

TREATY WITH THE EASTERN SHOSHONI, 1863.

The 1863 Fort Bridger Treaty with the Eastern Shoshones represented part of a process to clear a corridor for safe travel for whites emigrating to the west and for railway and communication routes. This treaty came on the heels of two important events: first, the Homestead Act of 1862 created a mechanism to encourage white settlement in the western territories of the United States. Second, and more important to the Shoshones, the Bear River Massacre in early 1863 made it quite clear that the United States was prepared to go to great lengths to compel Shoshones west of Wyoming to comply with demands for passage. Nearly 400 Shoshones lost their lives at this encounter, including some members of the bands that adhered to the leadership of Chief Washakie. The treaty essentially sets the boundaries of the Eastern Shoshones to reflect their traditional base since the early 1800s, namely from the upper Snake River on the north, east to the Wind River Mountains, South into northern Colorado and Utah, and no further west than Salt Lake. It did not include the present-day boundaries of the Wind River Reservation, which lies *east* of the Wind River Mountains. The ratified 1863 treaty added one article and one amendment to the original document, as well as a new preamble. The additions are noted with brackets. [Ref: United States Statutes at Large. 43rd Congress, 1873-1875. Vol. 18, part 3, pp. 685-688.]

[Treaty between the United States of America and the Eastern Bands of Shoshonee Indians. Concluded July 2, 1863; Ratification advised, with amendment, March 7, 1864; Amendment assented to August 31, 1865; Proclaimed June 7, 1869.]

[ULYSSESS S. GRANT, PRESIDENT OF THE UNITED STATES OF AMERICA,]

[TO ALL AND SINGULAR TO WHOM THESE PRESENTS COME, GREETING:]

[Whereas a Treaty was made and concluded at Fort Bridger, in the Territory of Utah, on the second day of July, in the year of our Lord one thousand eight hundred and sixty-three, by and between James Duane Doty and Luther Mann, Commissioners, on the part of the United States, and Washakee, Wanapitz, and other Chiefs, Principal Men, and Warriors of the Eastern Bands of Shoshonee Indians, on the part of said Indians, and duly authorized thereto by them, which Treaty is in the words and figures following, to wit:]

Articles of Agreement made at Fort Bridger, in Utah Territory, this second day of July, A.D. one thousand eight hundred and sixty-three, by and between the United States of America, represented by its Commissioners, and the Shoshone nation of Indians, represented by its Chiefs and Principal Men And Warriors of the Eastern Bands, as follows:

ARTICLE I.

Friendly and amicable relations are hereby re-established between the bands of the Shoshonee nation, parties hereto, and the United States; and it is declared that a firm and perpetual peace shall be henceforth maintained between the Shoshone nation and the United States.

ARTICLE II.

The several routes of travel through the Shoshonee country, now or hereafter used by white men, shall be and remain forever free and safe for the use of the Government of the United States, and of all emigrants and travellers under its authority an Protection, without molestation or injury from any of the people of the said nation. And if depredations should at any time be committed by bad men of their nation, the offenders shall be immediately seized and delivered up to the proper officers of the United States, to be punished as their offences shall deserve; and the safety of all travellers passing peaceably over said routes is hereby guaranteed by said nation. Military agricultural settlements and military posts may be established by the President of the United States along said routes; ferries may be maintained over the rivers wherever they may be required; and houses erected and settlements formed at such points as may be necessary for the comfort and convenience of travellers.

ARTICLE III.

The telegraph and overland stage lines having been established and operated through a part of the Shoshonee country, it is expressly agreed that the same may be continued without hindrance, molestation, or injury from the people of said nation; and that their property, and the lives of passengers in the stages, and of the employees of the respective companies, shall be protected by them.

And further, it being understood that provision has been made by the Government of the United States for the construction of a railway from the plains west to the Pacific ocean, it is stipulated by said nation that said railway, or its branches, may be located, constructed, and operated, without molestation from them, through any portion of the country claimed by them.

ARTICLE IV.

It is understood the boundaries of the Shoshonee country, as defined and described by said nation, is as follows:

On the north, by the mountains on the north side of the valley of Shoshonee or Snake River; on the east, by the Wind River mountains, Peenahpah river, the north fork of Platte or Koo-chin-agah, and the north Park or Buffalo House; and on the south, by Yampah river and the Uintah mountains. The western boundary is left undefined, there being no Shoshonees from that district of country present; but the bands now present claim that their own country is bounded on the west by Salt Lake.

ARTICLE V.

The United States being aware of the inconvenience resulting to the Indians in consequence of the driving away and destruction of game along the routes travelled by whites, and by the formation of agricultural and mining settlements, are willing to fairly compensate them for the same; [therefore] and in consideration of the preceding

stipulations, the United States promise and agree to pay to the bands of the Shoshonee nation, parties hereto, annually for the term of twenty years, the sum of ten thousand dollars, in such articles as the President of the United States may deem suitable to their wants and condition, either as hunters or herdsman. And the said bands of the Shoshonee nation hereby acknowledge the reception of the said stipulated annuities, as a full compensation and equivalent for the loss of game, and the rights and privileges hereby-conceded.

ARTICLE VI.

The said bands hereby acknowledge that they have received from said Commissioners provisions and clothing amounting to six thousand dollars, as-presents, at the conclusion of this treaty.

Done at Fort Bridger the day and year above written.

JAMES DUANE DOTY
LUTHER MANN, JR.,
Commissioners.

WASHAKEE his x mark.
WANAPITZ his x mark.
PANTOSHIGA his x mark.
NINABITZEE his x mark.
NARKAWK his x mark.
TABOONSHEA his x mark.
WEERANGO his x mark.
TOOTSAHP his x mark.
WEEAHYUKEE his x mark.
BAZILE his x mark.

In presence of—

JACK ROBERTSON, *Interpreter.*
SAMUEL DEAN

[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 seventh day of March, one thousand eight hundred and sixty-four, advise and consent to the ratification of the same with an amendment, by a resolution in the words and figures following, to wit:]

[IN EXECUTIVE SESSIONS, SENATE OF THE UNITED STATES,
March 7, 1864.]

[Resolved, (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement made at Fort Bridger, in Utah Territory, the 2d of July, 1863, between the United States of America, represented by its Commissioners, and the Shoshonee nation of Indians, represented by its Chiefs and Principal Headmen and Warriors of the Eastern Bands, with following]

[AMENDMENT:]

[Add a new article as follows:]

[Nothing herein contained shall be construed or taken to admit any other or greater title or interest in the lands embraced within the territories described in said Treaty with said tribes or bands of Indians than existed in them upon the acquisition of said territories from Mexico by the laws thereof.]

[Attest:]

[J. W. FORNEY
Secretary.
By W. J. McDONALD,
Chief Clerk.]

[And whereas, the foregoing amendment having been fully explained and interpreted to the Chiefs and Principal Men of said Eastern Band of Shoshonee Indians, whose names are hereinafter subscribed, they did, on the thirty-first day of August, in the year one thousand eight hundred and sixty-five, on behalf of said Indians, together with O. H. Irish, Commissioner, on behalf of the United States, give their free and voluntary assent to said amendment, in the words and figures following, to wit:]

[Whereas a Treaty of Peace and Friendship was made at Fort Bridger, Utah Territory, on the second day of July, A. D., one thousand eight hundred and sixty-three, by and between the United States of America, represented by James Duane Doty and Luther Mann, jr., Commissioners, and the Chiefs of the Eastern Bands of the Shoshonee Indians, which treaty was ratified by the Senate of the United States on the seventh day of March, 1864, with the following amendment, viz:]

[“Article 5th. Nothing herein contained shall be construed or taken to admit any other or greater title or interest in the lands embraced within the territories described in said Treaty with said tribes or bands of Indians than existed in them upon the acquisition of said territories from Mexico by the laws thereof.”]

[Now, the said amendment having been this thirty-first day of August, A. D. 1865, at a council held with the said Chiefs at Great Salt Lake City, Utah Territory, under the instructions of the President of the United States, submitted to said Chiefs and Principal Men for their consideration and acceptance, and the same having been read and fully interpreted to them in their own language, the said Chiefs and Principal Men, for themselves and for the said Eastern Bands of the Shoshonee Indians, do hereby agree and consent to the said amendment to the said Treaty, and do stipulate that the same shall be an hereby is accepted and adopted as the fifth article thereof, and forever binding upon them and their nation.]

[In witness thereof O. H. Irish, Superintendent of Indian Affairs, Commissioner on the part of the United States, and the said Chiefs and Principal Men, on the part of the said Eastern Bands of the Shoshonee Indians, have hereunto subscribed their names this thirty-first day of August, A. D. 1865.]

[O. H. IRISH,
Supt. of Ind. Affairs and Commissioner.]

WASHAKEE. his x mark.
WANAPITZ. his x mark.
TOOPSAPOWET. his x mark.
WEERANGO. his x mark.]

[Witnesses:

AMOS REED, *Acting Governor of Utah Ty.*
H. C. DOLL, *Clerk of Superintendency.*]

[Now, therefore, be it known that I, ULYSSES S. GRANT, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in the resolution of the seventh of March, on thousand eight hundred and sixty-four, accept, ratify, and confirm the said Treaty, with the amendment as aforesaid.]

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

[Done at the city of Washington, this seventh day of June, in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States of America the ninety-third.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.]