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Letter from the Acting Secretary of the Interior, transmitting copy of an agreement dated September 20, 1872, between the Sisseton and Wahpeton bands of Sioux Indians and United States Indian agents, in conformity with law

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AGREEMENT WITH SISSETON AND WAHPETON BANDS OF  
SIOUX INDIANS.

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LETTER

FROM THE

ACTING SECRETARY OF THE INTERIOR,

TRANSMITTING

*Copy of an agreement dated September 20, 1872, between the Sisseton and Wahpeton bands of Sioux Indians and United States Indian agents, in conformity with law.*

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DECEMBER 3, 1872.—Referred to the Committee on Indian Affairs and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,  
Washington, D. C., December 2, 1872.

SIR: I have the honor, herewith, to lay before Congress a copy of an agreement, dated September 20, 1872, between the Sisseton and Wahpeton bands of Sioux Indians and the United States Indian Agents Moses N. Adams and William H. Forbes, and James Smith, jr., commissioners, appointed by this Department, in conformity with the act approved June 7, 1872, entitled "An act to quiet the title to certain lands in Dakota Territory," and recommend that said agreement be approved.

A copy of the letter of the Commissioner of Indian Affairs of this date, in relation to the subject, is herewith transmitted.

Very respectfully, your obedient servant,

B. R. COWEN,  
*Acting Secretary.*

HON. JAMES G. BLAINE,  
*Speaker of the House of Representatives.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., December 2, 1872.

SIR: Referring to the provisions of an act of Congress, entitled "An act to quiet the title to certain lands in Dakota Territory," approved June 7, 1871, (Pamph. Ed. U. S. Stats. at Large, p. 281,) I have the honor

to submit herewith a copy of an agreement, concluded September 20, 1872, with the Sisseton and Wahpeton bands of Sioux Indians, by United States Indian Agents Moses N. Adams and William H. Forbes, and James Smith, jr., commissioners appointed by this Department, in conformity with the act in question.

I respectfully recommend that the same be laid before Congress for its approval.

Very respectfully, your obedient servant,

F. A. WALKER,  
*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

*Agreement with the Sisseton and Wahpeton bands of Sioux Indians.*

Whereas the Sisseton and Wahpeton bands of Dakota or Sioux Indians made and concluded a treaty with the United States, at the city of Washington, D. C., on the 19th day of February, A. D. 1867, which was ratified, with certain amendments, by the Senate of the United States on the 15th day of April, 1867, and finally promulgated by the President of the United States on the 2d day of May, in the year aforesaid, by which the Sisseton and Wahpeton bands of Sioux Indians ceded to the United States certain privileges and rights supposed to belong to said bands in the territory described in article two (2) of said treaty, and

Whereas it is desirable that all said territory, except the portion thereof comprised in what is termed the permanent reservations, particularly described in articles three (3) and four (4) of said treaty, shall be ceded absolutely to the United States, upon such consideration as in justice and equity should be paid therefor by the United States; and

Whereas said territory, now proposed to be ceded, is no longer available to said Indians for the purpose of the chase, and such value or consideration is essentially necessary in order to enable said bands interested therein to cultivate portions of said permanent reservations, and become wholly self-supporting by the cultivation of the soil and other pursuits of husbandry; therefore, the said bands, represented in said treaty, and parties thereto, by their chiefs and head-men, now assembled in council, do propose to M. N. Adams, William H. Forbes, and James Smith, jr., commissioners on behalf of the United States, as follows:

First. To cede, sell, and relinquish to the United States all their right, title, and interest in and to all lands and territory, particularly described in article two (2) of said treaty, as well as all lands in the Territory of Dakota to which they have title or interest, excepting the said tracts particularly described and bounded in articles three (3) and four (4) of said treaty, which last-named tracts and territory are expressly reserved as permanent reservations for occupancy and cultivation, as contemplated by articles eight, (8,) nine, (9,) and ten (10) of said treaty.

Second. That, in consideration of said cession and relinquishment, the United States shall advance and pay, annually, for the term of ten (10) years from and after the acceptance by the United States of the proposition herein submitted, eighty thousand (80,000) dollars, to be expended under the direction of the President of the United States, on the plan and in accordance with the provisions of the treaty aforesaid, dated February 19, 1867, for goods and provisions, for the erection of manual-labor and public school-houses, and for the support of manual-labor and public schools, and in the erection of mills, blacksmith-shops, and other work-shops, and to aid in opening farms, breaking land, and fencing the same, and in furnishing agricultural implements, oxen, and milch-cows, and such other beneficial objects as may be deemed most conducive to the prosperity and happiness of the Sisseton and Wahpeton bands of Dakota or Sioux Indians entitled thereto according to the said treaty of February 19, 1867. Such annual appropriation or consideration to be apportioned to the Sisseton and Devil's Lake agencies, in proportion to the number of Indians of the said bands located upon the Lake Traverse and Devil's Lake reservations respectively. Such apportionment to be made upon the basis of the annual reports or returns of the agents in charge. Said consideration, amounting, in the aggregate, to eight hundred thousand (800,000) dollars, payable as aforesaid, without interest.

Third. As soon as may be, the said territory embraced within said reservation described in article four, (4,) (Devil's Lake reservation,) shall be surveyed, as Government lands are surveyed, for the purpose of enabling the Indians entitled to acquire permanent rights in the soil, as contemplated by article five (5) of said treaty.

Fourth. We respectfully request that, in case the foregoing propositions are favorably entertained by the United States, the sale of spirituous liquors upon the territory ceded may be wholly prohibited by the United States Government.

Fifth. The provisions of article five (5) of the treaty of February 19, 1867, to be modified as follows: An occupancy and cultivation of five (5) acres, upon any particular location, for a term of five (5) consecutive years, shall entitle the party to a patent for forty acres; a like occupancy and cultivation of ten (10) acres, to entitle the party to a patent to eighty acres; and a like occupancy and cultivation of any tract, to the extent of twenty acres, shall entitle the party so occupying and cultivating to a patent for 160 acres of land. Parties who have already selected farms and cultivated the same may be entitled to the benefit of this modification. Patents so issued (as hereinbefore set forth) shall authorize a transfer or alienation of such lands situate within the Sisseton agency, after the expiration of ten (10) years from this date, and within the Devil's Lake reservation after the expiration of fifteen (15) years, but not sooner.

Sixth. The consideration to be paid, as hereinbefore proposed, is in addition to the provisions of article six (6) of the treaty of February 19, 1867, under which Congress shall appropriate, from time to time, such an amount as may be required to meet the necessities of said Indians, to enable them to become civilized.

Seventh. Sections sixteen (16) and thirty-six (36) within the reservations shall be set apart for educational purposes, and all children of a suitable age within either reservation shall be compelled to attend school at the discretion of the agents.

Eighth. At the expiration of ten (10) years from this date, all members of said bands under the age of twenty-one years shall receive 40 acres of land from said permanent reservations in fee simple.

Ninth. At the expiration of ten (10) years the President of the United States shall sell or dispose of all the remaining or unoccupied lands in the Lake Traverse reservation, (excepting that which may hereafter be set apart for school purposes;) the proceeds of the sale of such lands to be expended for the benefit of the members of said bands located on said Lake Traverse reservation; and, at the expiration of fifteen (15) years, the President shall sell or dispose of all the remaining unoccupied lands (excepting that which may be hereafter set apart for school purposes) in the Devil's Lake reservation; the proceeds of the sale of such land shall be expended for the benefit of all members of said bands who may be located on the said Devil's Lake reservation.

Executed at Sisseton Agency, Dakota Territory, Lake Traverse reservation, this 20th day of September, A. D. 1872

MOSES N. ADAMS,  
Wm. H. FORBES,  
JAMES SMITH, Jr.,  
*Commissioners.*

Gabriel Renville, <i>Head chief of Sissetons and Wahpetons.</i>	Ampetuxa, <i>Wahpeton counselor.</i>	his x mark.
Wicanspinpa, <i>Chief counselor Wahpetons and Sissetons.</i>	Rapacokamaga, <i>Wahpeton soldier.</i>	his x mark.
Wandimpeduta, <i>Chief Sissetons.</i>	Hoyanyan, <i>Sisseton soldier.</i>	his x mark.
Tacaindupalotanka, <i>Chief Wahpetons.</i>	Inihau, <i>Sisseton soldier.</i>	his x mark.
Wasnicciyapi, <i>Chief Sisseton band Swantain.</i>	Michael Renville, <i>Chief counselor or soldier.</i>	his x mark.
Hokxidamaxte, <i>Chief counselor Sissetons.</i>	Ixakiya, <i>Sisseton soldier.</i>	his x mark.
Wasukiye, <i>Chief counselor Sissetons.</i>	Paul Mazokutemoni, <i>Chief counselor.</i>	his x mark.
Peter Tapelalanka, <i>Hereditary chief Wahpetons.</i>	Edwin Phelps, <i>Chief counselor.</i>	his x mark.
Magailhaye, <i>Chief counselor, a soldier, Sissetons.</i>	Elias Ovanwayakapi, <i>Chief counselor.</i>	his x mark.
Waxicmumaza, <i>Chief counselor Sissetons.</i>	Aajanjauna, <i>Second soldier and counselor.</i>	his x mark.
Wakanto, <i>Chief counselor or soldier.</i>	Wasincagu, <i>Second soldier and counselor.</i>	his x mark.
Cutiukiya, <i>Soldier or counselor.</i>	Kampeska, <i>Chief soldier Wahpeton.</i>	his x mark.
Tacourpipeta, <i>Head chief Sissetons.</i>	Wanaita, <i>Hereditary chief of Sissetons and Cut-Heads.</i>	his x mark.
Tamuiyage, <i>Head chief Sissetons.</i>	Towaxte, <i>Head chief Sissetons.</i>	his x mark.
Waudiduta, <i>Chief soldier Sissetons.</i>	Markiyakudan, <i>Chief Sissetons.</i>	his x mark.
Canteryapa, <i>Soldier, Sissetons.</i>	Matocatka, <i>Wahpeton soldier.</i>	his x mark.
Xupelihu, <i>Wahpeton soldier.</i>		

Chadoze, <i>Sisseton soldier.</i>	his x mark.	Wamdoiokiya, <i>Wahpeton soldier.</i>	his x mark.
Wakinyanrota, <i>Sisseton soldier.</i>	his x mark.	Tonwannonpi, <i>Wahpeton soldier.</i>	his x mark.
Cantemaza, <i>Wahpeton chief.</i>		Hinhanxuma, <i>Sisseton soldier.</i>	his x mark.
Ecanaginka, <i>Sisseton soldier.</i>	his x mark.	Tamazakama, <i>Sisseton soldier.</i>	his x mark.
Inimusapa, <i>Sisseton soldier.</i>	his x mark.	Akicitamauc, <i>Sisseton soldier.</i>	his x mark.
Icartaka, <i>Sisseton soldier.</i>	his x mark.	Makanhaza, <i>Sisseton soldier.</i>	his x mark.
Ximto, <i>Sisseton soldier.</i>	his x mark.	Mazukahonin, <i>Sisseton soldier.</i>	his x mark.
Khdohinduta, <i>Sisseton soldier.</i>	his x mark.	Onsepukaga, <i>Sisseton soldier.</i>	his x mark.
Wicastawakam, <i>Sisseton soldier.</i>	his x mark.	Tato, <i>Sisseton soldier.</i>	his x mark.
Makaideya, <i>Sisseton soldier.</i>	his x mark.	Coledubi, <i>Sisseton soldier.</i>	his x mark.
Muiyatohomxte, <i>Sisseton soldier.</i>	his x mark.	Rupaiensuta, <i>Sisseton soldier.</i>	his x mark.
Akicitaduta, <i>Sisseton soldier.</i>	his x mark.	Iskiya, <i>Chief soldier Wahpetons.</i>	
Cagewanica, <i>Sisseton soldier.</i>	his x mark.		

Witnesses to signatures of above chief and soldiers:

H. T. LORETT.  
G. H. HARVIES.  
T. A. ROBERTSON.  
G. H. GARIBAUTT.  
C. P. LA GRANGE.

We hereby certify, on honor, that we have fully explained to the Indians the above instrument, and that the Indians acknowledge the same to be well understood by them.

T. A. ROBERTSON,  
G. H. GARIBAUTT,  
*Interpreters.*