

# INDIAN AFFAIRS.

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## LAWS AND TREATIES.

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Vol. II.  
(TREATIES.)

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COMPILED AND EDITED  
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ON INDIAN AFFAIRS.

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## ARTICLE III.

Annual allowance  
of goods.

The United States, to evince their justice by amply compensating the said Cherokee nation of Indians for all relinquishments of land made either by the treaty of Hopewell upon the Keowee river, concluded on the twenty-eighth of November, one thousand seven hundred and eighty-five, or the aforesaid treaty made upon Holston river, on the second of July, one thousand seven hundred and ninety-one, do hereby stipulate, in lieu of all former sums to be paid annually to furnish the Cherokee Indians with goods suitable for their use, to the amount of five thousand dollars yearly.

## ARTICLE IV.

For every horse  
stolen, a sum to be  
deducted from the  
annuity.

And the said Cherokee nation, in order to evince the sincerity of their intentions in future, to prevent the practice of stealing horses, attended with the most pernicious consequences to the lives and peace of both parties, do hereby agree, that for every horse which shall be stolen from the white inhabitants by any Cherokee Indians, and not returned within three months, that the sum of fifty dollars shall be deducted from the said annuity of five thousand dollars.

## ARTICLE V.

These articles in  
addition to the treaty  
of Holston.

The articles now stipulated will be considered as permanent additions to the treaty of Holston, as soon as they shall have been ratified by the President of the United States and the Senate of the United States.

In witness of all and every thing herein determined between the United States of America and the whole Cherokee nation, the parties have hereunto set their hands and seals in the city of Philadelphia, within the United States, this twenty-sixth day of June, in the year of our Lord one thousand seven hundred and ninety-four.

H. Knox, Secretary of War,	[L. s.]	John McClemore, his x mark,	[L. s.]
Tekakisskee, or Taken out of the		Walahoo, or the Humming Bird,	[L. s.]
Water, his x mark,	[L. s.]	Chuleowee, his x mark,	[L. s.]
Nontuaka, or the Northward, his x		Ustanaqua, his x mark,	[L. s.]
mark,	[L. s.]	Kullusathee, his x mark,	[L. s.]
Cinasaw, or the Cabin, his x mark,	[L. s.]	Siteaha, his x mark,	[L. s.]
Skyuka, his x mark,	[L. s.]	Keenaguna, or the Lying Fawn,	[L. s.]
Chuquilatague, or Double Head,		his x mark,	[L. s.]
his x mark,	[L. s.]	Chatakaelesa, or the Fowl Carrier,	[L. s.]

Done in presence of—

John Thompson,  
Arthur Coodey, Interpreters,  
Cantwell Jones, of Delaware.

William Wofford, of the State of Georgia.  
W. McCaleb, of South Carolina.  
Samuel Lewis, of Philadelphia.

## TREATY WITH THE SIX NATIONS, 1794.

Nov. 11, 1794.

7 Stat., 44.  
Proclamation, Jan.  
21, 1795.

*A Treaty between the United States of America, and the Tribes of  
Indians called the Six Nations.*

The President of the United States having determined to hold a conference with the Six Nations of Indians, for the purpose of removing from their minds all causes of complaint, and establishing a firm and permanent friendship with them; and Timothy Pickering being appointed sole agent for that purpose; and the agent having met and conferred with the Sachems, Chiefs and Warriors of the Six Nations, in a general council: Now, in order to accomplish the good design of

this conference, the parties have agreed on the following articles; which, when ratified by the President, with the advice and consent of the Senate of the United States, shall be binding on them and the Six Nations.

## ARTICLE I.

Peace and friendship are hereby firmly established, and shall be perpetual, between the United States and the Six Nations. Peace and friendship perpetual.

## ARTICLE II.

The United States acknowledge the lands reserved to the Oneida, Onondaga and Cayuga Nations, in their respective treaties with the state of New-York, and called their reservations, to be their property; and the United States will never claim the same, nor disturb them or either of the Six Nations, nor their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: but the said reservations shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase. Certain lands secured to Indians.

## ARTICLE III.

The land of the Seneka nation is bounded as follows: Beginning on Lake Ontario, at the north-west corner of the land they sold to Oliver Phelps, the line runs westerly along the lake, as far as O-yōng-wong-yeh Creek, at Johnson's Landing-place, about four miles eastward from the fort of Niagara; then southerly up that creek to its main fork, then straight to the main fork of Stedman's creek, which empties into the river Niagara, above fort Schlosser, and then onward, from that fork, continuing the same straight course, to that river; (this line, from the mouth of O-yōng-wong-yeh Creek to the river Niagara, above fort Schlosser, being the eastern boundary of a strip of land, extending from the same line to Niagara river, which the Seneka nation ceded to the King of Great-Britain, at a treaty held about thirty years ago, with Sir William Johnson;) then the line runs along the river Niagara to Lake Erie; then along Lake Erie to the north-east corner of a triangular piece of land which the United States conveyed to the state of Pennsylvania, as by the President's patent, dated the third day of March, 1792; then due south to the northern boundary of that state; then due east to the south-west corner of the land sold by the Seneka nation to Oliver Phelps; and then north and northerly, along Phelps's line, to the place of beginning on Lake Ontario. Now, the United States acknowledge all the land within the aforementioned boundaries, to be the property of the Seneka nation; and the United States will never claim the same, nor disturb the Seneka nation, nor any of the Six Nations, or of their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: but it shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase. Boundary of lands belonging to the Seneca nation.

## ARTICLE IV.

The United States having thus described and acknowledged what lands belong to the Oneidas, Onondagas, Cayugas and Senekas; and engaged never to claim the same, nor to disturb them, or any of the Six Nations, or their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: Now, the Six Nations, and each of them, hereby engage that they will never claim any other lands within the boundaries of the United States; nor ever disturb the people of the United States in the free use and enjoyment thereof. Six nations never to claim other lands in the United States.

## ARTICLE V.

Right to make and use a road granted.

The Seneca nation, all others of the Six Nations concurring, cede to the United States the right of making a wagon road from Fort Schlosser to Lake Erie, as far south as Buffalo Creek; and the people of the United States shall have the free and undisturbed use of this road, for the purposes of travelling and transportation. And the Six Nations, and each of them, will forever allow to the people of the United States, a free passage through their lands, and the free use of the harbors and rivers adjoining and within their respective tracts of land, for the passing and securing of vessels and boats, and liberty to land their cargoes where necessary for their safety.

## ARTICLE VI.

Present and annuity.

In consideration of the peace and friendship hereby established, and of the engagements entered into by the Six Nations; and because the United States desire, with humanity and kindness, to contribute to their comfortable support; and to render the peace and friendship hereby established, strong and perpetual; the United States now deliver to the Six Nations, and the Indians of the other nations residing among and united with them, a quantity of goods of the value of ten thousand dollars. And for the same considerations, and with a view to promote the future welfare of the Six Nations, and of their Indian friends aforesaid, the United States will add the sum of three thousand dollars to the one thousand five hundred dollars, heretofore allowed them by an article ratified by the President, on the twenty-third day of April, 1792;<sup>a</sup> making in the whole, four thousand five hundred dollars; which shall be expended yearly forever, in purchasing clothing, domestic animals, implements of husbandry, and other utensils suited to their circumstances, and in compensating useful artificers, who shall reside with or near them, and be employed for their benefit. The immediate application of the whole annual allowance now stipulated, to be made by the superintendent appointed by the President for the affairs of the Six Nations, and their Indian friends aforesaid.

## ARTICLE VII.

Retaliation restrained.

Lest the firm peace and friendship now established should be interrupted by the misconduct of individuals, the United States and Six Nations agree, that for injuries done by individuals on either side, no private revenge or retaliation shall take place; but, instead thereof, complaint shall be made by the party injured, to the other: By the Six Nations or any of them, to the President of the United States, or the Superintendent by him appointed; and by the Superintendent, or other person appointed by the President, to the principal chiefs of the Six Nations, or of the nation to which the offender belongs: and such prudent measures shall then be pursued as shall be necessary to preserve our peace and friendship unbroken; until the legislature (or great council) of the United States shall make other equitable provision for the purpose.

NOTE. It is clearly understood by the parties to this treaty, that the annuity stipulated in the sixth article, is to be applied to the benefit of such of the Six Nations and of their Indian friends united with them as aforesaid, as do or shall reside within the boundaries of the United States: For the United States do not interfere with nations, tribes or families, of Indians elsewhere resident.

<sup>a</sup> It appears that this treaty was never ratified by the Senate. See American State Papers, Indian Affairs, vol. 1, p. 232. Also, post 1927.

In witness whereof, the said Timothy Pickering, and the sachems and war chiefs of the said Six Nations, have hereto set their hands and seals.

Done at Konondaigua, in the State of New York, the eleventh day of November, in the year one thousand seven hundred and ninety-four.

Timothy Pickering,	[L. s.]	Tauhoondos, his x mark, or Open	
Onoyeahnee, his x mark,	[L. s.]	the Way,	[L. s.]
Konneatorteeooh, his x mark, or	[L. s.]	Twaukewasha, his x mark,	[L. s.]
Handsome Lake,	[L. s.]	Sequidongquee, his x mark, alias	
Tokenhyouhau, his x mark, alias		Little Beard,	[L. s.]
Captain Key,	[L. s.]	Kodjeote, his x mark, or Half	
Oneshauuee, his x mark,	[L. s.]	Town,	[L. s.]
Hendrick Aupaumut,	[L. s.]	Kenjauaugus, his x mark, or	
David Neesoonhuk, his x mark,	[L. s.]	Stinking Fish,	[L. s.]
Kanatsoyh, alias Nicholas Kusik,	[L. s.]	Soonohquaukau, his x mark,	[L. s.]
Sohhonteoquent, his x mark,	[L. s.]	Twenniyana, his x mark,	[L. s.]
Ooduhtsait, his x mark,	[L. s.]	Jishkaaga, his x mark, or Green	
Konoohqung, his x mark,	[L. s.]	Grasshopper, alias Little Billy,	[L. s.]
Tossonggaolulus, his x mark,	[L. s.]	Tuggehshotta, his x mark,	[L. s.]
John Skenendoa, his x mark,	[L. s.]	Tehongyagauna, his x mark,	[L. s.]
Oneatorleeooh, his x mark,	[L. s.]	Tehongyoowush, his x mark,	[L. s.]
Kussauwatau, his x mark,	[L. s.]	Konneyoowesot, his x mark,	[L. s.]
Eyootenyootauook, his x mark,	[L. s.]	Tioohquottakauna, his x mark, or	
Kohnyeaugong, his x mark, alias		Woods on Fire,	[L. s.]
Jake Stroud,	[L. s.]	Taoundaudeesh, his x mark,	[L. s.]
Shaguiesa, his x mark,	[L. s.]	Honayawus, his x mark, alias	
Teeroos, his x mark, alias Captain		Farmer's Brother,	[L. s.]
Prantup,	[L. s.]	Soggooyawauthau, his x mark,	
Sooshaowau, his x mark,	[L. s.]	alias Red Jacket,	[L. s.]
Henry Young Brant, his x mark,	[L. s.]	Konyootiyoo, his x mark,	[L. s.]
Sonhyoowauna, his x mark, or Big		Sauhtakaongyees, his x mark, or	
Sky,	[L. s.]	Two Skies of a length,	[L. s.]
Onaahhah, his x mark,	[L. s.]	Ounnashattakau, his x mark,	[L. s.]
Hotosahenh, his x mark,	[L. s.]	Kaungyanehquee, his x mark,	[L. s.]
Kaukondanaiya, his x mark,	[L. s.]	Sooyoowau, his x mark,	[L. s.]
Nondiyauka, his x mark,	[L. s.]	Kaujeagaonh, his x mark, or Heap	
Kossishtowau, his x mark,	[L. s.]	of Dogs,	[L. s.]
Oojaugenta, his x mark, or Fish		Soonooohshoowau, his x mark,	[L. s.]
Carrier,	[L. s.]	Thaowaunnias, his x mark,	[L. s.]
Toheonggo, his x mark,	[L. s.]	Soonongjoowau, his x mark,	[L. s.]
Ootaguasso, his x mark,	[L. s.]	Kiantwhauka, his x mark, alias	
Joonondauwaonch, his x mark,	[L. s.]	Cornplanter,	[L. s.]
Kiyauhaonh, his x mark,	[L. s.]	Kaunehshonggoo, his x mark,	[L. s.]
Ootaujeaugenh, his x mark, or			
Broken Axe,	[L. s.]		

Witnesses:

Israel Chapin.	Israel Chapin, jr.
William Shepard, jr.	Horatio Jones,
James Smedley.	Joseph Smith,
John Wickham.	Jasper Parish,
Augustus Porter.	Interpreters.
James K. Garnsey.	Henry Abeele.
William Ewing.	

TREATY WITH THE ONEIDA, ETC., 1794.

*A treaty between the United States and the Oneida, Tuscorora and Stockbridge Indians, dwelling in the Country of the Oneidas.*

Dec. 2, 1794.

7 Stat., 47.  
Proclamation, Jan. 21, 1795.

WHEREAS, in the late war between Great-Britain and the United States of America, a body of the Oneida and Tuscorora and the Stockbridge Indians, adhered faithfully to the United States, and assisted them with their warriors; and in consequence of this adherence and assistance, the Oneidas and Tuscororas, at an unfortunate period of the war, were driven from their homes, and their houses were burnt and their property destroyed: And as the United States in the time of their distress, acknowledged their obligations to these faithful friends,