

## **Treaty with the Miami**

**Also known as the**

**Treaty of Wabash**

**November 28, 1840**

**Proclamation June 7, 1841**

*Articles of a treaty made and concluded at the Forks of the Wabash, in the State of Indiana, this twenty-eighth day of November in the year of our Lord one thousand eight hundred and forty, between Samuel Milroy and Allen Hamilton, acting (unofficially) as commissioners on the part of the United States, and the chiefs, warriors and headmen of the Miami tribe of Indians.*

### ARTICLE 1.

THE Miami tribe of Indians, do hereby cede to the United States all that tract of land on the south side of the Wabash river, not heretofore ceded, and commonly known as “the residue of the Big Reserve.” Being all of their remaining lands in Indiana.

### ARTICLE 2.

For and in consideration of the cession aforesaid, the United States agree to pay to the Miami tribe of Indians the sum of five hundred and fifty thousand dollars. Three hundred thousand dollars of which sum to be set apart, and applied immediately after the ratification of this treaty and an appropriation is made by Congress to carry its provisions into effect, to the payment of the debts of the tribe, as hereinafter stipulated. And the residue, two hundred and fifty thousand dollars, to be paid in twenty equal yearly instalments.

### ARTICLE 3.

The Miamies, being desirous that their just debts shall be fully paid; it is hereby, at their request stipulated, that immediately on the ratification of this treaty, the United States shall appoint a commissioner or commissioners, who shall be authorized to investigate all claims against any and every member of the tribe, which have accrued since the 6th day of November, 1838, or which may accrue before the date of the ratification of this treaty, without regard to distinction of blood in the claimant or claimants. And whose duty it shall be to enquire into the equity and legality of the original cause of indebtedness, whether the same now is, or may then be in the form of

judgements, notes, or other evidence of debt, and report for payment out of the money set apart by this treaty for that purpose, such claims only, or parts of claims, as shall be both legal and just. And his or their award when approved by the President of the United States shall be final. Two hundred and fifty thousand dollars of the sum set apart in the second article of this treaty shall be applied to the payment of debts contracted before the twenty-eighth day of November, 1840; and the residue of said sum, after such debts are satisfied, being fifty thousand dollars, to the payment of debts contracted between the last named date and the time of the ratification of this treaty by the Senate of the United States; giving preference, in the application of said sum of fifty thousand dollars, to debts contracted for provisions and subsistence.

#### ARTICLE 4.

It is further stipulated that the sum of twenty-five thousand dollars be paid to John B. Richardville. And the sum of fifteen thousand dollars to the acting executor of Francis Godfroy deceased, being the amount of their respective claims against the tribe; out of the money set apart for the payment of their debts by the second article of this treaty.

#### ARTICLE 5.

And whereas the late war chief, (Francis Godfroy,) bequeathed to his children a large estate, to remain unsold until the youngest of said children shall arrive at the age of twenty-one years. It is therefore stipulated, that the United States shall pay to the family of said deceased chief their just proportion of the annuities of said tribe, at Fort Wayne, from and after the time the tribe shall emigrate to the country assigned to them west of the Mississippi.

#### ARTICLE 6.

It is further stipulated, that the sum of two hundred and fifty dollars shall be paid annually by the United States, and accepted by the Miamies in lieu of the labour stipulated to be furnished by the fourth article of the treaty of the 23d of October 1826, for the purpose of preventing the dissatisfaction, occasioned heretofore, in the distribution of said labour amongst the different bands.

#### ARTICLE 7.

It is further stipulated, that the United States convey by patent, to Me-shing-go-me-sia, son of Ma-to-sin-ia, the tract of land reserved by the 2d article of the treaty of the 6th of November 1838, to the band of Ma-to-sin-ia to be held by the said Me-shin-go-me-zia, for his band; and the proceeds thereof, when the same shall be alienated, shall be equitably distributed to said band, under the direction of the President. And the same provision made in favour of John B. Richardville and family, in the 14th article of the treaty of the 6th of November 1838, is hereby granted and extended to the above named Me-shing-go-me-sia, and to his brothers.

#### ARTICLE 8.

It is hereby stipulated, that the Miami tribe of Indians shall remove to the country assigned them west of the Mississippi, within five years from this date; the United States paying every expense attending such removal, and to furnish rations to said tribe for twelve months after their arrival at said country. And the United States shall also cause four thousand dollars to be expended to the best advantage in supplying good merchantable pork and flour to said tribe, during the second year of their residence at their new homes. Which sum is to be deducted from their annuity of that year.

#### ARTICLE 9.

It is further stipulated, that should there be an unexpended ballance of the “three hundred thousand dollars,” after the payment of the debts of the tribe as provided in the second article of this treaty; such balance to be paid over to the Miamies at the next payment of annuities after the amount of said balance shall have been ascertained.

#### ARTICLE 10.

It is stipulated and agreed between the contracting parties, that there shall be, and hereby is granted and reserved to John B. Richardville, principal chief, seven sections of land, from the land

#### [Page 533](#)

ceded in the first article of this treaty; at such point or points as he may select (not less than one section at any one point,) to be conveyed to him by patent from the United States. And also, in like manner, one section of land to Francis Lafountain, at the rapids of Wildcat, to be surveyed under his direction.

#### ARTICLE 11.

Nothing in this treaty shall be so construed as to impair the force or validity of former treaty stipulations, existing between the United States and the Miami tribe of Indians, not altered by nor coming within the purview of any of the provisions of this treaty.

#### ARTICLE 12.

The United States hereby stipulate to set apart and assign to the Miamies, for their occupancy west of the Mississippi, a tract of country bounded on the east by the State of Missouri, on the north by the country of the Weas and Kaskaskias, on the west by the Potawatomes of Indiana, and on the south by the land assigned to the New York Indians, estimated to contain five hundred thousand acres.

ARTICLE 13.

It is hereby stipulated, that the United States provide for the payment of the expense which may be necessarily incurred in the negotiation of this treaty.

ARTICLE 14.

This treaty shall be binding on the United States, and on the Miami tribe of Indians, from and after the date of its ratification by the President by and with the advice and consent of the Senate of the United States. But, if the same shall not be so ratified before the 4th day of March next, it shall be of no binding force or validity.

ARTICLE 15.

We the chiefs warriors, and headmen of the Miami tribe of Indians, having examined and considered the foregoing articles, after the same had been interpreted and explained to us to our satisfaction, do hereby agree and request, that the said articles shall be taken and held as a treaty between the parties thereto; and when ratified as provided in the last preceding article, be binding on our tribe, and on the United States, as fully to all intents and purposes as though the same had been officially and formally made on the part of the United States.

In testimony whereof, we, Samuel Milroy, and Allen Hamilton, on behalf of the United States, (as aforesaid,) and the chiefs, warriors, and headmen of the Miami tribe of Indians, have hereunto set our hands.

Done at the Forks of the Wabash, in the State of Indiana, this twenty-eighth day of November, one thousand eight hundred and forty.

*Samuel Milroy.*  
*Allen Hamilton.*

*John B. Richardville, principal chief.*

*Wau-pa-pin-shaw,*

*O-zan-de-ah,*

*Cha-pine,*

*Me-shing-go-me-zia,*

*Wauk-a-shing-guah,*

*To-pe-ah,*

*Te-moo-te-oh,*

*Ma-qua-co-nong,*

*Mon-go-sou,*

*Pe-wan-pe-oh,*

*Ma-ze-qua,*

*Ma-gou-zah,*

*Peshe-a-wauh,*

*Po-qua-Godfroy,*

*Na-kun-sah,*

*Ko-es-say,*

*Shin-go-me-zia,*

*Tuc-ke-mun-guagh,*

*Bo-wa-wah.*

Signed in the presence of—

*H. B. Milroy, secretary.*

*David Carrier.*

*Geo. M. Maxwell.*

*Robert H. Milroy.*

*Peter Andre, interpreter.*

We the undersigned chiefs headmen and warriors of the Miami tribe of Indians residing in the State of Indiana, do hereby give our free and voluntary assent to the amendments made by the Senate of the United States on the 25th day of February last, to the treaty concluded by us with the United States on the 28th day of November 1840; the same having been submitted and fully explained to us by Samuel Milroy

[Page 534](#)

and Allen Hamilton, commissioners on the part of the United States for that purpose, in full council assembled at the Forks of the Wabash in the State of Indiana.

In testimony whereof we have hereunto set our hands, and affixed our seals respectively this fifteenth day of May 1841.

*Na-wa-lin-guah,*

*Pe-she-wah,*  
*O-yan-de-ah,*  
*Na-kan-yah,*  
*Shin-go-me-zia,*  
*Pe-wau-pe-ah,*  
*Te-moo-te-ah,*  
*Wau-pe-mun-guah,*  
*Sha-pen-do-ziah,*  
*Wan-pe-pin-ce-ah,*  
*Co-i-sey,*  
*Mah-con-zah,*  
*Pa-cong-ye-ah,*  
*Mah-qui-e-cah,*  
*Cau-te-mon-guah,*  
*Mong-gon-zah,*  
*Mah-gon-zah,*  
*Con-o-cot-wah,*  
*Shau-cot-to-wah,*  
*Sha-pen-do-zia,*  
*Cant-ah-chin-guah,*  
*Ma-ze-quah,*  
*Cant-au-seep-au,*  
*To-pe-ah,*  
*Ma-con-zah,*  
*Maun-go-zah,*

*Ka-lah-ca-mic,*

*Keel-son-sauh,*

*Keel-swah,*

*Benjamin,*

*John B. Richardville,*

*Poqua Godfroy.*

Done in presence of—

*Samuel Milroy,*

*Allen Hamilton,*

*Commissioners.*

*H. B. Milroy, secretary to commission.*

*Peter Andrie,*

*Grigway Boudie,*

Interpreters.

(To the Indian names are subjoined a mark and seal.)

*Articles of a treaty between the United States and the Miami tribe of Indians, concluded at the Forks of the Wabash, in the State of Indiana, on the 23d day of October, 1834, by and between William Marshall, commissioner of the United States, and the chiefs and warriors of said tribe.*

#### ARTICLE 1.

The Miami tribe of Indians agree to cede to the United States the following described tracts of land within the State of Indiana, being a part of reservations made to said tribe from former cessions, now conveyed for and in consideration of the payments stipulated to be made to them in the 2d article of this treaty of cession.

One tract of land, thirty-six sections, at Flat Belly's village, a reserve made by the treaty of Wabash of 1826.

Also, one tract of land, about twenty-three thousand acres more or less, a reserve made at Wabash treaty in 1826, of five miles in length on the Wabash river, extending back to Eel river.

Also, one other tract of ten sections at Racoon village, and a tract of ten sections at Mudd creek on Eel river, reserves made at Wabash treaty of 1826.

Also, one reserve of two miles square, on the Salamany river at the mouth of At-che-pong-quaw creek, reserve made at the treaty of St. Mary's of 1818.

Also, one other tract being a portion of the ten mile square reserve, made at the treaty of St. Mary's of 1818, opposite the mouth of the river Aboutte, commencing at the northeast corner of said reserve, thence south with the eastern boundary of the same ten miles to the southeast corner of the reserve, thence west with the southern boundary one mile, thence north nine miles, thence west nine miles, thence north one mile to the northwest corner of said reserve, thence to the place of beginning.

The Miamies also agree to cede a portion of their big reserve, made at the treaty of St. Mary's of 1818, situated southeast of the Wabash, extending along the Wabash river, from the mouth of Salamany river, to the mouth of Eel river. The part now ceded shall be embraced within the following bounds to wit: commencing on the Wabash river, opposite the mouth of Eel river, running up said Wabash river eight miles, thence south two miles, thence westerly one mile, thence south to the southern boundary of said reserve, thence along said boundary line seven miles to the southwest corner, thence northerly with the western boundary line to the place of beginning.

[Page 426](#)

#### ARTICLE 2.

For and in consideration of the cession made in the first article of this treaty, the United States agree to pay the Miami tribe of Indians the sum of two hundred and eight thousand dollars; of this sum fifty-eight thousand dollars to be paid within six months from the ratification of this treaty, fifty thousand dollars to be applied to the payment of the debts of the tribe, and the remaining sum of one hundred thousand dollars in annual instalments of ten thousand dollars per year.

### ARTICLE 3.

From the cession made in the first article of this treaty, there shall be granted to each of the persons named in the schedule hereunto annexed, and to their heirs and assigns, by patent from the President of the United States, the lands therein named.

### ARTICLE 4.

It is agreed, between the parties to this treaty, that a patent in fee simple shall be issued by the President of the United States to John B. Richardville, principal chief of the Miami tribe, for a reserve of ten sections at the Forks of the Wabash, made to said tribe by treaty of twenty-third October, 1826, he having an Indian title to the same, a copy of which, marked A, accompanies this treaty.

### ARTICLE 5.

The United States agree to furnish a skilful miller, to superintend a mill for the Miamies, in lieu of the gunsmith promised by the 5th article of the treaty of St. Mary's of 1818.

### ARTICLE 6.

The United States agree to have the buildings and improvements on the lands ceded by the first article of this treaty valued. To cause a similar amount in value, laid out in building, clearing and fencing ground, for the use of the Indians, on such place or places as their chiefs may select, and that the Indians have peaceable possession of their houses and improvements, on the lands ceded in the first article of this treaty, until the improvements are made as provided for in this article.

### ARTICLE 7.

The United States agree to pay the Miami Indians fifteen hundred dollars, for horses heretofore stolen from them by the whites.

### ARTICLE 8.

The United States agree to cause patents in fee simple to issue to the following named persons, for the several tracts of land attached to their names, granted to them by former treaties, to wit:

To Little Charley, for five sections of land, above the old village on the north side of Eel river, granted to him by treaty of Wabash of 1826.

To Laronture's daughter, for one section of land on the Maumee river, granted to her by treaty of Wabash of 1826.

To To-pee ah, son of Francis Lafontain, for one section, granted him by treaty of St. Mary's of 1818.

To Met-chin-e-quea, for two sections of land granted him by treaty of Wabash of 1826, at the old town on Eel river.

To Francis Godfroy, for four sections of land on the Salamany river, granted him at treaty of St. Mary's of 1818, being the residue of what he now holds of said grant.

#### ARTICLE 9.

There shall be granted to Hugh Hanna, one quarter section of land, in lieu of one selected and not approved on the grant made to Guire at the treaty of Wabash of 1826, (Hanna having purchased of Guire,) the selection to be made under the direction of the President of the United States.

#### *Schedule of grants referred to in the 3d Article.*

To Francis Godfroy one section of land at the lower line of the five mile reserve on the Wabash river, to be located adjoining the town of Peru; one half section to be located on said Wabash river, opposite his trading house, and one half section to be located on that part of the big reserve southwest side the Wabash, above and adjoining the two

#### Page 427

sections granted to John B. Richardville; and one half section back and adjoining the one granted to said John B. Richardville, opposite the mouth of Eel river.

To To-pe-ah, one section of land, commencing one mile from the northeast corner of the ten mile reserve, opposite the mouth of Aboit river, (granted by treaty of St. Mary's of 1818,) thence south one mile, thence west one mile, thence north one mile, thence east to the place of beginning.

To Wa-pa-se-pah, son of Lafontain, one section of land west and adjoining the one to To-pee-ah.

To Ne-ah-long-quaw, two sections of land, west and adjoining the one to Wa-pa-se-pah.

To A-saw-som-ma-quah, or Susan, one section of land, west and adjoining the two to Ne-ah-long-quaw.

To Poqua, son of Francis Godfroy, one half section, west and adjoining the one to Susan.

To Francis Godfroy, one half section of land, west and adjoining the one to Poqua.

To Paul Longlois, one section of land on the Wabash river, to include his field.

To Chappene one section of land, to include Racoon village, commencing two poles west of the grave yard northwest of the village, thence on an easterly direction to river About, thence with said river until it strikes the reserve line, thence with said line for quantity to include within the bounds one section of land; also, one other section of land, west and adjoining the half section granted to Francis Godfroy on the ten mile reserve.

To John B. Richardville, principal chief of the Miami tribe, one section of land on the five mile reserve, opposite the mouth of the Mississineway river, to include the improvement made by Joseph Richardville, deceased; also, one quarter section of land on the Wabash river, at the upper part of the five mile reserve; also, two sections of land on the big reserve, commencing on the Wabash river, opposite the mouth of Eel river, running up said river two miles, thence back for quantity so as to include within the bounds two sections of land.

To Mac-keh-teh-maug-guaw, or Black Loon, one section of land to be located on the

Wabash river, at the upper line of that part of the big reserve ceded by the first article of this treaty.

To Chin-gua-qua, or Duck, one section of land to be located on said Wabash river, below and adjoining the one granted to Black Loon.

To O-san-dear, one section of land back and adjoining the one granted to Black Loon.

To Wa-pa-pe-she, one section of land back and adjoining the one granted to Duck.

To Peter Longlois, one half section of land to be located at a point on Wildcat where the old trace from Mississineway to Thorntown crosses the same.

To the sons of Dupee, one half section of land to be located on the reserve at Racoon village, to be located under the direction of the President of the United States.

To Peter Guier, one half section of land, to be located back of the one granted to Wa-pa-pe-she.

To Waw-pee-mung-quah, one section of land on the ten mile reserve adjoining the one to Chappene.

To Ca-ta-ke-mon-gua, daughter of Godfroy and Angelique, one section of land to be located adjoining the one to Wau-pee-mung-quah.

To Rebecca Hackley, one quarter section of land, to be located under the direction of the President of the United States.

And whereas the assent of the Chiefs and Warriors of the said tribe

[Page 428](#)

of Indians, required by the aforesaid resolution of the Senate, has been given to the said amendment; which assent is as follows, viz:

We the chiefs and warriors of the Miami nation of Indians, residing in the State of Indiana, having assembled in general council and having seen and duly examined each and all of the amendments, made by the Senate in the treaty negotiated between said nation and Gen. William Marshall commissioner on the part of the United States, on the 23d of October, 1834, and the same having been fully and clearly explained to us, do hereby give our assent to each and all of them, in compliance with the requisition of the resolution of the Senate of the twelfth of October, 1837, advising and consenting to the ratification of said treaty.

In testimony whereof we have hereunto affixed our signatures this tenth day of November, A. D. 1837.

*Me-shin-go-mask-a,*

*Wa-pa-pen-shaw,*

*Ne-con-saw,*

*Little Charley,*

*Chen-qua-quah,*

*Pe-wa-pe-ah,*

*O-san-dear,*

*Shappeen,*

*Keel-swa,*

*Wa-pe-shin-wuah,*

*Ne-ah-lin-quah,*

*Co-wy-sey,*

*To-pe-ah,*

*Ma-wuah-co-nah,*

*Me-ca-to-mun-quah,*

*Wa-pe-mun-quah,*

*Wa-we-esse,*

*Flat Belly,*

*Ne-con-sau,*

*Ca-tah-ke-mun-quah,*

*Ma-gure-ca,*

*Che-cho-wah,*

*Ne-con-saw,*

*Ma-con-saw,*

*Little Maquri-ca,*

*Shappen-do-ce-ah,*

*Ne-pa-wa,*

*Pin-daw-lin-shau,*

*Men-na-tuo,*

*Poqua,*

*Min-se-quah,*

In presence of—

*A. C. Pepper, Indian agent.*

*Allen Hamilton.*

*F. Comparet, interpreter.*

*Lucien P. Ferny.*

To the Indian names are subjoined marks.

Name: \_\_\_\_\_ Class Period: \_\_\_\_\_ Date: \_\_\_\_\_

**Analyzing a Document, Speech, Treaty, Letter, or other Historical Items**

1. Name of the item: \_\_\_\_\_

2. Who is the author? \_\_\_\_\_

3. What was the purpose of the item? \_\_\_\_\_

4. Date the item was ratified, sent, entered into, issued, or accepted \_\_\_\_\_

5. Describe the item; was it a letter, a treaty, a speech? \_\_\_\_\_

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6. Brief background of the item (purpose of the item)

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7. List what you think the author was trying to convey to the reader or listener.

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8. List some of the things the item tells you about life in the United States at the time it was written; or project as to how it is applicable to the United States. .

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9. What questions has the author/item left unanswered?  
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10. How would you respond to the document, speech, or letter if you were the intended recipient or audience?

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