

TREATY WITH THE COMANCHES

AND OTHER TRIBES AND BANDS.

AUGUST 12TH, 1861.

ARTICLES OF A CONVENTION

Ent red into and concluded at the Wichita Agency, near the False Washita river, in the country leased from the Choctaws and Chickasaws, on the twelfth day of August, in the year of our Lord, one thousand eight hundred and sixty-one, between the Confederate States of America, by Albert Pike, their Commissioner, with full powers, appointed by the President, by virtue of an act of the Congress in that behalf, of the one part, and the Pen-e-tegh-ca Band of the Ne-um or Comanches, and the tribes and bands of Wichitas, Cado-Ha-da-chos, Hue-cos, Ta-hua-ca-ros, A-na-dagh-cos, Ton-ca-wes, Ai-o-nais, Ki-chais, Shawnees and Delawares, residing in the said leased country, by their respective Chiefs and Head Men, who have signed these articles, of the other part.

ARTICLE I. The Pen-e-tegh-ca Band of the Ne-um or Comanches, and the tribes and bands of the Wich-i-tas, Cado-Ha-da-chos, Hue-cos, Ta-hua-ca-ros, A-na-dagh-cos, Ton-ca-wes, Ai-o-nais, Ki-chais, Shawnees and Delawares, now residing within the country north of Red river and south of the Canadian, and between the ninety-eighth and one hundredths parallels of west longitude, leased for them and other tribes from the Choctaw and Chickasaw Nations, do hereby place themselves under the laws and protection of the Confederate States of America, in peace and war forever.

The Comanches, &c., place themselves under the protection of the C. S.

ARTICLE II. The Confederate States of America do hereby promise and engage themselves to be, during all time, the friends and protectors of the Pen-e-tegh-ca Band of the Ne-um, and of the Wich-i-tas, Cado-Ha-da-chos, Hue-cos, Ta-hua-ca-ros, A-na-dagh-cos, Ton-ca-wes, Ai-o-nais, Ki-chais, Shawnees and Delawares, residing, or that may hereafter come to reside, in the said leased country; and that they will not allow them henceforward to be in any wise troubled or molested by any power or people, State or person whatever.

The C. S. assume the protectorates.

ARTICLE III. The reserves at present occupied by the said several tribes and bands may continue to be occupied by them, if they are satisfied therewith; and if any of them are not, the tribe or tribes, band or bands dissatisfied may select other reserves instead of those now occupied by them, in the same leased country, with the concurrence and assent of the agent of the Confederate States for the reserve Indians, at any time within two years from the day of the signing of these articles.

Occupation of reserves.

Extent of each reserve.

ARTICLE IV. Each reserve shall be of sufficient extent of good arable and grazing land, amply to supply the needs of the tribe or band that is to occupy it; and each shall have a separate reserve, unless two or more elect to settle and reside together, and hold their reserves in common.

Reserves, how defined.

The reserves shall, as far as practicable, be defined by natural boundaries that may be described, and so far as this is not practicable, by permanent monuments and definite courses and distances; and full and authentic descriptions of the reserves shall be made out and preserved by the Confederate States.

Right of property in reserve secured to each tribe or band.

ARTICLE V. Each tribe or band shall have the right to possess, occupy and use the reserve allotted to it, as long as grass shall grow and water run, and the reserves shall be their own property like their horses and cattle.

Hunting and killing of game.

ARTICLE VI. The members of all the said several bands and tribes of Indians shall have the right, henceforward forever, to hunt and kill game in all the unoccupied part of the said leased country, without let or molestation from any quarter.

Perpetual peace and brotherhood between the tribes and bands.

ARTICLE VII. There shall be perpetual peace and brotherhood between the Pen-c-tegh-ca Band of the Ne-nm or Comanches, and the tribes and bands of the Wich-i-tas, Ca-do-Ha-da-chos, Hue-cos, Ta-hua-ca-ros, Ana-dagh-cos, Ton-ca-wes, Ai-o-nais, Ki-chais, Shawnees and Delawares, between each of them and each and all of the others; and every injury or act of hostility which either has heretofore sustained at the hands of the other shall be forgiven and forgotten.

Injuries, &c., forgiven.

Tribes and bands to be good neighbors to each other.

ARTICLE VIII. The said several tribes and bands shall henceforth be good neighbors to each other, and there shall be a free and friendly intercourse among them. And it is hereby agreed by all, that the horses,

Right of property in horses, cattle and stock.

cattle and other stock and property of each tribe or band and of every person of each, is his or its own, and that no tribe or band nor any person belonging to any tribe or band shall, or will hereafter, kill, take away or injure any such property of another tribe or band or of any member of any other tribe or band, or in any other way do them any harm.

Perpetual peace and brotherhood between the Comanches, &c., and certain other tribes

ARTICLE IX. There shall be perpetual peace and brotherhood between each and all of said tribes and bands, and the Cherokee, Mus-ko-ki, Seminole, Choctaw and Chickasaw Nations; and the chiefs and head men of each of the said tribes and bands shall do all in their power to take and return any negroes, horses or other property stolen from white men or from persons who belong to the Cherokee, Mus-ko-ki, Seminole, Choctaw or Chickasaw Nation, and to catch and give up any person among them who may kill or steal or do any other very wrong thing.

Return of stolen property.

Apprehension and delivery of any wrong doer.

Laws of Choctaws and Chickasaws to have no force.

ARTICLE X. None of the laws of the Choctaws and Chickasaws shall ever be in force in the said leased country so as to affect any of the members of the said several tribes and bands, but only as to their own people who may settle therein; and they shall never interfere in any way with the reserves, improvements or property of the reserve Indians.

Hostilities and enmities between the said tribes and bands and State of Texas, forgotten and forgiven.

ARTICLE XI. It is distinctly understood by the said several tribes and bands, that the State of Texas is one of the Confederate States, and joins this Convention, and signs it when the Commissioner signs it, and is bound by it; and that all hostilities and enmities between it and them are now ended and are to be forgotten and forgiven on both sides.

No war to be waged or councils held except with the consent of the agent.

ARTICLE XII. None of the braves of the said tribes and bands shall go upon the war-path, against any enemy whatever, except with the consent of the agent, nor hold any councils or talks with any white men or other Indians without his knowledge and consent. And the Confederate States will not permit improper persons to live among them, but only such persons as are employed by the Confederate States and traders licensed by them, who shall sell to the Indians and buy from them at fair prices, under such regulations as the President shall make.

Who may live among them.

ARTICLE XIII. To steal a horse or other any article of property from an Indian or a white man, shall hereafter be considered disgraceful, and the chiefs will discountenance it by every means in their power. For if they should not, there never could be any permanent peace.

The stealing of property to be considered disgraceful.

ARTICLE XIV. The Confederate States ask nothing of the Pen-e-teg-cas, Wich-i-tas, Ca-do-Ha-da-chas, Hue-cos, Ta-hua-ca-ros, A-na-dagh-cos, Ton-ca-wes, Ai-o-nais, Ki-chais, Shawnees and Delawares, except that they will settle upon their reserves, become industrious, prepare to support themselves, and live in peace and quietness; and in order to encourage and assist them in their endeavors to become able to support themselves, the Confederate States agree to continue to furnish them rations of provisions in the same manner as they are now doing, to include, also, sugar and coffee, salt, soap and vinegar, for such time as may be necessary to enable them to feed themselves. They agree to furnish each tribe or band with twenty cows and calves for every fifty persons contained in the same, and one bull for every forty cows and calves; and also to furnish to all of said tribes and bands together two hundred and fifty stock hogs, all of which animals shall be distributed by the agent to such persons and families as shall, in his judgment, be most proper to receive them, and most likely to take care of them. And they also agree to furnish, for the use of the said tribes and bands, such number of draught oxen, wagons, carts, ploughs, shovels, hoes, pick-axes, spades, scythes, rakes, axes and seeds as may be necessary, in addition to their present supply, to enable them to farm successfully. They also agree to furnish each tribe or band, annually, with such quantities as the agent shall estimate for and the superintendent require, of all such articles as are mentioned and contained in the schedule hereunto annexed, marked A, to be issued and delivered to them by the agent.

Nothing asked by the C. S. of certain of the tribes, except that they will settle upon their reserves, live peaceably, &c.

The C. S. agree to furnish rations, stock, agricultural implements, &c.

ARTICLE XV. The Confederate States will maintain one agency for the said tribes and bands at the present agency house or some other suitable and convenient location, at which the agent shall continually reside; and they do promise the said tribes and bands that they shall never be abandoned by the agent, and that he shall not be often nor for any long time away from his agency.

Agency for the tribes and bands.

ARTICLE XVI. The Confederate States will also employ and pay an interpreter for each language spoken among the said tribes and bands, and also one blacksmith, who shall also be a gun-smith, one striker and one wagon-maker, for all; all of whom shall reside at the agency; and they will furnish, from time to time, such tools and such supplies of iron, steel and wood as may be needed for the work of the said tribes and bands; and will also furnish all the people of said tribes and bands who may be sick, with medicines and medical service, at the agency, where a physician shall be employed to reside, for their benefit exclusively. They will also employ for five years and as much longer as the President shall please, a farmer for each reserve, to instruct the Indians in cultivating the soil, so that they may soon be able to feed themselves; and will erect such a number of horse-mills, to grind their corn, as the superintendent shall consider to be necessary, in order to accommodate all. And the stock and animals to be given to the tribes and bands shall be in charge of the farmers, that they may not be foolishly killed or let to perish by neglect.

Interpreter, blacksmith, striker and wagon-maker.

Tools and supplies of iron, steel and wood.

Medicines and medical service.

Farmer for each reserve.

Grist mills.

Stock and animals given, to be in charge of the farmers.

Erection of buildings.

ARTICLE XVII. The Confederate States also agree to erect such buildings for the mills, and the blacksmith's shops, and houses for the farmers and interpreters, as have been erected among the other Indian tribes, and also to assist the said Indians in building houses for themselves, and in digging wells for water, and opening their lands.

ARTICLE XVIII. The said bands and tribes agree to remain upon their

Bands and tribes reserves, and not at any time to leave them in order to make crops elsewhere. And, if they should leave them, the Confederate States shall to remain on their reserves. not be bound any longer to feed them or make them presents, or give them any assistance.

Rifle and ammunition to be furnished each warrior. ARTICLE XIX. The Confederate States also agree to furnish each warrior of the said tribes and bands who has not a gun, with a flint-lock rifle and ammunition, which he agrees never to sell or give away, and the Confederate States will punish any trader or other white man who may purchase one from them.

Promises made by the C. S. to the Comanches, should they settle within the leased country, and atone for crimes committed. ARTICLE XX. The Confederate States invite all the other bands of the Ne-un or Comanches to abandon their wandering life and settle within the leased country aforesaid; and do promise them, in that case, the same protection and care as is hereby promised to said tribes and bands now residing therein; and that there shall be allotted to them reserves of good land, of sufficient extent, to be held and owned by them forever; and that all the other promises made by these articles shall be considered as made to them also, as well as to the tribes and bands now residing on reserves; and that the same presents shall be made them, and assistance given them, in all respects; and the same things in all respects are also hereby offered the Cai-a-was and agreed to be given them, if they will settle in said country, atone for the murders and robberies they have lately committed, and show a resolution to lead an honest life; to which end the Confederate States send the Cai-a-was, with this talk, the wampum of peace and the bullet of war, for them to take their choice, now and for all time to come.

Indemnity for horses or other property killed or stolen. ARTICLE XXI. The Confederate States hereby guarantee to the members of the aforesaid tribes and bands, full indemnity for any horses or any other property that may be killed or stolen from them by any citizen of the Confederate States or by Indians of any other tribe or band: *Provided*, That the property, if stolen, cannot be recovered and restored, and that sufficient proof is produced to satisfy the agent, that it was killed or stolen within the limits of the Confederate States.

Settlement of difficulties between any of the bands or tribes on account of injuries to person or property. ARTICLE XXII. If any difficulty should hereafter arise between any of the bands or tribes, in consequence of the killing of any one, of the stealing or killing of horses, cattle or other stock, or of injury in any other way to person or property, the same shall be submitted to the agent of the Confederate States, who shall settle and decide the same equitably and justly, to which settlement all parties agree to submit, and such atonement and satisfaction shall be made as he shall direct.

No private revenge or retaliation to be taken for injuries. ARTICLE XXIII. In order that the friendship which now exists between the said several tribes and bands of Indians and the people of the Confederate States, and of the Choctaw and Chickasaw Nations may not be interrupted by the conduct of individuals, it is hereby agreed that if any white man or any Choctaw or Chickasaw injures an Indian of any one of said tribes and bands, or if any one of them injures a white man or a Choctaw or Chickasaw, no private revenge or retaliation shall take place, nor shall the Choctaws or Chickasaws try the person who does the wrong, and punish him, in their courts, but he shall be tried and punished by the Confederate States; and the life of every person belonging to said tribes and bands shall be of the same value as the life of a white man; and any Indian or white man who kills one of them without cause, shall be hung by the neck until he is dead.

Offenders to be tried and punished by the U. S. ARTICLE XXIV. It is further hereby agreed by the Confederate States, that all the Texan troops now within the limits of the said leased country shall be withdrawn across Red river, and that no Texan troops shall hereafter be stationed in forts or garrisons in the said country or be sent into the same, except in the service of the Confederate States,

Punishment for killing without cause.

Texan troops to be withdrawn.

and when on the war-path against the Cai-a-was or other hostile Indians.

ARTICLE XXV. This convention shall be obligatory on the tribes and bands whose Chiefs and headmen sign the same, from the day of its date, and on the Confederate States from and after its ratification by the proper authority. When this Convention to take effect.

In perpetual testimony whereof, the said Albert Pike, as Commissioner, with plenary powers, of the Confederate States of America, to the Indian nations and tribes west of Arkansas, for and on behalf of the said Confederate States, doth now hereunto set his hand and affix the seal of his arms; and the undersigned Chiefs and headmen for and on behalf of their respective tribes and bands, do now hereunto respectively set their hands affix their seals.

{ SEAL. }

Done at the Wichita Agency, aforesaid, on this the twelfth day of August, in the year of our Lord, one thousand eight hundred and sixty-one.

ALBERT PIKE,

Commissioner of the Confederate States to the Indian Nations and Tribes west of Arkansas.

KE-KA-RE-WA,

Principal Chief of the Pen-e-tegh-ca Band of the Ne-um.

TO-SA-WI,

Second Chief of the Pen-e-tegh-ca Band of the Ne-um.

PA-IN-HOT-SA-MA,

War Chief of the Pen-e-tegh-ca Band of the Ne-um.

I-SA-DO-WA,

Principal Chief of the Wich-i-tas.

A-WA-HE,

Second Chief of the Wich-i-tas.

A-SA-CA-RA,

Chief of the Wich-i-tas.

TA-NAH,

Principal Chief of the Cado-Hadachos.

TAI-O-TUN,

Second Chief of the Cado-Hadachos.

CHA-WIII-WIN,

Captain of the Cado-Hadachos.

CHA-WAH-UN,

Captain of the Cado-Hadachos.

A-HE-DAT,

Principal Chief of the Huc-cos.

CA-CA-DIA,

Second Chief of the Huc-cos.

Signed, sealed and copies exchanged in presence of us.

WM. QUESENBURY,

Secretary to the Commissioner.

E. RECTOR,

Superintendent of Indian Affairs for the Confederate States.

M. LUPER,

Agent of the Confederate States for the Wich-i-tas and other Bands.

MOTEY KINNARD,

Principal Chief of the Mus-ko-kis.

JOHN JUMPER,

Principal Chief of the Seminoles.

TE-ATS,

Sub. Chief of the Huc-cos.

O-CHI-RAS,

Principal Chief of the Ta-hua-ca-ros.

SAM HOUSTON,

Second Chief of the Ta-hua-ca-ros.

CA-SHAO,

Principal Chief of the Ai-o-nais.

JOSE MARIA,

Principal Chief of the An-a-dagh-cos.

CO-SE-MU-SO,

Second Chief of the An-a-dagh-cos.

KE-SE-MIRA,

Captain of the An-a-dagh-cos.

JIM TON-CA-WE,

Captain of the Ton-ca-wes.

KI-S-QUA,

Second Chief of the Ki-chais.

JOHN LINNY,

Chief of the Sha-mi-nos.

KEH-KA-TUSTUN,

Chief of the Delawares.

CHILLY McINTOSH,

ISRAEL G. VORE,

W. WARREN JOHNSON,

W. L. PIKE,

H. P. JONES,

CHARLES B. JOHNSON,

J. J. STURM,

WM. SHIRLEY,

W. H. FAULKNER,

To the Indian names are subjoined marks.

SCHEDULE A.

Schedule A.

Of articles of merchandize, &c., agreed to be furnished annually, under the foregoing convention to the Comanches, Wich-i-tas, Hue-cos, Cado-Hadachos, An-a-dagh-cos, Ta-hua-ca-ros, Ki-chais, Ai-o-nais, Shawnees and Delawares, living on reserves in the country leased from the Choctaws and Chickasaws:

Blue drilling, warm coats, calico, plaid check, regatta cotton shirts, socks, hats, woolen shirts, red, white and blue blankets, red and blue list cloth, shawls and handkerchiefs, brown domestic, thread, yarn and twine, shoes, for men and women, white drilling, ribbons, assorted colors, beads, combs, camp kettles, tin cups and buckets, pans, coffee pots and dippers, needles, scissors and shears, butcher knives, large iron spoons, knives and forks, nails, hatchets and hammers, augers, drawing knives, gimlets, chopping axes, fish-hooks, ammunition, including powder, lead, flints and percussion caps, tobacco.

This is schedule A, of the treaty with the Pen-e-tegh-ca Band of Ne um, and the Wich-i-tas and other bands, to which it is annexed as a part thereof.

SEAL

ALBERT PIKE, *Commissioner, &c.*

ARTICLE SUPPLEMENTARY

To the Convention between the Confederate States of America and the Pen-e-tegh-ca Band of Ne-um or Comanches, Wich-i-tas, Cado-Ha-dachos, and other Bands settled upon reserves, made and concluded at the Wich-i-ta Agency, near the False Washita river, on the twelfth day of August, in the year of our Lord, one thousand eight hundred and sixty-one.

Preamble.

ARTICLE. It being well known to all surrounding tribes and universally acknowledged, that, from time immemorial, the Ta-wa-i-hash people of Indians, now called, by white men, the Wich-i-tas, and of whom the Hue-cos and Ta-hua-ca-ros are offshoots, possessed and inhabited, to the exclusion of all other tribes and bands of Indians, the whole country lying between the Red river and the False Washita, from their junction to the west of the Wich-i-ta mountains, and with the aid of the Ta-nei-weh Band of the Ne-um, held all that country against all comers, and had their villages and fields in the vallies of the Wich-i-ta mountains and upon the creeks, and there cultivated the soil, raised stock and led an industrious life; all which facts were known to the Commissioner of the Confederate States twenty-nine years ago.

And the United States of America, having, in the year eighteen hundred and twenty, and by subsequent renewals of the grant, ceded, the whole of that country to the Choctaws; and having afterwards, by patent, conveyed and assured the same to them in fee, and they having made the Chickasaws joint and equal owners of the same with themselves; whereby the same has been wholly lost to the Ta-wa-i-hash, except such small portion thereof as has been assigned to them by way of reserve; and no compensation whatever has been made them therefor, although they respectfully presented their claim on account of the same to the Commissioner of Indian Affairs of the United States, and appealed to that Government for payment of some reasonable price for their said country, to be paid them in such manner as should be most for their benefit and improvement;

And the Commissioner knowing that their claim to compensation is a just one, and seeing how poor and helpless they are, and being willing to save them from the necessity of employing persons to urge their claim, and of dividing with them what they may receive, but not deeming himself authorized to decide what amount shall be allowed them therefor, nor in what manner it shall be paid.

It is, therefore, hereby agreed by the Confederate States, that the claim of the Ta-wa-i-hash or Wich-i-tas to compensation for their country, between the Red river and the False Washita, shall be submitted to the President for his consideration, who, if he also agrees that it is just, shall determine what amount shall be paid or allowed them in satisfaction thereof, and in what manner that amount shall be paid; and that amount shall accordingly be paid them in such manner as he shall direct.

Claim of the Wich-i-tas to compensation for their country between the Red river and False Washita to be determined by the President.

In testimony whereof, the said Albert Pike, Commissioner of the Confederate States of America to the Indian Nations and Tribes west of Arkansas, doth hereunto set his hand, on behalf of the said Confederate States, and affix the seal of his arms.

SEAL.

So done and signed and sealed, at Wich-i-ta Agency, near the False Wash-i-ta river, on the thirteenth day of August, in the year first aforesaid.

ALBERT PIKE,

Commissioner of the Confederate States to the Indian Nations and Tribes west of Arkansas.

WM. QUESENBURY,

Secretary to the Commissioner.

RATIFICATION.

Dec. 21, 1861.

Resolved, (two-thirds of the Congress concurring,) That the Congress of the Confederate States of America, do advise and consent to the ratification of the articles of a convention, made by Albert Pike, Commissioner of the Confederate States to the Indian Nations west of Arkansas, in behalf of the Confederate States, of the one part, and the Pen-e-tegh-ca Band of Ne-um or Comanches, and the Tribes and Bands of the Wich-i-tas Cado-Ha-da-chos, Hue-cos, Ta-hau-ca-ros, An-a-dagh-cos, Ton-ca-wes, Ai-o-wais, Ki-chais, Shawnees and Delawares, residing in the country leased from the Choctaws and Chickasaws, each by its Chiefs and headmen, who signed the said articles, of the other part; concluded at the Wich-i-ta Agency, near the False Washita river, in the said leased country, on the twelfth day of August, in the year of our Lord, one thousand eight hundred and sixty-one. And that the Congress also advises and consents to the ratification of the supplementary article of the same Convention, made and concluded at the same time and place, by the said Commissioner in behalf the Confederate States, with the Ta-wai-hash or Wich-i-ta Band of Indians, with the amendments adopted, to wit:

Ratification of the foregoing treaty and supplementary article.

1st. Strike out all of article nineteen.

2nd. Strike out all of article twenty-four.

TREATY WITH THE COMANCHES

OF THE PRAIRIES AND STAKED PLAIN.

AUGUST 12, 1861.

ARTICLES OF A CONVENTION,

Aug 12, 1861. *Entered into and concluded at the Wichita Agency, near the False Washita river, in the country leased from the Choctaws and Chickasaws, on the twelfth day of August, in the year of our Lord one thousand eight hundred and sixty-one, between the Confederate States of America, by Albert Pike, their Commissioner, with full powers, appointed by the President, by virtue of an act of the Congress in that behalf, of the one part, and the Ne-co-ni, Ta-ne-i-we, Co-cho-tih-ca and Ya-pa-rih-ca bands of the Ne-um or Comanches of the Prairies and Staked Plain, by their Chiefs and head men who have signed these articles, on the other part.*

The Comanches make peace with and place themselves under the protection of the U. S.

ARTICLE I. The No-co-ni, Ta-nei-weh, Co-cho-tih-ca and Ya-pa-rih-ca bands of the Ne-um, called by the white men the Comanches of the Prairies and the Staked Plain, do hereby make peace with the Confederate States of America, and do renew and continue the peace heretofore existing between them and the Cherokee, Mus-ko-ki, Seminole, Choctaw and Chickasaw Nations of red men, and do hereby take each and all of them by the hand of friendship, having smoked with them the pipe of peace, and received the wampum of peace; and do hereby place themselves under the laws and protection of the Confederate States of America, and agree to be true and loyal to them in peace and in war forever, and to hold them by the hand, and have but one heart with them always.

The C. S. assume the protection.

ARTICLE II. The Confederate States of America do hereby promise and engage themselves to be, during all time, the friends and protectors of the No-co-ni, the Ta-ne-i-weh, Ya-pa-rih-ca and Co-cho-tih-ca bands of the Ne-um, and that they will not allow them to be molested by any power or people, State or person whatever.

Settlement upon reserves.

ARTICLE III. The No-co-ni, Ta-ne-i-we, Ya-pa-rih-ca and Co-cho-tih-ca bands of the Ne-um hereby agree that they will abandon their wandering mode of life and come in from the Prairies and Staked Plain, and settle upon reserves to be allotted to them in that country which lies north of the Red river and south of the Canadian, and between the ninety-eighth and one hundredth parallels of west longitude, and which has been leased for them and other tribes of red men, by the Confederate States from the Choctaws and Chickasaws, and in which the Confederate States have offered all the Ne-um homes.

ARTICLE IV. The No-co-ni, Ta-ne-i-weh, Ya-pa-rih-ca and Co-cho-tih-ca bands of the Ne-um shall be allowed to choose their own homes, in any unoccupied part of the said leased country, on or near the Canadian or False Washita rivers, or near the Wich-i-ta mountains, as may best suit them, with the concurrence and assent of the agent of the Confederate States for the reserve Indians. Each reserve shall be of sufficient extent of arable and grazing lands, amply to supply their needs; and the bands may have one reserve together, or four separate reserves, as they may choose. The reserve or reserves shall, as far as practicable, be defined by the natural boundaries that may be described; and so far as this is not practicable, by permanent monuments and definite courses and distances; and full and authentic descriptions of the reserves shall be made out and reserved by the Confederate States.

Indians allowed to choose their own homes.

Extent of each reserve.

Reserves, how defined.

ARTICLE V. The said No-co-ni, Ta-ne-i-weh, Ya-pa-rih-ca and Co-cho-tih-ca bands of the Ne-um shall have the right to possess, occupy and use the reserve or reserves allotted to them as long as grass shall grow or water run; and the reserves shall be their own property, like their horses and cattle.

Right of property in reserve.

ARTICLE VI. The members of the said No-co-ni, Ta-ne-i-weh, Ya-pa-rih-ca and Co-cho-tih-ca bands of the Ne-um shall have the right, during all time, to hunt and kill game in all the unoccupied part of said leased country without let or molestation from any quarter.

Hunting and killing of game.

ARTICLE VII. There shall be perpetual peace and brotherhood between the No-co-ni, Ta-ne-i-weh, Ya-pa-rih-ca and Co-cho-tih-ca bands of the Ne-um, and between each of them and all the other tribes and bands of the Ne-um and of the Wich-i-ta, Ca-do-ha-da-chos, Hue-co, An-a-dag-h-co, Ki-chai, Ai-o-nai, Ta-hua-ca-ro, Ton-ca-we, Shawnee and Delaware Indians, occupying reserves in the said leased country, and any other bands of the Ne-um that may hereafter settle in said leased country, and every injury or act of hostility which either has heretofore sustained at the hands of the other, shall be forgiven and forgotten forever.

Perpetual peace and brotherhood.

Injuries, &c., forgiven.

ARTICLE VIII. The said several tribes and bands of the Ne-um, and the said other tribes and bands, shall henceforth be good neighbors to each other, and there shall be free and friendly intercourse among them. And it is hereby agreed by the said four bands of the Ne-um, that the horses, cattle and other stock and property of every tribe or band, and every person of each, is his or its own, and that no one of said four tribes or bands, nor any person belonging to any one of them, shall or will hereafter kill, take away or injure any such property of another tribe or band, or of any member of any other tribe or band, or in any other way do them any harm.

Tribes and bands to be good neighbors to each other.

Right of property in horses, cattle and stock.

ARTICLE IX. There shall be perpetual peace and brotherhood between each and all of the No-co-ni, Ta-ne-i-weh, Ya-pa-rih-ca and Co-cho-tih-ca bands of the Ne-um, and the Cherokee, Mus-ko-ki, Seminole, Choctaw and Chickasaw Nations; and the chiefs and head men of each of the said bands shall do all in their power to take and return any negroes, horses or other property stolen from white men or from persons belonging to the Cherokee, Mus-ko-ki, Seminole, Choctaw or Chickasaw Nations, and to catch and give up any person among them who may kill or steal or do any other very bad thing.

Perpetual peace and brotherhood between certain tribes and bands.

Return of stolen property.

Apprehension and delivery of wrong doer.

ARTICLE X. It is distinctly understood by the said four bands of the Ne-um, that the State of Texas is one of the Confederate States, and joins in this Convention, and signs it when the Commissioner signs it, and is bound by it; and that all hostilities and enmities between it and them are now ended, and are to be forgotten and forgiven forever on both sides.

Hostilities and enmities between the Indians and State of Texas, forgotten and forgiven.

ARTICLE XI. None of the braves of the said four bands of the Ne-um

No war to be waged or councils held, except with the consent of the agent. shall go upon the war-path, after they are settled upon reserves, against any enemy whatever, or as guides to any war-party, except with the knowledge and consent of the agent, nor hold any councils or talks with any white men or other Indians without his knowledge and consent.

Who may live among them. And the Confederate States will not permit improper persons to live among them, but only such persons as are employed by the Confederate States and traders licensed by them, who shall sell to the Indians and buy from them at fair prices, under such regulations as the President shall make.

The stealing of property to be considered disgraceful. ARTICLE XII. To steal a horse or any other article of property from another Indian or white man, shall hereafter be considered disgraceful, and the chiefs will discountenance it by every means in their power. For if they should not, there never could be any permanent peace.

White prisoners to be delivered up. ARTICLE XIII. If there should be among the No-co-nis, Ta-ne-i-wez, Ya-pa-rih-eas or Co-cho-tih-eas, any white prisoner or prisoners, it is agreed that they shall be delivered up when they come in to settle; and that if they can peaceably procure possession of any that may be held by any other band of the Ne-um, or by the Cai-a-was, or any other Prairie tribe, they will also bring them in, to be restored to liberty. And the Confederate States agree that if any prisoners are so brought in and restored, suitable rewards shall be given the band that brings them in, for doing so. But this article creates no obligation to deliver up Mexicans who may be prisoners.

The C. S. to pay suitable rewards.

Comanches held as prisoners to be delivered up and restored to their bands. ARTICLE XIV. The Confederate States also agree, that if there be any person or persons held as prisoners in Texas or any other of the Confederate States, or in the Cherokee, Mus-ko-ki, Seminole, Choctaw or Chickasaw Nation who are of the Ne-um or Comanches, that all such persons shall be set free and delivered up and restored to their band without charge or expense to the Ne-um.

The C. S. ask nothing of the Comanches except that they will settle upon the reserves, live peaceably, &c., and agree to furnish them with rations, stocks, agricultural implements, &c. ARTICLE XV. The Confederate States ask nothing of the bands of the Ne-um, except that they will settle upon their reserves, become industrious, prepare to support themselves, and live in peace and quietness; and in order to encourage and assist them in their endeavors to become able to support themselves, the Confederate States agree to furnish them rations of provisions in the same manner as they are now doing for the Wichitas and other tribes and bands settled upon reserves, to include also sugar and coffee, salt, soap and vinegar, for such time as may be necessary to enable them to feed themselves. They agree to furnish each of the said bands of the Ne-um with twenty cows and calves for every fifty persons contained in the same, and one bull for every forty cows and calves; and also other stock at the discretion of the superintendent when they desire to have the same; all of which animals shall be distributed by the agent to such persons and families as shall, in his judgment, be most likely to take care of them. And they also agree to furnish for the use of the said bands of the Ne-um, such number of draught oxen, wagons, carts, ploughs, shovels, hoes, pick-axes, spades, scythes, rakes, axes and seeds as may be necessary to enable them to farm successfully. They also agree to furnish the said bands of the Ne-um, annually, with such quantities as the agent shall estimate for, and the superintendent require, of all such articles as are mentioned and contained in schedule herunto annexed, marked A, to be issued and delivered to them by the agent.

Agency for the tribes and bands. ARTICLE XVI. The Confederate States will maintain one agency for the tribes and bands now settled upon the reserves in the said leased country, and for the said four bands and all the other bands of the Ne-um that may settle therein; which agency shall be kept either at the present agency house or some other convenient location, at which the agent shall continually reside; and they do promise the said four bands and all the other

bands of the Ne-um that may settle in reserves, that they shall never be abandoned by the agent, and that he shall not be often nor for any long time away from his agency.

ARTICLE XVII. The Confederate States will employ and pay one interpreter for all the bands of the Ne-um settled upon the reserves; and an additional blacksmith, another striker, and another wagon-maker, shall be employed for the bands of the Ne-um alone, when the said four bands of the Ne-um shall have come in and settle upon reserves. The interpreter, blacksmith, striker and wagon-maker shall reside with some one of the bands. The Confederate States will also furnish, from time to time, such tools and such supplies of iron, steel and wood as may be needed for the work of the said bands; and will also furnish them with medicines and medical advice, at the agency, where a physician shall be employed to reside, for their benefit exclusively. And they will also employ, for five years and as much longer as the President shall please, a farmer for each reserve, to instruct them in cultivating the soil, so that they may soon be able to feed themselves; and will erect such a number of horse-mills, to grind their corn, as the superintendent shall consider to be necessary, in order to accommodate all.

Inter p r e t e r ,
blacksmith, striker
and wagon maker.

Tools and sup-
plies of iron, steel
and wood,
Medicines and
medical services.

Farmer for each
reserve.

Grist mills.

ARTICLE XVIII. The Confederate States also agree to erect such buildings for the mills, and the blacksmith shops, and houses for the farmers, interpreters and physicians as have been erected among the other Indian tribes, and also to assist the said Indians in building houses for themselves, and in digging wells for water, and opening their lands.

Ere c t i o n o f
buildings.

ARTICLE XIX. The said four bands agree to remain upon their reserves, when they shall have settled thereon, and not, at any time, to leave them in order to make crops elsewhere. And, if they should leave them, the Confederate States shall not be bound any longer to feed them or make them presents, or give them any assistance.

Bands agree to
remain upon their
reserves.

ARTICLE XX. The Confederate States also agree to furnish each warrior of the said four bands, who has not a gun, with a flint-lock rifle and ammunition, which he agrees never to sell or give away, and the Confederate States will punish any trader or other white man who may purchase one from them.

Rife and ammu-
nition to be fur-
nished each warrior.

ARTICLE XXI. The Confederate States will invite all the other bands of the Ne-um or Comanches to abandon their wandering life and settle within the leased country aforesaid; and do promise them, in that case, the same protection and care as is hereby promised to the tribes and bands now residing therein; and that there shall be allotted to them reserves of good land, of sufficient extent, to be held and owned by them forever; and that all the other promises made by these articles, shall be considered as made to them also, as well as to the tribes and bands now residing on reserves; and that the same presents shall be made to them, and assistance given them in all respects; and the same things, in all respects, are also hereby offered the Cai-a-was and agreed to be given them, if they will settle in said country, atone for the murders and robberies they have lately committed, and show a resolution to lead an honest life; to which end the Confederate States send the Cai-a-was, with this talk, the wampum of peace and the bullet of war, for them to take their choice, now and for all time to come.

Promises made
by the C. S. to the
Comanches, should
they settle within
the leased country
and atone for
crimes committed.

ARTICLE XXII. The Confederate States hereby guarantee to the members of the aforesaid four bands full indemnity for any horses or any other property that may be killed or stolen from them by any citizen of the Confederate States or by any other Indians: *Provided*, That the property, if stolen, cannot be recovered and restored, and that sufficient proof is produced, to satisfy the agent that it was killed or stolen within the limits of the Confederate States.

Indemnity for
horses or other
property killed or
stolen.
Proviso.

Payment to be made to the Seminoles for horses stolen, according to the annexed schedule.

ARTICLE XXIII. The Seminoles having asked the Confederate States to pay them for certain horses stolen from them by some of the Ne-um, two years ago, and which the United States were bound to pay for if they could not be recovered, the Confederate States have accordingly agreed to do so, at the time of making the treaty lately with the Seminoles; and they do hereby agree, in order that the Ne-um may not hereafter be troubled about the horses so taken, to pay for them the sums, and to the persons, mentioned in the schedule thereof hereunto annexed; but as the Seminoles allege that one or more of their horses is now here in the possession of some of the No-co-ni, Ta-ne-i-weh, Ya-pa-rih-ca or Co-cho-tih-ca band of Ne-um, it is agreed that, if it be so, such horse or horses shall be given up, and the person in possession shall be compensated for the loss of the same. To this end, the Chiefs will let the Seminoles see all their horses; and, after this time, it is distinctly understood that no one can get any right to property by stealing it, and that no compensation will ever again be made to any one who has given up stolen property. And the Confederate States do hereby agree with the several persons from whom horses were stolen, and the heirs of such of them as are deceased, and whose names are found in the said schedule B, hereunto annexed, that they will pay, immediately upon the ratification of this treaty, through the agent for the Seminoles, the amount of loss sustained by each respectively, according to the said schedule, except for such horses as may be returned as above provided for and noted as returned on the said schedule.

Settlement of difficulties between the bands on account of injuries to persons or property.

ARTICLE XXIV. If any difficulty should hereafter arise between any of the said four bands or any of their members, or between any of them and any of the other tribes or bands settled on reserves, in consequence of the killing of any one, of the stealing or killing of horses, cattle or other stock, or of injury in any other way to person or property, the same shall be submitted to the agent of the Confederate States, who shall settle and decide the same equitably and justly, to which settlement all parties agree to submit, and such atonement and satisfaction shall be made as he shall direct.

No private revenge or retaliation to be taken for injuries.

ARTICLE XXV. In order that the friendship which now exists between the said several tribes and bands of Indians, now or hereafter settled in the said leased country, and the Choctaws and Chickasaws and the people of the Confederate States, may not be interrupted by the conduct of individuals, it is hereby agreed, that if any white man or any Choctaw or Chickasaw injures an Indian of any one of said tribes and bands, or if any one them injures a white man or a Choctaw or Chickasaw, no private revenge or retaliation shall take place, nor shall the Choctaws or Chickasaws try the person who does the wrong, and punish, him in their courts, but he shall be tried and punished by the Confederate States; and the life of every person belonging to said tribes and bands shall be of the same value as the life of a white man; and any Indian or white man who kills one of them without cause, shall be hung by the neck until he is dead.

Offenders to be tried and punished by the C. S.

Punishment for killing without cause.

Peace and friendship between the C. S. and such of the bands as continue to live as they have heretofore.

ARTICLE XXVI. In case either of the bands of the Ne-um, with whom this convention is made, should not consent to come in and settle, and should prefer to continue to live as they have heretofore, then there shall still be peace and friendship between them and the people of the Confederate States, and the Cherokees, Mus-ko-kis, Seminoles, Choctaws and Chickasaws, and all the tribes and bands settled upon reserves in the country aforesaid; and all of the same shall travel, without injury or molestation, through the hunting grounds of the Ne-um, and shall be treated with kindness and friendship.

Texan troops to be withdrawn.

ARTICLE XXVII. It is further hereby agreed by the Confederate States, that all the Texan troops now within the limits of said leased country shall be withdrawn across Red river, and that no Texan troops shall here-

after be stationed in forts or garrisons in the said country, or be sent into the same, except in the service of the Confederate States and when on the war-path against the Cai-a-was or other hostile Indians.

ARTICLE XXVIII. It is further agreed by the chiefs and head men of the bands of the Ne-um who have signed this convention, that upon their return to their bands they will take this talk and the wampum of peace from the Confederate States and from the Mus-ko-kis, Seminoles, Choc-taws and Chickasaws, to the bands of the Ne-um, and tell them what they have seen and heard, and persuade them also, if they can, to come in and settle upon reserves in the leased country, and at any rate to make peace by the time when the leaves fall before the next snows.

ARTICLE XXIX. It is agreed by the parties, that the making of this Convention shall in no wise interrupt the friendly relations between the Ne-um and the people of Mexico; and that the Confederate States desire that perfect peace should exist between the Ne-um and all the Mexicans.

ARTICLE XXX. This convention shall be obligatory on the bands whose chiefs and head men sign the same from the day of its date, and on the Confederate States from and after its ratification by the proper authority.

In perpetual testimony whereof, the said Albert Pike, as Commissioner, with plenary powers, of the Confederate States of America to the Indian nations and tribes west of Arkansas, for and on behalf of the said Confederate States, doth now hereunto set his hand and affix the seal of his arms; and Wi-na-li-hi or the Drinking Eagle, Chief of the No-co-ni band of the Ne-um, and the undersigned head men of the same, for and in behalf of that band; and the same Wi-na-li-wa, Chief of the No-co-nis, by special authorization and direction of Po-ho-wi-ti-quas-so, or Iron Shirt, the Chief of the Ta-ne-i-weh band of the Ne-um, who has been present but is now absent mourning for a relative deceased, with Ke-e-na-toh-pa a head man of the Ta-ne-i-weh band, for and on behalf of the same; and Te-hi-a-quah, Chief of the Ya-pa-rih-ca band of the Ne-um, with the undersigned head men of the same, for and on behalf of the Ya-rih-ca band; and Ma-a-we, Chief of the Co-cho-tih-ca band of the Ne-um, with the undersigned head men of the same, for and on behalf of the Co-cho-tih-ca band, do now hereunto respectively set their hands and affix their seals.

Done at the Witchita Agency aforesaid, on the twelfth day of August, in the year of our Lord, one thousand eight hundred and sixty-one.

ALBERT PIKE,

Commissioner of the Confederate States to the Indian Nations and tribes west of Arkansas.

QUI-NA-HI-WI,

Principal Chief of the Noconi Band.

O-TE,

Sub-Chief of the Noconis.

KE-PA-HE-WA,

Sub-Chief of the Noconis.

CHO-O-SHI,

Retired Chief of the Noconis.

PO-HO-WI-TI-QUAS-SO,

Principal Chief of Ta-ne-i-weh Band, by

QUI-NA-HI-WI,

Principal Chief of the Noconi Band.

KE-E-NA-TOH-PA,

Sub-Chief of the Te-ne-wei Band.

TE-III-A-QUAH,

Chief of the Ya-pa-rih-ca Band.

BIS-TE-VA-NA,

Principal Chief of the Ya-pa-rih-ca Band.

PE-HAI-E-CHI,

Chief of the Ya-pa-rih-ca Band.

MA-A-WE,

Principal Chief of the Co-cho-tih-ca Band.

CHO-CO-RA,

Chief of the Co-cho-tih-ca Band.

TE-CO-WE-WIH-PA,

Chief of the Co-cho-tih-ca Band.

Other bands of Indians to be persuaded to come in and settle upon reserves and to make peace.

Friendly relations between the Ne-um and the people of Mexico not interrupted by this treaty.

When this Convention to be obligatory.

{ SEAL. }

TREATY WITH COMANCHES OF THE PRAIRIES.

Signed, sealed and copies exchanged in presence of us.

WM. QUESENBURY,
Secretary to the Commission.
 E. RECTOR,
*Superintendent of Indian Affairs for the
 Confederate States.*
 M. LUPER,
*Agent of the Wichita and affiliated bands
 of the Confederate States.*
 MOTY KINNAIRD,
Principal Chief of the Mus-ko-ke.
 JOHN JUMPER,
Principal Chief of the Seminoles.

CHILLY McINTOSH,
 ISRAEL G. VORE,
 W. WARREN JOHNSON,
 W. L. PIKE,
 JESSE CHISHOLM,
 H. P. JONES,
 CHARLES B. JOHNSON,
 J. J. STURM,
 WM. SHIRLEY,
 WM. H. FAULKNER.

The Indian names are subjoined marks.

Schedule A.

SCHEDULE A.

Of articles of merchandise, &c., agreed to be furnished annually, under the foregoing Convention, to the Comanches, Wichita, Huecos, Cado, Hadachos, Anadagheos, Tahuacaros, Kichais, Aionais, Shawnees and Delawares living in reserves in the country leased from the Choctaws and Chickasaws.

Blue drilling, warm coats, calico, plaid check, regatta cotton shirts, woolen shirts, beads, camp kettles, knives and forks, nails, augers, chopping axes, locks, hats, white drilling, brown domestic, thread, yarn and twine, ribbons, assorted colors, combs, butcher knives, large iron-spoons, hatchets and hammers, gimlets, fish-hooks, red, white and blue blankets, red and blue list cloth, shawls and handkerchiefs, shoes for men and women, tin-cups and buckets, coffee-pots and dippers, needles, scissors and shears, ammunition, including powder, lead, flints and percussion caps, tobacco.

This is schedule A, of the treaty with the four bands of the Ne-um, to which it is annexed as part thereof.

ALBERT PIKE, *Commissioner.*

Schedule B.

SCHEDULE B.

Of the citizens of the Seminole Nation who are to be paid under the 23d article of the foregoing treaty for the horses stolen from them by the Comanches and other tribes of Indians; and of the amounts to be paid for horses stolen by marauding bands of the Prairie Indians, in November, 1859, and November, 1860.

Names of claimants.	Number of horses stolen.	Value of horses stolen.	Amounts to be paid.
Pas-co-fa.....	6	2 at \$75 each,	\$150
		3 " 50 "	150
		1 " 70 "	70, \$370
Jenny.....	4	1 " 60 "	60
		1 " 50 "	50
		1 " 40 "	40
		1 " "	80, 230
Amount carried forward.....			\$600

SCHEDULE B.—CONTINUED.

Schedule B.

Names of claimants.	Number of horses stolen.	Value of horses stolen.	Amounts to be paid.	
Amount brought forward, ..				\$600
O-i-cus Hacho.....	2	1 at 1 "	\$65 50,	115
Cho la Fic si-co.....	1	1	50,	50
Fos Hut-chi.....	6	1 2 " 40 each. 2 " 50 "	75 55 80	100, 290
Api-i-ca.....	2	1 1	50 35,	85
Ki-tis-ti a-ni.....	3	2 " 50 each. 1 20	100 20,	120
I-o-fa-la Fic-si-co.....	1	1		75
Ka-pit-cha Tust-i-nuc-ochi..	2	1 " 60 1 " 40	60 40,	100
A-i-ma-mi.....	3	1 " 30 2 " 16 each.	30 32,	62
Fic-lum-mi.....	2	2 " 60 "		120
Hal-pa-ta Fic-si-co.....	1	1		75
Toh-kul-ka.....	2	2 at 50 each.		100
Pa-ho-si.....	2	1 " 60 1 " 40		100
Mary.....	2	Mare and colt.		50
Kat cha Ha-cho-chi.....	2	1 at 50 1 " 40		90
Fos Hut-chi Hacho.....		1 " 40		40
Ni-ha Fic-si-co.....	2	2 " 40		80
Ta-co-sa Hacho.....	1	1 " 50		50
Kat-cho-chi.....	2	1 " 40 1 " 20	40 20	60
Nalth-ka-put Tus ti-nuk-ki..	6	1 " 30 1 " 35 1 " 40 1 " 25 2 " 20 each.		40, 170
Su-ho-tah-ki.....	8	3 " 30 " 3 " 25 " 1 " 20 " 1 " 10 "	90 75 20 10,	195
George Cloud.....	1	1 " 10 "		45
Fos-hut-chi Co-cho-ni.....	5	1 " 50 1 " 60 1 " 35 1 " 25 1 " 20		190
Sup-pa-ho-ho-yi.....	3	1 " 50 1 " 45 1 " 35		130
Kat-cha Fic-si-co.....	2	1 " 60 1 " 50		110
Oc-tai-ab-chi.....	2	1 " 50 1 " 30		80
Sen-wi-i-ca.....	4	2 " 40 ca. 1 " 35 1 " 20	80 35 20,	135
Pa-hos Hacho.....	1	1		45
Pa-lut-ho-ho-eyi.....	1	1		50
Tus-ti-nuk Chap-co.....	2	1 " 45 1 " 30	45 30,	75
				\$3,487.

Received of Albert Pike, Commissioner of the Confederate States to the Indian Nations west of Arkansas, the sum of forty dollars in full pay-

ment of the within mentioned amount of forty dollars agreed to be paid to me.

Witness:

W. WARREN JOHNSON.

FOS-HUT-CHI HACHO,

This and the two preceding folios are Schedule B, of the treaty with the four bands of the Ne-um, to which they are annexed as a part thereof.

ALBERT PIKE, *Commissioner.*

Dec. 21, 1861.

RATIFICATION.

Ratification by Congress of the foregoing treaty.

Resolved, (two thirds of the Congress concurring,) That the Congress of the Confederate States of America do advise and consent to the ratification of the articles of a Convention made by Albert Pike, Commissioner of the Confederate States to the Indian Nations west of Arkansas, in behalf of the Confederate States, of the one part, and the No-co-ni, Tanie-we, Co-cho-tih-ca and Ya-pa-rich-ca Bands of the Ne-um or Comanches of the Prairies and Staked Plain, by their Chiefs and head men, who signed the same articles, of the other part, concluded at the Wichita Agency, near the False Washita river, in the country leased from the Choctaws and Chickasaws, on the twelfth day of August, in the year of our Lord, one thousand eight hundred and sixty-one, with the following amendments, to-wit:

Amendments.

1st. In the last paragraph of article thirteen where occur the words, "but this article creates no obligation to deliver up Mexicans who may be prisoners." Strike out all after the words "up" and insert in lieu thereof the following words: other prisoners than inhabitants of the Confederate States or Territories thereof.

2d. Strike out all of article twenty.

3d. Strike out all of article twenty-seven.