



# LIBRARIES

UNIVERSITY OF WISCONSIN-MADISON

## **Ratified treaty no. 324, Documents relating to the negotiation of the treaty of July 2, 1863, with the Eastern Shoshoni Indians. July 2, 1863**

Washington, D.C.: National Archives, July 2, 1863

<https://digital.library.wisc.edu/1711.dl/WBU6KLM3VEYNS8X>

As a work of the United States government, this material is in the public domain.

For information on re-use see:

<http://digital.library.wisc.edu/1711.dl/Copyright>

The libraries provide public access to a wide range of material, including online exhibits, digitized collections, archival finding aids, our catalog, online articles, and a growing range of materials in many media.

When possible, we provide rights information in catalog records, finding aids, and other metadata that accompanies collections or items. However, it is always the user's obligation to evaluate copyright and rights issues in light of their own use.

**RATIFIED TREATY NO. 324**  
**DOCUMENTS RELATING TO THE NEGOTIATION OF THE**  
**TREATY OF JULY 2, 1863, WITH THE EASTERN SHOSHONI INDIANS**

July 2, 1863

W. H. S. N. 154  
James R. N. N. N.  
S. Mann J.  
St. Bridger W. S.  
July 3, '63

Manuscript Treaty  
Concluded by them  
With the Shoshone  
Indians, circumstances  
necessitated by their demands  
relating to the same

As per original  
July 20/63

See instruction July 23/63



7-2-63

The Honble

Mr. G. A. Doke

Commissioner of Indian Affairs,

Fort Bridger, Utah

July 3<sup>d</sup>. 1863.

Sir: We have the honor to transmit herewith a Treaty which we concluded yesterday, with the Shoshone Nation, which we hope will be approved by the Department. The terms were more advantageous than we had expected to obtain.

The representation of the nation was very large, being from all the bands of the nation except four. The parties treating occupy the whole of the country east of - and including - Salt Lake Valley. The two principal chiefs of the nation, Washakie and Manapitz, were present.

One of these absent Bands is in Ruby Valley and on the Humboldt mountains and river. The other three continue their hostilities, but are now much reduced in numbers, and have been driven by the Troops north to the valley of Snake river. We may now perhaps be able to get messengers to them, and induce them to treat with us for peace.

The amount expended in making this Treaty, is about six thousand dollars; the account, with the vouchers, will be forwarded without delay. There was near one thousand Shoshones - and no Bannocks or Utahs - on the ground. They have been fed, according to your instructions, for the past month, which has somewhat increased the expenditure of the Treaty fund, to which it is charged.

Very Respectfully

Your obedient Servants,

James Duane Doty  
Luther Mann  
Commissioners.

Treaty of Peace and Friendship  
with the Shoshonee Nation  
of Indians.  
Concluded July 2<sup>d</sup>: 1863.

1863

Articles of Agreement made at  
Fort Bridger in Utah Territory the  
second day of July A.D. One thousand  
Eight hundred and sixty three, by  
and between the United States of  
America represented by its Commissioners,  
and the Sho-Sho-ne nation of Indians  
represented by its Chiefs and principal  
Men and Warriors of the Eastern Bands,  
as follows:

Article I Friendly and  
amicable relations are hereby re-  
established between the Bands of  
the Sho-Sho-ne nation parties hereto,  
and the United States. and it is  
declared that a firm and perpetual  
Peace shall be henceforth maintained  
between the Sho-Sho-ne nation and  
the United States.

Article II. The several routes of  
travel through the Sho-Sho-ne country  
now or hereafter used by the white  
men, shall be and remain forever free  
and safe for the use of the Government  
of the United States and of all  
emigrants and travelers under its  
authority and protection, without  
molestation or injury from any of

the People of said nation. And if  
offences should at any time be committed  
by bad men of their nation, the offenders  
shall be immediately seized and delivered  
up to the proper officers of the United States,  
to be punished as their officers shall desire.  
And the safety of all travelers passing  
peaceably over said routes is hereby  
guaranteed by said nation. Military-  
Agricultural Settlements and Military  
Posts may be Established by the President  
of the United States along said routes:  
Ferries may be maintained over the  
Rivers wherever they may be required  
and houses Erected and Settlements formed  
at such points as may be necessary  
for the comfort and convenience of  
travelers.

Article III. The Telegraph  
and Overland Stage Line having  
been established and operated through  
a part of the Sho-Sho-ne Country, it is  
expressly agreed that the same may  
be continued without hindrance,  
molestation or injury from the people  
of said nation; and that their property  
and the lives of Passengers in the Stages  
and of the Employes of the respective  
Companies shall be protected by them.

And further, it being understood that provision has been made by the Government of the United States, for the construction of a Railway from the Plains West to the Pacific Ocean, it is stipulated by said nation that said Railway or its Branches may be located, constructed and operated without molestation from them through any portion of the Country claimed by them.

Article IV. It is understood the boundary of the Sho-Sho-ne Country, as defined and described by said nation, is as follows:  
On the North by the Mountains on the north side of the valley of Sho-Sho-ne or Snake River,  
On the East by the Wind River Mountains, Peenahpah, the north fork of the Platte or Koochinagah and the north Park or Buffalo House; and on the South <sup>by</sup> the Gampah River and the Uintah Mountains. The Western boundary is left undefined, there being no Sho-Sho-ne from that district of Country present; but the Bands now present claim that their own Country is bounded on the West by Salt Lake.



Article V. The United States being aware of the inconvenience resulting to the Indians in consequence of the driving away and destruction of game along the route traveled by Whites and by the formation of agricultural and Mining Settlements are willing to fairly compensate them for the same; therefore, and in consideration of the preceding stipulations, the United States promising and agree to pay to the Bands of the Sho-Sho-ne nation Parties hereto, annually, for the term of twenty years, the sum of ten thousand dollars in such articles as the President of the United States may deem suitable to their wants and condition either as Hunters or Herdsmen. And the Said Band of the Sho-Sho-ne nation hereby acknowledge the reception of the said stipulated annuities as a full compensation and Equivalent for the loss of game and the rights and privileges hereby conceded.

Article VI. The Said Bands hereby acknowledge that they have received from said Commissioners provisions and clothing amounting to Six thousand dollars as presents at the conclusion of this Treaty Done at Fort Bridger the day and year above written in presence of

In presence of }  
Spick Robertson } James Duandoty  
Interpreter } Luther Mann

Commissioners

Samuel Dean

Washakee X  
Wanapity X  
Toosapowit X  
Tantoshija X  
Vivaluty X  
Narkank X  
Tabvnohe'a X  
Wee'ango X  
Tootsahp X  
Weeahyukee X

†  
Wagon No 2144  
James W. Doty  
G. S. Lake City, N. H.  
July 18, '63

One original ~~copy~~  
of the Treaty con-  
cluded at St. Bridg-  
es by Capt. Manuel  
himself with the In-  
dians, copy of which  
was furnished, and  
to which he requests  
the name of Chief  
Danzil, added

Recd. Dec. 4/  
Copy sent to S. C. Zep  
Ditm. for transmission  
to the President to be  
laid before the Senate  
for its action thereon  
Dec 30. 1863

The Hon<sup>ble</sup>

Wm. P. Ache

Comm<sup>r</sup>. of Indian Affairs

Sir,

Herewith I transmit the original copy of the Treaty concluded at Fort Bridger on the 2<sup>nd</sup> inst. by Agent Mann & myself with the Shoshonees - a duplicate of which was forwarded from that place on the 3<sup>rd</sup> inst.

The Commissioner will please to add to that copy the name of the Chief Bazil who signed his name to the, but did not arrive with his Band until that copy had been mailed.

I have just received word from Pokiatello that he wishes to meet me in his country, north of Bear River to make peace. With Genl. Connor I shall meet him so soon as the place can be designated.

Very Respectfully

Your obedient Servant

James Duane Ache

Superintendent

~~Wah~~  
O. H. Irish Esq.  
Nebraska City, N.T.  
April 3. 1866.

Transmits original treaty with  
Shoshonee Indians, found in papers  
of late Gov. Doty.

Treaty and amendments sent  
to Doty May - 1866

*File*

Enclosed treaty sent to Secretary  
with report May 31. 1869.



72-63

Nebraska City, N. T. April 30 1866.

Sir,

I have the honor to herewith transmit the original Treaty negotiated with the Eastern Bands of the Shoshone Indians which was recently found among the late Gov. Doty's papers and forwarded to me here.

I am, very respectfully  
Your Obedt Servant  
O. V. Irish  
Suph. Ind. Affairs &c

To Hon. S. N. Cooley  
Comdr. Ind. Affairs  
Washington D. C.

Shoshone Treaty  
of 1863

[File with]  
Utah J. 222  
1866

Treaty with Eastern Bands of Shoshonees, 2d July 1813, at  
Fort Bridger.

This treaty, with three others, made with different bands of Shoshonees and Goshutes, by Gov. Doty, of Utah, was acted upon favorably by the Senate March 7<sup>th</sup> 1814, with an amendment - the same amendment, as shown upon paper marked "A", being made to each treaty. All of the treaties were returned to Gov. Doty May 17<sup>th</sup>, with instructions to secure the assent of the Indians to the amendments, and all were returned by him before he was superseded as Supt by Mr. Irish, except this one, with Washakie's band, Gov. Doty reporting that he had not been able to get the chiefs together. The treaties thus returned were ratified and proclaimed by the President Jan'y 17, 1815.

After Mr. Irish had left Utah in leave of absence to come to Washington in the winter of 1816, this treaty was sent to him, having been found among Gov. Doty's papers.

It is recommended that the paper should be sent to the Supt of Utah, with instructions to obtain the assent of the Indians to the amendment as soon as possible. The appropriation of \$10,000 per annum is made by Congress, without the treaty having been ratified.



"A"

Vol. I. 222  
1866

Copy

Articles of Agreement made at Fort Bridger in Utah Territory, this second day of July A. D. one thousand eight hundred and sixty three, by and between the United States of America, represented by its Commissioners, and the Shoshone Nation of Indians, represented by its Chiefs and principal men and Warriors of the Eastern Bands, as follows:  
Article I. Friendly and amicable relations are hereby reestablished, between the Bands of the Shoshone Nation parties hereto, and the United States, and it is declared that a firm and perpetual peace shall be hence forth maintained between the Shoshone Nation and the United States. —

Article II. The several routes of travel through the Shoshone country, now or hereafter used by white men, shall be and remain forever free and safe for the use of the government of the United States, and of all emigrants and travellers under its Authority and protection, without molestation or injury from any of the people of said nation. And if depredations should at any time be committed by bad men of their nation, the offenders shall be immediately seized and delivered up to the proper officers of the United States, to be punished as their offenses shall deserve; and the safety of all travellers passing peaceably over said routes is hereby guaranteed by said Nation. Military-agricultural settlements, and Military posts, may be established by the President of the United States along said routes; ferries may be maintained over the rivers wherever they may be required; and houses erected and settlements formed at such points as may be necessary for the comfort & convenience of travellers;

Article III. The Telegraph and Overland Stage Lines

having been established and operated through a part of the Shoshonee country, it is expressly agreed that the same may be continued, without hindrance, molestation or injury from the people of said Nation; and that their property, and the lives of passengers in the Stages, and of the employees of the respective companies, shall be protected by them —

And further, it being understood that provisions has been made by the Government of the United States for the construction of a Railway from the Plains west to the Pacific ocean, it is stipulated by said Nation, that said Railway, or its branches, may be located, constructed and operated, without molestation from them, through any portion of the country claimed by them.

Article IV. It is understood the boundaries of the Shoshonee country as defined and described by said Nation, is as follows:—

On the North, by the Mountains on the North side of the Valley of Shoshonee or Snake river;— on the East, by the Wind river mountains Peenahpah river the North fork of Platte or Koo-chin-again' and the North Park or Buffalo House, and on the South, by Gampah river and the Brintak Mountains. The Western boundary is left undefined, there being no Shoshonees from that district of country present; but the Bands now present claim that their own country is bounded on the West by Salt Lake,

Article V. The United States being aware of the inconvenience resulting to the Indians in consequence of the driving away & destruction of game along the routes travelled by whites and by the formation of

agricultural and mining settlements, are willing to fairly compensate them for the same:— therefore, and in consideration of the preceding stipulations, the United States promise and agree to pay<sup>to</sup> the Bands of the Shoshonee Nation parties hereto, annually for the term of twenty years, the sum of ten thousand dollars in such articles as the President of the United States may deem suitable to their wants and condition either as hunters or herdsmen. And the said Bands of the Shoshonee Nation hereby acknowledge the reception of the said stipulated annuities, as a full compensation and equivalent for the loss of game, and the rights and privileges hereby conceded. — Article VII. The said Bands hereby acknowledge that they have received from said commissioners provisions and clothing amounting to six thousand dollars, as presents, at the conclusion of this treaty. Done at Fort Bridger, the day and year above written. —

In presence of }  
 Jack Robertson  
 Interpreter

James Duane Doty }  
 Luther Mann Jr }  
 Commissioners

Samuel Dean

Wash'hee	+	his mark
Wanapitz	+	his mark
Toopsapowet	+	his mark
Pawto'higa	+	his mark
Minabetzee	+	his mark
starkawh	+	his mark
Taborushia	+	his mark
Merango	+	his mark
Tootsaph	+	his mark
Witahyukee	+	his mark
Bazile	2	his mark

An Executive Session Senate of the United States  
March 7, 1864 -

Resolved, (two thirds of the Senators present con-  
curring) <sup>That</sup> the Senate advise and consent to the  
ratification of the articles of agreement made at  
Fort Bridger, in Utah Territory, the second day  
of July, A. D. One thousand eight hundred and  
sixty-three, by and between the United States of  
America, represented by its Commissioners, and  
the Shoshonee Nation of Indians, represented by  
its Chiefs and principal Men and Warriors of the  
Eastern Bands, with the following Amendment;  
inserts the following as a new Article. -

Article 7. Nothing herein contained shall be  
construed or taken to admit any other or greater  
title or interest in the lands embraced within  
the Territories described in said Treaty in said  
Tribes or Bands of Indians than existed in them  
upon the acquisition of said Territories from  
Mexico by the laws thereof. -

Attest:

J. W. Forney  
Secretary