

## TREATIES.

MILLARD FILLMORE,

PRESIDENT OF THE UNITED STATES OF AMERICA:

July 23, 1851.

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

WHEREAS a treaty was made and concluded at Traverse des Sioux, in the Territory of Minnesota, on the twenty-third day of July, one thousand eight hundred and fifty-one, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsey, Governor and *ex-officio* Superintendent of Indian Affairs in said Territory, acting as Commissioners, and the See-see-toan and Wah-pay-toan bands of Dakota or Sioux Indians, which treaty is in the words following, to wit:

Preamble.

Articles of a treaty made and concluded at Traverse des Sioux, upon the Minnesota River, in the Territory of Minnesota, on the twenty-third day of July, eighteen hundred and fifty-one, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsey, Governor and *ex-officio* Superintendent of Indian Affairs in said Territory, commissioners duly appointed for that purpose, and the See-see-toan and Wah-pay-toan bands of Dakota or Sioux Indians.

ARTICLE 1. It is stipulated and solemnly agreed, that the peace and friendship now so happily existing between the United States and the aforesaid bands of Indians, shall be perpetual.

Peace to exist.

ARTICLE 2. The said See-see-toan and Wah-pay-toan bands of Dakota or Sioux Indians, agree to cede, and do hereby cede, sell, and relinquish to the United States, all their lands in the State of Iowa; and, also, all their lands in the Territory of Minnesota, lying east of the following line, to wit: Beginning at the junction of the Buffalo River with the Red River of the north; thence along the western bank of said Red River of the north, to the mouth of the Sioux Wood River; thence along the western bank of said Sioux Wood River to Lake Traverse; thence, along the western shore of said lake, to the southern extremity thereof; thence in a direct line, to the junction of Kameska Lake with the Tchan-kas-an-data or Sioux River; thence along the Western bank of said river to its point of intersection with the northern line of the State of Iowa; including all the islands in said rivers and lake.

Cession of land to the United States.

ARTICLE 3.\* In part consideration of the foregoing cession, the United States do hereby set apart for the future occupancy and home of the Dakota Indians, parties to this treaty, to be held by them as Indian lands are held, all that tract of country on either side of the Minnesota River from the Western boundary of the lands herein ceded, east to the Tchaytam-bay River on the north, and to the Yellow Medicine River on the south side, to extend, on each side, a distance of not less than ten miles from the general course of said river; the boundaries of said tract to be marked out by as straight lines as practicable, whenever deemed expedient by the President, and in such manner as he shall direct.

Land to be set apart in lieu thereof.

ARTICLE 4. In further and full consideration of said cession, the United States agree to pay to said Indians, the sum of one million, six hundred and sixty-five thousand dollars (\$1,665,000,) at the several times, in the manner and for the purposes following, to wit:

Payment of money to said Indians.

\* This article was stricken out. See amendments, *post*, p. 951.



Proviso.

1st. To the Chiefs of the said bands, to enable them to settle their affairs and comply with their present just engagement; and in consideration of their removing themselves to the country set apart for them as above, which they agree to do within two years or sooner, if required by the President, without further cost or expense to the United States, and in consideration of their subsisting themselves the first year after their removal, which they agree to do without further cost or expense on the part of the United States, the sum of two hundred and seventy-five thousand dollars (\$275,000): *Provided*, That said sum shall be paid to the Chiefs in such manner, as they, hereafter, in open Council shall request, and as soon after the removal of said Indians to the home set apart for them, as the necessary appropriation therefor shall be made by Congress.

2d. To be laid out under the direction of the President, for the establishment of manual labor schools; the erection of mills and blacksmith shops, opening farms, fencing and breaking land, and for such other beneficial objects as may be deemed most conducive to the prosperity and happiness of said Indians, thirty thousand dollars (\$30,000.)

The balance of said sum of one million six hundred and sixty-five thousand dollars (\$1,665,000) to wit: One million, three hundred and sixty thousand dollars (\$1,360,000,) to remain in trust with the United States, and five per cent. interest thereon to be paid, annually, to said Indians for the period of fifty years, commencing the first day of July, eighteen hundred and fifty-two (1852,) which shall be in full payment of said balance, principal and interest, the said payment to be applied under the direction of the President, as follows to wit:

3d. For a general agricultural improvement and civilization fund, the sum of twelve thousand dollars (\$12,000.)

4th. For educational purposes, the sum of six thousand dollars, (\$6,000.)

5th. For the purchase of goods and provisions, the sum of ten thousand dollars, (\$10,000.)

6th. For money annuity, the sum of forty thousand dollars (\$40,000.)

Laws respecting liquor to remain in force in said district.

ARTICLE 5. The laws of the United States prohibiting the introduction and sale of spirituous liquors in the Indian country shall be in full force and effect throughout the Territory hereby ceded and lying in Minnesota until otherwise directed by Congress or the President of the United States.

Rules may be prescribed.

ARTICLE 6. Rules and regulations to protect the rights of persons and property among the Indians, parties to this Treaty, and adapted to their condition and wants, may be prescribed and enforced in such manner as the President or the Congress of the United States, from time to time, shall direct.

In testimony whereof, the said Commissioners, Luke Lea and Alexander Ramsey, and the undersigned Chiefs and Headmen of the aforesaid See-see-toan and Wah-pay-toan bands of Dakota or Sioux Indians, have hereunto subscribed their names and affixed their seals, in duplicate, at Traverse des Sioux, Territory of Minnesota, this twenty-third day of July, one thousand eight hundred and fifty-one.

L. LEA, [SEAL.]  
ALEX. RAMSEY, [SEAL.]

|   |   |
|---|---|
| Een-yang-ma-nee, (Running Walker or "the Gun,")               | Wa-ma-ksoon-tay, ("Walnut," or Blunt headed arrow,) |
| Wee-tchan-h'pee-ee-tay-toan, (the Star face or the "Orphan,") | Ma-za-sh'a, (Metal Sounding,)                       |
| Ee-tay-wa-keen-yan, ("Limping Devil" or "Thunder Face,")      | Ya-shoa-pee, (The wind instrument,)                 |
| Eesh-ta-hum-ba, ("Sleepy Eyes,")                              | Noan-pa keen-yan, (Twice Flying,)                   |
| Oo-pee-ya-hen-day-a, (Extending his train,)                   | Wash-tay-da, (Good, a little,)                      |
|   | Wa-keen-yan-ho-ta, (Grey Thunder,)                  |
|   | Wa-shee-tchoon-ma-za, (Iron Frenchman,)             |



|  |   |
|--|---|
| Hoak-shee-dan-wash-tay, (Good Boy,)          | Ta-pe-ta-tan-ka, (His Big fire,)                            |
| Ee-tay-tcho-ka, (Face in the midst,)         | Ma-h'pee-ya-h'na-shkan-shkan, (Moving Cloud,)               |
| Hay-ha-hen-day-ma-za, (Metal Horn,)          | Wa-na-pay-a, (The pursuer,)                                 |
| Am-pay-too-sha, (Red Day,)                   | Ee-tcha-shkan-shkan-ma-nee, (Who walks shaking,)            |
| Eesh-ta-humba-koash-ka, (Sleepy Eyes young,) | Ta-wa-kan-he-day-ma-za, (His Metal Lightning,)              |
| A na-wang-ma-nee, (Who goes galloping on,)   | Ee-tay doo-ta, (Red Face,)                                  |
| Ma-h'pee-wee-tchash-ta, (Cloud man,)         | Henok-marpi-yahdi-nape, (Reappearing Cloud,)                |
| Tan-pa-hee-da, (Sounding Moccasin,)          | Tchan-hedaysh-ka-ho-toan-ma-nee, (the moving sounding Harp) |
| Eenk-pa, (the upper end,)                    | Ma-zaku-te-ma-ni, (Metal walks shooting,)                   |
| Wee-yoa-kee-yay, (Standard,)                 | A-kee-tchee-ta, (Standing Soldier.)                         |
| Wa-kan-ma-nee, (Walking Spirit,)             |   |
| Ee-tay-sha, (the one that reddens his face,) |   |
| Ta-ka-ghay, (Elk maker,)                     |   |

Signed in presence of Thomas Foster, Secretary. Nathaniel McLean, Indian Agent. Alexander Faribault, Stephen R. Riggs, Interpreters. A. S. H. White; Thos. S. Williamson; W. C. Henderson; A. Jackson; James W. Boal; W. G. Le Duc; Alexis Bailly; H. L. Dousman; Hugh Tyler.

To the Indian names are subjoined marks.

AND WHEREAS the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-third day of June, one thousand eight hundred and fifty-two, amend the same by a resolution in the words and figures following, to wit:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

June 23d, 1852.

*Resolved*, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the Articles of a Treaty made and concluded at Traverse des Sioux, upon the Minnesota River, in the Territory of Minnesota, on the twenty-third day of July, eighteen hundred and fifty-one, between the United States of America, by Luke Lea, Commissioner of Indian Affairs, and Alexander Ramsey, Governor and *ex-officio* Superintendent of Indian Affairs in said Territory, Commissioners duly appointed for that purpose, and the See-see-toan and Wah-pay-toan bands of Dakota or Sioux Indians with the following

#### AMENDMENTS:

Strike out the third article of the treaty and add the following supplemental article.

Supplemental article.

1st. The United States do hereby stipulate to pay the Sioux bands of Indians, parties to this treaty, at the rate of ten cents per acre, for the lands included in the reservation provided for in the third article of the treaty as originally agreed upon in the following words:

Payment for land ceded.

"ARTICLE 3. In part consideration of the foregoing cession, the United States do hereby set apart for the future occupancy and home of the Dakota Indians, parties to this treaty, to be held by them as Indian lands are held, all that tract of country on either side of the Minnesota River, from the western boundary of the lands herein ceded, east, to the Tchay-tam-bay River on the north, and to Yellow Medicine River on the south side, to extend, on each side, a distance of not less than ten miles from the general course of said river; the boundaries of said tract to be marked out by as straight lines as practicable, whenever deemed expedient by the President, and in such manner as he shall direct:" which article has been stricken out of the treaty by the Senate, the said payment to be in lieu of said reservation: the amount when ascertained under instructions from the Department of the Interior, to be added to the trust fund provided for in the Fourth article.

2d. It is further stipulated, that the President be authorized, with the assent of the said bands of Indians, parties to this treaty, and as soon

Land to be set apart for said Indians.



Proviso.

after they shall have given their assent to the foregoing *article*, as may be convenient, to cause to be set apart by appropriate landmarks and boundaries, such tracts of country without the limits of the cession made by the First [2d] article of the treaty as may be satisfactory for their future occupancy and home: *Provided*, That the President may, by the consent of these Indians, vary the conditions aforesaid if deemed expedient.

Attest—

ASBURY DICKINS, *Secretary*.

AND WHEREAS, the said amendments having been submitted and explained to the said See-see-toan and Wah-pay-toan bands of Sioux Indians, the said Indians did, on the eighth day of September, one thousand eight hundred and fifty-two, assent to the said treaty as amended by the Senate, in words following, to wit:

We, the undersigned, Chiefs and Headmen of the See-see-toan and Wah-pay-toan bands of Dakota or Sioux Indians, parties to the treaty made and concluded at Traverse des Sioux, upon the Minnesota River, on the twenty-third day of July, eighteen hundred and fifty-one, trusting to the justice, liberality, and humanity of the President and the Congress of the United States, that such tracts of country will be set apart for our future occupancy and home as will be to us acceptable and satisfactory, do hereby give our free and voluntary assent to the foregoing treaty of July 23, 1851, as amended by the resolution of the Senate of the United States, on the twenty-third day of June, eighteen hundred and fifty-two, the same having been submitted to us by Alexander Ramsey, Superintendent of Indian Affairs for the Territory of Minnesota, and Commissioner on the part of the United States, and fully and fairly explained by him to us in Council assembled.

In testimony whereof the undersigned, Chiefs and Headmen of the See-see-toan and Wah-pay-toan bands of Dakota or Sioux Indians, have hereunto subscribed their names, in duplicate, at the office of the Superintendent of Indian Affairs, in the town of Saint Paul, Territory of Minnesota, this eighth day of September, eighteen hundred and fifty-two.

Een-yang-ma-nee,  
Ee-tay-wa-keen-yan,  
Eesh-ta-hum-ba, (by his nephew,)  
Mah-pee-ya-wee-tchasta,  
Eesh-ta-hum-ba-koash-ka,  
Mah-kat-een-day,  
Yah-zhoa-pee,  
Wa-me-dee-o-to-mo-nee,  
Oo-pee-ya-hen-da-ya,  
Noam-pa-keen-yan,  
Wash-tay-day,  
Hay-a-he-day-ma-za, (by his father)  
Wa-keen-yah-doo-ta,

A-na-wang-ma-nee,  
Eenk-pa, (by his son)  
Tape-ta-tank-ka,  
Mah-pee-yanhna-shkan-shkan,  
No hope-tor,  
Wo-tone-ho-wash-ta,  
Moza-ku-te-ma-ni,  
Tchan-ka-ha-too,  
Wah-pah-ha-nah,  
Wah-m'pee-dee-dootah,  
Ho-hah-tchoko-ma-za,  
Ta-wa-kan-he-day-ma-za,  
Wa-kah-han-dee-topa,  
Wa-kah'-ndee-ka-ta.

Witness: Nathaniel McLean, Indian Agent. Wallace B. White, Secretary.  
Philander Prescott, Interpreter. Jos. Laframboise, Interpreter. Henry M. Rice.

To the Indian names are subjoined marks.

The foregoing assent was signed in presence of myself, and the witnesses whose names are annexed.

ALEX. RAMSEY, *Commissioner*.

Now, therefore, be it known, that I, MILLARD FILLMORE, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twenty-third day of June, one thousand eight hundred and fifty-two, accept, ratify, and confirm the said treaty as amended.

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

Done at the city of Washington, this twenty-fourth day of February, in the year of our Lord one thousand eight hundred and fifty-three, and of the Independence of the United States the seventy-seventh.

(Signed)

MILLARD FILLMORE.

BY THE PRESIDENT:

(Signed)

EDWARD EVERETT, *Secretary of State*.