

**AGREEMENT WITH THE CHEROKEE AND OTHER TRIBES IN  
THE INDIAN TERRITORY, 1865.**

**Sept. 13, 1865. | Unratified.**

**See note, post 1051, ante p. 910, 931.**

**For the proceedings relative to the negotiation of this  
agreement, see Ann. Rep. Commr. Ind. Aff., 1865, pp. 34, 312-  
353.**

**Also House Ex. Doc. No. 1, 1st sess. 39th Cong., vol. 2, 1865-  
66, pp. 480 to 542.**

*Articles of agreement entered into this thirteenth day of September, 1865, between the commissioners designated by the President of the United States and the persons here present representing or connected with the following named nations and tribes of Indians located within the Indian country, viz: Cherokees, Creeks, Choctaws, Chickasaws, Osages, Seminoles, Senecas, Senecas and Shawnees, and Quapaws.*

Whereas the aforesaid nations and tribes, or bands of Indians, or portions thereof, were induced by the machinations of the emissaries of the so-called Confederate States to throw off their allegiance to the government of the United States, and to enter into treaty stipulations with said so-called Confederate States, whereby they have made themselves liable to a forfeiture of all rights of every kind, character, and description which had been promised and guaranteed to them by the United States; and whereas the government of the United States has maintained its supremacy and authority within its limits; and whereas it is the desire of the government to act with magnanimity with all parties deserving its clemency, and to re-establish order and legitimate authority among the Indian tribes; and whereas the undersigned representatives or parties connected with said nations or tribes of Indians have become satisfied that it is for the general good of the people to reunite with and be restored to the relations which formerly existed between them and the United States, and as indicative of our personal feelings in the premises, and of our several nations and tribes, so far as we are authorized and empowered to speak for them; and whereas questions have arisen as to the status of the nations, tribes, and bands that have made treaties with the enemies of the United States, which are now being discussed, and our relations settled by treaty with the United States commissioners now at Fort Smith for that purpose:

The undersigned do hereby acknowledge themselves to be under the protection of the United States of America, and covenant and agree, that hereafter they will in all things recognize the government of the United States as exercising exclusive jurisdiction over them, and will not enter into any allegiance or conventional arrangement with any state, nation, power or sovereign whatsoever; that any treaty of alliance for cession of land, or any act heretofore done by them, or any of their people, by which they renounce their allegiance to the United States, is hereby revoked, cancelled, and repudiated.

In consideration of the foregoing stipulations, made by the members of the respective nations and tribes of Indians present, the United States, through its commissioners, promises that it will re-establish peace and friendship with all the nations and tribes of Indians within the limits of the so-called Indian country; that it will afford ample protection for the security of the persons and property of the respective nations or tribes, and declares its willingness to enter into treaties to arrange and settle all questions relating to and growing out of former treaties with said nations, as affected by any treaty made by said nations with the so-called Confederate States, at this council now convened for that purpose, or at such time in the future as may be appointed.\*

In testimony whereof, the said commissioners on the part of the United States, and the said Indians of the several nations and tribes, as respectively hereafter enumerated, have hereunto subscribed their names, and affixed their seals, on the day and year first above written.

(Note.—This treaty is presumed to have been signed, as indicated by the report of the proceedings at Fort Smith, by the commissioners of the United States and the delegations of Indians represented in the Council. Their names follow:)

*Hon. D. N. Cooley, president,*

*Hon. Elijah Sells,*

*Thomas Wistar,*

*Brig. Gen. W. S. Harney, U. S. Army,*

*Col. Ely S. Parker,*

Commissioners.

*Charles E. Mix,*

*George L. Cook,*

*W. R. Irwin,*

*John B. Garrett,*

Secretaries.

Creeks:

*Ock-tar-sars-ha-jo, head chief.*

*Mik-ko-hut-kee, little white chief.*

*Cow-we-ta-milk-ko.*

*Cah-cho-she.*

*Thlo-cos-ya-lo.*

*Loch-er-ha-jo.*

*Co-me-ha-jo.*

*Tul-wah-mik-ko-che.*

*Tul-wah-mik-ko.*

*David Grayson.*

*David Field.*

*Tuka-basha-ha-jo.*

*Captain Johnneh.*

*Cap-tah-ka-na.*

*Passa.*

*Sa-to-wee.*

*Co-lo-ma-ha-jo.*

*Tul-me-mek-ko.*

*Me-lo-tah-mo-ne, "Twelve o'clock."*

*Ko-she-ce-gla.*

*Ge-ne-o-ne-gla, (brave,) "Catch Alive."*

*Mah-ha-ah-ba-so, (brave,) "Sky-reaching man."*

*Shar-ba-no-sha, (brave,) "Done brown."*

**Interpreters:**

*Alexander Bayette.*

*Augustus Captain.*

**Cowskin Senecas:**

*Isaac Warrior, chief.*

Senecas and Shawnees:

*Lewis Davis, chief.*

*A. McDonald.*

*Goodhunt.*

*Jas. Tallchief.*

*Lewis Denny.*

Interpreter, Lewis Davis.

Cherokees:

*Kah-sah-nie, Smith Christie.*

*Ah-yes-takie, Thomas Pegg.*

*Oo-nee-na-kah-ah-nah-ee, White Catcher.*

*Cha-loo-kie, Fox Flute.*

*Da-wee-oo-sal-chut-tee, David Rowe.*

*Ah-tah-lah-ka-no-skee-skee, Nathan Fish.*

*Koo-nah-vah, W. B. Downing.*

*Ta-la-la.*

*Oo-too-lah, ta-neh, Charles Conrad.*

*Oo-la-what-tee, Samuel Smith.*

*Tah-skee-kee-tee-hee, Jesse Baldrige.*

*Suu-kee, Mink Downing.*

*Chee-chee.*

*Tee-coo-le-to-ske, H. D. Reese.*

*Colonel Lewis Downing, acting and assistant principal chief.*

Seminoles:

*John Shup-co.*

*Pascofa.*

*Fo-hut-she.*

*Fos-har-go.*

*Chut-cote-har-go.*

Interpreters: Robert Johnson, Cesar Bruner.

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**This document is claimed by the Indian Office not to be a treaty, but simply an agreement which formed the bases for the treaty with the Seminole of May 21, 1866, (ante p. 910) and of the treaty with the Creeks of June 14, 1866, (ante p. 931). It is not on file in the Indian Office and is found only in the Report of the Commissioner of Indian Affairs for 1865.**

**In the Seminole and Creek treaties mention is made of the treaty of peace and amity at Fort Smith September 10, 1865. This date is evidently erroneous, as no treaty was made at Fort Smith on that date. The agreement of September 13, 1865, must have been the one referred to. As to the signatories of the agreement the Commissioner of Indian Affairs, in his annual report for 1865, page 35, says:**

**“All of the delegates representing the following tribes and sections of tribes, in the order given, had signed treaties, (some of them holding out for several days until they could agree among themselves:) Senecas, Senecas and Shawnees, Quapaws, loyal Seminoles, loyal Chickasaws, loyal Creeks, Kansas, Shawnees (uncalled for, but asking to be permitted again to testify their allegiance,) loyal Osages, tribes of the Wichita agency, loyal Cherokees, disloyal Seminoles, disloyal Creeks, disloyal Cherokees, disloyal Osages, Comanches, disloyal Choctaws, and Chickasaws. “Friendly relations were established between the members of the various tribes hitherto at variance, except in the case of the Cherokees. The ancient feuds among this people are remembered still.”**

**For the full proceedings at Fort Smith see Annual Report of the Commissioner of Indian Affairs for 1865, pp. 312-353.**

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*Jacob Conal.*

*David Berryhill.*

*Sanford Berryman.*

*Co-nip Fix-i-co, and others.*

*Wm. F. Brown, clerk.*

*Harry Island, interpreter for Creeks.*

*John Marshal, interpreter for Eucheas.*

Delegates for the black population living among the Creeks and Eucheas:

*Ketch Barnett.*

*John McIntosh.*

*Scipio Barnett.*

*Jack Brown.*

*Cow Tom.*

Osages:

*White Hair, principal chief.*

*Po-ne-no-pah-she, second chief Big Hill band.*

*Wah-dah-ne-gah, counsellor.*

Shawnees:

*Charles Blue Jacket, first chief.*

*Graham Rogers, second chief.*

*Moses Silverheels.*

*Solomon Madden.*

*Eli Blackhoof.*

Interpreter, Matthew King.

Wyandotts:

*Silas Armstrong, first chief.*

*Matthew Mud-eater, second chief.*

Quapaws:

*George Wa-te-sha.*

*Ca-ha-she-ka.*

*Wa-she-hon-ca.*

*S. G. Valier, interpreter.*

**Chickasaws:**

*Et Tor Lutkee,*

*Louis Johnson,*

*Esh Ma Tubba,*

*A. G. Griffith,*

*Maharda Colbert, headmen.*

*Frazier McCrean.*

*Benjamin Colbert.*

*Ed Colbert.*

*—Jackson.*

*Jim Doctor.*

*Simpson Killcrease.*

*A. B. Johnson.*

*—Corman.*

*George Jhonson.*

*—Wolburn.*

**Choctaws:**

*William S. Patton.*

*Robert B. Patton.*

*A. J. Stanton.*

*Jeremiah Ward.*

**Indian agents:**

*Major G. C. Snow, for Osages.*

*George A. Reynolds, for Seminoles.*

*Isaac Coleman, for Choctaws and Chickassaws.*

*Justin Harlan, for Cherokees.*

*J. W. Dunn, for Creeks.*

*Milo Gookins, for Wichitas.*

*J. B. Abbott, for Shawnees.*

**Historic Arkansas Museum**

**Treaties Interactive**

**2/3/09**

**Quapaw Treaties**

Agreement with the Cherokee and other tribes in the Indian Territory, 1865

Treaty with the Comanche, Etc., 1835

Treaty with the Quapaw, 1818

Treaty with the Quapaw, 1824

Treaty with the Quapaw, 1833

Treaty with the Seneca, Mixed Seneca and Shawnee, Quapaw, Etc., 1867

## TREATY WITH THE COMANCHE, ETC., 1835.

Aug. 24, 1835. | 7 Stat., 474. | Proclamation, May 19, 1836.

*Treaty with the Comanche and Wichita Indians and their associated Bands.*

FOR the purpose of establishing and perpetuating peace and friendship between the United States of America and the Comanche and Wichita nations, and their associated bands or tribes of Indians, and between these nations or tribes, and the Cherokee Muscogee, Choctaw, Osage, Seneca and Quapaw nations or tribes of Indians, the President of the United States has, to accomplish this desirable object, and to aid therein, appointed Governor M. Stokes, M. Arbuckle Brigdi.-Genl. United States army, and F. W. Armstrong, Actg. Supdt. Western Territory, commissioners on the part of the United States; and the said Governor M. Stokes and M. Arbuckle, Brigdi. Genl. United States army, with the chiefs and representatives of the Cherokee, Muscogee, Choctaw, Osage, Seneca, and Quapaw nations or tribes of Indians, have met the chiefs, warriors, and representatives of the tribes first above named at Camp Holmes, on the eastern border of the Grand Prairie, near the Canadian river, in the Muscogee nation, and after full deliberation, the said nations or tribes have agreed with the United States, and with one another upon the following articles:

### ARTICLE 1.

There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the Comanche and Wichita nations and their associated bands or tribes of Indians, and between these nations or tribes and the Cherokee, Muscogee, Choctaw, Osage, Seneca and Quapaw nations or tribes of Indians.

### ARTICLE 2.

Every injury or act of hostility by one or either of the contracting parties on the other, shall be mutually forgiven and forever forgot.

### ARTICLE 3.

There shall be a free and friendly intercourse between all the contracting parties hereto, and it is distinctly understood and agreed by the Comanche and Wichita nations and their associated bands or tribes of Indians, that the citizens of the United States are freely permitted to pass and repass through their settlements or hunting ground without molestation or injury on their way to any of the provinces of the Republic of Mexico, or returning therefrom, and that each of the nations or tribes named in this article, further agree to pay the full value for any injury their people may do to the goods or property of the citizens of the United States taken or destroyed, when peaceably passing through the country they inhabit, or hunt in, or elsewhere. And the United States hereby guaranty to any Indian or Indians of either of the said Comanche or Wichita

nations, and their associated bands or tribes of Indians, a full indemnification for any horses or other property which may be stolen from them: *Provided*, that the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States, and within the limits thereof.

#### **ARTICLE 4.**

It is understood and agreed by all the nations or tribes of Indians parties to this treaty, that each and all of the said nations or tribes have free permission to hunt and trap in the Great Prairie west of the Cross Timber, to the western limits of the United States.

#### **ARTICLE 5.**

The Comanche and Witchetaw nations and their associated bands or tribes of Indians, severally agree and bind themselves to pay full value for any injury their people may do to the goods or other property of such traders as the President of the United States may place near to their settlements or hunting ground for the purpose of trading with them.

#### **ARTICLE 6.**

The Comanche and Witchetaw nations and their associated bands or tribes of Indians, agree, that in the event any of the red people belonging to the nations or tribes residing south of the Missouri river and west of the State of Missouri, not parties to this treaty, should visit their towns or be found on their hunting ground, that they will treat them with kindness and friendship and do no injury to them in any way whatever.

#### **ARTICLE 7.**

Should any difficulty hereafter unfortunately arise between any of the nations or tribes of Indians parties hereunto, in consequence of murder, the stealing of horses, cattle, or other cause, it is agreed that the other tribes shall interpose their good offices to remove such difficulties, and also that the Government of the United States may take such measures as they may deem proper to effect the same object, and see that full justice is done to the injured party.

#### **ARTICLE 8.**

It is agreed by the commissioners of the United States, that in consequence of the Comanche and Witchetaw nations and their associated bands or tribes of Indians having freely and willingly entered into this treaty, and it being the first they have made with the United States or any of the contracting parties, that they shall receive presents immediately after signing, as a donation from the United States; nothing being asked from these nations or tribes in return, except

to remain at peace with the parties hereto, which their own good and that of their posterity require.

#### **ARTICLE 9.**

The Commanche and Witchetaw nations and their associated bands or tribes, of Indians, agree, that their entering into this treaty shall in no respect interrupt their friendly relations with the Republic of Mexico, where they all frequently hunt and the Comanche nation principally inhabit; and it is distinctly understood that the Government of the United States desire that perfect peace shall exist between the nations or tribes named in this article and the said republic.

#### **ARTICLE 10.**

This treaty shall be obligatory on the nations or tribes parties hereto from and after the date hereof, and on the United States from and after its ratification by the Government thereof.

Done, and signed, and sealed at Camp Holmes, on the eastern border of the Grand Prairie, near the Canadian river, in the Muscogee nation, this twenty-fourth day of August, one thousand eight hundred and thirty-five, and of the independence of the United States the sixtieth.

*Montfort Stokes, [L. S.]*

*M. Arbuckle, Brigadier-General U. S. Army, [L. S.]*

Comanches:

*Ishacoly, or the wolf, his x mark, [L. S.]*

*Queenashano, or the war eagle, his x mark, [L. S.]*

*Tabaqueena, or the big eagle, his x mark, [L. S.]*

*Pohowetowshah, or the brass man, his x mark, [L. S.]*

*Shabbakasha, or the roving wolf, his x mark, [L. S.]*

*Neraquassi, or the yellow horse, his x mark, [L. S.]*

*Toshapappy, or the white hare, his x mark, [L. S.]*

*Pahohsareya, or the broken arm, his x mark, [L. S.]*

*Pahkah, or the man who draws the bow, his x mark, [L. S.]*

*Witsitony, or he who sucks quick, his x mark, [L. S.]*

*Leahwiddikah, or one who stirs up water, his x mark, [L. S.]*

*Esharsotsiki, or the sleeping wolf, his x mark, [L. S.]*

*Pahtrisula, or the dog, his x mark, [L. S.]*

*Ettah, or the gun, his x mark, [L. S.]*

*Tennowikah, or the boy who was soon a man, his x mark, [L. S.]*

*Kumaquoi, or the woman who cuts buffalo meat, his x mark, [L. S.]*

*Taqquanno, or the amorous man, his x mark, [L. S.]*

*Kowa, or the stinking tobacco box, his x mark, [L. S.]*

*Soko, or the old man, his x mark, [L. S.]*

Witchetaws:

*Kanostowah, or the man who don't speak, his x mark, [L. S.]*

*Kosharokah, or the man who marries his wife twice, his x mark, [L. S.]*

*Terrykatowatix, the riding chief, his x mark, [L. S.]*

*Tahdaydy, or the traveller, his x mark, [L. S.]*

*Hahkaphillush, or the drummer, his x mark, [L. S.]*

*Lachkah, or the first man in four battles, his x mark, [L. S.]*

*Learhehash, or the man who weans children too soon, his x mark, [L. S.]*

*Lachhardich, or the man who sees things done in the wrong way, his x mark, [L. S.]*

*Nocuttardaditch, or the man who tries to excel the head chief, his x mark, [L. S.]*

*Katarded wadick, or the man who killed an enemy in the water, his x mark, [L. S.]*

*Losshah, or the twin, his x mark, [L. S.]*

*Taytsaayah, or the ambitious adulterer, his x mark, [L. S.]*

*Tokaytah, or the summer, his x mark, [L. S.]*

*Musshakratsatady, or the man with the dog skin cap, his x mark, [L. S.]*

*Kipsh, or the man with one side of his head shaved, his x mark, [L. S.]*

Cherokees:

*Dutch, his x mark, [L. S.]*

*David Melton, his x mark, [L. S.]*

Muscogees:

*Roley McIntosh, his x mark, [L. S.]*

*Chilly McIntosh, [L. S.]*

*Cho-co-te-tuston-nogu, or marshal of the Cho-co-te-clan, his x mark, [L. S.]*

*Tus-ca-ne-ha, or the marshal, his x mark, [L. S.]*

*Tusly Harjoe, or crazy town, his x mark, [L. S.]*

*Alexander Lasley, his x mark, [L. S.]*

*Neha Harjoe, or crazy marshal, his x mark, [L. S.]*

*Tustunucke Harjoe, or crazy warrior, his x mark, [L. S.]*

*Powes Emarlo, or marshal of Powes clan, his x mark, [L. S.]*

*Cosa Yehola, or marshal of Cosa clan, his x mark, [L. S.]*

*Powes Yehola, or marshal of Powes clan, his x mark, [L. S.]*

*Toma Yehola, or marshal of Toma clan, his x mark, [L. S.]*

*Cosado Harjoe, or crazy Cosada, his x mark, [L. S.]*

*Neha Harjoe, or crazy marshal, his x mark, [L. S.]*

*Cosada Tustonogee, or the Cosada warrior, his x mark, [L. S.]*

*Octiyachee Yehola, or marshal of Octiyachee clan, his x mark, [L. S.]*

*Nulthcup Tustonogee, or the middle warrior, his x mark, [L. S.]*

*Ufala Harjoe, or crazy Ufala, his x mark, [L. S.]*

*Cholafixico, or a fox without a heart, his x mark, [L. S.]*

*Joseph Miller, his x mark, [L. S.]*

*Samuel Brown, his x mark, [L. S.]*

*Archi Kennard, his x mark, [L. S.]*

*Towannay, or the slender man, his x mark, [L. S.]*

*Saccasumky, or to be praised, his x mark, [L. S.]*

*Siah Hardridge, his x mark, [L. S.]*

*Warrior Hardridge, his x mark, [L. S.]*

*George Stedham, his x mark, [L. S.]*

*Itchhas Harjoe, or crazy beaver, his x mark, [L. S.]*

*Itchofake Harjoe, or crazy deer's heart, his x mark, [L. S.]*

*Satockhaky, or the broad side, his x mark, [L. S.]*

*Semehechee, or hide it away, his x mark, [L. S.]*

*Hoyane, or passed by, his x mark, [L. S.]*

*Melola, or waving, his x mark, [L. S.]*

*Mateter, or the man who missed it, his x mark, [L. S.]*

*Billy, his x mark, [L. S.]*

*Tuskia Harjoe, or crazy brave, his x mark, [L. S.]*

*Aussy, or the pursuer, his x mark, [L. S.]*

*Tohoithla, or standing upon, his x mark, [L. S.]*

*John Hambly, [L. S.]*

*K. Lewis, [L. S.]*

*John Wynn, [L. S.]*

*David McKillap, [L. S.]*

**Choctaws:**

*Musha-la-tubbee, or the man killer, his x mark, [L. S.]*

*Na-tuck-a-chee, or fair day, his x mark, [L. S.]*

*Par-chee-ste-cubbee, or the scalpholder, his x mark, [L. S.]*

*To-pi-a-chee-hubbee, or the painted face, his x mark, [L. S.]*

*Ya-cha-a-o-pay, or the leader of the warriors, his x mark, [L. S.]*

*Tus-qui-hola-tah, or the travelling warrior, his x mark, [L. S.]*

*Tic-eban-jo-hubbee, or the first for war, his x mark, [L. S.]*

*Nucke Stubbee, or the bullet that has killed, his x mark, [L. S.]*

*Toqua, or what you say, his x mark, [L. S.]*

*Po-sha-ma-stubbee, or the killer, his x mark, [L. S.]*

*Nuck-ho-ma-harjoe, or the bloody bullet, his x mark, [L. S.]*

*Thomas Mickie, his x mark, [L. S.]*

*Halam-be-sha, or the bat, his x mark, [L. S.]*

*Ok-chia, or life, his x mark, [L. S.]*

*Tus-ca-homa-madia, or the red warrior, his x mark, [L. S.]*

*Tun-up-me-a-moma, or the red man who has gone to war, his x mark, [L. S.]*

*Par-homa, or the red hoop, his x mark, [L. S.]*

*No-wah-ba, the man who kills the enemy when he meets him, his x mark, [L. S.]*

*Hisho-he-meta, or a young waiter, his x mark, [L. S.]*

*Cho-ma-la-tubbee, or the man who is sure his enemy is dead, his x mark, [L. S.]*

*Hokla-no-ma, the traveller in the town, his x mark, [L. S.]*

*William, his x mark, [L. S.]*

*Neasho Nubbee, he who knows where the enemy is killed, his x mark, [L. S.]*

*Jim, his x mark, [L. S.]*

*Eu-eck Harma, or the man who is never tired, his x mark, [L. S.]*

*Nat-la Homa, or the bloody man, his x mark, [L. S.]*

*Pia-o-sta, or to whoop four times, his x mark, [L. S.]*

*Pa-sha-oa-cubbee, or the man who puts his foot on the scalp, his x mark, [L. S.]*

*La-po-na, or the man who killed the enemy, his x mark, [L. S.]*

*A-mo-na-tubbee, or lying in wait to kill, his x mark, [L. S.]*

*A-fa-ma-tubbee, or the man who kills every thing he meets, his x mark, [L. S.]*

Osages:

*Fah-ha-la, or the leaping deer, his x mark, [L. S.]*

*Shone-ta-sah-ba, or the black dog, his x mark, [L. S.]*

*Wah-shin-pee-sha, or the wicked man, his x mark, [L. S.]*

*Tun-wan-le-he, or the town mover, his x mark, [L. S.]*

*Whoa-har-tee, or the war eagle, his x mark, [L. S.]*

*Me-tah-ne-gah, or the crazy robe, his x mark, [L. S.]*

*Wah-she-sho-hee, or the smart spirit, his x mark, [L. S.]*

*Ah-ke-tah, or the soldier, his x mark, [L. S.]*

*Weir-sah-bah-sha, or the hidden black, his x mark, [L. S.]*

*Ne-ko-jah, or the man hunter, his x mark, [L. S.]*

*Hor-tea-go, or like night, his x mark, [L. S.]*

*Wah-hah-tah-nee, or the fast runner, his x mark, [L. S.]*

*Wah-nah-shee, or the taker away, his x mark, [L. S.]*

*Ces-sah-ba, or the man in black, his x mark, [L. S.]*

*Es-kah-mar-ne, or the white horn, his x mark, [L. S.]*

*Kou-sah-she-la, or walking together, his x mark, [L. S.]*

*Tcha-to-kah, or the buffalo, his x mark, [L. S.]*

*O-ke-sah, or the man aside, his x mark, [L. S.]*

*Wah-she-wah-ra, or the stopper, his x mark, [L. S.]*

*Wah-ho-ba-shungee, ortheidolater, his x mark, [L. S.]*

*Tone-ba-wah-tcha-la, or hard to look at the sun rising, his x mark, [L. S.]*

*Shoe-chem-mo-nee, or the elk whistler, his x mark, [L. S.]*

*Wash-kah-cha, or the tumbler, his x mark, [L. S.]*

*Wah-ha, or the Pawnee chief's namesake, his x mark, [L. S.]*

*Wah-kee-bah-nah, or the hard runner, his x mark, [L. S.]*

*War-tcha-sheen-gah, or the scalp-carrier, his x mark, [L. S.]*

*O-shaun-ga-tun-ga, or the big path, his x mark, [L. S.]*

*Wah-hee-no-pee, or the bone necklace, his x mark, [L. S.]*

*Lee-sap-kah-pee, or the man who missed his enemy, his x mark, [L. S.]*

*Wah-to-ke-hak, or raw meat, his x mark, [L. S.]*

*Wah-wah-shee, or quick runner, his x mark, [L. S.]*

*Kah-he-ka-saree, or chief killer, his x mark, [L. S.]*

*O-lash-tah-ba, or plate-licker, his x mark, [L. S.]*

*Ma-ne-nah-shee, or the walker, his x mark, [L. S.]*

*Shaun-ga-mo-nee, or the fall chief, his x mark, [L. S.]*

*Tee-sha-wah-ra, or dry grass, his x mark, [L. S.]*

*Ne-kah-wah-shee-tun-gah, or the brave spirit, his x mark, [L. S.]*

Senecas:

*Thomas Brant, his x mark, [L. S.]*

*Small Crout Spicer, his x mark, [L. S.]*

*Isaac, his x mark, [L. S.]*

*Mingo Carpenter, his x mark, [L. S.]*

*John Sky, his x mark, [L. S.]*

*Henry Smith, his x mark, [L. S.]*

*Little Town Spicer, his x mark, [L. S.]*

*Young Henry, his x mark, [L. S.]*

*Peter Pork, his x mark, [L. S.]*

*William Johnston, his x mark, [L. S.]*

*Big Bone, his x mark, [L. S.]*

*Big Isaac, his x mark, [L. S.]*

*Civil Jack, his x mark, [L. S.]*

*Ya-ga-ha, or the water in the apple, his x mark, [L. S.]*

*Cau-ya-que-neh, or the snow drift, his x mark, [L. S.]*

*Ya-ta-ato, or the little lake, his x mark, [L. S.]*

*Douglass, his x mark, [L. S.]*

*George Herring, his x mark, [L. S.]*

Quapaws:

*Hi-ka-toa, or the dry man, his x mark, [L. S.]*

*Wa-ga-de-tone, or the maggot, his x mark, [L. S.]*

*Wa-to-va, or the spider, his x mark, [L. S.]*

*Ca-ta-hah, or the tortoise, his x mark, [L. S.]*

*Ma-towa-wah-cota, or the dug out, his x mark, [L. S.]*

*Wa-go-dah-hou-kah, or the plume, his x mark, [L. S.]*

*Ma-com-pa, or the doctor of the nose, his x mark, [L. S.]*

*Cas-sa, or the black tortoise, his x mark, [L. S.]*

*Haw-tez-chee-ka, or the little cedar, his x mark, [L. S.]*

*Ma-so-goda-toah, or the hawk, his x mark, [L. S.]*

*Wa-ka-toa-nosa, or the standing man, his x mark, [L. S.]*

*Motosa, or the black bear, his x mark, [L. S.]*

*Mor-bre-tone, or the little hawk, his x mark, [L. S.]*

*Mar-to-ho-ga, or the white bear, his x mark, [L. S.]*

*To-se-ca-da, or he who shows his track, his x mark, [L. S.]*

*Tah-tah-ho-so, or the wind, his x mark, [L. S.]*

*Hi-da-khe-da-sa, or the panther eagle, his x mark, [L. S.]*

*O-tene-cah-chee-ka, or he who struck the enemy, his x mark, [L. S.]*

*Me-ki-wah-kotah, or the star, his x mark, [L. S.]*

*Ka-ti-mo-ne, or clear weather, his x mark, [L. S.]*

*Vet-he-ka-ne, or thunder, his x mark, [L. S.]*

*Ne-to-sa-mo-ne, or the black freshet, his x mark, [L. S.]*

In presence of—

*R. B. Mason, major of dragoons,*

*G. Birch, major, U. S. Army,*

*Francis Lee, captain, Seventh Infantry,*

*Samuel G. I. DeCamp, surgeon,*

*W. Seawell, lieutenant and aid de camp; secretary to the commissioners,*

*Thomas B. Ballard,*

*Augustine A. Chouteau,*

*John Hambly, United States interpreter to the Creeks,*

*George Herron,*

*Leonard C. McPhail, assistant surgeon, U. S. Army,*

*Robert M. French*

## TREATY WITH THE QUAPAW, 1818.

Aug. 24, 1818. | 7 Stat., 176. | Proclamation Jan. 5, 1819 [1818].

*A treaty of friendship, cession, and limits, made and entered into, this twenty-fourth day of August, eighteen hundred and eighteen, by, and between, William Clark and Auguste Chouteau, Commissioners on the part and behalf of the United States, of the one part, and the undersigned, chiefs and warriors of the Quapaw tribe or nation, on the part and behalf of their said tribe or nation, of the other part.*

### ARTICLE 1.

The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby acknowledge themselves to be under the protection of the United States, and of no other state, power, or sovereignty, whatsoever.

### ARTICLE 2.

The undersigned chiefs and warriors, for themselves and their said tribe or nation, do hereby, for, and in consideration of, the promises and stipulations hereinafter named, cede and relinquish to the United States, forever, all the lands within the following boundaries, viz: Beginning at the mouth of the Arkansaw river; thence extending up the Arkansaw, to the Canadian fork, and up the Canadian fork to its source; thence south, to Big Red river, and down the middle of that river, to the Big Raft; thence, a direct line, so as to strike the Mississippi river, thirty leagues in a straight line, below the mouth of Arkansaw; together with all their claims to land east of the Mississippi, and north of the Arkansaw river, included within the coloured lines 1, 2, and 3, on the above map, (\*A map accompanies the original treaty.)with the exception and reservation following, that is to say: the tract of country bounded as follows: Beginning at a point on the Arkansaw river, opposite the present post of Arkansaw, and running thence, a due southwest course, to the Washita river; thence, up that river, to the Saline fork; and up the Saline fork to a point, from whence a due north course would strike the Arkansaw river at the Little Rock; and thence, down the right bank of the Arkansaw, to the place of beginning: which said tract of land, last above designated and reserved, shall be surveyed and marked off, at the expense of the United States, as soon as the same can be done with convenience, and shall not be sold or disposed of, by the said Quapaw tribe or nation, to any individual whatever, nor to any state or nation, without the approbation of the United States first had and obtained.

### ARTICLE 3.

It is agreed, between the United States and the said tribe or nation, that the individuals of the said tribe or nation shall be at liberty to hunt within the territory by them ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury or annoyance to any

of the citizens of the United States, and until the said United States may think proper to assign the same, or any portion thereof, as hunting grounds to other friendly Indians.

#### **ARTICLE 4.**

No citizen of the United States, or any other person, shall be permitted to settle on any of the lands hereby allotted to, and reserved for, the said Quapaw tribe or nation, to live and hunt on; yet it is expressly understood and agreed on, by, and between, the parties aforesaid, that, at all times, the citizens of the United States shall have the right to travel and pass freely, without toll or exaction, through the Quapaw reservation, by such roads or routes as now are, or hereafter may be, established.

#### **ARTICLE 5.**

In consideration of the cession and stipulations aforesaid, the United States do hereby promise and bind themselves to pay and deliver to the said Quapaw tribe or nation, immediately upon the execution of this treaty, goods and merchandise to the value of four thousand dollars, and to deliver, or cause to be delivered, to them, yearly, and every year, goods and merchandise to the value of one thousand dollars, to be estimated in the city or place, in the United States, where the same are procured or purchased.

#### **ARTICLE 6.**

Least the friendship which now exists between the United States and the said tribe or nation, should be interrupted by the misconduct of individuals, it is hereby agreed, that, for injuries done by individuals, no private revenge or retaliation shall take place; but, instead thereof, complaints shall be made by the party injured, to the other; by the tribe or nation aforesaid, to the governor, superintendent of Indian affairs, or some other person authorized and appointed for that purpose; and by the governor, superintendent, or other person authorized, to the chiefs of the said tribe or nation. And it shall be the duty of the said tribe or nation, upon complaint being made, as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished, agreeably to the laws of the state or territory where the offence may have been committed; and, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians, belonging to the said tribe or nation, the person or persons so offending shall be tried, and, if found guilty, punished in like manner as if the injury had been done to a white man. And it is further agreed, that the chiefs of the said tribe or nation shall, to the utmost of their power, exert themselves to recover horses, or other property, which may be stolen from any citizen or citizens of the United States, by any individual or individuals of the said tribe or nation; and the property so recovered, shall be forthwith delivered to the governor, superintendent, or other person authorized to receive the same, that it may be restored to the proper owner. And in cases where the exertions of the chief

shall be ineffectual in recovering the property stolen, as aforesaid, if sufficient proof can be obtained that such property was actually stolen by an Indian or Indians, belonging to the said tribe or nation, a sum, equal to the value of the property which has been stolen, may be deducted, by the United States, from the annuity of said tribe or nation. And the United States hereby guaranty to the individuals of the said tribe or nation, a full indemnification for any horse or horses, or other property, which may be taken from them by any of their citizens: Provided, the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen or citizens of the United States.

## **ARTICLE 7.**

This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall have been ratified by the President of the United States, by and with the advice and consent of the Senate.

*William Clarke, [L. S.]*

*Aug. Chouteau, [L. S.]*

*Krakaton, or the Dry Man, his x mark, [L. S.]*

*Hradapaa, or the Eagle's Bill, his x mark, [L. S.]*

*Mahraka, or Buck Wheat, his x mark, [L. S.]*

*Honkadagni, his x mark, [L. S.]*

*Wagonkedatton, his x mark, [L. S.]*

*Hradaskamonmini, or the Pipe Bird, his x mark, [L. S.]*

*Patongdi, or the Approaching Summer, his x mark, [L. S.]*

*Tehonka, or the Tame Buffaloe, his x mark, [L. S.]*

*Hamonmini, or the Night Walker, his x mark, [L. S.]*

*Washingteteton, or Mocking Bird's Bill, his x mark, [L. S.]*

*Hontikani, his x mark, [L. S.]*

*Tataonsa, or the Whistling Wind, his x mark, [L. S.]*

*Mozatete, his x mark, [L. S.]*

Done at St. Louis in the presence of—

*R. Wash, Secretary to the commission,*

*R. Paul, Col. M. M. C. I.*

*Jn. Ruland, Sub. Agent, &c.*

*R. Graham, Indian Agent,*

*M. Lewis Clark,*

*J. T. Honore, Indian Interpreter,*

*Joseph Bonne, Interpreter,*

*Julius Pescay,*

*Stephen Julian, U. S. Indian Interpreter,*

*James Loper,*

*William P. Clark.*

## TREATY WITH THE QUAPAW, 1824.

Nov. 15, 1824. | 7 Stat., 232. | Proclamation, Feb. 19, 1825.

*Articles of a treaty between the United States of America and the Quapaw Nation of Indians.*

### ARTICLE 1.

The Quapaw Nation of Indians cede to the United States of America, in consideration of the promises and stipulations hereinafter made, all claim or title which they may have to lands in the Territory of Arkansas, comprised in the following boundaries, to wit: Beginning at a point on the Arkansas river, opposite to the Post of Arkansas, and running thence a due south-west course to the Ouachita river; and thence, up the same, to the Saline Fork; and up the Saline Fork, to a point from whence a due north-east course will strike the Arkansas river at Little Rock: and thence down the right (or south bank) of the Arkansas river to the place of beginning.

### ARTICLE 2.

In consideration of the cession made in the first article of this Treaty, by the aforesaid Chiefs and Warriors, the United States engage to pay to the four head Chiefs of the Quapaw Nation, the sum of five hundred dollars each, in consideration of the losses they will sustain by removing from their farms and improvements. The payment to be made at the time they receive their annuity for the year 1825. And, also, to the said nation, the sum of four thousand dollars, to be paid in goods, at the signing of this Treaty. And the United States also engage to pay to the Quapaw Nation, one thousand dollars in specie, annually, for the term of eleven years, in addition to their present annuity.

### ARTICLE 3.

The United States hereby guaranty to the said Nation of Indians, the same right to hunt on the lands by them hereby ceded, as was guaranteed to them by a Treaty, concluded at St. Louis, on the 24th of August, 1818, between the said Quapaw Nation of Indians and William Clark and Auguste Choteau, Commissioners on the part of the United States.

### ARTICLE 4.

The Quapaw Tribe of Indians will hereafter be concentrated and confined to the district of country inhabited by the Caddo Indians, and form a part of said Tribe. The said nation of Indians are to commence removing to the district allotted them, before the twentieth day of January, one thousand eight hundred and twenty-six.

## **ARTICLE 5.**

For the purpose of facilitating the removal of the said Tribe, to the district of country allotted them, and as a compensation for the losses sustained, and the inconveniences to which they may be exposed by said removal, the United States will furnish them with corn, meat, and salt, for six months, from the first day of January, one thousand eight hundred and twenty-six. The United States further agree to furnish a sum not exceeding one thousand dollars, to be expended by their agent, to facilitate the transportation of the said Tribe to the district of country herein assigned them. An Agent, Sub Agent, or Interpreter, shall be appointed to accompany said tribe, and to reside among them.

## **ARTICLE 6.**

From the cession aforesaid, there shall be reserved to James Scull, in consideration of a debt of seven thousand five hundred dollars, due to him from the Quapaw Nation, and recognized in open Council, two sections of land commencing on the Arkansas river, opposite to Mrs. Embree's, and running up and back from said river for quantity. And the United States guaranty to the Quapaw Nation the payment of the said debt of seven thousand five hundred dollars, either by the ratification of the grant made in this article, or by the payment of said amount in money, exclusive of the amount stipulated to be paid to the said nation by this treaty.

## **ARTICLE 7.**

There shall be granted by the United States, to the following persons, being Indians by descent, the following tracts of Land: To Francois Imbeau, one quarter section of land, commencing at a point on the Arkansas river, opposite the upper end of Wright Daniel's farm, and thence, up and back from said river, for quantity. To Joseph Duchassien, one quarter section of land, commencing at the lower corner of the quarter section granted to Francois Imbeau, and running down and back from said river for quantity. To Saracen, a half breed Quapaw, eighty acres of land, to be laid off so as to include his improvement, where he now resides, opposite Vaugine's. To Batiste Socie, eighty acres of land, laying above and adjoining Saracen's grant. To Joseph Bonne, eighty acres of land, lying above and adjoining Socie's grant. To Baptiste Bonne, eighty acres of land, lying above and adjoining Joseph Bonne's grant. To Lewis Bartelmi, eighty acres of land, lying above and adjoining Baptiste Bonne's grant. To Antoine Duchassin, eighty acres of land, lying above and adjoining Bartelmi's grant. To Baptiste Imbeau, eighty acres of land, lying above and adjoining A. Duchassin's grant. To Francois Coupot, eighty acres of land, lying above and adjoining Baptiste Imbeau's grant. To Joseph Valliere, eighty acres of land, lying above and adjoining Francois Coupot's grant. All the said tracts of land shall be laid off, so as to conform to the lines of the United States' surveys, and binding on the Arkansas river.

## ARTICLE 8.

This treaty shall take effect, and be obligatory on the contracting parties, so soon as the same shall be ratified by the Senate of the United States.

In testimony whereof, the commissioner on the part of the United States, Robert Crittenden, and the undersigned chiefs and warriors of the said nation, have hereunto subscribed their names and affixed their seals.

Done at Harrington's, in the territory of Arkansas, on the fifteenth day of November, A. D. one thousand eight hundred and twenty-four, and of the independence of the United States the forty-ninth.

*Robert Crittenden, Commissioner on the part of the United States, [L. S.]*

*Hackehton, his x mark, [L. S.]*

*Tononseka, his x mark, [L. S.]*

*Kiahhacketady, his x mark, [L. S.]*

*Sarazen, his x mark, [L. S.]*

*Kakapah, his x mark, [L. S.]*

*Hunkahkee, his x mark, [L. S.]*

*Wahtonbeh, his x mark, [L. S.]*

*Hunkatugonee, his x mark, [L. S.]*

*Hepahdagonneh, his x mark, [L. S.]*

*Wahehsonjekah, his x mark, [L. S.]*

*Gratonjekah, his x mark, [L. S.]*

*Watuhtezka, his x mark, [L. S.]*

*Dohkuhnonjeshu, his x mark, [L. S.]*

*Kahtahkonku, his x mark, [L. S.]*

*Hahcrintenah, his x mark, [L. S.]*

Signed, sealed, and witnessed in presence of—

*Thomas W. Newton, secretary to the commission,*

*Robert C. Oden, lieutenant-colonel Second Regiment Arkansas Militia,*

*F. Farrelly, adjutant-general of Arkansas Militia,*

*B. Harrington.*

*D. Barber, S. Agt. to the Osages,*

*Gordon Neill,*

*Edmund Hogan,*

*Thomas W. Johnston,*

*Antoine Barrague,*

*Etienne Vanyine, interpreter,*

*Joseph Duchassin, interpreter.*

## TREATY WITH THE QUAPAW, 1833.

May 13, 1833. | 7 Stat., 424. | Proclamation, Apr. 12, 1834.

*Articles of agreement or a treaty between the United States and the Quapaw Indians entered into by John F. Schermerhorn, commissioner of Indian affairs west on the part of the United States and the chiefs and warriors of the Quapaw Indians.*

WHEREAS, by the treaty between the United States and the Quapaw Indians, concluded November 15th, 1824, they ceded to the United States all their lands in the Territory of Arkansas, and according to which they were "*to be concentrated and confined to a district of country inhabited by the Caddo Indians and form a part of said tribe,*" and whereas they did remove according to the stipulations of said treaty, and settled on the Bayou Treache on the south side of Red River, on a tract of land given them by the Caddo Indians, but which was found subject to frequent inundations on account of the raft on Red River, and where their crops were destroyed by the water year after year, and which also proved to be a very sickly country and where in a short time, nearly one-fourth of their people died, and whereas they could obtain no other situation from the Caddoes and they refused to incorporate them and receive them as a constituent part of their tribe as contemplated by their treaty with the United States, and as they saw no alternative but to perish if they continued there, or to return to their old residence on the Arkansas, they therefore chose the latter; and whereas they now find themselves very unhappily situated in consequence of having their little improvements taken from them by the settlers of the country; and being anxious to secure a permanent and peaceable home the following articles or treaty are agreed upon between the United States and the Quapaw Indians by John F. Schermerhorn — commissioners of Indian affairs west and the chiefs and warriors of said Quapaw Indians this (13th) thirteenth day of May 1833.—

### ARTICLE 1.

The Quapaw Indians hereby relinquish and convey to the United States all their right and title to the lands given them by the Caddo Indians on the Bayou Treache of Red River.—

### ARTICLE 2.

The United States hereby agree to convey to the Quapaw Indians one hundred and fifty sections of land west of the State line of Missouri and between the lands of the Senecas and Shawnees, not heretofore assigned to any other tribe of Indians, the same to be selected and assigned by the commissioners of Indian affairs west, and which is expressly designed to be [in] lieu of their location on Red River and to carry into effect the treaty of 1824, in order to provide a permanent home for their nation; the United States agree to convey the same by patent, to them and their descendants as long as they shall exist

as a nation or continue to reside thereon, and they also agree to protect them in their new residence, against all interruption or disturbance from any other tribe or nation of Indians or from any other person or persons whatever.

### **ARTICLE 3.**

Whereas it is the policy of the United States in all their intercourse with the Indians to treat them liberally as well as justly, and to endeavour to promote their civilization and prosperity; it is further agreed that in consideration of the important and extensive cessions of lands made by the Quapaws to the United States and in view of their present impoverished and wretched condition, they shall be removed to their new homes at the expense of the United States and that they will supply them with one year's provision from the time of their removal, which shall be as soon as they receive notice of the ratification of this treaty by the President and Senate of the United States. The United States will also furnish and deliver to them, after their arrival at their new homes, one hundred cows, one hundred breeding hogs, one hundred sheep, ten yoke of working cattle, twenty-five ploughs, one hundred axes, one hundred hoes, four ox carts, and one wagon, with all their necessary rigging, twenty iron hand cornmills, tools of different descriptions to the amount of two hundred dollars, also looms, wheels, reels and wool-cards to the amount of two hundred dollars, one hundred blankets, fifty rifles, and five shot guns all with flint locks, ten kegs of powder, and six hundred pounds of lead; The United States agree to provide a farmer to reside with them and to aid and instruct them in their agricultural pursuits and a blacksmith to do their necessary work, with a shop and tools and iron and steel not exceeding one ton per year. The United States also agree to appropriate one thousand dollars per year for education purposes to be expended under the direction of the President of the United States; the farmer and blacksmith and the above appropriation for education purposes to be continued only as long as the President of the United States deems necessary for the best interests of the Indians.

### **ARTICLE 4.**

It is hereby mutually agreed upon between the parties respectively to this treaty, that in lieu of and in full consideration of their present annuities perpetual and limited, the United States will pay the debts of the Quapaw Indians according to the annexed schedule to the amount of four thousand one hundred and eighty dollars provided they can be discharged in full for that amount. They will also expend to the amount of one thousand dollars in hiring suitable labourers to build and aid them in erecting comfortable cabins and houses to live in; and also that they will pay them annually two thousand dollars for twenty years from the ratification of this treaty, and that out of said annuity there shall be allowed to their four principal chiefs, Hackatton, Sarassan, Tonnonjinka and Kahekteda, and to their successors each, in addition to their distributive share of said annuity, the sum of fifty dollars per year.

## ARTICLE 5.

It is hereby agreed, and expressly understood, that this treaty is only supplementary to the treaty of 1824, and designed to carry into effect the views of the United States in providing a permanent and comfortable home for the Quapaw Indians; and also that all the stock and articles furnished the Indians by the United States as expressed in the fourth article shall be under the care and direction of the agent and farmer of said tribe, to see that the same is not squandered or sold, or any of the stock slain by the Indians, until such time as the natural increase of the stock will warrant the same to be done without destroying the whole, and thus defeating the benevolent views of the Government in making this provision for them.

## ARTICLE 6.

The United States also agrees to employ an interpreter to accompany them on their removal and the same to continue with them during the pleasure of the President of the United States—The above treaty shall be binding on the United States whenever ratified and approved by the President and Senate of the United States.—

*John F. Schermerhorn,*

*Hackatton chief, his x mark,*

*Sarrasin chief, his x mark,*

*Taunoujinka chief, his x mark,*

*Kahekitteda chief, his x mark,*

*Monehunka, his x mark,*

*Kunkadaquene, his x mark,*

*Wattekiane, his x mark,*

*Hadaskamonene, his x mark,*

*Hummonene, his x mark,*

*Hikaguedotton, his x mark,*

*Moussockane, his x mark.*

The above treaty was signed in open council, in the presence of—

*Richard M. Hannum, S. A.*

*Antoine Barraque,*

*James W. Walker,*

*Frederick Saugrain,*

*John D. Shaw,*

*Joseph Duchasin, interpreter.*

The amount due from the Quapaw tribe of Indians to the following named persons—

Frederic Notrabe	\$567 00
Joseph Dardene	300 00
Ignace Bogy	170 00
Alexander Dickerson	28 00
William Montgomery	350 00
Joseph Bonne	30 00
Joseph Duchasin	30 00
Baptiste Bonne	20 00
Antoine Barraque	2,235 00
George W. Boyer	50 00
Weylon King	400 00
	<hr/>
	\$4, 180 00

# INDIAN AFFAIRS: LAWS AND TREATIES

## TREATY WITH THE SENECA, MIXED SENECA AND SHAWNEE, QUAPAW, ETC., 1867.

Feb. 23, 1867. | 15 Stats., 513. | Ratified June 18, 1868. |  
Proclaimed Oct. 14, 1868.

*Articles of agreement, concluded at Washington, D. C., the twenty-third day of February, one thousand eight hundred and sixty-seven, between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs, W. H. Watson, special commissioner, Thomas Murphy, superintendent of Indian Affairs, George C. Snow, and G. A. Colton, U. S. Indian agents, duly authorized, and the Senecas, represented by George Spicer and John Mush; the Mixed Senecas and Shawnees, by John Whitetree, John Young, and Lewis Davis; the Quapaws, by S. G. Vallier and Ka-zhe-cah; the Confederated Peorias, Kaskaskias, Weas, and Piankeshaws, by Baptiste Peoria, John Mitchell, and Edward Black; the Miamies, by Thomas Metosenyah and Thomas Richardville, and the Ottawas of Blanchard's Fork and Roche de Boeuf, by John White and J. T. Jones, and including certain Wyandott[e]s, represented by Tauromee, or John Hat, and John Karaho.*

Whereas it is desirable that arrangements should be made by which portions of certain tribes, parties hereto, now residing in Kansas, should be enabled to remove to other lands in the Indian country south of that State, while other portions of said tribes desire to dissolve their tribal relations, and become citizens; and whereas it is necessary to provide certain tribes, parties hereto, now residing in the Indian country, with means of rebuilding their houses, re-opening their farms, and supporting their families, they having been driven from their reservations early in the late war, and suffered greatly for several years, and being willing to sell a portion of their lands to procure such relief; and whereas a portion of the Wyandottes, parties to the treaty of one thousand eight hundred and fifty-five, although taking lands in severalty, have sold said lands, and are still poor, and have not been compelled to become citizens, but have remained without clearly recognized organization, while others who did become citizens are unfitted for the responsibilities of citizenship; and whereas the Wyandottes, treated with in eighteen hundred and fifty-five, have just claims against the Government, which will enable the portion of their people herein referred to to begin anew a tribal existence: Therefore it is agreed:

### ARTICLE 1.

The Senecas cede to the United States a strip of land on the north side of their present reservation in the Indian country; the land so ceded to be bounded on the east by the State of Missouri, on the north by the north line of the reservation, on the west by the Neosho River, and running south for the necessary distance, to contain twenty thousand acres; for which the

Government is to pay twenty thousand dollars upon the ratification of this treaty; the south line of said tract to be ascertained by survey, at the cost of the United States.

## **ARTICLE 2.**

The Senecas now confederated with the Shawnees, and owning an undivided half of a reservation in the Indian country immediately north of the Seneca reservation mentioned in the preceding article, cede to the United States one-half of said Seneca and Shawnee reserve, which it is mutually agreed shall be the north half, bounded on the east by the State of Missouri, north by the Quapaw reserve, west by the Neosho River, and south by an east and west line bisecting the present Seneca and Shawnee reserve into equal parts, the said line to be determined by survey, at the expense of the United States; for which tract of land, estimated to contain about thirty thousand acres, the United States will pay the sum of twenty-four thousand dollars.

## **ARTICLE 3.**

The Shawnees, heretofore confederated with the Senecas, cede to the United States that portion of their remaining lands, bounded as follows, beginning at a point where Spring River crosses the south line of the tract in the second article ceded to the United States, thence down said river to the south line of the Shawnee reserve, thence west to the Neosho River, thence up said river to the south line of the tract ceded in the second article, and thence east to the place of beginning; supposed to contain about twelve thousand acres, the area to be ascertained by survey, at the expense of the United States; the United States to pay for the same at the rate of one dollar per acre, as soon as the area shall be ascertained.

## **ARTICLE 4.**

The Quapaws cede to the United States that portion of their land lying in the State of Kansas, being a strip of land on the north line of their reservation, about one half mile in width, and containing about twelve sections in all, excepting therefrom one half section to be patented to Samuel G. Vallier, including his improvements. Also the further tract within their present reserve, bounded as follows: Beginning at a point in the Neosho River where the south line of the Quapaw reserve strikes that stream, thence east three miles, thence north to the Kansas boundary-line, thence west on said line to the Neosho River, thence down said river to the place of beginning; and the United States will pay to the Quapaws for the half-mile strip lying in Kansas at the rate of one dollar and twenty-five cents per acre, whenever the area of the same shall be ascertained; and for the other tract described in this article at the rate of one dollar and fifteen cents per acre, whenever the area of the same shall be ascertained by survey, said survey to be made at the cost of the tribe to which said tract is herein provided to be sold under the pre-emption laws of the United States; but

all such pre-emption shall be paid in the money of the United States, at the proper land-office, within one year from the date of entry and settlement.

## **PROVISIONS RELATING TO THE SENEICAS.**

### **ARTICLE 5.**

The Senecas now confederated with the Shawnees, the said Shawnees thereto consenting, agree to dissolve their connection with the said Shawnees, and to unite with the Senecas, parties to the treaty of February twenty-eighth, one thousand eight hundred and thirty-one, upon their reservation described in article second of said treaty; and the several bands of Senecas will unite their funds into one common fund for the benefit of the whole tribe; and an equitable division shall be made of all funds or annuities now held in common by the Senecas and Shawnees.

### **ARTICLE 6.**

Of the sum of twenty-four thousand dollars to be paid to the Senecas, as provided in the second article, the sum of four thousand dollars shall be paid to them immediately after the ratification of this treaty, to enable them to re-establish their homes and provide themselves with agricultural implements, seed, and provisions for themselves and their families; and the balance of the said first-mentioned sum, being twenty thousand dollars, shall be consolidated with the twenty thousand dollars in the first article provided to be paid, and invested for the tribe of Senecas, as constituted by this treaty, at five per cent. interest, to be paid per capita semi-annually; and their annuity of five hundred dollars in specie, provided by article four of the treaty of September twenty-ninth, one thousand eight hundred and seventeen, shall likewise become the property of the tribe.

### **ARTICLE 7.**

The amount annually due the Senecas under the provisions of article four of the treaty of February twenty-eight, one thousand eight hundred and thirty-one, for blacksmith, after their separation from the Shawnees, shall be annually paid to them as a national fund, to enable them to purchase such articles for their wants and improvements in agriculture as the chiefs, with the consent of their agent, may designate; and this provision shall apply also to the fund for support of a miller belonging to the Senecas heretofore occupying the southernmost reserve referred to in this treaty; and there shall be added to the said fund whatever amount belonging to either band of the Senecas shall be found due and unpaid upon an examination of their accounts with the Government, and particularly the amount of bonds and stocks invested in their name; and the interest thereon shall be annually paid to the said Senecas for the purposes mentioned in this article.

## **PROVISIONS RELATING TO THE SHAWNEES.**

### **ARTICLE 8.**

Of the amount in the third article provided to be paid to the Shawnees by the United States for the lands therein ceded, the sum of two thousand dollars shall be advanced to them to be used in establishing their homes, and the balance of the said amount shall be invested for the said tribe, under the name of Eastern Shawnees, and five per cent. be paid semi-annually thereon; and the amount due and unpaid upon the bonds or stocks invested in their name shall be paid to them, as well as the interest thereon hereafter to become due, to be used under the direction of the chiefs, with the consent of the agent, for the purchase of agricultural implements or other articles necessary for the general welfare of the people; and the one-half of the blacksmith fund remaining after the division to be made with the Senecas provided for in article five shall remain devoted to the same purpose, and the Government will add thereto the sum of five hundred dollars annually for five years.

## **PROVISIONS RELATING TO THE QUAPAWS.**

### **ARTICLE 9.**

Of the amount to be paid to the Quapaws for the lands ceded by them in the fourth article of this treaty, the sum of five thousand dollars shall be paid to them upon the ratification of this treaty, to assist them in re-establishing themselves at their homes upon their remaining reservation; and the balance of said amount shall be invested as a permanent fund at five per cent. interest, payable per capita, semi-annually.

### **ARTICLE 10.**

If the Osage mission school should be closed, so that the school fund of the Quapaws cannot be used for them to advantage at that institution, the said fund shall remain in the Treasury of the United States until such time as it can, under the direction of the Secretary of the Interior, with the consent of the chiefs, be used to advantage in establishing a school upon their reservation.

### **ARTICLE 11.**

The amount now due and unpaid for a farmer, under the provisions of the third article of their treaty of May thirteen one thousand eight hundred and thirty-*eight* [three], may be used by the chiefs and council for the purchase of provisions, farming-implements, seed, and otherwise for the purpose of assisting the people in agriculture; and their annual income now paid for farmer shall

hereafter be set apart for the purposes of assistance and improvement in agriculture.

## **CLAIMS FOR LOSSES BY THE WAR.**

### **ARTICLE 12.**

Whereas the aforesaid Senecas, Mixed Senecas and Shawnees, and Quapaws were driven from their homes during the late war, and their property destroyed, it is agreed that a commission of not to exceed two persons shall be appointed by the Secretary of the Interior, who shall proceed to their country and make careful investigation of their claims for losses, and make full report of the same to the Department; and the Secretary of the Interior shall report the same to Congress.

## **PROVISIONS IN RELATION TO THE WYANDOTTES.**

### **ARTICLE 13.**

The United States will set apart for the Wyandottes for their future home the land ceded by the Senecas in the first article hereof, and described in said article, to be owned by the said Wyandottes in common; and the Secretary of the Interior is hereby authorized and required to appoint three persons whose duty it shall be to ascertain and report to the Department the amount of money, if any, due by the United States to the Wyandott[e] Indians under existing treaty stipulations, and the items mentioned in Schedule A, appended to this treaty, and the report of the persons so appointed, with the evidence taken, shall be submitted to Congress for action at its next session. A register of the whole people, resident in Kansas and elsewhere, shall be taken by the agent of the Delawares, under the direction of the Secretary of the Interior, on or before the first of July, one thousand eight hundred and sixty-seven, which shall show the names of all who declare their desire to be and remain Indians, and in a tribal condition, together with incompetents and orphans, as described in the treaty of one thousand eight hundred and fifty-five; and all such persons, and those only, shall hereafter constitute the tribe: *Provided*, That no one who has heretofore consented to become a citizen, nor the wife or children of any such person, shall be allowed to become members of the tribe, except by the free consent of the tribe after its new organization, and unless the agent shall certify that such party is, through poverty or incapacity, unfit to continue in the exercise of the responsibilities of citizenship of the United States, and likely to become a public charge.

#### **ARTICLE 14.**

Whenever the register in the next preceding article shall have been completed and returned to the Commissioner of Indian Affairs, the amount of money in said article acknowledged to be due to the Wyandott[e]s shall be divided, and that portion equitably due to the citizens of said people shall be paid to them or their heirs, under the direction of the Secretary of the Interior; and the balance, after deducting the cost of the land purchased from the Senecas by the first article hereof, and the sum of five thousand dollars to enable the Wyandott[e]s to establish themselves in their new homes, shall be paid to the Wyandott[e] tribe per capita.

#### **ARTICLE 15.**

All restrictions upon the sale of lands assigned and patented to "incompetent" Wyandott[e]s under the fourth article of the treaty of one thousand eight hundred and fifty-five, shall be removed after the ratification of this treaty, but no sale of land heretofore assigned to orphans or incompetents shall be made, under decree of any court, or otherwise, for or on account of any claim, judgment, execution, or order, or for taxes, until voluntarily sold by the patentee or his or her heirs, with the approval of the Secretary of the Interior, and whereas many sales of land belonging to this class have heretofore been made, contrary to the spirit and intent of the treaty of one thousand eight hundred and fifty-five, it is agreed that a thorough examination and report shall be made, under direction of the Secretary of the Interior, in order to ascertain the facts relating to all such cases, and, upon a full examination of such report, and hearings of the parties interested, the said Secretary may confirm the said sales, or require an additional amount to be paid, or declare such sales entirely void, as the very right of the several cases may require.

#### **PROVISIONS RELATING TO THE OTTAWAS.**

#### **ARTICLE 16.**

The west part of the Shawnee reservation, ceded to the United States by the third article, is hereby sold to the Ottawas, at one dollar per acre; and for the purpose of paying for said reservation the United States shall take the the area of such land shall be found by actual survey, from the funds in the hands of the Government arising from the sale of the Ottawa trust-lands, as provided in the ninth article of the treaty of one thousand eight hundred and sixty-two, and the balance of said fund, after the payment of accounts provided for in article five of the treaty of one thousand eight hundred and sixty-two, shall be paid to the tribe per capita.

## **ARTICLE 17.**

The provisions of the Ottawa treaty of one thousand eight hundred and sixty-two, under which all the tribe were to become citizens upon the sixteenth of July, one thousand eight hundred and sixty-seven, are hereby extended for two years, or until July sixteenth, one thousand eight hundred and sixty-nine; but any time previous to that date any member of the tribe may appear before the United States district court for Kansas, and declare his intention to become a citizen, when he shall receive a certificate of citizenship, which shall include his family, and thereafter be disconnected with the tribe, and shall be entitled to his proportion of the tribal fund; and all who shall not have made such declaration previous to the last-mentioned date shall still be considered members of the tribe. In order to enable the tribe to dispose of their property in Kansas, and remove to their new homes and establish themselves thereon, patents in fee-simple shall be given to the heads of families and to all who have come of age among the allottees under the treaties of one thousand eight hundred and sixty-two, so that they may sell their lands without restriction; but the said lands shall remain exempt from taxation so long as they may be retained by members of the tribe down to the said sixteenth of July, one thousand eight hundred and sixty-nine; and the chiefs and council of the said tribe shall decide in the case of disputed heirship to real estate, taking as a rule the laws of inheritance of the State of Kansas.

## **ARTICLE 18.**

The United States agree to pay the claim of J. T. Jones, for which a bill of appropriation has passed one of the branches of Congress, but which has been withdrawn from before Congress, being for destruction by fire of his dwelling and other property by whites in one thousand eight hundred and fifty-six, shall be allowed and paid to him, amounting to six thousand seven hundred dollars.

## **ARTICLE 19.**

The sixth article of the treaty of one thousand eight hundred and sixty-two shall remain unchanged, except as provided in this article. The children of the tribe between the ages of six and eighteen (6 and 18) shall be entitled to be received at said institution, and to be subsisted, clothed, educated, and attended in sickness, where the sickness is of such a nature that the patient promises a return to study within a reasonable period; the children to be taught and practised in industrial pursuits, suitable to their age and sex, and both sexes in such branches of learning, and to receive such advantages as the means of the institution will permit; these rights and privileges to continue so long as any children of the tribe shall present themselves for their exercise. And the Secretary of the Interior and the senior corresponding secretary of the American Baptist Home Mission Society shall be members *ex officio* of the board of trustees, with power to vote in person or by proxy, it being the special intention of this provision to furnish additional supervision of the institution, so that the provisions of this article may be carried into effect in their full spirit and intent.

## **ARTICLE 20.**

It is further agreed that the remaining unsold portion of trust-lands of the Ottawas, amounting to seven thousand two hundred and twenty-one and twenty one-hundredths acres, shall be sold to the trustees of Ottawa University, to be disposed of for the benefit of said institution at the appraised value thereof, and that the said trustees shall have until July sixteenth, one thousand eight hundred and sixty-nine, to dispose of the same and pay to the Government the value of said lands: *Provided*, That the said trustees shall furnish, within thirty days after the ratification of this treaty, to the Secretary of the Interior, a satisfactory bond for the fulfilment of their obligations.

### **PROVISIONS RELATING TO THE PEORIAS, KASKASKIAS, WEAS, AND PIANKESHAWS.**

## **ARTICLE 21.**

Whereas certain arrangements have been made by the chiefs of the confederated tribes of Peorias, Kaskaskias, Weas, and Piankeshaws, for the sale to actual settlers of the lands held by them in common, being nine and one-half sections, for a reasonable consideration, according to the terms of a certain petition of the said tribe, with schedule annexed, (which schedule is annexed to this treaty, and marked "B,") dated December twenty-sixth, one thousand eight hundred and sixty-six, filed in the office of the Commissioner of Indian Affairs, it is agreed that the said arrangements shall be carried into full effect, and the purchasers thereunder shall receive patents from the United States for the lands so purchased, upon making full payment for the same to the Secretary of the Interior, and the amount already paid by said purchasers, as appears from said schedule, and in the hands of the chiefs, shall be paid to the Secretary of the Interior, and the whole amount of the purchase-money shall also be paid to the said Secretary on or before the first day of June, one thousand eight hundred and sixty-seven, and shall be held by him for the benefit of the tribe, subject to the provisions of this treaty.

## **ARTICLE 22.**

The land in the second and fourth articles of this treaty proposed to be purchased from the Senecas and Quapaws, and lying south of Kansas, is hereby granted and sold to the Peorias, &c., and shall be paid for, at the rate paid for the same by the Government, out of the proceeds of the nine and a half sections referred to in the last preceding article, adding thereto whatever may be necessary out of other moneys in the hands of the United States belonging to said Peorias, &c.

## **ARTICLE 23.**

The said Indians agree to dispose of their allotments in Kansas and remove to their new homes in the Indian country within two years from the ratification of this treaty; and to that end the Secretary of the Interior is authorized to remove altogether the restrictions upon the sales of their lands, provided under authority of the third article of the treaty of May thirtieth, one thousand eight hundred and fifty-four, in such manner that adult Indians may sell their own lands, and that the lands of minors and incompetents may be sold by the chiefs, with the consent of the agent, certified to the Secretary of the Interior and approved by him. And if there should be any allotments for which no owner or heir thereof survives, the chiefs may convey the same by deed, the purchase-money thereof to be applied, under the direction of the Secretary, to the benefit of the tribe; and the guardianship of orphan children shall remain in the hands of the chiefs of the tribe, and the said chiefs shall have the exclusive right to determine who are members of the tribe and entitled to be placed upon the pay-rolls.

## **ARTICLE 24.**

An examination shall be made of the books of the Indian Office, and an account-current prepared, stating the condition of their funds, and the representations of the Indians for overcharges for sales of their lands in one thousand eight hundred and fifty-seven and one thousand eight hundred and fifty-eight shall be examined and reported to Congress; and in order further to assist them in preparing for removal and in paying their debts, the further amount of twenty-five thousand dollars shall be at the same time paid to them per capita from the sum of one hundred and sixty-nine thousand six hundred and eighty-six dollars and seventy-five cents, invested for said Indians under act of Congress of July twelfth, one thousand eight hundred and sixty-two; and the balance of said sum of one hundred and sixty-nine thousand six hundred and eighty-six dollars and seventy-five cents, together with the sum of ninety-eight thousand dollars now invested on behalf of the said Indians in State stocks of Southern States, and the sum of three thousand seven hundred dollars, being the balance of interest, at five per cent. per annum, on thirty-nine thousand nine hundred and fifty dollars held by the United States, from July, one thousand eight hundred and fifty-seven, till vested in Kansas bonds in December, one thousand eight hundred and sixty-one, after crediting five thousand dollars thereon heretofore receipted for by the chiefs of said Indians, shall be and remain as the permanent fund of the said tribe, and five per cent. be paid semi-annually thereon, per capita, to the tribe; and the interest due upon the sum of twenty-eight thousand five hundred dollars in Kansas bonds, and upon sixteen thousand two hundred dollars in United States stocks, now held for their benefit, shall be paid to the tribe semi-annually in two equal payments, as a permanent school-fund income: *Provided*, That there shall be taken from the said invested fund and paid to the said tribe, per capita, on the first of July, one thousand eight hundred and sixty-eight, the sum of thirty thousand dollars, to assist them in establishing themselves upon their new homes; and at any time thereafter, when the chiefs shall represent to the satisfaction of the Secretary of the Interior

that an additional sum is necessary, such sum may be taken from their invested fund: *And provided also*, That the said invested fund shall be subject to such division and diminution as may be found necessary in order to pay those who may become citizens their share of the funds of the tribe.

#### **ARTICLE 25.**

Whereas taxes have been levied by the authority of the State of Kansas upon lands allotted to members of the tribe, the right and justice of which taxation is not acknowledged by the Indians, and on which account they have suffered great vexation and expense, and which is now a matter in question in the Supreme Court of the United States, it is agreed that, in case that court shall decide such taxes unlawful, the Government will take measures to secure the refunding of said taxes to such of the Indians as have paid them.

#### **ARTICLE 26.**

The Peorias, Kaskaskias, Weas, and Piankeshaws agree that the Miamies may be confederated with them upon their new reservation, and own an undivided right in said reservation in proportion to the sum paid, upon the payment by the said Miamies of an amount which, in proportion to the number of the Miamies who shall join them, will be equal to their share of the purchase-money in this treaty provided to be paid for the land, and also upon the payment into the common fund of such amount as shall make them equal in annuities to the said Peorias, &c., the said privilege to remain open to the Miamies two years from the ratification of this treaty.

#### **ARTICLE 27.**

The United States agree to pay the said Indians the sum of one thousand five hundred dollars per year for six years for their blacksmith, and for necessary iron and steel and tools; in consideration of which payment the said tribe hereby relinquish all claims for damages and losses during the late war, and, at the end of the said six years, any tools or materials remaining shall be the property of the tribe.

#### **ARTICLE 28.**

Inasmuch as there may be those among them who may desire to remain in Kansas and become citizens of the United States, it is hereby provided that, within six months after the ratification of this treaty, a register shall be taken by the agent, which shall show the names separately of all who voluntarily desire to remove, and all who desire to remain and become citizens; and those who shall elect to remain may appear before the judge of the United States district court for Kansas and make declaration of their intention to become citizens, and take the oath to support the Constitution of the United States; and upon filing of a certificate of such declaration and oath in the office of the Commissioner of Indian Affairs they shall be entitled to receive the proportionate share of

themselves and their children in the invested funds and other common property of the tribe; and therefrom they and their children shall become citizens, and have no further rights in the tribe; and all the females who are heads of families, and single women of full age shall have the right to make such declaration and become disconnected from the tribe.

**ARTICLE 29 to 39, inclusive. [Stricken out.]**

**ARTICLE 40.**

If any amendments shall be made to this treaty by the Senate, it shall only be necessary to submit the same for the assent of the particular tribe or tribes interested; and should any such amendments be made, and the assent of the tribe or tribes interested not be obtained, the remainder of the treaty not affected by such amendment shall nevertheless take effect and be in force.

**ARTICLE 41.**

[Stricken out.]

In testimony whereof, the before-named commissioners on behalf of the United States, and the before-named delegates on behalf of the Senecas, mixed Senecas and Shawnees, Quapaws, confederated Peorias, Kaskaskias, Weas, and Piankeshaws, Miamies, Ottawas, and Wyandottes have hereunto set our hands and seals the day and year first above written.

*Lewis V. Bogy, [SEAL.]*  
*Commissioner of Indian Affairs.*

*W. H. Watson, [SEAL.]*  
*Special Commissioner.*

*Thos. Murphy, [SEAL.]*  
*Superintendent of Indian Affairs.*

*G. C. Snow, [SEAL.]*  
*United States Indian Agent, Neosho Agency.*

*G. A. Colton, [SEAL.]*  
*United States Indian Agent for Miamis, Peorias, &c.*

*George Spicer, his x mark, [SEAL.]*

*John Mush, his x mark, [SEAL.]*

Senecas.

*John Whitetree, his x mark, [SEAL.]*

*John Young, his x mark, [SEAL.]*

*Lewis Davis, his x mark, [SEAL.]*

Senecas and Shawnees.

*S. G. Valier, [SEAL.]*

*Ka-she-cah, his x mark, [SEAL.]*

Quapaws./

*Baptiste Peoria, his x mark, [SEAL.]*

*John Mitchell, his x mark, [SEAL.]*

*Edward Black, [SEAL.]*

Peorias, &c.

*Thomas Metosenyah, his x mark, [SEAL.]*

*Thos. F. Richardville, [SEAL.]*

Miamies.

*John Wilson, his x mark, [SEAL.]*

*J. T. Jones, [SEAL.]*

Ottawas.

*Tauromee, his x mark, [SEAL.]*

*John Karaho, his x mark, [SEAL.]*

Wyandottes.

In presence of—

*Frank Valle, his x mark,*

United States Interpreter for Osage River Agency.

*John B. Roubideau, his x mark,*

United States Interpreter for Miamis.

*Wm. Hurr, Interpreter for Ottawas.*

*Geo. Wright, Interpreter for Wyandottes.*

*Abelard Guthrie.*

*George B. Jonas.*

*Thos. E. McGraw.*

*Lewis S. Hayden.*

*Charles Sims.*

*R. McBratney.*

Witnesses to signature of Lewis Davis:

*G. L. Young.*

*G. C. Snow, United States Indian Agent.*

*A.—Schedule showing the several items embraced in the sum agreed to be paid to the Wyandottes by the thirteenth article of the foregoing treaty.*

1.	Annuity due under the 6th article of the treaty of January 31, 1855	\$8, 750.00
2.	Amount discounted on \$53,594.53 in State bonds on the 13th of May, 1859	15, 187.03
3.	Interest on the above \$15,787.03 [\$15,187.03] from May 13th, 1859, to February, 1 at 5 per cent	6, 150.87
4.	Amount discounted on \$53,000 in State bonds, March 24, 1860	11, 130.00
5.	Interest on the above \$11,130 from March 24, 1860, to February 24, 1867	4, 618.95
6.	Moneys heretofore appropriated in fulfilment of treaty stipulations, but transferred to the surplus fund	3, 635.05
7.	Amount for depredations on Wyandotte property, claim approved by Secretary of the Interior, March 21st, 1862	<u>34,</u> <u>342.50</u>
Total amount		\$83, 814.40

The above-named total sum is designed to represent the full claim of the Wyandottes against the United States under former treaties.

The 1st, 2d, and 4th items, together with another named in the 14th article of the foregoing treaty, were examined and approved by the House Committee on Indian Affairs, and their payment recommended.—(See Congressional Globe, page 1037, part 2d, 2d session of 38th Congress.)

The 3d and 5th items constitute the interest on the moneys discounted on the bonds mentioned in items 2 and 4. Although the committee did not recommend the payment of this interest, they acknowledged its justice, but said that its allowance would possibly endanger the passage of the appropriation, as the general feeling was averse to paying interest on claims.

The 7th item embraces several small amounts for schools, blacksmith, &c., which were due and appropriated at the date of the treaty, but not paid, and were afterwards transferred to the surplus fund.

The 8th item is for depredations on Wyandotte property during the Kansas troubles and the entire emigration to California. It was examined and approved by the Secretary of the Interior, March 21, 1862.

*B.—Names of settlers, Nos. of land and price thereof, together with the amount deposited by each settler on the ten-section reserve, in Miami County, Kansas.*

Names.	Quarter.	Section.	Township.	Range.	Number of acres.	Price per acre.	Sum deposited.	Total.
Andrew J. Sinclair	E. ½	23	16	24	320	\$4 00	\$426 66	\$1,280 00
Zacheus Hays	NW. and E. ½. SW. and SE. of NW.	26	16	—	160	4 75		
		22	—	—	120	4 50	433 00	1,300 00
Randolph Boyd	NE	26	—	—	160	4 75	253 33	760 00
John Nichols and William Gray.	W. ½ SE	—	—	—	80	3 75	100 00	300 00
John Martin	SE	19	—	25	160	5 25		
Same	S. ½ SE	18	—	—	80	5 00	500 00	1,240 00
David H.	SW	19	—	—	160	5 00	267 00	800 00

Banta								00
Reuben Fellows	SW	27	—	24	160	4 00	214 00	640 00
J. T. Pifer	NW	—	—	—	160	3 50	186 00	560 00
Leroy W. Martin	NE	19	—	25	160	5 25	200 00	840 00
Charles Converse	E. ½ NW. and W. ½ and NE. ¼ of NE.	30	—	—	200	4 25	850 00	
Benjamin Wingrove	SE	31	—	—	160	4 25	226 66	840 00
Same	SW. of SE	30	—	—	40	4 00		
Samuel McKinney	SW	31	—	—	160	4 00	213 33	640 00
Squire James Waller	NE	6	17	—	160	3 30	165 00	528 00
George A. Whitaker	E. ½	27	16	24	320	4 50	480 00	1, 440 00
William Smith	E. ½ SE. and SE. of NE.	28	—	—	120	4 00	—	480 00
Edward Morgan	N. ½ and SW. ¼ of NW., and NW. ¼ of SW.	6	17	25	160	4 00	215 00	640 00
Albert Benndorf	S. ½ NE	22	16	24	80	3 50	95 00	280 00
Charles Martin	NW., S. ½, and NW. ¼ of SW.	†	16	25	280	3 50	3 50	980 00
Francis Hastings	Half	23	—	24	320	4 00	426 66	1, 280

and William Morgan, jr.									00
Joel O. Loveridge, Geo. W. Loveridge, Alfred Loveridge, jointly.	E. ½ and SW. ¼ of SW.	‡	—	—	760	4 00	1, 013 33		3, 040 00
Isaac Shaw	NE	1	17	24	160	5 00	250 00		800 00
Jacob Sims	SE	13	16	24	160	3 50	—		560 00
Zacheus Hays	SW	26	16	24	160	3 50	—		560 00
Town tract*	N. ½	31	—	25	320	4 00	—		1,280 00
Ambrose Shields	NE	34	16	24	160	3 50	—		560 00
Anthony Cott	SE	22	16	24	160	3 00	—		480 00
Edward Dagenett	—	—	17	25	80	4 00	—		320 00
Total	—	—	—	—	5, 680	—	5, 664 97		2, 278 00

\*This tract to be conveyed to David Perry and Chas. Sims, on payment of said one thousand two hundred and eighty dollars by June first.

†19 and 18.

‡24 and 13.

The three last-named are half-breed Indians, who will become citizens. Said Shields has 5 children, said Cott 3, and Dagenette 2. William Smith, the settler aforesaid, has a half-breed wife and 2 children. He takes said 120 acres in full of the interest of his family in net proceeds of the reserve, and is to pay one hundred and sixty dollars (\$160) besides.

Said Shields, Cott, and Dagenett take their respective tracts at the price stated, in lieu of a like sum of the shares of themselves and families in the net proceeds of the reserve: *Provided*, That, should the share of either family in the net proceeds of the reserves be less than the price agreed for the land taken by the head of such family, then the deficit to be paid in money as by other settlers.

The title in each of the four cases last mentioned to be made jointly to the

various members of the family by name, whose shares in said proceeds pay for same.

Joshua Clayton takes SE.  $\frac{1}{4}$  section 36, township 16, range 24, 160 acres, at \$4 per acre, and deposits \$213; total payment, \$640.00.

Knoles Shaw, W.  $\frac{1}{2}$  of SE.  $\frac{1}{4}$  section 6, town[ship] 17, range 25, 80 acres; has deposited \$94; total payment, \$280.00.

Thos. Morgan and John W. Majors take E.  $\frac{1}{2}$  of said quarter, at \$ 3 per acre; deposited, \$9; total, \$240.00.

There *is* [are] 80 acres untaken, for which a purchaser will be named by the chiefs before 1st June next.

Total land disposed of, 6,000 acres.

Total money deposited, \$5,970.00.

Total amount at prices agreed, 23,438.00.

The above lands to be patented to the persons aforesaid, or their representatives, on prompt payment of the price agreed, by 1st June, 1867:

*Provided*, That if any settler refuse or neglect to pay as aforesaid, then the tract of land by him claimed to be sold under sealed bids.