

## MESSAGE

FROM THE

## PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*A report relative to the purchase and release of the surplus lands in the Lake Traverse Indian Reservation.*

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FEBRUARY 19, 1890.—Read, referred to the Committee on Indian Affairs, and ordered to be printed.

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*To the Senate and House of Representatives :*

I transmit herewith a communication of the 8th instant from the Secretary of the Interior, submitting a report of the Commissioner of Indian Affairs and accompanying agreement made with the Sisseton and Wahpeton bands of Dakota or Sioux Indians for the purchase and release of the surplus lands in the Lake Traverse Indian Reservation in the States of North and South Dakota; the negotiations for said purchase and release having been conducted under the authority contained in the fifth section of the general allotment act of February 8, 1887 (24 Stats., 388), which provides among other things that the "purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be prescribed by Congress."

This agreement involves a departure from the terms of the general allotment act in at least one important particular. It gives to each member of the tribe 160 acres of land without regard to age or sex, while the general law gives this allotment only to heads of families. There are, I think, serious objections to the basis adopted in the general law, especially in its application to married women; but if the basis of the agreement herewith submitted is accepted, it would, I think, result in some cases where there are large families of minor children, in excessive allotments to a single family. Whatever is done in this case will of course become in some sense a precedent in the cases yet to be dealt with.

Perhaps the question of the payment by the United States of the annuities which were forfeited by the act of February 16, 1863 (12 Stats., 652), should not have been considered in connection with this negotiation for the cession of these lands. But it appears that a refusal to consider this claim would have terminated the negotiation, and if the claim is just its allowance has already been too long delayed. The forfeiture declared by the act of 1863 unjustly included the annuities of certain Indians of these bands who were not only guilty of no fault, but who rendered meritorious services in the armies of the United States in the suppression of the Sioux outbreak, and in the war of the rebellion.

The agreement submitted, as I understand, provides for the payment of the annuities justly due to these friendly Indians to all the members of the two bands per capita. This is said to be the unanimous wish of the Indians, and a distribution to the friendly Indians and their descendants only, would now be very difficult if not impossible.

The agreement is respectfully submitted for the consideration of Congress.

BENJAMIN HARRISON.

EXECUTIVE MANSION,  
February 18, 1890.

DEPARTMENT OF THE INTERIOR,  
Washington, February 8, 1890.

The PRESIDENT: I have the honor to submit herewith a report of the 28th instant from the Commissioner of Indian Affairs, inclosing with accompanying papers a draught of bill prepared in his office, "to ratify and confirm an agreement with the Sisseton and Wahpeton bands of Dakota or Sioux Indians, and for other purposes."

By the agreement the said Indians cede, sell, relinquish, and convey to the United States all their right, title, and interest in and to all the unallotted lands within the Lake Traverse Reservation in North and South Dakota, remaining after certain additional allotments provided for shall have been made, at the uniform price of *two dollars and fifty cents per acre*.

Allotments were made in 1887 upon this reservation to all who applied for and were found entitled thereto, in quantities as provided in the act of Congress approved February 8, 1887 (24 Stats., 388), under the fifth section of which the negotiations resulting in the agreement now presented were conducted.

The Indians, however, were dissatisfied with said quantities (160 acres to each head of a family, 80 acres to each single person over eighteen years of age and to each orphan under that age, and 40 acres to each other single person under eighteen years of age), and insisted as a condition of the sale of their surplus lands that there should be allotted to each individual member of the band, without regard to age or condition, a sufficient quantity, in addition to the amount heretofore allotted to make 160 acres. The fourth article of the agreement accordingly provides for such additional allotments.

The agreement also provides for the payment of the annuities due said bands under the treaty of June 19, 1858 (12 Stats., 1037), which annuities were declared forfeited by the act of February 16, 1863 (15 Stats., 652), on account of the Sioux outbreak in Minnesota, in 1862. A large proportion of the Sisseton and Wahpeton bands remained loyal to the United States, and furnished scouts and soldiers for service against their brethren.

The claim of these Indians for the payment of these annuities has heretofore been favorably reported to Congress by the Department. (See House Report No. 1953, Fiftieth Congress, first session.)

The agreement provides that the annuities shall be paid to the members of the bands per capita, and that the purchase price of the lands shall be held in the Treasury of the United States for the benefit of the Indians as required by the act of February 8, 1887 (24 Stats., 388).

The rate of interest stipulated to be paid by the agreement is 3 per cent., as provided in said act, but upon the recommendation of

Commissioners who negotiated the agreement, based upon their promise to the Indians to that effect, the Commissioner of Indian Affairs has in his draught of the bill fixed the rate of interest at 5 per cent. per annum.

It is recommended that the matter be presented for the early consideration and action of Congress.

I have the honor, to be very respectfully, your obedient servant,  
 JOHN W. NOBLE,  
*Secretary.*

DEPARTMENT OF THE INTERIOR,  
 OFFICE OF INDIAN AFFAIRS,  
 Washington, January 28, 1890.

SIR: Referring to Department letter of November 18, 1889, designating and appointing Eliphalet Whittlesey, D. W. Diggs, and C. A. Maxwell commissioners to negotiate with the Sisseton and Wahpeton bands of Dakota or Sioux Indians, for the sale of the surplus lands within the Lake Traverse Reservation, under authority contained in the fifth section of the act of Congress, approved February 8, 1887 (24 Stat., 388), I have to inform you that the said Commissioners submitted a report under date of December 27, 1889, of the result of their negotiations with said Indians.

It appears from the report and accompanying papers that an agreement was reached with said Indians, which is in substance as follows, to wit:

By article 1, the Indians cede, sell, relinquish, and convey to the United States all the unallotted land within the reservation remaining after the allotments and additional allotments provided for in article 4 shall have been made.

Article 2 provides that the United States will pay to the Indians \$2.50 per acre for the lands ceded.

Article 3 provides for the payment of back annuities, and continues the annuities of \$18,400 until July 1, 1901.

Article 4 provides for the equalization of allotments so that each person, including married women, shall have 160 acres.

Article 5 provides for the ratification of the agreement between the Indians and the Chicago, St. Paul, and Milwaukee Railway.

There were three objections on the part of the Indians which the Commissioners had to overcome before their negotiations were successful, viz:

First. The back annuities due the Indians.

Second. The price of the land; and

Third. The interest to be allowed on the proceeds derived from the sale of the land.

The Indians at first absolutely refused to negotiate for the sale of any portion of their surplus lands until their back annuities were paid. This difficulty was settled by inserting in the agreement a provision that the sale of the lands shall not take effect until the said annuities shall have been paid, in addition to which the sum of \$18,400 is allowed annually until July 1, 1901, the date of the expiration of the annuity clause in the treaty of 1851 with these Indians. These annuities have been withheld under the act of February 16, 1863 (12 Stats., 652), which abrogated all treaties theretofore made with the Sisseton, Wahpeton, Mo-

dawakanton, and Wahpakoota bands of Sioux or Dakota Indians, and declared their lands, annuities, and claims forfeited.

This legislation was the result of the outbreak and massacre in Minnesota in the fall of 1862, by the two last named bands. The Sisseton and Wahpeton bands in part remained loyal to the Government and furnished scouts and soldiers to serve against their own people. Congress, however, in giving expression to the outraged feelings of the community, naturally failed to discriminate, and confiscated the annuities of friends as well as foes. The fact that the annuities withheld from these Indians are justly due them has been so often admitted by this Department and committees of Congress that no argument in that behalf seems necessary here.

A full statement of the matter may be found in House Report 1953, Fiftieth Congress, first session.

The aggregate of these back annuities up to and including the year 1889, amounts to \$361,178.37, which by the terms of the agreement is to be immediately available upon the ratification thereof, and is to be paid to the Indians per capita before the sale of the lands takes effect. While these annuities appear to be due that class of Indians and their descendants who served in the United States Army against their own people during the Sioux outbreak of 1862, the Indians were unanimous in their wish, for the reasons given by the Commissioners, that the amount should be paid per capita to the members of the two bands.

The Indians demanded \$5 per acre for all lands which they might agree to sell. This demand the Commissioners declined to accede to, and the price was finally fixed at \$2.50 per acre.

As to the rate of interest to be allowed on the proceeds of the sale of the lands the Indians demanded 5 per cent., arguing that as nearly all other bands or tribes of Indians received that rate on funds held by the United States for them, and especially as their brethren on the Great Sioux reservation in the agreement recently negotiated were allowed that rate, they could not see the justice of compelling them to take a less rate. The Commissioners admitted the force of the argument, but informed the Indians that as 3 per cent. was the rate fixed by the act under which the negotiations were being held, they had no power to change it. They agreed, however, to write a letter to the Secretary of the Interior, urging that 5 per cent. be allowed, and to use their personal endeavor to bring about the desired legislation. I concur in the views of the Commissioners on this subject and earnestly recommend that Congress be urged to allow that rate.

While the price agreed upon for the land may seem at first glance to be rather high, I think from the manner in which the Commission arrived at its value, the price may "be considered just and equitable between the United States and the said tribe of Indians" within the meaning and intent of the act of February 8, 1887 (24 Stat., 388).

The fourth article provides for the allotments and additional allotments so that each person, including married women, shall have 160 acres. This is in accord with the policy outlined in my annual report, and I heartily approve of this article of the agreement. The reservation contains 918,780 acres, and there have been 127,887 acres allotted, but all the Indians who are entitled have not yet received their allotments. It is almost impossible to give the accurate number of Indians entitled to allotments, for since the allotments were completed numerous applications have been made for land, and as before stated, it is known that all who are entitled have not received allotments. I think, taking these facts into consideration, that these people number between

1,500 and 1,600 souls, and taking the latter as a basis of calculation, it will require about 128,000 acres to make allotments and additional allotments provided for, making a total of 256,000 acres, leaving 662,780 acres to which the Indian title is extinguished by the terms of the agreement. Included in this are the lands upon which the agency and school buildings are located, and also all tracts occupied by missionary societies, which societies, by the terms of the agreement, are given the preference right for two years to purchase the land so occupied at a price to be fixed by Congress. By article five, the agreement of December 18, 1884, between these bands of Indians and the Chicago, Milwaukee and St. Paul railway is accepted, ratified, and confirmed.

There are 337 male adults over eighteen years of age residing upon the reservation and the agreement is signed by 209.

The appropriation required to carry the agreement into effect will be substantially as follows, viz:

First. For the ceded lands, 662,780 acres, at \$2.50 per acre, \$1,656,950.

As the exact number of acres of ceded lands can not be ascertained until the allotments and additional allotments shall have been made, I have inserted in the draught of legislation the sum of \$1,700,000 or so much thereof as may be necessary, and named the rate of interest as 5 per cent.

Second. For the back annuities, \$361,178.37. Total, \$2,061,178.37.

I have the honor to transmit herewith copies of the papers in duplicate, and submit draught of bill for ratification of the agreement and making the necessary appropriations to carry the same into effect.

Very respectfully, your obedient servant,

T. J. MORGAN,  
*Commissioner.*

The SECRETARY OF THE INTERIOR.

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UNITED STATES INDIAN SERVICE,  
*Sisseton Agency, December —, 1889.*

SIR: Referring to the letter of the honorable Secretary of the Interior, dated November 18, 1889, a copy of which was inclosed to us, severally, with your letters of November 21, 1889, designating and appointing the undersigned to negotiate with the Sisseton and Wahpeton bands of Dakota or Sioux Indians for the sale of the surplus lands within their (the Lake Traverse) reservation, under authority contained in the fifth section of the act of Congress, approved February 8, 1887 (24 Stats., 388), we have to report our arrival at this agency on Wednesday, November 27, 1889. Immediately upon our arrival Agent McKusick dispatched runners to summon the Indians to meet in council.

The weather being very cold and the wind very high, the Indians did not arrive in sufficient numbers to hold a council until Saturday, the 30th ultimo. On that day, at 2 o'clock p. m., we met fully one hundred and fifty of the Indians, and were presented to them in a few well-chosen remarks by Agent McKusick. After reading and interpreting to the Indians our letters of appointment and instructions, and fully and carefully explaining the object and purpose of our visit, an opportunity was afforded them to talk, if any were prepared at that time to do so.

The Indians, through Chief Gabriel Renville, stated that as many of them had come a long distance and were hungry, and that as our instructions were quite lengthy, they desired a copy thereof in their own language and time to consider and discuss among themselves the question presented, and asked an adjournment of the council for that purpose.

After being informed that we desired them to take all the time necessary to consider a question of such magnitude and of such vital importance to them and their posterity, but that we would like a meeting as early as possible, they concluded that they would be ready to meet us on Tuesday, December 3, to which day the council adjourned.

On Tuesday, December 3, at 2 o'clock p. m., the council met pursuant to adjournment, there being present about 250 Indians.

They had discussed the question among themselves during the interval between Saturday and Tuesday, and designated Chief Renville as their spokesman. After preliminary remarks by three or four of the leading men Chief Renville took the floor. He brought forward and discussed the claim of the Indians to about 45,000 acres of land lying on the east of their reservation, which they allege belongs to them by reason of the treaty line of 1867, as surveyed, not following the treaty line of 1851, as provided in the former treaty. This point was explained to them as understood by us and they were informed that as this question involved the construction of a treaty provision, the courts or Congress could only determine the matter.

The question of their back annuities (see House Report 1953, Fiftieth Congress, first session) was then brought forward and discussed at length, and the announcement finally made that until these back annuities were paid they positively declined to enter into negotiations for the sale of any portion of their surplus lands, as will more fully appear by reference to the proceedings of the council.

The emphatic manner in which the Indians declined to negotiate led us to believe that further effort on our part would be futile. However, after consideration we concluded, as there appeared to be quite a large element among the Indians in favor of selling a portion of their reservation and settling the question of their back annuities at the same time, that we would give that class an opportunity to express their wish in a formal way, and we therefore informed them that each individual Indian had a perfect right to act in the matter as he might think best, independent of any other person, and that we proposed to prepare a draught of an agreement containing such terms and conditions as, in our judgment, would be for their best interests and welfare, and that the paper would be submitted to them the next morning. The council then adjourned.

During the evening of that day a lengthy consultation was held with Chief Renville, and while he steadfastly declined to commit himself, it was learned that the great fear of the Indians was that, should they consent to the sale of a portion of their reservation, with a proviso or condition that their back annuities should be paid, that portion of the agreement providing for the sale of the land would be ratified by Congress and the back annuity clause be rejected. To meet this objection we promised to insert a clause in the agreement providing that the sale of the lands should not take effect and be in force until the back annuities shall have been paid.

On the next morning, December 4, we met about seventy-five of the Indians in council; many of them, supposing all further negotiations at an end, having gone to their homes on remote parts of the reservation. At this meeting the terms we proposed to submit, which had been reduced to writing, except as to the price to be paid for the land, were fully and carefully explained to the Indians, and after some preliminary remarks by them they requested that a copy of our proposition be furnished them in their own language, to the end that they might better understand its provisions and be able to give it more careful and comprehensive consideration, and this we agreed to do, and the council then adjourned.

The result of this council and the bearing and attitude of those Indians present gave us some encouragement and led us to believe that the obstacles in the way might be removed and success yet crown our efforts.

On Thursday those of the Indians present held a lengthy council among themselves, which resulted in a request from them that messengers be dispatched to summon every absent Indian to meet in a general council to be held on Monday, December 9, previous to meeting us on Tuesday following.

By the time fixed for the council the Indians, in large numbers, arrived at the agency, and on the afternoon of that day (Monday, December 9) they held a protracted council among themselves.

After adjournment of the council many inquiries were made of us respecting the proposed agreement by individual Indians, and in some cases they came in groups for information.

On the morning of December 10 (Tuesday) the Indians again convened in council, and information having reached us that many of them did not understand our proposition, especially the article relating to their back annuities, we proceeded to the council room, when each article of the proposed agreement was taken up and carefully explained in detail, except as to the price proposed to be paid for the land, after which they expressed a desire to further counsel among themselves, and stated that they would meet us again at 2 o'clock p. m., and we then retired.

At this council, which continued in session all of Tuesday afternoon, the Indians agreed among themselves that they would sell all the lands remaining after the allotments and additional allotments provided for in article four of the agreement had been made, at \$5 per acre, the fund arising therefrom to draw interest at 5 per cent. per annum. They also at this council appointed a committee of ten to confer with us in regard to the matter. Having ascertained these facts, we informed them in

council on Wednesday morning, December 11, that we had no power to confer with a committee, as we were sent to counsel and talk with the whole people, and at the same time advised them that we proposed to give \$2.50 per acre for each and every acre of the lands which they desired to dispose of, the funds arising therefrom to be placed in the United States Treasury upon the terms and conditions named in the general allotment act, and, having affixed our signatures to the agreement in their presence, that we were ready to receive signatures.

After much talk, the Indians strongly contending that they should have 5 per cent. interest, to be paid per capita in cash, we agreed to write a letter to the Secretary of the Interior, recommending that Congress be urged to allow that rate per cent., and that after deducting enough to support the Government school, the balance to be paid to them in cash, and that we would make every effort in our power to bring about the desired result.

We deemed it proper to make this promise for the reason that 5 per cent. is the usual rate allowed by the Government on Indian funds. In all the special acts of the last Congress authorizing the purchase of Indian lands, provision is made that the money paid therefor shall be placed in the Treasury and bear 5 per cent. per annum (see 25 Stat., pages 452, Fort Hall Indians; 642, Chippewa Indians; 757, Creek Indians; and 1004, Seminole Indians). We can see no reason why an exception should be made in the case of these Indians, and they are at a loss to understand why they are not treated as well as other Indians, some of whom are their relations and neighbors.

The Indians desiring further time to consult among themselves, the council adjourned to meet on Thursday morning. On that morning there was a full council, and the Indians raised a question as to whether a certain attorney would be entitled to and receive a per cent. of the back annuity money under contracts made with some of them. We explained to them that as the time limited in the contracts had expired last July, there were now no such contracts in existence and that therefore they were under no obligation to pay any attorney's fees. We then read to them the letter which we promised to write the Secretary of the Interior, which is herewith inclosed, and after some further explanation the Indians, led off by Simon Ana-wung-ma-ni, a man eighty-two years of age, began signing the agreement, and during that and the next three days one hundred and seventy signatures were secured, this being a clear majority of all the male adult members of the two bands. In order to give an opportunity to those who were absent to sign the agreement it was left in care of one of the members of the Commission, who appointed a day for that purpose.

By article 1 the Indians cede, sell, relinquish, and convey to the United States all the unallotted land within the reservation remaining after the allotments and additional allotments provided for in article 4 shall have been made.

We first proposed to reserve one section in each township for school purposes, and certain other portions of the reservation for future allotments and the tracts now occupied by the Government for agency and school purposes, and also such tracts as were occupied and used for educational and missionary purposes among the Indians, but upon informal inquiry among the Indians it was learned that this plan would not meet with their approval. They argued that as the money, interest, and perhaps some of the principal of the funds arising from the sale of the surplus lands were to be used for educational and civilization purposes, it would not be proper for them also to reserve a large quantity of land for educational and Government purposes, and admitting the force of the argument we did not press the matter, believing it better that the Government should own the lands upon which the agency and school buildings are located, and that the missionary societies and churches should have the privilege of purchasing the land now occupied by them. We also learned that the Indians preferred to have the allotments equalized so that each person, including married women, would have 160 acres, the plan outlined in your annual report, and sell all the surplus lands remaining, and hence the provisions of article four.

Article 2 provides that the United States will pay to the Indians \$2.50 for each and every acre remaining after the allotments provided for in article 4 shall have been made.

The Indians have a very exaggerated idea of the value of their lands, and it required long and persistent labor to induce them to accede to our proposition.

We found two nearly equally divided elements upon the reservation, one opposed to selling any portion of their lands until the back annuities were paid, the other, the younger and more progressive element, in favor of an agreement providing for the sale of the surplus land and payment of the back annuities at the same time, and it was from this class that we received the most encouragement and assistance, and to which we are largely indebted for our success.

The reservation, taken as a whole, is a beautiful and fertile tract of country, but there are some portions of it worthless for agricultural purposes. We informed ourselves of the value of unimproved lands in the vicinity of the reservation, and, taking that into consideration, with the further fact that the country adjacent to the

reservation, in both the Dakotas and Minnesota, is thickly settled, and the character of the land within the reserve, we concluded that the price named was a fair and equitable one as between the Indians and the United States.

Article 3 provides for the payment of the back annuities. We first proposed to pay these funds in installments, but the Indians argued that they were now destitute on account of the failure of crops for the past four years, and that they specially needed help now for the purpose of procuring stock, seed, and implements to carry on their farm work. We therefore agreed that the whole sum should be paid per capita in cash.

In addition to the back annuities this article provides for the continuance of the annuity (\$18,000) until July, 1901, the date of the expiration of the annuity clause in the treaty of 1851.

It was the unanimous wish of these Indians that the annuities should be paid per capita to the members of the two bands residing upon the reservation, rather than to the Scouts and their descendants. This we deemed wise for two reasons.

First, on account of the long lapse of time, the loose marriage relations existing among the Indians, and other causes, it would amount to almost an impossibility to ascertain who are the descendants of such of the original Scouts as are deceased; and,

Second, as far as we are able to ascertain, there are but very few upon the reservation who are not related, remotely or directly, to that class known as "Scouts" or to others who were equally loyal during the outbreak of 1862, and equally entitled to a share in the annuities.

Article 5 provides for the ratification of the agreement of December 8, 1884, with these Indians, granting right of way for the Chicago, Milwaukee and St. Paul Railway through their reservation.

The agreement, which is signed by two hundred and nine Indians, with the proceedings of the several councils, is herewith transmitted.

In conclusion we desire to most earnestly recommend that Congress be asked to allow these people 5 per cent. on the proceeds of the sale on their lands, which to us seems but just and equitable.

Very respectfully,

E. WHITTLESEY.  
D. W. DIGGS.  
CHARLES A. MAXWELL.

The COMMISSIONER OF INDIAN AFFAIRS,  
*Indian Office, Washington, D. C.*

A BILL to ratify and confirm an agreement with the Sisseton and Wahpeton bands of Dakota or Sioux Indians, and for other purposes.

Whereas Eliphalet Whittlesey, D. W. Diggs, and Charles A. Maxwell, duly appointed commissioners on the part of the United States, did, on the twelfth day of December, eighteen hundred and eighty-nine, conclude an agreement with the Sisseton and Wahpeton bands of Dakota or Sioux Indians, which agreement is as follows, to wit:

Whereas, by section five of the act of Congress entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and Territories over the Indians, and for other purposes," approved February eight, eighteen hundred and eighty-seven, it is provided "That at any time after lands have been allotted to all the Indians of any tribe, as herein provided, or sooner, if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by the said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservations not allotted as such tribe shall, from time to time, consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress; and the form and manner of executing such release shall also be prescribed by Congress.

Whereas the Sisseton and Wahpeton bands of Dakota or Sioux Indians are desirous of disposing of a portion of the land set apart and reserved to them by the third article of the treaty of February nineteen, eighteen hundred and sixty-seven, between them and the United States, and situated partly in the State of North Dakota and partly in the State of South Dakota:

Now, therefore, this agreement made and entered into in pursuance of the provisions of the act of Congress approved February eighth, eighteen hundred and eighty-seven aforesaid, at the Sisseton Agency, South Dakota, on this the twelfth day of December, eighteen hundred and eighty-nine, by and between Eliphalet Whittlesey,



D. W. Diggs, and Charles A. Maxwell, on the part of the United States, duly authorized and empowered thereto, and the chiefs, headmen, and male adult members of the Sisseton and Wahpeton bands of Dakota or Sioux Indians, witnesseth :

## ARTICLE I.

The Sisseton and Wahpeton bands of Dakota or Sioux Indians hereby cede, sell, relinquish, and convey to the United States all their claim, right, title, and interest in and to all the unallotted lands within the limits of the reservation set apart to said bands of Indians, as aforesaid, remaining after the allotments and additional allotments provided for in article four of this agreement shall have been made.

## ARTICLE II.

In consideration for the lands ceded, sold, relinquished, and conveyed as aforesaid, the United States stipulates and agrees to pay to the Sisseton and Wahpeton bands of Dakota or Sioux Indians, parties hereto, the sum of two dollars and fifty cents per acre for each and every acre thereof, and it is agreed by the parties hereto that the sum so to be paid shall be held in the Treasury of the United States for the sole use and benefit of the said bands of Indians; and the same, with interest thereon at three per centum per annum shall be at all times subject to appropriation by Congress for the education and civilization of the said bands of Indians, or members thereof, as provided in section five of an act of Congress, approved February eighth, eighteen hundred and eighty-seven, and entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and Territories over the Indians, and for other purposes." *Provided*, That any religious society or other organization now occupying, under proper authority, for religious or educational work among the Indians, any of the lands in this agreement ceded, sold, relinquished, and conveyed shall have the right, for two years from the date of the ratification of this instrument, within which to purchase the lands so occupied at a price to be fixed by the Congress of the United States. *Provided further*, That the cession, sale, relinquishment, and conveyance of the lands described in article one of this agreement, shall not take effect and be in force until the sum of three hundred and forty-two thousand seven hundred and seventy-eight dollars and thirty seven cents, together with the sum of eighteen thousand and four hundred dollars, shall have been paid to said bands of Indians, as set forth and stipulated in article third of this agreement.

## ARTICLE III.

The United States stipulates and agrees to pay to the Sisseton and Wahpeton bands of Dakota or Sioux Indians, parties hereto, per capita, the sum of three hundred and forty-two thousand seven hundred and seventy-eight dollars and thirty-seven cents, being the amount found to be due certain members of said bands of Indians who served in the armies of the United States against their own people, when at war with the United States, and their families and descendants, under the provisions of the fourth article of the treaty of July twenty-third, eighteen hundred and fifty-one, and of which they have been wrongfully and unjustly deprived by the operation of the provisions of an act of Congress approved February sixteenth, eighteen hundred and sixty-three, and entitled "An act for the relief of persons for damages sustained by reason of depredations and injuries by certain bands of Sioux Indians;" said sum being at the rate of eighteen thousand four hundred dollars per annum from July first, eighteen hundred and sixty-two, to July first, eighteen hundred and eighty-eight, less their pro rata share of the sum of six hundred and sixteen thousand and eighty-six dollars and fifty-two cents, heretofore appropriated for the benefit of said Sisseton and Wahpeton bands of Dakota or Sioux Indians, as set forth in report numbered nineteen hundred and fifty-three, of the House of Representatives, Fiftieth Congress, first session.

The United States further agrees to pay to said bands of Indians, per capita, the sum of eighteen thousand and four hundred dollars annually, from the first day of July, eighteen hundred and eighty-eight, to the first day of July, nineteen hundred and one, the latter date being the period at which the annuities to said bands of Indians were to cease, under the terms of the fourth article of the treaty of July twenty-third, eighteen hundred and fifty-one, aforesaid; and it is hereby further stipulated and agreed that the aforesaid sum of three hundred and forty-two thousand seven hundred and seventy-eight dollars and thirty-seven cents, together with the sum of eighteen thousand and four hundred dollars, due the first day of July, eighteen hundred and eighty-nine, shall become immediately available upon the ratification of this agreement.

## ARTICLE IV.

It is further stipulated and agreed that there shall be allotted to each individual member of the bands of Indians, parties hereto, a sufficient quantity, which, with the lands heretofore allotted, shall make in each case one hundred and sixty acres, and in case no allotment has been made to any individual member of said bands, then an allotment of one hundred and sixty acres, shall be made to such individual, the object of this article being to equalize the allotments among the members of said bands, so that each individual, including married women, shall have one hundred and sixty acres of land; and patents shall issue for the lands allotted in pursuance of the provisions of this article, upon the same terms and conditions and limitations, as is provided in section five of the act of Congress, approved February eighth, eighteen hundred and eighty-seven, hereinbefore referred to.

## ARTICLE V.

The agreement concluded with the said Sisseton and Wahpeton bands of Dakota or Sioux Indians, on the eighth day of December, eighteen hundred and eighty-four, granting a right of way through their reservation for the Chicago, Milwaukee and Saint Paul Railway, is hereby accepted, ratified, and confirmed.

## ARTICLE VI.

This agreement shall not take effect and be in force until ratified by the Congress of the United States.

In witness whereof we have hereunto set our hands and seals the day and year above written.

ELIPHALET WHITTLESEY,  
D. W. DIGGS,  
CHAS. A. MAXWELL,  
*On the part of the United States.*

The foregoing articles of agreement having been fully explained to us, in open council, we, the undersigned, being male adult members of the Sisseton and Wahpeton bands of Dakota or Sioux Indians, do hereby consent and agree to all the stipulations, conditions, and provisions therein contained.

Simon Ananangmari (his x mark), Matoduzahan John (his x mark), Waking-aneigadan Adam (his x mark), Wanigarpuya John (his x mark), Waking-anduta John (his x mark), Wakanhdiduta (his x mark), Siharota (his x mark), Rantewahacauka (his x mark), Paska Titus (his x mark), Wiciwaste (his x mark), Iahotanka John Sherman (his x mark), Wakinyanwicakte (his x mark), John Canhdiska (his x mark), Jal Caskidan (his x mark), Taokiyeota (his x mark), Adam Tukawwiearca (his x mark), Joseph Minncivava (his x mark), Saml. Maka (his x mark), Wachinwakan John (his x mark), John Kinajin (his x mark), John Itisnamarii (his x mark), Pataniu (his x mark), Peter Wacehinduta (his x mark), Dedermos Johnson, Po in-tan-ta-wa-wo-harote, Daniel Takse, William Day, John Nanatan, Jim Icicarape (his x mark), Moses Sintonni (his x mark), Jesse Banker, Wasteinajin (his x mark), John Wantanyeya (his x mark), Wak-anhdiptecedan (his x mark), Joseph Snayanhdinajin (his x mark), Nuja-waste, Ogoota (his x mark), William Johnson (his x mark), Tamakoce-waste (his x mark), Mazakanyuhedan (his x mark), David Mazawakute (his x mark).

Noah Kabudan (his x mark), Tukansabiciye (his x mark), Wm. Siyake (his x mark), Isaac Mettlewing, George Wacehin (his x mark), Wahohnu (his x mark), Sol. Dawouyanke, John Harpikayagmain, John Hegidan (his x mark), Marpingawakonze (his x mark), John C. Brown (his x mark), Ehakeon Thos. Good Bird (his x mark), Charley Paul, Richard King, Jacob Goodbird, Danl. Wing (his x mark), John Pipiya (his x mark), Deval Lum Wan mazo, Daniel wisil Samuye, Thomas Capepte, Louis Marlow, George Cloutier (his x mark), William La Belle, Tukanibdawa (his x mark), Michael Renville, Fred. La Croix, Peter La Belle, Louis La Croix.

Solomon Muller (his x mark), Charlie La Belle, John B. Renville (his x mark), Peter Tirewis, Andoto (his x mark), John Iyahpeya, Lazarus Skyman (his x mark), Amos Good Bird, John Paul, Tawahinkpeota (his x mark), Louie Ed. Williams, Hankiduta (his x mark), Magaiyabe (his x mark), Tateyuskariskan (his x mark), John A. Barse, Lot Itojaujan (his x mark), Elias Driver (his x mark), Frank Harris, John Little Thunder, William Stevens, Wm. L. Quinn, Abram Demarris (his x mark), A. D. Campbell (his x mark), Baptist La Belle, Thomas Lawrence, Henry Ortley (his x mark), Tahocok-awakan—Albert Nelson (his x mark).

John S. tar (John Star), David Star William Tail (his x mark), Tainyauhndina-jiu (his x mark), John T. Lynd, Eljah Skyman, John Wilson, John Sweetcorn, Mkarota (his x mark), Mazanahacauka (his x mark), Marri-Aiyakeduta, Ti yokarda (his x mark), Wakinyaurda (his x mark), Wi-Curto-wa-ste, Marpya-hdiheya-manri, Wamderupahudan (his x mark), Isbu, Geo. Wantawa, Frank Roy (his x mark), Isaac Goodteacher, Isaac Renville, Guy F. Donnelly, Thomas Paul, Henry Roy, Thomas Kalate, Thomas Dick, James King.

Thomas Supangi (his x mark), Titus Madusmani, Joseph Le Blancè, jr., Amos Owens, John Tahe, William Bain, James Graycloud, Job Ninaiygopte, George Mate (his x mark), Levi Bird, Thos. A. Robertson, Samuel La Belle, J. R. Brown, J. B. Demarce, sr., Moses Tamazakanduta, Piter Dumarce, George Campbell, Augustus Tremor, James Tukangidan (his x mark), Felix Randell, Marpiyahontanka (his x mark), Peter Rossau, Amasa Skyman, Moses K. Max, Noah Stevens, Amos Earth, Saml. J. Crawford, Moses Wakeman, Eli Ortlely.

G. A. Robertson, Chas. A. Robertson, Frank W. Ortlely, Narcis Demarias, John Wecakin (his x mark), William Wakanna (his x mark), James Scott, Wicaandewastena (his x mark), Sdiyana (his x mark), Otaicage (his x mark), Alexis Renville, Bomduna (his x mark), Joseph Ruya (his x mark), William Bernard, John Campbell, Jim. Itewayaka, (his x mark), A. F. Bailly, Moses Greeley, Joseph Main, Adam Greeley (his x mark), Thomas Wind, Philip LaBatte, Georgè H. Bailly, Chas. E. Bailly, David Hdakinyu, Borpa (his x mark), Samson Foster, James Johnson (his x mark).

Joseph Good Bird, Moses Mani, Charles Hayes, Simon Kirk, Chas. R. Crawford, Thomas Crawford, Victor. Renvile, Moses Renvile, Henry Campbell, Sunkaska (his x mark), Mechael Paul, Jacob Heduta, Jos. Campbell (his x mark), Henry Hopkins, Thomas Quinn, Daniel J. Robertson, Tasinta (his x mark), Huhazizi (his x mark), Robt. Higgs, John Thompson (his x mark), J. R. Bannou, Darby Johnson, Ajiji (his x mark), Richard Cloud, Joshua Shepherd, Abram Hoksidaumaza (his x mark), Daniel Kampseska, John Keble, Canwapa (his x mark).

I, Henry Campbell, interpreter, do hereby certify that the foregoing instrument was fully explained in council and to the Indians whose names are affixed thereto, and that I was present and witnessed the signature of each.

HENRY CAMPBELL,  
*Interpreter.*

DECEMBER 12, 1889.

We hereby certify that a full council of the adult male members of the Sisseton and Wahpeton bands of Dakota or Sioux Indians, belonging to the Lake Traverse Reservation, Dakota, held upon said reservation the 12 day of December, 1889, we caused the foregoing instrument to be read, interpreted, and fully explained, and that after having heard the same read, interpreted, and explained, and being fully advised in the premises, a majority of said male adult members agreed to and accepted the same, and voluntarily signed the same in our presence or in the presence of one or more of us.

E. WHITTLESEY.  
D. W. DIGGS.  
C. A. MAXWELL.

SISSETON AGENCY, DAKOTA,  
December 12, 1889.

Therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That said agreement be, and the same is hereby, accepted, ratified, and confirmed.

SEC. 2. That for the purpose of carrying out the terms and provisions of said agreement there be, and hereby is, appropriated out of any money in the Treasury not otherwise appropriated, the sum of two million sixty-one thousand one hundred and seventy-eight dollars and thirty-seven cents, of which amount the sum of three hundred and sixty-one thousand one hundred and seventy-eight dollars and thirty-seven cents shall be immediately available, and the same shall be paid to the members of said bands of Indians per capita, as in said agreement provided. And the balance thereof, to wit: the sum of seventeen hundred thousand dollars, or so much thereof as may be necessary to pay for the lands by said agreement ceded, sold, relinquished, and conveyed, at the rate of two dollars and fifty cents per acre, shall be placed in the Treasury to the credit of said Sisseton and Wahpeton bands of Dakota or Sioux Indians, and the same, with interest thereon at five per cent. per annum, shall be at

all times subject to appropriation by Congress for the education and civilization of the said bands of Indians, or the members thereof.

SEC. 3. That any religious society or other organization now occupying under proper authority any of the lands by said agreement ceded, sold, relinquished, and conveyed shall have the right for the period of two years from the date hereof within which to purchase the land so occupied, not exceeding one hundred and sixty acres in any one tract, at the price paid therefor by the United States.

SEC. 4. That the additional allotments provided for in said agreement of December twelfth, eighteen hundred and eighty-nine, shall be made in manner and form as provided in the act entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," approved February eighth, eighteen hundred and eighty-seven.

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UNITED STATES INDIAN SERVICE.

*Sisseton Agency, South Dakota, December 12, 1889.*

SIR: In our negotiations with the Sisseton and Wahpeton bands of Dakota or Sioux Indians at this agency we find them very persistent in demanding 5 per cent. interest on the proceeds of the lands which they propose to sell, and that the interest be paid to them in cash, except so much thereof as may be necessary to support the agency boarding school now here. They claim that they are citizens of the United States and are sufficiently intelligent and competent to manage their own affairs, and that they have the right to be dealt with as men like other citizens. We are inclined to concede these demands, but are restricted by the act of Congress of February 8, 1887, section five (24 Stat. 388), and by our instructions. These Indians are aware that the prevailing interest allowed by the Government on the funds of Indians is five per cent. per annum, and they are at a loss to understand why an exception should be made in their case.

We understand that heretofore the proceeds of the sale of Indian lands have been placed in the Treasury of the United States and bear interest at the rate of 5 per cent. per annum in lieu of investment, and we therefore recommend that Congress be requested to allow interest at the rate of 5 per cent. per annum on the amount agreed to be paid for the lands of these Indians, and to direct that the said interest be paid per capita to them in cash, after deducting the amount annually necessary for the support of the agency boarding school.

Very respectfully, your obedient servants,

E. WHITTLESEY,  
D. W. DIGGS,  
C. A. MAXWELL.

The SECRETARY OF THE INTERIOR.

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AGREEMENT.

Whereas by section five of the act of Congress, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and Territories over the Indians, and for other purposes," approved February eighth, eighteen hundred and eighty-seven, it is provided "that at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservation not allotted as such tribe shall from time to time consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be prescribed by Congress," and

Whereas the Sisseton and Wahpeton bands of Dakota or Sioux Indians are desirous of disposing of a portion of the land set apart and reserved to them by the third article of the treaty of February nineteenth, eighteen hundred and sixty-seven, between them and the United States, and situated partly in the State of North Dakota and partly in the State of South Dakota:

Now, therefore, this agreement, made and entered into in pursuance of the provisions of the act of Congress approved February eighth, eighteen hundred and eighty

seven, aforesaid, at the Sisseton Agency, South Dakota, on this, the twelfth day of December, eighteen hundred and eighty-nine, by and between Eliphalet Whittlesey, D. W. Diggs, and Charles A. Maxwell, on the part of the United States, duly authorized and empowered thereto, and the chiefs, headmen, and male adult members of the Sisseton and Wahpeton bands of Dakota or Sioux Indians. Witnesseth.

## ARTICLE I.

The Sisseton and Wahpeton bands of Dakota or Sioux Indians hereby cede, sell, relinquish, and convey to the United States all their claim, right, title, and interest in and to all the unallotted lands within the limits of the reservation set apart to said bands of Indians as aforesaid remaining after the allotments and additional allotments provided for in article four of this agreement shall have been made.

## ARTICLE II.

In consideration for the lands ceded, sold, relinquished, and conveyed as aforesaid the United States stipulates and agrees to pay to the Sisseton and Wahpeton band of Dakota or Sioux Indians, parties hereto, the sum of two dollars and fifty cents per acre for each and every acre thereof, and it is agreed by the parties hereto that the sum so to be paid shall be held in the Treasury of the United States for the sole use and benefit of the said bands of Indians; and the same, with interest thereon at three per cent. per annum, shall be at all times subject to appropriation by Congress for the education and civilization of the said bands of Indians or members thereof, as provided in section five of an act of Congress approved February eighth, eighteen hundred and eighty-seven, and entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and Territories over the Indians, and for other purposes:" *Provided*, That any religious society or other organization now occupying, under proper authority, for religious or educational work among the Indians, any of the lands in this agreement ceded, sold, relinquished, and conveyed shall have the right for two years from the ratification of this instrument within which to purchase the lands so occupied at a price to be fixed by the Congress of the United States: *Provided further*, That the cession, sale, relinquishment, and conveyance of the lands described in article one of this agreement shall not take effect and be in force until the sum of three hundred and forty-two thousand seven hundred and seventy-eight dollars and thirty-seven cents, together with the sum of eighteen thousand and four hundred dollars, shall have been paid to said bands of Indians, as set forth and stipulated in article third of this agreement.

## ARTICLE III.

The United States stipulates and agrees to pay to the Sisseton and Wahpeton bands of Dakota or Sioux Indians, parties hereto, per capita, the sum of three hundred and forty-two thousand, seven hundred and seventy-eight dollars and thirty-seven cents, being the amount found to be due certain members of said bands of Indians who served in the armies of the United States against their own people, when at war with the United States, and their families and descendants, under the provisions of the fourth article of the treaty of July twenty-third, eighteen hundred and fifty-one, and of which they have been wrongfully and unjustly deprived by the operation of the provisions of an act of Congress, approved February sixteenth, eighteen hundred and sixty-three, and entitled "An act for the relief of persons for damages sustained by reason of depredations and injuries by certain bands of Sioux Indians." Said sum being at the rate of eighteen thousand four hundred dollars per annum from July first, eighteen hundred and sixty-two; to July first, eighteen hundred and eighty-eight, less their pro rata share of the sum of six hundred and sixteen thousand, eighty-six dollars and fifty-two cents, heretofore appropriated for the benefit of said Sisseton and Wahpeton bands of Dakota or Sioux Indians, as set forth in report numbered nineteen hundred and fifty-three, of the House of Representatives, Fiftieth Congress, first session.

The United States further agrees to pay to said bands of Indians per capita the sum of eighteen thousand and four hundred dollars, annually, from the first day of July, eighteen hundred and eighty-eight, to the first day of July, nineteen hundred and one, the latter date being the period at which the annuities to said bands of Indians were to cease, under the terms of the fourth article of the treaty of July twenty-third, eighteen hundred and fifty-one, aforesaid; and it is hereby further stipulated and agreed that the aforesaid sum of three hundred and forty-two thousand seven hundred and seventy-eight dollars and thirty-seven cents, together with the sum of eighteen thousand and four hundred dollars, due the first day of July, eighteen hundred and eighty-nine, shall become immediately available upon the ratification of this agreement.

## ARTICLE IV.

It is further stipulated and agreed that there shall be allotted to each individual member of the bands of Indians, parties hereto, a sufficient quantity, which, with the lands heretofore allotted, shall make in each case one hundred and sixty acres, and in case no allotment has been made to any individual member of said bands, then an allotment of one hundred and sixty acres shall be made to such individual, the object of this article being to equalize the allotments among the members of said bands so that each individual, including married women, shall have one hundred and sixty acres of land. And patents shall issue for the lands allotted in pursuance of the provisions of this article, upon the same terms and conditions and limitations as is provided in section five of the act of Congress, approved February eighth, eighteen hundred and eighty seven, hereinbefore referred to.

## ARTICLE V.

The agreement, concluded with the said Sisseton and Wahpeton bands of Dakota or Sioux Indians, on the eighth day of December, eighteen hundred and eighty-four, granting a right of way through their reservation for the Chicago, Milwaukee, and St. Paul Railway, is hereby accepted, ratified, and confirmed.

## ARTICLE VI.

This agreement shall not take effect and be in force until ratified by the Congress of the United States.

In witness whereof we have hereunto set our hands and seals the day and year above written.

ELIPHALET WHITTLESEY,  
D. W. DIGGS,  
CHAS. A. MAXWELL,  
*On the part of the United States.*

The foregoing articles of agreement having been fully explained to us in open council, we, the undersigned, being male adult members of the Sisseton and Wahpeton bands of Dakota or Sioux Indians, do hereby consent and agree to all the stipulations, conditions, and provisions therein contained.

Simon Ananangmari (his x mark), Matoduzahan John (his x mark), Wakingancigadan Adam (his x mark), Wanigarpuya John (his x mark), Wakinganduta John (his x mark), Wakanhdiduta (his x mark), Siharota, Rante-wahacauka (his x mark), Paska Titus (his x mark), Wiciwaste (his x mark), Iahotanka John Sherman (his x mark), Wakinyanwicakte (his x mark), John Canhdiska (his x mark), Jal Caskidan (his x mark), Taokiyeota (his x mark), Adam Tukauwicarca (his x mark), Joseph Minucivava (his x mark), Saml. Maka (his x mark), Wachinwakan John (his x mark), John Kinajin (his x mark), John Itisnamani (his x mark), Patanin (his x mark), Peter Wacehinduta (his x mark), Dedermos Johnson, Pein-tan-ta-wa-wo-hafote, Daniel Takse, William Day, John Nahatan, Jim Iecarape (his x mark), Moses Sintoimni (his x mark), Jesse Banker, Wasteinajin (his x mark), John Wantanyeya (his x mark), Wakanhdiptecedan (his x mark), Joseph Swayanhdinajin (his x mark), Nujawaste, Ogoota (his x mark), William Johnson (his x mark), Tamakoce waste (his x mark), Mazalkanyuhedan (his x mark), David Mazawakute (his x mark), Noah Kabudan (his x mark), Tukansabiciye (his x mark), Wm. Siyaka (his x mark), Isaac Mettle Wing, George Wacehin (his x mark), Wahohnu (his x mark), Sol Dawouyanke, John Harnikayagmain, John Hegidan (his x mark), Marpingawakonze (his x mark), John C. Brown (his x mark), Ehakeon Thos. Good Bird (his x mark), Charley Paul, Richard King, Jacob Goodbird, Danl. Wing (his x mark), John Pipiya (his x mark), Deval Lum Wan Mazo, Daniel Wisil Samuye, Thomas Capepte, Louis Marlow, George Cloutier (his x mark), William La Belle, Tukanihdawa (his x mark), Michael Renville, Ful La Croix, Peter La Belle, Louis La Croix.

Solomon Muller (his x mark), Charley La Belle, John B. Renville (his x mark), Peter Tirewis, Amdoto (his x mark), John Yahpeya, Lazarus Skyman (his x mark), Amos Good Bird, John Paul, Tawahinkpeota (his x mark), Louis Ed. Williams, Hankiduta (his x mark), Magaiyaha (his x mark), Tateyuskariskan (his x mark), John A. Barse, Lot Itojanjan (his x mark), Elias Driver (his x mark), Frank Harris, John Little Thunder, William Stevens, Wm. Le Quinn, Abram Demarrais (his x mark), A. D. Campbell (his x mark), Baptist La Belle, Thomas Lawrence, Henry Ortlely (his x mark), Tahocokawakan-Albert Nelson (his x mark).

John S. Tar (John Star), David Star, William Tail (his x mark), Tainyauhinajin (his x mark), John T. Lynd, Elijah Skyman, John Wilson, John Sweetcorn, Makarota (his x mark); Mazanahacauka (his x mark), Marri-Ai-yakeduta, Ti yokarda (his x mark), Wakinyaurda (his x mark), Wl-Cu-rto-wa-ste, Marpiya-hi-hi-yea-menri, Wminderupahudau (his x mark), Isbu (his x mark), Geo. Wantawa, Frank Roy (his x mark), Isaac Goodteacher, Isaac Renville, Guy F. Donnelly, Thomas Paul, Henry Roy (his x mark), Thomas Kalate, Thomas Dick, James King.

Thomas Supanji (his x mark), Titus Ieadusmani, Joseph Le Blanc, jr., Amos Owens, John Taber, William Bain, James Graycloud, Job Ninsingopte, George Mate (his x mark), Levi Bird, Thos. A. Robertson, Samuel La Belle, J. R. Brown, J. B. Demarce, sr., Moses Tamazakanduta, Peter Dumarce, George Campbell, Augustus Tremor, James Tukangidan (his x mark), Felix Raudoll, Marpiyahontanka (his x mark), Peter Rosseau, Amasa Skyman, Moses K. Max, Noah Stevens, Amos Earth, Sam'l J. Crawford, Moses Wakeman, Eli Ortlely.

G. A. Robertson, Chas. A. Robertson, Frank W. Ortlely, Marcis Demarias, John Wecakin (his x mark), William Wakanna (his x mark), James Scott, Wicaurdewastena (his x mark), Sdiyana (his x mark), Otaicage (his x mark), Alexis Renville, Bomduna (his x mark), Joseph Ruye (his x mark), William Bernard, John Campbell, Jim Itewayaka (his x mark), A. F. Bailly, Moses Greeley, Joseph Main, Adam Greeley (his x mark), Thomas Wind, Philip La Batte, George H. Bailly, Chas. E. Bailly, David Hdakin-yan (his x mark), Barpa (his x mark), Samson Foster, James Johnson (his x mark).

Joseph Goodbird, Moses Mani, Charles Hayes, Simon Kirk, Chas. R. Crawford, Thomas Crawford, Victor Renville, Moses Renville, Henry Campbell, Sunkaska (his x mark), Michael Paul, Jacob Heduta, Jos. Campbell (his x mark), Henry Hopkins, Thomas Quinn, Daniel J. Robertson, Tasinta (his x mark), Hubazizi (his x mark), Robt. Higgs, John Thompson (his x mark), J. R. Bannon, Darby Johnson, Ajiji (his x mark), Richard Cloud, Joshua Shepherd, Abram Hoksiddaunaza (his x mark), Daniel Kanspeska, John Keble, Canwapa (his x mark).

I, Henry Campbell, interpreter, do hereby certify that the foregoing instrument was fully explained in council and to the Indians whose names are affixed thereto, and that I was present and witnessed the signature of each.

HENRY CAMPBELL,  
Interpreter.

DECEMBER 12, 1889.

We hereby certify that at a full council of the adult male members of the Sisseton and Wahpeton bands of Dakota or Sioux Indians belonging to the Lake Traverse Reservation, Dakota, held upon said reservation the 12th day of December, 1889, we caused the foregoing instrument to be read, interpreted, and fully explained, and that after having heard the same read, interpreted, and explained, and being fully advised in the premises, a majority of said male adult members agreed to and accepted the same, and voluntarily signed the same in our presence, or in the presence of one or more of us.

E. WHITTLESEY.  
D. W. DIGGS.  
C. A. MAXWELL.

SISSETON AGENCY, DAK., December 12, 1889

*Report of councils with Sisseton and Wahpeton Indians.*

SISSETON AGENCY, SOUTH DAKOTA,  
November 30, 1889.

Council called in agency carpenter shop at 2 p. m. Agent McKusick spoke as follows:

Members of the Sisseton and Wahpeton tribe and now fellow-citizens, I have called you together to meet a Commission sent here by the United States Government. That Commission is now before you. On my left is General Whittlesey. He has been for many years secretary of the Board of Indian Commissioners. His duties have been to inspect all goods bought for your schools; he inspects all goods before they are sent. If there is a man in the world entitled to your confidence, it is General Whittlesey.

Next on the Commission is Mr. Maxwell. He knows all about all the lands at the agencies and knows all about your lands here, and is particularly fitted for the place. Next on the Commission is Mr. Diggs, of Milbank. We all agree that he is a far-seeing man and will work for your interests. I congratulate you on meeting a Board of Commissioners so competent and favorably disposed in your behalf. General Whittlesey will now explain to you their business with you, and for what purpose you are called together.

General Whittlesey then spoke as follows:

We greet you all as friends. We know that you are our friends and we are your friends. We do not forget the friendship shown by you in 1862. We know how you have worked since you have been on this reservation for yourselves and for your children. Now you have selected your lands and have patents from the Government. You own those lands and they can not be taken from you. More than that, you now stand in a new position as citizens of the United States and of South Dakota. You are under the same laws that other people have to obey and are protected by the same laws that protect other people. Coming to this position you need something to make this new start in life. You have a tract of land which is unoccupied and of no use to you, and you have been reported in Washington as wishing to dispose of some of those lands; they are yours and no one wishes to take them from you. There is this difference between you and other land-owners, you can sell only to the Government of the United States. This being the situation the Secretary of the Interior has sent us here to consult with you about your lands. In order that you may know that what I have said is true, I will read to you the instructions from the Secretary.

(Here the instructions and letters were read.)

You have now heard our instructions, and you see we are not sent here to force anything on you. We do not intend to say one word to deceive you or to do one thing that is to wrong you. We want to do, and have you do, what is best for you and your children. We want to know what your proposition is. We wish you to say if you wish to sell any of this land, and if any, how much, and then we would like to have you agree upon a price. We hope that in fixing the price you will make it such that we can go back to Washington and have it ratified by Congress, for what we do here will settle nothing until ratified by Congress. Now, if any of you are willing to talk in regard to this matter, we will listen, or if you do not care to talk now we will wait patiently to hear you when you are ready. There is a map of your reservation; the red marks show the allotted lands. This is from Washington, and is correct. We are ready to hear you if you are ready to talk.

GABRIEL RENVILLE, principal chief, then spoke as follows:

There are not one-half of our people here, for that reason we would like to take the matter into consideration and set a day to talk with you. We would like a translation of the letter read, as it is long and we do not remember all. We are now men and we want to talk to you as men and understand each other. We will talk the matter over Monday and meet you Tuesday.

General WHITTLESEY then said:

We will be near by, and if there are any questions you wish to ask us we will gladly answer.

DECEMBER 3, 1889.

Council convened at 2 p. m.

General WHITTLESEY asked Rev. Chas. Crawford to pray.

General WHITTLESEY then spoke as follows:

In our council of Saturday we read and explained to you our instructions from the Secretary. We need not now talk further, but we wait to hear from you. We hope you will speak freely and state your wishes, and remember that you are all equal, and no one has any supremacy over you in any way. We are now ready to hear you.

MAGAIYAHE, or STAR, spoke as follows:

On Saturday last you gave us a translation of your instructions. We have read them and are now ready to answer you. We have been together and considered the matter, and our wishes will be presented by Gabriel Renville, who has been chosen as spokesman for the Sisseton and Wahpeton Indians.

WICARPINOUPA, or TWO STARS, spoke as follows:

You have already heard that we have selected one man to do the talking. We all desire that he should speak for us. We have been with him since the happenings of 1862. We know how he has brought us on since then, and hence we select him; he has led us in everything since then, and we are satisfied with him. We know that through his efforts we have each made a home here, have an agency and schools. We know him to be worthy of the confidence placed in him, and have given him the power to answer all questions for us. We are not alone in knowing these things, but the whites about here know them to be facts. I have been selected to say these things, and have said them,



MOTODUZAHAN, or SWIFT BEAR, then spoke as follows:

I have been selected as one who should speak. I will say but a few words. We all feel the same in regard to the one selected as our spokesman. I am simply to say that the one selected is the choice of the people.

Chief GABRIEL RENVILLE then spoké as follows:

Last Saturday you spoke to us, and we feel that we understand you. We have been considering the matter since yesterday and all decided to have me speak for them. They feel that they are not ready to speak of the surplus lands at present. At a meeting at Big Cooley last summer we told our friends Mr. Diggs and General Pease that there were some things in the way of our selling the surplus lands. There were three things in the way. The first is that the Government owes us. We have tried to get it, but can not. The second is that an error was made in the survey of this reservation, and we claim a piece which we ask be counted in with the surplus lands. We have received our patents since the meeting at Big Cooley, which was at that time the third thing. My friend Diggs went with me to Washington to consult the authorities in regard to these matters. I presented my claim to the Secretary. The Secretary told me that that office would do all in its power to have our claim allowed. The feeling among the people is not that they do not intend to sell at all, but what we want is that our claim be allowed first. After that, if a commission comes, we will sell to them if we can agree on terms. We claim that our back annuities should be allowed from 1862 and not from 1864 as suggested by Indian Office. The error in the survey is shown by this map. I showed this to Mr. Maxwell at Washington.

General WHITTLESEY then said:

Mr. Maxwell knows all about this and will explain. If the survey left off a little on one side it took in more on the other.

GABRIEL RENVILLE then said:

When I presented this map to Mr. Maxwell he saw there was a mistake and borrowed the map to look it up. We know that the east line of the reservation was to be on the treaty line of the treaty of 1851, but was made west of that line. The treaty of 1867 says that this line should be on the treaty of 1851 line to Kameska Lake, but instead of running on the old line they went direct to Kameska Lake. We all know this to be an error. I have nothing more to say now. When these things are all settled we can talk more. It was said yesterday that we were all men now and all would be equal.

Mr. MAXWELL then explained the error in survey as follows:

This mistake as claimed by the Indians is evidently a misapprehension as to the treaty point on the lake; this map shows that the treaty point is on the lake. The treaty line of '51 runs from Lake Traverse to the junction of the Sioux River with the waters of Lake Kameska and a few miles east of where the present line is.

If I am not mistaken, when my friend Gabriel was in Washington he said that the outlet of Lake Kameska was a marsh. The treaty line ran to this outlet, which was a part of the lake and thence north. Is that what you understand?

GABRIEL. Yes.

Mr. MAXWELL continued:

The treaty of 1867 says that the east line shall start from the head of Lake Traverse and run along the treaty line of 1851 to Lake Kameska.

GABRIEL RENVILLE said:

I wish to say a few words. In 1872 a commission came here to treat for the lands lying between here and Devil's Lake. The commission called it 8,000,000, but it contained when surveyed 17,000,000 acres. We do not claim anything on this, but think that the little mistake in survey ought to be corrected. We simply want the amount of land included in the surplus lands when sold.

Mr. MAXWELL continued:

The treaty of 1867 was made sixteen years after the treaty of 1851. This mistake was made, if there is one, in the survey of 1867 by going straight to the lake instead of along the treaty line of 1851. It is simply difference of opinion between surveyor and Indians. The Indians claim the outlet to be the lake, while the Government did not consider it that way. The old treaty line never went to Lake Kameska. The treaty of 1867 does not say that the line should run to this treaty point and thence to Lake Kameska.

General WHITTLESEY then said:

I will say in connection with this matter that it is a question that should be settled by the courts, and not by us. I will say the same in regard to the northern line.

Mr. MAXWELL again explains treaties of 1867 and 1872.

GABRIEL RENVILLE then said:

This error in survey is one reason why we will not dispose of our surplus lands. The other is our claim for back annuities. If you will first see that we get these and then come for our surplus lands we will let you have them.

General WHITTLESEY then said:

We are all friendly to you, and have tried to get your bill through. We think as you do about your claim, and think it ought to be adjusted. We hoped that you would put the two things together and make such a proposition, then you would have the very best show for getting your claim. The Secretary did all he could to get the bill through Congress last winter, and we helped him, but there were so many things before Congress that we failed. I will keep trying to get the bill through, I am so friendly to this people; but if we could put these two things together now, we should hope to succeed. If we should have the back claim and the opening of the reservation all in one agreement one would help the other. Now we should be glad to hear from you about one thing. If you should be willing to sell this land how much would you ask per acre? I mean if the claim and the sale of land was on one agreement. If one should fail the other should fail. You are very much in need of money for spring, and if you should put off doing anything until this claim is settled you may not get anything for several years. As you are all intelligent men, we hope you will come to some agreement and have both put together.

GABRIEL RENVILLE then said:

It seems to us if Congress should fail to ratify this proposed agreement we would have to wait for years before we could get anything from Congress. If we should fail in getting our claim through we will raise the price on our land.

General WHITTLESEY said:

If one part was rejected it would reject the whole. Congress might amend, but it would be sent back to you for your consent. On the other part we do not think that the claim ought to affect the price of the land. The claim is a just one and you ought to get a fair price for your lands.

GABRIEL then said:

We are very poor just now, as our crops failed. In 1867 Congress said, by treaty, that it would help us when we were in need. There has been several years we have received nothing, although we relied upon it. If they were reminded of this they might help us this winter.

General WHITTLESEY then said:

These figures show the amounts appropriated since 1872, for you and the people at Devil's Lake.

GABRIEL RENVILLE continued:

They (Congress) promised to support us in the treaty of 1867. They did so until the agreement of 1872 was made, when they began to draw on that; after that was exhausted they quit helping us.

Mr. MAXWELL reads the sixth article of the treaty of 1867.

Mr. DIGGS then spoke as follows:

My friends, we will soon be standing on the same level as citizens. I have been your friend since I knew you ten years ago. I have watched with great interest the progress your children are making, because it is education that elevates man. Many of you are too old to get the benefits of these schools, but you ought to do for your children what you were unable to do for yourselves. Last summer General Pease and others met Chief Renville, Charles Crawford, Big Amos, and others, at Big Cooley to hold a council. I will tell you why we met there. The adjacent counties want this reservation opened, and also we were interested in your welfare. It would not only help you but it would help them. Now you see we were interested in having the reservation opened while you were interested in having your claim paid. Your interests and ours have come together.

The people who wanted the reservation opened appointed a committee, Mr. Crossfield, General Pease, and myself, to go to Washington to attend to both of these matters. Chief Renville, Mr. Crawford, and this committee went to Washington and talked the matter over. The officers understand that you want the reservation opened and have sent these gentlemen here. They know all about your affairs. They could not have sent better men; and the Secretary also appointed me because he knew that I was your friend and would see that justice was done. I think your claim ought to be paid. The chief says there is a bar between this people and the Government. If it was a high bar we could not step over it, but we do not believe this is a very high bar, as we can step over it. Our instructions are to ask you if you want to sell your surplus lands. You see these gentlemen coming a long way do not care to have their mission fail, nor do I, as you need the money, and while we will not attempt to force you, we shall use all fair argument to have you see the matter as we see it. The chief has shown us just what is between us. The error in survey of east line and the payment of the claim of back annuities. Now the error in the survey is not a serious matter. It is, as General Whittlesey says, a matter for the courts to settle. If a claim is presented to Congress for the payment of back annuities and the sale of your surplus lands the claim is just as good as it was before that was done. You do not surrender one part by selling your land to the correction of survey. Now if that is so we will lay that aside for the present. The Secretary

wrote to Congress saying that your claim was a just one and ought to have been adjusted long ago. Every man who can read that treaty must admit that your claim is a just one, and that you ought to have the money. We are here to-day to help you to get that money; there is a way we can help and a way that may fail.

Our proposition is this: Aftersetting aside lands for schools, churches, and any who may not have received allotments, to buy the balance. When we have agreed on a price per acre, we recommend that the back annuities be paid first, from 1862 to date; second, that the surplus lands be paid for at a price agreed upon; these are the two points. We have several members of Congress from the Dakotas. These men are all in sympathy with and will work to get the bill through. I have in my pocket a letter from one of the Senators saying, "I hope you will make a good treaty with those Indians; I will help get it through." I hear one say that there will be two papers, one will pass Congress and the other slip out. Now I assure you this can not be. What you agree to do will be put on paper and the names of those agreeing to it. This will be a contract and amounts to nothing unless signed by a majority and by the Commission for the United States Government. Now, if Congress failed to ratify this as we present it, it would come back to you, before it could become a law. I know you think about the deceit of agents and others in the past, but there is none of that now. In early days, when Indians were on the frontier, the agent or men sent out could do just as they pleased. A great many more people have seen the Indians since then; they have seen that they are men, although not educated in the white men's ways, and that it is true that "God has made of one blood all nations to dwell together on the face of the earth," and people in the East knowing more about the Indians are in sympathy with them. Another thing, you will soon have a right to cast a ballot for every officer in State and county. You will help to elect the men who will fill the places of those before spoken of. On this reservation there are over 300 voters who will vote next fall. They will work for this bill as they will want your votes when they want to go back. You wield a power that you never had before, because if they displease you, you will vote against them. The opening of this reservation can carry your claim through, because by passing your bill they please you and get your votes, and by opening the reservation please the whites. Now, I tell you what I would advise you to do. There is the survey, back annuities, and land sale. You can not lift all at once. I would advise you to get what you can now, then send your chief or attorney to Washington, and have survey corrected. You need money now to buy seed, oxen, wagons, and farming implements. If you fix the bill now, you get the money in time for your crops. Why should you men be denied this money any longer. It may be five years before another commission comes out here. We want you to have it, and are willing to wait. If you say the bars are up, we will go to our tepees; but if you think the bars can be gotten over, we will wait and talk with you.

GABRIEL RENVILLE then said:

You spoke of education. We all know that we are not educated; for that reason the sixth article of the treaty was made. Since then our schools have been full, and why is it that none of our children have been educated so that we can use them. Perhaps it is because the teachers do not care. We know that the Government is rich and intends to do right. Why does it not first settle what it owes us and then come to us for our lands, when we will not refuse. The whites around us have taught us to be religious and we know what Christians are, but they have never treated us as they have been told to in the tenth commandment. We are friends; first settle our claim and then we will listen to and talk with you about our surplus land. We are poor and our crops have failed; but you have our money, holding it, and do not help us as promised in the sixth article of the treaty of 1867, and now we are like a drowning man grabbing at straws to save himself. We all want to do what is right. Why should the Government refuse to pay us our claim before they wish to take away our land.

General WHITTLESEY then said:

The Government does not want to take anything from you. If a man was drowning and grabbed a straw he would drown, but if a plank was handed him he would be saved. Now you have a chance of getting on a plank. We would be glad for your sake if you would put the two things together and get something for your lands and your claim. Now we propose to put down on paper just what we think to be right and give it to you for your consideration, then we will give every one a chance to sign it. If you think it right to sign you may do so, and we will do what we can to have Congress approve of it.

GABRIEL then spoke as follows:

I have spoken for all of the people, and it is their wish that I should say these things. In the past there has been lots of land sold, but we have not been benefited by the sales. In 1867 they promised us they would help us, but they have not helped us very much for many years. Let them first settle our claim and then we will talk about our surplus lands. We are now citizens and can talk with you as such, and do

not care to talk about shoe pacs, etc., but cash. We can buy for ourselves what we need if payment is made in cash, and then we do not care to have an agency here after the surplus lands have been sold. The people have asked me to say this as their wish.

Mr. MAXWELL then said:

My friends, my friend Gabriel Renville says there has been nothing sent here to help you. I have seen a great many Indians in the last twelve years, but when I look around among these faces I have never seen a more intelligent lot of faces. You are great men and can consider this great question. I hope you will give it the most careful consideration. We wish you to say how much land you care to sell and in what portion of the reservation.

Mr. DIGGS then said:

I would suggest that you are losing an amount of money in not selling now, as you lose the interest on a large amount of money, whole amount of back annuities and price of land. We will make the proposition in that way and would like to know if you are willing to have it put in that form.

General WHITTLESEY then said:

We will put it in that form and put it before them for their consideration.

Mr. DIGGS continued:

Western men know more about the Indians than Eastern men. Heretofore the Dakotas had no representatives in Congress. Had the Dakotas had their representatives there is no doubt but your claim would have been passed. We can go to Congress this winter and have your claim allowed, but now that the committee is here we would like to do both at once and guaranty that both will pass together.

Mr. MAXWELL then said:

There is one other thing. In 1884 you gave a right of way to a railroad through the reservation at \$1.75 per acre, total amount \$2,624. It is now in the Treasury, but it can not be paid out to you until Congress ratifies that agreement. The Commissioner of Indian Affairs has recommended that the agreement be ratified.

GABRIEL RENVILLE then said:

We have money held there by the Government, but we have no money here to go to Washington to push our matters.

Mr. DIGGS said:

You have the representatives from South Dakota now.

GABRIEL RENVILLE continued:

We will ask them to help us get this and our claim. We will also ask them and all our friends here and the Commissioner who has power at Washington to help us.

General WHITTLESEY said:

You are right; that railroad money ought to be paid, and we will do all we can to see that it is paid.

Mr. DIGGS then said:

If the chief thinks it best to stay another day we will get provisions for them.

GABRIEL RENVILLE said:

It is understood that nothing more will be said by the people, as we first want our claim paid.

General WHITTLESEY said:

Is it the wish of all that we do not meet to-morrow?

Answer. No.

WICAUSPINONPA, or TWO STARS, said:

Would any of you change your minds in the next ten days?

Answer. No.

Shall Gabriel tell them so?

Answer. Yes.

General WHITTLESEY said:

We propose to make and submit a fair agreement and put it before you to-morrow for any to sign who wish, as it may be very many years before you have another chance.

GABRIEL RENVILLE said:

You are now treating us like children.

General WHITTLESEY. No, not at all. It is just as we would treat one another. If I was to make Mr. Diggs a proposition I would submit it in writing, and if he agreed he would sign; if not, he returns it without signing.

GABRIEL RENVILLE said:

There is one here who the people do not want here any longer. They do not like him as agent, and do not think he ought to be allowed to remain here, as he is not agent now.

General WHITTLESEY said:

We are friends of yours and will remain so, no matter how this matter comes out. We will be here to-morrow, and do most earnestly desire that you have something with which to start in the spring. If nothing is done now you will remain just as

you are. We will do what we can to help you to get your claim through, although you are putting a load on us in asking us to help get your bill through Congress before the reservation is opened.

STAR then said :

Gabriel Renville has expressed the feeling of the people, and they have so decided and will not change. We will now close, as we have our ponies to care for.

Council closed at 5.20 p. m.

SISSETON AGENCY, SOUTH DAKOTA, *December 6, 1889.*

Council convened at 12 m.

Mr. WHITTLESEY spoke as follows :

My friends, we have been thinking of you almost all night: There is no people that I have more interest in than the Sissetons. I was here seven years ago and saw then that many of the people were making good progress in farming. I have often spoken of you as being well to do. I have been in your schools. They are now much larger than then. They are better furnished in every way to make good schools. These schools are supported entirely by the United States Government. They cost about \$25,000 per year. Then, about twenty-five to forty of your boys and girls are sent away. The Government pays their expenses, also something like \$7,000 or \$8,000 more per year. Now, for all of those schools the Government furnishes food and clothing. When you think of all this you will see that the Government is dealing kindly and generously with you, and in this matter before us the Government wishes to deal kindly with you. I think you and I agree in what you want and what we want, the only difference is in the way we want it. I think that what we want will sooner enable you to get what you want. We were sent here to ask you what land you wished to sell and to make such arrangements and conditions as we agree upon. We agree that the money due you ought to be paid. We propose that that money be a part of any agreement we may make, and until that money is paid all of the agreement will be nothing. Now, if we could get together and talk the matter over, we might agree on what ought to be done. (Here the figures on back annuities were given in detail.) There are about 1,500 of you here, and if you could get this back annuity of \$360,000 it would give every man, woman, and child \$240 each. Now if you could get that money before spring what a help it would be to you. Some perhaps would waste it, but the most of you would make good use of it. We have written out here all about the sale of the surplus lands and the payment of this money. It is a long paper and would take me a long time to read it. (Here a synopsis of the agreement or proposition was read.) The commission will recommend that all receive equal allotments of land. In order to do this you need some land reserved. The money paid for lands will be placed to your credit in the United States Treasury at 3 per cent. interest. The money will be yours and the interest paid every year. If at any time you need a part of the principal you can petition Congress and it will have the right to give it to you. The back annuities are included in the same paper, and unless this payment is made the rest will come to nothing. We also say that you will get \$18,400 for 12 years to come. Now what can we do and what do you want more than that? In order to make this paper binding we want a majority of the adults to sign it. We are sorry that so many have gone home, but a great many have, and we do not know when they can be brought together again. If you who are here think that we can get them here again you will let us know, or if you think there is no use we will say good-by and go home. Perhaps you would like to talk the matter over between yourselves; if so, we will retire.

Michael RENVILLE then said :

We have always said that when the sale of surplus lands was considered we would ask that 160 acres be given to each member of the tribe. You spoke of money due us; some of us think it ought to come to all who belong here, while others think that none but scouts should receive it. We said in council that we would not sell surplus lands until back annuities were paid, but you say that if the lands are now sold the back annuities would be paid at the same time. This pleases us. We want a translation of the agreement so that we can take it and consider it.

General WHITTLESEY then spoke as follows :

In this agreement we do not say anything about scout money, but call it the back annuities due the Sisseton and Wahpeton Indians, parties to this agreement.

Council closed at 1 p. m.

SISSETON AGENCY, SOUTH DAKOTA, *December 11, 1889.*

Council convened at 11 a. m.

General WHITTLESEY spoke as follows:

My friends, I am glad to see so many of you here to-day. There were many of you here Tuesday, but many of you ran away like scared rabbits. We asked you to stay, as we wanted to write out a paper and explain it to you. We wrote out the paper, but there were but a few of you here. We have written out the paper over and made it shorter. You have it written out in your own language and perhaps some of you understand it, but I will go over the principal parts of it and try to make it plain to you. There are six articles I wish to explain.

First. The money you have tried so long to get, but have failed. This amounts altogether to \$360,000 to July 1, 1889. We do not know just how many belong to the Sisseton and Wahpeton bands here, but we are told that there are about fifteen hundred. If there are, this will give each \$240. (Here the agreement was read.) We are told that some of you think there is a bill now before Congress to get this annuity. There is no such a bill. It died with the last Congress. This agreement, if Congress ratifies it, will be just the same as a new bill. Another thing, this agreement says that this money shall be paid to the members of the Sisseton and Wahpeton bands belonging here, not to those scattered about at other agencies or places. I think now you understand what the agreement says about the back annuity money.

Second. About the land matter. We have been told that some of you have been dissatisfied because some of you get only 40 and 80 acres of land, so we have put in this agreement an equal division of land so that each will receive 160 acres. That will include the children born since the allotments of land. These were the two conditions made by you in regard to the sale of the surplus lands.

Third point. After you have received your back annuities, each receive 160 acres of land; you will sell all that is left. We can not tell just how many acres there will be left, but can pretty nearly tell. There are 918,000 acres in the reservation, about 127,000 acres now allotted; it will take, we think, about 130,000 to complete allotments; that will leave about 660,000 acres to sell. I want you to understand that these are not the exact figures, but as near as we can come at it. In this agreement the United States Government agrees to pay for the land so sold under the allotment act, and draw interest at 3 per cent. The principal is to be placed in the United States Treasury. This interest money and, if at any time you wish it, a part of the principal can be appropriated by Congress to be used for your benefit and educational purposes. I want you to understand one thing: The money to be paid for your lands will not all be paid to you at once, as the law forbids; but if by failure of crops or any thing you wish to draw a part of the principal you can do so. Mr. Maxwell tells me I forgot one thing in regard to the amount that is to continue for twelve years or to the expiration of the treaty of 1851. That is all written down in this agreement. One other thing I wish to speak of is the agreement you made with the railroad company. This agreement says that the agreement you made shall be ratified. The railroad has paid the money over to the Government and is waiting for Congress to ratify the agreement. That money amounts to about \$2,600. When this agreement is ratified the money will be paid to you. One important point remains to be settled: Last Wednesday we asked you three questions. 1st. Do you wish to sell your lands? How much land do you wish to sell and how much will you ask per acre for the lands you wish to sell? We have heard you wish to sell all after allotments have been made. There are two ways of making a bargain: If a man has a horse to sell he says he will sell it for so much. Sometimes he says, how much will you give for it? Now, you have not told us how much you will ask for your surplus land, but we know about how much the Government will give. I am going to tell you just how much we think the Government will give for it.

(Here Charles Crawford asked for two minutes time to speak; granted.)

CHARLES CRAWFORD then said:

Yesterday there was an effort made to have the scout bill pushed without signing the agreement, and then there are some who think they can get their back annuities by having it included in this agreement. Some have an idea that the scout bill is still before Congress; for that reason I have asked that you be called here to explain. You have said that the scout bill is dead. I am glad it is as it is. We all want that this annuity will go to each member of this people. We are now citizens and think that each ought to act for himself. When I came here this morning I heard a great many things being said about me and threats being made—

General WHITTLESEY continued:

What Mr. Crawford has said is good. You are all men and capable of judging each for himself. He has asked us to explain again if annuity money will be paid to all alike. We have said, yes. Hear how it reads (here Article III, of agreement, is read). Mr. Crawford asked if the old scout bill was still before Congress. As I have said before that bill of yours is dead. It died with the last Congress, March 4, 1889. There is no such bill now before Congress, but if we can get this paper signed we shall hope

to get it ratified and that will secure to you your annuity money, and all the other things spoken of. Now, as you want to be by yourselves for a little while before we name the price the Government will pay for your lands, we are willing to wait for you to consider that important question, but can not wait very long. I will say this, your neighbors over west have agreed to sell a tract of land at \$1.25 and 75 and 50 cents per acre, and the Creeks and Seminoles sold for \$1.25 per acre. We want you to know these things while you are thinking about the price.

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SISSETON AGENCY, S. D., *December 12, 1889.*

Council convened at 10.30 a. m.

General WHITTLESEY said :

We are all ready now, but there are some who are not here. There is a committee at work somewhere and we will send for them.

(Here J. R. Brown was asked to get the rest of the committee that had been appointed by the Indians in council to consider the proposition made by commissioners.)

After the committee arrived and took their seats in the council, General Whittlesey continued :

Friends, we are gathered once more for our last day's council. As we all want to do just what is right, I hoped to see Rev. John B. Renville here to lead us in prayer. Many of you understand English. Unite with me in prayer to ask God for wisdom.

After prayer General WHITTLESEY continued :

We were ready yesterday morning to finish this business. We had here the agreement written out and furnished you a copy so that you could understand what it is. I explained yesterday morning what is in it, and we have not taken a word out nor put in a word. We have yielded to your wishes in the agreement. There is but one thing more ; that is, the price of the land. We could have finished that yesterday and were here to meet you at 2 o'clock, but you were not ready. We now come before you to finish. As to the price of the land I will ask Mr. Diggs to explain, as he knows all about the land in this country.

Mr. DIGGS then said :

My friends, I realize the duties that fall upon me in putting before you an agreement for your consideration. I will say that I am not here at my own request. After Chief Gabriel was at Washington it was by request that some of your friends be appointed. The result was I was appointed as I was your friend. I can say from my heart that I am your friend, and whether you accept this agreement or not I am still your friend. Before I met these gentlemen here I had never seen them, and thought that I would find myself in antagonism in many respects, but I had resolved to be firm and do what I thought to be right ; but after meeting these gentlemen I was agreeably surprised to find that they were as liberal in their views as the law and treaty would permit. We came here and have talked with you freely on all these points, and have been accessible to all, so that we are assured that whatever may be the result of these councils, it can not be said that some had no opportunity to express their views. There are some points on which there are no disagreement, and others on which there are. The first was in regard to back annuities. We believed that it would be best to give it to you year by year, but when we heard that you wanted it in a lump we yielded. We know that some of you will spend it foolishly, as would so many educated white people. We now have in the agreement that the entire amount be paid you at once in cash, with an annual income of \$18,400 for twelve years. The next point that was brought to our notice was that each married woman and child should receive 160 acres of land, so that all would receive an equal allotment. My colleagues are a long way from home, and have been restive at times and wish to get away. I think you will bear testimony that the commissioners have been patient up to this point, but now we have come to that point when we must come to a decision. The point left is the price of the land to be sold. If there is any other point it has not been brought to our notice.

The price agreed upon by the Commission is \$2.50 per acre, you having failed to make a proposition. I have no doubt that many of you will say that is a fair offer and there are some who have their ideas fixed higher, \$1.25 is the price fixed by the Government for wild lands. We know that you ask more than that. We admit it is worth more, as you are surrounded by white settlers. You have taken the best of the land and when allotments are completed you will take as much more of the best, so that it leaves the proportion of poor land much greater. The Government sells its good lands for \$1.25 per acre. Now you say, "If the Government sells for \$1.25 why should you offer \$2.50?" I will tell you. It is nearer good markets and we have taken this view of it. We can take it to Congress and get it through at double minimum ; but no man can show that the Government will buy this land at more than double minimum price. It would make no difference to this Commission if the Government paid

you \$10 per acre, but what did we come for? To make an agreement that would be ratified by Congress. Now we do not feel confident that this bill will pass Congress with these liberal arrangements made. There are men in Congress who know nothing of you and care nothing for you. I have no doubt that some one will bring up this point: That this reservation was given you in place of all back annuities according to the third article of the treaty. After I have read that article I want to explain how we hope to overcome that. (Here third article of treaty approved February 19, 1867, was read.) Now, I tell you what a lawyer would say; he would say that you were not entitled to back annuities because you received this land for it. You would say it was yours already; then the lawyer would say that if one was void all was void and you have no land. How are we to overcome that? Our Congressmen are our lawyers and we shall put in their mouths this argument: "These people have been wrongfully kept out of this annuity and it is but justice to them that you should admit it and that they be permitted to sell it for their benefit as in part for injustice done them." Now, for the benefits you will receive in addition to annuities.

This reservation will be quickly settled by whites, bringing the arts of civilization, establishing schools in every township, so that you can send your children to school without sending them miles away, and I have no doubt you will have entire control of all money coming to you, there being no use for Government schools. Another advantage is, that the whites will exchange work with you. This will enable you to cultivate 50 acres where you now cultivate 10. There are other advantages which I have not mentioned. One is you will have towns and railroads and good markets near you. All this will make your lands more valuable. Now, I appeal to you men who have families to act in this matter like men, look at the present condition of your families without sufficient clothes and food or stock to cultivate your land. Accept this agreement as the best this Commission can make and hope to get it through Congress, and if you accept this you will have a friend in every white man in the surrounding country. But suppose you refuse this proposition, what have you to hope for in the passage of your annuity bill? Each man works for himself. You hitch the two together and the white man and the Indian will pull together. Now I tell you as a friend that if this agreement is not just as you would like to have it, it is much better than your present condition. Now I tell you what I think. It is nothing to me personally, but as your friend, honestly I would advise you to accept this agreement as the best that can pass Congress. This Commission is hedged about by laws and treaties. In trying to follow your views we have run against laws on all sides, and we have tried to steer so as to get between these laws. When I went home I wrote to these gentlemen to have patience, but they say to me now that this day will decide whether they remain another night. I believe that the first man that signs this paper will be putting himself down as doing the very best for the people. Now we are going to give every man an opportunity to sign this paper right here. I hope every one of you will show this Commission courtesy enough to come before it to say whether you will sign or not. Not a word will be used on the part of the Commission to induce you to sign. The Commission will now sign the agreement in your presence. My last word to you is that you sign this agreement and get all you can. (The Commission signs.)

General WHITTLESEY then said:

We have been explaining over and over again every day and have been two weeks explaining it, but if you do not understand it we will explain again.

Chief RENVILLE then said:

It took two summers on the Big Sioux Reservation and at White Earth Agency. We do not care to do this in a hurry. We first decided not to sell until after scout bill was paid, but we reconsidered yesterday and have made up our minds to do something, but you would not hear us—

General WHITTLESEY:

My friend Gabriel did not tell you that the Commission that went out West did not talk to one thousand five hundred people, but to thirty thousand. Notwithstanding that I will explain it again.

Chief GABRIEL RENVILLE said:

You come here representing sixty million people; yesterday about half of our people were not here. The people chose ten men as a committee to consult with you in regard to what was to be done. You would not consult with the committee. We understand that paper; some things we like; some things we do not like; the price of the land was just put in. The people have decided not to take less than \$5 per acre. We want it in cash, or the interest in cash. The people decided that 5 per cent. was what would be accepted, and now you have come here before this committee could talk with you. Now, if you can make these changes we will do as we agreed. If not, there is nothing more to do.

General WHITTLESEY said:

In regard to the price, we can not go back with \$5, as Congress would throw the agreement on the floor. We have gone as far as we can go. We have asked Congress



to pay you twice as much as any other Indians get. Therefore we mean just what we say when we put it down at \$2.50. Now, about the other point, I will say we can not make a new law. Congress makes the laws, and does not ask us what law to make, and this is the law. (Part of act approved February 8, 1887, was read, in which it is stated that 3 per cent. is to be the interest on money paid for lands under that act.)

GABRIEL RENVILLE said:

That law is for Indians, but we are now citizens, as you have already told us. That law was for all Indians, but when those out West refused the 3 per cent., they were granted 5 per cent. interest.

Mr. DIGGS said:

I will read a part of the instructions. You are citizens, but in one sense yet Indians. [Here the letter of instructions was read.]

GABRIEL RENVILLE said:

We ought to make shorter speeches. Mr. Diggs made a long speech, and we do not remember half. We know these extracts of laws. We know that a change was made in the taking of land out West, and also on the 3 per cent. interest. If they can change the law in regard to the taking of land they can do so in regard to the 3 per cent. We have decided to sell all of the surplus after each has received 160 acres. We know that the money due us on the treaty of 1851 is ours, and it has pleased us to have that in. In regard to the people out West selling for \$1.25 per acre, we know that one acre of our land is worth ten of theirs. In 1872 a commission came here and took all we had outside of this reservation for 5 cents per acre, and in 1851 the very best of lands were sold at less than 1 cent per acre. This little reservation is ours, and all we have left. There is nothing in our treaty that says that we must sell. It was given us as a permanent home, but now we have decided to sell for \$5 an acre. Now let us hear what can be done. You seem to want to treat us like children, put us back where we were twenty years ago. Let us do what is right and just.

General WHITTLESEY said:

My friend Gabriel made a pretty long speech, and I do not know whether I can remember it all. We came here with feelings of friendship for this people. We have done what we think the very best Congress will do. In regard to payment of money, after you get established as citizens you will probably get cash; as regards the price per acre and the 5 per cent. interest, it will defeat the agreement and you will be left as you are. Now I do not think we ought to explain this again, but think you ought to show your manliness by coming forward and signing it.

GABRIEL RENVILLE then said:

We decided yesterday what we can do. My friend seems to misunderstand us. We do not want the pay for lands in a lump, but want the 5 per cent. interest to be paid in cash. We understand that some of the money will be used for schools.

General WHITTLESEY said:

Perhaps there are some others who wish to speak.

CHARLES CRAWFORD then said:

We have been counseling for many days, and it seems hard for me to say what I am going to say. I wanted every man to understand this thing and act according to his own convictions and then he would blame no one hereafter. I would like to ask one thing. Our chief says that the agreement in some things is not good. There is one thing I do not like, and that is the payments of interest to be made in goods. I would like to know if it is possible to have payments made in cash?

General WHITTLESEY said:

I would be willing to recommend it, but not put it in the agreement. Congress has in this law reserved the right to appropriate as it thinks right for the people. When Congress finds out that you can use the money better than goods it will give it to you. I think you can all trust Congress to do that for you, but we can not put it in the agreement.

TITUS JUG then said:

In the past we have received cattle wagons and implements for money due us and have found these things to be very poor, but if we had the money we can buy what we want, and for this reason we think we ought to receive the cash annually.

General WHITTLESEY said:

I think you can handle the cash as well as any one can handle it for you, and will do all I can to see that you get the payments of interest annually in cash.

CHARLES CRAWFORD then said:

This is business. I believe what the Commission has said. I do not think they wish to deceive us. They represent the Government. It is their duty to work for that Government and our duty to work for ourselves. Some of us only got 40 and 80 acres of land and have understood that 160 acres is put in agreement, as the Commissioner of Indian Affairs recommended that all Indians should receive that amount of land, but you say you can not change the rate of interest nor the manner of payments. Now if the 160-acre clause can be put in why can not the others? Congress has the

right to amend all laws. When the Government asked for the lands out West the people asked for a 5 per cent. interest, and it was granted and put in their agreement, although you say it has not become a law. Now, if Congress ratifies their agreement and allows them 5 per cent. it will do so with us. Now I ask that the interest at 5 per cent. be paid us annually in cash.

General WHITTLESEY said:

We could put in the agreement that each receive 160 acres, as the Commissioner of Indian Affairs so recommended and our instructions say nothing about that; but on the rate of interest and manner of payment we have our instructions, and we can not go contrary to the instructions of the Secretary of the Interior, who sent us here.

MICHAEL RENVILLE said:

I do not blame you for not doing all we ask. You are only following instructions of superior officers. Mr. Diggs, are we citizens of the United States?

Mr. DIGGS answered:

The laws of South Dakota regards you as such, but you are regarded as Indians by the Government as long as you are dependent on it.

Mr. MAXWELL said:

The fact of an Indian becoming a citizen of the United States does not make him other than an Indian. It does not change his blood or race. Citizenship is a political privilege, while the race of the man shows what he is.

MICHAEL RENVILLE asks if they can vote?

Answer (by Commission.) Yes.

Mr. DIGGS said:

You cease to be Indians when the reservation is opened and you are drawing interest on money as citizens.

MICHAEL RENVILLE said:

Among a people who do not fully understand a thing, they talk about it until they understand it. You were told to talk to all of us together. One of your questions was, "What price do you put on your land?" We decided that \$5 was our price.

General WHITTLESEY said:

I think we have nothing more to say. Our patience has not been worn out. If any wish to speak we will listen.

DANIEL ROBERTSON said:

It has been decided by the people to sell all surplus lands after each get 160 acres at \$5 per acre, the interest to be paid annually in cash at 5 per cent.

Mr. DIGGS said:

By what we have said about meeting that committee we mean no disrespect to the committee nor to the people who made them, but we wish to follow our instructions. The instructions further require us to make a report of each day's work, and if we should meet a committee we would have to show it.

General WHITTLESEY said:

We are dealing with you as we would with an assembly of whites. If they had a piece of property and we offered to buy it we would make a proposition, and each would consider the proposition, and if more than one-half agreed to sell, that property would be sold. That is what we want to do here. Every one who signs says "yes," every one who does not sign says "no." That is the way white men do and that is the way we want you to do.

SOLOMON DOWANYANKE said:

We ought to each express his opinion.

MOTODUZAHAN then said:

I am an Indian, and the Great Spirit made me to live on this land; but I as an Indian have never done anything for myself. I now speak for the Indian. If you will put the price at \$2.50 per acre and 5 per cent. interest paid annually in cash I have no doubt it will please all.

Mr. DIGGS said:

Now, my friends, we are coming a little nearer, but you have seen that it is impossible to do as you wish. We will write a letter recommending what you ask and read it to you, and I will say that I will urge our Congressmen to get it in the bill. I should be very sorry if all our negotiations should fail on these two points, which is asking too much of us under our instructions. We know that all of you want to go home, and if we could go now and eat and write that letter we will meet you in an hour. If you would rather wait until morning we will wait until then. We leave it to you to decide.

STAR said:

You gentlemen have come here among us and are to us like gods. We can do nothing. It is for the people to do for themselves. You are hurrying us too much. If you will give us something to eat we will feel better. We will adjourn our meeting until to-morrow morning.

Mr. Diggs said:

We think that you all have been furnished provisions by the agent. Council adjourned till next morning at 10 o'clock.

DECEMBER 13, 1889.

Council convened at 11.25 a. m.

General WHITTLESEY said:

We will open council. I will call on Reverend Crawford to lead in prayer.

After prayer by Reverend Crawford, General WHITTLESEY said:

I will not weary you with a long talk this morning. When we closed yesterday there was one thing that seemed to be in the way; that was the interest on amount to be paid for land and how it should be paid. As we told you, we were compelled to put it in the agreement, the interest to be at 3 per cent., and that Congress would retain the right to appropriate money as they thought best. You want the money and the interest at 5 per cent. in cash. We said that we could not put it in the agreement but would write a letter to the honorable Secretary of the Interior. We have written the letter and will read it to you.

(Thomas Robertson read and interpreted the letter.)

We have often heard what we have written. I hope you understand it. We promise, all three of us, to do all that we can to get what you ask for. That the 5 per cent. interest will be paid in cash, except what is needed to support Government school. We believe that you are all men and can manage your own affairs better than others can manage them for you, and we are going to try to get you all your rights the same as the citizens who live around you. I have said enough and think that you are all satisfied that we are trying to do what is right. If any one wishes to speak before signing we will listen.

GABRIEL RENVILLE then said:

We have often heard from you that you want all to understand this matter and all do what is right. There has never been money paid to Indians in a lump in payment for lands. The Government always owes for the land and pays the interest on the amount the same as when one of you borrow money from another. Since you have been here we have twice decided as a people what to do. First, to get back annuities before selling, second, we reconsidered that answer and decided to ask \$5 per acre for all surplus lands, the amount to draw 5 per cent. interest in cash, and then all would willingly sign. Some of us know that there are some who do not know what they are doing but are following advice given them, by parties who do not belong here, when counselling among themselves. The last council of the people decided on asking \$5 per acre and 5 per cent. interest, to be paid in cash, and will sign no other. I do not say this to make anybody angry, but talk plain because I know it is right. Some of those who are doing the most to have us sign your paper as it is are those who do not belong here according to the third article of the treaty. (Third article of treaty of 1867 read). Others who come outside of those words have no right here. You were told to do what is right and for that reason I have been among the people begging them to do right.

SIMONS ANANWANGRAN said:

The headmen have said they want to do right, and do what is right for the people and I want to be protected by the laws of the Great Father, and now that I can reach that I am glad because I and my people like to have money. I have tried to hold on to what we have left, but what more than what is offered us do we want? If I should ask for all the money the Great Father has we could not get it. I am getting weary and will sign, then I will have nothing more to trouble myself about.

MICHAEL RENVILLE then said:

I would like to shake hands with the Commission. I believe in the words of Simons. When the Indians and whites had trouble, if there was a brave man it was him, but he used to be a bad man, but my father gave him advice. He taught him religion and that made him better; these are facts. When he makes up his mind to do anything, nothing will stop him. I want something explained. He has said that he has held on to his land, and that is a fact. He took prisoners and saved them. If this agreement is signed and the back annuities allowed will the first payment be \$360,000, and after that for twelve years will we get \$18,400, and if we sell surplus lands how long will interest run on that?

Answer (by COMMISSION). Forever, unless Congress appropriates the principal.

MICHAEL RENVILLE. We have tried for twenty years to get these annuities. We gave papers to a certain man. We told him that we would give him 33 cents out of every dollar and we kept hearing year after year that it would come. You have said that was ended, and you were to make a new bill and try to get it through. Now, can that man draw his pay?

Answer (by COMMISSION). That contract expired last year. That contract only called for 10 per cent. after it got to the Secretary. If that man had got the money before contract expired you would have paid him 10 per cent., but he did not get it for you. If you get it through this way you will not pay any one 10 per cent. or even 1 per cent.

GABRIEL RENVILLE said:

I would like to ask one question. A year ago last winter who was it that got the bill along so far as it is?

Answer (by General WHITTLESEY). I helped, Mr. Maxwell helped, the House Committee on Indian Affairs helped. The Commissioner of Indian Affairs and Secretary of the Interior both recommended it. All of these did from friendship what they could for you. My friend Gabriel handed me agreement and power of attorney dated July, 1873, and is made to run twelve years, and so it expired last July.

GABRIEL RENVILLE said:

It has been said that I was to get one-third, General Sanborn one-third, and the Brown family one-third.

TWO STARS spoke as follows:

I will say a few words. This man Simons at the time of the outbreak saved a white woman and took her to her people. He did a good act. After that there were over two hundred prisoners in the camp and others of us got together and delivered them to the whites. We took them to General Sibley. Some of those who saved the prisoners are dead, but some are here. This man (Gabriel Renville) is one. We afterward got a great many of the hostile Indians who came to our camp at night and gave them up to General Sibley. In February, 1863, Gabriel Renville and some others were sent out as scouts. We guarded this country from the James River to the settlements. I think we did a great deal towards making the frontier safe. For eighteen months we did this work without pay. We know that by these acts we got this reservation. I think we ought to be allowed to judge for ourselves and do what is right. I do not accuse you gentlemen at all, but in the past we have signed papers that we were afterwards blamed for and each would regret having done so. What I want is that all understand this paper, and none sign until we understand the agreement. Let the committee we selected look it over, and if they consent to sign we will sign, but we want 5 per cent. interest.

General WHITTLESEY then said:

We told you yesterday why we could not do that.

TWO STARS continued:

If this paper is signed as it is it will make trouble. If you have written to the Secretary we want to wait until the answer comes, and if all is agreeable we want to sign. Everything we do in our councils seems to be overruled by you. We have heard remarks made about commissions in the past, and if this is signed as it is it will make talk about you.

LITTLE THUNDER then said:

During the outbreak of '62 I was out west. When I came back I found a boy at my father's house who was shot through the breast. We dressed him up in white clothes and saved him.

MOTODUZHAN. I do not understand much, but will speak on what I think I understand. I think you have in this agreement all we have asked. You have told us that all our money will be returned, and what we get from sale of land will be in cash. That paper says that it will be in cash, and that the rate of interest will be 5 per cent. We think all Sisseton and Wahpetons who have lived here have a right here. This man (Simons) says he will sign, and so will I.

MICHAEL RENVILLE then said:

Now, what I want is that these men take the lead, for whenever we get into any trouble we are obliged to look to Gabriel to lead us. We are all Sisseton and Wahpetons. If any outsider says anything of us that is not true it does not hurt us. If you people have picked Simons out as one to sign he will do so.

General WHITTLESEY then said:

I do not want any mistake to go out. I want you to understand this agreement. It says that the interest is 3 per cent. In this letter we say that it ought to be 5 per cent., and we ask the honorable Secretary to ask Congress to say it will be 5 per cent. We have also promised to do all we can to make it 5 per cent., and I think you will have the help of the Representatives from Dakota. Now I believe that all understand this. We have talked a long time. If we should stay to hear more my hair could not get much whiter, but I would become too old to act. This is just as we explained it yesterday. We give you an opportunity to sign, but if all of you decide not to sign you have that right, but if you sign you put a great deal of work on us.

GABRIEL RENVILLE then said:

Why is it that it takes three-fourths at other agencies to rule while with us you say it takes only a majority. Our treaty does not provide for the sale of this land at any time.

General WHITTLESEY then said:

My friend Gabriel knows that among white people a majority rules.

SIMONS then said:

This paper is presented for signatures and I have said that I will sign. I am playing no game. I am doing what is right. I have already said that I will sign and will do so now.

At 12.25 signing the agreement began by Simons signing first.

We hereby certify that the foregoing proceedings of the several councils held with the Sisseton and Wahpeton bands of Dakota or Sioux Indians are correct and that the same were interpreted by the official interpreter.

E. WHITTLESEY,  
C. A. MAXWELL,  
*Commissioners.*