

- 1700s \_ Spanish practice of making local treaties with Apaches
- 1834/5** \_ **Treaty with the Apache**  
entered at the Province/State of Chihuahua, Mexico  
March 31, 1835; transcribed/proclaimed April 3, 1835
- 1838** \_ **Treaty With The Mimbres Bands of Apache**  
Entered at “town of our Lady of Guadalupe of El Paso”  
November 15, 1838, El Noticioso/proclaimed January 11, 1839
- 1842** \_ **Treaty with the Mimbres Apache**  
entered at Village of Paso, Prefect of the District of Chihuahua, Mexico  
June 13, 1842, transcribed/proclaimed June 21, 1842
- 1848 – Treaty of Guadalupe Hidalgo (U.S. and Mexico)
- 1850** \_ **Treaty Between The Chihenne and Nahnhi Bands of Chiricahua Apache and Chihuahua**  
Entered at Janos, Mexico  
June 24, 1850; transcribed/translated June 25, 1850;  
proclaimed July 15, 1850
- 1852** – **Treaty with the Apaches, aka Treaty of Santa Fe (U.S. and Apaches)**  
Santa Fe, NM (one signature from Acoma Pueblo, NM)  
10 Stat., 979  
July 1, 1852, Ratified March 23, 1853, Proclaimed March 25, 1853
- 1853** \_ **Treaty with the Comanche, Kiowa, and Apache (U.S. and Tribes),**  
Fort Atkinson, Indian Territory  
10 Stat. 1013  
July 27, 1853, Ratified April 12, 1854, Proclaimed February 12, 1855
- 1854 – Gadsden Purchase and Treaty (U.S. and Mexico)
- 1865** \_ **Treaty with the Apache, Cheyenne, and Arapaho (U.S. and Tribes)**  
Council Grounds, Little Arkansas River, Kansas  
October 17, 1865, Ratified May 22, 1866; Proclaimed May 26, 1866
- 1867** \_ **Treaty with the Kiowa, Comanche, and Apache (U.S. and Tribes)**  
Council Camp on Medicine Lodge Creek, Kansas  
15 Stat. 589  
October 21, 1867, Ratified July 25, 1868, Proclaimed August 25, 1868
- 1872** \_ **Cochise-Howard Peace Treaty, Council Rock, AZ)**  
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- 1872** \_ **Executive Order (confirming terms of Cochise-Howard Peace Treaty)**  
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- 1877** \_ **Victorio-U.S. Peace Treaty**
- 1882-1890 \_ Mexico and United States, Reciprocal Diplomatic Pact  
Allowing Respective Troops to Operate on Other Country’s  
Soil in Hot Pursuit of Hostile Apaches

# **Documents of American Indian Diplomacy**

**Treaties, Agreements, and Conventions, 1775–1979**

Volume One

**Vine Deloria, Jr.  
and  
Raymond J. DeMallie**

With a Foreword by Daniel K. Inouye

University of Oklahoma Press  
Norman

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## TREATIES WITH MEXICO

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Fifth.— That as long as they remain in this place waiting for the authorities' decision, no Indian will be able to leave the mission without the knowledge and consent of the officer in command of the military detachment. If permission to leave the mission is granted, then the person is required to come see the military officer in charge when they return.

Sixth.— That tomorrow morning \_\_\_\_\_? the two Indians proposed by Captain Antonio, using the skiff belonging to the Indian Crisóstomo which is at the mission's reef, go fetch the families that still remain outside the mission.

Once the above articles agreed to by the assembly were read and explained to the interested party, and once they were well informed of its contents, they said they were in conformity with them. They also said they were subject not only to whatever was expressed in the aforesaid articles but also to the future decisions of the General Commander of the State. And in order to make the agreement binding, it was set in writing and was signed by the President, three officers, the local chaplain, and the Indians' proxy, as well as myself, the Secretary. Mariano Cosío, Mariano García, José Manuel Morete. Fray Miguel Muro. And as the Karankawa tribe proxy, José Miguel Morete. Nicolás Flores, Secretary.

This is a copy.

Signatures.

[Translated from the original Spanish document.]

SOURCE: Henry Raup Wagner Collection of Texas Manuscripts, Beinecke Library, Yale University, New Haven, Box 3, Folder 121, call number WA MSS S-339.

#### TREATY WITH THE APACHE

March 31, 1835

On the thirty-first day of last March the general of the Apaches, Juan José Compa, came before me together with 16 capitancillos to conclude a peace, although it cannot be considered complete because the Mescaleros and twelve other capitancillos were absent, to wit, Pisago, Fuerte, Mano, Tebuca, Costilla, Tucilito, Torros, Cristobal, Cigarrito, Manuel Chirini and Antonio Bibora, although this last one, while he had come with the party, would not go into the [illegible]. I asked Compa whether he or some of the capitancillos chieftains had the power to conclude a peace for those who were absent. He answered no, saying that neither did he know positively whether they wanted one, although they had so indicated. I asked him and the others present whether they would commit themselves to making war on the others in the event they should refuse to make peace. Since the matter was quite important, they held long discussions among themselves, at last deciding to make war on any of their fathers, sons or brothers who should refuse to accept the good that was offered them. However they pointed out that the others were at great distances, the Mescaleros being engaged in hunting buffalo, those of Pisago's band at the San Francisco River, Cigarrito perhaps in the interior of the state along with the band attached to Chees, which had broken away from him. Therefore they asked to have a little time before making war on them so that they might speak with them and ask them to agree. In the event that the peace offer should be rejected, they would then so report and attack them. The consideration involved being obvious, and since the terms were conducive to my purposes, I told them that on the next day [illegible] the treaties. They have been prepared in twelve articles, and I enclose them for your Lordship. Upon their receipt your Lordship will kindly tell me whether they will be approved, so that I may know what your pleasure is in this matter. They have handed over to me three young captives, and I have responded by giving them the male Indian and female Indian who were our prisoners. They offered to do the same with the other captives that they had in their power, and I hope to be able to report soon to your

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Tuli, Quilanquine, C  
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Excellency that this has been done. Of the possessions which the Indians have been allowed to have, I still have not branded any animals, Rather, I have told them to take them submissively to the settlements and that, this having been done, lists of those animals for which it has been verified will be sent to your Excellency showing their types and brands,

For your approval you will find in the margin a drawing of the band which I have ordered made. General Juan José Compa has been given the suit of clothes, the hat, the cane, and the buckles which your Excellency sent for him, while the capitancillos understand that at the first opportunity their suits will be sent to them.

[ED.'S NOTE: To date, no text of the treaty articles referred to above has been located.]

SOURCE: Typescript, Justiniani to the General Commander of Chihuahua, April 3, 1835, Sonora Archives, University of Arizona Library, Tucson, roll 13.

### TREATY WITH THE PINAL APACHE

March 5, 1836

At the Presidio of Tucson on March 5, 1836, the following individuals gathered in the quarters of Don José María Elías González, Commandant General of the Department [of Sonora]: Pinal war chiefs Navicaje, Quiquiyatle, Tonto war chiefs Tutugodyafe, Tuiquidine, the latter representing war chief Bocancha, and the Apache warriors Cadaquil, Esquitare, Pahule, Fraile, Cuichil, Quidagostle, Nadijehile, Nagaidaje, Alquinante, Ysachide, Estlogue, Equinachite; with the goal of achieving a stable and lasting peace for themselves, and in the name of the absent war chiefs Nagaye, Tuli, Quilanquine, Quehenoya, Nachialaje, Chinallolte, and Capicasa, they agreed and solemnly swore, after a long discussion, that they would faithfully and completely observe the following articles:

1. They will submit themselves to the government of the Mexican nation and promise to obey its laws.
2. As a consequence of the above, starting immediately the troops dependent on the Republic will suspend hostilities as was promised at the time peace was first proposed.
3. They will commit themselves to do all within their power to assist the campaign operations of the nation's troops against the tribes that continue the war, even though these tribes be their neighbors, the White Mountain and Tonto Apache.
4. They agree to turn over the female captives in their possession, in return for which they are to have returned to them two Apache captives held by the Gileño Papagos and one held in the Mexican village of Nacameri. With regard to this, the Commandant General will have no other obligation than to do what may be necessary to retrieve them; if the last one [in Nacameri] has already been baptized, it will suffice for the Apaches just to meet him.
5. They will not make peace with any of the other Apache groups, especially the Janeros, without first securing the approval of the Mexican government.
6. They will not harm the citizens of the Mexican Republic they meet in the countryside, or who, for whatever reason, approach their settlements, but rather they will provide them the emergency help that they need.
7. No Apache will come into our territory without first obtaining a passport from the commanding officer of this Presidio, who may not issue such passports to more than four or five at the most.
8. For the time being, they will settle on the San Pedro River at the mouth of Arivaipa Canyon; but if the Commandant General later calls upon them to relocate elsewhere, they will do so immediately. In the latter case, they will receive the same rations supplied to other peaceful Apaches until they become self-sufficient from their personal labor; also, they will receive help with the tools and oxen needed to cultivate the land.
9. Every two weeks they will advise the commanding officer of this Presidio of any newsworthy events in their area, or earlier, should they learn of the entry of enemies into our territory.

10. The door remains open for the Tonto and White Mountain Apaches to seek the peace they have already requested, on the same basis as in the present series of treaties. To accomplish this, each chief must present himself to the commander of this company and declare the number of warriors, women, and children in his band. At that time, agreement can be reached as to where the band will settle.

11. They fully understand that each and every one of the terms of this treaty is subject to amplification, reduction, disapproval, and approval by the Supreme Government of Mexico to whom they again swear their everlasting obedience.

They demonstrate their faith in this treaty and their willingness to obey its provisions by marking this document with a cross, as they do not know how to write and the cross is the most respectable sign of peace for them. The Commandant General affixes his signature below, as do the witnesses, Lt. Colonel Don José María Martínez and Captain Don Loreto Ramírez, who observed the formalization of this act.

fourteen crosses - Loreto Ramírez - José Saenz Rico - Antonio Comadurán - José María Martínez - José María Elías González -

[Translated from the original Spanish document.]

SOURCE: *Documentos del gobierno civil, asuntos de misiones de Sonora, antiguo archivo del Colegio de la Santa Cruz de Queretaro*, Celaya, Guanajuato, Mexico, doc. 13.

### TREATY WITH THE WAPPO, GUILITTOY, ANSACTOY, AND OTHERS

June 7, 1836

1. There shall be friendship between the Comandante of this place (Sonoma) and the tribes of the Guapos, Guiltoyo, Ansactoy, Liguaitoy, Achistoy, Chorsuptoy, etc., whose principal chiefs are Cottro, Osemeiali, and Lilac on the North and Moti and Peti on the East.

2. The parties of the first shall settle in the district of the warm springs about three leagues distant from this place in a clear spot which is not malarial and which satisfies the Comandante, who shall come out to choose the place, first consulting the chiefs.

3. Fugitives and other Christians who desire to take refuge in their villages shall be handed over when demanded by the Comandante.

4. The fields shall not be burned in time of drought on any pretext whatever, but if this is done by other tribes the contracting parties shall not be held responsible, but they shall do all in their power to prevent it.

5. The villages of the tribe of Caynama (Cainamero) shall be respected in the same manner on the condition that both tribes, that is the Caynamas and Guapos, shall keep to their own land without trespassing on the land specified, on pain of suffering just reprisal from the offended party.

SOURCE: Marion Lydia Lothrop, "The Indian Campaigns of General M. B. Vallejo," *Quarterly of the Society of California Pioneers*, vol. 9, no. 1 (March, 1932): 185.

### TREATY WITH THE SATIYOMI WAPPO

December 1, 1837

Article 1. Mariano Guadalupe Vallejo, Comandante-General of the military forces of the free state of Alta California, on the one hand, and Tucumin Succara, Great Chief of the Satiyomination, agree in making a treaty of peace

Article 2. The Comandante shall send a messenger from Petaluma to deliver

Article 3. Succara shall send a messenger from the beach at Petaluma to deliver

Article 4. As a guarantee of peace, Succara shall send his brother, Tucumin Succara, to Sonoma his brother, Tucumin Succara, to conduct themselves

Article 5. The Comandante shall send a messenger in Article 2 of this agreement to demand the Comandante who, after committing the act, shall avoid the punishment

Article 6. Under no circumstances shall the age be greater than thirty years for a senior officer in command

Article 7. The Comandante shall provide they do not

Article 8. The Comandante shall send a garrison at Sonoma to guard the place obtained the permission

Article 9. The Comandante shall send a garrison at Fort Ross all the time for three years.

Article 10. Tucumin Succara shall send a messenger from his rancho to have a messenger from Fort Ross.

Article 11. The Comandante and Tucumin Succara shall mutually respond for the value of their property

[Signed by Vallejo and Tucumin Succara]  
Witnessed by: Succara

SOURCE: Mario Vallejo, *California Pioneer*

General Vallejo  
In the to

that is to put an end for one year to the wars that the contracting parties have been engaged in with each other for some years.

Article 2. The Comandante-General, Mariano Guadalupe Vallejo, engages to give orders to the overseer at his rancho at Petaluma to deliver weekly to Chief Succara, or whoever represents him, eight steers and two cows.

Article 3. Succara in his own name and that of the Satiyomi nation undertakes the contract to hand over every new moon on the beach at Sonoma two bears of regular size which would be considered strong enough to fight with savage bulls.

Article 4. As a guarantee of the good faith of the Satiyomi nation, the Great Chief Succara will send to reside in Sonoma his brother, Cali-Vengo, and his sons, Iupy Succara and Calpela Succara, who shall be treated, as long as they conduct themselves well, like Russian officers.

Article 5. The Great Chief Succara, under pain of seeing his relatives shot and the delivery of the cattle mentioned in Article 2 of this agreement stopped, promises in the most solemn manner it is possible to conceive to fulfill whatever demands the Comandante-General, Mariano Guadalupe Vallejo, may make with regard to giving up fugitive Indians who, after committing thefts or murders, take refuge in the mountains belonging to the Satiyomi nation and thus try to avoid the punishment they deserve for their crimes.

Article 6. Under no pretext shall the warriors of the Satiyomi nation come to the Valley of Sonoma in numbers greater than thirty and this, only when they have given due notice to the Comandante-General, or in his absence, to the senior officer in command at the fort of Sonoma in the interval.

Article 7. The wives of the Satiyomi warriors may come to the fort of Sonoma to the number of one hundred provided they do not carry concealed weapons and the object of their visit is amusement or trading.

Article 8. The Comandante-General, Mariano Guadalupe Vallejo, and, in his absence the senior officer of the garrison at Sonoma shall not send armed expeditions to the territory of the Satiyomi nation without previously having obtained the permission of Succara, or in his absence, that of two of the principal leaders of the Satiyomis.

Article 9. The chiefs of the Satiyomis promise to deliver within the space of one moon in the valley of Sonoma or at Fort Ross all the children of the Cainamero and Suisun tribes that they have taken prisoner in the course of the last three years.

Article 10. The Comandante-General, Mariano Guadalupe Vallejo, will give orders to his overseer at the Petaluma rancho to have a saddle horse with harness delivered to Succara or his subordinate in the plaza at Sonoma or at Fort Ross.

Article 11. The Great Chief Succara and the Comandante-General, Mariano Guadalupe Vallejo, make themselves mutually responsible for the damage that their respective fellow citizens may inflict on the other contracting party and their value shall be paid in the manner the injured party thinks most suitable to recompense the injuries received.

[Signed by Vallejo, Succara, and the three hostages: Cali-Vengo, Iupy Succara, and Calpela Succara.

Witnessed by: Solano I, Captain John B. Cooper, Captain Salvador Vallejo, and Thomas Yont.]

SOURCE: Marion Lydia Lothrop, "The Indian Campaigns of General M. B. Vallejo," *Quarterly of the Society of California Pioneers*, vol. 9, no. 1 (March, 1932): 189-90.

### TREATY WITH THE MIMBRES BANDS OF APACHE

November 15, 1838

General Command of the Department of the Interior of the North.—

In the town of our Lady of Guadalupe of El Paso on the fifteenth day of November, 1838, Don José Ignacio

Ronquillo, Prefect of this District, on behalf of the Mexican nation, as commissioned by the Army Commandant of this frontier, Lieutenant Don Antonio Parra, whose commission is in a document with yesterday's date, and the chieftains of the Mimbrenseños [*sic*], Antonio Mansisco, Yezcas, Cristóbal and Cigarrito the son, on behalf of their bands of the Apache tribes, with the goal of ending the grave ills which necessarily come from the war of extermination which we have endured, and so thereafter we may enjoy the good which results from a firm and lasting peace, following various conferences which have taken place in regards to this matter, have resolved to adhere to the following articles:

1st There will be peace and good will between the Mexican nation and the tribe of the Mimbrenseño Apaches, and in particular with the Departments of Chihuahua, Sonora, New Mexico, Coahuila, Texas and Durango because these have been the Departments which have suffered the immediate disasters of war.

2nd The aforesaid Apaches will be able to live in the country and mountains that are in the area of the river Gila, that of the Mimbres, the Florida and the plains of this river from this town up to the San Mateo mountains, the Apaches having the obligation to give notice to the Prefect of this district or the Military Commandant of this frontier of the areas they occupy, so as to avoid hostilities or persecutions by Mexican troops or detachments engaged in these campaigns.

3rd Each tribal Chief will divulge the exact number of men, women and children in his group, and in order to distinguish themselves from other Apaches, they will carry the same emblem which should be employed by the Gileños according to the treaties held with them, namely the use of a white handkerchief, belt or chamois worn around the head.

4th As of now, no type of rations will be issued for their subsistence, but in case they should suffer some disease or another urgent calamity, they shall be given the appropriate help.

5th They shall aid us in our campaigns against the Comanches and those nations with which the Mexicans are engaged in war, and even against some of their own rancherías that have yet to make peace, in which case they will be supplied with provisions as has been customary.

6th They may continue to trade with the communities of El Paso, Santo Eleceario el Viejo, Vado de Piedra, Norte and Colonia de San Carlos without the need of requesting passports beforehand, but should they wish to venture further into other communities of the Department, or to others within the Republic, they shall notify the Commandant General of Chihuahua, through the channel of the Military Commandants of the previously cited points, in order that the aforementioned General grant them permission in writing with an expiration date, the number of persons traveling, and the animals and weapons at their disposal.

7th In order to visit the other Apaches who are at peace, they shall obtain permission with the same requirements from the Military Commandant of the northern border.

8th All of the village Chiefs will present within forty days to this prefecture or the Military Commandant of Santo Eleceario, every type of farming tool which they currently possess, in order that he may mark them with the branding iron which will be designed for this purpose.

9th The aforesaid Indians may transport and sell all beasts of burden which have been acquired up until now, giving favor to the Mexicans in the sale of such by their owners, with the condition that this be done under the auspices, civil or military, of a Mexican Official who shall thereby legitimize the sale.

10th The arms and munitions which they have in use cannot be sold to any individual who is in a state of war with the Mexicans.

11th The chiefs or chieftains of the aforesaid bands are obligated to turn in any criminals or delinquents found in their villages to the Mexican authorities in order that they be able to impose an adequate sentence.

12th Lastly, the same chieftains have the obligation to deliver any Mexican captives found within their domain, and to free them without demanding compensation.

In the articles which have just been well explained and understood by both of the involved parties, content of which shall be adhered to by the supreme Commanders of Mexico and it should be additionally noted: in the good faith with which this was signed by the Prefect as a result of the absence and sickness of the frontier Commander, and the signing by chieftains Antonio Mansisco, Cristóbal, Yezcas and Cigarrito the son, for his father the sign of the cross was made.—José Ignacio Ronquillo. Antonio Mansisco [Francisco].—Yezcas.—Cristóbal.—Cigarrito the son, for his father.

[Translated from the original]

SOURCE: *El Noticioso*, no. 1, 1850. University of Texas at El Paso.

The senior Second Lieutenant of the District of San Miguel de Nueva Mexico. Acknowledging the great importance of this peace, I swear to God and the Sacred Hosts that I will not let the last drop of blood I possess be shed, and I will do all in my power to bring about peace with the Mescaleños. As I had 1st and 2nd claims on the land with arms in case there was a war, I promised me, and what I have done is who was appropriately informed with this power, that the land had without it passing accompanied by some men and they remained and with my claims as I have told before. It was necessary to come to a decision could bring all the captives with precision and determination that they had placed the peace of the haciendas entering made it, conceded it to the award appropriate to his reach, always remaining in the District of San Miguel de Nueva Mexico Government. This is a letter from José Maria Ortiz.

In the name of Almighty God, Justice of the Peace of the District of San Miguel de Nueva Mexico. Having confirmed the peace as to any General, and before the rightful Judges and the General should he turn



Copy. Paso, 14 November 1838.—Jose Juaquin Gutiérrez  
 Copy of a Copy. Galeana, 10 December 1838.—Cayetano Justianini

[Translated from the original Spanish document.]

SOURCE: *El Noticioso*, no. 197, Chihuahua, January 11, 1839, Periódico oficial del gobierno del estado de Chihuahua, University of Texas at El Paso Library.

## TREATY WITH THE MESCALERO APACHE

March 1, 1839

The senior Second Lieutenant of the Rural Company of Santa Fe, and current Justice of the Peace of the Second District of San Miguel del Bado reports to the Constitutional Governor and Commandant General of the Department of New Mexico. Acknowledging myself to be the smallest of all men, and not being commissioned for something of such great importance as what is now occurring, and thinking that to verify it is of such significance, and on my own I swear to God and the Sacred Laws, and in honor of my homeland and the authorities that wisely govern me, to do with the last drop of blood I possess in my body whatever is within my reach in order to be able to verify the confirmation of peace with the Mescalero tribe in the circumstances that became available to me within the sphere of my jurisdiction, as I had 1st and 2nd claims about them for this confirmation; and I take the initiative of going with a number of 20 men with arms in case there was some discord among them; and looking with complete seriousness, as I did in what they had promised me, and what I had promised them, since what they had promised me was quite legal, to deliver to me a captive who was appropriately in the rancheria, and not to cause any harm when [in] the Department of New Mexico; saying with this power, that the God of Heaven and earth was looking at them, and as much power as those words had, they had without it passing from them; so, I profess something more to them, to name a General among them, and accompanied by some men of my district this I did with self-sacrifice, giving them a staff and an award [*gratificación*], and they remained and will remain eternally grateful according to what they professed; since having made these the claims as I have told before, it was not possible to be able to verify it unless I spent four days with them, at which point it was necessary to commission the Second Lieutenant at Bernadillo [*sic*, Bernalillo ?], Don Jesus Lucero, so that he could bring all the captains; so they received them due to the deception that they [he?] did them, since he did it with such precision and determination; their number was 43 Indians, including the seven captains; and also mediating the matter that they had placed the property line in the big forest below the Pecos River, the buffalo were scared away by the odor of the haciendas entering the area, since this is their refuge for maintaining themselves, and I, knowing the reason they made it, conceded it to them; and I gave the General, and the six captains who were accompanying him, the title and award appropriate to his rank; and as soon as I have verified it so as to be able to notify His Excellency of my short reach, always remaining the responsibility of what His Excellency holds best. God and Liberty. Second Party of the District of San Miguel del Bado. March 1, 1839 = Damacio Salazar = José Dolores Madrid, Secretary of the Government. This is a legal and an accurate copy of March 7, 1839 = José Pablo Trujio, Secretary = the Sub-Prefect Don José Maria Ortiz.

In the name of Almighty God, I, the senior Second Lieutenant of the Rural Company of Santa Fe, and present Justice of the Peace of the Second District of San Miguel del Bado on the 28th day of the month of February, 1839. = Having confirmed the peace made by General Barela, and the chieftains of the Mescalero tribe, to whom this title befits as to any General, and because his good and honorable proceedings won the trust of everyone of my party, and I implore the rightful Judges and authorities in the Districts of the Department of New Mexico to attend to and appreciate this General should he turn up or arrive; likewise also, in all the ranches and haciendas where he may appear, I hope that

that the Navajos have to submit to the following articles.

1st. That there shall be peace and commerce, until the Navajo tribe fulfills all that [it] promised, with the citizens of this Department, with those of Chihuahua, and those of any other of the Republic.

2nd. That in fulfillment of this article the Navajos have been obligated to hand over all of our captives that might be among them without demanding equal recompense, assuming that they have solicited the peace and that they have to recognize us as superiors and allies, in view of which they are subject to the government of the Republic.

3rd. As the principal basis of the treaty is to end the horrors of the war and to return to a stable and durable peace, the said chieftains and headmen of the tribe should agree to keep and to have kept the present articles so that the Indians of their tribe shall by no means to [*sic*] do harm to the lives or property of these inhabitants, we keeping the same obligation.

4th. Commerce will continue to exist, in virtue of these articles, as it was before the present war.

5th. As the object of this treaty is to remove all motives for resentment, the Navajo Chieftains will try by all means within their power to prevent Indians of their Nation from committing murders among our citizens, remaining obligated, when it is proven, to hand over the killer or killers so that they may be punished in conformance with our laws; the government being obligated in case our [people] commit them with them, only to pay a certain fee, without the individuals of either nation being allowed to raise arms to claim the rights that belong to them.

6th. If some captives of the Navajos that might be among us succeed in escaping, fleeing from the houses of their masters, [and] arriving in their lands, the government will not take action to reclaim them; nor the Navajos if our [people] should flee from their ranches or houses to ours.

7th. That should the peace treaty have effect, as is hoped, that it shall follow that there will be named four chieftains from among the Navajos, the entire Tribe meeting so that they will be named by popular consent and this completed, the elected ones will be given names and there will be drawn up provisionally by the Comandante their appointments, said captains being permitted to come from there, if they agree, to have them ratified, sure that they will be received and treated very well: giving them at the same time a small gratification from the account of the government and that they will receive as a proof of our good faith.

8th. In order to corroborate this good faith of which both parties should be agreed, the Navajos will scatter to treat through all the Department as it was done all the time that there was peace previously, our citizens, on the other hand, doing now with their commerce and now with their livestock and horse herd agreeing to pasture them even within their lands, both contracting parties full of confidence and sure that no harm will be done.

9th. That in order that the peace that is going to be established should not be disturbed and in accordance with the 7th Article, the Navajo Chieftains, in case that some thieves that there are within their tribe and also among us should commit some murder or robberies, arms will not be raided [*sic*, raised] because of it, but if the Navajo Chieftains should hand over the killer or killers in order that they be punished, by returning what was stolen; and if it is by ours the government promises them, if it is robbery, to return it to them; and if a death, to pay them at the expense of those that commit it 500 sheep.

SOURCE: David M. Brugge and J. Lee Correll, *The Story of Navajo Treaties* (Navajo Historical Publications Documentary Series No. 1, Navajo Tribe, 1971): 59–60.

### TREATY WITH THE MIMBRES APACHE

June 13, 1842

Secretary of the Governor of Chihuahua.

Captain Gomez, in agreement with Cigarrito and other chieftains from the area of Aguanueva, presented themselves yesterday to his Excellency the Governor and Commandant General of the Department and have celebrated a peace

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treaty whose articles are identical to those stipulated with the Mezcalero General José Maria Maria, devoid of any differences other than Carrizal being the establishment which recognizes Gomez and his men.

I relay this to Your Excellency by order of His Excellency for your knowledge and satisfaction and for all the inhabitants of the District of which you are in charge.

God and Liberty, Village of Paso, June 13, 1842.—Juan N. de Urquidi Secretary—Prefect of the District of Chihuahua.

[Translated from the original Spanish document.]

SOURCE: *La Luna*, no. 57, Chihuahua, June 21, 1842, Periódico oficial del gobierno del estado de Chihuahua, University of Texas at El Paso Library.

### TREATY WITH THE GILA APACHE

July 4, 1842

At the Presidio of Janos on the fourth day of the month of July, 1842, at the house of His Excellency, the Governor and Commandant General Don Francisco Garcia Conde, gathered the Gileño chieftains Pizago Cabezon and Manuel, the first removed, for reasons of his age, and the second named as General by the hierarchy of the tribe, and the village chieftains Anaya, Vicente and Ponce who represent the rancharia of Jasquidega. He arranged to read to them the conditions from Chihuahua which were attached to those commissioned by the same tribe upon which they solicited for peace, and are therefore a continuation of this.

Conditions under which the General Command will accept the peace which was requested in this Capital by the chieftains Vicente and José Domingo Tain, in the name of Pizago Cabezon.

1st The Gileño Tribe shall recognize the supreme authorities of the nation, and of all the others who dwell in it. Therefore, all hostilities, which have been maintained incessantly until today, shall cease, and they shall be rewarded by the most sincere peace.

2nd They shall acknowledge their establishment at the Presidio of Janos, and in it they will receive the respective rations under the same terms as those that the Government of the King of Spain used to give. One of the chieftains, along with his family and several men, will remain constantly at the Presidio of Janos with the objective of helping the troops, and other operations, serving at the same time to guarantee the agreed-upon peace. Such persons will be provided with all necessities for their subsistence, obtaining as well the clothing which is available, and so that all might participate in such benefits, they shall alternate at the discretion of the General of the Tribe.

3rd In the same Presidio of Janos they shall be able to freely exchange their goods, and the Command can acquire those goods that its troops may need, at the current prices.

4th The captives who are in their custody shall be handed over upon ratifications of these present treaties. Those belonging to them who are in the custody of the Command, shall be handed over as well, the same Command taking the necessary time to bring them from the place where they may be located.

5th The herd of horses which were acquired during the war shall be presented to the chief before whom these articles are ratified, in order that they can be marked with their [the Apache's] corresponding brand.

6th They shall inhabit the unowned wilderness areas which shall be assigned to them by the Captain of Janos, they taking care always to advise him when any settlement changes location.

7th It shall be their obligation to report all hostile movements that they observe in the other nations, with whom they can neither make peace nor declare war without giving prior notice to their respective Presidios.

8th After the ratification of these articles in token of the most sincere peace, the Gileño General and chieftains promise to make war on the Mescaleros, and even on those of their own tribe who may refuse the general peace that they have

1st. There will be peace and commerce between the Navajo Tribe and the citizens of the Department, provided that the first does not make war upon the towns and individuals of this country and travelers in it.

2nd. As proof of the good faith with which the Navajo Tribe makes peace, it will hand over all the captives found within it, the individuals of the Department that might have captives of them not doing the same, there remaining for them the recourse of ransoming them from those that possess them.

3rd. Commerce in the Department with the Navajo Tribe continues to exist in the same manner that it was done before the war.

4th. All the Navajos present are obligated to hand over any of their tribe that might perpetrate some robbery or murder.

5th. The Navajo Chieftains understand that if they again raid the Department, with only this act, even when they afterwards request peace, it will not be accorded to them and war will be made continually upon them.

6th. Whenever Navajo captives succeed in escaping from their masters and arrive in their land, they will remain free, and the tribe without any responsibility.

7th. [Deleted]

8th. If any rancheria subject to the Navajo Tribe wishes to locate in the vicinity of our towns, it will be directed to the General Headquarters so that if the latter should consider its request acceptable, it might be conceded to it.

For the completion of the present agreement it was signed by the Excellent Señor Governor, the Señor Comandante General and the Prefect of the 2nd District.

SOURCE: David M. Brugge and J. Lee Correll, *The Story of Navajo Treaties* (Navajo Historical Publications Documentary Series No. 1, Navajo Tribe, 1971): 63-64.

**AGREEMENT BETWEEN THE CHOKONEN BAND OF CHIRICAHUA APACHE  
AND THE DEPARTMENT OF SONORA**

April 23, 1850

To His Excellency, the Minister of War and of the Navy, on this date I write the following:

"No. 297 = Excellent Sir: The military commander of the settlement of Fronteras located at Bacoachi writes the following to me in his dispatch dated the 23rd of this month, and which I copy textually =

Today the Apache Valtasar el Chino is setting out for that city with the purpose of discussing with you the points contained in the worthy note of the 19th of this month dealing with Yrigoyen or the other chieftains naming a representative who will go to that place for the purpose of reaching an appropriate agreement between both parties, and of consolidating further the peacetreaties that they have requested. The Chieftain *Yrigoyen* and the braves *Escriba*, *Birjan*, *Yrineo*, *Calderon*, *the Yaqui*, and an old man from *Tiquinaline* called *Cavamillo* are here with four more, which I omit

in order to be brief. They are waiting here for your decision, which should be brought back by the aforesaid Chino.

The said Apache, with an escort of five men, did come before me. He gave the customary assurances of his good faith and then said that the chieftains Yrigoyen and Moraga, and the other Indians who were by that time agreed on seeking a peace, wished to consolidate it and establish themselves in their former lands, where they hoped to receive some assistance from the government so as to live peacefully with their families, and without having their children obliged to steal in order to live, being able rather to support themselves by their work. Then, in a long talk I tried to inculcate in him the best feelings towards humanity, towards a social life, towards the sacred duties which every man has in this regard, and to the country in which he was born. After hearing me attentively, and apparently being pleased and convinced, he agreed to honor and contribute, using his influence with those who had named him representative so that they would observe the content of the articles included in the answer which, on the 24th of the same, I directed to the commander of Bacoachi, and which are as follows:

It is true, as you indicated to me in your dispatch of the same day, that last night the Apache Valtasar el Chino came to this city with the mission of talking to me in the name of the chieftain Yrigoyen and of the Apaches Calderon, Yrineo, the Yaqui, etc; and after hearing what he wanted, which was just what I had supposed, I reached an agreement with him that he will take back to the chieftains:

1st. Assuming that they are disposed to settle at the several military posts of Bacoachi, Babispe, and Santa Cruz, they should do so immediately.

2nd. For this purpose, those who wish to live at that post should come in to it, while those who wish to live at Babispe and Santa Cruz should go there, taking a passport from you, a dispatch with this note inserted for the respective commanders, and two soldiers that you will supply to accompany and introduce them.

3rd. Both the chieftains that stay here, as well as those who will go to the other posts that have been mentioned, shall give you information about their men, women and children so that orders can be given in advance for gathering the grain to support them.

4th. All of those who promptly settle themselves will have the right to receive a medium ration, beginning with the month of July and thereafter, since due to the lack of grain none can be given to them today.

5th. As a result, they assume the responsibilities they had under the Spanish government, to wit: obedience to the authorities, a ready availability for joining the troops in pursuing the broncos [renegades], respect for other people's property, and their cooperation in getting the youth to go to work, and to catch the bad ones.

6th. Those who will not accept these articles may withdraw at once to wherever they like, and from that time on they will be considered broncos.

So that news of this agreement may reach all the Indians, see to it that in addition to the explanations which el Chino himself may give, it be repeated for them by Lucia, Soledad, El Campo, and other Indians who speak Spanish, and by the Drum who, as I told you, should go to the encampment for this and other purposes already agreed on. You are to inform me promptly and completely of the results.

I have the honor of inserting it for your Excellency, for the information of his Excellency, the President; it will, nevertheless, continue to be my responsibility to report on the final results since, in spite of what has already been reported, the outcome cannot be foreseen with complete certainty, due to the audacity, double-crossing, and unreliability of the Indians.

At the same time and for the same purpose I enclose for your Excellency a copy of another dispatch which on the same day the said commander sent to me, thereby informing me of the statement given to him by a recently returned captive. The statement clarifies the true motive behind the Apaches' asking for peace, with number 2, his answer, and with number 3, another note of mine regarding the future ransoming of captives, and I hope that as regards this particular matter your Excellency will be pleased to issue instructions, telling me also whether the fund for feeding the Indians will support this expense, as I have provisionally ordered, because there is no other one to which it can be charged.

I offer you, as always, my loyalty and obedience."

I transcribe it for your Excellency, attaching also for your information the three copies for your knowledge. Please accept my due esteem and respect.

God and Liberty, Arispe.

April 30, 1850

José Maria  
Elias Gonsales

[Translated from the original Spanish document.]

SOURCE: *Ramo Militar*, July 3, 1850, Archivo Historico del Estado de Sonora, Hermosilla, Mexico, folder 221.

#### TREATY BETWEEN THE CHIHENNE AND NAHNHI BANDS OF CHIRICAHUA APACHE AND CHIHUAHUA

June 24, 1850

In the settlement of Janos on the 24th of the month of June, 1850, the political Chief of the district, Don Juan Zozayo, the second in charge in civil matters, Don José Barela, the representatives of the General Command, Don Alejo Garcia Conde and Don Antonio Guaspe, and the Apache Chieftains Ytah, Coletto Amarillo, Delgadito, Placer, Ponce, and Arvizi, met in council to deliberate on the peace treaties with the native Apaches. Mr. Garcia Conde began by stating that since the day by which the chieftains were to have come together had arrived, it was his duty to present to the council the instructions received by the commission from the General Command of the State, since these instructions were to serve as the basis for negotiating the important question of the peace treaties, and reading the first article, which contains the ending of hostilities, it was declared already complied with because of the presence of the chieftains, an obvious proof that this condition had been met.

He went on to the 2nd article, which deals with the exchange of prisoners, and it likewise was declared fulfilled, both because 16 Apache prisoners of both sexes and ages had been set free, and because the chieftains had affirmed that there were no more captives in their encampments than the two who were exchanged. When they were asked by Mr. Garcia Conde to explain why they had reduced the number of captives that they had, they answered that they had sold them at Socorrito and other towns in the south of New Mexico on the right bank of the Rio Bravo [Rio Grande].

The session went on to the 3rd article and, in light of its content, the Chieftains offered to continue the presentation of the herd of horses for branding with the mark of peace, as has started to be done.

The session went on to the 4th article, and they all pledged equally to correct the stealing and pilfering of their subordinates, and to pursue with the troops those Apaches who may continue the war.

Regarding the 5th article the Chieftains were confirmed in their positions of authority, and that same authority named, or elected by nominal vote, Coletto Amarillo to be the General of the Janero and Carrisaleño Apaches.

Under the 6th article the Chieftains agreed to recognize the political and military authorities of the State, while at the same time they were informed of their right to direct complaints there whenever they feel wronged.

As regards the seventh article, the Chieftains agreed to recognize this settlement and the former garrison of Carrizal as places of peaceful settlement, receiving there the rations that are designated in the regulations of October 14, 1791, which were on hand and read by the said Mr. Garcia Conde.

The chieftains likewise agreed to the content of articles eight and nine, which regulate the location of the encampments and the use of passes for transit. With this the session was officially closed, and the Secretary was instructed to state in the record that the Chieftain Mangas Coloradas was not in attendance, having promised in advance through his delegate, the Chieftain Aguerro Yrigoye, to agree to the outcome of the deliberations of the council, which

he asked to excuse his absence, both because of the distance from where he is and in order not to interrupt his sowing and other forms of field work in which he is engaged.

And in witness of the agreement the individuals who make up the council signed it, along with the Chieftains, who, not knowing how to write, put their mark.

Juan José de Zozayo = José Patricio Barela = Alejo Garcia Conde = Antonio Guaspe = Ytun = Coletto Amarillo = Delgadito = Ponce = Arvizi = Placer = Timoteo Luna = Secretary = I certify that this is a faithful copy of the original = Janos 25 of June, 1850 = Juan José de Zozayo = Timoteo Luna - Secretary - This is a copy. Arispe July 15, 1850  
Elias

[Translated from the original Spanish document.]

SOURCE: *Ramo Militar*, July 1850, Archivo Historico del Estado de Sonora, Hermosilla, Mexico, folder 221.

#### TREATY WITH THE RUSSIAN AMERICAN COMPANY

##### TREATY BETWEEN THE KASHAYA POMO AND THE RUSSIAN AMERICAN COMPANY

September 22, 1817

Accepting the invitation, the Indian Chiefs Tchu-Gu-An, Aman-Tan, Gem-Le-Le and others arrived at Fort Ross on September 22, 1817.

On behalf of the Russian American Company, Lieutenant-Captain [Leontii] Hagemeister extended thanks to them for donating to the Company that land locally called Mad-Zhi-Ni which belonged to Tchu-Gu-An, for construction of the Fort and administrative and service buildings. He [Hagemeister] also stated that he hoped they [the Indians] would never have reason to regret having Russians as their neighbors. After hearing the translation, Tchu-Gu-An, as well as Aman-Tan, whose lands were not far away, replied that "They are very pleased to see Russians occupy this land, for they now live in safety from other Indians who used to attack them from time to time. This security began only from the time of Russian settlement."

After this pleasant reply, the Indians were presented with gifts and Chief Tchu-Gu-An was awarded a silver medal decorated with the Russian Imperial emblem and with an inscription [reading] "Allies of Russia."

It was declared that this medal gives the Indian Chief the right to respect from Russians. Because of this, it was not advisable for him to come to the Fort without it. It [the medal] also obliged Indians to be loyal and render help to the Russians should the occasion arise.

In reply to this, Tchu-Gu-An and the others expressed their readiness to render assistance and extended their gratitude for the reception.

After the dinner, during the departure of the Chiefs from the Fort, a one-gun salute was sounded.

We, the undersigned, hereby witness that the reply of the main Indian Chiefs in our presence was exactly as stated above.

Fort Ross  
22nd day of September, 1817

(Authentic Signatures)

Navy Lieutenant and Order Bearer Hagemeister  
Staff Physician-Court Counsellor Kerner