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RATIFIED TREATY NO. 340
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF OCTOBER 14, 1865, WITH THE LOWER
BRULE BAND OF SIOUX INDIANS

Louis Brulé - Oct. 14, 1865

Copies of Treaty with the
Louis Brulé Sioux,
made at Fort Sully
Dt. Oct. 14th 1865,

Certified

Copy

Articles of a Treaty made and concluded at Fort
Sully, in the Territory of Dakota, by and between
Morton Edmund, Governor and by Office, Supt,
of Indian Affairs of Dakota Territory, Edward
B Taylor, Superintendent of Indian Affairs for the
Northern Superintendency, Major General J R
Custer, Brigadier General H H Sibley, Henry
W Reed and Orrin Scursey, Commissioners
on the part of the United States, duly appointed
by the President, and the undersigned Chiefs and
Head Men of the Lower Brule Band of Da-
kota or Sioux Indians,

Article First The Lower Brule Band of Dakota or
Sioux Indians, represented in Council, hereby
acknowledge themselves to be subject to the exclusive
jurisdiction and authority of the United States,
and hereby obligate and bind themselves, individually
and collectively, not only to cease all hostilities against
the persons and property of its citizens, but to use their
influence, and if ^{necessary} ~~possible~~ physical force, to prevent
other bands of the Dakota or Sioux, or other adjacent
tribes, from making hostile demonstrations against the
Government of the United States, or its people,

Article Second

That much as the Government of the United States
is desirous to avert the effusion of blood, between
the Indian tribes, within its jurisdiction, hitherto
at war, with each other, the Lower Brule Band of
Dakota or Sioux, represented in Council, anxious
to respect the wishes of the Government, hereby agree
and bind themselves to discontinue for the future, all

attacks upon the persons or property of other tribes, unless first appealed by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them,

Article Third All controversies or differences, arising between the Lower Brulé Band of Dakotas or Sioux, represented in Council, ~~and~~ ~~any~~ ~~other~~ ~~tribes~~ ~~of~~ ~~Indians~~, involving the question of peace or war, shall be submitted for the arbitration of the President, or such person, or persons, as may be designated by him, and the decision or award faithfully observed by the said Band, represented in Council.

Article Fourth The said Band, represented in Council, shall withdraw from the routes ~~overland~~, ~~already~~ ~~established~~ ~~through~~ ~~their~~ ~~country~~, already established, or hereafter to be established through their country, and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States travelling thereon, the government of the United States agree to pay to the said Band, the sum of Six thousand dollars, annually for twenty years, in such article as the Secretary of the Interior may direct, Provided that said Band, so represented in Council, shall faithfully conform to the requirements of this treaty.

Article Fifth Should any individual, or individuals, or portion of the Lower Brulé Band of Dakotas or Sioux, represented in Council, desire hereafter to locate permanently upon any part of the lands claimed by the said Band, for the purpose of agriculture or

other persons, it is hereby agreed by the parties to
this treaty, that ^{for individual} each individual, & shall be protected
in such location, against any annoyance or molestation
on the part of White or Indians,

Article Fifth. It is hereby agreed, upon the part of the Gov-
ernment of the United States, that the said Band
of Lower Brules, shall locate on a permanent re-
servation, at or near the mouth of the White River
to include Fort Sunkent twenty miles in a
straight line along the Missouri River, and ten
miles in depth, and that upon the actual oc-
cupation of not less than fifty lodges or fam-
ilies, of said reservation, and their engaging per-
manently in agricultural and other kindred pur-
suits, the Government of the United States, ~~that~~
~~it is~~ agreed to furnish at its own cost, the
sum of twenty five dollars, for each and every
lodge, or family, so engaged, as a commensurate
to be expended in stock, agricultural, and other
implements, and general improvements, as shall be
directed by the Secretary of the Interior, the
said sum to be furnished annually for five years,
It being understood, that the said stock, agri-
cultural and other implements shall be and
remain the property of the United States, to be
used and employed for the exclusive benefit
of the lodges or families so located, and in no
case to be sold, or alienated by the said Band,
or any member thereof, and the United States, further
engage to employ, at its own cost a Blacksmith
& Farmer, for the benefit of the said lodges or families

The United States, reserve the right to construct a road or roads, through the said reservation.

No white person other than Officers, Agents or employees of the United States, shall be permitted to go on, or remain on the said reservation, unless previously admitted as a member of the said Band according to their usages.

Whenever the Secretary of the Interior may so direct, Schools for the instruction of the said Band, may be opened on the said reservation.

Article Seventh The undersigned Chiefs of the Proule's hereby further agree, that should the Two Kettle Band of the Dakota or Sioux Indians, be located adjoining them, they will cheerfully allow them to do so, and also agree that the employees secured to the Proule's, may be used also for the joint benefit of the said Two Kettle, at the discretion of the Government.

Article Eighth Any Amendment or modification of this treaty, by the Senate of the United States, shall be considered final and binding upon the said Band, (represented in Council, as a part of this treaty, in the same manner, as if it had been subsequently presented and agreed to by the Chiefs and Head Men of said Band,

In testimony whereof the Commissioners on the part of the United States, and the Chiefs and Head Men of the said Lower Proule Band

of Dakota or Iowa, have herewith set their hands, this fourteenth day of October, One thousand, eight hundred and fifty five, after the contents had previously been read, interpreted and explained to the said Chiefs and Head-Men,

Newton Edmunds
 Edward B Taylor
 S R Curtis, Major Genl
 H H Sibley
 Brigadier General
 May W Reed
 Orrin Greaves

Commissioners on the part
 of the United States,

Muz-yah-wy-ah-tay,	The Iron Station	his
Sah-tow-kah-wak-kow	Medicine Bull	mark
Ah-saw-see-chuk-tay		his
	The one who killed the White Buffalo Cow	mark
She-o-tche-kah	Little Shee-ah	his
Ah-saw-man-see	White Buffalo Cow	mark
	that walks	his
		mark

Signed by the Commissioners on the part of the United States, and by the Chiefs and Head Men, after the treaty had been fully read, interpreted and explained, in our presence

A W Hubbard

McC 6th Dist Iowa

S R Curtis

Major 2nd Colorado Cavalry

Brigadier Genl

W S Woods

Surgeon U S Vols

E. J. Potts, Secy to Commission,
R R Hitt, Rep^t of Com,

Jephies	his	Penetres	}	Interpreters
	mark			
Charles	his	degre	}	
	mark			

True Copy from the original,
E. J. Potts

Secretary to Commission

Chiefs

Chantay o kis kah, The Iron Hat	his	mark
Jah o sue The Wounded Man	his	mark
Wag o mo ah win The Good Earth	his	mark
Echop ka ta mezzah, The Iron Whip	his	mark
Zeta Kah dan Sappah, The Black Bird	his	mark
Nah han Chuka e unka The Shields Herding	his	mark
Much a sue a chah kah, The Cloud Herd	his	mark
Isto o sue The Wounded Arm	his	mark
Mendo ton kah che kah The Little Portman	his	mark
Nah men die Sdon ton kah, 2	his	mark
The War Eagle with large feathers	his	mark

Chief Soldiers

True Copy from the original
E. J. Potts

Secretary of the Commission

From 1865 - Oct. 14, 1865

Lower Mobile, to 1865
Oct 14

TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

LOWER BRULÉ BAND OF DAKOTA OR SIOUX INDIANS.

CONCLUDED OCTOBER 14, 1865.

RATIFICATION ADVISED, WITH AMENDMENT, MARCH 5, 1866.

PROCLAIMED MARCH 17, 1866.



ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

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

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the fourteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major General S. R. Curtis, Brigadier General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners, on the part of the United States, and Muz-zah-wy-ah-tay, (The Iron Nation,) Tah-ton-kah-wak-kon, (Medicine Ball,) and other chiefs and headmen of the Lower Brulé band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Articles of a treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major General S. R. Curtis, Brigadier General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners on the part of the United States, duly appointed by the President, and the undersigned chiefs and headmen of the Lower Brulé band of Dakota or Sioux Indians.

ARTICLE FIRST.

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

ARTICLE SECOND.

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

ARTICLE THIRD.

All controversies or differences arising between the Lower Brulé band of Dakotas or Sioux, represented in council, and other tribes of Indians, involving

the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

ARTICLE FOURTH.

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

ARTICLE FIFTH.

Should any individual, or individuals, or portion of the Lower Brulé band of Dakotas or Sioux, represented in council, desire hereafter to locate permanently upon any part of the lands claimed by the said band, for the purpose of agricultural or other pursuits, it is hereby agreed by the parties to this treaty that such individual or individuals shall be protected in such location against any annoyance or molestation on the part of whites or Indians.

ARTICLE SIXTH.

It is hereby agreed upon the part of the government of the United States, that the said band of Lower Brulés shall locate on a permanent reservation at or near the mouth of the White river, to include Fort Lookout, twenty miles in a straight line along the Missouri river, and ten miles in depth; and that upon the actual occupation of not less than fifty lodges or families of said reservation, and their engaging permanently in agricultural and other kindred pursuits, the government of the United States agree to furnish at its own cost the sum of twenty-five dollars for each and every lodge or family so engaged, as a common fund, to be expended in stock, agricultural and other implements and general improvements as shall be directed by the Secretary of the Interior; the said sum to be furnished annually for five years. It being understood that the said stock, agricultural and other implements shall be and remain the property of the United States, to be used and employed for the exclusive benefit of the lodges or families so located, and in no case to be sold or alienated by the said band or any member thereof; and the United States further engage to employ at its own cost a blacksmith and farmer for the benefit of the said lodges or families.

The United States reserve the right to construct a road or roads through the said reservation.

No white person, other than officers, agents or employés of the United States, shall be permitted to go on or remain on the said reservation, unless previously admitted as a member of the said band according to their usages.

Whenever the Secretary of the Interior may so direct, schools for the instruction of the said band may be opened on the said reservation.

ARTICLE SEVENTH.

The undersigned chiefs of the Brulés, hereby further agree that should the Two Kettles band of the Dakota or Sioux Indians be located adjoining them, they

will cheerfully allow them to do so, and also agree that the employes secured to the Brulés may be used also for the joint benefit of the said Two Kettles, at the discretion of the government.

ARTICLE EIGHTH.

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

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

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

Commissioners on the part of the United States.

Chiefs.

MUZ-ZAH-WY-AH-TAY,

The Iron Nation, his x mark.

TAH-TON-KAH-WAK-KON,

Medicine Ball, his x mark.

PTA-SON-WE-CHAK-TAY,

The One who Killed the White Buffalo Cow, his x mark.

SHE-O-TCHE-KAH,

Little Pheasant, his x mark.

PTA-SAN-MAN-NEE,

White Buffalo Cow that Walks, his x mark.

CHON-TAY-O-KIT-E-KAH,

The Brave Heart, his x mark.

TAH-O-PEE,

The Wounded Man, his x mark.

WAG-AH-MO-AH-WIN,

The Gourd Ear Rings, his x mark.

E-CHAP-SIN-TA-MUZ-ZAH,

The Iron Whip, his x mark.

Chief Soldiers.

ZE-TE-KAH-DAN-SAP-PAH,

The Blackbird, his x mark.

WAH-HAH-CHUNKI-E-UN-KA.

The Shield that Runs, his x mark.

MUCK-A-PEE-E-CHASH-NAH,

The Cloud that Rattles, his x mark.

IS-TO-O-PEE,

The Wounded Arm, his x mark.

MIN-DO-TON-KAH-CHE-KAH,

The Little Partisan, his x mark.

WAH-MIN-DEE-SHON-TON-KAH.

The War Eagle with Large Feathers, his x mark.

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

A. W. HUBBARD,
M. C. 6th dist. Iowa.
S. S. CURTIS,
Maj. 2nd Colorado Cav., Bvt. Lt. Col.
W. S. WOODS,
Surgeon U. S. Vols.
E. F. RUTH,
Sec'y to Commission.
R. R. HITT,
Rep'r of Com'n.
ZEPHIER RENCONTRE, his x mark,
CHARLES DEGRE, his x mark,
Interpreters.

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

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
March 5, 1866.

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

AMENDMENT:

Article 4, lines 4, 5, 6, and 7, strike out the following words, viz : "and of their no[n]-interference with the persons and property of citizens of the United States travelling thereon."

Attest :

J. W. FORNEY,
Secretary.

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

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight

hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

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

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

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,
Secretary of State.