

## Ratified treaty no. 344, Documents relating to the negotiation of the treaty of October 19, 1865, with Two Kettle's band of Sioux Indians. October 19, 1865

Washington, D.C.: National Archives, October 19, 1865

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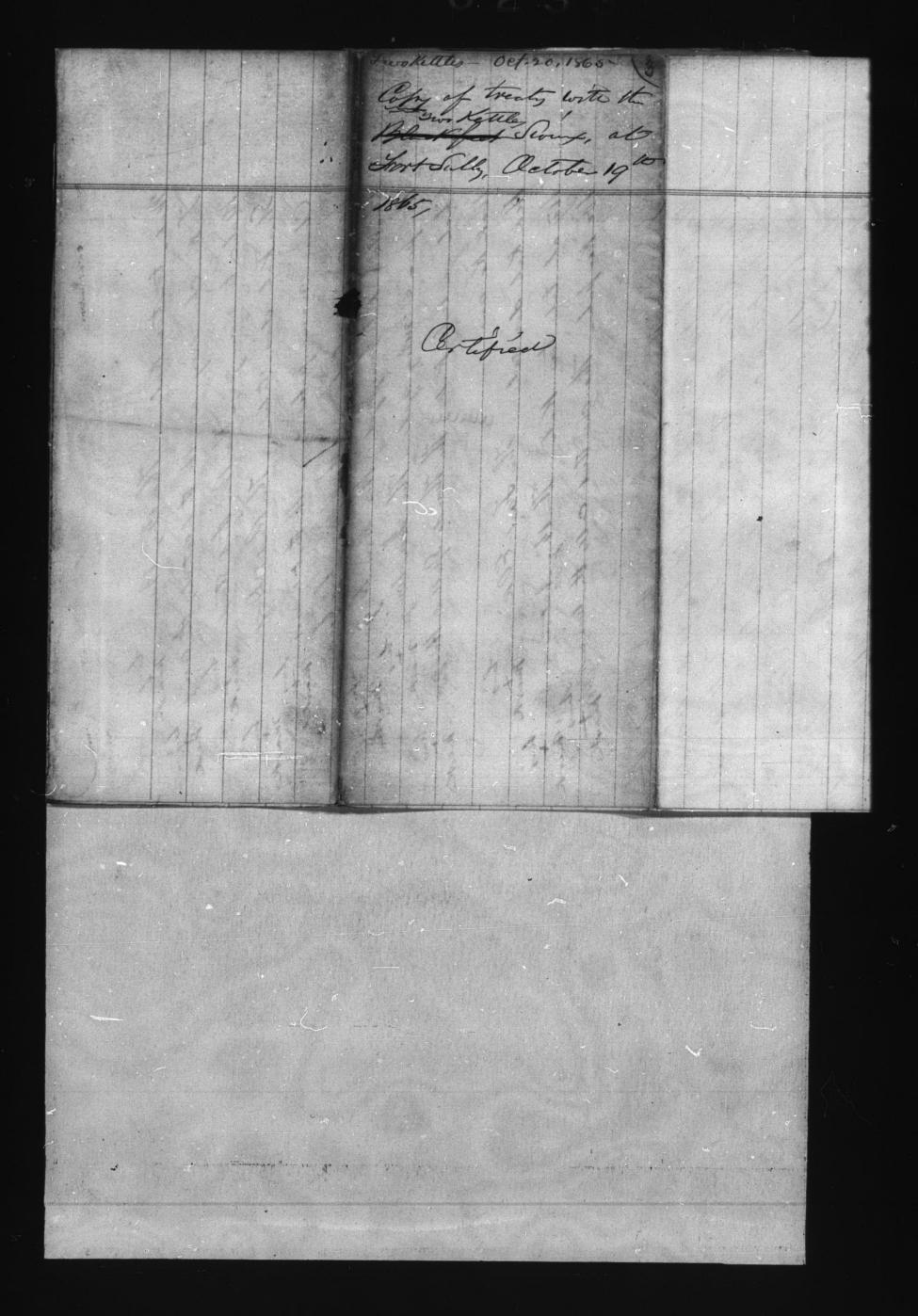
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RATIFIED TREATY NO. 344 DOCUMENTS RELATING TO THE NEGOTIATION OF THE TREATY OF OCTOBER 19, 1865, WITH TWO KETTLE'S BAND OF SIOUX INDIANS



# TREATY

BETWEEN

# THE UNITED STATES OF AMERICA

### TWO KETTLES BAND OF DAKOTA OR SIOUX INDIANS.

CONCLUDED OCTOBER 19, 1865. RATIFICATION ADVISED, WITH AMENDMENT, MARCH 5, 1866. PROCLAIMED MARCH 17, 1866:

and the second



#### ANDREW JOHNSON,

#### PRESIDENT OF THE UNITED STATES OF AMERICA,

#### TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the nineteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major General S. R. Curtis, Brigadier General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners, on the part of the United States, and Cha-tan-skah, (The White Hawk,) E-to-ke-ah, (The Hump,) and other chiefs and headmen of the Two Kettles band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Articles of a treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, sup't of Indian affairs for the northern superintendency, Major General S. R. Curtis, Brigadier General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Two Kettles band of Dakota or Sioux Indians.

#### ARTICLE FIRST.

The Two Kettles band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota or Sioux, or other adjacent tribes, from making hostile demonstrations against the government of the United States or its people.

#### ARTICLE SECOND.

Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction, hitherto at war with each other, the Two Kettles band of Dakota or Sioux, represented in council, anxious to respect the wishes of the government, hereby agree and bind themselves to discontinue, for the future, all attacks upon the persons or property of other tribes, unless first assailed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

#### ARTICLE THIRD.

All controversies or differences arising between the Two Kettles band of Dakota or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

#### ARTICLE FOURTH.

The said band, represented in council, shall withdraw from the routes overland already established, or hereafter to be established through their country; and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said band the sum of six thousand dollars annually, for twenty years, in such articles as the Secretary of the Interior may direct : *Provided*, That the said band so represented in council shall faithfully conform to the requirements of this treaty.

#### ARTICLE FIFTH.

Should any individual or individuals, or portion of the band of the Two Kettles band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any part of the land claimed by the said band, for the purpose of agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians; and where twenty lodges or families of the Two Kettles band shall have located on lands for agricultural purposes, and signified the same to their agent or superintendent, they as well as other families, so locating, shall receive the sum of twenty-five dollars. annually, for five years, for each family, in agricultural implements and improvements; and when one hundred lodges or families shall have so engaged in agricultural pursuits, they shall be entitled to a farmer and blacksmith, at the expense of the government, also teachers, at the option of the Secretary of the Interior, when deemed necessary.

#### ARTICLE SIXTH.

Soldiers in the United States service having killed Ish-tah-chah-ne-aha, (Puffing Eyes,) a friendly chief of the Two Kettles band of Dakota or Sioux Indians, it is hereby agreed that the government of the United States shall cause to be paid to the surviving widow of the deceased and his children, seventeen in number, the sum of five hundred dollars; and to the said tribe or band, in common, as indemnity for killing said chief, the sum of five hundred dollars, said payment to be made under the direction of the Secretary of the Interior.

#### ARTICLE SEVENTH.

Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band, represented in council, as a part of this treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band.

In testimony whereof, the commissioners on the part of the United States, and the chiefs and headmen of the said Two Kettles band of Dakota or Sioux, have hereunto set their hands, this nineteenth day of October, one thousand eight hundred and sixty-five, after the contents had previously been read, interpreted and explained to the said chiefs and headmen.

NEWTON EDMUNDS,

EDWARD B. TAYLOR, S. R. CURTIS, Maj. Gen'l,

H. H. SIBLEY, Brig. General, HENRY W. REED,

ORRIN GUERNSEY,

Commissioners on the part of the United States.

CHA-TAN-SKAH,

The White Hawk, his x mark, chief. E-TO-KE-AH,

The Hump, his x mark, chief. SHON-KAH-WAK KON KE-DESH-KAH,

The Spotted Horse, his x mark, chief. MAH-TO-KE-DESH-KAH,

The Spotted Bear, his x mark, chief. МАН-ТО-ТО-РАН,

The Four Bears, his x mark. CHAN-TAY-O-ME-NE-O-ME-NE,

The Whirling Heart, his x mark. МАН ТО-А-СНА-СНАН.

The Bear that is like him, his x mark. TAH-HOO-KA-ZAH-NOM-PUB,

The Two Lances, his x mark. MAH-TO-TON-KAH,

The Big Bear, his x mark. TO-KE-CHI-WY-A,

He that Catches the Enemy, his x mark. MAH-TO-NAN-GEE,

The Bear that Stands, his x mark. SHON-KAH-DOO-TAH,

The Red Dog, his x mark. CHON-NOM-PAH-PA-GE-NAN-KAH,

He that wears the Pipe on his head, his x mark. TAH-SHON-KAH-MUZ-ZAH,

His Iron Dog, his x mark. HO-PO-E-MUZ-ZAH,

The Iron Wing, his x mark. CHAH-GE-LESH-KAH-WAK-KE-AN,

The Thunder Spotted Hoop, his x mark.

HAK-KAH-DOO-SAH, The Fast Elk, his x mark. WY-AH-TAH-TON-KAH,

The Big Nation, his x mark. WE-KEE-PAH,

The One that Calls the Women, his x mark. PA-JE-TO,

Green Grass, his x mark. Chief CHON-KA-HAS-KA,

Stinking Dog, his x mark. Chief PA-TA-SEA-WAH-BEL-LU,

White Cow Eagle, his x mark

Signed by the commissioners on the part of the United States, and by the chiefs and headmen, after the treaty had been fully read, interpreted, and explained, in our presence :

the service

A. W. HUBBARD,

M. C. 6th dist. Iowa.

HEZ. L. HOSMER,

Chief Justice of Montana Territory.

CHAS. C. G. THORNTON, Lt. Col. 4th U. S. Vols.

E. F. RUTH,

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Sec'y of Commission.

O. D. BARRETT,

Special Agent Ind. Aff.

ZEPHIER RENCONTRE, his x mark, CHARLES DEGRE, his x mark,

Interpreters.

The foregoing signatures in this handwriting (that of Genl. Curtis) were made in presence of the undersigned.

Maj. A. P. SHREVE, Paymaster U. S. A.

JOHN PATTEE,

Lt. Col. 7th Iowa Cavalry.

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

#### IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

March 5, 1866.

Resolved, (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the commissioners on the part of the United States and the chiefs and headmen of the Two Kettles band of Dacotah [Dakota] or Sioux Indians, made and concluded at Fort Sully, in the Territory of Dakota, with the following

#### AMENDMENT:

Article 4, lines 4, 5, 6, and 7, strike out the following words, viz: "and of their non-interference with the persons and property of citizens of the United States travelling thereon." Attest:

#### J. W. FORNEY, Secretary.

And whereas article seventh of said treaty provides that any amendment or modification of it by the Senate of the United States shall be considered final and binding upon the said band of Indians, represented in council, as a part of the treaty, in the same manner as if it had been subsequently presented and agreed to by the chiefs and headmen of said band :

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

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

Done at the city of Washington, this seventeenth day of March, in the year [SEAL.] of our Lord one thousand eight hundred and sixty-six, and of the

ALDERIATE ANTE

Independence of the United States of America the ninetieth. ANDREW JOHNSON.

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By the President: WILLIAM H. SEWARD, Secretary of State.

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Make to ton Kale - The this them think !! To the che way a - He the battely the lang the Male to wan ge The Per that Stade this Shoutal dos tale\_ The Red Dog ..... page markale the pipe on his back, The drow tab mung gal this the Dog his the poor a mung gal The thou long this mark the poor a mung gal The the tone long the mark this Chall go lest Kak 3 the Thunder Spotted Hoop this Wak Ke and 3 4 4 600 this Hak Kale dow sale The Fast Elk this his Wy all tak ton Kal The this Matin his hard Signed by the Country on the part of the Muter States, and by the Chiefs and Head Then, after the Traty had been fully read Interpreted and applande to Our preserve WW Habbard Mil 6th Dirt Brown, Hey & Hosmer, Chief fastice of Matina territory Chie C & Thurston, St Col 4 to US Volg II. Onto, Seey of Common O Drameto, Spical agas Bid affairs, Pephie his Reacantre 3 hterpreter The Copy for the manual E.J. Butto, Rey of Commission