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RATIFIED TREATY NO. 140

DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF SEPTEMBER 26, 1825, WITH THE OTO AND MISSOURI INDIANS

Sept. 26. 1823.
Olue + Miss.



JOHN QUINCY ADAMS,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all and singular to whom these presents shall come, Greeting :

WHEREAS a Treaty between the UNITED STATES OF AMERICA and the OTTOE and MISSOURI Tribe of Indians was made and concluded, on the twenty-sixth day of September, one thousand eight hundred and twenty-five, at Fort Atkinson, Council Bluffs, by Commissioners on the part of the United States, and certain Chiefs and Warriors of said Tribe, on the part and in behalf of said Tribe ; which Treaty is in the words following, to wit :

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

ARTICLE 1st.

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

ARTICLE 2d.

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

ARTICLE 3d.

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

ARTICLE 4th.

That the Ottoe and Missouri tribe may be accommodated with such articles of merchandise, &c. as their necessities may demand, the United States agree to admit and license traders to hold intercourse with said tribe, under mild and equitable regulations : in consideration of which, the said Ottoe and Missouri tribe bind themselves to extend protection to the persons and the property of the traders, and the persons legally employed under them, whilst they remain

within the limits of their particular district of country. And the said Ottoe and Missouri tribe further agree, that if any foreigner or other person, not legally authorized by the United States, shall come into their district of country, for the purposes of trade or other views, they will apprehend such person or persons, and deliver him or them to some United States' superintendent, or agent of Indian Affairs, or to the Commandant of the nearest military post, to be dealt with according to law.—And they further agree to give safe conduct to all persons who may be legally authorized by the United States to pass through their country ; and to protect, in their persons and property, all agents or other persons sent by the United States to reside temporarily among them ; nor will they, whilst on their distant excursions, molest or interrupt any American citizen or citizens who may be passing from the United States to New Mexico, or returning from thence to the United States.

ARTICLE 5th.

That the friendship which is now established between the United States and the Ottoe and Missouri tribe should not be interrupted by the misconduct of individuals, it is hereby agreed, that for injuries done by individuals, no private revenge or retaliation shall take place, but instead thereof, complaints shall be made, by the party injured, to the superintendent or agent of Indian affairs, or other person appointed by the President ; and it shall be the duty of said Chiefs, upon complaint being made as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and if found guilty shall be punished in like manner as if the injury had been done to a white man. And it is agreed, that the Chiefs of said Ottoe and Missouri tribe shall, to the utmost of their power, exert themselves to recover horses or other property, which may be stolen or taken from any citizen or citizens of the United States, by any individual or individuals of said tribe ; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guaranty to any Indian or Indians of said tribe, a full indemnification for any horses or other property which may be stolen from them by any of their citizens : provid-

ed, that the property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Ottoe and Missouri tribe engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 6th.

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

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

In testimony whereof, the said Commissioners, Henry Atkinson and Benjamin O'Fallon, and the Chiefs, Head-men, and Warriors, of the Ottoe and Missouri tribe, have hereunto set their hands, and affixed their seals.

H. ATKINSON, Br. Gen. U. S. Army.
BENJ. O'FALLON, U. S. Agt. Ind. Aff.

Ish-na-wong-ge-ge-he—The only Chief, x
Me-hah-hun-jah—The Big Female, x
Shunk-co-pe, x
Sho-mon-e-ka-sa—The Prairie Wolf, x
Wong-ge-ge-he—The Chief, x

Waw-zob-e-ing-ge—The Little Black Bear, x
Eho-che-nung-a—The Mad Man, x
E-ke-shaw-mon-ne—The Walking Bear, x
Waw-ne-sung-e—The one who bears down, x
Waw-ro-ne-sa—The Bullet, x
Wa-do-ke-ga, x
Waw-paw-si-ae, x
Taw-ing-ee—The Little Deer, x
Gray-tan-in-ca—The Sparrow Hawk, x
Raw-no-way-hraw—The Broken Pipe, x
Non-jah-ning-e—The No Heart, x
Mon-to-ing-ge—The Little White Bear, x
Mosk-ca-gaw-ha, x

In presence of—

A. L. Langham, Sec. to the Com.
A. R. Woolley, Lieut. Col. U. S. A.
B. Riley, Capt. 6th Inf.
J. Gantt, Capt. 6th Inf.
John Gale, Surgeon U. S. Army,
Wm. N. Wickliffe, Lieut. U. S. A.
G. W. Folger, Lieut. 6th U. S. Inf.
J. Rogers, Lieut. 6th Inf.
Levi Nute, Lt. 6th Inf.
M. W. Batman, Lieut. 6th Inf.
A. Richardson, Lieut. 6th Inf.
J. Nichols, Lieut. 6th Inf.
G. H. Crosman, Lieut. 6th Inf.
G. H. Kennerly, U. S. S. Ind. Agt.
W. W. Eaton, Lieut. 6th Inf.
Michael Burdeau, his x mark, Maha Interp.
William Rodgers.

Now, therefore, be it known, that I, JOHN QUINCY ADAMS, President of the United States of America, having seen and considered the said Treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their Resolution of the second instant, accept, ratify, and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the Seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this sixth day of February, one thousand eight hundred and twenty-six, and of the Independence of the United States the fiftieth.

JOHN QUINCY ADAMS.

By the President:

H. CLAY,
Secretary of State.