

Supplemental Treaty between the United States of America and the Ponca Tribe of Indians; Concluded March 10, 1865; Ratification advised March 2, 1867; Proclaimed March 28, 1867.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME GREETING: March 10, 1865.

WHEREAS a supplemental Treaty was made and concluded at the city of Washington, in the District of Columbia, on the tenth day of March, in the year of our Lord one thousand eight hundred and sixty-five, by and between William P. Dole, Commissioner, on the part of the United States, and Wah-gah-sap-pi, or Iron Whip, Gist-tah-wah-gu, or Strong Walker, Wash-com-mo-ni, or Mitchell P. Cerre, Ash-nan-e-kah-gah-he, or Lone Chief, and Tah-ton-ga-nuz-zhe, or Standing Buffalo, chiefs and headmen of the Ponca tribe of Indians, on the part of said Indians, and duly authorized thereto by them, which Treaty is in the words and figures following, to wit:—

Preamble.

SUPPLEMENTAL TREATY between the United States of America and the Ponca tribe of Indians, made at the city of Washington on the tenth day of March, A. D. 1865, between William P. Dole, Commissioner on the part of the United States, and Wah-gah-sap-pi, or Iron Whip; Gist-tah-wah-gu, or Strong Walker; Wash-com-mo-ni, or Mitchell P. Cerre; Ash-nan-e-kah-gah-he, or Lone Chief; Tah-ton-ga-nuz-zhe, or Standing Buffalo; on the part of the Ponca tribe of Indians, they being duly authorized and empowered by the said tribe, as follows, viz:—

Contracting parties.

ARTICLE I. The Ponca tribe of Indians hereby cede and relinquish to the United States all that portion of their present reservation as described in the first article of the treaty of March 12th, 1858, lying west of the range line between townships numbers (32) thirty-two and (33) thirty-three north, ranges (10) ten and (11) eleven west of the (6) sixth principal meridian, according to the Kansas and Nebraska survey; estimated to contain thirty thousand acres, be the same more or less.

Cession of lands to the United States. Vol. xii. p. 997. Boundaries.

ARTICLE II. In consideration of the cession or release of that portion of the reservation above described by the Ponca tribe of Indians to the government of the United States, the government of the United States, by way of rewarding them for their constant fidelity to the government and citizens thereof, and with a view of returning to the said tribe of Ponca Indians their old burying-grounds and cornfields, hereby cede and relinquish to the tribe of Ponca Indians the following-described fractional townships, to wit: township (31) thirty-one north, range (7) seven west; also fractional township (32) thirty-two north, ranges (6,) six, (7,) seven,

Certain fractional townships of land ceded by the United States to the Poncas.

(8,) eight, (9,) nine, and (10) ten west; also fractional township (33) thirty-three north, ranges (7) seven and (8) eight west; and also all that portion of township (33) thirty-three north, ranges (9) nine and (10) ten west, lying south of Ponca creek; and also all the islands in the Niobrara or Running Water river, lying in front of lands or townships above ceded by the United States to the Ponca tribe of Indians. But it is expressly understood and agreed that the United States shall not be called upon to satisfy or pay the claims of any settlers for improvements upon the lands above ceded by the United States to the Poncas, but that the Ponca tribe of Indians shall, out of their own funds, and at their own expense, satisfy said claimants, should any be found upon said lands above ceded by the United States to the Ponca tribe of Indians.

Claims of settlers for improvements, how to be settled.

Indemnity for spoliation.

ARTICLE III. The government of the United States, in compliance with the first paragraph of the second article of the treaty of March 12th, 1858, hereby stipulate and agree to pay to the Ponca tribe of Indians for indemnity for spoliation committed upon them, satisfactory evidence of which has been lodged in the office of the commissioner of Indian affairs, and payment recommended by that officer, and also by the Secretary of the Interior, the sum of fifteen thousand and eighty dollars.

Expenses of this treaty to be paid by Indians. Execution.

ARTICLE IV. The expenses attending the negotiation of this treaty or agreement shall be paid by the United States.

In testimony whereof, the said Wm. P. Dole, Commissioner as aforesaid, and the undersigned, chiefs of the Ponca tribe of Indians, have hereunto set their hands and seals at the place and on the day hereinbefore written.

WM. P. DOLE.

WAH-GAH-SAP-PI, or Iron Whip, his x mark. [SEAL.]
 GIST-TAH-WAH-GU, or Strong Walker, his x mark. [SEAL.]
 WASH-COM-MO-NI, or Mitchell P. Cerre, his x mark. [SEAL.]
 ASH-NAN-E-KAH-GAH-HE, or Lone Chief, his x mark. [SEAL.]
 TAH-TON-GA-NUZ-ZHE, or Standing Buffalo, his x mark. [SEAL.]

Executed in the presence of—

CHAS. SIMS.
 STEPHEN A. DOLE.
 NEWTON EDMUNDS.
 J. SHAW GREGORY.
 GEORGE N. PROPPER.

Ratification advised.

And whereas the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the second day of March, one thousand eight hundred and sixty-seven, advise and consent to the ratification of the same, by a resolution, in the words and figures following, to wit:—

IN EXECUTIVE SESSION SENATE OF THE UNITED STATES,
 March 2, 1867.

Resolved, That the Senate advise and consent to the ratification of the supplemental Treaty with the Ponca tribe of Indians, concluded at Washington, March 10, 1865.

Attest:

J. W. FORNEY, *Secretary*.

Proclaimed.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the second of March, one thousand eight hundred and sixty-seven, accept, ratify, and confirm the said Treaty.

In testimony whereof I have hereto signed my name, and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-eighth day of March, in the year of our Lord one thousand eight hundred and sixty-seven, and of the Independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

UNITED STATES OF AMERICA: The government of the United States is compelled with the first article of the second article of the treaty of March 10, 1865, hereby stipulate and agree to pay to the Ponca tribe of Indians for the land which has been lodged in the hands of the Commissioner of Indian Affairs, and payment thereunder for that office, and also for the Secretary of the Interior, the sum of fifteen thousand and eighty dollars. The expenses attending the negotiation of this treaty or agreement shall be paid by the United States.

W. H. DOLLE

WAB-DAN-SAP-PI or Iron White
GEE-TAH-WA-GU or Robert Walker
WASH-COM-SHO-SI or Michael Peters
KAB-WAK-RE-KAH-HE or Isaac Child
TAH-TON-GA-SUN-SHE or Standing Buffalo

Witnessed in the presence of—
Charles Sizer
Stephen A. Dolle
Newton Edwards
J. Ezra Gardner
George N. Proctor

And whereas the said Treaty having been submitted to the Senate of the United States for its ratification, and the Senate did on the second day of March one thousand eight hundred and sixty-seven advise and consent to the ratification of the same by a resolution to the words and figures following, to wit:—

IN EXECUTIVE SESSION SENATE OF THE UNITED STATES
March 2, 1867.

Resolved, That the Senate advise and consent to the ratification of the supplemental Treaty with the Ponca tribe of Indians, concluded at Washington, March 10, 1865.

J. W. FERRISS, Secretary.

Now therefore, be it known that I, Andrew Johnson, President of the United States of America, do in presence of the above said consent of the Senate as expressed in its resolution of the second of March one thousand eight hundred and sixty-seven, hereby certify, and confirm the said Treaty.