

negligence of the French population, and their ignorance of all legal matters, and especially of the liberal enactments of Congress relative to their land claims, were willing to receive, even at this late day, their claims, and to hear the testimony adduced in support of them. Under these circumstances, this board did not believe that they had authority unconditionally to confirm; but where claims appeared well substantiated, and rested upon strong equitable grounds, the commissioners have recommended them to Congress for confirmation.

No. 232.—*Claim of the heirs of John Askin, esq., deceased.*

The consideration of the board being called to the claim of John Askin, esq., No. 232, preferred before a former board on November 19, 1806, and again taken into consideration by the board on July 12, 1808, in volume 5, page 2, of their proceedings, and then postponed, but again further considered on December 11, 1809, in volume 7, page 103, and then finally not acted upon affirmatively, on the grounds that the commissioners believed the land claimed not to be within the land district of Detroit, and consequently not within their power for confirmation: thereupon the present board having considered the said claim, with all the circumstances attending the same, are of opinion that they have not power to confirm the claim, because they are advised that the said lands are included within a reservation made to the Ottawas or other Indian tribes, subsequent, however, to the original entry by said Askin of this claim. The board do therefore recommend this matter to the favorable notice of Congress.

The commissioners appointed under the act of Congress approved February 21, 1823, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," do certify that they have compared the foregoing supplementary report with their original journal of proceedings upon these claims, and that this transcript is a true and correct copy thereof.

In testimony whereof, we have subscribed our signatures.

WILLIAM WOODBRIDGE.  
J. KEARSLEY.  
JOHN BIDDLE.

[The following reports were published, in addition, at the request of the land office.]

*Report concerning the land titles at Green Bay, in the county of Brown, Territory of Michigan.*

Except that this French settlement is older than that at the Prairie des Chiens, the claims of its present inhabitants rest upon the same basis.

As the same general observations will apply to each class of cases indiscriminately, the commissioners beg leave to refer to the views they have submitted in their report relative to the Prairie des Chiens titles.

Pere Allowez, an enterprising Catholic missionary, became located at Green Bay, superintending a religious establishment there in 1668; and from that period the settlement at "La Baye" does not seem to have been discontinued while the French remained masters in Canada. The Chevalier de Tonti, having under his command a military force, was stationed there in the winter of 1680. The Lieutenant de Luth, a few years afterwards, held military occupancy of the post under the superintendency of the commandant of Michilimackinac, of which it was a *dependency*.

During the whole period alluded to, the Fox Indians (by Charlevoix called the Outgamies) seem to have been deemed the proprietors of the country comprehending this settlement. (The Winnebagoes may rather be considered sojourners, their establishment there being of recent origin, *than proprietors of the soil*.) These (the Fox Indians) were attacked and signally defeated by the French troops under Captain Morand, with the aid of their allies, the Chippewas, in the winter of 1706, at a place called "La Butte des Morts." A great proportion of them were destroyed in this engagement, and many driven from the country. Upon this historical fact is probably founded the frequent assertion that the country of Green Bay accrued to the French by conquest.

It has been asserted, however, with more positiveness, that the French missionary, Pere Roquette, very many years ago, obtained the possession of several leagues square of this country, comprehending the fort and the whole French settlement. This fact it would have been desirable more fully to establish; but having had access to but few books which treat of the early history of this country, no further light could be obtained on the point, except the above insulated assertion.

But, however this fact may be, "La Baye" was continually occupied as a military post and a missionary establishment until the Canadas were by treaty surrendered to the British. It seems a fact equally well established that the latter continued for sometime after their acquisition of the country to keep a military force at Green Bay as a dependency of their more important one at Michilimackinac.

The same evidence which tends to establish the fact of the purchase by Lieut. Gov. Patrick Sinclair, by a treaty holden in 1781 at Michilimackinac, of the country at Prairie des Chiens, establishes also the further one of the purchase of the country of Green Bay.

The antiquity of this settlement being, in the view of the commissioners, sufficiently established, and they being also satisfied (especially when the subject is considered in connexion with the references and the matter contained in their report concerning the land titles of Prairie des Chiens) that the Indian title must be considered to have been extinguished, little further, on the part of the commissioners, seems requisite to elucidate the governing principles of their discussions; a repetition here of the matter of their report of the Prairie des Chiens claims can hardly be esteemed necessary.

It will be perceived that a few claims have been confirmed at a place called the Kakalin. Those claims are considered to have been comprehended within the settlement of Green Bay.—(See Schoolcraft, 368.) Those at the portage between the Wisconsin and Fox rivers have not been considered as comprehended within the limits either of the Green Bay or Prairie des Chiens settlements.

All which is respectfully submitted.

WM. WOODBRIDGE,	} <i>Commiss'rs.</i>
<i>Secretary of Michigan,</i>	
HENRY B. BREVOORT,	
<i>Reg. of the Land Office, Detroit,</i>	
J. KEARSLEY,	
<i>Rec. of the Land Office, Detroit,</i>	