



## Plenary Power and the Fort Bridger Treaty of 1868 (Grade 8)

**Description:** Students will read the *Fort Bridger Treaty of 1868* and identify the parameters of the agreement. Then, students will read the WyoHistory article, *The Arapaho Arrive: Two Nations, One Reservation* about the arrival of the Arapaho on the Wind River and identify areas where the treaty was broken. Students will discuss the concept of *plenary power* and how the US Government historically did not honor agreements made with the Native Americans.

### **Materials:**

-Texts:

*Fort Bridger Treaty of 1868*

<http://www.sbtribes.com/fort-bridger-treaty/>

*The Arapaho Arrive: Two Nations, One Reservation*

<https://www.wyohistory.org/encyclopedia/arapaho-arrive-two-nations-one-reservation>

-Discussion Questions

### **Procedure:**

1. Discuss with students the concept of Plenary Power, complete power over an area with no limitations. Set the stage for today's activity, telling students that they are going to be looking at an example of the relationship between Native Americans and the US Government.
2. Divide students into pairs or small groups to read, *Fort Bridger Treaty of 1868*. Encourage students to annotate the text, identifying promises made to the Eastern Shoshone and Bannock peoples in this treaty.
3. Next, have students read *The Arapaho Arrive: Two Nations, One Reservation* and identify areas of the treaty that were broken when the Arapaho people were introduced to the Wind River Reservation.
4. Have students discuss in their pairs or small groups the following questions:
  - a. What promises were made to the Eastern Shoshone and Bannock peoples in the Fort Bridger Treaty of 1868?
  - b. In what ways were the promises of this treaty violated?
  - c. What promises had been made to the Northern Arapaho people? Were these agreements honored?
  - d. What effect do you think these treaties (and broken promises) had on the development of the western United States?
  - e. Do you think the US Government exercised any plenary power? Why?
5. Reconvene class for a group discussion around the relationship between Native Americans and the US Government and how those shaped the development of the nation.



# FORT BRIDGER TREATY WITH THE EASTERN BAND SHOSHONI AND BANNOCK, 1868

July 3, 1868. | 15 Stat., 673. | Ratified Feb. 26, 1869. | Proclaimed Feb. 24, 1869.

Articles of a treaty made and concluded at Fort Bridger, Utah Territory, on the third day of July, in the year of our Lord one thousand eight hundred and sixty-eight, by and between the undersigned commissioners on the part of the United States, and the undersigned chiefs and head-men of and representing the Shoshonee (eastern band) and Bannack tribes of Indians, they being duly authorized to act in the premises:

## ARTICLE 1

From this day forward peace between the parties to this treaty shall forever continue. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they hereby pledge their honor to maintain it.

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs, at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also re-imburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, on proof made to their agent and notice by him, deliver up the wrong-doer to the United States, to be tried and punished according to the laws; and in case they wilfully refuse so to do, the person injured shall be re-imbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States.



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And the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damages shall be adjusted and paid until thoroughly examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating or because of his violating the provisions of this treaty or the laws of the United States, shall be reimbursed therefor.

## ARTICLE 2

It is agreed that whenever the Bannacks desire a reservation to be set apart for their use, or whenever the President of the United States shall deem it advisable for them to be put upon a reservation, he shall cause a suitable one to be selected for them in their present country, which shall embrace reasonable portions of the "PortNeuf" and "Kansas Prairie" countries, and that, when this reservation is declared, the United States will secure to the Bannacks the same rights and privileges therein, and make the same and like expenditures therein for their benefit, except the agency-house and residence of agent, in proportion to their numbers, as herein provided for the Shoshonee reservation. The United States further agrees that the following district of country, to wit: Commencing at the mouth of Owl Creek and running due south to the crest of the divide between the Sweet-water and Papo Agie Rivers; thence along the crest of said divide and the summit of Wind River Mountains to the longitude of North Fork of Wind River; thence due north to mouth of said North Fork and up its channel to a point twenty miles above its mouth; thence in a straight line to head-waters of Owl Creek and along middle of channel of Owl Creek to place of beginning, shall be and the same is set apart for the absolute and undisturbed use and occupation of the Shoshonee Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons except those herein designated and authorized so to do, and except such officers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article for the use of said Indians, and henceforth they will and do hereby relinquish all title, claims, or rights in and to any portion of the territory of the United States, except such as is embraced within the limits aforesaid.



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## ARTICLE 3

The United States agrees, at its own proper expense, to construct at a suitable point of the Shoshonee reservation a warehouse or store-room for the use of the agent in storing goods belonging to the Indians, to cost not exceeding two thousand dollars; an agency building for the residence of the agent, to cost not exceeding three thousand; a residence for the physician, to cost not more than two thousand dollars; and five other buildings, for a carpenter, farmer, blacksmith, miller, and engineer, each to cost not exceeding two thousand dollars; also a school-house or mission building so soon as a sufficient number of children can be induced by the agent to attend school, which shall not cost exceeding twenty-five hundred dollars.

The United States agrees further to cause to be erected on said Shoshonee reservation, near the other buildings herein authorized, a good steam circular-saw mill, with a grist-mill and shingle-machine attached, the same to cost not more than eight thousand dollars.

## ARTICLE 4

The Indians herein named agree, when the agency house and other buildings shall be constructed on their reservations named, they will make said reservations their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right to hunt on the unoccupied lands of the United States so long as game may be found thereon, and so long as peace subsists among the whites and Indians on the borders of the hunting districts.

## ARTICLE 5

The United States agrees that the agent for said Indians shall in the future make his home at the agency building on the Shoshonee reservation, but shall direct and supervise affairs on the Bannack reservation; and shall keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint by and against the Indians as may be presented for investigation under the provisions of their treaty stipulations, as also for the faithful discharge of other duties enjoined by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his finding, to the Commissioner of Indian Affairs, whose decision shall be binding on the parties to this treaty.



## ARTICLE 6

If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within the reservation of his tribe, not exceeding three hundred and twenty acres in extent, which tract so selected, certified, and recorded in the "land-book," as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above described. For each tract of land so selected a certificate, containing a description thereof, and the name of the person selecting it, with a certificate indorsed thereon that the same has been recorded, shall be delivered to the party entitled to it by the agent, after the same shall have been recorded by him in a book to be kept in his office subject to inspection, which said book shall be known as the "Shoshone (eastern band) and Bannack land-book."

The President may at any time order a survey of these reservations, and when so surveyed Congress shall provide for protecting the rights of the Indian settlers in these improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property as between Indians, and on all subjects connected with the government of the Indians on said reservations, and the internal police thereof, as may be thought proper.



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## ARTICLE 7

In order to insure the civilization of the tribes entering into this treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians and faithfully discharge his or her duties as a teacher. The provisions of this article to continue for twenty years.

## ARTICLE 8

When the head of a family or lodge shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid in value twenty-five dollars per annum.

And it is further stipulated that such persons as commence farming shall receive instructions from the farmers herein provided for, and whenever more than one hundred persons on either reservation shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be required.



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## ARTICLE 9

In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under any and all treaties heretofore made with them, the United States agrees to deliver at the agency-house on the reservation here in provided for, on the first day of September of each year, for thirty years, the following articles, to wit:

For each male person over fourteen years of age, a suit of good substantial woollen clothing, consisting of coat, hat, pantaloons, flannel shirt, and a pair of woollen socks; for each female over twelve years of age, a flannel skirt, or the goods necessary to make it, a pair of woollen hose, twelve yards of calico; and twelve yards of cotton domestics.

For the boys and girls under the ages named, such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of woollen hose for each.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimate from year to year can be based; and in addition to the clothing herein named, the sum of ten dollars shall be annually appropriated for each Indian roaming and twenty dollars for each Indian engaged in agriculture, for a period of ten years, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper. And if at any time within the ten years it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the tribes herein named, Congress may by law change the appropriation to other purposes; but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall annually detail an officer of the Army to be present and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery.



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## ARTICLE 10

The United States hereby agrees to furnish annually to the Indians the physician, teachers, carpenter, miller, engineer, farmer, and blacksmith, as herein contemplated, and that such appropriations shall be made from time to time, on the estimates of the Secretary of the Interior, as will be sufficient to employ such persons.

## ARTICLE 11

No treaty for the cession of any portion of the reservations herein described which may be held in common shall be of any force or validity as against the said Indians, unless executed and signed by at least a majority of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive without his consent, any individual member of the tribe of his right to any tract of land selected by him. as provided in Article 6 of this treaty.

## ARTICLE 12

It is agreed that the sum of five hundred dollars annually, for three years from the date when they commence to cultivate a farm, shall be expended in presents to the ten persons of said tribe who, in the judgment of the agent, may grow the most valuable crops for the respective year.



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## ARTICLE 13

It is further agreed that until such time as the agency-buildings are established on the Shoshonee reservation, their agent shall reside at Fort Bridger, U. T., and their annuities shall be delivered to them at the same place in June of each year.

N. G. Taylor, [SEAL.]  
W. T. Sherman, [SEAL.]  
····Lieutenant-General.  
Wm. S. Harney, [SEAL.]  
John B. Sanborn, [SEAL.]  
S. F. Tappan, [SEAL.]  
C. C. Augur, [SEAL.]  
Brevet Major-General, U. S. Army, Commissioners.  
Alfred H. Terry, [SEAL.]  
Brigadier-General and Brevet Major-General, U. S. Army.  
Attest:  
A. S. H. White, Secretary.  
Page 1024  
····Shoshones:  
Wash-a-kie, his x mark.  
Wau-ny-pitz, his x mark.  
Toop-se-po-wot, his x mark.  
Nar-kok, his x mark.  
Taboonshe-ya, his x mark.  
Bazeel, his x mark.  
Pan-to-she-ga, his x mark.  
Ninny-Bitse, his x mark.  
····Bannacks:  
Taggee, his x mark.  
Tay-to-ba, his x mark.  
We-rat-ze-won-a-gen, his x mark.  
Coo-sha-gan, his x mark.  
Pan-sook-a-motse, his x mark.  
A-wite-etse, his x mark.  
Witnesses:  
Henry A. Morrow,  
Lieutenant-Colonel Thirty-sixth Infantry and  
Brevet Colonel U. S. Army. Commanding Fort Bridger.  
Luther Manpa, United States Indian agent.  
W. A. Carter.  
J. Van Allen Carter, interpreter.



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## The Arapaho Arrive: Two Nations on One Reservation

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Published: June 23, 2018

In the spring of 1878, about 950 Northern Arapaho people arrived with an Army escort on the Eastern Shoshone Reservation in the **Wind River Valley** in central **Wyoming Territory**. The two tribes had been in open warfare as recently as four years before, and bad feelings lingered between them.

Ten years earlier, in 1868, the U.S. government had promised the Northern Arapaho a reservation of their own. Some Northern Arapaho at that time had agreed, reluctantly, that they might be willing to settle in one of three places: on the Missouri River with the Lakota Sioux, on the **Yellowstone** with the Crow or in Indian Territory—present Oklahoma—with their southern **Cheyenne** and Arapaho relatives.

Neither locating with their old enemies, the Crow, nor with the Lakota, who were much more numerous and powerful, held much attraction for the Arapaho, however. And Indian Territory was hot, flat and too far from the country of the northern plains and mountains that the Northern Arapaho knew best.

Traders since earliest times, they had always moved about more than many other Plains tribes. In the years after the Treaty of **Fort Laramie** of 1868, they kept moving, while the Army and the government, busy with other questions, left the question of an Arapaho homeland unresolved.

It would remain unresolved for ten more years, until the government located the Northern Arapaho a reservation guaranteed earlier exclusively to the Shoshone. Members of both tribes still reside on the Wind River Reservation, as the reservation was officially renamed in the 1930s.

### Life on the northern plains

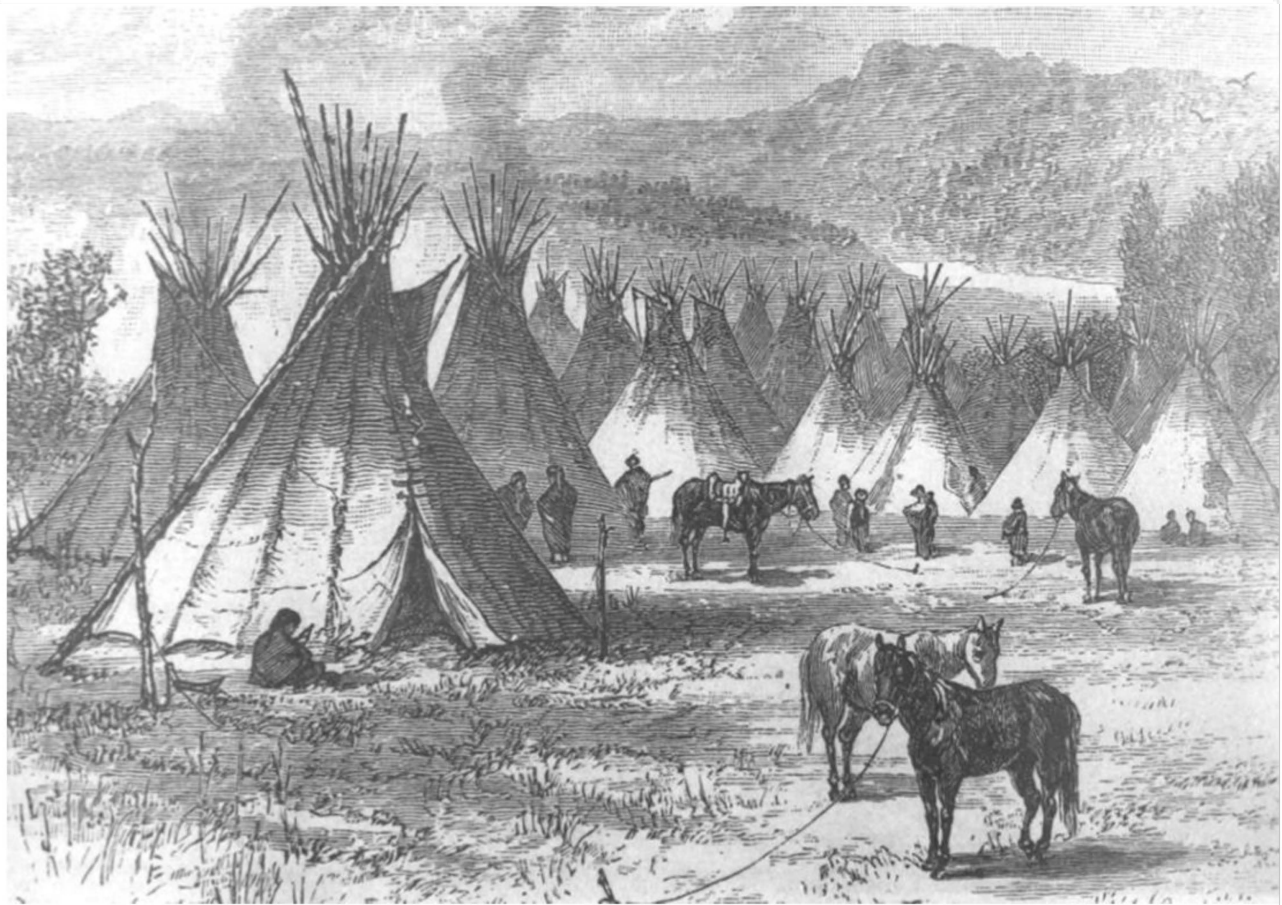
Ethnohistorians say the Arapaho people, under pressure from the north and east, moved out of northern plains and woodlands and crossed the Missouri River sometime in the mid-1700s, though Arapaho tradition places this event much earlier.

By 1806, white chroniclers recorded Arapaho people as far south as the Arkansas River in present southern Colorado; by the 18-teens, southern bands had congregated in that region, while northern Arapaho bands were ranging north from the mountain parks of Colorado, west of modern places like Fort Collins and Boulder. Northern Arapaho elders who live on the Wind River Reservation today say they still regard those parts of the northern Colorado plains and mountains as their spiritual and historic homeland.<sup>[1]</sup>



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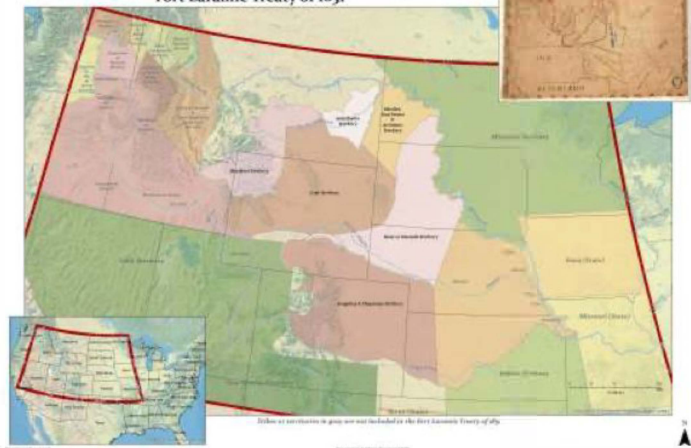


Harper's Monthly magazine published this image of an Arapaho village in March 1880--two years after the Northern Arapaho arrived on Wind River to stay. Wyoming State Archives.

When Fort Laramie on the **North Platte River** and Bent's Fort on the Arkansas were established in the 1830s along the Rocky Mountain Front, Arapaho and Cheyenne people began trading at the forts. North-south divisions within the two tribes became more permanent: Northern Arapaho and Northern Cheyenne traded at Fort Laramie; Southern Arapaho and Southern Cheyenne traded at Bent's Fort, in what is now southeastern Colorado.

In the 1840s, emigrant travel to Oregon, Utah and California swelled from a trickle to a flood. The Oregon Trail up the Platte, North Platte and Sweetwater rivers to the Continental Divide passed through the middle of northern Arapaho ranges and quickly began changing their lives. By the middle of the decade, it was already clear that emigrants and their livestock were to blame for the shrinking buffalo herds. Arapaho people told traveler and writer Lewis Garrard that "the white man was bad, that he ran the buffalo out of the country and starved the Arapahoes." As resources dwindled, conflict and warfare among the plains tribes rose sharply.

Tribal Territories on Father De Smet's Map for the Fort Laramie Treaty of 1851



In the Fort Laramie Treaty negotiations of 1851, Father de Smet drew a map (upper right) assigning different lands to different tribes. Cheyenne and Arapaho lands lay east of the Continental Divide between the North Platte and Arkansas rivers. These lands shrank drastically in 1861 to a small reservation near the Arkansas River in southeastern Colorado Territory. At treaty negotiations at Fort Laramie in 1868, the Northern Arapaho were promised a future reservation but no place for it was located. Danielle Murphy. [Click to enlarge](#)





Then gold was discovered in California and trails traffic swelled by a factor of ten. With the buffalo more scattered, the tribes needed horses more than ever. Lakota, Cheyenne and Arapaho warriors began raiding the trails, especially for horses and mules.

Hoping to avoid conflict, yet at the same time aware the West was far too large to be militarily controlled, government officials decided it was time to make a treaty with the tribes of the northern plains.[2]

### **Arapahos and the Fort Laramie Treaty of 1851**

In September 1851, about 10,000 Indians gathered near Fort Laramie to negotiate. Under the treaty signed that month, the tribes of the northern plains would allow the United States to establish Army posts and make roads through Indian territory. They also agreed to the government's proposal to assign specific lands to specific tribes, as shown on a map drawn at the time by the Jesuit Catholic missionary Father P.J. de Smet. Tribes were allowed to live and hunt wherever they liked—on their lands or others—as long as they remained peaceful.

Lands north of the Arkansas River, east of the Continental Divide and south of the North Platte River were assigned jointly to the Arapaho and Cheyenne. (See map). This included most of what is now eastern Colorado plus large parts of southeastern Wyoming, western Nebraska and western Kansas.

In return, the government promised the tribes annual payments of \$50,000 in goods, for 50 years. The U.S. Senate ratified the treaty in 1852, the year following the signing, but with an important amendment. The payments—annuities, they were called—would last only ten years, or 15 if the president chose to extend the term.[3]

Already, that is, the government seemed not to be taking the treaty seriously. **War broke out** between the Army and the Lakota just three years later.

### **A gold strike**

In 1858, prospectors found gold near what is now Denver, right in the middle of the lands allocated to the Arapaho and Cheyenne by the Fort Laramie treaty. Within three years, 100,000 or more gold seekers and other whites poured in to what soon became Colorado Territory. Along the trails, conflict grew and intensified.

This influx of newcomers widened the old geographical divisions between northern and southern bands of Arapaho and Cheyenne people. Northern bands moved from the Colorado Front Range to the plains north of the North Platte River. Others stayed south, toward the Arkansas.

### **A treaty for the southern Cheyenne and Arapaho**

In 1861, representatives of some of the southern bands signed a treaty at Fort Wise on the Arkansas ceding all the land promised them in 1851 in exchange for a small reservation between the Arkansas and a nearby tributary, Sand Creek. Many other Cheyenne and Arapaho people complained at the time that only a minority of chiefs had signed, however, and that many of them did not understand what they were signing. No Northern Arapaho chiefs signed the treaty.[4]

### **Sand Creek, more raids and an Army campaign**

Late in 1864, Colorado troops massacred around 200 people, most of them women and children, in a peaceful Cheyenne and Arapaho village on Sand Creek. Shocked and angry, Cheyenne, Arapaho and Lakota people began making war in earnest along the trails.

In the winter and spring of 1865, **southern bands moved north** to the **Powder River** Basin of what's now Wyoming and Montana, still rich in buffalo. That July they **attacked the Army post** at Platte Bridge on the North Platte River; two dozen soldiers were killed that day.

By this time, there were three main bands of what would become known as the Northern Arapaho. Friday, a leader who had learned English in his youth, led an Arapaho band in the Cache la Poudre country around what is now Fort Collins, in northern Colorado. Medicine Man was a longtime leader of a group on the North Platte and Sweetwater ranges, where the buffalo hunting was good. His group sometimes came into conflict with Eastern Shoshone bands. Arapaho people led by Black Bear married frequently among the Lakota and ranged in the **Powder River Basin**, from the North Platte to the Bighorns and east to the Black Hills. As hostilities increased, most of Friday's people joined the other two bands.[5]

In August 1865 the Army mounted a large campaign; one brigade attacked Black Bear's band in a village in the Powder River Country. **The attack** devastated the Northern Arapaho. They were a small tribe of only 180 lodges—perhaps 1,100 people in all the bands combined, at a



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Arapaho interpreter and band leader Friday, late in his life around 1880. Friday, who knew English from a few years in school in St. Louis in his youth, played an important part in most government negotiations with the Arapaho during the mid-1800s. Wyoming State Archives.

time when smallpox and cholera were also spreading among them. After the attack, the Northern Arapaho could no longer raise large war parties.[6]

### Red Cloud's War and a second Fort Laramie Treaty

Warfare continued to increase, especially along the **Bozeman Trail**, a new route from the Oregon Trail through the Powder River Basin to gold fields in Montana. The troubles came to be called Red Cloud's war, after the Oglala Lakota war leader; Capt. **William Fetterman** and his 80-man command were **all killed** in December 1866. **Another fight nearby** ended in a draw the following summer.

In the East, in the wake of the Sand Creek massacre and now the Fetterman fight, a peace faction had begun to emerge in Congress. The West, crisscrossed by stage lines, freight caravans, steamboat traffic on the Missouri and now a fast-building **transcontinental railroad**, was changing fast.

Early in 1868, government peace commissioners contacted the warring tribes. Commissioners paid Friday \$315 to contact the Northern Arapaho bands with a clear ultimatum: Sign a treaty or there would be no more provisions.[7] On May 10, 1868, 150 lodges of Northern Cheyenne and Northern Arapaho met the commissioners at Fort Laramie to sign a treaty.

Signing for the Northern Arapaho were Medicine Man, Black Bear, Little Wolf, Littleshield and Sorrel Horse. Spotted Tail signed for the Brule Lakota, but no other important Lakota leaders signed that spring and summer. Finally, in November, the Oglala Lakota leaders signed **the document** as well.

A large reservation for the Lakota would be set aside on the west side of the Missouri River in Dakota Territory—the western half of present South Dakota—and the tribes, including the Arapaho, could continue to hunt in the Powder River Basin.

The Arapaho agreed to settle within a year at one of three places: on the Missouri with the Lakotas, on the Yellowstone River in Montana Territory with the Crows or in Indian Territory—present Oklahoma—with their southern Cheyenne and Arapaho relatives.

This time, the government agreed to provide annuity goods for 30 years, plus schools, farm equipment and rations for Indians who settled permanently on the reservations.

But the Northern Arapaho, who disliked all three reservation alternatives offered them, continued to hope the government would find them a reservation of their own.[8]

### The Shoshone Reservation

Also in the 1860s, the U.S. government negotiated **two treaties with the Eastern Shoshone people** that resulted in their coming to live in Warm Valley—the valley of the Big Wind River and its tributaries—in what is now west-central Wyoming.

The first treaty, signed in 1863, outlined a sprawling Eastern Shoshone homeland of around 44 million acres on both sides of the Continental Divide. The second treaty, signed in 1868, shrank this to a far smaller reservation of around 3.2 million acres, with its heart in the Wind River Valley. The new reservation, according to the treaty, was established “for the absolute and undisturbed use and occupation of the Shoshone Indians herein named ...”



The Brunot Cession, ratified by Congress in 1874, ceded nearly a third of the new Shoshone Reservation on Wind River to white miners and ranchers, four years before the Arapaho arrived. Wyoming Geographic Information Science Center. Click to enlarge.

And in 1867, meanwhile, gold was discovered near **South Pass**, near the southern edge of what soon would become the reservation. Unlike most reservations, therefore, the new one at Wind River at the time it was established had far more white people than native people living on it year-round. One historian estimates as many as 5,000 people lived in the gold-mining camps around South Pass and in the Wind River Valley 40 miles north, where whites were beginning to raise crops and livestock to feed the miners.[9]

Eastern Shoshone bands continued to live and hunt widely for another year or two before moving to the new reservation year-round.

In 1869, the new Wyoming Territory's first governor and Indian superintendent arrived in Cheyenne. **John Campbell** wanted the Eastern Shoshones to abandon their nomadic lives and settle on the reservation.

Washakie, the leader of the Eastern Shoshones, was reluctant to move too quickly, however. He insisted the Eastern Shoshones be allowed to continue their old pattern of summers on Wind River and winters at **Fort Bridger**, where they could continue to receive their annuity goods.

### **Arapahos head to Wind River—the first time**

Meanwhile, Northern Arapaho band leaders Medicine Man and Black Bear continued to press the government for a solution. They suggested a possible reservation on the North Platte River in Wyoming Territory near the old Platte Bridge, where an Army post had recently been abandoned. Government agents suggested they instead join their ethnic cousins the Gros Ventres on Milk River in northern Montana Territory. One hundred sixty lodges of Arapaho people spent the winter of 1868-1869 there, but a smallpox outbreak sent them on their way again in the spring.

The Arapaho chiefs had their eyes on Wind River and were hoping for some kind of accommodation with the Eastern Shoshone, their traditional enemies. Looking for a solution, Gov. Campbell and U.S. Army Gen. Christopher Augur set up a meeting for Washakie with Arapaho leaders Friday, Medicine Man and Sorrel Horse for October 1869.

### **A skeptical Washakie**

When the Arapahos arrived, however, Washakie was off hunting in the Bighorns, probably an indication of his doubts about Arapahos moving to Wind River. Four months later, in February 1870, Arapahos Medicine Man, Black Bear, Sorrel Horse, Little Wolf and Knock Knees came for a second meeting. This time, according to Arapaho tradition, the Shoshones agreed for the Arapahos to settle—temporarily—on Wind River. Many Shoshones today say there was no such agreement at that time.

### **Arapaho arrival and retreat**

Northern Arapaho people began arriving in March. Soon, white settlers blamed them for Indian attacks that killed seven miners. On March 31 a mob of 250 white vigilantes, together with some Shoshones, attacked two groups of Arapaho moving from their camp on Wind River to trade in nearby Lander. About a dozen Arapahos were killed, including Black Bear.

Relations between the two tribes quickly deteriorated. The Arapaho began to leave. Medicine Man went to **Fort Fetterman** on the North Platte, and with the help of the trader and the post commander they convinced Territorial Gov. Campbell that Arapaho warriors had played no part in the recent attacks on the miners.[10]

The Eastern Shoshone, meanwhile, drew their annuity goods on Wind River for the first time that fall of 1870. Indian agents on the new reservation—the job turned over frequently—did little to curb the activities of the white miners, farmers and stock raisers who were now living illegally on Indian land.

### **The Brunot Cession**

At the same time, the agents and Gov. Campbell began considering the idea of detaching the southern third or so of the reservation.

Under the terms of the Brunot Cession, negotiated in 1872 and ratified by Congress in 1874, the Eastern Shoshone tribe gave up around 700,000 acres—the valley of the Popo Agie River and areas around the town of Miner's Delight near South Pass. (See map.) In return, they received promises of \$20,000 worth of cattle and \$5,000 in cash, to be paid in annual installments over five years.

Cattle deliveries were slow in coming, however. And whites began taking up land in the ceded portions long before Congress finalized the deal. The local white economy began growing away from mining toward farming and ranching. The gold mines were about played out anyway. [11]



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Arapaho leaders, front, left to right, White Horse, Black Coal, Little Wolf; rear, Iron, left, and Sharp Nose, with James Irwin, ca. 1881. Irwin served as Indian Agent on the Shoshone Reservation in the early 1870s, when he negotiated the Brunot Cession, and again in the early 1880s after the Arapaho had arrived. Wyoming State Archives.

Army scouts—plus 60 cavalry troopers under Capt. Alfred E. Bates from Camp Brown on the Wind River Reservation attacked an Arapaho village on what has since been named Bates Creek, in the mountains between the Bighorn and Wind River basins. Arapaho men managed to gather at the top of a cliff, fire down on the attackers and drive them off. But many of the lodges were destroyed, 200 horses were stolen and, the Army estimated later, about 24 Arapaho people were killed.[13]

Though the soldiers and Shoshone warriors counted the fight a victory, by further impoverishing the Northern Arapaho the battle led to a series of events that ended up limiting Shoshone control over the lands the **Fort Bridger Treaty** had guaranteed them back in 1868.

### The loss of the Black Hills

By this time, the buffalo supply was shrinking fast, the old ways of the tribes were steadily becoming more difficult to sustain and the U.S. government was turning up the pressure.

In the summer of 1874, Lt. Col. George A. Custer led an expedition of 1,000 troops through the Black Hills of Dakota and Wyoming territories and found gold.

In 1875, the Oglala Lakotas relocated to a new Red Cloud Agency and the Brules to a new Spotted Tail Agency, both in northwestern Nebraska.

### Northern Arapaho on the Move

By the winter of 1870-1871, the Northern Arapaho had left Wind River and were hunting in the Powder River Basin. Game was scarce, however. Friday's band had joined the other Northern Arapahos by this time. With Friday as interpreter, the Arapaho leaders continued to cultivate friendships with Army officers, in hopes of winning their support for a new reservation.

In March 1871, Medicine Man, Friday, Littlesield and a new Arapaho leader named Black Coal agreed to draw their annuity goods with the Oglala Lakota at the Red Cloud Agency near Fort Laramie. But the Oglala treated them condescendingly. The Arapaho stayed out in the Powder River country as much as possible, despite the dwindling buffalo supply.

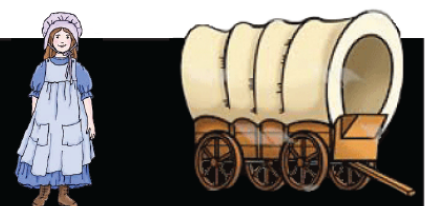
### A raid on Trout Creek

At the same time, Lakota, Cheyenne and most likely some Arapaho warriors continued, from time to time, to raid white and Shoshone people on Wind River. In 1872, a large raiding party attacked a Shoshone camp on Trout Creek, near the Indian agency. Shoshones scouts knew the raiders were coming, however, and sent the women and children up into the foothills of the Wind River Range to the west, for safety. Then they dug rifle pits inside their lodges, rolled up the bottom edges of their tipis and thus were able to fire out at the approaching raiders from solid defensive positions. The raiders were driven off. "We like to think we chased them all the way to **Casper**," meaning, where Casper is now, 150 miles to the east, Shoshone elder John Washakie says.[12]

In the summer of 1874, in apparent reprisal for Arapaho raids, about 160 Shoshone warriors—30 of them enlisted as



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Northern Cheyenne and Northern Arapaho people, still lacking an agency or reservation of their own, mingled with the Oglalas at Red Cloud Agency. Rations there were poor, the annuity flour was so bad the Indians sold it for horse feed and some Arapaho children starved to death. Arapahos near Fort Fetterman killed and ate their horses and begged at the post.[14]

The next year, the government began pressing the Lakota to sell the Black Hills. Among the Oglala, Red Cloud and others were ready to sign; Crazy Horse stayed out in the Powder River country and refused. In 1876, Army campaigns against the resisters resulted in the death of Custer and 267 of his men that June at the Little Bighorn.

Government officials began pressing even harder on the tribes at the Red Cloud Agency for sale of the Black Hills. All were reluctant, but again it came down to an ultimatum: Sign or starve. Together with the Lakota and the Northern Cheyenne, the Northern Arapaho signed a document in September giving up their claims to the Black Hills. They agreed to settle with the Lakota near Fort Randall on the Missouri River in southern Dakota Territory—or to head south to Indian Territory.[15]

### Shoshone and Arapaho scouts in the Great Sioux War

As the so-called Great Sioux War—of which Custer’s campaign was only a part—was conducted by the Army in 1876 in the Powder River Basin, meanwhile, young Shoshone men from their reservation and young Arapaho men from the Red Cloud Agency realized that scouting for the generals offered both an honorable occupation and food for their families.

About 120 Shoshone warriors, led by Wisha, Nawkee and Luishaw, joined Gen. **George Crook** as scouts in his drive that ended at the Battle of the Rosebud, shortly before the Custer disaster. The Shoshone scouts received Army rations; while they were away, their families drew food rations from Army stores at Camp Brown.

For their part, Arapaho leaders still hoped that by cultivating friendships with officers they might yet find Army support for a reservation of their own.

As a result, both Shoshone and Arapaho scouts, together with 100 Pawnees and a few Lakota, were all with Gen. Crook during a campaign in November 1876 when his troops **attacked a large Cheyenne camp under Dull Knife** on the headwaters of Powder River. The Army pursued the remaining Oglala and Cheyenne bands through the winter. The following spring, all came in to the Lakota agencies. The wars of the northern plains were essentially over.[16]

The Northern Arapahos, however, still had no reservation.

### The Northern Arapaho arrival on Wind River

According to the Arapahos, Gen. Crook in 1877 agreed to help them find a reservation on Tongue River, near the northern end of the Powder River Basin. Nothing would come of that, but other Army officers also pushed for a place for them north of the North Platte.

In September 1877, Friday, Black Coal, Sharp Nose and 16 Lakotas, including Red Cloud and Spotted Tail, traveled to Washington, D.C., to meet with President Rutherford B. Hayes and Interior Secretary Carl Schurz.

Black Coal made an eloquent plea for a home for the Northern Arapaho. “You ought to take pity on us and give us good land, so that we can remain upon it



*Sharp Nose, shown here in his Army uniform, led the Arapaho scouts with Gen. George Crook in 1876 in some of the last campaigns of the Indian Wars. Northern Arapaho leaders hoped good relations with the Army would bring them a reservation of their own. It didn't work out that way. American Heritage Center.*

and call it our home,” he said to the president, the secretary and a group of Army officers.[17]

Hayes approved a temporary location for the Arapaho that winter on the Sweetwater—on the route they would need to travel from the Red Cloud Agency to Wind River. By this time, James Irwin, agent on Wind River at the time of the Brunot Cession, was now agent at the Red Cloud Agency. The Indian Bureau sent him to Wind River to talk with Washakie. According to Wind River Reservation farmer Fin Burnett, Shoshone leaders Washakie, Norkok, Wahwannabiddie, Moonhabe and Wesaw agreed to make peace with the Arapahos and to allow them a place—just temporarily—on their reservation.[18]

At Red Cloud Agency in Nebraska in the fall of 1877, the 950 or so Northern Arapahos were issued 155 cattle to feed them on their journey. They left Oct. 31. They arrived at Fort Fetterman on the North Platte on Nov. 13; by Nov. 18, they had killed and eaten all the cattle. Gen. Crook approved an issue of guns and ammunition to the men so that they could hunt. They continued moving and spent the coldest months of the winter near the Sweetwater-North Platte confluence, in the country around **Independence Rock**.

On March 18, 1878, 21 Arapaho lodges under Black Coal’s leadership arrived, with a military escort, on the Shoshone Reservation on Wind River and camped two days’ travel from the agency headquarters at Camp Brown.

Reluctantly, Shoshone Reservation Agent James Patten issued rations for the Arapaho. Within a few weeks, leaders of both tribes met informally. Patten reported the Shoshone continued to object, but were willing accept the Arapaho, for now. Both tribes continued to hope for a meeting with Gen. Crook—and a better solution. By May, most of the rest of the Arapaho had arrived on Wind River.[19]

“Thus began,” writes ethnohistorian Loretta Fowler about the Northern Arapaho, “a struggle to subsist on short rations, to counter the Shoshones’ efforts to have them removed, and to resist the government’s attempts to undermine tribal institutions.[20]” As for the Eastern Shoshones, they too faced a short food supply and government pressure against their traditions—and they were now forced to share their reservation with these newcomers, their enemies in warfare only a few years earlier, whether they liked it or not.

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*Arapaho Chief Black Coal, who traveled to Washington, D.C. in 1877 with Friday, Sharp Nose and other leaders to plead with the president for a reservation for the Northern Arapaho. Wyoming State Archives.*







An undated photo of an Arapaho village on Little Wind River on the Shoshone Reservation. The mix of tents, tipis and wagons suggests the photo may be from the late 1800s. Wyoming State Archives.

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### Illustrations

- The photo of Sharp Nose in uniform is from the [American Heritage Center](#) at the University of Wyoming. Used with permission and thanks.
- All other photos are from the collections of the [Wyoming State Archives](#) in Cheyenne. Used with permission and thanks.
- The map showing Father de Smet’s original map and a contemporary map of the lands assigned tribes in the Fort Laramie **Treaty of 1851** was prepared by former Casper College GIS student Danielle Murphy. Used with thanks.
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[1]“Arapaho elders ... say they still regard...” Crawford and Nelson White conversations with WyoHistory.org editor Tom Rea, Fort Washakie, Wyo., September, November 2017.

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[17]Fowler, 65.

[18]Stamm, 129.

[19]Fowler, 63-67; Stamm, 128-129; John Washakie, email to WyoHistory.org Editor Tom Rea, June 13, 2018.

[20]Fowler, 67.

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## Key Dates

### March 18, 1878

Northern Arapaho people arrive to live on the Eastern Shoshone Reservation on [Wind River](#).







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# Plenary Power and the Fort Bridger Treaty of 1868 (Grade 8)

## Discussion Questions

1. What promises were made to the Eastern Shoshone and Bannock peoples in the Fort Bridger Treaty of 1868?
2. In what ways were the promises of this treaty violated?
3. What promises had been made to the Northern Arapaho people? Were these agreements honored?
4. What effect do you think these treaties (and broken promises) had on the development of the western United States?
5. Do you think the US Government exercised any plenary power? Why?

