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## **Ratified treaty no. 373, Documents relating to the negotiation of the treaty of July 3, 1868, with the eastern band of Shoshoni and Bannock Indians. July 3, 1868**

Washington, D.C.: National Archives, July 3, 1868

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**RATIFIED TREATY NO. 373**  
**DOCUMENTS RELATING TO THE NEGOTIATION OF THE**  
**TREATY OF JULY 3, 1868, WITH THE EASTERN BAND**  
**OF SHOSHONI AND BANNOCK INDIANS**

July 3, 1868

copy of  
Treaty with  
Shoshonees & Paiutes

July 3, 1868

Presented by Genl Angus  
October 7, 1868

Copy

Articles of a Treaty  
with the  
Shoshonee (Eastern Band)  
and  
Pannack Tribes of Indians.

Made the third  
day of July 1868  
at Fort Bridger  
Utah Terr.

Articles of a Treaty made and concluded at Fort Bridger, Utah Territory on the third day of July in the year of Our Lord one thousand eight hundred and sixty eight by and between the undersigned Commissioners on the part of the United States and the undersigned Chiefs and headmen of and representing the Shoshonee (Eastern Band) and Bannack tribes of Indians they being duly authorized to act in the premises

Article I. From this day forward, peace between the parties to this Treaty shall forever continue. The Government of the United States desires peace and its honor is hereby pledged to keep it. The Indians desire peace and they hereby pledge their honor to maintain it.

If bad men among the whites or among other people subject to the authority of the United States shall commit any wrong upon the person or property of the Indians the United

States will upon proof made to the Agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed apace to cause the offender to be arrested and punished according to the laws of the United States and also reimburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white black or Indian subject to the authority of the United States and at peace therewith, the Indians herein named solemnly agree, that they will on proof made to their Agent, and notice by him delivered up the wrong done to the United States, to be tried and punished according to its laws, and in case they wilfully refuse so to do the person injured shall be reimbursed for his loss, from the annuities or other monies due or to become due to them under this or other Treaties made with the United States And the President on advising

with the Commissioners on Indian Affairs shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damages shall be adjusted and paid, until it is thoroughly examined and passed upon by the Commissioner of Indian Affairs and no one sustaining or sustaining loss, while violating, or because of his violating the provisions of this Treaty, or the laws of the United States, shall be reimbursed therefor.

Article II. It is agreed that whenever the Dannahs desire a reservation to be set apart for their use, or whenever the President of the United States shall deem it advisable for them to be put upon a reservation he shall cause a suitable one to be selected for them in their present country which shall embrace reasonable portions of the "Fort Snuff" and Kansas prairie countries and that when this reservation is declared the

101  
Copy

Articles of a Treaty  
with the  
Shoshonee (Eastern Band)  
and  
Pannack Tribes of Indians.

Made the third  
day of July 1868  
at Fort Bridger  
Nebraska



United States will secure to the  
Sunnacks the same rights and  
privileges therein and make the  
same and like expenditures therein  
for their benefit except the Agency  
House, and residences of Agents in  
proportion to their numbers as  
herein provided for the Shoshonee  
occupation.

The United States further agree  
that the following district of coun-  
try, to wit. Commencing at the  
mouth of Owl Creek and running  
due South to the crest of the divide  
between the Sweetwater and Tago  
Agui rivers. thence along the crest  
of said divide and the summit of  
Wind River Mountains to the longi-  
tude of North Fork of Wind River.  
thence due north to mouth of said  
North Fork and up its channel to a  
point twenty miles above its mouth.  
thence in a straight line to head  
waters of Owl Creek and along  
middle of channel of Owl Creek  
to place of beginning. shall be and  
the same is set apart for the absolute  
and undisturbed use and occupation

Shoshonee of the Indians herein named and for such other friendly tribes or individual Indians as from time to time they may be willing with the consent of the United States to admit amongst them, and the United States now solemnly agree that no person except those herein designated and authorized to do so, and except such officers or Agents and employees of the Government, as may be authorized to enter upon Indian reservation in discharge of duties enjoined by law, shall ever be permitted to pass over settle upon or reside in the Territory described in this article for the use of said Indians and henceforth they will and do hereby relinquish all title claims or rights in, and to, any portion of the Territory of the United States except such as is embraced within the limits aforesaid.

Article III The United States agrees at its own proper expense to construct at a suitable point on the

Shoshone reservation a warehouse  
or storeroom for the use of the  
Agent in storing goods belonging  
to the Indians, to cost not exceed-  
ing two thousand dollars; an  
Agency building for the residence  
of the Agent to cost not exceeding  
three thousand; a residence for the  
Physician to cost not more than two  
thousand dollars, and five other  
buildings for a Carpenter, Farmer  
Blacksmith, Miller and Engineer  
each to cost not exceeding two thousand  
dollars; also a school house or Mission  
building, so soon as a sufficient number  
of children can be induced by the  
Agent to attend school which shall  
<sup>cost</sup> not exceeding twenty five hundred  
dollars.

The United States agrees further  
to cause to be erected on said Sho-  
shone reservation near the other  
buildings herein authorized a good  
steam circular saw mill with a  
Grist Mill and Shingle Machine  
attached the same to cost not more  
than eight thousand dollars.

Article IV. The Indians herein named agree when the Agency House and other buildings shall be constructed on their reservations named they will make said reservations their permanent home, and they will make no permanent settlement elsewhere but they shall have the right to hunt on the unoccupied lands of the United States, so long as game may be found thereon and so long as peace subsists among the whites and Indians, on the borders of the hunting districts.

Article V. The United States agree that the Agent for said Indians shall in the future make his home at the Agency building on the Shochoonsee reservation but shall direct and supervise affairs on the Sannack reservation, and shall keep an office open at all times for the purpose of prompt and diligent enquiry into such matters of complaint by and against the Indians as may be presented for investigation under the provisions of

their Treaty stipulations as also for the faithful discharge of other duties enjoined by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded together with his finding to the Commissioner of Indian Affairs whose decision shall be binding on the parties to this Treaty.

Article VI If any individual belonging to said tribes of Indians or legally incorporated with them being the head of a family shall desire to commence farming he shall have the privilege to select in the presence and with the assistance of the Agent when in charge, a tract of land within the reservation of his tribe not exceeding three hundred and twenty acres in extent which tract so selected, certified and recorded in the "Land Book" as herein directed shall cease to be held in common, but the same may be occupied and held in the exclusive

possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her for purposes of cultivation, a quantity of land not exceeding eighty acres in extent and thereupon be entitled to the exclusive possession of the same as above described.

For each tract of land so selected a certificate containing a description thereof and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded shall be delivered to the party entitled to it by the Agent after the same shall have been recorded by him in a book to be kept in his office, subject to inspection which said book shall be known as the Shoshonee (Eastern Band) and Bannack Land Book. The President may at any

time orders a survey of the same  
reservations, and when so surveyed Cong-  
ress shall provide for protecting  
the rights of the Indian settlers  
in these improvements, and  
may fix the character of the title  
held by each. The United States  
may pass such laws on the subject  
of alienation and descent of property  
as between Indians and on all  
subjects connected with the Govern-  
ment of the Indians on said  
reservations, and the internal police  
thereof, as may be thought proper.

Article VII. In order to insure  
the civilization of the tribes entering  
into this Treaty, the necessity of  
education is admitted especially of  
such of them as are or may be settled  
on said agricultural reservation  
and they therefore pledge themselves  
to compel their children male and fe-  
male, between the ages of six and  
sixteen years to attend school and  
it is hereby made the duty of the Agent  
for said Indians to see that this stipu-  
-lation is strictly complied with and

The United States agree that for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided and a teacher competent to teach the elementary branches of an English education shall be furnished who will reside among said Indians and faithfully discharge his or her duties as a teacher. The provisions of this article to continue for twenty years.

Article VIII. When the head of a family or lodge shall have selected lands and received his certificate as above directed and the Agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year in value, one hundred dollars and for each succeeding <sup>year</sup> he shall continue to farm, for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid in value twenty five dollars per annum



And it is further stipulated that such persons as commence farming shall receive instructions from the Farmers herein provided for, and whenever more than one hundred persons on either occasion shall enter upon the cultivation of the soil a season's Blacksmiths shall be provided with such iron, steel and other material as may be required.

Article IX. In lieu of all sums of money or other annuities provided to be paid to the Indians herein named under any and all treaties heretofore made with them, the United States agreed to deliver at the Agency House on the reservation herein provided for on the first day of September of each year for thirty years the following articles, to wit;

For each male person over fourteen years of age a suit of good substantial woollen clothing, consisting of, hat coat, pantaloons, flannel shirt and a pair of woollen socks.

For each female over twelve years of

age a flannel shirt, or the goods necessary to make it, a pair of woollen hose, twelve yards of calico and twelve yards of cotton domestics.

For the boys and girls <sup>the</sup> underages named such flannel and cotton goods as may be needed to make each a suit as aforesaid together with a pair of woollen hose for each.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the Agent, each year to forward to him a full and exact census of the Indians on which the estimate from year to year can be based. And in addition to the clothing herein named the sum of ten dollars shall be annually appropriated for each Indian (boarding), and twenty dollars for each Indian engaged in agriculture, for a period of ten years, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the conditions and necessities of the Indians may indicate to be proper

And if at any time within the ten years it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the tribes herein named Congress may by law change the appropriation to other purposes but in the <sup>no</sup> event shall the amount of this appropriation be withheld or discontinued for the period named. And the President shall annually detail an officer of the army to be present and attest the delivery of all the goods herein named to the Indians and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery.

Article X. The United States hereby agree to furnish annually to the Indians the Physician, Teachers, Carpenter, Miller, Engineer, Farmer and Blacksmith as herein contemplated and that such appropriations shall be made from time to time on the estimates of the Secretary of the Interior as will be sufficient to employ such persons.

Article XI. No Treaty for the cession of any portion of the reservations herein described which may be held in common shall be of any force or validity as against the said Indians unless executed and signed by at least a majority of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive without his consent any individual member, of the tribe of his right to any tract of land selected by him as provided in article VI of this Treaty.

Article XII. It is agreed that the sum of five hundred dollars annually, for three years from the date when they commence to cultivate a farm shall be expended in presents to the ten persons of said tribe, who in the judgment of the Agent, may grow the most valuable crops for the respective year.

Article XIII. It is further agreed that until such time as the Agency Build.

ings are established on the Shoshone reservation, their Agent shall reside at Fort Bridger N.T. and their annuities shall be delivered to them at the same place in June of each year

N. G. Taylor Seal

W. J. Sherman Lt. Genl. Seal

Wm. H. Murray Seal

John B. Sanborn Seal

S. F. Tappan Seal

C. C. Augur Seal

Brig. Major Genl. U.S.A.

Commissioner

Alfred H. Terry Seal

Brig. Genl. & Brig. Maj. Genl. U.S.A.

Shoshones.

Wash-a-kiis x his mark

Wan-my-pitz x his mark

Tasp-se-ko-wot x his mark

Nar-kok x his mark

Tabooshiga x his mark

Dazeel x his mark

Par-to-shu-ga x his mark

Ninny-bees x his mark

Bannocko

Tegge x his mark

Jay-to-be x his mark

Asst  
S. M. White  
Secretary

We-ot-zi-mou-a-gen x his mark  
Coo-sha-gan x his mark  
Pan-rook-armahsee x his mark  
A-wit-esse x his mark

Witnessed.

Henry A. Morrow  
Lieut. Col. 36 Infantry & Post Col. No. 1. A.  
County of St. Bridg

Luther Neaves  
No. S. Indian Agent  
W. A. Carter  
J. Dunallen Carter  
Interpreter