

AGREEMENT WITH THE ROGUE RIVER, 1853.

Stipulations of a treaty of peace made and entered into by Joseph Lane Commanding forces of Oregon Territory, and Joe, principal Chief of the Rogue River tribe of Indians, Sam, Subordinate Chief and Jim, Subordinate Chief, on the part of the tribes under their jurisdiction.

Sept. 8, 1853.

Unratified.
Indian Office—Oregon, 1844-1858, Ore. Supt. L., 323.

ARTICLE 1. A treaty of peace having this day been entered into between the above named parties whereby it is agreed that all the bands of Indians living within the following boundaries to wit, commencing just below the mouth of Applegate Creek, on Rogue River, thence to the highlands which divide Applegate from Althouse creek, thence with said highlands Southeasterly to the summit of the Siskiyou mountains, thence easterly along said range to the Pilot Rock, thence northeasterly following the range of mountains to Mount Pitt, thence northerly to Rogue River, thence northwesterly to the head waters of Jump-off-Joe, thence down this stream to a point due north from the mouth of Applegate Creek, thence to the mouth of Applegate Creek shall cease hostilities, and that all the property taken by them from the whites, in battle or otherwise shall be given up either to Genl. Lane or the Indian Agent. The Chiefs further stipulate to maintain peace and promptly deliver up to the Indian Agent for trial and punishment any one of their people who may in any way disturb the friendly relations this day entered into, by stealing property of any description or in any way interfering with the persons or property of the whites, and shall also be responsible for the amount of the property so destroyed

See ante, p. 603.

ART. 2. It is stipulated by the Chiefs that all the different bands of Indians now residing in the Territory above described shall hereafter reside in the place to be set apart for them.

ART. 3. It is further stipulated that all fire arms belonging to the Indians of the above named bands, shall be delivered to Gen. Lane, or to the Agent, for a fair consideration to be paid in blankets, clothing, &c., except Joe, principal Chief, seven guns, for hunting purposes, Sam, Subordinate Chief, five guns, Jim Subordinate Chief five guns.

ART. 4. It is further stipulated, that when their right to the above described country is purchased from the Indians by the United States, a portion of the purchase money shall be reserved to pay for the property of the whites destroyed by them during the war, not exceeding fifteen thousand dollars.

ART. 5. It is further stipulated that in case the above named Indians shall hereafter make war upon the whites, they shall forfeit all right to the annuities or money to be paid for the right to their lands.

ART. 6. It is further stipulated, that whenever any Indians shall enter the Territory above described for the purpose of committing hostilities against the whites the chiefs above named shall immediately give information to the Agent, and shall render such other assistance as may be in their power.

ART. 7. An Agent shall reside near the above named Indians to enforce the above stipulations, to whom all complaints of injuries to the Indians shall be made through their Chiefs.

Signed this 8th day of September 1853.

Joseph Lane	[L. s.]
Joe (his x mark) Aps-er-ka-har	[L. s.]
Principal Chief.	
Sam (his x mark) To-qua-he-ar	[L. s.]
Subordinate Chief.	
Jim (his x mark) Ana-chak-a-rah	[L. s.]
Subordinate Chief.	

Witnesses,
 C. B. Gray, interpreter
 R. B. Metcalf
 Y. Y. Turney, Sec.

The above stipulations of treaty were entered into and signed by the respective parties in my presence, and with my approval.

Joel Palmer,
 Superintendent Indian Affairs Oregon Territory.

AGREEMENT WITH THE CHEROKEE AND OTHER TRIBES IN THE INDIAN TERRITORY, 1865.

FORT SMITH, ARKANSAS, *September 13, 1865.*

Sept. 13, 1865.
 Unratified.
 See note, post 1051, ante p. 910, 931.
 For the proceedings relative to the negotiation of this agreement, see Ann. Rep. Commr. Ind. Aff., 1865, pp. 34, 312-353.
 Also House Ex. Doc. No. 1, 1st sess. 39th Cong., vol. 2, 1865-66, pp. 480 to 542.

Articles of agreement entered into this thirteenth day of September, 1865, between the commissioners designated by the President of the United States and the persons here present representing or connected with the following named nations and tribes of Indians located within the Indian country, viz: Cherokees, Creeks, Choctaws, Chickasaws, Osages, Seminoles, Senecas, Senecas and Shawnees, and Quapaws.

Whereas the aforesaid nations and tribes, or bands of Indians, or portions thereof, were induced by the machinations of the emissaries of the so-called Confederate States to throw off their allegiance to the government of the United States, and to enter into treaty stipulations with said so-called Confederate States, whereby they have made themselves liable to a forfeiture of all rights of every kind, character, and description which had been promised and guaranteed to them by the United States; and whereas the government of the United States has maintained its supremacy and authority within its limits; and whereas it is the desire of the government to act with magnanimity with all parties deserving its clemency, and to re-establish order and legitimate authority among the Indian tribes; and whereas the undersigned representatives or parties connected with said nations or tribes of Indians have become satisfied that it is for the general good of the people to reunite with and be restored to the relations which formerly existed between them and the United States, and as indicative of our personal feelings in the premises, and of our several nations and tribes, so far as we are authorized and empowered to speak for them; and whereas questions have arisen as to the status of the nations, tribes, and bands that have made treaties with the enemies of the United States, which are now being discussed, and our relations settled by treaty with the United States commissioners now at Fort Smith for that purpose:

The undersigned do hereby acknowledge themselves to be under the protection of the United States of America, and covenant and agree, that hereafter they will in all things recognize the government of the United States as exercising exclusive jurisdiction over them, and will not enter into any allegiance or conventional arrangement with any state, nation, power or sovereign whatsoever; that any treaty of alliance for cession of land, or any act heretofore done by them, or any of their people, by which they renounce their allegiance to the United States, is hereby revoked, cancelled, and repudiated.

In consideration of the foregoing stipulations, made by the members of the respective nations and tribes of Indians present, the United States, through its commissioners, promises that it will re-establish peace and friendship with all the nations and tribes of Indians within the limits of the so-called Indian country; that it will afford ample protection for the security of the persons and property of the respective