

1874 CONGRESSIONAL RATIFICATION OF THE BRUNOT CESSION AGREEMENT OF SEPTEMBER 1872

In part, due to the onset of the severe nation-wide depression of the Panic of 1873, it took the Congress of the United States over two years to ratify the cession agreement reached by Felix Brunot and the Shoshones. The agreement diminished the original reservation by nearly one-third and opened the ceded southern portion to white settlement. The delays in implementation, however, led to confusion concerning the delivery of the stock cattle over the specified five-year period, and of course, the government did very little to honor its part to prevent settlers from moving onto the ceded lands. Note that Chief Washakie was a direct beneficiary of this agreement, but in the context of Shoshone customs, it provided him a discretionary fund that allowed him to meet his obligations as a headman. [Ref: United States Statutes at Large. 43rd Congress, 1873-1875. Vol. 18, part 3. Chapter 2, pp. 291-292.]

CHAP. 2—*An act to confirm and agreement made with the Shoshone Indians (eastern band for the purchase of the south part of their reservation in Wyoming Territory.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the agreement entered into on the twenty-sixth day of September, in the year of our Lord, eighteen hundred and seventy-two, between Felix R. Brunot, commissioner on the part of the United States and the chief, head-men, and men of the eastern band of Shoshone Indians, in the words and figures following, be, and the same is hereby, confirmed, satisfied, and approved by the Congress and President of the United States; *Provided*; That the cattle furnished under this agreement shall be good, young American cattle, suitable for breeding purposes.

Articles of a convention made and concluded at the Shoshone and Bannock Indian agency in Wyoming Territory, this twenty-sixth day of September, in the year of our Lord, eighteen hundred and seventy-two, by and between Felix R. Brunot, commissioner on the part of the United States, and the chief, head-men, and men of the eastern band of Shoshone Indians, constituting a majority of all the adult male Indians of said band on tribe of Indians, and duly authorized to act on the premises, witnesseth:

That whereas by article eleven of a treaty with the Shoshone (eastern band) and Bannock tribes of Indians, made the third day of July, eighteen hundred and sixty-eight, at Fort Bridger, Utah Territory, a reservation was set apart for the use and occupancy of said tribes of Indians in the following words: “The United States further agrees that the following district of country, to wit, ‘commencing at the mouth of the Owl Creek and running, due south, to the crest of the divide between the Sweetwater and the the Papo-Agie Rivers; thence along the crest of said divide and the summit of Wind River Mountains to the longitude of North Fork of Wind River; thence due north, to mouth of said North Fork, and up its channel to a point twenty miles above its mouth; thence in a straight line to head-waters of Owl Creek, and, along middle of channel of Owl Creek, to place of beginning,’ shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Shoshone Indians herein named;”

And whereas, previous to and since the date of said treaty, mines have been discovered, and citizens of the United States have made improvements within the limits of said reservation, and it deemed advisable for the settlement of all difficulty between the parties, arising in consequence of said occupancy, to change the southern limit of said reservation:

I. The Shoshone band or tribe of Indians (eastern band) hereby cede to the United States of America that portion of their reservation in Wyoming Territory which is situated south of a line beginning at a point on the eastern boundary of the Shoshone and Bannock reservation, due east to the mouth of the Little Papo-Agie, at its junction with the Papo-Agie, and running from said point west to the mouth of the Little Papo-Agie; thence up the Papo-Agie to the North Fork, and up the North Fork to the mouth of the canyon; thence west to the western boundary of the reservation.

II. The United States agree to pay to the Shoshone (eastern band) or tribe the sum of twenty-five thousand dollars; said sum to be expended under the direction of the President for the benefit and use by said Indians in the following manner, viz: On or before the tenth day of August of each year, for the term of five years after the ratification of this agreement, five thousand dollars shall be expended for the purchase of stock-cattle, and said cattle delivered to the Shoshones on their reservation. Second. The salary of five hundred dollars per annum shall be paid by the United States for the term of five years to Wash-a-kie, chief of the Shoshones.

III. Within the term of six months, and as soon as practicable after the ratification of this agreement, the United States shall cause the southern line of the Shoshone reservation, as herein designated, to be surveyed, and marked at suitable points on the ground, and until said line has been so surveyed and marked, the United States binds itself not to permit the intrusion of any white persons upon any of the agricultural or other lands within the limit of the district proposed to be ceded.

IV. This convention or agreement is made subject to the approval of the President and the ratification or rejection of the Congress of the United States.

Approved, December 15, 1874.