



Documents relating to the negotiation of an unratified treaty of April 12, 1866, with the Shoshoni Indians. April 12, 1866

Washington, D.C.: National Archives, April 12, 1866

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**DOCUMENTS RELATING TO THE
NEGOTIATION OF AN UNRATIFIED TREATY
OF APRIL 12, 1866, WITH THE SHOSHONE INDIANS**

66.

Idaho ~~1866~~

Department of Interior;

Entered May 14. 1866.

Transmits original of treaty with
Sho-sho-nees concluded Apr. 12. 1866
also ^{copy of} letter of Gen. Lyons with record of
Council.

Held up by direction of the
Commissioner

{ for treaty & report of Council }
see Special file-box =)
File: "Treaties"

Land Grant

May 15 1866

INDIAN
OFFICE

Department of the Interior.

Washington D. C. May 14 1866

Sir

Herewith I transmit for
your early attention, the original of
a treaty concluded on the 12th of April
last with the Shoshone Indians of
Idaho Territory.

I also enclose copy of letter of Gov
Gov. of the 16th inst; with record of
Council.

Very respectfully
Your obd servt
J. S. Harlan
Secretary

The Commissioner
of Indian Affairs.

D. G. J. B.

Boise City, I. T.
April 16th. 1866.

Caleb Lyon of Lyonsdale,
Gov. & Ex officia Rupt. of Ind.
Affairs, Encloses treaty with
Sho-Sho-neez-le-

E. O. S. P.

Copy.

Boise City, Idaho Territory.

April 16th. 1866.

Hon. James Harlan,
Secretary of the Interior,
My dear Sir:

I have the honor to enclose you a treaty of peace concluded on the 12th day of April A.D. 1866 with the Owyhee Sho-Sho-neez.

The Council was held at Harlan Valley, Brunceau River, 150 miles from this city, and in the heart of the hostile Indian Country. 150 Chief Headmen & women made the Council, representing 800 or 1000 Indians.

By this treaty the Owyhee war has been extinguished. All the lands rich in minerals, known as the Owyhee mines are ceded to the United States. These people are a branch of those bands upon Kammas Prairie, which I have previously informed the Department, and with whom I was instructed to treat with.

By the prompt confirmation of this treaty by

the Senate, the establishment of an Agency on Harlan Valley (said Valley being 14 miles in length & from 1 to 2 miles wide) the whole of the roving Shos. Sho nez of southern Idaho can be gathered in one body and peacefully controlled.

During the whole negotiations, I had to labor against a public sentiment - viciously in favor of exterminating the Red men at all hazards, backed up by a press throwing ridicule upon all efforts towards tranquilizing the wronged and much abused Indians.

Your telegram was received in due time, 5 days from Washington, but your letter of instructions has not yet come to hand.

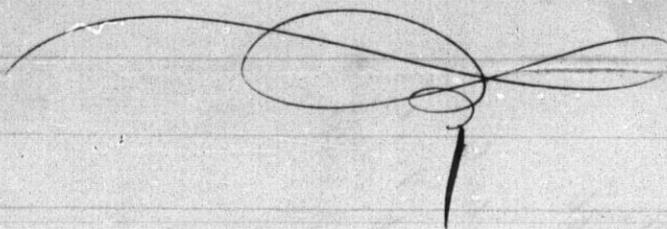
In my journey to the Indian Country I was accompanied by Major Marshall commanding Ft Boise who afforded me every aid in his power and the Rev. Hiram Hamilton who has taken a noble and philanthropic stand in favor of your policy of civilization & christianization.

Hoping the treaty may be speedily confirmed, as the best means of insuring a lasting peace,

I am Sir:

Your obt-servant,

(Signed) Caleb Lyon of Lyonsdale,
Gov. & Supt. of Indian Affairs for
Idaho Territory



Idaho - April 12 - 1866 -
L.D.D. 1866

Original of Treaty of April 12,
1806 - with
Sho-Sho-nees.

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Articles of Agreement and Convention made
and concluded on the Snake River or Bruneau
River in the Territory of Idaho this 12th day of April
A.D. 1866, by Caleb Lyon of Lyonsdale Governor and
Superintendent of Indian Affairs for the said
territory, on the part of the United States and
the undersigned Chiefs and Head Men of the
Bands of the Shoshonee, occupying & claiming
certain lands south of the Shoshonee River
between Salmon Falls and the mouth of
the Owyhee, and extending south to the
summits of the Goose Creek and Owyhee
range of Mountains.

Article 1st The said tribes and bands of
Indians, hereby cede and relinquish and
convey to the United States, all their right,
title, and interest in and to the following
lands and country occupied by them, bounded
and described as follows, viz; commencing at
the mouth of Goose Creek and extending
on the south bank of the Shoshonee River to
the mouth of the Owyhee, thence along the
summit of the Owyhee Mountains and the
Goose Creek range to where Goose Creek crosses
the summit of said range.

Article 2nd There is however reserved for the
present use and occupation of the said tribes

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and bands the following tract of land by
commencing on the Shoshonee River at Bash-
ho-no-fee, or Dry Creek's canon & extending
from thence to the mouth of the canon on Bruneau
or Go hoffer River & thence to the mouth of the
Piu. quw. a. ho. nif a castle creek thence extending
south to the crest of the Owyhee Mountains
thence along the summit of said range
known east of the Bruneau River as the
Goose Creek Mountains to where. Bash-ho-
no-fee or Dry Creek's canon pierces said range
thence down said Dry Creek's canon to the place
of beginning, and said tract shall be
surveyed and marked out for their exclusive
use, nor shall any white man be permitted
to reside upon the same without permission of
said tribes and of the Superintendent or Agent;
but if necessary for the public convenience, right
of way may be granted through said reservation,
but when Roads are run, the Indians shall
be compensated for any damage done thereby.
It is understood however that should the
President of the United States hereafter see
fit to place upon the same reservation any
other friendly tribes or bands to occupy the
same in common with those alone mentioned
he shall be at liberty to do so.

Article 3. The right of taking fish in the
Shoshonee or Snake River at their

accustomed grounds and stations is further secured to said Indians in common with all citizens of the United States together with the privilege of hunting and gathering roots on open and unclaimed lands. In consideration of the above cessions the United States agree to pay the said tribes and bands, the sum of \$80,000. that is to say as follows: Thirty (30) thousand dollars to be expended under the direction of the President of the United States, the first year after the ratification of this treaty, in providing for breaking up and fencing farms, building houses, and purchasing stock, agricultural implements &c and for such other objects as he may deem necessary, and the remainder in annuities as follows: The first 5 years after the ratification of this treaty, Six thousand dollars each year and for the next five years, four thousand dollars each year.

All of said sums for annuity shall be expended for the benefit of said tribes and bands of Indians under the direction of the President of the United States.

Article 4[#] The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

Article 5th

The said tribes and bands of Indians acknowledge their dependence on the Government of the United States and promise to be friendly with all the Citizens thereof, and they pledge themselves to commit no depredations on the property of said Citizens, and should any one or more of them violate this pledge, and the fact be satisfactorily proven before the Agent, the property taken shall be returned, or in default thereof compensation may be made by the Government out of their annuities.

Nor will they make war upon any other tribe or tribes of Indians except in self defence, but will submit all matters of difference between them and other Indians to the Government of the United States, or its agent for decision and abide thereby, and the said tribes agree not to shelter, nor conceal offenders against the United States, but deliver them up for trial by the authorities.

Article 6th

It shall be a punishable offence to bring ardent spirits upon the Reservation.

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Article ^{7th}

The United States further agrees
to establish an Agency within One year from
the ratification hereof between the first & second
Canyon in Staraw Valley (Pruneau or Go-holler
River) and to support for the period of twenty
years, an Agricultural & Industrial School
(which shall be free to the children of said
tribes and of other tribes that may be removed
hither) and to provide suitable teachers
therefor, to provide for a Blacksmith & Carpenter
shop & furnish them with the necessary tools
stocks &c, a Farmer, & a Physician &
necessary medicines. All of the Employees
are to reside upon the reservation. The expenses
to be defrayed by the United States and not
to be deducted from their annuities.

This Treaty shall be obligatory on the
Contracting parties as soon as the same shall be
ratified by the President of the United States

In testimony whereof, I, Caleb Lyon of Lyonsdale
Governor & Capt of Indians, and the undersigned Chiefs
and Head Men of the aforesaid tribes & Bands
of Indians, have hereunto set their hands & seals
at the place & on the day and year herein
before written

Caleb Lyon of Lyonsdale
Gov & Capt of Indian Affairs for U.S.

Koh-jo	(Sage Kow)	his + mark ♂
Lzame-nant	(Limb breaker?)	his + mark ♂
Ah-dah	(The good Father)	his + mark ♂
Wö-to-re-lee	(The Striker)	his + mark ♂
Poo-he-wah	(The little fish)	his + mark ♂
Pade-pee-gunt	(Girl looking)	his + mark ♂
Tew-chew-chew-tame	(Dies but reborn times)	his + mark ♂
Pan-doo-gon-hee	(Fish catcher)	his + mark ♂
On-din-go-shoee	(Little Beard)	his + mark ♂
Peo- Peo-wah	(Striped Squirrel)	his + mark ♂
Tim-bid-e-curr	(Rock breaker)	his + mark ♂
So-gott-see	(Mountain Sheep Lamb)	his + mark ♂
So-quoo	(Rattlesnake)	his + mark ♂
Pan-a-metzee	(Sunflower)	his + mark ♂
Unew-gunt.	(Low forehead)	his + mark ♂
So-dee-ouer	(The white buck)	his + mark ♂

Witnesses:

L. H. Marshall Major 14th Infants Comdty of Brn
 Biram Hamilton. Pastor of Baptist Church
 Newton Northam Special Agent
 J Jennings.
 J. B. Wallace
 S. E. McCauldry. Interpreter.

Wa-ye-no	Chief or	(The good man) his x Marks
Scho-wom-ba-ca	chief	(The biting Bear) his x Marks
Poo-wurr	Sub-chief	(Always ready) his x Marks
Zigen-diri		(The Rainbow) his x Marks
Poa-wedo		(Hooting Owl) his x Marks
So-say-a-wind		(The Swinging Swan) his x Marks
Paw-wa-cova		(Breaks Water) his x Marks
Sate-see-gah		(Squirrel of the Rocks) his x Marks
Pee-ah-sup		(Big Belly) his x Marks
Duf-w-ogan		(Arrow Maker) his x Marks
Ott-so-bono-geek		(The painted man) his x Marks
Patt-see		(Looks like a Woman) his x Marks
Wäh-häh-nett-see		(The Fox) his x Marks
Ki-ni-mah		(Antelope hunter) his x Marks
Oh-wahfs		(The Sucker) his x Marks
Po-itt-see		(The Wild Duck) his x Marks
Sosom-em-bumbee-wat		(No white hair) his x Marks
Tim-bitt-see		(Solid as a Rock) his x Marks
Zeets-o-wah-nee		(The man who counts a girl) his x Marks
Wäh-abb		(Ax Eater) his x Marks
Jah-nat-see		(Little knee) his x Marks
Coo-Coo-choo-ath		(Bearded Chin) his x Marks
Pah-hone-qunt		(Tobacco Man) his x Marks
Sam-o-dande		(Mountain sheep slayer) his x Marks
Moo-jo-ho-jo-atesee		(Smooth face) his x Marks
P-go-yate-see		(Little buck) his x Marks

Brothers:

Your Great Father at Washington has sent me to you to make a treaty of peace and friendship with you. He desires his Red Children and his White Children to live together in peace. He will send those who will come for and attend to your interests and watch over and guard you.

He desires you to cede to the United States all that tract of land you may claim title to, lying between the Arkansas and the Sho. Sho. nee Rivers. as far as Salmon Falls, and from thence south to the Arkansas River, reserving this valley for yourselves. and as much more as is necessary for hunting and fishing.

He wants you to learn to cultivate the soil, to keep horses and cattle as well as raise grain and potatoes for your comfort and subsistence. Your rights to your fisheries shall be guaranteed to you. The War Chief is with me, that you may see he is friendly to the redmen who are willing to do right.

You may think of what I have said and after we all smoke the pipe of peace. I will hear what you may answer.

Speech of Doe-Warr a (Always Ready)

Father. I speak to you. I am

glad you came with good words and one
tongue - the high mountain country is
all ours where the white men dig for
yellow iron - till now we never heard
of the Great Father in Washington -

We are Sho-sho-nees - till him we know
he is good to give us blankets. If he was
our Father, why did you not let us
know it before? - had Red Men come
among us - Steal horses and cattle from
the Whites - they live beyond our country
- beyond these mountains. For this, our
brothers are killed, our women are
killed for crimes we did not do.
Stop this and we are your friends. We
will give you the country where white
men now live, but leave ^{in peace} ~~no~~ a place
where we are - We do not lie, murder
nor steal. We want to be at peace, for
ever at peace. The words of the Treaty
are fixed in our hearts. The Great
Father at Washington we will listen to
with Eyes open. Ears open, hearts open
and do as you say. I sit down.

So - See - over a white cap said
Father - you call us brothers -
we call you Father because you feed us and
give us good things - we will obey the wishes
of the Great Father at Washington and give
him the Mountain Country for his own.
Let there be lasting peace. I feel I never
liked white men as well as now. I did
not know before the Red man had any
Father. I will always be the ¹⁸ whiteman's
friend - my heart is full. I will
keep the treaty this day made. I have
no more to say.

Wā ah - abb or (Op Eater) said
My heart feels good - we have found
two Fathers. One in Washington and
One here - who will take care of us, and
we are to be at peace - we ask no more -
take our lands as you desire, but leave
us what you have said you would. This
valley of the Happy Bridegroom. The hearts
of this Council are one. The treaty shall
be kept. The swans feathers we give you
as a token of our faith. I am silent

Tim - hido - e - cam a (Rock Breaker) said

Father: My ears are full of the

good thing news you tell us. that we have
a Great Father at Washington. I was
glad to hear it. He will take care of us
now and save us from being driven to
the canyons and being killed by bad
white men. We will make a straight
trail to do right. We will remember
all your words. Our friendship shall
now last forever. It will be good
for us to till the ground like white
men, and we will be glad to have
horses to ride and deer to eat.
We will be faithful to the promises of
the treaty. I shall be glad to see
the red and white man live in
peace. It is said.

Scho-nom-ha-ea or (Brting Bearer) said
Father; I was born on this river. - the
bones of my fathers lie in the crevices
of the rocks of these canyons or in the
springs of the valley. I want to stay here
Our tipis are of straw, our arrow
heads are stone, Skins are our clothes,
Deer, Elk, Fish, Antelope, Roots & Seeds
our food. This is given us by the great
spirit. We feel there is a better country

When we die, but we do not know where it
is - We desire to live here where we were
born, and to die here. We know there are
bad white men as well as bad red men
and bad white men, make bad red men,
cannot the Great Father at Washington
make them good. This days words will
keep summer and winter awake and will
punish all those who break them.

I am glad the War Chief came with
you. I see him with my eyes. Tell
the Great Father at Washington. You
know my heart.

Reply of Governor Lyon

Brothers. I am well
satisfied with what you have said.
I now hang upon the necks of your chief
the Silver Medal of the Great Father at
Washington, that you may have the memory
of this treaty near your hearts, and
may the Great Spirit of the Storms and
sunshine help you to keep it.

"Copy"

Koarlaw Hallay. Bruneau River I. S.
April 12th A.D. 1866

The Council was called to order by Caleb Lyon
of Lyonsdale. Gov'tt of Indian Affairs & Special
Commissioner to extinguish the title to Indian lands
in the Territory of Idaho and select Reservations
therefrom.

There were present on the bank of the
United States. L. S. Marshall. Major 14th U. S. Infantry
Commanding Det. of Boise. Rev. Horiam Hamilton
Newton Northern Special Agent and J. E. Mc Caudle
Interpreter. After smoking, prayer was offered by the
Rev. Horiam Hamilton. The substance of which was translated
to the Indians by the Interpreter. Gov'ryon then said. Brothers -
The good man of the White Men has just asked the Great
Spirit to help our deliberations, to keep you in health, and
that you may like to tell the Shoshonee People you
represent, of the friendship and peace that the
Great Father at Washington desires to make and
maintain. His Red Children are as dear to
him as his White Children, to deal honestly,
act justly, and obey wisely the Regulations
made for both Red and White alike
Let every one of the Eight hundred you
represent, hear the words from your lips
that I speak to you

Treaty concluded on the Co-hoffer river in Idaho.

April 12 - 1866 - by Gov. Lyon with chiefs and head-men of the Sho-sho-nees

Art. 1^o Relinquishes title to certain land territory

Art 2. Provides for a reserve. prohibits white men and provides that the President may settle other Indians in this reserve.

Art. 3 - the right to fish in the Sho-sho-nee at their accustomed places is secured to them also to gather roots and berries on unclaimed lands.

The sum of \$80,000 to be paid to them as follows:-

\$30,000 to be expended first year after rat. of treaty for breaking farm stock &c.

implements &c. and for such other objects as the President may deem necessary.

\$6,000 in annuities for 5 years - \$30,000

4,000 " " " 5 " 20,000

all of which to be expended under the direction of the President of the U. S.
(about 800 or 1000 Indians represented).

Art. 4. The annuities of the Indians not to be taken to pay the debts of individuals.

(over)

Art. 5. Acknowledge their dependence upon the Govt. — will return stolen property or allow it to be taken out of their annuities.

will not make war upon other Indians except in self defence.

will submit matters of difference to the Govt. — will deliver up offenders.

Art. 6. Punishable offence to bring ardent Spirits on the reservation.

Art 7. United States will establish an Agency within a year in Harlan Valley.

and support for 20 years:

an Ag. and M. School.

provide teachers

for a blacksmith and Carpenter shop tools &c. Farmer, physician and necessary medicines.

all the employees to reside upon the reservation — and to be paid by U. S. and not deducted from their annuities

Treaty to be obligatory when ratified by the President.