

## TREATY WITH THE KANSA TRIBE, 1846.

In witness whereof, the said Commissioners and the undersigned Chiefs and Head Men of the Creek and Seminole tribes, have hereunto set their hands, at the Creek Agency, this fourth day of January, 1845.

Wm. Armstrong,  
Acting Superintendent Western Territory.  
P. M. Butler,  
Cherokee Agent.  
James Logan,  
Creek Agent.  
Thomas L. Judge,  
Seminole Sub-Agent.

Creeks:  
Roly McIntosh,  
To-marth-le Micco,  
Eu-faula Harjo,  
O-poeth-le Yoholo,  
Yargee,  
Samuel Miller,  
Cot-char Tustunnuggee,  
\*K. Lewis,  
Tuskunar Harjo,  
Tinthlanis Harjo,  
To-cose Fixico,  
\*Samuel C. Brown,  
Ho-tul-gar Harjo,  
Oak-chun Harjo,  
Art-tis Fixico,  
Joseph Carr,  
Ar-ar-te Harjo,  
Samuel Perryman,  
O-switch-ee Emarthlar,  
Talload Harjo,  
David Barnett,  
Jim Boy,  
\*B. Marshall,  
Tinthlanis Harjo,  
Co-ah-coo-che Emarthlar,  
Thlathlo Harjo,  
E-cho Harjo,  
Co-ah-thlocco,  
Ke-sar-che Harjo,  
No cose Harjo,  
Yar-dick-ah Harjo,  
Yo-ho-lo Chop-ko,

Phil Grayson,  
Chu-ille,  
E-cho Emarthla,  
Pol-lot-ke,  
Kot-che Harjo,  
To-cose Micco,  
Henry Marshall,  
Matthew Marshall,  
Che-was-tiah Fixico,  
Tom Carr.  
Seminoles:  
Miccanope,  
Coah-coo-che, or Wild Cat,  
Alligator,  
Nocose Yoholo,  
Halleck Tustunnuggee,  
Emah-thloo-chee,  
Octi-ar-chee,  
Tus-se-kiah,  
Pos-cof-far,  
E-con-chat-te-micco,  
Black Dirt,  
Itch-hos-se Yo-ho-lo,  
Kap-pe-chum-e-coo-che,  
O-tul-ga Harjo,  
Yo-ho-lo Harjo,  
O-switch-ee Emarthla,  
Kub-bit-che,  
An-lo-ne,  
Yah-hah Fixico,  
Fus-hat-chee, Micco,  
O-chee-see Micco,  
Tus-tun-nug-goo-chee.

In the presence of—

J. B. Luce, secretary to commissioners.  
Samuel C. Brown, U. S. interpreter.  
B. Marshall, Creek Nation interpreter.  
Abraham, U. S. interpreter for Seminoles.  
J. P. Davis, captain U. S. Army.

A. Cady, captain Sixth Infantry.  
J. B. S. Todd, captain Sixth Infantry.  
George W. Clarke.  
Jno. Dillard.  
J. L. Alexander.  
J. H. Heard.

(To the names of Indians, except those marked with an asterisk, are subjoined their marks.)

## TREATY WITH KANSA TRIBE, 1846.

Jan. 14, 1846.  
9 Stat., 842.  
Ratified Apr. 13,  
1846.  
Proclaimed, Apr. 15,  
1846.

Lands ceded to the  
United States.

*Articles of a treaty made and concluded at the Methodist Mission, in the Kansas country, between Thomas H. Harvey and Richard W. Cummins, commissioners of the United States, and the Kansas tribe of Indians.*

ARTICLE 1. The Kansas tribe of Indians cede to the United States two millions of acres of land on the east part of their country, embracing the entire width, thirty miles, and running west for quantity.

**ARTICLE 2.** In consideration of the foregoing cession, the United States agree to pay to the Kansas Indians two hundred and two thousand dollars, two hundred thousand of which shall be funded at five per cent., the interest of which to be paid annually for thirty years, and thereafter to be diminished and paid *pro rata*, should their numbers decrease, but not otherwise—that is: the Government of the United States shall pay them the full interest for thirty years on the amount funded, and at the end of that time, should the Kansas tribe be less than at the first payment, they are only to receive *pro rata* the sums paid them at the first annuity payment. One thousand dollars of the interest thus accruing shall be applied annually to the purposes of education in their own country; one thousand dollars annually for agricultural assistance, implements, &c.; but should the Kansas Indians at any time be so far advanced in agriculture as to render the expenditure for agricultural assistance unnecessary, then the one thousand dollars above provided for that purpose shall be paid them in money with the balance of their annuity; the balance, eight thousand dollars, shall be paid them annually in their own country. The two thousand dollars not to be funded shall be expended in the following manner: first, the necessary expenses in negotiating this treaty; second, four hundred dollars shall be paid to the Missionary Society of the Methodist Episcopal Church for their improvements on the land ceded in the first article; third, six hundred dollars shall be applied to the erection of a mill in the country in which the Kansas shall settle for their use, it being in consideration of their mill on the land ceded in the first article. The balance to be placed in the hands of their agent, as soon after the ratification of this treaty as practicable, for the purpose of furnishing the said Kansas Indians with provisions for the present year.

Sums to be paid by the United States for the cession of lands; how disposed of.

Educational.

Agricultural.

Methodist Episcopal Church.

Provisions.

**ARTICLE 3.** In order that the Kansas Indians may know the west line of the land which they have ceded by this treaty, it is agreed that the United States shall, as soon as may be convenient in the present year, cause the said line to be ascertained and marked by competent surveyors.

West line of land ceded by this treaty to be ascertained and marked.

**ARTICLE 4.** The Kansas Indians are to move from the lands ceded to the United States, by the first article of this treaty, by the first day of May, 1847.

To move from lands ceded by May 1, 1847.

**ARTICLE 5.** As doubts exist whether there is a sufficiency of timber on the land remaining to the Kansas, after taking off the land ceded in the first article of this treaty, it is agreed by the contracting parties, that after the western line of the said cession shall be ascertained, [and] the President of the United States shall be satisfied that there is not a sufficiency of timber, he shall cause to be selected and laid off for the Kansas a suitable country, near the western boundary of the land ceded by this treaty, which shall remain for their use forever. In consideration of which, the Kansas nation cede to the United States the balance of the reservation under the treaty of June 3, 1825, and not ceded in the first article of this treaty.

The President, on being satisfied that there is not a sufficiency of timber on lands remaining to the Kansas, to select and lay off a suitable country, etc.

Additional cession by the Kansas.

**ARTICLE 6.** In consideration of the great distance which the Kansas Indians will be removed from the white settlements and their present agent, and their exposure to difficulties with other Indian tribes, it is agreed that the United States shall cause to reside among the Kansas Indians a sub-agent, who shall be especially charged with the direction of their farming operations, and general improvement, and to be continued as long as the President of the United States should consider it advantageous to the Kansas.

A subagent to reside among them.

**ARTICLE 7.** Should the Government of the United States be of opinion that the Kansas Indians are not entitled to a smith under the fourth article of the treaty of June 3, 1825, it is agreed that a smith shall be supported out of the one thousand dollars provided in the fourth article for agricultural purposes.

Provisions for a smith.

In testimony whereof, Thomas H. Harvey and Richard W. Cummins, Commissioners, [and] the Chiefs and Principal Men of the Kansas tribe of Indians have, this the 14th day of January one thousand eight hundred and forty-six, set their hands and seals at the Methodist Kansas Mission.

Th. H. Harvey,  
Rich. W. Cummins.  
Commissioners.

Ki-hi-ga-wah-chuffe, or Hard Chief,  
Me-cho-shin-gah, or Broken Thigh,  
Pi-is-cah-cah,  
Ish-tal-a-sa, or Speckled Eyes,  
Mah-gah-ha,  
Shin-gah-ki-hi-ga,  
Ca-ho-nah-she,  
Wa-shon-ge-ra,  
Ne-qui-bra,  
Ke-bucco-mah-e,

No-pa-war-ra,  
Was-sol-ba-shinga,  
Ke-hi-ga-wat-ti-in-ga,  
Big-no-years,  
Wah-pug-ja,  
Ah-ke-is-tah,  
Chi-ki-cah-rah,  
Ke-hah-ga-cha-wah-go,  
Wah-hah-hah.

Witnesses:

James M. Simpson, secretary,  
Clement Lesserts, interpreter,  
John T. Peery,  
John D. Clark,

Chs. Choteau,  
Seth M. Hays,  
Nelson Henrys,  
R. M. Parrett.

(To the names of the Indians are added their marks.)

TREATY WITH THE COMANCHE, AIONAI, ANADARKO, CADDO, ETC., 1846.

May 15, 1846.  
9 Stat. 844.  
Proclamation, Mar.  
8, 1847.

*Treaty with the Comanches and other tribes. Articles of a treaty made and concluded at Council Springs, in the county of Robinson, Texas, near the Brazos River, this 15th day of May, A. D. 1846, between P. M. Butler and M. G. Lewis, commissioners on the part of the United States, of the one part, and the undersigned chiefs, counsellors, and warriors of the Comanche, I-on-i, Ana-da-ca, Cadoo, Lapan, Long-wah, Keechy, Tah-va-carro, Wi-chita, and Wacoe tribes of Indians, and their associate bands, in behalf of their said tribes, on the other part.*

Said tribes or nations to be under the sole protection of the United States.

ARTICLE 1. The undersigned chiefs, warriors, and counsellors, for themselves and their said tribes or nations, do hereby acknowledge themselves to be under the protection of the United States, and of no other power, state, or sovereignty whatever.

United States to have the sole and exclusive right to regulate trade and intercourse with said tribes.

ARTICLE 2. It is stipulated and agreed by the said tribes or nations, and their associate bands, that the United States shall have the sole and exclusive right of regulating trade and intercourse with them, and they do hereby respectively engage to afford protection to such persons, with their property, as shall be duly licensed to reside among them for the purpose of trade and intercourse, and to their agents and servants, but no person shall be permitted to reside among them as a trader who is not furnished with a license for that purpose, under the hand and seal of the superintendent to be appointed by the President of the United States or such other person as the President shall authorize to grant such licenses, to the end that said Indians may not be imposed on in their trade; and if any licensed trader shall abuse his privilege by unfair dealing, upon complaint by the chiefs to their agents and proof thereof, his license shall be taken from him, and he shall be further punished according to the laws of the United States; and if any person shall intrude himself as a trader without such license, upon complaint he shall be dealt with according to law.

No person to reside among them as a trader who is not furnished with a license for that purpose.

Unfair dealing: how punished.

ARTICLE 3. [Stricken out.]