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## **Documents relating to the negotiation of an unratified treaty in July and September 1868, with the Gros Ventre, Blackfeet, Shoshoni, and Bannock Indians. July-September 1868**

Washington, D.C.: National Archives, July-September 1868

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DOCUMENTS RELATING TO THE NEGOTIATION OF AN  
UNRATIFIED TREATY IN JULY AND SEPTEMBER 1868, WITH THE  
GROS VENTRE, BLACKFEET, SHOSHONI, AND BANNOCK INDIANS

July 15-1868

Copy of treaty  
with the

River Crow tribe  
of Indians

July 15: '68

W. J. Cullen  
Comt

Treaty copies

51

Articles of Agreement and Convention  
Made and concluded at Fort Haw-  
-ley No. 1. on the fifteenth day of July  
in the year of our Lord one thousand  
eight hundred and sixty eight by and  
between W. J. Cullen Commission duly  
appointed and authorized on the part  
of the United States, and the Chiefs  
Headmen and Delegates representing  
the River Crow tribe of Indians, they  
being duly authorized for such purpose  
by their tribe.

### Article I

Perpetual peace, friendship and amity shall hereafter exist between the United States and the River Crow tribe of Indians, parties to this treaty.

### Article II

The aforementioned tribes of Indians do hereby mutually jointly and severally agree and covenant that they will maintain peaceful relations among themselves and cultivate mutual good will and friendship not only among themselves, but towards any other tribe or tribes, that may dwell upon the reserved lands as in article third described and set forth, or adjacent thereto.

### Article III

We, the Chiefs, Head men and Delegates, of the River Crow tribe of Indians, as hereinafter signed by us, and being by our said tribe thereunto authorized and directed do hereby cede and forever relinquish and surrender to the United States all the right title, claim and interest in and to all lands claimed held or possessed by them where-

ver situated said lands being more particularly described as follows, namely: commencing at a point where the Powder River empties in to the Yellow Stone River thence up said Powder River to its source, including all of its tributaries thence southerly in a straight line from the Pumpkin Butte on Powder River to the Platte River; at or near the Red Butte thence westerly to the base of the Rocky Mountains intersecting the head waters of the Missouri River thence north-easterly in a straight line to the Nerseleshell River, thence down said Nerseleshell to its junction with the Missouri River, thence down thence down the Missouri to its junction with the Dry-fork, thence up said Dry-fork to its source, thence easterly to the place of beginning and it is hereby agreed by the parties to this Treaty that the said Crow tribe of Indians shall be located upon a certain tract of country reserved and set forth apart for the use and benefit of the Blackfeet Nation and Gros Ventres tribe of Indians said land being more particularly described and

set forth in a treaty made and concluded at Fort Hawley N. T. July 13<sup>th</sup> 1868 between the United States and the Crow Tribes of Indians, whereby stipulations are made for the location of said Crow Indians on a reservation adjoining that of the Crow Tribes (to be under the supervision and control of the same Agent occupying and using in common all Agency buildings together with the services of each of the employees and may be deemed practicable) and to be treated in all respects as owners in common of said lands, and entitled to all privileges and benefits thereto pertaining, the same in all respects, as though they were parties to the Crow Tribes Treaty, and the said Crow Tribes of Indians, shall be protected in such location against any annoyance or molestation on the part of Whites or Indians, and they do hereby agree, that as soon as suitable Agency buildings are erected, they will settle permanently upon said reservation and do all in their power to encourage agricultural pursuits among their people.

#### Article IV.

No white person unless in the employment of the United States, or duly licensed to trade with the Indians located on the reserved land hereinbefore stated, or members of <sup>the</sup> families of such persons, shall be permitted to reside, or make any settlement upon any portion of said tract or portion of country so reserved and set apart as aforesaid, nor shall said Indians alienate, sell or in any manner dispose of any portion thereof except to the United States.

#### Article V.

The said tribe of Indians, parties to this Treaty desire to exclude from the tract of country, reserved as hereinbefore stated and set forth, the use of ardent spirits or other intoxicating liquor and to prevent their people from drinking or using the same, therefore it is provided that any Indian or Half-breed belonging to said tribe who is guilty of bringing such liquor into the Indian country, or who drinks the same, may have his or her property



tion of the annuities hereinafter mentioned withheld from him or her for such time as the President may determine and they shall likewise be liable to the same punishment as white persons for the same offences, under the laws of the United States.

### Article VI.

The said Crow tribe of Indians, parties to this Treaty hereby acknowledge their dependence upon the United States, and their obligation to obey the laws thereof, and they further agree and obligate themselves, to submit to and obey said laws, and all other laws which shall be made by Congress, for their government, and for the punishment of offences and they agree to exert themselves to the utmost of their ability, in enforcing all those laws under the direction of the Superintendent of Indian Affairs or Agent, and they pledge and bind themselves to preserve friendly relations with the citizens of the United States and to commit no injuries to or depredations

on their persons or property. They also agree  
to deliver to the proper officer or officers  
of the United States, all offenders  
against the treaties, laws or regulations  
of the United States; and to assist in  
discovering, pursuing and capturing  
all such offenders against the treaties,  
laws or regulations of the United States  
who may be within the limits of the  
country reserved and set apart, for the  
use of the said Crow and other tribes  
of Indians, whenever required to  
do so by said officer or officers.  
And the said Crow tribe of Indians  
parties to this Treaty, agreed that they  
will not make war upon any other  
tribes, except in self-defence, but will  
submit all matters of difference between  
themselves and other Indians, to the  
United States for adjustment, and  
will abide thereby, and if any of the said  
Indians, parties to this treaty, commit dep-  
redations upon any other Indians within  
the jurisdiction of the United States, the same  
rule shall prevail in regard to compensation  
and punishment as in case of depred-  
ations against citizens of the United States.

Article VIII.

In consideration of the foregoing agreements, stipulations and cessions, and on condition of their faithful observance by the said tribe of Indians, parties to this Treaty, the United States agree to expend annually for the Crow tribe of Indians, in addition to the goods and provisions, distributed at the time of signing this Treaty, for and during the term of twenty years, from and after the ratification of this Treaty, the several sums and for the purposes following to wit: for the support of one Physician, and for the purchase of medicine eight hundred dollars; for one blacksmith five hundred dollars; for one school teacher and the necessary books and stationery for the school four hundred and fifty dollars; for the instruction of said Indians in farming, and the purchase of seeds &c. six hundred dollars and for annuity payments, the sum of twenty five thousand dollars; to be expended in such useful goods, provisions and other articles, as the Secretary of the Interior at his discretion may from time to time determine. Provided: that so much of

said annual sum of twenty five thousand  
dollars, as the Secretary of the Interior  
shall deem proper, may be expended  
in stock, animals, and agricultural  
implements, and in establishing and  
instructing in agricultural and me-  
chanical pursuits such of said Indians  
as shall be disposed thereto, and in the  
employment of mechanics for them, and  
providing care and support for the  
sick and infirm, and helpless orphans  
of their number, and in any other  
respect promoting their civilization and  
improvement. And to enable the said  
tribe of Indians, parties to this Treaty  
to enter upon a civilized career; free  
from all indebtedness the United  
States further agree that in addition  
to the annuities above stipulated to be  
paid, to pay, all such persons as may be  
entitled thereto, such sum or sums, as  
the said tribe of Indians may be  
justly indebted to them in, by reason  
of such persons having furnished  
goods, provisions or supplies to said  
tribe of Indians, or by reason of  
depredations heretofore committed up-  
on the property of such persons by said

Indians, not exceeding in all the sum of  
Twenty five thousand dollars.

### Article VIII.

The Half-breeds of said tribe, and  
those persons citizens of the United States,  
who have intermarried with Indian women  
of said tribe, and continue to maintain domestic  
relations with them, shall not be compelled to  
remove to said reservation, but shall be  
allowed to remain undisturbed upon  
the lands herein above ceded and  
relinquished to the United States, and  
they shall be allowed each to select from  
said ceded lands, one hundred and sixty  
acres of land (not mineral) including as  
far as possible their present homesteads,  
the boundaries of the same to be made  
to conform as far as practicable to the  
United States surveys, and where so select-  
ed the President of the United States  
shall issue to each of said persons so selec-  
ting the same, a patent for such quar-  
ter section of land with such restriction  
on the power of alienation as he may  
see fit to impose, and until such patent  
shall issue, there shall be no power of  
alienation of said lands by any person

for whose benefit such selections are authorized to be made and it is further understood and agreed that the Half breeds of said tribe shall have equally per capita with the Indian aforementioned, in the distribution of annuity goods and that the said tribe of Indian shall have the right to select and appoint a proper and suitable person to assist in the distribution of annuity goods, and see that they are distributed fairly and equally.

### Article IX.

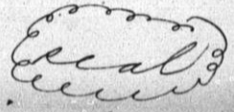
It is understood and agreed by and between the parties to this Treaty, that if any of the Indians, parties hereto shall violate any of the stipulations herein contained the United States may withhold for such length of time as the President and Congress may determine any portion or all of the annuities agreed to be paid to said tribe under provisions of this treaty.

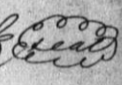
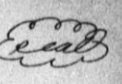
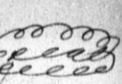
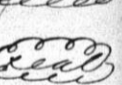
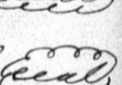
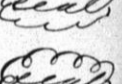
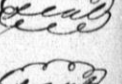
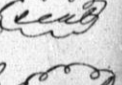
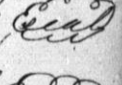
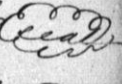


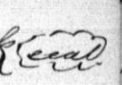
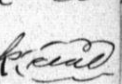
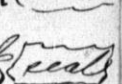
### Article X.

This treaty shall be obligatory upon the contracting parties whenever the same shall be ratified by the President and Senate of the United States, and shall continue in force

for twenty years, from and after the said date, unless sooner violated and broken by said Indians.

In Testimony whereof the said W. J. Cullen Commissioner on the part of the United States, and the undersigned Chief Headmen and Delegates of the forecited tribes of Indians parties to this Treaty have hereunto set their hands and seals at the place and on the day and year herein before written.

W. J. Cullen   
Commissioner

|                             |                              |  |
|-----------------------------|------------------------------|--|
| Executed in presence of     | Woree Guard                  | his + mark  |
| Schob Saider Interpreter    | White Side                   | his + mark  |
| Alfred S. Vaughan           | Little Soldier               | his + mark  |
| No. S. Hamilton             | Two Weasel                   | his + mark  |
| J. T. Bidler                | Two Belly Woman              | his + mark  |
| David Harey                 | Spaniard                     | his + mark  |
| Capt. Serdeni Leeto         | Medicine Hair                | his + mark  |
| Dr R. No. Whitefoot No. 88  | Linkey                       | his + mark  |
| Geo. W. Boyd                | Bulls Nose                   | his + mark  |
| Alex Culbertson Interpreter | Long Neck                    | his + mark  |
| Olun O Cullen               | Bulls Cock                   | his + mark  |
| Secretary                   | The wood cutter              | his + mark  |
|                             | Wolf Prison                  | his + mark  |
|                             | The Eating Man               | his + mark  |
|                             | The one that is in every way | his + mark  |

Articles of Agreement and Convention.

Made and concluded at Fort  
Kawley N. T. on the thirteenth day of  
July in the year of our Lord one  
Thousand eight hundred and sixty eight,  
by and between W. J. Cullen, Commissioner,  
duly appointed and authorized on  
the part of the United States, and the  
Chief Headmen and Delegates represent-  
ing the Gros Ventre tribe of Indians  
they being duly authorized for such  
purpose by their tribe.



Article I.

Perpetual peace, friendship and amity shall hereafter exist between the United States and the Good Ventro tribe of Black-foot Indians, parties to this Treaty.

Article II.

The aforementioned tribe of Indians do hereby mutually, jointly and severally agree and covenant that they will maintain peaceful and friendly relations towards the whites and that they will in future abstain from all hostilities whatever against each other, and cultivate mutual good will and friendship, not only among themselves but toward any other tribe or tribes that may dwell upon the reserved land as in Article I hereof described and set forth, or adjacent thereto.

Article III.

We, the chiefs, Head men and Delegates of the Good Ventro tribe of Indians being by our said tribe authorized and directed do hereby cede and relinquish to the United States all the land now or at any time heretofore, claimed or possessed by

them wherever situated (said lands being more particularly described in the third and fourth articles of a Treaty made between the United States and the Blackfoot Nation and other tribes of Indians dated October 7<sup>th</sup> 1835) except all that portion of country described as follows namely: commencing at a point where the parallel of forty eight degrees North Latitude intersects the dividing ridge of the main chain of the Rocky Mountains, thence in an easterly direction to the nearest source of the Teton River, thence down said river to its junction with the Missouri River - thence down the Missouri to its junction with the Sciour River thence down the Sciour River to the mouth of Milk River - thence due North to the forty ninth parallel of North Latitude, thence west on said parallel to the main range of the Rocky Mountains thence southerly along said range to the place of beginning, which said last described tract or portion of country, is hereby reserved to, and set apart, for the said Blackfoot Nation and Crow Benton tribes of Indians, for their

occupancy, possession and enjoyment  
excepting, and it is hereby provided  
and agreed, that in the event of a Treat-  
-y being made by the United States,  
with the Crow tribe of Indians, whereby  
it may be stipulated that the said  
Crow shall remove to, and live on the  
land herein before described and re-  
-ved to the use and benefit of the Gros  
-Ventre tribe of Indians (and under the  
-supervision and control of the same  
-Agent, occupying and using in common  
-all agency buildings together with  
-the services of such of the employees as  
-may be deemed practicable, said Indians  
-shall be permitted to do so, and shall  
-be treated in all respects by said  
-Gros Ventre tribe of Indians as owners  
-in common of said lands, and entitled  
-to all privileges and benefits thereto  
-pertaining, the same in all respects as  
-though they were parties to this treaty,  
-and the said Indians parties to this  
-treaty, do hereby further agree that so  
-soon as suitable agency buildings are  
-erected, they will settle permanently upon  
-said reservation, and do all in their  
-power to encourage agricultural pursuits

among their people.

### Article IV.

The said tribe of Indians consent and agree that for the purpose of establishing travelling thorough-fares through said tract of country so reserved and set apart as aforesaid and the better to enable the President to execute the provisions of this treaty, roads of any and every description; military posts; bridges and lines of telegraph; houses for Agencies, mission schools, farm shops mills, stations, and for any other purposes may be constructed out of any material therein found, and permanently occupy and use as much land as may be necessary for the various purposes above enumerated including the use of wood for fuel and land for grazing, and that said line of travel and the navigation of all streams shall be forever free to citizens of the United States, and the United States and hereby bound to protect said Indians against depredations and other unlawful acts, which white men travelling or passing through said res-

evocation may commit.

### Article V.

No white person unless in the employment of the United States, or duly licensed to trade with the Blackfoot Nation or Gros Ventre tribe of Indians or members of the families of such persons shall be permitted to reside or make any settlement upon any part of said tract or portion of country so reserved and set apart as aforesaid nor shall said Indians alienate, sell, or in any manner dispose of any portion thereof, except to the United States.

### Article VI.

The said tribe of Indians parties to this treaty, desire to exclude from the tract of country reserved to their use, and hereinbefore stated and set forth the use of ardent spirits, or other intoxicating liquor, and, to prevent their people from drinking or using the same. Therefore it is provided that any Indian or Half-breed belonging to said tribe who is guilty of bringing such liquor into the Indian country, or who drinks the same, may have his or her proportion of the annuities hereinafter men-

turned withheld from him or her, for such  
time, as the President may determine, and  
they shall likewise be liable to the same  
punishment as white persons for the same  
offence, under the laws of the United States.

### Article XIX.

The said Good Treaty-tribe of Indians,  
parties to this treaty, hereby acknowledge  
their dependence upon the United States,  
and their obligation to obey the laws  
thereof, and they further agree and obli-  
-gate themselves to submit to and obey  
said laws and all other laws which  
shall be made by Congress for their govern-  
-ment and the punishment of offences  
and they agree to exert themselves to  
the utmost of their ability in enforcing  
all those laws, under the direction of  
the Superintendent of Indian Affairs  
or Agent, and they pledge and bind  
themselves to procure friendly relations  
with the citizens of the United States and  
to commit no injuries to, or depredations  
on their persons or property, they also a-  
-gree to deliver to the proper officer, or  
officers of the United States, all offenders  
against the treaties, laws or regulations

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of the United States who may be within  
the limits of the country hereby reserved  
and set apart as aforesaid whenever  
required to do so by said officer or  
officers.

And the said Indians, parties to this treaty,  
agreed that they will not make war upon  
any other tribes except in self defence,  
but will submit all matters of difference  
between themselves and other Indians  
to the United States for adjustment,  
and will abide thereby and if any of  
the Indians, parties to this treaty commit  
degradations upon any other Indians  
within the jurisdiction of the United  
States, the same rule shall prevail in  
regard to compensation and punishment,  
as in case of degradations against  
citizens of the United States.

### Article VIII

In consideration of the foregoing agree-  
ments, stipulations and cessions and on  
condition of their faithful observance by  
the said tribe of Indians, parties to this  
treaty, the United States agreed to expend  
annually for the Gros Ventre tribe of  
Indians, in addition to the goods and

provisions distributed at the time of signing this treaty, for and during the term of twenty years from and after the ratification of this treaty, the several sums and for the purposes following to wit: for the support of one physician, and for the purchase of medicines eight hundred dollars; for one blacksmith, five hundred dollars; for one school teacher, and the necessary books and stationery for the school four hundred and fifty dollars; for the instruction of said Indians in farming and the purchase of seeds &c. six hundred dollars; and for annuity payments, the sum of twenty five thousand dollars, to be expended in such useful goods, provisions and other articles as the Secretary of the Interior, at his discretion may from time to time determine; Provided; that so much of said annual sum of twenty five thousand dollars, as the Secretary of the Interior shall deem proper; may be expended in stock animals, and agricultural implements, and in establishing and instructing in agricultural and mechanical pursuits, such of said Indians as shall be disposed thereto; and in the employment of mechanics for them, and providing care



and supports for the sick and infirm and helpless orphans of their number and in any other respect promoting their civilization and improvement. And to enable the said tribe of Indians, parties to this treaty, to enter upon a civilized career; free from all indebtedness the United States further agreed that in addition to the annuities above stipulated to be paid, to pay all such persons as may be entitled thereto, such sum or sums as the said tribe of Indians may be justly indebted to them in by reason of such persons having furnished goods provisions or supplies to said tribe of Indians, or by reason of depredations heretofore committed upon the property of such persons by said Indians, not exceeding in all the sum of twenty five thousand dollars.

### Article IX.

The Half-breed of said tribe, and those persons citizens of the United States, who have intermarried with Indian women of said tribe and continue to maintain domestic relations with them shall not be compelled to remove to said reservation, but

but shall be allowed to remain undisturbed  
upon the lands herein above ceded  
and relinquished to the United States and  
they shall be allowed each to select from  
said ceded lands one hundred and sixty  
acres of land (not mineral) including as  
far as possible their present homesteads,  
the boundaries of the same to be made to  
conform as far as practicable to the United  
States survey, and when so selected  
the President of the United States shall  
issue to each of said persons so selecting  
the same a patent for such quarter section  
of land, with such restrictions on the  
power of alienation as in his discretion  
he may see fit to impose, and until such  
patent shall issue, there shall be no pow-  
er of alienation of said lands by any  
person for whose benefit such selections  
are authorized to be made, <sup>with this additional</sup> and it is fur-  
ther understood and agreed that the  
Half-breed of said tribe shall share  
equally, per capita, with the Indians  
aforementioned in the distribution  
of annuity goods, and that the said tribe  
of Indians shall have the right to se-  
lect and appoint a proper and suitable  
person to assist in the distribution of annuity

goods, and see that they are distributed fairly and equally.

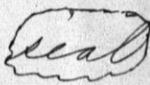
### Article X.

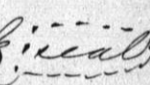
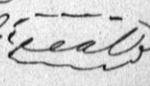
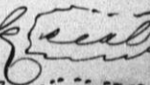
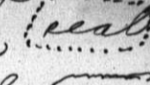
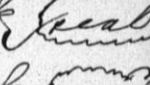
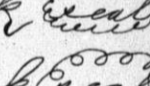
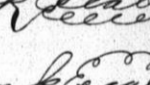
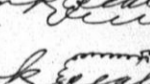
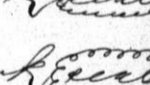
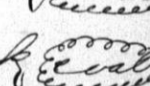
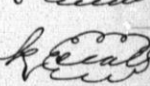
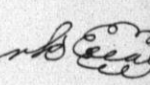
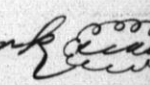
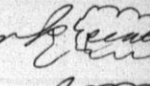

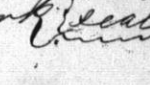
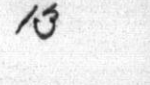
It is understood and <sup>agreed</sup> by and between the parties to this Treaty that if any of the Indian parties hereto, shall violate any of the stipulations herein contained, the United States may withhold for such length of time, as the President and Congress may determine, any portion or all of the annuities agreed to be paid to said tribe, under the provisions of this Treaty.

### Article XI.

This Treaty shall be obligatory upon the contracting parties, whenever the same shall be ratified by the President and Senate of the United States and shall continue in force for twenty years from and after the said date, unless sooner violated and broken by said Indians.

In testimony whereof the said W. J. Cullen Commissioner on the part of the United States and the undersigned Chiefs, Head men and Delegates of the aforesaid tribe of Indians parties to this Treaty have hereunto set their hands and seals at the place and on the day (and year herein) before written.

W. J. Cullen   
Special Commissioner

|                     |            |   |
|---------------------|------------|---|
| Sitting Squaw       | his + mark |  |
| White Eagle         | his + mark |  |
| Little White Calf   | his + mark |  |
| War Eagle Bonnet    | his + mark |  |
| Washed Horse        | his + mark |  |
| Left Hand Minaboin  | his + mark |  |
| Star Robe           | his + mark |  |
| Bull's Head         | his + mark |  |
| Iron Collar Headmen | his + mark |  |
| Big Beaver          | his + mark |  |
| Thunder Chief       | his + mark |  |
| Blackbird           | his + mark |  |
| Bull Robe           | his + mark |  |
| Young Bear          | his + mark |  |
| Bear Shirt          | his + mark |  |
| Tall Eagle          | his + mark |  |
| White Hood          | his + mark |  |

Executed in presence of  
Orlan O. Cullen Secretary  
Alfred S. Vaughan  
J. J. Biddle

Alex Culbertson W. S. Interpreter  
Louis Rivier Interpreter his + mark  
Cyprien Noatt  
Geo. W. Boyd  
Honore Jaffae

Sept. 1. 1868.

Copy of Treaty  
with the

Blackfoot Nation

Sept. 1. 1868

W. J. Cullen  
Com<sup>r</sup>

Treaty Copies

Treaty of Agreement and Convention

Made and concluded at Fort  
Benton N. T. on the 1<sup>st</sup> day of Sep-  
tember in the year of our Lord  
one Thousand eight hundred and  
sixty eight, by and between W. J. Cul-  
len Special Commissioner duly appoint-  
ed and authorized on the part of  
the United States, and the Chiefs  
Head men and Delegates, represen-  
ting the several tribes of Indians of  
the Blackfoot Nation, they being  
duly authorized for such purpose  
by their respective tribes.

Article V.

Perpetual peace, friendship and amity shall hereafter exist between the United States and the Blackfoot Nation and Tribes of Indians parties to this treaty.

Article VI.

The aforementioned Tribes of Indians do hereby, mutually, jointly, and severally, agree and covenant, that they will maintain peaceful relations among themselves, and that they will in future abstain from all hostilities whatever against each other, and cultivate mutual good will and friendship, not only among themselves, but toward any other tribe or tribes, that may dwell upon the reserved lands, as in article third, described and set forth, or adjacent thereto.

Article VII.

We, the Chiefs Head men and Delegates of the Blackfoot Nation of



Indians, consisting of the Piegan, Blood,  
and Blackfoot tribes, as hereinafter  
signed by us, and being by our said  
tribes therunto authorized and direct-  
-ed, do hereby cede and relinquish  
to the United States, all the lands  
now or at any time heretofore  
claimed or possessed by them  
whenever situated (said lands be-  
-ing more particularly described in  
the third and fourth articles of a  
treaty made between the United  
States and the said Blackfoot Nation,  
and other tribes of Indians, dated  
October 17<sup>th</sup> 1835) except all what portions  
of country, described as follows, namely:  
commencing at a point where the paral-  
-lel of forty-eight degrees North latitude  
intersects the dividing ridge of the main  
chain of the Rocky Mountains, thence  
in an easterly direction to the nearest  
source of the Teton River - thence down  
said river to its junction with the No-  
-rard River - thence down the No-  
-rard to its junction with the Souris  
River - thence down the Souris Riv-  
-er to the mouth of Milk River - thence  
due north to the forty ninth parallel

of South latitude - thence west on  
said parallel to the main range of  
the Rocky Mountains - thence south-  
erly along said Range to the place  
of beginning which said last descri-  
-bed tract or portion of country is  
hereby reserved to, and set apart for,  
the said Blackfoot Nation of Indians  
for their occupancy, possession and en-  
-joyment, excepting, and it is hereby  
provided and agreed, that in the event  
of a treaty being made by the United  
States with the Crows, or other tribes  
of Indians, whereby it may be stipu-  
-lated that the said Crows, or other  
tribes, shall remove to and live on  
the land herein before described and  
reserved to the use and benefit of the  
Blackfoot Nation, said tribe or tribes  
shall be permitted to do so, and shall  
be treated in all respects by the  
Blackfoot Nation as owners in com-  
-mon of said lands, and entitled to  
all privileges and benefits thereto per-  
-taining, the same in all respects  
as though they were parties to said  
treaty; and they do hereby further  
agree that no crow or suitable Agency

buildings are erected, they will settle permanently upon said Reservations, and do all in their power to encourage agricultural pursuits among their people.

#### Article IV

The said Nation and tribes of Indians do hereby consent and agree, that for the purpose of establishing travelling thoroughfares, through said tract of country, so reserved and set apart as aforesaid, and the better to enable the President to execute the provisions of this treaty, roads of any and every description, military, post, bridges, and lines of telegraph, houses for agencies, missions, schools, farm shops, mills, stations, and for any other purpose may be constructed out of any materials therein found, and permanently occupy and use as much land as may be necessary for the various purposes above enumerated, including the use of wood for fuel and land for grazing; and that said lines of travel, and the navigation of all lakes and

streams shall be forever free and unobstructed to the citizens of the United States; and the United States are hereby bound to protect said Indians against depredations and other unlawful acts which white men travelling or passing through, or being in said reservation may commit.

### Article V.

No white person, unless in the employment of the United States, or duly licensed to trade with the Black-foot Nation of Indians, or members of the families of such persons, shall be permitted to reside in or make any settlement upon any part of said tract, or portion of country, so reserved and set apart as aforesaid, nor shall said Indians, aliens, sell or in any manner dispose of any portion thereof except to the United States.

### Article VI.

The said tribes of Indians, parties to this treaty, desire to exclude from the tract of country, reserved to their use

as herein before stated and set forth, the use of ardent spirits, or other intoxicating liquor, and to prevent their people from drinking or using the same. Therefore it is provided, that any Indian or half-breed, belonging to said tribes who is guilty of bringing such liquor into the Indian country, or who drinks the same, may have his or her proportion of the annuities, hereinafter mentioned, withheld from him or her, for such time as the President may determine, and they shall likewise be liable to the same punishment as white persons, for the same offence, under the laws of the United States.

### Article VI

The said Blackfoot Nation of Indians parties to this Treaty, hereby acknowledge their dependence upon the United States, and their obligation to obey the laws thereof and they further agreed and obligated themselves to submit to, and obey said laws, and all other laws which shall be made by Congress, for their government.

and for the punishment of offences, and they agree to exert themselves to the utmost of their ability in enforcing all these laws, under the direction of the Superintendent of Indian Affairs, or agents, and they pledge and bind themselves, to preserve friendly relations with the citizens of the United States, and to commit no injuries, or depredations on, their persons or property. They also agree, to deliver to the proper officers, or officers of the United States, all offenders against the treaties, laws, or regulations of the United States, and to assist in discovering, pursuing, and capturing, all such offenders against the treaties, laws or regulations of the United States, who may be within the limits of the country hereby reserved, and set apart for the use of the said Blackfoot Nation and tribes of Indians, whenever required to do so by said officer or officers.

And the said Blackfoot Nation and tribes of Indians, parties to this treaty agree, that they will not

make war upon any other tribes except in self defence, but will submit all matters of difference between themselves and other Indians to the United States for adjustment, and will abide thereby and if any of the said Indians, parties to this treaty, commit depredations upon any other Indian within the jurisdiction of the United States the same rules shall prevail in regard to compensation and punishment, as in cases of depredations against citizens of the United States.

### Article VIII

In consideration of the foregoing arguments stipulations and cessions, and on condition of their faithful observance by the said tribes of Indians parties to this treaty, the United States agreed to expend annually for the Piegan, Blood, and Blackfoot Nation of Indians, in addition to the goods and provisions distributed at the time of signing this treaty, Fifty Thousand Dollars annually for twenty years after the ratification of this treaty, by the

President and Senate of the United States to be expended in such useful goods and provisions and other articles as the President at his discretion may from time to time determine, provided, that so much of said annual sum of Fifty Thousand Dollars as the President in his discretion each year shall deem proper, may be expended in the purchase of stock, animals and agricultural implements, and in establishing and instructing in agricultural & mechanical pursuits such of the said Indians as shall be disposed thereto, and in the employment of mechanics for them in educating their children for them, and in providing necessary and proper medicines, medical attendance, care and support for the aged and infirm, or sick of their number, for the helpless orphans of said tribes, and in any other respect promoting their civilization, comfort and improvement and provided further that the President may at his discretion determine in what proportion the said annuity shall be divided among the said several tribes. And to enable the said



tribes of Indians, parties to this treaty, to enter upon a civilized career free from all indebtedness, the United States further agree, that in addition to the annuities above stipulated to be paid, to pay <sup>to</sup> all such persons as may be entitled thereto, such sum or sums as the said tribes of Indians, may be justly indebted to them, by reason of such persons having furnished goods, provisions or supplies to said tribes of Indians, or by reason of depredations heretofore committed upon the property of such persons by said Indians, not exceeding in all the sum of Seventy-five Thousand Dollars.

### Article IX

The Half-breeds of said tribes, and those persons, citizens of the United States who have intermarried with Indian women of said tribes and continue to maintain domestic relations with them, shall not be compelled to remove to said reservation, but shall be allowed to remain undisturbed upon the lands herein above ceded and relinquished to the United States; and they shall be

allowed, each to select from said ceded lands, one hundred and sixty acres of land (not mineral) including as far as possible their present homestead, the boundaries of the same to be made to conform as far as practicable, to the United States surveys, and when so selected, the President of the United States, shall issue to each of said persons so selecting the same, a patent for such quarter section of land, with such restrictions on the power of alienation, as, in his discretion he may see fit to impose; and until such patent shall issue, there shall be no power of alienation of said lands, by any person for whose benefit such selections are herein authorized to be made.

### Article X

It is understood and agreed by and between the parties to this treaty, that if any of the tribes of Indian parties hereto, shall violate any of the stipulations, agreements or obligations herein contained, the United States may withhold for such length of time as

The President and Congress may determine any portion or all of the annuities agreed to be paid to said nation, or tribes under the provisions of this treaty.

And it is further understood and agreed that the Half-breeds or mixed-bloods of said tribes, shall share equally, per capita with the Indians aforementioned in the distribution of annuity goods; and the said tribes of Indians reserve the right to select and appoint a proper and suitable person to assist in the distribution of all annuity goods, and to see that such distribution is conducted fairly and equitably. And in addition to the lands above reserved, there shall be reserved and granted to the Rev. J. C. Imoda, Superior of Saint John's Mission a religious and charitable institution and to his successors in office in trust for the use & benefit of said Mission so long as the same shall be & remain a <sup>religious</sup> charitable institution, amongst said tribes of Indians Six Hundred and Forty (640) acres of land (not mineral)

which said tract of land shall be selected and located in a compact body by the said Rev. P. C. Smoda, or his successor, and the said Mission of Saint John's shall be erected thereon.

### Article XI

This treaty shall be obligatory upon the contracting parties whenever the same shall be ratified by the President, and Senate of the United States, and shall continue in force for twenty years from and after said date unless sooner violated, and broken by said Indians.

In Testimony whereof, the said W. J. Cullen, commissioner on the part of the United States, and the undersigned chiefs, head men and delegates of the aforesaid Nation and tribes of Indians parties to this treaty, have hereunto set their hands and seals, at the place, and on the day and year herein before written—

Signed and sealed in  
presence of

W. J. Cullen (seal)

Commissioner (seal)

Agaves Mountain Chief (seal)

Emuckarpi's Little Wolf his X mark  
 Geo. B. Wright Smoked to koo Bull Head his X mark  
 Indian Agent Nook a py his X mark  
 S. D. Laugham Oh kiaunlakere Bear's hind his X mark  
 Malcolm Clarke Sitshyar tow kut on who walks in air his X mark  
 O-to kan e po r h i n g head, his X mark  
 C. Imoda John X Butler Dept No. 2. W. Oena his  
 Tho. Newman sun sky his X mark  
 2 Let. 13 " Inty.  
 Alan O. Cullin Clerk Quistaypeka his X mark  
 Alex. Culbertson Wee so kyauk Torn Bears his X mark  
 No. 1. Interpreter Soko ma py ina his X mark  
 Peter + Cadott Blood Stock ey Stomach his X mark  
 No. 2. Interpreter Kitchi ponita his X mark  
 Babbitt + Schampis Arpis o mo kut Running Wolf his X mark  
 No. 3. Interpreter Kiaun Pete Eagle Bear his X mark  
 Ew sa qui a ma cau Heavy Runner his X mark  
 Emucke pi to Little Owl his X mark  
 Sh - ki - i - o - kat his X mark  
 Ourokes - mi - kin Big Shell his X mark  
 Co - u - te - ma - py - his X mark  
 Nouiab - Pyto Eagle Chief his X mark  
 Nook - kim y - eokas his X mark  
 Keatsi sak - ey his X mark  
 Na - tu - a - pa, Medicine Man his X mark  
 Wee - kee - ote - skes - tom - ael - his X mark  
 Boy - Chief his X mark  
 Blood.

Calfs Shirt Head chief his + mark seal  
 The calf what sees far " his + mark seal  
 Spotted Dog " his + mark seal  
 Seal Crow " his + mark seal  
 Big Plume " his + mark seal  
 Wolf Collar " his + mark seal  
 The Larious " his + mark seal  
 Medicine Elk " his + mark seal  
 Bull's Head " his + mark seal  
 Calfs Tail " his + mark seal  
 Bull calf " his + mark seal  
 Old Medicine man " his + mark seal  
 Medicine Weasel " his + mark seal  
 Seal Weasel " his + mark seal  
 The man what sits in night his + mark seal  
 The miser " his + mark seal  
 God Head " his + mark seal  
 Head Chief " his + mark seal  
 The man what gives " his + mark seal  
 Little Feather " his + mark seal  
 White Elk " his + mark seal  
 The Knoll " his + mark seal  
 Red Plume " his + mark seal  
 Topless Head " his + mark seal  
 Stone Bull " his + mark seal  
 Young Owl " his + mark seal

The Kill his + mark *(seal)*  
 White Shirt his + mark *(seal)*  
 Young man of no account his + mark *(seal)*  
 Medicine Wood his + mark *(seal)*  
 White Bear his + mark *(seal)*  
 Big Horn his + mark *(seal)*  
 Government Girl his + mark *(seal)*  
 Running Fisher his + mark *(seal)*  
 Poor man his + mark *(seal)*  
 Blackfeet  
 Shrou Bull, Head Chief of Blackfeet his + mark *(seal)*

Signed and sealed  
 in presence of

New Culbertson U.S. Inty  
 War-ti-mi-ta- her + mark  
 New Guarapis his + mark  
 Nathaniel Pope Spil Ind. Cpt.  
 Alfred Leigham  
 J.B. Hubbard  
 J.S. Reed Dr. & M.  
 Olan O. Cullen Secretary

Sept. 24 - 1868

Copy of Treaty  
with

Shoshonees, Bannocks  
and  
Sheep Eaters

Sept 24, 1868.

W. J. Bullen &  
Acting Lt. J. Lupton  
Comd.



(91)

Articles of a Treaty.

Made and concluded at Virginia City, Montana Territory, on the twenty fourth day of September, one thousand eight hundred and eighty eight by and between W. J. Cullen, Commissioner and James T. Lusk, Secretary of Montana Territory and Acting Governor and Superintendent of Indian Affairs on the part of the United States and the undersigned chiefs and Head Men of, and representing the mixed Tribes of Shoshone, Bannack, and Sheep-eaters, they being duly authorized to act in the premises.

Article I

The object of Treaties being the strict maintainance of peace, between the contracting parties the faithful observance of each stipulation is absolutely necessary.

The United States acting in good faith, expect the like conduct on the part of the Indians so that perfect amity and friendship may be

maintained between the parties  
hereto.

## Article II

The Chiefs and Headmen represent-  
ing the Indians aforesaid do  
most solemnly promise and agree  
with the parties representing the United  
States as aforesaid, That they will  
surrender and do hereby surrender  
to the United States of America,  
all their right, title, interest, claims  
and demands of, in, and to all  
lands, tracts or portions, of land,  
which they may now or have here-  
-before possessed, or occupied within  
the Territory of the United States.

### Article III

The United States sets apart for the use and occupation of Indian Tribes parties hereto, the following described section or portions of country. Two Townships of Land commencing at or about a point known as "The Point of Rocks" on the north fork of the Salmon River, about twelve miles above Fort Lemhi. The said Townships and tract of land to be located and surveyed by or under the direction of their agent or the Superintendent of Indian Affairs as the Secretary of the Interior may direct.

### Article IV

The aforesaid Tribes of Indians parties to this Treaty, agree and consent to remain within their own country, set apart under this treaty, except when visiting other sections of the country for the purpose of trade or social intercourse.

## Article V.

It is agreed and understood by and between the parties to this treaty, that if any nation or tribe of Indians as aforesaid, shall violate any of the agreements, obligations or stipulations herein contained, the United States may withhold for such length of time as the President may determine any portion or all of the annuities agreed to be paid to said Tribes under the sixth article of this Treaty.

## Article VI.

In consideration of the foregoing and following agreements, stipulations and cessions and on condition of their faithful observance, the United States agreed to expend for the mixed Tribes of Shoshone, Bannacks, and Sheepherders, the sum of Thirty thousand Dollars for the first year, Twenty thousand Dollars for the second year, and annually thereafter for eighteen years the sum of Twelve thousand Dollars, in such useful goods and provisions as the President,

at his discretion, may from time to time determine; and the Superintendent or other proper Indian Agent shall each year inform the President of the wishes of the Indians in relations hereto.

### Article VII.

The tribes of Indians, parties to this treaty, desire to exclude from their country the use of ardent spirits or other intoxicating liquor, and to prevent their people from drinking the same. Therefore it is provided that any Indian belonging to the said tribes who is guilty of bringing such liquor into the Indian country, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her, for such time as the President may determine.

### Article VIII

And the United States doth further covenant and agree that in addition to the appropriation heretofore made under article sixth, there shall be,

made an appropriation of Eight thousand Dollars for the erection of a saw Mill upon the reservation as aforesaid.

### Article IX

The United States do further agree that an annual appropriation shall be made for the compensation of one Farmer, one Physician, one Blacksmith, one Carpenter one engineer and one Interpreter who are to reside upon the Reservation and to give their exclusive time, care, skill, and energy to the interests of the Reservation in their respective Departments and to the instruction of the Indians.

### Article X

The United States doth further covenant, promise and agree for and in consideration aforesaid, to appropriate annually the sum of Two thousand, five hundred Dollars for the purpose of maintaining a Mission School to be under the direction of the Superintendent of Indian Affairs.

# Article XI

This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the Senate of the United States.

In testimony whereof the said W. J. Cullen Commissioner, and James Tufts, acting Governor and Superintendent of Indian affairs on the part of the United States, and the undersigned, Chiefs and Headmen of the aforesaid Tribes of Indians parties to this treaty, have hereunto set their hands and seals at the place and on the day and year aforesaid.

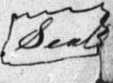
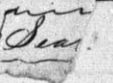
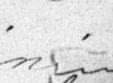
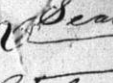
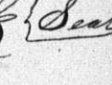
Wm. Beall  
Secretary

W. J. Cullen Seal  
Commissioner

James Tufts Seal  
Acting Governor Ex. officio Supt Ind.

|                 |   |
|-----------------|---|
| Tin-doi         | his X mark <span style="border: 1px solid black; padding: 2px;">Seal</span> |
| Pe-pu-a-mor?    | his X mark <span style="border: 1px solid black; padding: 2px;">Seal</span> |
| Woi-u-cocow     | his X mark <span style="border: 1px solid black; padding: 2px;">Seal</span> |
| Neat-gu-nup     | his X mark <span style="border: 1px solid black; padding: 2px;">Seal</span> |
| Par-git-e-way   | his X mark <span style="border: 1px solid black; padding: 2px;">Seal</span> |
| Owi-din-goi-yip | his X mark <span style="border: 1px solid black; padding: 2px;">Seal</span> |
| Pe-cu-sey       | his X mark <span style="border: 1px solid black; padding: 2px;">Seal</span> |

Ora-go-noi  
Wot-sing  
De-go  
C-u-bu-rou  
Argin-own-min

his X mark   
his X mark   
his X mark   
his X mark   
his X mark 

Witnessed by  
Edward Goddard  
L. Deane Int.  
W. J. Sanders  
John W. Powell Interpreter  
H. S. Herren, Chief Justice Montana Sup.  
Anson S. Patten  
Thos. C. Wade.



14

|  |        |
|--|--------|
| Fulfilling Treaty with Blackfoot<br>Bloods and Piegans - (House Bill <sup>June 30</sup> 45,000.) | 50,000 |
|--|--------|

This is the amount stipulated  
to be paid these Indians in unratified  
treaty of <sup>Sept. 1</sup> 1868.

40th Cong. J. F. Long

Message

Transmitting treaties between the United States and the following named tribes or bands of Indians, to wit (H. R. 17) the Gros Ventres, made July 13, 1868; the River Crow, made July 15, 1868; the Blackfeet, made Sept. 1, 1868; and (S. 9) the Shoshonnes, Bannocks and Sheepstoes, made Sept. 24, 1868

1869, Feb. 11. Read the first time, referred to the Committee on Indian Affairs, and ordered to be printed for the use of the Senate

" March 11. Reported treaties H. R. 9. 9. and H. R. 76. with amendments, and treaty S. 9. without amendment and all favorably.

41 Cong. 2d Sess.

f 26.

Blackfeet 234  
Dept. Interior  
April 13, 66

Secretary returns office  
letter, transmitting report  
with the Blackfeet Indians  
and other papers relating  
therein, with his instructions  
enclosed therein

Rec'd April 13, 66

See letter to Gen. Edmunds  
Apr 17/66

Chas Watson

Nov. 16. 1865

~~Director~~  
Genl C. W. Mason  
Sacramento, Cal.  
Nov 20 '66

Submits original  
Treaty made with the  
Blackfoot Indians  
Nov 16, '65

Received March 31/66

Treaty  
Sent to Secy with report  
April 12/66

Apr 13 '66 - Secy returns  
Office report of 12 apt '66

Sacramento California  
Feb. 20. 1866

I have the honor to submit  
herewith the original treaty  
made between the United  
States and the Blackfoot  
Nation of Indians November  
16 1865 the undersigned <sup>Special Commissioner</sup> and  
the Hon J. F. Meagher Acting Governor  
of Montana Territory acting on  
behalf of the United States

To Hon S. W. Cowley  
Comr. Indian Affairs  
Washington DC

J. E. Mason  
W. S. East

Wm. J. G.

Filed with Blackfeet, 1868/1 23

Number 9-1065  
"Montana Path"  
From the  
J. A. B. C. D.

[From our Special Correspondent.]

## THE TREATY WITH THE BLACKFEET.

Speeches by Chiefs of the Piegans, Gros Ventres, Bloods and Blackfeet—Conditions of the Treaty.

FORT BENTON, Nov. 17th, 1865.

On the 17th of October, 1855, a treaty was made with the Blackfoot Indian Nation, (A. Cumming and Isaac I. Stevens acting as Commissioners on the part of the United States), by which nearly the whole of what is now Montana was given over to their exclusive use, the northern portion for a dwelling place, and the part south of the Muscle-Shell river for a hunting ground. Gold had not then been discovered here, and Government thought itself perpetrating a master stroke of policy when it appropriated to the Indians lands that it seemed would never be good for anything to the whites. No one needs be told that it has become desirable to extinguish the Indian title to these lands, since nearly fifty thousand whites have settled upon them, attracted hither by the magnetic influence of the precious metals. Realizing the necessity of this change, the General Government, in March last, specially empowered and authorized Major Gad E. Upson, the Indian Agent at this point, to enter into a new treaty with the Nation mentioned, and to obtain, if possible, a cession of the lands now occupied and likely soon to be settled by the whites. This treaty, after the usual delays which are always necessary when dealings are had with the Indians, was finally concluded yesterday, at this place. Arriving here the day before the ceremonies, I found the place all alive with preparation for the morrow, the whites getting in readiness to astonish the natives, and the Indians, back in their camps upon the Teton and Missouri, fully expecting to surprise the whites.

The morrow came, and with it, a bright, bracing day; and, to the Council House, about noon, went forty-three chiefs and head-men, with their wild retinues, delegates being present from the Piegans, Gros-Ventres, Bloods and Blackfeet, all embraced under the general name of the Blackfoot Nation. With regard to the Bloods, it must be noticed that the hostile band by whom the murder of the eleven whites was perpetrated last spring, on the Marias river, was not represented, these savages, ever since the murder, having outlawed themselves beyond the British line. The Gros-Ventres came into the place in fine style, the chiefs prancing along at the head of quite a troop of young warriors, drawn out in line, who chanted a song of peace as they advanced. The room selected for the holding of the council had been finely decorated, the whole interior of the building being lined with cotton cloth, the white ground-work upon which were festooned the long strips of red and blue flannel, producing, with fine effects, the national colors wherever the eye wandered. The four pillars in the center of the room served as emblematic columns upon which to arrange the insignia of both war and peace—the rifle, the bow, the tomahawk; and, as the opposite of all these, the only olive branch to be obtained in these regions, the ever-green bough.

Upon the blanket-covered seats, the red delegates seated themselves; and upon the platform at the head of the room, and in front of the beautiful national decorations, were seated the Commissioner, Major Upson, and by his side, General Thomas Francis Meagher, as Superintendent of Indian Affairs for the Territory; United States Judge L. E. Munson, as legal counsel for the Government. The interpreters, and other whites having influence among the natives, also occupied seats on the platform.

As the artillery firing ceased on the outside, the parley commenced within. The pipe of peace was passed, and was received with thanks. Perfect harmony seemed to prevail, both the pipe-bearer and the pipe being stroked affectionately, some of the chiefs even going so far as to pat each other on the head in token of amity.

The talk, which was carried on through the means of a French and Blackfoot interpreter, was necessarily somewhat tedious, and cannot be repeated at length. The Indians were assured that we desired a permanent peace, and that we wished peaceful relations to exist between the various tribes. The treaty was then read by Judge Munson, and interpreted. Its principal provision, and the one which will most interest your readers, is contained in Article III, which provides for a cession of all lands heretofore claimed by the Blackfeet, excepting those lying north of 48° north latitude—the Teton, Marias and Missouri Rivers, as far east as Milk river—the Indians agreeing that other tribes may be settled in this reservation. This Article is somewhat modified by the next, which allows the Government to build roads and telegraphs, establish military posts, agencies, mission schools, etc., in the reserved territory, and permits the whites free privilege to travel across it; but whites are prohibited from making settlements or trading (unless specially licensed) within the limits of the reservation; and intoxicating liquors, and all persons dealing in

them, are to be strictly debarred entrance thereon. The Indians acknowledge their dependence on the United States and their obligation to obey the laws thereof; and they agree to exert themselves to the utmost of their ability for the purpose of enforcing them; promising to deliver all offenders to the proper authorities whenever called upon so to do. As a recompense for the lands ceded, the United States agree to expend for the Blackfoot Nation, in addition to the goods distributed at the time of signing the treaty, \$50,000, annually, for twenty years; such portion of this money as may be deemed proper by the President, to be used in promoting civilization among the Blackfeet.

After the reading of the treaty, "Little Dog," head chief of the Piegans, arose, and spoke for his tribe as follows: "We are pleased with what we have heard to-day. One reason why I am glad to hear what you have had to say, is, because there are three nations here to listen. With regard to the Indians, the words are strong that you have told us. The land here belongs to us; we were raised upon it; we are glad to give a portion to the United States, for we get something for it. We don't intend to put aside the whites who have married in the nation; we want to give the half-breeds a share of our annuities. They own the land as much as ourselves, and we want them to get their proportion of what we receive for it. Am very glad that you have told us to-day that you are going to send mechanics, physicians and teachers among us. Everything told us to-day we are willing to agree to; we see nothing bad in the treaty. Whatever we Piegans have promised, we shall try to perform; so that the Great Father below will be pleased."

"Bull's Back Fat" spoke to the same effect on behalf of the Bloods.

"Farmasee," or "Sitting Squaw," head chief of the Gros-Ventres, said: "We have been at war with the Piegans and Bloods, and the nations all around; but to-day my heart swells up; it is as glad as the earth is big on account of this peace. For our part, we are done going to war; we want to be at peace with all nations, and all be brothers."

"Fish Child," the sole representative of the Blackfoot tribe present, agreed in sentiment with "Little Dog" and the others.

Major Upson, the Commissioner, expressed to them the pleasure that their pledges of peace and amity had given him; said he should expect all agreements made to be fully performed by them, in the same good faith that the promises made by the Government would be kept. He hoped that the pipe they had smoked to-day might indeed prove a pipe of peace, not only between the tribes, but between the Indians and the whites; and that when they looked upon the face represented on the medals about to be presented to them, they would remember that it was the portrait of their Great Father at Washington, who would be displeased with them if they did not keep the word they had given. Certain designated chiefs were then invested, by General Meagher, with the large silver medals sent them from Washington, and, in conclusion, the treaty was signed, each chief touching the pen in turn as a token of his assent.

And so was concluded a treaty in the highest degree advantageous to the whites; which gives over to us all that vast extent of country (embracing between two and three hundred thousand square miles) in which are situated our largest towns—Helena, Virginia City, Bannack, etc.—and containing all our rich mines, our best agricultural lands, some of our largest rivers, and, in fact, all those portions of our Territory that have been proved to be of any worth. Too much commendation cannot be bestowed upon Major Upson, the Commissioner who has had the treaty matter in charge, not only for the perseverance with which he has striven to effect it, but for the thorough manner in which his work has finally been accomplished. While he has used every effort to obtain such a representation from the various tribes as would insure a true expression of the Indian sentiment, and consequent regard of treaty stipulations—while he has endeavored to deal fairly with and to satisfy the natives—the best interests of the whites have ever been uppermost in his mind; acknowledging that all treaties are made up of mutual concessions, he has made those concessions on our part as few and light as possible. The treaty itself was revised by the Hon. Judge Munson, who has been indefatigable in his efforts to render it clear, emphatic, and of unquestionable validity.

The General, the Governor, the Secretary, his Excellency, the Hon. Thomas Francis Meagher, has not only, with his many titles, served to add dignity to all the treaty ceremonies, but, as Superintendent of Indian Affairs for the Territory, has materially assisted in the work by his prompt decision and ready counsel.

Bad men exist in all nations; there are road agents with red skins as well as with white ones, and it is possible, indeed, probable, that Indian depredations will not immediately become unknown. From the friendly feeling exhibited, we have reason to believe, however, that they will be greatly diminished in number, and that it will only be the red man's allowance of that human depravity common to all people, and not a hostility to the whites, that will hereafter find vent in an occasional crime.

M.

Blackfoot 234-66

(Civ)  
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Office of Indian Affairs

April 12/66

Boniv transmits treaty with Blackfoot  
Indians, with letters from Acting Gov  
Meagher of Montana - Dept of the Interior.  
Apr. 10. 1866.

Reply returned to the Com. of Ind<sup>ns</sup>  
Affairs, with instructions to inform  
the Commissioners appointed to make  
treaties with Indians on the Upper  
Mo. of all the facts bearing on this  
case, as fully as possible, and instruct  
them to exercise their discretion  
in relation to treating with  
any of these  
Indians.

DEPARTMENT  
APR 13 1866  
INDIAN

M a Pingree  
Acty. chf. clk.



Department of the Interior,

OFFICE INDIAN AFFAIRS,

Washington, D. C. April 12<sup>th</sup>, 1866.

Sir.

I have the honor to transmit herewith, for such action as you may deem proper, the original copy of the treaty made with the Blackfoot Indians, Nov. 16. 1865, by late Agent Upson, in connection with acting Govr. Meagher, of Montana.

Congress appropriated last year (see page 559. Statutes at Large, 1865, pamphlet edition) the sum of \$15,000, for the purpose of making a treaty with these Indians, and instructions were sent to Agent Upson by my predecessor, under date of Mar. 24. 1865. These instructions will be found at page 258, Annual Report of this Office for 1865. A copy of this treaty reached this Office last fall, and has been furnished to the Commissioners who are about to visit the Upper Missouri, for information.

By the treaty herewith, the Indians agree to maintain peace with the whites and with each other, and with other tribes of Indians. They cede to the U.S. all the lands

reserved to them by the treaty of 1855, except that portion lying north of the Teton, Marias, and Missouri rivers, and west of a line drawn northward from the mouth of Milk River. They agree that if a treaty shall be made to remove the Gros to the north side of the Missouri, they may occupy such lands; and the Blackfeet agree to remove to the country set apart for them within one year after the ratification of the treaty. They also agree to the occupation by the United States of such lands as may be necessary for agencies, missions, mills, and stations, to the building of roads and telegraph lines, and to free and unobstructed navigation of streams. They consent that annuities shall be withheld from Indians or half breeds who furnish liquor to Indians, to deliver to U.S. officers all offenders against the laws, and that if any of their bands violate the treaty, their annuities may be withheld.

The United States agree to protect the Indians from losses by whites, and to exclude from the country all whites except Gov't employes or traders - to expend \$50,000, annually for 20 years for them (of which the Gros Ventres are to have \$12,000 annually) for beneficial purposes as well as goods - to pay each principal Chief a salary of \$250,00 as long as his band observes the treaty - to give patents to certain whites and half breeds named, for their lands - and

that the annuities are not to be taken to pay debts of Indians.

The treaty to be obligatory upon the Indians from its date, and upon the United States from its ratification.

Agent Upson died at Sacramento, California, March 28/66, while on his way eastward, not having made any special report upon the subject of the treaty. Its provisions follow closely the instructions furnished to him, and but for other advice from the Territory, this Office would certainly be disposed to recommend its ratification, as promising much good to the Indians as well as to the whites who are rapidly filling the territory. But from various unofficial sources it seems certain that the Indians, very soon after the treaty was made, broke out into hostilities, not only among themselves, but with the whites, and that many outrages were committed by them, under what provocation there are no means of knowing, until at the latest dates, something very like actual war was in progress between the whites and Indians.

As early as January 1st, Agent Upson was at Virginia City, in the southern part of Montana, on his way east. Through Hon. G. Upson, M.C. we have copies of letters from H. D. Upham, clerk of the agent, dated Fort Benton, Jan'y 7th and Feb'y 2d, from which it appears that at the first mentioned date, the Gros Ventres were about Milk River, inclined to keep the peace, but that the Piegans were hostile,

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and committing murders and depredations upon whites, and also upon the Snos and Gros Ventres, and paying no attention to the treaty stipulations. The Bloods are also spoken of as hostile, and the Gros Ventres complained that they were compelled to keep quiet, and allow themselves to be plundered.

By Mr Upham's letter of Feb'y 2d, it appears that the Gros Ventres had retaken some of the horses from the Oregans, and the latter were "preparing for war on a big scale."

Since the above date, a letter, herewith enclosed, has been received from Acting Gov. Meagher, under date of Feb'y 21<sup>st</sup> 1866, from which, and the papers enclosed therein, it appears that that officer had called for a force of volunteers to move against the Indians, and it is probable that war is in progress.

It is unfortunate for the service that a separate treaty had not been made with the Gros Ventres, as that band appear to have kept their faith; but a new treaty can be made with that band by the Commission about to ascend the Missouri, and I suggest that special instructions be prepared to that end.

I also transmit herewith a letter from Acting Gov. Meagher, dated Dec. 14/65, giving information as to the making of the treaty, and the impression there

entertained as to its value and probable effect.

In view of the facts, which appear to be well established, that the other bands of the Blackfoot nation have violated the treaty - obligatory upon them from the time when it was made - I cannot recommend its ratification, but submit the papers for your consideration, and for such directions as you may see fit to give in the premises.

Very respectfully  
Your obt servt  
D. N. Cooley  
T. V. Moody  
Commissioner

Hon James Harlan  
Secretary of the Interior.

Montana

163-92

map

Copy 2000  
let's only  
Send (186)

Montana  
Acting Gov. of Montana  
Virginia City, N.M.  
See ~~14~~ 14, 65

Reports proceedings in  
negotiating a treaty  
with the Blackfoot In-  
dians, and an attempt  
to make one with the  
Crows - also the improbabil-  
ity of making one with the  
Crows - Relinquishment of the  
Flathead Agency in Montana  
and Agent - Appointment of  
Supt. Ind. Affs. and several  
commissions of act, upon  
also appointments of persons to  
investigate depositions  
claims

Sent to Dept. of the Interior  
Hilcox



16  
Tub  
Map  
28

Drafting

Executive Office,  
TERRITORY OF MONTANA,

Virginia City, November 14<sup>th</sup> 1865.

To the Hon:

The Commissioner for Indian Affairs,  
Department of the Interior,  
Washington.

Sir,

I have the honor to inform you that I returned here, the afternoon of the 9<sup>th</sup> inst., from Fort Benton, whither I had gone to assist Major Upson in his negotiation of a Treaty with the Indians of the Black Foot Nation — which Treaty he had, as Special Commissioner for that purpose, been instructed and authorized to make.

The instructions given in this instance to Major Upson, left him at liberty to associate the ex-officio Superintendent of Indian Affairs in this Territory, in the negotiation of the Treaty, as the convenience of that officer, in view of the distance he would have to travel to Fort Benton from the executive residence of the Territory, might dictate.

Governor Edgerton in committing to me the charge of the Territory, on his departure for the United States, having expressed a desire that I should attend the Treaty-Council, it was with much pleasure

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I undertook the journey, and took part in the nego-  
-ciation.

Major Upson having already forwarded to the Office of Indian Affairs a report of the proceedings at Fort Benton, together with a copy of the Treaty concluded there with the Black Foot Nation, it appears to me I have, in this communication, little more to do than give a summary of those proceedings, and submit to your consideration the two or three suggestions which have occurred to me in connection with them.

Indeed, the outline of these proceedings given in one of our local papers - which outline I have the honor to enclose - renders it almost superfluous on my part to do more than respectfully direct your attention to it - this outline being quite correct as far as it goes, and sufficiently explicit for the proper understanding of the main features of the Treaty, and the spirit in which it was accepted.

The Black Foot Nation was fully represented on the occasion, although the Black Foot Tribe appeared in the person of one Chief only, and all the hostile Bands were absent. These two Tribes retired, some time ago, beyond our line into the British Possessions, and ~~have~~ have been living there ever since.

It strikes me forcibly, that Indian Tribes who voluntarily abandon their lands, seeking shelter



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and protection in a Foreign country, cease to be essential parties to any Treaty which the United States, previous to their emigration, might have held it necessary to conclude with them.

So far beyond our line have the Black Feet thrown themselves, it was found impracticable to bring them ~~out~~ in to the Treaty-Council at Fort Benton — The messengers, dispatched to them for that purpose by Major Upson, having been forcibly halted by the Kootenay Indians, within the British Possessions, and compelled to return to the Fort without having even <sup>seen</sup> the Black Feet, who were reported by the Kootenays to be away back towards the Fraser river.

The hostile bloods, having murdered eleven Whites on the Marias river last Spring, where they were peacefully employed cutting hay for the Fort, have not been seen nor heard of, this side of the British line, since that massacre took place.

The Piegans and Gros Ventres were on the ground in full force, and with the friendly bloods, who camp and hunt with the Piegans, displayed an encampment in the Teton and Missouri of over a thousand lodges.

These Indians, appeared to me, to be most peaceably disposed, and their Chiefs

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with an intelligent readiness assented to the stipulations of the Treaty, and subscribed their names to the instrument -

Nevertheless, I am satisfied they will continue, more or less resistingly, to annoy the Whites by stealing horses belonging to the latter. Horse-stealing is accounted rather an heroic exploit by the best of these Indians, and the habit has become so inveterate with them, that, until some of the thieves are severely punished, I much fear it will not be relinquished.

Wisely anticipating the necessity that must, in the course of a few months, dictate a Treaty with the Crows for the Cession of their lands - extending to these lands or from the ~~the~~ South bank of the Missouri to the Eastern and Southern boundaries of our Territory - Major Upson, with my full concurrence, dispatched messengers to the Yellowstone to bring in these Indians, with the view of obtaining their consent to a Treaty similar to that submitted to the Blackfoot Nation.

Their horses giving out, after six or seven hard days riding, these messengers had to return without the Crows - although the latter were encamped not much over half a

Executive Office,

TERRITORY OF MONTANA,

Virginia City, December 14<sup>th</sup> 1865

days ride from ~~the~~ the point at which the former had  
to turn back to the Fort. Of this fact, however, the Messengers  
were not made aware until one of them reached Helena,  
three weeks after, when the Captain of an expedition, that  
had been exploring a wagon-route to the Mouth of  
the Musselshell, informed him of it.

That it is more than expedient  
such a Treaty with the Crows should be made as speedy  
as possible, must be conceded in view of the urgent  
fact, that hundreds of miners, and others desirous of  
locating farms and laying out towns, are, even  
now, passing down into the Great Valley of the  
Yellowstone, and into the country beyond the junction  
of the Gallatin with the Missouri.

As for the Sioux and their  
allies and accomplices, it is my clear and positive convic-  
-tion, that they will never be reduced to friendly and  
real reliable relations with the Whites, but by the  
strong and crushing hand of the Military power  
of the Nation.

I have, in my communication to  
the Secretary of State, taken the liberty of expressing

this conviction, and, in the strength of it, have requested him to obtain from the War Department a competent Cavalry force for this Territory. I trust that you will see it fit to approve of this application, which I have urged in my two-fold capacity, as Acting-Governor and Superintendent of Indian Affairs; and that, in the proper quarter, you will give it your earnest support.

The communication from your Office, of the 26<sup>th</sup> of September last, notifying Governor Edgerton that Major Hutchins, Agent for the Flat Heads, had been relieved, and that Mr Augustus H. Chapman had been appointed in his stead, was forwarded to Major Hutchins on the 4<sup>th</sup> of this month.

I had intended to visit the Flat Head Agency in my return from Fort Benton, but the same communication having informed me that this Agency had been transferred to Idaho, I relinquished the intention of doing so. But as this Agency is several miles nearer the Capital of Montana than the Capital of Idaho, and accessible from the former by an excellent road, involving an easy journey on horseback of six days at most, I respectfully suggest that the transfer, referred to, be revoked.

Following up this suggestion, I consider

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it my duty to the Department to advise the appointment of a Special Superintendent for this Territory. Separated from one another, as the Indian Agencies are in Montana, by one, two, and three, hundred miles, and more, it is impossible for the Governor, or Acting-Governor, of the Territory, to acquit himself, in an efficient and satisfactory manner, of the duties pertaining to the Superintendency, as well as those pertaining to the Governorship, at the one and the same time.

Should the Department concur with me on this point, it would afford me sincere gratification to hear of Major Upson being appointed to the Superintendency which has devolved ~~xxx~~ on me as Acting-Governor of the Territory. Thoroughly conversant with the business of the position - intelligent, conscientious, active, resolute and experienced - I feel convinced that, in this new and higher office, he would regulate the affairs and discharge the obligations of the Superintendency with great credit to himself, decided advantage to the different Agencies committed to his supervision, and with perfect satisfaction to the Department.

Having instructed Major Upson to proceed with the Fort Benton Treaty to Washington, as speedily as

possible, so that it may be ratified at an early day this winter, I shall leave to him the duty of communicating any further information the Department may desire to receive in relation to the matters contained in this despatch.

I close, therefore, with one other suggestion, which, I earnestly trust, will be cordially approved, and acted upon with promptitude, by the Department.

Several parties in Montana - merchants, freighters, traders, farmers, and other settlers and business-men - have sustained serious damage at the hands of the Indians located in this Territory, and incurred heavy expenses in resisting their hostilities. It would be but just, it seems to me, to have a Commission appointed to investigate the claims, arising out of these expenditures and losses, and award such compensation as may be deemed equitable. - The same to be made good by the United States, <sup>whenever</sup> ~~protection~~ <sup>protection</sup> having been afforded the people of Montana, <sup>by the United States Government</sup> against the Indians up to this late hour -

Major Wagon and United States

Executive Office,

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TERRITORY OF MONTANA,

Virginia City, December 14<sup>th</sup> 1865

Judge Munson would, I am satisfied, render perfect justice to all parties concerned, were they empowered to act on this Commission - and it is with the fullest confidence in the careful industry, sound judgement, and firm integrity of these gentlemen, that I cordially recommend <sup>them</sup> for such appointment, to the most favourable consideration of the Department.

I have the honor to be

Most Faithfully

Your obedient servant

Thomas Francis Meagher

Secretary and acting Governor

Territory of Montana.

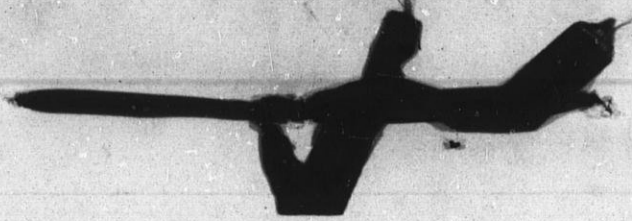
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Blackfoot  
Treaty  
with the

Blackfoot Nation  
Nov. 16. 1865

(See Montana M. 127. 0)

~~See Mont~~





*Treaty*  
*between*  
*The United States*  
*and the*  
*Blackfoot Nation of Indians*  
*November 16<sup>th</sup> 1865*

Articles of Agreement and Convention, made  
and concluded at Fort Benton, in the Territory  
of Montana, on the Sixteenth day of  
November, in the year of Our Lord one thousand  
Eight hundred and sixty five, by and between Gad  
E. Johnson, Special Commissioner duly appointed  
and Thomas Francis Meagher ~~acting~~ Governor of Montana Associate,  
and authorized, on the part of the United States,  
and the Chiefs, head-men and delegates  
representing the several tribes of Indians of  
the Blackfoot Nation, they being duly authorized  
for said purpose by their respective tribes  
witnesseth

### Article I

Perpetual peace, friendship and amity  
shall hereafter exist between the United States  
and the Blackfoot Nation and tribes of Indians  
parties to this treaty.

### Article II

The said Blackfoot Nation and Tribes of  
Indians, do hereby mutually, jointly and severally  
promise and agree, that they will maintain  
peaceful and friendly relations towards the  
Whites, that they will in future abstain  
from all hostilities whatsoever against each

other, and cultivate mutual good will and  
friendship, not only among themselves, but  
towards any other tribe or tribes of Indians  
that may dwell upon the reserved lands, as  
in Article third described and set forth,  
or adjacent thereto

### Article III

We the Chiefs, head men, and delegates of the  
Blackfoot Nation of Indians, consisting of the  
Piegan - Blood - Blackfoot and Gros Ventres tribes,  
as hereinafter signed by us, being by our respective  
tribes therunto authorized and directed, do  
hereby cede and relinquish to the United States,  
all the lands, now or at any time heretofore  
claimed or possessed by them, wherever  
situated, particularly all those lands described  
in the third and fourth articles of Treaty made  
between ~~between~~ the United States, and the  
said Blackfoot Nation and other tribes of  
Indians, dated October 17<sup>th</sup> 1855. except, all  
that portion of country described as follows,  
namely, commencing at a point where the  
parallel of forty eight degrees North latitude,  
intersects the dividing Ridge of the main  
Chain of the Rocky Mountains, thence in  
an easterly direction to the nearest source of  
f 38

the Leton River - thence down said River to its junction with the Marias River - thence down the Marias to its junction with the Missouri River thence down the Missouri to the mouth of Milk River - thence due North to the forty ninth parallel of North latitude - thence west on said parallel to the Main Range of the Rocky Mountains - thence southerly along said Range to the place of beginning, which said last described tract or portion of country, is hereby reserved to, and set apart for the use, occupancy, possession and enjoyment of the said Blackfoot Nation of Indians; excepting, and it is hereby provided, and agreed, that in the event of a treaty being made by the United States with the Crow, or other Tribes of Indians, whereby it may be stipulated, that the Crow, or other Tribes shall remove to, and live on the lands herein above described, and reserved to the use and benefit of the said Blackfoot Nation, said Tribe, or Tribes, shall be permitted to do so, and shall be treated in all respects by the Blackfoot Nation, as owners in common with them of said lands, and entitled to all privileges and benefits thereto pertaining, the same in all respects, as though they were parties to this treaty; and they hereby further agree

that within one year, from and after the ratification of this Treaty by the President and Senate of the United States, to remove to, and thence forth remain upon said lands, described, and set apart for their use and occupancy as aforesaid.

#### Article IV

The said Nation and Tribes of Indians, parties to this Treaty, hereby consent and agree, that the better to enable the President of the United States to execute the provisions of this Treaty, and to facilitate the objects thereof, roads of any and every description, military posts - bridges, lines of telegraph - houses for agencies, Mission schools - farm shops, Mills & Stations may be built upon or across said reservation, out of any materials therein found, and permanently occupy, and use as much land as may be necessary or convenient for the various purposes above enumerated, including the use of wood for fuel, and land for grazing. And that said lines of travel, & communication, and the navigation of all lakes, Rivers, and streams of water, shall be forever free, and unobstructed, to the citizens of the United States, and the United States, are hereby bound to protect said Indians against depredations

and other unlawful acts, which white men, traveling, or passing through said reservation may commit.

### Article V.

No white person, unless in the employment of the United States, or duly licenced to trade with said Indians on said reservation, or members of the families of such persons, shall be permitted to reside in, or make settlement upon any part of said tract or portion of country, so reserved & set apart as aforesaid; nor shall said Indians sell, alienate, or in any manner dispose of any portion thereof, except to the United States.

### Article VI

To aid in preventing the evils of intemperance, it is hereby stipulated and agreed, that if any of the Indians, or half-breeds, belonging to either of said tribes, shall procure for, or sell to any Indian, or half-breed, of said nation or tribes, any intoxicating liquor, their proportion of the tribal annuities, shall be withheld from them, for at least one year. And they shall also for every such offense, be liable to be proceeded against individually, and tried and punished under the

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intercourse laws, or any other laws of the United States applicable to such offenders the same as white persons.

### Article VII

The said Nation, and tribes of Indians, parties to this treaty, hereby acknowledge their dependance upon the United States, and their obligation to obey the laws thereof, and they further agree, and obligate themselves, to submit to, and obey said laws, and all other laws which shall be made by congress for their government, and for the punishment of offences, and they agree to exert themselves to the utmost of their ability, in enforcing all the laws under the direction of the Superintendent of Indian affairs or agent thereof, and they pledge, and bind themselves to preserve friendly relations with the citizens of the United States, and to commit no injuries to, or depredations on their persons or property.

They also agree, to deliver to the proper officer or officers of the United States, all offenders against the treaties, laws or regulations of the United States, and to assist in discovering, pursuing, and capturing all such offenders, who may be within the

limits of the country hereby reserved to, and set apart for the use, and occupancy of <sup>the</sup> Blackfoot Nation, and tribes of Indians, whenever required so to do, by said officers or officers.

And the said Nation, and tribes of Indians, agree that they will not make war upon any other tribes, or bands of Indians, except in self defence, but will submit all matters of difference between themselves, and them, to the government of the United States for adjustment, & will abide thereby.

And if any of the said Indians, parties to this treaty, commit depredations upon any other Indians within the jurisdiction of the United States, the same rule shall prevail, in regard to compensation, and punishment, as in cases of depredations against citizens of the United States

#### Article VIII

In consideration of the foregoing agreements, stipulations, cessions, and undertakings, and on condition of their faithful observance by the said Tribes of Indians, parties to this treaty, the United States, agree to spend ~~annually~~ for the Piegan, Blood, Blackfoot and Gros Ventres tribes or Bands of Indians, constituting



the Blackfoot Nation, in addition to the goods and provisions, distributed at the time of signing this treaty. Fifty Thousand Dollars annually, for twenty years after the ratification of this treaty by the President and Senate of the United States, to be expended in such useful goods, provisions and other articles, as the President, at his discretion, may from time to time determine, provided; and it is hereby agreed, that the President may annually expend so much of said sum of Fifty thousand Dollars, as he shall deem proper, in the purchase of stock, animals, agricultural implements - in establishing, and instructing in agricultural, and mechanical pursuits, such of said Indians, as shall be disposed thereto, and in the employment of mechanics for them, in educating their children - in providing necessary and proper medicines, medical attendances, care for, and support of the aged, infirm or sick of their number - for the helpless orphans of said Indians, and in any other respect promoting their civilization, comfort and improvement. Provided, further, that the President may, at his discretion, determine in what proportion the said annuities shall be divided

Among the said several Tribes; except, and it is herein provided and agreed, that the Gros Ventres, speaking a different language from the other Tribes, comprising the Blackfoot Nation, that their portion of the aforesaid Annuity, shall be twelve thousand dollars annually.

And the United States further agree, that in addition to the fifty thousand dollars of annuities above stipulated to be paid, to pay annually to each of the principal Chiefs of each of said four Tribes, a sum not exceeding two hundred and fifty <sup>Dollars</sup> (or in the aggregate six thousand dollars) in money or supplies, so long, as they and their respective Tribes remain faithful to their Treaty obligations; provided further, that the President may discriminate in the distribution of the aggregate amount of said money, or supplies in favor of such Chiefs, as shall by their fidelity to Treaty obligations, show themselves most worthy of favor

#### Article IX

The half breeds of the Tribes, parties to this Treaty, and those persons citizens of the United States, who have intermarried with Indian women, of said Tribes, and continue to maintain

domestic relations with them, shall not be compelled to remove to said reservation, but shall be allowed to remain undisturbed upon the lands herein ceded and relinquished to the United States, and shall be allowed, each to select from said ceded lands (not mineral), one hundred and sixty acres of land, including as far as practicable their present homestead, the boundaries of said lands, to be made to conform to the United States surveys, and when so selected, the President of the United States, shall issue to each of said persons so selecting the same, a patent for said one hundred and sixty acres, with such restrictions on the power of alienation, as he in his discretion, may see fit to impose; and until such patent shall issue, there shall be no power of alienation of said land, by any person for whose benefit such selections are herein authorized to be made

### Article X

On account of their long residence, liberality, and valuable faithful services, in keeping the peace between the government, and the Blackfoot Nation of Indians, there shall be granted to the following named white residents, in fee simple, out of the lands hereby ceded,  
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And relinquished to the United States as follows  
namely. to Baptist Champaigne. One Section of  
Six hundred & forty acres of land — to Benjamin  
Droche One Section of Six hundred & forty acres  
of land — to Charles Schucette One Section of  
Six hundred & forty acres of land — to George Stelle  
One Section of Six hundred & forty acres of land —  
And to Malcomb Clark. one section of six  
hundred & forty acres of land, Said lands  
to be selected by themselves, within six months  
after the ratification of this Treaty, by the  
President & Senate of the United States, out  
of any lands (not mineral) so ceded and  
relinquished as aforesaid, in whole, half or  
quarter sections, not including within their  
boundaries, any lands legally claimed held  
and improved by any other person or citizen  
of the United States. And in further consid-  
-eration as aforesaid, there shall be granted to  
J. B. Inoda Superior of St Johns Mission (a  
religious & Charitable Institution) and to his  
Successor or Successors to Said office in Trust  
for the use & benefit of Said Mission, so long  
as the same shall be, & remain a religious  
and Charitable Institution, one Section of six  
hundred & forty acres of land (not mineral)  
including & covering the land where their  
Said Mission is now located.

### Article X I

It is understood & agreed by & between the parties to this treaty, that if any of the tribes of Indians parties hereto shall violate any of the stipulations, agreements or obligations herein contained, the United States may withhold for such length of time as the President & Congress may determine any portion, or all of the annuities agreed to be paid to said Nation or tribes under the provisions of this Treaty.

### Article X I I

The annuities of the aforesaid Indians shall not be taken to pay the debts of individuals but satisfaction for depredations committed by them shall be made by them in such manner as the President may direct.

### Article X I I I

This treaty shall be obligatory upon the respective tribes of Indians parties hereto from the date hereof, and upon the United States as soon as the same shall be ratified by the President and Senate.

In testimony whereof the said G. E. Upson Special Commissioner, and Thomas Francis Meagher Acting Governor of Montana & Superintendent of Indian Affairs Associate on the part of the United States, and the undersigned Chiefs

Chiefs Head Men and delegates of the Blackfoot Nation and tribes of Indians parties to this treaty, have hereunto set their hands and seals at the place and on the day herein above written.

Gad. E. Upson  
 Thomas Thomas ~~Manly~~

Piegans

|                        |            |
|------------------------|------------|
| Little Dog             | his X mark |
| Big Lake               | his X mark |
| Mountain Chief         | his X mark |
| White Elk              | his X mark |
| Bird Chief             | his X mark |
| Little Wolf            | his X mark |
| Boy Chief              | his X mark |
| Heavy Runner           | his X mark |
| Almost a Dog           | his X mark |
| Hump of White Cow      | his X mark |
| Bear Chief             | his X mark |
| Under Bull             | his X mark |
| Child of the White Cow | his X mark |
| War Eagle Bear         | his X mark |
| Rising Head            | his X mark |
| Strangled Wolf         | his X mark |

Blackfoot

|                |            |
|----------------|------------|
| The Fish Child | his X mark |
|----------------|------------|

## Gros Ventres

|                                      |     |   |      |
|--------------------------------------|-----|---|------|
| Permian, or sitting Squaw            | his | X | Mark |
| Star Robe                            | his | X | Mark |
| Weasel Horse                         | his | X | Mark |
| Bulls Head                           | his | X | Mark |
| War Eagles Bonnet                    | his | X | Mark |
| Many Bears                           | his | X | Mark |
| White Eagle                          | his | X | Mark |
| Little White Galf                    | his | X | Mark |
| White bow in the middle              | his | X | Mark |
| Big Tuck Eagle                       | his | X | Mark |
| Ball in the nose                     | his | X | Mark |
| Red Fox                              | his | X | Mark |
| Little Soldiers                      | his | X | Mark |
| One who takes an arm in the mountain | his | X | Mark |

## Bloods

|                             |     |   |      |
|-----------------------------|-----|---|------|
| The Bulls Back Fat          | his | X | Mark |
| The Father of all Children  | his | X | Mark |
| The Dog with a white stripe | his | X | Mark |
| The Wicked Old Man          | his | X | Mark |
| One who goes with the Bears | his | X | Mark |
| The Bank                    | his | X | Mark |
| One that likes the Gards    | his | X | Mark |
| Bull Woolf                  | his | X | Mark |
| Wind Bull                   | his | X | Mark |

Executed in presence of  
L. E. Munson, Secretary

George Stettin

Niel Horrie

H. A. Munchy

H. D. Upham

E. M. Carpenter

Malcolm Clarke

Ben. Berwick - Interpreter

Joseph Kipp - Interpreter

Charles Shucette - his X mark - Interpreter

Witness L. E. Munson

E. M. Carpenter

Niel Horrie

Baptiste Champaine - his X mark - Interpreter

Witness L. E. Munson

E. M. Carpenter

Niel Horrie

Charles St. Carson

J. J. Hill



Executed in presence of  
L. E. Munson Secretary

Ben Berodre } Interpreters

Charles <sup>his</sup> Shucette  
mark  
Witness L. E. Munson

Baptiste <sup>his</sup> Champaigne  
mark  
Witness L. E. Munson