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RATIFIED TREATY NO. 361

**DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF FEBRUARY 23, 1867, WITH THE SENECA,
MIXED SENECA AND SHAWNEE, AND QUAPAW INDIANS**

Talk. (Feb. 9, '07)
Special Commr W. Watson
and
Indian Delegates from
Kansas

Report of an interview
between the Senecas proper
mixed band of Senecas and
the Shawoneese Tribes of Indians

Washington D.C.
Feb 5. 1867

Mr Watson -

Mr Wright I want to have a talk
with the delegation about the matters
that interest them on behalf of the
Com. and I would like to ask
them in the first place how they
came here and who invited them
(Mr Spicer) I will answer you as
to how me and my partners came
to be here. There was a man
in our country who represented
himself as a Commissioner. There
has been some talk between the
Senecas and Wyandotes of making
a treaty and it was upon these

grounds that we were invited
here by this Commission.

(Mr Watson) That was Mr Dornick,

(Mr Spicer) Yes that is the gentleman

(Mr Watson) Ask the other gentlemen

how they came to be here

(Mr Whitman) When my brother Seneca

Spicer came to the agency, he

told me that he was on his

way to Washington if possible to

make a treaty with the Maudoles.

The mixed band of Senecas also

came then for the purpose of making

a treaty with us and we had a

talk with them and they suggested

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to us to come on here and conclude
a treaty with the Peonia tribe
of Indians.

(Mr Watson) Then the Mixed band
of Sinecas as I understand came
here to make a treaty with the
Peonias to sell them a part of their
lands.

(Mr Whitely) Yes that is what
we came here for but we did not
see Baptiste Peonia as we came
through.

(Mr Watson) I also understand that
the Sinecas have contemplated an
arrangement with the Wyandotes

Toromis band and others by which they should come down and buy or live on a part of their lands.

(Mr Spicer) Yes.

(Mr Watson) I would like Mr Spicer to tell me how far these arrangements have gone.

(Mr Spicer) Well some number of years ago, perhaps eight or ten there was an agreement made between the Wyandots and Senecas whereby the former should receive a strip of the Senecas country four miles in width extending Westwardly. But since that we have

lacked it over time and again
and we have now concluded
to change that a little and
only spare them about two miles
and a half.

Mr Spicer (Mr Watson) That is a
strip two miles and a half on
the North line of their land.

Mr Spicer) Yes sir, stretching
westward, The last talk we
Senecas had amongst ourselves
we decided to let the Wyandots
have this strip of land running
two miles and a half in width,

(Mr Watson) What is the width

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of that land

(Mr Spicer) About fifteen miles

(Mr Watson) What stream is on the west side of your land.

(Mr Spicer) Mosho and a part of the Grand River.

(Mr Watson) Do you propose to sell this land to the Mandates or give it to them?

(Mr Spicer) Sell it.

(Mr Watson) Then the Senecas do not propose to fulfill the agreement that was made in 1859 under which the Senecas agree to give the Mandates at some

future time when they needed it
on account of some former
kindness when they were in
Ohio, you have heard of that
I suppose. Before you answer
I want you to understand
that I am not asking this
question for the sake of finding
fault or have you to commit
yourself at all, I just want
to know how the Senecas feel
about it.

(Mr Spicer) I recollect of
such a treaty being made by
my people with the Wyandots

but from some cause or other
I have considered that treaty
dead. The new purpose to
make a new treaty altogether
(Mr Watson) I suppose you
thought so because it was
never satisfied by the Dept,
It is on file here, but no
action has never been taken
about it. What do they
consider that land worth
sum then, about how much
would they think a fair price
if an arrangement should be
made to sell it?

(Mr Spicer) We have set no price upon it, but leave it to the Mandates to give what they think fair

(Mr Watson) They there are two kinds of Mandates, there are those who became citizens under the treaty of 1855 and those who declined to become citizens and who have been allowed to remain outside of those arrangements and if any arrangement is made by the Gov in regard to these Indians, the Gov will want to provide for all of them. Now

I want to know if there is any such feeling among the Senecas as would prevent any of these Mandoties from going down there and settling with them among you, no matter to what class they belong.

(Mr Spicer) We have talked this matter over amongst ourselves and it is our wish that some of these Citizen Mandoties should come among us. It is only the Indian Mandoties that we want to have live with us.

(Mr Watson) Suppose those who

have become citizens and who
owned farms, yet had to sell
these farms to pay their taxes
and are now desirous of going
back and living as Indians.
I want to know if there is
any feeling among the Senecas
that will prevent them that class
of men from living among them.
If the Gov provides for any, it
wants to provide for them also.

(Mr Spicer) I do not know whether
we as delegates would have the
entire control over this matter, the
Ayandotis have a head man amongst

them and he is the best judge
of the condition of his people

The half breed Mandates, some
of whom are quite well off
are the class of men that we
do not wish to have amongst us.

(Mr Watson) Now let me understand
that clearly, let us have it down
in black and white, so far
as Mr Spicer knows about it
I do not know whether the Gov
will want to make an arrangement
for the Mandates to go down there
but they do want to make
arrangements with such of the

Thyandotis who did become outlaws
and who have since become poor
and who really are unable to
take care of themselves and
who are anxious to go back
and live with Torom's band
and others and also the Senecas
We want to know if there is
any such feeling among the
Senecas as would prevent them
from coming among them.

(Mr Spicer) I have had a talk
with Capt Hat, the Thyandoti
chief on this subject and he
knows how many of his people

have become poor and who they are, and he says they have settled it in this way, such of the citizen Mandates who have become poor, and come to him for protection he has no objection to taking them in (Mr Watson) I ask this question because last July I was out among the Mandates and I had a talk with the leading men of both parties there, I talked with Armstrong and Robble and four or five others and also a representative from

Loromies band and he told me that the Senecas would not agree to make any arrangement by which any of the citizen parties could come down there & live with them. I did not believe it and I told him that I thought the Senecas would be willing to have any of them come down and live among them. Have you got pretty good land (Mr Spicer) Yes sir, We have very good land and that is the reason why we are so much pleased and satisfied with it.

Mr Watson) Plenty of timber?

Mr Spicer) Yes sir! Water very good, and springs abundant.

Mr Watson) Is there any coal on the land?

Mr Spicer) I do not know.

Mr Watson) How were you living before the war, were you living pretty comfortably?

Mr Spicer) Yes sir we were living very comfortably, we had plenty of good victuals to eat and also plenty of stock, but since the war, we have scarcely anything at all. Since we have left

our homes and people sometimes
we think they may be starving
and hungry and if we stay
any length of time it will be
too late when we get back
to sow our plants and besides
we have no implements to
help us along and no teams.

Mr Watson) What is your recollection
of the treaties made between the
Senecas and Shawnee, the treaty
you made between yourselves?

Mr Spicer) Well from what I
understood at the Council last
fall at Fort Smith, we were told

that it was the wish of the Great
Father that all of his children
should come together, particularly
those who spoke the same language
and for this reason it was that
my brother Sineca here (Mr Whitree)
concluded to come with us. He
has been connected with the
Sharonese for a number of
years, but he now wishes to
be detached from them and come
with us and to have all his
funds and annuities placed with
ours and invested together.

Mr Watson) Then I understand that

The Senecas who are confederated with the Shawnee want to sell their share of the land to the Shawnee or to the Gov. and then go and mix themselves with the other Senecas and then after they have made that union they are to sell a part of their lands to the Mandolies, is that the understanding?

Mr Spicer) Yes that is the understanding. The mixed band of Senecas agree to let the Kawwer Indians Shawnee have a part of their lands and the

Corshinis agree to let the Myandots
 have a part of their country
 (Mr Watson) But I thought I
 understood you at the beginning
 that these Senecas had agreed
 to let the Peorias and Piankeshaws
 have a part of their lands.

(Mr Whitree) As I said before
 when my friend Spicer, the Cor-
 shini Seneca came to the agency
 when I was, on his way here
 I had then agreed to make a
 treaty with the Peorias, but I
 when I found out that they
 had made a treaty with the

Quapaws I changed my mind
and said if I did not treat
with the Penias I would treat with
the Shannese and it is my
wish when I leave the Shannese
to go with the Senecas, that
they shall have the lands and
have such Indians to live with
them as they wish

Mr Watson) How much land will
there be to spare after the Senecas
have left?

Mr White) I do not know

Mr Watson) Mr Bluejacket what
have you to say about it?

Mr Bluejacket) Well sir. When
 these handful of Shamese who
 were mixed with the Senecas found
 out that the Senecas were going
 back to the Seneca band proper
 and mix with them, the Davis'
 party who are the Shamese side
 thought that they should have
 the choice as to who should
 have that land and so Davis
 himself told us that the
 mixed band of Senecas
 were about to leave him
and says he and go
 with the Senecas proper

and says he I want
you to come and visit
with us and buy the land
the undivided half that belongs
to the Senecas, then he would
agree for us to come in
if we bought those lands
He said if we come then all
the Shawnee people would
be together and they would
be no more trouble. He
said he did not want to
go any further south
because the change of
climate would soon kill

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them off

Mr Watson) Well they are about 660 of the Shawnee about how many of these do you think would be willing to enter into an arrangement to go down into the new country,

Mr Bluejacket) There will be very few. The parties to which I belong hold and of course will all go with the Davis party their lands in perpetuity, and the Blackfoot tribe hold theirs in common, these of course are more willing

to go into the new country
than what we are. I suppose
nearly one half of them will
go

Mr Watson) That will make
a large majority of the 600?
^{to go with the Davis party}

Mr Bluejacket) Oh Yes, Some
of them have already moved
down to the Davis party.

Mr Watson) Will there not be
Some of your tribe who will
remain and become Citizens?

Mr Bluejacket) I think there will
be but very few, only those who
have married in the nation. Old

Choteam who married in the nation
 will I believe live there all the
 rest of his days.

Mr Watson, Then the balance
 of the Blackbobs who do so will
 not go into the new country, will
 go over and unite with the
 rest of the Shawanese,

Mr Bluejacket) Pretty near all.

Mr Watson, (speaking to Mr Spicer)

You are aware of the object the
 Commissioners had in inviting
 the Kansas Indians here, it was
 to arrange for the all of them
 to go down into the lower part

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of the Indian Country on the
West side of the old Choctaw
Seminole and ~~Creek~~ Creek lands
but I understand that you
do not come under that invitation
nor under that understanding
is that the case.

Mr Spicer) We understand thoroughly
what the Kansas Indians were
invited here for and we also
understand what brought us here
Mr Watson) Now I want to
know, if supposing the Gov
should desire to make an
arrangement with your people

to sell out your lands entirely
and have you go down into this
new country, I want to know if
~~these men~~ you and your brethren
have the power from your people
to make such a treaty.

Mr Spicer! We are not authorized
by our people to enter into a
treaty to remove further South,
It is a thing we did not think of
But they did give us authority
to make a treaty to let our
friends in with us. They did
not give us any orders or in-
structions to sell our property

and to move further south.

Mr Watson) How is it with Mr Whitene and Young have they been authorized to make such a treaty?

Mr Whitene) I am instructed by my people to make only such a treaty as to dispose of the Shawnee and Seneca lands to some friendly tribe of Indians. That is all.

Mr Watson) Now I want to know Mr Whitene if you can tell me whether any arrangement has been made or drawn up between his tribe

and some other tribe for the disposal of his lands.

Mr Whitte) Yes sir I made an agreement with the Penias.

Mr Watson) What was that agreement, what were the general terms of it?

Mr Whitte) We agreed to let the Penias have the undivided half of the reservation that is 30000 acres for fifty cents per acre.

Mr Watson) Did you make any arrangements in writing with the Penia chiefs?

Mr. Whitene) Yes sir! and I suppose that agreement is here now.

Mr. Watson) Will Mr. Whitene tell me how they expect to get out of such a bargain as that, made with their Shawnee friends, I suppose it is a pretty difficult question to answer though, but after having ~~he~~ talked this over among yourselves what reason will you able to assign to the Penns if they should claim that they had the first choice of this land.

Mr. Whitene) That is true. We have talked this matter over and have come

to the conclusion that as these Shawnee
 talk the same language of our Shawnee
 that is Mr Davis party, it seems
 that we were a little too fast
 in making a treaty with the Penas
 After mature consideration we think
 it better to let the Shawnee have it
 and we go in with the Senecas
 proper.

Mr Watson) Do you know whether
 the Penas and Miamis have had
 any talk with the Quapaws in
 regard to buying a part of their
 lands.

Mr Whitene) Oh Yes, I have heard

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that from Battiste himself; he
told me he had made such an
agreement.

Mr Natsin. Do they understand
each other the Penas, Guapawok.
Could they live together quietly.

Mr Whitney. I cannot answer
that question.

Mr Bluejacket. Mr Natsin
may I be allowed to say
a few words.

Mr Natsin.) Certainly,

Mr Bluejacket, Last
 Spring a delegation with
 myself went down as far
 as Spring river, then we
 sent word over to Davis to
 come over as we had no
 way
 of crossing except a canoe
 which we found there, ^{and} which
 was too small, Davis came
 over the next day and we
 had an interview with him
 in regard to obtaining some
 of that land and he went
 on to tell us that the
 of Senecas and the Shawnee
 mixed band, had decided

in a friendly way and
that they, ^{the Senecas} were going to
unite with the Senecas proper
and says he the undivided
half of the land upon which
they lived ^{is} ~~was~~ for sale and
he desired and wished us to
come and take it as he
would rather we would have
it than anybody else. And
the balance of the land there
would be no difficulties
about ~~as~~ it would be held
in common. He made a
treaty last year with the

Commissioner by which
the lands were to be allotted
to each individual, so many
acres to one person and
when we told Davis of this
he objected to the lands being
allotted to individuals instead
of them being held in common
by the whole tribe and it was
for this reason we did not
conclude a treaty with him
We told him to hold on to
land until we had should
go to Washington and make
if possible a treaty with

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the authorities there, whereby
we might be enabled to join
him, We started back and
I saw Battista Peria about
half a mile from where we
had started and when I
went to his camp he got
up from where he was seated
and asked me to stop in
order to propound a few questions,
Then he ~~went on to~~ ^{asked} tell me
what I had done with Davis
I told ^{him} he did not do anything
in the way of making a
treaty, but this much we done

we ^{had} told Davis to hold on
to the lands until we had
made a treaty with the
Commissaries whereby we could
accept those lands. He was
very anxious and so was
he that we should all come
together and be one once more
and say Bahute I want
you to understand that I
do not want to be in your
way but wherever you go
I want to go also and live
as neighbors close by you,
and whenever you settle I will

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settles close by you, and says
he if you make any arrangements
with the Senecas, I will not inter-
fere with them. I can say this
to Babbete face and I do not
think he will deny it.

Mr Wakin) It seems to me that
there will be hardly land enough
in that country for as many of
your people as will want to go
as much as they have in Kansas.
If you go down there do you
propose to have your lands
allotted to you?

Mr Bluejacket) No sir Our people

object to that

Mr Watson. If such an arrangement should be carried out we would have two tribes of Shawnee. One portion living on the old Shawnee reservation and another clan in the ~~Seas~~ land country, would we not.

W Bluejacket) Well I do not know about that We have got some four

or five hundred down there now
 and we propose to have them
 unite with Davis and have
 them all come to one place
 They are now down in Kansas
 waiting near ~~that~~ ~~place~~ for
 a treaty to be made. They
 expect our people to make a
 treaty for them to go with us.

Mr Watson. Do you suppose any of them would come over and live there with you?

Mr Bluejacket. Yes sir, ^{who are attached to the Creeks} except those

Mr Watson, Mr Wright you can tell these delegates that when these Kansas Indians were invited on here, and when it was known that they were coming, the Commissioner had an idea that it would be necessary to have these ^{the Senecas Quapaws and Shawnee} people, sell their reservations and go down into the Indian country with the rest of the Indians, but in taking the

matter over I think the Commissioner
has pretty much concluded not
to insist upon that.

Mr Spicer. I will be very glad
if the Commissioner will change
his mind in relation to moving
us. We have got into a good
country and we like it and
are much pleased with it, and
our great father the President
of the U.S. told us that it
should always be our property
as long as we wanted it and
remained there and we intend to
remain and stay there.

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Mr Watson. I would like to know whether the Senecas and Shawnee that are represented here have all agreed amongst themselves to these arrangements. Are there not some among you who oppose it?

Mr Spicer. At the Commission last fall a year ago at Fort Smith the Commissioners told us, it was the wish of the Gov that we should let a part of our lands to some other Indians and it was for this consideration that we have agreed to let a part of our country go to the Wyandots and a

part to the Shawnees. I do not
think any of us are opposed
to the arrangements

Mr. Halem, I want to ask you a
question which has no immediate
reference to your land. Do you
know anything of a ^{Complaint} ~~claim~~ that
has recently come before the
office from a man by the name
of Rogers, he is a Cherokee who
used to live among your people
before the war, but during
the war went away and has
now come back to live with
you again

Mr Spicer. Yes sir, I recollect
him. He used to live amongst
us for a great many years.
He came amongst us and was
adopted by us as one of the tribe
as one of the Semecas and when
the war came on, he went down
South with the rebels while we
went North. After the war he
came back, but we concluded
that as his nation was right
close by that he should go and
live with them as they had
a larger tract of country
than what we had.

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Mr Watson. Is that the decision
of your people?

Mr Spicer. Yes sir.

Mr Watson. Did he have any im-
provements there in your nation?

Mr Spicer. Yes sir. He had a
building there, but it was burnt
down during the war, and only
the fencing left, but I think
that when he came back he put
up ~~no~~ another building.

Mr Watson. Mr Rogers has com-
plained to the Dept in regard to
this matter, he says that he thought
under the treaty at Fort Smith, he

had a right to go back to his
nation. We have sent the complaint
to the Supt for report upon it
and when the report comes back
then the Dept
will do something about it. When
we receive all the facts in the case
then we may be enabled to adjust
his claims. The Dept will probably
decide in his favor if the facts are
as represented. If this man can-
not live peaceably with you, if
he is a troublesome man, then
your people will have to pay him
~~something~~ what is reasonable
for his improvements. It would

not be fair for him to lose anything. Do you think your people willing to do this?

Mr Spicer. I do not know.

Mr Watson, Well let us go back to this other matter. I will take these treaties that have been sent up here, the treaty that was made between the Senecas proper and the mixed band of Senecas and Shawoneese and consult with the Commissioner in reference to them. I think I shall recommend to him to carry these arrangements into effect, so as to cause the

Shawnee lands open to such of
 the Shawnees from Kansas as
 want to go there and to enable the
 two bands of Senecas to go to-
 gether and also to provide a
 home among them for such of the
 Wyandotts as are to be provided
 for and then if the Miamis and
 Peonias ^{want to} can make an arrangement
 with the Ottawas, they can do so
 I think I shall recommend that
 to the Commissioner but I cannot
 say what he will do, I will
 see you in a few days and tell
 you what the conclusion is.

Mr Spicer. I would like to have
the treaty between the two bands
of Senecas confirmed.

Mr Watson. Of course that has got
to be done first. It will have
to be a joint treaty between
the mixed band of Senecas and
the mixed band of Senecas & Shammonee
each of them have a treaty, but a
new one will have to be made
whereby other parties may come in.

Mr Spicer. Have you any objections
to me asking you a few questions.

Mr Watson. Not at all sir!

Mr Spicer. Do you think it can

be done or that is reasonable to
 ask that all of their ^{(the mixed band of Senecas'} money and
 annuities should be placed in
 common with ours.

Mr Watson. Yes, all ~~that~~ except
 that which comes from N. Y. that
 we cannot control.

Mr Spicer. I have reference to
 only that which comes from the
 Gov.

Mr Watson. There is no objection
 to that. Suppose an arrangement
 should be made by the Gov to
 carry these things into effect &
 purchase for ^{the Mandots} ~~them~~ a part of the

Seneca country, as they do not seem likely to have anything to put into the Senecas treasury, would your people be willing to let them have a share of your annuities?

Mr Spicer, No sir, I would like to speak with you in relation to our annuity. Last fall the agent only paid us \$1000, previous to that we always got \$1250.

I would like to know the reason of this deduction. We always got it before the rebellion.

Mr Watson, He will have that

looked up and if it is just
then you shall have it

Mr Spicer. This man Whitree and
his people are in the same condition
They do not receive the same amount
of annuities that they did before the
war.

Mr Watson. How much did they
get then.

Mr Spicer. Their former annuities
were a little over \$1800.

Mr Watson. We will look that
up too.

Mr Spicer. In case it is all right
will not the Gov refund the difference

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to us.

Mr Watson, I presume so, but you
must understand that the Gov
will pay no interest. If your
claims are found to be all right
of course you shall have what
is due to you.

Mr Watson, This is all the business
I have with you to day, at some
other time of which you will be
advised, we will continue this
interview and endeavor if possible
to conclude a treaty with you.

Washington
Feb. 9. 1867.

Report of an

Interview between Mr N. H. Watson
and Murphy, authorized Agents of the
Government and the following representatives
of Indian Tribes for the purpose of
making treaties.

Shawnee Delegation

Charles Bluejacket, Greyhound Rogas
& Charles Tucker

Absentee Shawnees

John White, John Star & Sammie Hill

Black Bob band of Shawnees

Paschal Fish & James Jacobs

Mixed Shawnees & Senecas

John Whitton & John Gomey

Senecas Proper

George Spicer and John Muck

Quapaws

Sam'l G. Vallier & Kazhekah

Confederated Band of Senecas &
Baptists Senia, John Mitchell, Edward
Black, Frank Vallier Interpreter

Wyaundotts.
John Hat, John Caraho, George
Knight Interpreter

Agents - Geo. C. Snow Agent
of the Quapaws Senecas &c

Henry Shanklin Shawnee &c.

Mr. Hatem. I wish to say to our
friends, who have not been here before
the Penias and the Quapaws. I want
to say a few words as to the objects
of this meeting. Mr. Murphy and
myself with the Agents of each
tribe have been appointed to act for
the Commissioners in making such
treaties as we may be able to make
at this time. You all understand I
suppose from having been told by Mr
Jarrot ^{and others} ~~and others~~ who went
out to Kansas what the object is
in coming here, so it is not necessary
to state that. The Quapaws are
here under different arrangements
Their delegates are here under an
invitation from a gentleman who
went down into their country, they
come for the purpose of selling

their lands. We had a meeting the
 other day in which we had a free
 talk with most of the Indians that
 are here in regard to the matters
 proposed and we want to talk
 further with them now on this
 point and in addition with the
 other Indians who have since come
 and who are interested in the same
 subject. We learned the other day from
 the Senecas and from the Mixed Senecas
 and Shawneese what they wanted to
 do, To day in the first place we
 want to hear from our friends the
 Purias and Quapaws what they
 would like to do and then we shall
 know what all parties want and then
 we shall try to see if we cannot
 settle these varying views if they
 differ. We want also to hear from
 the Wyandots to day and see if
 anything can be done under these
 general arrangements to provide
 for them. That. We cannot under-
 take to make new treaties ~~now~~ with
 all, because the treaties whatever
 treaties are made must be made with
 the different tribes separately, because
 they are interested differently.

We can hear what the different parties propose and what they would like and then we can probably answer some of the difficulties that may come up, so as to clear the way for to make some arrangements that will be satisfactory to all.

Now the tribes that are represented here, some of them are now living in what is called the Indian country, into which no whites are allowed to go, except traders and Gov. employees. We understand that they who live there now want to remain and wish to sell a part of their lands to the Gov or to other Indians, so that they can have the means for their improvement, and that some of the Indians in Kansas, instead of going far south into the Indian country want to go into these lands. The Commissioner is willing that some arrangements should be made by which this should be carried out if it can be managed successfully and to the best interests of the various tribes. We would like to hear from the Pimas what they have to say.

Baptiste Penia. We have come here upon the invitation of the Commissioner sent by the Gov out to Kansas, for the purpose of obtaining the land vacated by the Mixed band of Senecas and also a strip of land from the Quapaws, but the Quapaws cannot spare us as much land as we want.

Mr Watson. Have you had any understanding with the Mixed band of Senecas in regard to obtaining their lands.

Baptiste Penia. Yes sir. We have had an understanding with some parties here

6
and a part of the mixed Shawnee
and with Mr Whetzel and Jimmy
of the mixed Senecas.

Mr Murphy, How many acres of
land, have the Quapaws?

Baptiste Penà, 96,000.

Mr Murphy, How many of them
live there?

Baptiste Penà, Near 300.

Mr Murphy, Is that all the land they

own

Baptiste Penà, Yes sir except a
strip in Kansas.

Mr Murphy, Is there not enough
land down there owned by these

Shameese and Mixed band of
 Senecas to accommodate the Penia's,
 Babbete Penia. Yes sir if we
 get this strip of land from the
 Quapaws.

Mr Watson. Well what have
 the Quapaws to say. What do
 they desire to be done.

Mr Kazhekah. We have a strip of
 land lying in Kansas, which we
 are told the Gov is desirous of
 purchasing. And our people have
 instructed us to make a treaty
 in regard to it.

Mr Watson. Was that the only purpose

you come here for

Mr Kazhukah) Yes sir. We hope we will succeed in making a treaty as our people are in very destitute circumstances.

Mr Watson, Are you willing to sell any part of your lands down there for other Indians to settle upon

Mr Kazhukah. We wish to sell what we have in Kansas, I believe Baptiste has been talking with our Chief in regard to buying some of the lands upon which we live and have entered

into arrangements to that effect.

Mr Watson, How much do you propose to sell to Babbete.

Kazhekah) A line running North and South on the West side about 3 miles wide.

Mr Watson, That would carry it over to the Neosho?

Kazhekah) Yes sir.

Mr Snow) That river land runs six miles Northward from the river and then due south to the Seneca and Shawnee reservation. It seems to me that it is not the idea to sell so much

Mr Snow. Was there any agreement between Peria and the old chief for that amount of land

Kayhekah) Yes sir

Mr Watson, What was that agreement.

Kayhekah. It was not exactly an agreement, but simply a conclusion they arrived at in talking it over.

Mr Watson. What did it amount to. What was to be paid for the land.

Kayhekah) I do not know.

Mr Watson. Was there any price

11
agreed upon

Kayhukah, No sir.

Mr Snow, Did they draw up
any contracts,

Kayhukah, No sir.

Mr Snow, Provided they wanted
more lands, would you feel
authorized to sell them more,

Kayhukah, No sir,

Mr Watson, Then you have no
power to sell any more lands
than what was agreed upon between
Pena and the old chief.

Kayhukah, No sir, Except these
few mile strip in Kansas,

Mr Watson, that would of course prevent any arrangements from being made now to sell any more, but suppose in carrying out these general arrangements it should be found desirable to buy say one half of your country, would your people be willing to sell it.

Kazhekah. No sir, I think not.

Mr Watson, there is only about 300 of you and yet you have about 96000 acres of land now, don't you think your people would be willing to sell one half

of it

Kayhukah. No sir. We have no instructions to do it.

Mr Watson. Well what is your opinion. Do you think your people would be willing to sell a part of it.

Kayhukah. I cannot do not, ^{know} what the feelings of our people are in regard to that, some may be in favor of it, but I cannot say positively.

Mr Watson. Well that is all I have to say, unless you want to say something.

Kayhukah. I wish to say something
to you in regard to some money
matters, I do not know whether
it can be got or not.

Mr Watson. What matters are those,

Kayhukah. We have got some money
coming to us from ^{a treaty we made further} the sale of some
lands 40 or 50 years ago. I think
you can find out all about it
if you look into the matter

Mr Surr. Do you know what
treaty it was, when it was made
Kayhukah. It was the time we
sold out and took our reservation
dam on the Red River. It was

in 1823 or 33 I don't know which.
The amount due is several thousand
dollars.

Mr Watson, I expect it was spent
in moving you. It is a very old
matter and as we are now so
busy it is a bad time to look
it up as soon as this hurry
is over and we have more
leisure time we will endeavor
to look it up.

Mr Watson, Well we will now
tell what our Wyandotte friends
have to say.

John Hat.) We came here on
business between the Senecas and
ourselves a treaty that has been
on foot for a number of years
whereby the Senecas agreed to
let the Mandots have a part of
their country - a strip 4 miles
wide extending to the Western
Boundary. We came here to
have this treaty fixed. The first
agreement we made with the
Senecas about this land was
8 or ~~10~~ 10 years ago and we
have made two or three since
and I suppose those treaties

are here in file.

Mr Watson, What was this agreement that was made 10 years ago.

John Hat. In talking this matter over the Myaudots went down into the Sineca County, and had a talk with the Sinecas who promised to let the Myaudots have this strip of county.

Mr Watson, Were they to sell or give it to them?

John Hat. They asked 50¢ per acre for it.

Mr Watson, Is that what they asked 10 years ago.

John Hat. Yes sir.

Mr. Watson. The only treaty on file here is the one made in 1859 between the Senecas and Nyandots, by which the Senecas intended to give the Nyandots a home down there. Do you recollect anything about that,

John Hat. Yes sir. I was there and heard all about it. They told us we might have it for nothing.

Mr. Watson. What reasons did the Senecas have in offering to give this land to the Nyandots?

John Hat. I do not know sir

John Hat. Yes sir. It was in consideration of some favors rendered by the Mandots that they offered us this land for nothing. This other treaty we were talking about was one between the citizen Mandot and the Senecas.

Mr Watson. Suppose some arrangement could be made with the Senecas for a home for the Mandots, what means have the Mandots to pay for it,

John Hat. We had some bonds that were sold here at a discount and we have understood that the Gov is willing to pay us the full amount

I never understood the cause.

Mr Watson, Do you know anything about an agreement made between you, prior to this one of 1859, I understood there was one, although has been made to it - was there not an agreement made in 1858 or a year or two before that

John Hat, Yes sir, I think there was.

Mr Watson, Well, did not the Senecas wish to give you this land in account of some favors rendered them by the Mandates in this?

that is due.

Mr Watson, Is there any thing else

John Hat No sir,

Mr Watson, How much did these
lands amount to,

John Hat, \$26,300.

Mr Watson, How much land would
the Myandots need, - how much
would be necessary for them,

John Hat, I think this strip
4 miles wide would be sufficient
for my people.

Mr Surr, How many acres
is in that strip,

John Hat, I do not know exactly

But I think about 33000 acres
 Mr. Sumner. Has the Senecas ever
 agreed to these arrangements since
 they made the agreement between with
 the Mixed band of Senecas to let
 you have this 4 mile strip.

John Hart. Yes We had a little talk
 with the Senecas in the first part
 of this winter, after they had consulted
 with the Mixed band, and we found
 out that they had changed their
 opinion a little, they then proposed
 to let us only have a strip two
 miles wide. Since the agreement
 ten years ago, this ^{was} the first

time I ever knew that they had changed
their minds. When we made that
treaty ten years ago, the Senecas
told us "I agree to let you have
a part of my Country, I want you
to move and settle down upon it,
They said that they would send
trouble about it and that we would
not have to change, but that they
would get the Gov. to ratify the
treaty.

Mr Watson, I understand that you
Mr Wash was here in 1857 or 1858
with John Guyeyes to see the
Commissioners in regard to some of

these old arrangements,

Mr Mush. I started to come on here
with him and some of our delegates
about that time, but ~~was~~ ^{the} ~~the~~ ^{Wyanadots} Chief of the
John Hat was taken ~~out~~ sick
and I remained with him at
St. Louis until the party came
back.

Mr Watson, Were you ever here with
^{Mr Mush}
Guyeyes? No sir. I have never
been here but once before and then
Guyeyes was not along.

Mr Watson, Do you know anything
about a treaty made somewhere
between 1856 1857 or 1858, by which

The Myaudots were to give the Semas
 some \$12,800 for certain lands.

Mr. Mueh, I recollect something about
 such a treaty, it was made I think
 by the same delegation that came on to
 Washington when I stopped at St. Louis
 with John Hat. It was agreed by
 the Semas to let the Myaudots
 have a tract of their land for
 some \$15000. When the delegation
 came back to St. Louis where
 I was in talking the matter over
 the Myaudots thought that \$15000
 was too big a price for the
 land, and after consultation

among ourselves the Senecas concluded to take \$12,800 for it

Mr Murphy. Did you not come on here a year afterwards with the Wyandots in relation to this treaty

Mr Mush. Yes I came on here to get the Gov. to sanction the treaty.

Mr Watson. That was in 1857 or 1859 a year or two before the treaty of 1859.

Mr Mush. Yes sir.

Mr Watson. We heard the other day from some of our Shawnee friends that we would like to hear from

the representatives of the Black Bob
band of Shononeese. We wish to
hear what they have to say.

Paschal Fish) About 3 years ago
I was here with Blackbob. While
we were here we saw Com. Dole
and he proposed to make a treaty,
but Blackbob would not make a
treaty. Blackbob told him
that when the war was over he
He finally through persuasion made a ^{satisfied by the Senate} treaty which was never
would make a treaty. He came
here a year ago and entered
with the Absentees
with arrangements for a treaty
to unite the Absentee Shononeese &
Black Bob's band as one people

but this was never satisfied by our people. When we came here the other day, Com. Boggs spoke to us about making a treaty with the Absentee Shawnee

Mr Shauklin. Were the Absentees represented here last winter?

Mr Fish. Yes sir,

Mr Shauklin. By whose authority were they here?

Mr Fish. They were appointed by their people to come,

Mr Shauklin. What were their names

Mr Fish. John White & Pimter Hood

Mr Shauklin. Were they the head

men of the Absentees.

Mr Fitch, I so understood. We concluded that as the Absentee Shermans had no homes, Blackbills band would take them in and then we would all be one people united. Mr Boyer told me the other day that he had a good deal of business to attend to but after while he would send Commissioners out into our country and they would fix the matter all right. These Commissioners that have been out in our country told us that they wanted two

representatives of each tribe to come
 on here to Washington to make a treaty.
 Mr Janot told me that when every
 thing was ready for us to come he
 would let these Absentee Shawnee
~~people~~ ^{people} live ~~live~~ all a far off, ~~live~~ all about
 it so they could send delegates
 but for some reason or other he refused
 to do so. I saw John Star after-
 wards and told him all about
 it and he came along with
 us

Mr Watson. Then Mr Star represents
 the Absentee Shawnee

Mr Fish. Yes sir

Mr Watson. How many of these Absentees who had the privilege of coming back into these lands have done so.

Mr Fish. 166.

Mr Watson How many refused to come back.

Mr Fish The balance amounting to about 483.

Mr Shanklin The latest census showed about 549. but I have never been enabled to get more than 527 together.

Mr Watson. How many of these Absentees live on the Absentee lands.

Mr Shanklin. About 225 the rest

are scattered about in different places.

A portion of these Absentees went up to join Blackboto band, but the Agent there that they could not come there

Mr Watson. Now we will hear from the Absentee Shawnee Delegation. What have they to say Mr A. Our people have wandered away from the Shawnee people proper some years ago. Since that time a piece of land was offered to us in Kansas which we accepted and settled upon. We heard a great many times that treaties had been

made for us but we never paid
 any attention to them as we thought no treaties
 could be made without our consent. Mr Fish
 once came to our people and told them
 that there had been a treaty made whereby
 we were to have a part of the lands of
 Blackbobs tribe but we did not
 believe it until Mr Shantlin became
 an agent and he told us all about
 it, and that we could get it
 and it is for that purpose we
 come here.

Mr Watson. Can it be possible that
 your people never believed that there
 was a treaty made, whereby you were
 to receive some tracts, four or five

thousand acres of land. Did you not

have some communication with your
 that treaty provided for you to return in
 five years and since it was made
 people the time was extended to ten years.

Mr Hill We thought they had no
 right to make a treaty unless we
 were present.

Mr Shantlin. Their former Agent never
 told them anything about it, and they
 never know anything about it for
 certainly with Dewart there.

Mr Murphy I understand from
 what you stated me at Topeka and your
 head Chief since I have been in town, what
 you want now is to have the ~~Shannon~~
 Gov let you have what is remaining

for the benefit of your people
of the Absentee lands in Kansas, and
when the Shawnee remove to their
new homes you want to join them
and unite as one people again
and pay them a proportion of the
expenses for the purchase of the
new homes. Is that what you want
to do now.

Mr Hill. Yes sir!

Mr Guthrie I wish to state that
some of the Absentee Shawnees did
return within the period of the
treaty and are now living with
Blackbobs band.

Mr Murphy. I would like Mr

Wish to tell us now as near as he
can his ideas of what he wants
what the Blackbobs want and
these Absentees.

Mr Fish. We want Blackbobs land
and the Absentee lands. I want that
fixed so it can be sold at a good
price, so that we can turn from the
proceeds another piece of land
elsewhere 20 miles square. We
prefer in selling these lands to
ascertain what the squatters will
give for them. I think they will
give us a better price than any-
body else

Mr Watson. Well we will now hear what our friends Mr Whittem and Gentry have to say. I would like to ask you if your people are desirous of selling their lands, to whom do they want them sold.

Mr Whittem. In the first place our people agreed to let the Peonias have our tract of country, and our people authorized us to make such a treaty. But we have changed a white Mr Davis who is the principal man of the Shauna / mixed band of Seneca told me, My Brother, I think I ought to do as you have done - you have gone with your own people who speaks the same language and I think I ought to

do the same, I ought to join the Shawnees. I told him I had already made a treaty with the Penias, but I thought I could undo it and make a treaty with him. Mr Davis came on here for that purpose, but he is now very sick. Now you see there is two parties that want our lands and I will the whole matter for you to decide who shall have them.

Mr Watson. That is not the idea, we want to know if you have any preference

Mr Whitman. We are delegated to camp

out the treaty with the Pemas but as
 my friend Davis Shawnee wants
 the land I have no authority to give
 it to them, from our people. I will
 leave the matter with the Shawnee who
 live upon the land.

Mr Watson The Quapaws have
 simply come on here to carry out
 arrangements made between them
 and Bathote and you too have
 only come on to carry out the
 arrangements you ^{people} made with the
 Pemas.

Mr Whitmer That is all.

Mr Whitmer then produced the in-
 structions he had received from his people

Mr Watson. What kind of authority does

Mr Dan's bring.

Mr Sumr. Mr Somers has all of his

papers.

Mr Watson. Now we will hear from

the Shamu delegation.

Mr Bluyacket. As Mr Fish stated
in his remarks, in regard to making
treaties some three years ago, Blackbob
came on here to make a treaty. When
we had learned that Mr Fish had
come on with Blackbob we sent a
telegraph despatch to Commissioner
Dole for him to hold on if they
had started the treaty, and not to go
on with it until we had arrived.
When we arrived the Commissioner told
us that he had commenced a treaty
with Mr Fish and Blackbob. We
then told him that we wished to
look into the treaty and know

what was in it, as we were a part
of the tribe then and we had some-
thing to say about it. The found the
treaty was drawn up. It was not
altogether satisfactory. Mr King
read the treaty to both delegations &
after it was read Blackbob who
is a man of but little understanding
and who understands English
very imperfectly, said he knew
very little about it. He said
that Mr Fish and Guitrie did
all the talking and he had but
little to say in it. He tried to
make them make a treaty with us

as we wanted to go in and become
one people. Blackfoot holds his
lands in common while we hold
ours in severalty. Mr Fish
and Guthrie wanted us to consent
to the treaty, but we would not
consent to it. Gen Dole told
us we had to make a treaty,
so we took the treaty that had
been drawn up between Mr Fish
and Blackfoot and struck struck
out some of the provisions. That
treaty was never ratified and so
we had to make another treaty
last year. Mr Fish came on last

year before us and made a treaty
and when he came back he read
the treaty he had made to us
and we told him it was a very
good treaty and we accepted
it. Then were some provisions in
the treaty that required our presence
here, so we came on and finished
up the treaty.

~~Mr. Watson~~ -

TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

SENECAS, MIXED SENECA AND SHAWNEES, QUAPAWS, CONFEDERATED PEORIAS, KASKASKIAS, WEAS, AND PIANKESHAWS, OTTOWAS OF BLANCHARD'S FORK AND ROCHE DE BŒUF, AND CERTAIN WYANDOTTES.

CONCLUDED FEBRUARY 23, 1867.
RATIFICATION ADVISED, WITH AMENDMENTS, JUNE 18, 1868.
AMENDMENTS ACCEPTED SEPTEMBER 1, 7, 8, AND 15, 1868.
PROCLAIMED OCTOBER 14, 1868.

Feb. 23, 1867



ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas a Treaty was made and concluded at the city of Washington, in the District of Columbia, on the twenty-third day of February, in the year of our Lord one thousand eight hundred and sixty-seven, by and between Lewis V. Bogy, William H. Watson, Thomas Murphy, George C. Snow, and G. A. Colton, Commissioners, on the part of the United States, and certain Chiefs, Delegates, and Headmen of the Senecas, mixed Senecas and Shawnees, Quapaws, confederated Peorias, Kaskaskias, Weas, and Piankeshaws, Miamies, Ottawas of Blanchard's Fork and Roche de Boeuf, and certain Wyandottes, on the part of said Indians, and duly authorized thereto by them, which Treaty is in the words and figures following, to wit:

Articles of Agreement concluded at Washington, D. C., the 23d day of February, 1867, between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs, W. H. Watson, Special Commissioner, Thomas Murphy, Superintendent of Indian Affairs, George C. Snow, and G. A. Colton, U. S. Indian agents, duly authorized, and the Senecas, represented by George Spicer and John Mush; the mixed Senecas and Shawnees, by John Whitetree, John Young, and Lewis Davis; the Quapaws, by S. G. Vallier and Ka-zhe-cah; the confederated Peorias, Kaskaskias, Weas, and Piankeshaws, by Baptiste Peoria, John Mitchell, and Edward Black; the Miamies, by Thomas Metosenyah and Thomas Richardville, and the Ottawas of Blanchard's Fork and Roche de Boeuf, by John White and J. T. Jones, and including certain Wyandott[e]s, represented by Tauromee, or John Hat, and John Karaho.

Whereas it is desirable that arrangements should be made by which portions of certain tribes, parties hereto, now residing in Kansas, should be enabled to remove to other lands in the Indian country south of that State, while other portions of said tribes desire to dissolve their tribal relations and become citizens; and whereas it is necessary to provide certain tribes, parties hereto, now residing in the Indian country, with means of rebuilding their houses, reopening their farms, and supporting their families, they having been driven from their reservation early in the late war, and suffered greatly for several years, and being willing to sell a portion of their lands to procure such relief; and whereas a portion of the Wyandottes, parties to the treaty of 1855, although taking lands in severalty, have sold said lands and are still poor, and

have not been compelled to become citizens, but have remained without clearly recognized organization, while others who did become citizens are unfitted for the responsibilities of citizenship; and whereas the Wyandottes, treated with in 1855, have just claims against the government, which will enable the portion of their people herein referred to to begin anew a tribal existence: Therefore it is agreed:

ARTICLE 1.

The Senecas cede to the United States a strip of land on the north side of their present reservation in the Indian country; the land so ceded to be bounded on the east by the State of Missouri, on the north by the north line of the reservation, on the west by the Neosho river, and running south for the necessary distance, to contain 20,000 acres; for which the government is to pay \$20,000 upon the ratification of this treaty; the south line of said tract to be ascertained by survey, at the cost of the United States.

ARTICLE 2.

The Senecas now confederated with the Shawnees, and owning an undivided half of a reservation in the Indian country immediately north of the Seneca reservation mentioned in the preceding article, cede to the United States one-half of said Seneca and Shawnee reserve, which it is mutually agreed shall be the north half, bounded on the east by the State of Missouri, north by the Quapaw reserve, west by the Neosho river, and south by an east and west line bisecting the present Seneca and Shawnee reserve into equal parts, the said line to be determined by survey, at the expense of the United States; for which tract of land, estimated to contain about 30,000 acres, the United States will pay the sum of \$24,000.

ARTICLE 3.

The Shawnees, heretofore confederated with the Senecas, cede to the United States that portion of their remaining lands, bounded as follows, beginning at a point where Spring river crosses the south line of the tract in the second article ceded to the United States, thence down said river to the south line of the Shawnee reserve, thence west to the Neosho river, thence up said river to the south line of the tract ceded in the second article, and thence east to the place of beginning; supposed to contain about 12,000 acres, the area to be ascertained by survey, at the expense of the United States; the United States to pay for the same at the rate of one dollar per acre, as soon as the area shall be ascertained.

ARTICLE 4.

The Quapaws cede to the United States that portion of their land lying in the State of Kansas, being a strip of land on the north line of their reservation, about one-half mile in width, and containing about twelve sections in all, excepting therefrom one half section to be patented to Samuel G. Vallier, including his improvements. Also the further tract within their present reserve, bounded as follows: Beginning at a point in the Neosho river where the south line of the Quapaw reserve strikes that stream, thence east three miles, thence north to the Kansas boundary line, thence west on said line to the Neosho river, thence down said river to the place of beginning; and the United States will pay to the Quapaws for the half mile strip lying in Kansas at the rate of one dollar and twenty-five cents per acre, whenever the area of the same shall be ascertained; and for the other tract described in this article at the rate of one dollar and fifteen cents per acre, whenever the area of the same shall be ascertained.

by survey, said survey to be made at the cost of the tribe to which said tract is herein provided to be sold; and the land in Kansas herein ceded shall be open to entry and settlement, the same as other public lands, within sixty days after the completion of the survey thereof.

PROVISIONS RELATING TO THE SENECAES.

ARTICLE 5.

The Senecas now confederated with the Shawnees, the said Shawnees thereto consenting, agree to dissolve their connection with the said Shawnees, and to unite with the Senecas, parties to the treaty of February 28, 1831, upon their reservation described in article second of said treaty; and the several bands of Senecas will unite their funds into one common fund for the benefit of the whole tribe; and an equitable division shall be made of all funds or annuities now held in common by the Senecas and Shawnees.

ARTICLE 6.

Of the sum of \$24,000 to be paid to the Senecas, as provided in the second article, the sum of four thousand dollars shall be paid to them immediately after the ratification of this treaty, to enable them to re-establish their homes and provide themselves with agricultural implements, seed, and provisions for themselves and their families; and the balance of the said first-mentioned sum, being twenty thousand dollars, shall be consolidated with the twenty thousand dollars in the first article provided to be paid, and invested for the tribe of Senecas, as constituted by this treaty, at five per cent. interest, to be paid per capita semi-annually; and their annuity of five hundred dollars in specie, provided by article four of the treaty of Sept. 29, 1817, shall likewise become the common property of the tribe.

ARTICLE 7.

The amount annually due the Senecas under the provisions of article four of the treaty of February 28, 1831, for blacksmith, after their separation from the Shawnees, shall be annually paid to them as a national fund, to enable them to purchase such articles for their wants and improvements in agriculture as the chiefs, with the consent of their agent, may designate; and this provision shall apply also to the fund for support of a miller belonging to the Senecas heretofore occupying the southernmost reserve referred to in this treaty; and there shall be added to the said fund whatever amount belonging to either band of the Senecas shall be found due and unpaid upon an examination of their accounts with the government, and particularly the amount of bonds and stocks invested in their name; and the interest thereon shall be annually paid to the said Senecas for the purposes mentioned in this article.

PROVISIONS RELATING TO THE SHAWNEES.

ARTICLE 8.

Of the amount in the third article provided to be paid to the Shawnees by the United States for the lands therein ceded, the sum of two thousand dollars shall be advanced to them to be used in establishing their homes, and the balance of the said amount shall be invested for the said tribe, under the name of Eastern Shawnees, and five per cent. be paid semi-annually thereon; and the amount due and unpaid upon

the bonds or stocks invested in their name shall be paid to them, as well as the interest thereon hereafter to become due, to be used under the direction of the chiefs, with the consent of the agent, for the purchase of agricultural implements or other articles necessary for the general welfare of the people; and the one-half of the blacksmith fund remaining after the division to be made with the Senecas provided for in article five shall remain devoted to the same purpose, and the government will add thereto the sum of five hundred dollars annually for five years.

PROVISIONS RELATING TO THE QUAPAWS.

ARTICLE 9.

Of the amount to be paid to the Quapaws for the lands ceded by them in the fourth article of this treaty, the sum of five thousand dollars shall be paid to them upon the ratification of this treaty, to assist them in re-establishing themselves at their homes upon their remaining reservation; and the balance of said amount shall be invested as a permanent fund at five per cent. interest, payable per capita semi-annually.

ARTICLE 10.

If the Osage mission school should be closed, so that the school fund of the Quapaws cannot be used for them to advantage at that institution, the said fund shall remain in the treasury of the United States until such time as it can, under the direction of the Secretary of the Interior, with the consent of the chiefs, be used to advantage in establishing a school upon their reservation.

ARTICLE 11.

The amount now due and unpaid for a farmer, under the provisions of the third article of their treaty of May 13, 1838, may be used by the chiefs and council for the purchase of provisions, farming implements, seed, and otherwise for the purpose of assisting the people in agriculture; and their annual income now paid for farmer shall hereafter be set apart for the purposes of assistance and improvement in agriculture.

CLAIMS FOR LOSSES BY THE WAR.

ARTICLE 12.

Whereas the aforesaid Senecas, mixed Senecas and Shawnees, and Quapaws were driven from their homes during the late war, and their property destroyed, the government being under obligations to protect them, but for the time unable to do so, it is agreed that a commission of not to exceed two persons shall be appointed by the Secretary of the Interior, who shall proceed to their country and make careful investigation of their claims for losses, and make full report of the same to the department; and the Secretary of the Interior shall, upon such report, make such awards as he may deem equitable and just; and upon such award the United States will pay the claimants the amounts declared to be due: *Provided*, That the sums so paid shall not exceed thirty-five thousand dollars for the Senecas, twenty-five thousand dollars for the Shawnees, and thirty thousand dollars for the Quapaws; and if the awards shall exceed such amounts in either case, the claimants shall be paid pro rata from the amount appropriated.

PROVISIONS IN RELATION TO THE WYANDOTTES.

ARTICLE 13.

The United States will set apart for the Wyandottes, for their future home, the land ceded by the Senecas in the first article hereof, and described in said article, to be owned by the said Wyandottes in common; and in order to reorganize and provide for the said Wyandottes, many of whom have been in a disorganized and unfortunate condition since their treaty of 1855, it is provided that there shall be recognized as due and paid to the Wyandottes of all classes the sum of eighty-three thousand eight hundred and fourteen dollars and forty cents, as more particularly stated and described in the schedule annexed to this treaty, marked "A." A register of the whole people, resident in Kansas and elsewhere, shall be taken by the agent of the Delawares, under the direction of the Secretary of the Interior, on or before the first of July, 1867, which shall show the names of all who declare their desire to be and remain Indians, and in a tribal condition, together with incompetents and orphans, as described in the treaty of 1855; and all such persons, and those only, shall hereafter constitute the tribe: *Provided*, That no one who has heretofore consented to become a citizen, nor the wife or children of any such person, shall be allowed to become members of the tribe, except by the free consent of the tribe after its new organization, and unless the agent shall certify that such party is, through poverty or incapacity, unfit to continue in the exercise of the responsibilities of citizenship of the United States, and likely to become a public charge.

ARTICLE 14.

Whenever the register in the next preceding article shall have been completed and returned to the Commissioner of Indian Affairs, the amount of money in said article acknowledged to be due to the Wyandott[e]s shall be divided, and that portion equitably due to the citizens of said people shall be paid to them, or their heirs, under the direction of the Secretary of the Interior; and the balance, after deducting the cost of the land purchased from the Senecas by the first article hereof, and the sum of \$5,000 to enable the Wyandott[e]s to establish themselves in their new homes, shall be paid to the Wyandott[e] tribe per capita; and the United States further agree to pay to the said Wyandott[e]s the sum of \$11,727 74, being the amount of taxes levied under the authority of the State of Kansas, contrary to the terms of the treaty of 1855, previous to the organization of the State government and for 5 years thereafter; in consideration of which the said Wyandott[e]s, receiving their portion of the said sum, shall in each case relinquish in writing by themselves, or through the Delaware agent as their guardian, all further claim against the United States as to matters relating to the said taxes.

ARTICLE 15.

All restrictions upon the sale of lands assigned and patented to "incompetent" Wyandott[e]s, under the 4th article of the treaty of 1855, shall be removed after the ratification of this treaty, but no sale of lands heretofore assigned to orphans or incompetents shall be made, under decree of any court, or otherwise, for or on account of any claim, judgment, execution or order, or for taxes, until voluntarily sold by the patentee or his or her heirs, with the approval of the Secretary of the Interior; and whereas many sales of land belonging to this class have heretofore been made, contrary to the spirit and intent of the treaty of 1855, it is agreed that a thorough examination and report shall be made, under direction of the Secretary of the Interior, in order to

ascertain the facts relating to all such cases, and upon a full examination of such report, and hearing of the parties interested, the said Secretary may confirm the said sales, or require an additional amount to be paid, or declare such sales entirely void, as the very right of the several cases may require.

PROVISIONS RELATING TO THE OTTAWAS.

ARTICLE 16.

The west part of the Shawnee reservation, ceded to the United States by the third article, is hereby sold to the Ottawas at \$1.00 per acre; and for the purpose of paying for said reservation the United States shall take the necessary amount, whenever the area of such land shall be found by actual survey, from the funds in the hands of the government arising from the sale of the Ottawa trust lands, as provided in the 9th article of the treaty of 1862, and the balance of said fund, after the payment of accounts provided for in article 5 of the treaty of 1862, shall be paid to the tribe per capita.

ARTICLE 17.

The provisions of the Ottawa treaty of 1862, under which all the tribe were to become citizens upon the 16th of July, 1867, are hereby extended for two years, or until July 16th, 1869; but at any time previous to that date any member of the tribe may appear before the U. S. district court for Kansas, and declare his intentions to become a citizen, when he shall receive a certificate of citizenship, which shall include his family, and thereafter be disconnected with the tribe, and shall be entitled to his proportion of the tribal fund; and all who shall not have made such declaration previous to the last-mentioned date, shall be still considered members of the tribe. In order to enable the tribe to dispose of their property in Kansas, and remove to their new homes and establish themselves thereon, patents in fee-simple shall be given to the heads of families, and to all who have come of age among the allottees under the treaties of 1862, so that they may sell their lands without restriction, but the said lands shall remain exempt from taxation so long as they may be retained by members of the tribe, down to the said 16th July, 1869; and the chiefs and council of the said tribe shall decide in the case of disputed heirship to real estate, taking as a rule the laws of inheritance of the State of Kansas.

ARTICLE 18.

The United States agree to pay such amount, not exceeding \$10,000, as may be found justly due to individual Ottawas, for depredations and damages upon their property during the late war, the proof of such losses to be furnished to the Secty. of the Interior, and such amount shall be paid as may be adjudged by him to be equitably due; and the claim of J. T. Jones, for which a bill of appropriation has passed one of the branches of Congress, but which has been withdrawn from before Congress, being for destruction by fire of his dwelling and other property by whites in 1856, shall be allowed and paid to him, amounting to \$6,700.

ARTICLE 19.

The 6th article of the treaty of 1862 shall remain unchanged, except as provided in this article. The children of the tribe between the ages of six and eighteen (6 and 18) shall be entitled to be received at said institution, and to be subsisted, clothed,

educated, and attended in sickness, where the sickness is of such a nature that the patient promises a return to study within a reasonable period; the children to be taught and practiced in industrial pursuits, suitable to their age and sex, and both sexes in such branches of learning, and to receive such advantages as the means of the institution will permit; these rights and privileges to continue so long as any children of the tribe shall present themselves for their exercise. And the Secretary of the Interior and the senior corresponding secretary of the American Baptist Home Mission Society shall be members ex officio of the board of trustees, with power to vote in person or by proxy, it being the special intention of this provision to furnish additional supervision of the institution, so that the provisions of this article may be carried into effect in their full spirit and intent.

ARTICLE 20.

It is further agreed that the remaining unsold portion of trust lands of the Ottawas, amounting to 7,221²⁰/₁₀₀ acres, shall be sold to the trustees of Ottawa University, to be disposed of for the benefit of said institution at the appraised value thereof, and that the said trustees shall have until July 16th, 1869, to dispose of the same and pay to the government the value of said lands: *Provided*, That the said trustees shall furnish, within 30 days after the ratification of this treaty, to the Secretary of the Interior, a satisfactory bond for the fulfilment of their obligations.

PROVISIONS RELATING TO THE PEORIAS, KASKASKIAS, WEAS, AND PIANKESHAWES.

ARTICLE 21.

Whereas certain arrangements have been made by the chiefs of the confederated tribes of Peorias, Kaskaskias, Weas, and Piankeshaws, for the sale to actual settlers of the lands held by them in common, being 9 $\frac{1}{2}$ sections, for a reasonable consideration, according to the terms of a certain petition of the said tribe, with schedule annexed, (which schedule is annexed to this treaty and marked "B,") dated December 20th, 1866, filed in the office of the Commissioner of Indian Affairs, it is agreed that the said arrangements shall be carried into full effect, and the purchasers thereunder shall receive patents from the United States for the lands so purchased, upon making full payment for the same to the Secretary of the Interior, and the amount already paid by said purchasers, as appears from said schedule, and in the hands of the chiefs, shall be paid to the Secy. of the Interior, and the whole amount of the purchase money shall also be paid to the said Secy. on or before the 1st day of June, 1867, and shall be held by him for the benefit of the tribe, subject to the provisions of this treaty.

ARTICLE 22.

The land in the second and fourth articles of this treaty proposed to be purchased from the Senecas and Quapaws, and lying south of Kansas, is hereby granted and sold to the Peorias, &c., and shall be paid for at the rate paid for the same by the government, out of the proceeds of the nine and a half sections referred to in the last preceding article, adding thereto whatever may be necessary out of other moneys in the hands of the United States belonging to the said Peorias, &c.

ARTICLE 23.

The said Indians agree to dispose of their allotments in Kansas and remove to their new homes in the Indian country within two years from the ratification of this treaty; and to that end the Secretary of the Interior is authorized to remove altogether

the restrictions upon the sales of their lands, provided under authority of the 3d article of the treaty of May 30, 1854, in such manner that adult Indians may sell their own lands, and that the lands of minors and incompetents may be sold by the chiefs, with the consent of the agent, certified to the Secretary of the Interior and approved by him. And if there should be any allotments for which no owner or heir thereof survives, the chiefs may convey the same by deed, the purchase money thereof to be applied, under the direction of the Secretary, to the benefit of the tribe; and the guardianship of orphan children shall remain in the hands of the chiefs of the tribe, and the said chiefs shall have the exclusive right to determine who are members of the tribe, and entitled to be placed upon the pay-rolls.

ARTICLE 24.

An examination shall be made of the books of the Indian office, and an account current prepared, stating the condition of their funds, and the representations of the Indians for overcharges for sales of their lands in 1857-'8 shall be examined, and if any amount is found to be due, such balance, together with the interest of their invested funds, shall be paid to them upon the 1st of July, 1867; and in order further to assist them in preparing for removal and in paying their debts, the further amount of \$25,000 shall be at the same time paid to them per capita from the sum of \$169,686 75, invested for said Indians under act of Congress of July 12, 1862; and the balance of said sum of \$169,686 75, together with the sum of \$98,000 now invested on behalf of the said Indians, in State stocks, of southern States, and the sum of \$3,700 00 being the balance of interest, at 5 per cent. per annum, on \$39,950 held by the United States from July, 1857, till vested in Kansas bonds in December, 1861, after crediting \$5,000 thereon heretofore receipted for by the chiefs of said Indians, shall be and remain as the permanent fund of the said tribe, and five per cent. be paid semi-annually thereon, per capita, to the tribe; and the interest due upon the sum of \$28,500 in Kansas bonds, and upon \$16,200 in U. S. stocks, now held for their benefit, shall be paid to the tribe semi-annually in two equal payments as a permanent school fund income: *Provided*, That there shall be taken from the said invested fund and paid to the said tribe, per capita, on the 1st of July, 1868, the sum of \$30,000 to assist them in establishing themselves upon their new homes; and at any time thereafter, when the chiefs shall represent to the satisfaction of the Secretary of the Interior that an additional sum is necessary, such sum may be taken from their invested fund: *And provided also*, That the said invested fund shall be subject to such division and diminution as may be found necessary in order to pay those who may become citizens their share of the funds of the tribe.

ARTICLE 25.

Whereas taxes have been levied by the authority of the State of Kansas upon lands allotted to members of the tribe, the right and justice of which taxation is not acknowledged by the Indians, and on which account they have suffered great vexation and expense, and which is now a matter in question in the Supreme Court of the United States, it is agreed that, in case that court shall decide such taxes unlawful, the government will take measures to secure the refunding of said taxes to such of the Indians as have paid them; and if such taxes are decided to be lawful, then the government will redeem the said lands from all taxes down to the date of any deeds approved by the Secretary of the Interior; in consideration of which relief to the Indians they hereby relinquish all right to payment from the government of any claims for damages to, and depredations upon, their property, made by parties who claim under such tax titles; and also all claim for damages on account of unfairness of the sales of their lands in 1857.

ARTICLE 26.

The Peorias, Kaskaskias, Weas, and Piankeshaws agree that the Miamies may be confederated with them upon their new reservation, and own an undivided right in said reservation in proportion to the sum paid, upon the payment by the said Miamies of an amount which, in proportion to the number of the Miamies who shall join them, will be equal to their share of the purchase-money in this treaty provided to be paid for the land, and also upon the payment into the common fund of such amount as shall make them equal in annuities to the said Peorias, &c., the said privilege to remain open to the Miamies two years from the ratification of this treaty.

ARTICLE 27.

The United States agree to pay the said Indians the sum of \$1,500 per year for six years for their blacksmith, and for necessary iron and steel and tools; in consideration of which payment the said tribe hereby relinquish all claims for damages and losses during the late war, and, at the end of the said six years, any tools or materials remaining shall be the property of the tribe.

ARTICLE 28.

Inasmuch as there may be those among them who may desire to remain in Kansas and become citizens of the United States, it is hereby provided that, within six months after the ratification of this treaty, a register shall be taken by the agent, which shall show the names separately of all who voluntarily desire to remove, and all who desire to remain and become citizens; and those who shall elect to remain may appear before the judge of the U. S. district court for Kansas and make declaration of their intention to become citizens, and take the oath to support the Constitution of the United States; and upon filing of a certificate of such declaration and oath in the office of the Commissioner of Indian Affairs they shall be entitled to receive the proportionate share of themselves and their children in the invested funds and other common property of the tribe; and therefrom they and their children shall become citizens, and have no further rights in the tribe; and all the females who are heads of families and single women of full age shall have the right to make such declaration and become disconnected from the tribe.

PROVISIONS RELATING TO THE MIAMIES.

ARTICLE 29.

It is agreed that such of the Miamies now occupying lands in Kansas, under their treaty of Aug. 4, 1854, as desire to remain in that State and become citizens, may have the privilege of doing so; and that those who shall elect to remove to the new reservation herein provided to be purchased from the Senecas and Shawnees and sold to the Peorias, &c., may do so, and upon such removal shall become confederated with the said Peorias, and own an undivided right in said reservation in proportion to their numbers on paying to the U. S., for the benefit of said Peorias, a proportionate share of the purchase-money and of the capital of their annuities as provided in article 26; and upon such payment for their share of the land, the amount so paid shall be held by the United States for such disposition as the chiefs of the Peorias, &c., shall designate; and a sufficient amount of the funds of the Miamies who remove shall be set apart, so that the interest thereon, at 5 per cent., shall be equal in proportion to the numbers of the Miamies removing, to the school fund income of the said Peorias, and upon such confederation the united tribe shall take the name of "Peorias and Miamies."

ARTICLE 30.

The provisions of article 23 of this treaty, relating to the removal of restrictions from the alienation of land, and as to the conveyance of land in certain cases, made as to the Peorias, &c., shall apply also [to] the Miamies; and it is agreed that those who decide to remove shall do so within 2 years from the ratification of this treaty.

ARTICLE 31.

The reserved or common lands of the Miamies in the eastern part of Kansas, amounting to about 23,000 acres, shall be sold, for the benefit of the tribe, in the following manner: Whereas the said lands have heretofore been appraised under direction of the Secretary of the Interior, which appraisal is on file in that department, such appraisal shall be taken as the basis of the sale; and whereas the said tract of land is now occupied for the most part by white settlers, it is agreed that the said settlers shall have a pre-emption right to the lands which they occupy, in legal subdivisions, at the appraised value thereof; and immediately after the ratification of this treaty it shall be the duty of the Commissioner of Indian Affairs to give notice, by publication for 30 days in some newspaper in the county in which the said lands are situated, that payment for the same must be made at said appraised value, by the person who occupies the land at the date of the ratification of this treaty, within six months after the date of such ratification; and, if such payment shall be made, patents in fee-simple shall be issued to the purchasers; and after the said six months sealed bids, at not less than the appraised value, shall be received by the Commissioner of Indian Affairs for any of said lands remaining unpaid for, and awards made to the highest bidder for cash until all of said lands are sold: *Provided*, That the Miamies shall not be held by this article as conceding any point in dispute relative to the validity of certain head-rights, sixty-eight in number, heretofore granted upon their reserve, and certain moneys taken from the Western Miamies and paid to said sixty-eight persons.

ARTICLE 32.

The United States agree to the same provision in regard to taxes levied upon their lands under authority of the State of Kansas as is set forth in the 25th article, in regard to the Peorias, &c., so far as relates to redeeming their lands from taxes, in case such taxes are decided to have been lawfully levied.

ARTICLE 33.

A register shall be made by the agent of the tribe, within six months after the ratification of this treaty, of all who shall desire to remove, and all who desire to remain, and the provisions of article 28, in relation to the Peorias, &c., shall also apply to the Miamies.

ARTICLE 34.

In order that those who desire to remove may make preparations for the purpose, the sum of \$13,000 of the amount due the Miamies under article 3d of the treaty of 1854, shall be paid to them, per capita, within thirty days, and the additional sum of \$10,000 in ninety days after the ratification of this treaty; and upon the return of the register showing the names and number of those respectively who intend to retain their

tribal condition and of those who will become citizens, an account shall be made of the amount due by the government to the tribe, and the share belonging to that portion who desire to become citizens shall be reserved to be paid to the parties entitled thereto; and, in making such account, their mill and blacksmith and other annuities shall be reduced to their actual cash present value; and after the reservation of the amount for those who become citizens, there shall be taken from the remaining moneys the amount necessary to pay for the share in the land purchased of the Peorias, &c., and the amount necessary to be capitalized as a permanent fund to make them equal in annuities to the Peorias, &c., and the balance, together with the share of the removing party derived from the sale of their lands, as fast as the same is received, shall be invested in 7-30 U. S. bonds, maturing or convertible at the earliest date, and the interest upon the same shall be collected and paid to the Miamies, per capita, semi-annually at their new homes; and the share of the citizen Miamies in the proceeds of the lands shall be paid to the heads of families for their families, or to single persons, as the case may be, annually, until all the lands are sold.

ARTICLE 35.

The school section upon the Miami reserve, now unimproved, shall be patented in fee-simple to the chiefs, Thomas Metosenyah and Big Leg, upon such division thereof as they may agree upon between themselves, upon notification of the said division to the Secretary of the Interior through the agent: *Provided*, That the portion of said school section, not exceeding 4 acres, heretofore used as a burial ground, shall be perpetually reserved for such purpose.

ARTICLE 36.

An investigation shall be made by the Secretary of the Interior into all claims presented on account of damages committed by whites upon the lands of the Indians and for losses of stock and other property, and a report shall be made thereon to Congress, recommending such action as shall appear just and equitable.

ARTICLE 37.

The provisions of this treaty shall apply exclusively for the use and benefit of the Western Miamies; and an examination shall be made as to the claims of certain Eel River Miamies now resident among the Western Miamies, and such amounts as may have been withheld from them shall be refunded, and hereafter their annuities shall be paid to them among the Western Miamies, where they live.

ARTICLE 38.

The United States agree that agency buildings shall be erected, in as central a position as possible, for the tribes interested in this treaty, at a cost not to exceed \$8,000, in place of those of the Neosho agency, destroyed during the late war.

ARTICLE 39.

All necessary arrangements contemplated in this treaty, in regard to the transfer of invested funds from one tribe to another, or the disposal of securities belonging to one

tribe in favor of another, or capitalization of annuities and other funds, where the same are or may be in the hands of the government, shall be made by the Secretary of the Interior in such manner as shall fully carry into effect the spirit and meaning of this treaty; and where appropriations are needed from Congress in order to carry into effect these stipulations, it shall be his duty to make report in relation to the same to Congress at the earliest day practicable after the ratification of this treaty.

ARTICLE 40.

If any amendments shall be made to this treaty by the Senate, it shall only be necessary to submit the same for the assent of the particular tribe or tribes interested; and should any such amendments be made, and the assent of the tribe or tribes interested not be obtained, the remainder of the treaty not affected by such amendment shall nevertheless take effect and be in force.

ARTICLE 41.

The expenses of negotiating this treaty, not exceeding \$12,000, shall be paid by the United States.

In testimony whereof, the before-named commissioners on behalf of the United States, and the before-named delegates on behalf of the Senecas, mixed Senecas and Shawnees, Quapaws, confederated Peorias, Kaskaskias, Weas and Piankeshaws, Miamies, Ottawas, and Wyandottes, have hereunto set our hands and seals the day and year first above written.

LEWIS V. BOGY,	[SEAL.]
<i>Commissioner of Indian Affairs.</i>	
W. H. WATSON,	[SEAL.]
<i>Special Commissioner.</i>	
THOS. MURPHY,	[SEAL.]
<i>Sup't of Indian Affairs.</i>	
G. C. SNOW,	[SEAL.]
<i>U. S. Ind. Ag't, Neosho Agency.</i>	
G. A. COLTON,	[SEAL.]
<i>U. S. Ind. Ag't for Miamis, Peorias, &c.</i>	
GEORGE SPICER,	his x mark, [SEAL.]
JOHN MUSH,	his x mark, [SEAL.]
<i>Senecas.</i>	
JOHN WHITETREE,	his x mark, [SEAL.]
JOHN YOUNG,	his x mark, [SEAL.]
LEWIS DAVIS,	his x mark, [SEAL.]
<i>Senecas and Shawnees.</i>	
S. G. VALIER,	[SEAL.]
KA-SHE-CAH,	his x mark, [SEAL.]
<i>Quapaws.</i>	
BAPTISTE PEORIA,	his x mark, [SEAL.]
JOHN MITCHELL,	his x mark, [SEAL.]
EDWARD BLACK,	[SEAL.]
<i>Peorias, &c.</i>	

THOMAS METOSENDAH, his x mark, [SEAL.]
 THOS. F. RICHARDVILLE, [SEAL.]
Miamies.

JOHN WILSON, his x mark, [SEAL.]
 J. T. JONES, [SEAL.]
Ottawas.

TAUROMEE, his x mark, [SEAL.]
 JOHN KARAHO, his x mark, [SEAL.]
Wyandottes.

In presence of—

FRANK VALLE, his x mark,
U. S. Interpreter for Osage River Agency.

JOHN B. ROUBIDEAU, his x mark,
U. S. Interpreter for Miamis.

WM. HURR,
Interpreter for Ottawas.

GEO. WRIGHT,
Interpreter for Wyandottes.

ABELARD GUTHRIE.

GEORGE B. JONAS.

THOS. E. MCGRAW.

LEWIS S. HAYDEN.

CHARLES SIMS.

R. McBRATNEY.

Witnesses to signature of Lewis Davis:

G. L. YOUNG.

G. C. SNOW,
U. S. Ind. Agent.

A.

Schedule showing the several items embraced in the sum agreed to be paid to the Wyandottes by the 13th article of the foregoing treaty.

1. Annuity due under the 6th article of the treaty of January 31, 1855.....	\$8,750 00
2. Amount discounted on \$53,594 53 in State bonds on the 13th of May, 1859.....	15,187 03
3. Interest on the above \$15,787 03 [\$15,187 03] from May 13th, 1859, to February, 1867, at 5 per ct.....	6,150 87
4. Amount discounted on \$53,000 in State bonds, March 24, 1860.....	11,130 00
5. Interest on the above \$11,130 from March 24, 1860, to February 24, 1867.....	4,618 95
6. Moneys heretofore appropriated in fulfilment of treaty stipulations, but transferred to the sur- plus fund.....	3,635 05
7. Amount for depredations on Wyandotte property, claim approved by Secretary of the Interior, March 21st, 1862.....	34,342 50
Total amount.....	<u>83,814 40</u>

The above named total sum is designed to represent the full claim of the Wyandottes against the United States under former treaties.

The 1st, 2d, and 4th items, together with another named in the 14th article of the foregoing treaty, were examined and approved by the House Committee on Indian Affairs, and their payment recommended.—(See Congressional Globe, page 1037, part 2d, 2d session of 38th Congress.)

The 3d and 5th items constitute the interest on the moneys discounted on the bonds mentioned in items 2 and 4. Although the committee did not recommend the payment of this interest, they acknowledged its justice, but said that its allowance would possibly endanger the passage of the appropriation, as the general feeling was averse to paying interest on claims.

The 7th item embraces several small amounts for schools, blacksmith, &c., which were due and appropriated at the date of the treaty, but not paid, and were afterwards transferred to the surplus fund.

The 8th item is for depredations on Wyandotte property during the Kansas troubles and the entire emigration to California. It was examined and approved by the Secretary of the Interior, March 21, 1862.

B.—Names of settlers, Nos. of land and price thereof, together with the amount deposited by each settler on the ten-section reserve, in Miami county, Kansas.

Names.	Quarter.	Section.	Township.	Range.	No. of acres.	Price per acre.	Sum deposited.	Total.
Andrew J. Sinclair.....	E. half.....	23	16	24	320	\$4 00	\$426 66	\$1,280 00
Zacheus Hays.....	NW. and E. half, SW., } and SE. of NW. }	25	16	24	160	4 75	433 00	1,300 00
Randolph Boyd.....	NE.....	26	16	24	160	4 75	253 33	760 00
John Nichols and William Gray.	W. $\frac{1}{4}$ SE.....	26	16	24	80	3 75	160 00	300 00
John Martin.....	SE.....	19	16	25	160	5 25	500 00	1,240 00
Same.....	S. $\frac{1}{4}$ SE.....	18	16	25	80	5 00	267 00	800 00
David H. Banta.....	SW.....	19	16	25	160	5 00	214 00	640 00
Reuben Fellows.....	SW.....	27	16	24	160	4 00	185 00	560 00
J. T. Pifer.....	NW.....	19	16	25	160	3 50	200 00	840 00
Leroy W. Martin.....	NE.....	19	16	25	160	5 25	200 00	840 00
Charles Converse.....	E. $\frac{1}{4}$ NW. and W. $\frac{1}{4}$ and NE. $\frac{1}{4}$ of NE.	30	16	25	200	4 25	226 66	840 00
Benjamin Wingrove.....	SE.....	31	16	25	160	4 25	213 33	640 00
Same.....	SW. of SE.....	30	16	25	40	4 00	165 00	528 00
Saml. McKinney.....	SW.....	31	16	25	160	4 00	480 00	1,440 00
Squire James Waller.....	NE.....	6	17	25	160	3 30	480 00	480 00
George A. Whittaker.....	E. half.....	27	16	24	320	4 50	215 00	640 00
William Smith.....	E. $\frac{1}{4}$ SE. and SE. of NE.	28	16	25	120	4 00	95 00	280 00
Edward Morgan.....	N. $\frac{1}{4}$ and SW. $\frac{1}{4}$ of NW., and NW. $\frac{1}{4}$ of SW.	6	17	25	160	4 00	980 00	980 00
Albert Benndorf.....	S. $\frac{1}{4}$ NE.....	22	16	24	80	3 50	426 66	1,280 00
Charles Martin.....	NW., S. $\frac{1}{4}$, and NW. $\frac{1}{4}$ of SW.	†	16	25	280	3 50	1,013 33	3,040 00
Francis Hastings and William Morgan, jr.	Half.....	23	16	24	320	4 00	250 00	800 00
Joel O. Loveridge, George W. Loveridge, Alfred Loveridge jointly.	E. $\frac{1}{4}$ and SW. $\frac{1}{4}$ of SW.	†	16	25	760	4 00	560 00	560 00
Isaac Shaw.....	NE.....	1	17	24	160	5 00	560 00	560 00
Jacob Sims.....	SE.....	13	16	24	160	3 50	560 00	560 00
Zacheus Hays.....	SW.....	26	16	24	160	3 50	1,280 00	1,280 00
Town tract*.....	N. $\frac{1}{4}$	31	16	25	320	4 00	560 00	560 00
Ambrose Shields.....	NE.....	34	16	24	160	3 50	480 00	480 00
Anthony Cott.....	SE.....	22	16	24	160	3 00	320 00	320 00
Edward Dagenett.....	SE.....	17	16	25	80	4 00	.....	.....
Total.....	.....	.....	.....	.....	5,680	.....	5,664 97	22,278 00

The three last named are half-breed Indians who will become citizens. Said Shields has 5 children; said Cott 3, and Dagenette 2. William Smith, the settler aforesaid, has a half-breed wife and 2 children. He takes said 120 acres in full of the interest of his family in net proceeds of the reserve, and is to pay one hundred and sixty dollars (\$160) besides.

Said Shields, Cott, and Dagenett take their respective tracts at the price stated, in lieu of a like sum of the shares of themselves and families in the net proceeds of the reserve; provided, that should the share of either family in the net proceeds of the reserve be less than the price agreed for the land taken by the head of such family, then the deficit to be paid in money as by other settlers. The title in each of the four cases last mentioned to be made jointly to the various members of the family by name, whose shares in said proceeds pay for same.

Joshua Clayton takes SE. $\frac{1}{4}$ section 36, township 16, range 24, 160 acres, at \$4 per acre, and deposits \$213; total payment, \$640.

Knoles Shaw, W. $\frac{1}{4}$ of SE. $\frac{1}{4}$ section 6, town[ship] 17, range 25, 80 acres; has deposited \$94; total payment, \$280 00.

Thos. Morgan and John W. Majors take E. $\frac{1}{4}$ of said quarter at \$3 per acre; deposited \$9; total, \$240 00.

There is [are] 80 acres untaken, for which a purchaser will be named by the chiefs before 1st June next.

Total land disposed of..... 6,000 acres.

Total money deposited..... \$5,970 00

Total amount at prices agreed..... 23,438 00

The above lands to be patented to the persons aforesaid, or their representatives, on prompt payment of the price agreed, by 1st June, 1867; provided, that if any settler refuse or neglect to pay as aforesaid, then the tract of land by him claimed to be sold under sealed bids.

*This tract to be conveyed to David Perry and Chas. Sims, on payment of said \$1,280 by June 1st.
† 19 and 18. ‡ 24 and 13.

And whereas the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighteenth day of June, one thousand eight hundred and sixty-eight, advise and consent to the ratification of the same, with amendments, by a resolution in the words and figures following, to wit:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
June 18, 1868.

Resolved, (two-thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement concluded at Washington, D. C., the 23d day of February, 1867, between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs, W. H. Watson, Special Commissioner, Thomas Murphy, Superintendent of Indian Affairs, George C. Snow and G. A. Colton, U. S. Indian Agents, duly authorized, and the Senecas, represented by George Spicer and John Mush, the mixed Senecas and Shawnees, by John Whitetree, John Young, and Lewis Davis, the Quapaws, by S. G. Vallier and Ka-zhe-cal, the confederated Peorias, Kaskaskias, Weas, and Piankeshaws, by Baptiste Peoria, John Mitchell, and Edward Black, and the Ottawas of Blanchard's Fork and Roche de Bœuf, by John White and J. T. Jones, and including certain Wyandott[e]s, represented by Tauromee, or John Hat, and John Karaho, with the following

AMENDMENTS:

Article 4.—Strike out the following words: “and the land in Kansas herein ceded shall be open to entry and settlement the same as other public lands within sixty days after the completion of the surveys thereof;” and insert in lieu thereof: *under the pre-emption laws of the United States; but all such pre-emption shall be paid in the money of the United States, at the proper land office, within one year from the date of entry and settlement.*

Article 12.—Strike out the following words: “the government being under obligations to protect them, but for the time unable to do so.”

Same article.—Strike out the following words: “upon such report, make such awards as he may deem equitable and just; and upon such award the United States will pay the claimants the amounts declared to be due: Provided, That the sums so paid shall not exceed thirty-five thousand dollars for the Senecas, twenty-five thousand dollars for the Shawnees, and thirty thousand dollars for the Quapaws; and if the awards shall exceed such amounts in either case, the claimants shall be paid pro rata from the amount appropriated;” and insert in lieu thereof: *report the same to Congress.*

Article 13.—Strike out the following words: “and in order to reorganize and provide for the Wyandott[e]s, many of whom have been in a disorganized and unfortunate condition since their treaty of 1855, it is provided that there shall be recognized as due and paid to the Wyandott[e]s of all classes the sum of eighty-three thousand eight hundred and fourteen dollars and forty cents, as more particularly stated and described in the schedule annexed to this treaty marked ‘A;’” and insert in lieu thereof: *and the Secretary of the Interior is hereby authorized and required to appoint three persons whose duty it shall be to ascertain and report to the Department the amount of money, if any, due by the United States to the Wyandott[e] Indians under existing treaty stipulations, and the items mentioned in schedule A, appended to this treaty, and the report of the persons so appointed, with the evidence taken, shall be submitted to Congress for action at its next session.*

Article 14.—Strike out the following words: “and the United States further agree to pay to the said Wyandott[e]s the sum of \$11,727.74, being the amount of taxes levied under the authority of the State of Kansas, contrary to the terms of the treaty of 1855, previous to the organization of the State government and for five years thereafter, in consideration of which the said Wyandott[e]s, receiving their portion of the said sum, shall in each case relinquish in writing by themselves, or through the Delaware agent as their guardian, all further claims against the United States as to matters relating to the said taxes.”

Article 18.—Strike out the following words: “such amount, not exceeding \$10,000, as may be found justly due to individual Ottawas, for depredations and damages upon their property during the late war, the proof of such losses to be furnished to the Secretary of the Interior, and such amount shall be paid as may be adjudged by him to be equitably due; and.”

Article 24.—Strike out the following words: “and if any amount is found to be due, such balance, together with the interest of their invested funds, shall be paid to them upon the 1st of July, 1867;” and insert in lieu thereof: *and reported to Congress.*

Article 25.—Strike out the following words: “and if such taxes are decided to be lawful, then the government will redeem the said lands from all taxes, down to the date of any deeds approved by the Secretary of the Interior; in consideration of which relief to the Indians, they hereby relinquish all right to payment from the government of any claims for damages to and depredations upon their property, made by parties who claim under such tax titles, and also all claims for damages on account of unfairness of the sales of their lands in 1857.”

Strike out the whole of articles 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 41.

Strike out schedule A.

Attest:

GEO. C. GORHAM,
Secretary.

And whereas the foregoing amendments having been fully explained and interpreted to the duly authorized Chiefs, Delegates, and Headmen of the Senecas, mixed Senecas and Shawnees, Quapaws, confederated Peorias, Kaskaskias, Weas, and Piankeshaws, Ottowas of Blanchard's Fork and Roche de Bœuf, and certain Wyandottes, they did respectively, on the first, seventh, eighth, and fifteenth days of September, one thousand eight hundred and sixty-eight, give their free and voluntary assent to the said amendments in a writing, which, after relating the aforesaid action of the Senate, reciting its said proposed amendments, and repeating the provisions of the fortieth article of the said Treaty, concludes in the words and figures following, to wit:

Whereas the foregoing amendments to said Treaty, made by the Senate of the United States in executive session on the 18th of June, 1868, have been fully interpreted and explained to the undersigned severally representing the Senecas, mixed Senecas and Shawnees, Quapaws, confederated Peorias, Kaskaskias, Weas, and Piankeshaws, Ottowas of Blanchard's Fork and Roche de Bœuf, and the Wyandott[e]s, parties to said Treaty, being duly authorized by their respective tribes thereunto, [they] do hereby agree to and ratify said amendments in which their tribes are respectively interested.

Done at Neosho Agency, Shawnee Nation, this seventh day of September, A. D. eighteen hundred and sixty-eight.

GEORGE SPICER, *Chief and Delegate*, his x mark. [SEAL.]
JOHN MUSH, *Delegate*, his x mark. [SEAL.]
JOSEPH SPICER, *Councillor*, his x mark. [SEAL.]
For the Senecas.

Signed in presence of

GEO. MITCHELL, *S. I. Agt.*
 JAS. WHITECROW, *U. S. Interpreter.*
 JAMES H. EMBRY.

JOHN WHITETREE, his x mark. [SEAL.]
 JOHN YOUNG, his x mark. [SEAL.]
 ALFRED McDANIEL, his x mark. [SEAL.]
 WILLIAM JACKSON, his x mark. [SEAL.]

For the mixed Senecas and Shawnees.

Signed in presence of

GEO. MITCHELL, *S. I. Agt.*
 JAS. WHITECROW, *U. S. Interpreter.*
 GEO. WRIGHT, *Interpreter.*
 LAZARUS FLINT, *Interpreter.*
 JAMES H. EMBRY.

S. G. VALIER, *Interpreter and Drghtn.* [SEAL.]
 KA-SHE-CAH, his x mark. [SEAL.]
 CAH-HIC-CAH-TEDAY, his x mark. [SEAL.]
 GEORGE LANE, his x mark. [SEAL.]

For the Quapaws.

Signed in presence of

GEO. MITCHELL, *S. I. Agt.*
 LAZARUS FLINT.
 JAMES H. EMBRY.

Done at Neosho Agency, Shawnee Nation, this 8th September, 1868.

BAPTISTE PEORIA, *Head Chief of Peorias, &c.*, his x mark. [SEAL.]
 EDWARD BLACK, [SEAL.]
 YELLOW BEAVER, his x mark. [SEAL.]

For the confederated Peorias, &c.

Signed in presence of

FRANK VALLE, his x mark, *U. S. Int.*
 G. A. COLTON, *Agent.*
 JAMES H. EMBRY.

Done at Ottawa, Kansas, this first day of September, eighteen hundred and sixty-eight.

JOHN WILSON, his x mark, [SEAL.]
 J. T. JONES, [SEAL.]

For the Ottawas of Blanchard's Fork and Roche de Boeuf.

Signed in presence of

WILLIAM HURR, *U. S. Interpreter for Ottawas.*
 ALBERT WILEY, *Agent for Ottawas.*
 JAMES H. EMBRY, *Special Agent.*

Done near Wyandotte, Kansas, this fifteenth day of September, eighteen hundred and sixty-eight.

TAUROMEE,	his x mark.	[SEAL.]
JOHN KARAHO,	his x mark.	[SEAL.]
JACOB WHITECROW,	his x mark.	[SEAL.]
SILAS M. GREYEYES,	his x mark.	[SEAL.]
JOHN W. GREYEYES,		[SEAL.]

For the Wyandott[e]s.

Signed in presence of
 GEO. WRIGHT, *Interpreter for Wyandottes.*
 JAMES H. EMBRY, *Special Agent.*
 J. P. ROOT.
 J. S. STOCKTON.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the eighteenth of June, one thousand eight hundred and sixty-eight, accept, ratify, and confirm the said Treaty, with the amendments, as aforesaid.

In testimony whereof, I have hereto signed my name, and caused the seal of the United States to be affixed.

Done at the city of Washington, this fourteenth day of October, in the year of our Lord one thousand eight hundred and sixty-eight, and of the Independence of the United States of America the ninety-third.

ANDREW JOHNSON.

By the President:
 WILLIAM H. SEWARD,
Secretary of State.