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RATIFIED TREATY NO. 306
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF MARCH 12, 1858, WITH THE PONCA INDIANS

Ponca.

1858

Office Indian Affairs
January 11th 1858.

Acting Commissioner, sub-
mits memorandum in re-
gard to proceedings of
conference with the del-
egates of the Ponca Tribe
of Indians.

TREATY FILE 3/12/58

1 Ponca call filed January 9, 1933

A memorandum for the Secretary of the Interior

A small delegation of the Ponca tribe of Indians, from Nebraska Territory, are now in this City by the invitation of the Commissioner of Indian Affairs, for the purpose of entering into negotiations for the cession of all the lands claimed by them, to the General Government.

In view of this subject, as a preliminary step to action of a definite character, I held an interview with the authorities of the tribe on the 29th ultimo, in which they freely expressed their views in regard to the extent of the country claimed by them and other matters pertaining to the subject of negotiations, and I have the honor to transmit herewith a copy of the proceedings incident to the conference, marked "A", together with a copy of a written statement in regard to the exterior boundaries of the country claimed by them in connection with the consideration they propose to receive in lieu of the cession of the lands embraced in said boundaries, marked "B", also a copy of the subsequent proceedings of the 5th instant upon the same subject, marked "C". From an examination of these papers you will perceive that the Poncas claim a large extent of territory, the major portion of which is embraced within the boundaries of the country claimed by the

Dacotah, or Sioux Indians, parties to the treaty of Fort Laramie in 1851, as indicated by the yellow lines on the enclosed diagram, the pale red lines representing the exterior boundaries of the lands to which the Poncas lay claim, and the lines in deep red constitute the probable extent of their country, immediately east of the territory claimed by the Sioux Indians.

By an approximate estimate the area of the lands within the last mentioned lines, will embrace seven millions of acres, and the aggregate consideration which the Poncas propose to receive for the same amounts to \$970,000 - or 13 $\frac{6}{7}$ cents per acre.

I will here institute a comparison with the cession made by the Pawnees in the articles of convention recently concluded with them, in which they cede about twelve millions of acres of land for the consideration of \$840,000, - or 7 cents per acre, being a fraction over one half of the consideration demanded by the Poncas, viz 13 $\frac{6}{7}$ cents per acre.

Ever since the execution of the treaty of 1854, with the Omahas, the Poncas have continued to allege and claim that the Omahas have sold a portion of their territory to the government, and I am of the opinion that they are correct in this statement, from the fact that the treaty of amity and peace concluded

with the Poncas in 1825, was executed at the Ponca Village, at the mouth of White Paint Creek, the first below the Qui Carre river, by Genl. Atkinson, and Benjamin O Fallaw, Commissioners on the part of the United States, and by an examination made, it is found that said village is within the Omaha cession, and this appears to confirm the statement of the Poncas, in regard to the sale of a portion of their lands by the Omahas.

Respectfully submitted

Charles E. Mif,
Acting Commissioner

Office Indian Affairs.

January 11th 1858.

Pouca - Talk Dec. 1857
Wash., D.C.

(See Copies of Letters)

A

2 Ponca call filed January 9, 1735

Ponca Delegation in the Indian Office.

At 10 o'clock on the morning of the 29th of December, 1857, a delegation from the Ponca tribe of Indians from Running Water River, Nebraska Territory, waited upon Mr. Mix, the acting Commissioner of Indian Affairs, in the Indian Office, accompanied by Genl. J. B. Robertson, their Agent, and Henry Fontenelle and Francis Roy, their Interpreters. The delegation consisted of five Chiefs and one Brave, and their names are as follows:

Principal Chief, Maygosoppes, or "The Whip."
2^d Chief, Geshthowago, or "Strong Walker"
Chief, Michel Ceré, a half breed, whose Indian name is Washkomony, or "Hard Walker,"
Chief, Aishnowickagabe, or "the only (or Lone) Chief"
Chief, Showcabe, or "Theatering Clouds,"
Brave, Sawtuneganooghes, or "Standing Buffalo,"

The tribe consists of between 8 and 900 souls; and, judging from the barbaric ornaments which embellished the persons of their representatives, with the exception of Ceré, they must be pretty much in a state of nature.

Agent Robertson remarked to the Commissioners that the delegation were here in accordance with instructions, to that effect, which he received from the Indian Office last September; and then, turning to the Delegates, remarked that they were now here in pursuance of a promise made to them last Fall on the Banks of Running Water River. I then told you, continued Agent Robertson, that when you came here, your great father had a kind word to say to you, and that it

would afford you an opportunity to attend to business connected with the Affairs of your tribe, and make such arrangements for a change in the condition of your Affairs as might be calculated to promote your happiness and prosperity in the future. I will now introduce you to your great father who has your good at heart, and is anxious to do all he can to make you contented and happy.

The Commissioner was then introduced to each member of the Delegation and the two Interpreters.

Mr. Mix said; Poncas! You are here this morning by the special invitation of your Great Father.

He had heard of your desire to visit his numerous villages, and to witness for yourselves how your white Brethren lived. That desire has been gratified, and your wishes acceded to by him, and I am happy in seeing you here this morning -

The Great Spirit has protected you on your journey here, and it is my sincere wish he may continue his protection and guardianship over you while here, and until you return to your families and friends.

Now, I wish it to be distinctly understood that the visit this morning is more one of ceremony than business. I wish you also to understand that I am perfectly familiar with your wants and condition at your homes; and that one object of your great father in permitting the present visit to the seat of Government, is to enable you to enter into such arrangements as will effect a radical change in, and benefit your condition.

You should also understand that upon yourselves must mainly depend whether, or not, the good intentions of your great father will be successful in this

behalf — At some future day I will be prepared to listen to whatever propositions you may think proper to make in reference to the objects contemplated; and, in this connection, I avail myself of this occasion to say, that there must be a change — that you cannot remain in your present position.

You have traveled a long distance, and during the trip, you have had ample opportunities of seeing how your white brethren lived. You will hereafter, and before your return, have further opportunities of witnessing our mode and manners of life; and I trust the same ^{may} be deeply impressed on your minds, so that, when you return, you can tell the Members of your tribe what you have seen and witnessed while here.

In any arrangements which may be made, you must look to a gathering and concentration of your people in one village, as it were, and to the cultivation of the soil for a support. In common parlance, you are termed "children" — and why? Because such is your condition; you require a father to protect, guide and direct you. This is all I have to say for the present.

The Principal Chief addressed the Commissioner in a few words, remarking that he would like very well to talk, but was not entirely ready at the moment. He therefore hoped to be excused.

Commissioner Mix, said, as before remarked, this was not ^{intended as} a business Council, but one of mere ceremony. Therefore, if not prepared, I will indulge you.

Then, addressing the Agent, he said they can now return to their lodgings, with their father the Agent, who will see that they shall have every comfort necessary.

After they shall have counselled among themselves,

selves, and have determined what they wish to have done, they can make it known through him, and business Council can be held.

While here, he hoped they would conduct themselves well towards not only their White, but their Indian brethren, the Pawnees, Sacs and Foxes, the Potawatomies, &c.

The delegates then shook hands, and departed to their lodgings.

(End)

Bouca

1857

[Faint, mostly illegible cursive handwriting covering the right page of the notebook. The text appears to be a list or journal entries.]

B

(copy)

2 Ponca call filed January 9, 1935

The Poncas submit the following agreement to the Commissioner of Indian Affairs.

The Poncas Indians cede to the United States all of their lands west of the Mipouri river, Beginning at the Aoway river. Thence up along the Elk creek to the old Omaha village on Elk Horn river, thence in a westerly direction to the Black Hills. thence along the Black Hills to the source of white river. thence down the main channel of said river to where it empties into the Mipouri river. Thence down the main channel of said Mipouri river to the point of beginning

In consideration of and payment for the country herein ceded, the Poncas want the United States to pay them the following sums of money, to wit:

1st Forty thousand dollars per annum for the term of ten years, to commence at as early a day as possible. Twenty thousand to be paid in money, and twenty thousand to be expended for their use and benefit.

2nd And at the expiration of ten years
4-9 64

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thirty thousand dollars per annum, to be perpetual.
fifteen thousand to be paid in money and fifteen
thousand to be expended for their use and benefit,
so long as they exist as a Tribe.

In order to enable the Poncas to settle their
affairs and to remove and subsist themselves 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 appointed to
make their reserve, fence and break two hundred
acres of land at their new home, we want the
further sum of thirty thousand dollars to be paid
under the direction of the President.

The Poncas acknowledge themselves indebted to
Joseph Hollman and William Crawford, for
services and provision and other material furnished
them since the first of December A D 1856, doing
business under the name and style of Hollman &
Crawford, to the amount of thirty five hundred
dollars which debt they have not been able to
pay and the United States agrees to pay the same.

The Poncas also want the United States to

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erect at their new home, a Grist & Saw mill, and keep the same in repair, and provide a miller for ten years. And 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, and also a carpenter for the term of ten years, one good manual labor school. A reserve on some good point on the Missouri or some other point that they with their agent may select, and a liberal provision made for the half Breeds.

Pouca Talk - July 5th, 1858

Ind. Office

Wash. DC

C

3 Ponca call filed January 9, 1935

Ponca Delegates in the Indian Office
January 5th 1858.

The Ponca delegates, as described and particularly named in the report of the interview between them and Com^r. Meix on the 29th of December last, had their second talk with that officer, in the Indian Office, on this day, commencing at 12 o'clock and terminating a few minutes before 3. In addition to Agent Robertson, and Messrs Fontenelle and Ray, their interpreters, a friend of theirs, General Hallman, of Nebraska, also accompanied them.

Com^r. Meix told the Interpreter to say to the Poncas that he was glad to see them here to-day; after which he paced round the room, and shook hands with each of the delegates, commencing with "The Whip", the principal chief.

Mr Meix then said that he presumed, from a remark which the head chief had made the other day when the visit of ceremony and introduction

2

took place, that he came now prepared to talk. On that occasion (continued the Commissioner) I recused him from talking at his own request. I am now ready to listen to whatever himself and ^{the} other delegates may have to say.

The Whip, rising from his seat, and, shaking the Commissioner's hand, handed him a written paper, remarking, "Father, here are my words - this paper is my talk, and expresses my wants."

The Commissioner then read the paper, which is in the following words:

The Poncas submit the following agreement, to the Commissioner of Indian Affairs.

The Poncas cede to the United States all of their lands West of the Missouri river, beginning at the Aoway river, thence up along the Elk Creek to the old Omaha Village on Elk Horn river, thence in a westerly direction to the Black Hills; thence along the Black Hills to the source of White river; thence down the

main channel of said river to where it empties into the Missouri river; thence down the main channel of the said Missouri river to the point of beginning.

In consideration of and payment for the country herein ceded, the Poncas want the United States to pay them the following sums of money to wit;

1st Forty thousand dollars per annum for the term of ten years to commence at as early a day as possible. Twenty thousand to be paid in money, and twenty thousand to be expended for their use and benefit

2^d. And at the expiration of ten years, thirty thousand dollars per annum to be perpetual, fifteen thousand to be paid in money, and a fifteen thousand to be expended for their use and benefit, so long as they exist as a tribe.

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In order to enable the Poncas to settle their affairs and to remove and subsist themselves 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 appointed to make their reserve, fence and break two hundred acres of land at their new home, we want the further sum of thirty thousand dollars to be paid under the direction of the President.

The Poncas acknowledge themselves indebted to Joseph Hollman and William G. Crawford, for services and provision and other material furnished them since the first of December A.D. 1856, doing business under the name and style of Hollman & Crawford, to the amount of thirty-five hundred dollars; which debt they have not been able to pay, and the United States agree to pay the same.

The Poncas also want the United States

to erect at their new home, a Grist and Saw Mill, and keep the same in repair and provide a miller for ten years, and 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, and also a Carpenter for the term of ten year, One good manual labor school - a reserve on some good point on the Missouri or some other point that they with their agent may select, and a liberal provision made for the half-breds.

Commissioner. Poncas: I receive this paper as your first strong talk. I am very glad you have taken my advice in this matter, and put down on paper what you had to say to me. This course is business-like, and looks as if the impression I attempted to make in your minds had the effect to make you men [Lorrah!]. It has taken you some days to make this talk. I will receive it, give it my careful attention, and in a very few days - much less than

you have taken to prepare this paper, - I will talk to you on the subject. But, in order to facilitate the business, I would like to receive some information in respect to the matter of boundary referred to in the first part of the paper submitted, and as to how you claim the extent of Country described therein [Lorrah!]

The Whip, (head chief,) shaking hands with the Commissioner, rose and said: My Grandfather, I always believed what my Grandfather (forefathers) told me about our boundaries, and I believe it to this day. Our Great Father above made us both one, but he made me poor and needy, instead of being rich and having plenty like you. My father, I want to reform - I want to change and do better. I see your marks here, and I desire to imitate and follow your example. My forefathers also told me that my pale faced brethren do not belong here - that they came from the other side of the Great waters. My forefathers told me that this land was ours: that the Great Spirit gave it to us, but that he gave the pale-faced man more power, and he took it from us. I will give you my reason for not talking the other day. I had them recently passed through the Patent Office, and witnessed the wonders which abounded there.

Among other things, I saw various utensils which had belonged to my forefathers. I was entranced and lost in reflection at the sight. It made me feel sad and I could not speak, and that is the reason I could not talk to you when we last met. As a matter of course my grandfather, one people cannot always live in one place. We were once here where we now stand, but we were not permitted to remain, and had to go west, and seek other lands. All our red brethren, above and below us, have visited you, but I have never visited you before. You have treated with them and given them money and presents, but father you have done nothing whatever for me. We have a large scope of land, some of which we do not need, for which we want something. My grandfather, I have come here to do business. I came to trade with you. (Here he spoke with great earnestness.) My grandfather our lands run from the Iowa fields to the Black Hills, from thence to the head waters of White (Earth) River, and from thence down to the mouth of the same. This is what we have heard from our forefathers. 44 I have never, 4-1884

grandfather, done any thing to hurt you or your people: I have never wasted a grainful of gunpowder on my white bretheren. I intrude on none of my red bretheren who live in the vicinity of the country which we claim, and the land which I claim is justly mine. We have come to talk with you, my grandfather, in reference to our affairs, and perhaps my other friends who are here may be desirous of talking also. I want to do business quick, so that we may return home to our families and children.

(The Whip then resumed his seat.)

Strong Walker said that they had come here not in accordance with their own wishes, but because their grandfather had sent for them. It was therefore his business to speak and say what he wanted to be done.

Michel Berre, (without rising from his seat) addressed the Commissioner for a considerable time. He said: Father, we are poor, have children at home, and, this being the case, we want to get through as soon as possible. We cannot tell how much our families suffer during our absence. White people are on our lands, and we cannot protect our families against them, or get them off. If we attempt to force them, they resist, and if we go there friendly, they push us off of our own lands. It is further back than I can recollect, and our forefathers for many generations bring it down to this day that

the land which we claim has been ours. I am now thirty-two years of age, and never since I have had knowledge of any thing, has either our grandfather, or our father the Agent, now here, sent any one to treat with or visit our tribe. He has not, (said he, putting his fingers together,) even given us that much tobacco or powder. What can be the reason of this?

Our grandfather has given his red-brotheren about us presents frequently, but has never given us even a pipe-ful of tobacco. He don't appear to care any thing of us. White people come on to our lands, and settle, and we can't get them off. Why is this? Can it be that our great father told them to do so? I would like to know why our brothers at the Fort up there, ^(Fort Randall) told us to make room for these white people. I always thought, my grandfather, that your people acted upon the motto that if you buy a thing, you may take it: but, if not, you have right to it. This would be the fair way of acting. The land, to which I refer, belongs to us, and came to us from our forefathers. My grandfather, when two persons go to trade, they agree if they can, and, if not, they can't, and there is no trade. We want to sell our land, and it is our right to ask a price, and it is yours to refuse what we ask. I would like to know, my grandfather, why you asked the question as to why we claimed so much land. The reason is obvious: our forefathers travelled along

from the mouth to the head waters of White (Earth) River, and thence East to the Black Hills, thence down the channel of that River to where it empties into the Missouri, &c.; when there was no other people occupying the country - and when neither beasts nor birds existed there. At one time they had a village at the mouth of Goway Creek; but they didn't like it, and they then moved to the mouth of Bowe Creek. They didn't like that place, and then they moved to Boselle Creek, on the North side of Running Water River. That place suited us, and we have remained there ever since. My grandfather, it is trying to our patience. We have remained there ever since without any friends. Neither our grandfather here, nor our father the Agent thinks enough of us to come to see us, or send any one else to do it. Sometimes a person will come along, and tell us to "be quiet, and keep in peace with our Red brethren who surround us." We listen to their words and do as we are told, - and, my grandfather, we are poor because we took their advice. My grandfather, you are a stronger man than I am. You send word and told me to visit you, and I came as quick as I could. We want to make our treaty, as peaceably as possible, and not have any angry feeling. If we can't agree, we can't; but I hope we may agree. You speak about the extent of our claim, and think it curious for such a small tribe to have so large a piece of land. My grandfather we

were once a large and powerful tribe; but we had wars with
and were killed by our red brethren; and the small-pox,
introduced by the whites, killed many of our people and
reduced us to what we are. We have a paper there (

) that our great father gave us many years ago,
in which he promised to aid and protect us; but the white
people have come and intruded upon us, and he has
never said a word to prevent it. This, my grandfather,
is not right. I hope you will make up your mind
right off in reference to that piece of paper which
has been presented by the head chief, and tell us, at
once, what you are willing to do. We are getting tired
and want to get through because we have children at
home whom we want to see.

The 2^d Chief rose and, shaking hands with the
Commissioner, said: My grandfather, my father here (the Agent)
and the Interpreter came after me and told me his Great
Father here wanted to see me. I came because they asked
me and am here in your presence. Our father, the Agent,
came to the principal Chief and myself, and told us,
and ~~it~~ was so glad of it that I ran and made myself
tired. My grandfather, you have told me from a
long time ago, in plain words, that you pitied us, and
would help us. I am glad to see you, my grandfather.
We came with nothing and want to go back with something

We want to trade with you. I am glad you asked us that question about our lands. I want to tell you why we claim them. It is because it is the will of our Great Father above that they should be ours. We do not know any more of it ourselves, except that our forefathers told us the land was ours — rightfully ours. It is as we told you, my grand-
 = father. We own from the Saway fields to the Chimney Rock, up the Platte River to the Black Hills and then down White River. We have come this day to talk about our business and hope to get through at once. Our great father has done everything for our red brethren, but he has never done anything at all for us. We are poor, and we want our Great Father to make us rich. That is all I have to say.

[After this the delegates called for pipes and tobacco, and intimated that they desired to smoke the calumet of peace, a ceremony which is an inseparable as well as an essential preliminary to treaty making under Indian custom.]

After looking at some maps, and a desultory conversation between the Indians and their friends in respect to the boundaries claimed, —

Michel Carré said: My father we now want to hear your opinion and views. We are anxious to get through with the business. We have children at home at

the mercy of your white children. They may, for all we know, be put sub of doors. We therefore want you to tell us your mind, and get through to-day if possible. We want to return to our homes.

Com^{rs} (to the Interpreter.) Tell the delegates that I have listened, attentively, to the talks of those who have spoken, [Lowar!] and am gratified to find that they all evince such an earnest desire to get through with their business. Tell them that, so far as I am concerned, I will be the cause of no delay in con- summating the business which has brought them to this city, and that I shall be actuated in my transactions with them, with an earnest desire to promote their best interests. They admit that this is the first time they have ever visited their Great Father, and he wishes to impress upon their minds more fully his power and strength, and that, in his intercourse with his red children, he is governed by the single desire of doing them good, and promoting their welfare. Tell them that it is his disposition to treat them not only kindly but liberally, and to provide for their comfort, [Lowar!] and that, in his dealings with them, he does not desire to benefit himself, but themselves and their children. Tell them that their Great Fa-
ther claims all the land between the "two waters" [Lowar!] and that when his

white children take any portion of it occupied by his red children, he is opposed to it, without first giving the latter an equivalent for its use. [Sowar'] And here I will take occasion to answer a question propounded by Michael Cerre', as to why I put the question relative to the claim of the Poncas as to boundary. The reason is this: One of their Great Fathers, (who occupied, many years ago, the position which I do now,) bought of the Omahas the right to a large portion of the territory now claimed by the Poncas. After the treaty was made, the Poncas complained, and said the Omahas sold land which they did not own, but which in part belonged to themselves. Their friends, the officers at Fort ^{Randall} Benton, informed their great father here of these complaints. Now your great father does not wish to put you in the position of the Omahas - of selling your claim to land which may be the property, and in the possession, of other of his red children. Who occupies the land west of you, towards the setting sun, from time immemorial? Who occupies the country above you? Have you not frequently met other tribes on a portion of the country you claim, using it as their hunting grounds? I understand a portion of the Sioux band live on land in the north portion of the boundary which you claim. Now, my object in making the enquiries to which Cerre' has referred was for your own good - so that no conflict as to

boundary should arise between yourselves and your red brethren around you. Now as to the remark about your white brethren coming from beyond the Great Waters - from another country - all I can say is that they have been here more than 200 years. They came here, guided by the Great Spirit, across the Great Waters, and found their red brethren poor, ignorant and impoverished from long wars with each other; and they obtained land from them by purchase, by war or by conquest. As fast as the tribes of red brethren living on the borders of the Great Waters sold their land to the whites, they retired Westward, and if they found tribes weaker than themselves, they took all the land they wanted by war or by conquest, where they could not get it by peaceable means. As a consequence of this, a large number of tribes claim their possessions by war or by conquest, having subdued their weaker brethren: so that your white brethren have not done any thing worse to the red man than the red man has done to his own brethren. But these things are all over. Your great father now desires to benefit you, his red children, by purchasing and paying an equivalent in money and goods for such portion of your land as he may buy. I repeat it, he does not wish to purchase the land to make money out of it, but to benefit you and your

women and children of the present day, and those who may come after you [Lover?] His object is to give an equivalent for that which he may acquire for the use of his white children. He knows that his white children are strong; that they are going West, and that they look to the time when they will walk upon your hunting grounds. It is to prevent and guard against this violation of your rights, that he is anxious to buy that portion of your land which you do not want, and place you in a concentrated condition upon a reserve, where you and they may live together in peace, as neighbors and friends. Another reason why he is anxious to enter into arrangements with you is, that your great father has learned, with regret, that his white children have landed at your village on the Missouri River, and has given your people the small-pox, which, as Corré says killed hundreds of your people. This is an important motive for the arrangement. You cannot, with safety, live on the River, or on any great line of travel. In such a position, you will never be safe from contagious diseases or vicious and demoralizing examples. Therefore you cannot remain where you are: you must have a reserve back from the River. One of the speakers has remarked that his Great Father had never done any thing for him. I then ask how he came by that face - by that medal of one of his Great Fathers - which

hangs around his neck? That medal is usually regarded as a token of affection, of regard, and must have been given to the Chief by a Government officer or agent as such. Now, before we part to day, (said the Commissioner) I want you all to look at this map (Father De Smets) and delineate thereon, with the aid of your friends now present, what you consider your boundaries.

(Here the map was examined for a considerable time, and, after they had got through,)

Mr. Wise said: You recollect what I said about your great father buying land of the Omahas, some of which you claim, and that tribes west of you claim a portion of the land lying within the boundaries which you describe. Your great father is honest and his object in this ^{investigation} ~~interrogation~~ is to prevent you from doing like some other tribes — selling land which does not belong to you. Do you not know that a portion of the Sioux claim and occupy some of the land embraced within the boundary which you have described? I presume you have heard of a Military post, called "Fort Laramie". At the treaty of 1851 at that Fort, it will be seen, that a large portion of the Country now claimed by you was awarded to the Dacotah Sioux. Referring to the language of the treaty, the Commissioner then asked them to give it their particular at —

-tion, promising, on his part, to do the same. We will, (he continued) pass over the question of boundary, and pass to another topic mentioned in the papers handed me for consideration, so that they may consult together upon that also, and be the better prepared to act when we meet again. I refer to the "boxes" - the money - which they ask for their land. I will dream about it, and there shall be no unnecessary delay in bringing the matter to an issue, as I am as anxious, as the delegates can be, to bring matters to a final adjustment. In respect to the provision in the paper for the payment to Mr. Holleman of the sum of \$3,500, I want them to explain upon what this claim is based, so that I may be the better prepared to judge of its justice and propriety, and of the merits of the case. They must state specifically whether they are indebted to him for provisions, clothing, or something else. I understand Mr. Holleman is their friend, but I want to know the basis of the claim of the firm of Holleman & Crawford, of which he is a member.

The Whip, (Principal Chief,) shaking hands, said: My Grandfather, I wanted to see you face to face. I wanted to look into your heart; but it seems as if there is something passing between us. Mr. Holleman has done us a great deal of good. He has enlightened and informed us this day. We have asked him repeatedly to do things for us - to write

to you my great father and to our father the Agent - and he has always done it with alacrity. He has never refused, when we asked, to serve us, but we were poor and had nothing to pay. This is the reason, my father, we ask you to do it for us. It makes me feel bad - it makes me fairly sweat, when I hear that others have been claiming our land. I am so distressed at it, that I am hardly fit to look at my Great father; and I hope to day you will make me happy - that you will make up your mind at once, and get through with our business. I should think, my Great father, that about this time the Indians about us, after ~~making~~ ^{having made} so many treaties, ought to have no more land. They have treated and sold, and should not disturb ours. Further, it makes me feel bad to hear you talk about taking us away from the Missouri River. We dont want to leave there. We want our reserves in the Forks of the Missouri and Plummig waters.

There are the half-breeds, about 100 in number, who we view to be the same as ourselves, and we want to give each a liberal allowance of land. They have rendered us many favors, and are always doing something to serve us, but we have nothing to pay them, and we therefore want you to do it. My Grandfather, what we say is true - the land does not belong to other tribes, but the land they claim belongs to us. When our

forefathers went there, no human being had ever made a track upon it. It belonged alone to them, and is now justly and rightfully ours. When we saw our great-fathers giving goods and presents to the other tribes around us, we suspected they had been stealing our lands, and what has been said here to day proves it.

Cour. (to the Interpreter) Call the Chief's attention to the provision which they desire to make for their friends Holleman and Crawford. He has failed to make the necessary explanation.

"The Whip" (pointing to his half tailor made clothing) says Mr. Holleman gave us the clothes which we have on our backs. When we go to his house and want anything good he buys it for us; and if we are hungry he feeds us. If we ask him to write, like that (pointing to a sheet of paper,) he does it for us, and sends it here, or to our father the Agent. The clothes I have got on are very good; but there is something better, my grand father, which we want - money, and that we want you to give us. If we have ever so many clothes, we can't buy any thing with them - our children can't eat them, but, if we have money we may go where we please, and buy whatever we want. What we say about our land and our boundaries is true, and that is the reason I ask what I do. I want to be like you - I want

to act like white people. You are a people, when you want any thing, you go with your money, and buy it. We want to do the same. What you say my grandfather is all in my heart, and will always remain there. I hope what we speak does not come from the ends of our tongues, but from the bottom of our hearts. My grandfather, myself my brothers and friends started to come to see you a long time ago, but we couldn't come. What was the reason I do not know, but this time it seems as if a light shone all the way along our path. I found my grandfather and my great father's house, and am glad. What you said about the medal, my grandfather is true. A soldier - an ear-cutter - Major O'Hallow, came into our country many years ago, and gave that medal to my brother, but ever since that time, we have had no message from, or any thing to say with, our Great Father.

Com^{rs}: Now, there is another point in your paper - a proposition for a saw mill, a blacksmith to keep it in repair, a farmer, &c which I like very much. (Lower!) It indicates a desire for improvement which is good. It will be for your interest to have such things provided, with articles of husbandry &c, so that you may abandon the uncertain support of the chase, and draw your support from the ground. The change will secure you against want.

A great many of your white brethren live by the cultivation of the earth, and thereby produce more than is necessary to the support of their families. The surplus they sell to their brethren who live in pillages, and they get money in exchange. As one of your Great Fathers stated to your brethren the Pawnees the other day, it is work-labor which makes the white rich and prosperous; and money got in that way will last a long time. As regards the place which may be selected for your future homes, you must distinctly understand you cannot have them at the place designated here to day by the Chief. A location at that point would bring you into constant contact with your white brethren, with all its concomitant evils; and of course such a location would be against your own interest and welfare. If your great father were to accede to your request, your white brethren would, before many years, drive you from it. I want to avoid any such interference, and to place you beyond the reach of bad influence, where you can live in peace and harmony with your red and white brethren.

Now my friends, we have spent some time together, and we will adjourn for the day. I will send word, through your agent Mr. Robertson, when I will be ready to see you again. By that time I will be prepared to tell you what your Grandfather has to say in reference to this talk.

They then shook hands, and left for Mr. Maher's 59

B. B. Chapman to

Mr. Mix

Jan'y 30. 1858

Rel. to Bill of
Hollman & Crawford

TREATY FILE 3/12/58

Washington City D.C.

January 30th 1858

Hon C. E. Mix
Sir

Concerning the claim of
Hollomon & Crawford against the Poncos, I
can say, that I have often heard it spoken of
as a just one. Said Hollomon & Crawford
having furnished to said Indians supplies
when they were much in need and as their
Agents & Attorneys constituted much time
in advising said Indians, & without much
doubt but for their aid it would have been
impossible to have constrained said Indians
from acts of violence & consequently much
expense arising out of what they have
suffered illegal encroachments upon their
lands. Mr. Crawford of the firm was one of our
most worthy members of the Nebraska Legislature
& a gentleman every way worthy of regard. The
numerous friends of Genl Hollomon can testify to his
standing as I truly am

Truly Yours

B B Chapman

Bill of Hollman & Craioford
against Puleas
(1858)

The amount of Goods and provision
furnished by Hollman & Crawford since
the 1st of December 1845-47 and sundries
December & January

"	"	20 Sacks of flour. \$3.50 per sack.	150.00
"	"	5 Oxen to make Beaffs.	300.00
"	"	1 Sack of Coffee 160 lb 20 ^{cts} .	37.00
"	"	250 lb of Sugar 14 ^{cts} .	35.00
"	"	65 Large blankets @ 6	390.00
"	"	25 Small Do - @ 4	100.00
"	"	50 Flannel Shirts @ 2	100.00
"	"	Sundries	85.00

Feb March & April,

"	"	20 Sacks of flour @ \$3.50	150.00
"	"	3 Oxen for Beef @ \$55.	165.00
"	"	600 lbs of Pork 12 ^{cts} .	75.00
"	"	25 Large Blankets @ 6	150.00
"	"	10 Small Do @ 4	40.00
"	"	50 pairs Mollen socks 50.	25.00
"	"	Sundries	69.00
			<u>\$787.00</u>

Amount brought down ... \$ 1471.00
 May & June.

10	barrel of corn meal	2.50	25.00
5	sacks of flour	8.00	40.00
100	lbs of coffee	20 ^{cts.}	20.00
100	lbs of sugar	14 ^{cts.}	14.00
50	Whiskey shirts	75.	37.50
300	lbs of bacon	25.	75.00
	Sundries		59.00

July & August.

9	sacks of flour	7.50	67.50
4	sacks of Corn meal	2.50	10.00
2	Clyon fa roof	\$ 120.	120.00
275	lbs of bacon	25	68.75
	Sundries		48.00

Sept & October.

6	sacks of flour	7.50	45.00
3	sacks of Corn meal	2.50	7.50
50	lbs of coffee	20 ^{cts.}	10.00
50	lb of sugar	14	7.00
380	lbs of bacon	25	95.00
	Sundries		57.00

November & December

5	sacks of flour	8.00	40.00
250	lbs of bacon	25.	62.50

For services rendered to the Poneas in regard to their lands, and expenses coming to and going from Washington, attending to their interest at their request

\$ 700.00
 3294.75

We the undersigned chiefs of the
Poncar Tribe do acknowledge the
above account of Ullman's conduct
to be correct, and desire that
it shall be paid, wa-yut-sya
(The Whip) +

read and signed
in the presence of
their interpreters.

Francis Roy

Henry Fontenelle

U.S. Interpreter

Wish-to-us-go
(Strong Walker) X

Wah-co-mi-ne
(Heara Walker) X

Ish-no-ne-gi-ke
(Lone Chief) X

Su-cup - pa
(Heavy Cloud) X

Lot-ton-go-mo-sha
(Standing Ruffello) X

I do hereby further certify that Francis Roy one of the Poncar
interpreters was personally present when I read the above
bill of items to the Poncar chiefs, whose names are appended to this
account, and they acknowledged that they received the articles as above,
and that their tribe had the use and benefit of the same, and
that this is their voluntary act without any persuasion, and they
beg that their Great Father will pay the same.

January 9th A.D. 1858.

Henry Fontenelle, U.S. Interpreter

Rough Draft of Treaty with
Poncas - 1858

See other papers in
file box - Indian Talks, etc

Treaty, Wash 12/58

Articles of Agreement and Convention made and concluded at the city of Washington on the _____ day of _____ one thousand eight hundred and fifty eight, between Charles E. Mix, Commissioner on the part of the United States and the following named delegates from the Ponca tribe of Indians, duly authorized thereunto on behalf of their tribe, viz: Way-go-soppee, Gesh-thow-wa-go, Michel Cerre, Nish-noiv-nick-a-ga-he, Show-cab-be and Taw-tun-e-gu-nog-hee.

Whereas the Ponca tribe of Indians assert a claim to all the lands, West of the river Missouri in the Territory of Nebraska, within the following limits; beginning at the mouth of the river Aoway, thence up Elk Creek to the old Omaha village on the river Elk horn, thence Westwardly to the Black Hills, thence along the Black Hills to the source of White river, thence down said river to where it empties into the Missouri, thence down the Missouri to the beginning; but as said boundaries would embrace a large portion of the country which by the treaty of Fort Laramie was conceded as belonging to the Sioux, and a portion of the lands purchased by the United States of the Omahas in the treaty made with them in 1854, in addition to what is admitted to be clearly the lands of the Poncas - these articles

are therefore entered into for the purpose of acquiring title not only to all the lands really appertaining to them, with the exception of a reservation to be named, but of purchasing their claim to all lands whatever.

Article 1. The Ponca Indians hereby cede and relinquish to the United States all their right, title and interest to all the lands owned or claimed by them, bounded as aforesaid, except as now stated; the Poncas reserve for their home the land within the limits following: beginning at a point on the river Niobrara from which a line drawn North to the Ponca river will strike said river twenty five miles from its mouth, from said point up the Ponca river, thence South across to the Niobrara, thence following the meanders of the Niobrara down to the point of beginning.

Article 2. In consideration of the foregoing cession the United States agree to pay to the Poncas the sum of twelve thousand dollars per annum for five years commencing on the _____ day of _____; after the expiration of said period ten thousand dollars per annum for ten years; and after the expiration of that period eight thousand dollars per annum for fifteen years. Any portion or all of which money the President may at his discretion commute into goods, stock, agricultural implements, or use in any other wise that he may deem most advisable for the civilization, improvement and comfort of the Indians.

And the United States further agree to expend twenty thousand dollars in maintaining and subsisting the Poncas during the first year after their removal to the reservation herein specified and in the breaking up of land, fencing, building houses or making improvements of any character for their benefit and comfort that the President may direct: and the Poncas agree to remove within one year from the ratification hereof.

And it is further stipulated that the President shall have authority to cause, through the Agent, such portion as he may deem

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advisable to be deducted at each annuity
payment from the gross amount, which
shall be applied, in addition to what they
may otherwise receive as members of the
tribe, to the assistance of any who may be
incompetent to labor, whether from old age,
debility or infirmness of any kind whatever.

Article 3. - In order to improve the condition of the Poncas and to teach them the arts of civilized life, the United States agree to establish among them and for their use and benefit a manual labor school, to be governed by such rules and regulations as may be prescribed by the President of the United States who shall also appoint the teachers. In these schools there shall be taught the various branches of a common school education, the arts of agriculture, the most useful mechanic arts, and whatever else the President may find it proper to direct. The Poncas, on their part, agree, that each and every one of their children, between the ages of seven and eighteen years, shall be kept constantly at these schools, for at least nine months in each year; and if any parent or guardian shall fail, neglect or refuse so to keep the child or children, that may be under his control, at such school, then and in that case there shall be deducted from the annuities coming to such parent or guardian, either individually or as parent or guardian, an amount equal to the value in time of the tuition thus lost; and the chiefs shall be responsible for the attendance of orphans, who have no other guardians. And it is agreed that the Agent shall, under such restrictions as the President may prescribe, have the power to compel the attendance of the children, when the above means shall fail. and the President may at any time change or modify

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modify this clause as he may think proper.

And the United States agree to furnish suitable houses and farms for said schools, and whatever else may be necessary to put them in successful operation; and a sum, not less than five thousand dollars per annum, shall be applied to the support of such school, so long as the Poncas shall in good faith comply with the provisions of this article; but if, at any time, the President is satisfied that they are not doing so, he may discontinue the school in whole or in part.

Article 4. - The United States agree to protect the Poncas in the possession of their new homes; and to furnish them with a good and complete set of Blacksmiths, Gunsmiths and Tinner's tools, not to exceed three hundred and fifty dollars, and to erect one or more suitable shops; also to pay annually, during the pleasure of the President, five hundred dollars in the purchase of iron, steel, and other necessaries for said shops. The United States are also to furnish a Blacksmith, and Gunner at salaries not exceeding \$600. per annum each; one of whom shall understand the tinning business; and the Poncas agree to furnish one or two young men of their tribe to work constantly in each shop, as strikers or apprentices, who shall be paid a fair compensation for their labor, not exceeding \$20. per month,

The United States agree to furnish farming utensils and stock to the amount of four hundred dollars per annum for ten years, or during the pleasure of the President: and for the first year's purchase of stock, and for the erection of shelters for the same, will give an amount not exceeding one thousand dollars; and will employ a farmer to teach the Poncas the arts of Agriculture.

The United States agree to have erected on the reservation a steam or other mill not exceeding in cost \$6,000. suitable for grinding grain and sawing timber, and to keep the same in repair for ten years; also to employ a miller at a

salary not to exceed \$600 per annum and an engineer if necessary at a salary not to exceed \$1500 per annum, for the same length of time, or longer at the discretion of the President, the Poncas agreeing to furnish apprentices to assist in working the mill who shall be paid a fair compensation for their labor.

The United States agree to erect dwelling houses for the Interpreter, Blacksmith, Gunner, Farmer, Miller, and Engineer if one be employed, not to exceed in cost Five hundred dollars each, and the Poncas agree to prevent the members of their tribe from destroying, or injuring the houses, shops, machinery, stock, farming utensils, and all other things furnished by the Government and if any such shall be carried away or destroyed by any members of the tribe the value of the same shall be deducted from their tribal annuities.

Whenever the President shall become satisfied that the Poncas have sufficiently advanced in the acquisition of a practical knowledge of the arts and pursuits to which this article relates, then and in that case he may turn over the property herein mentioned, to the tribe, and discontinue with the services of any or of all the employees named.

Article 5. The Poncas acknowledge their dependence on the Government of the United States, and agree to preserve friendly relations with all the citizens thereof, and pledge themselves to commit no depredations on their property, nor on the property of any other persons belonging to any tribe or nation at peace with the United States; and should this pledge be violated, and the fact be proven before the agent, the property taken shall be returned, or in default thereof, if injured or destroyed, compensation may be made by the Government out of their annuities. The Poncas agree not to make war on any other tribe, except in self defense, 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 will abide thereby.

Article 6. The United States Agent may reside on the Reservation if it should be decided to be convenient to do so; and the Poncas agree to permit the United States to build forts, and to occupy Military posts on their lands when required, and to allow whenever, in the opinion of the President, the Public interest may require it all roads, highways and railroads to have the right of way through their reservation, for which damages shall be allowed them to be ascertained in such manner as the President may prescribe.

But no white person shall be allowed to reside on any part thereof, unless he or she be in the employment of the United States, or be licensed to trade with said tribe - or be a member of the family of such employee or trader. Nor shall the said tribe alienate, sell or dispose of any part of their reservation except to the United States; but whenever they see proper to do so, may divide said lands among themselves, giving to each person or head of a family a farm, subject to their tribal regulations.

Tribal debts

Article 7. The United States agree to furnish, in addition to the persons mentioned, two laborers for three years at a pay not exceeding \$300. per annum; but it is expressly understood that while these laborers are to be under the control and subject to the orders of the United States Agent, they are employed more to teach the Poncas how to manage stock and to use the implements furnished than as laboring for their benefit merely; and for every laborer thus furnished the Poncas engage to furnish at least three men of their tribe to work with them, who shall also be subject to the orders of the Agent, and for whom the Chiefs shall be responsible.

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Article 8. The Poncas agree to deliver up to the officers of the United States all offenders against the treaties, laws or regulations of the United States, wherever any such may be found within the limits of their reservation; and they further agree to assist such officers in discovering, pursuing and capturing any such offenders whenever called out to do so. And they agree that upon the violation of any of the stipulations of this treaty, the President may at his discretion withhold their annuities in whole or in part.

Article 9. The Poncas desiring to make some provision for their half breeds, it is agreed that those who prefer to reside with them are to be entitled to equal rights and privileges with other members of the tribe, but those who have chosen to follow the pursuits of civilized life and are to reside among the whites of whom the only three now ascertained are David Seclair, Amelia and Laura Deloge, or shall within one year from the ratification hereof leave the tribe for the purpose of residing among the whites, of which facts the President is first to be satisfied, there shall be issued to such persons scrip for One hundred and sixty acres of land which scrip shall be receivable at the United States land offices as Military Bounty Land Warrants and to be subject to the same rules and regulations. And in consideration of the faithful services rendered to the Poncas by Francis Roy, their Interpreter who has intermarried with them, it is agreed that scrip shall be issued, under like regulations to his wife and his children now living, in the amount of 160 acres each, without requiring them to leave within any given time the nation as in the case of other Half Breeds. And provided that in all cases applications shall be made for said scrip within five years from the ratification hereof.

Article 10. To enable the Poncas to settle any just claims at present existing against them, the United States agree to set apart \$10,000, out of which the same may be paid, when presented and proven to the satisfaction of the Secretary of the Interior, and in the settlement of such, the claim of Jesse Williams, now before the Department, is to be included and adjusted notwithstanding the date of his alleged losses.

And in consideration of the long continued friendship of Joseph Hollman and William G Crawford for the Poncas, and of their furnishing to them when in distress goods and provisions to a large amount, and of their good counsel by which peace has often been preserved between the Poncas and the whites it is agreed that out of the above mentioned sum they shall be paid \$3,500—

Article 11. To prevent the evil of intemperance among the Indians, it is hereby provided that if any one of the Poncas shall drink intoxicating liquor or procure it for others to drink, his or her proportion of the annuities may be withheld for such time as the President may prescribe.

Original Draft
of
Ponca Treaty
and
Accomp^y papers;
Maps, &c.

1858

Filed in
Tub^e #24
Map #110

Paper's accompanying original draft
of
Tonca Treaty.

Articles of agreement and consent,
made and concluded, at the City of
Washington, on the day of

one thousand Eight hundred and fifty
eight, by Charles E. Mix, Commissioner on

the part of the United States, and Way-go-

-sop-pee; ^{or Wak} Gesh-thon-wa-go; Michel Corré;

- ^{or Wase-com} Aish-nou-nick-a-ga-hee ^{or Langan or Richard West} for the part of

the Ponca tribe of Indians; they being there to
duly authorized and empowered by said tribe.

Art. 1. The Ponca tribe of Indians hereby cede,
and relinquish to the United States, all the
territory now owned or claimed by them, wherever
situate except the tract bounded as follows

2
2
viz: beginning at a point on the Neobran river
and running due north, so as to intersect the Pon-
ca 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 reserved ^{hereby} 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 the Senate and
President of the United States.

Art. 2. In consideration of the foregoing cession and
 relinquishment, the United States agree and stipulate
 as follows, viz: 1st. To protect the Poncas in the
 possession of the tract of land reserved for their future
 homes, and their persons and property thereon, dur-
 ing good behavior on their part. 2^d. To pay to
 them or expend for their benefit, the sum of twelve
 thousand [12,000.-] dollars, 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
 [10,000.-] dollars, per annum, for two years
 from and after the expiration of the said
 five years; and ~~ten thousand~~ [8,000.-]

Separate the different lines into paragraphs

dollars per annum, for fifteen years; of which
sums the President of the United States shall,
from time to time, determine what propor-
tion 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} ~~also~~ 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; ~~and~~ ^{and} in case of any
material ^{decrease} ~~diminution~~ of the Poncas in number,
the said amount shall be reduced and diminished ^{proportionally} ~~in proportion~~ ^{there to;}
to diminish said amount in proportion thereto;

they may, at the discretion of the President, be
 or, ~~to~~ discontinued ~~them~~ altogether, should said

Indians fail to make satisfactory efforts to ad-

vance and improve their condition, and

in which case

to make such other provision, ^{shall be made} for them, with
 as the President and Congress may judge to be suitable
 the consent of Congress, as their situation and
 and proper

circumstances may require. 3^d To expend

the sum of twenty thousand [20,000.-] dollars,

in maintaining ~~and~~ subsisting the Poncas,

to their new homes,

during the first year after their removal,

purchasing stock and agricultural im-

plements, breaking up and fencing land,

building houses, and in making such

other improvements as may be necessary

for their comfort and welfare.

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6
+ ^{for — years} Art. To establish, and to maintain, at an annual
expense not to exceed five thousand [5000] dol-
-lars, one or more manual labor schools for
the education and training of the Ponca
youth in letters, agriculture, the mechanic arts
and housewifery; which schools or schools shall
be managed and conducted in such man-
-ner as the President of the United States shall
direct; the Poncas hereby stipulating to constantly
keep them, 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 share of the annuities

6
+

6
+ H^{ts}. To establish, and to maintain, ^{for — years} at an annual
expense not to exceed five thousand [\$5,000.] dol-
-lars, one or more manual labor schools for
the education and training of the Ponca
youth in letters, agriculture, the mechanic arts
and housewifery; which schools or schools shall
be managed and conducted in such man-
-ner as the President of the United States shall
direct; the Poncas hereby stipulating to constantly
keep therent, 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 share of the annuities

7 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, on the part of the Ponca, to fulfil the obligation as

as the President may think proper, at an annual salary not exceeding 700

[] dollars, and two laborers for three years, at an annual salary each, not exceeding three hundred [300.] dollars, to aid and instruct the Ponces in the management of stock and the pursuit of agriculture; and for each of said laborers said Indians do hereby bind themselves to furnish at least three men of their tribe to work with them; it being understood that such persons are to be employed more for their instruction than merely to labor for their benefit.

7th. To erect at some suitable point on their reservation a steam or other mill, not to cost more than six thousand [$\$6,000$] dollars, suitable for grinding grain and sawing timber, and to keep the same in repair for ten years; and also to employ a miller at an annual salary not exceeding six hundred [$\$600$] dollars, and, if necessary, an Engineer at an annual salary not exceeding fifteen hundred [$\$1,500$] dollars, for the same length of time, or longer at the discretion of the President; the Poncas hereby agreeing to furnish apprentices from their

-posed upon them by this article, 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. § 5th To furnish the Poncas

with farming utensils and stock for

the period of ten years, or during the pleas-

-ure of the President; and to expend there-

-for and for shelter for the stock for the

first year, one thousand [1000.-] dollars;

but, thereafter, not exceeding four

hundred [400.-] per annum.

6th To employ a farmer during such time

page 8. to come in as been of 5. 6. 7. 8. part of 9th - pages 8 to 13

5th 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 em-
ployed for their benefit, and also to expend
annually, for ten years, or during the pleasure of
the President, an amount, not exceeding
dollars for the purpose of furnish-
ing ^{said Indians} them with such aid and assistance
in agricultural and mechanical pursuits,
including the ^{is this working?} making 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
necessary number of young men ^{that may} ~~to~~
be required, ^{constantly} as apprentices and assistants in the mill and
mechanic shops, and at least three persons
to ^{constantly} work with each laborer employed for them
in agricultural pursuits, it being the under-
standing that it being understood that such
said laborers are to be employed ~~and~~ for the instruc-
tion of the Indians that ~~would~~ ^{would} be necessary to work for their
benefit. The persons ^{so} to be furnished by the
tribe shall be allowed fair and just com-
pensation for their services to be paid 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

11
11
to assist in working the mill; who
shall be paid a reasonable compensation
for their services.

8th To furnish them with a full and
complete set of blacksmiths, gun-
smiths and tinners tools, not to ex-
ceed, in cost, three hundred and fifty
[\$350.-] dollars; to erect one or more
shops suitable for those pursuits;
to expend annually, during the plea-
-sure of the President, five hundred
[\$500.-] dollars for iron, steel and other
requisites for said shops, and to employ
a blacksmith and a gun smith

12 - one of which shall understand the
 running business - at a salary, each,
 not exceeding six hundred [600] dol-
 -lars per annum; the Poncas hereby
 stipulating to furnish one or more
 young men belonging to their
 tribe to work constantly in each shop,
 as strikers or apprentices, who shall be
 paid @ fair compensation for their
 labor; not exceeding twenty [20] [dollar]
 dollars per month.

9th. To erect dwelling houses for
 their interpreter, blacksmith,
 gunsmith, farmer, miller and

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engineer, if one be employed, not to exceed
 in cost five hundred ^[500.] dollars each; the
 Ponca hereby agreeing to prevent the
 (members of their tribe from destroying)
~~common~~ or injuring the said houses, shops, mill,
 machinery, stock farming utensils, or
 any other things 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 Indians 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 title 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.

15.

6th 10th To provide and set apart the sum of ten thousand [\$10,000.-] dollars, to enable the Poncas to adjust and settle their existing obligations and engagements, so far as the same may be found and decided by the Chiefs to be valid and just, subject to the approval of the Secretary of the Interior; the claim of Sepee Williams, now before the Department of the Interior, to be included in such adjustment, notwithstanding the Sata's his alleged losses. And, in consideration of the long continued friendship and kindness of Joseph Hollman and William G. Crawford towards 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 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 [3,500.] dol.

-Lars; and the sum of \$1000 shall in like manner be paid
 to Jesse Williams in full consideration of his claim for
 depredations on his property committed by the Poncas.

Art. 3. The Poncas being desirous of making
 some provision for their half breed relatives,
 it is agreed that those who prefer and
 elect to reside among them, shall be per-

17.

-mitted 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 - of whom the only persons now ac-
 cording to the records are
 Ciprian Leclair, Julia Harvey and Jenny Rulauy
 - David ^{David} Leclair, and An-
 -nie and Laura DeLoze (and to those
 who shall do so within one year after
 the ratification hereof) there shall be if-
 -ferred scrip for one hundred and sixty
 acres of land, each, which shall be receive-
 -ble 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 children now living, without their
 being required to leave the nation within
 any specified time. Provided that in
 all cases application for the said scrip
 shall be made to the Commissioner of In-
 dian Affairs, within five years from and
 after the date of the ratification of
 this agreement.

19

Art. The United States shall have the right to es-
 -tablish and maintain such military posts,
 roads and Indian agencies as may be deemed
 necessary within the tract of country reserved for the
 Poncas, but no greater quantity of land or timber
 shall be used for said purposes than shall be ac-
 -tually requisite; and, if, in the establishment or
 maintenance of such posts, roads and agencies,
 the property of any Ponca, shall be taken, injur-
 -ed or destroyed, just and adequate compen-
 -sation shall be made therefor by the United
 States. And all roads or highways authorized
 consistent authority, other than the United States,
 by law, 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 Ponca therefor, to be
 ascertained and determined in such manner,
 as the President of the United States shall direct.

Art. . 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 reserved to said Indians;
 nor shall the latter alienate, sell, or in
 any manner dispose of any portion there-
 of, except to the United States; but, whenever
 they may think proper, they may divide

21.

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 or regulations of the tribe.

Art. . 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 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 practica-
 -ble, be made thereof out of their terri-
 + -bal annuities; ^{the} amount in all cases
 to be determined by the Secretary of the
 Interior. They further pledge themselves
 not to ~~be~~ engage in hostilities with
 any other tribe, unless in self de-
 -fence; 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, all offenders against the treaties, laws or regulations of the United States, and to assist in discovering, pursuing and capturing all such offenders, whenever required to do so by such ^{officer.} agent.

Art. To aid in preventing the evils of intemperance, it is hereby stipulated that if any of the Ponca 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

24.
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.

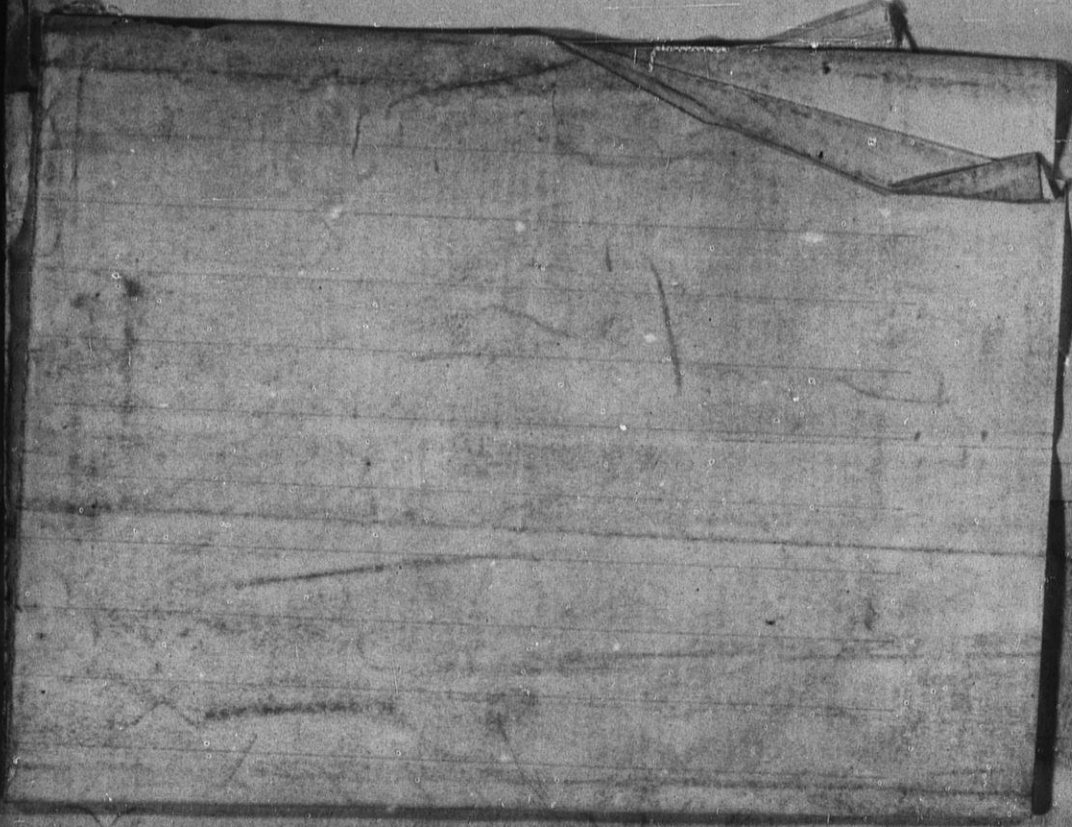
Art. No part of the annuities of the
Poncas shall be taken to pay any
claims or demands against them,
except such as may arise under
this agreement, or under the trade
and intercourse laws; and the
said Indians do hereby fully
relinquish, and release the United

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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.

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

In testimony &c.

Stocks	9500.-	
Jamm	700.-	
Labren	600.-	
Miller	600.-	
Ersmier	1500.-	
Rep. mics	500.-	
Pg. apparatus	1500.-	
Iron, Stett &c	350.-	3
Blackthorn	1200.-	4450
	<hr/>	<hr/>
	7450.-	7450,
	50	



Names of Ponca Chiefs

✓ Mitchell P. Lera, or
Wash-kom-moni

✓ Wa-gah-sah-pi, or
Whip

✓ Gish-tah-wah-gu, or
Strong-walker

✓ A-shno-ni-kah-gah-hi, or
Gone Chief

✓ Shu-kah-bi, or
Heavy Clouds

✓ Tah-tingah-nusha, or
Standing Buffalo

Mill
Man Ware
Laborer
Half breed
Hound

Names of Ponca Chiefs

Mitchell P. Cera, or
Wash. Kom-moni

Wa-gah-sah-pi or
Whips

Gish-tah-wah-gu or

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Journal - July 1858

Articles of Agreement and Convention made and concluded at the City of Washington on the _____ day of January, one Thousand eight hundred and fifty eight, between Charles E. Mix, Commissioner on the part of the United States, and the following named delegates from the Ponca tribe of Indians, duly authorized thereto, on behalf of their tribe, viz: Way-go-sop-pee, Gesh-thou-wa-go, Michel Berre, Ash-nou-nick-a-ga-he, Show-cab-to and Taw-tun-e-ga-nog-hee.

Whereas the Ponca tribe of Indians assert a claim to all the lands, West of the river Missouri in the Territory of Nebraska, within the following limits; beginning at the ^{mouth of the} river Howay, thence up Elk Creek to the old Omaha village on the river Elk-horn, thence westwardly to the Black Hills, thence along the Black Hills to the source of White river, thence down said river to where it empties into the Missouri, thence down the Missouri to the beginning, but as said boundaries would embrace a large portion of the country which by the treaty of Fort Laramie was conceded as belonging to the Sioux, and a portion of the lands purchased by the United States of the Omahas in the treaty made with them in 1854; in addition to what is admitted to be clearly ^{lands of the Poncas} theirs, - these Articles are ^{therefore} entered into for the purpose of ^{acquiring title} purchasing not only all the lands really appertaining to them, with the exception of a ^{portion} reservation, to be named but of purchasing their claim to all lands whatever.

Article 1. The Ponca Indians hereby cede and relinquish to the United States all their right, title and interest to all the

*

reservation in company with the United States agent it shall be found not to be suitable to their wants, they shall have the privilege of selecting a home elsewhere within the limits of the cession, not exceeding in extent One hundred and fifty thousand acres. Provided that such selection shall not be made upon ~~any~~ the lands ^{as aforesaid} ~~which were~~ conceded to be the property of the Sioux, or which have been purchased by the Government of the Omaha; and provided that no point of it shall approach the river Missourie nearer than twenty five miles. And to the location mentioned, or to be selected, the Poncas agree to remove within one ~~or~~ year from the ratification ~~of it~~.

X The power is hereby reserved to the President to cause through the agent ~~such portion~~ to be deducted ^{as in his discretion may be deemed advisable} at each payment, from the gross amount of the annuity, to be then applied to the assistance of ~~those~~ any that may be incompetent to labor, whether from old age, debility, or infirmity of any kind whatever, - to be added to the regular share which they would otherwise receive as members of the tribe.

Cards owned or claimed by them, ~~except as hereinafter reserved,~~
~~and~~ ~~reserved~~ as aforesaid, ^{except as now herein stated;} ~~but~~ ~~the~~ Ponca reserve
for their home ~~a tract of~~ ^{the} land ~~bounded as follows:~~ ^{within the limits following:} beginning
at a point on the river Kiobrara ~~twenty five miles from its mouth~~
from which a line drawn North to the Ponca river ~~shall strike~~ ^{will}
said river twenty five miles from its mouth, ~~then~~ ^{from said point} up the Ponca river
twenty miles, ^{South} thence across to the Kiobrara, thence following the meanders of
the Kiobrara ^{down} to the point of beginning. But if upon examination of this

Article 2. In consideration of the foregoing cession, the United States agree to pay to the Poncas the sum of Eleven thousand dollars per annum, for five years, commencing on the day of _____, and, after the end of five years, Eight thousand two hundred and fifty dollars per annum, as a perpetual annuity. At least one half of which annual payments shall be made in goods, and such articles as may be deemed necessary for them. And in consideration of their destitute condition the United States agree to reimburse them to their reservation, and to subsidize them for one year thereafter, provided the cost of so doing shall not exceed \$20,000-~~00~~

Article 3. In order to improve the condition of the Poncas, and to teach them the arts of civilized life, the United States agree to establish among them, and for their use and benefit a Manual Labor School, to be governed by such rules and regulations as may be prescribed by the President of the United States, - who shall also appoint the teachers. In these schools there shall be taught the various branches of a common school education, the arts of agriculture, the most useful mechanic arts, and whatever else the President may find it proper to direct. The Poncas, on their part, agree that each and every one of their children, between the ages of seven and eighteen years, shall be kept constantly

at these schools, for at least nine months in each year; and if any parent or guardian shall fail, neglect or refuse so to keep the child or children, that may be under his control, at such school, then and in that case there shall be deducted from the annuities coming to such parent or guardian, either individually or as parent or guardian, an amount equal to the value in time of the tuition that lost; but the President may at any time change or modify this clause as he may think proper.

The Chiefs shall be responsible for the attention of orphans, who have no other guardians. ^P And the United States agree to furnish suitable houses and farms for said schools, and whatever else may be necessary to put them in successful operation, and a sum not less than five thousand dollars per annum shall be applied to the support of such school, so long as the Poncas shall in good faith comply with the provisions of this article; but if, at any time, the President is satisfied that they are not doing so, he may discontinue the school in whole or in part.

Article 4. The United States agree to protect the ^{Poncas} Poncas in the possession of their new homes, and to furnish them with a good and complete set of Blacksmith's, Gun-smith's and Tinsmith's tools, not to exceed three hundred and fifty dollars, and to erect ^{one or more} suitable shops, also to ^{pay} provide, annually, during the pleasure of the President, five hundred dollars for the purchase of iron, steel and other necessities for said shops. The United States are also to furnish a Blacksmith, and gunner, ^{one of} whom shall undertake the tanning business,

and the Poncas agree to furnish one or two young men of their tribe to work constantly in each plot, as strikers or apprentices, who shall be paid a fair compensation for their labor.

The United States agree to furnish farming utensils and stock, to the amount of four hundred dollars per annum for ten years, or during the pleasure of the President; and for the first year's purchase of stock and for the erection of shelters for the same will give an amount not exceeding one thousand dollars; and will employ a farmer to teach the Poncas the arts of Agriculture.

The United States agree to have erected on the reservation a steam or other mill, suitable for grinding grain and sawing timber, and to keep the same in repair for ten years; also to employ a miller, and engineer if necessary, for the same length of time, or longer at the discretion of the President: the Poncas agreeing to furnish apprentices to assist in working the mill, who shall be paid a fair compensation for their labor.

The United States agree to erect dwelling houses for the Interpreter, Blacksmith, Gunner Farmer, Miller, and Engineer if one be employed, not to exceed in cost Five hundred dollars; and the ^{Poncas} Poncas agree to prevent the members of their tribe from destroying or injuring the houses, ships, machinery, stock, farming utensils, and all other things furnished by the Government; and if any such shall be carried away or destroyed, by any members of the tribe the value of the same shall be deducted from them.

tribal annuities.

Whenever the President shall become satisfied that the Poncas have sufficiently advanced in the acquisition of a practical knowledge of the arts and pursuits to which this article relates, then and in that case he may turn over the property, herein mentioned, to the tribe, and dispense with the services of any or of all the employes named.

Article 5. The Poncas acknowledge their dependence on the Government of the United States, and agree to preserve friendly relations with all the Citizens thereof, and pledge themselves to commit no depredations on their property, nor on the property of any other ^{persons} belonging to any tribe or nation at peace with the United States; and should this pledge be violated, and the fact be proven before the Agent, the property taken shall be returned, or in default thereof, if injured or destroyed, compensation may be made by the Government out of their annuities. The Poncas agree not to 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 will abide thereby.

Article 6. The United States Agent may reside on the Reservation if it should be decided to be convenient to do so; and the Poncas agree to permit the United States to build forts, and to occupy military posts on their lands when required, and to allow ^{wherever in the opinion} ~~the right to open~~ all roads, highways, and rail roads to have the right of way through their reservation, for which damages shall be allowed them to be ascertained ~~roads through the land - but no white person shall be allowed~~ in such manner as the President shall direct may prescribe. But no white person shall be allowed

to reside on any part thereof, unless he or she be in the employment of the United States, or be licensed to trade with said tribe, or be a member of the family of such employe, or trader. Nor shall the said tribe alienate, sell or dispose of any part of their reservation except to the United States; but whenever they see proper to do so may divide said lands among themselves, giving to each person or head of a family a farm, subject to their tribal regulations.

Article 7. The United States agree to furnish, in addition to the persons mentioned, two laborers for three years; but it is expressly understood that while these laborers are to be under the control and subject to the orders of the United States' agents, they are employed more to teach the Poncas how to manage stock and to use the implements furnished them as laboring for their benefit only; and for every laborer thus furnished ~~by the Poncas~~ ^{Poncas} engage to furnish at least three men of their tribe to work with them; who shall also be subject to the orders of the agents, and for whom the Chiefs shall be responsible.

Article 8. The Poncas agree to deliver up to the ^{Officers of the} United States all offenders against the treaties, laws or regulations of the United States, wherever any such may be found within the limits of their reservation; and they further agree to assist such officers in discovering, pursuing and capturing any such offenders wherever called on to do so. And they agree that upon the violation of any of the stipulations of this treaty, ~~the~~ the President

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may at his discretion withhold their annuities in whole or in part.

Article 9. The Poncas desiring to make some provision for their Half-Breeds, it is agreed that those who prefer to reside with them are to be entitled to equal rights and privileges with other members of the tribe, but those who have chosen to follow the pursuits of civilized life and are to reside among the whites, of whom the only two now ascertained are Amelia and Laura DeLoz, or shall within one year from the ratification hereof leave the tribe for the purpose of residing among the whites, of which facts the President is ^{first} to be satisfied, then shall be issued to each of such persons scrip for one hundred and fifty acres of land, which scrip shall be receivable at the United States Land offices as Military Bounty Land warrants and to be subject to the same rules and regulations. And in consideration of the faithful services rendered to the Poncas by Francis Roy, their interpreter, who has intermarried with them, it is agreed that scrip shall be issued, under like regulations to his wife and ~~each of his~~ ^{and his} children, in the amount of 160 acres each, without requiring them to leave ^{within any given time} the nation as in the case of other Half-breeds. And provided that in all cases application shall be made for said scrip within five years from the ratification hereof.

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Article 10. To enable the Poncas to settle any just claims at present existing against them, the United States agree to set apart \$10,000, out of which the same may be paid, when presented and proven to the satisfaction of the Secretary of the Interior; and in the settlement, ~~possibilities~~ of such, the claim of Jesse Williams, now before the Department, is to be included and adjusted, notwithstanding the date of his alleged losses.

And in consideration of the long continued friendship of Joseph Hollman and William G. Crawford for the Poncas, and of their furnishing to them when in distress goods and provisions to a large amount, and of their good counsel and by which peace has often been ~~maint~~ preserved between the Poncas and Whites, it is agreed that out of the above mentioned sum they shall be paid \$3,500.

Article 11. To prevent the evil of intemperance among the Indians, it is hereby provided that if any one of the Poncas shall drink intoxicating liquor or procure it for others to drink, his or her proportion of the annuities may be withheld for such time as the President may prescribe.

Article 12. Should the President at any time deem it advisable and proper that any greater part of the moneys payable as annuities to the Poncas, than as specified herein, shall be converted into goods, stock or agricultural implements, he shall have power to do so even to the extent of the whole.