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## **Ratified treaty no. 347, Documents relating to the negotiation of the treaty of October 20, 1865, with the Hunkpapa band of Sioux Indians. October 20, 1865**

Washington, D.C.: National Archives, October 20, 1865

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**RATIFIED TREATY NO. 347**

**DOCUMENTS RELATING TO THE NEGOTIATION OF THE  
TREATY OF OCTOBER 20, 1865, WITH THE HUNKPAPA  
BAND OF SIOUX INDIANS**

Unacapas - Oct. 20, 1865

Copy of Pak pah pah  
Treaty made at Fort  
Sally, October 20<sup>th</sup>  
1865

To be perused & i  
Part of the original

Original handed to  
Mr. Edmunds with  
the printed Sans Arce,  
October 26<sup>th</sup> 1865, for  
other signatures.

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TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

ONK-PAH-PAH BAND OF DAKOTA OR SIOUX INDIANS.

CONCLUDED OCTOBER 20, 1865.

RATIFICATION ADVISED, WITH AMENDMENT, MARCH 5, 1866.

PROCLAIMED MARCH 17, 1866.

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*Muscopapas - Oct. 20, 1865 -*

*Onk-Pah-Pah,*

*Oct. 20th 1865,*



**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 twentieth 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 Ah-ke-tche-tah-hon-skah, (The Tall Soldier,) Mah-to-che-kah, (The Little Bear,) and other Chiefs and Headmen of the Onk-pah-pah 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, superintendent 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 Onkpahpah band of Dakota or Sioux Indians.

ARTICLE FIRST.

The Onkpahpah 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 requisite, physical force, to prevent other bands of Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the government or people of the United States.

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 Onkpahpah band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

Oct. 20, 1865

## ARTICLE THIRD.

All controversies or differences arising between the Onkpahpah band of Dakota or Sioux 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 shall be 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 the said band the sum of thirty dollars for each lodge or family, annually, for twenty years, in such articles as the Secretary of the Interior may direct: *Provided*, That 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 Onkpahpah band of Dakota or Sioux Indians, represented in council, desire hereafter to locate permanently upon any land claimed by said band for the purposes of agricultural or other similar pursuits, it is hereby agreed by the parties to this treaty that such individual shall be protected in such location against any annoyance or molestation on the part of whites or Indians, and whenever twenty lodges or families of the Onkpahpah band shall have located on land for agricultural purposes, and signified the same to their agents 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, as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

## ARTICLE SIXTH.

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 Onkpahpah band of Dakota or Sioux Indians, have hereunto set their hands this twentieth day of October, eighteen hundred and sixty-five, after the contents had previously been read, interpreted, and explained to the chiefs and headmen.

NEWTON EDMUNDS,  
EDWARD B. TAYLOR,  
S. R. CURTIS, Maj. Gen'l,  
H. H. SIBLEY, Brig. Gen'l,  
HENRY W. REED,  
ORRIN GUERNSEY.

*Chiefs.*

AH-KE-TCHE-TAH-HON-SKAH,  
The Tall Soldier, his x mark.  
MAH-TO-CHE-KAH,  
The Little Bear, his x mark.  
MUZZAH-E-NOM-PAH,  
The Iron that Comes Out, his x mark.  
WAK-KE-AN-SKAH,  
The White Thunder, his x mark.

*Chief Soldiers.*

MAH-TO-NOM-PAH,  
The Two Bears, his x mark.  
CHA-TAN-ME-NE-O-ME-NEE,  
The Whirling Heart, his x mark.

*Chiefs.*

MA-TO-CHEWICKSA,  
Bear's Rib, his x mark.  
RUNNING ANTELOPE,  
Ta-to-kee-un, his x mark.  
THE MAN THAT HAS A HEART FOR ALL,  
O-en-e-chan-ta-u-can, his x mark.

*Soldiers.*

THUNDER HAWK,  
Cha-ton-wa-ke-on, his x mark.  
IRON HORN,  
Ha-ma-za, his x mark.  
PLENTY CROWS,  
Con-ge-o-ta, his x mark.  
THE MAN THAT FEARS THE EAGLE,  
Wam-bel-le-co-ke-pa, his x mark.  
SPOTTED BUFFALO BULL,  
Ta-tanka-ge-lis-ka, 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:

HEZ. L. HOSMER,  
Chief Justice of Montana Territory.  
S. S. CURTIS,  
Bvt. Lt. Col., U. S. V.  
E. F. RUTH,  
Sec'y of Commission.  
W. S. WOODS,  
Surgeon U. S. Vols.  
C. S. MORRISON.  
O. E. GUERNSEY.  
CHARLES DEGRE, his x mark,  
Interpreter.

The foregoing signatures in this handwriting (that of Genl. Curtis) were made in presence of the undersigned on the 28th and 29th Oct., 1865, at Fort Sully.

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 5th, 1866.

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

AMENDMENT:

Article 4, lines 4, 5, and 6, 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 sixth 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 :

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 Independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President :

WILLIAM H. SEWARD,  
*Secretary of State.*



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 Superintendent of Indian Affairs for the Northern Superintendency, Major Genl S. D. Curtis Brigd Genral H. H. Sibley, Henry N. Reed and Orion Lumsey, Commissioners of the part of the United States, duly appointed by the President. And the undersigned Chiefs, and Head men of the Onkpaupah Band of Dakota or Sioux Indians,

Article First

The Onkpaupah 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 requisite physical force to prevent other bands of ~~the~~ Dakota Indians or other adjacent tribes from making hostile demonstrations against the Government or people of the United States.

Article Second

Inasmuch as the Government of the United States is desirous to arrest the

The Effusion of blood between the  
Sisseton Tribes within its jurisdiction  
hitherto at war with each other  
the Onk-pah-pah Band of Dakota  
or Sioux Indians represented in Council  
anxious to respect the wishes of the  
Government, hereby agree to discontinue  
for the future all attacks upon the  
persons or property of other tribes. Unless  
first attacked by them, and to use  
their influence to promote peace  
every where in the region occupied  
or frequented by them.

~~Article Third~~ <sup>27</sup> All controversies, or differences arising  
between the Onk-pah-pah Band of  
Dakota or Sioux Indians 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~~ <sup>28</sup> The said Band represented in Council,  
shall withdraw from the routes over-  
land 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,

effusion of blood, between the Indian Tribes, within its jurisdiction, hitherto to its war with and after the Ouk-pah-pah Band of Dakota or Sioux Indians, represented in Council, anxious to respect the wishes of the Government, hereby agree to discontinue for the future, all attacks upon the persons and property of other tribes, unless first attacked 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 Ouk-pah-pah Band of Dakota or Sioux Indians, involving the question of Peace or War, shall be submitted for the arbitration of the President or such persons or persons, as may be designated by him, and the decision or award shall be 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 the non-interference with the persons and property of citizens of the United States travelling thereon, the Government of the United States agree to pay the said band the sum of thirty dollars for each lodge or family annually for twenty years, in such articles as the Secretary of the Interior may direct, Provided that said band, as 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 Ouk-pah-pah Band of Dakota or Sioux Indians, represented in Council, desire hereafter to locate permanently upon any land, for the purposes of agriculture or other similar pursuits, it is hereby agreed by the parties to this Treaty, that such individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians, and whenever twenty lodges or families of the Ouk-pah-pah Band shall have located on land 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, as also Teachers, at the option of the Secretary of the Interior, whenever deemed necessary.

### Article Sixth

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 Chief and Head Men of said  
Band,

In Testimony Whereof, The Commissioners  
on the part of the United States, and the  
Chief and Head Men, of said One  
band of Dakota or Sioux Indians,  
have hereunto set their hands, this  
twentieth day of October Eighteen Hundred  
and fifty five, after the contents had  
privately been read, interpreted and explained  
to the Chief and Head Men

Walter Edmunds

Edward B Taylor

S R Curtis

Major Genl.

H H Sibley

Chief Genl

Henry W Reed

Orin Guernsey

Oh ke tche tok low skal, The Fall Soldier his  
Mark  
Mah to che kal The Little Bear his  
Mark  
Muzgal e now pal The Iron that comes out his  
Mark  
Wak ke an skal The White Skins his  
Mark  
Mah to now pal The Two Bears his  
Mark  
Cha tan me ne o me see The Whistling Heart his  
Mark