

Executive Proceedings of the U.S. Senate, May 27 and 29, 1830

May 27. 1830.

Mr. White, from the Committee on Indian Affairs, to whom was referred the message of the President of the United States of the 6th instant, relating to the Choctaw Indians, submitted the following report:

The Committee on Indian Affairs to whom was referred the message of the President of the United States dated the 6th instant, and its accompanying documents, marked B C D E F G H, has had the same under consideration, and beg leave to submit the following report:

The Document C is a project of a treaty between the United States and the Choctaw Indians, prepared in the Choctaw Nation, without the knowledge of any officer of the Federal Government, and transmitted to the President of the United States, ready signed by those pretending to represent the Indians, and wanting nothing but the sanctions of the United States in due form to make it obligatory upon the parties.

Document D is a protest, under the signatures of a portion of the Choctaws, against it, and containing charges against those who had an active agency in preparing and forwarding it to the President.

The committee are of opinion that, whether the charges are well founded or not, as they have been formally made they ought to induce the President of the United States to withhold his sanction to it until the sense of the nation could be fairly taken, even if the terms proposed in the instrument were such as the United States would deem equitable and just. But, independent of this objection, the terms themselves are, in the opinion of the committee, so unreasonable that the United States ought by no means to accede to them, even if the nation was unanimous in proposing them. In the opinion of the committee it would be a waste of time to go much into detail in specifying objections. They would barely remark that the 3d, 12th, 16th, 18th, and 20th articles contain stipulations which ought not to receive the countenance of the President or of the Senate. They therefore recommend to the Senate the adoption of the following resolution:

Resolved, That the Senate do advise the President of the United States not to make or ratify the treaty which the Choctaw Indians have proposed in the project submitted to him, dated the 17th day of March, 1830, and which accompanied his message to the Senate on the 6th instant.

The committee has extended its examination to the contents of Document E, intended to be proposed by the President of the United States to the Choctaw Indians as the terms to be embraced in a treaty to be formed with them, and find it very difficult to satisfy themselves as to the precise stipulations which ought to be contained in any treaty to be concluded.

They are decidedly of opinion that the terms to be proposed ought not only to be just but liberal towards the Indians, and in this respect it appears to the committee that if the terms about to be proposed require any alterations they should consist in lessening the considerations to be offered for the lands now occupied by the Choctaws.

It appears from the documents submitted that very serious discontents exist in the nation, and if the Senate should, in advance of any negotiation, attempt to fix in detail the terms and stipulations to be included in a treaty, such course might have the effect of defeating entirely an agreement with the Choctaws which might be highly advantageous to them and to the United States. The committee therefore ask to be discharged from the further consideration of this subject.

The report was read.

Ordered, That it be printed in confidence for the use of the Senate.

May 29, 1830

The Senate proceeded to consider the report of the Committee on Indian Affairs, to whom was referred the message of the President of the United States of the 6th instant, relating to the Choctaw Indians; and, in concurrence therewith,

Resolved, That the Senate do advise the President of the United States not to make or ratify the treaty which the Choctaw Indians have proposed in the project submitted to him dated the 17th day of March, 1830, and which accompanied his message to the Senate of the 6th instant; and

Ordered, That the committee be discharged from the further consideration of the subject.

Journal of the Executive Proceedings of the Senate of the United States of America (Washington: Government Printing Office, 1887), 4:111–12, 119.