

Payment of the Chickasaw funds restricted.

Proviso.

Accounts.

Expenses of the treaty.

Payments: to whom to be made.

ARTICLE 7. No claim or account shall hereafter be paid by the Government of the United States out of the Chickasaw fund, unless the same shall have first been considered and allowed by the Chickasaw General Council: *Provided, however,* That this clause shall not effect payment upon claims existing contracts made by authority of the Chickasaw General Council, or interfere with the due administration of the acts of Congress, regulating trade and intercourse with the Indian tribes.

ARTICLE 8. It is further agreed, that regular semiannual accounts of the receipts and disbursements of the Chickasaw fund shall be furnished the Chickasaw Council by the Government of the United States.

ARTICLE 9. The sum of fifteen hundred dollars shall be paid the Chickasaw nation, in full of expenses incurred by their commissioners in negotiating this treaty.

ARTICLE 10. And it is further stipulated, That in no case hereafter, shall any money due or to be paid under this treaty or any former treaty between the same contracting parties be paid to any agent or attorney; but shall in all cases be paid directly to the party or parties primarily entitled thereto.

In witness whereof the contracting parties have hereto set their hands and seals, the day and year above written.

Kenton Harper,
Commissioner for the United States. [SEAL.]
Edmund Pickens, his x mark [SEAL.]
Benjamin S. Love, [SEAL.]
Sampson Folsom, [SEAL.]
Commissioners for the Chickasaws.

In presence of—

Charles E. Mix, chief clerk, Office Indian Affairs,
L. R. Smoot,
T. R. Cruttenden,
H. Miller,
Aaron V. Brown, interpreter.

TREATY WITH THE APACHE, 1852.

July 1, 1852.

10 Stat., 979.
Ratified Mar. 23,
1853.
Proclaimed Mar. 25,
1853.

Articles of a treaty made and entered into at Santa Fe, New Mexico, on the first day of July in the year of our Lord one thousand eight hundred and fifty-two, by and between Col. E. V. Sumner, U. S. A., commanding the 9th Department and in charge of the executive office of New Mexico, and John Greiner, Indian agent in and for the Territory of New Mexico, and acting superintendent of Indian affairs of said Territory, representing the United States, and Cuentas, Azules, Blancito, Negrito, Capitan Simon, Capitan Vuelta, and Mangus Colorado, chiefs, acting on the part of the Apache Nation of Indians, situate and living within the limits of the United States.

Authority of the United States acknowledged.

ARTICLE 1. Said nation or tribe of Indians through their authorized Chiefs aforesaid do hereby acknowledge and declare that they are lawfully and exclusively under the laws, jurisdiction, and government of the United States of America, and to its power and authority they do hereby submit.

Peace to exist.

ARTICLE 2. From and after the signing of this Treaty hostilities between the contracting parties shall forever cease, and perpetual peace and amity shall forever exist between said Indians and the Government and people of the United States; the said nation, or tribe of Indians, hereby binding themselves most solemnly never to asso-

The Apaches not to assist other tribes in hostilities.

ciate with or give countenance or aid to any tribe or band of Indians, or other persons or powers, who may be at any time at war or enmity with the government or people of said United States.

ARTICLE 3. Said nation, or tribe of Indians, do hereby bind themselves for all future time to treat honestly and humanely all citizens of the United States, with whom they have intercourse, as well as all persons and powers, at peace with the said United States, who may be lawfully among them, or with whom they may have any lawful intercourse.

Good treatment of citizens of the United States and nations at peace with them.

ARTICLE 4. All said nation, or tribe of Indians, hereby bind themselves to refer all cases of aggression against themselves or their property and territory, to the government of the United States for adjustment, and to conform in all things to the laws, rules, and regulations of said government in regard to the Indian tribes.

Cases of aggression on them to be referred to Government. Laws to be conformed to.

ARTICLE 5. Said nation, or tribe of Indians, do hereby bind themselves for all future time to desist and refrain from making any "incursions within the Territory of Mexico" of a hostile or predatory character; and that they will for the future refrain from taking and conveying into captivity any of the people or citizens of Mexico, or the animals or property of the people or government of Mexico; and that they will, as soon as possible after the signing of this treaty, surrender to their agent all captives now in their possession.

Provisions against incursions into Mexico.

ARTICLE 6. Should any citizen of the United States, or other person or persons subject to the laws of the United States, murder, rob, or otherwise maltreat any Apache Indian or Indians, he or they shall be arrested and tried, and upon conviction, shall be subject to all the penalties provided by law for the protection of the persons and property of the people of the said States.

Persons injuring the Apaches to be tried and punished.

ARTICLE 7. The people of the United States of America shall have free and safe passage through the territory of the aforesaid Indians, under such rules and regulations as may be adopted by authority of the said States.

Free passage over the Apache territory.

ARTICLE 8. In order to preserve tranquility and to afford protection to all the people and interests of the contracting parties, the government of the United States of America will establish such military posts and agencies, and authorize such trading houses at such times and places as the said government may designate.

Military posts, agencies, and trading houses to be established.

ARTICLE 9. Relying confidently upon the justice and the liberality of the aforesaid government, and anxious to remove every possible cause that might disturb their peace and quiet, it is agreed by the aforesaid Apache's that the government of the United States shall at its earliest convenience designate, settle, and adjust their territorial boundaries, and pass and execute in their territory such laws as may be deemed conducive to the prosperity and happiness of said Indians.

Territorial boundaries to be established.

ARTICLE 10. For and in consideration of the faithful performance of all the stipulations herein contained, by the said Apache's Indians, the government of the United States will grant to said Indians such donations, presents, and implements, and adopt such other liberal and humane measures as said government may deem meet and proper.

Presents to the Apaches.

ARTICLE 11. This Treaty shall be binding upon the contracting parties from and after the signing of the same, subject only to such modifications and amendments as may be adopted by the government of the United States; and, finally, this treaty is to receive a liberal construction, at all times and in all places, to the end that the said Apache Indians shall not be held responsible for the conduct of others, and that the government of the United States shall so legislate and act as to secure the permanent prosperity and happiness of said Indians.

When treaty to be binding.

How construed.

In faith whereof we the undersigned have signed this Treaty, and affixed thereunto our seals, at the City of Santa Fé, this the first day

of July in the year of our Lord one thousand eight hundred and fifty-two.

E. V. Sumner, [SEAL.]
 Bvt. Col. U. S. A. commanding Ninth Department
 In charge of Executive Office of New Mexico.
 John Greiner, [SEAL.]
 Act. Supt. Indian Affairs, New Mexico.
 Capitan Vuelta, his x mark [SEAL.]
 Cuentas Azules, his x mark [SEAL.]
 Blancito ———, his x mark [SEAL.]
 Negrito ———, his x mark [SEAL.]
 Capitan Simon, his x mark [SEAL.]
 Mangus Colorado, his x mark [SEAL.]

Witnesses:

F. A. Cunningham,
 Paymaster, U. S. A.
 J. C. McFerran,
 1st Lt. 3d Inf. Act. Ast. Adj. Gen.
 Caleb Sherman.
 Fred. Saynton.
 Chas. McDougall,
 Surgeon, U. S. A.
 S. M. Baird.

Witness to the signing of Mangus Colorado:

John Pope,
 Bvt. Capt. T. E.

TREATY WITH THE COMANCHE, KIOWA, AND APACHE, 1853.

July 27, 1853.
 10 Stats., 1013.
 Ratified Apr. 12,
 1854.
 Proclaimed Feb. 12,
 1855 [4].

Articles of a treaty, made and concluded at Fort Atkinson, in the Indian Territory, of the United States of America, on the 27th day of July, anno Domini eighteen hundred and fifty-three, between the United States of America, by Thomas Fitzpatrick, Indian agent, and sole commissioner, duly appointed for that purpose, and the Camanche, and Kiowa, and Apache tribes or nations of Indians, inhabiting the said territory south of the Arkansas River.

Peace and friendship to exist with United States.

ARTICLE 1. Peace, friendship, and amity shall hereafter exist between the United States and the Camanche and Kiowa, and Apache tribes of Indians, parties to this treaty, and the same shall be perpetual.

Peace to exist between the tribes.

ARTICLE 2. The Camanche, Kiowa, and Apache tribes of Indians do hereby jointly and severally covenant that peaceful relations shall likewise be maintained amongst themselves in future; and that they will abstain from all hostilities whatsoever against each other, and cultivate mutual good-will and friendship.

Certain rights of United States acknowledged.

ARTICLE 3. The aforesaid Indian tribes do also hereby fully recognize and acknowledge the right of the United States to lay off and mark out roads or highways—to make reservations of land necessary thereto—to locate depots—and to establish military and other posts within the territories inhabited by the said tribes; and also to prescribe and enforce, in such manner as the President or the Congress of the United States shall from time to time direct, rules and regulations to protect the rights of persons and property among the said Indian tribes.

Restitution for injuries by Indians.

ARTICLE 4. The Camanche, Kiowa, and Apache tribes, parties as before recited, do further agree and bind themselves to make restitution or satisfaction for any injuries done by any band or any individuals of their respective tribes to the people of the United States who