DOCUMENTS RELATING TO THE

NEGOTIATION OF AN UNRATIFIED TREATY OF

SEPTEMBER 24, 1858, WITH THE PAWNEE INDIANS

Paronee (Copy) Sept 24/58.

Articles of agreement and convention made this twenty fourth day of September A.D. 1857. at Table Creek, Nebraska Territory, between James W Denver, Commissioner, on behalf of the United States, and the Chiefs and Headmen of the four confederate bands of Pawnee Indians; viz; Grand Pawnees, Pawnee Loups, Pawnee Republicans, and Pawnee Tappahs, and generally known as the Pawnee Tribe.

Article 1st The confederate bands of the Pawnees, aforesaid, hereby cede and relinquish to the United States all their right, title and intrest in and to all the lands now owned or claimed by them, except as hereinafter reserved, and which are bounded as follows viz; on the east by the lands lately purchased by the United States from the Omahas; on the south, by the lands heretofore ceded by the Pawnees to the United States; on the west by a line running due north from the junction of the North with the South Fork of the Platte River to the, Ke, ha, Paha River and on the north by the, Ke. ha. Paha river to its junction with the Neobrara. Leanqui court or Running water, river, and thence, by that river, to the western boundary of the late, Omaha cession. Out of this cession the Pawnee reserve a tract of country thirty miles long from east to west, by fifteen

miles wide from north to south, including both banks of the Loup fork of the Platte River, the east line of which shall be at a point not farther east than the mouth of Beaver Creek.

If, however, the Pawnees, in conjunction with the United States Agent, shall be able to find a more suitable locality, for their future homes, within said cession then, they are to have the privilege of selecting an equal quantity of land there, in lieu of the reservation herein designated; all of which shall be done as soon as practicable, and the Pawnees agree to remove to their new homes thus reserved for them, without cost to the United States within one year from the date of the ratification of this treaty, by the Senate of the United States, and, until that time, they shall be permitted to remain where they are now residing without molestation.

Article 2nd In consideration of the foregoing cession, the United States agree to pay to the Pawnees, the sum of Forty thousand dollars per annum, for five years, commencing on the first day of January A.D. Eighteen hundred and fifty eight, and, after the end of five years, Thirty thousand dollars per annum, as a perpetual annuity, at least one half of which annual payments shall be made in goods, and such articles as may be

deemed necessary for them.

Article 3rd In order to improve the condition of the Paonees, and teach them the arts of civilized life, the United States agree to establish among them, and for their use and benefit two manual labor schools, to be governed by such rules and regulations as may be prescribed by the President of the United States, who shall also, appoint the teachers and if he deems it necessary may increase the number of schools to four. In these schools there shall be taught the various branches of a common school education, and, in addition, the arts of agriculture, the most useful mechanic arts, and whatever else the President may direct. The Paonees, on their part agree that each and every one of their children between the ages of seven and eighteen years, shall be kept constantly at these schools for, at least nine months in each year, and if any parent or guardian, shall fail, neglect or refuse to so keep the child or children under his or her control, at such schools, then, and in that case, there shall be deducted from the annuities to which such parent or guardian would be entitled, either individually or as parent or guardian, an amount equal to the value in time of the tuition thus lost; but the President may at any time, change or modify this clause as he may think proper.

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

Article 4th The United States agree to protect the Pawnees in the possession of their new homes. The United States agree to furnish the Pawnees; First; with two complete sets of Blacksmith, Gunsmith and Tinsmith, tools, not to exceed, in cost, Seven hundred and fifty dollars; and erect shops at a cost not to exceed Five hundred dollars; also Five hundred dollars annually, during the pleasure of the President, for the purchase of iron, steel and other necessaries for the same;—

The United States are also to furnish two blacksmiths, one of whom shall be a gunsmith and tinsmith; but the Pawnees agree to furnish one or two young men of

their tribe to work constantly in each shop as strikers or apprentices, who shall be paid a fair compensation for their labor, Second The United States agree to furnish farming utensils, and stock, worth twelve hundred dollars per annum, for ten years, or during the pleasure of the President, and for the first year purchase of stock, and for erecting shelters for the same, an amount not exceeding three thousand dollars, and also to employ a farmer to teach the Indians, the arts of agriculture. Third; The United States agree to have erected on said reservation a Steam Mill suitable to grind grain, and to saw timber which shall not exceed in cost, six thousand dollars, and to keep the same in repair for ten years; also to employ a miller and engineer for the same length of time, or longer, at the discretion of the President; the Pawnees agreeing to furnish apprentices, to assist in working the mills who shall be paid a fair compensation for their services, Fourth; The United States agree to erect dwelling houses for the Interpreter Blacksmith, Farmer, Miller, and Engineer, which shall not exceed in cost, Five hundred dollars each; and the Pawnees agree to prevent the members of their tribe, from injuring or destroying the houses, shops, machinery stock, farm-

=ing utensils and all other things, furnished by the Government, and if any such shall be carried away, injured or destoryed, by any of the members of their tribe, the value of the same shall be deducted from the tribal annuities. Whenever the President shall become satisfied that the Pawnees have sufficient advance in the acquirement of a practical knowledge of the arts & persuits to which this article relates, then in that case he may turn over the property to the tribe, and dispense with the services of any or all of the employees herein named.

Article 5th The Pawnees acknowledge their dependence on the government of the United States, and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredations on the property of such citizens, nor on that of any other person belonging to any tribe or nation at peace with the United States; And should any one or more of them violate this pledge and the fact be satisfactorily proven before the Agent the property taken shall be returned, or, in default thereof or, if injured or destoyed, compensation may be made by the government out of their annuities. Nor will they make war on any other tribe, except in self defence, but will submit all matters of difference between them & other Indians to the government of the

United States, or its Agent, for decision and abide thereby.

Article 6th The United States Agent may reside on, or near, the Pawnee reservation; and the Pawnees agree to permit the United States to build forts and occupy military posts on their lands, and to allow the whites the right to open roads through their territories, but no white person shall be allowed to reside on any part of said reservation unless he or she be in the employ of the United States, or be licensed to trade with said Tribe, or be a member of the family of such employé, or licensed trader nor shall the said tribe or any of them, alienate any part of said reservation except to the United States but, if they think proper to do so, they may divide said lands among themselves, giving to each person or each head of a family, a farm subject to their tribal regulations but in no instance to be sold or disposed of to persons outside, or not themselves of the Pawnee tribe.

Article 7th The United States agree to furnish, in addition to the persons heretofore mentioned, six laborers for three years, but it is expressly understood that while these laborers are to be under the control, and subject to the orders of the United States Agent, they are employed more to teach

the Pawnees how to manage stock and use the implements furnished, than as merely laboring for their benefit; and for every laborer thus furnished by the United States, the Pawnees engage to furnish at least three of their tribe to work with them, who shall also be subject to the orders of the Agent, and for whom the Chiefs shall be responsible.

Article 8th The Pawnees agree to deliver up to the Officers of the United States, all offenders against the treaties, laws or regulations of the United States, whenever they may be found within the limits of their reservation; and they further agree, to assist such officers in discovering, pursuing and capturing any such offender or offenders, any where whenever called on to do so. And they agree, also, that if they violate any of the stipulations contained in this treaty, the President may at his discretion withhold a part, or the whole of the annuities herein provided for.

Article 9th The Pawnees desire to have some provision made for the half breeds of their tribe. Those of them who have preferred to reside, and are now residing, in the nation are to be entitled to equal rights and

privileges with other members of the tribe, but those who have chosen to follow the pursuits of civilized life are to reside among the whites; viz;

Baptiste Bayhylle. William Bayhylle. Julia Bayhylle. Frank Palakyee. William Tealis. Julia Tealis. Cathaine Papan. Politte Papan. Rossenn Papan. Charles Papan. Peter Papan, Emily Papan Henry Geta. Stephen Geta. James Eleghoun. Elizd Devoine, are to be entitled to scrip for one hundred and fifty acres, or one quarter section of land for each, provided application shall be made for the same, within five years from this time, which script shall be receiveable at the United States Land Officies. the same as military Bounty Land Warrants, and to be subject to the same rules and regulations.

Article 10th Samuel Allis has long been the firm friend of the Pawnees, and in years gone by has ministered to their wants and necessities. When in distress and in a state of starvation they took his property and used it for themselves. and when the Small Pox was distroying them. he vaccinated more than two thousand of them; For all these things the Pawnees disire that he shall be paid; but they think the Government should pay a

part. It is therefore agreed that the Pawnees will pay to said Allis One thousand dollars, and the United States agree to pay him a similar sum of One thousand dollars as a full remuneration for his services and loses.

Article 11th Ta-ra-da-Ka-wa, Head Chief of the Tapapahs Band, and four other Pawnees, having been out as guides for the United States Troops, in their late expedition against the Cheyennes and, having to return by themselves, were overtaken and plundered of every thing given them by the Officers of the expedition, as well as their own property, barely escaping with their lives, and the value of their services being fully acknowledged, the United States agree to pay to each one of them, one hundred dollars, or in lieu thereof, to give to each a horse worth one hundred dollars in value.

Article 12th To enable the Pawnees to settle any just claims at present existing against them, there is hereby set apart by the United States, Ten thousand dollars, out of which the same may be paid when presented, and proven, to the satisfaction of the proper Department, and the Pawnees

hereby relinquish all claims they may have against the United States under former treaty stipulations

In testimony whereof the said James W Denver, Commissioner, as aforesaid, and the undersigned Cheifs and Head men, of the four confederate bands of Pawnee Indians have hereunto set their hands and seals, at the place and on the day and year hereinbefore written

James W Denver
U S Commissioner

Grand Pawnees

Pa-ta-na-sharo. (or the man and the cheif) his x mark [seal]
Sa-ra-cherish. (the Corn cheif) his x mark [seal]
Le-ra-ta-puts. (He who steals horses) his x mark [seal]
Le-ra-Kuts-a-nashara (the Grey Eagle cheif) his x mark [seal]

Pawnee Loups

La-le-ta-ra-na-sharo (the Camanche cheif) his x mark [seal]
Le-ste-de-we-tet: (the man who distributes the good) his x mark [seal]
Le-ta-Kuts-na-sharo) The Grey Eagle Cheif) his x mark [seal]
A-sa-na-sharo) the Horse cheif) his x mark [seal]

Pawnee Republicans

Sa-sharo-cha-nicks (a man but a cheif) his x mark [seal]
Na-sharo-se-de-la-ra-ko (the one the Great Spirit smiles on) his x mark [seal]
Da-la-le-kit-ta-to-ka (the man the enemy steals from) his x mark [seal]
Da-lo-de-na-sharo (The Cheif like an Eagle) his x mark [seal]

Pawnee Tappahs

Ke-we-ko-na-shara	(The Buffalo Bull Cheif)	his x mark	[seal]
Na-shara-la-du-hoo.	(The Big Cheif)	his x mark	[seal]
Na-Shara,	(The Cheif)	his x mark	[seal]
Da-ka-to-wa-kuto-o-ra-na-shara	(The Hawk Cheif)	his x mark	[seal]

Signed and Sealed
in presence of
Wm. W. Dennison. U. S. Indian Agent
A. S. H. White. Secretary to Commissioner
N. W. Tucker.
Will. E. Harvey.
O. H. Irish.
Samuel Allis. Interpreter
J. Sterling. Morton.