

Treaty between the United States of America and the Bois Forte Band of Chippewa Indians; Concluded April 7, 1866; Ratification advised, with Amendment, April 26, 1866; Amendment accepted April 28, 1866; Proclaimed May 5, 1866.

ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

April 7, 1866.

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

WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the seventh day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and E. E. L. Taylor, Commissioners, on the part of the United States, and Gabeshcodaway or Going through the Prairie, Babawmadjeshcang or Mountain Traveller, and others, chiefs, headmen, and warriors of the Bois Forte Band of Chippewa Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Preamble.

ARTICLES OF A TREATY made and concluded at Washington, District of Columbia, this seventh day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, party of the first part, by their Commissioners, D. N. Cooley, Commissioner of Indian Affairs, and E. E. L. Taylor, thereunto duly authorized, and the Bois Forte band of Chippewa Indians, parties of the second part, by the undersigned chiefs, headmen, and warriors of said bands, thereunto duly authorized.

Contracting parties.

ARTICLE I. The peace and friendship now existing between the United States and said Bois Forte bands of Indians shall be perpetual.

Peace and friendship.

ARTICLE II. In consideration of the agreements, stipulations, and undertakings to be performed by the United States, and hereinafter expressed, the Bois Forte bands of Chippewas have agreed to, and do hereby, cede and forever relinquish and surrender to the United States all their right, title, claim, and interest in and to all lands and territory heretofore claimed, held, or possessed by them, and lying east of the boundary line mentioned and established in and by the first article of the treaty made and concluded by and between the United States of the one part, and the Chippewas of Lake Superior and the Mississippi of the other part, on the 30th day of September, A. D. 1854, and more especially in and to all that portion of said territory heretofore claimed and occupied by them at and near Lake Vermillion as a reservation. The Bois Forte band of Chippewas in like mannner cede and relinquish forever to the United States all their claim, right, title, and interest in and to all lands and territory lying westwardly of said boundary line, or elsewhere within the limits of the United States.

Cession of lands to the United States.

Boundaries.

Vol. x. p. 1109.

ARTICLE III. In consideration of the foregoing cession and relinquishment, the United States agree to and will perform the stipulations, undertakings, and agreements following, that is to say:—

The United States to set apart a reservation.

1st. There shall be set apart within one year after the date of the ratification of this treaty, under the direction of the President of the

United States, within the Chippewa country, for the perpetual use and occupancy of said Bois Forte band of Chippewas, a tract of land of not less than one hundred thousand acres, the said location to include a lake known by the name of Netor As-sab-a-co-na, if, upon examination of the country by the agent sent by the President of the United States to select the said reservation, it is found practicable to include the said lake therein, and also one township of land on the Grand Fork river, at the mouth of Deer creek, if such location shall be found practicable.

The United States to erect shop, school-house, houses for chiefs, and other buildings;

2d. The United States will as soon as practicable after the setting apart of the tract of country first above mentioned, erect thereon without expense to said Indians, one blacksmith's shop, to cost not exceeding five hundred dollars; one school-house to cost not exceeding five hundred dollars; and eight houses for their chiefs, to cost not exceeding four hundred dollars each; and a building for an agency house and storehouse for the storage of goods and provisions, to cost not exceeding two thousand dollars.

to pay annuities for twenty years.

3d. The United States will expend annually for and in behalf of said Bois Forte band of Chippewas, 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 blacksmith and assistant, and for tools, iron, and steel, and other articles necessary for the blacksmith's shop, fifteen hundred dollars; for one school-teacher, and the necessary books and stationery for the school, eight hundred dollars, the chiefs in council to have the privilege of selecting, with the approval of the Secretary of the Interior, the religious denomination to which the said teacher shall belong; for instructions of the said Indians in farming, and the purchase of seeds, tools, &c., for that purpose, eight hundred dollars; and for annuity payments, the sum of eleven thousand dollars, three thousand five hundred dollars of which shall be paid to them in money per capita, one thousand dollars in provisions, ammunition, and tobacco, and six thousand five hundred dollars to be distributed to them in goods and other articles suited to their wants and condition.

Objects of annuities.

Payment of \$50,000 to Indians.

Amendment. Post, p. 767.

ARTICLE IV. To enable the chiefs, headmen, and warriors now present to establish their people upon the new reservation, and to purchase useful articles and presents for their people, the United States agree to pay to them, upon the ratification of this treaty, the sum of fifty thousand dollars, to be expended under the direction of the Secretary of the Interior.

Grant of lands to certain persons for services.

ARTICLE V. In consideration of the services heretofore rendered to the said Indians by Francis Roussaire, senior, Francis Roussaire, jr., and Peter E. Bradshaw, it is hereby agreed that the said persons shall each have the right to select one hundred and sixty acres of land, not mineral lands, and to receive patents therefor from the United States; and for the like services to the Indians, the following-named persons, to wit: Peter Roy, Joseph Gurnoe, Francis Roy, Vincent Roy, Eustace Roussaire, and D. George Morrison shall each have the right to select eighty acres of land, not mineral lands, and to receive from the United States patents therefor.

Annuities to be paid upon the reservation, if, &c.

ARTICLE VI. It is further agreed that all payments of annuities to the Bois Forte band of Chippewas shall be made upon their reservation if, upon examination, it shall be found practicable to do so.

Inconsistent provisions of former treaties abrogated.

ARTICLE VII. It is agreed by and between the parties hereto that upon the ratification of this treaty all former treaties existing between them inconsistent herewith shall be, and the same are hereby, abrogated and made void to all intents and purposes; and the said Indians hereby relinquish any and all claims for arrears of payments claimed to be due under such treaties, or that are hereafter to fall due under the provisions of the same; except that as to the third clause of the 12th article of the treaty of Sept. 30th, 1854, providing for a blacksmith, smithshop, sup-

Part of treaty of Sept. 30, 1854,

plies, and instructions in farming, the same shall continue in full force and effect, but the benefits thereof shall be transferred to the Chippewas of Lake Superior. to remain in full force. Vol. x. p. 1110. Payment of expenses of delegation to Washington.

ARTICLE VIII. The United States also agree to pay the necessary expenses of transportation and subsistence of the delegates who have visited Washington for the purpose of negotiating this treaty, not exceeding the sum of ten thousand dollars.

In testimony whereof, the undersigned, Commissioners on behalf of the United States, and the delegates on behalf of the Bois Forte band of Chippewas, have hereunto set their hands and seals the day and year first above written.

D. N. COOLEY, *Com'r of Ind. Affairs.* [L. s.]
 E. E. L. TAYLOR, *Special Com'r.* [L. s.]

GABESHCODAWAY, or Going through the Prairie, his x mark. [L. s.]
 BABAWMADJEWESHANG, or Mountain Traveller, his x mark. [L. s.]
 ADAWAWNEQUABENACE, or Twin-haired Bird, his x mark. [L. s.]
 SAGWADACAMEGISHCANG, or He who Tries the Earth, his x mark. [L. s.]
 NEONING, or The Four Fingers, his x mark. [L. s.]
 WABAWGAMAWGAU, or The Tomahawk, his x mark. [L. s.]
 GANAWAWBAMINA, or He who is Looked at, his x mark. [L. s.]
 GAWNANDAWAWINZO, or Berry Hunter, his x mark. [L. s.]
 ABETANG, or He who Inhabits. his x mark. [L. s.]

In presence of—

LUTHER E. WEBB, [L. s.]
U. S. Indian Agent for Chippewas, Lake Superior.
 JOSEPH D. GURNOE, [L. s.]
U. S. Interpreter, Lake Superior.
 J. C. RAMSEY.
 BENJ'N THOMPSON.
 PETER ROY.
 D. GEO. MORRISON.
 VINCENT ROY, Jr.
 W. H. WATSON. } [L. s.]

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-sixth day of April, one thousand eight hundred and sixty-six, advise and consent to the ratification of the same, with an amendment, in the words and figures following, to wit:— Ratification with amendment.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
 April 26, 1866.

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 Washington, District of Columbia, the seventh day of April, 1866, between the United States and the Bois Forte band of Chippewa Indians, with the following

AMENDMENT:

Article IV., line 4, strike out the word "fifty," and insert in lieu thereof the word *thirty*. Ante, p. 766.

Attest: J. W. FORNEY, *Secretary.*

Amendment
accepted.

And whereas the foregoing amendment having been fully explained and interpreted to the chiefs, headmen, and warriors of the Bois Forte Band of Chippewa Indians whose names are subscribed to the writing hereto following, they did, on the twenty-eighth day of April, one thousand eight hundred and sixty-six, give their free and voluntary assent to said amendment in the words and figures following, to wit:—

Whereas the Senate of the United States has advised and consented to the ratification of the treaty¹ made on the seventh day of April, 1866, with the Bois Forte band of Chippewa Indians, with the following amendment, to wit:—

“In article IV. of said treaty, line 4, strike out the word ‘fifty,’ and insert in lieu thereof the word *thirty*.”

Now, therefore, we, the chiefs, headmen, and warriors of the said Bois Forte band, duly authorized by our people, do hereby assent and agree to the said amendment above written, the same having been interpreted to us, and being fully understood by us.

Witness our hands and seals this 28th day of April, A. D. 1866, at Washington, D. C.

GABESHCODAWAY, his x mark.	[L. s.]
BABAWMADJEWESHGANG, his x mark.	[L. s.]
ADAWAWNEQUABENACE, his x mark.	[L. s.]
GAGWADACAMEGISHGANG, his x mark.	[L. s.]
WABAWGAMAWGAU, his x mark.	[L. s.]
GANAWAWBAMINA, his x mark.	[L. s.]
GAWNANDAWAWINZO, his x mark.	[L. s.]
ABETANG, his x mark.	[L. s.]

Witness:—

JOSEPH D. GURNOE, [L. s.] *U. S. Interpreter.*
 D. N. COOLEY, [L. s.] *Com'r Ind. Affairs.*
 L. E. WEBB, *U. S. Indian Agent.*
 J. C. RAMSEY.

Proclaimed.

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

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

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

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*