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RATIFIED TREATY NO. 328
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF OCTOBER 7, 1863, WITH THE TABAQUACHE
BAND OF UTE INDIANS

Witnesses to The Treaty

John G. Nicolay
Secretary to the Commission

Chas E Phillips
Asst Secretary to Commission

J. M. Chivington Col 1st Reg of Col
Comdg Dist

Samuel F. Tappan
Lieut Col 1st Reg of Colorado
Charles Weber
Capt 1. Reg of Colorado
J. P. Bensteel
Capt 1st Reg of Col

Interpreters

Juan V. Tordes

Bernardo Sanchez ^{his}
mark

Amador Sanchez ^{his}
mark

La Vega, Oct. 7, 1863
(Calgado) M. G. (1863)

(Copy)

[Faint, illegible handwritten notes]

Article 10

Each family that shall announce through its head, to the agent of the band, a willingness and determination to begin and follow the pursuits of Agriculture, by farming or raising stock and growing wool, upon such lands, and according to such regulations as the Secretary of the Interior may prescribe shall receive the following donations of stock to aid them in their endeavor to gain a livelihood by such new pursuits.

Of Cattle, one head annually during five years beginning with the ratification of this treaty.

Of Sheep, ten head annually during the first two years after the ratification of this treaty, and five head annually during the three years thereafter.

The Secretary of the Interior may also direct that their share of annuity goods and provisions shall be of a character suited to such change of life.

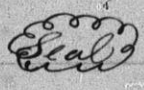
Provided however that such stock shall only be donated as long as such family shall in good faith, keep and use the same for the purpose indicated in this article.

All the Indians of said band who

may adopt and conform to the provisions of
this article shall be protected in the quiet and
peaceable of their said lands and property)


The government also agrees to establish
and maintain a Blacksmith shop and employ
a competent Blacksmith for the purpose of
repairing the guns and agricultural implements
which may be used by said band of Indians

In testimony whereof the said Commissioners as
aforesaid, and the said chiefs and warriors of
the Tabeguache band of Utah Indians have
herunto set their hands and seals at the
Tabeguache Agency at Conejos Colorado
Territory on this the seventh day of October in the
year of our Lord one thousand eight hundred
and sixty three

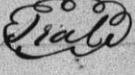
Jno Evans 
Gov. C.S. Supt Ind affairs
& Commissioners

M Steck 

Supt Ind Affr New Mex
& Commissioners

Simon Whitley 

As Agent to the Grand River and
United bands of Utah Indians
& Commissioners

Sageette Head 
U.S. Ind Agt & Commissioners

Un-cow-va-gut ^{his}
or Red color _{mark}



Sha-na-she-yet ^{his}
or Blue Flower _{mark}



Colorado his
mark

Seal

U = ray his
or Arrow mark

Seal

Ho = va = ve = tu quartz his
or one that slides under the snow

Seal

Sa = nu = nat = se = wick his
or Blue River mark

Seal

A = Co = mu = che = ne his
or Red wind mark

Seal

Mu = chu = chop his
or Lock of Hair mark

Seal

Sa = spatch his
or White Warm mark

Seal

Chincho
or Left Hand

Seal

An Executive Session Senate of the U. States
March 25th 1864.

Resolved (two thirds of the Senators present concurring) That the Senate advise and consent to the ratification of the Treaty concluded on the seventh day of October, eighteen hundred and sixty three at Conejos, Colorado Territory, between John Evans, Governor and ex officio Superintendent of Indian Affairs of said Territory, Michael Steck, Superintendent of Indian Affairs for the Territory of New Mexico, Simeon Whiteley and Lafayette Head, Indian Agents, Commissioners on the part of the United States, and the chiefs and Warriors of the Tabeguache band of Utah Indians, with the following

Amendments:-

Page 1. line 2, of the preamble, after the word "claim" insert against all other Indian Tribes, page 3 in lines 37 to 43 inclusive, strike out of the preamble the following words:-

"And whereas the said Indians for the purpose of maintaining friendly relations with the people and government of the United States of America and for the other considerations herein mentioned are willing to cede a portion of said country and to enter into the covenants and agreements herein set forth"

page 5, Article 2, line 5, after the word "all" strike out the words "of their"

"-5-"-2 line 8, after the word "boundaries", insert which are hereby reserved as their hunting grounds "viz"

"-5-"-2 line 18 strike out the word "Arkansas" and insert in lieu thereof Gunnison's fork of the great Colorado,

"-5-"-2 strike out from the word "to" in line 20 to the word "the" in line 38, the following words:-

"The source of the Sandy creek of the San Louis Valley thence down the Sandy Creek to the place where its waters sink at low water, thence in a right line to the point where the centre of the channel of the Rio Grande del Norte crosses the 106th line of longitude west from Greenwich; thence up the centre of the main channel of the Rio Grande del Norte to the line of the 107th degree of longitude west from Greenwich, thence south along said line to the summit of the range dividing the waters of the Rio Grande del Norte from those of the San Juan river, thence along summit westerly to a point due South."

"-6-"-2 in line 34 after the word thence strike out the word "to" and insert from -

"-6-"-2 After line 36 insert the following words:-

Nothing contained in this Treaty shall be construed or taken to admit on the part of the United States any other or greater title or interest in the lands above excepted and reserved in said Tribe or band of Indians than existed in them upon the acquisition of said territory from Mexico by the laws thereof

page 7. Article 3 - line 12. strike out the words: -

"The right of"

"- 7 -" - 3 line 13, strike out the word "to" and insert may in lieu thereof -

"- 7 -" - 3 line 15. - strike out the words "retained by" and insert in lieu thereof the words: - reserved to. -

"- 7 -" - 3, After the word "found" in line 16. - strike out the following words: - "is hereby also conferred and guaranteed And for all other purposes excepting as herein stipulated, settlement by other persons than Indians is hereby prohibited."

page 9 Article 5, line 5 strike out the word "country" insert in lieu thereof reservation

page 11. Article 6. line 29, after the word "citizens" insert or white resident

"- 11 -" - 6, line 34, after the word "citizens" insert or white residents

"- 11 -" - 6 line 45, after the word "citizens" insert or white residents

4

page 11, Article 6 - line 49, after the word "citizens"
insert or white residents

page 15, Article 10, line 2, strike out the words
"Each family," and after the word
"that" in same line insert in case
the chiefs of said band

"—15—"—10— line 2, after the word "announce"
strike out the words "through its head"

"—15—"—10— line 3, after the word "agent"
strike out the words "of the band"

"—15—"—10— line 4, after word "determination"
insert on their part, and on the part
of their people.

"—15—"—10— line 5, after the word "follow,"
strike out the words "the pursuits of
Agriculture," and insert in lieu thereof:
Agricultural or pastoral pursuits

"—15—"—10— line 7, after the word "lands"
insert to be selected and set apart
within said reservation

"—15—"—10— line 9, before the word "shall"
insert they

"—15—"—10— line 12, after the word "cattle"
strike out the word "one," and
insert in lieu thereof not exceeding
one hundred and fifty

"—15—"—10— line 13, after the word "sheep"
strike out the word "ten," and insert
in lieu thereof not exceeding one
thousand.

page 15, article 10, line 17, after the word -
"five", insert hundred-

"-15-"-10, line 24, after the word "such,"
strike out the word "family,"-insert
in lieu thereof the word chiefs

"-15-"-10, at the end of line 26, insert the
following words -

And provided, That the amount
expended under this article shall
not exceed ten thousand dollars
annually. —

Attest

J. W. Formey, Secretary
by W. Hickey, Chief Clerk

Colorado, J-487/64

Copy of Treaty
with

Sabreque band
Si-Tah Indians

Oct 7. 1863

with

ceremonies

Whereas, the Tabeguache band of Utah
Indians claim, ^{as against the} an exclusive right to the
following described country as their lands
and hunting grounds within the Territory
of the United States of America being
bounded and described as follows, to wit:

Beginning on the 37th degree of North
Latitude, at the Eastern base of the
Sierra Madre Mountains, running
thence Northerly with the base of
the Rocky Mountains to the forty-
first parallel of North Latitude,
thence west with the line of said
forty-first parallel of North Latitude
to its intersection with the
summit of the Snowy Range
north west of the North Park,
thence with the summit of the
Snowy Range southerly to the Rab-
bit Ear Mountain, thence southerly
with the summit of said Rabbit
Ear Range of Mountains west of the
Middle Park to the Grand River,
thence with the said Grand River
to its confluence with the Gunnison
River, thence with the said Gun-

from the mouth of the
 Uncompahgre River, thence with
 the said Uncompahgre River, to its
 source in the summit of the
 Snowy Range opposite the source
 of the Rio Grande del Norte, thence
 in a right line South to the
 summit of the Sierra La Plata
 range of mountains, dividing the
 waters of the San Juan River, from
 those of the Rio Grande del Norte;
 thence with the summit of said
 Range, South Easterly to the thirty
 seventh parallel of North Longi-
 tude; thence with the line of said
 parallel of Latitude to the place
 of beginning;”

[And whereas the said Indians for the purpose of maintaining friendly relations with the people and Government of the United States of America and for the other considerations herein mentioned, are willing to cede a portion of said country and to enter into the covenants and agreements herein set forth] the President of the United States of America by John Evans Governor of Colorado Territory and Eric Officer Superintendent of Indian Affairs for the same. Michael Steck Superintendent of Indian Affairs for the Territory of New Mexico. Simeon Whitely and Fayette Head, Indian Agents duly authorized and appointed as Commissioners for the purpose, of the one part, and the undersigned chiefs and warriors of the Tabeguache band of Utah Indians of the other part, have made and entered into the following Treaty, which when ratified by the President of the United States, by and with the advice and consent of the Senate shall be binding on both parties to-wit:—

Article 1.-

It is admitted by the Tabeguache band of Utah Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy and claim their protection. The said band also admits the right of the United States to regulate all trade and intercourse with them.

Article 2

Said Tabeguache band of Utah Indians hereby cede, convey and relinquish all of their claim, right, title and interest in and to any and all [of their] lands, within the Territory of the United States, wherever situated excepting that which is included with in the following boundaries ^{which go hereby to} viz:

Beginning at the mouth of the Uncorn-
paghee River; thence down Gunnison Riv-
er to its confluence with the Bunkara
River, thence up the Bunkara River, to
the Roaring Fork of the same, thence up
the Roaring Fork to its source, thence
along the summit of the Range dividing
the waters of the Arkansas from those
of the Gunnison River to its intersection
with the Range dividing the waters of the
San Luis valley from those of the [Arkan-
sas] River, thence along the summit of said
Range to [the source of the Sandy Creek of the
San Luis valley thence down the Sandy
Creek to the place where its waters sink,
at low water; thence in a right line to the
point where the centre of the channel of the

6

Rio Grande del Norte crosses the 106th line
of longitude west from Greenwich; thence
up the centre of the main channel of the
Rio Grande del Norte to the line of the
107th degree of longitude west from Green-
wich, thence south along said line to the
summit of the range dividing the waters
of the Rio Grande del Norte from those
of the San Juan River, thence along said
summit westerly to a point due south
of the source of the Uncompahgre River,
thence ^{from} [to] said source and down the main
channel of said Uncompahgre River,
to its mouth, the place of beginning.
Nothing contained in this Treaty to

7

7

Article 3.

And it is further agreed that the United States shall have the right, to establish one or more Military Posts, with their needful reservations, upon the lands and hunting grounds not ceded by the Tabequache band, in this Treaty; also the right to locate, construct, and maintain railroads, and other roads, and highways through the same, and along the routes of United States mail lines, at suitable points, to establish and maintain Stations —

[The right of any citizen of the United States to ^{mine} mine without interference or molestation, in any part of the country hereby ^{reserved to} retained by said Indians, where Gold or other metals or minerals may be found, is hereby also conferred and guaranteed. And for all other purposes, excepting as herein stipulated, settlement by other persons than Indians is hereby prohibited.]

8

8

Article 4

And the said Tabeguache band hereby gives its consent that the Mopuache band of Utah Indians may also be settled with them upon the lands and hunting grounds reserved in this treaty.

Article 5

And the said Tabeguache Band further agrees to give safe conduct to all persons who may be legally authorized by the United States to pass through their ^{reservations} country; and to protect in their persons and property all agents or other persons sent by the United States to reside temporarily among them.

Article 6.

That the friendship which is now established between the United States and the Tabeguache Band of Utah Indians, should not be interrupted by the misconduct of individuals, it is hereby agreed that for injuries done, no private revenge or retaliation shall take place, but instead thereof complaints shall be made by the party injured to the Superintendent or Agent of Indian Affairs or other person appointed by the President and it shall be the duty of the Chiefs of said Tabeguache band, upon complaint being made as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States. And in like manner, if any robbery violence or murder shall be committed on any Indian or Indians belonging to said band, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed that the chiefs of

11

said Tabequache band shall to the utmost of their power, exert themselves to recover horses or other property which may be stolen or taken from any citizen ^{or while resident} or citizens of the United States by any individual or individuals of said band; and the property so recovered shall be forthwith delivered to the Agents or other persons authorized to receive it that it may be restored to the proper owner. And for such property as any Indian or Indians belonging to said band may have taken from citizens ^{or while resident} of the United States which cannot be restored, payment shall be reserved from the annuities which the said band is to receive, upon sufficient proof of the fact. And the United States hereby guarantee to any Indian or Indians of said band a full indemnification for any horses or other property which may be stolen from them by any of their citizens. ^{or while resident} Provided that the property so stolen cannot be recovered and that sufficient proof is produced that it was actually stolen by a citizen ^{or while resident} of the United States. And the said Tabequache band engages, on

11 continued

The requisition or demand of the President
of the United States or of the Agents, to
deliver up any white man resident
among them

12

Article 4.

And the chiefs and warriors as aforesaid promise and engage, their band will never, by sale, exchange, or as presents supply any nation or tribe of Indians, not in amity with the United States with, guns, ammunition or other implements of war.

13

Article 8

For the period of ten years the said band shall receive annually, by such distribution as the Secretary of the Interior may direct ten thousand dollars worth of goods; and also ten thousand dollars worth of provisions.

Article 9

For the purpose of improving their
breed of Horses, the band shall receive
five American Stallions the first year
after the ratification of this Treaty.

15

Article 10.

[Each family] ^{by the chiefs of said band} that shall announce
 [through its head] to the Agent [of the band]
 a willingness and determination ^{on their part to} to begin
 and follow [the pursuits ^{of agriculture} of Agriculture],
 by farming or raising stock and growing
 wool, upon such lands ^{to be selected} and according to
 such regulations as the Secretary of the
 Interior may prescribe, ^{they} shall receive
 the following donations of stock to aid
 them in their endeavors to gain a liveli-
 hood by such new pursuits. Viz.

Of cattle, [one] ^{not exceeding} head annually dur-
 ing five years beginning with the ratifica-
 tion of this treaty.

Of sheep, [ten] ^{not exceeding} head annually during the
 first two years after the ratification of this
 treaty, and five ^{hundred} head annually during the
 three years thereafter.

The Secretary of the Interior may
 also direct that their share of annuity
 goods and provisions shall be of a charac-
 ter suited to such change of life.

Provided however that such stock
 shall only be donated as long as such
 [family] ^{chiefs} shall in good faith, keep and use

16

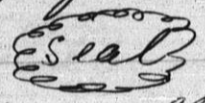
the same for the purpose indicated in
this article. and provided to

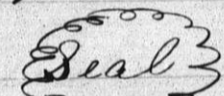
All the Indians of said band
who may adopt and conform to the pro-
visions of this article shall be protected
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used by said band of Indians.

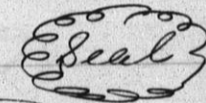
17

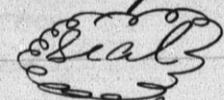
In Testimony whereof the said Commis-
sioners as aforesaid, and the ^{said} chiefs and ^{warriors}
of the Tabeguache band of Utah-Indians
have hereunto set their hands and seals
at the Tabeguache Agency at Conejos Col-
orado Territory on this the seventh day
of October in the year of our Lord one
thousand Eight hundred and sixty three.

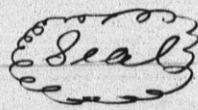
Amo. Evans 
Gov. C. T. Supt. Ind. Affairs

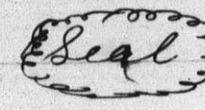
& Commissioner
M. Steck 

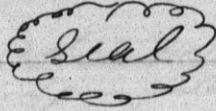
Supt. Ind. Affrs. Secretary
& Commissioner

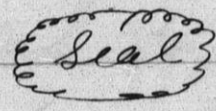
Simion Whiteley 
U. S. Agent to the Grand River and Uintah
Bands of Utah Indians & Commissioner

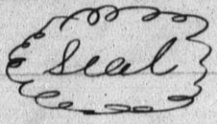
Safayette Heard 
U. S. Ind. Agent & Commissioner

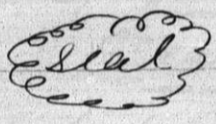
Un-cow-na-gut his
or Red color + mark 

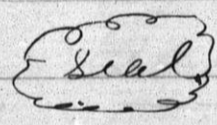
Sha-na-she-yet his
or Blue Flower + mark 

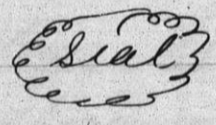
Colorado his + mark 

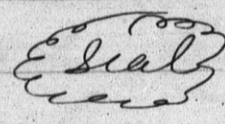
U-ray his + mark
or Arrow 

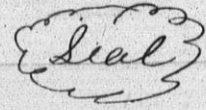
No-ra-se-tu-guar-et his + mark
or one that slides under the snow 

Sa-na-wab-se-wick his + mark
or Blue River 

A-ca-mu-che-ne his + mark
or Red Hand 

Mu-chu-chop his + mark
or Lock of Hair 

Sa-patch his + mark
or White Hand 

Linche 
or Left Hand

19
Witnesses to the Treaty:

Geo. G. Nicolay

Secretary to the Commissioner

Chas E. Phillips,

Asst. Secretary to Commissioner

J. M. Churton Col 1st Cav. of Col.,
Comdg Dist

Samuel F. Tappan

Spent Col 1st Cav. of Colorado

Charles Keeler

Capt. 1 Cav. of Colorado

A. P. Bennett

Capt 1st Cav. of Col.

Interpreters

Juan B. Valdes

Bernardo Sanchez

his
+
mark

Amador Sanchez

his
+
mark

✓
Morales 188
Mr. Cook,
Santa Fe N. M.
Oct 10, '63

Reports his return
from the Wash. Comm-
tee at Mexico, Cal.
Gen. and in reference
to the treaty concluded
with the Satequache
band of hills



Mr. Cook

Office Supt. Ind. Affs.
Santa Fe, New Mexico,
Oct. 10, 1863.

Sir:-

I have this day returned from the Utah Council at Conejos, in Colorado Territory, and am gratified to state that a satisfactory Treaty was concluded with the Tabeguache Band of Utes. The proceedings will be forwarded in due time by his Excellency Gov. Evans, of Colorado, and I hope receive the approval of the Hon. Commission and the ratification of the Senate.

It was the original intention of the Department that the Bands of Utes now within the jurisdiction of this Superintendency should be parties to the Treaty; but on account of difficulties that occurred in the Conejos only a short time previous, between the citizens and the troops stationed there, and a failure to understand properly the object of the Council, with an unwillingness to be attached to that Superintendency they

failed to attend.

I am of the opinion, however,
that a similar Treaty can be made with
the Capote and Pahrute at any time, by
which they will agree to settle in the
Valley of the San Juan. These Indians
are now better disposed than any in the
Territory; and I would respectfully re-
" commend that early steps be taken to se-
" cure them a permanent reservation, in-
" cluding that Valley as their future home.

Very Respectfully
Yr. Ofr. Sr.

McTeer

Supt. Ind. Affs.

Hon:

Wm. G. Dole,

Comr. Ind. Affs.

Washington City.

Comrade C. H. I.
Gen. of Comrade
Denver Oct 16, '63

Reports that in connection with Messrs. Steaks, Head and Whiteley Commissioners and with the assistance of Mr. G. West-
Hugh effected a treaty with the Siquachuan and other Indians, of which will be forwarded and originated by Mr. Wilcox. It will be sent to the State Treaty

File

refer to annual

Mr. [unclear] Special

Colorado Superintendency of Indian Affairs.
OFFICIAL BUSINESS.

Denver, Oct 16th 1863.

Hon W. P. Dole
Com^r Indian Affairs

Dear Sir
I have the honor
to report that in connection with my associates
Messrs Steck Head & Whitley of the
Commission appointed to hold a treaty
Council with the Utah Indians and
the valuable assistance of Mr. Nicolay
we effected a Treaty with the Tabeguache
Band of said Indians, on the 7th inst
a copy of which will be forwarded to
you and the Original carried in person
by Mr. Nicolay Secretary

Although we failed to secure
their assent to settlement on a Reservation,
you will perceive by the terms of the
Treaty, a provision by which such

Settlement may be inaugurated among them for a gradual Consummation.

The lands ceded, are probably the most valuable ever purchased by the Government from a single Indian Tribe, including as they do nearly all of the mining lands yet discovered in Colorado, and in fact a large amount of agricultural and grazing lands in addition thereto.

A full account of the expenses incurred will be forwarded in my quarterly report in a few days, from which it will be seen that a large part of the \$8000 set apart for the purpose still remains unexpended.

I have the honor to be

Very Respectfully

Your Obedient Servant

Jno. Evans

Gov. Salt & Court

Oct. 7. 1863

Wm. L. Norton
Denver Oct 16. 63

The copy of Treaty
made with the late
Arapaho band of
Indians



Land

Colorado Superintendency of Indian Affairs.
OFFICIAL BUSINESS.

Denver, Oct 16th 1863.

Dear Sir:

I have the honor to report that I returned to this place from Conejos on the 14th inst.

Only one of the bands of the Utahs, the Tabeguaches, were fully represented, and with these the Commission made a Treaty, a copy of which is herewith transmitted for the information of the Department. I shall start on my return in three or four days, and bring the original with me.

Your obt. servt.

Jno. V. Nicolay

Secy to Comm^r &c.

Hon. Wm. P. Dole

Commissioner of Indian Affairs
Washington D.C.

Whereas the Labaguache Band of Utah Indians claim an exclusive right to the following described country as their lands and hunting grounds within the Territory of the United States of America being bounded and described as follows to wit:

Beginning on the 37th degree of North Latitude, at the Eastern base of the Sierra Madre Mountains, running thence northerly with the base of the Rocky Mountains to the forty-first parallel of North Latitude, thence west with the line of said forty first parallel of North Latitude to its intersection with the Summit of the Snowy Range north west of the North Park, thence with the Summit of the Snowy Range southerly to the Rabbit Ear Mountains, thence southerly with the Summit of said Rabbit Ear Range of Mountains west of the Middle Park to the Grand River, thence with the said Grand River to its Confluence with the Guinnison River, thence with the said Guinnison River to the Mouth of the Uncompahgre River, thence with the said Uncompahgre River, to its source in the summit of the Snowy Range opposite the source of the Rio Grand del Norte, thence in a right line south of the Summit of the Serra La Plata range of Mountains, dividing the waters of the San Juan

River from those of the Rio Grand del Norte; Thence with the summit of said Range, South Easterly to the thirty seventh parallel of North Latitude; thence with the line of said parallel of Latitude to the place of beginning"

And whereas the said Indians for the purpose of maintaining friendly relations with the people and government of the United States of America and for the other considerations herein mentioned, are willing to cede a portion of said country and to enter into the covenants and agreements herein set forth the President of the United States of America by John Evans Governor of Colorado Territory and G. A. Crofts Superintendent of Indian Affairs for the same, Michael Steck Superintendent of Indian Affairs for the Territory of New Mexico, Simeon Whitley and Lafayette Head, Indian Agents duly authorized and appointed as Commissioners for the purpose, of the one part, and the undersigned chiefs and warriors of the Tabeguache band of Utoch Indians of the other part, have made and entered into the following Treaty, which when ratified by the President of the United States, by and with the advice and consent of the Senate shall be binding on both parties to wit:

Article 1

It is admitted by the Tohequache band of Utah Indians, that they reside within the territorial limits of the United States, acknowledge their supremacy and claim their protection. The said band also admits the right of the United States to regulate all trade and intercourse with them.

Article 2

Said Tabeguache band of Utah Indians hereby cede, convey and relinquish all of their claim, right, title and interest in and to any and all of their lands, within the Territory of the United States, wherever situated, excepting that which is included within the following boundaries Viz:

Beginning at the mouth of the Uncompaghe River; thence down Gummison River to its confluence with the Bunkara River, thence up the Bunkara River to the Roaring Fork of the same, thence up the Roaring Fork to its source, thence along the Summit of the Range dividing the waters of the Arkansas from those of the Gummison River, to its intersection with the Range dividing the waters of the San Luis valley from those of the Arkansas River, thence along the Summit of said Range to the source of the Sandy Creek of the San Luis valley, thence down the Sandy Creek to the place where its waters sink, at low water; thence in a right line to the point where the center of the Channel of the Rio Grande del Norte crosses the 106th line of longitude west from Greenwich; thence up the center of the main channel of the Rio Grande del Norte to the line of the 107th degree of longitude west from Greenwich,

thence south along said line to the summit of
the range dividing the waters of the Rio Grand
del Norte from those of the San Juan River,
thence along said summit westerly to a point
due south of the source of the Uncompahgre,
thence to said source and down the main channel
of said Uncompahgre River, to its mouth, the
place of beginning

Article 3

And it is further agreed, that the United States shall have the right to establish one or more military Posts, with their needful reservations upon the lands and hunting grounds not ceded by the Taliquiche band, in this treaty; also the right to locate, construct, and maintain rail roads and other roads, and highways through the same, and along the routes of the United States mail lines, at suitable points, to establish, ^{and maintain} stations.

The right of any citizen of the United States, to mine without interference or molestation, in any part of the country hereby retained by said Indians, where Gold or other metals or minerals may be found, is hereby also confessed and granted - And for all other purposes, excepting as herein stipulated, settlement by other persons than Indians is hereby prohibited.

Article 4

And the said Tabeguache band hereby gives its
consent that the Mohuache band of Utah Indians
may also be settled with them upon the lands and
hunting grounds reserved in this treaty

Article 5

And the said Tabeguache Band further agrees to give safe conduct to all persons who may be legally authorized by the United States to pass through their country; and to protect in their persons and property all Agents or other persons sent by the United States to reside temporarily among them.

Article 6

That the friendship which is now established between the United States and the Tabeguache band of Utah Indians, should not be interrupted by the misconduct of individuals, it is hereby agreed that for injuries done, no private revenge or retaliation shall take place, but instead thereof complaints shall be made by the party injured to the Superintendent or Agent of Indian Affairs or other person appointed by the President and it shall be the duty of the Chiefs of said Tabeguache band, upon complaint being made as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the United States, And in like manner if any robbery violence or murder shall be committed on any Indian or Indians belonging to said band, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed that Chiefs of said Tabeguache band shall to the utmost of their power, exert themselves to recover horses or other property which may be stolen or taken from any citizen or.

Citizens of the United States by any individual or individuals of said band; and the property so recovered shall be forthwith delivered to the Agents or other persons authorized to receive it that it may be restored to the proper owner. And for such property as any Indian or Indians belonging to said band may have taken from Citizens of the United States which cannot be restored, payment shall be reserved from the annuities which the said band is to receive, upon sufficient proof of the fact.

And the United States hereby guaranteed to any Indian or Indians of said band a full indemnification for any horses or other property which may be stolen from them by any of their citizens - Provided that the property so stolen cannot be recovered and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Tabequache band engages, on the requisition or demand of the President of the United States or of the Agents, to deliver up any white man resident among them

Article 7

And the Chiefs and warriors as aforesaid
promise and engage, their band will never,
by sale, exchange, or as presents supply any
nation or tribe of Indians, not in amity
with the United States with guns ammunition
or other implements of war

Article 8

For the period of ten years the said band shall receive annually, by such distribution as the Secretary of the Interior may direct ~~ten~~ thousand dollars worth of goods; and also ten thousand dollars worth of provisions

Article 9

For the purpose of improving their breed of Horses, the band shall receive five American Stallions the first year after the ratification of this treaty

✓
Copy No 11
J. G. Merlan,
Wash. Nov 6, '63

Leaves original of
the treaty negotiated
with the Abenaki
bands of the Indians

Recd Nov 6, '63

Filed

Lucas