

ARTICLES OF A CONVENTION

Oct. 15, 1836.
Proclamation,
Feb. 15, 1837.

Entered into and concluded at Bellevue Upper Missouri the fifteenth day of October one thousand eight hundred and thirty-six, by and between John Dougherty U. S. agt. for Indian Affairs and Joshua Pilcher U. S. Ind. s. agt being specially authorized therefor ; and the chiefs braves head men &c of the Otoes Missouries Omahaws and Yankton and Santee bands of Sioux, duly authorized by their respective tribes.

Treaty of July
15, 1830.
Ante, p. 323.

ARTICLE 1st. Whereas it has been represented that according to the stipulations of the first article of the treaty of Prairie du Chien of the fifteenth of July eighteen hundred and thirty, the country ceded is "to be assigned and allotted under the direction of the President of the United States to the tribes now living thereon or to such other tribes as the President may locate thereon for hunting and other purposes," and whereas it is further represented to us the chiefs, braves and head men of the tribes aforesaid, that it is desirable that the lands lying between the State of Missouri and the Missouri river, and south of a line running due west from the northwest corner of said State until said line strikes the Missouri river, should be attached to and become a part of said State, and the Indian title thereto be entirely extinguished; but that notwithstanding, as these lands compose a part of the country embraced by the provisions of the said first article of the treaty aforesaid, the stipulations whereof will be strictly observed, until the assent of the Indians interested is given to the proposed measure. Now we the chiefs braves and principal men of the Otoes Missouries Omahaws Yankton and Santee bands of Sioux aforesaid fully understanding the subject and well satisfied from the local position of the lands in question, that they never can be made available for Indian purposes; and that an attempt to place an Indian population on them must inevitably lead to collisions with the citizens of the United States; and, further believing that the extension of the State line in the direction indicated, would have a happy effect by presenting a natural boundary between the whites and Indians; and willing moreover to give the United States a renewed evidence of our attachment and friendship; do hereby for ourselves and on behalf of our respective tribes (having full power and authority to this effect) for ever cede relinquish and quit claim to the United States all our right title and interest of whatsoever nature in and to the lands lying between the State of Missouri and the Missouri river, and south of a line running due west from the northwest corner of the State to the Missouri river, as herein before mentioned, and freely and fully exonerate the United States from any guarantee condition or limitation expressed or implied under the treaty of Prairie du Chien aforesaid or otherwise, as to the entire and absolute disposition of said lands, fully authorizing the United States to do with the same whatever shall seem expedient or necessary.

Cession of land
to the U. S.

Present of
\$4500 in mer-
chandise.

ART. 2d. As a proof of the continued friendship and liberality of the United States towards the said Otoes Missouries Omahaws and Yankton and Santee bands of Sioux, and as an evidence of the sence entertained for the good will manifested by the said tribes to the citizens and Government of the United States as evinced in the preceding cession and

relinquishment; and as some compensation for the great sacrifice made by the several deputations at this particular season, by abandoning their fall hunts and traveling several hundred miles to attend this convention the undersigned John Dougherty and Joshua Pilcher agrees on behalf of the United States to pay as a present to the tribes herein before named the sum of four thousand five hundred and twenty dollars in merchandize, the receipt of which they hereby acknowledge having been distributed among them in the proportions following. To the Otoes twelve hundred and fifty dollars, to the Missouries one thousand dollars to the Omahaws twelve hundred and seventy dollars to the Yankton and Santee bands of Sioux one thousand dollars.

Portions of
each tribe.

ART. 3d. In consequence of the removal of the Otoes and Missouries from their former situation on the river Platte to the place selected for them, and of their having to build new habitations last spring at the time which should have been occupied in attending to their crops, it appears that they have failed to such a degree as to make it *certain* that they will lack the means of subsisting next spring, when it will be necessary for them to commence cultivating the lands now preparing for their use. It is therefore agreed that the said Otoes, and Missouries (in addition to the presents herein before mentioned) shall be furnished at the expence of the United States with five hundred bushels of corn to be delivered at their village in the month of April next. And the same causes operating upon the Omahaws, they having also abandoned their former situation, and established at the place recommended to them on the Missouri river, and finding it difficult without the aid of ploughs to cultivate land near there village where they would be secure from their enemies, it is agreed as a farther proof of the liberality of the Government and its disposition to advance such tribes in the cultivation of the soil as may manifest a disposition to rely on it for the future means of subsistence; that they shall have one hundred acres of ground broke up and put under a fence near their village, so soon as it can be done after the ratification of this convention, and that there shall be a suitable person employed as farmer to assist and instruct them in cultivating the soil so soon and for such time as the President of the United States may deem proper.*

Otoes and
Missourias to
be furnished
with 500 bush-
els of corn.

Omahaws to
have 100 acres
of ground broke
up, &c.

* See note on
p. 526.

* ART. 4th. The undersigned chiefs braves and head men of the tribes herein before named, feeling sensible of the many acts of kindness and liberality manifested towards them, and their respective tribes by their good friends Joseph Roubadoux sen., and Lucien Fontenelle, during an intercourse of many years; aware of the heavy losses sustained by them at different times by their liberality in extending large credits to them and their people, which have never been paid, and which (owing to the impoverished situation of their country and their scanty means of living) never can be; are anxious to evince some evidence of gratitude for such benefits and favours, and compensate the said individuals in some measure for their losses. To this end at the earnest solicitation of said tribes it is agreed that the said Joseph Roubadoux sen. shall have the privilege of selecting three sections of land any where within the ceded territory so soon as the same shall be surveyed, and the said Lucien Fontenelle shall be permitted to select two sections in like manner which shall be conveyed to them by the United States without cost, whenever the land so selected shall be reported by them there agents or legal representatives to the register and receiver of the land office of the district in which they lie. It is however distinctly understood that if the President and Senate of the United States should refuse to ratify this and the last preceding article or either of them or any part thereof, that such refusal shall in no way affect the relinquishment and

Compensation
to certain per-
sons.

cession made by the tribes parties hereto in the first article of this convention.

Obligatory
when ratified.

ART. 5. This convention shall be obligatory on the tribes parties hereto, from and after the date hereof, and on the United States from and after its ratification by the Government thereof.

Done, signed and sealed at Bellevue Upper Missouri this fifteenth day of October, one thousand eight hundred and thirty-six, and of the Independance of the United States, the sixty-first.

JNO. DOUGHERTY, *Ind. Agt.*

JOSHUA PILCHER, *U. S. Ind. S. Agent.*

Otoes.

Jaton,
Big Kaw,
The Thief,
Wah-ro-ne-saw,
Buffalo Chief,
Shaking Handle,
We-ca-ru-ton,
Wash-shon-ke-ra,
Standing White Bear,
O-rah-car-pe,
Wa-nah-sha,
Wa-gre-ni-e,
Mon-nah-shu-ja.

Wash-kaw-mony,
White Horse,
White Caw,
Little chief,
A-haw-paw,
Walking Cloud,
Wah-see-an-ne,
No Heart,
Wah-shing-gar,
Standing Elk,
Ke-tah-an-nah,
Mon-chu-ha,
Pe-ze-nin-ga.

Yankton and Santees.

Missouries.

Hah-che-ge-sug-a,
Black Hawk,
No Heart,
Wan-ge-ge-he-ru-ga-ror,
The Arrow Fender,
Wah-ne-min-er,
Big Wing.

Pitta-eu-ta-pishna,
Wash-ka-shin-ga,
Mon-to-he,
Wah-kan-teau,
E-ta-ze-pa,
Ha-che-you-ketcha,
Wa-men-de-ah-wa-pe,
E-chunk-ca-ne,
Chu-we-a-teau,
Mah-pe-a-teau,
Wah-mun-de-cha-ka,
Pah-ha-na-jie.

Omahaws.

Big Elk,
Big Eyes,

WITNESSES:—J. Varnum Hamilton, Sutler U. S. Drags. & act. secy. William Steele. John A. Ewell. William J. Martin. Martin Dorion.

To the Indian names are subjoined marks.

[NOTE.—The foregoing treaty was ratified with the following amendments thereto, as expressed in the resolution of the Senate:

Strike out that part of the third article following the word "convention" in the following words: "And that there shall be a suitable person employed as farmer, to assist and instruct them in cultivating the soil so soon, and for such time, as the President of the United States may deem proper."

Strike out the fourth article.]