

# HOWNICKAN

PEOPLE OF THE FIRE



Vol. 13, No. 1

Citizen Band Potawatomi Tribe

January, 1991



Business Committee Member Hilton Melot, Tribal Chairman John A. Barrett Jr., Vice Chairman Linda Capps, Secretary-Treasurer And Administrator Bob Davis, And Grievance Committee Member Gene Bruno Talk With Jeff Rabon, Legislative Aide For Indian Affairs For Congressman Bill Brewster On Steps Of Supreme Court Building Following Oral Arguments On The Tribe's Case

## Supreme Court justices hear tribal-state tax case

By GLORIA TROTTER

WASHINGTON — The days of lower cost cigarettes from tribally operated stores may be numbered judging from questions posed by Supreme Court justices during the oral arguments Monday in the Citizen Band Potawatomi Tribe's case against the State of Oklahoma.

All nine justices were present to hear what will be a significant decision for tribes all across the country. Tribal officials and government employees crowded the august chambers of the court at 11 a.m. Monday morning to hear what questions would be posed the attorneys representing the tribe and the state.

Four of the five members of the Potawatomi Business Committee, the tribe's governing body, travelled to the nation's capitol for the session. But in addition to chairman John A. "Rocky" Barrett Jr., vice chairman Linda Capps, secretary-treasurer Bob Davis and member Hilton Melot, representatives of the Absentee Shawnee, Sac & Fox and other tribes were present, including Absentee Shawnee Governor Larry Nuckolls.

The Supreme Court hearing is the final chapter in a lawsuit filed by the tribe after the Oklahoma Tax Commission (OTC) in 1987 assessed the tribe more than \$2.6 million for sales taxes on past cigarette sales at the tribe's convenience store at Gordon Cooper Drive and Hardesty Road. The store is located on tribal trust land and is operated by the tribe. The tribe won each round of the legal battle, but the state appealed and the Supreme Court agreed to hear the case last fall.

At issue is whether the state can legally impose such an assessment or tax on an Indian tribe as well as whether it can legally sue the tribe. Under sovereign immunity, tribes have been protected from suit in non-tribal courts for activities taking place on tribal land. But the state claimed that most of the cigarette sales are made to non-Indians and tax should be collected. In fact, David Miley, assistant general counsel to the OTC, told the court Monday that he felt even Indians should pay state taxes on the cigarettes.

Justice Sandra Day O'Connor appeared startled by that position. "You don't assert any right to collect taxes on tribal members, do you?" she asked Miley.

"Yes, we do," he replied.

"What authority do you cite for that?" she shot back, adding that she couldn't see how he could take that position if the sales to Indians took place on tribal lands.

Miley, who spoke first during the hour-long oral arguments, argued that the fact that there is no reservation made the difference. "Isn't the land in trust?" Day asked. Miley replied that the land had not always been in trust — "it was too much trouble for the federal government" — but that it was put in trust later "for the government's protection, but that doesn't set up reservation status."

"Doesn't trust land have the same status as reservations?" asked Chief Justice William

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## Tribal accounting department again wins national award

They did it again. The Citizen Band Potawatomi accounting department has, for the second year in a row, won the prestigious "Certificate of Achievement for Excellence in Financial Reporting" from the Government Finance Officers Association of the United States and Canada. The recognition is for the budget year 1988-89. The tribe also won the award for the budget year 1987-88.

And if that isn't enough, they also earned a gold certificate for achievement for financial reporting from the Government Finance Officers Association of Oklahoma, which cited the tribe for "highest standards in government accounting and financial reporting."

Who are the people who manage the 70 or so accounts in a \$10 million-plus operation so well? They are five "wonder women" — director Carolyn Sullivan, Susan Reinish, Becky Carter, Dee Hembree and Letha GoodChief.

Sullivan, who has been with the tribe since 1987, oversees all programs, runs the payroll for all employees, keeps records for general accounting, handles retirement and processes insurance claims as well as supervising the rest of the staff. Married for two years to Charles Sullivan, she has a son, Greg Givens, an Oklahoma City attorney, and a daughter Lynn Givens, a dancer and dance teacher living in Los Angeles, California. Sullivan,

who attended Seminole Junior College, enjoys golf, dancing and crochet.

Reinish, director of enterprise finance, was born and raised in Norman, graduated cum laude from North Texas State University, and has done post graduate work at the University of Oklahoma. She passed the CPA exam in January 1986 and came to work for the tribe in 1987. She oversees the accounting for all enterprises — the convenience store, bingo hall, golf course and the museum. Married for 20 years, she has a 12-year-old daughter, Amanda.

Carter, who is 28 and single, is responsible for the majority of the tribe's federal contracts,

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Letha GoodChief, Susan Reinish, Carolyn Sullivan, Dee Hembree, Becky Carter With Award



## Tribal Tracts

## Accounting award — from page 1

## Certificate of Achievement for Excellence in Financial Reporting

Presented to  
Citizen Band Potawatomi  
Indians of OklahomaFor its Comprehensive Annual  
Financial Report  
for the Fiscal Year Ended  
September 30, 1989A Certificate of Achievement for Excellence in Financial  
Reporting is presented by the Government Finance Officers  
Association of the United States and Canada to  
government units and public employee retirement  
systems whose comprehensive annual financial  
reports (CAFRs) achieve the highest  
standards in government accounting  
and financial reporting.Gary R. Iverson  
PresidentJeffrey L. Esser  
Executive Director

including purchase orders, payments, bank statements, reports and more. She works closely with the various department heads and administrator Bob Davis in monitoring those contracts. A graduate of Oklahoma Baptist University, she is currently working on a master's degree with an accelerated MBA program through Oklahoma City University. After work, she is a member of the Shawnee Women's Bowling Association Board of Directors and is the elected secretary-treasurer of the Windsor Queens Bowling League. She also plays volleyball in various local leagues.

Hembree, 32 and also single, handles the accounting for WIC, JTPA and summer youth, Scholarships, Tax Commission, Indirect Costs and other funds. She writes checks and prepares monthly reports for the Business Committee. A graduate of OSU, she grew up in Meeker and has a variety of work experience, including working on the bank liquidation team for the FDIC in Tulsa before coming to work for the tribe two years ago.

GoodChief, a member of the Pawnee tribe, is a bookkeeper who assists Reinish in enterprise accounting. She maintains daily records on the computer, handles billing for store charges, redeems cigarette coupons and much more. Divorced with no children, she moved to Shawnee in 1987 and came to work for the tribe in 1988.

These women take care of the tribe's financial business in fine style — they're truly an award-winning team.

## Tribal scholarship helps

## Downing graduates from seminary

Graduation services were held December 14, 1990, at Travis Avenue Baptist Church in Ft. Worth, Texas, for tribal member Timothy T. Downing, who received a Master of Divinity degree with religious education concentration from Southwestern Baptist Theological Seminary. With 88 hours required to earn a Master of Divinity degree, he has accumulated a grade point average of 3.6 out of a 4.0.

Tim has been a tribal scholarship recipient since the beginning of his seminary education. He has worked for Moore Business Forms in Denton for the past 25 years in computer operations.

Plans are in progress now for seeking a ministry position in the Pioneer Missions areas. He and his wife, Jo Deane, are the proud parents of Tracy, a senior at University of North Texas, and Travis, a senior at the United



States Air Force Academy.

Tim graduated from Shawnee High School in Shawnee, Oklahoma and the University of Oklahoma in Norman, Oklahoma, with a B.S. degree in mathematics.

He is the son of Avis Downing and the late Leon Downing of Ringling, Oklahoma (former longtime residents of Shawnee, Oklahoma).

## Missing — Is your name or a relative's on this list?

In the next few issues of the *HowNiKan*, we will list Tribal members whose addresses are not on file. If you are receiving the *HowNiKan* and your name is listed, we have a current address. The list is from a BIA print-out so it is possible that your address is on our computer and not theirs.

Abbott, George Thomas  
Abbott, Michael Nelson  
Abbott, Phillip Grayson  
Abella, Trinidad Lee  
Ables, Emmett Lee  
Ables, Larry Dean  
Ackerman, Jean Rebecca  
Adair, Jenny Lynn  
Adams, Edward K. Jr.  
Adams, Ellen K.  
Adams, Harry Benjamin  
Adams, Kathleen Marie  
Adams, Margaret E.  
Aeichele, Carol Lyn  
Alders, James Rowland Jr.  
Allen, Cheryl Ann  
Allen, Darlene Sue  
Allen, Kim  
Allen, Penny Dawn  
Allen, Russell  
Almy, Ronald Lee  
Altman, David Eugene  
Alton, Carole Deanne  
Amos, Mary Lou  
Anderson, Doris Kay  
Anderson, Earl W.  
Anderson, Fredrick William  
Anderson, Jay Lee  
Anderson, Kent Raymond  
Anderson, Ronald M.  
Anderson, Vinnie  
Angelo, Paula Jean  
Arnett, Cecilia Marie  
Arp, Elizabeth Jean  
Askew, Sarah Elizabeth  
Atchley, Sarah E.  
Atkinson, David Lee  
Austin, Karen Leora  
Awtrey, Glenda Kay  
Ayers, Bobbie Gaylene  
Bacon, Patricia Marie  
Baglin, Joyce Dean  
Bailey, Betty Faye  
Baker, Jessie Ellen  
Baker, Lewis Roy  
Baker, Lonnie Ray  
Baker, Paul Bernard Jr.  
Baker, Walter Leroy  
Baldauff, Tammy Louise  
Baldwin, Debra Jean  
Ballard, Allen Dale  
Baptiste, Billy Robert  
Barbee, Linda K.  
Barich, Helen G.  
Barnes, Benny John  
Barrett, Kathryn Mae  
Barrie, John Cowan

Barron, Janette Celina  
Barron, Matthew  
Barshaw, Steven B.  
Bartlett, Marsha E.  
Baselt, Constance J.  
Bateman, Nancy Lee  
Bateman, Steven A.  
Batson, Mark W.  
Bauders, Patricia Dawn  
Baughman, Darlene Renee  
Baumert, Rachael Isabelle  
Baxter, Delaine  
Baxter, Dorothy M.  
Bazhaw, Dennis Marion  
Bazhaw, Robert E.  
Beckerns, Zanya L.  
Begis, Daniel Lee  
Bell, Ethel Marie  
Benito, Laura Gulihur  
Bennett, Thomas Russell  
Bentley, Daniel Bruce  
Bergeron, Susan Kay  
Bess, Deborah  
Bettig, Scott Donald  
Bettig, Teri Kay  
Bibb, Clarence B.  
Bible, Nathan D.  
Bickford, Claude Wayne  
Bickford, Norma Lee  
Bigheart, Azalia Ruby  
Birch, Sandra Lee  
Bisbee, Loretta Lorraine  
Bishop, Clyde Edward  
Black, Larry Glen  
Blackburn, April Michelle  
Blair, James Clifton  
Blair, Jo Ann  
Blanchard, Melody Ann  
Blumberg, Debra Lee  
Bodine, Barton Russell  
Bodine, John Russell  
Boehnen, Catherine K.  
Bogle, Robert Gene  
Bogle, Robert Gene Jr.  
Bogle, Scott Andrew  
Boring, Pamela Jean  
Bostwick, Dell Wayne  
Botkin, Michael Wayne  
Bourassa, Charles Patrick  
Bourbonnais, John Dean  
Bourbonnais, Leon Sheboygan  
Bowles, Mickie Ann  
Bowles, Teresa Lynn  
Bradford, Charley Jackson Jr.  
Bradford, Rosanne Ruth  
Bradley, Nealy Allene  
Brandon, Janene Faye  
Braugh, James Richard  
Brice, David Allen  
Brice, Kenneth John  
Briggs, Scott Dee  
Bristow, Opal Jean  
Brown, Albert Joseph  
Brown, Andrew Joseph  
Brown, Dana Lynn  
Brown, Diana Lynn

Brown, Jerdie Margaret  
Brown, Michael Anthony  
Brown, Nelda Darlene  
Brown, Robin Leanne  
Brown, Timothy Wayne  
Brown, Tracy  
Browning, Ann Karlene  
Bruehl, Roberta Anne  
Bruner, Linda Sue  
Bruno, Adam Philip  
Bruno, Alex James  
Bruno, Anjanette  
Bruno, Ann Margaret  
Bruno, Anthony  
Bruno, August James  
Bruno, Dianna Michelle  
Bruno, Edward Daniel Sr.  
Bruno, Edward Lee  
Bruno, Kasey Jean  
Bruno, La Donna Deneis  
Bruno, Matthew Leon  
Buck, Jonathan Romaine  
Buckley, Lynnette Marie  
Burgett, Billy Don  
Burkhart, Susan Rebecca  
Burks, Michael Wayne  
Burnett, Steven Alan  
Burnette, Kelly Clayton  
Burns, Juanita May  
Butler, Earl Lee  
Butler, Rebecca Lynn  
Byers, William Monroe Jr.  
Byler, Marie E.  
Cagle, Keith E.  
Callahan, Mary Kathleen  
Cambre, Suzanne Alice  
Cameron, Lillian R.  
Campbell, Joy Diane  
Campbell, Maudie Jean Lavena  
Cannon, Annetta M.  
Cargill, James Wayne  
Carleton, Ginger Diana  
Carney, Beverly Jean  
Carpenter, Regina Sue  
Carroll, Teresa  
Carter, W.X.  
Cartmill, John Warren  
Cartwright, Janatha L.  
Casey, Darlene Danette  
Cavanaugh, Marvin L.  
Cavender, Kenneth Dale  
Cazares, Nancy  
Cearley, Clem Kent  
Celeski, Deborah Louise  
Chalfant, Cheryl Lynne  
Chandler, Marian Juanita  
Chandler, Mark G.  
Cheatwood, Danny Joe  
Cherry, Earnest L. Jr.  
Chrest, Ronald Dean  
Christensen, Rory Dean  
Clardy, Dick T.  
Clark, Henry James  
Clary, Steven W.  
Clemente, Susan Greta  
Clifford, Kenneth N.

Cline, Phillip F.  
Cohen, Helen L.  
Cole, Catherine Mae  
Coleman, Brenda Kay  
Coleman, Darlene J.  
Coleman, James J. III  
Coleman, Rodney Craig  
Coleman, Susan J.  
Collins, James Lynn  
Combs, Robert L.  
Comer, Mary L.  
Compton, John Edward  
Connolly, Phillip Lawrance  
Cook, Linda June  
Coombe, Deborah Ann  
Coon, Arnold B.  
Coon, Terry Leonard  
Cooper, Robert Morrison Jr.  
Cooper, Robert Morrison III  
Corbell, Ray Allen  
Corson, Cherie Lynn  
Corson, Mark Somer  
Coulter, Cynthia Lucina

Coulter, Gertrude C.  
Courchene, Sherrie Lynn  
Covington, Gary Ray  
Covington, Michael Leonard  
Cowdrey, Mary M.  
Cox, Cynthia Lee  
Craig, Michael Glen  
Craig, Rodney Dale  
Creed, Eva A.  
Criswell, Sheri Sue  
Cromer, Davina Caprice  
Cromwell, Sheryl Marie  
Cross, Eve Ann  
Crown, Gregory E.  
Crumbo, Darrel E.  
Crumbo, Jimmie Harlan  
Cryer, Edward Claude  
Cryer, Karen Jean  
Cryer, Patricia Ann  
Cryer, Phillip Edward  
Cummins, Debby Beatrice  
Curtis, Leonard Phillip  
Czap, Aletta A.

## ADDRESS CHANGE FORM

The following is my current mailing address.  
Please mail checks and other correspondence  
to same until further notice is given.

Name: \_\_\_\_\_  
(Include Maiden) (Please Print)

Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Birthdate: \_\_\_\_\_

Send To:

Citizen Band Potawatomi  
Indians Of Oklahoma  
Rt. 5, Box 151  
Shawee, OK 74801

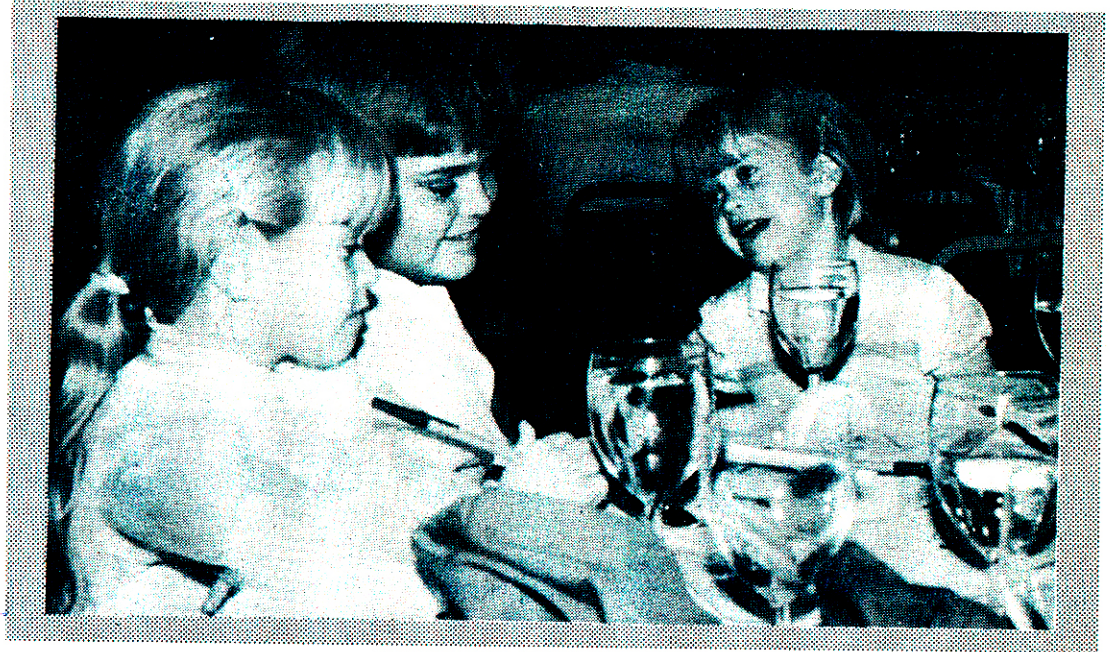
Roll No. \_\_\_\_\_



# Phoenix

## Regional Council

**Saturday  
January 12, 1991**



Amanda, Philip and Becca Moody of Glendale, Az., kept busy drawing during Phoenix meeting which they attended with father Mark. The girls are twins, all members of Lewis family.



Allen Pierce, left, and wife travelled 300 miles to attend. Chairman John Barrett presented him with a keychain for coming the longest distance.



Lillian Mimnaugh, 78 (Lewis family) was given a shawl by Chairman John Barrett for being the wieset member attending . The shawl was made by Ester Lowden.



Josie Schmidt, 7 months, was youngest tribal member present. Chairman John Barrett presented her with a t-shirt.



Hilton Melot, left, and Bob Davis serve dessert to those in line for lunch.



The Wings team was the culmination of a dream by Santa Fe Gallery owner Will Channing who believed that this running opportunity could create a generation of young role models competing on a national stage in a challenge based on their own tribal traditions. "We were really excited when we heard about the experience of a group in New Mexico who started this young Indian running team idea several years ago," said Foundation Chairman Carol Whitney.



**Mail Order Form & Payment To:**  
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**1901 Gordon Cooper Drive**  
**Shawnee, Oklahoma 74801**



# NATIONAL NEWS

## Planning office opened at George Washington University

WASHINGTON, DC — The proposed National Indian Policy Development Center recently opened a planning office on The George Washington University campus. Established through a federal statute authored by Senator Daniel K. Inouye, chairman of the Senate Select Committee on Indian Affairs, the planning stage for the center will consist of a year-long consultation period with Indian tribes and organizations.

"I am very pleased that GW has agreed to undertake this study," Senator Inouye announced at a recent national meeting of Indian tribal leaders. He explained that the planning phase of the project is intended to lead to the establishment, on a permanent basis, of a public policy institute for social, economic and legal policy development.

"I hope that a proposal can be worked out among the Indian leaders regarding the purposes, functions and organization of the proposed National Center that can be the framework for federal authorizing legislation in the 102nd Congress," Senator Inouye continued.

Attorney and Chippewa-Cree tribal member Alan Parker has been named director of the planning office.

As staff director for the Senate Select Committee on Indian Affairs for the past four years, Parker was responsible for a wide range of Indian policy initiatives. Prior to his appointment in the Senate, he served on the American Indian Policy Review Commission and was the founding editor of the Indian Law Reporter.

"The idea of the Center is unique in that it will be directly accountable to the Indian people through a governing board representing the Indian nations, tribes, bands and Alaska Native Villages from every region of the country," Parker explained.

The planning office will operate under the direction and guidance of a planning committee appointed by GW President Stephen Joel Trachtenberg and comprised of prominent Indian tribal leaders and representatives of major national Indian organizations.

According to planning committee member Ron Allen, chairman of the Jamestown Klallam Tribe and treasurer of the National Congress of American Indians, "Through this planning and feasibility study project, we are reaching out to every Indian tribe and organization. We need to point out how their existing efforts to improve

and shape Indian policies and programs will benefit from establishing the center."

"We have been in great need of just such an organization to focus and mobilize our efforts to influence government policymakers," stated President Edward Thomas of the Tlingit-Haida Central Council of Southeast Alaska, and also a member of the planning committee. "However," he continued, "this is not a substitute or replacement for existing Indian organizations. The Center will be designed to support and enhance the policy development activities of Indian tribes and the organizations which represent them."

GW President Trachtenberg also has alerted the departments and deans of the University regarding future opportunities, made possible through the center, to work with the Indian community in developing and initiating a broad spectrum of educational and policy research projects.

The address of the planning office of the National Center is The George Washington University, 606 21st Street, N.W., Washington, DC 20052, telephone, (202) 994-5462.

## Navajo medicineman tries to send message to Persian Gulf

(From The Navajo Times, Dec. 13, 1990) — Navajo medicineman Navy James traveled more than 35 miles to a Navajo language radio station here to record a chant of love and protection for his daughter Imelda, now on duty in the Persian Gulf.

But because of its five-minute length and regulation that prevents the Armed Forces Radio and Television Services from broadcasting anything other than English, the sacred, ancient song may not be heard over the airwaves.

In fact, until the intervention of a New Mexico congressman, none of the half-dozen Navajo language Christmas messages recorded by Navajo Nation radio station, KTNN, were going to be broadcast at all.

Station news director Selena Manychildren said the station hit a snag when it was told national security and a long-standing policy prevented messages from being sent in any language other than English.

"We were running into dead ends," she said. "This type of situation apparently had not arisen before."

Much of the country-western radio station's program is in the Navajo language because about half of the Arizona tribe's 160,000 reservation residents speak no other language, she said. Each day after giving her news report in English, Manychildren repeats it all in Navajo. The station has received letters from listeners as far away as Japan saying they have heard the broadcast late at night.

During World War II, the U.S. Marines used indecipherable radio code in the South Pacific that achieved a perfect transmission record and was so good it remained classified until 1968.

It was credited in large part with allowing the assault of Iwo Jima and other campaigns to be successful. It was Navajo radiomen using their own language, a code that the Japanese were never able to break.

The Navajo, like other tribes, have long felt a special

pride in serving in the military. Today, with the Navajo Codetalkers among the most renowned veterans on the reservation, it came as a surprise to the radio stations that Navajo loved ones now stationed in the Gulf would not be allowed to hear Christmas greetings from relatives back home in their own language.

The irony was not lost to U.S. Representative Bill Richardson, D-N.M., whose district is made up of 20 percent Native American, 40 percent Hispanic and the remainder English speakers.

Stu Nagurka, Mr. Richardson's press secretary, said he contacted Armed Forces Radio on the radio stations' behalf and was able to work out a compromise that will allow a total of three minutes of Navajo language greetings so long as a 15-minute introduction explains what the guttural-sounding language is.

"We explained the situation," he said. "We also brought up the fact that some 45 years ago it was the Navajo Codetalkers who played such a key role in World War II and now these same Navajos are unable to send messages to the troops overseas."

Air Force Lieutenant Colonel David C. MacNamee, ASRTS policy and operations officer in Alexandria, Va., said the Navajo messages never presented a problem once he learned the intent and the congressman's office agreed to ensure the greetings comply with guidelines.

"We obviously have no policy on Navajo languages," he said. "We have a responsibility to control what's on the radio and if I don't know what it says then I can't control it."

The military broadcast service sends news, sports and other information to troops stationed in 132 countries. Lieutenant Col. MacNamee said all programming is in English to avoid problems with copyrights and to respect host nations concerns, but that a few messages in a native language would be allowed.

"There was not a problem nor would there have been a problem had it been in Apache or anything else as far as that's concerned," MacNamee said. "It seems an appropriate thing to do and we're certainly not so bureaucratic that we say that's the end of that."

## Students from sixteen tribes receive scholarships from Native American Scholarship Fund

Albuquerque, NM — The Native American Scholarship Fund (NASF) announced the award of 24 new scholarship awards for the 1990-91 school year. The amount of the awards ranged from \$800 to \$2,000.

Sixteen tribes were represented by the 24 scholarship winners. The Navajo nation, with eight winners, was the largest representation. There were two Cherokee winners, and one each from the following tribes: Mandan, Acoma, Hopi, Chippewa, Quechan, Seneca, Cheyenne, Osage, Isleta, Swinomish, Sioux, Taos, Colville, and Lumbee.

Seven of the 24 students are studying business, while six are studying engineering. Five are studying social sciences, and three are enrolled in programs leading to teaching degrees. One is in nursing, one is in law school, and one is in science.

The winners were selected through a national competition in the summer of 1990. Fifteen of them had grade point averages (GPA's) of 3.0 and higher, and nine had GPA's from 2.1 to 2.9. Two had perfect straight A averages, for a GPA of 4.0. Their ages ranged from 18 to 45. Ten of them were under 20 years of age, four were in their twenties, and eight were in their thirties. Two were forty or older.

The names and tribes of the winners are: Amy Henry, Mandan; Rachel Arviso, Navajo; Charles Riley, Acoma; Monica Kahe, Hopi; Timothy Begishe, Navajo; Ann Sullivan, Chippewa; Dollie Atene, Navajo; Kristin Birkenfeld, Cherokee; Jeanette Tesso, Quechan; Scott Maybee, Seneca; Electa Goldtooth, Navajo; Andrena Carter, Cheyenne; Ross Chaney, Osage; Patricia Tso, Navajo; Manuel Abeita, Isleta; Olivia Scott, Navajo; Jason Givens, Cherokee; Adrienne Hunter, Swinomish; Winona Flying Earth, Sioux; James Lujan, Taos; Dr. Rachel Moses, Colville; Lisa Hudson, Navajo; Paula Begay, Navajo; Tommie Jones, Lumbee.

The Native American Scholarship Fund is a national organization funding native American students with high potential for college study. Its priorities are math, engineering, science, business, education, and computers. Awards for college study are made on a continuing basis all year long. The office is at 3620 Wyoming Blvd. N.E., Suite 206, Albuquerque NM 87111, phone (505) 275-9788.

## DIC plans celebration for twentieth anniversary

In July, 1971, a group of people from the Dallas Indian community formed the Dallas Inter-Tribal Christian Center to answer the needs voiced by the community. Since that small beginning, the Dallas Inter-Tribal Center (changed in 1973) has grown and expanded the services provided, so that today the Center employs 35 full time staff. Twenty-eight employees are American Indian and representing eleven different tribes.

Services include a general out-patient medical clinic, dental clinic, out-patient substance abuse treatment, Indian Child Welfare services, Job Training and Placement services, emergency assistance for low income families, and W.I.C. (Women, Infants and Children).

DIC's Twentieth Anniversary coincides with Jubilee Dallas, the 150th anniversary of the founding of Dallas. Cynthia Alcoze, DIC's Executive Assistant, is a member of the Jubilee Dallas Planning Committee. DIC Twentieth Anniversary activities will be highlighted as part of the cultural events for Jubilee Dallas. Watch for notices of events that will culminate in November 1991.



# ST. MARYS

By Father Maurice Gailland

## Diary Of The Potawatomi Mission Of St. Marys On The Lake

1857

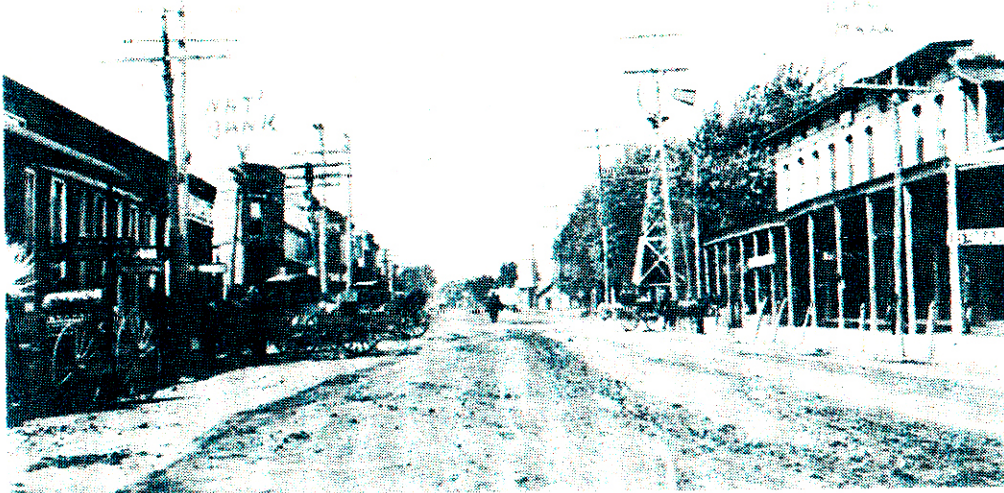
Our annals this year record two illustrious deaths. That of Sister Louise at the convent of the Sacred Heart, who, although in feeble health for twenty years, taught the Pottowattomy girls, and edified them by her charity and humility.<sup>18</sup> The second loss we had to sustain is that of the Superior of the mission, the most loved and lamented R.F. Durinck. He was navigating with five men on the Missouri river, going from Leavenworth to Independence. The skiff struck against a sang and upset. He had by hard work put the mission on a good footing. His patience, longanimity and charity endeared him to all.<sup>19</sup>

1858

The country around us is fast being settled. The Indians are afraid the whites will covet their land, which lies at the gates of Topeka, the capital of Kansas. They fear, not without reason, that very soon they will be compelled to sell out their lands, and look out for a home in another wild region. To avert that impending calamity, in their national councils the Chiefs with the elders and wise men of the tribe begin to agitate the question of sectionizing the land and becoming citizens of the United States. The question created two parties: the sectionizers and the anti-sectionizers, and produced great animosity between them. The question therefore remained for the present undecided.<sup>21</sup>

1858-1860

Rev. John Scholz, who since Dr. Durinck's death had directed the mission, is appointed Rector of the College of Cincinnati.<sup>22</sup> Rev. J. Diels succeeds in capacity of Superior.<sup>23</sup> This year there was in the Indian territory, but especially in Kansas, such a heat and drought that it surpassed any human recollection. Nearly all the springs and creeks dried up; the fruits burned on the trees; for the whole spring and summer not a blade of green grass or vegetable of any kind could be seen. Had not divine goodness had mercy on us, undoubtedly we would have all perished. But divine providence could not



fail at that hour of need. All the states vied with each other, which should be the quickest and most liberal in helping their suffering fellow-citizens of Kansas.<sup>24</sup>

1861

The country is being settled fast. One of the Fathers of St. Mary's attends exclusively to the whites.<sup>25</sup> He rides hundreds of miles to direct the Catholics to certain points, where afterwards they will build a church; and by his instructions and exhortations to keep up their faith. During the fall, one of the Fathers went to the head water of the Grasshopper to visit our Kickapoo neighbors.<sup>26</sup> He was welcomed by the Chiefs and the notabilities of the tribe. They requested him to stay with them, establish a school, and build a church. The Father replied that he could not stay himself, as he was needed in St. Mary's, but if they preserved in their present dispositions, they surely one day would realize their hopes. In September, Rev. J. Schoenmakers, Superior of the Osage mission, all on a sudden, arrived at St. Mary's. He had to fly from the Osage mission: some of the Rebel leaders, suspecting him of preventing the Osages from going to the South, threatened his life.<sup>27</sup>

At last the Pottowattomies have arrived at the culminating point of their historical

life and material prosperity. The step they are taking forebodes their final ruin as a tribe; but it is unavoidable, being brought on by the force of events. A delegation, has come from Washington to make a treaty with the Pottowattomies, by which they will sectionize their lands, have a portion thereof allotted to each individual, acquire if they choose, the right of becoming citizens, and code the surplus of the land to a Railroad Company. There was a strong opposition to the treaty, especially by the prairie band. The leader of the opposition was the eloquent Shahgwee.<sup>28</sup>

1862

During the present year civil war is raging with the utmost fury. The Government made an appeal to the Pottowattomies for help; immediately about sixty young men responded to the call and showed themselves ready to defend their country.

1863

The present Agent for the Pottowattomies is very much opposed to our mission and to our schools especially. More than once he tried to have us migrate south with the Indians, as if we were a nuisance to him here. With this object in view he tried to form a delegation of Chiefs to go to Washington to make some addition to the treaty. But

when he thought he had succeeded in his plan, his own friends turned against him, and declared openly, that they did not trust his honesty and would have nothing to do with him any more. Providence was kind to us, the hostile officer was removed, and a good man, a sincere friend put in his place.<sup>29</sup>

We have a right to rejoice: this year our mission acquired a new protectress in heaven. Mother Mary Anne O'Connor, a religious of the Sacred Heart, went, we hope, to receive the reward of a laborious life among the Indians.<sup>30</sup>

1864

When General Price advanced towards Westport, Mo. with his army, and threatened to invade Kansas, some Pottowattomy Indians fearing a general massacre fled into old Mexico, crossing the Rio Grande at a place called El Presidio del Norte; they were about one hundred in all.<sup>31</sup> In their march they were first attacked by the northern troops and as secessionists; then they were hotly pursued by the southern army.

1865

Our schools are flourishing both as to the number of pupils and their proficiency. Many people in high stations passing by, ask to be allowed to see them, and bestow high praises on them. But we have enemies over in the city of Washington, who would fain see them suppressed. Senator Pomeroy was obliged to take up our defence. He did it nobly.

1866

A delegation of Chiefs go to Washington to arrange minor matters concerning the last treaty. Dr. Palmer is at the head of it. This year the Pacific railroad came through St. Mary's.<sup>32</sup>

1867

In order to undo what in the last treaty had been done in favor of the mission, our enemies are hard at work to have our good agent removed from office, and have another less favorable installed in his place. But happily their design failed—the Indians begin to sell part of their lands—the whites are getting numerous about St. Mary's.

<sup>18</sup>Sister Louise Amyot was the first to die among the Religious of the Sacred Heart. For sixteen years she laboured among the Potawatomes. She had an excellent command of the Potawatomi language which increased his influence considerably over the Indian girls. Sister Louise was one of the four nuns of the Sacred Heart to come to Sugar Creek in 1841. Her constant fidelity to her calling and her unlimited zeal for souls made her one of the great forces of good at St. Mary's Mission. *Ibid.*, p. 250.

<sup>19</sup>Father John B. Duerinck, S.J., was born in Belgium in 1809. He attended school at Turnhout and arrived at Florissant as a novice in 1834. When assigned to St. Mary's Mission as superior in 1849 he was forty years of age. "Father Duerinck came from St. Joseph's College, Hardstown, Kentucky, where he had filled the office of procurator or treasurer, after having held several similar posts in the colleges of his order in St. Louis and Cincinnati. . . . He was gifted with excellent health and splendid energy and in the designs of Providence was to have his remaining years to the upbuilding of St. Mary's Mission. When a young professor he had achieved distinction as a botanist and his heraria at St. Louis University and St. Xavier's College, Cincinnati, evoked appreciative comment from men of science. In Cincinnati particularly his work in scientific botany brought his to

the notice of the Botanical society of that city which not only conferred upon him a life membership but offered him a chair of physiological botany, a distinction which circumstances compelled him to decline. In his honor a newly discovered plant received the name *Prumnella Duerinskiana*. Of more direct utility to his order was his talent for business management and this talent he was now to have ample opportunities to exercise as head of the important Mission of St. Mary's." Garraghan, *op. cit.*, II, 625.

<sup>20</sup>"Meanwhile the face of the land is being changed by settlers rushing in from every quarter, especially from Missouri and New England. The roads are alive with horsemen and wagons; the prairie is dotted with tents and shanties; and what but yesterday was a wilderness is now stirring with the life and bustle of new towns springing up all around us." O'Connor, *op. cit.*, p. 231.

<sup>21</sup>Father Duerinck's report in 1857 to the Commissioners of Indian Affairs lines up the arguments given pro and con for sectionizing the land: "The mission Indians, the industrious and civilized class want to sectionize the land of their reserve and to obtain a title in fee-simple, for the following reasons: First, to have a permanent home

for themselves and their children: second, to break up communism—a worthless, lazy Indian throwing himself wantonly on a working Indian for support: third, to gather around them the comforts of life and to enjoy them without molestation; fourth, to break the bonds of tutelage, and to enjoy the many privileges of freedom; fifth, to make them look to their farms for support, giving up hunting, rambling and maraudings with war parties; sixth, because it plainly appears to them that it is the will of heaven and the desire of the Government that they should adopt the mode and laws of civilized life.

Some certain Prairie Indians, medicine men with painted faces, who are opposed to Christianity and civilization, and greatly in the minority as regarded number, want to remain as they are, and they are said to allege the following reasons; first, because they are Indians and ought to remain Indians; second, because they live like jolly fellows, without working, without laws and without praying; third, 'because the Great Spirit would be angry with us if we throw aside our bow and arrow'; fourth, 'because our braves must have two squaws for wives, and occasionally a jug of whiskey; and if the land be divided, we will be robbed of these glorious liberties'; sixth, 'because we do not dare break the customs of forefathers and the solemn observances of our

Continued on page 9

## Footnotes



# ST. MARYS

By Father Maurice Gaillard

*Diary Of The Potawatomi Mission  
Of St. Marys On The Lake  
— Footnotes continued from page 8 —*

medicine bags." Duerinck to Clark, 1857, cited by O'Connor, *op. cit.*, pp. 208-209.

22 Father John Schutz was born at Niedermorschwiller, Upper Rhine, February 2, 1816, and entered the Society of Jesus on October 7, 1837. He died in St. Louis on August 28, 1887. "Though Father Schutz at first experienced difficulty in learning Potawatomi, he eventually mastered the language, compiling ever a grammar of it, which is preserved in the Missouri Province Archives." Garraghan, *op. cit.*, II, 678.

23 "Father John Diels, born at Turnhout in Belgium, October 10, 1821; entered the Society of Jesus, October 30, 1842; died at Milwaukee, Wis., December 17, 1878." *Ibid.*, II, 688.

24 Father Gaillard records this plague in 1860: "During this year the inhabitants of this country were stricken with such a calamity that no one of us ever heard the like; so that we could justly exclaim with the prophet, 'it is the mercy of God that we have not been destroyed.' During the whole time the heavens were as of brass, so that no a drop of dew nor sprinkle of rain refreshed ever so little the earth. The breeze, that in former years restored with its gentle breath the drooping life, this year like a blast rushing forth from a fiery furnace consumed it.

... Famine, with its horrid countenances, was knocking at the door, presaging to many the imminence of death. The lifting up our eyes to the mountains, whence help might be hoped for, we placated God with the vows of the whole people. At once the noble American people, and especially Senator Pomeroy and Mr. Callamere came to the relief of our distress. What provisions they received from the States for the relief of the poor, they generously shared with the Indians. Later they abundantly supplied us with all kinds of seeds which could by no manner of means be found in Kansas. In this way it happened we finally emerged from the abyss." Gaillard, *op. cit.*, cited by O'Connor, *op. cit.*, pp. 260-261.

25 St. Mary's was intended as an Indian Mission. As late as 1864 the Jesuit mission board at St. Louis declared: "We have no mission on behalf of the whites in Kansas." But the changing circumstances made it imperative for the Jesuits to administer to the whites. The Jesuit who

worked exclusively with the whites was the Frenchman, Father Louis Dumortier. "He was born near Lille in 1810, entered the Society of Jesus in Belgium, finished his novitiate at Florissant and was engaged as professor in the Jesuit colleges of Cincinnati, Bardstown and St. Louis. He arrived at St. Mary's in 1859 and for the remaining seven years of his life gave himself completely to the task of saving souls." See Garraghan, *op. cit.*, III, 39.

26 "In the autumn, one of the Fathers, probably Father Gaillard, rode to the headwaters of the Grasshopper to visit the Kickapoos and see for himself what prospect there might be of bringing them spiritual help. The year before some of the tribe were baptized at St. Mary's, the late fruits of the gospel seed, that had been sown twenty-five years earlier when the Jesuits began their work in Kansas with a mission among the Kickapoos." O'Connor, *op. cit.*, p. 264.

27 Father Schoenmaker acted in the capacity of superintendent of buildings while he remained at St. Mary's. He was the one who ordered the Church to be repaired and a larger school building to be put up. See *Ibid.*, p. 263. Cf. footnote 98, Chapter III.

28 An indication of Shahgwee's eloquence is recorded by Father Gaillard; "Commissioner Dole reminded the speaker that the president wished them, for their own good, either to sectionize the land or move away from Kansas. Shahgwee answered: 'I do not thank the President for such a desire; I think we know our interest as well as the President; when he is enjoying himself with his friends, what does he care about us poor, benighted, forlorn Indians? One thing I wonder at, that the President, who should be like a rock, immovable in his mind and convictions, changes so often and so quickly. Today he thinks and says the contrary of yesterday. On the same subject, he speaks one thing to me and another to you. The President told me, when he assigned me this reservation, I remember it well, he told me that this land should be my last and permanent home. What business has he to tell me to change my abode? This place is mine: I can leave it or keep it as I please.'" Gaillard, *op. cit.*, p. 213.

29 The agent hostile to the mission was W.W. Ross.

Father Garraghan speaks of Father Gaillard's criticism of Ross. "He (Gaillard) is particularly severe on Agent Ross, affirming that the letter made an attempt, which his own friends frustrated, to organize a delegation of chiefs to go to Washington to make some or other additions to the treaty, presumably to the prejudice of the mission.

Ross was succeeded by Dr. Luther R. Palmer. During the six years that the latter presided over the agency the Catholic schools reached the highest level of prosperity." Garraghan, *op. cit.*, III, 33.

30. . . Mother Mary Anne O'Connor, whose death at St. Mary's occurred December 9, 1863, she, too, had seen service at Sugar Creek and altogether spent twenty years and more as instructor of the Indian girls. Father Gaillard wrote of her that she was conspicuous for a whole series of virtues, as gravity, wisdom, humility, assiduity in labor however menial and a burning soul for the salvation of souls. Womenfolk often came to the convent to seek her advice and never left without gain to their souls while through her inspiring seal entire families were converted to the Catholic faith." Garraghan, *op. cit.*, III, 35.

31 "In the fall of 1864 General Price advanced from the south, through Missouri, towards Kansas. He was checked at the border in the battle of Westport, October 23, 1864. But the rumors of his intended invasion caused no little alarm, even as far west as St. Mary's. On October 8 Governor Carney called out the state militia. His proclamation began thus: 'The state is in peril: Price and his rebel hosts threaten it with invasion. Kansas must be ready to hurl back at any cost. The necessity is urgent!' In consequence, the countryside and the towns seemed deserted, as every man capable of bearing arms joined his regiment and marched to Olathe, on the border where the Kansas border where the Kansas cohorts were ordered to rendezvous." O'Connor, *op. cit.*, pp. 270-271.

32 "In 1864 the Kansas Pacific ran its first train from Wyandotte (Kansas City, Kansas) to Lawrence. In 1865 it had reached St. Marys. In 1867 it was at Rome in Ellis County about half way across the state." Garraghan, *op. cit.*, III, 38.

## Tribal member coaches last game at Northeastern

Citizen Band Potawatomi Tribal member Glen Wolfe, the winningest football coach in Northeastern A&M history, has coached his last game at the Oklahoma college, sources said.

Wolfe is expected to resign as head coach effective Jan. 18 and will retire at the end of the spring semester. He will remain at the school in some capacity until May.

NEO athletic director Bill Mayberry said Wolfe's resignation is not yet official. But when asked if Wolfe would be back next year, Mayberry said, "That's under discussion right now. Until it is official, I need to reserve comment."

Assistant coach Don Hendrix informed the players last week about Wolfe's decision. "Coach Hendrix told us coach Wolfe was retiring," said linebacker Tim Sefcik, a Bixby native. "I don't know why he didn't tell us himself."

In Wolfe's 13 seasons, NEO is 109-19-2, won seven of 10 bowl games and two national championships. Only S.A. "Red" Robertson, who coached NEO from 1945-66, has won more games at NEO (162-49, but Wolfe has a better winning percentage (.838 to .768). Under Wolfe's guidance, NEO had the best National Junior College Athletic Association football record during the 1980's (85-13-1).

The Norsemen were 8-2 this year and finished third in the NJCAA final poll.

Wolfe has coached 43 NJCAA All-Americans, NEO has produced dozens of Division I-A players under Wolfe's leadership. Forty players (22 sophomores and 18 freshmen) from the 1986 national championship team were signed by four-year schools. Seven of Wolfe's former players have gone on to the NFL, including the AFC's leading rusher, Marion Butts of San Diego; Ernest Givens of the Houston Oilers; Scott Case of the Atlanta Falcons; and Ben Smith of the Philadelphia Eagles.

Speculation on Wolfe's successor includes current assistants Mike Loyd and Hendrix, former assistant Mack Butler and former NEO player Doug Matthews.

Loyd just completed his first year as NEO's offensive coordinator after coaching at Memorial High School. Hendrix has coached the offensive line since 1976. Butler coached the NEO secondary from 1986-88 and is an assistant at the University of Tulsa.

Matthews played at NEO from 1966-67 and was selected the 1967 NJCAA Player of the Year. He was the defensive coordinator at Tennessee until this year when he took a similar job at Vanderbilt. His job there, however, may be in jeopardy since his former boss, Watson Brown, was recently fired.

Dale Patterson will oversee the NEO program until a new head coach is selected.

Patterson coached nine years under Wolfe before getting out of coaching last year when he promoted to registrar.

Wolfe graduated from Shawnee High School in 1958 and earned a associate of arts degree from Murray State College at Tishomingo. He received a bachelor of science and master's degree from East Central University in Ada.

From 1971-75, Wolfe coached at Moore High School. He turned around an ailing program which had been below .500 for 12 years. He was the Tulsa World Coach of the Year in 1972 and won the Boomer Conference title in 1973 while posting a 26-16 four-year record.

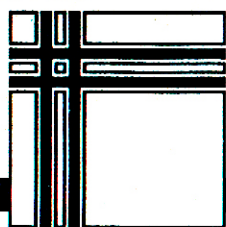
After that season, Wolfe took the head coaching job at Northwestern State University in Alva. After a three-year stint, he took the NEO job.



**Caps For The Kiddies**

Title VI participant Eva Hollingsworth is shown with one of the stocking caps she made for the small children who come into Health Services with their mothers for WIC certification. The crocheted caps are keeping lots of little heads warm.





# TREATIES: Treaty with the Chippewa, Etc., 1833

Articles of a treaty made at Chicago, in the State of Illinois, on the twenty-sixth day of September, in the year of our Lord one thousand eight hundred and thirty-three, between George B. Porter, Thomas J. V. Owen and William Weatherford, Commissioners on the part of the United States of the one part, and the United Nation of Chippewa, Ottawa and Potawatamie Indians of the other part, being fully represented by the Chiefs and Head-men whose names are hereunto subscribed-which Treaty is in the following words, to wit:

ARTICLE 1st.-The said United Nation of Chippewa, Ottawa, and Potawatamie Indians, cede to the United States all their land, along the western shore of Lake Michigan, and between this Lake and the land ceded to the United States by the Winnebago nation, at the treaty of Fort Armstrong made on the 15th day of September 1832-bounded on the north by the country lately ceded by the Menominees, and on the south by the country ceded at the treaty of Prairie du Chien made on the 29th July 1829-supposed to contain about five millions of acres.

ARTICLE 2d- In part consideration of the above cession it is hereby agreed, that the United States shall grant to the said United Nation of Indians to be held as other Indian lands are held which have lately been assigned to emigrating Indians, a tract of country west of the Mississippi river, to be assigned to them by the President of the United States-to be not less in quantity than five millions of acres, and to be located as follows: beginning at the mouth of Boyer's river on the east side of the Missouri river, thence down the said river to the mouth of Naudoway river, thence due east to the west line of the State of Missouri, thence along the said State line to the northwest corner of the State, thence east along the said State line to the point where it is intersected by the western boundary line of the Sacs and Foxes-thence north along the said line of the Sacs and foxes, so far as that when a straight line shall be run therefrom to the mouth of Boyer's river (the place of beginning) it shall include five millions of acres. And as it is the wish of the Government of the United States that the said nation of Indians should remove to the country thus assigned to them as soon as conveniently can be done; and it is deemed advisable on the part of their Chiefs and Headmen that a deputation should visit the said country west of the Mississippi and thus be assured that full justice has been done, it is hereby stipulated that the United States will defray the expenses of such deputation, to consist of not more than fifty persons, to be accompanied by nor more than five individuals to be nominated by themselves, and the whole to be under the general direction of such officer of the United States Government as has been or shall be designated for the purpose.-And it is further agreed that as fast as the said Indians shall be prepared to emigrate, they shall be removed at the expense of the United States, and shall receive subsistence while upon the journey, and for one year after their arrival at their new homes.-It being understood, that the said Indians are to remove from all that part of the land now ceded, which is within the State of Illinois, immediately on the ratification of this treaty, but to be permitted to retain possession of the country north of the boundary line of the said State, for the term of three years, without molestation or interruption and under the protection of the laws of the United States.

ARTICLE 3d-And in further consideration of the above cession, it is agreed, that there shall be paid by the United States the sums of money hereinafter mentioned: to wit.

One hundred thousand dollars to satisfy sundry individuals, in behalf of whom reservations were asked, which the Commissioners refused to grant: and also to indemnify the Chippewa tribe who are parties to this treaty for certain lands along the shore of Lake Michigan, to which they make claim, which have been ceded to the United States by the Menominee Indians-the manner in which the same is to be paid is set forth in Schedule "A" hereunto annexed.

One hundred and fifty thousand dollars to satisfy the claims made against the said United Nation which they have here admitted to be justly due, and directed to be paid, according to Schedule "B" hereunto annexed.

One hundred thousand dollars to be paid in goods and provisions, a part to be delivered on the signing of this treaty and the residue during the ensuing year.

Two hundred and eighty thousand dollars to be paid in annuities of fourteen thousand dollars a year, for twenty years.

One hundred and fifty thousand dollars to be applied to the erection of mills, farm houses, Indian houses and blacksmith shops, to agricultural improvements, to the purchase of agricultural implements and stock, and for the support of such physicians, millers, farmers, blacksmiths and other mechanics, as the President of the United States shall think proper to appoint.

Seventy thousand dollars for purposes of education and the encouragement of the domestic arts, to be applied in such manner, as the President of the United States may direct.-[The wish of the Indians being expressed to the Commissioners as follow: the united nation of Chippewa, Ottawa and Potawatamie Indians being desirous to create a perpetual fund for the purposes of education and the encouragement of the domestic arts, wish to invest the sum of seventy thousand dollars in some safe stock, the interest of which only is to be applied as may be necessary for the above purposes. They therefore request the President of the

United States, to make such investment for the nation as he may think best. If however, at any time hereafter, the said nation shall have made such advancement in civilization and have become so enlightened as in the opinion of the President and senate of the United States they shall be capable of managing so large a fund with safety they may withdraw the whole or any part of it.]

Four hundred dollars a year to be paid to Billy Caldwell, and three hundred dollars a year, to be paid to Alexander Robinson, for life, in addition to the annuities already granted them-Two hundred dollars a year to be paid to Joseph Lafromboise and two hundred dollars a year to be paid to Shabehnay, for life.

Two thousand dollars to be paid to Wau-pon-eh-see and his band, and fifteen hundred dollars to Awn-kote and his band, as the consideration for nine sections of land, granted to them by 3d Article of the Treaty of Prairie du Chien of the 29th of July 1829 which are hereby assigned and surrendered to the United States.

ARTICLE 4th-A just proportion of the annuity money, secured as well by former treaties as the present, shall be paid west of the Mississippi to such portion of the nation as shall have removed thither during the ensuing three years.-After which time, the whole amount of the annuities shall be paid at their location west of the Mississippi.

ARTICLE 5th-[Stricken out.]

This treaty after the same shall have been ratified by the President and Senate of the United States, shall be binding on the contracting parties.

In testimony whereof, the said George B. Porter, Thomas J.V. Owen, and William Weatherford, and the undersigned chiefs and headmen of the said nation of Indians, have hereunto set their hands at Chicago, the said day and year.

G. B. Porter,  
Th. J. V. Owen,  
William Weatherford,  
To-pen-e-bee, his x mark,  
Sau-ko-noe,  
Che-che-bin-quay, his x mark,  
Joseph, his x mark,  
Wah-mix-i-co, his x mark,  
Ob-wa-qua-unk, his x mark,  
N-saw-way-quet, his x mark,  
Puk-quech-a-min-nee, his x mark,  
Nah-che-wine, his x mark,  
Ke-wase, his x mark,  
Wah-bou-seh, his x mark,  
Mang-e-sett, his x mark,  
Caw-we-saut, his x mark,  
Ah-be-te-ke-zhic, his x mark,  
Pat-e-go-shuc, his x mark,  
E-to-wow-cote, his x mark,  
Shim-e-nah, his x mark,  
O-chee-pwaise, his x mark,  
Ce-nah-ge-win, his x mark,  
Shaw-waw-nas-see, his x mark,  
Shab-eh-nay, his x mark,  
Mac-a-ta-o-shic, his x mark,  
Sgh-uah-ke-zic, his x mark,  
Mah-pche-o-tah-way, his x mark,  
Cha-ke-ta-ah, his x mark,  
Me-am-ese, his x mark,  
Shay-tee, his x mark,  
Kee-new, his x mark,  
Ne-bay-noc-scum, his x mark,  
Naw-bay-caw, his x mark,  
O'Kee-mase, his x mark,  
Saw-o-tup, his x mark,  
Me-tai-way, his x mark,  
Na-ma-ta-way-shuc, his x mark,  
Shaw-waw-nuk-wuk, his x mark,  
Nah-che-wah, his x mark,  
Sho-bon-nier, his x mark,  
Me-nuk-quet, his x mark,  
Chis-in-ke-bah, his x mark,  
Mix-e-maung, his x mark,  
Nash-bwait, his x mark,  
Sen-e-bau-um, his x mark,  
Puk-won, his x mark,  
Wa-be-no-say, his x mark,  
Mon-tou-ish, his x mark,  
No-nee, his x mark,  
Mas-quat, his x mark,  
Sho-min, his x mark,  
Ah-take, his x mark,  
He-me-nah-wah, his x mark,  
Che-pec-co-quah, his x mark,  
Mis-quab-o-no-quah, his x mark,  
Wah-be-Kai, his x mark,  
Ma-ca-ta-ke-shic, his x mark,  
Sho-min, (2d) his x mark,  
She-mah-gah, his x mark,  
O'ke-mah-wah-ba-see, his x mark,  
Na-mash, his x mark,  
Shab-y-a-tuk, his x mark,  
Ah-cah-o-mah, his x mark,  
Quah-quah, tah, his x mark,  
Ah-sag-a-mish-cum, his x mark,  
Pa-mob-a-mee, his x mark,  
Nay-o-say, his x mark,

Ce-tah-quah, his x mark,  
Ce-ku-tay, his x mark,  
Sauk-ee, his x mark,  
Ah-quee-wee, his x mark,  
Ta-cau-ko, his x mark,  
Me-shim-e-nah, his x mark,  
Wah-sus-kuk, his x mark,  
Pe-nay-o-cat, his x mark,  
Pe-she-ka, his x mark,  
Shaw-we-mon-e-tay, his x mark,  
Ah-be-nab, his x mark,  
Sau-sau-quas-see, his x mark,

In presence of-  
Wm. Lee d. Ewing, secretary to commission,  
E. A. Brush,  
Luther Rice, interpreter,  
James Conner, interpreter,  
John t. Schermerhorn, commissioner, etc. west,  
A. C. Pepper, S.A.R.P.  
Gho. Kercheval, sub-agent,  
Geo. Bender, major, Fifth Regiment Infantry,  
D. Wilcox, captain, Fifth Regiment,  
J. M. Baxley, captain Fifth Infantry,  
R. A. Forsyth, U.S. Army,  
L. T. Jamison, lieutenant, U.S. Army,  
E. K. Smith, lieutenant, Fifth Infantry,  
P. Maxwell, assistant surgeon,  
J. Allen, lieutenant, Fifth Infantry,  
I. P. Simonton, lieutenant, U.S. Army,  
George F. Truner, assistant surgeon, U.S. Army,  
Richd. J. Hamilton,  
Robert Stuart,  
Jona. McCarty,  
Daniel Jackson. of New York,  
Jno. H. Kinzie,  
Robt. A. Kinzie,  
G. S. Hubbard,  
J. C. Schwarz, adjutant general M.M.  
Jn. B. Beaubrier,  
James Kinzie,  
Jacob Beeson,  
Saml. Humes Porter,  
Andw. Porter,  
Gabriel Godfroy,  
A. H. Arndt,  
Laurie Marsh,  
Joseph Chaunier,  
John Watkins,  
B. B. Kercheval,  
Jas. W. Berry,  
Wm. French,  
Thomas Forsyth,  
Pierre Menard, Fils,  
Edmnd. Roberts,  
Geo. Hunt,  
Isaac Nash.

SCHEDULE "A."  
(Referred to in the Treaty, containing the sums payable to Individuals in lieu of Reservations.)

Jesse Walker - \$1500  
Henry Cleveland - 800  
Rachel Hall - 600  
Sylvia Hall - 600  
Joseph Laframboise and children - 1000  
Victoire Porthier and her children - 700

Jean Bt. Miranda - 300  
Jane Miranda - 200  
Rosetta Miranda - 300  
Thomas Miranda - 400  
For each of whom John H. Kinzie is Trustee

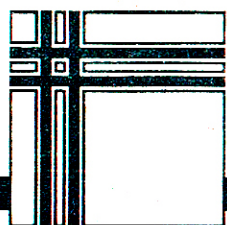
Alexander Muller, Gholson Kercheval, trustee - 800  
Paschal Muller, do do - 800  
Margaret Muller - 200  
Angelique Chevalier - 200  
Josette Chevallier - 200  
Joseph Chevalier - 400  
Fanny Leclare (Captain David Hunter, Trustee) - 400  
Daniel Bourassa's children - 600

Nancy Contraman - 600  
Sally Contraman - 600  
Betsey Contraman - 600  
Fore each of whom J.B. Campbell is Trustee

Alexis Laframboise - 800  
Alexis Laframbois' children - 1200  
Mrs. Mann's children - 600  
Mrs. Mann (daughter of Antoine Ouimet - 400  
Geo. Turkey's children (Fourtier) Th. J.V. Owen Trustee - 500  
Jacques Chapeau's children do do - 600  
Antoinie Roscum's children - 750  
Francois Bourbonnias' Senrs. children - 400

Continued on page 9





# TREATIES: *Continued from page 8*

Francis Bourbonnais' Jnr. children - 300  
John Bt. Cloutier's children, (Robert A. Kinsie Trustee) - 300  
Claude Lafromboise's children - 300  
Antoine Ouimet's children - 200  
Josette Ouimet (John H. Kinzie, Trustee) - 200  
Mrs. Welsh (daughter of Antoine Ouimet) - 200  
Alexander Robinson's children - 400  
Billy Caldwell's children - 600  
Mo-ah-way - 200  
Medare B. Beaubien - 300  
Charles H. Beaubien - 300  
John K. Clark's Indian children, (Richard J. Hamilton, Trustee) - 400  
Josette Juno and her children - 1000  
Angelique Juno - 300  
Josette Beaubien's children - 1000  
Mah-go-que's child (James Kinzie, Trustee) - 300  
Esther, Rosene and Eleanor Bailly - 500  
Sophia, Hortense and Therese Bailly - 1000  
Rosa and Mary children of Hoo-mo-ni-gah wife of Stephen Mack - 600  
Jean Bt. Barru's children - 400  
Francis Chevallier's children - 800  
Mrs. Nancy Jamison and child - 800  
Co-pah, son of Archange - 250  
Martha Burnett (R.A. Forsyth, Trustee) - 1000  
Isadore Chabert's child (G.S. Hubbard Trustee) - 400  
Chee-bee-quai or Mrs. Allen - 500  
Luther rice and children - 2500  
John Jones - 1000  
Pierre Corbono's Children - 800  
Pierre Chalipeaux's children - 1000  
Phoebe Treat and children - 1000  
Robert Forsyth of St. Louis Mo - 500  
Alexander Robinson - 5000  
Billy Caldwell - 5000  
Joseph Laframboise - 3000  
Nis noan see (B.B. Kercheval Trustee) - 200  
Margaret Hall - 1000  
James, William, David and Sarah children of Margaret Hall - 3200  
Margaret Ellen Miller, Montgomery Miller and Finly Miller, grandchildren of Margaret Hall (for each of whom Richard J. Hamilton of Chicago is Trustee) - 800  
Jean Letendre's children - 200  
Bernard Grignon - 100  
Josette Polier - 100  
Joseph Vieux, Jacques Vieux, Louis Vieux, and Josette Vieux each 100. - 400  
Angelique Hardwick's children - 1800  
Joseph Bourassa and Mark Bourassa - 200  
Jude Bourassa and Therese Bourassa - 200  
Stephen Bourassa and Gabriel Bourassa - 200  
Alexander Bourassa and James Bourassa - 200  
Elai Bourassa and Jerome Bourassa - 200  
M.D. Bourassa - 100  
Ann Rice and her Son William M. Rice and Nephew John Rice - 1000  
Agate Biddle and her children - 900  
Magdaline Laframboise and her son - 400  
Therese Schandler - 200  
Joseph Dailly's son and daughter Robert and Therese - 200  
Therese Lawe and George Lawe - 200  
David Lawe and Rachel Lawe - 200  
Rebecca Lawe and Maria Lawe - 200  
Polly Lawe and Jane Lawe - 200  
Appotone Lawe - 100  
Angelique Vieux and Amable Vieux - 200  
Andre Vieux and Nicholas Vieux - 200  
Pierre Vieux and Maria Vieux - 200  
Madaline Thibeault - 100  
Paul Vieux and Joseph Vieux - 200  
Susanne Vieux - 100  
Louis Grignon and his son Paul - 200  
Paul Grignon Sen'r, and Amable Grignon - 200  
Perish and Robert Grignon - 200  
Catist Grignon and Elizabeth Grignon - 200  
Ursal Grignon and Charlotte Grignon - 200  
Louise Grignon and Rachel Grignon - 200  
Agate Porlier and George Grignon - 200  
Amable Grignon and Emily Grignon - 200  
Therese Grignon and Simon Grignon - 200  
William Burnett (B.B. Kercheval Trustee) - 1000  
Shan-na-nees - 400  
Josette Beaubien - 500  
For the Chippewa, Ottawa, and Potawatamie Students at the Choctaw Academy. The Hon. R.M. Johnson to be the Trustee - 5000  
James and Richard J. Connor - 700  
Pierre Duverney and Children - 300  
Joshua Boyd's Children (Geo. Boyd Esq to be the Trustee) - 500  
Joseph Bailly - 4000  
R.A. Forsyth - 3000  
Gabriel Godfroy - 2420  
George Hunt - 750  
James Kinzie - 5000  
Joseph Chaunier - 550

John and Mark Noble - 180  
Alexis Provansalle - 100  
**Total One hundred thousand dollars - \$100,000**

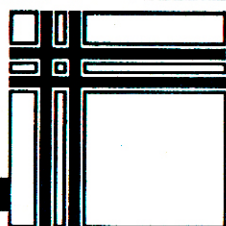
**SCHEDULE "B."**  
(Referred to in the treaty containing the sums payable to individuals, on claims admitted to be justly due and directed to be paid.)  
[See Second Amendment, at end of this treaty.]

Brewster Hogan & Co. - 343  
John S.C. Hogan - 50  
Frederick H. Contraman - 200  
Brookfield & Bertrand - 100  
R.E. Heacock - 100  
George W. McClure, U.S.A. - 125  
David McKee - 180  
Oliver Emmell - 300  
George Hollenbeck - 100  
Martha Gray - 78  
Charles Taylor - 187  
Joseph Naper - 71  
John Mann - 200  
James Walker - 200  
John Blackstone - 100  
Harris & McCord - 175  
George W. Dole - 133  
George Haverhill - 60  
William Whistler, U.S.A. - 1000  
Squire Thompson - 100  
C.C. Trowbridge - 2000  
Louis Druillard - 350  
Abraham Francis - 25  
D.R. Bearss & Co. - 250  
Dr. E. Winslow - 150  
Nicholas Klinger - 77  
Joseph Porthier - 200  
Clark Hollenbeck - 50  
Henry Enslin - 75  
Robert A. Kinzie - 1216  
Joseph Ogie - 200  
Thomas Hartzell - 400  
Calvin Britain - 46  
Benjamin Fry - 400  
Pierre F. Navarre - 100  
C. H. Chapman - 30  
James Kinzie - 300  
G.S. Hubbard - 125  
Jacque Jenveaux - 150  
John B. Du Charme - 55  
John Wright - 15  
James Galloway - 200  
William Marquis - 150  
Louis Chevalier, Adm'r of J.B. Chevalier dec'd - 112  
Solomon McCullough - 100  
Joseph Curtis - 50  
Edward E. Hunter - 90  
Rachel Legg - 25  
Peter Lamseet - 100  
Robert Beresford - 200  
G.W. & W. Laird - 150  
M.B. Beaubien - 440  
Jeduthan Smith - 60  
Edmund Weed - 100  
Philip Maxwell, U.S.A. - 35  
Henry Gratiot - 116  
Tyler K. Blodgett - 50  
Nehemiah King - 125  
S.P. Brady - 188  
James Harrington - 68  
Samuel Ellice - 50  
Peter Menard, Maumee - 500  
John W. Anderson - 350  
David Bailey - 50  
Wm. G. Knaggs - 100  
John Hively - 150  
John B. Bertrand, Sen'r - 50  
Robert A. Forsyth - 3000  
Maria Kercheval - 3000  
Alice Hunt - 3000  
Jane C. Forsyth - 3000  
John H. Kinzie - 5000  
Ellen M. Wolcott - 5000  
Maria Hunter - 5000  
Robert A. Kinzie - 5000  
Samuel Godfroy - 120  
John E. Schwarz - 4800  
Joseph Loranger - 5000  
H.B. and G.W. Hoffman - 358  
Phelps & Wendell - 660  
Henry Johns - 270  
Benjamin C. Hoyt - 20  
John H. Kinzie, in trust for the heirs of Jos. Miranda, dec'd - 250  
Francis Bourbonnais, Senr - 500  
Francis Bourbonnais, junr - 200  
R.A. Forsyth, in trust for Catherine McKenzie - 1000  
James Laird - 50  
Montgomery Evans - 250  
Joseph Bertrand, jr. - 300  
George Hunt - 900

Benjamin Sherman - 150  
W. and F. Brewster, Assignees of Joseph Bertrand, Senr. - 700  
John Forsyth, in trust for the heirs of Charles Peltier, dec'd - 900  
William Hazard - 30  
James Shirley - 125  
Jacob Platter - 25  
John B. Bourie - 2500  
B.B. Kercheval - 1500  
Charles Lucier - 75  
Mark Beaubien - 500  
Catherine Stewart - 82  
Francis Mouton - 200  
Dr. William Brown - 40  
R.A. Forsyth, in trust for heirs of Charles Guion - 200  
Joseph Bertrand, Senr. - 652  
Moses Rice - 800  
James Connor - 2250  
John B. Du Charme - 250  
Coquillard & Comparet - 5000  
Richard J. Hamilton - 500  
Adolphus Chapin - 80  
John Dixon - 140  
Wm. Huff - 81  
Stephen Mack, in trust for the heirs of Stephen Mack, dec'd - 500  
Thomas Forsyth - 1500  
Felix Fontaine - 200  
Jacque Mette - 200  
Francis Boucher - 250  
Margaret Helm - 2000  
O.P. Lacy - 1000  
Henry and Richard J. Connor - 1500  
James W. Craig - 50  
R.A. Forsyth (Maumee) - 1300  
Antoine Peltier do - 200  
R.A. Forsyth, in trust for Wau-se-on-o-quet - 300  
John E. Hunt - 1450  
Payne C. Parker - 70  
Isaac Hull - 1000  
Foreman Evans - 32  
Horatio N. Curtis - 300  
Ica Rice - 250  
Thomas P. Quick - 35  
George B. Woodcox - 60  
John Woodcox - 40  
George B. Knaggs - 1400  
Ebenezer Read - 100  
George Pomeroy - 150  
Thomas K. Green - 70  
William Miere, in trust for Willis Fellows - 500  
Z. Cicott - 1800  
John Johnson - 100  
Antoine Antilla - 100  
John Baldwin - 500  
Isaac G. Bailey - 100  
James Cowen - 35  
Joseph D. Lane - 50  
T.E. Phelps - 250  
Edmund Roberts - 50  
Augustus Bona - 60  
E.C. Winter & Co - 1850  
Charles W. Ewing - 200  
Antoine Ouimet - 800  
John Bt. Chandonai, (\$1000 of this sum to be paid to Robert Stuart, agent of American Fur Company, by the particular request of Jno. B. Chandonai,) - 2500  
Lowrin Marsh - 3290  
P. & J.J. Godfroy - 2000  
David Hull - 500  
Andrew Drouillard - 500  
Jacob Beeson & Co - 220  
Jacob Beeson - 900  
John Anderson - 600  
John Green - 100  
James B. Campbell - 600  
Pierre Menard, Jun. in right of G.W. Campbell - 250  
George E. Walker - 1000  
Joseph Thebault - 50  
Gideon Lowe, U.S.A. - 160  
Pierre Menard, Jun. - 2000  
John Tharp - 45  
Pierre Menard, Junr. in trust for Marie Tremble - 500  
Henry S. Stillman - 300  
John Hamblin - 500  
Francois Page - 100  
George Brooks - 20  
Franklin McMillan - 100  
Lorance Shellhouse - 30  
Martin Shellhouse - 35  
Peter Bellair - 150  
Joseph Morass - 200  
John I. Wendell - 2000  
A.T. Hatch - 300  
Stephen Downing - 100  
Samuel Miller - 100  
Moses Hardwick - 75  
Margaret May - 400

Continued on page 10





# TREATIES:

Continued from page 9

Frances Felix - 1100  
John B. Bourie - 500  
Harriet Ewing - 500  
Nancy Hedges - 500  
David Bourie - 500  
Caroline Ferry - 500  
Bowrie & Minie - 500  
Charles Minie - 600  
Francis Minie - 700  
David Bourie - 150  
Henry Ossum Reed - 200  
Francoise Bezion - 2500  
Domingue Rousseau - 500  
Hanna & Taylor - 1570  
John P. Hedges - 1000  
Francoise Chobare - 1000  
Jacob Leephart - 700  
Amos Amsden - 400  
Nicholas Boilvin - 350  
Archibald Clyburn - 200  
William Conner (Michigan) - 70  
Tunis S. Wendall - 500  
Noel Vasseur - 800  
James Abbott, agent of the American Fur Company - 2300  
Robert Stewart, agent of the American Fur Company - 17000

Solomon Jeaneau - 2100  
John Bt. Beaubien - 250  
Stephen Mack, Jnr - 350  
John Lawe - 3000  
Alexis Larose - 1000  
Daniel Whitney - 1350  
P. & A. Grignon - 650  
Louis Grignon - 2000  
Jacques Vieux - 2000  
Laframboise & Bourassa - 1300  
Heirs of N. Boilvin, deceased - 1000  
John K. Clark - 400  
William G. & G.W. Ewing - 5000  
Rufus Hitchcock - 400  
Reed and Coons - 200  
B.H. Laughton - 1000  
Rufus Downing - 500  
Charles Reed - 200

**Total One hundred and seventy-five thousand dollars - \$175,000**

The above claims have been admitted and directed to be paid, only in case they be accepted in full of all claims and demands up to the present date.

G.B. Porter,  
Th. J.V. Owen,  
William Weatherford.

Agreeably to the stipulations contained in the 3d Article of the Treaty, there have been purchased and delivered at the request of the Indians, goods, provisions and horses to the amount of sixty-five thousand dollars (leaving the balance to be supplied in the year one thousand eight hundred and thirty-four, thirty-five thousand dollars.)

As evidence of the purchase and delivery as aforesaid under the direction of the said Commissioners, and that the whole of the same have been received by the said Indians, the said George B. Porter, Thomas J.V. Owen and William Weatherford, and the undersigned Chiefs and Head-men on behalf of the said United Nation of Indians have hereunto set their hands the twenty-seventh day of September in the year of our Lord one thousand eight hundred and thirty-three.

G.B. Porter,  
Th. J.V. Owen,  
William Weatherford,  
Jo-pen-e-bee, his x mark,  
We-saw, his x mark,  
Ne-kaw-nosh-kee, his x mark,  
Wai-saw-o-ke-ne-aw, his x mark,  
Ne-see-waw-bee-tuck, his x mark,  
Kai-kaw-tai-mon, his x mark,  
Saw-ko-nosh,  
Tshee-Tshee-chin-be-quay, his x mark,  
Joseph, his x mark,  
Shab-e-nai, his x mark,  
Ah-be-te-ke-zhic, his x mark,  
E-to-won-cote, his x mark,  
Shab-ya-a-tuk, his x mark,  
Me-am-ese, his x mark,  
Wah-be-me-mee, his x mark,  
Shim-e-nah, his x mark,  
We-in-co, his x mark,

In presence of-  
Wm. Lee D. Ewing, secretary to the commission,  
R.A. Forsyth, U.S. Army  
Madn. F. Abbott  
Saml. Humes Porter,  
Andw. Porter,  
Joseph Bertrand, junr.  
Jno. H. Kinzie  
James Conner, interpreter,  
J.E. Schwarz, adjutant-general, M.M.

Articles supplementary, to the treaty made at Chicago, in the State of Illinois, on the 26th day of September, one thousand eight hundred and thirty-three, between George B. Porter, Thomas J.V. Owen and William Weatherford, Commissioners on the part of the United States, of the one part, and the United Nation of Chippewa, Ottawa, and Potawatamie Indians, of the other part, concluded at the same place on the twenty-seventh day of September, one thousand eight hundred and thirty-three, between the said Commissioners on the part of the United States of the one part, and the Chiefs and Head-men of the said United Nation of Indians, residing upon the reservations of land situated in the Territory of Michigan, south of Grand river, of the other part.

ARTICLE 1st-The said chiefs and head-men cede to the United States, all their land situate in the Territory of Michigan south of Grand river being the reservation at Notawasepe of 4 miles square contained in the 3d clause of the 2d article of the treaty made at Chicago, on the 29th day of August 1821, and the ninety-nine sections of land contained in the treaty made at St. Joseph on the 19th day of Sept. 1827; and also the tract of land on St. Joseph river opposite the town of Niles, and extending to the line of the State of Indiana, on which the villages of To-pe-ne-bee and Pokagon are situated, supposed to contain about 49 sections.

ARTICLE 2d-In consideration of a the above cession, it is hereby agreed that the said chiefs and head-men and their immediate tribes shall be considered as parties to the said treaty to which this is supplementary, and be entitled to participate in all the provisions therein contained, as a part of the United Nation; and further, that there shall be paid by the United States, the sum of one hundred thousand dollars: to be applied as follows.

Ten thousand dollars in addition to the general fund of one hundred thousand dollars, contained in the said treaty to satisfy sundry individuals in behalf of whom reservations were asked which the Commissioners refused to grant; the manner in which the same is to be paid being set forth in the schedule "A," hereunto annexed.

Twenty-five thousand dollars in addition to the sum of one hundred and fifty thousand dollars contained in the said Treaty, to satisfy the claims made against all composing the United Nation of Indians, which they have admitted to be justly due and directed to be paid according to Schedule "B," to the Treaty.

Twenty-five thousand dollars in addition to the sum of one hundred and fifty thousand dollars contained in the said Treaty, to satisfy the claims made against all composing the United Nation of Indians, which they have admitted to be justly due, and directed to be paid according to Schedule "B," to the Treaty annexed.

Twenty-five thousand dollars, to be paid in goods, provisions and horses, in addition to the one hundred thousand dollars contained in the Treaty.

And forty thousand dollars to be paid in annuities of two thousand dollars a year for twenty years, in addition to the two hundred and eighty thousand dollars inserted in the Treaty, and divided into payments of fourteen thousand dollars a year.

ARTICLE 3d-All the Indians residing on the said reservations in Michigan shall remove therefrom within three years from this date, during which time they shall not be disturbed in their possession, nor in hunting upon the lands as heretofore. In the mean time no interruption shall be offered to the survey and sale of the same by the United States. In case, however, the said Indians shall sooner remove the Government may take immediate possession thereof.

ARTICLE 4th-[Stricken out. See 4th Amendment at end of treaty.]

These supplementary articles after the same shall have been ratified by the President and Senate of the United States shall be binding on the contracting parties.

In testimony whereof, the said George B. Porter, Thomas J.V. Owen, and William Weatherford, and the undersigned chiefs and headmen of the said United Nation of Indians, have hereunto set their hands at Chicago, the said day and year.

G.B. Porter,  
Th. J.V. Owen,  
William Weatherford,  
To-pen-e-bee, his x mark,  
We-saw, his x mark,  
Ne-kaw-nosh-kee, his x mark,  
Wai-saw-o-ko-ne-aw, his x mark,  
Po-ka-gon, his x mark,  
Kai-kaw-tai-mon, his x mark,  
Pe-pe-ah, his x mark,  
Ne-see-waw-bee-tuck, his x mark,  
Kitchee-bau, his x mark,  
Pee-chee-ko, his x mark,  
Nai-gaw-geucke, his x mark,  
Wag-maw-kan-so, his x mark,  
Mai-go-sai, his x mark,  
Nai-chee-wai, his x mark,  
Aks-puck-sick, his x mark,  
Kaw-kai-mai, his x mark,  
Mans-kai-sick, his x mark,  
Pam-ko-wuck, his x mark,  
No-taw-gai, his x mark,  
Kauk-muck-kisin, his x mark,

Wee-se-mon, his x mark,  
Mo-so-ben-net, his x mark,  
Kee-o-kum, his x mark,  
Maatch-kee, his x mark,  
Kaw-bai-me-sai, his x mark,  
Wees-ke-qua-tap, his x mark,  
Ship-she-wuh-no, his x mark,  
Wah-co-mah-o-pe-tuk, his x mark,  
Ne-so-wah-quet, his x mark,  
Shay-o-ne, his x mark,  
Ash-o-nees, his x mark,  
Mix-i-nee, his x mark,  
Ne-wah-ox-sec, his x mark,  
Sauk-e-mau, his x mark,  
Shaw-waw-nuk-wuk, his x mark,  
Mo-rah, his x mark,  
Suk-see, his x mark,  
Quesh-a-wase, his x mark,  
Pat-e-go-to, his x mark,  
Mash-ke-oh-see, his x mark,  
Mo-nase, his x mark,  
Wab-e-kaie, his x mark,  
Shawy-oh-new, his x mark,  
Mo-gua-go, his x mark,  
Pe-qua-shuc, his x mark,  
A-muwa-noc-sey, his x mark,  
Kau-ke-che-ke-to, his x mark,  
Shaw-waw-nuk-wuk, his x mark,

In presence of-  
Wm. Lee D. Ewing, secretary to the commission,  
E.A. Brush,  
Luther Rice, interpreter  
James Conner, interpreter,  
Joseph Bertrand, jr., interpreter,  
Geo. Kercheval, sub Indian agent,  
J.L. Thompson, lieutenant Fifth Infantry,  
J. Allen, lieutenant Fifth Infantry,  
P. Maxwell, assistant surgeon U.S. Army,  
Geo. F. Turner, assistant surgeon U.S. Army,  
B.B. Kercheval,  
Thomas Forsyth,  
Daniel Jackson, of New York,  
J.E. Schwarz, adjutant-general M.M.  
Robt. A. Kinzie,  
G.S. Hubbard,  
Geo. Bender, major Fifth Regiment Infantry,  
D. Wilcox, captain Fifth Regiment,  
J.M. Baxley, captain Fifth Infantry,  
R.A. Forsyth, U.S. Army,  
L.T. Jamison, lieutenant U.S. Army,  
O.K. Smith, lieutenant Fifth Infantry,  
L.M. Taylor,  
Pierre Menard, fils,  
Jacob Beeson.  
Sameuel Humes Porter,  
Edmd. Roberts,  
Jno. H. Kinzie,  
Jas. W. Berry,  
Gabriel Godfroy, jr.  
Geo. Hunt  
A.H. Arndt,  
Andw. Porter,  
Isaac Nash,  
Richard J. Hamilton.

## SCHEDULE "A."

Referred to in the Article supplementary to the Treaty, containing the sums payable to Individuals, in lieu of Reservations of Land.

Po-ka-gon - \$2000

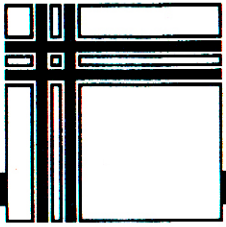
Rebecca Burnett - 500  
Mary Burnett - 250  
(Edward Brooks Trustee for each)

Martha Burnett (R.A. Forsyth Trustee) - 250  
Madeline Bertrand - 200  
Joseph Bertrand Junr - 200  
Luke Bertrand Junr - 200  
Benjamin Bertrand - 200  
Lawrence Bertrand - 200  
Theresa Bertrand - 200  
Amable Bertrand - 200  
Julianne Bertrand - 200  
Joseph H. Bertrand - 100  
Mary M. Bertrand - 100  
M.L. Bertrand - 100  
John B. Du Charme - 200  
Elizabeth Du Charme (R.A. Forsyth Trustee) - 800  
George Henderson - 400  
Mary Nado and children - 400  
John Bt. Chandonai - 1000

Charles Chandonai - 400  
Mary Chandonai - 400

Continued on page 1





# TREATIES: *Continued from page 10*

(For each of whom R.A. Forsyth is Trustee)

Mary St. Comb and children - 300  
 Sa-gen-nais' daughter - 200  
 Me-chain, daughter of Pe-che-co - 200  
 Alexis Rolan - 200  
 Polly Neighbush - 200  
 Francois Page's wife and children - 200  
 Pierre F. Navarre's children - 100  
 Jarmont (half breed) - 100  
**Total Ten thousand dollars - \$10,000**

Agreeably to the stipulations contained in the Articles supplementary to the treaty, there have been purchased and delivered at the request of the Indians, Goods, Provisions and Horses to the amount of fifteen thousand dollars (leaving the balance to be supplied hereafter ten thousand dollars.)

As evidence of the purchase and delivery as aforesaid, under the direction of the said commissioners, and that the whole of the same been received by the said Indians, and the said George B. Porter, Thomas J.V. Owen, and William Weatherford, and the undersigned chiefs and head men on behalf of the said United Nation of Indians, have hereunto set their hands the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and thirty-three.

G.B. Porter,  
 Th. J.V. Owen,  
 William Weatherford,  
 To-pen-e-bee, his x mark,  
 Wee-saw, his x mark,  
 Ne-kaw-nosh-kee, his x mark,  
 Wai-saw-o-ko-ne-aw, his x mark,  
 Ne-see-waw-be-tuk, his x mark,  
 Kai-kaw-tai-mon, his x mark,  
 Saw-Ka-Nosh, his x mark,  
 Tshee-tshee-chin-ke-bequay, his x mark,  
 Joseph, his x mark,  
 Shab-e-nai, his x mark,  
 Ah-be-to-ke-Zhic, his x mark,  
 E-to-wau-coto, his x mark,  
 Shab-ya-a-tuk, his x mark,  
 Me-am-ese, his x mark,  
 Wah-be-me-mee, his x mark,  
 Shim-e-nah, his x mark,  
 We-in-co, his x mark,

In presence of-  
 Wm. Lee D. Ewing, secretary to the commission,  
 R.A. Forsyth, U.S. Army,  
 John H. Kinzie,  
 Madn. F. Abbott,  
 Saml. Humes Porter  
 Joseph Bertrand, junr.  
 Andw. Porter,  
 J.E. Schwarz, adjutant-general M.M.  
 James Conner, interpreter.

On behalf of the Chiefs and Head men of the United Nation of Indians who signed the treaty to which these articles are supplementary we hereby, in evidence of our concurrence therein, become parties thereto.

And, as since the signing of the treaty a part of the band residing on the reservations in the Territory of Michigan, have requested, on account of their religious creed, permission to remove to the northern part of the peninsula of Michigan, it is agreed that in case of such removal the just proportion of all annuities payable to them under former treaties and that arising from the sale of the reservation on which they now reside shall be paid to them at L'arbre, Croche.

Witness our hands, the said day and year.

Saw-ka-nosh, his x mark,  
 Che-ohe-bin-quay, his x mark,  
 Ah-be-te-ke-zhic, his x mark,  
 Shab-e-nay, his x mark,  
 O-cheep-pwaise, his x mark,  
 Maug-e-sett, his x mark,  
 Shim-e-nah, his x mark,  
 Ke-me-nah-wah, his x mark,

In the presence of-  
 Wm. Lee D. Ewing, secretary to the commission,  
 Jno. H. Kinzie,  
 Richd. J. Hamilton,  
 Robert Stuart,  
 R.A. Forsyth, U.S. Army,  
 Saml. Humes Porter,  
 J.E. Schwarz, adjutant-general M.M.  
 James Conner, interpreter.

The Commissioners certify that when these supplementary articles were ready for signature, the original paper of which teh annexed is a copy was presented by Messrs. Peter and James J. Godfroy, and the due execution of it was made satisfactorily appear to the commissioners, the subscribing witnesses R A Forsyth and Robert A Kinzie being present-

The Chiefs and Head men present recognizing this as a reservation, it was agreed that it shall be considered in the same light as though the purport of the instrument had been inserted in the body of the treaty; with the understanding that the rejection of it by the President and Senate of the United States shall not affect the validity of the treaty.

G.B. PORTER,  
 TH. J.V. OWEN,  
 WILLIAM WEATHERFORD.

(Copy of the instrument referred to in the above certificate.)

Know all men by these presents that we the undersigned Chiefs and Young men of the Potawatamie tribe of Indians living at Na-to-wa-se-pe in the territory of Michigan, for and in consideration of the friendship and sundry services rendered to us by Peter and James J. Godfroy we do hereby by these presents give, grant, alieu, transfer and convey unto the said Godfroys their heirs and assigns forever one entire section of land situate lying and being on our reserve of Na-to-wa-se-pe, in the Territory aforesaid to be located by said Godfroys wherever on said reserve they shall think it more to their advantage and benefit.

It is moreover the wishes of the undersigned Chiefs and Young men as aforesaid, that so soon as there shall be a treaty held between the United States and our said tribe of Pottawatamies, that our great father the President confirm and make good this our grant unto them, the said Godfroys by issuing a patent therefor to them and to their heirs forever.-In so doing our great father will accomplish the wishes of his children.

Done at Detroit, this eighteenth day of May, A.D. one thousand eight hundred and thirty.

In witness whereof, we have hereunto signed, sealed, and set our hands and seals, the day and year last above written.

Penenchese, his x mark, [L.S.]  
 Pit-goit-ke-se, his x mark, [L.S.]  
 Nah-o-to-nan, his x mark, [L.S.]  
 Ke-a-saw-wa, his x mark, [L.S.]  
 Sko-paw-ka, his x mark, [L.S.]  
 Ce-ce-baw, his x mark, [L.S.]  
 Na-wa-po-to, his x mark, [L.S.]  
 To-ta-gas, his x mark, [L.S.]  
 Pierre Morin, alias Perish, his x mark, [L.S.]  
 We-say-gah, his x mark, [L.S.]  
 Signed, sealed, and delivered in the presence of us-  
 R.A. Forsyth,  
 Robt. A. Kinzie,  
 G. Godfroy,  
 Witnesses to the signature of Pierre Morin, alias Perish,  
 and Wa-say-gah.  
 Richard Godfroy,  
 Francis Mouton.

Chicago, Illinois, Oct. 1, 1834  
 Tho. J.V. Owen, Esqr.  
 U.S. Agent.

FATHER: Feeling a disposition to comply with the resolution of Senate of the United States, and the views of the Government in relation to an alteration in the boundaries of the country ceded to the United nation of Chippewa, Ottawa, and Potawatamie Indians at the treaty of Chicago in the State of Illinois, concluded on the 26th and 27th days of september 1833:-we therefore propose as the chiefs of the said united nation, and for and on their behalf that we will accept of the following alteration in the boundaries of the said tract of country viz:-Beginning at the mouth of Boyer's river; thence down the Missouri river, to a point thereon; from which a due east line would strike the northwest corner of the State of Missouri; thence along the said east line, to the northwest corner of said State; then along the northern boundary line of the said State of Missouri, till it strikes the line of the lands of the Sac and Fox Indians; thence northwardly along said line to a point from which a west line would strike the sources of the Little Sioux river; thence along said west line, till it strikes the said sources of said river; then down said river to its mouth; thence down the Missouri river to the place of beginning; *Provided* the said boundary shall contain five million of acres; but should it contain more, then said boundaries are to be reduced so as to contain the said five millions of acres.

And, in consideration of the alteration of said boundary we ask that ten thousand dollars should be paid to such commissioner, as shall be designated by us to receive the same west of the Mississippi river, at such place on the tract of country ceded to the said untied nation as we may designate, and to be applied, as we may direct for the use and benefit of the said nation. And the further sum of two thousand dollars to be paid to Gholson Kercheval, of Chicago, Ill.: for services rendered the said united nation of Indians during the late war, between the U.S. Government and the Sacs and Foxes; and the further sum of one thousand dollars to George E. Walker for services rendered the said United nation, in bringing Indian prisoners, from west of the Mississippi river to Ottawa, Lasalle county, Ill. for whose appearance at the circuit court of said county, the said nation was bound.

The foregoing propositions are made with the expectation, that with the exception of the alteration in the pro-

posed boundary, and the indemnity herein demanded as an equivalent for said exchange, the whole of the treaty made and concluded at this place on the 26th and 27th days of September 1833, be ratified as made and concluded at that time, within the space of five months from the present date; otherwise it is our wish that the whole of the said treaty should be considered as cancelled.

In witness whereof, we, the undersigned chiefs of the said United Nation of Chippewa, Ottawa, and Pattawatamie Indians, being specially delegated with power and authority to effect this negotiation, have hereto set our hands and seals, at Chicago, in the State of Illinois, on the first day of October, A.D. 1834.

R. Caldwell, [L.S.]  
 Kee-tshee-zhing-ee-beh, his x mark, [L.S.]  
 Tshee-tshee-beeng-guay, his x mark, [L.S.]  
 Joseph, his x mark, [L.S.]  
 Ob-ee-tah-kee-zhik, his x mark, [L.S.]  
 Wau-bon-see, his x mark, [L.S.]  
 Kay-kot-ee-mo, his x mark, [L.S.]

In presence of-  
 Richd. J. Hamilton,  
 Jno. H. Kenzie,  
 Dr. P. Maxwell, U.S. Army,  
 J. Grant, jr.,  
 E.M. Owen,  
 J.M. Baxley, captain Fifth Infantry.

[NOTE.-This Treaty and Supplementary articles thereto, were ratified and confirmed, upon the conditions expressed in the two resolutions of the Senate in relation to the same; which conditions as contained in the first named resolution, are as follows:

"That the Senate do advise and consent to the ratification of the Treaty, made on the 26th day of September 1833, at Chicago, by George B. Porter and others, Commissioners on behalf of the United States, and the United Nation of Chippewas, Ottawas, and Pottawatamies Indians, and the supplementary articles thereto, dated on the 27th day of September, 1833, with the following amendments and provisions, to wit, 2st: amend the third article in Schedule A, by striking out the word "ten" and inserting the word *five* as to each of the sums to be paid to Billy Caldwell and Alexander Robinson; so that the sum of five thousand dollars *only* will be paid to each of them, and the sum of ten thousand dollars, thus deducted, to be paid to the Indians.- 2d. All the debts, mentioned in schedule B, in the same article, and which are specified in exhibit E, to the report of the committee, to be examined by a commissioner to be appointed by the President, with the advice and consent of the Senate, and the individuals to be paid only the sums found by said commissioner, to have been justly due; in no instance increasing the sum agreed to be paid; and whatever sum is saved by deduction or disallowance of the debts in exhibit E, to be paid to the Indians, and the residue to the claimants respectively. 3d. Strike out article 5th in the treaty. 4th. Strike out article 4th in the supplementary articles: and provide, that the lands given to the said Indians, in exchange, in place of being bounded in the manner described in the treaty be so changed, that the first line shall begin at the mouth of Boyer's river, and run down the river Missouri to a point thereon from which a line running due east will strike the northwestern corner of the State of Missouri; from that point due east till it strikes said northwest corner; then, along the northern boundary line of said State, till it strikes the line of the lands belonging to the Fox and Sac Indians; thence northwardly, so far as to make to the Indians full compensation for the quantity of land which will be thus taken from them on the southwestern part of the tract allowed them by the boundaries as at present described in the treaty; and provided, further, that this alteration of boundaries can be effected with the consent of the Indians. Also the said commissioner shall examine whether three thousand dollars, a part of the sum of seventeen thousand dollars directed to be paid to Robert Stuart agent of the American Fur Company, was to be paid and received in full discharge of all claims and demands which said company hd against Gurdon S. Hubbard and James Kinzie; and if he finds it was to be so paid, that then the sum of fourteen thousand dollars, *only*, be paid, until said agent of said company give a receipt of all debts due, and demands which said company had against said Hubbard and Kinzie; and, upon giving such receipt, that then the said sum of three thousand dollars be likewise paid to said agent."

And those contained in the second named resolution are as follows:

"That the senate do advise and consent to the alteration proposed by the Chiefs of the United Nation of Chippewa, Ottawa and Pottawattamie Indians, concluded at Chicago, in the Sste of Illinois, on the first day of October 1834, to the treaty concluded between the Commissioners on the part of the United States and the chiefs of the said United Nation on the 26th of September, 1833:-it being expressly understood by the Senate that no other of the provisions of the resolution of the Senate of the 22d day of May 1834, ratifying the said treaty, shall be affected, or in any manner changed, by the said proposed alteration of 1st October, 1834, excepting the proposed alteration in the boundaries therein mentioned, and the sums of money therein stipulated to be paid."]



# HOWNIKAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Citizen Band Potawatomi Tribe with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

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## Solicitor General suggests recourse against tribal officials

Continued from page 1

H. Rehnquist. Miley replied that reservations have "resident tribal population" and even if there was a reservation, "the tax laws of Oklahoma would apply." He also noted that the Potawatomis have been assimilated into the community and said that "Congress did not want to go back to reservations" and approved "a separate act for Oklahoma."

"We've held that land only has to be set aside for tribal use," Justice Antonin Scalia replied. While some other discussion on the land status followed, the justices seemed to concur that that was not an issue and turned their questions toward the issue of collecting sales tax from non-Indians.

When asked how the non-tribal member purchases could be separated from the tribal members' purchases, Miley agreed that "that's the problem." O'Connor then asked if the state could sue the store manager, but Miley said he felt that the owner — the tribe — was the only one who could be held responsible. "We tried to sue the manager in the Chickasaw case," he said, "but the 10th Circuit (federal Court of Appeals) said we couldn't."

"We are not bound by the 10th Circuit," Rehnquist snapped back.

Justice Anthony M. Kennedy suggested that the cigarette wholesalers be held responsible for the taxes, but Miley said that was impractical since most were located out of state. "We have trouble enforcing across state lines," he said, "which brings us to the question of sovereign immunity. My position is that the circumstances have changed." When the doctrine of sovereign immunity was defined by the Court, he said, most tribes had few assets and were involved only in social programs.

"The scope of the tribal entity has changed," Miley said, and is "extending into the state ... I'm trying to accommodate the interests of the state." He said that he felt sovereign immunity should be limited in commercial areas. Sovereign immunity does not go so far

as to displace state laws," he said. "They're using it to evade law enforcement."

Miley reserved the last few minutes of his time, which was shortened (as was the tribe's) by a request from the Solicitor General's office to participate in the oral arguments. Assistant Solicitor General Ed Kneedler appeared, wearing the traditional tailcoat, and stated what he said were the government's three basic positions: (1) tribes are immune from suit, (2) states may not tax sales to tribal members, and (3) states may tax non-tribal members.

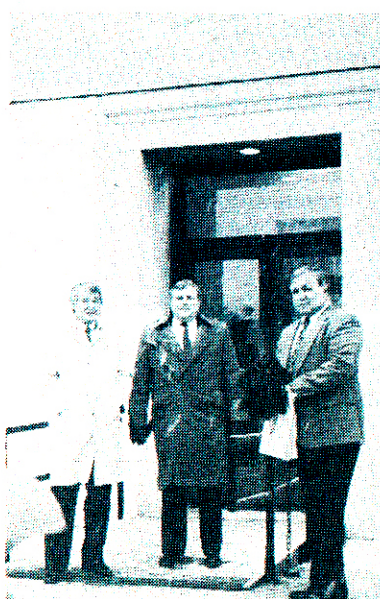
"Have we given the states an empty right to tax sales if they can't collect it?" asked O'Connor. "How can they sue?"

Kneedler replied that the tribal officers are not protected from suit. "It is a question of forum," he said, suggesting that the tribal courts could be used or Oklahoma could amend its laws to impose duty on out-of-state wholesalers. He said the government feels that the Court's "proper course is to affirm the tribe's immunity and vacate the injunction (against the state to collect taxes)." One justice said that "some courts have adopted exceptions to sovereign immunity when acting in a commercial manner," but Kneedler said he felt that was up to Congress.

"This court created sovereign immunity," Rehnquist noted. Kneedler replied that perhaps the Court had recognized it, but added that sovereign immunity was created prior to the Constitution when the government signed treaties with the tribes.

Michael Minnis, the Oklahoma City attorney who represented the tribe, began his remarks by telling the Court that the tribe had a "fundamentally different perspective ... this was an assessment, not a collection."

"It was an assessment for sales tax which should have been withheld and wasn't," said Justice Byron "Whizzer" White, who dominated much of the Court's questioning and seemed to support the state's position. Minnis replied that the



Bruno, Melot, Barrett ...  
At Supreme Court Entrance  
Before Arguments Were Heard

state had never asked the tribe to collect the taxes in the first place and that the courts had never held that they could.

Then came the question that seemed to most clearly point to the Court's direction. "What if we say that Oklahoma can collect taxes on non-Indians?" asked O'Connor. "Is the tribe willing to do that?" After a pause, Minnis said he couldn't speak for the business committee of the tribe but assured the court that the tribe would strive to be responsible to the law.

"Would it bother you if we said no injunction exists?" White asked.

"The only relief we ask involves the assessment against the tribe," Minnis responded.

"Why would it not be appropriate for this Court to make an announcement that the tribe should collect from non-members?" Kennedy asked. Minnis suggested that there might be "other ways to go about it." The questioning then fell into a debate between White and Minnis about why the tribe found the OTC assessment letter "insulting," interspersed with comments from Rehnquist about

how Public Law 280 is not applicable and the relevance of other tribal cases to this one. Minnis reiterated that the tribe had sought injunctive relief and when no other questions were forthcoming, completed his argument with about five minutes of his time remaining.

Miley then claimed the three minutes he had reserved, explaining that the assessment was made "to enforce tax collection ... we found no other way to do it." He said the state "cannot properly separate" the Indian and non-Indian sales.

The final two minutes of the argument brought out another significant aspect of the Court's thinking. "Has any state asked Congress to waive immunity?" White asked. "Congress is not in a position to do that," Miley replied. "They don't want to do that. They're not the tax collection agency for the State of Oklahoma."

O'Connor, apparently stunned by Miley's response, said "That's exactly what you ought to do." She said she found it "amazing" that the state had not already sought help from Congress.

"It would be a political decision," Miley said. "Their constituents might feel differently about it than the state."

At that point, Rehnquist declared the time was up and concluded the arguments. Most of those in the public gallery filed out with the attorneys and stood in small groups assessing the session. Potawatomi officials as well as those of other tribes all seemed to feel that the decision, when it is announced in a few weeks, will somehow include instructions that the tribe collect the taxes on sales to non-Indians. There were mixed feelings on other aspects of the case.

"It appeared to me that the justices had decided the case before hearing the arguments," Barrett said. "All of their questions presupposed that the Potawatomi Tribe would at a minimum collect taxes on cigarettes sold to non-Indians." Even if the decision goes completely against the tribe, the

chairman said they would weather it. "The Potawatomis have survived a lot worse," he said. "Indian history seems always to be two steps forward and one step back."

"The Potawatomi people have had the audacity to be successful in the white man's world," Barrett said. "I fear today we have been handed what that world would term 'a come-uppance.'" He added that he was saddened by the fact that "those who were supposed to our advocates from the Solicitor General's office and the Native American Rights Fund (NARF) chose instead to pursue another agenda designed to curry favor with the justices."

An amicus brief filed by several other tribes and tribal organizations and prepared by NARF attorney Melody McCoy supported the tribe's position in the case but included a footnote that alarmed Barrett and other tribal leaders. After noting that the state has at least two means to collect cigarette taxes, either by seizing unstamped cigarettes off the reservation or tribal trust land, or by assessing the wholesaler, the brief added a footnote pointing out that "whether there is a third remedy in the form of a suit against tribal officials for prospective injunctive relief is an issue about which amici express no opinion, but do note that such recourse was not even attempted by the State."

Should that course be followed, Barrett said, "tribal government will have received its worst setback in 100 years ... no tribal officials with any assets will dare run for office. And if the state courts can hold tribal officials in contempt for failure to comply with a state-imposed injunction, the result would be the same."

Barrett said that the tribe's course of action will not be determined until the court announces a decision, but "our first concern is to protect the tribe's assets." Until that decision comes, probably in six to eight weeks, tribal officials will consider the consequences and prepare contingency plans.