

1855. ✓

Original
and
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Treaty with the

Nez Percé Tribe.

Dated, June, 11. 1855.

Ratified, April, 29. 1859.

James Buchanan.
President of the United States
of America.

To all and singular to whom
These Presents shall come
Greeting.

Whereas a Treaty was made and concluded, at the Treaty Ground, Camp Stevens, in the Walla Walla Valley, on the eleventh day of June, one thousand eight hundred and fifty-five, between Isaac P. Stevens, Governor and Superintendent of Indian Affairs for the Territory of Washington, and Joel Palmer, Superintendent of Indian Affairs for Oregon Territory, on the part of the United States, and the hereinafter named Chiefs, Headmen and Delegates of the Nez Percé tribe of Indians occupying lands partly in Oregon and partly in Washington Territory, between the Cascade and Bitter Root Mountains,

on behalf of and duly authorized
by said tribe: which Treaty is in the
words and figures following, to wit:



Now, therefore, be it known that I,
 James Buchanan, President of the United
 States of America, do, in pursuance of the
 advice and consent of the Senate, as expressed
 in their resolution of the eighth of March,
 eighteen hundred and fifty-nine, accept,
 ratify and confirm the said Treaty.

In Testimony Whereof, I have caused
 the Seal of the United States to be hereto
 affixed and have signed the same with my
 hand.

Done at the City of Washington,
 this twenty-ninth day of April, in the year of
 Our Lord, one thousand eight
 hundred and fifty-nine and
 of the Independence of the
 United States, the eighty-third.
 James Buchanan

By the President.

L. S. Cab
 Secretary of State.

And whereas the said Treaty
having been submitted to the Senate of
the United States for its constitutional
action thereon, the Senate did, on the eighth
day of March, eighteen hundred and fifty-
nine, advise and consent to the ratification
of the same, by a resolution in the words and
figures following, to wit:

Assembled. Mr. Rose.

In Executive Session
Senate United States
March 8, 1859

Resolved (two thirds of the Senators
present concurring) that the Senate
advise and consent to the ratifica-
tion of

Treaty
between the United States and the
Chief Headmen and Delegates of
the Nez Perce Tribe of Indians, occupy-
ing lands by a part by in Washington
and partly in Oregon territories
between the Cascade and Northern
Mountains signed 11th day June 1855

Attest
Alfred S. Brown.
Secretary

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Articles of Agreement and Convention made and concluded at the Treaty Ground Camp Stevens, in the Walla-Walla valley this Eleventh day of June, in the year one thousand eight hundred and fifty five, by and between Isaac J. Stevens, Governor and Superintendent of Indian Affairs for the Territory of Washington, and Joel Palmer Superintendent of Indian Affairs for Oregon Territory, on the part of the United States, and the undersigned Chiefs, Head men and Delegates of the Nez Percé Tribe of Indians occupying lands lying partly in Oregon, and partly in Washington Territories between the Cascade and Bitter Root Mountains on behalf of and acting for said Tribe, and being duly authorized thereto by them.

It being understood that Superintendent Isaac J. Stevens assumed to treat only with those of the above named Tribe of Indians residing within the Territory of Washington and Superintendent Palmer with those residing exclusively in Oregon Territory.

Article 1.

The said Nez Percé Tribe of Indians hereby cede, relinquish and convey to the United States all their right, title and interest in and to the Country occupied or claimed by them — bounded and described as follows to wit: Commencing at the source of the Uoh-na-ne-she or Southern Tributary of the Palouse River, thence down that River to the main Palouse; thence in a southerly direction to the Snake River at the mouth of the Sycanon River; thence up the Sycanon to its source in the Blue Mountains; thence southerly along the ridge of the Blue

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Articles of Agreement and Convention made and concluded at the Treaty Ground Camp Stevens, in the Walla Walla valley this Eleventh day of June, in the year one thousand eight hundred and fifty five, by and between Isaac J. Stevens, Governor and Superintendent of Indian Affairs for the Territory of Washington, and Fort Palmer Superintendent of Indian Affairs for Oregon Territory, on the part of the United States, and the undersigned Chiefs, Head men and Delegates of the Nez Percé Tribe of Indians occupying lands lying partly in Oregon, and partly in Washington Territory between the Cascade and Bitter Root Mountains on behalf of and acting for said Tribe, and being duly authorized thereto by them.

It being understood that Superintendent Isaac J. Stevens assumed to treat only with those of the above named Tribe of Indians residing within the Territory of Washington and Superintendent Palmer with those residing exclusively in Oregon Territory.

Article 1.

The said Nez Percé Tribe of Indians hereby cede, relinquish and convey to the United States all their right, title and interest in and to the country occupied or claimed by them bounded and described as follows to wit:

Commencing at the source of the Wok-na-me-she or Southern Tributary of the Palouse River, thence down that River to the main Palouse; thence in a southerly direction to the Snake River at the mouth of the Tucanaw River; thence up the Tucanaw to its source in the Blue Mountains; thence southerly along the ridge of the Blue

mountain; thence to a point on Grand Ronde River midway between Grande Ronde and the mouth of the Wall-lou-hou River; thence along the divide between the waters of the Wall-lou-hou and Powder Rivers, thence to the crossing of Snake River at the mouth of Powder River; thence to the Salmon River fifty miles above the place known the "crossing of the Salmon River"; thence due north to the summit of the Bitter Root mountain; thence along the crest of the Bitter Root mountain to the place of beginning.

Article 11 There is however reserved, from the lands above ceded for the use and occupation of the said State and as a general reservation for other friendly Tribes and bands of Indians in Washington Territory not to exceed the present numbers of the Spokane, Walla-Walla, Cayuse and Lematilla Tribes and bands of Indians, the tract of land included within the following boundaries: to wit:

Commencing where the Moh-ha-na-she a southern tributary of the Palouse River flows from the foot of the Bitter Root mountain; thence down said tributary to the mouth of the Si-nat-pan-up creek, thence southerly to the crossing of the Snake River ten miles below the mouth of the At-po-wa-wi River, thence to the source of the At-po-wa-wi River in the Blue mountain, thence along the crest of the Blue mountain, thence to the crossing of the Grand Ronde River, midway between the Grande Ronde and the mouth of the Wall-lou-hou River, thence along the divide between the waters of the Wall-lou-hou and Powder Rivers, thence to the crossing of the Snake River fifteen miles below the mouth of the Powder River, thence to the Salmon River above the crossing

thence by the spur of the Bitter Root mountain
to the place of beginning.

All which Tracts shall be
set apart and so far as necessary surveyed and
marked out for the exclusive use and benefit of
said Tribe as an Indian Reservation; nor shall
any white man excepting those in the employ-
ment of the Indian Department, be permitted to re-
side upon the said Reservation without permission
of the Tribe and the Superintendent and Agent.
And the said Tribe agrees to remove to and set-
tle upon the same within one year after the ra-
tification of this Treaty. In the meantime it
shall be lawful for them to reside upon any
ground not in the actual claim and occupa-
tion of Citizens of the United States, and upon any
ground claimed or occupied if with the permis-
sion of the owner or claimant.

Guaranteeing, however, the right to
all Citizens of the United States to enter upon
and occupy as settlers any lands not actually
occupied and cultivated by said Indians
at this time, and not included in the Reser-
vation above named. And provided that
any substantial improvement heretofore made
by any Indian such as fields enclosed and
cultivated and houses erected upon the lands
herely ceded, and which he may be compe-
led to abandon in consequence of this Treaty,
shall be valued under the direction of the Pre-
sident of the United States and payment made
therefor in money, or improvements of an equal
value be made for said Indian upon the

Reservation, and no Indian will be required to abandon the improvements aforesaid, now occupied by him, until their value in money or improvement of equal value shall be furnished him as aforesaid.

Article III

And provided, that if necessary for the public convenience roads may be run through the said Reservation, and on the other hand the right of way with free access from the land to the nearest public highway is secured to them, as also the right in common with citizens of the United States, to travel upon all public highways.

The use of the clearwater and other streams flowing through the reservation is also secured to citizens of the United States for rafting purposes, and as public highways.

The exclusive right of taking fish in all the streams ^{where} running through a bordering said Reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places in common with citizens of the Territory; and of erecting temporary buildings for curing; together with the privilege of hunting, gathering Roots and Berries, and pasturing their horses and cattle upon open and unclaimed land.

Article IV

In consideration of the above cession, the United States agree to pay to the said Tribe in addition to the goods and provisions distributed to them at the time of signing this Treaty, the sum of Two hundred thousand dollars in the following manner, that is to say: Sixty thousand dollars to be expended under the direction of the President of the United States the first year after

the ratification of this Treaty, in providing for the removal to the Reserve, breaking up and fencing same building houses, supplying them with provisions and a suitable outfit, and for such other objects as he may deem necessary, and the remainder in annuities as follows - For the first five years after the ratification of this Treaty Ten thousand dollars each year commencing Sept 1st 1856; for the next five years eight thousand dollars each year; for the next five years six thousand dollars each year; and for the next five years four thousand dollars each year.

All which said sum of money shall be applied to the use and benefit of the said Indian under the direction of the President of the United States, who may from time to time, determine at his discretion, upon what beneficial objects to expend the same for them - And the Superintendent of Indian affairs or other proper officer shall each year inform the President of the wishes of the Indians in relation thereto.

Article V

The United States further agree to establish at suitable points within said Reservation, within one year after the ratification hereof, two schools, erecting the necessary buildings, keeping the same in repair, and providing them with furniture, tools and stationery, one of which shall be an agricultural and industrial school, to be located at the Agency and to be free to the children of said Tribe; and to employ one Superintendent of teaching, and two Teachers.

To build two blacksmiths shops, to one of which shall be attached a tin shop, and to the other a gunsmiths shop; one carpenter's shop; one wagon and ploughmakers

shops; and to keep the same in repair, and furnished with the necessary tools: To employ one Superintendent of Farming and two Farmers, two Blacksmiths, one Tinner, one Gunsmith, one Carpenter, one Wagon and Plough-maker, for the instruction of the Indians in Trades, and to assist them in the same: To erect one Saw-mill and one flouring mill, keeping the same in repair and furnished with the necessary tools and fixtures, and to employ two millers: To erect a Hospital keeping the same in repair and provided with the necessary medicines and furniture, and to employ a Physician; and to erect, keep in repair, and provide with the necessary furniture the buildings required for the accommodation of the said employees. The said buildings and establishments to be maintained and kept in repair as aforesaid, and the employees to be kept in service for the period of twenty years.

And in view of the fact that the Head Chief of the Tribe is respected, and will be called upon, to perform many services of a public character, occupying much of his time, the United States further agrees to pay to the Nez. Percé Tribe five hundred dollars per year for the term of twenty years after the ratification hereof, as a salary for such person as the Tribe may select to be its Head Chief. To build for him at a suitable point on the Reservation a comfortable house and property, furnish the same, and to plough and fence for him not less than ten acres of land. The said salary to be paid to, and the said house to be occupied by such Head Chief as long as he may be elected to that position by his Tribe and no longer.

And all the expenditures and

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Expenses contemplated in this V Article of this Treaty shall be defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to said Tribe, nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

Article VI

The President may from time to time, at his discretion, cause the whole, or such portions of such Reservation as he may think proper, to be surveyed into Lots, and assign the same to such individuals or families of the said Tribe, as are willing to avail themselves of the privilege, and will locate on the same at a permanent home, on the same terms and subject to the same regulations as are provided in the Sixth Article of the Treaty with the Omahas in the year 1854, so far as the same may be applicable.

Article VII

The annuities of the aforesaid Tribe shall not be taken to pay the debts of individuals.

Article VIII

The aforesaid Tribe acknowledge their dependence upon the Government of the United States, and promise to be friendly with all Citizens thereof, and pledge themselves to commit no depredations on the property of such Citizens. And should any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of the annuities. And until they make war on any other Tribe except in self defence, they will

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submit all matters of difference between them, and other Indians to the Government of the United States or its Agent, for decision, and abide thereby.

And if any of the said Indians commit any depredations on any other Indians within the Territory of Washington, the same rule shall prevail as that presented in this Article in case of depredations against Citizens. And the said Tribe agrees not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

Article IX

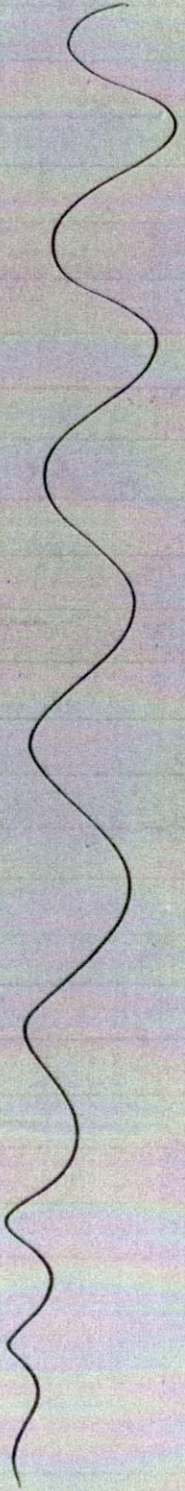
The Nez Perce's desire to exclude from their Reservation the use of ardent spirits, and to prevent their people from drinking the same: and therefore it is provided that any Indians belonging to said Tribe, who is guilty of bringing liquor into said Reservation, or who drinks liquor may have his or her proportion of the annuities withheld from him or her, for such time as the President may determine.

Article X

The Nez Perce Indians having expressed in Council a desire that Wm Craig should continue to live with them, he having uniformly shown himself their friend, it is further agreed that the Space of Land now occupied by him, and described in his notice to the Register and Receiver of the Land Office of the Territory of Washington on the fourth day of June last shall not be considered a part of the Reservation provided for in this Treaty, except that it shall be subject in common with the lands of the Reservation to the operations of the Intercourse Act.

article XI.

This Treaty shall be obligatory upon the Contracting parties as soon as the same shall be ratified by the President and Senate of the United States.



W. H. Weston

The Testimony, whereof the said Isaac J. Stevens
 Governor and Superintendent of Indian Affairs for the
 Territory of Washington, and Joel Palmer Superintendent
 of Indian Affairs for Oregon Territory, and the Chiefs
 Head Men and Delegates of the aforesaid Nez Percé
 Tribe of Indians have hereunto set their hands and seals at
 the place and on the day and year herein before written.


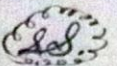
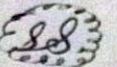

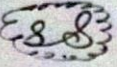
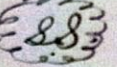



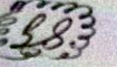
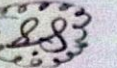
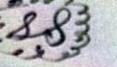
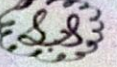
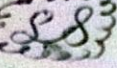
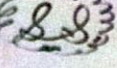
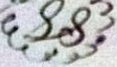
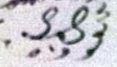
Signed and sealed
 in presence of us


James Doty
 Secty. Treas. U.S.
 Wm. C. McKay
 Secty. Treas. O.T.
 W. H. Daphan
 Sub. Ind. Agent.
 William Craig
 Interpreter
 A. P. Pemberton
 Interpreter
 Wm. McLean
 Geo. C. Bonford
 C. Chirouse. O.T.
 Ab. Ch. Pandoy
 Lawrence Kips
 W. H. Seerson

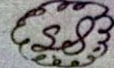
Isaac J. Stevens
 Gov. & Sup. W.T.
 Joel Palmer
 Sup. Ind. Affairs

Albino
 or
 Sawyer
 Head Chief of the Nez Percés
 Appushmahite
 or
 Looking Glass
 Joseph
 James
 Red Wolf
 Timothy
 U. ste. sin. male. cum
 Spotted Eagle

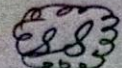
          

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Bead necklode	X	
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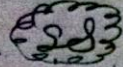
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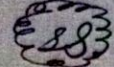
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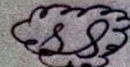
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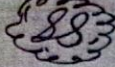
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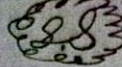
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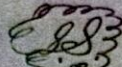
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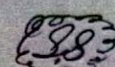
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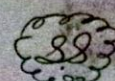
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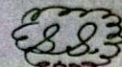
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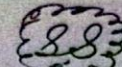
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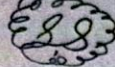
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Wah tass tam manne X 

Pee mee seid X 

Su ee sin kah koo sin X 

Wah lat ee kin X 

Stoop- ^{or} loop-nin	X	SS
But Hair		
Tah-moh-moh-Kin	X	SS
Tappulana- ^{or} pooh	X	SS
Nah-hah- ^{or} stilpilp	X	SS
Cool cool-shua-min	X	SS
Silisk	X	SS
Toh-toh- ^{or} del-erit	X	SS
Tuky-in-lik-it	X	SS
Ti-hole-hole-soot	X	SS
Ish-coh-tin	X	SS
Wee-as-cus	X	SS
Nah-hah-stom-tee	X	SS
Eee-matt-sui-pook	X	SS
Tow-mish-aw-il-peep	X	SS
Kay-kay-mass	X	SS
Speaking Eagle	X	SS
Wah-ti-wah-ti-wah-hi	X	SS