



LIBRARIES

UNIVERSITY OF WISCONSIN-MADISON

Documents relating to the negotiation of an unratified treaty of June 8, 1865, with the Ute Indians. June 8, 1865

Washington, D.C.: National Archives, June 8, 1865

<https://digital.library.wisc.edu/1711.dl/TWL25TUDLLMLU8Y>

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.

DOCUMENTS RELATING TO THE
NEGOTIATION OF AN UNRATIFIED TREATY OF
JUNE 8, 1865, WITH THE UTE INDIANS

June 8, 1865
Spanish Fork

~~Wm. H. Hunt~~
O. H. Hunt
G. L. City, N. H.
June 24, '65

Submit's Statement
Concerning a treaty
negotiated by him at
the Spanish Fork In-
dian Agency, in Utah Terr.
with Chiefs, Head men
and delegates of the
ancestral bands of
Indians, and also pro-
ceedings in Council and
copy of his letter to Gov.
Huntington in Missell, D. 1864

Ans. Sept 14/65

Copy sent to Sec
of State
June 26, 66
C.M.H.

Utah Sup J 260-65-

Miscell J - 15-4-69

Recorded on Page 154. Receipt of Justice

Certain Utah & Ute
Indians

Treaty

June 8-65-

Original

Recorded Dec 8/65-

Superintendency of Indian Affairs
Great Salt Lake City, U. T.

June 29th 1865.

Sir,

Owing to the Indian difficulties in the adjoining Territories which were having a bad influence upon our Indians and that they were very uneasy about the reports that had got among them, as to the policy of the Government in compelling them to relinquish their title to the lands of this Territory and being compelled by Military force to remove to the Utah Reservation.

I thought it dangerous to delay negotiations with them and believed it to be good policy to draw them in and to explain to them the objects and intentions of the Government and if possible to negotiate with them in pursuance of the Treaty bill approved 23rd February last.

Governor Doty thought I should proceed at once to carry out my instructions for fear that the Indians here might be drawn into alliances with other tribes hostile to the United States.

Ex-Gov. Young, with whom I consulted

in compliance with your instructions, coincided with us in the opinion that we should proceed at once to negotiate with them and that we should not wait the arrival of the goods. And it was also highly important that the business should not be postponed until the receipt of the goods, which would probably be in September next, for the reason that there would be too little time left between their arrival and the time when the Indians should go to their winter hunting grounds. To attend properly to the distribution of goods and preparing for winter and the negotiations with the different bands of Indians in Utah, it was best to employ the summer when I had more leisure and when it was more convenient to the Indians, in the special duty assigned me by your letter of instructions of the 28th of March last.

I therefore called the several bands of the Utah Indians to meet me at the Spanish Fork Indian Farm on the 6th of June last. I invited the Federal Officers and the Military Commandant of the Sub District and Ex-Gov Brigham Young to accompany me, to render such information and assistance

as they could. All of the Federal and Military Officers declined going because Brigham Young was invited, except the Governor, the U. S. Marshall, the Collector and Assessor, Secretary Reed, was absent at the time and could not be consulted. Governor Doty acted cordially with me in making the preliminary arrangements, but was taken suddenly ill in the evening before I started for the Indian Fair, his death occurred some ten days thereafter, and I may here say that I am indebted to the late Governor Doty for the support he gave me in the discharge of my Official duties. He took great interest in the Indian Service and I feel that I have in that respect met with an irreparable loss. I submitted to him a draft of the treaty, which was afterwards accepted by the Indians, and his last assurance to me was that he approved of my policy in every respect and advised me not to be discouraged by the opposition manifested by the other Officers of the Government who declared that rather than associate with Brigham Young on such an occasion, they would have the negotiation fail, that they would rather the Indians, than the Mormons, would

2

have the land.

Brigham Young accepted my invitation, a copy of which I herewith enclose, that it may be seen to what extent I committed the interests of Government to his hands, His name appears on the treaty as a witness only, and he acted only in advising the Indians to make the treaty as will fully appear from an examination of his remarks made during the proceedings of the Council, a copy of which I have the honor to enclose.

The fact exists however much some might prefer it should be otherwise, that he has pursued so kind and conciliatory a policy with the Indians that it has given him great influence over them. It was my duty and policy under your instructions to make use of his influence for the accomplishment of the purposes of Government.

I sent Interpreter Huntington to the place where the Indians were being collected to talk with them as they came in to explain to them the objects the Government had in view in calling them together and to prepare their minds for a favorable consideration of the

provisions of the treaty when I should arrive. He spent some days in mingling with them for this purpose.

I met the Indians according to appointment on the 6th of June and on the 7th submitted the draft of a treaty which was signed on the 8th. The following is a synopsis of its provisions.

- Sec 1. The Indians relinquish their right of possession to all of the lands within Utah Territory, occupied by them.
- Sec 2. With the exception of the Uintah Valley, which is to be reserved for their exclusive use and occupation. The President may place upon said reservation other bands of friendly Indians of Utah Territory.
- Sec 3. The said tribes agree to remove upon said reservation within one year after ratification of the treaty. Meanwhile they will be allowed to reside upon any unoccupied lands.
- Sec 4. The Indians to be allowed to take Fish at their accustomed places, also to gather roots, and berries on unclaimed lands.

provisions of the treaty when I should arrive. He spent some days in mingling with them for this purpose.

I met the Indians according to appointment on the 6th of June and on the 7th submitted the draft of a treaty which was signed on the 8th. The following is a synopsis of its provisions.

Sec 1. The Indians relinquish their right of possession to all of the lands within Utah Territory occupied by them.

Sec 2. With the exception of the Uintah Valley, which is to be reserved for their exclusive use and occupation. The President may place upon said reservation other bands of friendly Indians of Utah Territory.

Sec 3. The said tribes agree to remove upon said reservation within one year after ratification of the treaty. Meanwhile they will be allowed to reside upon any unoccupied lands.

Sec 4. The Indians to be allowed to take Fish at their accustomed places, also to gather roots, and berries on unclaimed lands.

Sec 5. In consideration thereof, the U. S. agree
First, To protect the said Indians and their said
reservation during good behavior.

Second, To pay or expend for their benefit \$25,000-
annually for 10 years, commencing with the year
in which they shall remove there, \$20,000- annually
for 20 years thereafter and \$15,000- annually for
30 years thereafter. It being understood that these
several amounts are fixed as the amounts to be
paid to, or expended for the said tribes and bands
of Indians upon the basis of their number being
5000 persons including men, women and children.
If it should however, hereafter, upon a census being
taken, be found that there is a material increase
or decrease of the said Indians from the number
as above stated, then and in that case the said amounts
to be paid to them, or expended on their behalf,
shall in the same proportion be increased or dimin-
ished as the case may be.

Third, For making improvements on reservation and
procuring Cattle for stock raising, the U. S. agree
to pay or expend \$3,000- as is already provided for
by Act of Congress May 5th 1804. Also to sell for
their benefit the present Reservations - viz Spanish

Fork, San Pete, Corn Creek and Deep Creek, in all 291,480 acres for not less than 6 1/2 cents per acre.

Fourth, To establish and maintain for 10 years at an expense not to exceed \$10,000 annually, a manual labor school, the Indians stipulating to keep all children between the ages of 7 and 8 years, at school nine months in the year. If they fail to do so the school may be abandoned.

Fifth, The U.S. agree to furnish a Mill for grinding grain and sawing lumber, one or more Mechanic shops and tools, houses for Interpreter, Miller and farmers, the cost of which not to exceed, excluding transportation \$15,000, and for the purpose of assisting them in agricultural and mechanic pursuits \$7,000 per annum for 10 years, the Indians agreeing to furnish apprentices and assistants for Mill and mechanic shops and 3 laborers to each white laborer. It is also agreed that the U.S. are to pay the cost of transporting all supplies Machinery &c.

Sec 6. The United States shall have the privilege of running roads or telegraph lines through said reservation.

Sec 7. The President may if when he thinks best cause the land to be laid out and assign the same to individuals or families of Indians who may consent to make it a permanent home. Also to build for each one of the principal Chiefs of each band one house and to plough and fence five acres of land and pay in money to each chief \$100 a year for 20 years to commence three months after the removal to Reservation. and to give to each chief three months after his removal to the reservation. 2 Yoke of Oxen, 2 Yokes and chains, one wagon, one plow, 10 Hoes, 6 axes, 2 shovels, 2 spades, 4 scythes & snaths, 1 saddle and bridle and one set of harness.

Sec 8. The annuities of the Indians shall not be taken to pay the debts of individuals.

Sec 9. The said Indians promise to be friendly and commit no depredations, if they do, the guilty one shall return the property taken or it must be paid for out of their annuities, nor will they make war on any tribe, except in self defence.

Sec 10. They further agree that no liquor shall be used by any of them and no white person

or persons shall be allowed to bring any upon the reservation."

I have used the \$10,000 treaty fund in paying the expenses of these negotiations and promised to give the Indians more presents on this account, on the arrival of the goods.

In order to meet the requirements of the occasion I have had to purchase some \$6369⁴⁵/₁₀₀ worth of goods more than the funds in hand would supply, but under the agreement of the parties from whom I purchased, that they would buy from the goods sent me on their arrival, enough of the same kind and quality at the same price they sold me, to make up the amount advanced. There being \$15,000 in goods purchased on the treaty bill I can make it up out of those and have some \$8630⁵⁵/₁₀₀ left to use among some scattering bands in the south, who were not in to the Spanish Fork Farm.

The results of our councils with the Indians have been all that we anticipated, they now understand the policy of Government and are willing to go to Wintah and the only trouble

we will have in the premises is that they will wish to go before we can get ready to take charge of them, and I hope to secure the assent of all of the Utah Indians to the treaty without making any further payments than are therein provided for.

I am

Very Respectfully Your Obedt Servt

D. H. Fisk

Supt Ind Affairs

Hon Wm P. Dole
Comr Ind Affairs
Washington
D. C.

Utah Sup - D. D. Co. 1863

(Copy)

Superintendency of Ind Affairs
Great Salt Lake City, U. T.

May 18th 1855.

Sir. I had recently the honor of transmitting to you a copy of the law passed by the last Congress for making treaties with Indian tribes in Utah together with the instructions of the Indian Bureau to me, for my government under the law, in which, among other suggestions I was advised to consult with and secure the cooperation of yourself and Governor Doty.

I have sent invitations to the chiefs of the several Bands of the Ute Indians to meet at this City on the 29th inst. in consultation and for the purpose of carrying out the provisions of the law referred to, so far as circumstances will permit.

I have therefore to ask your cooperation in the premises and to request you in connection with his Excellency Governor Doty to aid me in the proposed negotiations with the Indians by advising them to the course best calculated to promote their welfare and the interests of the people resident in Utah and to carry out the policy of Government in the extinguishment of the Indian title to the lands within this Territory.

I am

Very Respectfully Your Obedt Serv^t

O. W. Irish

Supt Ind Affairs

Ex Gov. Brigham Young }
City }

[Misc., 1869]. C. 154.

R

Sherwood

(Don't separate these sheets)

R

Articles of Agreement and Convention made and concluded at Spanish Fork Indian Farm, in the Territory of Utah, this eighth day of June, Eighteen hundred and sixty five, by C. W. Irish, Superintendent of Indian Affairs for said Territory, Commissioner, on the part of the United States, and the undersigned Chiefs, head men and delegates of the Utah, Yampah Ute, Pah-vant, Sanpete Ute, Tim-p-nogst and Gum-um-bah Bands of the Utah Indians occupying the lands within Utah Territory, on behalf of said Indians and duly authorized by them.

From - hang nday

Article 1.

The said bands of Indians hereby surrender and relinquish to the United States all their possessory right of occupancy in and to all of the lands heretofore claimed and occupied by them, as hereinafter mentioned, within the defined boundaries of the Territory of Utah as follows to wit, commencing at a point formed by the intersection of the thirty second degree of longitude west from Washington with the forty first degree of north latitude; thence due west on the forty first degree

77
32
144

of north latitude to the thirty eighth degree of longitude; thence due south on the thirty eighth degree of longitude to the thirty eighth degree of north latitude; thence due east on the thirty eighth degree of north latitude to the thirty second degree of longitude thence due north on the thirty second degree of longitude to the forty first degree of north latitude to the place of beginning.

Art. 11.

There is however reserved for the exclusive use and occupation of the said tribes the following tract of lands; viz "the entire valley of the Uintah River within Utah Territory extending on both sides of said river to the crest of the first range of contiguous mountains on each side" which said tract shall be, so far as is necessary, surveyed and marked out, set aside and reserved for their exclusive use and occupation nor shall any white person, unless he be in the employ of the Indian authorities, be permitted to reside upon the same, without permission of the said tribe, and of the Superintendent of Indian Affairs or United States Indian Agent.

It is however understood that should the President of the United States hereafter see fit to place upon the reservation, any other friendly tribe or bands of Indians of Utah Territory, to occupy the same in common with those above mentioned, he shall be at liberty to do so.

Art. **III.** The said tribes and bands agree to remove to and settle upon the said reservation within one year after the ratification of this treaty, provided the means are furnished them by the United States to enable them to do so. In the meantime it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied if with the permission of the owner.

Art. **IV.** The right of taking fish at usual and accustomed grounds, and stations is further reserved to said Indians in common with all white citizens of the Territory and of erecting temporary houses for the purpose of curing them, together with the privilege of hunting and gathering roots and berries on open and unclaimed

lands.

Art. V.

In consideration of the foregoing relinquishment of their right of possession the United States agree and stipulate as follows, viz:

First, To protect the Indians in the possession of the aforesaid tract of land reserved for their future homes, and their persons and property thereon, during good behavior on their part,
Second, To pay to them, or expend for their benefit the sum of twenty five thousand ($\$25,000^{00}/_{100}$) dollars per annum for ten years; commencing with the year in which they shall remove to and settle upon the tract of land hereby reserved for their exclusive use and occupation, twenty thousand ($\$20,000^{00}/_{100}$) dollars per annum for twenty years, from and after the expiration of the said ten years, and thereafter fifteen thousand ($\$15,000^{00}/_{100}$) dollars per annum for thirty years; all of which sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial

44F

objects to expend the same. It being understood that these several amounts are fixed as the amounts to be paid to, or expended for the said tribes and bands of Indians upon the basis of their number being five thousand (5,000) persons including men, women and children - If it should, however, hereafter upon a census being taken, be found that there is a material increase or decrease of the said Indians from the number as above stated, then and in that case the said amounts to be paid to them, or expended on their behalf, shall in the same proportion be increased or diminished as the case may be.

Third, For the purpose of making improvements in the Uintah Valley Reservation for the comfort of the Indians who may inhabit the same, to enable them to become self sustaining by means of agriculture, and to procure cattle for stock raising, the United States agree to expend in accordance with the terms of the Act of Congress approved May 5th 1864, and entitled "An Act to vacate and sell the present Indian reservations in Utah Territory, and to settle the Indians of said Territory in the Uintah Valley," the

X5F

sum of thirty thousand (\$30,000^{00/100}) dollars, that being the sum appropriated for this purpose by the said act of Congress, The United States further agree in pursuance of the aforesaid Act of Congress to sell for the use and benefit of the Indians, for the best price that can be obtained, the Indian reservations known as the Spanish Fork Reservation, containing fifteen thousand (15,000) acres, the San Pete Reservation containing ninety two thousand one hundred and sixty (92,160) acres, the Corn Creek Reservation containing ninety two thousand, one hundred and sixty (92,160) acres, and the Deep Creek Reservation containing ninety two thousand one hundred and sixty (92,160) acres, the four Indian Reservations aforesaid containing in all two hundred ninety one thousand, four hundred and eighty (291,480) acres, The amount realized from the said sale shall be applied, under the direction of the Secretary of the Interior, in the construction of improvements upon the said Utah Indian Reservation, or to the purchase of stock, agricultural implements, or such other useful articles as to him may seem best adapted to the wants and requirements of the

Indians settled thereon in pursuance of this Treaty; Provided, that if the United States should sell the said lands at an average price of less than sixty two and one half cents per acre, then and in that case the amount that the said lands would have realized if sold at that price shall be made up to the Indians and be expended for their benefit by the Secretary of the Interior as aforesaid.

Fourth, The United States agree to establish and maintain for ten years, at an ~~annual~~ expense not to exceed ten thousand (\$10,000^{00/100}) dollars per annum a manual labor school for the education and training of the Indian youth in letters, agriculture, the mechanic arts, and housewifery; which school shall be managed and conducted in such manner as the President of the United States shall direct; the said bands of Indians hereby stipulate to constantly keep thereat, during at least nine months in every year, all their children between the ages of seven and eighteen years. It is further agreed that such measures may be adopted, to compel the attendance of the children at the school, as the President may think proper: and direct; and whenever he

shall be satisfied of a failure to fulfil the aforesaid stipulation on the part of the Indians he may, at his discretion, diminish or wholly discontinue the allowance and expenditure of the sum herein set apart for the support and maintenance of said school.

Fifth, The United States agree to provide the Indians with a mill suitable for grinding grain and sawing timber, one or more mechanic shops, with the necessary tools for the same, and dwelling houses for an interpreter, miller, engineer for the mill, if one be necessary, farmer and the mechanics that may be employed for their benefit, the whole not to exceed in cost the sum of fifteen thousand (\$15,000^{00/100}) dollars, and also to expend annually, for ten years, an amount not exceeding seven thousand (\$7,000^{00/100}) dollars, for the purpose of furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of said mill, as the Secretary of the Interior may consider advantageous and necessary for them. The tribe and bands of Indians hereby stipulating to furnish from their tribe the number of young men that may be

required as apprentices and assistants in the mill and mechanic shops, and at least three persons to work constantly with each laborer employed for them in agricultural pursuits, it being understood that such laborers are to be employed more for the instruction of the Indians than merely to work for their benefit.

They do further stipulate and bind themselves to prevent any of the members of their tribe from destroying or injuring the said houses, shops, mill, machinery, stock, farming utensils, or any other thing furnished them by the Government, and in case of any such destruction or injury, or of any of the things so furnished being carried off by any member or members of their tribe, the value of the same shall be deducted from the tribal annuities, and whenever the President shall be satisfied that the Indians have become sufficiently confirmed in habits of industry and advanced in acquiring a practical knowledge of agriculture and the mechanic arts, he may at his discretion, cause to be turned over to the tribe all of the said houses and other property furnished them by the United States, and dispense with

B-7

than the United States, the lines of which shall lie through said tract, shall have the right of way through the same; the fair and just value of such right being paid to the said tribe and bands of Indians therefor by the party or parties authorizing the same or interested therein; to be assessed and determined in such manner as the President of the United States shall direct. And it is hereby further stipulated that any substantial improvements heretofore made by any Indian and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

Art. VII.

The President may hereafter when in his opinion, the interests of the Indians will be promoted by so doing, cause the whole or any portion of the lands hereby reserved to be surveyed into lots, and assign the same, under such terms and subject to such conditions as he may deem best for the Indians, to such individuals or families of the tribe or bands as are willing to avail themselves of the privilege and will locate on the same as a permanent home. The

than the United States, the lines of which shall lie through said tract, shall have the right of way through the same; the fair and just value of such right being paid to the said tribe and bands of Indians therefor by the party or parties authorizing the same or interested therein; to be assessed and determined in such manner as the President of the United States shall direct. And it is hereby further stipulated that any substantial improvements heretofore made by any Indian and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

Art. VII.

The President may hereafter when in his opinion, the interests of the Indians will be promoted by so doing, cause the whole or any portion of the lands hereby reserved to be surveyed into lots, and assign the same, under such terms and subject to such conditions as he may deem best for the Indians, to such individuals or families of the tribe or bands as are willing to avail themselves of the privilege and will locate on the same as a permanent home. The

United States agree to build for the head chiefs of the Utah, Yampah Ute, Pah-rant, Sanpete Ute, Tim-p-nogs and Cum-um-bah bands, each, one dwelling house, and to plough and fence five acres of land for each, and to pay to each, one hundred (\$100⁰⁰/₁₀₀) dollars per annum for the term of twenty years, the first payment to each of the said chiefs to commence upon his removal to the said Reservation. The United States further agree to give to each, within three months of his removal to the Reservation, two yoke of oxen, two yokes and two chains, one wagon, one plow, ten hoes, six axes, two shovels, two spades, four scythes and snaths, one saddle and bridle and one set of harness.

Art. VIII. The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

Art. IX. The said tribes and bands acknowledge their dependence on the Government of the United States and promise to be friendly with all citizens thereof and they pledge themselves to commit no depredations on the property of such citizens, 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, or if injured or destroyed, compensation may be made by the Government out of their annuities; nor will they make war on any other tribe, except in self defence, but will submit all matters of difference between them and the other Indians to the Government of the United States or its Agent, for decision and abide thereby, and if any of the said Indians commit depredations on other Indians within the Territory, the same rule shall prevail as that prescribed in this article in cases of depredations against Citizens, and the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

Art. X. The above tribes and bands are desirous to exclude from their reservation the use of ardent spirits and to prevent their people from using the same, and therefore it is provided, That any Indian, belonging to said tribe and bands, who is guilty of bringing Liquor onto said reservation, or who drinks Liquor, may

have his or her proportion of the annuities withheld from him or her for such time as the President may determine, also, that no person, not belonging to the tribe or tribes, or band or bands, occupying this Reservation as before stated, shall be permitted to take Liquor or any intoxicating drink on to said Reservation without special permission from the Secretary of the Interior.

Art. XI. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said O. N. Irish, Superintendent of Indian Affairs for Utah Territory, and the undersigned Chiefs, headmen and delegates of the aforesaid tribes and bands of Indians have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

O. N. Irish
Supt Ind Affairs and
Commissioner

Sow-ett	(Nearly Starved)	his X mark
Kon-osh	(Man of white hair)	his X mark
Tabby	(The Sun)	his X mark

To-gio-ne (Black Mountain Lion)	his X mark
Sow-ok-soo-bet (Arrow Feathers)	his X mark
An-Kar-tew-ets (Red Boy)	his X mark
San-pitch (Bull Rush)	his X mark
Kibets (Mountain)	his X mark
Am-oosh	his X mark
An-Kar-aw-keg (Red Rifle)	his X mark
Kamp-peades (Foot Mother)	his X mark
Pan-sook (Otter)	his X mark
Pean-up (Big Foot)	his X mark
Eah-gand (Shot-to pieces)	his X mark
Kari-ent (Powerful)	his X mark
Que-o-gand (Bear)	his X mark

Executed in the presence of -

Brighton Young
 Gen. A. Smith
 Pres. Legislative Council

John Taylor Speaker
 House Representatives
 H. C. Doll clerk
 D. B. Huntington Interpreter
 Utah Superintendency
 Geo W. Bean Interpreter
 Spanish Fork Farm
 C. A. Huntington
 Interpreter Utah Agency

Utah Sup. 1960-1965

Council Proceedings

Proceedings of a Council held by
O. H. Irish, Superintendent of Indian
Affairs, with the "Utah" Indians for
the purpose of negotiating a treaty
with them for the extinguishment
of their title to the lands within
"Utah Territory in pursuance of the Act
of Congress, of February 23rd 1865, entitled
"An act to extinguish the Indian title
to lands in the Territory of Utah suitable
for agricultural and mineral purposes."

At a Council of the Utah
Indians, held at Spanish Fork Indian
Reservation, commencing on the seventh
of June 1865, at which the said Indians
were represented by the following chiefs
- viz:

Sow-e-ett (Nearly Starved) Chief Yampah Utes
Hon-osh (Man of white hair) " Pah-vants
Tabby (The Sun) " Yampah Utes
To-guo-re (Black Mountain Lion) " " " "
Sow-ok-soo-let (Arrow Feather) " San pitch Utes
An-kar-tew-ets (Red Boy) " Timpanogs Utes
Kibets (Mountain) " Spanish Fork Utes
Am-oach " Curra-run-bahs
An-kar-aw-keg (Red Rifle) sub chief Pah-vants
Kamp-peads (Foot Mother) " " Timpanogs

Jan-look (Otter) sub chief Uttes
Jean-up (Big Foot) " " Pak vanta
Eah-gand (Shot to pieces) " " do
Nar-i-ent (Powerful) " " do
Que-o-gand (Bear) " " Uttes
San-pitch (Bull Rush) chief Uttes

and the United States was represented
by O. H. Irish, Superintendent of Indian
Affairs, as Commissioner, whereupon
the following proceedings were had:

Supt Irish (addressing the Indians. Huntington
Interpreter) A few weeks ago, there were bad
Indians came into San-pete Valley and drove
off cattle and killed some of the settlers, I
sent down there to inquire into the facts
and to inquire if any of these Indians
were engaged in the depredations. Those
who were sent came back and told me that
the Indians that live here were angry with
those Indians; that they wanted to be friends
with the whites and protect them instead
of committing depredations upon them.
I inquired who were the men that were
active; who were the Indians that felt
thus; and the white people there gave
me the names of two Indians that they
said deserved well of the whites, that
in this time of trouble they had stood
by them as the friends of our people

and tried to keep peace between the Indians and the whites; and I wrote to this man (Geo. W. Bean) to tell those Indians I would remember them. This morning, the first time I have seen them and met with them, I remember them a little today, and I am going to remember them again and again, as I see them from time to time hereafter, just as I will remember other Indians who do the same in time to come. This (handing a Blanket to each) is intended for To-quo-ne, and this for Joe ("low-ok-soo-bet") I shall talk with them again upon this subject, from time to time whenever I see them; and I shall give them more presents. This is just a commencement. I shall never forget those two men in their efforts to defend the whites.

There were some of our Indians away over in Uintah Valley, sent there before the snow fell. I was anxious to hear from them, to know how they were living. I sent to this man (Bean) to get me two good Indians who would go over the Mountains to see their friends and report to me how they were. He asked around among the Indians and they said it was cold; some of them were sick; and all of them had a good many excuses; and he wrote

to me that he could not get any of them to go. I felt ashamed of the Indians then. I wrote to him to say to them that I wanted them to go and I would see they were taken care of, that they should trust me. When he told them that there were two men said they would go. They went; they saw their friends, and came back and told me what I wanted to know. I then paid them for it; and today I want to give them something more to let them know I remember them again (Gave Blankets).

I told Tabby and his Indians, when I was here, before they went over the mountains last fall, that if any settlers in this valley lost horses or other property, and if the Indians found it and would restore it or bring it in, I would reward them. I have asked whether any such cases have occurred and they tell me, they have not; and until I learn that there has, I will keep my presents for those men who do so. When they do this - when they go out and hunt for stolen property and bring it in, and show they are good Indians, then they may let my friends here know and they shall have something to reward them.

2

I am done now talking on any other subject than that which has brought us together. The great Father at Washington has directed me to call his Indian children together and talk to them of matters that concern their future welfare. That in the important matter we have to consider we may act wisely and well, I have requested Gov. Doty (who was absent on account of sickness) and Ex Gov. Young and others who are here today to meet with us and advise with us upon what is best to be done; to assist you in arriving at correct decisions on matters that shall affect the future welfare of your people.

You are the chiefs, the leaders, the head-men of your people. You stand before them today to lead them into a road of prosperity or one in which they will be poor and weak and suffering. The Great Spirit in Heaven, who controls you and me and the great Father at Washington, wishes this ground upon which we stand, upon which you and your fathers have lived, to be used for the purpose of producing grain, corn and such things as go to make his children comfortable, happy and prosperous; therefore He has put it into the hearts of white men to come here and open farms and build

houses. Because they have acted upon the thought He put into their hearts, from a poor people they have become, as you can see today, prosperous and happy.

The same Great Spirit that led them here, has put it into their hearts, into the hearts of their leaders, and into the heart of the great Father, to extend the same privilege to you; and therefore we are here today, and propose to make a treaty that you shall agree that so much of the land which you have here-to-fore occupied, shall be occupied by the whites and belong to the Government that your friends and brothers, the white children of the great Father may live happy, peaceful and unmolested upon it. And that other land shall be occupied by you and your children alone. And the great Father, that you may be prosperous and comfortable in the future, proposes to give you farms and houses and goods. I now say to you that, if you sign this treaty you shall have farms and houses and goods, and this is why I wish you, the leaders of your people standing today where you are to decide for their future welfare, to say plainly whether they and you shall pursue the road to prosperity and peace, or want

and trouble and sorrow. Will your decision be such as will make your people happy and prosperous, in the future, or will you decide to be poor, miserable and unhappy? We wish to know whether you will gain a living the same as white men do and prosper in the same way, or whether you will dwindle away in idleness and ignorance. I trust your decision will be one that when your children shall visit your graves hereafter they will say - This is the grave of my father; he was a wise man and knew how to decide well; he looked to the present and the future; he loved his people. I had the Interpreters yesterday read this treaty to you and explain it so that you might think it over. I will now read it again.

(Treaty read)

Supt Irish. This treaty, after being signed, is to be submitted to the great Father's counsellors at Washington, for them to agree upon it also. I have done for the present.

Kon-osh, (Bear Interpreter) We have agreed that four chiefs shall do this talking. Here is the father of all the Utes, Sow-e-ett. He used to be the great chief and father of us all, but now he is very old, poor, and blind, he has no flesh on his bones, he is going

down. We want Low-e-ett to talk and all
to listen, both ittes and whites. I am only a
boy and do not know how to talk very well.
I might talk two ways and think two ways,
I do not understand things as the old men
do, things that are good and right. We expect,
now there is a chief come from Washington,
who talks one way, understands things one
way and understands them right, that he
will always talk one way. In past times,
the Washington chiefs that came here from
the United States would think and talk
two ways and deceive us; they always talked
and thought different from Pres. Young.
They have been liars, two tongues and two
hearts. I do not want to make any hard
talk. I want the Washington chief who talked
and thought straight, and all his brothers and
friends, to hear and understand. In former
times, this land, where I laid my father,
was very poor, but now it is not poor, it is
got to be a good land since Pres. Young
and the Mormons came here. All their
children have plenty to eat, and they have
plenty of property. I have but few brothers
and friends, and do not see what use it
would be to trade the land where there are
so few of us. Whatever we would trade
for would be all gone soon, whether

blankets, or hats, or shirts, or money. The money
 would soon go in the stores and the other things
 would soon be done. If the Americans buy
 the land, where would the Mormons, who live
 here go to? Will the Lord take them up to his
 country? I think this is the Mormons' land
 the Bishops' land, with the Utahs; Let them
 all live here together. I do not want to cut
 the land in two. Let it all remain as it is.
 Suppose the Americans do buy the land here,
 and put the Utes off over to Uintah, will
 the Utahs take the American squaws with
 them to raise American children. I have
 worked at Corn Creek a long time and I
 have got nothing. President Young gave
 me five cows, and when the grasshoppers
 came and eat up my grain I had to sell them
 to get something to eat. They did not bring
 me any blankets or anything, but I did not
 quarrel about it. I suppose the Washington
 chief is not afraid to let us remain here,
 go to Saupete or Uintah or where we like;
 that is what we want. I am glad
 we have come together here. I like to see
 the Washington Chief and Brigham and all
 the Indians together. With regard to these
 troubles in Saupete, I wish it understood
 that I am not in favor of it any more
 than you are. My fathers were

very poor. My father was swapt poor; he had nothing to trade; and my Indians now have got but little they can trade. It is all right to let us stay where we are. Let me stay at Corn Creek and visit back and forth; let the Spanish Fork Indians visit us and we visit them. If they do not want to work here, let them come with me. Suppose Brigham, our eldest brother, was to die, where would the Indians all run to. When they know he is at Salt Lake City, it is all right. Brigham is the great Captain of all, for he does not get mad when he hears of his brothers and friends being killed, as the California Captains do. The best thing is for the Superintendent to give us our blankets and shirts, and not talk about trading the land, but let us live and be friendly together. Give all of us blankets and shirts - squaws and all, and do not make us feel poor, but clothe us up.

The Indians asked, What time the treaty came from Washington?

Capt Irish replied, A few weeks ago.

San-pitch (Bear Interpreter) I am not going to talk about the treaty; I do not question the paper, but I do not want to trade the land nor the title to the land. It used to be the Lord's

land, but now it is the Mormon's land and ours. The Maker of the land is probably dead, and buried now. It is not the Utes' land now. I am friendly to both parties, both the Americans and Mormons, and I do not care anything about the talk of the boys. The Americans do not want to trade ~~the~~ ~~trade~~ the land for money; they are hunting money. I am a friend to everybody and do not care for small talk. Others have traded the land and quarreled about it in the Mexican Country. But this is good, heavy land, lots of water and rocks; and I want it to stay here and us to stay here with it. We do not want to be removed from the land. The Utes are not numerous compared with the people here. The whites make farms, get wood and live on the land and we never traded the land. They have two children to the Utes' one; they are double in numbers to us; let them live here and us live here too. If the talk is for us to trade the land in order to get the presents, I do not want any blankets or any clothing. If that is to be the way they are to be got, I would rather do without, than to give up my title to the land I occupy. We want to live here

as formerly.

Ex Governor Young (Huntington Interpreter)
San-pitch, Sow-e-ett, Tabby, and all
of you, I want you to understand what
I say to you. I am looking for your welfare.
Do you see that the Mormons here are increasing?
We have been and calculate to be friends
all the time. If you do not sell your land
to the Government, they will take it, whether
you are willing to sell it or not. This is the
way they have done in California and Oregon.
They are willing to give you something for
it and we want you to have it. If you go
to Uintah, they will build you houses, make
you a farm, give you cows, oxen, clothing,
blankets and many other things you will
want. And, then, the treaty that Colonel
Irish has here, gives you the privilege of
coming back here on a visit; you can fish,
hunt, pick berries, dig roots and we can
visit together, Now-ash, San-pitch, Tabby
and the rest of you, can come and see
me when you please. The land does
not belong to you, nor to me, nor to the
Government; it belongs to the Lord. But
our Father at Washington is disposed to
make you liberal presents to let the
Mormons live here. We have not been
able to pay you enough, although we have

helped you a good deal. We have always
fed you, and we have given you presents,
just as much as we could; but now
the great father is willing to give you
more; and it won't make one particle
of difference whether you say they may
have the land or not, because we shall
increase, and we shall occupy this valley
and the next, and the next, and so on till
we occupy the whole of them; and we are
willing you should live with us. If you
will go over there and have your houses
built, and get your property and money,
we are perfectly willing you should visit
with us. Do you understand that, Nonosh?

Non-osh (and others) We do.

We feel to do you good; and I know that
this treaty is just as liberal and does
everything for you and for your people
that can be done. If it were not so, I
would not ask you to sign it. But as for
the land, it is the Lord's, and we shall occupy
it, and spread abroad until we occupy
the whole of it; and we want you and
your children to live, so that you can
live with us and our children. Now, if
you can understand this, you can see
at once that we do not want anything
wrong of you.

Indians - It is enough.

Tabby (Bear Interpreter) The hearts of the Indians are full; they want to think; wait until tomorrow; Let us go back to our lodges and talk and smoke over what has been said today. The Indians are not ready now to give up the land; they never thought of such a thing.

Sow-e-ett (Bear Interpreter) Here you see the Mormons and the Utahs all mixed together, I am the father of you all, I have always been the friend of the Americans (Mr Young, "He Has.") I have never thrown away my friendship for the Americans; I always liked to be a great friend to them.

(Supt Irish - That is what everybody says of you.) Long ago I was the Americans friend. After a while Brigham and the Mormons came here. I saw him and he was my son, my friend. I have always been the same, and I was the Americans friend long before that.

When I met President Young we talked and understood each other, me and my children the Utahs, and Brigham and his children. When some of my children stole horses and acted bad, did I break my friendship? No; never. I have heard from Col Irish time and time. I heard he wanted to see me, but I was too sick. When my sons die and the

X
Americans die there was never any quarrel between them. I never felt like breaking friendship; I do not want to see it, I am old; my heart is very weak now, but it is good.

The meeting separated and the Indians returned to their lodges very much excited, unwilling to talk any more about giving up their land.

During the afternoon and evening the different chiefs and Indians visited Supt Irish and talked about the treaty informally and Supt Irish visited them in their camp with the Interpreters.

Thursday June 8th 10. A. M.

The Council reassembled, all present except "San-pitch."

Supt Irish, (Huntington Interpreters)

I wish to ask the Utah chiefs this morning, if they have eyes that they can see; if they have ears that can hear; if they have hearts that can understand. If they have I will not have occasion to repeat what was said yesterday. Are you prepared to give me your answer, that I may tell the great father your decision. Shall I tell the great father, that when he stretches

out his hands to you full of gifts and benefits, you reject them; that when he sends to you men in whom you have confidence to give you counsel and advice, you refuse to receive it; that having eyes, you refuse to see, ears, you refuse to hear and hearts, that you will not understand. The great father does not wish us to stand waiting, He has other interests and other business for me to attend to; and he desires that I shall be employed at something else. We have come here today to settle this question. Do as you please; decide for yourselves. Give me your answer. Are you ready to take the advice that was given to you yesterday? Do you need to have anything more said? Are you not men that can think for yourselves? Shall we waste time in talking? Now is the time to act, say now what you will do.

Sow-e-ett, It is good, We will sign.

Supt Irish, "Sow-e-ett, you are an old man, but if you live a year, you will live long enough to be glad of having signed this treaty.

The chiefs then attached their Marks to the treaty.

Supt Irish, (Huntington Interpreter)

17
5

The treaty is made, and I trust it will be a bond of peace and prosperity between you and the people and the Government, as long as these hills, around us, endure. When the great father told me to come and see his children in Utah, I asked him what he wanted me to do. He told me to do such things as would promote the interests of the Indians and the people in these mountains. If you live up to this treaty, if you keep it, you commence today a career of prosperity for yourselves and your children and the time will not be far distant when, if you will work and make use of the advantages it affords, you will be living in houses of your own, when you will have little farms of your own, when you will be gathering into your barns the produce of your farms, and by the side of your own fires you will be surrounded with your children in comfort. The man who looks at you today, and will look at you a few years hence, would not think you the same people.

All this will most assuredly be, if you do right, if the provisions of that treaty are kept sacred and inviolate by you.

Ex-Gov. Young. (Huntington Interpreter)

I have the same regard for you that I have for all who will be friends to God

and righteousness. We can read and write, and we wish you to learn to do so too, and to increase in intelligence. I have looked for your welfare just as I would look for my own or my own children's. I want you to remember what has been said to you here; and I shall do hereafter all that I can for your good. Supt Irish, who has been sent here by Government, has done everything that he possibly could for your welfare. We wish he could stay here always, but by-and-by he will go and somebody else will come, and we do not know who it will be. But, remember, I shall always look for your welfare, ready to give you good counsel and advice. You can always receive all you have received by kindness, be fed and nourished by the people here just as you have been. You know how you were when we came here, and that you are a great deal better off now than you were then. We have never sought to hurt you, to take anything that belonged to you, nor to destroy anything of yours; but we have sought to save your lives; and we want you still to live and be good men, good women, good children, and grow up to enjoy yourselves. But if you go and do as you are requested to do, your condition will be still better.

I want to say a word to you about this
command of soldiers that is coming here,
They are within 10 or 15 miles of us here, and
they want to go to work in the Canyon.

They are waiting now just to please you.
Are you willing they shall march through here?
Will you be afraid if they do? Colonel
Johns will come tomorrow this side of
Payson; next day to the Canyon. Supt
Irish wants you to stay here and enjoy
yourselves a few days. Now, I will promise
you, if you will keep away from the soldiers,
that they will not come nigh you, nor say
a word to you. Will you keep away from
them?

Indians - Yes.

Mr Young - Stay here till you get your
presents and make your display. I want
you to remain here and enjoy yourselves,
eat and drink, so that when you go away
you will feel good, right, and in peace,
as we have been all the time.

Indians - All right.

Mr Young - Then we will be brothers, may
the Lord bless you.

"Kou-osh" (Sean Interpreter) The talk
has been all good. I have been thinking good.
All our hearts are good, and alike. I like
this good, friendly council. I always liked

a council where it is good and friendly
and where all agree together; and my friends
like it. It pleases me very much to see Supt.
Irish and Brigham agreeing on this treaty
and traveling together and talking to the
Indians. In former times it has been
when an Agent came here President Young
would stay at one side; and I was sorry
that they could not agree. . . There are only
a few children growing up. What they will
be by and by I do not know; but they are
only a few now. The whites are increasing
all the time. I am very glad to see the
soldiers traveling about the country friendly
and not shooting the Indians, but all good
peace. Formerly my Indians did not know
what was the use of powder, and lead and
caps, but now they do. We hope our father
will give us some in the presents. When
I understand that I can travel back and
forth in the country, can trade my lands
and continue to visit the country. I like
that. For many years I have plowed and
worked at Corn Creek and did not get
blankets nor anything. Brigham knows that.
Agents have come from Washington; but would
stop and never come nor bring me blankets.
They would send and make promises but never
fulfil them. It is all right, in this treaty!

The Americans can come and hunt their money and live here. We do not want to quarrel. It is all good peace and good friendship, and we all understand alike, now we are ready for the presents; fetch them out and deal them out. We don't want the father to hide up anything. Fetch all out.

Supt Irish - You can go and see if anything is left, after they are distributed.

Kon-osh - That is all right.

Supt Irish - The great father will see the name of "Tabby" and want to know what he says.

Tabby - What shall I talk about? I would say only the same as you talk, and as President Young talks. I do not want to talk any other.

Mr Young - It is all right!

Tabby - (Bear Interpreter) It is all right. It is good to see you two fathers and all of you think alike. I love all of you, the Mormons, the Americans and all of you. I always liked to see the Mormon boys working on the land and feeling good. I know that all of these want to go over to Uintah. Part will go now, but all will not go yet awhile. Old "White-eye" who is over beyond, when he understands, will come in and be with you. Fetch out your presents -

all of them. We are not quarrelsome. What should I quarrel about? I love all of you, and I do not want to see blood shed on the land. I want you to send a good father to Uintah; one that won't quarrel with us. I would like one like you, Supt Irish, or President Young. There are some boys not like me and "Hon-osh" - boys that will steal and run away with stock, but they are not here. Here are boys that are poor, don't be stingy with them. I think you won't lie like other chiefs who have been here. They would bring blankets and other things here to give to the Indians and would never give them. My Indians know nothing about money. They don't know how to use it when they get it. They do not hunt for money but for buckskin. Some of the boys may want money, if you pay money, but they can speak for themselves. I had two thoughts about this treaty. One, I thought you wanted to buy the land and drive us out of the country. But now that you buy the land and let us go about our business it is all right. My great brother ("Walker" (dead)) said long ago to the people to settle all over the country. It is all right the soldiers making a road through the country. Let them go: they can make their road. Again, I want you to send a

good chief to Uintah. I will go there. I love that country, though there are some here that do not like it, yet I have not much to talk about. I am not quarrelsome and have not much to say. Those Indians who are fighting out here have not come to my camp. I have instructed my Indians to take them prisoners if they do. I love the people of all that country where they are doing damage.

Sow-ok-soo-bet. (Bear Interpreter) You are all right, you, the father, and that fighting chief (Colonel Johns) and President Young. You have all agreed. You now can see your children here are poor, but we are all the same flesh and blood. The land used to be good here and we were all plentiful, but it has been bad lately. There has been blood spilt on it; but through this treaty I hope it will be good again. I hope the children of those who have them will grow up and live and be good; but for me, I have no children. When you see me you see all my flesh. My children have all died and gone into the ground; the earth takes them all. If I have no more children I should be glad to see my friends children.

It is all right that the papers from Washington have come, and that you and President Young

feel alike and the Indians. I hope that
war chief (Col Johns) understands the papers
as you do and that you will all continue
to understand them alike, so that whenever
I and others traveling about will shake
hands with them, they will not forget the
treaty. Sometime the American boys will
forget and be quarrelsome, and my boys
will forget and be quarrelsome and throw
away good hearts and good peace, but it
is not good. Whenever the war-chief goes,
in making roads, if he meets Indians I do
not want him to kill them, but to meet them
as friends; and all the other tribes of Indians
let them all be friendly as we are. I hope
there will not another paper come from
Washington that will contradict this and
bring bad talk. I would like all the time
for these good feelings to continue.

Fetch on the things and let us have them.

Ex-Gov. Young - (Huntington Interpreter)

I want you and all good Indians to remember
this that I have always taught you, - never
to punish the innocent for the crimes
of the guilty. Let the innocent live, and
never meddle with women or children among
yourselves nor anywhere else; and when any
of your tribes or any other tribes commit
depredations by stealing or killing or doing

such like wrongs, we want you to catch them and bring them and deliver them up to the authorities of the whites, and you shall receive presents. Do you think this is right?

Non-osh - I have understood for a long time that it is right.

Supt Irish - (Huntington Interpreter) This paper will be submitted to all the other Indians, south you have spoken of. When you see those Indians who are not here, speak to them about it - Go and get your women and children and bring them here, to receive your presents, they shall all have something; the oldest Man or woman as well as the smallest child.

In the afternoon, the presents were distributed among the Indians, all receiving a share according to their rank, age or necessities.

Friday Morning.

The chiefs assembled to have "a talk" with Supt Irish upon various matters pertaining to the treaty, their removal &c.

Supt Irish (Huntington Interpreter)

I have brought you here, this morning, to talk with you about going to Stutah; when you will go, and what you ought to do when

you get there, and what you should do while you stay round here among the people.

There are no houses out in Utah and no road out there yet. The Agent and his employes who go out there have first to fix up places where they can live themselves. They have got to build bridges and fix it so that they can take provisions in there; and that will take considerable time. I do not think that "Kon-osh" and those Indians who are living around here ought to go this summer.

I think they had better stay where they are for a little. That is "Tabby's" country there, and I think he wants to go and those with him. They can go anytime, and we will fix things for them just as fast as we can, and let them know when they are ready. Tabby and his Indians might go over there this summer and look at it, and see where they would like to have their farms and houses. We want to make little farms for them all. We do not want to make a great big farm and have the Government work it, but to make little farms and have you work them and that the produce and everything on them will then be yours, and you will have it. We wish to arrange it so that every man will have his little patch of ground and take his family.

his woman and boys and work it and live upon it. We may make a field, but when we get it ready, we will mark it off into patches and let each one who will work have one. I would like to know what you think about it?

Hon-osh - I like it well.

Supt Irish - When a tree grows up large it is very hard to bend it, when it is small it is a very easy thing to bend it in any way you want. If you keep it bent it will stay and grow that way. So it is with the tree, so it is with these Indians. These men have grown up in one way. It would be very hard to change them. But they, knowing what is best and right to do can teach it to their children. They can teach them to do this work, and in a few years they will see their children living like us white people. Their children will be able to plow, to raise grain, and to write letters for them. I was talking with our friend here (Geo. Bean) yesterday. He was telling me that when he was coming to this valley he saw some very poor Indians on the way; he said they were much poorer than your Indians are. They were the same Indians with whom I have been living for the last few years. Now most of those

Indians live in good houses; they have oxen and cows and sheep; they have hundreds of horses, and wagons of their own; they have carriages and buggies; they have stoves in their houses; they have dishes upon their shelves; the men sit up in their chairs and smoke their pipes; the women sit in chairs and sew and make clothes for their children, and some of the children take up newspapers and books and read to their parents. These very men, these very women, are the ones that my friend here saw hungry, naked and destitute, worse than you are now. When any of these men want to write, to say something to their friends a great way off, they cannot write themselves, but they get their little boys or girls to do it for them. I have a little girl living with me who not ten days ago received a letter from one of these Indian girls, and I do not believe there is any little girl of the same age in any of these towns here that could write a better letter. She is about 14 years of age. I could tell you a great deal about these things, but I only want to tell you enough so that you can understand it, that when you look upon yourselves as you are today, and think it hard work, you may be encouraged to try; that you may not lie down on your backs,

not sit down idle, but that you may try to do something for yourselves and your people.

Those Indians, of whom I have been talking, were very much afraid to undertake it; they thought they could never accomplish anything.

But, now, when they look back and think what they were, when my friend here saw them, and know what they are today, they are very glad they took the advice of their father and commenced to work. So it will be with the Utahs.

As I said to you, you need not go immediately into the Uintah Valley, and it is understood that you are to have the privilege of coming around and visiting the people here and hunting and fishing as heretofore, until arrangements are made for you to remove. I want to talk to you about how you should do in passing through the settlements. These people who are here, came here poor; they have worked hard for what they have got. Whatever you may think of all this land that is not in use, you know that the land enclosed belongs to the people whose houses are upon it. The fences are theirs, the potatoes, corn and vegetables are theirs; and no Indian should touch any one of these things that belong to the whites, without their permission. I have been told, and I am sorry to say I believe in some cases it is true, that the squaws sometimes

go into the fields and gather their vegetables. They sometimes let down the fences, and sometimes take the fences for fires. When they do these things how can they expect these people to be their friends? In passing through the country you get hungry; you want something to eat; you have a perfect right to go to the white man and ask for something to eat, and the white man has a right to say whether he will give it to you or not. And I believe from what I have seen of the people here, that when you come and ask for it in the right way you will always get it. Some good man or good woman goes to a house sometimes and gets refused. I can tell you the reason why. It is because some bad Indian man or woman has been there before them and meddled with things that did not belong to them, and the people therefore dislike to see them. When I travel through the country and want to stay at a white man's house, I stop and knock at the door. They will open the door and shake hands with me. That is the way the Indians should do; then the white people will shake hands with them and be glad to see them. It looks very strange to white people to see the Indians coming up to the windows and putting their faces to them. Keeping through, I am telling

you these things because I want to have the white people love you and take care of you; I am telling you these things so that you will take a course to make them want to do something for you; so that when they look and see you coming along, they will say, "There is an Indian, but he is a good man and I want to see him". This can be so, just as well as not; it depends upon yourselves. If you want it to be so, you, yourselves, must look after these Indians who take things, small things, that do not belong to them.

There is another thing I want to talk to you about. I am sorry to say that there are some Indians, in these Mountains, that are very bad. I should be sorry to learn that any of you have got mixed up with them or in any way connected with them. I advise you, and you will do well to take my advice and act upon it, to keep away from them. Can you expect the people to be your friends when you are the friends of those who are killing them and destroying their property? I tell you now to be careful about having anything to do with those Indians. When you leave here, hunt, fish, go to your homes, but be careful and keep away from where those Indians are. I may hear of your getting into very serious trouble if you do not remember

what I say. I am not going to forget those
Indians who act ^{upon} the instructions I give them.

Those who try to make their people happier
and better shall be remembered; but you
can make them no better, no happier by
mixing with those Indians who refuse to come
in and be the friends of the great father
and his people. And those Indians who refuse
to come in and make treaties with him
and receive presents and be friends with
him and his people must be enemies.

Those who come in and make treaties with
him, receive presents and shake hands with
his agents and people are his friends, and
he will take care of them. I give this
advice to you because I want you to keep
out of trouble.

You may not like to see all this country
that your fathers have lived in and occupied
for many years, taken up by another people.
Neither do you like to see the storm come upon
you, the snow falling and covering the ground,
nor cold winds sweeping through the Canyons,
with yourselves and children shivering in the
cold. You would always rather be situated
comfortably as you are today. What do you do
when the storm comes? What do you do when
the snow falls and covers the ground? when
the wind sweeps through the Canyons? You

gather yourselves into your lodges, cover up your children and keep them warm; you make the very best of it that you can. I was talking to you about not liking to see this valley and this country, which you and your fathers have occupied, filled up with another people. But it is like the storm, like the wind, like the cold which you cannot help; and it is best, then, to look around and see what is the best thing to be done. You, acting like wise men, have done it. You have made a treaty with your fathers, by which this people who come in here and you, for all time, are to be friends. Those bad Indians out in the mountains have not been wise like you. They see the storm, but have not provided for it; and by and by, when you are well clothed, well cared for and well protected by your father, those Indians out here, who refuse to make a treaty with their father, will be cold, hungry, shivering, you will see them wasting away.

"Kow-osh" - I have understood considerable of this before. I have been to California and have seen the benefits that come from doing as Supt Irish says.

Tabby - Now we are not afraid of the soldiers, shall we go and shake hands with them and see them?

Supt Irish - When you go to see the soldiers I will go with you.

The Indians here requested Supt Irish to give them some powder.

Supt Irish - (Huntington Interpreter) Well, you will get some powder. Sau-pitch went away mad. The man who refuses to come here and shake hands with us, who refuses to look us in the face and acts like an enemy. I cannot but think he has something to do with those who have been killing our people. I am waiting here for him to come here and tell me what he means. I am ready to shake hands with him; ready to let him sign the treaty when he comes. But if he wants to act like an enemy, let him; that is what I mean when I say. I will not give you all powder. Those men who have acted like friends, who have made the treaty with their great father, need not be afraid; they will get all the powder we can give them; but those who act like enemies and the friends of those who shoot down our people will not get powder. If Sau-pitch has done nothing to be ashamed of, let him come like a man; I am here waiting and ready to receive him. I am willing to talk with him

like a friend; but if he will act like an enemy of the white people, he must take the consequences. Let him come up and do what is right before it is too late. Tell him what I have said; if he is not ashamed; let him come like a man. Those men who have signed the treaty are my friends, the friends of the people, and the friends of the great father, and he will take care of them. That is what I meant when I said, Keep away from the Kanjous that you may not get among the enemies of the great father and his people.

The Chiefs expressed themselves satisfied with the explanation of Supt Irish as to the Powder.

Supt. Irish - I had seen but two of you previous to my coming down here; I had heard of you, however, and I heard you all wanted to see me. I heard San-pitch wanted to see me, and was coming up here to meet me. Has San-pitch acted as though he wanted to see me? Has not he acted as though he had done something, why he was ashamed to look me in the face? When I went out there to shake hands with him in his lodge, to see him among his people, as I did the other chiefs, did he act as though he was

a man? did not he act as though he was ashamed of something?

To-quo-re - I thought he acted ashamed.

Supt Irish - Since the snows began to melt in this valley and in these mountains, 13 of our people have been murdered, their property destroyed and their stock driven away. I did not intend to talk to you about it, because I thought you had nothing to do with it, that you were all innocent of it. But I am afraid, from what I have seen since I have been here, that there are men among you who knew too much about it. When a chief, a man that ought to be looked up to as the leader of his people, is ashamed to look me in the face, I am afraid he has something to do with it. How long can you expect the whites to be quiet and friendly and trust Indians, when the Indians are thus murdering their people and their friends? Have they done anything why they should be killed? Now, if San-pitch does not know anything of it, if he is not the friend of those who have done it, why does he hang his head and cover his face? This people, the friends and neighbors of those who have been murdered, are your friends. How long, however, will you be trusted, if they are to be thus murdered and destroyed? If you wish to

assure them of your fidelity, of your truthfulness, you should not hide among you, nor let any man remain with you who is the friend of those who have been engaged in these murders. When a man among you acts like an enemy, and is ashamed to meet the whites like a friend, I much fear lest he has done something that might be charged to you if he remains with you. You should cast him away from you, drive him out, lest you be held responsible for his crimes, or he should be delivered up to the whites for punishment. That would be better.

Tabby - (Bear Interpreter) That is right, I want to talk now. I know there are men who have not done right. Go and take them up, and take up the Indians the same way. I won't keep anything back. I will tell you the whole of it. There were 44 Indians engaged in that fight. I won't say who (white man) acted bad with the Mormons at Manti.

Supt Irish - Tell me who it was.

To-gus-ne - He is a man who drinks whiskey. John Lowry is his name. I will tell you all about it. I spoke Brigham's heart, Irish's heart and my father, Low-e-ett's heart at Manti. I said, stop, stop, stop. John Lowry, you don't know anything;

Sow-e-ett's boy understands good. I have Brigham's heart, Irish's heart, and Sow-e-ett's heart in me; but John Lowry would not interpret what I said to them. I told them not to fight, but stop, stop, stop. The chief there did not know much - I was mad. An-Kar-teu-ets came there on a horse. He was there mourning for his father who was dead. That made him mad. John Lowry said he would take his pistol and shoot him; that made the Indian mad. Then the two men were fighting mad. That is all I say.

Tabby - (Bear Interpreter) San-pitch's father-in-law was in it. None of them have come in to the treaty, nor have been in my lodge. They were the Elk Mountain Indians, and a few Manti Indians. To-guo-ne has heard that some of your friendly lodges, that had no hand in the fight, have been killed since; I suppose by white men. This we have only heard.

Supt Irish - The innocent often suffer for the guilty. That is the reason why I want you to keep away from these bad Indians, and keep the bad Indians away from here.

Tabby - They are away from here.

Supt Irish - What is the reason, then, you cover up your faces?

Tabby - It was only San-pitch that felt

bad; all the rest felt right.

(Douglass, a messenger who had been despatched to the Indian encampment, to ascertain if San-pitch had any intention of coming to the Farm, returned)

Douglas, San-pitch says, when he pukes up all that is in him, he will come down in the evening.

Supt Irish. I have been there to see him; he covered up his face. I am going to Payson, and won't be here this evening. I have done running after him; I have done waiting for him. He need not come unless he wants to do right. If he is a bad man, I do not want to see him. I do not want to see any but good men. If a man has done bad and wants to do right, I am willing to see him. Tell him that I am not sending for him; it is his friends, the Indians, who are sending for him.

(The Indians sent another messenger and as Commissioner Irish was starting for Payson, San-pitch arrived)

Supt Irish - How do you do?

San-pitch - I am ashamed

Supt. Irish - I went to see you the other day and to shake hands with you, and found you did not want to see me; you did not do right. I heard yesterday that you were

sick, and I sent up to enquire after you; to see if there was anything I could do for you. I pitied you if you were sick. But you sent me word you were mad and not sick. That is the reason I have not felt as if you were my friend, nor the friend of the great father.

San-fitch - I was like as if I had whiskey; but I had not had any whiskey.

Supt Irish - A bad spirit and whiskey are much alike.

San-fitch - Where did I sit the last time I was here? I am ashamed. What was I talking about when I was here?

Supt Irish - (Huntington Interpreter) I came here to be your friend; and it does not make any difference with me whether you make a treaty or not. I do not want any of this land.

By-and-by, I will go back to the great father.

The great father sent me here to do you and your friends good. I came here for that purpose. The great father has understood for a number of years that these Indians here wanted to make a treaty. Heretofore, the matter has been all talk which has been forgotten before it got to the great father. But now the great father has heard that they wanted to do it, and he has sent me to make a treaty and put it in writing that it might be sent to

him, that he might see it at all times. This man is sitting here (the Reporter) to take down what is said, that the great father may know what is said: and when he hears about a Chief, San-pitch, or Tabby, or Non-osh, he looks at what is here written and finds out what kind of a man he is. If he finds that they talk good words, that their acts are all good, he remembers them for it after he makes a treaty. That is why I thought San-pitch ought to be careful what he did and said. I wanted the great father, to remember him, and think of San-pitch and all the Utah Chiefs as good men.

San-pitch - When the talk was I was called upon to speak. I spoke what was in my heart, and if I said anything that was not right, I am ashamed of it.

Supt Irish - That is no matter. We all talk. But I did not think you did right when you hid your face from me, and did not rise up to shake hands with me. If you are coming as a friend I can forget it. Tell me how it is.

San-pitch - I will throw away everything that is bad, and let us have a good paper. Let the good paper stay.

Supt Irish - Do you want to come and be one with the other Chiefs?

San-pitch - I will not put my name to the paper now. If it is a good paper, that is enough. This is my land. I shall stay here on this land till I get ready to go away, and then I shall go to the "Snakes" or somewhere else. Old Sow-ett cried because I would not come here.

Supt Irish - With regard to the treaty, I want you to do as you please. But as you say you are a friend I will give you presents.

(Presents for San-pitch were brought out.)

San-pitch - Put them back. By-and-by, I will come down again and see you.

Supt Irish - I shall only be down here once more, and that will be tomorrow. You can do as you please. If you don't want the presents of the great father, I will give them to somebody else.

The talk terminated at this point.

San-pitch came the next morning and received his presents and nothing more was said about his signing the treaty.

He followed Supt Irish to Great Salt Lake City and then came forward himself and signed the treaty in the presence of the same witnesses as were present at Spanish Fork Indian Farm.

We hereby certify that we were present
at a Council held by the Utah Chiefs
at the Spanish Fork Indian Farm on the
7th 8th 9th & 10th of June 1855. and that we
acted as Interpreters at said Council.
and that the foregoing is a true and correct
copy of the record of the proceedings, Con-
versations and speeches as they took place
and were interpreted by us.

D. B. Huntington

U. S. Indian Interpreter

Geo W Bean

U. S. Indian Interpreter

Attest -

W. C. Doll

Clerk