

Treaties with the Winnebago

TREATY WITH THE WINNEBAGO, 1816.

June 3, 1816. | 7 Stat., 144. | Proclamation, Dec. 30, 1816.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 130-131

Margin Notes:

Injuries, etc., forgiven.
 Former cessions, treaties, etc., confirmed.
 Protection of United States acknowledged.
 Indians to remain distinct from the rest of their tribe.
 Prisoners to be delivered up.

A treaty of peace and friendship made and concluded between William Clark, Ninian Edwards, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of the said states, of the one part, and the undersigned chiefs and warriors of that portion of the Winnebago tribe or nation residing on the Ouisconsin river, of the other part.

Whereas the undersigned chiefs and warriors, as well as that portion of the nation which they represent, have separated themselves from the rest of their nation, and reside in a village on the Ouisconsin river, and are desirous of returning to a state of friendly relations with the United States, the parties hereto have agreed to the following articles.

ART. 1.

Every injury or act of hostility, committed by one or either of the contracting parties against the other, shall be mutually forgiven and forgot; and all the friendly relations that existed between them before the late war, shall be, and the same are hereby, renewed.

ART. 2.

The undersigned chiefs and warriors, for themselves and those they represent, do by these presents, confirm to the United States all and every cession of land heretofore made by their nation to the British, French, or Spanish government, within the limits of the United States, or their territories; and also, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said tribe or nation, as far as their interest in the same extends.

ART. 3.

The undersigned chiefs and warriors as aforesaid, for themselves and those they represent, do hereby acknowledge themselves to be under the protection of the United States, and of no other nation, power, or sovereign, whatsoever.

ART. 4.

The aforesaid chiefs and warriors, for themselves and those they represent, do further promise to remain distinct and separate from the rest of their tribe or nation, giving them no aid or assistance whatever, until peace shall also be concluded between the United States and the said tribe or nation.

ART. 5.

The contracting parties do hereby agree, promise, and oblige themselves, reciprocally, to deliver up all prisoners now in their hands (by what means soever the same may have come into their possession) to the officer commanding at Prairie du Chien, to be by him restored to the respective parties hereto, as soon as it may be practicable.

In witness whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names, and affixed their seals, this third day of June, in the year of our Lord one thousand eight hundred and sixteen, and of the independence of the United States, the fortieth.

William Clark, [L. S.]

Ninian Edwards, [L. S.]

Aug. Chouteau, [L. S.]

Choukeka, or Dekare, the Spoon, his x mark, [L. S.]

Onunaka, or Karamanu, his x mark, [L. S.]

Achahouska, the White Sky, his x mark, [L. S.]

Chenapinka, the Good House, his x mark, [L. S.]

Makamka, the Earth, his x mark, [L. S.]

[*131]

Wechoka, the Green Feather, his x mark, [L. S.]

Shoukpar, the Dog, his x mark, [L. S.]

Nekousaa, the Main Channel, his x mark, [L. S.]

Wapanoneker, the Bear, his mark, [L. S.]

Opwarchickwaka, the Rain, his x mark, [L. S.]

Chepurganika, the little Buffalo Head, his x mark, [L. S.]

Done at St. Louis, in the presence of—

R. Wash, secretary to the commission,

R. Paul, C. T. of the C.

Wm. O. Allen, captain U. S. Corps of Artillery,

N. Boilvin, agent,

Thomas Forsyth, Indian agent,

Maurice Blondeaux, Indian agent,

Henry Delorier, interpreter,

Pierre Lapointe, interpreter,

Baptiste Pereault, interpreter,

Samuel Solomon, interpreter,
Jacques Mette, interpreter.

TREATY WITH THE WINNEBAGO, 1829.

Aug. 1, 1829. | 7 Stat., 323. | **Proclamation, Jan. 2, 1830.**

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 300-303

Margin Notes:

Certain lands ceded to United States.
Consideration therefor.
United States to provide three blacksmiths' shops, etc.
United States agree to pay certain claims against Winnebagoes.
United States to grant certain lands to descendants of Indians.
Annuity of \$50 to Therese Gagnier.
Treaty binding when ratified.

Articles of a treaty made and concluded at the Village of Prairie du Chien, Michigan Territory, on this first day of August, in the year one thousand eight hundred and twenty-nine, between the United States of America, by their Commissioner, General John M'Neil, Colonel Pierre Menard, and Caleb Atwater, Esq., for and on behalf of said States, of the one part, and the Nation of Winnebaygo Indians of the other part.

ARTICLE I.

THE said Winnebaygo nation hereby, forever, cede and relinquish to the said United States, all their right, title, and claim, to the lands and country contained within the following limits and boundaries, to wit: beginning on Rock River, at the mouth of the *Pee-kee-tau-no* or *Pee-kee-tol-a-ka*, a branch thereof; thence, up the *Pee-kee-tol-a-ka*, to the mouth of Sugar Creek; thence, up the said creek, to the source of the Eastern branch thereof; thence, by a line running due North, to the road leading from the Eastern blue mound, by the most Northern of the four lakes, to the portage of the Wisconsin and Fox rivers; thence, along the said road, to the crossing of Duck Creek; thence, by a line running in a direct course to the most Southeasterly bend of Lake Puck-away, on Fox River; thence, up said Lake and Fox River, to the Portage of the Wisconsin; thence, across said portage, to the Wisconsin river; thence, down said river, to the Eastern line of the United States' reservation at the mouth of said river, on the south side thereof, as described in the second article of the treaty made at St. Louis, on the twenty-fourth day of August, in the year eighteen hundred and sixteen, with the Chippewas, Ottawas, and Potawatamies;

[*301]

thence, with the lines of a tract of country on the Mississippi river, (secured to the Chippewas, Ottawas, and Potawatamies, of the Illinois, by the ninth article of the treaty made at Prairie du Chien, on the nineteenth day of August, in the year eighteen hundred and twenty-five,) running Southwardly, passing the heads of the small streams emptying into the Mississippi to the Rock river, at the Winnebago village, forty miles above its mouth; thence, up Rock river, to the mouth of the *Pee-kee-tol-a-ka* river, the place of beginning.

ARTICLE II.

In consideration of the above cession, it is hereby stipulated, that the said United States shall pay to the said Winnebago nation of Indians the sum of eighteen thousand dollars in specie, annually, for the period of thirty years; which said sum is to be paid to said Indians at Prairie du Chien and Fort Winnebago, in proportion to the numbers residing within the most convenient distance of each place, respectively; and it is also agreed, that the said United States shall deliver immediately to said Indians, as a present, thirty thousand dollars in goods; and it is further agreed, that three thousand pounds of tobacco, and fifty barrels of salt, shall be annually delivered to the said Indians by the United States, for the period of thirty years; half of which articles shall be delivered at the Agency at Prairie du Chien, and the other half at the Agency of Fort Winnebago.

ARTICLE III.

And it is further agreed between the parties, that the said United States shall provide and support three blacksmiths' shops, with the necessary tools, iron, and steel, for the use of the said Indians, for the term of thirty years; one at Prairie du Chien, one at Fort Winnebago, and one on the waters of Rock river; and furthermore, the said United States engage to furnish, for the use of the said Indians, two yoke of oxen, one cart, and the services of a man at the portage of the Wisconsin and Fox rivers, to continue at the pleasure of the Agent at that place, the term not to exceed thirty years.

ARTICLE IV.

The United States (at the request of the Indians aforesaid) further agree to pay to the persons named in the schedule annexed to this treaty, (and which forms part and parcel thereof,) the several sums as therein specified, amounting, in all, to the sum of twenty-three thousand five hundred and thirty-two dollars and twenty-eight cents; which sum is in full satisfaction of the claims brought by said persons against said Indians, and by them acknowledged to be justly due.

ARTICLE V.

And it is further agreed, that, from the land hereinbefore ceded, there shall be granted by the United States to the persons herein named, (being descendants of said Indians,) the quantity of land as follows, to be located without the

mineral country, under the direction of the President of the United States, that is to say: to Catherine Myott, two sections; to Mary, daughter of Catharine Myott, one section; to Michael St. Cyr, son of *Hee-no-kau*, (a Winnebago woman,) one section; to Mary, Ellen, and Brigitte, daughters of said *Hee-no-kau*, each one section; to Catherine and Olivier, children of Olivier Amelle, each one section; to Francois, Therese, and Joseph, children of Joseph Thibault, each one section; to Sophia, daughter of Joshua

[*302]

Palen, one section; to Pierre Pacquette, two sections; and to his two children, Therese and Moses, each one section; to Pierre Grignon L'Avoine, Amable, Margaret, Genevieve, and Mariette, children of said Pierre, each one section; to *Mauh-nah-tee-see*, (a Winnebago woman,) one section; and to her eight children, viz: Therese, Benjamin, James, Simeon, and Phelise Leciiyer, Julia and Antoine Grignon, and Alexis Peyet, each one section; to John Baptiste Pascal, Margaret, Angelique, Domitille, Therese, and Lisette, children of the late John Baptiste Pacquette, each one section; to Madeline Brisbois, daughter of the late Michel Brisbois, Jr. one section; to Therese Cagnier and her two children, Francois and Louise, two sections; to Mary, daughter of Luther Gleason, one section; and to Theodore Lupien, one section; all which aforesaid grants are not to be leased or sold by said grantees to any person or persons whatever, without the permission of the President of the United States; and it is further agreed, that the said United States shall pay to Therese Gagnier the sum of fifty dollars per annum, for fifteen years, to be deducted from the annuity to said Indians.

ARTICLE VI. [Not ratified by Senate.]

ARTICLE VII.

This Treaty, after the same shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, shall be obligatory on the contracting parties.

In testimony whereof, the said John McNiel, Pierre Menard, and Caleb Atwater, commissioners as aforesaid, and the chiefs and warriors of the said Winnebago nation of Indians, have hereunto set their hands and seals, at the time and place first herein above written.

John McNiel, [L. S.]

Pierre Menard, [L. S.]

Caleb Atwater, [L. S.]

Commissioners,

Hay-ray-tshon-sarp, black hawk, his x mark, [L. S.]

Tshay-o-skaw-tsho-kaw, who plays with the ox, his x mark, [L. S.]

Woank-shik-rootsh-kay, man eater, his x mark, [L. S.]

Kau-rah-kaw-see-kan, crow killer, his x mark, [L. S.]

Maunk-shaw-ka, white breast, his x mark, [L. S.]

Hah-pau-koo-see-kaw, his x mark, [L. S.]

Maun-kaw-kaw, earth, his x mark, [L. S.]

Ah-sheesh-kaw, broken arm, his x mark, [L. S.]

Waw-kaun-kaw, rattle snake, his x mark, [L. S.]

Chey-skaw-kaw, white ox, his x mark, [L. S.]
 Nautch-kay-suck, the quick heart, his x mark, [L. S.]
 Wau-kaun-tshaw-way-kee-wen-kaw, whirling thunder, his x mark, [L. S.]
 Thoap - nuzh - ee - kaw, four who stand, his x mark, [L. S.]
 Hay - nah - ah - ratsh - kay, left handed, his x mark, [L. S.]
 Woan-know-hoap-ee-ne-kaw, big medicine man, his x mark, [L. S.]
 Pey-tshun-kaw, the crane, his x mark, [L. S.]
 Jarot, or Jarrot, his x mark, [L. S.]
 Thay-hoo-kau-kaw, his x mark, [L. S.]
 Koy-se-ray-kaw, his x mark, [L. S.]
 Nau-kaw-kary-maunie, wood, his x mark, [L. S.]
 Hee - tshah - wau - shaip - soots - kau, red war eagle, his x mark, [L. S.]
 Hee - tsha - wau - sharp - skaw - kau, white war eagle, his x mark, [L. S.]
 Tshu-o-nuzh-ee-kau, he who stands in the house, his x mark, [L. S.]
 Wau-kaun-hah-kaw, snake skin, his x mark, [L. S.]
 Hoo-wau-noo-kaw, little elk, his x mark, [L. S.]
 Shoank - tshunk - saip - kau, black wolf, his x mark, [L. S.]
 Kay-rah-tsho-kau, clear sky, his x mark, [L. S.]
 Hee-tshaum-wau-kaw, wild cat, his x mark, [L. S.]
 Hoo-tshoap-kau, four legs, Jr., his x mark, [L. S.]
 Maunk-kay-ray-kau, crooked tail, his x mark, [L. S.]
 Wau-kaum-kaw, rattle snake, his x mark, [L. S.]
 Wau-tshee-roo-kun-o-kau, master of the lodge, his x mark, [L. S.]
 Menne-kam, the bear who scratches, his x mark, [L. S.]
 Waun-kaun-tshaw-zee-kau, yellow thunder, his x mark, [L. S.]
 Kay-ray-mau-nee, walking turtle, his x mark, [L. S.]
 Kaisn-kee-pay-kau, his x mark, [L. S.]
 Ni-si-wau-roosh-kun, the bear, his x mark, [L. S.]
 Kau-kau-saw-kaw, his x mark, [L. S.]

[*303]

Maun-tsha-nig-ee-nig, little white bear, his x mark, [L. S.]
 Wau-kaun-tsha-nee-kau, deaf thunder, his x mark, [L. S.]
 Chah-wau-saip-kau, black eagle, his x mark, [L. S.]
 Saun-tshah-mau-nee, his x mark, [L. S.]
 Maunee-hat-a-kau, big walker, his x mark, [L. S.]
 Kaish-kee-pay-kau, his x mark, [L. S.]

In presence of—

Charles S. Hempstead, secretary to the commission,
 Joseph M. Street, Indian agent,
 Thomas Forsyth, Indian agent,
 Alex. Wolcott, Indian agent,
 John H. Kenzie, subagent Indian affairs,
 Z. Taylor, lieutenant-colonel, U. S. Army,
 H. Dodge,
 A. Hill,
 Henry Gratiot,
 Wm. Beaumont, surgeon, U. S. Army,
 G. W. Garey,
 Richard Gentry,
 James Turner,

Richard H. Bell,
 John W. Johnson,
 Wm. M. Read,
 G. H. Kennerly,
 R. Holmes, U. S. Army,
 John Dallam,
 J. R. B. Gardenier, lieutenant, U. S. Infantry,
 Charles Chouteau,
 John Messersmith,
 John L. Chastain,
 Wm. D. Smith,
 Charles K. Henshaw,
 James B. Estis,
 Jesse Benton, Jr.,
 Jacob Hambleton,
 John Quail,
 John Garland,
 Henry Crossle,
 J. L. Bogardus,
 B. B. Kercheval,
 Luther Gleason,
 Pierre Paquet, his x mark, Winnebago interpreter,
 J. Palen,
 Jacques Mette,
 Antoine Le Claire,
 Joge,
 M. Brisbois.

TREATY WITH THE WINNEBAGO, 1832.

Sept. 15, 1832. | 7 Stat., 370. | Proclamation, Feb. 13, 1833.

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Vol. II, Pages 345-348

Margin Notes:

Cession to the United States.
 Cession by the United States.
 Annuity for 27 years.
 School to be established and supported by the United States.
 Proviso.
 Annual allowance for 27 years.
 Blacksmith's shop.
 Rations of bread, etc.
 Payment to be made by United States to certain individuals.
 Individuals to be delivered up to United States.
 Lands to be granted by United States.

Winnebagoes not to hunt, etc., in country ceded.
Treaty binding when ratified.

Articles of a treaty made and concluded, at Fort Armstrong, Rock Island, Illinois, between the United States of America, by their Commissioners, Major General Winfield Scott of the United States' Army, and his Excellency John Reynolds, Governor of the State of Illinois, and the Winnebago nation of Indians, represented in general Council by the undersigned Chiefs, Headmen, and Warriors.

ARTICLE I.

The Winnebago nation hereby cede to the United States, forever, all the lands, to which said nation have title or claim, lying to the south and east of the Wisconsin river, and the Fox river of Green Bay; bounded as follows, viz: beginning at the mouth of the Pee-keetol a-ka river; thence up Rock river to its source; thence, with a line dividing the Winnebago nation from other Indians east of the Winnebago lake, to the Grande Chôte; thence, up Fox river to the Winnebago lake, and with the northwestern shore of said lake, to the inlet of Fox river; thence, up said river to lake Puckaway, and with the eastern

[*346]

shore of the same to its most southeasterly bend; thence with the line of a purchase made of the Winnebago nation, by the treaty at Prairie du Chêne, the first day of August, one thousand eight hundred and twenty-nine, to the place of beginning.

ARTICLE II.

In part consideration of the above cession, it is hereby stipulated and agreed, that the United States grant to the Winnebago nation, to be held as other Indian lands are held, that part of the tract of country on the west side of the Mississippi, known, at present, as the Neutral ground, embraced within the following limits, viz: beginning on the west bank of the Mississippi river, twenty miles above the mouth of the upper Ioway river, where the line of the lands purchased of the Sioux Indians, as described in the third article of the treaty of Prairie du Chien, of the fifteenth day of July, one thousand eight hundred and thirty, begins; thence, with said line, as surveyed and marked, to the eastern branch of the Red Cedar creek, thence, down said creek, forty miles, in a straight line, but following its windings, to the line of a purchase, made of the Sac and Fox tribes of Indians, as designated in the second article of the before recited treaty; and thence along the southern line of said last mentioned purchase, to the Mississippi, at the point marked by the surveyor, appointed by the President of the United States, on the margin of said river; and thence, up said river, to the place of beginning. The exchange of the two tracts of country to take place on or before the first day of June next; that is to say, on or before that day, all the Winnebagoes now residing within the country ceded by them, as above, shall leave the said country, when, and not

before, they shall be allowed to enter upon the country granted by the United States, in exchange.

ARTICLE III.

But, as the country hereby ceded by the Winnebago nation is more extensive and valuable than that given by the United States in exchange; it is further stipulated and agreed, that the United States pay to the Winnebago nation, annually, for twenty-seven successive years, the first payment to be made in September of the next year, the sum of ten thousand dollars, in specie; which sum shall be paid to the said nation at Prairie du Chien, and Fort Winnebago, in sums proportional to the numbers residing most conveniently to those places respectively.

ARTICLE IV.

It is further stipulated and agreed, that the United States shall erect a suitable building, or buildings, with a garden, and a field attached, somewhere near Fort Crawford, or Prairie du Chien, and establish and maintain therein, for the term of twenty-seven years, a school for the education, including clothing, board, and lodging, of such Winnebago children as may be voluntarily sent to it: the school to be conducted by two or more teachers, male and female, and the said children to be taught reading, writing, arithmetic, gardening, agriculture, carding, spinning, weaving, and sewing, according to their ages and sexes, and such other branches of useful knowledge as the President of the United States may prescribe: *Provided*, That the annual cost of the school shall not exceed the sum of three thousand dollars. And, in order that the said school may be productive of the greatest benefit to the Winnebago nation, it is hereby subjected to the visits and inspections of his Excellency the Gouverneur of the State of Illinois for the time being; the United States' General Superintendents of Indian affairs; of the United States' agents who may be appointed to reside among the Winnebago Indians, and of any officer of the United States' Army, who may be of, or above the rank of Major: *Provided*, That the commanding officer of Fort Crawford shall make such visits and inspections frequently, although of an inferior rank.

ARTICLE V.

And the United States further agree to make to the said nation of Winnebago Indians the following allowances, for the period of twenty-seven years, in addition to the considerations herein before

[*347]

stipulated; that is to say: for the support of six agriculturists, and the purchase of twelve yokes of oxen, ploughs, and other agricultural implements, a sum not exceeding two thousand five hundred dollars per annum; to the Rock river band of Winnebagoes, one thousand five hundred pounds of tobacco, per annum; for the services and attendance of a physician at Prairie du Chien, and of one at Fort Winnebago, each, two hundred dollars, per annum.

ARTICLE VI.

It is further agreed that the United States remove and maintain, within the limits prescribed in this treaty, for the occupation of the Winnebagoes, the blacksmith's shop, with the necessary tools, iron, and steel, heretofore allowed to the Winnebagoes, on the waters of the Rock river, by the third article of the treaty made with the Winnebago nation, at Prairie du Chien, on the first day of August, one thousand eight hundred and twenty-nine.

ARTICLE VII.

And it is further stipulated and agreed by the United States, that there shall be allowed and issued to the Winnebagoes, required by the terms of this treaty to remove within their new limits, soldiers' rations of bread and meat, for thirty days: *Provided*, That the whole number of such rations shall not exceed sixty thousand.

ARTICLE VIII.

The United States, at the request of the Winnebago nation of Indians, aforesaid, further agree to pay, to the following named persons, the sums set opposite their names respectively, viz:

To Joseph Ogee, two hundred and two dollars and fifty cents,

To William Wallace, four hundred dollars, and

To John Dougherty, four hundred and eighty dollars; amounting, in all, to one thousand and eighty-two dollars and fifty cents, which sum is in full satisfaction of the claims brought by said persons against said Indians, and by them acknowledged to be justly due.

ARTICLE IX.

On demand of the United States' Commissioners, it is expressly stipulated and agreed, that the Winnebago nation shall promptly seize and deliver up to the commanding officer of some United States' military post, to be dealt with according to law, the following individual Winnebagoes, viz: Koo-zee-ray-Kaw, Moy-che-nun-Kaw, Tshik-o-ke-maw-kaw, Ah-hun-see-kaw, and Waw-zee-ree-kay-hee-wee-kaw, who are accused of murdering, or of being concerned in the murdering of certain American citizens, at or near the Blue mound, in the territory of Michigan; Nau-saw-nay-he-kaw, and Toag-ra-naw-koo-ray-see-ray-kaw; who are accused of murdering, or of being concerned in murdering, one or more American citizens, at or near Killogg's Grove, in the State of Illinois; and also Waw-kee-aun-shaw and his son, who wounded, in attempting to kill, an American soldier, at or near Lake Kosh-ke-nong, in the said territory; all of which offences were committed in the course of the past spring and summer. And till these several stipulations are faithfully complied with by the Winnebago nation, it is further agreed that the payment of the annuity of ten thousand dollars, secured by this treaty, shall be suspended.

ARTICLE X.

At the special request of the Winnebago nation, the United States agree to grant, by patent, in fee simple, to the following named persons, all of whom are Winnebagoes by blood, lands as follows: To Pierre Paquette, three sections; to Pierre Paquette, junior, one section; to Therese Paquette one section; and to Caroline Harney, one section. The lands to be designated under the direction of the President of the United States, within the country herein ceded by the Winnebago nation.

ARTICLE XI.

In order to prevent misapprehensions that might disturb peace and friendship between the parties to this treaty, it is expressly understood that no band or party of Winnebagoes shall reside, plant, fish, or hunt after the first day of June next, on any portion of the country herein ceded to the United States.

[*348]

ARTICLE XII.

This treaty shall be obligatory on the contracting parties, after it shall be ratified by the President and Senate of the United States.
Done at Fort Armstrong, Rock Island, Illinois, this fifteenth day of September, one thousand eight hundred and thirty-two.

Winfield Scott,
John Reynolds.

Prairie du Chien deputation:

Tshee-o-nuzh-ee-kaw, war chief, (Kar-ray-mau-nee,) his x mark,
Wau-kaun-hah-kaw, or snake skin, (Day-kan-ray,) his x mark,
Khay-rah-tshoan-saip-kaw, or black hawk, his x mark,
Wau-kaun-kaw, or snake, his x mark,
Sau-sau-mau-nee-kaw, or he who walks naked, his x mark,
Hoantsh-skaw-skaw, or white bear, his x mark,
Hoo-tshoap-kaw, or four legs, his x mark,
Mau-hee-her-kar-rah, or flying cloud, son of dog head, his x mark,
Tshah-shee-rah-wau-kaw, or he who takes the leg of a deer in his mouth, his x mark.
Mau-kee-wuk-kaw, or cloudy, his x mark,
Ho-rah-paw-kaw, or eagle head, his x mark,
Pash-kay-ray-kaw, or fire holder, his x mark,
Eezhook-hat-tay-kaw, or big gun, his x mark,
Mau-wau-ruck, or the muddy, his x mark,
Mau-shoatsh-kaw, or blue earth, his x mark,
Wee-tshah-un-kuk, or forked tail, his x mark,
Ko-ro-ko-ro-hee-kaw, or bell, his x mark,
Haun-heigh-kee-paw-kaw, or the night that meets, his x mark.

Fort Winnebago deputation:

Hee-tshah-wau-saip-skaw-skaw, or white war eagle, De-kaw-ray, sr., his x mark,
Hoo-wau-nee-kaw, or little elk, (orator,) one of the Kay-ra-men-nees, his x

mark,

Wau-kaun-tshah-hay-ree-kaw, or roaring thunder, four legs nephew, his x mark,

Mau-nah-pey-kaw, or soldier, (black wolf's son,) his x mark,

Wau-kaun-tshah-ween-kaw, or whirling thunder, his x mark,

Wau-nee-ho-no-nik, or little walker, son of firebrand, his x mark,

To-shun-uk-ho-no-nik, or little otter, son of sweet corn, his x mark,

Tshah-tshun-hat-tay-kaw, or big wave, son of clear sky, his x mark.

Rock River deputation:

Kau-ree-kaw-see-kaw, white crow, (the blind,) his x mark,

Wau-kaun-ween-kaw, or whirling thunder, his x mark,

Mo-rah-tshay-kaw, or little priest, his x mark,

Mau-nah-pey-kaw, or soldier, his x mark,

Ho-rah-hoank-kaw, or war eagle, his x mark,

Nautsh-kay-peen-kaw, or good heart, his x mark,

Keesh-koo-kaw, his x mark,

Wee-tshun-kaw, or goose, his x mark,

Wau-kaun-nig-ee-nik, or little snake, his x mark,

Hoo-way-skaw, or white elk, his x mark,

Hay-noamp-kaw, or two horns, his x mark,

Hauk-kay-kaw, or screamer, his x mark,

Ee-nee-wonk-shik-kaw, or stone man, his x mark.

Signed in presence of—

R. Bache, captain ordnance, secretary to the commission,

John H. Kinzie, subagent Indian affairs,

Abrm. Eustis,

H. Dodge, major U. S. Rangers,

Alexr. R. Thompson, major U. S. Army,

William S. Harney, captain First Infantry,

E. Kirby, paymaster U. S. Army,

Albion T. Crow,

J. R. Smith, first lieutenant Second Infantry,

H. Day, lieutenant Second Infantry,

William Maynadier, lieutenant and A. D. C.

P. G. Hambaugh,

S. Burbank, lieutenant First Infantry,

John Marsh,

Pierre Paquette, interpreter, his x mark,

P. H. Galt, assistant adjutant-general,

S. W. Wilson,

Benj. F. Pike,

J. B. F. Russell, captain Fifth Infantry,

S. Johnson, captain Second Infantry,

John Clitz, adjutant Second Infantry,

Jno. Pickell, lieutenant Fourth Artillery,

A. Drane, assistant quartermaster U. S. A.,

J. H. Prentiss, lieutenant First Artillery,

E. Rose, lieutenant Third Artillery,
L. J. Beall, lieutenant First Infantry,
Antoine Le Claire.

TREATY WITH THE WINNEBAGO, 1832.

Sept. 15, 1832. | 7 Stat., 370. | Proclamation, Feb. 13, 1833.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 345-348

Margin Notes:

Cession to the United States.
Cession by the United States.
Annuity for 27 years.
School to be established and supported by the United States.
Proviso.
Annual allowance for 27 years.
Blacksmith's shop.
Rations of bread, etc.
Payment to be made by United States to certain individuals.
Individuals to be delivered up to United States.
Lands to be granted by United States.
Winnebagoes not to hunt, etc., in country ceded.
Treaty binding when ratified.

Articles of a treaty made and concluded, at Fort Armstrong, Rock Island, Illinois, between the United States of America, by their Commissioners, Major General Winfield Scott of the United States' Army, and his Excellency John Reynolds, Governor of the State of Illinois, and the Winnebago nation of Indians, represented in general Council by the undersigned Chiefs, Headmen, and Warriors.

ARTICLE I.

The Winnebago nation hereby cede to the United States, forever, all the lands, to which said nation have title or claim, lying to the south and east of the Wisconsin river, and the Fox river of Green Bay; bounded as follows, viz: beginning at the mouth of the Pee-keetol a-ka river; thence up Rock river to its source; thence, with a line dividing the Winnebago nation from other Indians east of the Winnebago lake, to the Grande Chûte; thence, up Fox river to the Winnebago lake, and with the northwestern shore of said lake, to the inlet of Fox river; thence, up said river to lake Puckaway, and with the eastern

[*346]

shore of the same to its most southeasterly bend; thence with the line of a purchase made of the Winnebago nation, by the treaty at Prairie du Chêne, the first day of August, one thousand eight hundred and twenty-nine, to the place of beginning.

ARTICLE II.

In part consideration of the above cession, it is hereby stipulated and agreed, that the United States grant to the Winnebago nation, to be held as other Indian lands are held, that part of the tract of country on the west side of the Mississippi, known, at present, as the Neutral ground, embraced within the following limits, viz: beginning on the west bank of the Mississippi river, twenty miles above the mouth of the upper Ioway river, where the line of the lands purchased of the Sioux Indians, as described in the third article of the treaty of Prairie du Chien, of the fifteenth day of July, one thousand eight hundred and thirty, begins; thence, with said line, as surveyed and marked, to the eastern branch of the Red Cedar creek, thence, down said creek, forty miles, in a straight line, but following its windings, to the line of a purchase, made of the Sac and Fox tribes of Indians, as designated in the second article of the before recited treaty; and thence along the southern line of said last mentioned purchase, to the Mississippi, at the point marked by the surveyor, appointed by the President of the United States, on the margin of said river; and thence, up said river, to the place of beginning. The exchange of the two tracts of country to take place on or before the first day of June next; that is to say, on or before that day, all the Winnebagoes now residing within the country ceded by them, as above, shall leave the said country, when, and not before, they shall be allowed to enter upon the country granted by the United States, in exchange.

ARTICLE III.

But, as the country hereby ceded by the Winnebago nation is more extensive and valuable than that given by the United States in exchange; it is further stipulated and agreed, that the United States pay to the Winnebago nation, annually, for twenty-seven successive years, the first payment to be made in September of the next year, the sum of ten thousand dollars, in specie; which sum shall be paid to the said nation at Prairie du Chien, and Fort Winnebago, in sums proportional to the numbers residing most conveniently to those places respectively.

ARTICLE IV.

It is further stipulated and agreed, that the United States shall erect a suitable building, or buildings, with a garden, and a field attached, somewhere near Fort Crawford, or Prairie du Chien, and establish and maintain therein, for the term of twenty-seven years, a school for the education, including clothing, board, and lodging, of such Winnebago children as may be voluntarily sent to it: the school to be conducted by two or more teachers, male and female, and the said children to be taught reading, writing, arithmetic, gardening, agriculture, carding, spinning, weaving, and sewing, according to their ages and sexes, and such other branches of useful knowledge as the President of the United States may prescribe: *Provided*, That the annual cost of the school shall not exceed the sum of three thousand dollars. And, in order that the said school may be productive of the greatest benefit to the Winnebago nation, it is hereby subjected to the visits and inspections of his Excellency the

Gouvernor of the State of Illinois for the time being; the United States' General Superintendents of Indian affairs; of the United States' agents who may be appointed to reside among the Winnebago Indians, and of any officer of the United States' Army, who may be of, or above the rank of Major: *Provided*, That the commanding officer of Fort Crawford shall make such visits and inspections frequently, although of an inferior rank.

ARTICLE V.

And the United States further agree to make to the said nation of Winnebago Indians the following allowances, for the period of twenty-seven years, in addition to the considerations herein before

[*347]

stipulated; that is to say: for the support of six agriculturists, and the purchase of twelve yokes of oxen, ploughs, and other agricultural implements, a sum not exceeding two thousand five hundred dollars per annum; to the Rock river band of Winnebagoes, one thousand five hundred pounds of tobacco, per annum; for the services and attendance of a physician at Prairie du Chien, and of one at Fort Winnebago, each, two hundred dollars, per annum.

ARTICLE VI.

It is further agreed that the United States remove and maintain, within the limits prescribed in this treaty, for the occupation of the Winnebagoes, the blacksmith's shop, with the necessary tools, iron, and steel, heretofore allowed to the Winnebagoes, on the waters of the Rock river, by the third article of the treaty made with the Winnebago nation, at Prairie du Chien, on the first day of August, one thousand eight hundred and twenty-nine.

ARTICLE VII.

And it is further stipulated and agreed by the United States, that there shall be allowed and issued to the Winnebagoes, required by the terms of this treaty to remove within their new limits, soldiers' rations of bread and meat, for thirty days: *Provided*, That the whole number of such rations shall not exceed sixty thousand.

ARTICLE VIII.

The United States, at the request of the Winnebago nation of Indians, aforesaid, further agree to pay, to the following named persons, the sums set opposite their names respectively, viz:

To Joseph Ogee, two hundred and two dollars and fifty cents,

To William Wallace, four hundred dollars, and

To John Dougherty, four hundred and eighty dollars; amounting, in all, to one

thousand and eighty-two dollars and fifty cents, which sum is in full satisfaction of the claims brought by said persons against said Indians, and by them acknowledged to be justly due.

ARTICLE IX.

On demand of the United States' Commissioners, it is expressly stipulated and agreed, that the Winnebago nation shall promptly seize and deliver up to the commanding officer of some United States' military post, to be dealt with according to law, the following individual Winnebagoes, viz: Koo-zee-ray-Kaw, Moy-che-nun-Kaw, Tshik-o-ke-maw-kaw, Ah-hun-see-kaw, and Waw-zee-rec-kay-hee-wee-kaw, who are accused of murdering, or of being concerned in the murdering of certain American citizens, at or near the Blue mound, in the territory of Michigan; Nau-saw-nay-he-kaw, and Toag-ra-naw-koo-ray-see-ray-kaw; who are accused of murdering, or of being concerned in murdering, one or more American citizens, at or near Killogg's Grove, in the State of Illinois; and also Waw-kee-aun-shaw and his son, who wounded, in attempting to kill, an American soldier, at or near Lake Kosh-ke-nong, in the said territory; all of which offences were committed in the course of the past spring and summer. And till these several stipulations are faithfully complied with by the Winnebago nation, it is further agreed that the payment of the annuity of ten thousand dollars, secured by this treaty, shall be suspended.

ARTICLE X.

At the special request of the Winnebago nation, the United States agree to grant, by patent, in fee simple, to the following named persons, all of whom are Winnebagoes by blood, lands as follows: To Pierre Paquette, three sections; to Pierre Paquette, junior, one section; to Therese Paquette one section; and to Caroline Harney, one section. The lands to be designated under the direction of the President of the United States, within the country herein ceded by the Winnebago nation.

ARTICLE XI.

In order to prevent misapprehensions that might disturb peace and friendship between the parties to this treaty, it is expressly understood that no band or party of Winnebagoes shall reside, plant, fish, or hunt after the first day of June next, on any portion of the country herein ceded to the United States.

[*348]

ARTICLE XII.

This treaty shall be obligatory on the contracting parties, after it shall be ratified by the President and Senate of the United States.

Done at Fort Armstrong, Rock Island, Illinois, this fifteenth day of September, one thousand eight hundred and thirty-two.

Winfield Scott,
John Reynolds.

Prairie du Chien deputation:

Tshee-o-nuzh-ee-kaw, war chief, (Kar-ray-mau-nee,) his x mark,
Wau-kaun-hah-kaw, or snake skin, (Day-kan-ray,) his x mark,
Khay-rah-tshoan-saip-kaw, or black hawk, his x mark,
Wau-kaun-kaw, or snake, his x mark,
Sau-sau-mau-nee-kaw, or he who walks naked, his x mark,
Hoantsh-skaw-skaw, or white bear, his x mark,
Hoo-tshoap-kaw, or four legs, his x mark,
Mau-hee-her-kar-rah, or flying cloud, son of dog head, his x mark,
Tshah-shee-rah-wau-kaw, or he who takes the leg of a deer in his mouth, his x mark.
Mau-kee-wuk-kaw, or cloudy, his x mark,
Ho-rah-paw-kaw, or eagle head, his x mark,
Pash-kay-ray-kaw, or fire holder, his x mark,
Eezhook-hat-tay-kaw, or big gun, his x mark,
Mau-wau-ruck, or the muddy, his x mark,
Mau-shoatsh-kaw, or blue earth, his x mark,
Wee-tshah-un-kuk, or forked tail, his x mark,
Ko-ro-ko-ro-hee-kaw, or bell, his x mark,
Haun-heigh-kee-paw-kaw, or the night that meets, his x mark.

Fort Winnebago deputation:

Hee-tshah-wau-saip-skaw-skaw, or white war eagle, De-kaw-ray, sr., his x mark,
Hoo-wau-nee-kaw, or little elk, (orator,) one of the Kay-ra-men-nees, his x mark,
Wau-kaun-tshah-hay-ree-kaw, or roaring thunder, four legs nephew, his x mark,
Mau-nah-pey-kaw, or soldier, (black wolf's son,) his x mark,
Wau-kaun-tshah-ween-kaw, or whirling thunder, his x mark,
Wau-nee-ho-no-nik, or little walker, son of firebrand, his x mark,
To-shun-uk-ho-no-nik, or little otter, son of sweet corn, his x mark,
Tshah-tshun-hat-tay-kaw, or big wave, son of clear sky, his x mark.

Rock River deputation:

Kau-ree-kaw-see-kaw, white crow, (the blind,) his x mark,
Wau-kaun-ween-kaw, or whirling thunder, his x mark,
Mo-rah-tshay-kaw, or little priest, his x mark,
Mau-nah-pey-kaw, or soldier, his x mark,
Ho-rah-hoank-kaw, or war eagle, his x mark,
Nautsh-kay-peen-kaw, or good heart, his x mark,
Keesh-koo-kaw, his x mark,
Wee-tshun-kaw, or goose, his x mark,
Wau-kaun-nig-ee-nik, or little snake, his x mark,
Hoo-way-skaw, or white elk, his x mark,
Hay-noamp-kaw, or two horns, his x mark,

Hauk-kay-kaw, or screamer, his x mark,
Ee-nee-wonk-shik-kaw, or stone man, his x mark.

Signed in presence of—

R. Bache, captain ordnance, secretary to the commission,
John H. Kinzie, subagent Indian affairs,
Abrm. Eustis,
H. Dodge, major U. S. Rangers,
Alexr. R. Thompson, major U. S. Army,
William S. Harney, captain First Infantry,
E. Kirby, paymaster U. S. Army,
Albion T. Crow,
J. R. Smith, first lieutenant Second Infantry,
H. Day, lieutenant Second Infantry,
William Maynadier, lieutenant and A. D. C.
P. G. Hambaugh,
S. Burbank, lieutenant First Infantry,
John Marsh,
Pierre Paquette, interpreter, his x mark,
P. H. Galt, assistant adjutant-general,
S. W. Wilson,
Benj. F. Pike,
J. B. F. Russell, captain Fifth Infantry,
S. Johnson, captain Second Infantry,
John Clitz, adjutant Second Infantry,
Jno. Pickell, lieutenant Fourth Artillery,
A. Drane, assistant quartermaster U. S. A.,
J. H. Prentiss, lieutenant First Artillery,
E. Rose, lieutenant Third Artillery,
L. J. Beall, lieutenant First Infantry,
Antoine Le Claire.

TREATY WITH THE WINNEBAGO, 1837.

Nov. 1, 1837. | 7 Stat., 544. | Proclamation, June 15, 1838.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 498-500

Margin Notes:

Lands ceded to the United States.
Indians relinquish their right to occupy, except for hunting, certain land.
Their title not to be invalidated.
Indians to remove within eight months.
Consideration for said cession.
\$200,000 set apart to pay individuals.
Balance, how to be applied.

Provision for relations, etc., of Indians.
 Removal of Indians.
 Horses and goods.
 Provisions and horses.
 Gristmill.
 Breaking up ground, etc.
 Contingent expenses.
 Balance of proceeds to be invested.
 Disposition of the interest.
 So much of existing treaties as requires services, etc., to be null and void.
 Treaty binding when ratified.

Articles of a treaty made at the city of Washington, between Carey A. Harris, thereto specially directed by the President of the United States, and the Winnebago nation of Indians, by their chiefs and delegates.

ARTICLE 1.

THE Winnebago nation of Indians cede to the United States all their land east of the Mississippi river.

ARTICLE 2d.

The said Indians further agree to relinquish the right to occupy, except for the purpose of hunting a portion of the land held by them west of the Mississippi, included between that river and a line drawn from a point twenty miles distant therefrom on the southern boundary of the neutral ground to a point, equidistant from the said river, on the northern boundary thereof. But this stipulation shall not be so construed, as to invalidate their title to the said tract.

ARTICLE 2d.

The said Indians agree to remove within eight months from the ratification of this treaty, to that portion of the neutral ground west of the Mississippi, which was conveyed to them in the second article of the treaty of September 15th, [21st] 1832, and the United States agree that the said Indians may hunt upon the western part of said neutral ground until they shall procure a permanent settlement.

ARTICLE 4th.

In consideration of the cession and relinquishment contained in the preceding articles, the United States agree to the following stipulations on their part.

[*499]

First. To set apart the sum of two hundred thousand dollars (\$200,000) for the following purposes:

To pay to the individuals herein named the sum specified for each; To Nicholas Boilvin, six thousand dollars (\$6,000); to the other four children of Nicholas Boilvin, formerly agent for said nation, four thousand dollars (\$4,000) each; to Catherine Myott, one thousand dollars, (\$1,000); to

Hyacinthe St. Cyr one thousand dollars (\$1,000); to the widow of Henry Gratiot, late sub-agent of the nation, in trust for her eight children, ten thousand dollars (\$10,000); to H. L. Dousman, in trust for the children of Pierre Paquette, late interpreter for the nation three thousand dollars (\$3,000); to Joseph Brisbois, two thousand dollars (\$2,000); to Satterlee Clark, junior, two thousand dollars (\$2,000); to John Roy, two thousand dollars (\$2,000); to Antoine Grignon, two thousand dollars (\$2,000); to Jane F. Rolette, two thousand dollars (\$2,000); to George Fisher, one thousand dollars (\$1,000); to Therese Roy, one thousand dollars (\$1,000); to Domitille Brisbois, one thousand dollars (\$1,000). These sums are allowed, at the earnest solicitation of the chiefs and delegates, for supplies and services to the nation, afforded by these individuals.

The balance of the above sum of two hundred thousand dollars (\$200,000) shall be applied to the debts of the nation, which may be ascertained to be justly due, and which may be admitted by the Indians: *Provided*, That if all their just debts shall amount to more than this balance, their creditors shall be paid *pro rata*, upon their giving receipts in full; and if the just debts shall fall short of said balance, the residue of it shall be invested for the benefit of the nation; *And provided, also*, That no claim for depredations shall be paid out of said balance.

Second. To pay, under the direction of the President, to the relations and friends of said Indians, having not less than one quarter of Winnebago blood, one hundred thousand dollars (\$100,000).

Third. To expend, for their removal to the lands assigned them, a sum not exceeding seven thousand dollars (\$7,000).

Fourth. To deliver to the chiefs and delegates on their arrival at St. Louis, goods and horses to the amount of three thousand dollars (\$3,000); and, also, to deliver to them, as soon as practicable after the ratification of this treaty, and at the expense of the United States goods to the amount of forty-seven thousand dollars (\$47,000).

Fifth. To deliver to them provisions to the amount of ten thousand dollars, (\$10,000); and horses to the same amount.

Sixth. To apply to the erection of a grist-mill, three thousand dollars, (\$3,000).

Seventh. To expend, in breaking up and fencing in ground, after the removal of the said Indians, ten thousand dollars (\$10,000).

Eighth. To set apart the sum of ten thousand dollars (\$10,000) to defray contingent and incidental expenses in the execution of this treaty, and the expenses of an exploring party, when the said Indians shall express a willingness to send one to the country southwest of the Missouri river.

Ninth. To invest the balance of the proceeds of the lands ceded in the first article of the treaty, amounting to eleven hundred thousand dollars (1,100,000,) and to guaranty to them an interest of not less than five per cent. Of this interest amounting to fifty-five thousand dollars (\$55,000,) it is agreed the following disposition shall be made;

For purposes of education, twenty-eight hundred dollars (\$2,800).

For the support of an interpreter for the school, five hundred dollars, (\$500.)

For the support of a miller, six hundred dollars (\$600.)

[*500]

For the supply of agricultural implements and assistance, five hundred dollars, (\$500.)

For medical services and medicines, six hundred dollars (\$600.)

The foregoing sums to be expended for the objects specified, for the term of twenty-two years, and longer at the discretion of the President. If at the expiration of that period, or any time thereafter, he shall think it expedient to discontinue either or all of the above allowances, the amount so discontinued shall be paid to the said Winnebago nation. The residue of the interest, amounting to fifty thousand dollars (\$50,000,) shall be paid to said nation, in the following manner; Ten thousand dollars (\$10,000) in provisions, twenty thousand dollars (\$20,000) in goods, and twenty thousand dollars (\$20,000) in money.

ARTICLE 5th.

It is understood and agreed that so much of the stipulations in existing treaties with said Winnebago nation, as requires services to be performed, supplies furnished, or payments made, at designated times and places, shall be henceforth null and void; and those stipulations shall be carried into effect at such times and at such points in the country to which they are about to remove, as the President may direct.

ARTICLE 6th.

This treaty to be binding on the contracting parties when it shall be ratified by the United States.

In witness whereof, the said Carey A. Harris and the undersigned chiefs and delegates of the said Winnebago nation, have hereunto set their hands at the City of Washington, this first day of November, A. D. 1837.

C. A. Harris.

Watch-hat-ty-kan, (Big Boat,)

Keesh-kee-pa-kah, (Kar-i-mo-nee,)

Mo-ra-chay-kah, (Little Priest,)

Ma-na-pay-kah, (Little Soldier,)

Wa-kaun-ha-kah, (Snake Skin,)

Ma-hee-koo-shay-nuz-he-kah, (Young Decori,)

Wa-kun-cha-koo-kah, (Yellow Thunder,)

Wa-kaun-kah, (The Snake,)

Wa-kun-cha-nic-kah, (Little Thunder,)

Nautch-kay-suck-kah, (Quick Heart,)

Mai-ta-sha-hay-ma-ne-kah, (Young Kar-i-mo-nee,)

Wa-kaun-ho-no-nic-kah, (Little Snake,)

Hoong-kah, (Old Chief,)

To-shun-uc-kah, (Little Otter,)

Sho-go-nic-kah, (Little Hill,
 Homp-ska-kah, (Fine Day,
 Chow-walk-saih-e-nic, (The Plover,
 Ah-oo-shush-kah, (Red Wing,
 Shoog-hat-ty-kah, (Big Gun,
 Ha-kah-kah, (Little Boy Child.)

In presence of—

Thos. A. B. Boyd, U. S. S. Indian agent.
 N. Boilvin,
 Antoine Grinion,
 Jean Roy,
 Interpreters.
 Joseph Moore,
 J. Brisbois,
 Sat. Clark, jr.,
 Conductors.
 Alexis Bailly.
 H. H. Sibley, agent Am. Fur. Co.
 John Lowe.
 John M'Farlane.
 W. Gunton.
 T. R. Cruttenden.
 Charles E. Mix.
 A. R. Potts.
 Rd. L. Mackall.
 (To the Indian names are subjoined a mark.)

TREATY WITH THE WINNEBAGO, 1846.

Oct. 13, 1846. | 9 Stat., 878. | Proclamation, Feb. | 4, 1847.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 565-567

Margin Notes:

Peace and friendship to be perpetual.

Lands ceded to the United States.

In consideration of the above cession, the United States agree to purchase and give to said tribe, as their home, a tract of country north of the St. Peters and west of the Mississippi rivers.

United States agree to pay said Indians \$150,000 for the land, and \$40,000 for release of hunting privileges on the lands adjacent to their present home, How to be applied.

Balance of \$85,000 to remain in trust with United States at 5 per cent interest.

Proviso.

Said Indians to remove to their new home within one year from the ratification of this treaty.

President may, at his discretion, direct a portion of the money now paid in goods to be applied to the purchase of provisions.

Articles of a treaty made and concluded at the city of Washington, on the thirteenth day of October, in the year one thousand eight hundred and forty-six, between the United States, of the one part, by their commissioners, Albion K. Parris, John J. Abert, and T. P. Andrews, and the Winnebago tribe of Indians, of the other part, by a full delegation of said tribe, specially appointed by the chiefs, head-men, and warriors thereof.

ARTICLE 1.

It is solemnly agreed that the peace and friendship which exist between the people of the United States and the Winnebago Indians shall be perpetual; the said tribe of Indians giving assurance, hereby, of fidelity and friendship to the Government and people of the United States, and the United States giving to them, at the same time, promise of all proper care and parental protection.

ARTICLE 2.

The said tribe of Indians hereby agree to cede and sell, and do hereby cede and sell, to the United States, all right, title, interest, claim, and privilege, to all lands, wherever situated, now or heretofore occupied or claimed by said Indians, within the States and Territories of the United States, and especially to the country now occupied, inhabited, or in any way used by them, called the "neutral ground," which tract of country was assigned to said Indians by the

[*566]

second article of the treaty of Fort Armstrong, concluded on the fifteenth day of September, 1832, and ratified on the thirteenth day of February following.

ARTICLE 3.

In consideration of the foregoing purchase from, or cession by, the said Indians, the United States hereby agree to purchase and give to the said Indians as their home, to be held as all Indians' lands are held, a tract of country north of St. Peter's and west of the Mississippi Rivers, of not less than eight hundred thousand acres, which shall be suitable to their habits, wants, and wishes: *Provided*, Such land can be obtained on just and reasonable terms.

ARTICLE 4.

The United States agree to pay to said tribe of Indians the sum of one hundred and fifty thousand dollars for the land, and the sum of forty thousand dollars for release of hunting privileges, on the lands adjacent to their present home, making the sum of one hundred and ninety thousand dollars, being in further consideration of the cession or sale made to the United States by the second article of this treaty; to be paid as follows: Forty thousand dollars to enable

them to comply with their present just engagements, and to cover the expenses of exploring and selecting (by their own people, or by an agent of their own appointment) their new home; twenty thousand dollars in consideration of their removing themselves, and twenty thousand dollars in consideration of their subsisting themselves the first year after their removal; ten thousand dollars to be expended for breaking up and fencing lands, under the direction of the President of the United States, at their new home; ten thousand dollars to be set apart and applied, under the direction of the President, to the creation and carrying on of one or more manual-labor schools for the benefit of said tribe of Indians; and five thousand dollars for building a saw and grist mill. The balance of said sum of one hundred and ninety thousand dollars, viz, eighty-five thousand dollars, to remain *in trust* with the United States, and five per cent. interest thereon to be paid annually to said tribe, or applied for their benefit, as the President of the United States may from time to time direct, for the period of thirty years, which shall be in full payment of the said balance: *Provided*, That no part of the said consideration moneys shall be paid until after the arrival of said tribe of Indians at their new home, and appropriations shall have been made by Congress: and that the sums for meeting their present engagements, for removal and subsistence, and for exploring their new home, shall be paid to the chiefs in open council, in such a manner as they in said council shall request.

ARTICLE 5.

It is further agreed by the parties to this treaty that the said tribe of Indians shall remove to their new home within one year after the ratification of this treaty, and their new home shall have been procured for them, and they duly notified of the same.

ARTICLE 6.

It is further agreed by the parties to this treaty, that the President may, at his discretion, (should he at any time be of opinion that the interest of the Indians would be thereby promoted,) direct that any portion of the money, not exceeding ten thousand dollars per annum, now paid in goods, as provided for by the last clause of the fourth article of the treaty of the first of November, 1837, be applied to the purchase of additional provisions, or to other purposes.

In testimony whereof, the Commissioners, Albion K. Parris, John J. Albert, and T. P. Andrews, and the undersigned Chiefs, Head Men, and Delegates, of the Winnebago Tribe of Indians, have hereunto subscribed their names and affixed their seals, at the City of Washington, this thirteenth day of October, one thousand eight hundred and forty-six.

Albion K. Parris,
John J. Abert,
T. P. Andrews,
Commissioners.

[*567]

Hoong-ho-no-kaw,
 Is-jaw-go-bo-kaw,
 Co-no-ha-ta-kaw,
 Naw-hoo-skaw-kaw,
 Shoong-skaw-kaw,
 Kooz-a-ray-kaw,
 Waw-ma-noo-ka-kaw,
 Ha-naw-hoong-per-kaw,
 Wo-gie-qua-kaw,
 Waw-kon-chaw-she-shick-kaw,
 Chas-chun-kaw,
 Naw-hey-kee-kaw,
 Ah-hoo-zheb-kaw,
 Waw-roo-jaw-hee-kaw,
 Baptist-Lasalica,
 Waw-kon-chaw-per-kaw,
 Kaw-how-ah-kaw,
 Hakh-ee-nee-kaw,
 Waw-kon-chaw-ho-no-kaw,
 Maw-hee-ko-shay-naw-zhee-kaw,
 Maw-nee-ho-no-nic,
 Maw-ho-kee-wee-kaw,
 Sho-go-nee-kaw,
 Watch-ha-ta-kaw, (by Henry M. Rice,
 his delegate).

Witnesses:

John C. Mullay, secretary to board of commissioners.

J. E. Fletcher, subagent.

S. B. Lowry, Peter Mananaige, Antoine Grignon,	} interpreters.
Simeon Lecure,	

H. L. Dousman,
 Richard Chute,
 John Haney,
 George Cahn,
 James Maher.

(To each of the names of the Indians are affixed a seal and mark.)

TREATY WITH THE WINNEBAGO, 1855.

Feb. 27, 1855. | 10 Stat., 1172. | Ratified Mar. 3, 1855. | Proclaimed Mar. 23, 1855.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Margin Notes:

Cession to the United States of the land granted pursuant to treaty of Oct. 13, 1846.
 Certain parts of said cession to be sold for benefit of said tribe.
 Payment for the above cession.
 Provision for permanent home.
 How payments and proceeds of sale shall be expended.
 Survey and allotment of the permanent home.
 Payments under former treaties, how to be made.
 Payments not to be taken for debt.
 Preemption rights in said cession.
 Grant of land to the mixed-blood Indians.
 Laws extended to said home.
 Roads may be constructed.
 Provisions as to conduct of said tribe.
 Payments may be withheld from the illbehaved.
 This treaty to be in lieu of an unratified one.
 Expenses of a visit to Washington to be paid.

Articles of agreement and convention, made and concluded at Washington City on the twenty-seventh day of February, eighteen hundred and fifty-five, between George W. Manypenny, commissioner on the part of the United States, and the following-named chiefs and delegates representing the Winnebago tribe of Indians, viz: Waw-kon- chaw-koo-kaw, The Coming Thunder, or Kinnoshik; Sho-go-nik-kaw, or Little Hill; Maw-he-coo-shah-naw-zhe-kaw, One that Stands and Reaches the Skies, or Little Decorie; Waw-kon-chaw-hoo-no-kaw, or Little Thunder; Hoonk-hoo-no-kaw, Little Chief, or Little Priest; Honch-hutta-kaw, or Big Bear; Wach-ha-ta-kaw, or Big Canoe; Ha-zum-kee-kaw, or One Horn; Ha-zee-kaw, or Yellow Bank; and Baptiste Lassallier, they being thereto duly authorized by said tribe:

ARTICLE 1.

The Winnebago Indians hereby cede, sell, and convey to the United States all their right, title, and interest in, and to, the tract of land granted to them pursuant to the third article of the treaty concluded with said tribe, at Washington City, on the thirteenth day of October, one thousand eight hundred and forty-six, lying north of St. Peter's River and west of the Mississippi River, in the Territory of Minnesota, and estimated to contain about eight hundred and ninety-seven thousand and nine hundred (897,900) acres; the boundary-lines of which are thus described, in the second article of the treaty concluded between the United States and the Chippewa Indians of the Mississippi and Lake Superior, on the second day of August, one thousand eight hundred and forty seven, viz: "Beginning at the junction of the Crow

[*691]

Wing and Mississippi Rivers; thence, up the Crow Wing River, to the junction of that river with the Long Prairie River; thence, up the Long Prairie River, to the boundary line between the Sioux and Chippewa Indians; thence, southerly, along the said boundary-line, to a lake at the head of Long Prairie River; thence, in a direct line, to the sources of the Watab River; thence, down the Watab to the Mississippi River; thence, up the Mississippi, to the place of beginning:" *Provided, however,* That the portions of said tract embracing the improved lands of the Indians, the grist and saw mill, and all other improvements made for or by them, shall be specially reserved from pre-emption, sale, or settlement until the said mills and improvements, including the improvements to the land, shall have been appraised and sold, at public sale, to the highest bidder, for the benefit of the Indians, but no sale thereof shall be made for less than the appraised value. And the President may prescribe such rules and regulations in relation to said sale as he may deem proper; and the person or persons purchasing said mills and improvements, shall have the right, when the land is surveyed, to enter the legal subdivisions thereof, including the improvements purchased by them, at one dollar and twenty-five cents per acre.

ARTICLE 2.

In consideration of the cessions aforesaid, and in full compensation therefor, the United States agree to pay to the said Indians, the sum of seventy thousand dollars, (\$70,000,) and to grant them, as a permanent home, a tract of land equal to eighteen miles square, on the Blue Earth River, in the Territory of Minnesota, which shall be selected and located by the agent of the Government and a delegation of the Winnebagoes, immediately after the ratification of this instrument, and after the necessary appropriations to carry it into effect shall have been made; and a report of such selection and location, shall be made in writing, to the superintendent of Indian affairs for the Territory of Minnesota, who shall attach his official signature to the same, and forward it to the Commissioner of Indian Affairs; and the country thus selected shall be the permanent home of the said Indians; *Provided,* Said tract shall not approach nearer the Minnesota River than the mouth of the La Serrer fork of the Blue Earth River.

ARTICLE 3.

It is agreed, that the moneys received from the sale of the Indian improvements, as provided for in the first article, and the sum stipulated to be paid by the second article of this instrument, shall be expended under the direction of the President, in removing the Indians to their new homes, including those who are now severed from the main body of the tribe, living in Kansas Territory, Wisconsin, or elsewhere; in subsisting them a reasonable time after their removal; in making improvements, such as breaking and fencing land, and building houses; in purchasing stock, agricultural implements and household furniture, and for such other objects as may tend to promote their prosperity and advancement in civilization. And the said

Winnebago Indians agree to remove to their new homes immediately after the selection of the tract hereinbefore provided for, is made.

ARTICLE 4.

In order to encourage the Winnebago Indians to engage in agriculture, and such other pursuits as will conduce to their well-being and improvement, it is agreed: that, at such time or times as the President may deem advisable, the land herein provided to be selected as their future home, or such portions thereof as may be necessary, shall be surveyed; and the President shall, from time to time, as the Indians may desire it, assign to each head of a family, or single persons over twenty-one years of age, a reasonable quantity of land, in one body, not to exceed eighty acres in any case, for their separate use; and he may, at his discretion, as the occupants thereof become capable of managing their business and affairs, issue patents to them for the tract so assigned to them, respectively; said tracts to be exempt from taxation, levy, sale, or forfeiture, until otherwise provided by the legislature of the State in which they may be situated, with the

[*692]

assent of Congress; nor shall they be sold or alienated, in fee, within fifteen years after the date of the patents, and not then, without the assent of the President of the United States being first obtained. Prior to the patents being issued, the President shall make such rules and regulations as he may deem necessary and expedient, respecting the disposition of any of said tracts, in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased person; and should any of the Indians to whom tracts may be assigned, thereafter abandon them, the President may take such action in relation to such abandoned tracts, as in his judgment may be necessary and proper.

ARTICLE 5.

All unexpended balances now in the hands of the agent of the tribe, arising under former treaties, for schools, pay of interpreter therefor, support of blacksmiths and assistants; and also of the sum of ten thousand dollars set apart by the treaty of October thirteenth eighteen hundred and forty-six, for manual-labor schools, shall be expended and applied, in the opening of farms, building and furnishing of houses, and the purchase of stock for said Indians. And the stipulations in former treaties providing for the application or expenditure of particular sums of money for specific purposes, are hereby so far modified and changed, as to confer upon the President the power, in his discretion, to cause such sums of money, in whole or in part, to be expended for, or applied to such other objects and purposes and in such manner as he shall deem best calculated to promote the welfare and improvement of said Indians.

ARTICLE 6.

No part of the moneys stipulated to be paid to the Winnebago Indians by these articles of agreement and convention, nor any of the future instalments due and payable under former treaties between them and the United States, shall ever be taken, by direction of the chiefs, to pay the debts of individual Indians, contracted in their private dealings, known as national or tribal debts.

ARTICLE 7.

The missionaries, or other persons who are, by authority of law, now residing on the lands ceded by the first article of this agreement, shall each have the privilege of entering one hundred and sixty acres of the said ceded lands, to include any improvements they may have, at one dollar and twenty-five cents per acre: and such of the mixed-bloods, as are heads of families, and now have actual residences and improvements of their own, in the ceded country, shall each have granted to them, in fee, eighty acres of land, to include their improvements: *Provided, however* That said entries and grants shall in no case be upon, or in any manner interfere with, any of the lands improved by the Government, or by or for the Indians, or on which the agency building, saw and grist mill, or other public or Indian improvements have been erected or made.

ARTICLE 8.

The laws which have been or may be enacted by Congress, regulating trade and intercourse with the Indian tribes, shall continue and be in force within the country herein provided to be selected as the future permanent home of the Winnebago Indians; and those portions of said laws which prohibit the introduction, manufacture, use of, and traffic in, ardent spirits in the Indian country, shall continue and be in force within the country herein ceded to the United States, until otherwise provided by Congress.

ARTICLE 9.

All roads and highways authorized by law, the lines of which may be required to be laid through any part of the country herein provided as the future permanent home of the Winnebago Indians, shall have right of way through the same; a fair and just value of such right being paid to the Indians, in money, to be assessed and determined according to the laws in force for the appropriation of land for such purposes.

ARTICLE 10.

The said tribe of Indians, jointly and severally, obligate and bind themselves, not to commit any depredation or wrong

[*693]

upon other Indians, or upon citizens of the United States; to conduct themselves at all times in a peaceable and orderly manner; to submit all difficulties between them and other Indians to the President, and to abide by his decision; to respect and observe the laws of the United States, so far as the

same are to them applicable; to settle down in the peaceful pursuits of life; to commence the cultivation of the soil; to educate their children, and to abstain from the use of intoxicating drinks and other vices to which many of them have been addicted. And the President may withhold from such of the Winnebagoes as abandon their homes, and refuse to labor, and from the idle, intemperate, and vicious, the benefits they may be entitled to under these articles of agreement and convention, or under articles of former treaties, until they give evidences of amendment and become settled, and conform to, and comply, with the stipulations herein provided; or, should they be heads of families, the same may be appropriated, under the direction of the President, to the use and enjoyment of their families.

ARTICLE 11.

These articles of agreement and convention, shall be in lieu of the “Articles of a convention made and concluded between Willis A. Gorman and Jonathan E. Fletcher, on the part of the United States, and the chiefs and head-men of the Winnebago tribe of Indians, on the 6th day of August, A.D. 1853,” and the amendments of the Senate thereto, as expressed in its resolution of July twenty-first eighteen hundred and fifty-four; to which amendments the said Winnebago Indians refused to give their assent, which refusal was communicated to the Commissioner of Indian Affairs, by the governor of Minnesota Territory, on the twenty-fourth of January, eighteen hundred and fifty-five.

ARTICLE 12.

The United States will pay the necessary expenses incurred by the Winnebago delegates in making their present visit to Washington, while here, and in returning to their homes.

ARTICLE 13.

This instrument shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and the Senate of the United States. In testimony whereof the said George W. Manypenny, commissioner as aforesaid, and the said chiefs and delegates of the Winnebago tribe of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

George W. Manypenny, commissioner, [L. S.]

Waw-kon-chaw-koo-haw, the Coming Thunder, or Win-no-shik, his x mark [L. S.]

Sho-go-nik-kaw, or Little Hill his x mark [L. S.]

Maw-he-coo-shaw-naw-zhe-kaw, One that Stands and Reaches the Skies, or Little Decorie, his x mark [L. S.]

Waw-kon-chaw-hoo-no-kaw, or Little Thunder, his x mark [L. S.]

Hoonk-hoo-no-kaw, Little Chief or Little Priest his x mark [L. S.]

Honch-hutta-kaw, or Big Bear, his x mark [L. S.]

Watch-ha-ta-kaw, or Big Canoe, his x mark [L. S.]
 Ha-zhun-kee-kaw, or One Horn, his x mark [L. S.]
 Ha-zee-kaw, or Yellow Bank, His x mark, [L. S.]
 Baptiste Lasallier.

In presence of—

Geo. Culver,
 Asa White,
 John Dowling,
 J. E. Fletcher,
 Peter Manaiy, United States interpreter.

TREATY WITH THE WINNEBAGO, 1859.

Apr. 15, 1859. | 12 Stats., 1101. | Ratified Mar. 16, 1861. | Proclaimed Mar. 23, 1861.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 790-792

Margin Notes:

Eastern portion of reservation to be set apart and assigned in severalty to members of tribe.

Assignments of land.

Whole to be known as the Winnebago Reservation.

Whites not to reside thereon.

Division, etc., to be under the direction of Secretary of Interior.

Certificate to issue.

Not to be assigned unless, etc.

Certain lands may be sold.

Mode of sale.

Debts of Winnebago to be paid out of proceeds of sale.

Provision in case proceeds of sale are insufficient to pay debts.

All members of tribe to be notified of this agreement.

Proviso.

Expenses to be paid from funds of Winnebago.

Signatures.

Articles of agreement and convention made and concluded at Washington City on the fifteenth day of April, eighteen hundred and fifty-nine, by and between Charles E. Mix, commissioner on the part of the United States, and the following-named chiefs and delegates, representing the Winnebago tribes of Indians, viz: Baptiste Lassalleur Little Hill, Little De-Corie, Prophet, Wakon, Conohutta-kau, Big Bear, Rogue, Young Frenchman, One Horn, Yellow Banks, and O-o-kau, they being thereto duly authorized by said tribe.

ARTICLE 1.

The Winnebago Indians having now more lands than are necessary for their occupancy and use, and being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by

which they now hold their lands, and by assigning limited quantities thereof, in severalty, to the members of the tribe, including their half or mixed blood relatives now residing with them, to be cultivated and improved for their own individual use and benefit, it is hereby agreed and stipulated that the eastern portion of their present reservation, embracing townships one hundred and six, (106) and one hundred and seven, (107) range twenty-four (24) and one hundred and six (106) and one hundred and seven, (107) range twenty-five (25) and the two strips of land immediately adjoining them on the east and north, shall be set apart and retained by them for said purposes; and that out of the same there shall be assigned to each head of a family not exceeding eighty acres, and to each male person eighteen years of age and upwards, without family, not exceeding forty acres of land, to include, in every case, as far as practicable, a reasonable proportion of timber; one hundred and sixty acres of said retained lands in a suitable locality shall also be set apart and appropriated to the occupancy and use of the agency for said Indians. The lands to be so assigned, including those for the use of the agency, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary, embracing the whole of them and any intermediate portions or parcels of land or water not included in or made part of the tracts assigned in severalty. Any such intermediate parcels of land and water shall be owned by the Winnebagoes in common; but in case of increase in the tribe, or other cause, rendering it necessary or expedient, the said intermediate parcels of land shall be subject to distribution and assignment, in severalty, in such manner as the Secretary of the Interior shall prescribe and direct. The whole of the lands assigned or unassigned in severalty, embraced within the said exterior boundary. Shall constitute and be known as the Winnebago reservation, within and over which all laws passed or which may be passed by Congress regulating trade and intercourse with the Indian tribes shall have full force and effect. And no white person, except such as shall be in the employment of the United States, shall be allowed to reside or go upon any portion of said reservation, without the written permission of the superintendent of Indian affairs, or of the agent for the tribe. Said division and assignment of lands to the Winnebagoes in severalty shall be made under the direction of the Secretary of the Interior, and when approved by him shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned, respectively, and that they are for the exclusive use and benefit of themselves, their heirs, and descendants. And said tracts shall not be alienated in fee, leased, or otherwise disposed of, except to the United States, or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the

[*791]

Interior; and they shall be exempt from taxation, levy, sale, or forfeiture until otherwise provided for by Congress. Prior to the issue of said certificates, the Secretary of the Interior shall make such rules and regulations as he may deem necessary and expedient respecting the disposition of any of said tracts, in case of the death of the person, or persons to whom they may be assigned,

so that the same shall be secured to the families of such deceased persons; and should any of the Indians to whom tracts shall be assigned abandon them, the said Secretary may take such action in relation to the proper disposition thereof as in his judgment may be necessary and proper.

ARTICLE 2.

For the purpose of procuring the means of comfortably establishing the Winnebagoes upon the lands to be assigned to them in severalty, by building them houses, and by furnishing them with agricultural implements, stock-animals, and other necessary aid and facilities for commencing agricultural pursuits under favorable circumstances, the lands embraced in that portion of their reservation not stipulated to be retained and divided, as aforesaid, shall be sold, under the direction of the Secretary of the Interior, in parcels not exceeding one hundred and sixty acres each, to the highest bidder, for cash; the sales to be made upon sealed proposals to be duly invited by public advertisement. And should any of the tracts so to be sold have upon them improvements of any kind which were made by or for the Indians, or for Government purposes, the proposals therefor must state the price for both the land and improvements. And if, after assigning to all the members of the tribe entitled thereto their proportions of land in severalty, there shall remain a surplus of that portion of the reservation retained for that purpose, outside of the exterior boundary-line of the lands assigned in severalty, the Secretary of the Interior shall be authorized and empowered, whenever he shall think proper, to cause such surplus to be sold in the same manner as the other lands to be so disposed of, and the proceeds thereof to be paid over to the Winnebagoes, or used and applied for their benefit in such manner as he shall deem to be best for them.

ARTICLE 3.

The Winnebagoes being anxious to relieve themselves from the burden of their present liabilities, and it being essential to their welfare and best interests that they shall be enabled to commence their new mode of life and pursuits free from the annoyance and embarrassment thereof, or which may be occasioned thereby, it is agreed that the same shall be liquidated and paid out of the fund arising from the sale of their surplus lands, so far as found valid and just on an examination thereof, to be made by their agent and the superintendent of Indian affairs for the northern superintendency, subject to revision and confirmation by the Secretary of the Interior.

ARTICLE 4.

Should the proceeds of the surplus lands of the Winnebagoes not prove to be sufficient to carry out the purposes and stipulations of this agreement, and some further aid be, from time to time, requisite, to enable said Indians to sustain themselves successfully in agricultural and other industrial pursuits, such additional means as may be necessary therefor shall be taken from the moneys due and belonging to them under the provisions of former treaties; and so much thereof as may be required to furnish them further aid, as

aforesaid, shall be applied in such manner, under the direction of the Secretary of the Interior, as he shall consider best calculated to promote and advance their improvement and welfare; and, in order to render unnecessary any further treaty engagements or arrangements hereafter with the United States, it is hereby agreed and stipulated that the President, with the assent of Congress, shall have full power to modify or change any of the provisions of former treaties with the Winnebagoes in such manner and to whatever extent he may judge to be necessary and expedient for their welfare and best interest.

[*792]

ARTICLE 5.

The Winnebagoes, parties to this agreement, are anxious that all the members of their tribe shall participate in the advantages herein provided for respecting their permanent settlement and their improvement and civilization, and to that end, to induce all that are now separated from, to rejoin and unite with them. It is therefore agreed that, as soon as practicable, the Commissioner of Indian Affairs shall cause the necessary proceeding to be adopted to have them notified of this agreement and its advantages, and to induce them to come in and unite with their brethren; and, to enable them to do so and to sustain themselves for a reasonable time thereafter, such assistance shall be provided for them, at the expense of the tribe, as may be actually necessary for those purposes: *Provided, however,* That those who do not rejoin and permanently re-unite themselves with the tribe within one year from the date of the ratification of this agreement shall not be entitled to the benefit of any of its stipulations.

ARTICLE 6.

All the expenses connected with, and incident to, the making of this agreement, and the carrying out of its provisions, shall be defrayed out of the funds of the Winnebagoes.

In testimony whereof, the said Charles E. Mix, commissioner as aforesaid, and the said chiefs and delegates of the Winnebago tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Charles E. Mix, Commissioner. [L. S.]

Baptiste Lassalleur, his x mark. [L. S.]

Little Hill, his x mark. [L. S.]

Little De-Corrie, his x mark. [L. S.]

Prophet, (being sick, by his representative, Big Bear,) his x mark. [L. S.]

Wakon, his x mark. [L. S.]

Cono-hutta-kau, his x mark. [L. S.]

Big Bear, his x mark. [L. S.]

Rogue, his x mark. [L. S.]

Young Frenchman, his x mark. [L. S.]

One Horn, his x mark. [L. S.]

Yellow Banks, his x mark. [L. S.]

O-o-kau, his x mark. [L. S.]

In presence of—

W. J. Cullen, superintendent Indian affairs.
 Charles H. Mix. United States Indian agent for the Winnebagoes.
 Peter Manaize, United States interpreter.
 John Dowling.
 S. B. Loury, interpreter.
 D. Crawford.
 Joseph R. Brown, Sioux agent.
 George H. Holtzman.
 George L. Otis.
 George Culver.
 Nathan Myrick.
 Harry H. Young.
 Henry Foster.
 Asa White.

TREATY WITH THE WINNEBAGO, 1865.

Mar. 8, 1865. | 14 Stats., 671. | Ratified Feb. 13, 1866. | Proclaimed Mar. 28, 1866.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 874-875

Margin Notes:

Cession of lands to the United States.
 Reservation for the Winnebago.
 Boundaries.
 The United States to erect mills, to break, etc., lands, to furnish seeds, tools, etc.
 Agency and other buildings and houses for chiefs.
 Expenses of removal, etc.

Articles of treaty made and concluded at Washington, D. C., between the United States of America, by their commissioners, Wm. P. Dole, C. W. Thompson, and St. A. D. Balcombe, and the Winnebago tribe of Indians, by their chiefs, Little Hill, Little Decoria, Whirling Thunder, Young Prophet, Good Thunder, and White Breast, on the 8th day of March, 1865.

ARTICLE 1.

The Winnebago tribe of Indians hereby cede, sell, and convey to the United States all their right, title, and interest in and to their present reservation in the Territory of Dakota, at Usher's Landing, on the Missouri River, the metes and bounds whereof being on file in the Indian Department.

ARTICLE 2.

In consideration of the foregoing cession, and the valuable improvements thereon, the United States agree to set apart for the occupation and future home of the Winnebago Indians, forever, all that certain tract or parcel of land ceded to the United States by the Omaha tribe of Indians on the sixth day of March, A. D. 1865, situated in the Territory of Nebraska, and described as follows, viz: Commencing at a point on the Missouri River four miles due south from the north boundary-line of said reservation; thence west ten miles; thence south four miles; thence west to the western boundary-line of the reservation; thence north to the northern boundary-line; thence east to the Missouri River, and thence south along the river to the place of beginning.

ARTICLE 3.

In further consideration of the foregoing cession, and in order that the Winnebagos may be as well situated as they were when they were moved from Minnesota, the United States agree to erect on their reservation, hereby set apart, a good steam saw-mill with a grist-mill attached, and to break and fence one hundred acres of land for each band, and supply them with seed, to sow and plant the same, and shall furnish them with two thousand dollars' worth of guns, four hundred horses, one hundred cows, twenty yoke of oxen and wagons, two chains each, and five hundred dollars' worth of agricultural implements, in addition to those on the reserve hereby ceded.

ARTICLE 4.

The United States further agree to erect on said reservation an agency building, school-house, warehouse, and suitable buildings for the physician, interpreter, miller, engineer, carpenter, and blacksmith, and a house 18 by 24 feet, one and a half story high, well shingled and substantially finished, for each chief.

ARTICLE 5.

The United States also stipulate and agree to remove the Winnebago tribe of Indians and their property to their new home, and to subsist the tribe one year after their arrival there.

In testimony whereof, the said Wm. P. Dole, Clark W. Thompson, and St. A. D. Balcombe, Commissioners as aforesaid, and the undersigned chiefs and delegates of the Winnebago Tribe of Indians, have hereunto set their hands and seals, at the place and on the day hereinbefore written.

W. P. Dole,
Clark W. Thompson,
St. A. D. Balcombe,
Commissioners.

Little Hill, his x mark. [SEAL.]
Little Dacoria, his x mark. [SEAL.]
Whirling Thunder, his x mark. [SEAL.]
Young Prophet, his x mark. [SEAL.]
Good Thunder, his x mark, [SEAL.]

Young Crane, his x mark, [SEAL.]
White Breast, his x mark, [SEAL.]

[*875]

In presence of—

Mitchell St. Cyr, United State[s] interpreter.
Alexander Payn, United State[s] interpreter.
R. W. Furnas, United States agent for Omahas.
Benj. F. Lushbaugh, United States Indian agent.
Augustus Kountze.
C. Hazlett.

Treaties with the Iowa

TREATY WITH THE IOWA, 1815.

Sept. 16, 1815. | 7 Stat., 136. | Ratified Dec. 26, 1815.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 122-123

Margin Notes:

Injuries, etc., forgiven.
 Perpetual peace and friendship.
 Prisoners to be delivered up.
 Former treaties recognized and confirmed.

A treaty of peace and friendship, made and concluded at Portage des Sioux, between William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners Plenipotentiary of the United States of America, on the part and behalf of the said States, of the one part; and the undersigned, King, Chiefs, and Warriors, of the Iaway [Iowa] Tribe or Nation, on the part and behalf of the said Tribe or Nation, of the other part.

The parties being desirous of re-establishing peace and friendship between the United States and the said tribe or nation, and of being

[*123]

placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

ARTICLE 1.

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

ART 2.

There shall be perpetual peace and friendship between all the citizens of the United States and all the individuals composing the said Iaway tribe or nation.

ART 3.

The contracting parties do hereby agree, promise, and oblige themselves, reciprocally to deliver up all the prisoners now in their hands, (by what means soever the same may have come into their possession,) to the officer commanding at St. Louis, to be by him restored to their respective nations, as soon as it may be practicable.

ART 4.

The contracting parties, in the sincerity of mutual friendship, recognize, re-establish, and confirm, all and every treaty, contract, and agreement, heretofore concluded between the United States and the said Iaway tribe or nation.

In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the aforesaid king, chiefs, and warriors, have hereunto subscribed their names and affixed their seals, this sixteenth day of September, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

William Clark, [L. S.]

Ninian Edwards, [L. S.]

Auguste Chouteau, [L. S.]

Wyingwaha, or hard heart, his x mark, [L. S.]

Wongehronyne, or big chief, his x mark, [L. S.]

Wonehee, or the slave, his x mark, [L. S.]

Hahraga, the forked horn, his x mark, [L. S.]

Eniswahanee, the big axe, his x mark, [L. S.]

Washcommanee, the great marcher, his x mark, [L. S.]

Wyimppishcoonee, the ill-humoured man, his x mark, [L. S.]

Ranoingga, the little pipe, his x mark, [L. S.]

Wohompee, the broth, his x mark, [L. S.]

Shongatong, the horse jockey, his x mark, [L. S.]

Nahocheininugga, without ears, his x mark, [L. S.]

Conja, the plumb, his x mark, [L. S.]

Chahowhrowpa, the dew-lap, his x mark, [L. S.]

Manuhanu, the great walker, his x mark, [L. S.]

Chapee, the pine buffaloe, his x mark, [L. S.]

Ckugwata, the roller, his x mark, [L. S.]

Ishtagrasa, grey eyes, his x mark, [L. S.]

Done at Portage des Sioux, in the presence of—

R. Wash, secretary to the commission.

Dl. Bissel, brigadier-general.

R. Paul, C. C. T.

Samuel Brady, lieutenant.

Geo. Fisher, surgeon, Illinois regiment.

P. Chouteau, agent.

Jno. W. Johnson, United States factor and Indian agent.

Samuel Solomon, interpreter.

Maurice Blondeaux.

Louis Dorion.

Dennis Julien.

Jas. McCulloch, captain.

TREATY WITH THE IOWA, 1824.

Aug. 4, 1824. | 7 Stat., 231. | Proclamation, Jan. 18, 1825.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Charles J. Kappler.
Washington: Government Printing Office, 1904.

Margin Notes:

Lands ceded to the United States.
 Payment for said cession.
 Acknowledgment of Indians.
 Protection of United States acknowledged.
 Assistance to be rendered Indians.
 Payment of annuities.
 Treaty obligatory when ratified.

Articles of a Treaty made and concluded at the City of Washington, on the fourth day of August, one thousand eight hundred and twenty-four, between William Clark, Superintendent of Indian Affairs, being specially authorized by the President of the United States thereto, and the undersigned Chiefs and Head men, of the Ioway [Iowa] Tribe or Nation, duly authorized and empowered by the said Nation.

ARTICLE 1st.

THE Ioway Tribe or Nation of Indians by their deputies, Ma-hos-kah, (or White Cloud,) and Mah-ne-hah-nah, (or Great Walker,) in Council assembled, do hereby agree, in consideration of a certain sum of money, &c. to be paid to the said Ioway Tribe, by the government of the United States, as hereinafter stipulated, to cede and

[*209]

forever, quit claim, and do, in behalf of their said Tribe, hereby cede, relinquish, and forever quit claim, unto the United States, all right, title, interest, and claim, to the lands which the said Ioway Tribe have, or claim, within the State of Missouri, and situated between the Mississippi and Missouri rivers and a line running from the Missouri, at the mouth or entrance of Kansas river, north one hundred miles, to the northwest corner of the limits of the state of Missouri, and, from thence, east to the Mississippi.

ARTICLE 2d.

It is hereby stipulated and agreed, on the part of the United States, as a full compensation for the claims and lands ceded by the Ioway Tribe in the preceding article, there shall be paid to the said Ioway tribe, within the present year, in cash or merchandise, the amount of five hundred dollars, and the United States do further agree to pay to the Ioway Tribe, five hundred dollars, annually, for the term of ten succeeding years.

ARTICLE 3d.

The Chiefs and Head Men who sign this Treaty, for themselves, and in behalf of their Tribe, do acknowledge that the lands east and south of the lines described in the first article, (which has been run and marked by Colonel Sullivan,) so far as the Indians claimed the same, to belong to the United States, and that none of their tribe shall be permitted to settle or hunt upon

any part of it, after 1st day of January, one thousand eight hundred and twenty-six, without special permission from the Superintendent of Indian Affairs.

ARTICLE 4th.

The undersigned Chiefs, for themselves, and all parts of the Ioway tribe, do acknowledge themselves and the said Ioway Tribe, to be under the protection of the United States of America, and of no other sovereign whatsoever; and they also stipulate, that the said Ioway tribe will not hold any treaty with any foreign powers, individual state, or with individuals of any state.

ARTICLE 5th.

The United States engage to provide and support a blacksmith for the Ioway Tribe, so long as the President of the United States may think proper, and to furnish the said Tribe with such farming utensils and cattle, and to employ such persons to aid them in their agriculture, as the President may deem expedient.

ARTICLE 6th.

The annuities stipulated to be paid by the second article, to be paid either in money, merchandise, provisions, or domestic animals, at the option of the aforesaid Tribe; and when the said annuities, or any part thereof, is paid in merchandise, it is to be delivered to them at the first cost of the goods at St. Louis, free from cost of transportation.

ARTICLE 7th.

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

In testimony whereof, the said William Clark, commissioner as aforesaid, and the chiefs and head men of the Ioway tribe of Indians, as aforesaid, have hereunto set their hands the day and year first before written.

Wm. Clark,
Ma-hos-kah, (White Cloud,) his x mark,
Mah-ne-hah-nah, (Great Walker,) his x mark.

Witnesses present:

Thos. L. McKenney,
G. W. Kennerly, Indian agent,
Law. Taliaferro, Indian agent at St. Peter's,
A. Baronet Vasques, acting subsistence agent and interpreter,
Meriwether Lewis Clark,
John W. Johnson,
William P. Clark,
William Radford.

TREATY WITH THE IOWA, 1837.

Nov. 23, 1837. | 7 Stat., 547. | Proclamation, Feb. 21, 1838.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 500-501

Margin Notes:

Cession to the United States.
 Consideration therefor.
 United States to pay expenses of making treaty.
 Treaty binding when ratified.

Articles of a treaty made at the city of Saint Louis, between Joshua Pilcher, thereto specially authorized by the President of the United States, and the Ioway [Iowa] Indians, by their chiefs and delegates.

ARTICLE 1st.

THE Ioway Indians cede to the United States all the right and interest in the land ceded by the treaty, concluded with them and other tribes on the 15th of July 1830, which they might be entitled to claim, by virtue of the phraseology employed in the second article of said treaty.

ARTICLE 2d.

In consideration of the cession contained in the preceding article, the United States stipulate to pay them two thousand five hundred dollars (\$2,500) in horses, goods and presents, upon their signing this treaty in the city of Saint Louis.

[*501]

ARTICLE 3d.

The expenses of this negotiation and of the chiefs and delegates signing this treaty to the city of Washington and to their homes to be paid by the United States.

ARTICLE 4th.

This treaty to be binding upon the contracting parties when the same shall be ratified by the United States.

In witness whereof the said Joshua Pilcher and the undersigned chiefs and delegates of said Indians have hereunto set their hands at the city of Saint Louis, this twenty-third day of November A. D. 1837.

Joshua Pilcher, U. S. Indian agent.
 Ne-o-mon-ni,
 Non-che-ning-ga,
 Wat-che-mon-ne,
 Tah-ro-hon.

Signed in presence of—
 E. A. Hitchcock, Captain U. S. Army
 John B Farpy.
 L. G. C. Bliss.
 (To the Indian names are subjoined marks.)

TREATY WITH THE IOWA, 1838.

Oct. 19, 1838. | 7. Stat., 568. | Proclamation, Mar. 2, 1839.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 518-519

Margin Notes:

Cession to United States by the Iowa.
 Consideration therefor.
 United States to erect ten houses at such places as the Indians may direct.
 Treaty binding when ratified.

Articles of a treaty made at the Great Nemowhaw sub-agency between John Dougherty Agent of Indian Affairs on the part of the United States, being specially authorized, and the chiefs and headmen of the Ioway tribe of Indians for themselves, and on the part of their tribe.

ARTICLE 1st.

The Ioway tribe of Indians cede to the United States,
First. All right or interest in the country between the Missouri and Mississippi rivers, and the boundary between the Sacs and Foxes, and Sioux, described in the second article of the treaty made with these and other tribes, on the 19th of August 1825, to the full extent to which said claim is recognized in the third article of said treaty, and all interest or claim by virtue of the provisions of any treaties since made by the United States with the Sacs and Foxes of the Mississippi.

Second. All claims or interest under the treaties of August 4th 1824, July 15th 1830, and September 17th 1836, except so much of the last mentioned treaty as secures to them two hundred sections of land the erection of five comfortable houses, to enclose and break up for them two hundred acres of ground to furnish them with a ferry boat, one hundred cows and calves, five bulls, one hundred head of stock hogs a mill and interpreter.

ARTICLE 2d.

In consideration of the cession contained in the preceding article, the United States agree to the following stipulations on their part.

[*519]

First. To pay to the said Ioway tribe of Indians the sum of one hundred and fifty-seven thousand five hundred (\$157,500) dollars.

Second. To invest said sum of one hundred and fifty-seven thousand five hundred (157,500) dollars, and to guaranty them an annual income of not less than five per cent. thereon during the existence of their tribe.

Third. To set apart annually such amount of said income as the chiefs and headmen of said tribe may require, for the support of a blacksmith shop agricultural assistance, and education to be expended under the direction of the President of the United States.

Fourth. To pay out of said income to Jeffrey Derroin interpreter for said tribe for services rendered, the sum of fifty dollars annually during his natural life the balance of said income shall be delivered, at the cost of the United States, to said tribe of Ioway Indians in money or merchandise, at their own discretion, at such time and place as the President may direct, *Provided always* That the payment shall be made each year in the month of October.

ARTICLE 3d.

The United States further agree in addition to the above consideration to cause to be erected ten houses at such place or places on their own land as said Ioways may select, of the following description (*viz*) each house to be ten feet high from bottom sill to top plate eighteen by twenty feet in the clear the roof to be well sheeted and shingled, the gable ends to be weather boarded a good floor above and below, one door and two windows complete, one chimney of stone or brick, and the whole house to be underpinned.

ARTICLE 4th.

This treaty to be binding upon the contracting parties when the same shall be ratified by the United States.

In witness whereof the said John Dougherty agent of Indian affairs and the undersigned chiefs and headmen of the Ioway tribe of Indians have hereunto set their hands this 19th day of October A. D. 1838.

Jno. Dougherty, Indian Agent.
 Frank White Cloud,
 Non-gee-ninga, or No Heart,
 Kon-gee, or the Plum,
 Mock Shig a ton-ah, or the Great Man,
 Wah nun gua schoo ny, or He that has no Fear,
 Seenah ty yaa, or the Blistered Foot,
 Rahno way ing ga, or Little Pipe,
 Thraw ing ga, or Little War Eagle,
 Pak she ing ga, or the Cocked Nose,
 O yaw tche a, or Heard to Load,

Ro to gra zey, or Speckled Rib,
 Mah za, or the Iron,
 Ta-ro-hah, or Pile of Meat.

Done in presence of—
 Anthony L. Davis, Indian sub-agent.
 Vance M. Campbell.
 James M. Crope.
 Jeffrey Deroin, interpreter.
 (To the Indian names are subjoined marks.)

TREATY WITH THE IOWA, 1854.

May 17, 1854. | 10 Stats., p. 1069. | Proclamation July 17, 1854.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 628-631

Margin Notes:

Cession to the United States.
 Reservation.
 Proceeds of sale to be paid over to the Indians.
 Disposition of the ceded lands.
 Provision respecting the Sacs and Foxes.
 Investment of the surplus sales and propriation of the income.
 Division of the reserved lands.
 Grant to the board of missions.
 Grant to John B. Roy.
 Private debts not to be paid out of the general fund.
 Part of the fund set apart by treaty of Oct. 19, 1838, may be spent.
 The remainder to be held in trust.
 Construction of roads.
 Provisions against use of ardent spirits.
 Friendly conduct.
 Release of claims under former treaties.

Articles of agreement and convention made and concluded at the city of Washington, this seventeenth day of May, one thousand eight hundred and fifty-four, by George W. Manypenny, commissioner on the part of the United States, and the following-named delegates of the Ioway tribe of Indians, viz: Non-chee-ning-a, or No Heart; Shoon-tying-a, or Little Wolf; Wah-moon-a-ka, or the Man who Steals; and Nar-ge-ga-rash, or British; they being thereto duly authorized by said tribe.

ARTICLE 1.

The Ioway tribe of Indians hereby cede, relinquish, and convey to the United States, all their right, title, and interest in and to the country, with the exception hereinafter named, which was assigned to them by the treaty concluded with their tribe and the Missouri band of Sacs and Foxes, by William Clark, superintendent of Indian affairs, on the seventeenth of September, one thousand eight hundred and thirty-six, being the upper half of

the tract described in the second article thereof, as “the small strip of land on the south side of the Missouri River, lying between the Kickapoo northern boundary-line and the Grand Nemahaw River, and extending from the Missouri back and westwardly with the said Kickapoo line and the Grand Nemahaw, making four hundred sections; to be divided between the said Ioways and Missouri band of Sacs and Foxes; the lower half to the Sacs and Foxes, the upper half to the Ioways,” but they except and reserve of said country, so much thereof as is embraced within and designated by the following metes and bounds, viz: Beginning at the mouth of the Great Nemahaw River where it empties into the Missouri; thence down the Missouri River to the mouth of Noland’s Creek; thence due south one mile; thence due west to the south fork of the Nemahaw River; thence down the said fork with its meanders to the Great Nemahaw River, and thence with the meanders of said river to the place of beginning, which country, it is hereby agreed, shall be the future and permanent home of the Ioway Indians.

ARTICLE 2.

In consideration of the cession made in the preceding article, the United States agree to pay in the manner hereinafter prescribed, to the Ioway Indians, all the moneys received from the sales of the lands which are stipulated in the third article hereof, to be surveyed and sold—after deducting therefrom the costs of surveying, managing, and selling the same.

ARTICLE 3.

The United States agree to have surveys made of the country ceded by the Ioways in article first in the same manner that the public lands are surveyed, and as soon as it can conveniently be done; and the President, after the surveys shall have been made and approved, shall proceed to offer said surveyed land for sale, at public auction, being governed therein by the laws of the United States respecting sales of public lands; and such of said lands as may not be sold at public sales, shall be subject to private entry in the manner that private entries are made of United States land; and all the land remaining unsold after being for three years subject to private entry at the minimum Government price, may, by act of Congress, be graduated and reduced in price until the whole is disposed of, proper regard being had, in making such reduction, to the interests of the Ioways and the speedy settlement of the country. Until after the said land shall have been surveyed, and the surveys approved, no white persons or citizens shall be permitted to make thereon any location or settlement; and the provisions of the act of Congress, approved on the third day of March, one thousand eight hundred and seven,

[*629]

relating to lands ceded to the United States, shall, so far as they are applicable, be extended over the lands herein ceded.

ARTICLE 4.

It being understood that the present division-line between the Ioways and the Sacs and Foxes of Missouri, as run by Isaac McCoy, will, when the surveys are made, run diagonally through many of the sections, cutting them into fractions; it is agreed that the sections thus cut by said line, commencing at the junction of the Wolf with the Missouri River, shall be deemed and taken as part of the land hereinbefore ceded and directed to be sold for the benefit of the Ioways, until the quantity thus taken, including the before-recited reservation, and all the full sections north of said line, shall amount to two hundred sections of land. And should the Sacs and Foxes of Missouri consent to a change of their residence and be so located by the United States as to occupy any portion of the land herein ceded and directed to be sold for the benefit of the Ioways, west of the tract herein reserved, the Ioways hereby agree to the same, and consent to such an arrangement, upon the condition that a quantity of land equal to that which may be thus occupied by the Sacs and Foxes, and of as good quality, shall be set apart for them out of the country now occupied by the last-named tribe, contiguous to said division-line, and sold for their benefit as hereinbefore provided.

ARTICLE 5.

As the receipts from the sales of the lands cannot now be determined, it is agreed that the whole subject shall be referred to the President of the United States, who may, from time to time, prescribe how much of the proceeds thereof shall be paid out to the Ioway people, and the time and mode of such payments, and also how much shall be invested in safe and profitable stocks, the principal of which to remain unimpaired, and the interest to be applied annually for the civilization, education, and religious culture of the Ioways and such other objects of a beneficial character as may be proper and essential to their well-being and prosperity: provided, that if necessary, Congress may, from time to time, by law, make such regulations in regard to the funds arising from the sale of said lands, and the application thereof for the benefit of the Ioways, as may in the wisdom of that body seem just and expedient.

ARTICLE 6.

The President may cause the country the Ioways have reserved for their future home, to be surveyed, at their expense, and in the same way as the public lands are surveyed, and assign to each person or family such portion thereof as their industry and ability to manage business affairs may, in his opinion, render judicious and proper; and Congress may hereafter provide for the issuing to such persons, patents for the same, with guards and restrictions for their protection in the possession and enjoyment thereof.

ARTICLE 7.

Appreciating the importance and the benefit derived from the mission established among them by the board of foreign missions of the Presbyterian Church, the Ioways hereby grant unto the said board a tract of three hundred and twenty acres of land, to be so located as to include the improvements at the mission, and also a tract of one hundred and sixty acres of timbered land, to be selected by some agent of the board from the legal subdivisions of the surveyed land; and the President shall issue a patent or patents for the same, to such person or persons as said board may direct. They further grant to John B. Roy, their interpreter, a tract of three hundred and twenty acres of land, to be selected by him in "Wolf's Grove," for which the President shall also issue a patent.

ARTICLE 8.

The debts of Indians contracted in their private dealings as individuals, whether to traders or otherwise, shall not be paid out of the general fund.

ARTICLE 9.

As some time must elapse before any benefit can be derived from the proceeds of the sale of their land, and as it is desirable

[*630]

that the Ioways should at once engage in agricultural pursuits and in making improvements on the tract herein before reserved for them, it is hereby agreed that, of the fund of one hundred and fifty-seven thousand five hundred dollars, set apart to be invested by the second clause of the second article of the treaty concluded on the nineteenth day of October, one thousand eight hundred and thirty-eight, a sum not exceeding one hundred thousand dollars shall be paid to the Indians, or expended under the direction of the President for the erection of houses, breaking and fencing lands, purchasing stock, farming utensils, seeds, and such other articles as may be necessary for their comfort. Fifty thousand dollars, or so much thereof as may be deemed expedient, to be paid during the year commencing on the first of October, one thousand eight hundred and fifty-four; and the other fifty thousand dollars, or so much thereof as shall be deemed expedient, to be paid during the year commencing on the first of October, one thousand eight hundred and fifty-five. The residue of said fund of one hundred and fifty-seven thousand five hundred dollars on hand after the payments herein provided for have been made shall remain as a trust fund, the interest upon which, as well as the interest that may have accrued on the portion drawn out, shall be applied, under the direction of the President, to educational or other beneficial purposes among the Ioways.

ARTICLE 10.

It is agreed that all roads and highways laid out by authority of law shall have a right of way through the lands herein reserved, on the same terms as are

provided by law when roads and highways are made through the lands of citizens of the United States; and railroad companies, when the lines of their roads necessarily pass through the lands of the Ioways, shall have right of way on the payment of a just compensation therefor in money.

ARTICLE 11.

The Ioways promise to renew their efforts to suppress the introduction and use of ardent spirits in their country, to encourage industry, thrift, and morality, and by every possible effort to promote their advancement in civilization. They desire to be at peace with all men, and they bind themselves to commit no depredation or wrong upon either Indians or citizens; and whenever difficulties arise they will abide by the laws of the United States, in such cases made and provided, as they expect to be protected and to have their rights vindicated by them.

ARTICLE 12.

The Ioway Indians release the United States from all claims and demands of every kind and description arising under former treaties, and agree to remove themselves within six months after the ratification of this instrument, to the lands herein reserved for their homes; in consideration whereof, the United States agree to pay to said Indians five thousand dollars—two thousand of which with such portion of balances of former appropriations of interest-fund as may not now be necessary under specific heads, may be expended in the settlement of their affairs preparatory to removal.

ARTICLE 13.

The object of this instrument being to advance the interests of the Ioway people, it is agreed, if it prove insufficient, from causes which cannot now be foreseen, to effect these ends, that the President may, by and with the advice and consent of the Senate, adopt such policy in the management of their affairs, as, in his judgment, may be most beneficial to them; or Congress may hereafter make such provision by law as experience shall prove to be necessary.

ARTICLE 14.

This instrument shall be obligatory on the contracting parties whenever the same shall be ratified by the President and the Senate of the United States. In testimony whereof, the said George W. Manypenny, commissioner as aforesaid, and the delegates of the Ioway tribe of Indians, have

[*631]

hereunto set their hands and seals, at the place and on the day and in the year hereinbefore written.

George W. Manypenny, Commissioner. [L. S.]
 Nan-chee-ning-a, or No Heart, his x mark. [L. S.]
 Shoon-ty-ing-a, or Little Wolf, his x mark. [L. S.]

Wah-moon-na-ka, or The Man who Steals, his x mark. [L. S.]
Nar-ge-ga-rash, or British, his x mark. [L. S.]

Executed in the presence of—

Jas. D. Kerr.

Jas. T. Wynne.

N. Quackenbush.

Wm. B. Waugh.

D. Vanderslice, Indian agent.

John B. Roy, his x mark, United States interpreter.

Wm. B. Waugh, witness to signing of John B. Roy.

Treaties with the Oto and Missouri

TREATY WITH THE OTO, 1817.

June 24, 1817. | 7 Stat., 154. | Proclamation, Dec. 26, 1817.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Page 139

Margin Notes:

Injuries, etc., forgiven.
 Perpetual peace and friendship, etc.
 Protection of United States acknowledged.

A treaty of peace and friendship made and concluded between William Clark and Augusta Chouteau, commissioners on the part, and behalf of the United States of America, of the one part; and the undersigned chiefs and warriors, of the Ottoes tribe of Indians, on the part and behalf of their said tribe, of the other part.

THE parties being desirous of re-establishing peace and friendship between the United States and their said tribe and of being placed, in all things, and in every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

ART. 1.

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

ART. 2.

There shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the said Ottoes tribe, and all the friendly relations that existed between them before the war, shall be, and the same are hereby, renewed.

ART. 3.

The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever. In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-fourth day of June, in the year of our Lord one thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

William Clark, [L. S.]

Auguste Choteau, [L. S.]

Ottoes:

Chongatonga, Big Horse, his x mark, [L. S.]

Histashone, Big Eyes, his x mark, [L. S.]

Mihahande, Eldest Daughter, his x mark, [L. S.]

Kanseepa, the Kansee Head, his x mark, [L. S.]

Montistonga, Pewter, his x mark, [L. S.]

Pahagranga, Auguste, his x mark, [L. S.]

Watokieka, the Runner, his x mark, [L. S.]

Mantoeakiepa, Meeting of Bear, his x mark, [L. S.]

Achieya, Broken Arm, his x mark, [L. S.]

Wathapayignet, the Small Bear, his x mark, [L. S.]

Mantoeignet, the Little Bow, his x mark, [L. S.]

Wapontraska, White Nostrils, his x mark, [L. S.]

Missouries:

Tarposta, Son of the Priest, his x mark, [L. S.]

Kahhehpah, Crow Head, his x mark, [L. S.]

Harahkraton, the Sparrow Hawk, his x mark, [L. S.]

Tawequa, the Little Deer, his x mark, [L. S.]

Chanohato, Buffalo Hump, his x mark, [L. S.]

Witnesses present:

Lewis Bissell, acting secretary,

Manuel Lisa, United States Indian agent.

Benjamin O'Fallon, United States Indian agent,

W. Suigely,

Geo. G. Taylor,

W. Tharp,

Michl. E. Immell,

P. J. Nalsisor,

Sam. Solomon, interpreter,

Stephen Julien, United States Indian interpreter,

Gabriel S. Chouteau, second lieutenant, M. M.,

Joseph Lafleche, interpreter, his x mark.

TREATY WITH THE OTO AND MISSOURI TRIBE, 1825.

Sept. 26, 1825. 7 Stat., 277. Proclamation, Feb. 6, 1826.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 256-258

Margin Notes:

Supremacy of United States acknowledged.

Protection of United States extended to them.

Places for trade to be designated by the President.

Regulation of trade with Indians.

Course to be pursued in order to prevent injuries by individuals, etc.

Chiefs to exert themselves to recover stolen property.

Proviso.

No arms to be furnished by Indians to persons not in amity with United States.

For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Ottoe and Missouri tribe of Indians, the President of the United States of America, by Brigadier-General Henry Atkinson, of the United States' army, and Major Benjamin O'Fallon, Indian Agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned Chiefs, Head-men, and Warriors, of the said Ottoe and Missouri tribe of Indians, on behalf of their tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the President of the United States, by and with the advice and consent of the Senate, shall be binding on both parties—to wit:

ARTICLE 1.

It is admitted by the Ottoe and Missouri tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

ARTICLE 2.

The United States agree to receive the Ottoe and Missouri tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the President of the United States.

ARTICLE 3.

All trade and intercourse with the Ottoe and Missouri tribe shall be transacted at such place or places as may be designated and pointed out by the President of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

ARTICLE 4.

That the Ottoe and Missouri tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the said Ottoe and Missouri tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Ottoe and Missouri tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian Affairs, or to the Commandant of the nearest military post, to be dealt with according to law.— And they further agree to give safe conduct

to all persons who may be legally authorized by the United States to pass through their country: and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

[*257]

ARTICLE 5.

That the friendship which is now established between the United States and the Ottoe and Missouri tribe should not 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, complaint shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the President; and it shall be the duty of said Chiefs, 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 United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the Chiefs of said Ottoe and Missouri tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarrantly to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: *Provided*, That the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Ottoe and Missouri tribe engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 6.

And the Chiefs and Warriors, as aforesaid, promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians, not in amity with the United States, with guns, ammuniton, or other implements of war.

Done at Fort Atkinson, Council Bluffs, this 26th day of September, A. D. 1825, and of the independence of the United States the fiftieth.

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Ottoe and Missouri tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, brigadier-general, U. S. Army, [L. S.]
 Benj. O'Fallon, United States agent Indian Affairs, [L. S.]
 Ish-na-wong-ge-ge-he, the only chief, his x mark, [L. S.]
 Me-ha-hun-jah, the big female, his x mark, [L. S.]
 Shunk-co-pe, his x mark, [L. S.]
 Sho-mon-e-ka-sa, the prairie wolf, his x mark, [L. S.]
 Wong-ge-ge-he, the chief, his x mark, [L. S.]
 Waw-zob-e-ing-ge, the little black bear, his x mark, [L. S.]
 Eho-che-nung-a, the mad man, his x mark, [L. S.]
 E-ke-shaw-mon-ne, the walking bear, his x mark, [L. S.]
 Waw-ne-sung-e, the one who bears down, his x mark, [L. S.]
 Waw-ro-ne-sa, the bullet, his x mark, [L. S.]
 Wa-do-ke-ga, his x mark, [L. S.]
 Waw-paw-si-ae, his x mark, [L. S.]
 Taw-ing-ee, the little deer, his x mark, [L. S.]
 Gray-tan-in-ca, the sparrow hawk, his x mark, [L. S.]
 Raw-no-way-braw, the broken pipe, his x mark, [L. S.]
 Non-jah-ning-e, the no heart, his x mark, [L. S.]
 Mon-to-ing-ge, the little white bear, his x mark, [L. S.]
 Mosk-ca-gaw-ha, his x mark, [L. S.]

[*258]

In presence of—

A. L. Langham, secretary to the commission,
 A. R. Woolley, lieutenant-colonel, U. S. Army,
 B. Riley, captain, Sixth Infantry,
 J. Gantt, captain, Sixth Infantry,
 John Gale, surgeon, U. S. Army,
 Wm. N. Wickcliffe, lieutenant, U. S. Army,
 G. W. Folger, lieutenant, Sixth U. S. Infantry,
 J. Rogers, lieutenant, Sixth Infantry,
 Levi Nute, lieutenant, Sixth Infantry,
 M. W. Batman, lieutenant, Sixth Infantry,
 A. Richardson, lieutenant, Sixth Infantry,
 J. Nichols, lieutenant, Sixth Infantry,
 G. H. Crosman, lieutenant, Sixth Infantry,
 G. H. Kennerly, U. S. S. Indian agent,
 W. W. Eaton, lieutenant, Sixth Infantry,
 Michael Burdeau, his x mark, Maha interpreter,
 William Rogers.

TREATY WITH THE OTO AND MISSOURI, 1833.

Sept. 21, 1833. | 7 Stat., 429. | Proclamation Apr. 12, 1834.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 400-401

Margin Notes:

Cession of land to United States.
 Annuity of \$2,500 continued.
 Annuity of \$500 continued.

\$500 per annum for school purposes.
 Horse mill, etc.
 Stock to be delivered.
 Conditions of these stipulations.
 Disputes to be referred to arbiter.
 Goods.
 Treaty binding when ratified.

Articles of agreement and convention, made at the Otoe Village on the River Platte, between Henry L. Ellsworth, Commissioner, in behalf of the United States, and the united bands of Otoes, and Missouriias dwelling on the said Platte this 21st day of September A. D. 1833.

ARTICLE I.

The said Otoes, and Missouriias, cede and relinquish to the United States, all their right and title, to the lands lying south of the following line viz.—Beginning, on the Little Nemohaw river, at the northwest corner of the land reserved by treaty at Prairie du Chien, on the 15th July 1830, in favor of certain half-breeds, of the Omahas, Ioways, Otoes, Yancton, and Santie bands of Sioux, and running westerly with said Little Nemohaw, to the head branches of the same; and thence running in a due west line as far west, as said Otoes and Missouriias, have, or pretend to have any claim.

ARTICLE II.

The United States agree, to continue the present annuity of twenty-five hundred dollars, granted by said treaty of Prairie du

[*401]

Chien, to said Otoes and Missouriias, ten years from the expiration of the same viz. ten years from 15th July 1840.

ARTICLE III.

The United States agree to continue for ten years from said 15th July, 1840, the annuity of five hundred dollars, granted for instruments for agricultural purposes.

ARTICLE IV.

The United States agree, to allow annually five hundred dollars, for five years, for the purposes of education, which sum shall be expended under the direction of the President; and continued longer if he deems proper. The schools however, shall be kept within the limit of said tribe or nation.

ARTICLE V.

The United States agree, to erect a horse-mill for grinding corn, and to provide two farmers to reside in the nation, to instruct and assist said tribe, for the term of five years, and longer if the President thinks proper.

ARTICLE VI.

The United States agree to deliver to said Otoes and Missouriias, one thousand dollars value in stock, which shall be placed in the care of the agent, or farmer, until the President thinks the same can safely be intrusted to the Indians.

ARTICLE VII.

It is expressly agreed and understood, that the stipulations contained in the 3d 4th 5th and 6th articles are not to be fulfilled by the United States, until the Otoes and Missouriias shall locate themselves in such convenient agricultural districts, as the President may think proper, nor shall the payments be continued, if the Otoes and Missouriias shall abandon such location as the President shall think best for their agricultural interest.

ARTICLE VIII.

The Otoes and Missouriias declare their entire willingness to abandon the chase for the agricultural life—their desire for peace with all other tribes, and therefore agree not to make war against any tribe with whom they now are, or shall be, at peace; but should any difficulty arise between them and any other tribe, they agree to refer the matter in dispute, to some arbiter, whom the President shall appoint to adjust the same.

ARTICLE IX.

The United States agree to deliver the said Otoes and Missouriias the value of four hundred dollars in goods and merchandise; which said Otoes and Missouriias hereby acknowledge to have received.

ARTICLE X.

This convention, or agreement, to be obligatory, when ratified by the President and Senate of the United States.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors have hereunto subscribed their names, and affixed their seals, at the Otoe village on the said Platte river, the date first above written.

Henry L. Ellsworth, [L. S.]

Jaton, his x mark, [L. S.]

Big Kaw, his x mark, [L. S.]

The Thief, his x mark, [L. S.]

Wah-ro-ne-saw, his x mark, [L. S.]

Rah-no-way-wah-ha-rah, his x mark, [L. S.]

Gra-tah-ni-kah, his x mark, [L. S.]

Mah-skah-gah-ha, his x mark, [L. S.]

Nan-cha-si-zay, his x mark, [L. S.]

A-Sha-bah-hoo, his x mark, [L. S.]

Kah-he-ga, his x mark, [L. S.]

Wah-ne-min-nah, his x mark, [L. S.]

Cha-wa-che-ra, his x mark, [L. S.]

Pa-che-ga-he, his x mark, [L. S.]

Wah-tcha-shing-a, his x mark, [L. S.]
 Mon-to-ni-a, his x mark, [L. S.]
 Gra-da-nia, his x mark, [L. S.]
 Mock-shiga-tona, his x mark, [L. S.]
 Wah-nah-sha, his x mark, [L. S.]
 Wash-kah-money, his x mark, [L. S.]
 Cha-ah-gra, his x mark, [L. S.]
 To-he, his x mark, [L. S.]
 O-rah-kah-pe, his x mark, [L. S.]
 Wah-a-ge-hi-ru-ga-rah, his x mark, [L. S.]
 O-ha-ah-che-gi-sug-a, his x mark, [L. S.]
 Ish-kah-tap-a, his x mark, [L. S.]
 Meh-say-way, his x mark, [L. S.]

In presence of—

Edward A. Ellsworth, secretary pro tempore,
 Jno. Dougherty, Indian agent,
 Ward S. May, M. D.,
 John Dunlop,
 John T. Irving, jr.,
 J. D. Blanchard,
 Charlo Mobrien, his x mark,
 Oloe, Interpreter.

TREATY WITH THE CONFEDERATED OTO AND MISSOURI, 1854.

Dec. 9, 1854. | 10 Stat., 1130. | 11 Stat., 605. | Ratified, Feb. 28, 1855. | Proclaimed Apr. 10, 1855.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 660-661

Margin Notes:

Preamble.
 Boundary of their reservation.

Article of agreement and convention made and concluded at Nebraska City, in the Territory of Nebraska, on the ninth day of December, one thousand eight hundred and fifty-four, between the United States of America, by George Hepner, United States' Indian agent, duly authorized thereto, and the chiefs and headmen of the confederate tribes of the Otoe and Missouri Indians, to be taken and considered as a supplement to the treaty made between the United States and said confederate tribes, on the fifteenth day of March, one thousand eight hundred and fifty-four.

Whereas, by the first article of the treaty in the caption mentioned, it is stipulated that the confederate tribes of the Otoe and Missouri Indians cede to the United States all their country west of the Missouri River, excepting a strip of land on the waters of the Big Blue River, ten miles in width, and bounded as follows: commencing at a point in the middle of the main branch

of the Big Blue River, in a west or southwest direction from old Fort Kearney, at a place called

[*661]

by the Indians the "Islands;" thence west to the western boundary of the country hereby ceded; thence in a northerly course with said western boundary ten miles; thence east to a point due north of the starting point, and ten miles therefrom; thence to the place of beginning.

And whereas, upon exploration of said reservation by the said confederate tribes, it was found that they had been mistaken as to the location thereof, much the larger portion, or nearly the entirety of it, being to the west of the Big Blue River, and without sufficiency of timber, and they being dissatisfied therewith, and the United States being desirous of removing all cause of complaint, this article is entered into.

ARTICLE.

It is agreed and stipulated, between the United States and the said confederate tribes of Ottoe and Missouri Indians, that the initial point of their reservation, in lieu of that stated in the treaty, in the caption hereof mentioned, shall be a point five miles due east thereof, thence west twenty-five miles, thence north ten miles, thence east to a point due north of the starting point and ten miles therefrom, thence to the place of beginning; and the country embraced within said boundaries shall be taken and considered as the reservation and home of said confederate tribes, in lieu of that provided for them and described in the first article of said treaty.

In witness whereof the said George Hepner and the undersigned chiefs and head men of the said Confederate tribes of Ottoes and Missourias, have hereunto set their hands and seals, at the place and on the day and year above written.

George Hepner, [SEAL.]

United States Indian agent.

Hick Kapoo, his x mark. [SEAL.]

Bil Soldier, his x mark. [SEAL.]

Chi-an-a-ka, or Buffalo Chief, his x mark. [SEAL.]

Missouri Chief, his x mark. [SEAL.]

White Water, his x mark. [SEAL.]

Executed in the presence of--

Lewis Bernard, his x mark,

U. S. interpreter.

H. P. Downs.

TREATY WITH THE OTO AND MISSOURI, 1854.

Mar. 15, 1854. | 10 Stats., 1038. | Ratified Apr. 17, 1854. | Proclaimed June 21, 1854.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Margin Notes:

Cession of land to the United States.
 Reserve for the Indians.
 See treaty of Dec. 9, 1854, post, p. 660.
 Indians to vacate the ceded lands.
 Relinquishment of former claims.
 Payment to the Indians.
 Further payment.
 Disposition of the Indian reserves.
 Grist and saw mills.
 Blacksmith.
 Annuities not to be taken for debts.
 Peace and friendship.
 Conduct of Indians; depredations.
 Provision against the introduction of liquor.
 Roads through Indian lands.
 Payment to Lewis Barnard.
 Ratifications.

Articles of agreement and convention made and concluded at the city of Washington, this fifteenth day of March, one thousand eight hundred and fifty-four, by George W. Manypenny, as commissioner on the part of the United States, and the following-named Chiefs of the confederate tribes of the Ottoe and Missouri Indians, viz: Ar-ke-kee-tah, or Stay by It; Heh-cah-po, or Kickapoo; Shaw-ka-haw-wa, or Medicine Horse; Mi-ar-ke-tah-hun-she, or Big Soldier; Cha-won-a-ke, or Buffalo Chief; Ah-hah-che-ke-saw-ke, or Missouri Chief; and Maw-thra-ti-ne, or White Water; they being thereto duly authorized by said confederate tribes.

ARTICLE 1.

The confederate tribes of Ottoe and Missouri Indians cede to the United States all their country west of the Missouri River, excepting a strip of land on the waters of the Big Blue River, ten miles in width and bounded as follows: Commencing at a point in the middle of the main branch of the Big Blue River, in a west or southwest direction from Old Fort Kearney, at a place called by the Indians the "Islands;" thence west to the western boundary of the country hereby ceded; thence in a northerly course with said western boundary, ten miles; thence east to a point due north of the starting point and ten miles therefrom; thence to the place of beginning: *Provided*, That in case the said initial point is not within the limits of the country hereby ceded, or that the western boundary of said country is not distant twenty-five miles or more from the initial point, in either case, there shall be assigned by the United States to said Indians, for their future home, a tract of land not less than ten miles wide by twenty-five miles long, the southeast corner of which tract shall be the initial point above named. And such portion of such tract, if any, as shall prove to be outside of the ceded country, shall be and the same is hereby granted and ceded to the confederate tribes of Ottoe and Missouri Indians by the United States, who will have said tract properly set off by

durable monuments as soon after the ratification of this instrument as the same can conveniently be done.

ARTICLE 2.

The said confederate tribes agree, that as soon after the United States shall make the necessary provision for fulfilling the stipulations of this instrument, as they can conveniently arrange their affairs, and not to exceed one year after such provision is made, they will vacate the ceded country, and remove to the lands herein reserved for them.

ARTICLE 3.

The said confederate tribes relinquish to the United States, all claims, for money or other thing, under former treaties, and all claim which they may have heretofore, at any time, set up, to any land on the east side of the Missouri River; *Provided*, That said confederate tribes shall receive the unexpended balances of former appropriations now in the United States Treasury, of which, four thousand dollars shall at once be applied for the purchase of provisions and to farming purposes.

ARTICLE 4.

In consideration of, and payment for the country herein ceded, and the relinquishments herein made, the United States agree to pay to the said confederate tribes of Ottoe and Missouri Indians, the several sums of money following, to wit:

- 1st. Twenty thousand dollars, per annum, for the term of three years, commencing on the first day of January, one thousand eight hundred and fifty-five.
- 2d. Thirteen thousand dollars, per annum, for the term of ten years, next succeeding the three years.
- 3d. Nine thousand dollars, per annum, for the term of fifteen years, next succeeding the ten years.

[*609]

4th. Five thousand dollars, per annum, for the term of twelve years, next succeeding the fifteen years.

All which several sums of money shall be paid to the said confederate tribes, or expended for their use and benefit under the direction of the President of the United States, who may, from time to time, determine, at his discretion, what proportion of the annual payments, in this article provided for, if any, shall be paid to them in money, and what proportion shall be applied to and expended, for their moral improvement and education; for such beneficial objects as in his judgments, will be calculated to advance them in civilization; for buildings, opening farms, fencing, breaking land, providing stock, agricultural implements, seeds, &c., for clothing, provisions, and merchandise; for iron, steel, arms and ammunition; for mechanics, and tools; and for medical purposes.

ARTICLE 5.

In order to enable the said confederate tribes to settle their affairs, and to remove, and subsist themselves for one year at their new home, (and which they agree to do without further expense to the United States,) and to break up and fence one hundred and fifty acres of land at their new home, they shall receive from the United States the further sum of twenty thousand dollars, to be paid out and expended under the direction of the President, and in such manner as he shall approve.

ARTICLE 6.

The President may, from time to time, at his discretion, cause the whole of the land herein reserved or appropriated west of the Big Blue River, to be surveyed off into lots, and assign to such Indian or Indians of said confederate tribes, as are willing to avail of the privilege, and who will locate on the same as a permanent home, if a single person over twenty-one years of age, one-eighth of a section; to each family of two, one-quarter section; to each family of three and not exceeding five, one-half section; to each family of six and not exceeding ten, one section; and to each family exceeding ten in number, one quarter section for every additional five members. And he may prescribe such rules and regulations as will secure to the family, in case of the death of the head thereof, the possession and enjoyment of such permanent home and the improvements thereon. And the President may, at any time in his discretion, after such person or family has made a location on the land assigned for a permanent home, issue a patent to such person or family for such assigned land, conditioned that the tract shall not be aliened or leased for a longer term than two years; and shall be exempt from levy, sale, or forfeiture, which conditions shall continue in force, until a State constitution embracing such land within its boundaries shall have been formed, and the legislature of the State shall remove the restrictions. And if any such person or family shall at any time neglect or refuse to occupy and till a portion of the land assigned, and on which they have located, or shall rove from place to place, the President may, if the patent shall have been issued, revoke the same, or, if not issued, cancel the assignment, and may also withhold from such person or family, their proportion of the annuities or other moneys due them, until they shall have returned to such permanent home, and resumed the pursuits of industry; and in default of their return, the tract may be declared abandoned, and thereafter assigned to some other person or family of such confederate tribes, or disposed of as is provided for the disposal of the excess of said land. And the residue of the land hereby reserved, after all the Indian persons or families of such confederate tribes shall have had assigned to them permanent homes, may be sold for their benefit, under such laws, rules, or regulations as may hereafter be prescribed by the Congress or President of the United States. No State legislature shall remove the restriction herein provided for, without the consent of Congress.

[*610]

ARTICLE 7.

The United States will erect for said confederate tribes at their new home a grist and saw mill, and keep the same in repair, and provide a miller for a term of ten years; also erect a good black-smith shop, supply the same with tools, and keep it in repair for the term of ten years, and provide a good blacksmith for a like period, and employ an experienced farmer, for ten years, to instruct the Indians in agriculture.

ARTICLE 8.

The annuities of the Indians shall not be taken to pay the debts of individuals.

ARTICLE 9.

The said confederate tribes acknowledge their dependence on the Government of the United States, and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredations on the property of such citizens. And should any one or more of the Indians violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and other Indians, to the Government of the United States, or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians, the same rule shall prevail as that prescribed in this article in cases of depredations against citizens.

ARTICLE 10.

The Ottoes and Missouriias are desirous to exclude from their country the use of ardent spirits, and to prevent their people from drinking the same; and therefore it is provided that any one of them who is guilty of bringing liquor into their country, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time, as the President may determine.

ARTICLE 11.

The said confederate tribes agree, that all the necessary roads and highways, and railways, which may be constructed as the country improves, and the lines of which may run through their land west of the Big Blue River, shall have a right of way through the reservation, a just compensation being made therefor in money.

ARTICLE 12.

The United States will pay to Lewis Barnard the sum of three hundred dollars, he having been in the service of the said tribes and they being unable to pay him.

ARTICLE 13.

This treaty shall be obligatory on the contracting parties as soon of the same shall be ratified by the President and Senate of the United States. In testimony whereof the said George W. Manypenny, commissioner as aforesaid, and the undersigned, chiefs of the said confederate tribes of Ottoes and Missouriias, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

George W. Manypenny, Commissioner. [L. S.]	}	Ottoes.
Ar-ke-kee-tah, his x mark, Or Stay By It. [L. S.]		
Heh-cah-po, his x mark, Or Kickapoo. [L. S.]		
Shaw-ka-haw-wa, his x mark, Or Medicine Horse. [L. S.]		
Mi-ar-ke-tah-hun-she, his x mark, Or Big Soldier. [L. S.]		
Cha-won-a-ke, his x mark, Or Buffalo Chief. [L. S.]	}	Missourias.
Ah-hah-che-ke-saw-ke, his x mark, Or Missouriia Chief. [L. S.]		
Maw-thra-ti-ne, his x mark, Or White Water. [L. S.]		

[*611]

Executed in the presence of us:

James M. Gatewood, Indian agent.

Thomas Maxfield.

H. N. Tabb.

Charles Calvert.

Jno. D. McPherson.

Hezekiah Miller.

Alfred Chapman.

Henry Beard.

Lewis Bernard, interpreter, his x mark.

TREATY WITH THE CONFEDERATED OTO AND MISSOURI, 1854.

Dec. 9, 1854. | 10 Stat., 1130. | 11 Stat., 605. | Ratified, Feb. 28, 1855. | Proclaimed Apr. 10, 1855.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 660-661

Margin Notes:

Preamble.
Boundary of their reservation.

Article of agreement and convention made and concluded at Nebraska City, in the Territory of Nebraska, on the ninth day of December, one thousand eight hundred and fifty-four, between the United States of America, by George Hepner, United States' Indian agent, duly authorized thereto, and the chiefs and headmen of the confederate tribes of the Otoe and Missouri Indians, to be taken and considered as a supplement to the treaty made between the United States and said confederate tribes, on the fifteenth day of March, one thousand eight hundred and fifty-four.

Whereas, by the first article of the treaty in the caption mentioned, it is stipulated that the confederate tribes of the Otoe and Missouri Indians cede to the United States all their country west of the Missouri River, excepting a strip of land on the waters of the Big Blue River, ten miles in width, and bounded as follows: commencing at a point in the middle of the main branch of the Big Blue River, in a west or southwest direction from old Fort Kearney, at a place called

[*661]

by the Indians the "Islands;" thence west to the western boundary of the country hereby ceded; thence in a northerly course with said western boundary ten miles; thence east to a point due north of the starting point, and ten miles therefrom; thence to the place of beginning.

And whereas, upon exploration of said reservation by the said confederate tribes, it was found that they had been mistaken as to the location thereof, much the larger portion, or nearly the entirety of it, being to the west of the Big Blue River, and without sufficiency of timber, and they being dissatisfied therewith, and the United States being desirous of removing all cause of complaint, this article is entered into.

ARTICLE.

It is agreed and stipulated, between the United States and the said confederate tribes of Otoe and Missouri Indians, that the initial point of their reservation, in lieu of that stated in the treaty, in the caption hereof mentioned, shall be a point five miles due east thereof, thence west twenty-five miles, thence north ten miles, thence east to a point due north of the starting point and ten miles therefrom, thence to the place of beginning; and the country embraced within said boundaries shall be taken and considered as the reservation and home of said confederate tribes, in lieu of that provided for them and described in the first article of said treaty.

In witness whereof the said George Hepner and the undersigned chiefs and head men of the said Confederate tribes of Ottoes and Missouriias, have hereunto set their hands and seals, at the place and on the day and year above written.

George Hepner, [SEAL.]
United States Indian agent.

Hick Kapoo, his x mark. [SEAL.]
Bil Soldier, his x mark. [SEAL.]
Chi-an-a-ka, or Buffalo Chief, his x mark. [SEAL.]
Missouri Chief, his x mark. [SEAL.]
White Water, his x mark. [SEAL.]

Executed in the presence of--

 Lewis Bernard, his x mark,

 U. S. interpreter.

H. P. Downs.

John Baulware.

Treaties with the Ponca

TREATY WITH THE PONCA, 1817.

June 25, 1817 | 7 Stat., 155. | Proclamation, Dec. 26, 1877.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Page 140

Margin Notes:

Injuries, etc., for given
 Perpetual peace and friendship, etc.
 Protection of United States acknowledged.

A treaty of peace and friendship made and concluded between William Clark and Auguste Chouteau, commissioners on the part and behalf of the United States of America, of the one part, and the undersigned chiefs and warriors of the Poncarar tribe of Indians, on the [their] part and of their said tribe of the other part.

THE partes being desirous of re-established peace and friendship between the United States and their said tribe, and of being placed, in all things and every respect, upon the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

ART. 1.

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

ART. 2.

There shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the said Poncarar tribe; and all the friendly relations that existed between them before the war shall be, and the same are hereby, renewed.

ART. 3.

The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, sovereign, whatever.

In witness whereof, the said William Clark and Auguste Chouteau, commissioners as aforesaid, have hereunto subscribed their names and affixed their seals, this twenty-fifth day of June, in the year of our Lord one

thousand eight hundred and seventeen, and of the independence of the United States the forty-first.

William Clark, [L. S.]
 Auguste Chouteau, [L. S.]
 Aquelaba, the Fighter, his x mark, [L. S.]
 Gradonga, Fork-tailed Hawk, his x mark, [L. S.]
 Shondagaha, Smoker, his x mark, [L. S.]
 Kihegashinga, Little Chief, his x mark, [L. S.]
 Necawcompe, the Handsome Man, his x mark, [L. S.]
 Ahahpah, the Rough Buffalo Horn, his x mark, [L. S.]
 Showeno, the Comer, his x mark, [L. S.]
 Bardegara, he who stands fire, his x mark, [L. S.]

Witnesses present:

Lewis Bissel, acting secretary to the commissioners,
 Manual Liea, United States Indian agent,
 Benja O'Fallon, United States Indian agent,
 R. Graham, Indian agent for Illinois,
 Dr. Wm, J. Clarke,
 B. Vasques,
 Saml. Solomon, interpreter,
 Stephen Julien, United States Indian interpreter,
 Joseph Lafleche, interpreter.

TREATY WITH THE PONCA, 1825.

June 9, 1825. | 7 Stat., 247. | Proclamation, Feb 6, 1826.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904

Vol. II, Pages 225-227

Margin Notes:

Supremacy of United States acknowledged.
 United States will take the Poncars under their protection.
 Trade, etc., to be transacted at such places as the President may designate.
 Regulation of trade among the Indians.
 Course to be pursued in order to prevent injuries by individuals.
 Chiefs to exert themselves to recover stolen property.
 Proviso.
 No guns, etc., to be furnished by them to any nation, etc., hostile to the United States.

FOR the purposes of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Poncar tribe of Indians, the President of the United States of America, by Brigadier General Henry Atkinson, of the United States' Army, and Major Benjamin O'Fallon, Indian Agent, with full powers and authority, specially appointed and commissioned for that purpose of the one part, and the

undersigned Chiefs, Headmen, and Warriors, of the Poncar tribe of Indians, on behalf of said tribe, of the other part, have made and entered into the following articles and conditions, which, when ratified by the President of the United States, by and with the advice and consent of the Senate, shall be binding on both parties—to wit:

ARTICLE 1.

It is admitted by the Poncar tribe of Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said tribe also admit the right of the United States to regulate all trade and intercourse with them.

ARTICLE 2.

The United States agree to receive the Poncar tribe of Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the President of the United States.

ARTICLE 3.

All trade and intercourse with the Poncar tribe shall be transacted at such place or places as may be designated and pointed out by the President of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said tribe of Indians.

[*226]

ARTICLE 4.

That the Poncar tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations: in consideration of which, the Poncar tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of the Poncar district of country. And the said Poncar tribe further agree, that if any foreigner, or other person not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian Affairs, or to the Commandant of the nearest military post, to be dealt with according to law. And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them.

ARTICLE 5.

That the friendship which is now established between the United States and the Poncar tribe should not 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 superintendent or agent of Indian affairs, or other person appointed by the President; and it shall be the duty of the said Chiefs, 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 United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the Chiefs of said Poncar tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guaranty to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: *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 the said Poncar tribe engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 6.

And the Chiefs and Warriors, as aforesaid, promise and engage, that their tribe will never, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammuniton, or other implements of War.

Done at the Poncar Village, at the mouth of White Paint creek, the first below the Qui Carre river, this 9th day of June, A. D. 1825, and of the independence of the United States the forty-ninth.

[*227]

In testimony whereof, the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Poncar tribe, have hereunto set their hands and affixed their seals.

H. Atkinson, brigadier-general, U. S. Army, [L. S.]

Benj. O'Fallon, United States agent Indian Affairs, [L. S.]

Shu-de-gah-he, or He who makes Smoke, his x mark, [L. S.]

Ish-ca-da-bee, or Child Chief, his x mark, [L. S.]

Wah-ha-nee-che, or He who hides something, his x mark, [L. S.]

Wah, or The Hoe, his x mark, [L. S.]

O-nam-ba-haa, or Lightning, his x mark, [L. S.]
 Ti-e-kee-ree, or Big Head with tangled hair, his x mark, [L. S.]
 Wa-we-shu-shee, or The Brave, his x mark, [L. S.]
 Ou-de-cowee, or the one that has been wounded, his x mark, [L. S.]
 Ne-ou-gree, or Prairie apple, his x mark, [L. S.]
 Woh-ge-a-mussee, or The flying iron, his x mark, [L. S.]
 Pee-la-ga, or Buffalo, his x mark, [L. S.]
 Wah-buc-kee, or The bull that leads, his x mark, [L. S.]
 Wah-ha-nega, or He that has no knife, his x mark, [L. S.]
 Mah-shar-harree, or He that walks on land, his x mark, [L. S.]
 Mach-souch-kee-na-pabee, or He that fears no bears, his x mark, [L. S.]
 Ca-hee-tha-bee, or Black raven, his x mark, [L. S.]
 Gah-he-ga, or The relative of the Chiefs, his mark, [L. S.]
 Na-hee-tapee, or He that stamps, his x mark, [L. S.]
 Na-ne-pa-shee, or One that knows, his x mark, [L. S.]

Witnesses:

H. Leavenworth, colonel, U. S. Army.
 S. W. Kearny, brevet major First
 Infantry.
 D. Ketchum, major, U. S. Army.
 G. H. Kennerley, U. S. S. Indian agent.
 John Gale, surgeon, U. S. Army.
 J. Gantt, captain, Sixth Infantry.
 Wm. Armstrong, captain, Sixth Regiment
 Infantry.
 S. MacRee, lieutenant, First Infantry.
 J. Rogers, lieutenant, Sixth Infantry.
 Thomas Noel, lieutenant, Sixth Infantry.
 S. Wragg, adjutant, First Regiment Infantry.
 R. Holmes, lieutenant, Sixth Infantry.
 Thos. P. Gwynn, lieutenant, First Infantry.
 Levi Nute, lieutenant, Sixth Infantry.
 Jas. W. Kingsbury, lieutenant, First
 Regiment Infantry.
 M. W. Batman, lieutenant, Sixth Infantry.
 Wm. L. Harris, First Infantry.
 R. M. Coleman, assistant surgeon, U. S.
 Army.
 Wm. Gordon,
 A. Langman,
 P. X. Promo,
 A. L. Langham, Secretary to the Commission.

TREATY WITH THE PONCA, 1858.

Mar. 12, 1858. | 12 Stats., 997. | Ratified Mar. 8, 1859. | Proclaimed Apr. 11, 1859.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

Vol. II, Pages 772-775

Margin Notes:

Cession of all lands to the United States.

Reservation.

Boundaries.

Stipulations on the part of the United States.

To protect the Ponca.

To pay them annuities for thirty years.

How to be paid.

United States to expend \$20,000 for subsistence building houses, etc.

To maintain schools. Children to be kept at school or payment discontinued.

To provide saw and grist mills, mechanics' shop, etc.

Ponca to furnish apprentices, etc.

To prevent injury to mills, etc.

Ponca to have houses, etc., given them, when, etc.

United States to pay \$20,000 to settle existing obligations for the Ponca.

Payment to Joseph Hollman and to William G. Crawford.

To Jesse Williams.

Provisions for half-breeds.

Scrip for 160 acres of land to issue to each.

And to Francis Roy.

Scrip to be applied for in five years.

United States may maintain military posts, road, etc.

Whites not to reside on reservation, unless, etc.

Lawful residents of lands hereby ceded may enter 160 acres at \$1.25 per acre.

Ponca to maintain friendly relations.

To pay for depredations.

Not to make war, except, etc.

To surrender offenders.

Annuities to be withheld from those drinking, etc., intoxicating liquor.

Annuities of Indians not to pay individual debts.

Release of claims.

Expenses of negotiation, how borne.

Articles of agreement and convention made and concluded at the city of Washington, on the twelfth day of March, one thousand eight hundred and fifty-eight, by Charles E. Mix, commissioner on the part of the United States, and Wa-gah-sah-pi, or Whip; Gish-tah-wah-gu, or Strong Walker; Mitchell P. Cera, or Wash-kom-moni; A-shno-ni-kah-gah-hi, or Lone Chief; Shu-kah-bi, or Heavy Clouds; Tah-tungah-nushi, or Standing Buffalo, on the part of the Ponca tribe of Indians; they being thereto duly authorized and empowered by said tribe.

ARTICLE 1.

The Ponca tribe of Indians hereby cede and relinquish to the United States all the lands now owned or claimed by them, wherever situate, except the tract bounded as follows, viz: Beginning at a point on the Neobrara River and running due north, so as to intersect the Ponca River twenty-five miles from its mouth; thence from said point of intersection, up and along the Ponca River, twenty — miles; thence due south to the Neobrara River; and thence down and along said river to the place of beginning; which tract is hereby reserved for the future homes of said Indians; and to which they agree and bind themselves to remove within one year from the date of the ratification of this agreement by this Senate and President of the United States.

ARTICLE 2.

In consideration of the foregoing cession and relinquishment, the United States agree and stipulate as follows, viz:

First. To protect the Poncas in the possession of the tract of land reserved for their future homes, and their persons and property thereon, during good behavior on their part.

Second. To pay to them, or expend for their benefit, the sum of twelve thousand dollars (\$12,000) per annum for five years; commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes; ten thousand dollars (\$10,000) per annum for ten years, from and after the expiration of the said five years; and thereafter eight thousand dollars (\$8,000) per annum, for fifteen years; of which sums the President of the United States shall, from time to time, determine what proportion shall be paid to the Poncas in cash, and what proportion shall be expended for their benefit; and also in what manner or for what objects such expenditure shall be made. He shall likewise exercise the power to make such provision out of the same, as he may deem to be necessary and proper for the support and comfort of the aged and infirm members of the tribe.

In case of any material decrease of the Poncas in number, the said amounts shall be reduced and diminished in proportion thereto, or they may, at the discretion of the President, be discontinued altogether should said Indians fail to make satisfactory efforts to advance and improve their condition; in which case such other provision shall be made for them as the President and Congress may judge to be suitable and proper.

Third. To expend the sum of twenty thousand dollars (\$20,000) in maintaining and subsisting the Poncas during the first year after their removal to their new homes, purchasing stock and agricultural implements, breaking up and fencing land, building houses, and in making such other improvements as may be necessary for their comfort and welfare.

Fourth. To establish, and to maintain for ten years, at an annual expense not to exceed five thousand dollars, (\$5,000,) one or more manual-labor schools for the education and training of the Ponca youth in letters, agriculture, the mechanic arts, and housewifery; which school or schools shall be managed and conducted in such manner as

[*773]

the President of the United States shall direct; the Poncas hereby stipulating to constantly keep thereat, during at least nine months in every year, all their children between the ages of seven and eighteen years; and that, if this be not done, there shall be deducted from the shares of the annuities due to the parents, guardians, or other persons having control of the children, such amounts as may be proportioned to the deficiency in their time of attendance, compared with the said nine months, and the cost of maintaining and educating the children during that period. It is further agreed that such other measures may be adopted, to compel the attendance of the children at the school or schools as the President may think proper and direct; and whenever he shall be satisfied of a failure to fulfil the aforesaid stipulation on the part of the Poncas, he may, at his discretion, diminish or wholly discontinue the allowance and expenditure of the sum herein set apart for the support and maintenance of said school or schools.

Fifth. To provide the Poncas with a mill suitable for grinding grain and sawing timber, one or more mechanic shops, with the necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for the mill, if one be necessary farmer, and the mechanics that may be employed for their benefit, the whole not to exceed in cost the sum of ten thousand five hundred dollars, (\$10,500;) and also to expend annually, for ten years, or during the pleasure of the President, an amount not exceeding seven thousand five hundred dollars, (\$7,500,) for the purpose of furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of said mill, as the Secretary of the Interior may consider advantageous and necessary for them; the Poncas hereby stipulating to furnish from their tribe the number of young men that may be required as apprentices and as sistants in the mill and mechanic shops, and at least three persons to work constantly with each laborer employed for them in agricultural pursuits, it being understood that such laborers are to be employed more for the instruction of the Indians than merely to work for their benefit. The persons so to be furnished by the tribe shall be allowed a fair and just compensation for their services, to be fixed by the Secretary of the Interior.

The Poncas further stipulate and bind themselves to prevent any of the members of their tribe from destroying or injuring the said houses, shops, mill, machinery, stock, farming utensils, or any other thing furnished them by the Government; and in case of any such destruction or injury, or of any of the things so furnished being carried off by any member or members of their tribe, the value of the same shall be deducted from the tribal annuities. And whenever the President shall be satisfied that the Poncas have become sufficiently confirmed in habits of industry, and advanced in acquiring a practical knowledge of agriculture and the mechanic arts, he may, at his discretion, cause to be turned over to the tribe all of the said houses and other property furnished them by the United States, and dispense with the services of any or all of the persons hereinbefore stipulated to be employed for their benefit and assistance.

Sixth. To provide and set apart the sum of twenty thousand dollars (\$20,000)

to enable the Poncas to adjust and settle their existing obligations and engagements, including depredations committed by them on property of citizens of the United States prior to the date of the ratification of this agreement, so far as the same may be found and decided by their agent to be valid and just, subject to the approval of the Secretary of the Interior; and in consideration of the long-continued friendship and kindness of Joseph Hollman and William G. Crawford toward the Poncas, of their furnishing them, when in distress, with large quantities of goods and provisions, and of their good counsel and advice, in consequence of which peace has often been preserved

[*774]

between the Poncas and other Indians and the whites, it is agreed that out of the above-mentioned amount they shall be paid the sum of three thousand five hundred dollars, (\$3,500,) and the sum of one thousand dollars (\$1,000) shall in like manner be paid to Jesse Williams. of Iowa, in full for his claim, as such has been admitted by the Poncas for depredations committed by them on his property.

ARTICLE 3.

The Poncas being desirous of making provision for their half-breed relatives, it is agreed that those who prefer and elect to reside among them shall be permitted to do so, and be entitled to and enjoy all the rights and privileges of members of the tribe; but to those who have chosen and left the tribe to reside among the whites and follow the pursuits of civilized life, viz: Charles Leclaire, Fort Pierre, N. T.; Cillaste Leclaire Pottowattomie, K. T.: Ciprian Leclaire. St. Louis, Missouri; Julia Harvey, Omaha, N. T.: Jenny Ruleau. Sioux City, Iowa; David Leclaire, Amelia Deloge, and Laura Deloge. at the Omaha mission, there shall be issued scrip for one hundred and sixty acres of land each, which shall be receivable at the United States land-offices in the same manner, and be subject to the same rules and regulations as military bounty-land warrants. And in consideration of the faithful services rendered to the Poncas by Francis Roy, their interpreter, it is agreed that scrip shall, in the like manner and amount, be issued to his wife and to each of his six children now living, without their being required to leave the nation. *Provided*, That application for the said scrip shall be made to the Commissioner of Indian Affairs within five years from and after the date of the ratification of this agreement.

ARTICLE 4.

The United States shall have the right to establish and maintain such military posts, roads, and Indian agencies as may be deemed necessary within the tract of country hereby reserved for the Poncas, but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if, in the establishment or maintenance of such posts, roads, and agencies, the property of any Ponca shall be taken, injured, or destroyed, just and adequate compensation shall be made therefor by the United States. And all roads or

highways authorized by competent authority, other than the United States, the lines of which shall lie through said tract, shall have the right of way through the same; the fair and just value of such right being paid to the Poncas therefor by the party or parties authorizing the same or interested therein: to be assessed and determined in such manner as the President of the United States shall direct.

ARTICLE 5.

No white person, unless in the employment of the United States, or duly licensed to trade with the Poncas, or members of the family of such persons, shall be permitted to reside, or to make any settlement, upon any part of the tract herein reserved for said Indians, nor shall the latter alienate, sell, or in manner dispose of any portion thereof, except to the United States; but, whenever they may think proper, they may divide said tract among themselves, giving to each head of a family or single person a farm, with such rights of possession, transfer to any other member of the tribe, or of descent to their heirs and representatives, as may be in accordance with the laws, customs, and regulations of the tribe.

ARTICLE 6.

Such persons as are now lawfully residing on the lands herein ceded by the Poncas shall each have the privilege of entering one hundred and sixty acres thereof, to include any improvements they may have, at one dollar and twenty-five cents per acre.

ARTICLE 7.

The Poncas acknowledge their dependence upon the Government of the United States, and do hereby pledge and bind themselves to preserve friendly relations with the citizens thereof, and

[*775]

to commit no injuries or depredations on their persons or property, nor on those of members of any other tribe; but, in case of any such injury or depredation, full compensation shall, as far as practicable, be made therefor out of their tribal annuities; the amount in all cases to be determined by the Secretary of the Interior. They further pledge themselves not to engage in hostilities with any other tribe, unless in self-defence, but to submit, through their agent, all matters of dispute and difficulty between themselves and other Indians for the decision of the President of the United States, and to acquiesce in and abide thereby. They also agree, whenever called upon by the proper officer, to deliver up all offenders against the treaties, laws, or regulations of the United States, who may be within the limits of their reservation, and to assist in discovering pursuing, and capturing all such offenders, whenever required to do so by such officer.

ARTICLE 8.

To aid in preventing the evils of intemperance, it is hereby stipulated that if any of the Poncas shall drink, or procure for others, intoxicating liquor, their proportion of the tribal annuities shall be withheld from them for at least one year; and for a violation of any of the stipulations of this agreement on the part of the Poncas, they shall be liable to have their annuities withheld, in whole or in part, and for such length of time as the President of the United States shall direct.

ARTICLE 9.

No part of the annuities of the Poncas shall be taken to pay any claims or demands against them, except such as may arise under this agreement, or under the trade and intercourse laws of the United States; and the said Indians do hereby fully relinquish and release the United States from all demands against them on the part of the tribe or any individuals thereof, except such as are herein stipulated and provided for.

ARTICLE 10.

The expenses connected with the negotiation of this agreement shall be paid by the United States.

In testimony whereof, the said Charles E. Mix, commissioner, as aforesaid, and the undersigned delegates and representatives of the Ponca tribes of Indians, have hereunto set their names and seals, at the place and on the day hereinbefore written.

Charles E. Mix, Commissioner. [L. S.]

Wah-gah-sah-pi, or Whip, his x mark. [L. S.]

Gish-tah-wah-gu, or Strong Walker, his x mark. [L. S.]

Mitchell P. Cera, or Wash-kom-mo-ni, his x mark. [L. S.]

A-shno-ni-kah-gah-hi, or Lone Chief, his x mark. [L. S.]

Shu-kah-bi, or Heavy Clouds, his x mark. [L. S.]

Tah-tungah-nushi, or Standing Buffalo, his x mark. [L. S.]

Executed in the presence of—

Edward Hanrick,

E. B. Grayson,

James R. Roche,

Moses Kelly,

Joseph Hollman,

Jno. Wm. Wells,

J. B. Robertson, United States Indian agent,

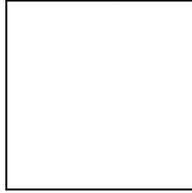
Henry Fontenelle, United States interpreter,

Francis Roy, his x mark.

TREATY WITH THE PONCA, 1865.

Mar. 10, 1865. | 14 Stat., 675. | Ratified Mar. 2, 1867. | Proclaimed Mar. 28, 1867.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.

**Margin Notes:**

Cession of lands to the United States.

Boundaries.

Certain fractional townships of land ceded by the United States to the Poncas.

Claims of settlers for improvements, how to be settled.

Indemnity for spoliation.

Expenses of this treaty to be paid by United States.

Supplementary treaty between the United States of America and the Ponca tribe of Indians, made at the city of Washington on the tenth day of March, A. D. 1865, between William P. Dole, commissioner on the part of the United States, and Wah-gah-sap-pi, or Iron Whip; Gist-tah-wah-gu, or Strong Walker; Wash-com-mo-ni, or Mitchell P. Cerre; Ash-nan-e-kah-gah-he, or Lone Chief; Tah-ton-ga-nuz-zhe, or Standing Buffalo; on the part of the Ponca tribe of Indians, they being duly authorized and empowered by the said tribe, as follows, viz:

ARTICLE 1.

The Ponca tribe of Indians hereby cede and relinquish to the United States all that portion of their present reservation as described in the first article of the treaty of March 12th, 1858, lying west of the range line between townships numbers (32) thirty-two and (33) thirty-three north, ranges (10) ten and (11) eleven west of the (6) sixth principal meridian, according to the Kansas and Nebraska survey; estimated to contain thirty thousand acres, be the same more or less.

ARTICLE 2.

In consideration of the cession or release of that portion of the reservation above described by the Ponca tribe of Indians to the Government of the United States, the Government of the United States, by way of rewarding them for their constant fidelity to the Government and citizens thereof, and with a view of returning to the said tribe of Ponca Indians their old burying-grounds and corn-fields, hereby cede and relinquish to the tribe of Ponca Indians the following-described fractional townships, to wit: township (31) thirty-one north, range (7) seven west; also, fractional township (32) thirty-two north, ranges (6,) six, (7,) seven, (8,) eight, (9,) nine, and (10) ten west; also, fractional township (33) thirty-three north, ranges (7) seven and (8) eight west; and also all that portion of township (33) thirty-three north, ranges (9) nine and (10) ten west, lying south of Ponca Creek; and also all the islands in the Niobrara or Running Water River, lying in front of lands or townships

above ceded by the United States to the Ponca tribe of Indians. But it is expressly understood and agreed that the United States shall not be called upon to

satisfy or pay the claims of any settlers for improvements upon the lands above ceded by the United States to the Poncas, but that the Ponca tribe of Indians shall, out of their own funds, and at their own expense, satisfy said claimants, should any be found upon said lands above ceded by the United States to the Ponca tribe of Indians.

ARTICLE 3.

The Government of the United States, in compliance with the first paragraph of the second article of the treaty of March 12th, 1858, hereby stipulate and agree to pay to the Ponca tribe of Indians for indemnity for spoliation committed upon them, satisfactory evidence of which has been lodged in the office of the Commissioner of Indian Affairs, and payment recommended by that officer, and also by the Secretary of the Interior, the sum of fifteen thousand and eighty dollars.

ARTICLE 4.

The expenses attending the negotiation of this treaty or agreement shall be paid by the United States.

[*876]

In testimony whereof, the said Wm. P. Dole, Commissioner as aforesaid, and the undersigned, chiefs of the Ponca tribe of Indians, have hereunto set their hands and seals at the place and on the day herein-before written.

Wm. P. Dole.

Wah-gah-sap-pi, or Iron Whip, his x mark. [SEAL.]

Gist-tah-wah-gu, or Strong Walker, his x mark. [SEAL.]

Wash-com-mo-ni, or Mitchell P. Cerre, his x mark. [SEAL.]

Ash-nan-e-kah-gah-he, or Lone Chief, his x mark. [SEAL.]

Tah-ton-ga-nuz-zhe, or Standing Buffalo, his x mark. [SEAL.]

Executed in the presence of—

Chas. Sims.

Stephen A. Dole.

Newton Edmunds.

J. Shaw Gregory.

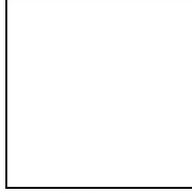
George N. Propper.

Treaties with the Omaha

TREATY WITH THE OMAHA, 1854.

March 16, 1854. | 10 Stats., 1043. | Ratified Apr. 17, 1854. | Proclaimed June 21, 1854.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 611-614



Margin Notes:

Cession of lands to the United States.
 Reserve for the Indians.
 Removal of the Indians.
 Relinquishment of former claims.
 Payment to the Indians.
 How made.
 Further payment.
 Disposition of the lands reserved.
 Protection from hostile tribes.
 Grist and sawmill.
 Blacksmith.
 Annuities not to be taken for debts.
 Conduct of the Indians.
 Depredations.
 Payment to Lewis Sounsosee.
 Provision against introduction of ardent spirits.
 Grant to the missions of the Presbyterian Church.
 Construction of roads.

Articles of agreement and convention made and concluded at the city of Washington this sixteenth day of March, one thousand eight hundred and fifty-four, by George W. Manypenny, as commissioner on the part of the United States, and the following-named chiefs of the Omaha tribe of Indians, viz: Shon-ga-ska, or Logan Fontenelle; E-sta-mah-za, or Joseph Le Flesche; Gra-tah-nah-je, or Standing Hawk; Gah-he-ga-gin-gah, or Little Chief; Ta-wah-gah-ha, or Village Maker; Wah-no-ke-ga, or Noise; So-da-nah-ze, or Yellow Smoke; they being thereto duly authorized by said tribe.

ARTICLE 1.

The Omaha Indians cede to the United States all their lands west of the Missouri River, and south of a line drawn due west from a point in the centre of the main channel of said Missouri River due east of where the Ayoway River disembogues out of the bluffs, to the western boundary of the Omaha country, and forever relinquish all right and title to the country south of said line: *Provided, however,* That if the country north of said due west line, which is reserved by the Omahas for their future home, should not on exploration prove to be a satisfactory and suitable location for said Indians,

the President may, with the consent of said Indians, set apart and assign to them, within or outside of the ceded country, a residence suited for and acceptable to them. And for the purpose of determining at once and definitely, it is agreed that a delegation of said Indians, in company with their agent, shall, immediately after the ratification of this instrument, proceed to examine the country hereby reserved, and if it please the delegation, and the Indians in counsel express themselves satisfied, then it shall be deemed and taken for their future home; but if otherwise, on the fact being reported to the President, he is authorized to cause a new location, of suitable extent, to be made for the future home of said Indians, and which shall not be more in extent than three hundred thousand acres, and then and in that case, all of the country belonging to the said Indians north of said due west line, shall be and is hereby ceded to the United States by the said Indians, they to receive the same rate per acre for it, less the number of acres assigned in lieu of it for a home, as now paid for the land south of said line.

ARTICLE 2.

The Omahas agree, that so soon after the United States shall make the necessary provision for fulfilling the stipulations of this instrument, as they can conveniently arrange their affairs, and not to exceed one year from its ratification, they will vacate the ceded country, and remove to the lands reserved herein by them, or to the other lands provided for in lieu thereof, in the preceding article, as the case may be.

ARTICLE 3.

The Omahas relinquish to the United States all claims, for money or other thing, under former treaties, and likewise all claim

[*612]

which they may have heretofore, at any time, set up, to any land on the east side of the Missouri River: *Provided*, The Omahas shall still be entitled to and receive from the Government, the unpaid balance of the twenty-five thousand dollars appropriated for their use, by the act of thirtieth of August, 1851.

ARTICLE 4.

In consideration of and payment for the country herein ceded, and the relinquishments herein made, the United States agree to pay to the Omaha Indians the several sums of money following, to wit;

- 1st. Forty thousand dollars, per annum, for the term of three years, commencing on the first day of January, eighteen hundred and fifty-five.
- 2d. Thirty thousand dollars per annum, for the term of ten years, next succeeding the three years.
- 3d. Twenty thousand dollars per annum, for the term of fifteen years, next succeeding the ten years.
- 4th. Ten thousand dollars per annum, for the term of twelve years, next succeeding the fifteen years.

All which several sums of money shall be paid to the Omahas, or expended for their use and benefit, under the direction of the President of the United States, who may from time to time determine at his discretion, what proportion of the annual payments, in this article provided for, if any, shall be paid to them in money, and what proportion shall be applied to and expended, for their moral improvement, and education; for such beneficial objects as in his judgment will be calculated to advance them in civilization; for buildings, opening farms, fencing, breaking land, providing stock, agricultural implements, seeds, &c.; for clothing, provisions, and merchandise; for iron, steel, arms, and ammunition; for mechanics, and tools; and for medical purposes.

ARTICLE 5.

In order to enable the said Indians to settle their affairs and to remove and subsist themselves for one year at their new home, and which they agree to do without further expense to the United States, and also to pay the expenses of the delegation who may be appointed to make the exploration provided for in article first, and to fence and break up two hundred acres of land at their new home, they shall receive from the United States, the further sum of forty-one thousand dollars, to be paid out and expended under the direction of the President, and in such manner as he shall approve.

ARTICLE 6.

The President may, from time to time, at his discretion, cause the whole or such portion of the land hereby reserved, as he may think proper, or of such other land as may be selected in lieu thereof, as provided for in article first, to be surveyed into lots, and to assign to such Indian or Indians of said tribe as are willing to avail of the privilege, and who will locate on the same as a permanent home, if a single person over twenty-one years of age, one-eighth of a section; to each family of two, one quarter section; to each family of three and not exceeding five, one half section; to each family of six and not exceeding ten, one section; and to each family over ten in number, one quarter section for every additional five members. And he may prescribe such rules and regulations as will insure to the family, in case of the death of the head thereof, the possession and enjoyment of such permanent home and the improvements thereon. And the President may, at any time, in his discretion, after such person or family has made a location on the land assigned for a permanent home, issue a patent to such person or family for such assigned land, conditioned that the tract shall not be aliened or leased for a longer term than two years; and shall be exempt from levy, sale, or forfeiture, which conditions shall continue in force, until a State constitution, embracing such lands within its boundaries, shall have been formed,

[*613]

and the legislature of the State shall remove the restrictions. And if any such person or family shall at any time neglect or refuse to occupy and till a portion of the lands assigned and on which they have located, or shall rove

from place to place, the President may, if the patent shall have been issued, cancel the assignment, and may also withhold from such person or family, their proportion of the annuities or other moneys due them, until they shall have returned to such permanent home, and resumed the pursuits of industry; and in default of their return the tract may be declared abandoned, and thereafter assigned to some other person or family of such tribe, or disposed of as is provided for the disposition of the excess of said land. And the residue of the land hereby reserved, or of that which may be selected in lieu thereof, after all of the Indian persons or families shall have had assigned to them permanent homes, may be sold for their benefit, under such laws, rules or regulations, as may hereafter be prescribed by the Congress or President of the United States. No State legislature shall remove the restrictions herein provided for, without the consent of Congress.

ARTICLE 7.

Should the Omahas determine to make their permanent home north of the due west line named in the first article, the United States agree to protect them from the Sioux and all other hostile tribes, as long as the President may deem such protection necessary; and if other lands be assigned them, the same protection is guaranteed.

ARTICLE 8.

The United States agree to erect for the Omahas, at their new home, a grist and saw mill, and keep the same in repair, and provide a miller for ten years; also to erect a good blacksmith shop, supply the same with tools, and keep it in repair for ten years; and provide a good blacksmith for a like period; and to employ an experienced farmer for the term of ten years, to instruct the Indians in agriculture.

ARTICLE 9.

The annuities of the Indians shall not be taken to pay the debts of individuals.

ARTICLE 10.

The Omahas acknowledge their dependence on the Government of the United States, and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredations on the property of such citizens. And should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other tribe, except in self-defence, but will submit all matters of difference between them and other Indians to the Government of the United States, or its agent, for decision, and abide thereby. And if any of the said Omahas commit any

depredations on any other Indians, the same rule shall prevail as that prescribed in this article in cases of depredations against citizens.

ARTICLE 11.

The Omahas acknowledge themselves indebted to Lewis Sounsosee, (a half-breed,) for services, the sum of one thousand dollars, which debt they have not been able to pay, and the United States agree to pay the same.

ARTICLE 12.

The Omahas are desirous to exclude from their country the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Omaha who is guilty of bringing liquor into their country, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE 13.

The board of foreign missions of the Presbyterian Church have on the lands of the Omahas a manual-labor boarding-school, for the education of the Omaha, Otoe, and other Indian youth, which is now in successful operation, and as it will be some time before

[*614]

the necessary buildings can be erected on the reservation, and [it is] desirable that the school should not be suspended, it is agreed that the said board shall have four adjoining quarter sections of land, so as to include as near as may be all the improvements heretofore made by them; and the President is authorized to issue to the proper authority of said board, a patent in fee-simple for such quarter sections.

ARTICLE 14.

The Omahas agree that all the necessary roads, highways, and railroads, which may be constructed as the country improves, and the lines of which may run through such tract as may be reserved for their permanent home, shall have a right of way through the reservation, a just compensation being paid therefor in money.

ARTICLE 15.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States. In testimony whereof, the said George W. Manypenny, commissioner as aforesaid, and the undersigned chiefs, of the Omaha tribe of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

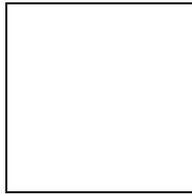
George W. Manypenny, Commissioner. [L. S.]
 Shon-ga-ska, or Logan Fontenelle, his x mark. [L. S.]
 E-sta-mah-za, or Joseph Le Flesche, his x mark. [L. S.]
 Gra-tah-mah-je, or Standing Hawk, his x mark. [L. S.]
 Gah-he-ga-gin-gah, or Little Chief, his x mark. [L. S.]
 Tah-wah-gah-ha, or Village Maker, his x mark. [L. S.]
 Wah-no-ke-ga, or Noise, his x mark. [L. S.]
 So-da-nah-ze, or Yellow Smoke, his x mark. [L. S.]

Executed in the presence of us:
 James M. Gatewood, Indian agent.
 James Goszler.
 Charles Calvert.
 James D. Kerr.
 Henry Beard.
 Alfred Chapman.
 Lewis Saunsoci, interpreter.

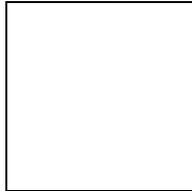
TREATY WITH THE OMAHA, 1865.

Mar. 6, 1865. | 14 Stats., 667. | Ratified, Feb. 13, 1866. | Proclaimed Feb. 15, 1866.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 872-873



Margin Notes:

Cession of lands to the United States.
 Boundaries.
 Proviso.
 Payments to the Omaha, and how to be expended.
 Articles of former treaty to be extended.
 Damages.
 Present reservation to be divided among members of the tribe in severalty.
 How assigned.
 Agency.
 Omaha Reservation.
 Whites not to go or reside thereon unless, etc.
 Certificates to be issued for tracts assigned.
 Not to be alienated or leased, etc.
 Omaha may repurchase this land if the location of the Winnebago affect their peace.

Articles of treaty made and concluded at Washington, D. C., on the sixth day of March, A. D. 1865, between the United of America, by their commissioners, Clark W. Thompson, Robert W. Furnas, and the Omaha tribe of Indians by their chiefs, E-sta-mah-za, or Joseph La Flesche, Gra-ta-mah-zhe, or Standing Hawk; Ga-he-ga-zhinga, or Little Chief; Tah-wah-gah-ha, or Village Maker; Wah-no-ke-ga, or Noise; Sha-da-na-ge, or Yellow Smoke; Wastch-com-ma-nu, or Hard Walker; Pad-a-ga-he, or Fire Chief; Ta-su, or White Cow; Ma-ha-nin-ga, or No Knife.

ARTICLE 1.

The Omaha tribe of Indians do hereby cede, sell, and convey to the United States a tract of land from the north side of their present reservation, defined and bounded as follows, viz: commencing at a point on the Missouri River four miles due south from the north boundary line of said reservation, thence west ten miles, thence south four miles, thence west to the western boundary line of the reservation, thence north to the northern boundary line, thence east to the Missouri River, and thence south along the river to the place of beginning; and that the said Omaha tribe of Indians will vacate and give possession of the lands ceded by this treaty immediately after its ratification: *Provided*, That nothing herein contained shall be construed to include any of the lands upon which the said Omaha tribe of Indians have now improvements, or any land or improvements belonging to, connected with, or used for the benefit of the Missouri school now in existence upon the Omaha reservation.

ARTICLE 2.

In consideration of the foregoing cession, the United States agree to pay to the said Omaha tribe of Indians the sum of fifty thousand dollars, to be paid upon the ratification of this treaty, and to be expended by their agent, under the direction of the Commissioner of Indian Affairs, for goods, provisions, cattle, horses, construction of buildings, farming implements, breaking up lands, and other improvements on their reservation.

ARTICLE 3.

In further consideration of the foregoing cession, the United States agree to extend the provisions of article 8 of the treaty between the Omaha tribe of Indians and the United States, made on the 16th day of March, A. D. 1854, for a term of ten years from and after the ratification of this treaty; and the United States further agree to pay to the said Omaha tribe of Indians, upon the ratification of this treaty, the sum of seven thousand dollars as damages in consequence of the occupancy of a portion of the Omaha reservation not hereby ceded, and use and destruction of timber by the Winnebago tribe of Indians while temporarily residing thereon.

ARTICLE 4.

The Omaha Indians being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof in severalty to the members of the tribe, including their half or mixed blood relatives now residing with them, to be cultivated and improved for their own individual use and benefit, it is hereby agreed and stipulated that the remaining portion of their present reservation shall be set apart for said purposes; and that out of the same there shall be assigned to each head of a family not exceeding one hundred and sixty acres, and to each male person, eighteen years of age and upwards, without family, not exceeding forty acres of land—to include in every case, as far as practicable, a reasonable proportion of timber; six hundred and forty acres of said lands, embracing and surrounding the present agency improvements, shall also be set apart and appropriated to the occupancy and use of

[*873]

the agency for said Indians. The lands to be so assigned, including those for the use of the agency, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary. The whole of the lands, assigned or unassigned, in severalty, shall constitute and be known as the Omaha reservation, within and over which all laws passed or which may be passed by Congress, regulating trade and intercourse with the Indian tribes shall have full force and effect, and no white person, except such as shall be in the employ of the United States, shall be allowed to reside or go upon any portion of said reservation without the written permission of the superintendent of Indian affairs or the agent for the tribe. Said division and assignment of lands to the Omahas in severalty shall be made under the direction of the Secretary of the Interior, and when approved by him, shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of individuals to whom they have been assigned respectively, and that they are for the exclusive use and benefit of themselves, their heirs, and descendants; and said tracts shall not be alienated in fee, leased, or otherwise disposed of except to the United States or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the Interior, and they shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided for by Congress.

ARTICLE 5.

It being understood that the object of the Government in purchasing the land herein described is for the purpose of locating the Winnebago tribe thereon, now, therefore, should their location there prove detrimental to the peace, quiet, and harmony of the whites as well as of the two tribes of Indians, then the Omahas shall have the privilege of repurchasing the land herein ceded upon the same terms they now sell.

In testimony whereof, the said Clark W. Thompson and Robert W. Furnas, Commissioners as aforesaid, and the said chiefs and delegates of the Omaha

tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Clark W. Thompson,
R. W. Furnas, Commissioners.

E-sta-mah-zha, or Joseph La Flesche, his x mark. [SEAL.]
Gra-ta-mah-zhe, or Standing Hawk, his x mark. [SEAL.]
Ga-he-ga-zhin-ga, or Little Chief, his x mark. [SEAL.]
Tah-wah-ga-ha, or Village Maker, his x mark. [SEAL.]
Wah-no-ke-ga, or Noise, his x mark. [SEAL.]
Sha-da-na-ge, or Yellow Smoke, his x mark. [SEAL.]
Wastch-com-ma-nu, or Hard Walker, his x mark. [SEAL.]
Pad-a-ga-he, or Fire Chief, his x mark. [SEAL.]
Ta-su, or White Cow, his x mark. [SEAL.]
Ma-ha-nin-ga, or No Knife, his x mark. [SEAL.]

In presence of—

H. Chase, United States interpreter.

Lewis Saunsoci, interpreter.

St. A. D. Balcombe, United States Indian agent.

Geo. N. Propper.

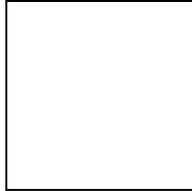
J. N. H. Patrick.

Treaties with Eastern Sioux Nations/Bands

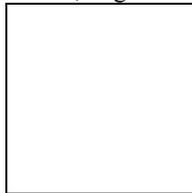
TREATY WITH THE YANKTON SIOUX, 1815.

July 19, 1815. | 7 Stat., 128. | Ratified Dec. 26, 1815.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Page 115



Margin Notes:

Injuries, etc., forgiven.
Perpetual peace and friendship, etc.
Protection of United States acknowledged.

A treaty of peace and friendship, made and concluded at Portage des Sioux between William Clark, Ninian Edwards, and Auguste Chouteau, Commissioners Plenipotentiary of the United States of America, on the part and behalf of the said States, of the one part; and the undersigned Chiefs and Warriors of the Yancton Tribe of Indians, on the part and behalf of their said Tribe, of the other part.

THE parties being desirous of re-establishing peace and friendship between the United States and the said tribe, and of being placed in all things, and in every respect, on the same footing upon which they stood before the late war between the United States and Great Britain, have agreed to the following articles:

ARTICLE 1.

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

ART. 2.

There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals composing the said Yancton

tribe, and all the friendly relations that existed between them before the war shall be, and the same are hereby, renewed.

ART. 3.

The undersigned chiefs and warriors, for themselves and their said tribe, do hereby acknowledge themselves to be under the protection of the United States of America, and of no other nation, power, or sovereign, whatsoever. In witness whereof, the said William Clark, Ninian Edwards, and Auguste Chouteau, commissioners as aforesaid, and the chiefs aforesaid, have hereunto subscribed their names and affixed their seals, this nineteenth day of July, in the year of our Lord one thousand eight hundred and fifteen, and of the independence of the United States the fortieth.

Wm. Clark, [L. S.]
 Ninian Edwards, [L. S.]
 Auguste Chouteau, [L. S.]
 Monlori, or white bear, his x mark, [L. S.]
 Waskaijingo, or little dish, his x mark, [L. S.]
 Padamape, or panis sticker, his x mark, [L. S.]
 Chaponge, or musquitoe, his x mark, [L. S.]
 Mindalonga, partisan, or war chief, [L. S.]
 Weopaatowechashla, or sun set, [L. S.]
 Tokaymhominee, or the rock that turns, his x mark, [L. S.]
 Keonorunco, or fast flyer, his x mark, [L. S.]
 Mazo, or the iron, his x mark, [L. S.]
 Haiwongeeda, or one horn, his x mark, [L. S.]
 Mazehaio, or arrow sender, his x mark, [L. S.]

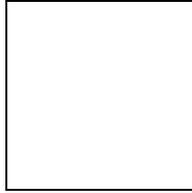
Done at the Portage des Sioux, in the presence of—

R. Wash, secretary to the commission,
 John Miller, colonel, Third Infantry,
 H. Dodge, brigadier-general Missouri Militia,
 Manuel Lisa, agent,
 Thomas Forsyth, Indian agent,
 Maurice Blondeaux,
 Jacques Mette,
 John A. Cameron,
 R. Paul, C. T. of the commission,
 Louis Decouagne,
 Cyrus Edwards,
 Lewis Dorion,
 John Hay, interpreter.

TREATY WITH THE TETON, ETC., SIOUX, 1825.

June 22, 1825. | 7 Stat., 250. | Proclamation, Feb. 6, 1826.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 227-230



Margin Notes:

Supremacy of United States acknowledged.

Protection of United States extended to them.

Places for trade to be designated by the President.

Regulation of trade with Indians.

Course to be pursued in order to prevent injuries by individuals, etc.

Chiefs to exert themselves to recover stolen property.

Proviso.

No arms to be furnished by Indians to persons not in amity with United States.

Treaty with the Teton, Yancton, and Yanctonies bands of the Sioux tribe of Indians.

For the purposes of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens, and the Teton, Yancton, and Yanctonies bands of the Sioux tribe of Indians, the President of the United States of America, by Brigadier-General Henry Atkinson, of the United States' army, and Major Benjamin O'Fallon, Indian Agent, with full powers and authority, specially appointed and commissioned for that purpose of the one part, and the undersigned Chiefs, head men and Warriors of the Teton, Yancton, and Yanctonies bands of the Sioux tribe of Indians, on behalf of said bands or tribe of the other part, have made and entered into the following Articles and Conditions; which, when ratified by the President of the United States, by and with the advice and consent of the Senate; shall be binding on both parties—to wit:

ARTICLE 1.

It is admitted by the Teton, Yancton and Yanctonies bands of Sioux Indians, that they reside within the territorial limits of the United

[*228]

States, acknowledge their supremacy, and claim their protection. The said bands also admit the right of the United States to regulate all trade and intercourse with them.

ARTICLE 2.

The United States agree to receive the said Teton, Yancton, and Yanctonies band of Sioux Indians into their friendship, and under their protection, and to extend to them, from time to time, such benefits and acts of kindness as may be convenient, and seem just and proper to the President of the United States.

ARTICLE 3.

All trade and intercourse with the Teton, Yancton, and Yanctonies bands shall be transacted at such place or places as may be designated and pointed out by the President of the United States, through his agents; and none but American citizens, duly authorized by the United States, shall be admitted to trade or hold intercourse with said bands of Indians.

ARTICLE 4.

That the Teton, Yancton, and Yanctonies bands may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribes or bands, under mild and equitable regulations: in consideration of which, the Teton, Yancton, and Yanctonies bands bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain within the limits of their particular district of country. And the said Teton, Yancton, and Yanctonies bands further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian Affairs, or to the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country: and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them.

ARTICLE 5.

That the friendship which is now established between the United States and the Teton, Yancton, and Yanctonies bands should not 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 superintendent or agent of Indian affairs, or other person appointed by the President; and it shall be the duty of the said Chiefs, 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 United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said bands, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed,

that the chiefs of the said Teton, Yancton, and Yanctonies bands shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen

[*229]

or citizens of the United States by any individual or individuals of said bands; and the property so recovered shall be forthwith delivered to the agents, or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guaranty to any Indian or Indians of said bands, a full indemnification for any horses or other property which may be stolen from them by any of their citizens: *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 the said Teton, Yancton, and Yanctonies bands engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 6.

And the Chiefs and Warriors, as aforesaid, promise and engage, their band or tribe will never, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, ammuniton, or other implements of war.

Done at fort Look-out, near the three rivers of the Sioux pass, this 22d day of June, A. D. 1825, and of the independence of the United States the forty-ninth.

In testimony whereof the said commissioners, Henry Atkinson and Benjamin O'Fallon, and the chiefs, head men, and warriors, of the Teton, Yancton, and Yanctonies bands, of Sioux tribe, have hereunto set their hands, and affixed their seals.

H. Atkinson, brigadier general U. S. Army. [L. S.]
Benj. O'Fallon, United States Agent Indian Affairs, [L. S.]

Yanctons:

Maw-too-sa-be-kia, the black bear, his x mark, [L. S.]
Wacan-o-hi-gnan, the flying medicine, his x mark, [L. S.]
Wah-ha-ginga, the little dish, his x mark, [L. S.]
Cha-pon-ka, the musqueto, his x mark, [L. S.]
Eta-ke-nus-ke-an, the mad face, his x mark, [L. S.]
To-ka-oo, the one that kills, his x mark, [L. S.]
O-ga-tee, the fork, his x mark, [L. S.]
You-ia-san, the warrior, his x mark, [L. S.]
Wah-ta-ken-do, the one who comes from war, his x mark, [L. S.]
To-qui-in-too, the little soldier, his x mark, [L. S.]
Ha-sas-hah, the Ioway, his x mark, [L. S.]

Tetons:

Ta-tan-ka-guenish-qui-gnan, the mad buffalo, his x mark, [L. S.]
Mah-to-ken-do-ha-cha, the hollow bear, his x mark, [L. S.]
E-gue-mon-wa-con-ta, the one that shoots at the tiger, his x mark, [L. S.]
Jai-kan-kan-e, the child chief, his x mark, [L. S.]
Shawa-non, or O-e-te-kah, the brave, his x mark, [L. S.]
Man-to-dan-za, the running bear, his x mark, [L. S.]
Wa-can-guela-sassa, the black lightning, his x mark, [L. S.]
Wa-be-la-wa-con, the medicine war eagle, his x mark, [L. S.]

Cam-pes-cah-o-ran-co, the swift shell, his x mark, [L. S.]
 Eh-ra-ka-che-ka-la, the little elk, his x mark, [L. S.]
 Na-pe-a-mus-ka, the mad hand, his x mark, [L. S.]
 J-a-pee, the soldier, his x mark, [L. S.]
 Hoo-wa-gah-hak, the broken leg, his x mark, [L. S.]
 Ce-cha-he, or the burnt thigh, his x mark, [L. S.]
 O-caw-see-non-gea, or the spy, his x mark, [L. S.]
 Ta-tun-ca-see-ha-hue-ka, the buffalo with the long foot, his x mark, [L. S.]
 Ah-kee-che-ha-che-ga-la, the little soldier, his x mark, [L. S.]

In presence of—

A. L. Langham, secretary to the commission,
 H. Leavenworth, colonel, U. S. Army,
 S. W. Kearney, brevet major, First Infantry,
 G. H. Kennerly, U. S. S. Indian agent,
 P. Wilson, U. S. S. Indian agent,
 Wm. Armstrong, captain, Sixth Regiment
 Infantry,
 R. B. Mason, captain, First Infantry,
 J. Gantt, captain, Sixth Infantry.
 S. Mac Ree, lieutenant and aid de camp,
 Wm. S. Harney, lieutenant, First Infantry,
 Thomas Noel, lieutenant, Sixth Infantry,
 B. Riley, captain, Sixth Infantry,
 James W. Kingsbury, lieutenant, First Regiment,
 S. Wragg, adjutant, First Regiment,
 G. C. Spencer, captain, First Regiment,

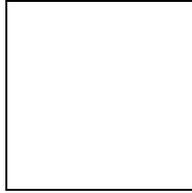
[*230]

A. S. Miller, lieutenant, First Infantry,
 H. Swearingen, lieutenant, First Infantry,
 Thos. P. Gwynn, lieutenant, First Infantry,
 M. W. Batman, lieutenant, Sixth Infantry,
 George C. Hutter, lieutenant, Sixth Infantry,
 J. Rogers, lieutenant, Sixth Infantry,
 Wm. Day, lieutenant, First Infantry,
 John Gale, surgeon, U. S. Army,
 D. Ketchum, major, U. S. Army,
 R. H. Stuart, lieutenant, First Infantry,
 Wm. Gordon,
 Jean Baptiste Dorion.

TREATY WITH THE YANKTON SIOUX, 1837.

Oct. 21, 1837. | 7 Stat., 542. | Proclamation, Feb. 21, 1838.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 496-497



Margin Notes:

Indians cede all their right in land ceded by treaty of 15th July, 1830.
 Consideration therefor.
 How to be expended.
 United States to pay expenses of this treaty.
 Treaty binding when ratified.

Articles of a treaty made at the city of Washington, between Carey A. Harris, thereto specially authorized by the President of the United States, and the Yankton tribe of Sioux Indians, by their chiefs and delegates.

ARTICLE 1st.

The Yankton tribe of Sioux Indians cede to the United States all the right and interest in the land ceded by the treaty, concluded with them and other tribes on the fifteenth of July, 1830, which they might be entitled to claim, by virtue of the phraseology employed in the second article of said treaty.

ARTICLE 2d.

In consideration of the cession contained in the preceding article, the United States stipulate to pay them four thousand dollars (\$4,000.)
 It is understood and agreed, that fifteen hundred dollars (\$1,500) of this sum shall be expended in the purchase of horses and presents, upon the arrival of the chiefs and delegates at St. Louis; two

[*497]

thousand dollars (\$2,000) delivered to them in goods, at the expense of the United States, at the time their annuities are delivered next year; and five hundred dollars (\$500) be applied to defray the expense of removing the agency building and blacksmith shop from their present site.

ARTICLE 3d.

The expenses of this negotiation, and of the chiefs and delegates signing this treaty to this city and to their homes, to be paid by the United States.

ARTICLE 4th.

This treaty to be binding upon the contracting parties, when the same shall be ratified by the United States.

In witness whereof, the said Carey A. Harris, and the undersigned chiefs and delegates of said tribe, have hereunto set their hands at the city of Washington, this 21st day of October A. D. 1837.

C. A. Harris.

Ha-sa-za (The Elk's Horn)
 Ha-sha-ta (The Forked Horn)
 Za-ya-sa (Warrior)
 Pa-la-ni-a-pa-pi (Struck by a Riccara)
 To-ka-can (He that gives the First Wound)
 Mau-ka-ush-can (The Trembling Earth)
 Mon-to-he (White crane)
 Ish-ta-ap-pi (Struck in the eye)
 E-mo-ne.

In presence of—

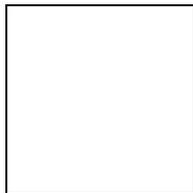
Chauncey Bush, Secretary.
 Joshua Pilcher, Indian agent.
 W. Thompson.

(To the Indian names are subjoined marks.)

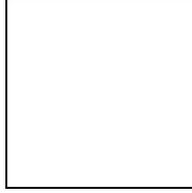
TREATY WITH THE YANKTON SIOUX, 1858.

Apr. 19, 1858. | 11 Stat., 743. | Ratified Feb. 16, 1859. | Proclaimed Feb. 26, 1859.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 776-781



Margin Notes:

Lands relinquished to the United States, except, etc.

Boundaries of land ceded.

Islands in the Missouri River.

Title.

Necessary roads may be built across the lands reserved, paying damages therefor.

Indians to settle etc., on reservation within a year.

Agreements on part of the United States.

Protection on the reserved lands.

Payment of annuities.

Subsistence.

Purchase of stock, etc.

Schools and school-houses.

Indians to furnish apprentices for mills, etc.

President may discontinue allowance for school.

United States to furnish mills, mechanic shops, etc.

Mills, etc., not to be injured.

If injured value to be deducted from annuity.

Houses, etc., to be given to the Indians when, etc.

Portion of annuities may be paid for debts, etc.

Proviso.

Proviso.

Grants of land to Charles F. Picotte, Zephyr Rencontre, Paul Dorian, and others.

Persons other than Indians or mixed bloods may enter 160 acres at \$1.25 per acre.

Yankton to be secure in the use of the red pipestone quarry.

United States may maintain military posts, etc.

No trade with Indians unless licensed.

Land not to be alienated except, etc.

The Yankton to preserve friendly relations.

Surrender of offenders.

Tribal annuities to be withheld if intemperate, etc.

Annuities not to be subject to debts, except, etc.

Release of all demands, etc.

Indian agent for Yankton.

Expenses hereof to be borne by the United States.

When to take effect.

Articles of agreement and convention made and concluded at the city of Washington, this nineteenth day of April, A. D. one thousand eight hundred and fifty-eight, by Charles E. Mix, commissioner on the part of the United States, and the following-named chiefs and delegates of the Yankton tribe of Sioux or Dacotah Indians, viz:

Pa-la-ne-a-pa-pe, the man that was struck by the Ree.

Ma-to-sa-be-che-a, the smutty bear.

Charles F. Picotte, Eta-ke-cha.

Ta-ton-ka-wete-co, the crazy bull.

Pse-cha-wa-kea, the jumping thunder.

Ma-ra-ha-ton, the iron horn.

Mombe-kah-pah, one that knocks down two.

Ta-ton-ka-e-yah-ka, the fast bull.

A-ha-ka-ma-ne, the walking elk.

A-ha-ka-na-zhe, the standing elk.

A-ha-ka-ho-che-cha, the elk with a bad voice.

Cha-ton-wo-ka-pa, the grabbing hawk.

E-ha-we-cha-sha, the owl man.

Pla-son-wa-kan-na-ge, the white medicine cow that stands.

Ma-ga-scha-che-ka, the little white swan.

Oke-che-la-wash-ta, the pretty boy.

(The three last names signed by their duly-authorized agent and representative, Charles F. Picotte,) they being thereto duly authorized and empowered by said tribe of Indians.

ARTICLE 1.

The said chiefs and delegates of said tribe of Indians do hereby cede and relinquish to the United States all the lands now owned, possessed, or claimed by them, wherever situated, except four hundred thousand acres thereof, situated and described as follows, to wit—Beginning at the mouth of the Naw-izi-wa-koo-pah or Chouteau River and extending up the Missouri River thirty miles: thence due north to a point; thence easterly to a point on the said Chouteau River; thence down said river to the place of beginning, so as to include the said quantity of four hundred thousand acres. They, also, hereby relinquish and abandon all claims and complaints about or growing out of any and all treaties heretofore made by them or other Indians, except their annuity rights under the treaty of Laramie, of September 17, A. D. 1851.

ARTICLE 2.

The land so ceded and relinquished by the said chiefs and delegates of the said tribe of Yanctons is and shall be known and described as follows, to wit—

“Beginning at the mouth of the Tchan-kas-an-data or Calumet or Big Sioux River; thence up the Missouri River to the mouth of the Pa-hah-wa-kan or East Medicine Knoll River; thence up said river to its head; thence in a direction to the head of the main fork of the Wan-dush-kah-for or Snake River; thence down said river to its junction with the Tchan-san-san or Jaques or James River; thence in a direct line to the northern point of Lake Kampeska; thence along the northern shore of said lake and its outlet to the junction of said outlet with the said Big Sioux River; thence down the Big Sioux River to its junction with the Missouri River.”

And they also cede and relinquish to the United States all their right and title to and in all the islands of the Missouri River, from the mouth of the Big Sioux to the mouth of the Medicine Knoll River.

And the said chiefs and delegates hereby stipulate and agree that all the lands embraced in said limits are their own, and that they have full and exclusive right to cede and relinquish the same to the United States.

[*777]

ARTICLE 3.

The said chiefs and delegates hereby further stipulate and agree that the United States may construct and use such roads as may be hereafter necessary across their said reservation by the consent and permission of the Secretary of the Interior, and by first paying the said Indians all damages and the fair value of the land so used for said road or roads, which said damages and value shall be determined in such manner as the Secretary of the Interior may direct. And the said Yanctons hereby agree to *remove* and *settle* and *reside* on said reservation within one year from this date, and, until they do so remove, (if within said year,) the United States guarantee them in the quiet and undisturbed possession of their present settlements.

ARTICLE 4.

In consideration of the foregoing cession, relinquishment, and agreements, the United States do hereby agree and stipulate as follows, to wit:

1st. To protect the said Yanctons in the quiet and peaceable possession of the said tract of four hundred thousand acres of land so reserved for their future home, and also their persons and property thereon during good behavior on their part.

2d. To pay to them, or expend for their benefit, the sum of sixty- five thousand dollars per annum, for ten years, commencing with the year in which they shall remove to, and settle and reside upon, their said reservation—forty thousand dollars per annum for and during ten years thereafter—twenty-five thousand dollars per annum for and during ten years thereafter—and fifteen thousand dollars per annum for and during twenty years thereafter; making *one million and six hundred thousand dollars in annuities in the period of fifty years*, of which sums the President of the United States shall, from time to time, determine what proportion shall be paid to said Indians, in cash, and what proportion shall be expended for their benefit, and, also, in what manner and for what objects such expenditure shall be made, due regard being had in making such determination to the best interests of said Indians. He shall likewise exercise the power to make such provision out of said sums as he may deem to be necessary and proper for the support and comfort of the aged or infirm, and helpless orphans of the said Indians. In case of any material decrease of said Indians, in number, the said amounts may, in the discretion of the President of the United States, be diminished and reduced in proportion thereto— or they may, at the discretion of the President of the United States, be discontinued entirely, should said Indians fail to make reasonable and satisfactory efforts to advance and improve their condition, in which case, such other provisions shall be made for them as the President and Congress may judge to be suitable and proper.

3d. In addition to the foregoing sum of one million and six hundred thousand dollars as annuities, to be paid to or expended for the benefit of said Indians, during the period of fifty years, as before stated, the United States hereby stipulate and agree to expend for their benefit the sum of fifty thousand

dollars more, as follows, to wit: Twenty-five thousand dollars in maintaining and subsisting the said Indians during the first year after their removal to and permanent settlement upon their said reservation; in the purchase of stock, agricultural implements, or other articles of a beneficial character, and in breaking up and fencing land; in the erection of houses, store-houses, or other needful buildings, or in making such other improvements as may be necessary for their comfort and welfare.

4th. To expend ten thousand dollars to build a school-house or school-houses, and to establish and maintain one or more normal-labor schools (so far as said sum will go) for the education and training of the children of said Indians in letters, agriculture, the mechanic arts, and housewifery, which school or schools shall be managed and conducted in such manner as the Secretary of the Interior shall direct. The said

[*778]

Indians hereby stipulating to keep constantly thereat, during at least nine months in the year, all their children between the ages of seven and eighteen years; and if any of the parents, or others having the care of children, shall refuse or neglect to send them to school, such parts of their annuities as the Secretary of the Interior may direct, shall be withheld from them and applied as he may deem just and proper; and such further sum, in addition to the said ten thousand dollars, as shall be deemed necessary and proper by the President of the United States, shall be reserved and taken from their said annuities, and applied annually, during the pleasure of the President to the support of said schools, and to furnish said Indians with assistance and aid and instruction in agricultural and mechanical pursuits, including the working of the mills, hereafter mentioned, as the Secretary of the Interior may consider necessary and advantageous for said Indians; and all instruction in reading shall be in the English language. And the said Indians hereby stipulate to furnish, from amongst themselves, the number of young men that may be required as apprentices and assistants in the mills and mechanic shops, and at least three persons to work constantly with each white laborer employed for them in agriculture and mechanical pursuits, it being understood that such white laborers and assistants as may be so employed *are* thus employed more for the instruction of the said Indians than merely to work for their benefit: and that the laborers so to be furnished by the Indians may be allowed a fair and just compensation for their services, to be fixed by the Secretary of the Interior, and to be paid out of the shares of annuity of such Indians as are able to work, but refuse or neglect to do so. And whenever the President of the United States shall become satisfied of a failure, on the part of said Indians, to full fill the aforesaid stipulations, he may, at his discretion, discontinue the allowance and expenditure of the sums so provided and set apart for said school or schools, and assistance and instruction.

5th. To provide the said Indians with a mill suitable for grinding grain and sawing timber; one or more mechanic shops, with the necessary tools for the same; and dwelling-houses for an interpreter, miller, engineer for the mill, (if one be necessary,) a farmer, and the mechanics that may be employed for

their benefit, and to expend therefor a sum not exceeding fifteen thousand dollars.

ARTICLE 5.

Said Indians further stipulate and bind themselves to prevent any of the members of their tribe from destroying or injuring the said houses, shops, mills, machinery, stock, farming-utensils, or any other thing furnished them by the Government, and in case of any such destruction or injury of any of the things so furnished, or their being carried off by any member or members of their tribe, the value of the same shall be deducted from their general annuity; and whenever the Secretary of the Interior shall be satisfied that said Indians have become sufficiently confirmed in habits of industry and advanced in the acquisition of a practical knowledge of agriculture and the mechanic arts to provide for themselves, he may, at his discretion, cause to be turned over to them all of the said houses and other property furnished them by the United States, and dispense with the services of any or all persons herein before stipulated to be employed for their benefit, assistance, and instruction.

ARTICLE 6.

It is hereby agreed and understood that the chiefs and head-men of said tribe may, at their discretion, in open council, authorize to be paid *out of their said annuities* such a sum or sums as may be found to be necessary and proper, not exceeding in the aggregate one hundred and fifty thousand dollars, to satisfy their just debts and obligations, and to provide for such of their half-breed relations as do not live with them, or draw any part of the said annuities of said Indians: *Provided, however,* That their said determinations shall be approved by their agent for the time being, and the said payments authorized

[*779]

by the Secretary of the Interior: *Provided, also,* That there shall not be so paid out of their said annuities in any one year, a sum exceeding fifteen thousand dollars.

ARTICLE 7.

On account of their valuable services and liberality to the Yanctons, there shall be granted in fee to Charles F. Picotte and Zephyr Rencontre, each, one section of six hundred and forty acres of land, and to Paul Dorian one-half a section; and to the half-breed Yancton, wife of Charles Reulo, and her two sisters, the wives of Eli Bedaud and Augustus Traverse, and to Louis Le Count, each, one-half a section. The said grants shall be selected in said ceded territory, and shall not be within said reservation, nor shall they interfere in any way with the improvements of such persons as are on the lands ceded above by authority of law; and all other persons (other than Indians, or mixed-bloods) who are now residing within said ceded country, by authority of law, shall have the privilege of entering one hundred and sixty acres

thereof, to include each of their residences or improvements, at the rate of one dollar and twenty-five cents per acre.

ARTICLE 8.

The said Yancton Indians shall be secured in the free and unrestricted use of the red pipe-stone quarry, or so much thereof as they have been accustomed to frequent and use for the purpose of procuring stone for pipes; and the United States hereby stipulate and agree to cause to be surveyed and marked so much thereof as shall be necessary and proper for that purpose, and retain the same and keep it open and free to the Indians to visit and procure stone for pipes so long as they shall desire.

ARTICLE 9.

The United States shall have the right to establish and maintain such military posts, roads, and Indian agencies as may be deemed necessary within the tract of country herein reserved for the use of the Yanctons; but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if, in the establishment or maintenance of such posts, roads, and agencies, the property of any Yancton shall be taken, injured, or destroyed, just and adequate compensation shall be made therefor by the United States.

ARTICLE 10.

No white person, unless in the employment of the United States, or duly licensed to trade with the Yanctons, or members of the families of such persons, shall be permitted to reside or make any settlement upon any part of the tract herein reserved for said Indians, nor shall said Indians alienate, sell, or in any manner dispose of any portion thereof, except to the United States. Whenever the Secretary of the Interior shall direct, said tract shall be surveyed and divided as he shall think proper among said Indians, so as to give to each head of a family or single person a separate farm, with such rights of possession or transfer to any other member of the tribe or of descent to their heirs and representatives as he may deem just.

ARTICLE 11.

The Yanctons acknowledge their dependence upon the Government of the United States, and do hereby pledge and bind themselves to preserve friendly relations with the citizens thereof, and to commit no injuries or depredations on their persons or property, nor on those of members of any other tribe or nation of *of* Indians; and in case of any such injuries or depredations by said Yanctons, full compensation shall, as far as possible, be made therefor out of their tribal annuities, the amount in all cases to be determined by the Secretary of the Interior. They further pledge themselves not to engage in hostilities with any other tribe or nation, unless in self-defence, but to submit, through their agent, all matters of dispute and difficulty between themselves and other Indians for the decision of the President of the United States, and to acquiesce in and abide thereby. They also agree to deliver, to the proper

officer of the United States all offenders against the treaties, laws, or regulations of the United States, and to assist in discovering, pursuing, and capturing all such offenders,

[*780]

who may be within the limits of their reservation, whenever required to do so by such officer.

ARTICLE 12.

To aid in preventing the evils of intemperance, it is hereby stipulated that if any of the Yanctons shall drink, or procure for others, intoxicating liquor, their proportion of the tribal annuities shall be withheld from them for at least one year; and for a violation of any of the stipulations of this agreement on the part of the Yanctons they shall be liable to have their annuities withheld, in whole or in part, and for such length of time as the President of the United States shall direct.

ARTICLE 13.

No part of the annuities of the Yanctons shall be taken to pay any debts, claims, or demands against them, except such existing claims and demands as have been herein provided for, and except such as may arise under this agreement, or under the trade and inter-course laws of the United States.

ARTICLE 14.

The said Yanctons do hereby fully acquit and release the United States from all demands against them on the part of said tribe, or any individual thereof, except the beforementioned right of the Yanctons to receive an annuity under said treaty of Laramie, and except, also, such as are herein stipulated and provided for.

ARTICLE 15.

For the special benefit of the Yanctons, parties to this agreement, the United States agree to appoint an agent for them, who shall reside on their said reservation, and shall have set apart for his sole use and occupation, at such a point as the Secretary of the Interior may direct, one hundred and sixty acres of land.

ARTICLE 16.

All the expenses of the making of this agreement, and of surveying the said Yancton reservation, and of surveying and marking said pipe-stone quarry, shall be paid by the United States.

ARTICLE 17.

This instrument shall take effect and be obligatory upon the contracting parties whenever ratified by the Senate and the President of the United States.

In testimony whereof, the said Charles E. Mix, commissioner, as aforesaid, and the undersigned chiefs, delegates, and representatives of the said tribe of Yancton Indians, have hereunto set their hands and seals at the place and on the day first above written.

Charles E. Mix, Commissioner. [L. S.]

Pa-la-ne-apa-pe, or the Man that was struck by the Ree, his x mark. [L. S.]

Ma-to-sa-be-che-a, or the Smutty Bear, his x mark. [L. S.]

Charles F. Picotte, or Eta-ke-cha. [L. S.]

Ta-ton-ka-wete-co, or the Crazy Bull, his x mark. [L. S.]

Pse-cha-wa-kea, or the Jumping Thunder, his x mark. [L. S.]

Ma-ra-ha-ton, or the Iron Horn, his x mark. [L. S.]

Nombe-kah-pah, or One that knocks down two, his x mark. [L. S.]

Ta-ton-ka-e-yah-ka, or the Fast Bull, his x mark. [L. S.]

A-ha-ka Ma-ne, or the Walking Elk, his x mark. [L. S.]

A-ha-ka-na-zhe, or the Standing Elk, his x mark. [L. S.]

A-ha-ka-ho-che-cha, or the Elk with a bad voice, his x mark. [L. S.]

Cha-ton-wo-ka-pa, or the Grabbing Hawk, his x mark. [L. S.]

E-ha-we-cha-sha, or the Owl Man, his x mark. [L. S.]

Pla-son-wa-kan-na-ge, or the White Medicine Cow that stands, by his duly authorized delegate and representative, Charles F. Picotte. [L. S.]

Ma-ga-scha-che-ka, or the Little White Swan, by his duly authorized delegate and representative, Charles F. Picotte. [L. S.]

O-ke-che-la-wash-ta, or the Pretty Boy, by his duly authorized delegate and representative, Chas. F. Picotte. [L. S.]

Executed in the presence of—

A. H. Redfield, agent.

J. B. S. Todd.

Theophile Bruguier.

John Dowling.

Fr. Schmidt.

John W. Wells.

D. Walker.

E. B. Grayson.

S. J. Johnson.

George P. Mapes.

H. Bittinger.

D. C. Davis.

Zephier Roncontre, his x mark, United States interpreter.

[*781]

Witness:

J. B. S. Todd,

Paul Dorain, his x mark.

Charles Rulo, his x mark.

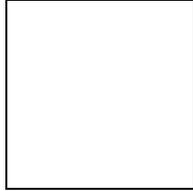
Witness:

J. B. S. Todd.

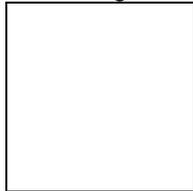
TREATY WITH THE SIOUX—YANKTONAI BAND, 1865.

Oct. 20, 1865. | 14 Stat., 735. | Ratified, Mar. 5, 1866. | Proclaimed, Mar. 17, 1866.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 903-904



Margin Notes:

Authority and jurisdiction of the United States acknowledged.
 Persons and property of other tribes not to be first attacked.
 Controversies to be submitted to the arbitrament of the President.
 Indians to withdraw from overland routes.
 Payments.
 Proviso.
 Individual Indians locating on lands to be protected.
 Payments for agricultural, etc., purposes.
 Farmer, blacksmith, and teachers.
 Amendments to be binding.
 Execution.

Articles of a treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and head-men of the Yanktonai band of Dakota or Sioux Indians.

ARTICLE 1.

The Yanktonai band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves, individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the Government or people of the United States.

ARTICLE 2.

Inasmuch as the Government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Yanktonai band of Dakota or Sioux Indians represented in council, anxious to respect the wishes of the Government, hereby agree to discontinue, for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

ARTICLE 3.

All controversies or differences arising between the Yanktonai band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award shall be faithfully observed by the said band represented in council.

ARTICLE 4.

The said band, represented in council shall withdraw from the routes overland already established, or hereafter to be established, through their country; and in consideration thereof, the Government of the United States agree to pay the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That said band, so represented in council, shall faithfully conform to the requirements of this treaty.

ARTICLE 5.

Should any individual or individuals, or portion of the band of the Yanktonai band of Dakota or Sioux Indians represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty that such

[*904]

individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and whenever twenty lodges or families of the Yanktonai band shall have located on lands for agricultural purposes, and signified the same to their agents or superintendent, they, as well as other families so locating, shall receive the sum of twenty-five dollars annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the Government, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

ARTICLE 6.

Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and head-men of said band.

In testimony whereof, the Commissioners on the part of the United States, and the chiefs and headmen of the said Onkpahpah band of Dakota or Sioux Indians, have hereunto set their hands this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

Newton Edmunds,
Edward B. Taylor,
S. R. Curtis, major-general,
H. H. Sibley, brigadier-general,
Henry W. Reed,
Orrin Guernsey.

Chiefs:

Ah-ke-tche-tah-hon-skah, The Tall Soldier, his x mark.
Mah-to-che-kah, The Little Bear, his x mark.
Muzzah-e-nom-pah, The Iron that Comes Out, his x mark.
Wak-ke-an-skah, The White Thunder, his x mark.

Chief Soldiers:

Mah-to-nom-pah, The Two Bears, his x mark.
Cha-tan-me-ne-o-me-nee, The Whirling Heart, his x mark.

Chiefs:

Ma-to-chewicksa, Bear's Rib, his x mark.
Running Antelope, Ta-to-kee-un, his x mark.
The Man that Has a Heart for All, O-en-e-chan-ta-u-can, his x mark.

Soldiers:

Thunder Hawk, Cha-ton-wa-ke-on, his x mark.
Iron Horn, Ha-ma-za, his x mark.
Plenty Crows, Con-ge-o-ta, his x mark.
The Man that Fears the Eagle, Wam-bel-le-co-ke-pa, his x mark.
Spotted Buffalo Bull, Ta-tanka-ge-lis-ka, his x mark.

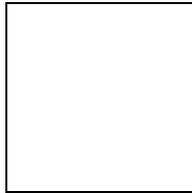
Signed by the Commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained in our presence:—

Hez. L. Hosmer, chief justice of Montana Territory.
S. S. Curtis, brevet lieutenant colonel U. S. Volunteers.
E. F. Ruth, secretary of Commission.
W. S. Woods, surgeon U. S. Volunteers.
C. S. Morrison.
O. E. Guernsey.
Charles Degre, his x mark, interpreter.

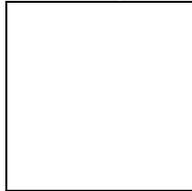
**TREATY WITH THE SIOUX—SISSETON AND
WAHPETON BANDS, 1867.**

Feb. 19, 1867. | 15 Stat., 505. | Ratified April 15, | 1867. | Proclaimed May 2, | 1867.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 956-959



Margin Notes:

Preamble.
Contracting parties.
Friendly relations.
Cession of rights to construct wagon roads, railroads, mail stations, and telegraph lines.
Boundaries.
Permanent reservation set apart.
Boundaries.
Reservation.
Boundaries.
Reservations to be apportioned in tracts of 160 acres, to etc.
Tracts to conform to legal subdivisions.
Patents: when to issue: effect of.
Congress will make appropriations to enable Indians to return to an agricultural life, etc.
Agents.
Expenditures.
Goods, provisions, etc., not to be issued to Indians, etc., unless.
Proviso.
No person to trade for furs and peltries.
Members of bands only, except, etc., to locate on lands.
Chiefs and head men may adopt rules.

Whereas it is understood that a portion of the Sissiton and Warpeton bands of Santee Sioux Indians, numbering from twelve hundred to fifteen hundred

persons, not only preserved their obligations to the Government of the United States, during and since the outbreak of the Medewakantons and other bands of Sioux in 1862, but freely perilled their lives during that outbreak to rescue the residents on the Sioux reservation, and to obtain possession of white women and children made captives by the hostile bands; and that another portion of said Sissiton and Warpeton bands, numbering from one thousand to twelve hundred persons, who did not participate in the massacre of the whites in 1862, fearing the indiscriminate vengeance of the whites, fled to the great prairies of the Northwest, where they still remain; and

[*957]

Whereas Congress, in confiscating the Sioux annuities and reservations, made no provision for the support of these, the friendly portion of the Sissiton and Warpeton bands, and it is believed [that] they have been suffered to remain homeless wanderers, frequently subject to intense sufferings from want of subsistence and clothing to protect them from the rigors of a high northern latitude, although at all times prompt in rendering service when called upon to repel hostile raids and to punish depredations committed by hostile Indians upon the persons and property of the whites; and

Whereas the several subdivisions of the friendly Sissitons and Warpeton bands ask, through their representatives, that their adherence to their former obligations of friendship to the Government and people of the United States be recognized, and that provision be made to enable them to return to an agricultural life and be relieved from a dependence upon the chase for a precarious subsistence: Therefore,

A treaty has been made and entered into, at Washington City, District of Columbia, this nineteenth day of February, A. D. 1867, by and between Lewis V. Bogy, Commissioner of Indian Affairs, and William H. Watson, commissioners, on the part of the United States, and the undersigned chiefs and head-men of the Sissiton and Warpeton bands of Dakota or Sioux Indians, as follows, to wit:

ARTICLE 1.

The Sissiton and Warpeton bands of Dakota Sioux Indians, represented in council, will continue their friendly relations with the Government and people of the United States, and bind themselves individually and collectively to use their influence to the extent of their ability to prevent other bands of Dakota or other adjacent tribes from making hostile demonstrations against the Government or people of the United States.

ARTICLE 2.

The said bands hereby cede to the United States the right to construct wagon-roads, railroads, mail stations, telegraph lines, and such other public improvements as the interest of the Government may require, over and across the lands claimed by said bands, (including their reservation as hereinafter designated) over any route or routes that *that* may be selected by the authority of the Government, said lands so claimed being bounded on the south and

east by the treaty-line of 1851, and the Red River of the North to the mouth of Goose River; on the north by the Goose River and a line running from the source thereof by the most westerly point of Devil's Lake to the Chief's Bluff at the head of James River, and on the west by the James River to the mouth of Mocasín River, and thence to Kampeska Lake.

ARTICLE 3.

For and in consideration of the cession above mentioned, and in consideration of the faithful and important services said to have been rendered by the friendly bands of Sissitons and Warpetons Sioux here represented, and also in consideration of the confiscation of all their annuities, reservations, and improvements, it is agreed that there shall be set apart for the members of said bands who have heretofore surrendered to the authorities of the Government, and were not sent to the Crow Creek reservation, and for the members of said bands who were released from prison in 1866, the following-described lands as a permanent reservation, viz:

Beginning at the head of Lake Travers[e], and thence along the treaty-line of the treaty of 1851 to Kampeska Lake; thence in a direct line to Reipan or the northeast point of the Coteau des Prairie[s], and thence passing north of Skunk Lake, on the most direct line to the foot of Lake Traverse, and thence along the treaty-line of 1851 to the place of beginning.

ARTICLE 4.

It is further agreed that a reservation be set apart for all other members of said bands who were not sent to the Crow Creek

[*958]

reservation, and also for the Cut-Head bands of Yanktonais Sioux, a reservation bounded as follows, viz:

Beginning at the most easterly point of Devil's Lake; thence along the waters of said lake to the most westerly point of the same; thence on a direct line to the nearest point on the Cheyenne River; thence down said river to a point opposite the lower end of Aspen Island, and thence on a direct line to the place of beginning.

ARTICLE 5.

The said reservations shall be apportioned in tracts of (160) one hundred and sixty acres to each head of a family or single person over the age of (21) twenty-one years, belonging to said bands and entitled to locate thereon, who may desire to locate permanently and cultivate the soil as a means of subsistence: each (160) one hundred and sixty acres so allotted to be made to conform to the legal subdivisions of the Government surveys when such surveys shall have been made; and every person to whom lands may be allotted under the provisions of this article, who shall occupy and cultivate a portion thereof for five consecutive years shall thereafter be entitled to receive a patent for the same so soon as he shall have fifty acres of said tract

fenced, ploughed, and in crop: *Provided*, [That] said patent shall not authorize any transfer of said lands, or portions thereof, except to the United States, but said lands and the improvements thereon shall descend to the proper heirs of the persons obtaining a patent.

ARTICLE 6.

And, further, in consideration of the destitution of said bands of Sissiton and Warpeton Sioux, parties hereto, resulting from the confiscation of their annuities and improvements, it is agreed that Congress will, in its own discretion, from time to time make such appropriations as may be deemed requisite to enable said Indians to return to an agricultural life under the system in operation on the Sioux reservation in 1862; including, if thought advisable, the establishment and support of local and manual-labor schools; the employment of agricultural, mechanical, and other teachers; the opening and improvement of individual farms; and generally such objects as Congress in its wisdom shall deem necessary to promote the agricultural improvement and civilization of said bands.

ARTICLE 7.

An agent shall be appointed for said bands, who shall be located at Lake Traverse; and whenever there shall be five hundred (500) persons of said bands permanently located upon the Devil's Lake reservation there shall be an agent or other competent person appointed to superintend at that place the agricultural, educational, and mechanical interests of said bands.

ARTICLE 8.

All expenditures under the provisions of this treaty shall be made for the agricultural improvement and civilization of the members of said bands authorized to locate upon the respective reservations, as hereinbefore specified, in such manner as may be directed by law; but no goods, provisions, groceries, or other articles—except materials for the erection of houses and articles to facilitate the operations of agriculture—shall be issued to Indians or mixed-bloods on either reservation unless it be in payment for labor performed or for produce delivered: *Provided*, That when persons located on either reservation, by reason of age, sickness, or deformity, are unable to labor, the agent may issue clothing and subsistence to such persons from such supplies as may be provided for said bands.

ARTICLE 9.

The withdrawal of the Indians from all dependence upon the chase as a means of subsistence being necessary to the adoption of civilized habits among them, it is desirable that no encouragement be afforded them to continue their hunting operations as means of support, and, therefore, it is agreed that no person will be authorized to trade for furs or peltries within the limits of the land claimed by said bands, as specified in the second article of this treaty, it being

[*959]

contemplated that the Indians will rely solely upon agricultural and mechanical labor for subsistence, and that the agent will supply the Indians and mixed-bloods on the respective reservations with clothing, provisions, &c., as set forth in article eight, so soon as the same shall be provided for that purpose. And it is further agreed that no person not a member of said bands, parties hereto whether white, mixed-blood, or Indian, except persons in the employ of the Government or located under its authority, shall be permitted to locate upon said lands, either for hunting, trapping, or agricultural purposes.

ARTICLE 10.

The chiefs and head-men located upon either of the reservations set apart for said bands are authorized to adopt such rules, regulations, or laws for the security of life and property, the advancement of civilization, and the agricultural prosperity of the members of said bands upon the respective reservations, and shall have authority, under the direction of the agent, and without expense to the Government, to organize a force sufficient to carry out all such rules, regulations, or laws, and all rules and regulations for the government of said Indians, as may be prescribed by the Interior Department: *Provided*, That all rules, regulations, or laws adopted or amended by the chiefs and head-men on either reservation shall receive the sanction of the agent.

In testimony whereof, we, the commissioners representing the United States, and the delegates representing the Sissiton and Warpeton bands of Sioux Indians, have hereunto set our hands and seals, at the place and on the day and year above written.

Lewis V. Bogy,
Commissioner of Indian Affairs.
W. H. Watson.

Signed in the presence of—

Charles E. Mix.
Gabriel Renville, head chief Siss(i)ton and Wa(r)peton bands.
Wamdiupiduta, his x mark, head Siss(i)ton chief.
Tacandupahotanka, his x mark, head Wa(r)peton chief.
Oyehduze, his x mark, chief Sissiton.
Umpehtutokca, his x mark, chief Wahpeton.
John Otherday.
Akicitananjin, his x mark, Sissiton soldier.
Waxicunmaza, his x mark, Sissiton soldier.
Wasukiye, his x mark, Sissiton soldier.
Wamdiduta, his x mark, Sissiton soldier.
Hokxidanwaxte, his x mark, Sissiton soldier.
Wakanto, his x mark, Sissiton soldier.
Ecanajinke, his x mark, Sissiton soldier.
Canteiyapa, his x mark, Sissiton soldier.

Tihdonica, his x mark, Sissiton soldier.
 Tawapahamaza, his x mark, Sissiton soldier.
 Wandiiyeza, his x mark, Sissiton soldier.
 Tacunrpijeta, his x mark, Sissiton soldier.
 Wicumrpinumpa, his x mark, Wa(r)peton soldier.
 Xupehiyu, his x mark, Wa(r)peton soldier.
 Ecetukiye, his x mark, Wa(r)peton soldier.
 Kangiduta, his x mark, Wa(r)peton soldier.

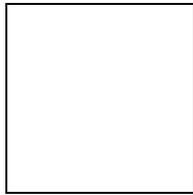
Witnesses to signatures of above chiefs and soldiers:

Charles E. Mix.
 Benj'n Thompson.
 J. R. Brown.
 Anexus M. A. Brown, Interpreter.
 Chas. Crawford.
 Thos. E. McGraw.
 J. H. Leavenworth.
 A. B. Norton.
 Geo. B. Jonas.
 Frank S. Mix.

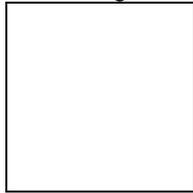
**TREATY WITH THE SIOUX—BRULÉ, OGLALA,
 MINICONJOU, YANKTONAI, HUNKPAPA, BLACKFEET,
 CUTHEAD, TWO KETTLE, SANS ARCS, AND
 SANTEE—AND ARAPAHO, 1868.**

Apr. 29, 1868. | 15 Stats., 635. | Ratified, Feb. 16, 1869. | Proclaimed, Feb. 24, 1869.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 998-1007



Margin Notes:

War to cease and peace to be kept.
 Offenders against the Indians to be arrested, etc.
 Wrongdoers against the whites to be punished.
 Damages.
 Reservation boundaries.

Certain persons not to enter or reside thereon.
 Additional arable land to be added, if, etc.
 Buildings on reservation.
 Agent's residence, office, and duties.
 Heads of families may select lands for farming.
 Others may select land for cultivation.
 Certificates.
 Surveys.
 Alienation and descent of property.
 Certain Indians may receive patents for 160 acres of land.
 Such Indians receiving patents to become citizens of the United States.
 Education.
 Children to attend school.
 Schoolhouses and teachers.
 Seeds and agricultural implements.
 Instructions in farming.
 Second blacksmith.
 Physician, farmer, etc., may be withdrawn.
 Additional appropriation in such cases.
 Delivery of goods in lieu of money or other annuities.
 Clothing.
 Census.
 Other necessary articles.
 Appropriation to continue for thirty years.
 Army officer to attend the delivery.
 Meat and flour.
 Cows and oxen.
 Right to occupy territory outside of the reservation surrendered.
 Right to hunt reserved.
 Agreements as to railroads.
 Emigrants, etc.
 Women and children.
 White men.
 Pacific Railroad, wagon roads, etc.
 Damages for crossing their reservation.
 Military posts and roads.
 No treaty for cession of reservation to be valid unless, etc.
 United States to furnish physician, teachers, etc.
 Presents for crops.
 Reservation to be permanent home of tribes.
 Unceded Indian territory.
 Not to be occupied by whites, etc.
 Effect of this treaty upon former treaties.
 Execution by the Ogallalah band.
 Execution by the Minneconjon band.
 Execution by the Yanctonais band.
 Execution by the Uncpapa band.
 By the Blackfeet band
 Execution by the Cutheads band.
 By the Two Kettle band.
 By the Sans Arch band.
 Execution by the Santee band.

Articles of a treaty made and concluded by and between Lieutenant-General William T. Sherman, General William S. Harney, General Alfred H. Terry, General C. C. Augur, J. B. Henderson, Nathaniel G. Taylor, John B.

Sanborn, and Samuel F. Tappan, duly appointed commissioners on the part of the United States, and the different bands of the Sioux Nation of Indians, by their chiefs and head-men, whose names are hereto subscribed, they being duly authorized to act in the premises.

ARTICLE 1.

From this day forward all war between the parties to this agreement shall forever cease. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to maintain it.

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also re-imburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indians, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, upon proof made to their agent and notice by him, deliver up the wrong-doer to the United States, to be tried and punished according to its laws; and in case they wilfully refuse so to do, the person injured shall be re-imbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no one sustaining loss while violating the provisions of this treaty or the laws of the United States shall be re-imbursed therefor.

ARTICLE 2.

The United States agrees that the following district of country, to wit, viz: commencing on the east bank of the Missouri River where the forty-sixth parallel of north latitude crosses the same, thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska strikes the river, thence west across said river, and along the northern line of Nebraska to the one hundred and fourth degree of longitude west from Greenwich, thence north on said meridian to a point where the forty-sixth parallel of north latitude intercepts the same, thence due east along said parallel to the place of beginning; and in addition thereto, all existing reservations on the east bank of said river shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons except those herein designated and authorized so to do, and except such

officers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory

[*999]

described in this article, or in such territory as may be added to this reservation for the use of said Indians, and henceforth they will and do hereby relinquish all claims or right in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and except as hereinafter provided.

ARTICLE 3.

If it should appear from actual survey or other satisfactory examination of said tract of land that it contains less than one hundred and sixty acres of tillable land for each person who, at the time, may be authorized to reside on it under the provisions of this treaty, and a very considerable number of such persons shall be disposed to commence cultivating the soil as farmers, the United States agrees to set apart, for the use of said Indians, as herein provided, such additional quantity of arable land, adjoining to said reservation, or as near to the same as it can be obtained, as may be required to provide the necessary amount.

ARTICLE 4.

The United States agrees, at its own proper expense, to construct at some place on the Missouri River, near the center of said reservation, where timber and water may be convenient, the following buildings, to wit: a warehouse, a store-room for the use of the agent in storing goods belonging to the Indians, to cost not less than twenty-five hundred dollars; an agency-building for the residence of the agent, to cost not exceeding three thousand dollars; a residence for the physician, to cost not more than three thousand dollars; and five other buildings, for a carpenter, farmer, blacksmith, miller, and engineer, each to cost not exceeding two thousand dollars; also a school-house or mission-building, so soon as a sufficient number of children can be induced by the agent to attend school, which shall not cost exceeding five thousand dollars.

The United States agrees further to cause to be erected on said reservation, near the other buildings herein authorized, a good steam circular-saw mill, with a grist-mill and shingle-machine attached to the same, to cost not exceeding eight thousand dollars.

ARTICLE 5.

The United States agrees that the agent for said Indians shall in the future make his home at the agency-building; that he shall reside among them, and keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint by and against the Indians as may be presented for investigation under the provisions of their treaty stipulations, as also for

the faithful discharge of other duties enjoined on him by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his findings, to the Commissioner of Indian Affairs, whose decision, subject to the revision of the Secretary of the Interior, shall be binding on the parties to this treaty.

ARTICLE 6.

If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding three hundred and twenty acres in extent, which tract, when so selected, certified, and recorded in the "land-book," as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

[*1000]

For each tract of land so selected a certificate, containing a description thereof and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it, by the agent, after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Sioux Land-Book."

The President may, at any time, order a survey of the reservation, and, when so surveyed, Congress shall provide for protecting the rights of said settlers in their improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property between the Indians and their descendants as may be thought proper. And it is further stipulated that any male Indians, over eighteen years of age, of any band or tribe that is or shall hereafter become a party to this treaty, who now is or who shall hereafter become a resident or occupant of any reservation or Territory not included in the tract of country designated and described in this treaty for the permanent home of the Indians, which is not mineral land, nor reserved by the United States for special purposes other than Indian occupation, and who shall have made improvements thereon of the value of two hundred dollars or more, and continuously occupied the same as a homestead for the term of three years, shall be entitled to receive from the United States a patent for one hundred and sixty acres of land including his said improvements, the same to be in the form of the legal subdivisions of the surveys of the public lands. Upon application in writing, sustained by the proof of two disinterested witnesses, made to the register of

the local land-office when the land sought to be entered is within a land district, and when the tract sought to be entered is not in any land district, then upon said application and proof being made to the Commissioner of the General Land-Office, and the right of such Indian or Indians to enter such tract or tracts of land shall accrue and be perfect from the date of his first improvements thereon, and shall continue as long as he continues his residence and improvements, and no longer. And any Indian or Indians receiving a patent for land under the foregoing provisions, shall thereby and from thenceforth become and be a citizen of the United States, and be entitled to all the privileges and immunities of such citizens, and shall, at the same time, retain all his rights to benefits accruing to Indians under this treaty.

ARTICLE 7.

In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians, and faithfully discharge his or her duties as a teacher. The provisions of this article to continue for not less than twenty years.

ARTICLE 8.

When the head of a family or lodge shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid, not exceeding in value twenty-five dollars. And it is further stipulated that such persons as commence farming shall receive instruction from the farmer herein provided for, and

[*1001]

whenever more than one hundred persons shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be needed.

ARTICLE 9.

At any time after ten years from the making of this treaty, the United States shall have the privilege of withdrawing the physician, farmer, blacksmith, carpenter, engineer, and miller herein provided for, but in case of such withdrawal, an additional sum thereafter of ten thousand dollars per annum shall be devoted to the education of said Indians, and the Commissioner of Indian Affairs shall, upon careful inquiry into their condition, make such rules and regulations for the expenditure of said sum as will best promote the educational and moral improvement of said tribes.

ARTICLE 10.

In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under any treaty or treaties heretofore made, the United States agrees to deliver at the agency-house on the reservation herein named, on or before the first day of August of each year, for thirty years, the following articles, to wit:

For each male person over fourteen years of age, a suit of good substantial woolen clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of home-made socks.

For each female over twelve years of age, a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics.

For the boys and girls under the ages named, such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of woolen hose for each.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimate from year to year can be based.

And in addition to the clothing herein named, the sum of ten dollars for each person entitled to the beneficial effects of this treaty shall be annually appropriated for a period of thirty years, while such persons roam and hunt, and twenty dollars for each person who engages in farming, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper. And if within the thirty years, at any time, it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the Indians named herein, Congress may, by law, change the appropriation to other purposes; but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall annually detail an officer of the Army to be present and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery. And it is hereby expressly stipulated that each Indian over the age of four years, who shall have removed to and settled permanently upon said reservation and complied with the stipulations of this treaty, shall be entitled to receive from the United States, for the period of four years after he shall have settled upon said reservation, one pound of meat and one pound of flour per day, provided the Indians cannot furnish their own subsistence at an earlier date. And it is

further stipulated that the United States will furnish and deliver to each lodge of Indians or family of persons legally incorporated with them, who shall remove to the reservation herein described and commence farming, one good American cow, and one good well-broken pair of American oxen within sixty days after such lodge or family shall have so settled up on said reservation.

ARTICLE 11.

In consideration of the advantages and benefits conferred by this treaty, and the many pledges of friendship by the

[*1002]

United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside their reservation as herein defined, but yet reserve the right to hunt on any lands north of North Platte, and on the Republican Fork of the Smoky Hill River, so long as the buffalo may range thereon in such numbers as to justify the chase. And they, the said Indians, further expressly agree:

1st. That they will withdraw all opposition to the construction of the railroads now being built on the plains.

2d. That they will permit the peaceful construction of any railroad not passing over their reservation as herein defined.

3d. That they will not attack any persons at home, or travelling, nor molest or disturb any wagon-trains, coaches, mules, or cattle belonging to the people of the United States, or to persons friendly therewith.

4th. They will never capture, or carry off from the settlements, white women or children.

5th. They will never kill or scalp white men, nor attempt to do them harm.

6th. They withdraw all pretence of opposition to the construction of the railroad now being built along the Platte River and westward to the Pacific Ocean, and they will not in future object to the construction of railroads, wagon-roads, mail-stations, or other works of utility or necessity, which may be ordered or permitted by the laws of the United States. But should such roads or other works be constructed on the lands of their reservation, the Government will pay the tribe whatever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one of said commissioners to be a chief or head-man of the tribe.

7th. They agree to withdraw all opposition to the military posts or roads now established south of the North Platte River, or that may be established, not in violation of treaties heretofore made or hereafter to be made with any of the Indian tribes.

ARTICLE 12.

No treaty for the cession of any portion or part of the reservation herein described which may be held in common shall be of any validity or force as against the said Indians, unless executed and signed by at least three-fourths of all the adult male Indians, occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to

deprive, without his consent, any individual member of the tribe of his rights to any tract of land selected by him, as provided in article 6 of this treaty.

ARTICLE 13.

The United States hereby agrees to furnish annually to the Indians the physician, teacher, carpenter, miller, engineer, farmer, and blacksmiths as herein contemplated, and that such appropriations shall be made from time to time, on the estimates of the Secretary of the Interior, as will be sufficient to employ such persons.

ARTICLE 14.

It is agreed that the sum of five hundred dollars annually, for three years from date, shall be expended in presents to the ten persons of said tribe who in the judgment of the agent may grow the most valuable crops for the respective year.

ARTICLE 15.

The Indians herein named agree that when the agency-house or other buildings shall be constructed on the reservation named, they will regard said reservation their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right, subject to the conditions and modifications of this treaty, to hunt, as stipulated in Article 11 hereof.

ARTICLE 16.

The United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall be held and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of

[*1003]

the same; or without the consent of the Indians first had and obtained, to pass through the same; and it is further agreed by the United States that within ninety days after the conclusion of peace with all the bands of the Sioux Nation, the military posts now established in the territory in this article named shall be abandoned, and that the road leading to them and by them to the settlements in the Territory of Montana shall be closed.

ARTICLE 17.

It is hereby expressly understood and agreed by and between the respective parties to this treaty that the execution of this treaty and its ratification by the United States Senate shall have the effect, and shall be construed as abrogating and annulling all treaties and agreements heretofore entered into between the respective parties hereto, so far as such treaties and agreements obligate the United States to furnish and provide money, clothing, or other

articles of property to such Indians and bands of Indians as become parties to this treaty, but no further.

In testimony of all which, we, the said commissioners, and we, the chiefs and headmen of the Brulé band of the Sioux nation, have hereunto set our hands and seals at Fort Laramie, Dakota Territory, this twenty-ninth day of April, in the year one thousand eight hundred and sixty-eight.

N. G. Taylor, [SEAL.]
 W. T. Sherman, [SEAL.]
 Lieutenant-General.
 Wm. S. Harney, [SEAL.]
 Brevet Major-General U. S. Army.
 John B. Sanborn, [SEAL.]
 S. F. Tappan, [SEAL.]
 C. C. Augur, [SEAL.]
 Brevet Major-General.
 Alfred H. Terry, [SEAL.]
 Brevet Major-General U. S. Army.

Attest:

A. S. H. White, Secretary.

Executed on the part of the Brulé band of Sioux by the chiefs and headmen whose names are hereto annexed, they being thereunto duly authorized, at Fort Laramie, D. T., the twenty-ninth day of April, in the year A. D. 1868.

Ma-za-pon-kaska, his x mark, Iron Shell. [SEAL.]
 Wah-pat-shah, his x mark, Red Leaf. [SEAL.]
 Hah-sah-pah, his x mark, Black Horn. [SEAL.]
 Zin-tah-gah-lat-skah, his x mark, Spotted Tail. [SEAL.]
 Zin-tah-skah, his x mark, White Tail. [SEAL.]
 Me-wah-tah-ne-ho-skah, his x mark, Tall Mandas. [SEAL.]
 She-cha-chat-kah, his x mark, Bad Left Hand. [SEAL.]
 No-mah-no-pah, his x mark, Two and Two. [SEAL.]
 Tah-tonka-skah, his x mark, White Bull. [SEAL.]
 Con-ra-washta, his x mark, Pretty Coon. [SEAL.]
 Ha-cah-cah-she-chah, his x mark, Bad Elk. [SEAL.]
 Wa-ha-ka-zah-ish-tah, his x mark, Eye Lance. [SEAL.]
 Ma-to-ha-ke-tah, his x mark, Bear that looks behind. [SEAL.]
 Bella-tonka-tonka, his x mark, Big Partisan. [SEAL.]
 Mah-to-ho-honka, his x mark, Swift Bear. [SEAL.]
 To-wis-ne, his x mark, Cold Place. [SEAL.]
 Ish-tah-skah, his x mark, White Eyes. [SEAL.]
 Ma-ta-loo-zah, his x mark, Fast Bear. [SEAL.]
 As-hah-kah-nah-zhe, his x mark, Standing Elk. [SEAL.]
 Can-te-te-ki-ya, his x mark, The Brave Heart. [SEAL.]
 Shunka-shaton, his x mark, Day Hawk. [SEAL.]
 Tatanka-wakon, his x mark, Sacred Bull. [SEAL.]
 Mapia shaton, his x mark, Hawk Cloud. [SEAL.]
 Ma-sha-a-ow, his x mark, Stands and Comes. [SEAL.]
 Shon-ka-ton-ka, his x mark, Big Dog. [SEAL.]

[*1004]

Attest:

Ashton S. H. White, secretary of commission.
 George B. Withs, phonographer to commission.
 Geo. H. Holtzman.
 John D. Howlano.
 James C. O'Connor.
 Chas. E. Guern, interpreter.
 Leon F. Pallardy, interpreter.
 Nicholas Janis, interpreter.

Executed on the part of the Ogallalah band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized, at Fort Laramie, the twenty-fifth day of May, in the year A. D. 1868.

Tah-shun-ka-co-qui-pah, his x mark, Man-afraid-of-his-horses. [SEAL.]
 Sha-ton-skah, his x mark, White Hawk. [SEAL.]
 Sha-ton-sapah, his x mark, Black Hawk. [SEAL.]
 E-ga-mon-ton-ka-sapah, his x mark, Black Tiger. [SEAL.]
 Oh-wah-she-cha, his x mark, Bad Wound. [SEAL.]
 Pah-gee, his x mark, Grass. [SEAL.] Wah-non-reh-che-geh, his x mark, Ghost Heart. [SEAL.] Con-reeh, his x mark, Crow. [SEAL.]
 Oh-he-te-kah, his x mark, The Brave. [SEAL.]
 Tah-ton-kah-he-yo-ta-kah, his x mark, Sitting Bull. [SEAL.]
 Shon-ka-oh-wah-mon-ye, his x mark, Whirlwind Dog. [SEAL.]
 Ha-hah-kah-tah-miech, his x mark, Poor Elk. [SEAL.]
 Wam-bu-lee-wah-kon, his x mark, Medicine Eagle. [SEAL.]
 Chon-gah-ma-he-to-hans-ka, his x mark, High Wolf. [SEAL.]
 Wah-se-chun-ta-shun-kah, his x mark, American Horse. [SEAL.]
 Mah-hah-mah-ha-mak-near, his x mark, Man that walks under the ground. [SEAL.]
 Mah-to-tow-pah, his x mark, Four Bears. [SEAL.]
 Ma-to-wee-sha-kta, his x mark, One that kills the bear. [SEAL.]
 Oh-tah-kee-toka-wee-chakta, his x mark, One that kills in a hard place. [SEAL.]
 Tah-ton-kah-ta-miech, his x mark, The poor Bull. [SEAL.]
 Oh-huns-ee-ga-non-sken, his x mark, Mad Shade. [SEAL.]
 Shah-ton-oh-nah-om-minne-ne-oh-minne, his x mark, Whirling Hawk. [SEAL.]
 Mah-to-chun-ka-oh, his x mark, Bear's Back. [SEAL.]
 Che-ton-wee-koh, his x mark, Fool Hawk. [SEAL.]
 Wah-hoh-ke-za-ah-hah, his x mark, One that has the lance. [SEAL.]
 Shon-gah-manni-toh-tan-ka-seh, his x mark, Big Wolf Foot. [SEAL.]
 Eh-ton-kah, his x mark, Big Mouth. [SEAL.]
 Ma-pah-che-tah, his x mark, Bad Hand. [SEAL.]
 Wah-ke-yun-shah, his x mark, Red Thunder. [SEAL.]
 Wak-sah, his x mark, One that Cuts Off. [SEAL.]
 Cham-nom-qui-yah, his x mark, One that Presents the Pipe. [SEAL.]
 Wah-ke-ke-yan-puh-tah, his x mark, Fire Thunder. [SEAL.]
 Mah-to-nonk-pah-ze, his x mark, Bear with Yellow Ears. [SEAL.]
 Con-ree-teh-ka, his x mark, The Little Crow. [SEAL.]
 He-hup-pah-toh, his x mark, The Blue War Club. [SEAL.]
 Shon-kee-toh, his x mark, The Blue Horse. [SEAL.]
 Wam-Balla-oh-con-quo, his x mark, Quick Eagle. [SEAL.]
 Ta-tonka-suppa, his x mark, Black Bull. [SEAL.]
 Moh-to-ha-she-na, his x mark, The Bear Hide. [SEAL.]

Attest:

S. E. Ward.
 Jas. C. O'Connor.
 J. M. Sherwood.
 W. C. Slicer.
 Sam Deon.
 H. M. Matthews.
 Joseph Bissonette, interpreter.
 Nicholas Janis, interpreter.
 Lefroy Jott, interpreter.
 Antoine Janis, interpreter.

Executed on the part of the Minneconjon band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

At Fort Laramie, D. T., May 26, '68, 13 names. Heh-won-ge-chat, his x mark, One Horn. [SEAL.]

Oh-pon-ah-tah-e-manne, his x mark, The Elk that bellows Walking. [SEAL.]

At Fort Laramie, D. T., May 25, '68, 2 names.

Heh-ho-lah-reh-cha-skah, his x mark, Young White Bull. [SEAL.]

[*1005]

Wah-chah-chum-kah-coh-kee-pah, his x mark, One that is afraid of Shield. [SEAL.]

He-hon-ne-shakta, his x mark, The Old Owl. [SEAL.]

Moc-pe-a-toh, his x mark, Blue Cloud. [SEAL.]

Oh-pong-ge-le-skah, his x mark, Spotted Elk. [SEAL.]

Tah-tonk-ka-hon-ke-schne, his x mark, Slow Bull. [SEAL.]

Shonk-a-nee-shah-shah-a-tah-pe, his x mark, The Dog Chief. [SEAL.]

Ma-to-tah-ta-tonk-ka, his x mark, Bull Bear. [SEAL.]

Wom-beh-le-ton-kah, his x mark, The Big Eagle. [SEAL.]

Ma-toh-eh-schne-lah, his x mark, The Lone Bear. [SEAL.]

Mah-toh-ke-su-yah, his x mark, The One who Remembers the Bear. [SEAL.]

Ma-toh-oh-he-to-keh, his x mark, The Brave Bear. [SEAL.]

Eh-che-ma-heh, his x mark, The Runner. [SEAL.]

Ti-ki-ya, his x mark, The Hard. [SEAL.]

He-ma-za, his x mark, Iron Horn. [SEAL.]

Attest:

Jas. C. O'Connor.

Wm. H. Brown.

Nicholas Janis, interpreter.

Antoine Janis, interpreter.

Executed on the part of the Yanctonais band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Mah-to-non-pah, his x mark, Two Bears. [SEAL.]

Ma-to-hna-skin-ya, his x mark, Mad Bear. [SEAL.]

He-o-pu-za, his x mark, Louzy. [SEAL.]

Ah-ke-che-tah-che-ca-dan, his x mark, Little Soldier. [SEAL.]

Mah-to-e-tan-chan, his x mark, Chief Bear. [SEAL.]

Cu-wi-h-win, his x mark, Rotten Stomach. [SEAL.]
 Skun-ka-we-tko, his x mark, Fool Dog. [SEAL.]
 Ish-ta-sap-pah, his x mark, Black Eye. [SEAL.]
 Ih-tan-chan, his x mark, The Chief. [SEAL.]
 I-a-wi-ca-ka, his x mark, The one who Tells the Truth. [SEAL.]
 Ah-ke-che-tah, his x mark, The Soldier. [SEAL.]
 Ta-shi-na-gi, his x mark, Yellow Robe. [SEAL.]
 Nah-pe-ton-ka, his x mark, Big Hand. [SEAL.]
 Chan-tee-we-kto, his x mark, Fool Heart. [SEAL.]
 Hoh-gan-sah-pa, his x mark, Black Catfish. [SEAL.]
 Mah-to-wah-kan, his x mark, Medicine Bear. [SEAL.]
 Shun-ka-kan-sha, his x mark, Red Horse. [SEAL.]
 Wan-rode, his x mark, The Eagle. [SEAL.]
 Can-hpi-sa-pa, his x mark, Black Tomahawk. [SEAL.]
 War-he-le-re, his x mark, Yellow Eagle. [SEAL.]
 Cha-ton-che-ca, his x mark, Small Hawk, or Long Fare. [SEAL.]
 Shu-ger-mon-e-too-ha-ska, his x mark, Tall Wolf. [SEAL.]
 Ma-to-u-tah-kah, his x mark, Sitting Bear. [SEAL.]
 Hi-ha-cah-ge-na-skene, his x mark, Mad Elk. [SEAL.]

Arapahoes:

Little Chief, his x mark. [SEAL.]
 Tall Bear, his x mark. [SEAL.]
 Top Man, his x mark. [SEAL.]
 Neva, his x mark. [SEAL.]
 The Wounded Bear, his x mark. [SEAL.]
 Thirlwind, his x mark. [SEAL.]
 The Fox, his x mark. [SEAL.]
 The Dog Big Mouth, his x mark. [SEAL.]
 Spotted Wolf, his x mark. [SEAL.]
 Sorrel Horse, his x mark. [SEAL.]
 Black Coal, his x mark. [SEAL.]
 Big Wolf, his x mark. [SEAL.]
 Knock-knee, his x mark. [SEAL.]
 Black Crow, his x mark. [SEAL.]
 The Lone Old Man, his x mark. [SEAL.]
 Paul, his x mark. [SEAL.]
 Black Bull, his x mark. [SEAL.]
 Big Track, his x mark. [SEAL.]
 The Foot, his x mark. [SEAL.]
 Black White, his x mark. [SEAL.]
 Yellow Hair, his x mark. [SEAL.]
 Little Shield, his x mark. [SEAL.]
 Black Bear, his x mark. [SEAL.]
 Wolf Mocassin, his x mark. [SEAL.]
 Big Robe, his x mark. [SEAL.]
 Wolf Chief, his x mark. [SEAL.]

Witnesses:

Robt. P. McKibbin, captain, Fourth Infantry, brevet lieutenant-colonel, U. S.
 Army, commanding Fort Laramie.
 Wm. H. Powell, brevet major, captain, Fourth Infantry.
 Henry W. Patterson, captain, Fourth Infantry.
 Theo. E. True, second lieutenant, Fourth Infantry.

W. G. Bullock.

Chas. E. Guern, special Indian interpreter for the peace commission.

[*1006]

Makh-pi-ah-lu-tah, his x mark, Red Cloud. [SEAL.]

Wa-ki-ah-we-cha-shah, his x mark, Thunder Man. [SEAL.]

Ma-zah-zah-geh, his x mark, Iron Cane. [SEAL.]

FORT LARAMIE, WG. T., *Nov. 6, 1868.*

Wa-umble-why-wa-ka-tuyah, his x mark, High Eagle. [SEAL.]

Ko-ke-pah, his x mark, Man Afraid. [SEAL.]

Wa-ki-ah-wa-kou-ah, his x mark, Thunder Flying Running. [SEAL.]

Witnesses:

W. McE. Dye, brevet colonel, U. S. Army, commanding.

A. B. Cain, captain, Fourth Infantry, brevet major, U. S. Army.

Robt. P. McKibbin, captain, Fourth Infantry, brevet lieutenant-colonel, U. S. Army.

Jno. Miller, captain, Fourth Infantry.

G. L. Luhn, first lieutenant, Fourth Infantry, brevet captain, U. S. Army.

H. C. Sloan, second lieutenant, Fourth Infantry.

Whittingham Cox, first lieutenant, Fourth Infantry.

A. W. Vogdes, first lieutenant, Fourth Infantry.

Butler D. Price, second lieutenant, Fourth Infantry.

HEADQRS., FORT LARAMIE, *Novr. 6, '68.*

Executed by the above on this date.

All of the Indians are Ogallalabs excepting Thunder Man and Thunder Flying Running, who are Brulés.

Wm. McE. Dye,

Major Fourth Infantry, and Brevet-Colonel

U. S. Army, Commanding.

Attest:

Jas. C. O'Connor.

Nicholas Janis, interpreter.

Franc. La Framboise, interpreter.

P. J. De Smet, S. J., missionary among the Indians.

Saml. D. Hinman, B. D., missionary.

Executed on the part of the Uncpapa band of Sioux, by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Co-kam-i-ya-ya, his x mark, The Man that Goes in the Middle. [SEAL.]

Ma-to-ca-wa-weksa, his x mark, Bear Rib. [SEAL.]

Ta-to-ka-in-yan-ke, his x mark, Running Antelope. [SEAL.]

Kan-gi-wa-ki-ta, his x mark, Looking Crow. [SEAL.]

A-ki-ci-ta-han-ska, his x mark, Long Soldier. [SEAL.]

Wa-ku-te-ma-ni, his x mark, The One who Shoots Walking. [SEAL.]

Un-kca-ki-ka, his x mark, The Magpie. [SEAL.]

Kan-gi-o-ta, his x mark, Plenty Crow. [SEAL.]
 He-ma-za, his x mark, Iron Horn. [SEAL.]
 Shun-ka-i-na-pin, his x mark, Wolf Necklace. [SEAL.]
 I-we-hi-yu, his x mark, The Man who Bleeds from the Mouth. [SEAL.]
 He-ha-ka-pa, his x mark, Elk Head. [SEAL.]
 I-zu-za, his x mark, Grind Stone. [SEAL.]
 Shun-ka-wi-tko, his x mark, Fool Dog. [SEAL.]
 Ma-kpi-ya-po, his x mark, Blue Cloud. [SEAL.]
 Wa-mln-pi-lu-ta, his x mark, Red Eagle. [SEAL.]
 Ma-to-can-te, his x mark, Bear's Heart. [SEAL.]
 A-ki-ci-ta-i-tau-can, his x mark, Chief Soldier. [SEAL.]

Attest:

Jas. C. O'Connor.
 Nicholas Janis, interpreter.
 Franc. La Frambois[e], interpreter.
 P. J. De Smet, S. J., missionary among the Indians.
 Saml. D. Hinman, missionary.

Executed on the part of the Blackfeet band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Can-te-pe-ta, his x mark, Fire Heart. [SEAL.]
 Wan-mdi-kte, his x mark, The One who kills Eagle. [SEAL.]
 Sho-ta, his x mark, Smoke. [SEAL.]
 Wan-mdi-ma-ni, his x mark, Walking Eagle. [SEAL.]
 Wa-shi-cun-ya-ta-pi, his x mark, Chief White Man. [SEAL.]
 Kan-gi-i-yo-tan-ke, his x mark, Sitting Crow. [SEAL.]
 Pe-ji, his x mark, The Grass. [SEAL.]
 Kda-ma-ni, his x mark, The One that Rattles as he Walks. [SEAL.]
 Wah-han-ka-sa-pa, his x mark, Black Shield. [SEAL.]
 Can-te-non-pa, his x mark, Two Hearts. [SEAL.]

[*1007]

Attest:

Jas. C. O'Connor.
 Nicholas Janis, interpreter.
 Franc. La Framboise, interpreter.
 P. J. De Smet, S. J., missionary among the Indians.
 Saml. D. Hinman, missionary.

Executed on the part of the Cutheads band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

To-ka-in-yan-ka, his x mark, The One who Goes Ahead Running. [SEAL.]
 Ta-tan-ka-wa-kin-yan, his x mark, Thunder Bull. [SEAL.]
 Sin-to-min-sa-pa, his x mark, All over Black. [SEAL.]
 Can-i-ca, his x mark, The One who Took the Stick. [SEAL.]
 Pa-tan-ka, his x mark, Big Head. [SEAL.]

Attest:

Jas. C. O'Connor.
 Nicholas Janis, interpreter.
 Franc. La Frambois[e], interpreter.
 P. J. De Smet, S. J., missionary among the Indians.
 Saml. D. Hinman, missionary.

Executed on the part of the Two Kettle band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Ma-wa-tan-ni-han-ska, his x mark, Long Mandan. [SEAL.]
 Can-kpe-du-ta, his x mark, Red War Club. [SEAL.]
 Can-ka-ga, his x mark, The Log. [SEAL.]

Attest:

Jas. C. O'Connor.
 Nicholas Janis, interpreter.
 Franc. La Framboise, interpreter.
 P. J. De Smet, S. J., missionary among the Indians.
 Saml. D. Hinman, missionary to the Dakotas.

Executed on the part of the Sans Arch band of Sioux by the chiefs and headmen whose names are hereto annexed, they being thereunto duly authorized.

He-na-pin-wa-ni-ca, his x mark, The One that has Neither Horn. [SEAL.]
 Wa-inlu-pi-lu-ta, his x mark, Red Plume. [SEAL.]
 Ci-tan-gi, his x mark, Yellow Hawk. [SEAL.]
 He-na-pin-wa-ni-ca, his x mark, No Horn. [SEAL.]

Attest:

Jas. C. O'Connor.
 Nicholas Janis, interpreter.
 Franc. La Frambois[e], interpreter.
 P. J. De Smet, S. J., missionary among the Indians.
 Saml. D. Hinman, missionary.

Executed on the part of the Santee band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Wa-pah-shaw, his x mark, Red Ensign. [SEAL.]
 Wah-koo-tay, his x mark, Shooter. [SEAL.]
 Hoo-sha-sha, his x mark, Red Legs. [SEAL.]
 O-wan-cha-du-ta, his x mark, Scarlet all over. [SEAL.]
 Wau-mace-tan-ka, his x mark, Big Eagle. [SEAL.]
 Cho-tan-ka-e-na-pe, his x mark, Flute-player. [SEAL.]
 Ta-shun-ke-mo-za, his x mark, His Iron Dog. [SEAL.]

Attest:

Saml. D. Hinman, B. D., missionary.

J. N. Chickering,

Second lieutenant, Twenty-second Infantry, brevet captain, U. S. Army.

P. J. De Smet, S. J.

Nicholas Janis, interpreter.

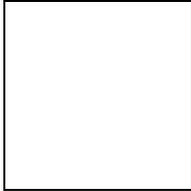
Franc. La Framboise, interpreter.

Treaties with the Sauk and Fox

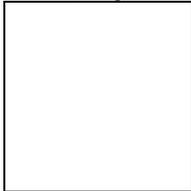
TREATY WITH THE SAUK AND FOXES, 1832.

Sept. 21, 1832. | 7 Stat., 374. | Proclamation, Feb. 13, 1833.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 349-351



Margin Notes:

Cession to the United States.
 Agreement to remove, etc.
 Reservation.
 Annuity.
 Blacksmith and gunsmith's shop, etc.
 Payment to Farnham & Davenport.
 Grant to A. Le Claire.
 Delivery of prisoners by the United States.
 Hostages.
 Hostile bands to be divided.
 Peace and friendship.
 Subsistence furnished by United States.
 Present for discovery of mines.
 Treaty binding when ratified.

Articles of a Treaty of Peace, Friendship and Cession, concluded at Fort Armstrong, Rock Island, Illinois, between the United States of America, by their Commissioners, Major General Winfield Scott, of the United States Army, and his Excellency John Reynolds, Governor of the State of Illinois, and the confederated tribes of Sac and Fox Indians, represented, in general Council, by the undersigned Chiefs, Headmen and Warriors.

WHEREAS, under certain lawless and desperate leaders, a formidable band, constituting a large portion of the Sac and Fox nation, left their country in April last, and, in violation of treaties, commenced an unprovoked war upon unsuspecting and defenceless citizens of the United States, sparing neither age nor sex; and whereas, the United States, at a great expense of treasure,

have subdued the said hostile band, killing or capturing all its principal Chiefs and Warriors—the said States, partly as indemnity for the expense incurred, and partly to secure the future safety and tranquillity of the invaded frontier, demand of the said tribes, to the use of the United States, a cession of a tract of the Sac and Fox country, bordering on said frontier, more than proportional to the numbers of the hostile band who have been so conquered and subdued.

ARTICLE I.

Accordingly, the confederated tribes of Sacs and Foxes hereby cede to the United States forever, all the lands to which the said tribes have title, or claim, (with the exception of the reservation hereinafter made,) included within the following bounds, to wit: Beginning on the Mississippi river, at the point where the Sac and Fox northern boundary line, as established by the second article of the treaty of Prairie du Chien, of the fifteenth of July, one thousand eight hundred and thirty, strikes said river; thence, up said boundary line to a point fifty miles from the Mississippi, measured on said line; thence, in a right line to the nearest point on the Red Cedar of the Ioway, forty miles from the Mississippi river; thence, in a right line to a point in the northern boundary line of the State of Missouri, fifty miles, measured on said boundary, from the Mississippi river; thence, by the last mentioned boundary to the Mississippi river, and by the western shore of said river to the place of beginning. And the said confederated tribes of Sacs and Foxes hereby stipulate and agree to remove from the lands herein ceded to the United States, on or before the first day of June next; and, in order to prevent any future misunderstanding, it is expressly understood, that no band or party of the Sac or Fox tribes shall reside, plant, fish, or hunt on any portion of the ceded country after the period just mentioned.

ARTICLE II.

Out of the cession made in the preceding article, the United States agree to a reservation for the use of the said confederated tribes, of a tract of land containing four hundred square miles, to be laid off under the directions of the President of the United States, from the boundary line crossing the Ioway river, in such manner that nearly an equal portion of the reservation may be on both sides of said river, and extending downwards, so as to include Ke-o-kuck's principal village on its right bank, which village is about twelve miles from the Mississippi river.

ARTICLE III.

In consideration of the great extent of the foregoing cession, the United States stipulate and agree to pay to the said confederated tribes, annually, for thirty successive years, the first payment to be made in September of the next year, the sum of twenty thousand dollars in specie.

ARTICLE IV.

It is further agreed that the United States shall establish and maintain within the limits, and for the use and benefit of the

[*350]

Sacs and Foxes, for the period of thirty years, one additional black and gun smith shop, with the necessary tools, iron and steel; and finally make a yearly allowance for the same period, to the said tribes, of forty kegs of tobacco, and forty barrels of salt, to be delivered at the mouth of the Ioway river.

ARTICLE V.

The United States, at the earnest request of the said confederated tribes, further agree to pay to Farnham and Davenport, Indian traders at Rock Island, the sum of forty thousand dollars without interest, which sum will be in full satisfaction of the claims of the said traders against the said tribes, and by the latter was, on the tenth day of July, one thousand eight hundred and thirty-one, acknowledged to be justly due, for articles of necessity, furnished in the course of the seven preceding years, in an instrument of writing of said date, duly signed by the Chiefs and Headmen of said tribes, and certified by the late Felix St. Vrain, United States' agent, and Antoine Le Claire, United States' Interpreter, both for the said tribes.

ARTICLE VI.

At the special request of the said confederated tribes, the United States agree to grant, by patent, in fee simple, to Antoine Le Claire, Interpreter, a part Indian, one section of land opposite Rock Island, and one section at the head of the first rapids above said Island, within the country herein ceded by the Sacs and Foxes.

ARTICLE VII.

Trusting to the good faith of the neutral bands of Sacs and Foxes, the United States have already delivered up to those bands the great mass of prisoners made in the course of the war by the United States, and promise to use their influence to procure the delivery of other Sacs and Foxes, who may still be prisoners in the hands of a band of Sioux Indians, the friends of the United States; but the following named prisoners of war, now in confinement, who were Chiefs and Headmen, shall be held as hostages for the future good conduct of the late hostile bands, during the pleasure of the President of the United States, viz:—Muk-ka-ta-mish-a-ka-kaik (or Black Hawk) and his two sons; Wau-ba-kee-shik (the Prophet) his brother and two sons; Na-pope; We-sheet Ioway; Pamaho; and Cha-kee-pa-shi-pa-ho (the little stabbing Chief).

ARTICLE VIII.

And it is further stipulated and agreed between the parties to this treaty, that there shall never be allowed in the confederated Sac and Fox nation, any separate band, or village, under any chief or warrior of the late hostile bands; but that the remnant of the said hostile bands shall be divided among the neutral bands of the said tribes according to blood—the Sacs among the Sacs, and the Foxes among the Foxes.

ARTICLE IX.

In consideration of the premises, peace and friendship are declared, and shall be perpetually maintained between the United States and the whole confederated Sac and Fox nation, excepting from the latter the hostages before mentioned.

ARTICLE X.

The United States, besides the presents, delivered at the signing of this treaty, wishing to give a striking evidence of their mercy and liberality, will immediately cause to be issued to the said confederated tribes, principally for the use of the Sac and Fox women and children, whose husbands, fathers and brothers, have been killed in the late war, and generally for the use of the whole confederated tribes, articles of subsistence as follows:—thirty-five beef cattle; twelve bushels of salt; thirty barrels of pork; and fifty barrels of flour, and cause to be delivered for the same purposes, in the month of April next, at the mouth of the lower Ioway, six thousand bushels of maize or Indian corn.

ARTICLE XI.

At the request of the said confederated tribes, it is agreed that a suitable present shall be made to them on their pointing out to any United States agent, authorized for the purpose, the position or positions of one or more mines, supposed by the said tribes to be of a metal more valuable than lead or iron.

[*351]

ARTICLE XII.

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

Done at Fort Armstrong, Rock Island, Illinois, this twenty-first day of September, in the year of our Lord one thousand eight hundred and thirty-two, and of the independence of the United States the fifty-seventh.

Winfield Scott,
John Reynolds.

Sacs.

Kee-o-kuck, or he who has been every where, his x mark,

Pa-she-pa-ho, or the stabber, his x mark,

Pia-tshe-noay, or the noise maker, his x mark,

Wawk-kum-mee, or clear water, his x mark,
 O-sow-wish-kan-no, or yellow bird, his x mark,
 Pa-ca-tokee, or wounded lip, his x mark,
 Winne-wun-quai-saat, or the terror of man, his x mark,
 Mau-noa-tuck, or he who controls many, his x mark,
 Wau-we-au-tun, or the curling wave, his x mark,
 Foxes.
 Wau-pel-la, or he who is painted white, his x mark,
 Tay-wee-mau, or medicine man, (strawberry,) his x mark,
 Pow-sheek, or the roused bear, his x mark,
 An-nau-mee, or the running fox, his x mark,
 Ma-tow-e-qua, or the jealous woman, his x mark,
 Me-shee-wau-quaw, or the dried tree, his x mark,
 May-kee-sa-mau-ker, or the wampum fish, his x mark,
 Chaw-co-saut, or the prowler, his x mark,
 Kaw-kaw-kee, or the crow, his x mark,
 Mau-que-tee, or the bald eagle, his x mark,
 Ma-she-na, or cross man, his x mark,
 Kaw-kaw-ke-monte, or the pouch, (running bear,) his x mark,
 Wee-she-kaw-k-a-skuck, or he who steps firmly, his x mark.
 Wee-ca-ma, or good fish, his x mark,
 Paw-qua-nuey, or the runner, his x mark,
 Ma-hua-wai-be, or the wolf skin, his x mark,
 Mis-see-quaw-kaw, or hairy neck, his x mark,
 Waw-pee-shaw-kaw, or white skin, his x mark,
 Mash-shen-waw-pee-tch, or broken tooth, his x mark,
 Nau-nah-que-kee-shee-ko, or between two days, his x mark,
 Paw-puck-ka-kaw, or stealing fox, his x mark,
 Tay-e-sheek, or the falling bear, his x mark,
 Wau-pee-maw-ker, or the white loon, his x mark,
 Wau-co-see-nee-me, or fox man, his x mark.

In presence of—

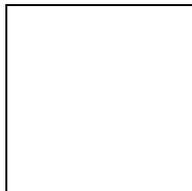
R. Bache, captain ordnance, secretary to the commission,
 Abm. Eustis,
 Alex. Cummings, lieutenant-colonel Second Infantry,
 Alex. R. Thompson, major U. S. Army,
 Sexton G. Frazer,
 P. H. Galt, Assistant Adjutant-General,
 Benj. F. Pike,
 Wm. Henry,
 James Craig,
 John Aukeny,
 J. B. F. Russell,
 Isaac Chambers,
 John Clitz, adjutant infantry,
 John Pickell, lieutenant Fourth Artillery,
 A. G. Miller, lieutenant First Infantry,

Geo. Davenport, assistant quartermaster-general Illinois Militia,
 A. Drane,
 Æneas Mackay, captain U. S. Army,
 J. R. Smith, first lieutenant Second Infantry,
 Wm. Maynadier, lieutenant and aid-de-camp,
 J. S. Gallagher, first lieutenant, acting commissary subsistence,
 N. B. Bennett, lieutenant Third Artillery,
 B. Riley, major U. S. Army,
 H. Dodge, major,
 W. Campbell,
 Hy. Wilson, major Fourth U. S. Infantry,
 Donald Ward,
 Thos. Black Wolf,
 Horatio A. Wilson, lieutenant Fourth Artillery,
 H. Day, lieutenant Second Infantry,
 Jas. W. Penrose, lieutenant Second Infantry,
 J. E. Johnston, lieutenant Fourth Artillery,
 S. Burbank, lieutenant First Infantry,
 J. H. Prentiss, lieutenant First Artillery,
 L. J. Beall, lieutenant First Infantry,
 Addison Philleo,
 Thomas L. Alexander, lieutenant Sixth Infantry,
 Horace Beale, acting surgeon U. S. Army,
 Oliver W. Kellogg,
 Jona Leighton, acting surgeon U. S. Army,
 Robt. C. Buchanan, lieutenant Fourth Infantry,
 Jas. S. Williams, lieutenant Sixth Infantry,
 John W. Spencer,

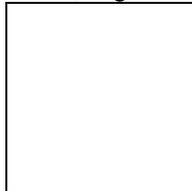
TREATY WITH THE SAUK AND FOX TRIBE, 1836.

Sept. 27, 1836. | 7 Stat., 516. | Proclamation, Feb. 15, 1837.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 473



Margin Notes:

Lands ceded to United States.

In a convention held this twenty-seventh day of September 1836, between Henry Dodge Superintendent of Indian Affairs, and the chiefs, braves, and principal men of the Sac and Fox tribe of Indians, it has been represented, that according to the stipulations of the first article of the treaty of Prairie du Chien, of the 15th July 1830, the country thereby ceded, is “to be assigned and allotted under the direction of the President of the United States, to the tribes now living thereon, or to such other tribes as the President may locate thereon for hunting and other purposes.” And, whereas, it is further represented to us, the chiefs, braves, and principal men of the tribe aforesaid, to be desirable that the lands lying between the State of Missouri and the Missouri river should be attached to, and become a part of said State, and the Indian title thereto be entirely extinguished; but that, notwithstanding, as these lands compose a part of the country embraced by the provisions of said first article of the treaty aforesaid, the stipulations thereof will be strictly observed until the assent of the Indians interested is given to the proposed measure.

Now, we the chiefs, braves, and principal men of the Sac and Fox tribes of Indians, fully understanding the subject, and well satisfied from the local position of the lands in question, that they can never be made available for Indian purposes, and that an attempt to place an Indian population on them must inevitably lead to collisions with the citizens of the United States; and further believing that the extension of the State line in the direction indicated, would have a happy effect, by presenting a natural boundary between the whites and Indians; and, willing moreover, to give the United States a renewed evidence of our attachment and friendship, do hereby, for ourselves, and on behalf of our respective tribes (having full power and authority to this effect) forever cede, relinquish, and quit claim to the United States, all our right, title, and interest of whatsoever nature in, and to, the lands lying between the State of Missouri and the Missouri river, and do freely and fully exonerate the United States from any guarantee, condition, or limitation, expressed or implied, under the treaty of Prairie du Chien aforesaid, or otherwise, as to the entire and absolute disposition of the said lands, fully authorizing the United States to do with the same whatever shall seem expedient or necessary.

In testimony whereof, we have hereunto set our hands and seals, the day and year first above written.

H. Dodge, [L. S.]

Wa-pa-ca, his x mark, [L. S.]

Po-we-see, his x mark, [L. S.]

Qui-ya-ni-pe-na, his x mark, [L. S.]

Au-sa-wa-kuk, his x mark, [L. S.]

Wa-ko-sa-see, his x mark, [L. S.]

Sa-sa-pe-ma, his x mark, [L. S.]

Ma-wa-wi, his x mark, [L. S.]

Wa-pa-sa-kun, his x mark, [L. S.]

Pa-ka-ka, his x mark, [L. S.]

We-se-au-ke-no-huck, his x mark, [L. S.]

Ka-ha-kee, his x mark, [L. S.]

Na-a-huck, his x mark, [L. S.]

Nau-a-wa-pit, his x mark, [L. S.]

Keo-kuck, his x mark, [L. S.]
 Pa-she-pa-ho, his x mark, [L. S.]
 We-she-oa-ma-quit, his x mark, [L. S.]
 Ap-pi-nuis, his x mark, [L. S.]
 Pe-at-shin-wa, his x mark, [L. S.]
 Wa-po-pa-nas-kuck, his x mark, [L. S.]
 Wa-ta-pe-naut, his x mark, [L. S.]
 Pa-na-see, his x mark, [L. S.]
 Ma-ke-no-na-see, his x mark, [L. S.]
 Na-che-min, his x mark. [L. S.]

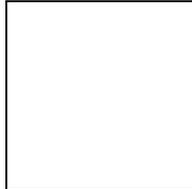
In presence of us:

James W. Grimes, secretary of commission,
 Jos. M. Street, Indian agent,
 Ant. St. Clair, interpreter,
 Frans. Labussir, interpreter,
 James Craig,
 Danniah Smith,
 Nathl. Knapp,
 Daniel Geire,
 Erastus H. Bassett,
 Geo. Catlin,
 Robert Serrell Wood.

TREATY WITH THE SAUK AND FOXES, 1836.

Sept. 28, 1836. | 7 Stat., 517. | Proclamation, Feb. 27, 1837.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 474-475



Margin Notes:

Land ceded to the United States.
 Payments by the United States.
 United States to furnish 200 horses.
 Provision for half-breeds.
 Provision for the children of John Connoly, deceased.
 Removal of Indians.
 Treaty binding when ratified.

Articles of a treaty made and entered into at the treaty ground on the right bank of the Mississippi river in the county of Debuque and Territory of Wisconsin opposite Rock island, on the twenty-eighth day of September one thousand eight hundred and thirty-six, between Henry Dodge commissioner on the part of the United States, of the one part, and the confederated tribes of Sac and Fox Indians represented in general council by the undersigned chiefs headmen and warriors of the said tribes, of the other part.

WHEREAS by the second article of the treaty made between the United States and the confederated tribes of Sac and Fox Indians on the twenty-first day of September one thousand eight hundred and thirty-two, a reservation of four hundred sections of land was made to the Sac and Fox Indians to be laid off under the direction of the President of the United States in conformity to the provisions of said article, and the same having been so subsequently laid out accordingly, and the confederated tribes of Sacs and Foxes being desirous of obtaining additional means of support, and to pay their just creditors have entered into this treaty, and make the following cession of land.

ARTICLE 1.

The confederated tribes of Sacs and Foxes for the purposes above expressed, and for and in consideration of the stipulations and agreements hereinafter expressed, do hereby cede to the United States forever, the said reservation of four hundred sections of land as designated in the second article of the treaty made between the United States and the confederated tribes of Sacs and Foxes as the same has been surveyed and laid off by order of the President of the United States.

ARTICLE 2.

In consideration of the cession contained in the preceding article, the United States hereby agree as follows, to wit: To pay to the confederated tribes of the Sac and Fox Indians in the month of June one thousand eight hundred and thirty-seven, the sum of thirty thousand dollars, and for ten successive years thereafter the sum of ten thousand dollars each year in specie, to be paid at the treaty ground opposite Rock island or such other place as may be designated by the President of the United States; to pay to the widow and children of Felix St. Urain, deceased, former Indian agent who was killed by the Indians, one thousand dollars, and also to pay the sum of forty-eight thousand, four hundred and fifty-eight dollars, eighty-seven and a half cents to enable said Indians to pay such debts as may be ascertained by their superintendent to be justly due from them to individuals, and if such debts so ascertained to be just amount to more than said sum then the same shall be divided among said creditors pro rata; and if less, then the overplus to be paid to said Indians for their own use.

ARTICLE 3.

The United States further agree to deliver to the confederated tribes of Sacs and Foxes two hundred horses, as near that number as can be procured with the sum of nine thousand three hundred and forty-one dollars, to be delivered at the payment of the annuities in June one thousand eight hundred and thirty-seven.

ARTICLE 4.

At the special request of the Sac and Fox Indians aforesaid, the United States agree to make the following provision for the benefit and support of seven half-breeds of the Sac and Fox nation, to wit; The United States agree to pay to — Wayman for the use and benefit of his half-breed child by a Fox woman named Ni-an-no one thousand dollars, to Wharton R. McPhearson, for the use and benefit of his half-breed child by To-to-qua, a Fox woman, one thousand dollars, to James Thorn for the use and benefit of his half-breed child by Ka-kee-o-sa-qua, a Fox woman, one thousand dollars, to Joseph

[*475]

Smart for the use of his half-breed child by Ka-ti-qua a Fox woman one thousand dollars, to Nathan Smith for the use and benefit of his half-breed child by Wa-na sa a Sac woman one thousand dollars, and to Joseph M. Street, Indian agent, two thousand dollars for the use and benefit of two half-breed children, one the child of Niwa-ka-kee a Fox woman, by one Mitchell, the other the child of Ni-an-na by Amos Farrar, the two thousand dollars to put at interest, and so much of said interest arising therefrom to be expended for the benefit of the children as said agent shall deem proper and necessary, and when each shall arrive at the age of twenty years, the said agent shall pay to each half breed one thousand dollars and any balance of interest remaining in his hands at the time.

ARTICLE 5.

At the special request of the said confederated tribes of Sac and Fox Indians it is further agreed by the United States, to pay to Joseph M. Street, their agent, two hundred dollars for the use and benefit of Thompson Connoly and James Connoly children of their friend John Connoly deceased, to be by said agent put at interest and expended on the education of said Thompson and James Connoly, children of said John Connoly deceased.

ARTICLE 6.

The said confederated tribes of Sac and Fox Indians hereby stipulate and agree to remove from off the lands herein in the first article of this treaty ceded to the United States, by the first day of November next ensuing the date hereof, and in order to prevent any future misunderstanding, it is expressly agreed and understood that no band or party of the said confederated tribes of Sac and Fox Indians, shall plant, fish or hunt on any portion of the country herein ceded after the period just mentioned.

ARTICLE 6.

This treaty shall be obligatory on the contracting parties after it shall be ratified by the President and Senate of the United States.

Done at the treaty ground on the right bank of the Mississippi, in Debuque county, Wisconsin Territory, opposite Rock island, this twenty-eighth day of September, one thousand eight hundred and thirty-six.

H. Dodge.

A-sho-wa-huk, his x mark, [L. S.]

Masha-na, his x mark, [L. S.]

Wa-ko-sha-she, his x mark, [L. S.]

Na-wo-huck, his x mark, [L. S.]

Pa-na-see, his x mark, [L. S.]

Foxes:

Wa-pella, his x mark, [L. S.]

Pow-a-sheek, his x mark, [L. S.]

Qua-qua-na-pe-qua, his x mark, [L. S.]

Wa-pak-onas-kuck, his x mark, [L. S.]

Wa-tup-a-waut, his x mark, [L. S.]

Me-kee-won-a-see, his x mark, [L. S.]

Ka-ka-no-an-na, his x mark, [L. S.]

Sacs:

Kee-o-kuck, his x mark, [L. S.]

Pashapahoo, his x mark, [L. S.]

We-she-ko-ma-quit, his x mark, [L. S.]

Ap-a-noose, his x mark, [L. S.]

Pe-a-chin-wa, his x mark, [L. S.]

Mo-wha-wi, his x mark, [L. S.]

Wa-pe-sha-kon, his x mark, [L. S.]

In presence of us—

James W. Grimes, secretary of commission,

Jos. M. Street, Indian agent,

L. Dorsey Stockton, jr., attorney at law,

Ant. Leclaire, interpreter,

Frans. Labussir, interpreter,

James Craig,

P. R. Chouteau, jr.,

Geo. Davenport,

Nathl. Knapp,

W. R. McPherson,

Geo. W. Atchison,

Jeremiah Smith,

Nathan Smith,

Robt. Serrell Wood,

Geo. Catlin,

Richard J. Lockwood,

Enoch Gilbert,

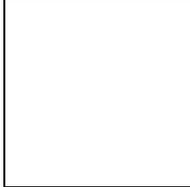
Courtlandt Lawson,

George Miller, jr.,
Courtlandt Lawson.

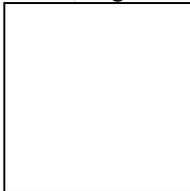
TREATY WITH THE SAUK AND FOXES, 1837.

Oct. 21, 1837. | 7 Stat., 540. | Proclamation, Feb. 21, 1838.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 495-496



Margin Notes:

Lands ceded to the United States.
Consideration therefor.
Land ceded to be surveyed, etc.
Payment of debts due by Indians.
Proviso.
Goods.
Gristmills.
Breaking upground, etc.
Laborers.
Horses and presents.
\$200,000 to be invested for Indians.
Proviso.
Blacksmiths' and gunsmith's establishments to be removed, etc.
Removal of Indians.
United States to pay expenses of making treaty.
Treaty binding when ratified.

Articles of a treaty made at the city of Washington, between Carey A. Harris, Commissioner of Indian Affairs, thereto authorized by the President of the United States, and the confederated tribes of Sacs and Foxes, by their chiefs and delegates.

ARTILCE 1.

The Sacs and Foxes make to the United States the following cessions:

First. Of a tract of country containing 1,250,000 (one million two hundred and fifty thousand) acres lying west and adjoining the tract conveyed by them to the United States in the treaty of September 21st, 1832. It is understood that the points of termination for the present cession shall be the northern and

southern points of said tract as fixed by the survey made under the authority of the United States, and that a line shall be drawn between them, so as to intersect a line extended westwardly from the angle of said tract nearly opposite to Rock Island as laid down in the above survey, so far as may be necessary to include the number of acres hereby ceded, which last mentioned line it is estimated will be about twenty-five miles.

Second. Of all right or interest in the land ceded by said confederated tribes on the 15th of July 1830, which might be claimed by them, under the phraseology of the first article of said treaty.

ARTICLE 2d.

In consideration of the cessions contained in the preceding article, the United States agree to the following stipulations on their part:

First. To cause the land ceded to be surveyed at the expense of the United States, and permanent and prominent land marks established, in the presence of a deputation of the chiefs of said confederated tribes.

Second. To pay the debts of the confederated tribes, which may be ascertained to be justly due, and which may be admitted by the Indians, to the amount of one hundred thousand dollars (\$100,000) provided, that if all their just debts amount to more than this sum, then their creditors are to be paid *pro rata* upon their giving receipts in full; and if said debts fall short of said sum, then the remainder to be paid to the Indians. *And provided also,* That no claim for depredations shall be paid out of said sum.

Third. To deliver to them goods, suited to their wants, at cost, to the amount of twenty-eight thousand five hundred dollars (\$28,500.)

Fourth. To expend, in the erection of two grist mills, and the support of two millers for five years, ten thousand dollars (\$10,000.)

Fifth. To expend in breaking up and fencing in ground on the land retained by said confederated tribes, and for other beneficial objects, twenty-four thousand dollars (\$24,000.)

Sixth. To expend in procuring the services of the necessary number of laborers, and for other objects connected with aiding them in agriculture, two thousand dollars (\$2,000) a year, for five years.

Seventh. For the purchase of horses and presents, to be delivered to the chiefs and delegates on their arrival at St. Louis, four thousand five hundred dollars (\$4,500,) one thousand dollars (\$1,000) of which is in full satisfaction of any claim said tribe may have on account of the stipulation for blacksmiths in the treaty of 1832.

Eighth. To invest the sum of two hundred thousand dollars (\$200,000) in safe State stocks, and to guarantee to the Indians, an annual income of not less than five per cent. the said interest to be paid to them each year, in the manner annuities are paid, at such time and place, and in money or goods as the tribe may direct. *Provided,* That it may be competent for the President to direct that a portion of the same may, with the consent of the Indians, be applied to education, or other purposes calculated to improve them.

ARTICLE 3d.

The two blacksmith's establishments, and the gunsmith's establishment, to which the Sacs and Foxes are entitled under treaties prior to this, shall be removed to, and be supported in the country retained by them, and all other stipulations in former treaties, inconsistent with this, or with their residence, and the transaction of their business on their retained land are hereby declared void.

ARTICLE 4th.

The Sacs and Foxes agree to remove from the tract ceded, with the exception of Keokuck's village, possession of which may be retained for two years, within eight months from the ratification of this treaty.

ARTICLE 5th.

The expenses of this negotiation and of the chiefs and delegates signing this treaty to this city, and to their homes, to be paid by the United States.

ARTICLE 6th

This treaty to be binding upon the contracting parties when the same shall be ratified by the United States.

In witness whereof the said Carey A. Harris, and the undersigned chiefs and delegates of the said tribes, have hereunto set their hands at the city of Washington, this 21st October A. D. 1837.

C. A. Harris.

Sacs or Saukes:

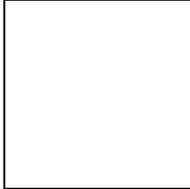
Kee-o-kuck, The Watchful Fox, principal chief of the confederated tribes,
 Wau-cai-chai, Crooked Sturgeon, a chief,
 A-shee-au-kon, Sun Fish, a chief,
 Pa-nau-se, Shedding Elk,
 Wau-wau-to-sa, Great Walker,
 Pa-sha-ka-se, The Deer,
 Appan-oze-o-ke-mar, The Hereditary Chief, (or He who was a Chief when a
 Child,)
 Waa-co-me, Clear Water, a chief,
 Kar-ka-no-we-nar, The Long-horned Elk,
 Nar-nar-he-keit, the Self-made Man,
 As-ke-puck-a-wau, The Green Track,
 Wa-pella, the Prince, a principal chief,
 Qua-qua-naa-pe-pua, the Rolling Eyes, a chief,
 Paa-ka-kar, the Striker,
 Waa-pa-shar-kon, the White Skin,
 Wa-pe-mauk, White Lyon,
 Nar-nar-wau-ke-hait, the Repenter, (or the Sorrowful,)
 Po-we-sheek, Shedding Bear, a (principal chief,)
 Con-no-ma-co, Long Nose Fox, a chief,(wounded,)

Waa-co-shaa-shee, Red Nose Fox, a principal chief Fox tribe, (wounded,
 An-non-e-wit, The Brave Man,
 Kau-kau-kee, The Crow,
 Kish-kee-kosh, The Man with one leg off.

Signed in presence of—

Chauncey Bush, Secretary. Joseph M. Street, U. S. Indian Agent.
 Joshua Pilcher, Indian Agent.
 Geo. Davenport.
 J. F. A. Sanford.
 S. C. Stambaugh.
 P. G. Hambaugh.
 Antoine Le Claire, U. S. Indian Interpreter.

(To the Indian names are subjoined marks.)



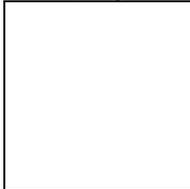
TREATY WITH THE SAUK AND FOXES, 1842.

Oct. 11, 1842. | 7 Stat., 596. | Proclamation, Mar. 23, 1843.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by
 Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 546-549



Margin Notes:

Lands ceded to United States.
 Payment by United States for cession.
 Lands to be assigned to Indians for permanent residence.
 Blacksmiths' and gunsmiths' shops, etc.
 Boundary to be run and marked.
 Removal of Indians.
 Provisions for removal.
 Each principal chief to receive \$500 annually.
 \$30,000 to be retained at each annual payment.

How to be expended.
 Application of any portion of annuities.
 Certain funds for agricultural purposes.
 Remains of the late Chief Wa-pel-lo to be buried, etc.
 Patent to issue to E. M. Street for 640 acres.
 Treaty binding when ratified.
 Proviso.
 Schedule of debts of Indians to be paid.

Articles of a treaty made and concluded at the agency of the Sac and Fox Indians in the Territory of Iowa, between the United States of America, by John Chambers their commissioner thereto specially authorized by the President, and the confederated tribes of Sac and Fox Indians represented by their chiefs, headmen and braves:

ARTICLE I.

THE confederated tribes of Sacs and Foxes cede to the United States, forever, all the lands west of the Mississippi river, to which they have any claim or title, or in which they have any interest whatever; reserving a right to occupy for the term of three years from the time of signing this treaty, all that part of the land hereby ceded which lies west of a line running due north and south from the painted or red rocks on the White Breast fork of the Des Moines river, which rocks will be found about eight miles, when reduced to a straight line, from the junction of the White Breast with the Des Moines.

ARTICLE II.

In consideration of the cession contained in the preceding article, the United States agree to pay annually to the Sacs and Foxes, an interest of five per centum upon the sum of eight hundred thousand dollars, and to pay their debts mentioned in the schedule annexed to and made part of this treaty, amounting to the sum of two hundred and fifty-eight thousand, five hundred and sixty-six dollars and thirty-four cents; and the United States also agree, *First.* That the President will as soon after this treaty is ratified on their part as may be convenient, assign a tract of land suitable and convenient for Indian purposes, to the Sacs and Foxes for a permanent and perpetual residence for them and their descendants, which tract of land shall be upon the Missouri river, or some of its waters. *Second.* That the United States will cause the blacksmiths and gun-smiths' tools, with the stock of iron and steel on hand at the present agency of the Sacs and Foxes, to be removed, as soon after their removal as convenient, to some suitable point at or near their residences west of the north and south line mentioned in the first article of this treaty; and will establish and maintain two blacksmiths and two gunsmiths' shops convenient to their agency, and will employ two blacksmiths, with necessary assistance, and two gunsmiths to carry on the said shops for the benefit of the Sacs and Foxes; one blacksmiths and one gunsmiths' shop to be employed exclusively for the Sacs, and one of each to be employed exclusively for the Foxes, and all expenses attending the removal of the tools, iron and steel, and the erection of new shops, and the purchase of iron and steel, and the support and

maintenance of the shops, and wages of the smiths and their assistants, are to be paid by the tribe, except such portion thereof as they are now entitled to have paid by the United States, under the 4th article of the treaty made with them on the 4th of August 1824, and the 4th article of the treaty of the 21st of September 1832. And when the said tribes shall remove to the land to be assigned them by the President of the United States, under the provisions of this treaty, the smiths' shops above stipulated for shall be re-established and maintained at their new residence, upon the same terms and conditions as are above provided for their removal and establishment west of the north and south line mentioned in the first article of this treaty.

Third. That the President of the United States will as soon as convenient after the ratification of this treaty, appoint a commissioner for the purpose, and cause a line to be run north from the painted or red rocks on the White Breast, to the southern boundary of the neutral

[*547]

ground, and south from the said rocks to the northern boundary of Missouri; and will have the said lines so marked and designated, that the Indians and white people may know the boundary which is to separate their possessions.

ARTICLE III.

The Sacs and Foxes agree that they will remove to the west side of the line running north and south from the painted or red rocks on the White Breast, on or before the first of May next, and that so soon after the President shall have assigned them a residence upon the waters of the Missouri, as their chiefs shall consent to do so, the tribe will remove to the land so assigned them; and that if they do not remove before the expiration of the term of three years, they will then remove at their own expense; and the United States agree, that whenever the chiefs shall give notice to the Commissioner of Indian Affairs of the time at which they will commence their removal to the land to be assigned them by the President, a quantity of provisions sufficient for their subsistence while removing, shall be furnished them at their agency, and an additional quantity, not exceeding one years supply shall be delivered to them upon their arrival upon the lands assigned them; the cost and expenses of which supplies shall be retained out of any money payable to them by the United States.

ARTICLE IV.

It is agreed that each of the principal chiefs of the Sacs and Foxes, shall hereafter receive the sum of five hundred dollars annually, out of the annuities payable to the tribe, to be used and expended by them for such purposes as they may think proper, with the approbation of their agent.

ARTICLE V.

It is further agreed that there shall be a fund amounting to thirty thousand dollars retained at each annual payment to the Sacs and Foxes, in the hands of

the agent appointed by the President for their tribe, to be expended by the chiefs, with the approbation of the agent, for national and charitable purposes among their people; such as the support of their poor, burying their dead, employing physicians for the sick, procuring provisions for their people in cases of necessity, and such other purposes of general utility as the chiefs may think proper, and the agent approve. And if at any payment of the annuities of the tribe, a balance of the fund so retained from the preceding year shall remain unexpended, only so much shall be retained in addition as will make up the sum of thirty thousand dollars.

ARTICLE VI.

It is further agreed that the Sacs and Foxes may, at any time, with the consent of the President of the United States, direct the application of any portion of the annuities payable to them, under this or any former treaty, to the purchase of goods or provisions, or to agricultural purposes, or any other object tending to their improvement, or calculated to increase the comfort and happiness of their people.

ARTICLE VII.

The United States agree, that the unexpended balance of the fund created by the seventh paragraph of the second article of the treaty of the twenty-first of October, 1837, for agricultural purposes, or so much thereof as may be necessary, shall be used and employed in the cultivation of the pattern farm near the present Sac and Fox agency, in the

[*548]

year 1843, for the exclusive use and benefit of the tribe. And they further agree, that such portion of the fund for erecting mills, and supporting millers, specified in the fourth paragraph of the second article of the aforesaid treaty of October 21st, 1837, as may be and remain unexpended on the 1st day of May next, shall be transferred to and made part of the sum designated in the fifth paragraph (as amended) of the article and treaty above named, for breaking up land and other beneficial objects, and become thereafter applicable to the same purposes, as were in the said fifth paragraph, originally intended.

ARTICLE VIII.

The Sacs and Foxes have caused the remains of their late distinguished chief Wa-pel-lo to be buried at their agency, near the grave of their late friend and agent General Joseph M. Street, and have put into the hands of their agent the sum of one hundred dollars to procure a tombstone to be erected over his grave, similar to that which has been erected over the grave of General Street; and because they wish the grave of their friend and their chief to remain in the possession of the family of General Street, to whom they were indebted in his life-time for many acts of kindness, they wish to give to his widow Mrs. Eliza M. Street one section of land to include the said graves, and the agency-house

and enclosures around and near it; and as the agency house was built at the expense of the United States, the Sacs and Foxes agree to pay them the sum of one thousand dollars the value of said building, assessed by gentlemen appointed by them, and Governor Chambers commissioner on the part of the United States, to be deducted from the first annuity payable to them under the provisions of this treaty. And the United States agree to grant to the said Eliza M. Street by one or more patents, six hundred and forty acres of land in such legal subdivisions, as will include the said burial ground, the agency house, and improvements around, and near it, in good and convenient form, to be selected by the said E. M. Street or her duly authorized agent.

ARTICLE IX.

It is finally agreed that this treaty shall be binding on the two contracting parties, so soon as it shall have been ratified by the President and Senate of the United States: *Provided always*, That should the Senate disagree to and reject, alter or amend any portion or stipulation thereof, the same must be again submitted to the Sacs and Foxes, and assented to by them, before it shall be considered valid and obligatory upon them, and if they disagree to such alteration or amendment, the treaty shall be returned to the Senate for ratification or rejection, in the form in which it was signed.

In witness whereof, the said John Chambers, commissioner on the part of the United States, and the undersigned chiefs, braves, and headmen of the Sac and Fox nation of Indians, have hereunto set their hands, at the Sac and Fox agency, in the Territory of Iowa, this eleventh day of October, Anno Domini one thousand eight hundred and forty-two.

John Chambers.

Sacs:
 Ke o kuk,
 Ke o kuk, Jr.,
 Wa ca cha,
 Che kaw que,
 Ka pon e ka,
 Pa me kow art,
 Ap pe noose,
 Wa pe,
 Wa sa men,
 Wis ko pe,
 As ke po ka won,
 I o nah,
 Wish e co ma que,
 Pash e pa ho,
 Ka pe ko ma,
 Tuk quos,
 Wis co sa,
 Ka kon we na,
 Na cote e we na,

Sho wa ke,
 Mean ai to wa,
 Muk e ne Ko ko etch.

[*549]

Foxes:
 Pow a shick,
 Wa co sha she,
 An au e wit,
 Ka ka ke,
 Ma wha why,
 Ma che na ka me quat,
 Ka ka ke mo,
 Kish ka naqua hok,
 Pe a tau a quis,
 Ma ne ni sit,
 Mai con ne,
 Pe she she mone,
 Pe shaw koa,
 Pash e pa ho,
 Puck aw koa,
 Qua co ho se,
 Wa pa sha kon,
 Kis ke kosh,
 Ale mo ne qua,
 Cha ko kow a,
 Wah ke mo wa ta pa,
 Muk qua gese,

Signed in presence of—

John Beach, U. S. Indian agent and secretary.
 Antoine Le Claire, U. S. interpreter.
 Josiah Swart, U. S. interpreter.
 J. Allen, captain, First Dragoons.
 C. F. Ruff, lieutenant, First U. S. Dragoons.
 Arthur Bridgman.
 Alfred Hebard.
 Jacob O. Phister.
 (To the Indian names are subjoined marks.)

Schedule of debts due from the confederated tribes of the Sac and Fox Indians to be paid by the United States under the provisions of a treaty made and concluded at the Sac and Fox agency in the Territory of Iowa on the eleventh day of October in the year 1842; to which this schedule is annexed as a part thereof.

Name of claimant.	Place of residence.	Amount.
Pierre Chouteau, jr. & Co	St. Louis, Missouri, licensed traders	\$112, 109 47

W. G. & G. W. Erving	Indiana, do do	66, 371 83
J. P. Eddy & Co	Ioway, do do	52, 332 78
Thomas Charlton	Van Buren c'ty, Ioway	76 69
R. B. Willoughby	Do do	25 00
Francis Withington	Lincoln county, Missouri	4, 212 58
Jesse B. Webber	Burlington, Ioway	116 60
J. C. Wear	Jefferson county, Ioway	50 00
W. C. Cameron, assignee of A. M. Bissel (bankrupt)	Burlington	283 14
David Bailey	Lincoln c'ty Missouri	75 00
Thomas W. Bradley	Ioway	20 00
John J. Grimes	Lincoln c'ty, Missouri	625 00
William Settles	Do do	320 00
John S. David	Burlington, Ioway	20 00
F. Hancock	Van Buren, do	20 00
C. G. Pelton	Burlington, do	34 00
J. Tolman	Van Buren, do	115 00
J. L. Burtiss	Lee county, do	715 00
Isaac A. Lefevre	Van Buren, do	348 00
Jeremiah Smith, jr	Burlington, do	4, 000 00
William & Sampson Smith	Jefferson county, do	60 00
John Koontz		6 50
Robert Moffet	New Lexington, Ioway	129 63
Antoine Leclair	Davenport, do	1, 375 00
Margaret Price	Lee county, do	9 00
Jesse Sutton	Van Buren, do	22 00
Jefferson Jordon	Do do	175 00
Jeremiah Wayland	St. Francisville, Missouri	15 00
Robert Brown, assignee of Cutting & Gordon.	Van Buren c'ty, Ioway	73 25
William Rowland	Do do	460 32
Edward Kilbourne	Lee county, do	10, 411 80
Perry & Best	Do	22 75
P. Chouteau, jr. & Co	St. Louis, Missouri	26 00
Job Carter	Van Buren c'ty	28 00
Francis Bosseron	St. Louis, Mo	26 00
James Jordon	Van Buren, Ioway	1, 775 00
Sampson Smith	do	54 00
Louis Laplant	Ioway	122 00
William Phelps	Clark county, Missouri	310 00
William B. Street	Ioway	300 00
Julia Ann Goodell	Do	855 00
George L. Davenport	Davenport, Ioway	320 00
G. C. R. Mitchell	Do do	100 00
David Noggle	Van Buren, do	20 00
	Amount,	\$258, 566
		34

John Chambers,
Commissioner on the part of the U. S.

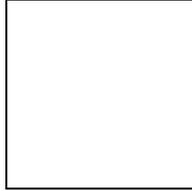
Alfred Hebard,
Arthur Bridgman,

Commissioners appointed by the commission on the part of the U. S. for
examining and adjusting claims.

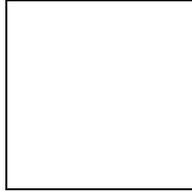
**TREATY WITH THE SAUK AND FOXES OF MISSOURI,
1854.**

May 18, 1854. | 10 Stat., 1074. | Ratified July 11, 1854. | Proclaimed July 17, 1854.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 631-633



Margin Notes:

Cession of lands to the United States.
Reservation.
Payment for said cession.
Disposition of said reservation.
Reserve of their farm and mill.
Grant to the board of missions.
Release of claims under former treaties.
Provisions respecting the fund invested under treaty of Oct. 21, 1837.
Private debts not to be charged on the fund.
Construction of roads.
Ardent spirits.
Conduct of Indians.
Future arrangements to effectuate the objects of this treaty.

Articles of agreement and convention made and concluded at the city of Washington this eighteenth day of May, one thousand eight hundred and fifty-four, by George W. Manypenny, commissioner on the part of the United States, and the following-named delegates of the Sacs and foxes of Missouri, viz: Pe-to-o-ke-mah, or Hard Fish; Mo-less or Wah-pe-nem-mah, or Sturgeon; Ne-son-quoit, or Bear; Mo-ko- ho-ko, or Jumping Fish; and No-ko-what, or Fox; they being thereto duly authorized by the said Sac and Fox Indians.

ARTICLE 1.

The Sacs and Foxes of Missouri hereby cede, relinquish and convey to the United States all their right, title and interest in and to the country assigned to them by the treaty concluded on the seventeenth day of September, one thousand eight hundred and thirty-six, between William Clark, superintendent

of Indian affairs, on the part of the United States, and the Ioways and Missouri Sacs and Foxes, being the lower half of the country described in the second article thereof as “the small strip of land on the south side of the Missouri River, lying between the Kickapoo northern boundary-line and the Grand Nemahaw River, and extending from the Missouri back and westwardly with the said Kickapoo line and the Grand Nemahaw, making four hundred sections; to be divided between the said Ioways and Missouri band of Sacs and Foxes; the lower half to the Sacs and Foxes, the upper half to the Ioways;” saving and reserving fifty sections, of six hundred and forty acres each, which shall be selected in the western part of the cession by the delegates, parties hereto, and the agent for the tribe, after their return home, and which shall be located in one body and set off by metes and bounds: *Provided*, That the delegates and agent can find such an amount of land in one body within said specified section of country suitable to the wants and wishes of the Indians. *And it is further provided*, That should a suitable location, upon examination, to the full extent of fifty sections not be found within said western part of this cession, then the said delegates and agent shall be permitted to extend the location west or northwest of the country herein ceded and south of the Great Nemahaw River, over so much of the public domain, otherwise unappropriated, as shall make up the deficiency; or to make a selection entirely beyond the limits of the country herein ceded upon any lands of the United States, not otherwise appropriated, lying as aforesaid west or northwest of the ceded country and south of the Great Nemahaw. And in either

[*632]

case they shall describe their selection, which must be made within six months from the date hereof, by metes and bounds, and transmit the description thereof signed by said delegates and agent, to the Commissioner of Indian Affairs; and thereupon the selection so made, shall be taken and deemed as the future permanent home of the Sacs and Foxes of Missouri. It is expressly understood that these Indians shall claim under this article, no more than fifty sections of land, and if that quantity or any portion thereof shall be selected, as provided above, outside of the reservation herein made, then said reservation or a quantity equal to that which may be selected outside thereof, shall be and the same is hereby, ceded, relinquished, and conveyed to the United States.

ARTICLE 2.

In consideration of the cession and relinquishment made in the preceding article, the United States agree to pay to the Sacs and Foxes of Missouri, the sum of forty-eight thousand dollars, in manner following, viz: Fifteen thousand dollars in the month of October in each of the years one thousand eight hundred and fifty-four and one thousand eight hundred and fifty-five; ten thousand dollars in the same month of the year one thousand eight hundred and fifty-six, and eight thousand dollars in the same month of the year one thousand eight hundred and fifty-seven; which several sums shall be

paid directly to the Indians, or otherwise, as the President may deem advisable, for building houses, breaking and fencing lands, purchasing stock, farming- implements, seeds, and such other articles as may be necessary for their comfort and prosperity,

ARTICLE 3.

The President may cause to be surveyed, in the same manner in which the public lands are surveyed, the reservation herein provided for the Sacs and Foxes of Missouri, and may assign to each person or family desiring it such quantity of land as, in his opinion, will be sufficient for such person or family, with the understanding that he or they will occupy, improve, and cultivate the same, and comply with such other conditions as the President may prescribe. The land thus assigned may hereafter be confirmed by patent to the parties, or their representatives, under such regulations and restrictions as Congress may prescribe.

ARTICLE 4.

The said Indians reserve a tract of one section of land at the site of their present farm and mill, and to include the same; and if they desire it, said farm may be cultivated for them for a term not exceeding two years—at the end of which time, or sooner if the Indians request it, the said tract and mill may be sold by the President to the highest bidder, and upon payment being made a patent to issue to the purchaser; the proceeds of the sale to be paid over to the Indians with their other moneys.

ARTICLE 5.

At the request of the Indians, it is hereby agreed that the Board of Foreign Missions of the Presbyterian Church shall have a tract of one hundred and sixty acres of land, to be selected by said board at a distance not exceeding two miles in a westerly direction from the grant made to said board at their mission by the Ioway Indians—and the President is authorized to issue a patent for the same to such person or persons as said board may designate.

ARTICLE 6.

The said Indians release the United States from all claims or demands of any kind whatsoever arising, or which may hereafter arise, under former treaties, and agree to remove within six months after the ratification of this instrument, and to subsist themselves, without cost to the United States. In consideration of which release and agreement, the United States agree to pay them the sum of five thousand dollars—three thousand of which may be applied to the settlement of their affairs preparatory to removal.

ARTICLE 7.

The invested fund provided by the second clause of the second article of the treaty of twenty-first day of October, one thousand eight hundred and thirty-seven, (being one hundred and fifty-seven

[*633]

thousand four hundred dollars,) shall remain with the United States at an annual interest of five per cent., which interest as it accumulates, shall be expended under the direction of the President in such manner as he may deem best for the interests of the Indians—and a like disposition may be made of any unexpended balance of interest now on hand.

ARTICLE 8.

No part of the moneys hereby stipulated to be paid to the Indians or for their benefit, or of their invested fund, shall be applied to the payment of debts contracted by them in their private dealings, as individuals, whether with traders or otherwise.

ARTICLE 9.

It is agreed by said Indians that all roads and highways laid out by authority of law, shall have right of way through their reservation on the same terms as are provided by law when roads and highways are made through lands of citizens of the United States; and railroad companies, when the lines of their roads necessarily pass through the lands of these Indians, shall have right of way on the payment of a just compensation therefor in money.

ARTICLE 10.

The said Indians promise to use their best efforts to prevent the introduction and use of ardent spirits in their country; to encourage industry, thrift and morality; and by every possible means to promote their advancement in civilization. They desire to be at peace with all men, and therefore bind themselves to commit no depredation or wrong upon either Indians or citizens, and whenever difficulties arise, to abide by the laws of the United States in such cases made and provided, as they expect to be protected and to have their own rights vindicated by them.

ARTICLE 11.

The object of these articles of agreement and convention being to advance the true interests of the Sac and Fox Indians, it is agreed should they prove insufficient, from causes which cannot now be foreseen, to effect these ends, that the President may, by and with the advice and consent of the Senate, adopt such policy in the management of their affairs, as in his judgment may be most beneficial to them; or Congress may hereafter make such provisions by law, as experience shall prove to be necessary.

ARTICLE 12.

This instrument shall be obligatory on the contracting parties whenever the same shall be ratified by the President and the Senate of the United States. In testimony whereof the said George W. Manypenny, commissioner aforesaid and the delegates of the Sacs and Foxes of Missouri, have hereunto

set their hands and seals at the place, and on the day and year first above written.

George W. Manypenny, Commissioner. [L. S.]
 Pe-to-o-ke-mah, or Hard Fish, his x mark. [L. S.]
 Mo-less or Wah-pe-nem-mah, or Sturgeon, his x mark. [L. S.]
 Ne-son-quoit, or Bear, his x mark. [L. S.]
 Mo-ko-ho-ko, or Jumping Fish, his x mark. [L. S.]
 No-ko-what, or Fox, his x mark. [L. S.]

Executed in presence of—

Charles Calvert.
 John West.
 Wm. B. Waugh.
 D. Vanderslice, Indian agent.
 Peter Cadue, his x mark, United States interpreter.
 Wm. B. Waugh, witness to signing of Peter Cadue.

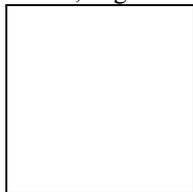
TREATY WITH THE SAUK AND FOXES, 1859.

Oct. 1, 1859. | 15 Stats., 467. | Ratified, June 27, 1860. | Proclaimed, July 9, 1860.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 796-799



Margin Notes:

- Part of present reservation to be set apart.
- Boundaries.
- Assignment to each member of the confederated tribes.
- For agent.
- For school location.
- Intermediate parcels.
- Lands to be known as, etc.
- Laws.
- White persons not to reside thereon, except, etc.
- Division and assignment, how made.
- Certificates for tracts.
- Tracts not to be disposed of, etc.
- To be exempt, etc.
- Certain lands of present reservation to be sold and proceeds how applied.

Sales, how made.
 Improvements.
 Debts of the Indians to be paid, etc.
 If proceeds of lands are insufficient, other moneys to be taken.
 Provisions of former treaties may be changed.
 All members of the tribe to share herein.
 To come in within one year.
 Expenses of the treaty, etc.
 Roads and highways.
 Railroads.
 Mixed and half bloods and whole bloods intermarried with white men.
 Thomas Connelly.
 Funds withheld to be paid.
 Treaty when to take effect.
 Execution.

Articles of agreement and convention made and concluded at the Sac and Fox agency, in the Territory of Kansas, on the first day of October, in the year of our Lord one thousand eight hundred and fifty-nine, by and between Alfred B. Greenwood, commissioner on the part of the United States, and the following-named chiefs and delegates, representing the confederated tribes of Sacs and Foxes of the Mississippi, viz: Ke-o-kuk, Mack-a-sah-pee, Sha-bah-caw-kah, Mat-tah-tah, My-ah-pit, Kaw-ah-kee, Kah-sha-moh-mee, Maw-mee-won-e-kah, and Che-ko-skuk, they being thereto duly authorized by said confederated tribes.

ARTICLE 1.

The Sacs and Foxes of the Mississippi having now more lands than are necessary for their occupancy and use, and being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof, in severalty, to the individual members of the tribe, to be cultivated and improved for their individual use and benefit, it is hereby agreed and stipulated that the portion of their present reservation contained within the following boundaries, that is to say: beginning at a point on the northern boundary-line of their reservation, six miles west of the northeastern corner of the same; running thence due south, to the southern boundary of the same, twenty miles; thence west, and along said southern boundary, twelve miles; thence due north, to the northern boundary of said reservation, twenty miles; and thence east, along said boundary-line, twelve miles, to the place of beginning—estimated to contain about one hundred and fifty-three thousand and six hundred acres—shall be set apart and retained by them for the purposes aforesaid.

ARTICLE 2.

Out of the lands so set apart and retained there shall be assigned to each member of said confederated tribe, without distinction of age or sex, a tract of eighty acres, to include, in every case, as far as practicable, a reasonable portion of timber. One hundred and sixty acres of said retained lands shall also be set apart and appropriated to the use and occupancy of the agent for

the time being of said confederated tribe; and one hundred and sixty acres shall also be reserved for the establishment and support of a school for the education of the youth of the tribe. The location of the tracts, the assignment of which is provided for in this article, shall be made in as regular and compact a manner as possible, and so as to admit of a distinct and well-defined exterior boundary, embracing the whole of them and any intermediate portions or parcels of land or water not included in or made part of the tracts assigned in severalty. All such intermediate parcels of land and water shall be owned by the Sacs and Foxes of the Mississippi in common; but, in case of increase in the tribe, or other cause, rendering it necessary or expedient, the said intermediate parcels of land shall be subject to distribution and assignment in such manner as the Secretary of the Interior may prescribe and direct. The whole of the lands, assigned or unassigned, embraced within said exterior boundary, shall constitute and be known as the reservation of the Sacs and Foxes of the Mississippi; and all laws which have been,

[*797]

or may be, passed by the Congress of the United States regulating trade and intercourse with Indian tribes shall have full force and effect over the same, and no white person, except such as shall be in the employment of the United States, shall be allowed to reside or go upon any portion of said reservation, without the written permission of the superintendent of the central superintendency, or of the agent of the tribe.

ARTILCE 3.

The division and assignment in severalty among the Sacs and Foxes of the Mississippi of the land herein before reserved for that purpose shall be made under the direction of the Secretary of the Interior, and his decision of all questions arising thereupon shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned, respectively, and that the said tracts are set apart for the exclusive use and benefit of the assignees and their heirs. And said tracts shall not be alienated in fee, leased, or otherwise disposed of, except to the United States, or to members of the Sac and Fox tribe, and under such rules and regulations as may be prescribed by the Secretary of the Interior. And said tracts shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided by Congress. Prior to the issue of the certificates aforesaid, the Secretary of the Interior shall make such rules and regulations as he may deem necessary or expedient respecting the disposition of any of said tracts, in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased persons; and should any of the Indians to whom tracts shall be assigned abandon them, the said Secretary may take such action in relation to the proper disposition thereof as, in his judgment, may be necessary and proper.

ARTICLE 4.

For the purpose of establishing the Sacs and Foxes of the Mississippi comfortably upon the lands to be assigned to them in severalty, by building them houses, and by furnishing them with agricultural implements, stock-animals, and other necessary aid and facilities for commencing agricultural pursuits under favorable circumstances, the lands embraced in that portion of their present reservation, not stipulated to be retained and divided as aforesaid, shall be sold, under the direction of the Secretary of the Interior, in parcels not exceeding one hundred and sixty acres each, to the highest bidder, for cash; the sale to be made upon sealed proposals, to be duly invited by public advertisement, and the proceeds thereof to be expended, for the purposes hereinbefore recited, in such manner as the Secretary of the Interior may think proper. And should any of the tracts so to be sold have upon them improvements of any kind which were made by or for the Indians, or for Government purposes, the proposals therefor must state the price for both the land and the improvements. And if, after assigning to all the members of the tribe entitled thereto their proportion of land in severalty, there shall remain a surplus of that portion of the reservation retained for that purpose, outside of the exterior boundaries of the lands assigned in severalty, the Secretary of the Interior shall be authorized and empowered, whenever he shall think proper, to cause such surplus to be sold in the same manner as the other lands to be so disposed of, and to apply the proceeds of such sale to the purposes and in the mode hereinbefore provided with respect to that portion of their present reservation not retained for distribution.

ARTICLE 5.

The Sacs and Foxes of the Mississippi being anxious to relieve themselves from the burden of their present liabilities, and it being essential to their best interests that they should be allowed to commence their new mode of life, free from the embarrassments of debt, it is stipulated and agreed that debts which may be due and

[*798]

owing at the date of the signing and execution hereof, either by the said confederated tribes of Sacs and Foxes, or by individual members thereof, shall be liquidated, and paid out of the fund arising from the sale of their surplus lands, so far as the same shall be found to be just and valid on an examination thereof, to be made by their agent and the superintendent of Indian affairs for the central superintendency, subject to revision and correction by the Secretary of the Interior.

ARTICLE 6.

Should the proceeds of the surplus lands aforesaid prove insufficient to carry out the purposes and stipulations of this agreement, and further aid be, from time to time, requisite to enable the Sacs and Foxes of the Mississippi to sustain themselves successfully in agricultural or other industrial pursuits, such additional means as may be necessary therefor shall be taken from the moneys due and belonging to them under the provisions of former treaties;

and so much of said moneys as may be required to furnish them further aid as aforesaid shall be applied in such manner, under the direction of the Secretary of the Interior, as he shall consider best calculated to improve and promote their welfare. And, in order to render unnecessary any further treaty engagements or arrangements hereafter with the United States, it is hereby agreed and stipulated that the President, with the assent of Congress, shall have full power to modify or change any of the provisions of former treaties with the Sacs and Foxes of the Mississippi in such manner and to whatever extent he may judge to be necessary and expedient for their welfare and best interests.

ARTICLE 7.

The Sacs and Foxes of the Mississippi, parties to this agreement, are anxious that all the members of their tribe shall participate in the advantages herein provided for respecting their improvement and civilization, and to that end to induce all that are now separated to rejoin and reunite with them. It is therefore agreed that, as soon as practicable, the Commissioner of Indian Affairs shall cause the necessary proceedings to be adopted to have them notified of this agreement and its advantages, and to induce them to come in and unite with their brethren; and to enable them to do so, and to sustain themselves for a reasonable time thereafter, such assistance shall be provided for them at the expense of the tribe as may be actually necessary for that purpose: *Provided, however,* That those who do not rejoin and permanently re-unite themselves with the tribe within one year from the date of the ratification of this treaty shall not be entitled to the benefit of any of its stipulations.

ARTICLE 8.

All the expenses connected with and incident to the making of this agreement, and the carrying out of its provisions, shall be defrayed out of the funds of the Sacs and Foxes of the Mississippi.

ARTICLE 9.

It is agreed that all roads and highways laid out by authority of law shall have right of way through the lands within the reservation hereinbefore specified, on the same terms as are provided by law when roads and highways are made through lands of citizens of the United States; and railroad companies, when the lines pass through the lands of said Indians, shall have right of way on the payment of a just compensation therefor in money.

ARTICLE 10.

The Sacs and Foxes of the Mississippi being anxious to make some suitable provision for their mixed and half bloods, and such of their women (whole-bloods) who have intermarried with white men, it is agreed that there shall be assigned to the mixed and half bloods of their tribe, and to such whole-blood females as have intermarried with white men, at the date of this agreement,

three hundred and twenty acres each; the location and allotments of said lands to be made out of that portion relinquished by this treaty to the United States in trust, provided the mixed or half bloods, and such females of their

[*799]

tribes as have intermarried with white men, desire to do so. The allotments to such of the mixed or half bloods as may be minors to be made by the agent of the tribe, subject to the confirmation and approval of the Secretary of the Interior; and in allotting lands to those provided for in this article, said allotments shall be made so as to include their improvements, (if any,) provided it can be done, and at the same time make said allotments conform to the public surveys. And it is further agreed between the parties to this agreement, that Thomas Connelly, a half-breed, and a member of the tribe who has been uniformly kind to his people, shall be permitted to so locate his three hundred and twenty acres as to include Randal's dwelling and trading-house, if it can be done so as to harmonize with the public surveys; and provided the said Connelly shall pay to the owner of said improvements a fair valuation therefor. The lands granted by this article shall remain inalienable except to the United States or members of the tribe, nor shall the mixed or half bloods, or such females as have intermarried with white men, participate in the proceeds of the lands herein ceded.

ARTICLE 11.

The United States also agree to cause to be paid to the tribe any funds that may have heretofore been withheld under the provisions of the fifth article of the treaty of one thousand eight hundred and forty-two, the same to be expended for their benefit, or paid in money, as the Secretary may direct.

ARTICLE 12.

This instrument shall be obligatory on the contracting parties whenever the same shall be ratified by the President and the Senate of the United States. In testimony whereof, the said Alfred B. Greenwood, commissioner as aforesaid, and the said chiefs and delegates of the Sacs and Foxes of the Mississippi, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Alfred B. Greenwood. [L. S.]

Sacs:

Ke-o-kuk, his x mark. [L. S.]

Mack-ah-sah-pee, his x mark. [L. S.]

Shaw-pah-caw, his x mark. [L. S.]

Mat-tah-tah, his x mark. [L. S.]

My-ah-pit, his x mark. [L. S.]

Kaw-ah-kee, his x mark. [L. S.]

Foxes:

Ka-sha-mah-me, his x mark. [L. S.]

Maw-me-wone-cah, his x mark. [L. S.]

Che-co-skuk, his x mark. [L. S.]

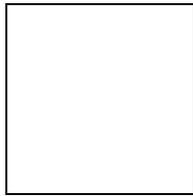
In presence of—

Perrey Fuller, United States agent.
 Thos. J. Connolly, United States interpreter.
 G. Bailey, secretary to commissioner.
 J. M. Luce.
 H. S. Randall.
 John Goodell.

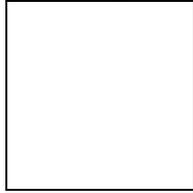
TREATY WITH THE SAUK AND FOXES, 1867.

Feb. 18, 1867. | 15 Stat., 495. | Ratified July 25, 1868. | Proclaimed Oct. 14, 1868.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 951-956



Margin Notes:

Cession of lands to the United States.
 Additional cession.
 Payments by the United States.
 Lands ceded, when to be at the disposal of the United States.
 Proviso.
 Same subject.
 New reservation for the Sacs and Foxes.
 How to be selected.
 How surveyed.
 Proviso.
 Buildings to be erected.
 Removal of Indians to new reservation.
 Certain claims against the tribe, how to be paid.
 Manual-labor school, school buildings, etc.
 Physician, medicines, tobacco, and salt.
 Grants of land to certain persons.
 Land to Samuel Black.
 The Sauk and Foxes of Missouri may unite with, etc.
 Certain claims against the United States to be paid.
 Advance to the Indians for subsistence and removal.
 Patents for lands heretofore selected and approved.
 Sales of land to be approved, etc.
 Expenses of treaty.
 Provisions as to cultivated farms.

Absent members of the tribe to be notified of the treaty, etc.
Schedule annexed.

Articles of agreement made and concluded this eighteenth day of February, one thousand eight hundred and sixty-seven, between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs; William H. Watson, special commissioner; Thomas Murphy, superintendent of Indian Affairs for Kansas; and Henry W. Martin, United States Indian agent, duly authorized, and the tribes of Sacs and Foxes of the Mississippi, represented by Keokuk, Che-kus-kuk, Uc-quaw-ho-ko, Mut-tut-tah, and Man-ah-to-wah, chiefs of said tribes.

ARTICLE 1.

The Sacs and Foxes of the Mississippi cede to the Government of the United States all the lands, with the improvements thereon, contained in their unsold portion of their diminished reserve defined in the first article of their treaty ratified July ninth, one thousand eight hundred and sixty, (the said tract containing about eighty-six thousand and four hundred acres, and being more particularly described by the survey and plats on file in the Department of the Interior,) except as reserved in previous treaties, or in this treaty.

ARTICLE 2.

The said Indians also cede to the United States a full and complete title to the land, with the improvements thereon, now remaining unsold in that portion of their old reservation provided by article four of the treaty of July ninth, one thousand eight hundred and sixty, to be sold by the Government for their benefit, the cession herein made being subject to the exceptions defined in this treaty.

ARTICLE 3.

The United States agree to pay to the Sac and Fox Indians, parties to this treaty, at the rate of one dollar an acre for the whole of the land ceded in the two preceding sections, being about one hundred and fifty-seven thousand acres of land, less the amount of land set apart for individuals; and further agree to pay the outstanding indebtedness of the said tribe, now represented by scrip issued under the provisions of previous treaties, and amounting, on the first of November, eighteen hundred and sixty-five, to twenty-six thousand five hundred and seventy-four dollars, besides the interest thereon: out of the proceeds of the sale of lands ceded in this treaty, and the amount herein provided to be paid to said Indians, after deducting such sums as, under the provisions of this treaty, are to be expended for their removal, subsistence, and establishing them in their new country, shall be added to their invested funds, and five per cent. interest paid thereon in the same manner as the interest of their present funds is now paid.

ARTICLE 4.

At any time after the ratification of this treaty, the lands ceded in the first article shall be held and considered at the disposal of the United States, except that, until the time for the removal of the Indians is fixed by public notice, under the provisions of this treaty, no interference shall be made with the rights of the Indians as the occupants of the lands, but they shall remain in all respects without molestation, in the same manner as if this treaty had not been made: *And provided further*, That inasmuch as there are valuable improvements upon said reservation, such improvements shall be appraised under the direction of the Secretary of the Interior, and the appraised value of the same shall be paid to the United States, before title is given to any individual or corporation for the lands upon which such improvements are situated.

ARTICLE 5.

The lands ceded in the second article of this treaty, being the unsold remainder of the lands provided in the fourth article of the treaty of July ninth, one thousand eight hundred and sixty, to be sold in trust for said Indians, shall, immediately upon the ratification of this treaty, become the property of the United States, and

[*952]

shall be open to entry and settlement, and the lands in the second article ceded, as well as those ceded in the first article, shall be subject to all the laws and regulations of the General Land-Office the same as other public lands, except as relates to the provisions in the next preceding article relating to the time when they shall be open for settlement, and the requirement of payment for the improvements; and should there be any improvements upon the land ceded in the second article, they shall be appraised, and payment shall be required therefor: *Provided*, That such lands shall be subject to sale, in tracts of not exceeding one hundred and sixty acres to any one person, and at a price not less than one dollar and fifty cents per acre.

ARTICLE 6.

The United States agree, in consideration of the improvements upon the said reservation, to give to the Sacs and Foxes for their future home a tract of land in the Indian country south of Kansas, and south of the Cherokee lands, not exceeding seven hundred and fifty square miles in extent. The selection of such new reservation shall be made under the direction of the Secretary of the Interior, and with his approval, by commissioners appointed by the said Secretary, who shall visit the Indian country, with delegations from all the tribes proposing to remove thereto, as soon as practicable after the ratification of this treaty; and said reservation shall be surveyed as to its exterior lines, at the cost of the United States, under the direction of the Commissioner of Indian Affairs, not to exceed three thousand dollars: *Provided*, That if it shall be found impracticable to select a suitable home for the tribe except by purchase from the Cherokees, the United States will pay toward the said purchase the same amount that would have been payable to the Creeks if the

reservation had been selected upon the former Creek lands; and in that case the balance of the money payable to the Cherokees shall be deducted from the amount due the Sacs and Foxes under this treaty.

ARTICLE 7.

As soon as practicable after the selection of the new reservation herein provided for, there shall be erected thereon, at the cost of the United States, a dwelling-house for the agent of the tribe, a house and shop for a blacksmith, and dwelling-house for a physician, the aggregate cost of which shall not exceed ten thousand dollars; and also, at the expense of the tribe, five dwelling-houses for the chiefs, to cost in all not more than five thousand dollars.

As soon as practicable after such selection of a reservation as it may, in the discretion of the Secretary of the Interior, be deemed advisable for the Indians to remove thereto, regard being had to the proper season of the year for such removal, notice shall be given to their agent, directing such removal; and whenever such time shall be fixed, public notice thereof shall be given in three leading newspapers of Kansas, and thereafter the land ceded to the United States by the first article of this treaty, shall be open to entry and settlement under the provisions of the fourth article.

ARTICLE 8.

No part of the invested funds of the tribe, or of any moneys which may be due to them under the provisions of previous treaties, nor of any moneys provided to be paid to them by this treaty, shall be used in payment of any claims against the tribe accruing previous to the ratification of this treaty unless herein expressly provided for.

ARTICLE 9.

In order to promote the civilization of the tribe, one section of land, convenient to the residence of the agent, shall be selected by said agent, with the approval of the Commissioner of Indian Affairs, and set apart for a manual-labor school; and there shall also be set apart, from the money to be paid to the tribe under this treaty, the sum of ten thousand dollars for the erection of the necessary school-building and dwelling for teacher, and the annual amount of

[*953]

five thousand dollars shall be set apart from the income of their funds after the erection of such school-buildings, for the support of the school; and after settlement of the tribe upon their new reservation, the sum of five thousand dollars of the income of their funds may be annually used, under the direction of the chiefs, in the support of their national government, out of which last-mentioned amount the sum of five hundred dollars shall be annually paid to each of the chiefs.

ARTICLE 10.

The United States agree to pay annually, for five years after the removal of the tribe, the sum of fifteen hundred dollars for the support of a physician and purchase of medicines, and also the sum of three hundred and fifty dollars annually for the same time, in order that the tribe may provide itself with tobacco and salt.

ARTICLE 11.

In consideration of certain improvements made by John Goodell upon the lands of the nation within their present reservation, and of his services as their interpreter, he shall be allowed to select therefrom a half section of land; and it is further provided that of said land, Sarah A. Whistler and Pash-e-ca-cah, or Amelia Mitchell, shall each be allowed to select a half section of land, the latter selection to include the house in which she lives; and Julia A. Goodell one quarter section, besides the land, not exceeding eight acres, upon which her house and improvements are situated; and Mary A. Means, one quarter section, to includ[e] the improvements occupied by her; and there shall also be allowed to Antoine Gokey and William Avery, each one hundred and sixty acres, to Leo Whistler and Gertrude Whistler, each three hundred and twenty acres, and to James Thorpe, Virginia Thorpe, and Cassandra Thorpe, Thomas J. Miles, Hattie Miles, Ema-Ke-O-Kuck, Hannie Ke-O-Kuck, Mo-Co-P-quah, each eighty acres; Man-a-tah, Pah-me-che-kaw-paw, Henry Jones, Wilson McKinney, and Carrie C. Capper, each one hundred and sixty acres, to be selected from unimproved lands: *Provided*, That the parties herein named shall pay to the Secretary of the Interior, within three months after the ratification of this treaty, the sum of one dollar per acre for said lands, the avails of which shall be used for the benefit of the Sacs and Foxes in the same manner as the other funds arising from the sales of their lands: *Provided also*, That George Powers, the present Government interpreter, for valuable services rendered and uniform kindness toward the nation, shall have patented to him, in fee-simple, three hundred and twenty acres of land, to be located by the agent: *Provided also*, That they may select from land upon which improvements exist, by paying the appraised value of such improvements; but no selection shall include the agency, mission, or mill buildings; and upon the approval by the Secretary of the Interior of such selections, and on payment therefor as hereinbefore provided, patents in fee-simple shall be issued to the respective parties, their heirs or assigns.

ARTICLE 12.

In consideration of the faithful services of Samuel Black in protecting their houses and timber from trespass and depredation, there shall be patented to him in fee-simple the tract of land upon which he lives, being the west half of the northwest quarter-section four, town[ship] seventeen, range sixteen.

ARTICLE 13.

John K. Rankin, licensed traders, having erected valuable building at the agency, it is agreed that [he] may have a patent for the land, not exceeding

eight acres, upon which such improvements are built, and not to include any other improvements, on the payment of two dollars and fifty cents per acre.

ARTICLE 14.

The Sacs and Foxes, parties to this treaty, agree that the Sacs and Foxes of Missouri, if they shall so elect, with the approval of the Secretary of the Interior, may unite with them and become a

[*954]

part of their people, upon their contributing to the common fund such a portion of their funds as will place them on an equal footing in regard to annuities.

ARTICLE 15.

The claims of the Sacs and Foxes against the United States for stealing of stock, which have heretofore been adjusted, amounting to sixteen thousand four hundred dollars, shall be paid by the United States, and the amount disbursed and expended for the benefit of the tribe in such objects for their improvement and comfort upon the new reservation as the chiefs, through their agent, shall desire; and whereas the Indians claim that one full payment due under previous treaty has never been made to them, it is agreed that a careful examination of the books of the Commissioner of Indian Affairs shall be made, and if any sum is found to be still due and unpaid, the same shall be paid to them per capita in the same manner as their annuities are paid.

ARTICLE 16.

The United States will advance to the said tribe of Indians the sum of twenty thousand dollars, or so much thereof as may be necessary, to pay the expenses of their subsistence for the first year after their arrival at their new home in the Indian country, and to pay the necessary expenses of removal, and furnish necessary rations for the journey during such removal; said removal to be made under direction of the superintendent or agent, to be designated by the Secretary of the Interior; the moneys thus expended to be deducted from the whole amount provided to be paid for their lands herein ceded.

ARTICLE 17.

It is hereby provided that the half-breeds and full-bloods of the tribe, who were entitled to selections of land under the Sac and Fox treaty, ratified July ninth, one thousand eight hundred and sixty, and which selections have been approved by the Secretary of the Interior, shall be entitled to patents in fee-simple for the lands heretofore selected, according to the schedule annexed to this treaty: *Provided*, That where such selections have been made and the allottees have sold their lands for a valuable consideration, not less than one dollar and twenty-five cents per acre, the Secretary of the Interior shall, upon full proof being made, cause patents to issue to the purchasers or their assigns.

ARTICLE 18.

All sales hereafter made by or on behalf of persons to whom lands are assigned in this treaty shall receive the approval of the Secretary of the Interior before taking effect in conveying titles to lands so sold.

ARTICLE 19.

The United States agree to pay the expenses of negotiating this treaty, not to exceed the sum of fifteen hundred dollars.

ARTICLE 20.

The chiefs and head-men of the Sacs and Foxes having permitted their employees to cultivate farms, which, together with the farms of Ke-o-kuck and other chiefs, are embraced within an area two miles by four, and the said Sacs and Foxes believing that the lands comprising the said area having been made valuable by reason of said occupancy, and in order that they may receive a fair compensation for said area of land, bounded and described as follows, except as heretofore specially excepted, and the mill and mission building, to wit: commencing at the northwest corner of section thirty-three, township sixteen, range seventeen, thence east two and a quarter (2 $\frac{1}{4}$) miles to the reservation line; thence south along said line four miles; thence west two and a fourth (2 $\frac{1}{4}$) miles to the southwest corner of section sixteen, township seventeen, range seventeen; thence north along the section line to the place of beginning, are hereby withdrawn from sale, as is provided for the sale of their lands in this treaty, and the said area of land, as above described, shall be sold by the chiefs and agent for the tribe at the best price obtainable; and they are hereby empowered to make warrantee deeds for the same, subject to the approval of the Secretary of the Interior, at not less than two dollars per acre in addition to the appraised value of the improvements. The avails of said

[*955]

lands shall be expended by the agent, under the direction of the chiefs, for the benefit of the nation.

ARTICLE 21.

The Sacs and Foxes of the Mississippi, parties to this agreement, being anxious that all the members of their tribe shall participate in the advantages to be derived from the investment of their national funds, sales of lands, and so forth, it is therefore agreed that, as soon as practicable, the Commissioner of Indian Affairs shall cause the necessary proceedings to be adopted, to have such members of the tribe as may be absent notified of this agreement and its advantages, and to induce them to come in and permanently unite with their brethren; and that no part of the funds arising from or due the nation under this or previous treaty stipulations shall be paid to any bands or parts of bands who do not permanently reside on the reservation set apart to them by the Government in the Indian Territory, as provided in this treaty, except those

residing in the State of Iowa; and it is further agreed that all money accruing from this or former tribes, [treaties,] now due or to become due said nation, shall be paid them on their reservation in Kansas; and after their removal, as provided in this treaty, payments shall be made at their agency, on their lands as then located.

List of Sac and Fox lands selected for individuals referred to in Article XVII of the above treaty, selected by Perry Fuller, agent.

Names of persons.	Description of land.	Sec[tion.]	Town[ship.]	Range.
Alvira Connolly	S. _ NW. _	5	17	18
Alvira Connolly	SW. _	5	17	18
Alvira Connolly	N. _ NW. _	8	17	18
Alexander Connolly	E. _	4	17	18
Cordelia Connolly	E. _	35	16	17
Isaac Goodell	W. _	3	17	18
Kish-Kah-Iwah	S. _	16	17	18
Mary I. Thorp	E. _	12	17	17
Hiram P. Thorp	E. _	1	17	17
Francis A. Thorp	W. _	6	17	18
Amelia McPherson	W. _	1	17	17
Sarah A. Whistler	SW. _	34	16	18
Sarah A. Whistler	SW. _ SW. _	35	16	18
Sarah A. Whistler	W. _ NW. _	2	17	18
Sarah A. Whistler	NW. _ SW. _	2	17	18
Julia A. Goodell	N. _	21	17	18
Susan J. Goodell	E. _	3	17	18
John Goodell, jr	E. _	17	17	18
Jane Goodell	NE. _	10	17	18
Jane Goodell	NW. _ NW. _	10	17	18
Jane Goodell	E. _ NW. _	10	17	18
Jane Goodell	NW. _ NW. _	11	17	18
Mary A. Byington	E. _ NE. _	9	17	18
Mary A. Byington	E. _ SE. _	9	17	18
Mary A. Byington	W. _ SW. _	10	17	18
Mary A. Byington	SW. _ NW. _	10	17	18
Mary A. Byington	NE. _ NE. _	16	17	18
Margaret Miles	W. _	4	17	18
Thomas J. Connolly	SW. _ SE. _	9	17	18
Thomas J. Connolly	SE. _ NE. _	16	17	18
Thomas J. Connolly	W. _ NE. _	16	17	18
Thomas J. Connolly	NW. _	16	17	18
Charles T. Connolly	E. _ NW. _	9	17	18
Charles T. Connolly	W. _ NE. _	9	17	18
Charles T. Connolly	NW. _ SE. _	9	17	18
Charles T. Connolly	SE. _ SW. _	9	17	18
Charles T. Connolly	S. _ SW. _	9	17	18

[*956]

The following were selected by C. C. Hutchinson:

Names of persons.	Description.	Sec[tion.]	Town[ship.]	Range.
Kaw-Kol-we-nah	E. _	2	17	17
George Powers	NE. _	8	17	18
George Powers	S. _ NW. _	8	17	18
George Powers	N. _ SW. _	8	17	18
Joseph Gokey	W. _ SE. _	21	17	18

Joseph Gokey	N. _ NW. _	28	17	18
Joseph Gokey	SW. _ NW. _	28	17	18
Joseph Gokey	NW. _ NE. _	28	17	18
Joseph Gokey	W. _ SE. _	29	17	18
Met-tach-ah-pack-o tah	E. _	7	17	18
Mack-oh-tach-o-quit	W. _	7	17	18

In testimony whereof, the parties hereinbefore named have hereunto set their hands and seals the day and year first above mentioned.

Lewis V. Bogy, [SEAL.]
 Commissioner of Indian Affairs.
 W. H. Watson, [SEAL.]
 Special Commissioner.
 Thos. Murphy, [SEAL.]
 Superintendent of Indian Affairs.
 Henry W. Martin, [SEAL.]
 United States Indian agent.
 Keokuk, his x mark. [SEAL.]
 Chekuskuk, his x mark. [SEAL.]
 Uc-quaw-ho-ko, his x mark. [SEAL.]
 Mut-tut-tah, his x mark. [SEAL.]
 Man-ah-to-wah, his x mark. [SEAL.]

In presence of—

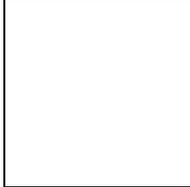
Antoine Gokey, his x mark,
 United States interpreter.
 Charles E. Mix.
 Thos. E. McGraw.
 Wm. Whistler.
 C. H. Norris.
 Vital Jarrot.
 G. P. Beauvais.
 H. W. Farnsworth.

Treaties with Many Nations

TREATY WITH THE SIOUX, ETC., 1825.

Aug. 19, 1825. | 7 Stat., 272. | Proclamation. Feb. 6, 1826.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 250-255



Margin Notes:

Firm and perpetual peace.

Line between the respective countries.

Relinquishment of Sacs and Foxes.

Iowas accede to the arrangement.

Claim of the Ottoes not to be affected by this treaty.

Agreement between the Sioux and Chippewas.

Agreement between the Chippewas and the Winnebagoes.

Agreement between the Winnebagoes and the Sioux, etc.

Agreement between the Menominees and the Sioux, etc.

Boundary of the Ottawas, Chippewas, and Potawatomes.

Said tribes acknowledge the supremacy of the United States.

A council to be held in 1826.

An assembly of the Chippewas to be convened.

No tribe to hunt within the acknowledged limits of any other without their assent.

In case of difficulty between the tribes.

When to take effect

Treaty with the Sioux and Chippewa, Sacs and Fox, Menominie, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Potawattomie, Tribes.

THE United States of America have seen with much regret, that wars have for many years been carried on between the Sioux and the Chippewas, and more recently between the confederated tribes of Sacs and Foxes, and the Sioux; and also between the Ioways and Sioux; which, if not terminated, may extend to the other tribes, and involve the Indians upon the Missouri, the Mississippi, and the Lakes, in general hostilities. In order, therefore, to promote peace among these tribes, and to establish boundaries among them and the other

tribes who live in their vicinity, and thereby to remove all causes of future difficulty, the United States have invited the Chippewa, Sac, and Fox, Menominie, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa and Potawatomie Tribes of Indians living upon the Illinois, to assemble together, and in a spirit of mutual conciliation to accomplish these objects; and to aid therein, have appointed William Clark and Lewis Cass, Commissioners on their part, who have met the Chiefs, Warriors, and Representatives of the said tribes, and portion of tribes, at Prairie des Chiens, in the Territory of Michigan, and after full deliberation, the said tribes, and portions of tribes, have agreed with the United States, and with one another, upon the following articles.

ARTICLE 1.

There shall be a firm and perpetual peace between the Sioux and Chippewas; between the Sioux and the confederated tribes of Sacs and Foxes; and between the Ioways and the Sioux.

ARTICLE 2.

It is agreed between the confederated Tribes of the Sacs and Foxes, and the Sioux, that the Line between their respective countries shall be as follows: Commencing at the mouth of the Upper Ioway River, on

[*251]

the west bank of the Mississippi, and ascending the said Ioway river, to its left fork; thence up that fork to its source; thence crossing the fork of Red Cedar River, in a direct line to the second or upper fork of the Desmoines river; and thence in a direct line to the lower fork of the Calumet river; and down that river to its juncture with the Missouri river. But the Yancton band of the Sioux tribe, being principally interested in the establishment of the line from the Forks of the Desmoines to the Missouri, and not being sufficiently represented to render the definitive establishment of that line proper, it is expressly declared that the line from the forks of the Desmoines to the forks of the Calumet river, and down that river to the Missouri, is not to be considered as settled until the assent of the Yancton band shall be given thereto. And if the said band should refuse their assent, the arrangement of that portion of the boundary line shall be void, and the rights of the parties to the country bounded thereby, shall be the same as if no provision had been made for the extension of the line west of the forks of the Desmoines. And the Sacs and Foxes relinquish to the tribes interested therein, all their claim to land on the east side of the Mississippi river.

ARTICLE 3.

The Ioways accede to the arrangement between the Sacs and Foxes, and the Sioux; but it is agreed between the Ioways and the confederated tribes of the Sacs and Foxes, that the Ioways have a just claim to a portion of the country between the boundary line described in the next preceding article, and the

Missouri and Mississippi; and that the said Ioways, and Sacs and Foxes, shall peaceably occupy the same, until some satisfactory arrangement can be made between them for a division of their respective claims to country.

ARTICLE 4.

The Ottoes not being represented at this Council, and the Commissioners for the United States being anxious that justice should be done to all parties, and having reason to believe that the Ottoes have a just claim to a portion of the country upon the Missouri, east and south of the boundary line dividing the Sacs and Foxes and the Ioways, from the Sioux, it is agreed between the parties interested therein, and the United States, that the claim of the Ottoes shall not be affected by any thing herein contained; but the same shall remain as valid as if this treaty had not been formed.

ARTICLE 5.

It is agreed between the Sioux and the Chippewas, that the line dividing their respective countries shall commence at the Chippewa River, half a day's march below the falls; and from thence it shall run to Red Cedar River, immediately below the falls; from thence to the St. Croix River, which it strikes at a place called the standing cedar, about a day's paddle in a canoe, above the Lake at the mouth of that river; thence passing between two lakes called by the Chippewas "Green Lakes," and by the Sioux "the lakes they bury the Eagles in," and from thence to the standing cedar that "the Sioux Split;" thence to Rum River, crossing it at the mouth of a small creek called choaking creek, a long day's march from the Mississippi; thence to a point of woods that projects into the prairie, half a day's march from the Mississippi; thence in a straight line to the mouth of the first river which enters the Mississippi on its west side above the mouth of Sac river; thence ascending the said river (above the mouth of Sac river)

[*252]

to a small lake at its source; thence in a direct line to a lake at the head of Prairie river, which is supposed to enter the Crow Wing river on its South side; thence to Otter-tail lake Portage; thence to said Ottertail lake, and down through the middle thereof, to its outlet; thence in a direct line, so as to strike Buffalo river, half way from its source to its mouth, and down the said river to Red River; thence descending Red river to the mouth of Outard or Goose creek: The eastern boundary of the Sioux commences opposite the mouth of Ioway river, on the Mississippi, runs back two or three miles to the bluffs, follows the bluffs, crossing Bad axe river, to the mouth of Black river, and from Black river to half a day's march below the Falls of the Chippewa River.

ARTICLE 6.

It is agreed between the Chippewas and Winnebagoes, so far as they are mutually interested therein, that the southern boundary line of the Chippewa country shall commence on the Chippewa river aforesaid, half a day's march

below the falls on that river, and run thence to the source of Clear Water river, a branch of the Chippewa; thence south to Black river; thence to a point where the woods project into the meadows, and thence to the Plover Portage of the Ouisconsin.

ARTICLE 7.

It is agreed between the Winnebagoes and the Sioux, Sacs and Foxes, Chippewas and Ottawas, Chippewas and Potawatomies of the Illinois, that the Winnebago country shall be bounded as follows: south easterly by Rock River, from its source near the Winnebago lake, to the Winnebago village, about forty miles above its mouth; westerly by the east line of the tract, lying upon the Mississippi, herein secured to the Ottawa, Chippewa and Potawatomie Indians, of the Illinois; and also by the high bluff, described in the Sioux boundary, and running north to Black river: from this point the Winnebagoes claim up Black river, to a point due west from the source of the left fork of the Ouisconsin; thence to the source of the said fork, and down the same to the Ouisconsin; thence down the Ouisconsin to the portage, and across the portage to Fox river; thence down Fox river to the Winnebago lake, and to the grand Kan Kanlin, including in their claim the whole of Winnebago lake; but, for the causes stated in the next article, this line from Black river must for the present be left indeterminate.

ARTICLE 8.

The representatives of the Menominies not being sufficiently acquainted with their proper boundaries, to settle the same definitively, and some uncertainty existing in consequence of the cession made by that tribe upon Fox River and Green Bay, to the New York Indians, it is agreed between the said Menominie tribe, and the Sioux, Chippewas, Winnebagoes, Ottawa, Chippewa and Potawatomie Indians of the Illinois, that the claim of the Menominies to any portion of the land within the boundaries allotted to either of the said tribes, shall not be barred by any stipulation herein; but the same shall remain as valid as if this treaty had not been concluded. It is, however, understood that the general claim of the Menominies is bounded on the north by the Chippewa country, on the east by Green Bay and lake Michigan extending as far south as Millawaukee river, and on the West they claim to Black River.

ARTICLE 9.

The country secured to the Ottawa, Chippewa, and Potawatomie tribes of the Illinois, is bounded as follows: Beginning at the Winnebago

[*253]

village, on Rock river, forty miles from its mouth and running thence down the Rock river to a line which runs from Lake Michigan to the Mississippi, and with that line to the Mississippi, opposite to Rock Island; thence up that river to the United States reservation, at the mouth of the Ouisconsin; thence

with the south and east lines of the said reservation to the Ouisconsin; thence, southerly, passing the heads of the small streams emptying into the Mississippi, to the Rock river at the Winnebago village. The Illinois Indians have also a just claim to a portion of the country bounded south by the Indian boundary line aforesaid, running from the southern extreme of lake Michigan, east by lake Michigan, north by the Menominie country, and north-west by Rock river. This claim is recognized in the treaty concluded with the said Illinois tribes at St. Louis, August 24, 1816, but as the Millewakee and Manetoowalk bands are not represented at this Council, it cannot be now definitively adjusted.

ARTICLE 10.

All the tribes aforesaid acknowledge the general controlling power of the United States, and disclaim all dependence upon, and connection with, any other power. And the United States agree to, and recognize, the preceding boundaries, subject to the limitations and restrictions before provided. It being, however, well understood that the reservations at Fever River, at the Ouisconsin, and St. Peters, and the ancient settlements at Prairie des Chiens and Green Bay, and the land property thereto belonging, and the reservations made upon the Mississippi, for the use of the half breeds, in the treaty concluded with the Sacs and Foxes, August 24, 1824, are not claimed by either of the said tribes.

ARTICLE 11.

The United States agree, whenever the President may think it necessary and proper, to convene such of the tribes, either separately or together, as are interested in the lines left unsettled herein, and to recommend to them an amicable and final adjustment of their respective claims, so that the work, now happily begun, may be consummated. It is agreed, however, that a Council shall be held with the Yancton band of the Sioux, during the year 1826, to explain to them the stipulations of this treaty, and to procure their assent thereto, should they be disposed to give it, and also with the Ottoes, to settle and adjust their title to any of the country claimed by the Sacs, Foxes, and Ioways.

ARTICLE 12.

The Chippewa tribe being dispersed over a great extent of country, and the Chiefs of that tribe having requested, that such portion of them as may be thought proper, by the Government of the United States, may be assembled in 1826, upon some part of Lake Superior, that the objects and advantages of this treaty may be fully explained to them, so that the stipulations thereof may be observed by the warriors. The Commissioners of the United States assent thereto, and it is therefore agreed that a council shall accordingly be held for these purposes.

ARTICLE 13.

It is understood by all the tribes, parties hereto, that no tribe shall hunt within the acknowledged limits of any other without their assent, but it being the sole object of this arrangement to perpetuate a peace among them, and amicable relations being now restored, the Chiefs of

[*254]

all the tribes have expressed a determination, cheerfully to allow a reciprocal right of hunting on the lands of one another, permission being first asked and obtained, as before provided for.

ARTICLE 14.

Should any causes of difficulty hereafter unhappily arise between any of the tribes, parties hereunto, 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.

ARTICLE 15.

This treaty shall be obligatory on the 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 Prairie des Chiens, in the territory of Michigan, this nineteenth day of August, one thousand eight hundred and twenty-five, and of the independence of the United States the fiftieth.

William Clark, [L. S.]

Lewis Cass, [L. S.]

Sioux:

Wa-ba-sha, x or the leaf, [L. S.]

Pe-tet-te x Corbeau, little crow, [L. S.]

The Little x of the Wappitong tribe, [L. S.]

Tartunka-nasiah x Sussitong, [L. S.]

Sleepy Eyes, x Sossitong, [L. S.]

Two faces x do [L. S.]

French Crow x Wappacoota, [L. S.]

Kee-jee x do [L. S.]

Tar-se-ga x do [L. S.]

Wa-ma-de-tun-ka x black dog, [L. S.]

Wan-na-ta x Yancton, or he that charges on his enemies, [L. S.]

Red Wing x [L. S.]

Ko-ko-ma-ko x [L. S.]

Sha-co-pe x the Sixth, [L. S.]

Pe-ni-si-on x [L. S.]

Eta-see-pa x Wabasha's band, [L. S.]

Wa-ka-u-hee, x Sioux band, rising thunder, [L. S.]

The Little Crow, x Sussetong, [L. S.]

Po-e-ha-pa x Me-da-we-con-tong, or eagle head, [L. S.]

Ta-ke-wa-pa x Wappitong, or medicine blanket, [L. S.]

Tench-ze-part, x his bow, [L. S.]

Masc-pu-lo-chas-tosh, x the white man, [L. S.]
 Te-te-kar-munch, x the buffaloman, [L. S.]
 Wa-sa-o-ta x Sussetong, or a great of hail, [L. S.]
 Oeyah-ko-ca, x the crackling tract, [L. S.]
 Mak-to-wah-ke-ark, x the bear, [L. S.]

Winnebagoes:

Les quatre jambes, x [L. S.]
 Carimine, x the turtle that walks, [L. S.]
 De-ca-ri, x [L. S.]
 Wan-ca-ha-ga, x or snake's skin, [L. S.]
 Sa-sa-ma-ni, x [L. S.]
 Wa-non-che-qua, x the merchant, [L. S.]
 Chon-que-pa, x or dog's head, [L. S.]
 Cha-rat-chon, x the smoker, [L. S.]
 Ca-ri-ca-si-ca, x he that kills the crow, [L. S.]
 Watch-kat-o-que, x the grand canoe, [L. S.]
 Ho-wa-mick-a, x the little elk, [L. S.]

Menominees:

Ma-can-me-ta, x medicine bear, [L. S.]
 Chau-wee-nou-mi-tai, x medicine south wind, [L. S.]
 Char-o-nee, x [L. S.]
 Ma-wesh-a, x the little wolf, [L. S.]
 A-ya-pas-mis-ai, x the thunder that turns, [L. S.]
 Cha-ne-pau, x the riband, [L. S.]
 La-me-quon, x the spoon, [L. S.]
 En-im-e-tas, x the barking wolf, [L. S.]
 Pape-at, x the one just arrived, [L. S.]
 O-que-men-ce, x the little chief, [L. S.]

Chippewas:

Shinguaba x W'Ossin, 1st chief of the Chippewa nation, Saulte St. Marie, [L. S.]
 Gitspee x Jiauba, 2d chief, [L. S.]
 Gitspee x Waskee, or le boeuf of la pointe lake Superior, [L. S.]
 Nain-a-boozhu, x of la pointe lake Superior, [L. S.]
 Monga, x Zid or loon's foot of Fond du Lac, [L. S.]
 Weescoup, x or sucre of Fond du Lac, [L. S.]
 Mush-Koas, x or the elk of Fond du Lac, [L. S.]
 Nau-bun x Aqeezhik, of Fond du Lac, [L. S.]
 Kau-ta-waubeta, x or broken tooth of Sandy lake, [L. S.]
 Pugisaingegen, x or broken arm of Sandy lake, [L. S.]
 Kwee-weezaishish, x or gross guelle of Sandy lake, [L. S.]
 Ba-ba-see-kundade, x or curling hair of Sandy lake, [L. S.]
 Paashineep, x or man shooting at the mark of Sandy lake, [L. S.]
 Pu-ga-a-gik, x the little beef, Leech lake, [L. S.]
 Pee-see-ker, x or buffalo, St. Croix band, [L. S.]
 Nau-din, x or the wind, St. Croix band, [L. S.]
 Nau-quan-a-bee, x of Mille lac, [L. S.]

[*255]

Tu-kau-bis-hoo, x or crouching lynx of Lac Courte Oreille, [L. S.]
 The Red Devil, x of Lac Courte Oreille, [L. S.]
 The Track, x of Lac Courte Oreille, [L. S.]
 Ne-bo-na-bee, x the mermaid Lac Courte Oreille, [L. S.]
 Pi-a-gick, x the single man St. Croix, [L. S.]
 Pu-in-a-ne-gi, x, or the hole in the day, Sandy lake, [L. S.]
 Moose-o-mon-e, x plenty of elk, St. Croix band, [L. S.]

Nees-o-pe-na, x or two birds of Upper Red Cedar lake, [L. S.]
 Shaata, x the pelican of Leech lake, [L. S.]
 Che-on-o-quet, x the great cloud of Leech lake, [L. S.]
 I-au-ben-see, x the little buck of Red lake, [L. S.]
 Kia-wa-tas, x the tarrier of Leech lake, [L. S.]
 Mau-ge-ga-bo, x the leader of Leech lake, [L. S.]
 Nan-go-tuck, x the flame of Leech lake, [L. S.]
 Nee-si-day-sish, x the sky of Red lake, [L. S.]
 Pee-chan-a-nim, x striped feather of Sandy lake, [L. S.]
 White Devil, x of Leech lake, [L. S.]
 Ka-ha-ka, x the sparrow, Lac
 Courte Oreille, [L. S.]
 I-au-be-ence, x little buck of Rice lake, Ca-ba-ma-bee, x the assembly of St. Croix, [L. S.]
 Nau-gau-nosh, x the forward man lake Flambeau, [L. S.]
 Caw-win-dow, x he that gathers berries of Sandy Lake, [L. S.]
 On-que-ess, the mink, lake Superior, [L. S.]
 Ke-we-ta-ke-pe, x all round the sky, [L. S.]
 The-sees, x [L. S.]
 Ottawas:
 Chaboner, x or Chambly, [L. S.]
 Shaw-fau-wick, x the mink, [L. S.]
 Potawatomes:
 Ignace, x [L. S.]
 Ke-o-kuk, x [L. S.]
 Che-chan-quose, x the little crane, [L. S.]
 Taw-wa-na-nee, x the trader, [L. S.]
 Sacs:
 Na-o-tuk, x the stabbing chief, [L. S.]
 Pish-ken-au-nee, x all fish, [L. S.]
 Po-ko-nau-qua, x or broken arm, [L. S.]
 Wau-kau-che, x eagle nose, [L. S.]
 Quash-kaume, x jumping fish, [L. S.]
 Ochaach, x the fisher, [L. S.]
 Ke-o-kuck, x the watchful fox, [L. S.]
 Skin-gwin-ee-see, the x ratler, [L. S.]
 Was-ar-wis-ke-no, x the yellow bird, [L. S.]
 Pau-ko-tuk, x the open sky, [L. S.]
 Au-kaak-wan-e-suk, x he that vaults on the earth, [L. S.]
 Mu-ku-taak-wan-wet, x [L. S.]
 Mis-ke-bee, x the standing hair, [L. S.]
 Foxes:
 Wan-ba-law, x the playing fox, [L. S.]
 Ti-a-mah, x the bear that makes the rocks shake, [L. S.]
 Pee-ar-maski, x the jumping sturgeon, [L. S.]
 Shagwa-na-tekwishu, x the thunder that is heard all over the world, [L. S.]
 Mis-o-win, x moose deer horn, [L. S.]
 No-ko-wot, x the down of the fur, [L. S.]
 Nau-sa-wa-quot, x the bear that
 sleeps on the forks, [L. S.]
 Shin-quin-is, x the ratler, [L. S.]
 O-lo-pee-aau, x or Mache-paho-ta, the bear, [L. S.]
 Keesis, x the sun, [L. S.]
 No-wank, x he that gives too little, [L. S.]
 Kan-ka-mote, x [L. S.]
 Neek-waa, x [L. S.]

Ka-tuck-e-kan-ka, x the fox with a spotted breast, [L. S.]

Mock-to-back-sa-gum, x black tobacco, [L. S.]

Wes-kesa, x the bear family, [L. S.]

Ioways:

Ma-hos-ka, x the white cloud, [L. S.]

Pumpkin, x [L. S.]

Wa-ca-nee, x the painted medicine, [L. S.]

Tar-no-mun, x a great many deer, [L. S.]

Wa-hoo-ga, x the owl, [L. S.]

Ta-ca-mo-nee, x the lightning, [L. S.]

Wa-push-a, x the man killer, [L. S.]

To-nup-he-non-e, x the flea, [L. S.]

Mon-da-tonga, x [L. S.]

Cho-wa-row-a, x [L. S.]

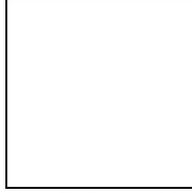
Witnesses:

Thomas Biddle, secretary,
 R. A. McCabe, Captain Fifth Infantry,
 R. A. Forsyth,
 N. Boilvin, United States Indian agent,
 C. C. Trowbridge, sub Indian agent,
 Henry R. Schoolcraft, United States Indian
 agent,
 B. F. Harney, Surgeon U. S. Army,
 W. B. Alexander, sub Indian agent,
 Thomas Forsyth, agent Indian affairs,
 Marvien Blondau,
 David Bailey,
 James M'Ilvaine, lieutenant U. S. Army,
 Law, Taliaferro, Indian agent for Upper
 Mississippi,
 John Holiday,
 William Dickson,
 S. Campbell, United States interpreter,
 J. A. Lewis,
 William Holiday,
 Dunable Denejlevy,
 Bela Chapman.

TREATY WITH THE CHIPPEWA, ETC., 1827.

Aug. 11, 1827. | 7 Stat., 303. | Proclamation, Feb. 23, 1829.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 281-283



Margin Notes:

Chippewa southern boundary left undefined by treaty of 1825.
 Southern boundary settled.
 Territorial difficulties between certain tribes referred to the President of the United States.
 Indian recognition of United States title to a certain tract of land.
 Boundaries thereof.
 Proviso.
 Proviso.
 Distribution of goods among the Indians.
 Annual appropriation for education of Indians.
 Right of United States to punish certain Winnebagoes.
 Treaty to be obligatory when ratified.

Articles of a treaty made and concluded at the Butte des Morts, on Fox river, in the Territory of Michigan, between Lewis Cass and Thomas L. M'Kenney, Commissioners on the part of the United States, and the Chippewa, Menomonie, and Winebago tribes of Indians.

ARTICLE 1.

Whereas, the southern boundary of the Chippewa country, from the Plover Portage of the Ouisconsin easterly, was left undefined by the treaty concluded at Prairie du Chien, August 19, 1825, in consequence of the non-attendance of some of the principal Menomonie chiefs; and, whereas it was provided by the said treaty, that, whenever the President of the United States might think proper, such of the tribes, parties to the said treaty, as might be interested in any particular line, should be convened, in order to agree upon its establishment;

Therefore, in pursuance of the said provision, it is agreed between the Chippewas, Menomonies and Winebagoes, that the southern boundary of the Chippeway country shall run as follows, namely: From the Plover Portage of the Ouisconsin, on a northeasterly course, to a point on Wolf river, equidistant from the Ashawano and Post lakes of said river, thence to the falls of the Pashaytig river of Green Bay; thence to the junction of the Neesau Kootag or Burnt-wood river, with the Menomonie; thence to the big island of the Shoskinaubic or Smooth rock river; thence following the channel of the

said river to Green Bay, which it strikes between the little and the great Bay de Noquet.

ART. 2.

Much difficulty having arisen from negotiations between the Menomonic and Winebago tribes and the various tribes and portions of tribes of Indians of the State of New York, and the claims of the respective parties being much contested, as well with relation to the tenure and boundaries of the two tracts, claimed by the said New York Indians, west of Lake Michigan, as to the authority of the persons who signed the agreement on the part of the Menomonies, and the whole subject having been fully examined at the Council this day concluded, and the allegations, proofs, and statements, of the respective parties having been entered upon the Journal of the Commissioners, so that the same can be decided by the President of the United States; it is agreed by the Menomonies and Winebagoes, that so far as respects their interest in the premises, the whole matter shall be referred to the President of the United States, whose decision shall be final.

[*282]

And the President is authorized, on their parts, to establish such boundaries between them and the New York Indians as he may consider equitable and just.

ART. 3.

It being important to the settlement of Green Bay that definite boundaries should be established between the tract claimed by the former French and British governments, and the lands of the Indians, as well to avoid future disputes as to settle the question of jurisdiction—It is therefore agreed between the Menomonic tribe and the United States, that the boundaries of the said tracts, the jurisdiction and title of which are hereby acknowledged to be in the United States, shall be as follows, namely:—Beginning on the shore of Green Bay, six miles due north from the parallel of the mouth of Fox river, and running thence in a straight line, but with the general course of the said river, and six miles therefrom to the intersection of the continuation of the westerly boundary of the tract at the Grand Kaukaulin, claimed by Augustin Grignon; thence on a line with the said boundary to the same; thence with the same to Fox river; thence on the same course, six miles; thence in a direct line to the southwestern boundary of the tract, marked on the plan of the claims at Green Bay, as the settlement at the bottom of the Bay; thence with the southerly boundary of the said tract to the southeasterly corner thereof; and thence with the easterly boundary of the said tract to Green Bay. Provided, that if the President of the United States should be of opinion that the boundaries thus established interfere with any just claims of the New York

Indians, the President may then change the said boundaries in any manner he may think proper, so that the quantity of land contained in the said tract be not greater than by the boundaries herein defined. And provided also, that nothing herein contained shall be construed to have any effect upon the land claims at Green Bay; but the same shall remain as though this treaty had not been formed.

ART. 4.

In consideration of the liberal establishment of the boundaries as herein provided for, the Commissioners of the United States have this day caused to be distributed among the Indians, goods to the amount of fifteen thousand six hundred and eighty-two dollars, payment for which shall be made by the United States.

ART. 5.

The sum of one thousand dollars shall be annually appropriated for the term of three years; and the sum of fifteen hundred dollars shall be annually thereafter appropriated as long as Congress think proper, for the education of the children of the tribes, parties hereto, and of the New York Indians, to be expended under the direction of the President of the United States.

ART. 6.

The United States shall be at liberty, notwithstanding the Winebagoes are parties to this treaty, to pursue such measures as they may think proper for the punishment of the perpetrators of the recent outrages at Prairie du Chien, and upon the Mississippi, and for the prevention of such acts hereafter.

ART. 7.

This treaty shall be obligatory after its ratification by the President and Senate of the United States.

Done at the Butte des Morts, on Fox river, in the Territory of Michigan, this eleventh day of August, 1827.

Lewis Cass,

Thomas L. McKenney.

Chippeways:

Shinguaba Wossin, his x mark,

Wayishkee, his x mark,

Sheewanbeketoan, his x mark,

Mozobodo, his x mark,

Gitshee Waubezhaas, his x mark,

Moazoninee, his x mark,

Mishaukewett, his x mark,

Monominee Cashee, his x mark,

Attikumaag, his x mark,

Umbwaygeezhig, his x mark,

Moneeto Penaysee, his x mark,

Akkeewaysee, his x mark,
 Sheegad, his x mark,
 Wauwaunishkau, his x mark,
 Anamikee Waba, his x mark,
 Ockewazee, his x mark,

Menominies:

Oskashe, his x mark,
 Josette Caron, his x mark,

[*283]

Kominikey, jun. his x mark,
 Kimiown, his x mark,
 Kominikey, sen. his x mark,
 Keshiminey, his x mark,
 Woiniss-atte, his x mark,
 Powoiysnoit, his x mark,

Menominies:

Manbasseaux, his x mark,
 Myanmechetnabewat, his x mark,
 Pemabeme, his x mark,
 Kegisse, his x mark,
 L'Espagnol, his x mark,
 Kichiaemtort, his x mark,
 Hoo Tshoop, (or four legs,) his x mark,
 Tshayro-tshoan Kaw, his x mark,
 Karry-Man-nee, (walking turtle,) his x mark,
 Sau-say-man-nee, his x mark,
 Maunk-hay-raith, (tatood breast,) his x mark,
 Shoank Skaw, (white dog,) his x mark,
 Shoank-tshunksiap, (black wolf,) his x mark,
 Kaw-Kaw-say-kaw, his x mark,
 Wheank-Kaw, (big duck,) his x mark,
 Shoank-ay-paw-kaw, (dog head,) his x mark,
 Sar-ray-num-nee, (walking mat,) his x mark,
 Waunk-tshay-hee-sootsh, (red devil,) his x mark.
 Wau-kaun-hoa-noa-nick, (little snake,) his x mark,
 Kaw-nee-shaw, (white crow,) his x mark.

Witnesses:

Philip B. Key, secretary,
 E. Boardman, captain Second U. S. Infantry,
 Henry R. Schoolcraft, United States Indian agent,
 Henry B. Brevoort, United States Indian agent,
 Thomas Rowland,
 D. G. Jones,
 R. A. Forsyth, S. Conant,
 E. A. Brush,

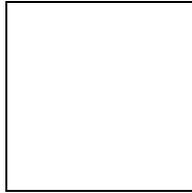
Jn. Bpt. Fcois Fauvel, clergyman,
 Jesse Miner,
 Henry Conner, interpreter,
 John Kinzie, jun.

[NOTE.—This treaty was ratified with this proviso, contained in the resolution of the Senate: “That the said treaty shall not impair or affect any right or claim which the New York Indians or any of them have to the lands or any of the lands mentioned in the said treaty.”]

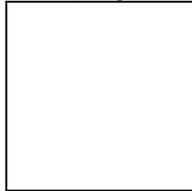
TREATY WITH THE CHIPPEWA, ETC., 1827.

Aug. 11, 1827. | 7 Stat., 303. | Proclamation, Feb. 23, 1829.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 281-283



Margin Notes:

Chippewa southern boundary left undefined by treaty of 1825.
 Southern boundary settled.
 Territorial difficulties between certain tribes referred to the President of the United States.
 Indian recognition of United States title to a certain tract of land.
 Boundaries thereof.
 Proviso.
 Proviso.
 Distribution of goods among the Indians.
 Annual appropriation for education of Indians.
 Right of United States to punish certain Winnebagoes.
 Treaty to be obligatory when ratified.

Articles of a treaty made and concluded at the Butte des Morts, on Fox river, in the Territory of Michigan, between Lewis Cass and Thomas L. M'Kenney, Commissioners on the part of the United States, and the Chippewa, Menomonie, and Winebago tribes of Indians.

ARTICLE 1.

Whereas, the southern boundary of the Chippewa country, from the Plover Portage of the Ouisconsin easterly, was left undefined by the treaty concluded

at Prairie du Chien, August 19, 1825, in consequence of the non-attendance of some of the principal Menomonic chiefs; and, whereas it was provided by the said treaty, that, whenever the President of the United States might think proper, such of the tribes, parties to the said treaty, as might be interested in any particular line, should be convened, in order to agree upon its establishment;

Therefore, in pursuance of the said provision, it is agreed between the Chippewas, Menomonies and Winebagoes, that the southern boundary of the Chippeway country shall run as follows, namely: From the Plover Portage of the Ouisconsin, on a northeasterly course, to a point on Wolf river, equidistant from the Ashawano and Post lakes of said river, thence to the falls of the Pashaytig river of Green Bay; thence to the junction of the Neesau Kootag or Burnt-wood river, with the Menomonie; thence to the big island of the Shoskinaubic or Smooth rock river; thence following the channel of the said river to Green Bay, which it strikes between the little and the great Bay de Noquet.

ART. 2.

Much difficulty having arisen from negotiations between the Menomonie and Winebago tribes and the various tribes and portions of tribes of Indians of the State of New York, and the claims of the respective parties being much contested, as well with relation to the tenure and boundaries of the two tracts, claimed by the said New York Indians, west of Lake Michigan, as to the authority of the persons who signed the agreement on the part of the Menomonies, and the whole subject having been fully examined at the Council this day concluded, and the allegations, proofs, and statements, of the respective parties having been entered upon the Journal of the Commissioners, so that the same can be decided by the President of the United States; it is agreed by the Menomonies and Winebagoes, that so far as respects their interest in the premises, the whole matter shall be referred to the President of the United States, whose decision shall be final.

[*282]

And the President is authorized, on their parts, to establish such boundaries between them and the New York Indians as he may consider equitable and just.

ART. 3.

It being important to the settlement of Green Bay that definite boundaries should be established between the tract claimed by the former French and British governments, and the lands of the Indians, as well to avoid future disputes as to settle the question of jurisdiction—It is therefore agreed between the Menomonie tribe and the United States, that the boundaries of the said tracts, the jurisdiction and title of which are hereby acknowledged to be in the United States, shall be as follows, namely:—Beginning on the shore of Green Bay, six miles due north from the parallel of the mouth of Fox river, and running thence in a straight line, but with the general course of the said

river, and six miles therefrom to the intersection of the continuation of the westerly boundary of the tract at the Grand Kaukaulin, claimed by Augustin Grignon; thence on a line with the said boundary to the same; thence with the same to Fox river; thence on the same course, six miles; thence in a direct line to the southwestern boundary of the tract, marked on the plan of the claims at Green Bay, as the settlement at the bottom of the Bay; thence with the southerly boundary of the said tract to the southeasterly corner thereof; and thence with the easterly boundary of the said tract to Green Bay. Provided, that if the President of the United States should be of opinion that the boundaries thus established interfere with any just claims of the New York Indians, the President may then change the said boundaries in any manner he may think proper, so that the quantity of land contained in the said tract be not greater than by the boundaries herein defined. And provided also, that nothing herein contained shall be construed to have any effect upon the land claims at Green Bay; but the same shall remain as though this treaty had not been formed.

ART. 4.

In consideration of the liberal establishment of the boundaries as herein provided for, the Commissioners of the United States have this day caused to be distributed among the Indians, goods to the amount of fifteen thousand six hundred and eighty-two dollars, payment for which shall be made by the United States.

ART. 5.

The sum of one thousand dollars shall be annually appropriated for the term of three years; and the sum of fifteen hundred dollars shall be annually thereafter appropriated as long as Congress think proper, for the education of the children of the tribes, parties hereto, and of the New York Indians, to be expended under the direction of the President of the United States.

ART. 6.

The United States shall be at liberty, notwithstanding the Winebagoes are parties to this treaty, to pursue such measures as they may think proper for the punishment of the perpetrators of the recent outrages at Prairie du Chien, and upon the Mississippi, and for the prevention of such acts hereafter.

ART. 7.

This treaty shall be obligatory after its ratification by the President and Senate of the United States.

Done at the Butte des Morts, on Fox river, in the Territory of Michigan, this eleventh day of August, 1827.

Lewis Cass,
Thomas L. McKenney.

Chippeways:

Shinguaba Wossin, his x mark,
Wayishkee, his x mark,
Sheewanbeketoan, his x mark,
Mozobodo, his x mark,
Gitshee Waubezhaas, his x mark,
Moazoninee, his x mark,
Mishaukewett, his x mark,
Monominee Cashee, his x mark,
Attikumaag, his x mark,
Umbwaygeezhig, his x mark,
Moneeto Penaysee, his x mark,
Akkeewaysee, his x mark,
Sheegad, his x mark,
Wauwaunishkau, his x mark,
Anamikee Waba, his x mark,
Ockewazee, his x mark,

Menominies:

Oskashe, his x mark,
Josette Caron, his x mark,

[*283]

Kominikey, jun. his x mark,
Kimiown, his x mark,
Kominikey, sen. his x mark,
Keshiminey, his x mark,
Woiniss-atte, his x mark,
Powoiysnoit, his x mark,

Menominies:

Manbasseaux, his x mark,
Myanmechetnabewat, his x mark,
Pemabeme, his x mark,
Kegisse, his x mark,
L'Espagnol, his x mark,
Kichiaemtort, his x mark,
Hoo Tshoop, (or four legs,) his x mark,
Tshayro-tshoan Kaw, his x mark,
Karry-Man-nee, (walking turtle,) his x mark,
Sau-say-man-nee, his x mark,
Maunk-hay-raith, (tatood breast,) his x mark,
Shoank Skaw, (white dog,) his x mark,
Shoank-tshunksiap, (black wolf,) his x mark,
Kaw-Kaw-say-kaw, his x mark,
Wheank-Kaw, (big duck,) his x mark,
Shoank-ay-paw-kaw, (dog head), his x mark,
Sar-ray-num-nee, (walking mat,) his x mark,

Waunk-tshay-hee-sootsh, (red devil), his x mark.
 Wau-kaun-hoa-noa-nick, (little snake,) his x mark,
 Kaw-nee-shaw, (white crow,) his x mark.

Witnesses:

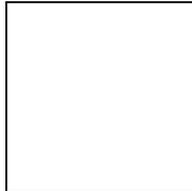
Philip B. Key, secretary,
 E. Boardman, captain Second U. S. Infantry,
 Henry R. Schoolcraft, United States Indian agent,
 Henry B. Brevoort, United States Indian agent,
 Thomas Rowland,
 D. G. Jones,
 R. A. Forsyth, S. Conant,
 E. A. Brush,
 Jn. Bpt. Fcois Fauvel, clergyman,
 Jesse Miner,
 Henry Conner, interpreter,
 John Kinzie, jun.

[NOTE.—This treaty was ratified with this proviso, contained in the resolution of the Senate: “That the said treaty shall not impair or affect any right or claim which the New York Indians or any of them have to the lands or any of the lands mentioned in the said treaty.”]

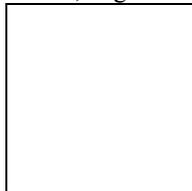
TREATY WITH THE WINNEBAGO, ETC, 1828.

Aug. 25, 1828. | 7 Stat., 315. | Proclamation, Jan. 7, 1829.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 292-294



Margin Notes:

Preamble.

Provisional boundary between lands of United States and those of the Indians.

Ferries to be established over Rock River.
 Payment to Indians for trespasses on their mines, etc.

Articles of agreement with the Winnebago Tribe and the United Tribes of Potawatamie, Chippewa and Ottawa Indians.

THE Government of the United States having appointed Commissioners to treat with the Sac, Fox, Winebago, Potawatamie, Ottawa, and Chippewa, tribes of Indians, for the purpose of extinguishing their title to land within the State of Illinois, and the Territory of Michigan, situated between the Illinois river and the Lead Mines on Fever River, and in the vicinity of said Lead Mines, and for other purposes; and it having been found impracticable, in consequence of the lateness of the period when the instructions were issued, the extent of the country occupied by the Indians, and their dispersed situation, to convene them in sufficient numbers to justify a cession of land on their part; and the Chiefs of the Winnebago tribe, and of the united tribes of the Potawata-mies, Chippewas, and Ottawas, assembled at Green Bay, having declined at this time to make the desired cession, the following temporary arrangement, subject to the ratification of the President and Senate of the United States, has this day been made, between Lewis Cass and Pierre Menard, Commissioners of the United States, and the said Winnebago tribe, and the United tribes of Potawatamie, Chip- pewa, and Ottawa, Indians, in order to remove the difficulties which have arisen in consequence of the occupation, by white persons, of

[*293]

the part of the mining country which has not been heretofore ceded to the United States.

ARTICLE 1.

It is agreed that the following shall be the provisional boundary between the lands of the United States and those of the said Indians: The Ouisconsin river, from its mouth to its nearest approach to the Blue Mounds; thence southerly, passing east of the said mounds, to the head of that branch of the Pocatolaka creek which runs near the Spotted Arm's village; thence with the said branch to the main forks of Pocatolaka creek; thence southeasterly, to the ridge dividing the Winebago country from that of the Potawatamie, Chippewa, and Ottawa tribes; thence southerly, with the said ridge, to the line running from Chicago to the Mississippi, near Rock Island. And it is fully understood, that the United States may freely occupy the country between these boundaries and the Mississippi river, until a treaty shall be held with the Indians for its cession; which treaty, it is presumed, will be held in the year 1829. But it is expressly understood and agreed, that if any white persons shall cross the line herein described, and pass into the Indian country, for the purpose of mining, or for any other purpose whatever, the Indians shall not interfere with nor molest such persons, but that the proper measures for their removal shall be referred to the President of the United States. In the mean time, however, it is agreed, that any just compensation to which the Indians may be entitled for

any injuries committed by white persons on the Indian side of the said line, shall be paid to the said Indians at the time such treaty may be held---It is also agreed by the Indians that a ferry may be established over the Rock River, where the Fort Clark road crosses the same; and, also, a ferry over the same river at the crossing of the Lewiston road.

ARTICLE 2.

The United States agree to pay to the Winebago, Potawatamie, Chippewa, and Ottawa Indians, the sum of twenty thousand dollars, in goods, at the time and place when and where the said treaty may be held: which said sum shall be equitably divided between the said tribes, and shall be in full compensation for all the injuries and damages sustained by them, in consequence of the occupation of any part of the mining country by white persons, from the commencement of such occupation until the said treaty shall be held. Excepting, however, such compensation as the Indians may be entitled to, for any injuries hereafter committed on their side of the line hereby established. In testimony whereof, the said commissioners and the chiefs of the said tribes have hereunto set their hands at Green bay, in the territory of Michigan, this 25th day of August, in the year of our Lord one thousand eight hundred and twenty-eight.

Lewis Cass,
Pierre Menard.

Winnebagoes:

Nan-kaw, or wood, his x mark,
Koan-kaw, or chief, his x mark,
Hoo-waun-ee-kaw, or little elk, his x mark,
Tshay-ro-tshoan-kaw, or smoker, his x mark,
Haump-ee-man-ne-kaw, or he who walks by day, his x mark,
Hoo-tshoap-kaw, or four legs, his x mark,
Morah-tshay-kaw, or little priest, his x mark,
Kau-ree-kau-saw-kaw, or white crow, his x mark,
Wau-kaun-haw-kaw, or snake skin, his x mark,
Man-ah-kee-tshump-kaw, or spotted arm, his x mark,
Wee-no-shee-kaw, his x mark,
Tshaw-wan-shaip-shootsh-kaw, his x mark,
Hoo-tshoap-kaw, or four legs, (senior) his x mark,
Nau-soo-ray-risk-kaw, his x mark,
Shoank-tshunsk-kaw, or black wolf, his x mark,
Wau-tshe-roo-kun-ah-kaw, or he who is master of the lodge, his x mark,
Kay-rah-tsho-kaw, or clear weather, his x mark,
Hay-ro-kaw-kaw, or he without horns, his x mark,
Wau-kaum-kam, or snake, his x mark,
Kan-kaw-saw-kaw, his x mark,
Man-kay-ray-kau, or spotted earth, his x mark,
Thaun-wan-kaw, or wild cat, his x mark,
Span-you-kaw, or Spaniard, his x mark,
Shoank-skaw-kaw, or white dog, his x mark,

[*294]

Nee-hoo-kaw, or whirlpool, his x mark,
 Nath-kay-saw-kaw, or fierce heart, his x mark,
 Wheank-kaw, or duck, his x mark,
 Saw-waugh-kee-wau, or he that leaves the yellow track, his x mark,
 Sin-a-gee-wen, or ripple, his x mark,
 Shush-que-nau, his x mark,
 Sa-gin-nai-nee-pee, his x mark,
 Nun-que-wee-bee, or thunder sitting, his x mark,
 O-bwa-gunn, or thunder turn back, his x mark,
 Tusk-que-gun, or last feather, his x mark,
 Maun-gee-zik, or big foot, his x mark,
 Way-mee-see-goo, or wampum, his x mark,
 Meeks-zoo, his x mark,
 Pay-mau-bee-mee, or him that looks over, his x mark.

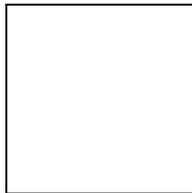
Witnesses present:

W. B. Lee, secretary,
 H. J. B. Brevoort, United States Indian agent,
 R. A. Forsyth,
 Jno. H. Kinzie,
 John Marsh,
 E. A. Brush,
 G. W. Silliman,
 C. Chouteau,
 Peter Menard, jun., Indian subagent,
 Henry Gratiot,
 Pierre Paquet, Winnebago interpreter,
 J. Ogee, Potawatamie interpreter.

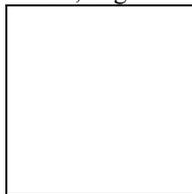
TREATY WITH THE SAUK AND FOXES, ETC., 1830.

July 15, 1830. | 7 Stat., 328. | Proclamation, Feb. 24, 1831.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 305-310



Margin Notes:

Cession of lands.
 Purposes to which the lands are to be applied.
 Cession by the Sacs and Foxes.
 Cession by the Medawah-Kanton, etc.
 Consideration.
 Annuities.
 Further allowances.
 Annuity for education.
 Yanckton and Santie bands.
 Lines to be run.
 Earnest.
 Reservation for Sioux half-breeds.
 Reservation for other half-breeds.
 Annuity to Ottos from Omahas, etc.
 Saving of rights of the tribes.
 Treaty binding when ratified.

Articles of a treaty made and concluded by William Clark Superintendent of Indian Affairs and Willoughby Morgan, Col. of the United States 1st Regt. Infantry, Commissioners on behalf of the United States on the one part, and the undersigned Deputations of the Confederated Tribes of the Sacs and Foxes; the Medawah-Kanton, Wahpacoota, Wahpeton and Sissetong Bands or Tribes of Sioux; the Omahas, Ioways, Ottos and Missouriias on the other part.

The said Tribes being anxious to remove all causes which may hereafter create any unfriendly feeling between them, and being also anxious to provide other sources for supplying their wants besides those

[*306]

of hunting, which they are sensible must soon entirely fail them; agree with the United States on the following Articles.

ARTICLE I.

The said Tribes cede and relinquish to the United States forever all their right and title to the lands lying within the following boundaries, to wit: Beginning at the upper fork of the Demoine River, and passing the sources of the Little Sioux, and Floyds Rivers, to the fork of the first creek which falls into the Big Sioux or Calumet on the east side; thence, down said creek, and Calumet River to the Missouri River; thence down said Missouri River to the Missouri State line, above the Kansas; thence along said line to the north west corner of the said State, thence to the high lands between the waters falling into the Missouri and Desmoines, passing to said high lands along the dividing ridge between the forks of the Grand River; thence along said high lands or ridge separating the waters of the Missouri from those of the Demoine, to a point opposite the source of Boyer River, and thence in a direct line to the upper fork of the Demoine, the place of beginning. But it is understood that the lands ceded and relinquished by this Treaty, are to be assigned and allotted

under the direction of the President of the United States, to the Tribes now living thereon, or to such other Tribes as the President may locate thereon for hunting, and other purposes.

ARTICLE II.

The confederated Tribes of the Sacs and Foxes, cede and relinquish to the United States forever, a tract of Country twenty miles in width, from the Mississippi to the Demoine; situate south, and adjoining the line between the said confederated Tribes of Sacs and Foxes, and the Sioux; as established by the second article of the Treaty of Prairie du Chien of the nineteenth of August one thousand eight hundred and twenty-five.

ARTICLE III.

The Medawah-Kanton, Wah-pa-coota, Wahpeton and Sisseton Bands of the Sioux cede and relinquish to the United States forever, a Tract of Country twenty miles in width, from the Mississippi to the Demoine River, situate north, and adjoining the line mentioned in the preceding article.

ARTICLE IV.

In consideration of the cessions and relinquishments made in the first, second, and third articles of this Treaty, the United States agree to pay to the Sacs, three thousand dollars,—and to the Foxes three thousand dollars; To the Sioux of the Mississippi two thousand dollars;—To the Yancton and Santie Bands of Sioux three thousand dollars;—To the Omahas, two thousand five hundred dollars;— To the Ioways two thousand five hundred dollars;—To the Ottoes and Missourias two thousand five hundred dollars, and to the Sacs of the Missouri River five hundred dollars; to be paid annually for ten successive years at such place, or places on the Mississippi or Missouri, as may be most convenient to said Tribes, either in money, merchandise, or domestic animals, at their option; and when said annuities or any portion of them shall be paid in merchandise, the same is to be delivered to them at the first cost of the goods at St. Louis free of transportation. And the United States further agree to make to the said Tribes and Bands, the following allowances for the period of ten years, and as long thereafter as the President of the United States may think necessary and proper, in addition to the sums herein before stipulated to be paid them; that is to say; To the Bands of the Sioux mentioned in the third article, one Blacksmith at the expense of the United States, and the necessary tools; also instruments for agricultural purposes, and iron and steel to the amount of seven hundred dollars;—To the Yancton and Santie Bands of Sioux, one Blacksmith at the expense of the United States, and the necessary tools, also instruments for agricultural purposes to the amount of four hundred dollars; To the Omahas one Blacksmith at the expense of the United States, and the necessary tools, also instruments for agricultural purposes to the amount of five hundred

[*307]

dollars;—To the Ioways an assistant Blacksmith at the expense of the United States, also instruments for agricultural purposes to the amount of six hundred dollars; To the Ottoes and Missouriias one Blacksmith at the expense of the United States, and the necessary tools, also instruments for agricultural purposes to the amount of five hundred dollars; and to the Sacs of the Missouri River, one Blacksmith at the expense of the United States and the necessary tools; also instruments for agricultural purposes to the amount of two hundred dollars.

ARTICLE V.

And the United States further agree to set apart three thousand dollars annually for ten successive years, to be applied in the discretion of the President of the United States, to the education of the children of the said Tribes and Bands, parties hereto.

ARTICLE VI.

The Yanckton and Santie Bands of the Sioux not being fully represented, it is agreed, that if they shall sign this Treaty, they shall be considered as parties thereto, and bound by all its stipulations.

ARTICLE VII.

It is agreed between the parties hereto, that the lines shall be run, and marked as soon as the President of the United States may deem it expedient.

ARTICLE VIII.

The United States agree to distribute between the several Tribes, parties hereto, five thousand, one hundred and thirty-two dollars worth of merchandise, the receipt whereof, the said Tribes hereby acknowledge; which, together with the amounts agreed to be paid, and the allowances in the fourth and fifth articles of this Treaty, shall be considered as a full compensation for the cession and relinquishments herein made.

ARTICLE IX.

The Sioux Bands in Council having earnestly solicited that they might have permission to bestow upon the half breeds of their Nation, the tract of land within the following limits, to wit: Beginning at a place called the barn, below and near the village of the Red Wing Chief, and running back fifteen miles; thence in a parallel line with Lake Pepin and the Mississippi, about thirty-two miles to a point opposite Beef or O-Boeuf River; thence fifteen miles to the Grand Encampment opposite the River aforesaid; The United States agree to suffer said half Breeds to occupy said tract of country; they holding by the same title, and in the same manner that other Indian Titles are held.

ARTICLE X.

The Omahas, Ioways and Ottoes, for themselves, and in behalf of the Yanckton and Santie Bands of Sioux, having earnestly requested that they might be permitted to make some provision for their half-breeds, and particularly that they might bestow upon them the tract of country within the following limits, to wit; Beginning at the mouth of the Little Ne-mohaw River, and running up the main channel of said River to a point which will be ten miles from its mouth in a direct line; from thence in a direct line, to strike the Grand Nemohaw ten miles above its mouth, in a direct line (the distance between the two Ne-mohaws being about twenty miles)—thence down said River to its mouth; thence up, and with the Meanders of the Missouri River to the point of beginning, it is agreed that the half-breeds of said Tribes and Bands may be suffered to occupy said tract of land; holding it in the same manner, and by the same title that other Indian titles are held; but the President of the United States may hereafter assign to any of the said half-breeds, to be held by him or them in fee simple, any portion of said tract not exceeding a section, of six hundred and forty acres to each individual. And this provision shall extend to the cession made by the Sioux in the preceding Article.

ARTICLE XI.

The reservation of land mentioned in the preceding Article having belonged to the Ottoes, and having been exclusively ceded by them; it is agreed that the Omahas, the Ioways and the Yanckton and Santie Bands of Sioux shall pay out of their annuities

[*308]

to the said Ottoe Tribe, for the period of ten years, Three hundred Dollars annually; of which sum the Omahas shall pay one hundred Dollars, the Ioways one hundred Dollars, and the Yanckton and Santie Bands one hundred dollars.

ARTICLE XII.

It is agreed that nothing contained in the foregoing Articles shall be so construed as to affect any claim, or right in common, which has heretofore been held by any Tribes, parties to this Treaty, to any lands not embraced in the cession herein made; but that the same shall be occupied and held by them as heretofore.

ARTICLE XIII.

This Treaty, or any part thereof, shall take effect, and be obligatory upon the Contracting parties, so soon as the same shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof. Done, and signed, and sealed at Prairie du Chien, in the Territory of Michigan, this fifteenth day of July, in the year of our Lord one thousand eight hundred and thirty, and of the independence of the United States, the fifty-fifth.

Wm. Clark, superintendent Indian affairs, [L. S.]
 Willoughby Morgan, colonel First Infantry U. S. Army, commissioners. [L. S.]

Sacs:

Mash-que-tai-paw, or red head, his x mark, [L. S.]
 Sheco-Calawko, or turtle shell, his x mark [L. S.]
 Kee-o-cuck, the watchful fox, his x mark, [L. S.]
 Poi-o-tahit, one that has no heart, his x mark, [L. S.]
 Os-hays-kee, ridge, his x mark, [L. S.]
 She-shee-quanince, little gourd, his x mark [L. S.]
 O-saw-wish-canoe, yellow bird, his x mark, [L. S.]
 I-onin, his x mark, [L. S.]
 Am-oway, his x mark, [L. S.]
 Niniwow-qua-saut, he that fears mankind, his x mark, [L. S.]
 Chaukee Manitou, the little spirit, his x mark, [L. S.]
 Moso-inn, the scalp, his x mark, [L. S.]
 Wapaw-chicannuck, fish of the white marsh, his x mark, [L. S.]
 Mesico, jic, his x mark, [L. S.]

Foxes:

Wapalaw, the prince, his x mark, [L. S.]
 Taweemin, strawberry, his x mark, [L. S.]
 Pasha-sakay, son of Piemanschie, his x mark, [L. S.]
 Keewausette, he who climbs everywhere, his x mark, [L. S.]
 Naw-mee, his x mark, [L. S.]
 Appenioce, or the grand child, his x mark, [L. S.]
 Waytee-mins, his x mark, [L. S.]
 Nawayaw-cosi, his x mark, [L. S.]
 Manquo-pwam, the bear's hip, (Morgan,) his x mark, [L. S.]
 Kaw-Kaw-Kee, the crow, his x mark, [L. S.]
 Mawcawtay-ee-quoiquenake, black neck, his x mark, [L. S.]
 Watu-pawnonsh, his x mark, [L. S.]
 Meshaw-nuaw-peetay, the large teeth, his x mark, [L. S.]
 Cawkee-Kamack, always fish, his x mark, [L. S.]
 Mussaw-wawquott, his x mark, [L. S.]
 Sioux of the Mississippi, Medawakanton band:
 Wabishaw, or red leaf, his x mark, [L. S.]
 Tchataqua Manie, or little crow, his x mark, [L. S.]
 Waumunde-tunkar, the great calumet eagle, his x mark, [L. S.]
 Taco-coqui-pishnee, he that fears nothing, his x mark, [L. S.]
 Wah-coo-ta, that shoots arrows, his x mark, [L. S.]
 Pay-taw-whar, the fire owner, his x mark, [L. S.]
 Kaugh-Mohr, the floating log, his x mark, [L. S.]
 Etarz-e-pah, the bow, his x mark, [L. S.]
 Teeah-coota, one that fires at the yellow, his x mark, [L. S.]
 Toh-kiah-taw-kaw, he who bites the enemy, his x mark, [L. S.]
 Nasumpah, or the early riser, his x mark, [L. S.]
 Am-pa-ta-tah-wah, his day, his x mark, [L. S.]
 Wah-kee-ah-tunkar, big thunder, his x mark, [L. S.]
 Tauchaw-cadoota, the red road, his x mark, [L. S.]
 Tchaws-kesky, the elder, his x mark, [L. S.]
 Mauzau-hautau, the grey iron, his x mark, [L. S.]
 Wazee-o-monie, the walking pine, his x mark, [L. S.]
 Tachaw-cooash-tay, the good road, his x mark, [L. S.]
 Kie-ank-kaw, the mountain, his x mark, [L. S.]
 Mah-peau-mansaw, iron cloud, his x mark, [L. S.]
 E-taych-o-caw, half face, his x mark, [L. S.]
 Anoug-genaje, one that stands on both sides, his x mark, [L. S.]

Hough-appaw, the eagle head, his x mark, [L. S.]
 Hooka-mooza, the iron limb, his x mark, [L. S.]
 Hoatch-ah-cadoota, the red voice, his x mark, [L. S.]
 Wat-chu-da, the dancer. [L. S.]

[*309]

Wah-pah-coota band:

Wiarh-hoh-ha, french crow, his x mark, [L. S.]
 Shans-konar, moving shadow, his x mark, [L. S.]
 Ah-pe-hatar, the grey mane, his x mark, [L. S.]
 Wahmedecaw-cahn-bohr, one that prays for the land, his x mark, [L. S.]
 Wah-con-de-kah-har, the one that makes the lightning, his x mark, [L. S.]
 Mazo-manie, or the iron that walks, his x mark, [L. S.]
 Mah-kah-ke-a-munch, one that flies on the land, his x mark, [L. S.]
 Mauzau-haut-amundee, the walking bell, his x mark, [L. S.]
 Kah-hih, the Menominie, his x mark. [L. S.]

Sussiton band:

Ete-tahken-bah, the sleeping eyes, his x mark, [L. S.]
 Ho-toh-monie, groans when he walks, his x mark. [L. S.]

Omahahs:

Opau-tauga, or the big elk, his x mark, [L. S.]
 Chonques-kaw, the white horse, his x mark, [L. S.]
 Tessan, the white crow, his x mark, [L. S.]
 Ishtan-mauzay, iron-eye, chief's son, his x mark, [L. S.]
 Waw-shin-ga-sau-bais, black bird, his x mark, [L. S.]
 Waugh-pay-shan, the one who scalps but a small part from
 the crown of the head, his x mark, [L. S.]
 Au-gum-an, the chief, his x mark, [L. S.]
 Age-en-gaw, the wing, his x mark, [L. S.]
 Non-bau-manie, the one that walks double, his x mark, [L. S.]
 Way-cosh-ton, the frequent feast giver, his x mark, [L. S.]
 Eh-que-naus-hus-kay, the second, his x mark, [L. S.]
 Iosey, (the son of Kawsay,) his x mark. [L. S.]

Ioways:

Wassau-nie, or the medicine club, his x mark, [L. S.]
 Mauhoos Kan, white cloud, his x mark, [L. S.]
 Wo-hoompee, the broth, his x mark, [L. S.]
 Tah-roh-na, a good many deer, his x mark, [L. S.]
 Wa-nau-quash-coonie, without fear, his x mark, [L. S.]
 Pah-a-manie, one who walks on the snow, his x mark, [L. S.]
 Pie-kan-ha-igne, the little star, his x mark, [L. S.]
 Niayoo Manie, walking rain, his x mark, [L. S.]
 Nautah-hoo, burnt-wood, his x mark, [L. S.]
 Pai-tansa, the white crane, his x mark. [L. S.]

Ottoes:

I-atan, or Shaumanie-Cassan, or prairie wolf, his x mark, [L. S.]
 Mehah-hun-jee, second daughter, his x mark, [L. S.]
 Wawronesan, the encircler, his x mark, [L. S.]
 Kansa-tauga, the big Kansas, his x mark, [L. S.]
 Noe-kee-sa-kay, strikes two, his x mark, [L. S.]
 Tchai-au-grai, the shield, his x mark, [L. S.]
 Mantoigne, the little bow, his x mark, [L. S.]
 Thee-rai-tchai-nehgrai, wolf-tail at the heel, his x mark, [L. S.]
 Oh-haw-kee-wano, that runs on the hills, his x mark, [L. S.]
 Rai-grai-a, speckled turtle, his x mark, [L. S.]

Tchai-wah-tchee-ray, going by, his x mark, [L. S.]
 Krai-taunica, the hawk, his x mark, [L. S.]
 Mauto-a Kee-pah, that meets the bear, his x mark, [L. S.]
 Kai-wan-igne, little turtle, his x mark. [L. S.]

Missourias:

Eh-shaw-manie, or the one who walks laughing, his x mark, [L. S.]
 Ohaw-tchee-ke-sakay, one who strikes the Little Osages, his x mark, [L. S.]
 Wamshe-katou-nat, the great man, his x mark, [L. S.]
 Shoug-resh-kay, the horse fly, his x mark, [L. S.]
 Tahmegrai-Soo-igne, little deer's dung, his x mark, [L. S.]

Missouri Sacs:

Sau-kis-quoi-pee, his x mark, [L. S.]
 She-she-quene, the gourd, his x mark, [L. S.]
 Nochewai-tasay, his x mark, [L. S.]
 Mash-quaw-siais, his x mark, [L. S.]
 Nawai-yak-oosee, his x mark, [L. S.]
 Wee-tay-main, one that goes with the rest, his x mark, [L. S.]

The assent of the Yancton and Santie Bands of Sioux, to the foregoing treaty is given. In testimony whereof, the chiefs, braves, and principal men of said bands have hereunto signed their names and acknowledge the same, at St. Louis, this 13th October, 1830.

Yancton and Santie Bands of Siouxs:

Matto-Sa-Becha, the black bear, his x mark, [L. S.]
 Pa-con-okra, his x mark, [L. S.]
 Citta-eutapishma, he who dont eat buffalo, his x mark, [L. S.]
 To-ki-e-ton, the stone with horns, his x mark, [L. S.]
 Cha-pon-ka, or mosquito, his x mark, [L. S.]
 To-ki-mar-ne, he that walks ahead, his x mark, [L. S.]
 Wock-ta-ken-dee, kills and comes back, his x mark, [L. S.]
 Ha Sazza, his x mark, [L. S.]
 Chigga Wah-shu-she, little brave, his x mark, [L. S.]

[*310]

Wah-gho-num-pa, cotton wood on the neck, his x mark, [L. S.]
 Zuyesaw, warrior, his x mark, [L. S.]
 Tokun Ohomenee, revolving stone, his x mark, [L. S.]
 Eta-ga-nush-kica, mad face, his x mark, [L. S.]
 Womendee Dooter, red war eagle, his x mark, [L. S.]
 Mucpea A-har-ka, cloud elk, his x mark, [L. S.]
 To-ka-oh, wounds the enemy, his x mark, [L. S.]
 Pd-ta-sun eta womper, white buffalo with two faces, his x mark, [L. S.]
 Cha-tun-kia, sparrow hawk, his x mark, [L. S.]
 Ke-un-chun-ko, swift flyer, his x mark, [L. S.]
 Ti-ha-uhar, he that carries his horn, his x mark, [L. S.]
 Sin-ta-nomper, two tails, his x mark, [L. S.]
 Wo-con Cashtaka, the whipt spirit, his x mark, [L. S.]
 Ta Shena Pater, fiery blanket, his x mark, [L. S.]

In presence of—

Jno. Ruland, secretary to the commission.
 Jon. L. Bean, special agent,

Law Taliaferro, Indian agent at St. Peters,
 R. B. Mason, captain, First Infantry,
 G. Loomis, captain, First Infantry,
 James Peterson, lieutenant and adjutant,
 H. B. M., Thirty-third Regiment,
 N. S. Harris, lieutenant and adjutant,
 regiment, U. S. Infantry,
 Henry Bainbridge, lieutenant, U. S. Army,
 John Gale, surgeon, U. S. Army,
 J. Archer, lieutenant, U. S. Army,
 J. Dougherty, Indian agent,
 Thos. A. Davies, lieutenant, infantry,
 Wm. S. Williamson, sub-Indian agent,
 And. S. Hughes, sub-Indian agent,
 A. G. Baldwin, lieutenant, Third Infantry,
 David D. Mitchell,
 H. L. Donsman,
 Wynkoop Warner,
 Geo. Davenport,
 Wm. Hempstead,
 Benjamin Mills,
 Wm. H. Warfield, lieutenant, Third Infantry,
 Sam. R. Throokmoor,
 John Connelly,
 Amos Farror,
 Antoine Le Claire, interpreter of Sacs and Foxes,
 Stephen Julian, United States interpreter,
 Jacques Mette, interpreter,
 Michel Berda, his x mark, Mohow interpreter,
 S. Campbell, United States interpreter.

Witnesses to the signatures of the Yancton and Santie bands of Sioux, at Fort
 Tecumseh, Upper Missouri, on the fourth day of September, 1830:

Wm. Gordon,
 James Archdale Hamilton,
 David D. Mitchell,
 Wm. Saidlau,
 Jacob Halsey.

Witnesses present at the signing and acknowledgment of the Yancton and
 Santie Deputations:

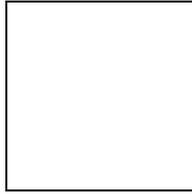
Jno. Ruland, secretary to Commissioners.
 Jon. L. Bean, sub-Indian agent for Upper Missouri,
 Felix F. Wain, Indian agent for Sacs and Foxes,
 John F. A. Sanford, United States Indian agent.
 William C. Heyward, U. S. Army,
 D. J. Royster, U. S. Infantry,
 Samuel Kinney, U. S. Army,

Merewether Lewis Clark, Sixth Regiment Infantry,
Jacques Mette.

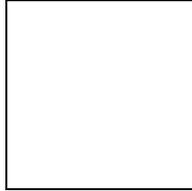
TREATY WITH THE IOWA, ETC., 1836.

Sept. 17, 1836. | 7 Stat., 511. | Proclamation, Feb. 15, 1837.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 468-470



Margin Notes:

Treaty of July 15, 1830.

Lands ceded to the United States.

United States to pay as a present, \$7,500.

Land assigned to Indians south of the Missouri river.

United States to erect houses, inclose ground, furnish a farmer, etc.

Treaty binding when ratified.

Articles of a treaty, made and concluded at Fort Leavenworth, on the Missouri river, between William Clark, Superintendent of Indian Affairs, on the part of the United States, of the one part, and the undersigned chiefs, warriors, and counsellors of the Ioway [Iowa] tribe and the band of Sacks [Sac] and Foxes of the Missouri, (residing west of the State of Missouri,) in behalf of their respective tribes, of the other part.

ARTICLE 1.

By the first article of the treaty of Prairie du Chien, held the fifteenth day of July eighteen hundred and thirty, with the confederated tribes of Sacks, Foxes, Ioways, Omahaws, Missourias, Ottoes, and Sioux, the country ceded to the United States by that treaty, is to be assigned and allotted under the direction of the President of the United States to the tribes living thereon, or to such other tribes as the President may locate thereon for hunting and other purpose.—And whereas it is further represented to us the chiefs, warriors, and counsellors of the Ioways and Sack and Fox band aforesaid, to be desirable

that the lands lying between the State of Missouri and the Missouri river, should be attached to and become a part of said State, and the Indian title thereto, be entirely extinguished; but that notwithstanding, as these lands compose a part of the country embraced by the provisions of said first article of the treaty aforesaid, the stipulations thereof will be strictly observed until the assent of the Indians interested is given to the proposed measures.

Now we the chiefs, warriors, and counsellors of the Ioways, and Missouri band of Sacks and Foxes, fully understanding the subject, and well satisfied from the local position of the lands in question, that they never can be made available for Indian purposes, and that an attempt to place an Indian population on them, must inevitably lead to collisions with the citizens of the United States; and further believing that the extension of the State line in the direction indicated would have a happy effect, by presenting a natural boundary between the whites and Indians; and willing, moreover, to give the United States a renewed evidence of our attachment and friendship, do hereby for ourselves, and on behalf of our respective tribes, (having full power and authority to this effect,) forever cede, relinquish, and quit claim, to the United States, all our right, title, and interest of whatsoever nature in, and to, the lands lying between the State of Missouri and the Missouri river; and do freely and fully exonerate the United States from any guarantee; condition or limitation, expressed or implied, under the treaty of Prairie du Chien aforesaid, or otherwise, as to the entire and absolute disposition of the said lands, fully authorizing the United States to do with the same whatever shall seem expedient or necessary.

As a proof of the continued friendship and liberality of the United States towards the Ioways and band of Sacks and Foxes of the Missouri, and as an evidence of the sense entertained for the good will manifested by said tribes to the citizens and Government of the United States, as evinced in the preceding cession or relinquishment, the undersigned, William Clark, agrees on behalf of the United States, to pay as a present to the said Ioways and band of Sacks and Foxes, seven thousand five hundred dollars in money, the receipt of which they hereby acknowledge.

ARTICLE 2.

As the said tribes of Ioways and Sacks and Foxes, have applied for a small piece of land, south of the Missouri, for a permanent home, on which they can settle, and request the assistance of the Government of the United States to place them on this land, in a situation at least equal to that they now enjoy on the land ceded by them: Therefore I, William Clark, Superintendent of Indian Affairs, do further

[*469]

agree on behalf of the United States, to assign to the Ioway tribe, and Missouri band of Sacks and Foxes, the small strip of land on the south side of the Missouri river, lying between the Kickapoo northern boundary line and the Grand Nemahar river, and extending from the Missouri back and westwardly with the said Kickapoo line and the Grand Nemahar, making four

hundred sections; to be divided between the said Ioways and Missouri band of Sacks and Foxes, the lower half to the Sacks and Foxes, and the upper half to the Ioways.

ARTICLE 3.

The Ioways and Missouri band of Sacks and Foxes further agree, that they will move and settle on the lands assigned them in the above article, as soon as arrangements can be made by them; and the undersigned William Clark, in behalf of the United States, agrees, that as soon as the above tribes have selected a site for their villages, and places for their fields, and moved to them, to erect for the Ioways five comfortable houses, to enclose and break up for them two hundred acres of ground; to furnish them with a farmer, a blacksmith, schoolmaster, and interpreter, as long as the President of the United States may deem proper; to furnish them with such agricultural implements as may be necessary, for five years; to furnish them with rations for one year, commencing at the time of their arrival at their new homes; to furnish them with one ferry-boat; to furnish them with one hundred cows and calves and five bulls, and one hundred stock hogs when they require them; to furnish them with a mill and assist in removing them, to the extent of five hundred dollars. And to erect for the Sacks and Foxes three comfortable houses; to enclose and break up for them two hundred acres of ground; to furnish them, with a farmer, blacksmith, schoolmaster, and interpreter, as long as the President of the United States may deem proper; to furnish them with such agricultural implements as may be necessary, for five years; to furnish them with rations for one year, commencing at the time of their arrival at their new home; to furnish them with one ferry-boat; to furnish them with one hundred cows and calves and five bulls, one hundred stock hogs when they require them; to furnish them with a mill; and to assist in moving them, to the extent of four hundred dollars.

ARTICLE 4.

This treaty shall be obligatory on the 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 fort Leavenworth, on the Missouri, this seventeenth day of September, one thousand eight hundred and thirty-six, and of the independence of the United States the sixty-first.

Wm. Clark, Superintendent Indian Affairs. [L. S.]

Ioways:

Mo-hos-ca, or white cloud, his x mark, [L. S.]

Nau-che-ning, or no heart, his x mark, [L. S.]

Wa-che-mo-ne, or the orator, his x mark, [L. S.]

Ne-o-mo-ne, or raining cloud, his x mark, [L. S.]

Mau-o-mo-ne, or pumpkin, his x mark, [L. S.]

Congu, or plumb, his x mark, [L. S.]

Wau-thaw-ca-be-chu, one that eats raw, his x mark, [L. S.]

Ne-wau-thaw-chu, hair shedder, his x mark, [L. S.]

Mau-hau-ka, bunch of arrows, his x mark, [L. S.]

Cha-tau-the-ne, big bull, his x mark, [L. S.]
 Cha-tea-thau, buffalo bull, his x mark, [L. S.]
 Cha-ta-ha-ra-wa-re, foreign buffalo, his x mark, [L. S.]

Sacks and Foxes:

Cau-ca-car-mack, rock bass, his x mark, [L. S.]
 Sea-sa-ho, sturgeon, his x mark, [L. S.]
 Pe-a-chin-a-car-mack, bald headed eagle, his x mark, [L. S.]
 Pe-a-chin-a-car-mack, jr., bald headed eagle, his x mark, [L. S.]
 Ca-ha-qua, red fox, his x mark, [L. S.]
 Pe-shaw-ca, bear, his x mark, [L. S.]
 Po-cau-ma, deer, his x mark, [L. S.]
 Ne-bosh-ca-wa, wolf, his x mark, [L. S.]
 Ne-squi-in-a, deer, his x mark, [L. S.]
 Ne-sa-au-qua, bear, his x mark, [L. S.]
 Qua-co-ou-si, wolf, his x mark, [L. S.]
 Se-quil-la, deer, his x mark, [L. S.]
 As-ke-pa-ke-ka-as-a, green lake, his x mark, [L. S.]
 Wa-pa-se, swan, his x mark, [L. S.]
 No-cha-taw-wa-ta-sa, star, his x mark, [L. S.]

[*470]

Witnesses:

S. W. Kearny, colonel First Regiment Dragoons,
 Jno. Dougherty, Indian Agent,
 Andrew S. Hughes, Sub-agent,
 George R. H. Clark,
 William Duncan, Indian farmer,
 Jos. V. Hamilton, sutler Dragoons,
 H. Robedou, jr.,
 Wm. Bowman, sergeant-major First Dragoons,
 Jeffrey Dorion, his x mark, sworn interpreter,
 Peter Cadue, his x mark, sworn interpreter,
 Jaques White, interpreter, United States,
 Louis M. Darrion.

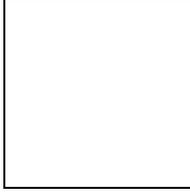
TREATY WITH THE OTO, ETC., 1836.

Oct. 15, 1836. | 7 Stat., 524. | Proclamation, Feb. 15, 1837.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 479-481



Margin Notes:

Treaty of July 15, 1830.

Cession of land to the United States.

Present of \$4,500 in merchandise.

Portions of each tribe.

Otoes and Missouries to be furnished with 500 bushels of corn.

Omahas to have 100 acres of ground broke up, etc.

Obligatory when ratified.

Articles of a convention entered into and concluded at Bellevue Upper Missouri the fifteenth day of October one thousand eight hundred and thirty-six, by and between John Dougherty U. S. agt. for Indian Affairs and Joshua Pilcher U. S. Ind. s. agt being specially authorized therefor; and the chiefs braves head men &c of the Otoes Missouries Omahaws and Yankton and Santee bands of Sioux, duly authorized by their respective tribes.

ARTICLE 1st.

Whereas it has been represented that according to the stipulations of the first article of the treaty of Prairie du Chien of the fifteenth of July eighteen hundred and thirty, the country ceded is "to be assigned and allotted under the direction of the President of the United States to the tribes now living thereon or to such other tribes as the President may locate thereon for hunting and other purposes," and whereas it is further represented to us the chiefs, braves and head men of the tribes aforesaid, that it is desirable that the lands lying between the State of Missouri and the Missouri river, and south of a line running due west from the northwest corner of said State until said line strikes the Missouri river, should be attached to and become a part of said State, and the Indian title thereto be entirely extinguished; but that notwithstanding as these lands compose a part of the country embraced by the provisions of the said first article of the treaty aforesaid, the stipulations whereof will be strictly observed, until the assent of the Indians interested is given to the proposed measure. Now we the chiefs braves and principal men of the Otoes Missouries Omahaws Yankton and Santee bands of Sioux aforesaid fully understanding the subject and well satisfied from the local position of the lands in question, that they never can be made available for Indian purposes; and that an attempt to place an Indian population on them must inevitably lead to collisions with the citizens of the United States; and, further believing that the extension of the State line in the direction indicated, would have a happy effect by presenting a natural boundary between the whites and Indians; and willing moreover to give the United States a renewed evidence of our attachment and friendship; do hereby for ourselves and on behalf of our respective tribes (having full power and authority to this effect) for ever cede relinquish and quit claim to the United States all our right title and

interest of whatsoever nature in and to the lands lying between the State of Missouri and the Missouri river, and south of a line running due west from the northwest corner of the State to the Missouri river, as herein before mentioned, and freely and fully exonerate the United States from any guarantee condition or limitation expressed or implied under the treaty of Prairie du Chien aforesaid or otherwise,

[*480]

as to the entire and absolute disposition of said lands, fully authorizing the United States to do with the same whatever shall seem expedient or necessary.

ART. 2d.

As a proof of the continued friendship and liberality of the United States towards the said Otoes Missouries Omahaws and Yankton and Santee bands of Sioux, and as an evidence of the sense entertained for the good will manifested by the said tribes to the citizens and Government of the United States as evinced in the preceding cession and relinquishment; and as some compensation for the great sacrifice made by the several deputations at this particular season, by abandoning their fall hunts and traveling several hundred miles to attend this convention the undersigned John Dougherty and Joshua Pilcher agrees on behalf of the United States to pay as a present to the tribes herein before named the sum of four thousand five hundred and twenty dollars in merchandise, the receipt of which they hereby acknowledge having been distributed among them in the proportions following. To the Otoes twelve hundred and fifty dollars, to the Missouries one thousand dollars to the Omahaws twelve hundred and seventy dolls. to the Yankton and Santee bands of Sioux one thousand dollars.

ART. 3d.

In consequence of the removal of the Otoes and Missouries from their former situation on the river Platte to the place selected for them, and of their having to build new habitations last spring at the time which should have been occupied in attending to their crops, it appears that they have failed to such a degree as to make it certain that they will lack the means of subsisting next spring, when it will be necessary for them to commence cultivating the lands now preparing for their use. It is therefore agreed that the said Otoes, and Missouries (in addition to the presents herein before mentioned) shall be furnished at the expense of the United States with five hundred bushels of corn to be delivered at their village in the month of April next. And the same causes operating upon the Omahaws, they having also abandoned their former situation, and established at the place recommended to them on the Missouri river, and finding it difficult without the aid of ploughs to cultivate land near their village where they would be secure from their enemies, it is agreed as a farther proof of the liberality of the Government and its disposition to

advance such tribes in the cultivation of the soil as may manifest a disposition to rely on it for the future means of subsistence; that they shall have one hundred acres of ground broke up and put under a fence near their village, so soon as it can be done after the ratification of this convention.

ART. 5.

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

Done, signed, and sealed at Bellevue, Upper Missouri, this fifteenth day of October, one thousand eight hundred and thirty-six, and of the independence of the United States, the sixty-first.

Jno. Dougherty, Indian agent, [L. S.]

Joshua Pilcher, United States Indian subagent, [L. S.]

Otoes:

Jaton, his x mark, [L. S.]

Big Kaw, his x mark, [L. S.]

The Thief, his x mark, [L. S.]

Wah-ro-ne-saw, his x mark, [L. S.]

Buffalo Chief, his x mark, [L. S.]

Shaking Handle, his x mark, [L. S.]

We-ca-ru-ton, his x mark, [L. S.]

Wash-shon-ke-ra, his x mark, [L. S.]

Standing White Bear, his x mark, [L. S.]

O-rah-car-pe, his x mark, [L. S.]

Wah-nah-shah, his x mark, [L. S.]

Wa-gre-ni-e, his x mark, [L. S.] Mon-nah-shu-jah, his x mark, [L. S.]

Missouries:

Hah-che-ge-sug-a, his x mark, [L. S.]

Black Hawk, his x mark, [L. S.]

No Heart, his x mark, [L. S.]

Wan-ge-ge-he-ru-ga-ror, his x mark, [L. S.]

The Arrow Fender, his x mark, [L. S.]

Wah-ne-min-er, his x mark, [L. S.]

Big Wing, his x mark, [L. S.]

Omahaws:

Big Elk, his x mark, [L. S.]

Big Eyes, his x mark, [L. S.]

Wash-kaw-mony, his x mark, [L. S.]

White Horse, his x mark, [L. S.]

White Caw, his x mark, [L. S.]

Little Chief, his x mark, [L. S.]

[*481]

A-haw-paw, his x mark, [L. S.]

Walking Cloud, his x mark, [L. S.]

Wah-see-an-nee, his x mark, [L. S.]

No Heart, his x mark, [L. S.]

Wah-shing-gar, his x mark, [L. S.]

Standing Elk, his x mark, [L. S.]

Ke-tah-an-nah, his x mark, [L. S.]

Mon-chu-ha, his x mark, [L. S.]
 Pe-ze-nin-ga, his x mark, [L. S.]
 Yankton and Santees,
 Pitta-cu-ta-pishna, his x mark, [L. S.]
 Wash-ka-shin-ga, his x mark, [L. S.]
 Mon-to-he, his x mark, [L. S.]
 Wah-kan-teau, his x mark, [L. S.]
 E-ta-ze-pa, his x mark, [L. S.]
 Ha-che-you-ke-kha, his x mark, [L. S.]
 Wa-men-de-ah-wa-pe, his x mark, [L. S.]
 E-chunk-ca-ne, his x mark, [L. S.]
 Chu-we-a-teau, his x mark, [L. S.]
 Mah-pe-a-tean, his x mark, [L. S.]
 Wah-mun-de-cha-ka, his x mark, [L. S.]
 Pah-ha-na-jie, his x mark, [L. S.]

Witnesses:

J. Varnum Hamilton, sutler U. S. Dragoons and acting secretary,
 William Steele,
 John A. Ewell,
 William J. Martin,
 Martin Dorion, his x mark.

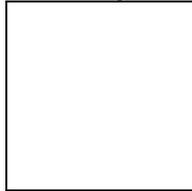
TREATY WITH THE SAUK AND FOXES, ETC., 1861.

Mar. 6, 1861 | 12 Stat., 1171. | Ratified Feb. 6, 1863. | Proclaimed Mar. 26, 1863.

Indian Affairs: Laws and Treaties. Vol. II (Treaties). Compiled and edited by Charles J. Kappler. Washington: Government Printing Office, 1904.



Vol. II, Pages 811-814



Margin Notes:

Cession of reservation to the United States.
 Boundaries.
 Lands to be surveyed and sold at auction.
 Improvements.
 Proceeds of sale.
 Iowas cede to the United States lands for the Sacs and Foxes.

Boundaries.

Joseph Tesson to select a quarter section of land.

Certain chiefs may select each a quarter section of land.

Grant for purposes of education.

Persons not to reside on the reservation without permit.

Former treaty stipulations.

When this treaty to be obligatory.

Toll bridge.

Tolls.

Annuities.

Articles of agreement and convention made and concluded at the office of the Great Nemaha agency, Nebraska Territory, on the sixth day of March, A. D. one thousand eight hundred and sixty-one, by and between Daniel Vanderslice, U. S. Indian agent, on the part of the United States, and the following-named delegates of the Sacs and Foxes of Missouri, viz: Pe-ta-ok-a-ma, Ne-sour-quoit, Mo-less, and Se-se-ah-kee; and the following-named delegates of the Iowa tribe, viz: No-heart, Nag-ga-rash, Mah-hee, To-hee, Tah-ra-kee, Thur-o-mony, and White Horse; they being duly authorized thereto by their respective tribes.

ARTICLE 1.

The Sacs and Foxes of Missouri hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to lands within their present reservation, described as follows, viz: beginning at the mouth of the south fork of the Great Nemaha River, and thence up the southwest bank of the Great Nemaha, with its meanders, to the mouth of the west fork; thence up the west fork, with its meanders, to the line of the 40° of parallel on the west bank of creek or fork where is established the southwest corner of the Sac and Fox reserve, by erecting a stone monument, from which the following references bear, viz: A large cottonwood tree, three feet in diameter, bears S. 44° 00' E. 1.05 chains; a rock bears N. 30° 00' W. 50 links; another rock bears N. 50° 00' west 50 links; and another rock bears due north one chain; thence east along the line of the 40° of parallel to the west bank of the south fork of the Great Nemaha River, distance fourteen miles twenty-seven chains and sixty links, where is established the southeast corner of the Sac and Fox reserve, by erecting a stone pile with a black walnut post in the center of it, from which a white elm, two feet in diameter, bears S. 33° 00' E. 22 links, and marked with the letters S. E. Cor. for the southeast corner, and another elm, 18 inch[e]s in diameter, bears S. 39° 00' E. 1.05 chains, and marked SE C B SE., for the southeast corner, bearing, and distance; and another black walnut, 9 inch[e]s in diameter, bears S. 15° 00' E. 85 links, and thence down the south fork, with its meanders, to the point of beginning, estimated to contain 32,098 acres, 3 roods and 35 perches.

ARTICLE 2.

The aforesaid lands shall be surveyed in conformity with the system governing the survey of the public lands: and the same shall be sold, under the direction of the Secretary of the Interior, in parcels not exceeding one

hundred and sixty acres each, to the highest bidder for cash; the sale to be made upon sealed proposals, to be duly invited by public advertisement, provided, no bid shall be favorably considered which may be less than one dollar and twenty-five cents per acre. And should any of the tracts so to be sold have upon them improvements of any kind which were made by or for the Indians, or for Government purposes, the proposals therefor must state the price for both the land and improvements. The proceeds of the sales thereof, after deducting therefrom the expenses of surveying the lands and all

[*812]

other expenses incident to the negotiation of these articles of convention and the proper execution thereof, the balance shall be applied as follows, viz: One half shall be held in trust by the United States for the benefit of the Sacs and Foxes of Missouri, and interest thereon, at the rate of five per centum per annum, shall be paid annually, with the other funds to be paid said tribe, in the same manner as stipulated in the treaty of May 18th, 1854; and the other half of said balance shall be applied as hereinafter specified.

ARTICLE 3.

The Iowa tribe of Indians, parties to this agreement, hereby cede, relinquish, and convey to the United States, for the use and benefit of the Sacs and Foxes of Missouri, for their permanent home, all that part of their present reservation lying and being west of Nohearts Creek, and bounded as follows, viz: Beginning at a point where the southern line of the present Iowa reserve crosses Nohearts Creek; thence with said line to the south fork of the Nemaha, (commonly known as Walnut Creek;) thence down the middle of said south fork, with the meanders thereof to its mouth, and to a point in the middle of the Great Nemaha River; thence down the middle of said river to a point opposite the mouth of Nohearts Creek: and thence, in a southerly direction with the middle of said Nohearts Creek, to the place of beginning. And it is hereby understood and agreed that, in full consideration for said cession, the United States shall hold in trust, for the use and benefit of the Iowas, the one-half of the net proceeds of the sales of the lands described in the second article of this agreement, and interest thereon, at the rate of five per centum per annum, shall be paid to the Iowa tribe in the same manner as their annuities are paid under the treaty of May 17, 1854. The reservation herein described shall be surveyed and set apart for the exclusive use and benefit of the Sacs and Foxes of Missouri, and the remainder of the Iowa lands shall be the tribal reserve of said Iowa Indians for their exclusive use and benefit.

ARTICLE 4.

The Sacs and Foxes of Missouri being anxious to make full satisfaction for a just claim which Joseph Tesson holds against said tribe, it is hereby agreed by the parties to this convention that said claimant shall select a quarter section or one hundred and sixty acres of land, to include his present residence and improvements, to be located in one body, in conformity with the legal

subdivisions of the public surveys, which tract of land shall be received by him in full payment of said claim, estimated at about eight hundred dollars, and all other claims or rights of every character whatsoever against said tribe; and when a relinquishment shall have been executed by said claimant in favor of said tribe for all claims that he may have against them, a patent shall be issued to him for said tract of land in fee-simple.

The following chiefs shall be entitled to select each a quarter section or one hundred and sixty acres of land in one body, in conformity with the public surveys, to include their present residences and improvements, viz: Pe-te-ok-a-ma, Ne-sour-quoit, and Mo-less: and George Gomess, a member of the Sac and Fox tribe, shall select in like manner one-eighth of a section or eighty acres of land in one body, to include his improvements, and patents shall be issued therefor in favor of said persons in fee-simple.

ARTICLE 5.

In order to encourage education among the aforesaid tribes of Indians, it is hereby agreed that the United States shall expend the sum of one thousand dollars for the erection of a suitable school-house, and dwelling-house for the school teacher, for the benefit of the Sacs and Foxes, and also the additional sum of two hundred dollars per annum for school purposes, so long as the President of the United States may deem advisable. And for the benefit of the Iowa tribe of Indians there shall be expended, in like manner, at the discretion

[*813]

of the President, the sum of three hundred dollars per annum, for school purposes, which two last-mentioned sums shall be paid out of the funds to be appropriated for the civilization of Indians.

ARTICLE 6.

There shall be set apart in one body, under the direction of the Commissioner of Indian Affairs, one section, or six hundred and forty acres of land, in harmony with the public survey, so as to include the agency-dwelling, agency-office, council-house, school-house, teachers' dwelling, blacksmith's dwelling and shops, and such farming land as may be necessary for the use of the school, agency, and employees thereat.

ARTICLE 7.

No person not a member of either of the tribes, parties to this convention, shall go upon the reservations or sojourn among the Indians without a license or written permit from the agent or superintendent of Indian affairs, except Government employees or persons connected with the public service. And no mixed-blood Indians, except those employed at some mission, or such as may be sent there to be educated, or other members of the aforesaid tribes, shall participate in the beneficial provisions of this agreement or former treaties, unless they return to and unite permanently with said tribes, and reside upon

the respective reservations within six months from the date of this convention.

ARTICLE 8.

It is hereby understood and agreed by the contracting parties hereto that the stipulations of the treaty with the Sacs and Foxes of Missouri of May 18th, 1854, and the treaty with the Iowa Indians of the 17th of May, 1854, which may not be inconsistent with these articles of convention, shall have full force and effect upon the contracting parties hereto.

ARTICLE 9.

This instrument shall be obligatory upon the respective parties hereto, whenever the same shall be ratified by the President and the Senate of the United States.

ARTICLE 10.

The Secretary of the Interior may expend a sum not exceeding three thousand five hundred dollars, (\$3,500,) out of the proceeds of the sales of said lands, at any time he may deem it advisable, for the purpose of erecting a toll-bridge across the Great Nemaha River, at or near Roy's Ferry, for the use of the Iowa Indians; and a like sum of three thousand five hundred dollars, (\$3,500,) out of the proceeds of the sales of said lands, for the purpose of erecting a toll-bridge across the Great Nemaha River, at or near Wolf Village, for the use of the Sacs and Foxes of Missouri.

Toll shall be charged and collected for the use of said bridges at such rates and under such rules and regulations as may be established by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, the proceeds of such tolls to be expended as follows: 1st, in making necessary repairs on said bridges; 2d, for the use of said tribes, respectively.

ARTICLE 11.

It is further stipulated that, whenever Congress shall by law so provide, all annuities due and to become due and payable to the said tribes of Indians under this treaty, and under all other previous treaties, may be paid in specific articles, clothing, agricultural implements, and such other articles as Congress shall direct.

In testimony whereof, the said commissioner as aforesaid, and the said chiefs and delegates of the Sacs and Foxes of Missouri, and [of the] Iowa tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

D. Vanderslice, United States Indian agent. [L. S.]

Pe-te-ok-a-ma, his x mark. [L. S.]

Ne-sour-quoit, his x mark. [L. S.]

Mo-less, his x mark. [L. S.]

Se-se-ah-kee, his x mark. [L. S.]

Sac[s] and Foxes of Mo.

[*814]

No-heart, his x mark. [L. S.]

Nag-ga-rash, his x mark. [L. S.]

Mah-hee, his x mark. [L. S.]

To-hee, his x mark. [L. S.]

Tah-ra-kee, his x mark. [L. S.]

Thur-o-mony, his x mark. [L. S.]

White-hourse, his x mark. [L. S.]

Iowa Indians.

Signed in the presence of—

George Gomess, his x mark, United States interpreter for Sac[s] and Foxes of Mo.

Harvey W. Forman, witness to signing by George Gomess.

Kirwan Murray, United States interpreter for Iowa Indians.

Harvey W. Forman.

John W. Forman.

Josephus Utt.