamis, and knows that said Labresh was accustomed to go to Fort Wayne or thereabouts and draw his yearly annuities with the other Indians of that tribe; that he, the said Labresh, frequently informed this deponent of his receiving those yearly annuities, until about the time the said Indians were removed beyond the Mississippi—should think about 17 or 18 years ago—and that he died about 6 years ago in the town of Erie, in said county of Monroe. Deponent states that said Labresh also informed him that he had drawn a section of land. Deponent states further that her brother, Lewis Hiron, married Angelina Labresh, daughter of said John B. Labresh, and that she was of Indian blood, and that her husband was accustomed to draw her yearly annuity with the other Indians of said tribe of Miamis, and that said Angelina is now dead. That she left at her death three living children—who are still living—two boys and one girl. The oldest boy is named Lewis Hiron, jr., now aged 28 years, or thereabouts, and one named James Hiron, aged about 22 years, and Mary Hiron, aged about 25 years. That the said Lewis, jr., is married to one Susan Simonand, and has by that marriage two children, and that they, the said Lewis, jr., Mary, and James, resemble their mother's family strongly. And further saith not.

his
JOSEPH X HIRON.
mark.

Sworn to and subscribed before me the day and year above written.

ALEXANDER D. ANDERSON,
Circuit Court Commissioner.

STATE OF MICHIGAN,
County of Monroe, ss :

On this 5th day of March, A. D. 1862, personally appeared before me, a commissioner for the county of Monroe aforesaid, Charles Hiron, aged 64, and resident of Frenchtown, in said county, and being sworn according to law, deposes and says that he was personally well acquainted with John Baptist Labresh during his life, and that he resided in this county when he knew him, and that he was of Indian blood, of the Miami tribe of Indians; that said Labresh told deponent that he was of that tribe and his relatives were of that tribe. Deponent states further that said Labresh frequently told him of his receiving his yearly annuities with the other Indians of that

tribe, and knows of his going for several years after the same; that said Labresh's appearance was in all respects like the Indians of that tribe; that he continued to receive his said annuity until about the time that tribe with others was removed beyond the Mississippi; that he further stated that he was closely related to the Richardville family, the chief of the tribe; deponent states that said Labresh died in the town of Erie, in said county of Monroe, about six years since. Deponent states further that he was likewise well acquainted with said Labresh's daughter Angeline, who was married to Lewis Hiron and that she was likewise of Indian blood, being immediately related to said tribe of Miamis through her said father, and knows of her drawing a year's annuity; that her husband collected it for her, but cannot say when she received her last annuity; that she died about twenty-one years ago at her place of residence in said town of Frenchtown, and left only three living children—two boys and one girl—named Lewis Hiron, jr., now about twenty-eight years of age, Mary Hiron, now about twenty-five years, and James Hiron, now about twenty-two years of age, and now residing in said town of Frenchtown; that the said Lewis was married to Susan Somisand about four years ago, and has two children by said marriage—two girls; the oldest, named Eliza, is about three years old, and the youngest, named Victoria, is about one year and a half. Deponent states that the said children left by the said Angeline, viz, the said Lewis, jr., Mary, and James, resemble the Labresh family on their mother's side very much, and show strong indications of Indian blood. Deponent states further that to the best of his recollections the last annuity received by said Angeline before her death was drawn for her by a man by the name of Compary. And further saith not.

CHARLES HIRON.

Sworn to and subscribed before me the day and year above written.

ALEX. D. ANDERSON,
Circuit Court Commissioner.

STATE OF MICHIGAN,
County of Monroe, ss:

On this 5th day of March, A. D. 1862, personally appeared before me, a circuit court commissioner for said county, Francis Metty, aged 48 years, and resident of the city of Monroe, in said county. Deponent states on oath according to law that he was personally acquainted with John Baptist Labresh during his lifetime; that he, said Labresh, used to frequently visit his daughter Angeline, who was married to Mr. Lewis Hiron, and resided at the town of Frenchtown in said county. Deponent states that he used to hunt frequently with said Labresh, and on several occasions said Labresh told him that he was of Indian blood and belonged to the tribe of Miamies and was related to the Richardville family; that he was cousin to him; that said Richardville was chief of that tribe, and that he, Labresh, had drawn a section of land, and that he also drew yearly payments or annuities. The last time he recollects of his drawing his said annuity, he thinks, is about seventeen years or eighteen years ago; that he, deponent, was then living at Mr. Lewis Hiron's, and said Labresh went from there, as he stated, after his money; that said Labresh's wife was then lately dead, and he was visiting his daughter Angeline. Deponent states that said Labresh is now also dead; he died about six years ago. Deponent states further that he knew of Mrs. Hiron, the said Angeline, drawing annuities from the said tribe of Indians called the Miami; that he lived in the family of said Angeline until he was twenty-one years, and knows of the husband of said Angeline during that time going after her said annuity several times for her, and thinks the last that was drawn for her was drawn by a man by the name of Compary; thinks he heard the husband of said Angeline so state. Deponent states further that he has heard the said Angeline say that old Richardville, the chief of said Miami tribe of Indians, was her relation; thinks she said was her cousin. Deponent states that the said Mrs. Angeline Hiron, daughter of said Labresh, is long since dead; should think it must be upwards of twenty years ago that she died, and that at her death she left only three living children, two boys and one girl, all now living in said township of Frenchtown, and knows their names to be Lewis Hiron, jr., Mary Hiron, aged about twenty-five years, and James Hiron, aged about twenty-two years; that the said Lewis, jr., was about twenty-eight years, is married to one Susan Somisand, and that he has two children by that marriage, two girls; one named Eliza, the eldest, is about three years old, and the other, named Victoria, is about eighteen months. Deponent states that the said three children of said Angeline, deceased, viz, Lewis, jr., Mary, and James, resemble their mother very much, and the Labresh family, and show strong resemblance to the Indians, and indications of Indian blood; and further saith not.

his
FRANCIS + METTY.
mark.

Sworn to and subscribed before me the day and year above written.

ALEX. D. ANDERSON,
Circuit Court Commissioner, Monroe County, Michigan.

STATE OF MICHIGAN,
County of Monroe, ss :

Daniel Duvalle, being duly sworn according to law, deposes and says that he is now seventy-five years of age, and resides in the town of Erie in said county, and that he was personally well acquainted with John Baptist Labresh during his life-time; that he lived in the immediate neighborhood of this deponent several years in the latter part of his life. Deponent states that he knows of his own knowledge that said Labresh was of the Miami Indian blood, and that he, Labresh, received annuities with the other Indians of that tribe from time to time for several years; that he would go to Fort Wayne at these times of said Indians receiving their payments or annuities and would return home with considerable money and property and well rigged; recollects of one time when he must have drawn to the amount of \$100 at least, and frequently informed this deponent of his receiving his share of said annuities with the other Indians of that tribe; but deponent cannot state the length of time he received such annuities, but knows that he received the same for several years successively; and deponent states further that he is confident that said Labresh was of said Indian blood, from his frequent admissions to that effect, and also from the figure and expression of his features and the general cast of his complexion and appearance. He frequently spoke of his attachment for Richardville and family, one of the chiefs of that tribe. Deponent states many of his former neighbors who are now dead frequently informed him that they knew said Labresh's mother, who was an Indian woman of that tribe. Deponent states that said Labresh died in the town of Erie about six years ago; and that he was also acquainted with the daughter of said Labresh, who was named Angeline, and was married to one Lewis Hiron, and then removed from her father's family to the River Raisin, some 10 or 12 miles distant; and knows that she is now dead, and that said Angeline left three children at her death, one girl and two boys, but not living in his neighborhood; knows no particulars concerning them further than they have a strong resemblance to their mother, especially the oldest boy, named Lewis Hiron, junior, who shows strong indications of the Indian blood of his mother and her father's family; and further deponent said not.

his
DANIEL X DUVALLE.
mark.

Sworn to and subscribed before me this 5th day of March, A. D. 1862.

ALEX. D. ANDERSON,
Circuit Court Commissioner.

STATE OF MICHIGAN,
County of Monroe, ss :

Gabrielle Dussan, being duly sworn this 5th day of March, 1862, according to law, deposes and says that he is now about the age of sixty-four years, and resident of the town of Erie, in said county, and states that he was intimately acquainted with John B. Labresh during his life-time; that said Labresh was born on the Miami, and came to live in his neighborhood when he was a lad, and that he was of the Indian blood of the Miami tribe, and he informed this deponent that his mother and father were dead; that he received his yearly annuities with that tribe, at or near Fort Wayne, and knows of his going after his said annuities several years, and said Labresh frequently informed this deponent that he was of the Miami tribe of Indians, and that he had received a section of land and his regular annuities with the other Indians. Deponent states further, that some years after said Labresh came to live in his neighborhood, an aunt of said Labresh came to see him, who was an Indian woman, and she informed this deponent that she was his aunt, and was sister of his mother, and belonged to the Miami tribe of Indians; that his mother died when said Labresh was an infant, and that she then nursed him at her own breast, and took care of him till he became quite a lad; that said Labresh died in said town of Erie about 6 years ago; can't say how long he continued to receive his annuities, but as near as he can recollect, until the tribe moved west of Mississippi, and he remained here.

Deponent states that he was also acquainted with Angeline Labresh, the daughter of said John B. Labresh, and knows that she married a man by name of Lewis Hiron, and removed to the River Raisin, some ten or twelve miles distant, and knows that she is now dead, and has seen one of her children who resembles her very much, and shows strong indications of Indian blood. Can't say whether she received her annuity or not, but from what he has heard reported he has no doubt she did, because of her connections with the Miami tribe of Indians, as others did, and further saith not.

his
GABRIEL + DUSSAN.
mark.

Sworn to and subscribed before me the day and year above written.

ALEX. D. ANDERSON,
Circuit Court Commissioner.

STATE OF MICHIGAN,
County of Miami, ss :

John Menard, being duly sworn this 5th day of March, 1862, according to law, deposes and says, that he is sixty-five years of age, and resides in the township of Erie, in said county, and states further that he was intimate and acquainted with John Baptist Labresh during his life-time; knew him first when he was yet a boy, when he first came to live in the neighborhood of this deponent; that Labresh was born at or near Fort Wayne, and was of Indian blood; that he frequently told deponent that he was an Indian, and belonged to the Miami tribe. Deponent states that some time after said Labresh came to live in his neighborhood an aunt of said Labresh came to visit him, and she was an Indian woman, a squaw, who spoke nothing but the Miami language, and said Labresh told this deponent that she, the said Indian woman, was his aunt, and was very much attached to her. Can't tell how long she remained with said Labresh, but she finally returned to Fort Wayne. Labresh stated to deponent that he was of the Miami tribe, and that the chief of that tribe was his uncle, and he thought very much of him; his name was Richardville. Deponent states further that he knows of said Labresh drawing yearly annuity with the said tribe of Miami Indians; that he knows of his going after his said pay or annuity several different years, and when he would return he always said he had drawn his money, and saw him have the same, and that he had also drawn a section of land, and once the said Richardville, the said Indian chief and uncle of said Labresh, stopped on his way from Detroit to see him, and Labresh accompanied his said uncle to Fort Wayne, and on that occasion deponent thinks Labresh informed him that he obtained a section of land. Deponent can't say positively how long he continued to receive his said annuity, but as near he can recollect the last time he drew was about eighteen years ago. Deponent states that said Labresh is now dead; he died in this country about six years ago, and deponent states further, he also knew a daughter of said Labresh, and whose name was Angeline, who subsequently married one Lewis Hiron, with whom he is also acquainted. Deponent states that he does not know whether said Angeline drew her annuity or not, but he once heard said Labresh say that he drew for himself and for his child, the said Angeline, also. The said Angeline, after her said marriage, removed to the River Raisin about 10 or 12 miles distant; that he has been informed by the husband of said Angeline that she died several years ago and that she left only three children, two boys and one girl. Deponent has seen one of those boys, he should think about the age of twenty-one years, and that he noticed a very striking resemblance to his mother and her family of Labresh's, showing very clearly indications of Indian blood, and further saith not.

his
JOHN X MONARD.
mark.

Sworn to and subscribed before me the day and year above written.

ALEX. D. ANDERSON,

Circuit Court Commissioner, Monroe County, Michigan.

STATE OF MICHIGAN,
County of Monroe:

I, Alexander D. Anderson, circuit court commissioner in and for said county, hereby certify that I am personally acquainted with all of the persons who made and subscribed their names to the foregoing affidavits, to wit, Lewis Hiron, Joseph Hiron, Charles Hiron, Francis Metty, Daniel Duvall, Gabriel Dusean, and John Menard, and knew them to be credible persons and respectable citizens of said county of Monroe, whose statements are entitled to full credit for truth and veracity.

Given under my hand at the city of Monroe, in said county, this 5th day of March, A. D. 1862.

ALEXANDER D. ANDERSON,

Circuit Court Commissioner, Monroe County, Michigan.

STATE OF MICHIGAN,
County of Monroe, ss :

I, F. B. Clarke, clerk of said county, and clerk of the circuit court in and for said county of Monroe, do hereby certify that Alexander D. Anderson, whose name is subscribed to the certificate or proof of acknowledgment of the annexed instrument, and therein written, is, and was at the time of taking such proof or acknowledgment, a circuit court commissioner for said county, duly elected and qualified, and duly authorized to take the same, and further, that I am well acquainted with the handwriting of said Alexander D. Anderson, and verily believe that his signature to the said certificate or proof of acknowledgment is genuine. I further certify that said instrument is executed and acknowledgment according to the law of this State.

In testimony whereof I have hereunto set my hand and affixed the seal of said circuit court, at the city of Monroe, this seventh day of March, A. D. 1862.

F. B. CLARKE,
Clerk.

STATE OF INDIANA,
Allen County :

This the 9th day of May, A. D. 1862, personally appeared before me, Lafayette M. Bowser, a notary public in and for the aforesaid county and State, Joseph J. Comparet, who, being by me duly sworn on his oath, says that he now is and has been a resident of Allen County for a period of thirty-nine years, and that he was personally acquainted with John Baptiste La Bresh during his lifetime, and that the said La Bresh repaired to the city of Fort Wayne and such places in the Wabash appointed for the payment of annuities to the Miami tribe of Indians at the regularly yearly payments; that the said La Bresh was of Miami blood, and that from his features, complexion, and general appearance this deponent knew him to be of Indian blood; further, that the said La Bresh frequently stopped at my father's (Francis Comparet) during payments and at other times. The last time I knew of the said La Bresh drawing his annuities was about eighteen years ago.

JOS. J. COMPARET.

The within affidavit was subscribed and sworn to before me this the 9th day of May, A. D. 1862.

[SEAL.]

LA FAYETTE M. BOWSER,
Notary Public.

STATE OF INDIANA,
Allen County :

I, La Fayette M. Bowser, a notary public in and for said county, do hereby certify that I am personally acquainted with Joseph J. Comparet, who made and subscribed his name to the foregoing affidavit, and that I have been acquainted with him for a period of sixteen years and over, and that he is a credible and reputable citizen of this county, and entitled to full credit for truth and veracity.

[SEAL.]

LA FAYETTE M. BOWSER,
Notary Public.

Lewis, son of Lewis Tuon and Angelique Labreche, was born on the 28th of September, 1833.

Mary, daughter of Lewis Tuon and of Angelique Labreche, was born on the 20th of September, 1835.

James, son of Lewis Tuon and of Angelique Labreche, was born on the 4th of October, 1837.

As conforms to the records of Saint Mary's church, Monroe, Michigan.

ZOOS,

Pastor of Saint Mary's Church.

MONROE, the 5th of March, 1862.

STATE OF INDIANA,
County of Allen, ss :

Catharine Avaline, of the county of Miami in the State of Indiana, being first duly sworn, says that she knew John Baptist La Bresh, an Indian of Miami blood; that she frequently saw him at the yearly payment of annuities to the Miami Indians on the Wabash; that said La Bresh usually stopped at Chief Richardville's during payment time, and sometimes at the house of affiant's brother, Francis Comparet. Affiant further says that said La Bresh was reputed to be a relation of Chief Richardville, and that Chief Richardville lived at the time at his home on the Saint Mary River, near Fort Wayne, Allen County, Indiana. Affiant says further that she formerly resided with her said brother, Francis Comparet, at Fort Wayne, until her marriage, when she removed to said Miami County, where her home still is, and that she has frequently seen said La Bresh at Richardville's store, in Fort Wayne, and that the Chief Richardville and La Bresh seemed to be on intimate terms. Affiant has no recollection of seeing said La Bresh at Richardville's or at her brother's except during the times for payment of Indian annuities.

CATHARINE AVALINE.

Witness:

WILLIAM H. JONES.

The foregoing affidavit was subscribed and sworn to by the said Catharine Avaline, her signature being signed thereto by me at her request.

WM. H. JONES,
Notary Public.

MAY 19, 1862.

STATE OF INDIANA,
County of Allen :

I, William H. Jones, a notary public in and for said county, do hereby certify that I know the said Catherine Avaline, and that her signature was subscribed to the foregoing written statement by me at her special instance and request, and that said writing was carefully read over to her by me, and that thereupon, the contents of the same having been fully and particularly made known to her, she did thereupon, on her oath, say that the same was true as therein stated. Witness my hand and seal of office this 19th day of May, 1862.

[SEAL.]

WM. H. JONES,
Notary Public.

STATE OF INDIANA,
County of Allen :

Francis D. Lasselle, being first duly sworn, says that he knew John Baptist La Bresh, and that affiant has frequently paid him annuity money as one of the Miami tribe of Indians, such payments being made by me as clerk for Allen Hamilton or Colonel Pepper, who were Government agents for paying the Miami annuities at the Fork of the Wabash; affiant further says that he has often seen said La Bresh at Chief Richardville, and also at Monroe, in the State of Michigan, and affiant further says that he knows of his own knowledge of payments being made by the Government agent to Evon, a son-in-law of La Bresh, on account of La Bresh. Affiant cannot state at what time he last saw La Bresh, but thinks it was prior to the death of Chief Richardville, and affiant further says that he well recollects the general appearance of said La Bresh, and was acquainted with him well for many years, and that said La Bresh had the Indian peculiarities strongly marked, such as dark complexion, straight black hair; affiant thinks he knew La Bresh in Michigan forty years ago, and says that he was reputed to be related by blood to Chief Richardville; affiant says further that he knows Richardville; thought a good deal of La Bresh and recognized him as his kindred in blood, and that Richardville has told affiant that he sometimes kept La Bresh's money for him when La Bresh happened not to be at the payment.

F. D. LASSELLE.

Subscribed and sworn before me, a notary of public, in and for said county, this 19th day of May, 1862.

[SEAL.]

WM. H. JONES,
Notary Public.

STATE OF INDIANA,
County of Allen:

I, William H. Jones, a notary of public in and for said county, do hereby certify that Francis D. Lasselle personally appeared before me this 19th day of May, A. D. 1862, and subscribed and made oath that the foregoing statement signed by him is true; and I do further certify that the said Lasselle is a reputable citizen of said county of Allen, and esteemed as one of the most reliable and responsible of the citizens of the county of Allen.

Witness my hand and seal of office this 19th day of May, 1862.

[SEAL.]

[No signature.]

F.

DEPARTMENT OF THE INTERIOR,
Washington, May 9, 1873.

SIR: Referring to your letter addressed to this Department on the 1st instant and to mine addressed to you on the 3d, I have to call your attention to the following:

By the fourth section of an act approved March 3, 1873, to abolish the tribal relations of the Miami Indians, and for the other purposes, the Secretary of the Interior is required, in ninety days from the passage of the act, to cause a census to be taken of all the Miami Indians entitled to a share in all the reserved lands and moneys set apart by the treaty between the United States and the Miami Indians, dated June 5, 1854 (Stats., vol. 10, p. 1093), for that part of the tribe known as Western Miamis, including in said census "those persons of Miami blood or descent for whom provision was made by the third section of the act of June 12, 1858, if in the opinion of the Secretary of the Interior the said Indians are entitled to be so included under treaty stipulations; but in such census none shall be included unless justly entitled according to the provisions of said treaty."

This devolves upon the Secretary of the Interior the duty of determining whether said census shall include those persons of Miami blood for whom provision was made by the third section of the act of June 12, 1858 (Stats., vol. 11, 332).

The third section of the act of 1858 authorized the Secretary of the Interior to pay such persons of Miami blood as have been heretofore excluded from the annuities of the tribe since the treaty of 1854, and whose names are not included in the supplement to said treaty, their proportion of the tribal annuities from which they have been excluded, and he was also authorized and directed to enroll such persons upon the pay-list of said tribe, and to cause their annuities to be paid in future. The Secretary was also authorized to cause to be located for such persons 200 acres of land each out of the tract of 70,000 acres reserved by the 2d article of the treaty of June 5, 1854, to be held by such persons by the same tenure as the locations of individuals are held which have been made under the 3d article of said treaty.

A proviso attached to the amendment to the fourth article of the treaty of 1854 (Stats., vol. 10, p. 1099) declares that no person other than those embraced in the corrected list agreed upon by the Miamis of Indiana in the presence of the Commissioner of Indian Affairs in June, 1854, comprising 302 names as Miami Indians of Indiana, and the increase of the families of the persons embraced in said corrected list, shall be recipients of the payments, annuities, &c., hereby stipulated to be paid to the Miami Indians of Indiana.

Under the third section of the act of June 12, 1858, there were added to the list of Miami Indians of Indiana, referred to in the proviso just quoted, sixty-eight names, and these remained upon such list and received their proportion of the annuities of Indiana, until and including the year 1866, when they were dropped from said list under the opinion of the Attorney-General, dated September 20, 1867 (Att'y Gen'l Opin., vol. 12, p. 236) to the effect that they were not properly included under the treaty.

The question now presented for consideration is whether these persons are entitled by treaty stipulations to participate in the proceeds of the sale of the lands reserved to the Miami tribe by the treaty of 1854, and authorized to be sold by the first section of the act of March 3, 1873.

The treaty of June 5, 1854, purports to be made by George W. Manypenny, on the part of the United States, and certain persons, therein named, on the part of and representing the "Miami tribe" of Indians. It is also stated in the preamble that certain Miami Indians resident of the State of Indiana were present and assented to the treaty. In various parts of the treaty the Miami Indians, in what is now Kansas, are recognized as the Miami tribe, and it is clearly inferable, from certain sections of the treaty, that the Indians remaining in Indiana were not regarded as members of the tribe proper.

The first section of the treaty reserves for the use of the members of the "Miami tribe," as I think, 70,000 acres for their future homes, and also a section of 640 acres for school purposes, to be selected and assigned to the tribe.

The second section provides that each individual or head of a family of the Miami tribe now residing on said land shall be entitled to 200 acres, &c.

This section provides for the manner of selecting the land so reserved, and in certain cases directs it to be done by the chiefs of the tribe; they are also to select the 640 acres reserved for school purposes; and then it is provided that the residue of the 70,000 acres, after settling individuals as aforesaid, shall be selected in a compact body contiguous to the individual reservations, and be held as the common property of the tribe. It is also declared that the selections herein provided for shall be reported to the agent of the tribe.

It is also provided that when controversies arise between individuals which cannot be settled by the parties, the difficulty should be decided by the chiefs of the tribe, subject to appeal to the agent, whose decision should be final.

The third section of this treaty provides that, in consideration of the cession theretofore made, the United States agrees to pay the "Miami tribe" of Indians the sum of \$200,000 in the manner therein set forth.

It seems to me manifest that a clear distinction is made by this treaty between the Miami tribe and certain Indians who had failed to accompany the tribe west of the Missouri, and continued to reside elsewhere, and that none are included as members of the tribe except those who had accompanied the chiefs of the tribe west of the Missouri, and that the benefits to be derived from the reservation of 70,000 acres for their future homes, and the annuity or annuities guaranteed by the third article of the treaty, were secured to the members of the tribe of Miamis, as herein defined and explained.

The sixty-eight persons, therefore, who were, under the act of June 12, 1858, added to the list of Miami Indians of Indiana are not entitled to any share in the proceeds of the lands that are to be sold under the first section of the act of March 3, 1873; nor are they entitled to any of the annuities which, by the treaty of 1854, are guaranteed to the Miami tribe of Indians.

I have, therefore, to direct that those persons of Miami blood or descent, for whom provision was made by the third section of the act of June 12, 1858, be not included in the census which is to be made under the fourth section of the act of March 3, 1873

(U. S. Stats., 17, p. 632), and you will instruct Superintendent Hoag to take such census accordingly.

The superintendent should further be directed in taking this census to make two lists, one containing the names of all the Indians entitled to the benefits of the act of March 3, 1873, who may elect to become citizens of the United States, and their minor children, the other the names of all who elect to remain under the care of the United States and to unite with the Wea, Peoria, Kaskaskia, and Piankeshaw Indians, in the Indian Territory, according to the provisions of a contract made January 15, 1872, between the Western Miami Indians of Kansas and said Wea, Peoria, and Kaskaskia, and Piankeshaw Indians.

You will cause instructions for the guidance of Superintendent Hoag in the performance of the duties thus devolved upon him to be made out and submitted to this office for approval.

Very respectfully,

C. DELANO,
Secretary.

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