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## **Documents relating to the negotiation of an unratified treaty of March 9, 1869, with the Miami Indians. March 9, 1869**

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DOCUMENTS RELATING TO THE  
NEGOTIATION OF AN UNRATIFIED TREATY OF  
MARCH 9, 1869, WITH THE MIAMI INDIANS



March 7

412th long, }  
1st Sep. 3<sup>rd</sup> Co, F.

Treaty  
between the U. S. and  
the Miami tribe of Inds.  
of Kansas, concluded at  
Washington the 9<sup>th</sup> of  
March, 1869.

1869, Mar 23<sup>d</sup> Read and  
referred to the Com. on  
Indian Affairs, and  
ordered to be printed.

412th long 2<sup>nd</sup> Sep

W. S. B.

UNRAT. TREATY

MESSAGE  
OF THE  
PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*A treaty between the United States and the Miami tribe of Indians of  
Kansas, concluded at Washington the 9th March, 1869.*

MARCH 23, 1869.—Read; treaty read the first time, and, with accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed in confidence for the use of the Senate.

EXECUTIVE MANSION, March 22, 1869.

*To the Senate of the United States:*

I herewith lay before the Senate, for the constitutional action of that body, a treaty, concluded in this city on the 9th instant, between Thomas Murphy and Hampton B. Denman, on part of the United States, and the Miami tribe of Indians, of Kansas, by their duly authorized delegates.

A letter of the Secretary of the Interior of the 20th instant, together with the papers therein referred to, are also herewith transmitted.

U. S. GRANT.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., March 17, 1869.

SIR: I have the honor to enclose herewith a treaty, and a copy thereof, concluded on the 9th instant, with the chiefs and delegates of the Miami tribe of Indians, and assented to by certain Miami Indians, being present, who reside in the State of Indiana; also a copy of a report under date of the 9th instant, signed by Superintendents Thomas Murphy and H. B. Denman, the commissioners on the part of the United States, who negotiated said treaty.

The report of the commissioners will, it is believed, sufficiently explain the necessity for the treaty in question and the nature of its provisions, and should you approve the same, I respectfully recommend that you lay the same, with the accompanying papers, before the President for transmission to the Senate for its constitutional action thereon.

Very respectfully, your obedient servant,

N. G. TAYLOR, *Commissioner.*

Hon. J. D. Cox,  
*Secretary of the Interior.*



WASHINGTON, March 9, 1869.

SIR: In pursuance of the commission of the President, dated February 17, 1869, we have met the chiefs and delegates of the Miami tribe of Indians, together with a considerable number of the members of said tribe now residing in Indiana and Michigan. Upon meeting them we learned that the object of their presence here was to settle and adjust all claims against the United States, and all controversies amongst themselves.

Upon examining into the character of their differences we find that prior to the removal of the tribe west in 1846, various treaty stipulations were made by which the families of Richardville, Godfrey, and Meshingomesia were permitted to remain in Indiana, and others, after the removal in 1846, by acts of Congress passed in 1846 and 1851, were permitted to return to Indiana. Complaints were made by the chiefs of the tribe west of the violation of various treaty stipulations of so grave a character as that the opinion of the Attorney General, Mr. Cushing, was invoked as early as 1851, and from the period of the removal of the tribe west until the present time contention and difficulty has existed among those who have always claimed to be Miamies who did not remove. In fact it has never been settled as to who constituted the families of Richardville, Godfrey, or Meshingomesia in view of the special stipulations above referred to, nor as to who were entitled to draw their annuities east under the acts of 1846 and 1851. The treaty of 1854 instead of harmonizing these differences only increased their troubles, and in 1858 the power of Congress was again invoked by the minority of the eastern Indians against the majority. The result was the act of June 12, 1858, which was executed and continued in force until the 3d of March, 1867, when an act was passed contravening its provisions as to the eastern Miamies.

The chiefs and delegates of the tribe west who signed the treaty of 1854 are all dead; four of the five Miamies of Indiana who signed that treaty have been before us and bitterly deny that it expresses their intentions as to the land west, and admit that many persons were improperly excluded from the list referred to in the amendment to the 4th article of the treaty of 1854. Whatever may be the facts in reference to these matters, we entertain no doubt of the necessity of healing these differences and putting an end to them.

To do this effectually, we have stipulated with these people to dissolve their tribe. Less than one hundred of them remain in Kansas; the remainder of them (over four hundred in number) are in Indiana, and a few in Michigan. They are all civilized and nowhere homogeneous, and none of them live after the manner of the Indians; many of them have intermarried with the whites.

The treaty explains the intentions of the parties and embodies the agreement of the western Indians with those east, provided for by the act of 1858. The difference in the quantity of land located for their children born since 1854 was settled by themselves, and was in consideration of concession by the western Indians, who made larger claims.

We are not ignorant of the general policy governing grants of land to individuals in treaties pursued by the government for some years past. In this case we believed that an exceptional case existed, the remainder of the land held in common being small, not exceeding two or three sections, and the persons to whom the grants were made being all except one person Kansas Indians, who were arbitrarily excluded from annuities for four years, and never paid for them. These grants were given on that account, for the settlement of these claims. Aside from this, the



treaty is not one of cession, but of mere adjustments. Its stipulations do not affect the Indiana Miamies except as to the division of the funds of the whole; these only at the option of the eastern Indians as to the eastern fund of \$221,000. As regards the tract now held as the common property of the tribe, amounting to fourteen thousand four hundred (14,400) acres, being the balance remaining of the seventy thousand (70,000) acres excepted and reserved by the treaty of 1854, it was considered as the most just and equitable manner of disposing of the same to divide it up among the children of the tribe born since the treaty of A. D. 1854, and since the act of Congress of June 12, 1858, the names of whom are contained in lists, marked A and B, attached to this treaty, as they had no land for future homes as contemplated by the said treaty of 1854, to sell the same, and divide the proceeds *pro rata* amongst all, would have resulted only in giving to those to whom allotments have been heretofore made, an amount of money to which they were not fairly entitled, at the expense of other members of the tribe.

As a final and most important reason governing us, we found that the tribe west, since 1854, had diminished from over 200 to about 90; that what was now held by them was the remainder of the consideration for the cession of their country east of the Mississippi, and it was claimed that large discriminations were made in favor of the western Indians in 1854, against which bitter complaints were made and reclamation asked for.

We therefore submit the treaty made for future action by the proper departments of the government.

Very respectfully, your obedient servants,

THOMAS MURPHY,  
H. B. DENMAN,  
*Commissioners.*

Hon. N. G. TAYLOR,  
*Commissioner Indian Affairs, Washington, D. C.*

## ARTICLES

OF

AGREEMENT AND CONVENTION MADE AND CONCLUDED AT THE CITY OF WASHINGTON, D. C., THIS NINTH DAY OF MARCH, A. D. EIGHTEEN HUNDRED AND SIXTY-NINE, BETWEEN HON. THOMAS MURPHY AND HON. HAMPTON B. DENMAN, COMMISSIONERS ON THE PART OF THE UNITED STATES, AND THE FOLLOWING NAMED DELEGATES REPRESENTING THE MIAMI TRIBE OF INDIANS, VIZ: LUM-KE-COM-WAH, JOHN B. ROUBIDEAUX, AND DAVID GEBON, THEY BEING DULY AUTHORIZED BY SAID TRIBE AND THE FOLLOWING NAMED INDIANA MIAMI INDIANS PRESENT AND ASSENTING THERETO: JAMES R. GODFREY, JOSEPH ME-SHA-WAS AUGUSTINE, J. TOPOSH, THOMAS F. RICHARDVILLE.

Whereas by the first article of the treaty of A. D. 1854, the Miami Indians excepted and reserved for their future homes, from the tract then ceded to the United States, seventy thousand (70,000) acres of land; and by the second article of said treaty of A. D. 1854, out of said tract there was to be allotted to each individual resident at the date thereof, upon said ceded lands, an amount of land equal to two hundred (200) acres per head, the balance remaining after said allotments being made, to be held as the common property of the tribe; one hundred and sixty-two allotments of land of two hundred (200) acres each were accordingly made under the provisions of said treaty of A. D. 1854; seventy-three additional allotments of two hundred (200) acres each were made by act of Congress, A. D. 1858, to persons who had been wrongfully excluded; forty-three (43) other allotments have been since made by the chiefs of the tribe, with the consent of the Commissioner of Indian Affairs, as provided for by the second article of the treaty of A. D. 1854, to persons who had been wrongfully excluded and absent at the time the original selections were made; all of said allotments being made out of the said tract of seventy thousand (70,000) acres, excepted and renewed by the first article of the said treaty of A. D. 1854. The total amount of land allotted being fifty-five thousand six hundred (55,600) acres, leaving a balance of fourteen thousand four hundred (14,400) acres still held as the common property of the tribe:

Now, therefore, to dispose of the balance of said tract held as the common property of said tribe, it is proposed to divide the same as hereinafter provided.

### ARTICLE I.

It is hereby agreed that there shall be located in favor of the persons whose names are mentioned in the schedule appended hereto, marked A, one hundred and sixty (160) acres of land each, they being Miami children born since the locations made under the 2d article of the treaty of A. D. 1854, being the descendants of persons residing on the land ceded by the 1st article of said treaty.

And there shall also be located for each of the persons named in schedule marked B, and appended hereto, one hundred and twenty (120) acres of land, the said persons named in Schedule B being children born since locations were made under the provisions of the act of Congress of June 12, A. D. 1858, of said persons in whose favor locations were made in pursuance of said act.



And there shall also be located for each of the persons named in schedule marked C, and appended hereto, one hundred and twenty (120) acres of land, said persons being Miami Indians resident in the State of Indiana, and who are in extreme poverty. Said grants are made as a gift, and with the express understanding that in so doing no claim on their part is recognized, (or the grant made, except for the reasons before stated.)

Said grants of land to be made and patented in fee simple to heads of families and adults. And in case where the allotment shall have been made for any minor, the patent shall issue in the name of said minor, but shall remain in the hands of the chiefs until suitable guardians shall have been appointed under the laws of the State of Kansas for said minors or incompetents.

That no part of said lands shall be liable to levy, sale, seizure, execution, attachment, or for any debt, or for any taxes, until the same shall have been alienated by or on account of said grantees; that all of said locations shall be made under the direction of the chiefs of the said tribe, and by them reported through their agent, or the superintendent of Indian affairs, to the Commissioner of Indian Affairs, and upon said report being made, the said lands shall be patented in the manner hereinbefore stated.

That said patents shall contain restrictions upon the power of alienation, to the effect that no conveyance shall be made by any adult without the approval of the superintendent of Indian affairs in and for the superintendency within whose jurisdiction said lands are located, or the Commissioner of Indian Affairs being endorsed thereon.

Nor shall the conveyance of any lands of any minor under guardianship be made, unless by authority of the court having probate jurisdiction within the counties in which said lands are situated.

The laws of the State of Kansas with reference to descent and partition shall be applicable to said lands, so also shall the laws with reference to the alienation of real estate and the capacity of parties, save only with reference to the restrictions hereinbefore named.

There shall be selected from the said reserve, and patented in fee simple to them and their heirs, land to the amount specified herein and set opposite their names:

To Lum-ke-cum-wah, head chief .....	Acres. 320
To John B. Roubideaux, second chief .....	280
To David Gebon .....	240
To Thomas F. Richardville .....	240
To Jo-e-tah or Topash .....	120
To M. W. Gouire .....	240

The locations and allotments to the said persons to be made by the superintendent of Indian affairs for the superintendency in which said lands are embraced. The patents shall issue to the said persons with the same restrictions and reservations as applied to the others.

The balance of said reserve shall be sold under the direction of the chiefs of the tribe and superintendent of Indian affairs for the superintendency in which the said lands are located; the purchase money received for such sale, or sales, shall be paid to and remain in the hands of said superintendent and applied under his supervision by the chiefs of said tribe in settling any claims of a national character, or paying any expenses that may have been incurred by the nation, which they deem just and right and of a beneficial character. And upon such sale, or sales, being made, and the purchase money paid as required, the same



shall be reported to the Commissioner of Indian Affairs, who shall cause a patent, or patents, to issue therefor to such person, or persons so purchasing.

That the school section heretofore set apart under the treaty of A. D. 1854 for school purposes shall be disposed of in the following manner:

To Me-tah-quon-ac-quah, widow of Golo-cop-nah a deceased chief, the following described portion of said section, to wit: The south half of the southeast quarter of section thirteen (13,) 80 acres in township eighteen (18) south, of range twenty-three (23) east, &c., in Kansas, the same to be patented to her in fee simple.

There shall also be set apart to Me-ton-sin-eah, or Tom Miller, the following portion of said section, to wit: The north half of the southwest fractional quarter of section nineteen (19,) and the south half of the northwest fractional quarter of section nineteen, (19,) all in township eighteen (18) south, of range twenty-four (24) east, &c., in Kansas, and containing in all one hundred and seventy acres and eighty one-hundredths of an acre, the same to be patented to him in fee simple, excepting and reserving therefrom eight (8) acres, the same to include the site of the present school buildings and graveyard, to be set apart *forever* for charitable purposes, to wit: For school, cemetery, and church buildings, the boundaries thereof to be designated by the chiefs of said tribe, and the title thereof to be, and by the force of this treaty to remain, in the United States in trust as aforesaid.

The remainder of said school section to be sold under the direction of the chiefs of said tribe and superintendent of Indian affairs of the said superintendency in which said land is situated, and the purchase money received therefor shall be paid to the said superintendent, who, upon receipt thereof, shall report to the Commissioner of Indian Affairs that such sale has been made, who shall then cause a patent or patents to issue to the said person or persons so purchasing.

The proceeds of said sale shall be equally paid by the said superintendent to the following-named persons; "if any of the same be minors, then to their proper guardians," who are the widows and sole surviving heirs of deceased chiefs, to wit: Kisl-e-co-quah, widow of Wang-ap-euh, late principal chief; Chan-gah-sac-eah, widow of Nap-shur-gah; Joseph S. Richardville, sole surviving heir of Snap Richardville; and Alice Davis, sole heir of E-to-ah-ke-sic or Jim Davis.

#### ARTICLE II.

It is further agreed and understood that all locations heretofore made and confirmed by the Secretary of the Interior shall be, and the same are hereby, ratified and confirmed, and declared valid and binding as fully as if the same were herein and hereby again granted and conveyed.

#### ARTICLE III.

In consideration of the fact that the Miami Indians of Kansas now number less than one hundred persons, who are mostly women and children, and who are all civilized, and live after the manner of the whites, and knowing the great benefits that have resulted from their contact with the whites, their schools, churches, and mechanic arts, it is agreed that the tribe shall be dissolved and the members thereof shall become citizens within such time as is hereinafter provided, and the money payable to said tribe on account of the remaining instalments provided for by the 2d article of the treaty of 1854, the school-fund therein also provided for, together with the interest thereon yet unpaid.

X The sum of thirty thousand eight hundred (30,800) dollars, in lieu of permanent provision for blacksmith and assistant, and miller, in lieu of gunsmith, referred to in the 4th article of the treaty of A. D. 1854, together with all other sums or balances due them, shall be consolidated into one fund, and paid pro rata to the several members of the tribe within six months from the date of the promulgation of this treaty, whose names are on the lists appended hereto and marked D, all of whom are persons whose names are not on the corrected list referred to in the Senate's amendment to the 4th article of the treaty of A. D. 1854. It is further agreed, and the delegates of the tribe consent, that any portion or all of said persons whose names, or whose descendants referred to in said amendment of the treaty of A. D. 1854, may at any time within sixty (60) days after the promulgation of this treaty, by consenting to the addition of their respective shares of the two hundred and twenty-one thousand (221,000) dollars provided for by said amended 4th article, or any funds or moneys they are or may be entitled to, to the funds of the Miami Indians of Kansas, they shall be added to the said list marked D, and receive a pro rata share of all of said moneys or funds so consolidated as they may be entitled to by virtue of this treaty; and any portion of all of said persons whose names or descendants referred to in the Senate's amendment to the 4th article of the treaty of A. D. 1854, as the corrected list of three hundred and two (302) persons, shall be entitled to receive their pro rata share of the two hundred and twenty-one thousand (221,000) dollars, without said consolidation with said tribe west, on the terms and conditions, and in the manner provided for in this article applying to those enumerated in the list marked D, appended hereto, without including those who elect to be added to said list.

#### ARTICLE IV.

It is also agreed and understood that no person or persons, or any of their descendants who are now residing with and have received lands or moneys from any other tribe or tribes of Indians, shall be considered entitled to such distributive share, or shall participate in any of the benefits of this treaty.

#### ARTICLE V.

It is further agreed that within sixty (60) days from the date of the promulgation of this treaty, the President of the United States shall appoint a commission, not to exceed three persons, whose duty it shall be to examine and report to the Secretary of the Interior, for confirmation and final adjustment, the amount due to the said Miami tribe of Indians on account of the following items, to wit:

X 1st. The difference between paper and gold in payment of interests on funds to Miamis east and west.

X 2d. The amounts due on errors made in fixing the sums in the treaty of A. D. 1854, for the cession of lands therein, on account of deficiency in quantity of land, and the tenure of the Indians in the lands ceded thereby, and also on account of mistakes in allowance in the sum stated in said treaty as commutation of the perpetual annuity fund of twenty-five thousand (25,000) dollars per annum, and also all damages by loss of stock and other property, or trespass upon their lands and timber by white persons, since the treaty of A. D. 1854, as also all expenses and damages resulting from the attempt of the State of Kansas to tax their lands; and in all cases where the aforesaid items and claims are in common,



the said commission shall award the amount found to be due thereon to the said Miami tribe of Indians, to be divided *pro rata* among the persons whose names are on said lists, or their descendants in case of death; and in all cases where the damages are for the loss of personal property or trespass upon individual reserves the awards shall be made to the proper persons entitled thereto.

This investigation of claims as aforesaid shall not, however, delay the payment of the sum stated in the 3d article of this treaty.

#### ARTICLE VI.

The United States agree to give the same tribe of Indians four (4) years to settle their business in Kansas, and in order to prevent any controversy, the present chiefs shall be continued in power until the expiration of said term, except in case of death or any disability to perform the duties of chiefs, or removal from that position by the will of the people of the tribe, then to their successors.

#### ARTICLE VII.

The Commissioner of Indian Affairs shall cause to be made a correct list of the Miami Indians of Indiana, provided for by the said amendment to the treaty of A. D. 1854, and shall within sixty (60) days after the promulgation of this treaty, cause said persons above referred, to be notified of the provisions of the 3d article of this treaty applying to those who desire to be placed upon said schedule marked D, appended hereto, and who shall make known to the Commissioner of Indian Affairs their acceptance of the same.

#### ARTICLE VIII.

It is hereby further agreed and understood that the United States shall reimburse to the Miami Indians of Kansas the sum of ten thousand (10,000) dollars for expenses incurred by them in sending delegates to Washington from time to time, by order of the Indian Department, to effect a treaty with the government.

#### ARTICLE IX.

The instalment of interest due the Miamis of Indiana, for the fiscal year ending June 30, A. D. 1868, now in the hands of the special agent, shall not be included in the provisions of this treaty.

In testimony whereof, the said Thomas Murphy and Hampton B. Denman as aforesaid, and the said delegates representing the said Miami tribe of Indians, and also the said Miami Indians residents of the State of Indiana, have hereunto set their hands and seals at the place and on the day and year first above written.

THOS. MURPHY,

*Supt. Indian Affairs and Commissioner.*

H. B. DENMAN,

*Supt. Indian Affairs and Commissioner.*

LUM-KE-CUM-WAH, Head Chief, his + mark. [SEAL.]

JOHN ROUBIDEAUX, Second Chief, his + mark. [SEAL.]

DAVID GEBON, Delegate. [SEAL.]

MO-TON-SAU-EAH, his + mark. [SEAL.]

(Present and assenting thereto.)

WAN-ZOP-EAHOR JOE-DICK, his + mark. [SEAL.]

(Present and assenting thereto.)



Miami Indians of Indiana, present and assenting thereto:  
Executed in presence of—

THOS. F. RICHARDVILLE, *U. S. Interpreter.*

D. H. COLERICK.

JAS. G. BLUNT.

G. A. COLTON, *Indian Agent.*

JAMES R. GODFREY, his + mark.

JOSEPH ME-SHA-WAS, his + mark.

AUGUSTINE I. TOPOSH.

THOS. F. RICHARDVILLE.

[SEAL.]

[SEAL.]

LIST A.

*Being list of children born and referred to in article I.*

Maxim Gouine, age 30, male, head of family, draws for three children 160 acres each; total, 480 acres.

John Lum-ke-cum-wah, age 25, head of family, draws for one child 160 acres.

Lhim-nim-ap-po, age 55, female, head of family, draws for three children 160 acres each; total, 480 acres.

Eli Gebou, age 30, head of family, draws for two children 160 acres each; total, 320 acres.

Betsey Gebou, age 30, head of family, draws for one child 160 acres.

Joseph Trinkle, age 8, draws for himself 160 acres.

David Trinkle, age 6, draws for himself 160 acres.

Sally Scott, age 28, head of family, draws for one child 160 acres.

Rose Ann Bertrand, age 23, head of family, draws for one child 160 acres.

Sopoquah, or Jane Drake, age 22, head of family, draws for two children 160 acres each; total, 320 acres.

Mon-go-zac-quah, age 9, female, (A. G. McKenzie, guardian,) draws for herself 160 acres.

Susan C. Hoggett, age 6, (David Gebou, guardian,) draws for herself 160 acres.

Peter Lafallier, age 48, head of family, draws for three children 160 acres each; total, 480 acres.

Me-to-sin-eah, or Tom, age 36, head of family, draws for two children 160 acres each; total, 320 acres.

George Washington, age 46, head of family, draws for one child 160 acres.

Charles Mobley, aged 9, (W. H. Whilhoit, guardian,) draws for himself 160 acres.

Thomas F. Richardville, aged 39, head of family, draws for one child 160 acres.

Mar-tan-oh, age 32, female, head of family, draws for two children 160 acres each; total, 320 acres.

John B. Roubideaux, age 42, head of family, draws for one child 160 acres.

Mary Ann Hiner, age 26, head of family, draws for one child 160 acres.

Wan-zop-eah, or Joe Dick, age 29, draws for one child 160 acres.

Elizabeth Froman, age 35, head of family, draws for one child 160 acres.

Francis Shap, age 5, draws for himself 160 acres.

Jemima McColly, age 56, head of family, draws for one child 160 acres.

Alice Davis, age 11, draws for herself 160 acres.

John Gebou, age 8, draws for himself 160 acres.

Alfred Sharkey, infant, draws for himself 160 acres.

Ne-we-ling-gua, infant, draws for himself 160 acres.

Alfred Sharkey, infant, draws for himself 160 acres.  
 Ne-we-ling-qua, infant, draws for himself 160 acres.

## LIST B.

*Being a list of persons referred to in first article of this treaty.*

1. Andrew Ward, age 4, draws for himself 120 acres.
2. Charles Minnie, age 40, head of family, draws for two children 120 acres each; total, 240 acres.
3. Ina Amelia Minnie, age 7, draws for herself 120 acres.
4. Dellia Harris, age 10, draws for herself 120 acres.
5. Anna Harris, age 28, head of family, draws for four children 120 acres each; total, 480 acres.
6. Adeline Harris, age 24, head of family, draws for two children 120 acres each; total, 240 acres.
7. Ida May Shaw, age 2, draws for herself 120 acres.
8. Adeline LaCroix, age 29, head of family, draws for two children 120 acres; total, 240 acres.
9. Frederick DeRome, age 48, head of family, draws for four children 120 acres each; total, 480 acres.
10. Roseabella DeRome, age 34, head of family, draws for four children 120 acres each; total, 480 acres.
11. Adeline DeRome, age 32, head of family, draws for three children 120 acres each; total, 360 acres.
12. Solomon DeRome, age 40, head of family, draws for three children 120 acres each; total, 360 acres.
13. Albert DeRome, age 2, draws for himself 120 acres.
14. Mary Creditor, age 23, head of family, draws for two children 120 acres; total, 240 acres.
15. Southinea Remk, age 3, draws for herself 120 acres.
16. Ke-she-co-quah, female, age 45, head of family, draws for four children 120 acres each; total, 480 acres.
17. Joetah or Topash, age 35, male, head of family, draws for two children 120 acres each; total, 240 acres.
18. Kat-ash, female, age 18, head of family, draws for two children 120 acres each; total, 240 acres.
19. Co-aw, age 40, head of family, draws for two children 120 acres each; total, 240 acres.
20. Soc-kosh, age 7, draws for herself 120 acres.
21. Louis Hevon, age 34, head of family, draws for three children 120 acres each; total, 360 acres.
22. James, age 30, head of family, draws for two children 120 acres each; total, 240 acres.

## LIST C.

*Being a list of persons referred to in 1st article of this treaty, who are now residing in the State of Indiana.*

Wan-o-com-o-quah, or Mary Revoir; female; 120 acres.  
 Me-tah-quon-sac-quah, Goodboo P. Shap's wife; 120 acres.  
 Mary Godfrey Strack, Goodboo P. Shap's wife; 120 acres.  
 Lan-e-pin-zah, or Joseph Richardville; male; 120 acres.  
 Taw-cum-wah, or Angelique Cass; female; 120 acres.



## LIST D.

*Being the list referred to in the 3d article of this treaty.*

1. Lum-ke-cum-wah, age 25, male, head chief.
2. Pah-cush-e-no-quah, age 3, female.
3. John B. Roubideaux, age 42, male, 2d chief.
4. Sarah Ann Roubideaux, female, daughter of above.
5. Sophia Roubideaux, female, daughter of above.
6. Maxim W. Gouine, age 30, male.
7. Edwin F. Gouine, age 8, male, son of above.
8. David Gouine, age 6, male, son of above.
9. Louisa C. Gouine, age 3, female, daughter of above.
10. Nicholas C. Gouine, or She-she-pah, age 59, male.
11. Shim-min-ap-po, age 55, female.
12. Susette, female.
13. Kien-so-quah, female.
14. Wah-sah-ko-song, male.
15. Wau-zop-eah, or John Shap, male.
16. Lou-de-nock-ke-zom-o-quah, female.
17. Kill-swah, or Charles Shap, male.
18. Sally Scott, age 28, female.
19. Josephine Scott, age 1, female, daughter of above.
20. Chang-gah-sac-eah, age 60, female.
21. Chang gah-shing-gah, or Rose Ann Bertrand, age 23, female.
22. Madeline Bertrand, age 1, female, daughter of above.
23. Ely Gebou, age 30, male.
24. Josephine Gebou, age 8, female, daughter of above.
25. Hattie Gebou, age 1, female, daughter of above.
26. Betsey Gebou, or Wah-win-da-mo-quah, age 30, female.
27. Frank Avaline, age 8, male, son of Betsey Gebou.
28. Mah-co-se-tah, or Francis Shap, age 5, male.
29. Peggy Davis, age 17, female.
30. Alice Davis, age 11, female.
31. Joseph Trinkle, age 8, male.
32. David Trinkle, age 6, male.
33. Rose Ann Sharkey, age 28, female.
34. Alfred Sharkey, infant, male, son of above.
35. Adeline Dollar, age 16, female, daughter of Rose Ann Sharkey.
36. Joseph Gebou, age 49, male.
37. Adeline Smith, age 17, female, daughter of above.
38. Lewis Gebou, age 14, male, son of Joseph Gebou.
39. Mary Gebou, or Sac-ah-com-wah, age 40, female.
40. Sophia Howard, age 38, female.
41. Margaret Howard, female, daughter of above.
42. Jane Drake, or So-po-quah, age 22, female.
43. Mary Drake, female, daughter of Jane Drake.
44. Susan Drake, female, daughter of Jane Drake.
45. Kish-a-co-quah, or Mrs. Boglegs, age 50, female.
46. Ze-pe-quah, age 13, female.
47. Lau-c-pin Zeh-quah, or Sally Shap, age 35, female.
48. Mon-ah-laug-qua, infant, male, son of above.
49. Mon-go-zac-quah, age 9, female, A. G. McKensie, guardian.
50. Susan C. Hogget, age 6, female, David Gebou, guardian.
51. David Gebou, age 38, male.
52. Simeon Gebou, age 17, male, son of above.



53. Me-ton-san-eah, or Tom Miller, age 36, male.
54. Louis Miller, or Wah-ka-pis-eah, age 8, male, son of above.
55. John Miller, age 6, male, son of Tom Miller.
56. Wah-pah-ke-ke-quah, age 32, female, wife of Tom Miller.
57. Wan-no-com-o-quah, age 18, female.
58. Michel Gebou, age 20, male.
59. Charles B. Gebou, age 12, male, son of James Gebou.
60. John Gebou, age 8, male, son of James Gebou.
61. Peter Lafalier, age 48, male.
62. George L. Lafalier, age 8, male, son of above.
63. Rose Lafalier, age 4, female, daughter of same.
64. Oscar Lafalier, age 2, male, son of same.
65. So-ah-nock-ah-ke-ke-quah, age 32, female.
66. Eliza, infant, female, daughter of above.
67. Mar-tan-oh, or Mrs. Mary Richardville, age 32, female.
68. Elizabeth Lindsay, age 8, female, daughter of above.
69. Me-tah-que-lan-eah, or Joseph S. Richardville, age 14, male, T. F. Richardville is guardian.
70. Pe-mis-eah, or Charles Welsh, age 18, male.
71. Me-tah-quom-sac-quah, age 50, female.
72. Wan-zop-eah, or John Go-to-cop-wah, age 14, male, son of above.
73. Lum-ke-cum-wah, or John Kel-son-zah, age 16, male, grandson of same.
74. Charles Mobley, age 9, male, grandson of Me-tah-qum-sac-quah.
75. Kish-e-co-quah Clay, age 8, female, Henry Clay, guardian.
76. Me-sha-wah-zah, or Jas. Cabbage, age 17, male, A. G. McKinel, guardian.
77. Kill-so-quah Findlay, age 32, female.
78. Pah-con-dom-wah, age 13, female.
79. Al-lon-ze-tah, age 40, female.
80. Shap-pah-son-gah, age 24, female.
81. Po-con-ge-quah, age 25, female.
82. Lan-e-pin-ge-quah, female, age 17, or Margaret Godfrey, A. G. McKinsey, guardian.
83. Mary Ann Hiver, female, age 26, daughter of Jack Hackley.
84. Isaac H. Hiver, male infant, son of above.
85. Elizabeth Hackley, female, age 17, daughter of Jack Hackley.
86. Alice Hackley, female, age 15, daughter of Jack Hackley.
87. Wan-zop-eau, or Joseph Dick, male, age 29.
88. Amos Dick, male, age 6, son of above.
89. Oliver Fawand, male, age 29, nephew of Jack Hackley.
90. Mary Louisa Lenvard, female, age 40, sister to John B. Roubideaux.
91. Mary Louisa Lenvard, female, age 15, daughter of above.
92. George Lenvard, male, age 1, son of same.
1. Louisa Minnie, female, age 78.
2. Nancey Minnie, female, age 38.
3. Israel Minnie, male, age 34.
4. Sarah Minnie, female, age 21, wife of E. Ward.
5. Andrew Minnie, male, age 4, son of above.
6. Charles Minnie, male, age 40.
7. Alfred Minnie, male, age 5, son of above.
8. Charles Minnie, male infant, son of daughter born since 1867.
9. Mary Minnie, female, age 21, daughter of Fredrick Minnie.
10. Ida Amelia Minnie, female, age 7, daughter of Fredrick Minnie.
11. Emiley Louisa Minnie, female, age 13, Wm. Doule, guardian.

12. Mary Harris, female, age 46.
13. Delila Harris, female, age 10.
14. Emma Harris, female, age 28, wife of Jacob Gronemiller.
15. Mary Laura Miller, female, age 11, daughter of above.
16. Amanda Gronemiller, female, age 8, daughter of above.
17. George N. Gronemiller, male, age 1, son of above, born since 1867.
18. Amanda Harris, female, age 26.
19. Adaline Harris, female, age 24, wife of George Raypholts.
20. Adaline Harris, female, age 3, daughter of above.
21. Joseph Harris, male, age 22.
22. Charles Harris, male, age 18.
23. Malinda Harris, female, age 17.
24. John Harris, male, age 14.
25. Clara Jane Gronemiler, female, age 7.
26. Jane Harris, female, age 27, daughter of Mary Harris.
27. Rosecrans, male infant, son of Adaline Harris, born since last payment.
28. Martin Van Buren Funk, male, age 16.
29. William Fred Funk, male, age 14.
30. Maria Bowers, female, age 44.
31. James Bowers, male, age 18.
31. William Bowers, male, age 10.
32. Angeline La Croix, female, age 48, wife of Frank Adler.
33. Octavia La Croix, female, age 26.
34. Adaline La Croix, female, age 29.
35. Francis La Croix, female, age 27, in Kansas.
36. Ida May La Croix, female, age 2, daughter of above, born since last payment.
37. Caroline La Croix, female, age 24.
38. Harriet La Croix, female, age 21.
39. Marcellus La Croix, male, age 17, son of Angeline La Croix.
40. Erasmus L. La Croix, male, age 9, son of Adaline La Croix.
41. Ida May La Croix, female, age 6, daughter of same.
42. Frederick De Rome, male, age 48.
43. Harriet De Rome, female, age 14, daughter of above.
44. George Frederick De Rome, male, age 9, son of above.
45. Lucy Ann, female, age 1, daughter of above, born since last payment.
46. Sarah De Rome, female, age 7.
47. Lillie May De Rome, female, age 4, daughter of above.
48. Rosabella De Rome, female, age 34, wife of William Davis.
49. Frederick Thomas, male, age 11, son of Rosabella De Rome.
50. Sevilia, female, age 10, daughter of Rosabella De Rome.
51. William Austin, male, age 9, son of Rosabella De Rome.
52. Adeline, female, age 8, daughter of Rosabella De Rome Davis.
53. Emmaline, female, age 6, daughter of Rosabella De Rome.
54. Adeline De Rome, female, age 32, wife of Dontrich.
55. Emma De Rome, daughter of Adeline De Rome.
56. Ophelia De Rome, female, age 10, daughter of Adeline De Rome.
57. Charles A. De Rome, male, age 8, son of Adeline De Rome.
58. James Sylvester De Rome, male, age 7, son of Adeline De Rome.
59. Solomon De Rome, male, age 40.
60. Ann Eliza De Rome, female, age 8, daughter of above.
61. Adelia De Rome, female, age 6, daughter of above.
62. Charles Henry De Rome, male, age 3, son of Solomon De Rome.
63. Emma De Rome, female, age 28, wife of George Henry.



- 64. Albert, male, age 2, son of above, born since last payment.
- 65. Mary Creditor, female, age 23, wife of Joseph Schuler.
- 66. Casper Schuler, male, age 4, son of above.
- 67. Emma Schuler, female, age 2, daughter of same, born since last payment.
- 68. Edward Creditor, male, age 21.
- 69. Louthina, daughter of Octavia Creditor, female, age 2.
- 70. Kish-e-co-quah, wife of John Cushua, female, age 45.
- 71. John Baptiste, her son, male, age 16.
- 72. Cushwee, Joseph, her son, male, age 14.
- 73. Antoine, her son, male, age 12.
- 74. Louis, her son, male, age 10.
- 75. Peter, her son, male, age 8.
- 76. Nicholas, her son, male, age 6.
- 77. Lawrence, her son, male, age 3.
- 78. Joctah Topash, male, age 35.
- 79. Francis Topash, son of above, male, age 14.
- 80. Nancy, daughter of above, female, age 11.
- 81. Wa-we-as-se, son of above, male, age 9.
- 82. Daniel, son of above, (born since last payment,) male, age 1.
- 83. Sun-ke-can-o-quah, female, age 45.
- 84. Wah-ka-shuck, son of above, female, age 24.
- 85. Wah-sah-shuck, mother of Topash, female, age 60.
- 86. Pe-pe-aw, her son, male, age 24.
- 87. Madeline, daughter of same, female, age 26.
- 88. Pah-quish-e-no-quah, wife of Francis B. Kagert, female, age 35.
- 89. Ka-tass, her daughter, female, age 18.
- 90. Joseph, son of Ka-tass, male, age 5.
- 91. Kill-so-quah, daughter of Ka-tass, female, age 3.
- 92. Atta-mo-quah, female, age 40.
- 93. Chi-co-suck, female, age 15, daughter of Co-aw-wah.
- 94. Wash-sho-le-quah, female, age 10, daughter of Co-aw-wah.
- 95. Shaw-no-ki-shuck, male, age 7, son of Co-aw-wah.
- 96. Alla-mo-quah, female, age 26, wife of James Kullock and daughter of Atta-mo-quah.
- 97. Sock-kosh, female, age 7, daughter of Pa-ka-chi.
- 98. Me-she-was, male, age 40.
- 99. Kaw-ko-eh, male, age 45.
- 100. Louis Hevon, male, age 34, grandchild of Jean Baptiste La Bresche.
- 101. Mary Hevon, female, age 32, grandchild of Jean Baptiste La Bresche.
- 102. James Hevon, male, age 30, grandchild of Jean Baptiste La Bresche.
- 103. Eliza Hevon, female, age 10, daughter of Louis Hevon.
- 104. Victoria Hevon, female, age 8, daughter of Louis Hevon.
- 105. George M. L. Hevon, male, age 6, son of Louis Hevon.
- 106. Agnes Hevon, female, age 4, daughter of Louis Hevon.
- 107. James Hevon, male, age 2, son of Louis Hevon.
- 108. Ellen Hevon, female, age 2, daughter of James Hevon.
- 109. Emily Hevon, female, age 2, daughter of James Hevon.
- 110. Louis Gebon, male, age 45.
- 111. Zacariah Gebon, male, son of above.
- 112. Mary Gebon, female, daughter of above.

## LIST D.—Continued.

Containing the names of persons and their descendants who were enrolled in the State of Indiana, and the persons referred to in the Senate's amendment to the 4th article of the treaty of 1854, but who desire to withdraw their proportion of the two hundred and twenty-one thousand dollars referred to in the 4th article of said treaty of 1854, as amended in the Senate, and consolidate the same with the funds of the Miami Indians of Kansas, and receive a *pro rata* share of the whole as stipulated and agreed upon in article 3d of the present treaty.

1. Thomas F. Richardville, male, age 39.
2. Francis Richardville, male, age 14, son of above.
3. Rose Ann Richardville, female, age 12, daughter of above.
4. Mary Louisa Richardville, female, age 10, daughter of above.
5. H. M. Richardville, male, age 3, son of above.
6. Louisa Ozandia, female, age 16, (Thomas Richardville, guardian.)
7. George Washington, male, age 46.
8. Francis Washington, male, age 28, son of above.
9. Ap-pin-zac-quah, female, age 56.
10. Mary Wilhoite, female, age 36.
11. Esther La Fontain, female, age 18, daughter of above and Louis La Fontain.
12. Chap-pon-do-cia, or George D. Shap, male, age 33.
13. Now-ah-co-se-quah, or Elizabeth Froman, female, age 35.
14. Nah-wah-con-gah Froman, female, age 2, daughter of above.



March 9-1869  
(copy) M 232

Agreement & Convention  
with  
Miami —

March 9-69

See "Osage River, M. 232/69"



Articles of Agreement and Convention made and concluded at the City of Washington D.C this Ninth (9) day of March A.D. Eighteen Hundred and sixty nine, between Hon. Thomas Murphy and Hon. Hampton B. Denman Commissioners on the part of the United States, and the following named Delegates representing the Miami tribe of Indians, viz: Lum-ke-com-wah, John B. Roubidoux and David Gebon they being duly authorized by said tribe. and the following named Miami Indians present and assenting thereto, James R. Ludfrey Joseph Mesha was Augustine. & Toposh Thomas F. Richardvill.

Whereas

By the first Article of the Treaty of A.D. 1854, the Miami Indians excepted and reserved for their future homes from the tract then ceded to the United States Seventy Thousand (70,000) acres of Land. and by the second Article of said Treaty of A.D. 1854, out of said tract there was to be allotted to each individual resident at the date thereof upon said ceded lands an amount of land equal to Two Hundred (200) acres per head, the balance remaining after said allotments being made to be held as the Common property of the tribe, One hundred and sixty two allotments of land of two hundred (200) acres each was accordingly made under the provisions of said Treaty of A.D. 1854



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Seventy three (73) additional allotments of two hundred (200) acres each was made by act of Congress A.D. 1858 to persons who had been wrongfully excluded. Forty three (43) other allotments have been since made by the Chiefs of the tribe, with the consent of the Commissioner of Indian Affairs as provided for by the 2d. article of the Treaty of A.D. 1854, to persons who had been wrongfully excluded and absent at the time the original selections were made, all of said allotments being made out of the said tract of Seventy thousand (70,000) acres excepted and reserved by the 1st. article of the said Treaty of A.D. 1854. The total amount of land allotted being Fifty five thousand six hundred (55,600) acres leaving a balance of Fourteen thousand four hundred (14,400) acres still held as the common property of the tribe.

Now therefore to dispose of the balance of said tract held as the Common property of said tribe it is proposed to divide the same as hereinafter provided.

Article 1st. It is hereby agreed that there shall be located in favour of the persons whose names are mentioned in the Schedule appended hereto Marked "A" One Hundred and Sixty (160) acres of land each, They being Miami Children born since the locations made under the 2nd. article of the Treaty of A.D. 1854 being the descendants of persons residing on the land ceded



by the 1st. article of said treaty.

And there shall also be located for each of the persons named in Schedule Marked "B" and appended hereto One hundred and twenty (120) acres of land. The said persons named in Schedule "B" being children born since locations were made under the provisions of the Act of Congress of June 12<sup>th</sup>. A. D. 1858. of said persons in whose favor locations <sup>were</sup> made in pursuance of said act.

And there shall also be located for each of the persons named in Schedule Marked "C" and appended hereto One hundred and twenty (120) acres of land said persons being Miami Indians resident in the State of Indiana and who are in extreme poverty, said grants are made as a gift, and with the express understanding that in so doing, that no claim on their part is recognized, or the grant made except for the reasons before stated.

Said grants of lands to be made and patented in fee simple to heads of families and adults. And in case where the allotment shall have been made for any minor, the patent shall issue in the name of said minor, but shall remain in the hands of the Chief until suitable Guardians shall have been appointed under the laws of the State of Kansas for said minors or incompetents.



That no part of said lands shall be liable to levy, sale, seizure, execution, attachment, or for any debt, or for any taxes until the same shall have been alienated by or on account of said grantees, That all of said locations shall be made under the direction of the Chiefs of the said tribe and by them reported, through their Agent or the <sup>to the Commissioner of Indian Affairs</sup> Superintendent of Indian Affairs, and upon said report being made the said lands shall be patented in the manner hereinbefore stated.

That said patents shall contain restrictions upon the power of alienation, to the effect that no conveyance shall be made by any adult, without the approval of the Superintendent of Indian Affairs in and for the Superintendency within whose jurisdiction said lands are located, or the Commissioner of Indian Affairs being endorsed thereon.

nor shall the conveyance of any

lands of any minor under guardianship  
be made unless by authority of the Court  
having Probate jurisdiction, within the  
counties in which said lands are  
situated

The laws of the State of Kansas  
with reference to descent <sup>and</sup> partition  
shall be applicable to said lands as  
also shall the laws with reference to  
the alienation of Real Estate <sup>and</sup> the capacity  
of parties, save only with reference to the  
restrictions hereinbefore named.

There shall be selected from  
the said reserve <sup>and</sup> patented in fee simple  
to them <sup>and</sup> their heirs, lands to the  
amount specified herein <sup>and</sup> set opposite  
their names

To Kum-ke-cum-wah. Head Chief	320 acres
" John. B. Rowdencare 2 <sup>nd</sup> "	280 "
" David Gibson	240 "
" Thomas. P. Richardville	240 "
" Jo-e-tah or Topash	120 "
" M. W. Gouine	240 "

The locations <sup>and</sup> allotments to the said  
persons, to be made by the Superintendent  
of Indian Affairs for the Superintendency  
in which said lands are embraced.

The patents shall issue to the said



persons with the same restrictions and reservations as applied to the others.

The balance of said reserve shall be sold under the direction of the Chiefs of the tribe and the Superintendent of Indian Affairs for the Superintendency in which the said lands are located. The purchase money received for such sale or sales shall be paid to and remain in the hands of said Superintendent and applied under his supervision by the Chiefs of said tribe in settling any claims of a National character or paying any expenses that may have been incurred by the Nation, which he deems just and right and of a beneficial character. And upon such sale or sales being made, and the purchase money paid as required, the same shall be reported to the Commissioner of Indian Affairs, who shall cause a patent or patents to issue therefor, to such person or persons as purchasing.

That the School Section here-  
tofore set apart under the treaty of A. D.  
1854 for school purposes shall be  
disposed of in the following manner.

To Me-tah-quaw-sue-quah widow of



Gols. cop-mah, a deceased chief. the following described portion of said section." to wit: the South half of the South East Quarter of section Thirteen (13) 80 acres in Township Eighteen (18) South of Range Twenty Three (23) East 1<sup>st</sup> in Kansas, the same to be patented to her in fee simple.

There shall, also, be set apart, to Me-tou-sin-eah or Tom Miller the following portions of said section. to wit: the North half of the South West fractional quarter of section Nineteen (19) and the South half of the North West fractional quarter of section Nineteen (19) all in Township Eighteen (18) South of Range Twenty four. (24) East 1<sup>st</sup> in Kansas, and containing in all one hundred and seventy acres and  $\frac{80}{100}$  of an acre. the same to be patented to him in fee simple, excepting and reserving therefrom Eight (8) acres. the same to include the site of the present school buildings and Graveyard, to be set apart forever, for charitable purposes to wit: for school Cemetery, and Church buildings. the boundaries thereof to be designated by the Chiefs of said tribe. and the title thereof



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to be. And by the force of this treaty to remain in the United States in trust as aforesaid.

The remainder of said School Section to be sold under the direction of the Chiefs of said tribe. And Superintendent of Indian Affairs of the said Superintendency in which said land is situated, and the purchase money received therefor shall be paid to the said Superintendent, who upon receipt thereof shall report to the Commissioner of Indian Affairs that such sale has been made, who shall then cause a patent or patents to issue to the said person or persons so purchasing.

The proceeds of said sale shall be equally paid by the said Superintendent to the following named persons: "if any of the same be minors, then to their proper guardians" who are the widows and also surviving heirs of deceased chiefs, "to wit: Kish-e-co-quah widow of Wangah. eah. late principal Chief. Ohan-gah-sacumb. Widow of Nop-shun-gah. Joseph S. Richardville, sole surviving heir of Snap. Richardville and Alice Davis. sole heir of E. to-ah-ke-sic or Jim Davis.



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Art. 2<sup>nd</sup> It is further agreed <sup>and</sup> understood that all locations heretofore made <sup>and</sup> confirmed by the Secretary of the Interior, shall be <sup>and</sup> the same are hereby ratified <sup>and</sup> confirmed, <sup>and</sup> declared valid <sup>and</sup> binding, as fully as if the same were herein <sup>and</sup> hereby again granted. <sup>and</sup> conveyed.

Art. 3<sup>rd</sup> In consideration of the fact that the Miami Indians of Kansas now number less than One hundred persons, who are mostly women <sup>and</sup> children, <sup>and</sup> who are <sup>all</sup> civilized <sup>and</sup> live after the manner of the whites, <sup>and</sup> knowing the great benefits that have resulted from their contact with the whites their schools, churches <sup>and</sup> Mechanic arts. It is agreed that the tribe shall be disbanded, <sup>and</sup> the members thereof shall become citizens within such time as is hereinafter provided. <sup>and</sup> the money payable to said tribe on account of the remaining installments provided for by the 2<sup>nd</sup> article of the treaty of 1854. the school fund therein also provided for together with the interest thereon, yet unpaid. The,



Sum of Thirty Thousand Eight hundred (30,800) Dollars in lieu of permanent provision for Black Smith and assistant and Miller in lieu of Gun Smith referred to in the 4<sup>th</sup> Article of the Treaty of A.D. 1854, together with all other sums or balances due them shall be consolidated into one fund, and paid pro-rata to the several members of the tribe, within six months from the date of the promulgation of this Treaty, whose names are on the list appended hereto and marked "D" all of whom are persons whose names are not on the corrected list referred to in the Senate's Amendment to the 4<sup>th</sup> article of the Treaty of A.D. 1854. It is further agreed and the Delegates of the tribe consent that any portion or all of said persons whose names or whose decedents referred to in said amendment of the Treaty of A.D. 1854 may at any time within Sixty (60) days after the promulgation of this Treaty by consenting to the addition of their respective shares of the Two Hundred and Twenty one Thousand (\$221,000) Dollars provided for by said amended 4<sup>th</sup> article, or any funds or monies they are or may be entitled to, to the funds of the Miami Indians of Kansas. They shall be added to the said list marked "D", and receive a pro-rata share of all of said monies or funds so consolidated as they

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may be entitled to by virtue of this treaty, and any portion or all of said persons whose names or whose decedents referred to in the Senate amendment to the 4<sup>th</sup> Article of the Treaty of A.D. 1854 as the corrected list of Three hundred and two (302) persons shall be entitled to receive their pro rata share of the Two Hundred and Twenty one Thousand (\$221,000) Dollars without said consolidation with said tribe West on the terms and conditions and in the manner provided for in this Article applying to those enumerated in list marked "B" appended hereto without including those who elect to be added to said list.

Article 4<sup>th</sup> It is also agreed and understood that no person or persons or any of their decedents who are now residing with and have received lands or monies from any other tribe or tribes of Indians shall be considered entitled to such distributive share, or shall participate in any of the benefits of this Treaty.

Article 5<sup>th</sup>

It is further agreed that within Sixty (60) days from the date of the promulgation of this Treaty, the President of the United States shall appoint a commission "not to exceed three persons" whose duty it shall be to examine and report to the Secretary of the Interior for



confirmation and final adjustment the amount due to the said Miami tribe of Indians on account of the following items. to wit.

1<sup>st</sup> The difference between paper and gold in payment of interests on funds to Miami East and West.

2<sup>nd</sup> The amount due on errors made in fixing the sums in the treaty of A. D. 1854 for the cession of lands therein, on account of deficiency in quantity of land, and the tenure of the Indians in the lands ceded thereby, and also on account of mistakes in allowances in the sum stated in said treaty as commutation of the perpetual annuity fund of twenty five thousand (\$25,000) Dollars per annum, and also all damages by loss of stock and other property, or trespass upon their lands and timber by white persons, since the treaty of A. D. 1854, as also all expenses and damages resulting from the attempt of the State of Kansas to tax their lands, and in all cases where the aforesaid items and claims are in common the said Commission shall award the amount found to



be due thereon to the said Miami tribe of Indians to be divided pro rata, among the persons whose names are on said lists, or their decedents in case of death, and in all cases where the damages are for the loss of personal property or trespass upon individual Reserves the awards shall be made to the proper persons entitled thereto.

This investigation of claims as aforesaid shall not however delay the payment of the sums stated in the 3<sup>rd</sup> article of this treaty.

Art 6<sup>th</sup>

The United States agree to give the said tribe of Indians four (4) years to settle their business in Kansas, and in order to prevent any controversy the present chiefs shall be continued in power until the expiration of said term, except in cases of death or any disability to perform the duties of chiefs or removal from that position by the will of the people of the tribe, then to their successors.



Art 7<sup>th</sup>

The Commissioner of Indian Affairs shall cause to be made a correct list of the Miami Indians of Indiana, provided for by the said amendment to the treaty of A. D. 1854. And shall within sixty (60) days after the promulgation of this treaty cause said persons above referred to be notified of the provisions of the 3<sup>rd</sup> Article of this treaty, applying to those who desire to be placed upon said Schedule. Marked "N" appended hereto. And who shall make known to the Commissioner of Indian Affairs their acceptance of the same.

Art 8<sup>th</sup>

It is hereby further agreed and understood that the United States shall reimburse to the Miami Indians of Kansas the sum of Ten Thousand (\$10,000) Dollars for expenses incurred by them in sending delegations to Washington from time to time by order of the Indian Department to effect a treaty with the Government.

Art. 9.

The Installment of interest due the Miamis of Indiana for the fiscal year ending June 30<sup>th</sup> A.D. 1868. now in the hands of the Special Agent shall not be included in the provisions of this treaty.

In testimony whereof the said Thomas Murphy and Hampton B. Denman as aforesaid and the said delegation representing the said Miami Indians residents of the State of Indiana have hereunto set their hands and seals at the place and on the day and year first above written.

Thos Murphy,

Supt. Ind. Affairs and Commissioner

H. B. Denman,

Supt. Ind. Affs and Commissioner.



Lum-ke-cum-wah <sup>his</sup> X <sup>mark</sup> (Seal) Head Chief  
 John Roubideaux <sup>his</sup> X <sup>mark</sup> 2<sup>nd</sup> Chief (Seal)  
 David Gibson <sup>his</sup> X <sup>mark</sup> Delegate (Seal)  
 Mo-tou-saw-sah <sup>his</sup> X <sup>mark</sup> (Seal) present 2<sup>nd</sup>  
 assenting thereto.  
 Naw-zop-sah or Joe Dick <sup>his</sup> X <sup>mark</sup> (Seal) present  
 and assenting thereto.

Miami Indians of Indianas present and assenting  
 thereto

Executed in the presence of  
 Thos. Richardville  
 W.S. Interpreter.  
 D; H. Calerick  
 Jas G. Blunt  
 Ch A. Colton  
 Indian Agent.

James R. Godfrey <sup>his</sup> X <sup>mark</sup> (Seal)  
 Joseph Me-sha-was <sup>his</sup> X <sup>mark</sup> (Seal)  
 Augustine Poposh  
 Thos P. Richardville



## List A.

Being list of children born, and referred to in Art. 1st.

Age	Sex				Acn each	Total acn
30	M.	Maxim Gouine	H <sup>d</sup> Family	Draves for 3 children	160	480
25	M.	John Sam-ke-cum-wah	"	" " 1 child	160	160
55	F.	Shim-min-af-po	"	" " 3 children	160	480
30	M.	Eli Gebou	"	" " 2 children	160	320
30	F.	Betsy Gebou	"	" " 1 child	160	160
8	M.	Joseph Trinkle	Minor	" " himself	160	160
6	M.	David Trinkle	"	" " " "	160	160
28	F.	Sally Scott	H <sup>d</sup> Family	" " 1 child	160	160
23	F.	Rose Ann Bertrand	"	" " 1 child	160	160
22	F.	Sopoguah, or Saw Drake	"	" " 2 children	160	320
9	F.	Mon-go-zac-quah	Minor	A. L. McKenzie, <u>Guard</u> " " herself	160	160
6	F.	Susan C. Hoggett	"	David Gebou, <u>Guard</u> " " herself	160	160
48	M.	Peter Lafallier	H <sup>d</sup> Family	" " 3 children	160	480
36	M.	Me-to-sin-eak, or Tom.	"	" " 2 children	160	320
46	M.	George Washington	"	" " 1 child	160	160
9	M.	Charles Mobley	Minor	W. H. Whillgois, <u>Guard</u> " " himself	160	160
39	M.	Thomas F. Richardville	H <sup>d</sup> Family	" " 1 child	160	160
32	F.	Mar-tan-oh	"	" " 2 children	160	320
42	M.	John B. Roubideaux	"	" " 1 child	160	160
26	F.	Mary Ann Kimer	"	" " 1 child	160	160
29	M.	Haw-zop-eak, or Joe Dick	"	" " 1 child	160	160
35	F.	Elizabeth Froman	"	" " 1 child	160	160
5	M.	Francis Shap	Minor	" " himself	160	160
56	F.	Jemima McColly	H <sup>d</sup> Family	" " 1 child	160	160
11	F.	Alice Davis	Minor	" " herself	160	160



# List A. continued.

Age	Sex				Acres each	Total acres
8	M	John Gibson	Minor	Draws for himself	160	160
Infant	M	Alfred Sharkey	Minor	" " "	160	160
"	"	Ne-we-ling-gua	Minor	" " "	160	160



# List "B"

Being a list of persons referred to in 1st article of this Treaty.

No.	Age	Names.		Acres for head.	Total Acres.	Sex
1	4	Andrew Ward	Minor	Draws for himself	120	120 M
2	40	Charles Minnie	H <sup>d</sup> Family	" 2 children	120	240 M
3	7	Isa Amelia Minnie	Minor	" " herself	120	120 F
4	10	Dellia Harris	Minor	" " "	120	120 F
5	28	Anna Harris	H <sup>d</sup> Family	" 4 children	120	480 F
6	24	Adeline Harris	" "	" 2 children	120	240 F
7	2	Ida May Shaw	Minor	" " herself	120	120 F
8	29	Adeline La Croix	H <sup>d</sup> Family	" 2 children	120	240 F
9	48	Fredrick De Rome	" "	" 4 children	120	480 M
10	34	Roseabella De Rome	" "	" 4 children	120	480 F
11	32	Adeline De Rome	" "	" 3 children	120	360 F
12	40	Solomon De Rome	" "	" 3 children	120	360 M
13	2	Albert De Rome	Minor	" " himself	120	120 M
14	23	Mary Creditor	H <sup>d</sup> Family	" 2 children	120	240 F
15	3	Southineu Runk	Minor	" " herself	120	120 F
16	45	Ne-she-co-quah	H <sup>d</sup> Family	" 4 children	120	480 F
17	35	Sactah, or Topash	" "	" 2 children	120	240 M
18	18	Nat-ash	" "	" 2 children	120	240 F
19	40	Co-aw	" "	" 2 children	120	240
20	7	Soc-kash	Minor	" " herself	120	120 F
21	34	Louis Nevon	H <sup>d</sup> Family	" 3 children	120	360 M
22	30	James	" "	" 2 children	120	240 M



## List "C"

Being a list of persons referred to in 1st article of  
this treaty who are now residing in the State  
of Indiana.

Han-o-com-o-quah, or Mary Revoir, Female,	120 acres.
Me-tah-quon-sac-quah, Goodbro P. Shaps wife	120 "
Mary Godfrey Strack	" 120 "
Lau-e-pin-zah, or Joseph Richardville, male,	120 "
Taw-cum-wah, or Angelique Cass, Female,	120 "



# List "D"

Being the list referred to in the 3<sup>d</sup> Article of this Treaty

10	Age			
1	25	Lum. Ke. cum. wah.	Head Chief	m
2	3	Pah. cush. e. no. quah		"
3	42	John B. Roubideaux	2 <sup>d</sup> Chief	m
4		Sarah Ann Roubideaux	da of above	"
5		Sophia Roubideaux	do " "	"
6	30	Maxim. H. Guine		m
7	8	Odwin. H. Guine	Son of above	m
8	6	David Guine	" " "	m
9	3	Louisa C. Guine	da of above	"
10	59	Nicholas C. Guine	or She. she. pah	m
11	55	Shine min ap. pe		"
12		Susette		"
13		Kien. so. quah		"
14		Wah. sah. Ke. song		m
15		Wan. Zap. eah	or John Shap	m
16		Lou. de. rock. Ke. gom. O. quah		"
17		Kill. suah	or Charles Shap	m
18	28	Sally Scott		"
19	1	Josephine Scott	da of above	"
20	60	Chang. gah. Sac. eah		"
21	23	Chang. gah. shing. gah	or Rou. Ann Bertrand	"
22	1	Madeline Bertrand	da of above	"
23	30	Ely Gebow		m
24	8	Josephine Gebow	da of above	"
25	1	Hattie Gebow	" " "	"
26	30	Petsy Gebow	or Wah. win. da. mo. quah	"



No	Age		
27	8	Frank Arline Son of Peter Gebow	m
28	5	Mah co setak or Francis Shap	m.
29	17	Peggy Davis	f
30	11	Alice Davis	f
31	8	Joseph Finkle	m
32	6	David Finkle	m.
33	28	Rose Ann Sharkey	f
34	Infant	Alfred Sharkey Son of above	m
35	16	Adeline Dollar da of Rose Ann Sharkey	f
36	49	Joseph Gebow	m
37	17	Adeline Smith da of above	f
38	14	Louis Gebow Son of Joseph Gebow	m
39	40	Mary Gebow, or Sac ah con wah	f
40	38	Sophia Howard	f
41		Margret Howard da of above	f
42	22	Jane Drake or So po quah	f
43		Mary Drake, da of Jane Drake	f
44		Susan Drake da of Jane Drake	f
45	50	Kish-e co quah or Mr. Bogley	f
46	13	Ze pe quah	f
47	35	San-e pin-zeh quah or Sally Shap	f
48	Infant	Mon-ah-lang-quah, Son of above	m
49	9	Mon go zac quah, "A.G.M. Kusi's Guardian"	f
50	6	Susan C. Hoggitt "David Gebow Guardian"	f
51	38	David Gebow	m
52	17	Simson Gebow Son of above	m
53	36	Milton San-eah or Tom Miller	m
54	8	Louis Miller or Mah Ka-pis-eah Son of above	m



## List D. Continued

No	Age		
55	6	John Miller son of Tom Miller	M
56	32	Wah-pah-ke-qua Wife of Tom Miller	F
57	78	Wan-no-com-o-quah	F
58	20	Michel Gebou	M
59	12	Charles E. Gebou Son of James Gebou	M
60	8	John Gebou " " " "	M
61	48	Peter Lafalier	M
62	8	George L. Lafalier son of above	M
63	4	Rose Lafalier da of same	F
64	2	Oscar Lafalier son of same	M
65	32	So-ah-rock-ah-ke-ke-quah	F
66	Infant	Eliza da of above	F
67	32	Mar-tan-oh or Mrs Richardville	F
68	8	Elizabeth Lindsay da of above	F
69	14	Me-tah-guei-lan-eah or Joseph S. Richardville, <sup>J.F. Richardville as Guardian</sup>	M
70	18	Pe-mis-eah of Charles Welsh	M
71	50	Me-tah-guen-sac-quah	F
72	14	Wan-zop-eah or John Go-to-cop-wah son of above	M
73	16	Lum-ke-cum-wah or John Kel-son-zah <sup>of same</sup> Grandson	M
74	9	Charles Mobley Grandson of Me-tah-guen-sac-quah	M
75	8	Kish-e-co-quah Clay Henry Clay Guardian	F
76	17	Me-sha-wah-zah or James Cabbage <sup>Grandson</sup> A.M. Kinsee	M
77	32	Kill-so-quah Findlay	F
78	13	Pa-con-don-wah	F
79	40	Al-lon-ze-tah	F
80	24	Shap-pah-son-gah	F
81	25	Pe-con-ge-quah	F



## List D. Continued

No	Age		Guardian	
82	17	Lan-e-pin-ge-quah or Margaret Godfrey	M. McKinney	F
83	26	Mary Ann Hoiver	da of Jack Hackley	F
84	Infant	Isaac Ho. Hoiver	son of above	M
85	17	Elizabeth Hackley	da of Jack Hackley	F
86	15	Alice Hackley	" " " "	F
87	29	Wan-zop-eah or Joseph Dick		M
88	6	Amos Dick	son of above	M
89	29	Oliver Farrand	Nephew of Jack Hackley	M
90	40	Mary Louisa Lenward	sister of John Robbideaux	F
91	15	Mary Louisa Lenward	do of above	F
92	13	George Lenward	son of same	M
1	78	Louisa Minnie		F
2	38	Nancy Minnie		F
3	34	Israel Minnie		M
4	21	Sarah Minnie	Wife of E. Ward	F
5	4	Andrew Minnie	son of above	M
6	40	Charles Minnie		M
7	5	Alfred Minnie	Son of above	M
8	Infant	Charles Minnie	Son of da born 1867	M
9	21	Mary Minnie	da of Fredrick Minnie	F
10	7	Ida Amelia Minnie	da of " "	F
11	13	Emily Louisa Minnie	Mrs. Doule Guardian	F
12	46	Mary Harris		F
13	10	Delila Harris		F
14	28	Emma Harris	Wife of Jacob Gronemiller	F
15	11	Mary Louisa Miller	da of above	F
16	8	Amanda Gronemiller	da of do	F



# List "D" Continued

No.	Age		
17	1	George H. Bronckmiller. Son of above born since 1867.	M
18	26	Amanda Harris	F
19	24	Adaline Harris Wife of George Raypholts	F
20	13	Adaline Harris da. of above	F
21	22	Joseph Harris	M
22	18	Charles Harris	M
23	17	Malinda Harris	F
24	14	John Harris	M
25	7	Clara Jane Bronckmiller	F
26	27	Jane Harris. da. of Mary Harris	F
27	Infant	Rosecrans Son of Adaline Harris born since last point	M
28	16	Martin Van Buren Funk	M
29	14	William Fred Funk	M
30	44	Maria Bowers	F
31	18	James Bowers	M
<hr/>			
x 31	10	William Bowers.	M
32	48	Angeline La Croix. Wife of Frank Adler	F
33	26	Octavia La Croix.	F
34	29	Adaline La Croix.	F
35	27	Francis La Croix. in Kansas	F
36	2	Ida May La Croix. {da. of above born since last point}	F
37	24	Cardine La Croix.	F
38	21	Harriet La Croix.	F
39	17	Marcellus La Croix. Son of Angeline La Croix	M



## List "D" Continued

No	age			
40	9	Erasmus La Croix	Son of Adaline La Croix	M
41	6	Ida May La Croix	da. of same	F
42	48	Fredrick De Rome		M
43	14	Harriet De Rome	da. of above	F
44	9	George Fredrick De Rome	Son of above	M
45	1	Lucy Ann	da. of above born since last pent	F
46	7	Sarah De Rome		F
47	4	Lillie May De Rome	da. of above	F
48	34	Rosabella De Rome	Wife of William Davis	F
49	11	Fredrick Thomas	Son of Rosabella De Rome	M
50	10	Berilier	da. of " "	F
51	9	William Austin	Son of " "	M
52	8	Adeline	da. of " " Davis	F
53	6	Emmaline	da. of " "	F
54	32	Adaline De Rome	Wife of Dontrich	F
55	11	Emma De Rome	da. of Adaline De Rome	F
56	10	Ophelia De Rome	da. " " "	F
57	8	Charles A De Rome	Son " " "	M
58	7	James Sylvester De Rome	Son " " "	M
59	40	Solomon De Rome		M
60	8	Ann Eliza De Rome	da. of above	F
61	6	Adelia De Rome	da. of do	F
62	3	Charles Henry De Rome	Son of Solomon De Rome	M
63	28	Emmana De Rome	Wife of George Henry	F
64	2	Albert	Son of above born since last pent	M
65	23	Mary Creditor	Wife of Joseph Schuler	F
66	4	Wesley Schuler	Son of above	M
67	2	Emma Schuler	da. of above, born since last <sup>pent</sup>	F



## List "D" continued

No	Age		
68	21	Edward Creditor	M
69	22	Loutherna da of Octavia Creditor	F
70	45	Kish-e-co-quah Wife of John Cashua	F
71	16	John Baptiste her son	M
72	14	Cushwee Joseph do	M
73	12	Antoine do	M
74	10	Louis do	M
75	8	Peter do	M
76	6	Nichols do	M
77	3	Lawarence do	M
78	35	Joetah Topash	M
79	14	Francis Topash son of above	M
80	11	Nancey da of "	F
81	9	Wa-we-as-be Son of "	M
82	1	Daniel Son of above born since last	M
83	45	Lun-ke-cum-o-quah	F
84	24	Wah-Ka-shuck son of above	M
85	60	Wah-sah-shuck Mother of Topash	F
86	24	Pe-pe-aw her son	M
87	26	Madeline da of same	F
88	35	Pah-quish-e-mo-quah Wife of Francis P. Kacert	F
89	18	Ke-tap her daughter	F
90	5	Joseph son of Ke-tap	M
91	3	Kill-so-quah da of do	F
92	40	Atta mo-quah	F



## List D. Continued

No	age			
* 93	15	Chu-co-suck	da of Co-aw-uah	F
94	10	Wash-sho-li-quah	da of " "	F
95	7	Shaw-mo-ke-shuck	son of " "	M
96	26	Alla-mo-quah	Wife of James Bullock & da of Allamequah	F
97	7	Sock-kosh	da of Pa-ka-che	F
98	40	Me-shu-uas		M
99	45	Kaw-Koc-ih		M
100	34	Louis Hevon	Grandchild of Jean Baptiste La Bresche	M
101	32	Mary Hevon		F
102	30	James Hevon		M
103	10	Eliza Hevon	da of Louis Hevon	F
104	8	Victoria Hevon	" " " "	F
105	6	Georgi M. L. Hevon	son " "	M
106	4	Agness Hevon	da " "	F
107	2	James Hevon	son of " "	M
108	2	Ellen Hevon	da of James Hevon	F
109	2	Emiley Hevon	" " " "	F
110	45	Louis Gibson		M
111		Zacariah Gibson	son of above	M
112		Mary Gibson	da of above	F

## List D. Continued

Containing the names of persons and their decedents who were enrolled in the State of Indiana and the persons referred to in the Senate's Amendment to the 4<sup>th</sup> Article of the



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List "D" continued.

treaty of 1854 but who desire to withdraw their proportion of the two hundred and Twenty one thousand dollars referred to in the 4<sup>th</sup> Article of said Treaty of 1854 as amended in the Senate and consolidate the same with the funds of the Miami Indians of Kansas and receive a pro rata share of the whole as stipulated and agreed upon in Article 3<sup>d</sup> of the present treaty

No	age	Name	Relationship	Initials
1	39	Thomas T. Richardville		M
2	14	Francis Richardville	Son of Above	M
3	12	Rose Ann Richardville	da of same	F
4	10	Mary Louisa Richardville	" " "	F
5	3	H. M. Richardville	son " "	M
6	16	Louisa Ogandia	Thomas Richardville (Guard)	F
7	46	George Washington	son of above	M
8	20	Francis Washington	son of above	M
9	56	Ap-pin-gae-quah		F
10	36	Mary Withoite		F
11	18	Esther La Fontain	da of above & Louis Lafontain	F
12	33	Chap-pon-do-cia or	George D. Shap	M
13	35	Now ah-co-u-quah or	Elizbeth Froman	F
14	2	Nah-wah-con-gah	Froman da of above	