

TREATY BETWEEN UNITED STATES AND THE COMANCHE, CADDO,
LIPAN, QUAPAW, TAWAKONI, AND WACO TRIBES OF INDIANS
[December 10, 1850]

The Command went out from Fort Martin Scott
situated one mile East of Fredericksburg. the Co,
seat, N. Y.

[Handwritten by H. W. M.] Aug, 1890 H. W. M.

ARTICLES OF TREATY

Held at the
head spring
of Spring
Cr. South
of but
near the
River San
Saba.

*made and concluded on Spring Creek, near the
River San Saba, in the Indian Country of the
State of Texas, this, the 10th day of December,
A.D. 1850, between John H. Rollins, Special
Agent for the United States for the Indians of
Texas, acting for the United States on the one
part, and the undersigned Chiefs, Warriors, Cap-
tains and Councillors, for themselves and for
those under their control, and acknowledging
their authority, on the other part—witnessess:*

Article 1st

The Undersigned, Chiefs, Warriors, Captains and Council-
lors, for themselves, and for those under their control and sub-
ject to their authority, do hereby acknowledge themselves to be
under the jurisdiction and protection of the United States of
America, and of no other Power, State or Sovereignty whatever.

Article 2d.

It is stipulated and agreed by the Indians, parties hereto,
that the Government of the United States shall have the sole
and exclusive right of regulating trade and intercourse with
them, and they do hereby respectively engage to afford protec-
tion to such persons, with their property, as shall be duly
authorized to reside among them for the purpose of trade and
intercourse, and to their agents and servants; but no person
shall be permitted to reside among them as a trader, or intro-
duce goods into the Indian country, who is not furnished with
a license for that purpose, according to the laws of the United

States, to the end that the said Indians may not be imposed upon in their trade; and if any licensed trader shall abuse his privilege by unfair trading, upon complaint by said Chiefs to their Agent, and proof thereof, his license shall be taken from him; and he shall be further punished, according to law; and if any person shall intrude himself as a trader, or introduce goods into the Indian country without such license, upon complaint, he shall be dealt with according to law, and the goods so introduced shall be forfeited to the Indians giving the information, who shall have the right to take into possession and keep said goods until the matter is legally investigated.

Article 3d.

The said Indians, parties hereto are now, and agree forever to remain at peace with the United States.

Article 4th.

The said tribes or nations, parties to this treaty, are anxious to be at peace with all nations of people with whom the United States are at peace, and it is agreed that the President shall use his exertions in such manner as he shall think proper to ~~preserve friendly relations between the different tribes or nations,~~ parties to this treaty, and all other nations of people.

Article 5th.

And the said tribes or nations agree to remain friendly with such tribes as are now at peace with the United States, residing upon the waters of the Arkansas, Missouri, and Red Rivers.

Article 6th.

The said Indians, parties hereto, pledge themselves to give notice to the Agent of the United States, residing near them, of any designs which they may know or suspect to (be) formed in any neighboring tribe, or by any person whatever, against the peace and interests of the United States.

Article 7th.

It is agreed that if any Indian or Indians shall commit a murder or robbery, or steal anything from any citizen of the United States, the tribe or band to which the offender belongs, shall deliver up the person or persons so offending to the Officer ~~Commanding at Fort Martin Scott,~~ to the end that he or they may be punished, if found guilty of murder with death, and if found guilty of robbery or stealing, according to law. In like

manner, if any citizen or subject of the United States shall commit murder or robbery on any Indian or Indians within the limits of the State of Texas, on complaint thereof to the Agent, the party shall be arrested, tried, and if found guilty, punished according to law.

Article 8th.

The said Indians, parties hereto, agree to deliver to the Officer Commanding at Fort Martin Scott, or to the Indian Agent, all white persons or negroes who are now among any of the Indians of Texas as prisoners, or runaways, by the fifth day of February, 1851, at which time all prisoners belonging to said bands now in the possession of the Government of the United States, shall be delivered up; and should any Indian or Indians, of whatever tribe or band, inhabiting the State of Texas, refuse to surrender such persons, white or black, the Government of the United States shall have the privilege of sending such force as may be necessary to take them and the Indians so refusing into custody; and the parties hereto pledge themselves to give immediate notice of such refusal, the locality of said Indians, the band to which they belong, and render such further protection and assistance to the persons sent among them, as may be in their power.

Article 9th.

The said Indian parties hereto agree to deliver as soon as found, all runaway negroes that may be seen by them in the Indian country, to the Officer Commanding the nearest Military Post, or to the Indian Agent, and not knowingly to allow any negro or negroes to pass through the Indian country into Mexico, without arresting him or them, and should the said negroes be in such force as to render it difficult or dangerous to arrest them, then said Indians shall give immediate notice to the Officer Commanding the nearest Military Post, or to the Indian Agent, and act as guides and render such further assistance as may be required.

Article 10th.

The practice of stealing horses has prevailed very much to the great disquiet of the citizens of the United States, and if persisted in cannot fail to involve both the United States and the Indians in endless strife. It is therefore agreed that it shall be put an entire stop to on both sides. Nevertheless, should bad men, in defiance of this agreement, continue to make depre-

Article 15th.

It is agreed by the Indians, parties hereto, that they will not go below the present line of Military Posts on the East side of the Colorado River, or below the Llano River, and a line running West from its headwaters on the West side of said Colorado, without express permission from the Indian Agent or some Officer Commanding a Military Post in Texas, in writing; and that they will give immediate notice to the nearest Military Post should other Indians attempt to do so. The German settlement on the North side of the Llano will be embraced in the foregoing article, so long as they do not trade with the Indians in any thing except the produce of their farms, nor for any horses or mules which may have been stolen.

Article 16th.

The Indians, parties hereto, agree to deliver by the 5th day of February, 1851, to the Officer Commanding Fort Martin Scott, the Indian who murdered the German at Craig's trading house, on the Llano, during the present fall, or should they be unable to deliver them, then to point out said murderers, and render such assistance in arresting them as may be necessary.

Article 17th.

The Indians, parties hereto, agree to deliver at the same time and place, the Indians who captured and carried away the white girls near the town of Lamar, on Copano Bay, in September, or October last, or should they be unable to do so, point out such Indians to such force as may be sent after them, and render further assistance as may be necessary to their arrest and punishment.

Article 18th.

For the protection of said Indians, and for the purpose of securing a permanent peace and carrying out the stipulations of this treaty, the Government of the United States shall, within the year A. D. 1851, establish in the Indian country one or more trading houses and Agencies, and make such suitable present as may be deemed proper, and treat with said Indians as to a definite line between them and the whites, so that the Indian country may be known and respected.

Article 19th.

If any person or persons shall introduce ardent spirits or in-

toxicating liquors of any kind, among said tribes or nations, such person or persons shall be punished according to the laws of the United States; and the said tribes or nations agree to give immediate notice to the agent of the United States residing near them, and to prevent by any means in their power the violation of this article or treaty, and the said Chiefs or any one of them may destroy any ardent spirits found in the Indian country.

Article 20th.

It is further agreed that blacksmiths shall be sent to reside among the said tribes or nations, to keep their guns and farming utensils in order, so long and in such manner as the President may think proper. It is further agreed that school teachers, at the discretion of the President, may be sent among the said tribes or nations for the purpose of instructing them; and the said tribes or nations agree that preachers of the Gospel may travel or reside among them by permission of the President, or his agents, to be appointed, and that ample protection shall be afforded them in the discharge of their duties.

Given under our hands and seals—the said John H. Rollins acting for the United States, and the Indians for themselves and for those acknowledging their authority—the 10th day of December, Anno Domini 1850.

JNO. H. ROLLINS, Special Agt.
U. S. for Indians of Texas.

Comanche

PO-CHA-NA-QUAR-HIP, Buffalo Hump,	[his x mark.
SA-VI-AH, Small Wolf,	[his x mark.
KA-TUMPSA,	[his x mark.
TOSHWA, White,	[his x mark.
CAR-A-WA, Never Stops,	[his x mark.
CEACHENECA, Feather,	[his x mark.
GUADALUPE,	[his x mark.
WEIT-CHE-KI, Humming Bird,	[his x mark.
KA-BA-HA-MO, Never Smokes,	[his x mark.
QUA-HA-NO,	[his x mark.
PE-AH-TIE-QUOSH, Rifle -breech,	[his x mark.
MO-HE-KA, Pole Cat,	[his x mark.

Caddo.

CADDO, JOHN,	[his x mark.
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SA-TE-WAH-AH-NACHE,	[his x mark.
TAH-TIE,	[his x mark.
TEH-CHI-TAH,	[his x mark.
TCHEH-HE-WOK,	[his x mark.
SAM, Bead-eye,	[his x mark.

Lipan.

CHI-CI-TO,	[his x mark.
CHI-PO-TI,	[his x mark.
YE-KEH-TAS-NA,	[his x mark.
KEH-RAUCH,	[his x mark.

Quapaw.

TISH-EH-KA-WA-TA,	[his x mark.
SEE-KA-TA-HOAH,	[his x mark.
HO-KA,	[his x mark.
KI-TEH-WEH,	[his x mark.
PEH-TEH-HEH,	[his x mark.

Tawakoni.

NES-HO-CHI-LASH, Traveller,	[his x mark.
KA-RA-KO-RIS, Deceiver,	[his x mark.
HEH-CHI-TAH, Seizer,	[his x mark.
OUI-CHI-TAUK,	[his x mark.

Waco.

ACAQUASH, Short Tail,	[his x mark.
HED-ECOK-ISK, Double-barreled,	[his x mark.
CHOS-TOCH-KAH-A-WAH, Hollow,	[his x mark.
TAH-TO-WAY-CHIOSS, Sergeant,	[his x mark.

Witnesses—H. W. Merrill, Capt. 2d. Drag's. Bvt. Maj. U. S. A.;
J. B. McCown, Capt. Comdg. Co. Tex. Mtd. Vol.

Interpreters—John Conner, Jesse Chisholm.

Delaware Indians as guides.

Commanding "Co. B" 2d. Regt. U. S.
Dragoons as Commanding the Expedition.