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## **Documents relating to the negotiation of an unratified treaty of February 13, 1867, with the Kaw Indians and the Sauk and Fox of Missouri Indians. February 13, 1867**

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DOCUMENTS RELATING TO THE  
NEGOTIATION OF AN UNRATIFIED  
TREATY OF FEBRUARY 13, 1867, WITH THE KAW  
INDIANS AND THE SAUK AND FOX OF MISSOURI INDIANS

Talk to Kansas  
Indians - various tribes  
July 4/67

by M. Watson - Special Comr

to be copied

Kaws, Sac & Fox,  
Pottawatomie

[Treaties (rot.) + unrat.]

Washington D.C.  
Feb 4<sup>th</sup> 1867.

Feb 4/67

Mr. Watson <sup>addressed the delegation as follows:</sup>

I have been directed by the  
Commissioner of Indian Affairs, with  
the approbation of the Secretary of the  
And in connection with the Dept of Indian Affairs for Kansas, and the  
respective Agents, each for his tribe,  
Intend, to take charge of these  
negotiations with the tribes from  
Kansas. The Commissioner himself  
will not be here to day, and probably  
will be but little with us during  
our negotiations; but they will be  
directed under his charge and he  
will be fully advised of everything  
that is done.

I have no time to make

any speech, or any talk to our  
Indian friends, I have only just  
to say that I have had charge  
for about two years and a half  
of the business here that relates  
to the <sup>civilization and</sup> improvement of the Indians.  
Some of the Indians here I have  
met at their own homes. I have  
a great deal of interest in them,  
and shall endeavor to be fair  
and straightforward in everything  
that is done. What we want to  
do to day is to say to all the  
tribes, represented here, what the  
Government wants to do for them <sup>all,</sup>

and what we shall leave what is  
 necessary to be done with each  
 tribe, to be talked over <sup>with</sup> by the  
 delegates of each particular tribe

(The Kaws, Sac & Foxes, and part of the Potawattemies, not  
 understanding English, the remarks which follow were  
 translated to them, paragraph by paragraph, by their interpreters.)

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Some of the Indians are a good deal advanced in civilization; some have good houses and farms, and live by farming, while others live on the plains and subsist by hunting, so that arrangements that will answer for one tribe, will not answer for another. So we shall have to make separate treaties with each tribe, and endeavor to satisfy each, but there are certain things which will apply to all the tribes. We want to have a sale of their lands and <sup>have them</sup> get the benefit <sup>of the proceeds</sup>. We want to arrange for those who choose to remain to become citizens

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if they wish; Such things can be  
put into all the treaties.

Now I am going to talk about  
arrangements to be made for the sale  
of your lands. That is the first  
thing. These Commissioners, Messrs  
Berry, ~~Janot~~ <sup>Berry</sup> & ~~Janot~~ <sup>Farmington</sup> I understand,  
have met with all the tribes at  
their own homes, or nearly all, and  
have told you what the object  
of this meeting at Washington is.  
The Commissioner told you the other  
day all that was necessary  
about the reasons for your selling  
of the land in Kansas; so I



shall not go over that subject.

Now you hold your lands in  
Kansas in two ways; you own  
them  
~~as~~ as ~~a~~ tribes in some cases,  
while in others the land has been  
allotted to you, so many acres  
to the number of persons in a  
family, ~~and~~ <sup>or</sup> so much to the  
head of a family. The Government  
proposes of course that if this land  
is sold; if we make treaties here  
to sell your lands, ~~and~~ that where-  
ever the land is all held in common,  
whatever money that land will bring  
shall go to the whole tribe in common.

Where the land is given in  
severalty, where the Indians, each  
man or each head or member  
of ~~the~~ families, own the land: if  
they have improved that land and  
made it valuable, then, they as  
individuals are entitled to a share  
of the value of that farm, if they  
have made it into a farm, and  
they must have it. Where Indians  
have had farms given to them under  
treaties, belonging to them, and where  
they have had their share of the  
funds of their tribe given made over  
to them, of course if they want

to remain Indians and go to the  
new territory where you propose  
to go, then they must put something  
into the common fund and pay  
for that right. That must be  
provided for. Then there is another  
class who under former treaties  
had the right and did become  
take their means and their money  
~~&~~ <sup>and</sup> become citizens under <sup>the</sup> treaties,  
but who found that they could  
not make a living among the  
whites, ~~and~~ <sup>as</sup> white men. About  
this class of Indians there may  
be some difficulty. There may become

objections on the part of some to  
allow them to come back and  
be Indians again; but the Govt  
feels that it is due to them,  
that if they cannot live as white  
people, they may give up their  
citizenship and live as Indians  
again. The Government desires  
if possible to provide for all  
classes of Indians in Kansas,  
in such a manner that all the  
different Tribes will be settled  
permanently. What I said last  
applies particularly to a portion  
of the Wyandottes, and to some

of the Ottawas, and I do not  
know but some of the Pottawatomes,  
Some of them would be glad to  
go back to their tribal ~~and~~ relations.

(Lest there be ~~any~~ <sup>any</sup> mistake, before  
I go further, I want to say  
to the delegates of the Senecas and  
Shannees, that I understand they  
do not come here as delegates, au-  
thorized by their tribes to make  
treaties for the purpose that we  
are now at work. We will have to  
talk to them separately. Such  
matters as apply to the other Indians  
will not apply to them.

I have <sup>also</sup> a letter here, that has been handed to me, addressed to Mr. Donot from <sup>by</sup> three New York Indians, and I simply want to say to them, that the matter about which they enquire, and in which they are interested, is a matter very much complicated, a matter which has been pending for more than a year, and ~~to~~ which the office is not ready at this moment to talk about; but within a very short time the Commissioners will have an interview with you, and will decide what can be done. It is very doubtful whether

the Dept can do anything in  
your case at present. ) When  
arrangements are made with any  
of the tribes for the sale of their  
lands we shall try and make  
such arrangements with each tribe  
as will satisfy them. It is  
thought best, if possible, to have the  
land all sold in the same way,  
and if that cannot be done so as  
to be satisfactory to the Indians  
and so as to realize for them  
the most money, then we shall  
have to make different arrangements  
for the different tribes.

I am going to talk to you now  
on the subject of your removal,  
the country the Govt proposes for  
you, and the manner of your  
removal to it. The Commissioner  
told you the other day, and I suppose  
that your agents and interpreters have  
explained the matter, that the country  
to which he proposed to have you  
go was Smith of the old Seminole  
lands, and West of the Choctaw  
lands known as the Leased lands.  
There is more land down there that  
will also be opened for settlement  
for the Kansas Indians; land that



has been bought by the Gov from  
the Seminoles and Creeks.

There are some bands of Indians  
now in that country on the Lease  
lands; - a number of fragments  
of different tribes who lived there  
before the war, and who have  
now gone back there; they do not  
number very large. I do not  
know precisely in what part  
of those lands they are located,  
but they are not permanently  
located in any place yet.

These are the Choctaws, Metchis,  
Caddoes, Wacous & others.

we hope to get the Shawnees that  
are there back, with their own friends,  
again when you all go down there.  
Besides these, the Delawares, into  
whom I made a treaty last year,  
have sent their delegates into that  
country, and I understand they  
have selected a home there. We  
do not know where the land  
they have selected is situated,  
but we expect the Chiefs of the Delawares  
here shortly. & Now my friends  
you will see there is one difficulty  
about this matter of selecting reser-  
vations down there for yourselves, I

am going to suggest a plan to  
 you, whereby this trouble may be  
 remedied. Suppose we <sup>were</sup> ~~was~~ to make  
 treaties here, and say that the  
 Indian Tribes in Kansas may send  
 delegates down there to select homes;  
 and suppose they were to send  
 delegates down there; <sup>two or three</sup> ~~eight or ten~~  
 in number from each tribe; - they  
 would get into confusion. Two or  
 three, or perhaps four, of the tribes  
 would want the same reservation, and  
 the same land. We must try and  
 avoid that in some way.

Now I have not anything to

say as to how that is to be done,  
 but we shall try and make  
 some provision about that, which  
 will be satisfactory. Perhaps it  
 would be better to have two good  
 Commissioners appointed, in whom  
 the Indians would have confidence,  
 to go out there, and have one  
 or two or three men, or a sufficient  
 number, from each of the tribes,  
 go down there with them into  
 that country sometime next  
 summer, and then make ~~the~~ the  
 selections, so that every thing  
 will be satisfactory, and select

just how much land they want,  
 and know where it is to be;  
 then they Gov can have the <sup>lands</sup> ~~lands~~  
 run out and if possible have  
 all the Indians move there next  
 fall. Now you will understand  
 that this is not the plan decided  
 upon, but simply a suggestion.  
 Perhaps in talking with your  
 agents you can think of some  
 better way; but if there is no  
 better way, at all events we want  
 to try and let you make your  
 selections next summer, and be  
 prepared to go to them next fall.

The Commissioner advises that when you do make selections of your reservations down there, that you will select them large enough - that you do not make them too small - if 160 acres, <sup>for each person</sup> will be too small, then make them 320 acres. He wants each ~~person~~ <sup>tribe</sup> to make them large enough.

Now in regard to moving into these reservations when they are selected. Some of the Indians will find it a very easy matter, especially the Navos and the Saes & Foxes, who have not a great

deal of household furniture; they  
can move themselves without any  
trouble, and would be glad to  
move themselves, without any expense  
to themselves or the Government,  
But there will be many of the  
Indians with whom that removal  
will be a great undertaking.

They will have to have a good  
many teams and wagons to take  
care of their effects and to  
carry their children.

The Commissioner proposes  
to arrange these matters about  
the sale of the lands, and the

removal and the expenses of the removal something in this way, if it will be satisfactory. He will make arrangements for the sale of the lands, by having the lands appraised, so that the Indians shall know about what their land is worth, and about what they will get for it. Then the Gov. will advance to them the necessary amount to remove them to their new country and to support them there until they can begin to support themselves. If there are any of the



Indians who have become so poor that they are not able to move themselves, or if they have no lands to sell, the Govt will also move them, and provide the necessary means for their comfort in the new country.

IV A part of the money which will be derived from the sale of the lands in Kansas, which are very valuable; ~~a good deal of it~~ must be given to the Gov. to pay for the land in the new country which is very cheap. Some of your lands in Kansas are

worth \$1.25 per acre, some \$150.

while and some will sell for \$4;

while some perhaps will sell

less than a dollar  
for more; that is, without improvements.

The Govt will not charge you any

more, nor perhaps as much as

they gave for those lands done

in the Indian country; some

of it <sup>has</sup> cost fifteen and some

thirty cents <sup>and some more</sup> per acre; so that

you will <sup>probably</sup> have a large surplus

<sup>from the sale of your own lands</sup>  
over. Arrangements will be made

in these treaties, in all cases, for

the Indians to have a choice

as to whether they will go to the

new country and continue as  
Indian Tribes there, or whether they  
will remain in Kansas and become  
citizens of the U.S. under the  
laws of the U.S. The troubles  
that you are constantly having  
with the whites all around you,  
and who are going into that country  
very rapidly, are such that you  
all see you cannot remain in  
Kansas as Indian Tribes and be  
comfortable. You cannot stay and  
be half Indian and half white;  
you ~~have~~ <sup>must</sup> get to be one thing  
or the other, in Kansas or somewhere

Country. Now as to those Indians who may choose to remain and become citizens, I have no doubt a great many will do so. A number of treaties now in existence provide for it. A great many of the Potomattamus have become citizens already, and a great many of the Shawoneese will become citizens undoubtedly. There was a provision in the treaty with the Ottomacs whereby they were to become citizens of the U.S., but we have a delegation here that comes to make arrangements to

of dominion this new country, and remain Indians. I suppose most of you know what the arrangements are with the Potomattomies at the present time about their becoming citizens, and what course <sup>they are</sup> to pursue so that I need not explain it.

There are some difficulties found in carrying that treaty into effect. It is all very well to talk about the Indians going before a Judge and proving that they are able to take care of themselves, and have been for five years; but somehow or other it happens

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out in that country, that, <sup>while</sup> there are

men who prove this before a

it is nevertheless true that many of these people  
are ~~not~~ able to take of ~~themselves~~ <sup>as</sup>  
Court, ~~who really are not able to~~

~~take care of themselves.~~ So we

had to make an arrangement

about the Polarrattamissid that, even

after they had proved before a

Court that they were able to take

care of themselves, and ought

to have their patents and <sup>their</sup> ~~other~~  
share of the tribal funds given

deeds, that ~~were~~ to them, ~~that~~

they could not then become

citizens unless their Business

Councils and agents would testify

that they were able to do it.

So we propose to put into those treaties & <sup>some very clear</sup> ~~supplementaries~~ provisions that will make this matter sure, so that there will be no misunderstanding about it hereafter. Now those Indians who desire to remain and become citizens will be entitled to their share of the property of the tribe, whatever that is, and an equal share of the value of the lands and of the value of the invested property of the tribe.

These provisions will be different, probably, in the different treaties. There will be cases where Indians who are

civilized themselves, sufficient to be-  
 come citizens, will want to ~~more~~ <sup>arrange</sup>  
 for their children - their sons growing  
 up - so that they may become citizens,  
 and in such cases we should make  
 separate provisions in the treaties.  
 There was a bad mistake made  
 in one treaty some years ago, under  
 which some Indians were allowed  
 some <sup>indefinite</sup> ~~time~~ <sup>about becoming citizens</sup> to decide. There was no  
 particular time given when they  
<sup>were</sup> ~~was~~ to become citizens, and they  
 never did, decide to become citizens  
 and they are now in great  
 trouble about it. We must try



and provide in these treaties so that  
there will be some certain time  
when all the Indians will either  
have decided to become citizens, or  
go into this new country as  
Indians.

This is all I have to say  
in regard to these general matters.  
Now I am going to leave this with  
the Indians to think about, and I  
desire to have them come here day  
after tomorrow at 10 o'clock, and  
if any of them have remarks to  
make or anything to say about  
these general matters, we will

listen ~~talk~~ to them, <sup>but</sup> matters special  
 to each tribe we want to leave  
 to that particular tribe. If the  
 Senecas  
 Iroquois and Foxes and Shawnees and  
 the New York Indians will come  
 up here tomorrow, we will endeavor  
 to have an interview with them separately.  
 Day after tomorrow for the rest of the  
 Indians. Do not misunderstand  
 the Shamels of the Senecas, <sup>from</sup> down  
 in the Indian country, not the  
~~Senecas~~ <sup>Shawnees</sup> of Kansas. So if you  
 have anything to say about  
 these matters, day after tomorrow  
 we will hear you.

Roll (Feb 5/6)  
Sp. Com. W.H. Wadsworth  
and

Delegates from New York  
and Kansas

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Washington D.C.  
Feb 6. 1869.

Brief interview between the  
Kansas tribes of Indians and  
the Commissioners of Indian Affairs.

Mr Boggs speaking to the  
Indians said. { His language been  
made known to the different  
tribes through their interpreters }

Tell my friends  
the time has now come when we  
must endeavor to bring our minds  
to some thing practicable. As I  
have already explained to you, the  
object of asking you to come to  
Washington was to make an arrange-  
ment with the Gov. which would

enable you to move from where  
you now are, to this new Country  
South. From what I understand  
you all have lands enough to enable  
you to get your new homes, with  
all the necessary improvements and  
farming implements that is if  
your lands are properly disposed  
of by the Gov. I will give you  
my views this morning of how  
this should be done. We know  
how many acres of land each  
tribe has got. We will sell those  
lands for you. The way we will  
ascertain the value of these lands

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will be this. He will appoint three  
Commissioners, and it is my in-  
tention after consulting with  
members of Congress, to appoint  
three men and these men will  
probably be Mr Inot and his  
colleagues who are honest and  
good men and who have been  
out in that country before. They  
will go and get a value of your  
lands in this way. You have  
got some good lands and <sup>you have got</sup> some  
poor lands, while some of the  
lands are only moderately good  
So it will take three kinds of

valuation

1<sup>st</sup> of what they think the good  
land is worth

2<sup>nd</sup> of what they think the poor  
land is worth. and

3<sup>rd</sup> of what they may think the  
moderate good land worth.

In this way you cannot be cheated  
because the Commissioner will  
feel himself bound to accept  
the land at the valuation placed  
upon it by these Commissioners.  
This will secure the sale of all  
your lands there at a price which  
will be fair and honest.

There is another thing that I want  
you to understand. White men are  
rapidly settling and going into  
the State of Kansas and they ought  
to go, that is the reason why you  
have got to move. It is better for  
you and the whiteman that you  
should move, and when you go  
white men will settle upon your  
land. I propose that he shall  
have the right of pre-emption  
upon those lands and they will  
obtain that pre-emptive right  
as soon as they settle upon  
the land. It is better for you



that this should be done. It is  
just to the white man and to  
everybody. This sells your land  
but as it will take sometime  
before all of your lands are sold  
and as it is expected that you  
will move away next spring after  
you have made this years crop  
you should take advantage of the  
first opportunity to come down into  
your new country, so that you  
may be there in time to see your  
suds and reap a crop.

We will make a calculation with  
each tribe to find out how much

money this land will be likely to  
bring and also how much money  
it will take ~~there~~ to enable them  
to move into the new country and  
fully provide them with such  
supplements of farming as they may  
need and the Gov. will guarantee  
that money immediately or as soon  
as it is wanted. Well my friends  
I think this is about all. I do  
not propose to go into details.

Now I want to know if these  
views are about what you expected  
and desired. I understand that  
each one of the tribes present

has selected a man to speak for  
him, if that be so and if the  
views I have expressed are under-  
stood I want our to hear what  
these men have to say. Let them  
speak candidly and tell us what  
their tribes want. (At the conclusion of the  
Comm. speech Mr J. N. Brumason Interpreter for the Pott.  
Ah-le-ga-wah-ho Chief of the Kaws at  
the conclusion of the Commission speech stepped  
forward and after that mactamis spoke as follows.

I am sorry to say  
notwithstanding the fair talk of our  
father that we differ a little with  
regard to the mode of disposing  
of our lands. We prefer that those  
who have authorized to him the

right of selling their lands themselves  
The intention of the treaty when it  
was made was exactly this, they  
told us that we might become citizens  
and become Americanized as fast  
as we could. A great many of  
us as your honor knows have  
attempted to be whitewashed and  
to be made a white man, then  
when we made the treaty it was  
anticipated that each man  
sufficiently enlightened to make  
bargains for himself was to have  
the privilege of selling those lands  
that were accorded to him, at the

same time the Commissioners assured  
us if we made good bargains  
notwithstanding we intended to  
move to the Indian country  
of the South we should have  
for our lands some back money  
besides the money that was coming  
through the Secretary of the Interior  
for securing our homes in the South.  
Mr Boggs - I think you have reference  
to lands held in surrenders, those lands  
will not be included in these arrangements  
that we propose to make, we have  
reference to only tribal lands. If  
any of the tribes want to remain

we must adopt some system by  
which they will get their lands  
and then become citizens. The lands  
that belong to you, we will not  
interfere with at all. If you  
do not wish to go, but choose to  
remain and become citizens  
of the U.S. these arrangements will  
not interfere with you in any  
way. The detail of this matter  
will come up in the treaty. You  
certainly shall have the right  
to become citizens if you desire  
The people of Kansas have no  
objections to it and we certainly

have nine

Mr. Bourassa

We have a surplus land which was used by the Railroad Company, the proceeds of that land we want to have so that by it we may obtain lands in the new countries

Mr. Boggs. That is the total land not the allotted land -

Mr. Bourassa Yes sir, when the that hold their lands in common balance comes around we will be better prepared to speak with our fathers upon that subject

Mr. Boggs. Well if there be any

person here, speaking for any  
of the tribes, let us have their  
views. because this will be  
the last occasion you will  
have to speak together.

Ah-le-ga-wah-ho Chief of the Kaws  
in reply to the invitation of the Com-  
spoke also's words being interpreted as  
follows.

You sent for me and I have  
come in obedience to your  
orders. I have heard all you  
have said to my tribe. My  
views I will not give you to day  
but will in a day or two.



I will talk with you in a day  
or two with my own tube alone.  
I want to talk my own business  
with my own tube and with  
you alone. I do not want all  
of these men to understand my  
business, that ~~it~~ is a matter  
between me and my own tube,

At the conclusion of

speech Kerkute the Chief of the  
Sacs and Foxes, stepped forward  
and after shaking hands with  
the Commissioner expressed a  
desire to say a few words, he said  
his language being interpreted as follows.

" I am going to say a few

to you, it was through the  
Commissioner's invitation whom  
you sent out to Kansas that  
brought us all here. I have  
heard what you have had to say  
as to my children and all our  
children about going down south.  
I think it is a very good idea.  
If there is any business to be  
done two nations, the whites and  
the Indians, they ought to under-  
stand one another perfectly. Of  
the business that brought me here  
I will lay a portion before you  
now and the balance some

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other time. As far as our treaty  
is concerned, we have come on  
to make one, and we wish to  
make such a treaty as will  
satisfy us and the white man.  
I have nothing to say about the  
treaties with these other tribes  
from Kansas, I will only talk  
about my own. There may be  
some of my brethren who may wish  
to become citizens who own a  
very small portion of land and  
there may be a delegation here  
that would like to come and  
confederate with the Sacs & Foxes

If there are any such here who have  
an amount equal to the Sacs and  
Flax in money and land I have  
no objections to their coming in  
with us. If they wish to mingle  
their lands and moneys with  
ours I have no objections to  
their coming in. If the Potta  
ratannis wish to come in under  
these arrangements I have no  
objection. If the So my brother  
Sacs & Flax of the Meson  
are willing to come in under  
these arrangements I do not  
object. If any of the Ottawas

are willing to come in under these  
arrangements and if they will  
bring an equal amount of lands  
and money to the Saes & Foxes  
they too may become a portion  
of us. There may be some very  
poor Indians, some that have  
no money and lands, if nobody  
else is willing to take them  
in I think the Saes & Foxes will  
I wish to speak now to my  
white sisters I see a great many  
of them here, if any of them can  
help me in any way through their  
husbands and brothers I will be

very thankful.

Mr Boon. Now as there seems to be no other person here who wants to speak, I would like to have one of the tribes come up here ready tomorrow morning with their representatives and agents to fix this thing up in a business way. If we make treaties with you, they will have to be ratified by the Senate and they will again in a very short time and all of these treaties are bound to be made and placed before

the Senate next week, these men  
are bound by law to adjourn  
on the 4<sup>th</sup> of March so you  
see there is no time to lose,  
So I want one of you to  
come up here tomorrow morning  
so we can make a treaty with  
you.

After consultation with  
the different tribes it was  
decided that the Kears should  
come up in the morning,

Talk Feb 6/67  
Commissioner Boggs  
and  
Indian delegation  
from Kansas.

[Treaties (rat.) & unrat.]



Washington D.C.

Feb 5, 1864

Interview between Mr Watson  
of the Indian office and the  
New York delegation of Indians  
represented by L. S. Dagenett,  
D. W. Abner & Ben Gossney.

Mr Watson, (speaking to the delegation)

Now let us hear from you what  
you have to say.

Mr ~~Gossney~~<sup>Abner</sup>, We have a claim against  
the Gov, which has not been settled  
a claim against the N. Y. Indians  
in Kansas of a treaty made in  
1838 at Buffalo Creek. In 1852 we

made several applications to the  
Gov to carry out the treaty provisions  
of the treaty of 1838, but no steps  
was ever taken by the Gov until  
1859, at that time a census of  
the N. Y. Indians was taken which  
showed that there were about 200 of  
the N. Y. Indians, that were entitled  
to the provisions of the treaty of 1838  
whereby we were to receive an allotment  
but from some cause or other I  
never learned the reason why  
the Gov only allowed allotments to  
32 of the N. Y. Indians

Mr Watson. You represent the persons

who did not receive allotments?

Mr ~~Crossen~~ <sup>Abner</sup>, Yes sir. In 1863 Mr Dole the then Indian Commissioner came out and made a treaty with the N. Y. Indians to provide for those who had not been provided for, but that treaty has never been ratified and it is before the Senate to day

Mr Watson. Are you satisfied with the provisions of the treaty of 1863.

Mr ~~Crossen~~ <sup>Abner</sup>, No sir. We are not. For that treaty provided funds for us in Osage tract which

is now settled by equating  
in that treaty it provided  
scrip which we now wish  
to change for lands in the  
Indian Territory.

Walk. Feb 2/67  
Commissioner Bogy  
and  
Indian Delegation  
from Kansas

to be copied

[rat. (rat.) & unrat.]

Washington - D.C.  
Feb'y 12<sup>th</sup> 1867.

Interviews between the Commissioner  
of Indian Affairs - Mr. Boggs, and  
the various tribes of Indians of the  
State of Kansas represented in Wash-  
ington for the purpose of making treaties.  
Mr. Boggs. Well my friends we  
meet again so that you may be  
informed of how far we have progressed  
in making these treaties, to commemorate  
which you have been brought here. So  
that there may be no confusion I  
will explain to each tribe separately  
what I think ought to be done in each

Kawo

case. I will take the Kawo case  
first. They have got 80,000 acres  
of land, and then they owned 133,000  
acres that they conveyed sometime ago  
to pay their debt. We propose that  
the Gov shall pay them for their 80,000  
acres \$100,000 which is  $\$1\frac{25}{100}$   
per acre, which is the same price the  
Gov. sells its Public lands. The  
Gov will also take the land heretofore  
conveyed as security for their debt  
and will pay that debt and wipe  
it out and have nothing more to do  
with it. In that way you will be  
out of debt. You will also have

\$100,000 in addition to the amount of money you have in the hands of the Gov clear and square. Then your land will all be sold in Kansas. Now the question comes up in regard to giving you new homes. It is proposed to give you a home in this new country of some 20 miles <sup>in this old Seminole land west of the Creeks and south of the Cherokee</sup> square more or less. We wish to do you justice on account of former amicable observance of treaties made with you. Next Summer or sometime thereafter the Commissioners who have been out there before will go down there with duly appointed delegates from



your wish to make selections of  
reservations. In the meantime you will  
remain upon your present lands and  
make your this year's crop and  
then after that, to immediately pre-  
pare to remove to your new homes.  
probably sometime in the fall, so  
that you may be enabled to raise  
a crop on your new lands the  
Spring following. The Gov will  
not charge you any thing for these lands  
on account of the amicable obsequance  
~~of~~ your part of all former treaties.  
We think you are just entitled to it.  
But the expenses of removal will be

paid out of these \$100,000. We don't  
know yet how much your removal  
will cost, it may be ten or fifteen  
thousand dollars and it may, not  
amount to scarcely anything. Every-  
thing will be dependent upon the  
amount of economy you exercise  
in removing. But whatever the expenses  
amount to, it will be charged out  
of this \$100,000. This is substantially  
the same thing that was explained  
to you on yesterday. Excepting we  
had yesterday made up our minds  
to leave what is called the Trust  
fund to pay for the trust land

News

Now we will pay it all out  
and let the Gov pay the whole debt  
and take your lands, so that you  
cannot find any fault with what  
is to be done. These are our views  
Mr Watson and myself and I hope  
they will prove satisfactory.

start

Well now we will talk with the  
Saes & Foxes, they have also two  
tracts of land, one set apart to pay  
their debt and another tract which  
is called the diminished reserve  
which belongs to them and is their  
lands. You have about 86,000  
acres of land, and there is a

large quantities of land, the exact  
number of acres I do not know  
which was conveyed in trust. The  
Gov proposes to buy your land  
the diminished reserve, and also  
your other land and pay your  
debt out and out. The Gov will  
give you ~~\$1.25~~ \$1.15 per acre.

By this means your debt is wiped  
out entirely - you will have no  
more debt. You will realize for  
the sale of your lands about  
\$110,000 which you can place with  
the other money you have on hand.  
Now the next thing is about your

new homes, there has been a good deal of trouble about that. I understand that you are military and want to go somewhere on the Cherokee lands. That land belongs to the Cherokee nation, it does not belong to the Gov and we have no right to sell it. The Cherokees have got a delegation here now and I will see them to day and will ascertain whether some arrangements can be made with them by which you can get a home there. I have understood outside, I have had no talk with them, - that such arrangements

perhaps can be made, if so, it  
would be a good home for you  
and a most desirable one. If  
no arrangements can be made  
with them we have plenty of land  
down in the old Creek country  
that is equally as good, if not better  
and where you can live undisturbed  
and happy for many years. However  
as I said before I will see the  
Cherokee delegates in regard to  
this matter, one of whom is now  
present Mr Ross <sup>but</sup> and I understand  
his colleague is sick and  
confined to his room, and if I

find it necessary I shall go to  
his room and see him

Now we will talk with the  
Pollanatomis. We have done nothing  
in regard to their case as yet and  
it will be impossible to do anything  
for some time to come. As there are  
such a large number of you, your  
case requires a great deal of con-  
sideration. There are about 2000 of  
you and you own a large tract  
of land, and I am very sanguine  
that nothing can be done for you  
yet awhile. I wish you all to  
understand that it is not from

a spirit of neglect that your case  
has not been attended - yours is  
a very difficult subject to write  
and I have not had the time to  
master it. What will be done  
for you will be done after a  
great deal of deliberation.

Now we come to the Delawans  
they have selected a home in the  
Cherokee country, near where the  
Sacs & Foxes intend to go. I  
understand they have no delegates  
here, but they have made bargains  
with the Cherokees for a part of  
their country.



This dispers of the Delawares  
Now we come to the Piankeshaws  
Near Kaskaskias and Peorias  
Confederated together. They have  
made an arrangement with the Quapaws  
in part and in part with the  
Mixed Senecas and Shawnees  
for a certain strip of land. I  
have the agreement made between  
these parties and I have looked  
at it with a great deal of care  
and shall be governed by it.  
When Indians make arrangements  
among themselves, that appears  
to have been intelligently

made and for their own good  
I think it is the duty of the  
Gov, I think to carry them  
out unless they should be prejudicial  
to the interests of the Gov. This  
agreement seems to have been  
intelligently made and so we  
shall endeavor to carry it out - it  
being carried out it will locate  
the Piankeshaw &c in the Southern  
extremity of the Quapaw and  
Northern part of the Shawnee  
reservations. We are informed  
that the Miami's are willing  
to go down there with you and

become a part of your people.

This we are willing should be done

We have had some talk in regard  
to funding the Kickapoo a home

There are a large number of the

Kickapoo down parties in Texas

and New Mexico of whom I

heard about this morning through

a letter from the Gov of Texas

They are playing high low

Jack and the game down there.

They are bad fellows and be-

fore anything is done positively

I want to know if the Kickapoo

are willing that these people should  
come back and make water  
with them. I would like to hear  
your answer

(The Kickapoos requested a few  
days to think over the matter)

Mr Boggy:

We can do nothing with you  
until you have decided this  
question.

Next are the Shawnees

We have had great difficulty with  
the Shawnees. We understand  
they want to make an arrangement  
by which they can go down on

the reservations formerly occupied  
by the Mixed band of Senecas  
I do not think it can be done  
we worked at it a great deal yesterday  
and we concluded it would be  
impracticable for them to go to that  
Country. Taking all the Shawnees  
the Missouris, Ohio and Absentees  
there must be some twelve or  
thirteen hundred of them. They are  
yet numerous and there is  
not land enough done there for  
them. I am satisfied it would  
be against their interests to  
go there. The quantities of land

is entirely too small for them.

Mr Shanklin (agent for Shawnee & Co) will  
you allow the Shawnee delegation to  
be heard. One of them wishes to  
make ~~say~~ a few remarks.

Mr Bogy. Certainly.

Mr Bluejacket. I wish to say  
a few words in regard to the  
bargain made between our Shawnees  
in Kansas and the Shawnee  
in the mixed band of Senecas  
a little while before the war  
broke out, our friends invited  
us to come down there to that  
reservation and settle down

and become one people. We  
went down then to select a home  
after we made this treaty last winter.  
We went down to select a new home  
in the Indian country on this  
Quapon and Miled Seneca and  
Sharonne land. On our return back  
we met Babute and his party  
going down, we had a talk with  
him and told him what we had  
done and then Babute said he  
was going down to get the same  
lands for his party, but if  
his brother Sharonne had made  
any arrangements for the land

He would not interfere with them  
This man Davis who is here to  
represent the Mixed Shoreline  
is ready to consummate the  
arrangements we made for  
this land.



Mr Bogy:- Well ev' we will look  
into it with a sincere wish to  
accommodate you all. My brother  
Commissioners here and myself  
are satisfied it cannot be done  
for you on good. There is  
not enough land there to carry  
out your designs. If your tube  
should go there, it would be a  
hard matter for us to find  
homes for these smaller tubes.  
If you look at the whole matter  
in a liberal view, you will  
agree with me. You want more  
land than you could receive by

going there. There seems to ~~be~~ to  
be no reason why the Shawnee  
should be divided and the best  
way to secure your mind - the  
most certain way - is to have  
plenty of good land in a good climate  
In the course of 25 or 30 years you  
will imperceptibly pass off your  
Indian character and become  
white men. I think it would be  
much better for them to move a  
little further off where the land  
is better &c. We worked at this  
very diligently yesterday and I  
really do not see how the thing can

be done - If you go down there  
to this Shawnee reservation I do  
not see what we shall do with  
the Miamis who want to go  
there. If you mean to go down  
there you would only have about  
60 acres a piece, as there are  
only about 60000 acres there  
for sale. So you perceive this  
would be entirely inadequate  
for your wants - you want  
plenty of land where you can  
farm and raise stock. I do  
not indeed think that country  
would make you happy and I am

only supposed you differ with  
me about it. I will think over  
the matter and give you my  
views privately.

Babute Pina) Acknowledged  
that he had met Bluejacket  
on the road and had the talk  
referred to - but when he got  
there to the Mixed Seneca & Shawnee  
Country, he found out that that  
no arrangements had been made  
with Bluejacket for the disposal  
of the lands to him. When he  
arrived there he found the Quapaw  
and Senecas with powers of attorney

in this pocket and with whom  
he consummated a treaty,

Mr. Bogn. We have done nothing with  
the Ottawas yet. It is possible  
by leaving the Shawnee off of  
these lands as we propose to do  
an arrangement can be made for  
a home for the Ottawas down there  
so they desire to be. It is a  
matter to be perfected to day or  
tomorrow.

Now we will speak with the  
Wyandots. We understand that  
you have an old claim against  
the Gov. - you having an tribal  
lands - we will recognize that  
claim, which will enable us to obtain

you a home on the lands of the  
Senecas. Isn't that what you  
want?

Myaudotts) Yes sir!

Barry Boggs. By this arrangement  
all the Senecas will get together. I  
am very anxious to promote the  
welfare of you all Senecas as  
well as Shenonuses, although the  
latter seem to be crowded out.

I have no desire to crowd them  
out - but as they and the  
Pottawatamies are large tribes  
they require more lands than  
can be supplied them there

Mr Fish, I would like to say  
a few words. According to the  
provisions of the treaty of 1825  
our party - Blackbobs party - were  
to receive 50 miles square of land  
in Kansas and in 1833 Bluejackets  
party - the Ohio Indians, they made  
a treaty with the Gov. They came  
into our country and then remained  
and settled down giving our party  
no annuities whatever. After they  
had remained there five years united  
with us, they began to dispute  
with us as to who had the best  
right to the land. Major Cummings



who was then our agent told the Ohio party that they might to share their annuities with us and he also told them that they had better go and hunt a location as the Gov. would provide them with 100,000 acres of land, But they would not do it, they staid and remained there. Then we made a treaty in 1854 whereby we were to sell a part of our lands to the Gov. and when Blue Jacket came on with his party at that time with his party, he said he wanted all

of this confusion done away  
with and each man to have his  
own rights. Our party said no  
Blackfoot said no - we will  
hold our lands in common. After  
that treaty both of our parties  
had plenty of money. According  
to this treaty the Absentees were  
provided with lands in Kansas  
provided they would come back  
in not five years and make  
selections - afterwards extended to  
~~10~~ ten. If they did not  
come back, the land assigned  
for them would be sold to the

Highest bidder and we should  
revere the benefits thereof. As I am  
a Christian man - belonging to  
the Methodist Church for the last  
40 years I am willing that  
all of these Absentee Shawnee  
should come back and unite  
with us.

Mr Bluyacket) took exception  
to the views of Mr Fish and  
reiterated in substance what  
he had previously ~~said~~

Mr Bogy. In regard to what  
Mr Fish and Bluejacket have  
said I am free to say that I  
in my opinion it is better for  
you to be united as one people  
the Shawnee from Ohio and Missouri  
and all others. You should try  
and avoid these dissensions - try  
and do away with them. In  
regard to your union as one  
people and I think it is a  
big undertaking and I think one  
the most efficacious means  
to produce it, would be for you  
to get more lands and go

farther west. I think if you  
would come and see me and have  
a private talk in my room  
together we would accomplish a  
great deal. I want you united  
and I see no reason why you  
should not be. I shall give the  
subject my earliest attention  
and in the mean time let the  
subject rest where it is.

Mr Bign - I understand that  
there is a delegation here from  
the Saes & Foxes of the Mesquie  
We will now have a talk with them.  
In speaking of the Saes & Foxes

awhile ago, I had no reference  
to your tribe - but at the same time  
we have considered your case. You  
are not a very numerous people  
and we will endeavor to fix a  
place for you. I understand  
that you want a separate reservation  
by yourself - I shall be very  
candid with you - I am opposed  
to it. There are only about 75 or  
80 of you and I think it  
perfectly useless to assign you  
to a separate reservation. I think  
you had better go in with the  
other Sacs & Foxes. After we have

looked into your money matters  
we shall consider the propriety  
of placing you with your  
brother Sisco & Foxes.

Kah-ku-rah-te-ah-gah - ~~at~~ for  
one of the Kaw delegation expressed  
a desire to ask the Commissioner  
a question - which request was  
granted.

" I wish to know, when we go  
down to this new country, in the  
event of two tribes selecting the  
same reservation - how this would  
be remedied.

Mr Boggs - Tell them there is

plenty of land there, and one  
portion is as good as another.

These Commissioners that I will  
appoint are reliable good men  
and they will settle all differences  
between you. If you wish to  
be assigned to a piece of land  
you do not like, you can make  
an appeal to this office. But  
I am satisfied they will act  
as squarely with you as I  
would.

The Agent of the N. Y. Indians  
requests that they might  
be heard in reference to their



cases.

The Commissioner replied that  
this case was entirely different  
from the rest. Your case relates  
to a treaty which has never  
been ratified by the Senate.  
I have the treaty before me  
and we will talk it over  
at some time amongst our-  
selves and at an early day  
I may be enabled to do  
something for you—

This will conclude our  
interview for to day.

L

Feb 13. 1867  
Treaty with the Kansas Tribes

Feb'y 13. 1867

Sutor

L

Articles of Agreement made and concluded at the City of Washington on the thirteenth day of February, one thousand eight hundred and sixty seven, between Lewis Pogy, Commissioner of Indian Affairs, William H. Watson Special Commissioner, Thomas Murphy, Superintendent of Indian Affairs for Kansas, and Forrest Page, Agent for the Kansas tribe of Indians, duly authorized to act on behalf of the United States, and Ah-le-ga-wah-ho, Nah-he-ga-wah-ti-ing-gah or Foot Chief, and Wah-ti-ing-gah, Chiefs of the Kansas or Kaw tribe of Indians, on behalf of said tribe;

Article 1

The said Kansas tribe of Indians hereby cede to the Government, of the United States all the land contained in their present diminished reserve, located in the State of Kansas, and more particularly described by the survey and plots on file in the Department of the Interior, as comprising a tract about fourteen miles in length from East to West, and about nine miles in width from North to South.

Article 2 The United States agree to pay to said tribes of Indians the sum of one hundred thousand dollars for the whole of the reservation described in article I of this treaty, with the improvements thereon. Whenever the time shall be fixed for the removal of the tribe from Kansas, as provided in Article IV of this treaty, interest at 5 per cent from the date so fixed shall commence upon the said sum of (\$100,000.) one hundred thousand <sup>dollars</sup> and continue thence forward to the said tribes of Indians; provided that whenever the costs of removal <sup>and subsistence</sup> as provided for in the 7<sup>th</sup> article of this treaty shall have been ascertained, the sum shall be deducted from the whole sum of (\$100,000.) one hundred thousand dollars, and the remainder shall be invested, as a permanent fund for the benefit of the said Kansas tribe of Indians, <sup>and five per cent</sup> paid semi-annually thereon, in the same manner as their other permanent fund.

After the ratification of this treaty, the said lands shall be held and considered at the disposal of the United States, and the legal rights of railroad corporations shall be conceded thereon, the same as on other public lands; Except that, until the time for the removal of the Indians is fixed by public notice under the

provisions of this treaty, no interference shall be made with the rights of the Indians as the occupants of the lands, but they shall remain in all respects without molestation, in the same manner as if this treaty had not been made; and provided further, that inasmuch as there are valuable improvements upon the said reservation, such improvements shall be appraised under the direction of the Secretary of the Interior, and the appraised value of the same shall be paid to the United States before title is given to any individual or corporation for the lands upon which such improvements are situated.

Article 3 The Kansas Tribes of Indians further cede to the United States a full and complete title to the lands now held in trust for the said Indians, under the fourth Article of the Treaty of Nov. 17, 1860; and the United States agree to assume and pay the outstanding indebtedness of the said tribes, now represented by scrip issued under the provisions of previous treaties, and amounting on the 1<sup>st</sup> of November, 1866, to \$ 120,807.75. besides the interest due thereon; and at any time after the ratification of this treaty, the lands in this article ceded shall be open to entry and settlement, and the legal rights of railroad corporations

shall accrue thereon; and the lands in this article ceded, as well as those ceded in the first article of this treaty, shall be subject to all the laws and regulations of the General Land Office, the same as other public lands, except as relates to the provisions in the last paragraph of the <sup>second</sup> ~~first~~ article of this treaty, relating to the diminished reserve.

Article 4 The United States agree to give to the Kansas tribe of Indians, for their future home, a tract of land in the Indian Country south of Kansas, not exceeding twenty miles square. The selection of such new reservation shall be made under the direction of the Secretary of the Interior, and with his approval, by Commissioners appointed by the Secretary of the Interior, who shall visit the Indian Country with delegations from all the tribes proposing to remove thereto, as soon as practicable after the ratification of this treaty: Said reservations to be surveyed under the direction of the Commissioner of Indian Affairs, at the expense of the United States.

Pro Reserves

Article 5 As soon as practicable after the selection of the new reservation herein provided for, there shall be erected upon such reservation at the cost of the United States, a dwelling house for the Agent of the tribe, a house and shop for a blacksmith, and dwelling house for a physician, the aggregate cost

Medding

of which shall not exceed the sum of eight thousand dollars; and as soon after such selection of a reservation as it may in the discretion of the Secretary of the Interior be deemed advisable for the Indians to remove thereto, regard being had to the proper season of the year for such removal, notice shall be given to their Agent directing such removal; and whenever such time shall be fixed, public notice shall be given thereof in three leading newspapers of Kansas, and thereafter the land ceded to the United States by the first article of this treaty, shall be open to entry and settlement under the provisions of the second article of this treaty.

Article 6 No part of of the invested funds of the tribe, or of any monies which may be due them under the provisions of previous treaties, nor of any monies provided to be paid to them by this treaty shall be used in payment of any claims against the tribe, accruing previous to the date of this treaty.

Article 7 In order to promote the civilization of the tribe, one section of land, convenient to the residence of the Agent, shall be selected by the Agent of said tribe with the approval of the Commission - 80

of Indian Affairs, and set apart for a manual labor school; and at any time hereafter when the Kansas Indians shall desire it, an amount not exceeding Five thousand dollars may be taken from their funds in the hands of the Government for the erection of a school building, and the opening of a farm to be attached thereto.

L. S. Cherry

Article 8

The United States will advance to the said tribe of Indians the sum of Twenty-seven thousand dollars, or so much thereof as may be necessary, to pay the expenses of their subsistence for the first year after their arrival at their new home in the Indian Country, and to pay the necessary <sup>of removal</sup> expenses, and furnish necessary rations for the journey during such removal, said removal to be made under the charge of the Superintendent or Agent, or other person specially appointed by the Secretary of the Interior; the amounts thus expended to be refunded to the United States, from the sale of their diminished reserve herein ceded.

Article 9

In consideration of the services rendered to the tribe by their chiefs, Ah-le-gah-wah-ho, Ka-he-ga-Wah-ti-ing-gah, and Wah-to-ing-gah, chiefs, and Joseph James, their interpreter, and



who is one of their people; it is hereby agreed that each of the four persons herein named shall have set apart to him the quarter section of land upon which he lives, and said land shall be patented to him immediately after the ratification of this treaty but no sale, lease, or conveyance of the said land shall be made by the said patentees until the time fixed for the removal of the tribe from Kansas; Provided that such selections shall each be made in a compact body, and shall not include either the Agency, mission, or mill buildings.

Article 10 The United States agree to furnish the said Indians with a physician, and necessary medicines, at a cost of not exceeding one thousand five hundred <sup>dollars</sup> per annum

Article 11 It is further agreed that the sum of Eighteen thousand five hundred and twenty dollars and ninety three cents, with interest thereon from the first day of January

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one thousand eight hundred and sixty one  
at five per. cent, down to the date of the  
signing of this treaty shall be appro-  
priated and placed to the credit of the  
Kansas tribe of Indians, to be expended  
in their behalf under the direction of  
the Secretary of the Interior, in establish-  
ing them in their new homes, and in  
the purchase of stock, implements  
of agriculture, and other articles necessary  
for their comfort and improvement,  
which said sum shall be received as  
full compensation for certain money  
and property belonging to said Indians,  
appropriated to their own use by their  
agents M. B. Dickey and J. Montgomery.

Article 12. In consideration of the large cessions,  
of valuable land heretofore made by  
the Kansas Indians to the Government,  
and of large expenditures made of their  
funds having realized very little benefit  
to them, it is hereby agreed by the  
United States, that the interest  
upon the sum of two hundred thousand  
dollars now invested on their account,  
as provided in the second Article  
of the treaty of July 14<sup>th</sup> 1846, shall  
be and remain a perpetual annuity  
to be paid to them in the following manner

Hoffmeyer

to wit, Eight thousand <sup>dollars, divided</sup> in two equal semi-annual payments per capita, one thousand <sup>dollars</sup> per annum for educational purposes, and one thousand <sup>dollars</sup> per annum for agricultural implements, and assistance in farming, provided that until a school is established, the sum set apart for educational purposes, shall be paid for such purposes as may, in the discretion of the Secretary be deemed best for the improvement and comfort of the tribe, reference being had to their wishes in that respect.

Ch. 13  
Article 13

It is further agreed by the United States that an investigation shall be made under the direction of the Secretary of the Interior, as soon as practicable as to claims of the tribe for alleged losses and damages sustained by them by the unlawful destruction of their timber and other property by whites, and by the stealing of their horses and other stock; and, the United States, being bound by treaty stipulations to protect the Indians from such losses, it is agreed that such amount as may be found due upon such examination shall be reported to Congress, and such amount, not

B. W. Davis

exceeding the sum of Twenty thousand dollars, shall be paid to the said Indians, or expended for their benefit; provided that the amount awarded for losses of stock shall be paid to the owners of the stock if they can be found, otherwise to be paid as herein before provided; and an investigation shall be made of the books of the Commissioner of Indian affairs, and if any amount is found due and unpaid under former treaties, the same shall be added to the invested fund of the tribe, and five per cent interest paid thereon.

Article 14 The expenses of negotiating this treaty, not exceeding the sum of one thousand dollars shall be paid by the United States.

Article 15 The stipulations of all former treaties now in force and not inconsistent with the provisions of this treaty, shall remain in full force, and all treaties, or parts of treaties heretofore made, which conflict with the provisions of this treaty are hereby abrogated.

In Testimony whereof the aforementioned Commissioners on behalf of the United States, and delegates representing the Kansas Tribe of

Indians have hereunto set our hands  
and seals the day and year above  
mentioned

Miss V. Hozy

In presence of

<sup>his</sup> Joseph James  
<sub>mark</sub> Interpreter

Commr of Indian Affairs  
W. Watson  
Special Commissioner

Charles E. Mit.

Sho-mup-hu  
Supt. of Ind. Aff. for Kansas

G. S. Huffaker

A. B. Page  
Agent for Kansas tribes

Vital Jarrot

<sup>his</sup> Ah-le-gah x wah-ho  
<sub>mark</sub>

H. M. Farnsworth

<sup>his</sup> Kah-he-ga x Wah-tingah  
<sub>mark</sub>

O. A. Curtis

W. E. Hardy

<sup>his</sup> Wah-ti- x ing-gah  
<sub>mark</sub>

A. N. Blacking

Commissioners for the U.S.

Agent-Delegates

I 18-4  
(miscell - 1869)

B Feb 19 - 1867

39 Cong. }  
2 Sps. } Ex. Message  
communicating Treaty  
between the U. S. and the  
Sacs and Foxes of Missouri  
concluded in the City of  
Washington the 19<sup>th</sup> day  
of February 1867,

Read Treaty  
1867, Feb. 23. Read 1<sup>st</sup> time  
and together with the  
message and accompanying  
documents referred to the  
Com. on Indian Affairs &  
printed in confidence

Jove  
(Original & Mounted)  
Box

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Bowie

To the Senate  
of the United States.

Herewith lay before the Senate, for its constitutional action thereon, a Treaty concluded in the City of Washington, on the 19th February 1867, between the United States and the Sac and Fox tribes of Indians of Missouri.

A letter of the Secretary of the Interior of the 23rd, and a copy of a letter of the Commissioner of Indian Affairs of the 19th, February 1867, accompany the Treaty.

Andrew Johnson

Washington, City D. C.  
February 23 1867.

Treaty with  
Sacs & Foxes of Missouri  
July 19. 1867



Articles of agreement between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs, William H. Watson, Special Commissioner, and Chanucey H. Davis, U. S. Indian Agent, duly authorized, and the Sacs and Foxes of Missouri, represented by Mo-les and No-ka-wat Chiefs of said tribe, delegated for the purpose, concluded this nineteenth day of February, one thousand eight hundred and sixty seven, at the city of Washington;

Article 1

The Sacs and Foxes of Missouri hereby cede to the United States their reservation, described in the 3d article of their treaty ratified March 6<sup>th</sup>, 1863, as follows, to wit; "Beginning at a point where the southern line of the Iowa reserve crosses Nohearts creek, thence with said line to the south fork of the Nemahaw (commonly known as Walnut Creek; thence down the middle of said south fork, with the meanders thereof, to its mouth, and to a point in the middle of the great Nemahaw river, thence down the middle of said river to a point opposite the mouth of Nohearts creek; and thence in a southerly direction with the middle of said Nohearts creek to the place of beginning;" the said lands being about 16000 acres, to be sold for the benefit of said tribe as hereinafter provided; and the said Indians agree to remove to a new reservation to be selected for them in the Indian Country, south of Kansas.

Article 2.

Whenever the reservation for the Sacs and Foxes of the Mississippi shall have been selected in the Indian country south of Kansas, as provided in the treaty concluded with them on the eighteenth day of February, 1867, a reservation for the Sacs and Foxes of Missouri, to contain sixteen thousand acres, shall be selected immediately adjoining the reservation first referred to herein, if suitable land for the purpose can be found; and after the removal of the Sacs and Foxes of Missouri thereto they shall be under the charge of the same agent as the other tribe herein mentioned; and representatives of the Sacs and Foxes of Missouri shall be allowed to accompany the commission which shall be appointed to explore the Indian country, in order that a suitable location may be found.

Article 3.

The lands ceded in the first article of this treaty shall be surveyed and sold, under the direction of the Commissioner of Indian Affairs, for the benefit of the tribe, in the following manner, to wit; Public notice shall be given by publication in at least four of the leading newspapers of Iowa, Nebraska, and Kansas, that on and after the day, to be stated in said advertisement, and which shall be the day set for the removal of the tribe, sealed bids will be received at the office of the Commissioner of Indian Affairs for the purchase, in tracts not to exceed 160 acres each, at not less than \$1.25 per acre, of any of the lands in said reservation; such bids as shall have been

Fraser

received on the first day of each quarter of the calendar year thereafter to be opened, and the award made to the highest bidder for cash; provided, that all improvements upon said reservation shall be appraised under the direction of the Secretary of the Interior, and the purchaser of the tract upon which they are situated shall pay the appraised value thereof in addition to the amount paid for the land, and patents shall issue to the purchasers of said lands upon payment therefor. After the lands shall have been open for sale in the manner herein provided, for two years, the Secretary of the Interior may direct the portion remaining unsold, to be disposed of in such manner as he may deem most advantageous for the interests of the tribe.

Benham  
Article 4.

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The United States will advance to the Indians whatever amount may be necessary, not to exceed ten thousand dollars, to pay the expenses of their removal to their new reservation, and for subsistence during the first year after their removal thereto, which amount, together with the amount to be paid for their new reservation, (which shall not exceed the sum paid by the United States for the same to the tribes formerly owning the same) shall be reimbursed to the United States from the funds now in the hands of the Government and to be received from sales of land under previous treaties, and from the sales of land ceded by this treaty; and the balance of the money realized from sales under this treaty, shall be added to the invested funds of the tribe, at 5 per cent interest.

Article 5

The Indians may remain upon their present reservation, unmolested, in the same manner as if this treaty had not been made, except for the purposes of the survey herein provided for, until the time is fixed by the Secretary of the Interior for their removal, after the selection and approval by the Department of the new reservation; and such removal shall be made under the direction of the Superintendent or Agent, or other person specially designated by the Secretary of the Interior, at such season of the year as may be found for the best interests of the tribe.

Article 6

The United States will pay to the said tribe a sum, not to exceed fifteen hundred dollars, for stock alleged to have been stolen from them, proof of such depredations to be furnished to the Interior Department, and such amount to be paid as shall be found to be equitably due, and the amount so awarded to be paid to the parties losing the stock.

Article 7.

Should any amount be found due and unpaid to the tribe, under previous treaties, such amount shall be expended, under the direction of the Secretary of the Interior, and with the consent of the chiefs, for the benefit of the tribe upon their new reservation.

Article 8.

George Gomez, their interpreter, and a member of the tribe, desiring with his family to abandon the tribe,

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and become citizens, it is hereby provided that, upon his filing a declaration of his intention to become a citizen in the office of the United States District Court for Nebraska, and taking the oath to support the Constitution of the United States, he shall be paid his share, and that of his family, in the invested fund of the tribe, and receive a patent for the land upon which he lives, to the amount of 160 acres; and the Secretary of the Interior is authorized to pay to the said George Boneps, for himself and family, the amount to which they are entitled; and upon the receipt by him of the money and patent herein provided for, he shall be considered as no longer a member of the tribe.

Weaver

Article 9. There shall be set apart from the funds of the tribe, the sum of two thousand dollars, for the purpose of building three houses for the chiefs, and for breaking and fencing their farms upon their new reservation; and there shall be paid annually, from the income of their invested funds, the sum of one thousand dollars to pay the chiefs and council for their services and assistance rendered to their people, the said amount to be disbursed by the agent with the advice and consent of the chiefs.

Article 10. The stipulations of former treaties, not in conflict

with the provisions of this treaty, shall remain in full force.

In Testimony whereof, the parties hereinbefore named have hereunto set their hands and seals the day and year first above mentioned.

In presence of  
Autone <sup>his</sup> ~~to~~ Key  
mark U.S. Interpreter  
Charles E. Mitz

Thos. Murphy


Lewis S. Hayden

Thos. C. McGraw


Wm. H. Dimpsey


Vital Garret


G. P. Beauvais  
Vital Garret


Miss V. Key 

Commissioner of Indian Affairs

W. H. Waller   
Special Commissioner

C. H. Harris   
U.S. Indian Agent

Molep <sup>his</sup> ~~to~~   
mark

Nokawat <sup>his</sup> ~~to~~   
mark

all