

Andrew Johnson,  
President of the United States of America,  
To all and singular to whom these presents shall come,  
greeting:

Whereas a Treaty was made and concluded at  
Isabella, in the State of Michigan, on the  
eighteenth day of October, in the year of our  
Lord one thousand eight hundred and sixty-four,  
by and between H. J. Alvord and D. C. Beach,  
Commissioners, on the part of the United States,  
and S. D. Simonds, Cyman Bennett, Jno. Pay-  
me-quo-ung, and other Chiefs and Headmen  
of the Chippewa Indians of Saginaw, Swan Creek,  
and Black River, in the State of Michigan, repre-  
senting said Indians and duly authorized  
thereto by them, which Treaty is in the words and  
figures following, to wit:



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Articles of agreement and convention  
made and concluded at the Isabella Indian  
Reservation in the state of Michigan on the  
Eighteenth day of October, in the year one  
thousand eight hundred and sixty four, between  
H. J. Alvord special Commissioner for the United  
States and D C Leach, United States Indian  
Agent, acting as Commissioners for and on the  
part of the United States, and the Chippewas  
of Saginaw, Swan Creek and Black River  
in the state of Michigan aforesaid, parties to  
the treaty of August 2<sup>nd</sup> 1855. as follows:-  
viz:-



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## Article 1.

The said Chippewas of Saginaw, Swan Creek and Black River for and in consideration of the conditions hereinafter specified, do hereby release to the United States, the several townships of land reserved to said tribe by said treaty aforesaid, situate and being upon Saginaw Bay in said State -

The said Indians also agree to relinquish, to the United States, all claim to any right they may possess to locate lands in lieu of lands sold or disposed of by the United States upon <sup>at Isabella</sup> ~~their~~ reservation, and also the right to purchase the unselected lands in said reservation, as provided for in the 1<sup>st</sup> article of said treaty -



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Article 2.

In consideration of the foregoing relinquishments, the United States, hereby agrees to set apart for the exclusive use, ownership and occupancy of the said of the said Chippewas of Saginaw, Swan Creek and Black River, all of the unsold lands within the five townships, in Isabella County, reserved to said Indians by the treaty of August 2<sup>d</sup> 1855. aforesaid - and designated as follows viz

The North half of township fourteen and townships fifteen and sixteen North of Range three West.  
The North half of township fourteen and township fifteen North of Range four West. and townships fourteen and fifteen North of Range five West.



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### Article 3.

1 So soon as practicable after the ratifica-  
2 tion of this treaty, the persons who have heretofore  
3 made selections of lands within the townships  
4 upon Saginaw Bay, hereby relinquished may pro-  
5 ceed to make selections of lands upon the Isabella  
6 reservation in lieu of their selections aforesaid and  
7 in like quantities -

1 After a reasonable time shall have been given  
2 for the parties aforesaid to make their selections in  
3 lieu of those relinquished, the other persons entitled  
4 thereto, may then proceed to make their selections  
5 in quantities as follows. viz:

3 For each chief of said Indians, who signs this  
4 treaty Eighty acres in addition to their selections  
5 already made, and to patents in fee simple -

4 For one head man in each band into which  
5 said Indians are now divided, Forty acres - and to  
6 patents in fee simple -



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~~scribble~~  
5 For each person being the head of a family  
Eighty acres —

6 For each single person over the age of  
twenty one years Forty acres —

7 For each orphan child under the age of  
twenty one years Forty acres —

8 For each married female who has not  
heretofore made a selection of land Forty acres —

9 And for Each other person now living or who  
may be born hereafter. when he or she shall have  
arrived at the age of twenty one years. Forty acres  
so long as any of the lands in said reserve shall  
remain unselected and no longer —

10 In consideration of important services  
rendered to said Indians during many years  
past by William Smith — John Collins 1<sup>st</sup>



Andrew J Campeau and Thomas Chalfield, it is hereby agreed that they shall each be allowed to select Eighty acres in addition to their previous selections and receive patents therefor in fee simple: And to Charles H Rodd Eighty acres and a patent therefor in fee simple to be received by said Rodd as a full consideration and payment of all claims he may have against said Indians. Except claims against individuals for services rendered or money expended heretofore by said Rodd for the benefit of said Indians.

It is understood and agreed that those Ottawa and Chippewa and Potawatomi now belonging to the bands of which Metayoneig, Mayme Shegawday, Kechekebenemosay and Waw

*Quinn's*



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yes

be making gun are chiefs, who have heretofore made selections upon said reservations by permission of said Chippewas of Saginaw. Swan Creek and Black River, who now reside upon said reservation in Isabella County or who may remove to said reservation within one year after the ratification of this treaty shall be entitled to the same rights and privileges to select and hold land as are contained in the third article of this agreement.



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12. So soon as practicable after the ratification of this treaty the Agent for the said Indians, shall make out a list of all those persons, who have heretofore made selections of lands, under the treaty of August 2<sup>nd</sup> 1855. aforesaid and of those who may be entitled to selections, under the provisions of this treaty and he shall divide the persons enumerated in said list into two classes, viz "Competent" and "those not so Competent."



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13 Those who are intelligent and have sufficient education and are qualified by business habits, to prudently manage their affairs, shall be set down as "Competents";- and those who are uneducated or unqualified in other respects to prudently manage their affairs, or who are of idle wandering or dissolute habits, and all orphans shall be set down as "those not so Competent;-

14 The United States agrees to issue patents to all persons entitled to selections under this Treaty as follows viz:- To those belonging to the class denominated "Competents," patents shall be issued in fee simple - but to those belonging to the class of "those not so Competent", the patent shall contain a provision that the land shall never be sold or alienated to any person or persons whomsoever, without the consent of the Secretary of the Interior for the time being -



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#### Article 4.

The United States agrees to expend the sum of twenty thousand dollars for the support and maintenance of a Manual labor school upon said reservation —

Provided that the Missionary Society of the Methodist Episcopal Church, shall within three years after the ratification of this treaty, at its own expense erect suitable buildings for school and boarding house purposes, of a value of not less than three thousand dollars upon the South East quarter of Section Nine, Township Fourteen, North of Range Four West, which is hereby set apart for that purpose —

The Superintendent of public instruction, the Lieutenant Governor of the State of Michigan and one person to be designated by said Missionary Society shall constitute a board of visitors, whose duty it



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shall be to visit said school once during each year and examine the same and investigate the character and qualifications of its teachers and all other persons connected therewith and report thereon to the Commissioner of Indian Affairs —

The said Missionary Society of the Methodist Episcopal Church shall have full and undisputed control of the management of said School and the farm attached thereto. Upon the approval and acceptance of the School and boarding house buildings by the board of Visitors, the United States will pay to the authorized Agent of said Missionary Society for the support and maintenance of the School the sum of two thousand dollars and the like sum annually thereafter until the whole sum of twenty thousand dollars shall have been expended. —



1 The United States reserves the right to suspend  
2 the annual appropriation of two thousand dollars for  
3 said school, in part or in whole, whenever it shall  
4 appear that said Missionary Society neglects or fails  
5 to manage the affairs of said school and farm in a  
6 manner acceptable to the board of visitors aforesaid.

7 And if at any time within a period of ten years  
8 after the establishment of said school said Missionary  
9 Society shall abandon said school or farm for the  
10 purposes intended in this treaty, then, and in such  
11 case, said Society shall forfeit all of its rights  
12 and franchises, under this treaty - and it shall then  
13 be competent for the Secretary of the Interior to  
14 sell or dispose of the land herein before design-  
ated, together with the buildings and improvements  
thereon and expend the proceeds of the same for the  
educational interests of the Indians, in such manner  
as he may deem advisable.



William E. Delen

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At the expiration of ten years after the establishment of said school, if said Missionary Society shall have conducted said school and farm in a manner acceptable to the board of visitors during said ten years, the United States will convey to said society, the land before mentioned by patent in fee simple

In case said Missionary Society shall fail to accept the trust herein named within one year after the ratification of this treaty, then and in that case the said twenty thousand dollars shall be placed to the credit of the educational fund of said Indians, to be expended for their benefit in such manner as the Secretary of the Interior may deem advisable.

It is understood and agreed, that said Missionary Society may use the school house now standing upon land adjacent to the lands hereinbefore set apart for a school farm, where it now stands or move it upon the land so set apart -



13/ 14<sup>c</sup>  
Article. 5.

14 The said Indians agree that of the last two payments of Eighteen thousand Eight hundred dollars each, provided for by the said treaty of August 2<sup>nd</sup> 1855. the sum of Seventeen thousand six hundred dollars may be withheld and the same shall be placed to the credit of their agricultural fund to be expended for their benefit in sustaining their Blacksmith Shop, in stock, animals, agricultural implements, or in such other manner as the Secretary of the Interior may deem advisable. —

Article. 6.

The Commissioner of Indian Affairs, may at the request of the Chiefs and headmen, sell the Mill and land belonging thereto at Isabella City on said Reservation and apply the proceeds thereof, for such beneficiary objects as may be



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deemed advisable by the Secretary of the Interior c

# Article 7 c

1 In as much as the Mill belonging  
 2 to said Indians is partly located upon  
 3 land heretofore selected by James Nichol-  
 4 son, it is hereby agreed that upon a relin-  
 5 quishment of ten acres of said land by said  
 6 Nicholson, in such form as may be deter-  
 7 mined by the Agent for said Indians,  
 8 he, the said Nicholson, shall be entitled  
 9 to select Eighty acres subject to the approval of the Genl of the Dept and to receive a  
 10 Patent therefor in fee simple c



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16<sup>th</sup>

Article. 8—

It is hereby expressly understood  
that the Eighth article of the Treaty of August  
2. 1855. shall in no wise be affected by  
the terms of this Treaty. —



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In Testimony whereof the said St  
Jellvords and the said D.C. Leach Comm-  
issioners as aforesaid and the undersigned  
Chiefs and Headmen of the Chippewas of  
Saginaw, Snow Creek and Black River  
have hereunto set their hands and seals at  
Isabella in the State of Michigan the  
day and year first above written -



N. J. Alvord

D. C. Leach



In the presence of -

Rich. M. Smith,

Special Commissioners

Charles H. Rodd U.S. Interpreter,

George Bradley -

over



17 1/2  
S. D. Simonds Chief - His X Mark  
Lyman Bennett Headman. His X Mark  
Ino. Pay me quung. Chief - His X Mark  
William Smith Headman. His X Mark  
Kauk, che, gau, me. Chief. His X Mark  
Me squaw, raw, raw, quot - Headman His X Mark  
Thomas Dutton - Chief. His X Mark  
Paim may me dung - Headman His X Mark  
Elliott Kay bay Chief His X Mark  
Solomon Ottawa, Headman His X Mark  
Andw O saw raw bun Chief His X Mark  
Tho. Wain daw raw quot Headman His X Mark  
Kaw tau may Chief - His X Mark  
J. Kay che no ting, Headman His X Mark



Ryan



William Smith, Chief His X Mark

Kawgawneway wedung Headman His X Mark

Kawwekezhick Chief His X Mark

J. yalk - Headman - His X Mark

Kayawbe tung Chief His X Mark

Jos. Kawbekezhick Headman His X Mark

Sam. Mezlawquawnawum Chief His X Mark

John P. Williams Headman His X Mark

L. Paylawmawshe Chief His X Mark

Kegeawnequo um Headman His X Mark

David Fisher Chief His X Mark

Kawbemanido Headman - His X Mark

Nebenayawnawquot maybe Chief His X Mark

Key. o. g maw. nay. be Headman His X Mark



In the presence of.

Rich<sup>d</sup> M Smith

Charles H. Rodd U. S. Interpreter

Amos<sup>nr</sup> De Wright Supt. Mills -

Marcus Grinnell U S Blacksmith

M. L. Bourassa -

A. C. Babbitt

George Bradley -



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Isabella City Michigan  
Oct. 21. 1864.

To H. J. Alvord Esq  
Special Commr. &c

Interpreter Jas H. Rodd  
having fully Explained and Interpreted  
to me the Treaty made by you and  
Indian Agent Leach Special Commr. &c  
with the Chippewa of Saginaw, Iron  
Creek and Black River Michigan and  
concluded the 18<sup>th</sup> Instant - you are  
herby authorized to put my name to the  
same along with the other Chiefs.

In the presence of -

Nayawbetung His X Mark  
Chief Chippewa of  
Saginaw Iron Creek  
& Black River  
Michigan

Chas. H. Rodd U.S. Interpreter



And whereas, the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, in the words and figures following, to wit:



Recd 24 May  
In Executive Session,  
Senate of the United States,  
May 22, 1866.

Resolved, (two thirds of the Senators present concurring) That the Senate advise and consent to the ratification of the Articles of Agreement and Convention concluded at the Isabella Indian Reservation in the State of Michigan on the 18th day of October, 1864 between the United States by their Commissioners and the Chippewas of Saginaw, Swan Creek and Black River in the State of Michigan, with the following  
Amendments.

- 1<sup>st</sup> Article 4. After the word 'rights' at the end of line 11, insert the following —  
in the lands, buildings
- 2<sup>d</sup> Same Article, page 13, line 7. Strike out the words "in fee simple" and insert in lieu thereof, the following —  
in trust for the benefit of said Indians
- 3<sup>d</sup> Article 7. After the word 'acres' in line 9 insert as follows — of land, subject to the approval of the Secretary of the Interior.

Attest:

W. Potter Secretary



And whereas the foregoing amendments having been fully explained and interpreted to the Chiefs and Headmen of the Chippewa Indians of Saginaw, Swan Creek, and Black River whose names are subscribed to the writing hereto following, they did, on the eighteenth day of June, one thousand eight hundred and sixty-six, give their free and voluntary assent to the said amendments, in the words and figures following, to wit:



Whereas the Senate of the United States, in Executive Session, did, on the 22<sup>nd</sup> day of May, A.D. 1866, advise and consent to the ratification of the articles of agreement and convention concluded at the Isabella Indian Reservation in the State of Michigan on the 18<sup>th</sup> day of October 1864, between the United States, by their Commissioners, and the Chippewas of Saginaw Swan Creek and Black River in the State of Michigan, with the following Amendments, viz:

- 1<sup>st</sup> Article 4. After the word 'rights' at the end of line 11. insert the following—in the lands, buildings.
- 2<sup>d</sup> Same Article, page 13; line 7. Strike out the words "in fee simple" and insert in lieu thereof the following—in trust for the benefit of said Indians
- 3<sup>d</sup> Article 7. After the word 'acres' in line 9 insert as follows—of land, subject to the approval of the Secretary of the Interior.

And Whereas the foregoing Amendments have been fully interpreted and explained to the undersigned





Chiefs and Headmen of the Chippewas of Saginaw,  
Swan Creek and Black river, we do hereby agree to and  
ratify the same.

Done at the Mackinac Agency in the State  
of Michigan on this 18<sup>th</sup> day of June 1866.

J. D. Simonds	Chief -	His X Mark
Lyman Bennett	Headman -	His X Mark
John Pay mequong	Chief -	His X Mark
William Smith	Headman -	His X Mark
Andrew Osawawbua	Chief -	His X Mark
James Kaw ge gay o say	Headman -	His X Mark
Chaw tau way	Chief -	His X Mark
Kay Shehaw way	Headman	His X Mark
William Smith	Chief -	His X Mark
William Hart	Headman	His X Mark
Kaw me K thick	Chief	His X Mark
I yall	Headman	His X Mark
Kay au be tung	Chief -	His X Mark
Kaw ge gay be	Headman	His X Mark
Saul Mezhan quawnow run	Chief	His X Mark
John P Williams	Headman	His X Mark



L Pay law main she	Chief	His x Mark
Se gau ne quom	Headman	His x Mark
tauck che gau me	Chief	His x Mark
Me squaw mau nau quot	Headman	His x Mark
Elijah Pilcher	Chief	His x Mark
Paim may me dung	Headman	His x Mark
David Fisher	Chief	His x Mark
Mau be mau ne do	Headman	His x Mark
tebenay, au nau quot may be	Chief	His x Mark
Key o gwau may be	Headman	His x Mark
Elliott Kay bay	Chief	His x Mark
<del>Solomon Ottawa</del>	<del>Headman</del>	<del>His Mark</del>

In the presence of

Rich M Smith U.S. Ind. Agent

Chas. H. Rodd U.S. Interpreter

John Wright Supt. Mill

John Brown Missionary.

George Bradley Late Missionary.

W. H. Phelps Judge Probate Isabella Co. Mich.

J. C. Babbitt Postmaster Isabella City Mich.

L. Bently Treasurer Isabella Co. Mich.





Milton Bradley Clerk Sable Co. Minn.  
Pb Andre Special Interpreter

Office Mackinac Indian Agency  
Detroit July 7<sup>th</sup> 1866.

I do hereby certify on honor that the foregoing amendments to the Treaty negotiated with the Chippewas of Saginaw, Swan Creek and Black River, within this Agency the 18<sup>th</sup> day of October 1864, were by me submitted to the said Indians and that the same were duly assented to and ratified by them.

Rich<sup>d</sup> M<sup>r</sup> Smith  
U.S. Indian Agent.



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Now, therefore, be it known that I, Andrew Johnson, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said Treaty with the amendments as aforesaid.

In testimony whereof I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington  
this sixteenth day  
of August, in the year  
of our Lord one thousand  
eight hundred and sixty-  
six, and of the Independ-  
ence of the United States of America  
the ninety-first.

Andrew Johnson

By the President:

William A. Seward

Secretary of State.



1837 H.  
Treaty.  
Chipp. of Saginaw &  
Michigan.

Oct. 18, 1864.

H. J. Alvord,  
D. C. Leach,  
Commissioners.





Department of State,  
Washington May 24, 1866.

Hon James Harlan  
Secretary of the Interior.



Sir:

Herewith I transmit to you two Treaties with Indians, viz: Treaty of 18, October, 1864, with the Chippewas of Saginaw, Swan Creek and Black River in Michigan. Treaty of 14, October, 1865, with the Arapahoes & Cheyennes of the Upper Arkansas river. Together with two resolutions of the Senate of May 22<sup>d</sup>, 1866, respectively consenting to the ratification of said Treaties with amendments. To the end that the amendments referred to may be submitted to the Indians concerned for their acceptance.

I have the honor to be,  
Your obedient servant,  
F. W. Seward  
Acting Secretary.



Miscellaneous Letters - July, Part I, 1866.

RECEIVED,

Dept. of State,

JUL 17 1866

DEPARTMENT of the INTERIOR,

WASHINGTON D. C. July 16 1866



Sir

The assent of the Chippewas of Saginaw, Swan Creek and Black River, having been given to certain amendments made by the Senate to a treaty concluded on the 18<sup>th</sup> of October 1864 between the United States and said Indians, I have the honor to transmit herewith, said treaty for promulgation.

I am Sir

Very respectfully

Your obt Serv't

W. T. Otto

Acting Secretary

Hon W<sup>m</sup> H Seward

Secretary of State.



Department of State,

Washington July 17, 1866.

Hon. W. T. Otto,

Acting Secretary of the Interior.



Sir:

I have the honor to acknowledge the receipt of the Treaty of 18th October, 1864, with the Chippewa Indians of Saginaw, Swan Creek and Black River, and its accompaniments, transmitted in your letter of yesterday for promulgation.

I am, your obedient servant,

William H. Seward.



Department of State,

Washington August 9. 1866.

William J. M<sup>C</sup>Donald

Chief Clerk Office Secretary of Senate



Sir:

With a view of facilitating the promulgation of the following named treaties with Indians, I have to request that you will cause six of the printed copies of each of them to be transmitted to this Department, viz: Treaty with the Chippewas of Saginaw Swan Creek, and Black River in Michigan, of October 18, 1864. #333

Treaty with the Seminoles, of March, 21, 1866. #352

do do do Creeks, of June, 14, 1866. #356

do do do Delawares of July 4, 1866. #357

do do do Cherokees of July 19. 1866. #358

I am, Sir, your obedient servant,

R. S. Chew.

Acting Chief Clerk.



Miscellaneous Letters - August, Part I, 1866.

RECEIVED,

Dept. of State

AUG 10 1866

Office of Secretary of U. S. Senate,  
Washington, August 10 1866.

R. S. Chew Esq  
Acting Chief Clerk,  
State Department,  
Sir,



In compliance with the request contained  
in your communication of the 9<sup>th</sup> instant, I herewith inclose  
six of the printed copies of each of the Indian Treaties  
therein named.

Yours Respectfully,

W: J: M<sup>C</sup>Donald

Chief Clerk



Department of State,  
Washington August 11, 1866.

W J. McDonald, Esquire  
Chief Clerk  
Office of Secretary of the Senate.

Sir:

Your letter of yesterday, enclosing several Indian Treaties, requested by me, was duly received. Among those sent, the Treaty of October, 18, 1864, with the Chippewas of Saginaw, Swan Creek and Black River, in Michigan, <sup>#333</sup> was not included. If convenient will you be so good as to send to this Department that one also.

Respectfully, your obedient servant

R. S. Chew

Acting Chief Clerk.

#333.



Department of State,

Washington August 23, 1866.

Hon James Harlan,

Secretary of the Interior.



Sir:

I have the honor to request that you will be pleased to designate a newspaper to which the Treaty, concluded on the 18th of October, 1864, (ratified by the President on the 16th instant) between the United States and the Chippewa Indians of Saginaw, Swan Creek, and Black River, in Michigan, may be transmitted for promulgation.

I am, your obedient servant,

William H. Seward.



Department of State,

Washington August 29. 1866.

Hon James Harlan,

Secretary of the Interior



Sir:

I have the honor to transmit, herewith, to you 250 copies of each of the following named treaties with Indians, viz:

Treaty with the Woll-pah-pes, concluded August, 12. 1865. # 337  
do do do Chippewas of Saginaw &c concluded October,  
18. 1864. # 333

Treaty do do Seminoles concluded March 21. 1866. # 352

Through typographical fault, the word "days" has been omitted after the figure "30" in the 31st line of the 7th article of the Treaty with the Seminoles; it is marked in, in the copy hereto annexed.

I am, your obedient servant

W Hunter.

Second Assistant Secretary



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**TREATY**

BETWEEN

**THE UNITED STATES OF AMERICA**

AND THE

**CHIPPEWA INDIANS OF SAGINAW, SWAN CREEK, AND BLACK  
RIVER, MICHIGAN.**

---

CONCLUDED OCTOBER 18, 1864.

RATIFICATION ADVISED, WITH AMENDMENTS, MAY 22, 1866.

AMENDMENTS ACCEPTED JUNE 18, 1866.

PROCLAIMED AUGUST 16, 1866.

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**ANDREW JOHNSON,**

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME. GREETING:

Whereas a Treaty was made and concluded at Isabella, in the State of Michigan, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-four, by and between H. J. Alvord and D. C. Leach, Commissioners, on the part of the United States, and S. D. Simonds, Lyman Bennett, Jno. Pay-me-quo-ung, and other Chiefs and Headmen of the Chippewa Indians of Saginaw, Swan Creek, and Black River, in the State of Michigan, representing said Indians and duly authorized thereto by them, which Treaty is in the words and figures following, to wit:

Articles of agreement and convention made and concluded at the Isabella Indian reservation, in the State of Michigan, on the eighteenth day of October, in the year one thousand eight hundred and sixty-four, between H. J. Alford, Special Commissioner for the United States, and D. C. Leach, United States Indian agent, acting as commissioners for and on the part of the United States, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan aforesaid, parties to the Treaty of August 2nd, 1855, as follows, viz:

ARTICLE 1.

The said Chippewas of Saginaw, Swan creek, and Black river, for and in consideration of the conditions hereinafter specified, do hereby release to the United States the several townships of land reserved to said tribe by said treaty aforesaid, situate and being upon Saginaw bay, in said State.

The said Indians also agree to relinquish to the United States all claim to any right they may possess to locate lands in lieu of lands sold or disposed of by the United States upon their reservation at Isabella, and also the right to



purchase the unselected lands in said reservation, as provided for in the 1st article of said treaty.

#### ARTICLE 2.

In consideration of the foregoing relinquishments, the United States hereby agree to set apart for the exclusive use, ownership, and occupancy of the said *of the said* Chippewas of Saginaw, Swan creek, and Black river, all of the unsold lands within the six townships in Isabella county, reserved to said Indians by the treaty of August 2nd, 1855, aforesaid, and designated as follows, viz:

The north half of township fourteen, and townships fifteen and sixteen north, of range three west; the north half of township fourteen and township fifteen north, of range four west, and townships fourteen and fifteen north, of range five west.

#### ARTICLE 3.

So soon as practicable after the ratification of this treaty, the persons who have heretofore made selections of lands within the townships upon Saginaw bay, hereby relinquished, may proceed to make selections of lands upon the Isabella reservation, in lieu of their selections aforesaid, and in like quantities.

After a reasonable time shall have been given for the parties aforesaid to make their selections in lieu of those relinquished, the other persons entitled thereto may then proceed to make their selections, in quantities as follows, viz:

For each chief of said Indians who signs this treaty, eighty acres in addition to their selections already made, and to patents in fee simple.

For one headman in each band into which said Indians are now divided, forty acres, and to patents in fee simple.

For each person being the head of a family, eighty acres.

For each single person over the age of twenty-one years, forty acres.

For each orphan child under the age of twenty-one years, forty acres.

For each married female who has not heretofore made a selection of land, forty acres.

And for each other person now living, or who may be born hereafter, when he or she shall have arrived at the age of twenty-one years, forty acres, so long as any of the lands in said reserve shall remain unselected, and no longer.

In consideration of important services rendered to said Indians during many years past by William Smith, John Collins 1st, Andrew J. Campeau, and Thomas Chatfield, it is hereby agreed that they shall each be allowed to select eighty acres in addition to their previous selections, and receive patents therefor in fee simple; and to Charles H. Rodd, eighty acres, and a patent therefor in fee simple, to be received by said Rodd as a full consideration and payment of all claims he may have against said Indians, except claims against individuals for services rendered or money expended heretofore by said Rodd for the benefit of said Indians.

It is understood and agreed that those Ottawas and Chippewas and Pottawatomies now belonging to the bands of which Metayomeig, May-mc-she-gaw-day, Keche-kebe-me-mo-say, and Waw-be-maw-ing-gun are chiefs, who have heretofore made selections upon said reservations, by permission of said Chippewas of Saginaw, Swan creek, and Black river, who now reside upon said reservation in Isabella county, or who may remove to said reservation within one year after the

ratification of this treaty, shall be entitled to the same rights and privileges to select and hold land as are contained in the third article of this agreement.

So soon as practicable after the ratification of this treaty, the agent for the said Indians shall make out a list of all those persons who have heretofore made selections of lands under the treaty of August 2nd, 1855, aforesaid, and of those who may be entitled to selections under the provisions of this treaty, and he shall divide the persons enumerated in said list into two classes, viz: "competent" and "those not so competent."

Those who are intelligent, and have sufficient education, and are qualified by business habits to prudently manage their affairs, shall be set down as "competents," and those who are uneducated, or unqualified in other respects to prudently manage their affairs, or who are of idle, wandering, or dissolute habits, and all orphans, shall be set down as "those not so competent."

The United States agrees to issue patents to all persons entitled to selections under this treaty, as follows, viz: To those belonging to the class denominated "competents," patents shall be issued in fee simple, but to those belonging to the class of "those not so competent," the patent shall contain a provision that the land shall never be sold or alienated to any person or persons whomsoever, without the consent of the Secretary of the Interior for the time being.

#### ARTICLE 4.

The United States agrees to expend the sum of twenty thousand dollars for the support and maintenance of a manual labor school upon said reservation: *Provided*, That the Missionary Society of the Methodist Episcopal Church shall, within three years after the ratification of this treaty, at its own expense, erect suitable buildings for school and boarding-house purposes, of a value of not less than three thousand dollars, upon the southeast quarter of section nine, township fourteen north, of range four west, which is hereby set apart for that purpose.

The superintendent of public instruction, the lieutenant governor of the State of Michigan, and one person, to be designated by said Missionary Society, shall constitute a board of visitors, whose duty it shall be to visit said school once during each year, and examine the same, and investigate the character and qualifications of its teachers, and all other persons connected therewith, and report thereon to the Commissioner of Indian Affairs.

The said Missionary Society of the Methodist Episcopal Church shall have full and undisputed control of the management of said school, and the farm attached thereto. Upon the approval and acceptance of the school and boarding-house buildings by the board of visitors, the United States will pay to the authorized agent of said Missionary Society, for the support and maintenance of the school, the sum of two thousand dollars, and the like sum annually thereafter, until the whole sum of twenty thousand dollars shall have been expended.

The United States reserves the right to suspend the annual appropriation of two thousand dollars for said school, in part or in whole, whenever it shall appear that said Missionary Society neglects or fails to manage the affairs of said school and farm in a manner acceptable to the board of visitors aforesaid; and if, at any time within a period of ten years after the establishment of said school, said Missionary Society shall abandon said school or farm for the purposes intended in this treaty, then, and in such case, said society shall forfeit all of its rights and



franchises under this treaty, and it shall then be competent for the Secretary of the Interior to sell or dispose of the land hereinbefore designated, together with the buildings and improvements thereon and expend the proceeds of the same for the educational interests of the Indians in such manner as he may deem advisable.

At the expiration of ten years after the establishment of said school, if said Missionary Society shall have conducted said school and farm in a manner acceptable to the board of visitors during said ten years, the United States will convey to said society the land before mentioned by patent in fee-simple.

In case said Missionary Society shall fail to accept the trust herein named within one year after the ratification of this treaty, then, and in that case, the said twenty thousand dollars shall be placed to the credit of the educational fund of said Indians, to be expended for their benefit in such manner as the Secretary of the Interior may deem advisable.

It is understood and agreed that said Missionary Society may use the school-house, now standing upon land adjacent to the land hereinbefore set apart for a school-farm, where it now stands, or move it upon the land so set apart.

## ARTICLE 5.

The said Indians agree that, of the last two payments of eighteen thousand eight hundred dollars each, provided for by the said treaty of August 2nd, 1855, the sum of seventeen thousand six hundred dollars may be withheld, and the same shall be placed to the credit of their agricultural fund, to be expended for their benefit in sustaining their blacksmith shop, in stock, animals, agricultural implements, or in such other manner as the Secretary of the Interior may deem advisable.

## ARTICLE 6.

The Commissioner of Indian Affairs may, at the request of the chiefs and headmen, sell the mill and land belonging thereto at Isabella City, on said reservation, and apply the proceeds thereof for such beneficiary objects as may be deemed advisable by the Secretary of the Interior.

## ARTICLE 7.

Inasmuch as the mill belonging to said Indians is partly located upon land heretofore selected by James Nicholson, it is hereby agreed that upon a relinquishment of ten acres of said land by said Nicholson, in such form as may be determined by the agent for said Indians, he, the said Nicholson, shall be entitled to select eighty acres and to receive a patent therefor in fee simple.

## ARTICLE 8.

It is hereby expressly understood that the eighth article of the treaty of August 2, 1855, shall in nowise be affected by the terms of this treaty.

In testimony whereof, the said H. J. Alvord and the said D. C. Leach, commissioners as aforesaid, and the undersigned chiefs and headmen of the Chippewas

of Saginaw, Swan creek, and Black river, have hereto set their hands and seals at Isabella, in the State of Michigan, the day and year first above written.

H. J. ALVORD, [SEAL.]  
D. C. LEACH, [SEAL.]  
*Special Commissioners.*

In the presence of—

RICHD. M. SMITH,  
CHARLES H. RODD, *U. S. Interpreter.*  
GEORGE BRADLEY.

S. D. SIMONDS, chief,	his x mark.	[SEAL.]
LYMAN BENNETT, headman,	his x mark.	[SEAL.]
JNO. PAY-ME-QUO-UNG, chief,	his x mark.	[SEAL.]
WILLIAM SMITH, headman,	his x mark.	[SEAL.]
NAUCK-CHE-GAW-ME, chief,	his x mark.	[SEAL.]
ME-SQUAW-WAW-NAW-QUOT, headman,	his x mark.	[SEAL.]
THOMAS DUTTON, chief,	his x mark.	[SEAL.]
PAIM-WAY-WE-DUNG, headman,	his x mark.	[SEAL.]
ELLIOTT KAYBAY, chief,	his x mark.	[SEAL.]
SOLOMON OTTAWA, headman,	his x mark.	[SEAL.]
ANDW. O-SAW-WAW-BUN, chief,	his x mark.	[SEAL.]
THOS. WAIN-DAW-NAW-QUOT, headman,	his x mark.	[SEAL.]
NAW-TAW-WAY, chief,	his x mark.	[SEAL.]
I-KAY-CHE-NO-TING, headman,	his x mark.	[SEAL.]
WILLIAM SMITH, chief,	his x mark.	[SEAL.]
NAW-GAW-NEVAY-WE-DUNG, headman,	his x mark.	[SEAL.]
NAW-WE-KE-ZHICK, chief,	his x mark.	[SEAL.]
I, YALK, headman,	his x mark.	[SEAL.]
NAY-AW-BE-TUNG, chief,	his x mark.	[SEAL.]
JOS. WAW-BE-KE-ZHICK, headman,	his x mark.	[SEAL.]
SAML. MEZ-HAW-QUAW-NAW-UM, chief,	his x mark.	[SEAL.]
JOHN P. WILLIAMS, headman,	his x mark.	[SEAL.]
L. PAY-BAW-MAW-SHE, chief,	his x mark.	[SEAL.]
NE-GAW-NE-QUO-UM, headman,	his x mark.	[SEAL.]
DAVID FISHER, chief,	his x mark.	[SEAL.]
WAW-BE-MAN-I-DO, headman,	his x mark.	[SEAL.]
NE-BE-NAY-AW-NAW-QUOT-WAY-BE, chief,	his x mark.	[SEAL.]
KEY-O-GWAW-NAY-BE, headman,	his x mark.	[SEAL.]

In the presence of—

RICHD. M. SMITH,  
CHARLES H. RODD, *U. S. Interpreter.*  
AMOS F. ALBRIGHT, *Supt. Mills.*  
MARCUS GRINNELL, *U. S. Blacksmith.*  
M. D. BOURASSA,  
F. C. BABBITT,  
GEORGE BRADLEY.

ISABELLA CITY, MICHIGAN, Oct. 21, 1864.

To H. J. ALVORD, Esq.,  
*Special Com'r, &c.*

Interpreter Charles H. Rodd having fully explained and interpreted to me the treaty made by you and Indian Agent Leach, special com'rs, &c., with the Chip-



pewas of Saginaw, Swan creek, and Black river, Michigan, and concluded the 18th instant, you are hereby authorized to put my name to the same along with the other chiefs.

NAY-AW-BE-TUNG, his x mark,  
Chief Chippewas of Saginaw, Swan Creek, and Black River, Michn.

In the presence of—

CHAS. H. RODD, U. S. Interpreter.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-second day of May, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with amendments, in the words and figures following, to wit:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

May 22, 1866.

Resolved, (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention concluded at the Isabella Indian Reservation, in the State of Michigan, on the 18th day of October, 1864, between the United States, by their Commissioners, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan, with the following

AMENDMENTS:

1st. Article 4, after the word "rights," at the end of line 11, insert the following: *in the lands, buildings.*

2d. Same article, page 13, line 7, strike out the words "in fee simple," and insert in lieu thereof the following: *in trust for the benefit of said Indians.*

3d. Article 7, after the word "acres," in line 9, insert as follows: *of land, subject to the approval of the Secretary of the Interior.*

Attest:

J. W. FORNEY,  
Secretary

And whereas the foregoing amendments having been fully explained and interpreted to the Chiefs and Headmen of the Chippewa Indians of Saginaw, Swan Creek, and Black River, whose names are subscribed to the writing hereto following, they did, on the eighteenth day of June, one thousand eight hundred and sixty-six, give their free and voluntary assent to the said amendments, in the words and figures following, to wit:

Whereas, the Senate of the United States, in executive session, did, on the 22nd day of May, A. D. 1866, advise and consent to the ratification of the articles of agreement and convention concluded at the Isabella Indian Reservation, in the State of Michigan, on the 18th day of October, 1864, between the United States, by their Commissioners, and the Chippewas of Saginaw, Swan Creek, and Black River, in the State of Michigan, with the following amendments, viz:

1st. Article 4, after the word "rights," at the end of line 11, insert the following: *in the lands, buildings.*

2d. Same article, page 13, line 7, strike out the words "in fee simple," and insert in lieu thereof the following: *in trust for the benefit of said Indians.*

3d. Article 7, after the word "acres," in line 9, insert as follows: *of land, subject to the approval of the Secretary of the Interior.*

And whereas the foregoing amendments have been fully interpreted and explained to the undersigned, Chiefs and Headmen of the Chippewas of Saginaw, Swan Creek, and Black River, we do hereby agree to and ratify the same.

Done at the Mackinac Agency, in the State of Michigan, on this 18th day of June, 1866.

S. D. SIMONDS, chief,	his x mark. [SEAL.]
LYMAN BENNETT, headman,	his x mark. [SEAL.]
JOHN PAY-ME-QUO-UNG, chief,	his x mark. [SEAL.]
WILLIAM SMITH, headman,	his x mark. [SEAL.]
ANDREW O-SAW-WAW-BUN, chief,	his x mark. [SEAL.]
JAMES KAW-GE-GAY-O-SAY, headman,	his x mark. [SEAL.]
NAW-TAW-WAY, chief,	his x mark. [SEAL.]
KAY-SHE-SHAW-WAY, headman,	his x mark. [SEAL.]
WILLIAM SMITH, chief,	his x mark. [SEAL.]
WILLIAM HART, headman,	his x mark. [SEAL.]
NAW-WE-KE-ZHICK, chief,	his x mark. [SEAL.]
I-YALK, headman,	his x mark. [SEAL.]
NAY-AW-BE-TUNG, chief,	his x mark. [SEAL.]
KAW-GE-GAY-BE, headman,	his x mark. [SEAL.]
SAML. MEZHAW-QUAW-NAW-RUN, chief,	his x mark. [SEAL.]
JOHN P. WILLIAMS, headman,	his x mark. [SEAL.]
L. PAY-BAW-WAW-SHE, chief,	his x mark. [SEAL.]
NE-GAW-NE-QUO-UM, headman,	his x mark. [SEAL.]
NAUCK-CHE-GAW-ME, chief,	his x mark. [SEAL.]
ME-SQUAW-WAW-NAW-QUOT, headman,	his x mark. [SEAL.]
ELIJAH PILCHER, chief,	his x mark. [SEAL.]
PAIM-WAY-WE-DUNG, headman,	his x mark. [SEAL.]
DAVID FISHER, chief,	his x mark. [SEAL.]
WAW-BE-MAW-NE-DO, headman,	his x mark. [SEAL.]
NE-BE-NAY-AW-NAW-QUOT-WAY-BE, chief,	his x mark. [SEAL.]
KEY-O-GWAW-NAY-BE, headman,	his x mark. [SEAL.]
ELLIOTT KAY-BAY, chief,	his x mark. [SEAL.]

In the presence of—

RICHD. M. SMITH, U. S. Indian Agent.

CHAS. R. RODD, U. S. Interpreter.

AMOS F. ALBRIGHT, Supt. Mill.

JOHN IRONS, Missionary.

GEORGE BRADLEY, late Missionary.

W. H. NELSON, Judge Probate Isabella co., Michn.

F. C. BABBITT, Postmaster Isabella city, Michn.

L. BENTLY, Treasurer Isabella co., Michn.

MILTON BRADLEY, Clerk Isabella co., Michn.

P. C. ANDRÉ, Special Interpreter.



OFFICE MACKINAC INDIAN AGENCY,  
*Detroit, July 7, 1866.*

I do hereby certify on honor that the foregoing amendments to the treaty negotiated with the Chippewas of Saginaw, Swan Creek, and Black River, within this agency, the 18th day of October, 1864, were by me submitted to the said Indians, and that the same were duly assented to and ratified by them.

RICHD. M. SMITH,  
*U. S. Indian Agent.*

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-second of May, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty with the amendments as aforesaid.

In testimony whereof, I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington this sixteenth day of August, in the year of [SEAL.] Lord one thousand eight hundred and sixty-six, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,  
*Secretary of State.*