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RATIFIED TREATY NO. 339
DOCUMENTS RELATING TO THE NEGOTIATION OF THE
TREATY OF OCTOBER 10, 1865, WITH THE MINICONJOU
BAND OF SIOUX INDIANS

~~Mr. Wm. D. F. 196~~
Sept. Interior
Aug 18. '65

Secretary Genl. copy of
the President's order,
appointing Gen. Newton
Edmunds, Edw. D.
Taylor, Maj. Genl. J.
D. Custer, Brig. Genl.
H. H. Sibley, Henry W.
Reed, Oram Gurnsey,
Commrs. to negotiate
treaties with the Indians
of the Upper Missouri,
who have recently been
hostile to the U. S.
Oram Gurnsey to be Dist
Agt.

Dec 4 Aug 18. '65
Mr. Gurnsey advised, and bond sent
to him, Aug. 18, '65.

Oram

Department of the Interior.

Washington D. C. Aug. 18th 1865.

Sir:

I herewith send you a copy of the President's order of the 15th instant, appointing Gen. Newton Edmunds of Dakota, Edward B. Taylor, Supt. & Maj. Gen. S. R. Curtis, Brig. Gen. H. H. Sibley, Henry M. Reed of Emmet, Iowa, and Oran Guernsey of Jamesville, Wisconsin, Commissioners to negotiate Treaties of peace with the Indians of the Upper Missouri river who have recently been hostile to the U.S.

You will please inform Mr Guernsey that he has been designated to act as Distursing Agent for the Commission, and transmit to him the form of a bond to be executed, in the penal sum of \$40,000, with the requisite instructions. It should be mailed to day.

Sincerely,

Very respectfully

Your Obedt Servant

Wm. Ross. 13. Van Valkenburgh
Adj Comm. of Indian Affairs

Jas. Harlan
Secretary

1196



Mr. Corn

Regatta & returns.

[Copy.]

Executive Mansion,
August 15, 1865.—

Newton Edmunds, Governor, and ex-officio Superintendent of Indian Affairs, of Dakota Territory, Edward B. Taylor, Superintendent of Indian Affairs for the Northern Superintendency, Maj. General S. R. Curtis, Brig. General H. H. Sibley, Henry W. Reed, or an Guernsey,

are hereby appointed Commissioners to negotiate, under the instructions of the Secretary of the Interior, a treaty or treaties with the several tribes of Sioux and Cheyenne Indians of the Upper Missouri, and any other tribes in that region who have recently been engaged in hostilities with the United States, but who are now anxious to make peace.

Andrew Johnson,
Pres't.

~~Up. Missouri Gov~~
Dept. Interior
Aug 19, '65

One printed copy of
instructions, which
have been transmitted
to the Comm. appointed
by the President to ne-
gotiate treaties with cer-
tain Indian tribes of
the Upper Missouri

~~File~~

e



Watson

Ms. A. 9. 2. 1. 1. 1.

Department of the Interior.

Washington D. C. Aug. 19. 1865.

Sir:

I send herewith, for your information, a printed copy of the instructions which have been transmitted to the Commissioners appointed by the President to negotiate treaties with certain Indian tribes on the Upper Missouri river.

I am, Sir,

Very respectfully

Your obedient servant

Geo. H. Harlan

Secretary

Am. Robert Van Valkenburg
Acting Commissioner of Indian Affairs.

Instructions to
Treaty Commissioners
to Sioux

DEPARTMENT OF THE INTERIOR,

WASHINGTON, August 18, 1865.

GENTLEMEN: The President having designated you as a Board of Commissioners in behalf of the United States to "negotiate, under the instructions of the Secretary of the Interior, a treaty or treaties with the several tribes of Sioux and Cheyenne Indians of the Upper Missouri, and any other tribes in that region, who have recently been engaged in hostilities with the United States, but who are now anxious to make peace," it becomes my duty to indicate to you the general policy which should be observed in discharging the important trust thus committed to you.

The principal tribes to which your attention will be directed are the Sioux divided into numerous bands, and ranging over a wide district of country, stretching from the northeasterly portion of Dakota Territory to the northern part of Colorado; and the Arapahoes and Cheyennes, formerly associated with them in the treaty of Fort Laramie, and latterly engaged with them in hostilities against the whites. It is also understood that a portion of the Kiowas, Camanches, and Arapahoes, who have hitherto ranged about the upper waters of the Arkansas, have become associated with the Sioux, &c., in the recent hostilities. The general object of your mission is to meet with representatives of these various tribes and bands and accomplish some arrangement by which a permanent peace with the people of the United States and with each other may be secured.

You are, therefore, authorized to enter into conventions, for this purpose, with the various nations, tribes, and bands whom you meet, as well those who are or have been hostile, as those who have remained friendly, since, in the adjustment of future boundaries for the home or range of the hostile tribes, it may become necessary to occupy lands hitherto conceded to those who are friendly.

In arrangements for restoring friendly relations with the tribes, you will require them, whenever differences may arise between them involving the question of peace or war, to submit them for the arbitrament of the President of the United States or such person or persons as he may designate, and to abide by and faithfully observe the award that may be made.

You will, if practicable, secure stipulations by which the more civilized tribes shall bind themselves to aid the government in compelling those who are evil-disposed to keep the peace with each other and the people of the United States.

In any stipulations for reservations for the residence of the Indians, you will, as far as it may be in your power, concentrate within the same limits all who speak a common language; but if there are bands of the same tribe hostile to each other, you are authorized to place them in separate localities. In any event, such stipulations must be made that each tribe (or band, where a separate organization is recognized) shall be held responsible for the acts of its members.

In your conferences with them upon the subject of annuities and goods heretofore furnished to them, or derived from the cession of land, you will state that Congress has authorized the President to suspend the payment of all appropriations to carry into effect treaty stipulations or otherwise in behalf of Indians in a state of hostility to the government, and to abrogate all treaties with them. The President is, however, disposed to treat his red children with forbearance and liberality.

The Indians must be made to understand that moneys appropriated, or due to them under treaties, will not be paid to them if the same have been expended for the support of refugees who have remained friendly, or in payment of losses and damage committed by themselves.

You will be careful to stipulate that any and all annuities and amounts payable to the Indians by the United States may, at the discretion of the Secretary of the Interior, be paid in stock, goods, provisions, implements of husbandry, and other articles suitable to their condition and wants.

To secure to the tribes the absolute and undisturbed possession of the territory that may be reserved to them, a clause should be inserted in the treaty, prohibiting any white person, except officers, agents and employes of the government, from going to or settling in such territory, unless formally admitted and incorporated into some one of the tribes lawfully residing there, according to its laws and usages.

Your attention is specially invited to the establishment of schools for the instruction of the children in industrial pursuits and the elementary branches, including the English language. Benevolent societies, with means furnished by voluntary contributions, have been formed to elevate the intelligence and moral character of the Indian population. Their disinterested efforts have, in many instances, been crowned with signal success. Should any such society be disposed to labor among the Indians, its wishes should be respected and its interests protected. Its opinions and views should, however, be in harmony with those of the tribes. No attempted coercion of the religious faith of the latter will be tolerated; nor should any denomination of Christians be suffered to have the exclusive control of their educational interests.

You will endeavor to ascertain the population of each nation and tribe within the region respectively claimed by them, and insist upon a cession by it of all lands contiguous to the great lines of traffic and travel. The terms you offer must unavoidably be left to your own discretion. They should be just and fair; but I can give no specific instructions on the subject. You may agree that no part of such ceded lands shall be appropriated to Indians not on friendly relations with the party making the cession. You will impress upon them, in the most forcible terms, that the advancing tide of immigration is rapidly spreading over the country, and that the government has not the power or the inclination to check it. Our hills and valleys are being occupied with an adventurous and rapidly increasing people, that must, in the progress of events, encroach upon the ancient abodes of the red man. Such seems to be an inevitable law of population and settlement on this continent. Collisions between the two races are always followed by lamentable results, and sometimes by bloody and devastating wars. It is for their common interest, and chiefly for that of the Indian, that he should abandon his wandering life and settle upon lands reserved to his exclusive use, where he will be protected in his rights and surrounded with every kindly and elevating influence by a paternal government.

You will select for each tribe of Indians with whom you may treat, a district of country as remote as practicable from any of the leading routes across the plains, or the usual thoroughfares of the people of the different Territories. Such districts should be designated by definite boundaries, and include such territory, if possible, as will afford the Indians means of support by industry in their ordinary avocations. A sudden transition from a savage and nomadic life to the more quiet and confining pursuits of civilization is not to be expected; but in such selection reference should be had to their ultimate adoption of pastoral and agricultural pursuits. As their withdrawal from the country adjacent to the great routes of travel will necessarily diminish their means of support, you may promise them an equivalent in food, clothing, implements of husbandry, live stock, &c., which will be furnished them annually, provided they observe, in good faith, the

terms of their agreement. The extent of the aid to be thus rendered should not be so large as to appear prodigal, nor so meagre as to amount to a mockery of justice. It is the purpose of the government to encourage the Indians to gain a livelihood advance in the pursuits and arts of civilized life, and improve their moral, intellectual, and physical condition. The nation cannot sanction the policy of exterminating them. Our self-respect, our Christian faith, and a common dependence on an all-wise Creator and benefactor, forbid it. Other nations will judge of our character by our treatment of the feeble tribes to whom we sustain the relations of guardian. Morally and legally there is no distinction between directly destroying them and rendering it impossible for them to escape annihilation by withholding from them adequate means of support. You will habitually bear in mind and endeavor to make available the purpose to which I have referred.

In every treaty which you may negotiate, the Indians parties thereto should expressly agree that any amendment thereof which the Senate of the United States may make shall be taken and held to be a part of the same, and as binding in every respect as if it had, after being made, been formally submitted to and ratified by such parties.

I transmit herewith copies of a letter of the 6th instant to Major General Pope, and of a letter of the 16th instant to the commissioners to treat with Indians in the southwest. These papers emanated from this department. You will consider them as a part of your instructions, as far as the views therein set forth are applicable to the condition of the Indians to whom your mission extends.

It is probable that some of the members of the joint committee of the two houses of Congress appointed to examine into the condition of the Indian tribes may be present at your council. If so, you will consult freely with them, and respect their suggestions and advice.

You may possibly find it necessary to treat separately with one or more of the tribes you may meet in council, as well as to make a general treaty or compact with them all. If so, you will consider yourselves authorized to do so.

The department will receive with pleasure such information as you may be enabled to obtain, during your negotiations, in regard to the condition of the Indians, or any suggestions from you on that and kindred subjects, and will communicate any additional instructions which you may desire.

I have the honor to be, very respectfully, your obedient servant,

Jas. Harlan

Secretary.

Gen. Newton Edmonds, Fort Totten, Dakota.
Supt. Edward B. Taylor, Omaha, Nebraska.
Maj. Genl. S. R. Curtis, U. S. A. Washington
Brig. Genl. M. M. Sibley, U. S. A. St. Paul, Minn.
Henry M. Reed, Effingham, Iowa.
Oran Gurnsey, Jewett, Wisconsin.

TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

MINNECONJON BAND OF DAKOTA OR SIOUX INDIANS.

CONCLUDED OCTOBER 10, 1865.

RATIFICATION ADVISED, WITH AMENDMENT, MARCH 5, 1866.

PROCLAIMED MARCH 17, 1866.

Minneconjon Oct. 10, 1865
Minneconjon
Oct. 10 to 1865



ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

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

Whereas a treaty was made and concluded at Fort Sully, in the Territory of Dakota, on the tenth 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 Hah-wah-zee-dan, (The Lone Horn,) Tah-ke-chah-hoosh-tay, (The Lame Deer,) and other chiefs and headmen of the Minneconjon 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 Minneconjon band of Dakota or Sioux Indians.

ARTICLE FIRST.

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

ARTICLE SECOND.

Inasmuch as the government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Minneconjon 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 Minneconjon 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 traveling thereon, the government of the United States agree to pay the said band the sum of ten 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 band of the Minneconjon 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.

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 Minneconjon band of Dakota or Sioux, have hereunto set their hands, this tenth 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.

HA-WAH-ZEE-DAN,
The Lone Horn, his x mark, 1st chief.
TAH-KE-CHAH-HOOSH-TAY,
The Lame Deer, his x mark, 1st chief.
KEE-YAM-E-I-A,
One that flies when going, his x mark, chief.
HA-IL-O-KAH-CHAH-SKAH,
White Young Bull, his x mark, chief.
KE-YAR-CUM-PEE,
Give him Room, his x mark, chief.
HA-HAR-SKAH-KAH,
Long Horn, his x mark, chief.

HE-HAN-WE-CHAK-CHAH,
The Old Owl, his x mark, chief.
WAH-CHEE-HA-SKAH,
White Feather, his x mark, chief.
TAH-TON-KAH-WAK-KANTO,
The High Bull, his x mark, soldier.
MAH-TO-CHAT-KAH,
The Left-handed Bear, his x mark, soldier.
CHAN-WAH-PA,
The Tree in Leaf, his x mark, soldier.
TO-KALLA-DOO-TAH,
The Red Fox, his x mark, soldier.
CHA-TAN-SAPPAH,
The Black Hawk, his x mark, soldier.
MUCK-A-PEE-AH-TO,
The Blue Cloud, 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. U. S. V.
CHAS. C. G. THORNTON,
Lt. Col. 4th U. S. Vols.
E. F. RUTH,
Sec'y of Commission.
R. R. HITT,
Reporter of Com'n.
THOS. D. MAURICE,
Late Maj. 1st Mo. Lt. Art'y.
W. MOTT,
Capt. and C. S.
ZEPHIER RENCONTRE, his x mark,
CHARLES DEGRES, his x mark,
Interpreters.

The following chiefs came into council on the 20th Oct. and desired to sign the treaty. They are represented as always friendly to the whites, and have, therefore, been away from most of the tribe.

HAH-SAH-NE-NA-MAZA,
One Iron Horse, his x mark.
TO-KIO-WI-CHACK-A-TA,
The One that Kills the First on Hand, his x mark.

Attest :

S. S. CURTIS,
Bvt. Lt. Col. U. S. V.
HEZ. L. HOSMER,
Chief justice of Montana Territory.
CHARLES DEGRES, his x mark.

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

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

Resolved, (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States, by their commissioners, and the chiefs and headmen of the Minneconjon 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 non-interference with the persons and property of citizens of the United States travelling thereon."

Attest:

J. W. FORNEY,
Secretary.

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

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the fifth of March, one thousand eight hundred and sixty-six, accept, ratify, and confirm the said treaty, with the amendment as aforesaid.

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

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

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD,
Secretary of State.

Articles of a Treaty made and concluded at Fort Sully in the Territory of Dakota, by and between Newton Edmunds Governor, and ex. officio Superintendent of Indian Affairs of Dakota Territory, Edward B. Taylor Superintendent of Indian Affairs for the Northern Superintendency Major General S. R. Curtis, Brigadier General N. H. Sibley Henry W. Reed and Oran Guernsey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned Chiefs and Head Men of the Indians Minneconjou Band of Dakota or Sioux Indians.

Article First The Minneconjou 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 & collectively, not only to cease all hostilities against the persons and property of its citizens, but to use their influence and if requisite physical force to prevent other bands of the Dakotas or Sioux, or other adjacent tribes from making hostile demonstrations against the government or people of the United States.

Article Second Inasmuch as the government of the United States is desirous to arrest the effusion of blood between Indian tribes within its jurisdiction, hitherto at war with each other, the Minneconjou 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 every where, in the region occupied or frequented by them.

Article Third All controversies or differences arising between the Minneconjou Band of Dakotas or Sioux, represented in Council

Article Fourth - The said Band represented in Council shall not be allowed to establish or hereafter to be established through their country, ~~and their non-interference with the persons & property of citizens of the United States travelling thereon; the government of the United States agree to pay the said Band the sum of fifty thousand dollars annually for twenty years on such articles as the Secretary of the Interior may direct.~~

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.

(It is hereby agreed by the Commissioners on the part of the United States, that, should it be found necessary hereafter, to open one or more overland routes through the country of the said Minneconjon Band of Dakotas or Sioux represented in Council, the government of the United States, to show its kind & friendly feeling will, ~~from the time of the occupation~~ ^{within one year after the expiration of one year after} of such route or routes as a line of travel by the whites, pay annually to the said Band the sum of five thousand dollars in such articles as the Secretary of the Interior may direct, for the space of twenty years, as ~~an~~ ^{an} equivalent for the diminution of game occasioned thereby). Provided that said Band to represented in Council, shall faithfully conform to the requirements of this treaty, ~~and shall withdraw from the immediate vicinity of said route or routes of travel, when occupied for that purpose.~~

Article Fifth - Should any individual or individuals, ^{or portion of the Band} of the said Band of Minneconjon 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} ~~labor~~, 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 - Any amendment or modification of this treaty by the Senate of the United States, shall be considered final & 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 to
and agreed to by the Chiefs & Head Men of said Band.

~~Article Sixth~~

~~In consideration of the faithful performance of this treaty,
by the said Band of Minneconjou Band of Dakotas or Sioux
represented in Council, the Government of the United
States will pay to the said Band ^{an} annuity of ten
thousand dollars in such articles as the Secretary of the
Interior may direct, for a period of twenty years.~~

In Testimony whereof, the Commissioners on
the part of the United States, and the Chiefs and ~~the~~ Head
Men of the said Minneconjou Band of Dakotas or Sioux
have hereunto set their hands this tenth day of
October one thousand eight hundred and sixty five,
after the contents had previously been read, ^{interpreted &} explained
and interpreted to the said Chiefs and Head Men ~~for ever~~

Minneconjou - Oct. 10, 1865

Rough Draft of

Treaty at Fort Sully

with Minneconjou

Oct. 10th 1865

Copy

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 Greasey, Commissioners on the part of the United States, duly appointed by the President, and the undersigned Chief and Head-men, of the Minneconjou Band of Dakota, or Sioux Indians.

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

Article Second As 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 Minneconjou Band of Dakota or Sioux, represented in Council, anxious to respect

the wishes of the government, hereby agreed and bind themselves to discontinue for the future all attacks upon the persons or property of other tribes, unless first provoked 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 Minneconjou Band of Dakotas or Sioux, represented in Council, and other tribe 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, or hereafter to be established through their Country, and in consideration thereof, and of their non-interference with the persons and property of citizens of the United States, travelling thereon, the Government of the United States, agree to pay the said band, the sum of ten 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 Band of the Minneconjou 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 individuals, or individuals, shall be protected in such location against any annoyance or molestation on the part of Whites or Indians.

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

In Testimony whereof the Commissioners, on the part of the United States, and the Chiefs and Headmen of the said Minneconjou Band of Dakota or Sioux, have hereunto set their hands, this tenth 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,

Commissioners on the part of the United States

Newton Edmunds
Edward B Taylor
S R Curtis, Major Genl,
A H Sibley, Brig Genl,
Henry W Reed
Orwin Guernsey

Na-wah-gee-daw, The Lone Horn ^{his 1st Chief}
 Tah-ke-chah-hook-tay The Lone Deer ^{his 1st Chief}
 Heer-gaw-e-i-a - One that flies when going ^{his Chief}
 Na-il-o-kah-chah-ah- White Young Bull ^{his Chief}
 He-yoo-cum-pee - Give him room ^{his Chief}
 Na-haw-ah-kah-kah - Long Horn ^{his Chief}
 He-haw-woe-chah-ah - The Old Owl ^{his Chief}
 Wah-ches-hai-ah - White Feather ^{his Chief}
 Tah-ton-kah-wak-kah - The High Bull ^{his Soldier}
 Mah-to-ah-kah - The Left Handed Bear ^{his Soldier}
 Chaw-wah-ju - The tree in leaf ^{his Soldier}
 To-kalla-doo-tah - The Red Fox ^{his Soldier}
 Cha-tow-sap-pah - The Black Hawk ^{his Soldier}
 Muck-a-pee-ah-to - The Blue Cloud ^{his Soldier}

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
 W.C. 6th Dist Iowa
 S.B. Curtis
 Maj Gen Charles Canby
 Brig St Col W.S.W.
 Chas C G Thornton
 St Col 4th US Regt
 G.S. Smith, Secy of Commission
 R.R. Hill, Reporter of Commission
 Thos D Maurice
 Supto May's 1st West Army

J.W. Mott
 Capt & CS
 Interpreter
 his Interpreter
 Charles & Degri
 marks

Copy of Treaty with the
 Minnongon Band of
 Dakota, made at Fort
 Sully, Oct 10th 1865
 (Original)

True copy from the original
 G. F. Smith Secy

Says the
Reese Bros Venter & Mandans
Small bands need aid -
are more inclined to be civilized &c
the men will work have organized
about 40 as soldiers mounts them
unforged and says they are
intelligible to part of an country but
the amt of land is not large - but
the amt of land has been growing less & less
every year - had low low horses
last year - added by Sioux & Pawnee
see the value of sheep 1 -

Washington &c

Interior



William

Headquarters ~~Missouri~~ Division of the Missouri
Office of Assistant Adjutant General
OFFICIAL BUSINESS.

refer to the
Com. of Indian
affairs for
examination
and report.

~~Mr. Mipponi 1885~~
~~Sept. Interior~~
~~Dec 5, '65~~

Refers report of the Com-
missioner appointed by the
President, to treat with the
 hostile and other bands or
tribes of the Upper Mipponi
Indians, record of their pro-
ceedings and treaties made
by them with the Minnecon-
jins, Lower Brules, Brule
Hut Band, Blackfoot Sioux,
Oneapas, Handwritten,
Sunkies Band, Gallaleas,
and Upper Handwritten's

~~Dec 5, '65~~
~~See report to Secy July 10/65~~

2-1
Comt ✓

1885

Report of the Board

of Commissioners

of the State

(Upper Missouri)

Stony City, Iowa
Steamer "Calypso" Nov 10th 1865

After Commodore Taylor & Reed had separated by
the latter leaving for the purpose of taking stage
for his home in this State, the change of Calypso
relating upon Col. E. B. Taylor, the following letter
was addressed to him by Capt Goodridge A. U. M.

" Office Capt Quartermaster

" Stony City, Iowa, Nov 10. 1865

" Col Taylor

" U.S. Commodore

" Stony City, Iowa,

I have the honor to re-
port that one hundred and twelve boxes
of Ordnance and Ordnance Stores, have been
invoiced to me, for transportation to St Louis,
by order of of Port Maj Gen Sully, and
request authority to ship the same via Steamer
"Calypso," under your direction, and now lying at
"this Post,"

Very Respectfully

Your Obedt Servant

M H Goodridge

Capt & A. U. M

To which letter, Col Taylor replied as follows

" U.S. Transport "Calypso"

" Stony City, Iowa,

" November 10th 1865,

" Sir,

Your communication of this date, in reference
to shipment of "One hundred and twelve boxes of Ord-
nance and Ordnance Store," hence to St Louis,
is before me, in reply, I have to say that in the

"great low stage of the River, the shipment of some
"five or six tons of freight, will probably seriously res-
"tand, if it does not wholly prevent the arrival of
"the Transport at St Louis, previous to the
"close of navigation, Although chartered by the Quar-
"termaster Department, it is apparent that the amount
"of the Charter, will, in the end, be charged over to
"the Department of the Interior, and if the boat
"should fail to arrive at St Louis, during the
"present navigable season, this expense will be very
"heavy."

"The North Western Indian Commission is
"prepared to turn over the "Clydes" at this
"point, to the Quartermaster Department, and
"in the event that you decide to take charge of
"the boat at this City, you will of course be
"at liberty to order such stores on board as you
"may deem proper."

"I deem this course the only proper one
"for me to pursue, representing as I do the interests of
"the Indian Department, It must be apparent to
"you that whatever risk of detention may attend
"the shipment of stores, as proposed, should be
"incurred by that Department of the Government
"for whose benefit it is undertaken"

Very Respectfully
Your Obedt Servant

E. B. Taylor

In charge of Steamer "Clydes" for Indian Commission

In answer to the foregoing Col Taylor received the following communication from Capt Goodridge R L M,

Office of Aft Quartermaster
Sioux City, Iowa, Nov 10th 1865,

Col G B Taylor

"U.S. Commissioner

"Colonel;

"Replying to your communication of this date, I accede to your suggestion, and accept the charge of the Steamer "Clydes" assuming the responsibility for the Quartermaster Department,"

"I am very respectfully

"Your Obedt Servt,

"M H Goodridge

"Capt & R L M

Thus the charge of the Boat, being accepted by Capt Goodridge for the Quartermaster Department, Capt Norton of the "Clydes" was advised of the arrangement, and the Boat was turned over to the Quartermaster Department this day November 10th 1865, about 5 O'clock P.M., consequently, when ^{Col Taylor} received an application from M Norton Aft Aft General, for the passage of himself and crew on the boat to Fort Leavenworth, he was referred to Capt Goodridge R L M, as will appear from the following correspondence

"Head Quarters District of Dakota

Office of Aft Aft General

"Sioux City, Iowa,

"Nov 10th 1865

"To Col Taylor

"In charge of Steamer 'Clyffo'

"Col

"I have the honor to request
"in the name of the Genl Commanding, to know how
"many enlisted men you can accommodate on your
"Boat, as far as Fort Seavenworth, there are
"some 12 men here, whom the General directed
"me to send down on the Clyffo, to Fort
"Seavenworth, Kansas.

"With much respect

"Your Obedt Servt

"W Morton

"Capt Adjut Genl

"In charge Dist, Hq, Des

To this letter Col Taylor made the following reply

"W S Transport Clyffo

"Sioux City, Nov 10th 1865,

"W Morton Esq,

"Capt Adjutant Genl

"Sir,

"Your letter of this date relative
"to transportation of twelve enlisted men from this
"post to Seavenworth on Transport Clyffo, is
"received,

"The Boat having been turned over at
"this post, by the Indian Commission to the Quartermaster
"Department, I respectfully refer you, for reply to
"Capt Goodridge, A D M, Sioux City,

"Very Respectfully
"Your Obedt Servt
"E B Taylor

"for NW Indian Commission
has closed all connection of the above
Western India Commission, with the Steamer
"Clypsid", -

E. B. Taylor
Secretary of Commission,

The above record has been carefully
examined by me and is correct.

E. B. Taylor

of NW. Indian Commission

Sioux City, Iowa, }
Nov 11. 1865. }

To Hon James Harlan
Secretary of the Interior
Washington
DC

Up. Miss G. B. S.

Dept of the Interior
Dec 5th 1865

Respectfully referred
to the Commission of
Indian Affairs

Geo. Harlan
Secretary of the Interior

Dec 5 1865
INDIAN
BUREAU
Commissioner
2-16

2-16

Fort Sully, D.T. Oct 27th 1865

Mr James Harlan

Secretary of the Interior

Washington, City, D.C

Sir,

The undersigned, Members of the Commission appointed by the President to treat with hostile and other bands or tribes of the Upper Missouri Indians, having discharged so much of their duties as the celerity of the season rendered practicable, have the honor to present the following report of their operations.

The Steamer "Clypeus", was furnished by the Quarter Masters Department in St Louis, Mo., upon the requisition of Major General Curtis to transport the Commissioners and supplies to Fort Rice or such other point to be designated, as the most eligible and convenient for assembling the several bands of Dakotas or Sioux in Council. The Steamer boat left St Louis on the 1st September and reached Omaha N.T. on the 18th with Commissioner Gurnsey who had gone on board at St Joseph, Mo. At Omaha, General Curtis and Superintendent Taylor embarked, and upon the arrival of the "Clypeus" at Sioux City, Iowa, General Sibley who had reached that place on the 11th September, in accordance with his instructions, joined the Commission, and the party proceeded up the Missouri River without unnecessary delay, on the 22nd of the same month. Much difficulty was experienced in navigating the River, in consequence of the low stage of the water. On the 25th September, the Steamer ascended as far as Yankton, D.T. where Governor Edmunds was met and conferred with, and upon his representations of the

receipt of visiting the Hankton and Crow Creek Agencies on his way upwards, for the purpose of inspection, and the transaction of other official business, it was decided that he should proceed by land to Fort Sully,

Upon the arrival of the party at Hankton Agency, Comptroller Edmunds was again met with, and Comptroller Reed joined the Comptroller at that point. By request of the principal men of the Hankton Band, a Council was held with them, all the members of the Comptroller being present. You are respectfully referred to the record for information as to what transpired at the meeting.

At Fort Randall on 29th Sept, General Sully received a despatch from Gen. Sully commanding the Military District, stating that he had selected Fort Sully, where he then was, as the best place for the general Council, instead of Fort Rice, as several of the principal Chief and Head Men had expressed their determination not to go to the latter port under ^{any} circumstances, and he had accordingly sent Messengers to all the Camps, that could be communicated with, of the change in the original programme. The results have demonstrated that it was judicious and wise.

Fort Sully was finally reached by the Comptroller over land from the Crow Creek Agency, on 5th October, and the "Clypeus" arrived on the 7th.

The first Council was held at the fort on the 6th October, with the Chiefs and Head Men of the Minneceogon Band, one of the most numerous, warlike and mischievous sub divisions of the great family of the Sisseton Dakotas & Sioux. The record of proceedings, which

has been minutely and accurately kept by the accomplished reporter of the *Cronquist*, Mr R. D. Hill, will show that this band claimed to represent, not only the views & wishes of all the hostile Sioux west of the Missouri, but also those of the Cheyennes and Arapahoes, with whom they have been in constant intercourse. All of these savages are represented by the *Minneconjours* as desirous of peace with the United States, but the great distance from the Missouri of many of their camps, precluded all hope of a general assemblage of the heads-men before the next Spring or Summer. The *Cronquist* have reason to believe that these statements are well founded, indeed, the result subsequently attained, proved their correctness, so far as the kindred bands of *Sisseton* Sioux were concerned. There is little room for doubt, that the Cheyennes, Arapahoes, and other tribes hitherto hostile, will yield to the prevailing anxiety for an early restoration of friendly relations with the Government, and embrace the first opportunity which may be presented them of signing a treaty. The only exception to this general wish for peace, is that of the bands encamped at or near the British Boundary line, known as the *Ssanti* Sioux, composed of refugees who participated in the horrible outbreak on the frontiers of *Minnesota* in the year 1862, and of others who have made themselves notorious by the murders and pillage committed on the peaceful settlers. It is reliably represented, that these savages manifest a malignant determination to continue the warfare upon the whites, but they do not seem to be supported by the aid, or even sympathy, of the contumacious bands of their own people,

The basis of negotiation was fixed, after a full and free conference with the Chiefs & Head Men of the Minneconjou, in accordance with ^{the tenor of} your general instructions, and a treaty was finally signed on the 10th October, in which the band recognized the exclusive jurisdiction of the United States; obligated themselves to cease all hostilities, not only against our Government and people, but against other bands or tribes of Indians, to use their influence and, if requisite, physical force, to prevent other bands from molesting the persons and property of the whites; to withdraw from all overland routes established, or to be hereafter established through their country, and not to frequent or permit any refinery to travellers thereon.

It was deemed unwise as well as impolitic to make any attempt to impose Civilization upon this wild nomadic band, having reference to a future location for purposes of agriculture and other labor. The mere mention of a possibility that its members would be compelled eventually to conform to the wishes of the Government, in that respect, and thereby consult their own permanent interests, was received with unanimous tokens of dissent, and the Commission therefore declined to press the point, lest it might endanger the success of the more important object, that of securing a peace with a band manifestly exercising great control and influence over the great hundred sub-divisions of the Sisseton, Dakotas or Sioux, heretofore allied with them in hostilities against the United States.

Treaties incorporating like provisions, and when practicable, articles for the aid and encouragement of individuals or portions of the bands, or of the bands.

themselves, in locating their own reservations and engaging them in agricultural or other kindred labors, were subsequently con-
 -cluded with the Lower Brules, Two Kettle, and Black-
 -feet, all important branches of the Sioux, numbering
 in the aggregate six hundred lodges or thirty six hun-
 -dred souls fully represented; with the Lower Mandanians
 who inhabit the great prairies east of the Missouri,
 and who claim two hundred and seventy lodges or
 sixteen hundred souls, (leaving out one hundred lodges
 not represented in Council) and with portions of the
 Etah-gai cho, or Sans Arcs, the Ouk-pah pah, and
 the Ogallallas, only partially represented by Chiefs
 and Head Men. The great majority of the last
 mentioned sub-divisions, and many of the warriors
 of the other bands treated with have been among
 those most hostile to the Whites.

There still remains to be reached of the Da-
 -kotas or Sioux, one or two entire bands, and such parts
 of others as did not make their appearance in Council
 by their immediate representatives. The messages sent to them,
 and also the Cheyennes and Arapahoes, through various
 sources by the Commissioners, will prepare them for
 such future propositions as you may see fit to utter.

The undersigned respectfully recommend a
 division of the present, or the appointment of two
 new Commissioners to visit the Fort Sarawie region, and
 the Upper Missouri, simultaneously, as early in the com-
 -ing Spring as practicable. It will be physically impossi-
 -ble for a single Commissioner in the same season to
 visit and treat with the many bands and tribes
 embraced in your programme of instructions, and to

secure the over-land route, and that by the (Missouri) River,
 from annoyance by Indians, negotiations should be commenced
 with the savages infesting these great highways, without
 unexcusable delay. The Commission should be "en route" to
 their respective fields of operations not later than the month
 of May next, the principal obstacle to negotiation has been
 found in the pertinacity with which the bolder and more
 savage of the bands west of the Missouri opposed the es-
 tablishment of new over-land routes through their country,
 they stated repeatedly and emphatically that the existing
 routes including the Missouri River, could, and would
 be protected from annoyance in the future by their people, but
 in case other and new routes should be opened, which would
 still more contribute to the diminution of the buffalo in
 their country, where they are now found in numbers sufficient
 to subsist them, it would be impossible to restrain the younger
 men from the commission of outrages upon the persons and prop-
 erty of whites passing to and fro thereon, The Chiefs and
 Head men were plainly admonished, that such a course
 would bring swift and sure retribution upon the guilty
 parties, and that they themselves would be held ac-
 -countable for injuries perpetrated upon the whites by members
 of the band - that they must exercise authority to prevent
 the commission of such hostile acts - and they were further
 informed again and again, that the whole region occupied
 or frequented by them and by all the other Indians, be-
 -longed to the United States, and their Great Father,
 the President claimed the right to make as many roads
 as he might consider necessary through such territory,
 The annuity provided to be paid the several
 bands, as a compensation for the diminution of game occasioned

by the passage of citizens with trains through their Country
 Amount to about thirty dollars per lodge or family as
 nearly as the number could be estimated, by a comparison
 of the information derived from various sources, and is
 payable in all cases in each article as the Secretary
 of the Interior may direct, for a period of twenty
 years.

Inasmuch as the treaty concluded at Fort Sar-
 amie on Sept 17th 1851, which stipulated that the
 Sioux Indians and other tribes who were parties
 thereto, should receive an annuity of \$50,000 for
 fifty years, was so amended by the Senate as to sub-
 stitute a payment of \$70,000 for fifteen years, which
 Amendment does not appear to have been submitted
 to the contracting bands and tribes, although required
 to be so submitted, will expire this year, if it has not
 already expired by that limitation, it is earnestly recom-
 mended that an appropriation by Congress be continued
 for some years longer, in view of the fact that the
 Indians, not being aware of the changes made,
 entertain the belief, that the sum promised will be
 faithfully paid by the Government as heretofore, for the
 time specified in the original instrument, As a measure
 of policy, to mention no other and higher considerations,
 there should be no failure, at this crisis, in redem-
 -ing to its full extent, what the Indians believe
 to be the solemn pledge of the Government,

In addition to the articles contained in the treaty
 with the Minnecojons, there have been others inserted
 in those negotiated with the Lower Brule and some
 other bands, for the aid and encouragement of such aid

such or individuals among them, as should evince a desire to abandon the roaming life and engage, upon a permanent res-
 -olution, in agricultural and other labor, Provision is made
 for the payment of \$25, for each lodge or family annually,
 for five years, to be expended under the direction of the
 Secretary of the Interior, for stock, farming implements,
 and improvements, the two former to remain the property
 of the United States, to be used by the respective
 bands for their own benefit, but not to be sold or
 alienated by them.

The almost insuperable aversion of the
 great majority of these people to labor of any kind,
 except that of the chase, can only be overcome by
 some inducement of the kind referred to, and it was ex-
 -pressly stated in each treaty, that in any case
 any portion of a band should elect to engage in
 farming or some kindred occupation, they should be
 permitted to do so, without molestation or injury by
 other Indians, or by the whites.

Apart from general expressions of regret on the
 part of the Chief and Head Men who have remained
 friendly, characterizing the conduct of the hostile savages
 as wrong and foolish, the undersigned have been unable
 to ascertain the existence of any really amicable feeling
 among these people, towards the government, At each
 Council, complaints were preferred of ill treatment
 or fraudulent practices by Indian Agents, traders and other
 -or white men, and all appeared to regard a restoration
 of kind relations with the United States, in the light
 of interest or profit to themselves, and not inspired by
 more humane or generous sentiments, The antagonism of the

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two races, in views, habits, and modes of life, was presented by the Chiefs at each conference, in a most distinct and palpable form, and it was quite evident, that a compliance with the terms of the treaties, and a termination of hostilities by a great majority of those composing the Dakotas or Sioux bands will be the result ^{rather} of their fears of our power, than of attachment to the Government and people of the United States.

Humanity, not less than sound policy, demand that the evils of which they justly complain, should be corrected without loss of time. Improper persons, whether in the civil or military employ of the Government, or engaged in private enterprises as traders, should be summarily removed from the Indian Country, and no white man permitted to remain in it, whose conduct or influence tends, in any wise, to injure the Indians, or to cause disaffection among them. It is believed, that the prevailing bad state of feeling alluded to, is mainly attributable to the outrages so often perpetrated upon them by reckless and bad white men. Many instances of an utter disregard of the natural rights of the bands treated with, and of the injustice done them by vendors and by soldiers, as well as travellers through their Country, have been brought to the notice of the Commission. These people must be dealt with in a firm and just manner, and protected from a recurrence of the frauds and injuries of which they have been the victims, or the alternative is plainly presented of hostilities being renewed with increased fury and ferocity, which will require for their suppression a vast expenditure of blood and treasure.

When the Agent appointed by the Government can be surely looked up to, as the protector of those under their charge against oppression and wrong, rather than, as has too often been the case, the facile instrument in the perpetration of such outrages, we may reasonably hope for a favorable and radical change in the feelings of all the bands and tribes towards our Government and people.

In this connection, the undersigned feel bound to present for your special consideration, the affairs of the Hankton Sioux, who receive annuities under existing treaties, and have proved their fidelity during the troubles of the past few years, by rendering important aid to the Military Authorities of this District. Instead of being found in a thriving and prosperous condition, as was to be expected after the expenditure of large sums of money, ostensibly for farming and school purposes as stipulated, the undersigned were astonished to discover that no improvements worthy of the name, have been made upon their lands, and indeed it was necessary for the Commission to order an issue of provisions to the band, to save them from absolute starvation. The details made by their Principal Chief, an intelligent man, of the mode in which their business has been conducted by Agent heretofore in Office, were taken down in open Council, and they reveal a condition of things alike disgraceful to the Government, and ruinous to the material interests of this well-disposed band. With the exception of a few miserable huts, a saw mill and a small amount of land enclosed, there are few vestiges of improvement, no crops met the eye, nor is there the semblance of a School House, although quite a large

Sum is understood to have been devoted to that special object, The consequence of this mal-administration of their affairs heretofore, is that they are reduced to the necessity of hunting for a subsistence, and unless they are soon re-aided and encouraged, they will be driven to despair, and the great discontent^s among them, will culminate in another formidable Indian war on the frontier of Dakota Territory.

The undersigned deem it proper also to represent the miserable state of these Indians, ^{v. Sioux} principally women and children, who were taken prisoners in 1862, after the outbreak in Minnesota, and transported the following spring, to the Crow Creek Reservation, on the Missouri River. Circumstantial evidence of the most reliable character shows these helpless creatures, to have been kept in a condition of semi starvation for the two years following their arrival at their new home, during which period several hundreds have died from actual want or from disease super-induced by it. There are about a thousand remaining on the reservation of whom only one sixth are men, mostly aged and infirm. Even now, although every effort seems to have been made by the Superintendent and Agent, to secure a proper supply, these people are receiving a ^{small} amount of subsistence ^{hardly} insufficient to sustain life, the liberal appropriation made by Congress for their benefit not having been expended for that purpose, sufficiently early in the season, to secure the delivery of the provisions at so high a point on the River. In fact, Superintendent Edmunds was officially informed from the Indian Office in Washington, that a considerable portion of the sum appropriated, had been anticipated by his predecessor in Office. It is earnestly recommended, that the

that the most prompt and effective means be adopted for the relief of these wretched dependents upon the mercy of the government, while apparently willing and anxious to aid in supporting themselves by farming, the experience of two of the three seasons they have spent in that locality, has demonstrated that there is no reliance to be placed upon the products of the ground, in fact, labor in that direction, seems to meet with no corresponding return, in consequence of the prevailing drought and poor soil.

The undersigned do not conceive themselves to have deviated from the line of duty prescribed in your instructions in the introduction of these special cases to your notice, on the contrary we understand that the Commissioners were selected, not only with a view to negotiate treaties, but to inquire into and report such abuses or defects in the existing system of Indian policy as might fall under their observation, and suggest a remedy.

It is deemed highly important to the public interests, that Indian Agents be made subordinate to their immediate superior in Office, which the Law provides shall be the case, but practically this requirement has been dispensed with in many instances, those officials communicating direct to the Commissioners of Indian Affairs, instead of through the intermediate Offices, Proper discipline and subordination require that all intercourse of an official character should pass through the proper channels, and Superintendent can justly be held to a responsibility, while it would now be wrong to impose or exact. It is also respectfully suggested, that the Superintendents of Dakota Territory, and of the Northern Superintendency be required as a special duty, to visit the Agencies

within their respective jurisdictions, twice in each year, if practicable, to make a searching investigation into the accounts and management of the Agents, and report accurately the result, to listen to, and redress the well founded grievances of the Indians, and to exercise summary power in the removal from the Country of white persons, other than the Agent or Military Officers or employes, who are doing injury to the Indians by influence or example, with the right to call upon Military Commanders for their co-operation and assistance; As a salutary check upon the abuse of authority is considerable, the Superintendent should be called upon to report all the facts and circumstances in such cases, and an appeal from his decision allowed to the higher authorities, as now required by law.

In submitting this report of their operations, the undersigned would do injustice to those Dakota Indians, who have remained faithful in their friendship to the Government, were they to omit a special mention of their good offices, some of them have been active in the rescue and return to their friends of white Captives, women and children, while others have proved themselves reliable as Scouts and guides to the troops in motions against their own kindred; Thus far, they have received but an inadequate compensation for such services, which deserve to be requited in a substantial and liberal manner, not only on the score of justice, but as an inducement to others to pursue a like course, A much broader line of demarcation should be made than heretofore, between those who shall persist in an unfriendly attitude towards our Citizens, and others who pursue an opposite course. As we understand the policy of the Government

to be, to consolidate and preserve the remaining tribes, rather than to make war upon and exterminate them, it becomes the more incumbent upon all officers of the government, Civil and Military, to guide themselves accordingly, and it should be the aim of all so to conduct their official relations with these people, as to convince them that it is for their interests to be true and firm friends of the whites.

It is due to the Officers and Attachés of the Commission to mention that they have discharged their several duties with alacrity and zeal, Capt. Rutt, appointed by you Secretary of the Commission, has performed the functions of that Office with commendable fidelity.

The record of proceedings, and the treaties are respectfully forwarded with this report.

The Commission finally adjourned subject to your future instructions, the individual members to report to you by letter or otherwise.

Newton Edmunds

Edward B. Taylor

J. R. Curtis

Maj. Genl.

Henry H. Sibley

Brig. Genl.

Sam. W. Reed

E. A. Rutt

Secretary of Commission

Orin Guernsey

After the Resolution separating the Campaign had passed
Major General Curtis issued the following Order by

Government Transport Calypso

Fort Sully Oct 26th 1865

"The following members of the Campaign, to wit, Brig
"General A H Sibley, Henry W Reed and Edward
"B Taylor, having been detached by the Campaign to
"take charge of the Steamer Calypso, on her return
"trip to St Louis, the charge and general direction
"of the movements of said Transport are hereby turned
"over to the said members of the Campaign, and the
"Officers of the Boat, will obey their instructions, as
"aforesaid"

O R Curtis

My Genl

Hereupon the Campaigners named, caused to be served
by the Secretary of the Campaign, upon Capt Burton
a copy of the above, with the following note attached there-
to.

"On board Steamer 'Calypso'"

"near Fort Sully Oct 27th 1865"

"1/2 past 8 O'Clock A.M"

Capt Burton

Steamer 'Calypso'

"In accordance with the above authorization,
"you are hereby required and directed to take your departure
"from this place with the Steamer under your command
"without delay "en route" to St Louis."

A H Sibley, Brig General

Henry W Reed

E B Taylor

Under the foregoing ^{order} the Calypso took her departure at 11 1/2
O'Clock, A.M., on the same day of its issue.

On the 28th of October, whilst the Calypso
was lying aground below Fort Sully, the following letter
was received from R.R. Kite Esq, Reporter to the Commission
"Fort Sully D.S.

"October 28th 1865

Col E.B. Taylor,

"9-30- A.M.

"Sir

"The Commissioners here find representatives of
"Blackfeet, Shunktonais (both Upper & Lower) Ogulala,
"Sioux, Arapahoes, and Parkpapas, many of them head chiefs,
"We have only the treaties with Parkpapas and Sioux Arapahoes,
"Please send by bearer the remaining treaties that they
"may receive additional signatures,

"With much Respects &c

"By Order of the Commission at Fort Sully
"R.R. Kite

"Reporter of Commission

In reply to the above Commissioner Taylor addressed the
adjourned letter to the President of the Commission.

"Hence Calypso

"Oct 28th 1865

Governor Newton Edmunds,

"President of the N.W. Indian Commission

"Sir

"Enclosed please find Treaties with Murrencongou, Lone
"Boule, Two Kettle, Blackfeet Sioux and Shunktonais
"as per your request, conveyed by note from R.R. Kite Esq,
"Reporter for Commission, These are all the Treaties in the
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" custody of Capt. Burt, Secretary of the Commission, they
" will hereafter remain in the charge of that portion
" of the Commission which is now at Fort Sully,

Very Respectfully

Your Obedt Servt

E B Taylor

for Commission in charge of
Steamer Calypso

On the 29th of October, the following "Order" was issued
by Commissioner Taylor, to Capt. Burt, of the Calypso.

On board of "Calypso"

Six miles below Fort Sully

Oct 29th 1865,

Capt Burt

In charge of Steamer "Calypso"

You will put off all freight at this point for the pur-
" pose of lighting your ^{boat} for the passage of the bar, and if you

" proceed in getting the Steamer over, you will put on board

" again only such stores, as will be necessary to subsist

" the passengers and crew of the boat, together with

" such blankets and bedding as are essential to the

" comfort of those on board

" Arrangement will be made by the Military

" authorities to take to a place of safety, all other

" articles now on board,"

Very Respectfully

Your Obedt Servt

E B Taylor,

By order of Commissioner

Attest

E. J. Burt,
2-19 Secy of Commission

On the same day (29th) the following letter was addressed
to Capt Maston,

On board Steamer 'Calypso'
Near Fort Sully, ~~St. Louis~~ Dec 29th 1865,

Capt Maston
in charge of Steamer 'Calypso'
Sir

There being a prospect that the Steamer
in charge of yourself, but under the direction of the undersigned
Commissaries, will not proceed in crossing the bar
below this point, it is our duty to notify you, that
the extraordinary and unnecessary delays of the last forty
eight hours, in our judgment, will be the primary cause
of such detention, for which the Officers of the Steamer,
and not the Government, are responsible. There is no
good reason, why, with a force of a hundred and
more men than the regular crew at your disposal,
the wood for the boat was not placed on board last
night, instead of losing several hours which may be
of vital importance to success in crossing the bar, in
looking out for fuel at a late hour this morning, as
it is notorious, that the water is falling considerably
each hour. Such delays naturally give good grounds for the
Suspicion at least, that there is no particular desire on
the part of yourself, or of some of your Officers, to succeed
in returning the Steamer to St Louis. Should it be
decided after full consultation, that the Steamer 'Calypso'
is so far under the control and direction of the Quartermaster
Masters Dept, as to render the Government accountable
for her safe return to St Louis, which is exceedingly doubtful,
measures will be recommended whereby the Officers and Crew

"of the boat will be discharged from the service, giving
"them a liberal allowance of time to enable them to
"reach St Louis, the point of departure, and in such
"case the Steamer will be placed in winter quarters
"under a military guard.

"The undersigned Commissioners have no wish to
"act otherwise than fairly and even liberally, in dealing
"with yourself and your Officers and crew, but their
"duty to the Government requires that they should
"fully protect its interests in all matters connected
"with the charter or employment of the Steamer 'Clyfford',
"and they have decided to notify you accordingly,

"Very respectfully

"Your Obedt servants

"A. H. Sibley, Brig Genl,

"E. B. Taylor

"Henry W. Reed

Commissioners

"True copy from the original.

"Served on Capt Boston, 11-15

"W. M., Oct 29th 1865

"E. J. Smith

"Secy of Comm'n

On the 31st of October, Capt Boston addressed the following
letter to the Commission on board the 'Clyfford'

"Steamer Clyfford, Oct 31st 1865

To Brig Genl A. H. Sibley, H. W. Reed, E. B. Taylor,

"Members of Commission on board,

"Gentlemen,

"The river being so very low, and the ice

"running so that it is impossible to see any break,
"I consider it unsafe for me to take any further
"risk, as my boat is only partly insured, I cannot
"proceed any further unless you assume all the risk
"and responsibilities and protect me from all loss
"and damage of any kind that may be sustained
"in running the boat by your becoming responsible
"to me for my boat, I will use all endeavours to
"proceed on down the river,

"Respectfully Yours

"R P Burton, Master,

"In the above letter of Capt Burton, the Comptroller
"replied as follows,

"On board Steamer Calypso

"Near Crow Creek Agency, D.S.

"October 31st 1865,

"10-30. R M

"R P Burton Esq

"Master of Steamer 'Calypso'

"Sir,

"Your communication of this date
"was this moment handed to us by Mr Glenn, Clerk
"of the Steamer, Of course we cannot undertake to
"render ourselves individually liable for the safety of
"the Steamer, and we certainly possess no power, if
"we had the disposition, to render the Government res-
"ponsible for any damage that may result from a
"further effort to return the boat to St Louis, but
"you must be satisfied that what is imposed by the terms of the
"Contract, under which you undertook to convey the
"Comptroller to and from Fort Sully, this Contract

"we have never seen, and we must therefore leave you
the judge, as to the extent of the obligation which
it imposes upon you, to return the "Clyffo" to St
Louis,

"If you have determined to make no further
effort to return to St Louis, we have to request
that you will place the passengers on shore, at
some convenient point where they may avail them-
selves of such transportation as can be procured at
Crow Creek Agency.

"Very Respectfully
"Your Obedt Servt
"E B Taylor
"H H Sibley, Brig Genl,
"Henry W Reed
"Commissaries

"The copy from the original
"Served on Capt Boston
"Oct 31st 1865, 11 AM
"E. J. Smith, Secy. of Com. Genl.

"At a Meeting of the Commissaries, remaining on the
"Clyffo, on Thursday, November 1st 1865, the following
"Resolution was offered by Commissary Reed, and
"passed by a quorum of the Commissaries, consisting
"of Messrs Taylor & Reed.

"Resolved, that in consequence of the lateness of
"the season, and the long distance to be traversed here
"an inhabitable prairie region by Commissary Sibley
"he should not be required to await the
"tardy

"and uncertain movements of the Steamer 'Calypso',
"but should make the best of his way overland to
"St Paul, a quorum of the Commission remaining on
"the boat for the transaction of necessary business."

In accordance with the above Resolution, Gen
Sibley, started from Crow Creek Agency, by land
transportation, early on the morning of the 2nd of
November, and the "Calypso" after lighting up, to
the greatest practicable extent, resumed her trip to
St Louis, starting at 11 1/2 A.M.

After many vexatious delays, caused by low water
and high winds, the "Calypso" arrived at Yankton,
the Capital of Dakota Territory, in the forenoon
of the 8th of November, where Commissioners Taylor
& Reed, met Governor Edmunds, President of the
Commission, who had previously arrived from Fort
Sully, with the treaties which had been placed in
his possession, together with others which had been
perfected at Fort Sully, subsequent to the
separation of the Commission. To these last, Messrs
Taylor & Reed, affixed their signatures, and all
the treaties, new in number, were ^{then} placed in the
custody of the Secretary of the Commission.

After the solemnity of signing of the trea-
ties, was performed, the "Calypso" again resumed
her voyage, and arrived at Sioux City, Iowa, at
12-10 P.M. Immediately on the arrival of the steamer
the following letter was addressed to Surgeon Woods
on board, by Commissioners Taylor & Reed.

US Transport 'Calypso'
Sioux City, Iowa, Nov 10th 1867

May W S Woods
Surgeon U S A
Sir

"The North Western Indian Commission
"having returned to Sioux City, your services as Surgeon,
"are no longer required, You will therefore report
"to the proper authorities at this place for duty"

"Very Respectfully
"Your Obedt Servt
"E. B. Taylor
"A W Reed
"Commissioner

Attest - E. J. Ruth

Secretary of Commission

This certifies that having this day read the
above records we hereby certify that they
are correct, Sioux City Nov 10th 1865

E. B. Taylor
Henry W. Reed
Commissioner

E. J. Ruth

Secretary of Commission

To Hon James Harlan

Secretary of the Interior
Washington

~~Wm. W. Phelps~~ 1846
~~Genl. S. P. Curtis~~
~~Corin Sherman Comdr~~
~~West. Nea. W. Co~~

Submit final reports of
the Commission sent to
treat with the Indians
of the Northwest Territory
with a presentation of
for the practical reference

Let copy be
made

Copy sent with report to
Secy Jan'y 10, 1866

See additions by Comm
Sibley & Russell

Dec 23 1865
INDIAN
BUREAU 2-8

Washington D.C. Dec. 20th 1865

Hon James Harlan
Secy Interior

D. J. W.

In submitting a final report of the Commission sent to treat with Indians of the North West, it may be convenient for you and others to have a more brief presentation of the matter for practical reference.

Character of the Parties Signing. —

The representatives of nine different tribes came, not generally together, but as separate organizations; and we heard them separately give their views of their wants and grievances. The lateness of the season, and our position at Fort Sully, where grub for their ponies, and Buffaloes meat for themselves, were not convenient; precluded the collection of the whole tribes; therefore we sent out for their chiefs and head men only. — The first representative men came timidly, and but few of the chiefs; but as we remained a month, and Indians circulated freely between the camps of the tribes, and our Council tents; additional representations came, and signed the same treaties. All the chiefs that came in, signed the treaties; ^{but} and only a part of the head men, or soldiers, were desired by us, ^{to do so} They stated fully their representative character, as will be seen by the full report of the speeches which accompanies our report. —

The tribes, ^{as they stated} are thus represented by name & numbers

Minneconjous	15	signers, representing	370	Lodges	Probably	2200	Persons
Brules	15	do	200	do		1200	"
Two Kettles	22	do	200	"		1200	"
Blackfoot Sioux	17	do	220	"		1320	"
Yanktonais	16	do	350	"		2100	"
Sans Arcs	14	"	280	"		1680	"

One-pa-pas	14 Signes	300 Lodges, Probably	1800 Persons
Ogallallas	3 "	350 " "	2100 "
Upper Yanktonais	<u>14 "</u>	<u>400 " "</u>	<u>2400 "</u>
Totals	130 Signes	2670 Lodges Probably	16,020 Persons

This is on ^{our} estimate of 6 to a lodge. Some estimate considerably more persons to the lodge.

The Indians know pretty nearly their number of lodges; but seldom, the number of their people.

When there were but few representatives chiefs, the reasonable explanation was made, as in the case of the Ogallallas. This tribes location, was very remote from Sully, (near Ft. Laramie, ^{300 miles away}) They had been involved in the war more because the Cheyennes and Arapahoes had come from the Arkansas to their domain. - They had not got the news in time, and the journey was great; but they sent their oldest and very distinguished chief as he said ^{with very full authority} Sincerity of the Indians

There never was a stronger exhibition of anxiety and sincerity, than that exhibited by these people. This is shown by their reported speeches; but it was more strongly manifested by their actions, and emotions. They generally spoke with much feeling, and nervous excitement; often, or generally appealing to the Great Spirit, to witness the truth of their avowments. -

The flagrant wrongs of which they complained, were notorious, or flagrant patents; and their apprehensions of destruction by compulsion, and starvation, ^{and fully presented by them,} was rational.

The dangers too of their representatives character, were fully appreciated, and expressed; and their anxiety to obtain early manifestations of our sincerity, to allay the murmurs of their people; was consistent with their condition as representatives

of a timid wild and ignorant people who we know with
 Sorrow have had occasion to denounce ^{and sometimes among the} conduct of their chiefs. —

Necessity of Early ratification of Treaties.

The former treaties with these North West ^{Indians} have been loosely defined, and always imperfectly executed by our Government. That of "Laramie" spoke of a large annuity (seventy five thousand dollars) but it applied to all these, and several more tribes, although very few of them were represented. — The sum was never carefully apportioned; or if it was, the amounts distributed to each tribe was too small to be worth going after. —

It has now expired by limitation although the Indians did not so understand ^{it}, as the Senate Amendment changing the annuity from fifty to seventy five thousand, and reducing the period in proportion; was never explained to the Indians, as they were never again assembled for that purpose. —

The "Havre treaty", inaugurated a valuable system of government, and made peace arrangements which have been better observed by the Indians than any other. But the annuity was to go on, as it has done, till suspended because of hostilities, and now extinguished by limitation of law. —

Our ^{new} treaties, recognize the several tribes as they act among themselves, and they will therefore better understand their duties, and their annual ^{demands} ~~expectations~~.

The swearing of these Sioux, will also weaken their power, and enable us to foster and promote the peaceable tribes, while we may punish the wicked.

The departure of the Arapahos and Cheyennes from the Northwest, may be attributed to the treaties; they seeing that these 9 tribes had determined to make and maintain peace with the whites. —

But the early ratification and appropriation of means to fulfil the Government's stipulations, is essential to the success of the treaties. — Several of these tribes desire to commence the Cultivation of the Soil. The Government is to aid by furnishing implements &c. This should be done before seed time, so the Indians can be certain of a crop the first year. Failure in this respect, would be fatally discouraging. Teams must be on the grounds at various places, so that plowing may commence at the earliest possible period.

Seeds also must be on the grounds, and all this preparation must be made before navigation opens by river, as that will be too late. The Country is remote, but roads are good, and winter transportation over lands expedient; and the lives of these people, and the peace of our frontiers therefore, depends on early and energetic exertions to provide for the Cultivation of the Soil. — Actual wants, is the greatest source of our Indian troubles. Starvation stars them in the face on all sides. They are naturally great cowards, but necessity induces them to venture to steal and rob; and incidentally they murder and maim. There is a vast multitude of starving, starving, anxious children of the prairies, waiting the action of our Government; and hoping that a return of spring, will bring with it the peace offerings contemplated by our treaties, and restore to them such safety and security as may enable them to enjoy their wilderness homes with their families, to which, more than any people, they seem most fondly devoted. —

Appropriations required by the treaties

Minneconjons,	Annuity payable in goods at the discretion of the Secy of the Interior	10,000
Brulés	Annuities as above 6,000	
	Agricultural implements 2,500 =	8,500
Two Ketches,	Annuity 6,000	
	Payments to indemnify industry - 1,000	
	Agricultural implements 1,500	8,500
Black foot Sioux,	Annuity	7,000
Yanctonais,	Annuity 10,500	
	Agricultural purposes 2,000	12,500
Sans Arcs,	Annuity	8,400
One pa pas,	Annuity	9,000
Ogallallas,	Annuity	10,000
Upper Yanctonais,	Annuity	10,000
		<u>\$ 83,900</u>

This sum distributed among at least sixteen thousand; would, only give to each about five dollars, and ^{much} ~~most~~ of it is to be in agricultural implements which are only loaned to the Indians. The Commission desired to make no promises that would not be certain of fulfillment; but it is the opinion of the undersigned that an equal amount of \$83,900 should be added to the appropriation to be used at the discretion of the Secy of the Interior in connection with these tribes, and in breaking ground for tribes that may hereafter express a desire to plant; and to induce them to do so.

It is desirable to do all we promised, and also all they expected the Government would do.

The probable assembly of the tribes in early Summer to receive the annuities, will also involve a considerable

expense. The assembled hordes must be "feasted" as they always expect such hospitality. Twenty thousand are very likely to assemble at one or two points, if it be the pleasure of Government to carry out the suggestions of the Commissioners. Army rations for twenty days should be provided although that amount may not be required. Presents of tobacco and clothing should also be made without reference to treaty obligations, to show these wild tribes the generous and merciful disposition of governments, towards Indians who adopt peaceable instead of hostile measures towards us. -

Finally, & very respectfully we suggest that better restraints should be provided against imposition and fraud.

- 1 - Measures, ~~instead of weights~~ should be provided; stamped, and used to designate a pound of Sugar, Coffee &c and the chiefs should have ^{and included in their meaning} samples of them.
- 2 - Scales, ^{only} in the form of a balance, should ~~only~~ be used when weights are necessary; & chiefs should be instructed also in their use.
- 3 - Prices of articles should be prescribed by a board of officers annually, not only for goods sold by traders, but robes and furs bought; and chiefs should be fully informed as to this.
- ~~4 - Frauds should be ~~cut~~ ~~prevented~~~~
- 4 - The giving of papers, ^{to Indians} as evidence of official stations, should be limited to the high officers of the Interior Department or the War Dept.
- 5 - No officer, trader, or traveler, should make promises to Indians, which they are not fully authorized, ^{to make,} or able to fulfil; and penal consequences should attach to such offenses.
- 6 - Government tribunals to try and punish offenders, should be made available; where Indian

7
6
Testimony may be received

These measures carefully matured,
and faithfully executed, would save many lives of
both white and red men, and secure peace
and happiness when fraud, cruelty, and misery
now prevail.

We have the honor to be Sir,

Your very Obedt Servt

S. R. Curtis Maj Genl
Chf of the Commrs

Orin Guernsey
Commissioner

The foregoing views & statements of Genl Curtis and Mr Guernsey
Comms. met with ~~our~~ general concurrence.

Washington City Feb. 26th 1866

Respectfully,

H. H. Sibley

Br Major Genl &

Commissioner

Henry W. Reed,

One of Commrs