

MY BROTHER THE BUFFALO:  
DOCUMENTATION OF  
THE 1999 BUFFALO WALK  
AND THE CULTURAL SIGNIFICANCE  
OF YELLOWSTONE BUFFALO  
TO THE LAKOTA SIOUX AND NEZ PERCE  
PEOPLES

**A DRAFT REPORT**

Prepared for the  
National Park Service,  
Yellowstone National Park

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***“Things in time will heal.***

***The people have to heal.***

***They have to understand what’s happening,***

***not just to the buffalo,***

***to the native people and to Mother Earth...***

***The truth has to be heard [so that] healing begins.”***

—Ken Painte (Standing Rock Sioux Tribe elder),

in Painte and Silk 2007



## ABSTRACT

This study was prepared for the National Park Service to serve as documentation of the cultural significance of Yellowstone buffalo to two American Indian cultural groups, the Nez Perce and the Lakota Sioux, and of the 1999 Buffalo Walk and accompanying ceremony that took place within the boundary of the park. Both Lakota Sioux and Nez Perce peoples had leadership roles in the Buffalo Walk, which was a benchmark event in the history of the park and of Yellowstone buffalo management. Participants in the Buffalo Walk walked and rode more than 500 miles from Rapid City, South Dakota to the north gate of the park to honor and attract attention to the situation faced by the Yellowstone buffalo herd. This study documents the involvement of Lakota Sioux and Nez Perce peoples in this important event in park history and provides context for this involvement through the discussion of the historic and contemporary significance of Yellowstone buffalo to the cultures of these two groups.



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Without the contributions of these organizations and individuals, this project would not have been possible. Thank you.





## PREFACE

The following research is part of a joint effort between Yellowstone National Park, a unit of the National Park Service, and the Rocky Mountain Cooperative Ecosystems Study Unit (RM-CESU) undertaken as my Master's thesis at the University of Montana. The purpose of this research as put forth in the scope of work by Yellowstone National Park is to document the cultural significance of Yellowstone buffalo to two American Indian groups traditionally associated with the park, and to compile existing data on the 1999 Buffalo Walk in which a group of American Indians walked and rode more than 500 miles from Rapid City, South Dakota to Yellowstone National Park to honor and attract attention to the situation faced by Yellowstone buffalo.

Although this is one of many works dedicated to the issue of buffalo management at Yellowstone, this study approaches buffalo management from the viewpoint that Yellowstone's buffalo are not only a treasured natural resource as the world's last continuously free-roaming herd, but also an important cultural resource to several American Indian tribes. Please note that this paper does not claim to be a representation of the official position of the National Park Service, nor do I claim to speak for any American Indian group. Rather, I hope that the findings of this project compiled from archival sources and interviews will provide useful information for park managers involved in the management and interpretation of Yellowstone buffalo, information that will shed light on the profound significance that Yellowstone buffalo hold for native groups to this day.



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## I. INTRODUCTION

*“The concept of significance changes with the passage of time, new scholarship,  
and a better understanding of the need to recognize historic places  
associated with all of the nation’s diverse cultural groups.”*

—Carol D. Shull (Keeper of the National Register of Historic Places), 2001

### Cultural Significance

According to the National Park Service’s Cultural Resource Management Guidelines (1994), the concept of significance is an idea common to all cultural resources. In order for a resource to have *cultural significance* it “must have important historical, cultural, scientific, or technological associations and it must manifest those associations in its physical substance.” The very existence of this definition attests to the fact that the National Park Service recognizes that park resources, such as Yellowstone buffalo<sup>1</sup>, have physical characteristics as well as ideas, events and relationships that are linked with them. Cultural significance is attached to park resources by many groups of people, including visitors, park managers, local communities, and traditionally associated tribes. Currently, Yellowstone National Park lists 26 tribes with traditional association to the park. Among those tribes listed as having association with Yellowstone National Park are the Lakota Sioux and the Nez Perce, the two groups of people focused on in this study.

This study seeks to identify and document the ideas, events, and relationships linking the Lakota Sioux and the Nez Perce peoples to Yellowstone buffalo. Through

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<sup>1</sup> In this report, the term *buffalo* will be used in place of the more scientific term *bison* to refer to the animals in Yellowstone herd that are the subject of this study. Because the purpose of this report is to document cultural significance to two American Indian groups, *buffalo* has been chosen over *bison* because it is the preferred term used among American Indians.

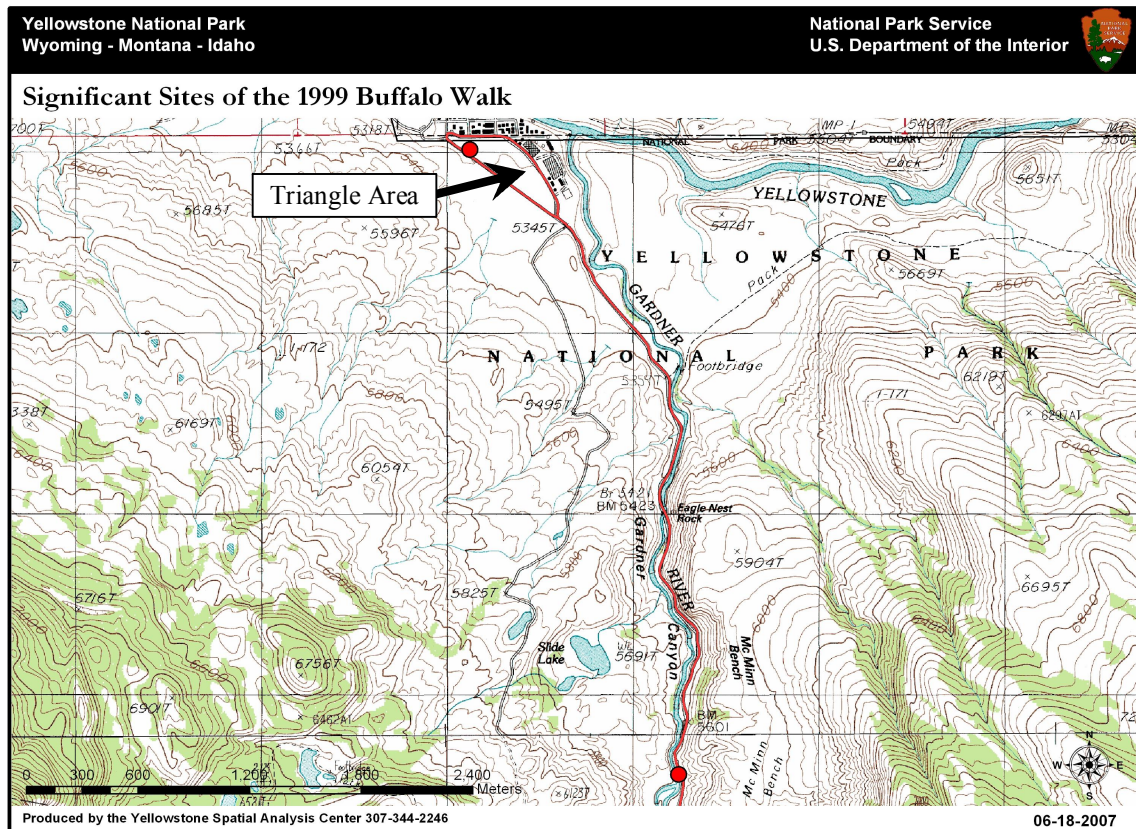
this study Yellowstone National Park wishes to document the significance of the Buffalo Walk in the park's history and to bring into relief what tribal members have to say about it. It is important that Yellowstone resource managers have knowledge of this information in order to make culturally sensitive management decisions regarding buffalo. This focus on meaning, particularly symbolic meaning, helps managers to better understand the broader social processes that create, negotiate, and assign value to Yellowstone buffalo, and to make informed management decisions about them (Williams and Patterson 1999:4). According to Carol Shull (2001:44), Keeper of the National Register of Historic Places, "the concept of significance changes with the passage of time, new scholarship, and a better understanding of the need to recognize historic places associated with all of the nation's diverse cultural groups," making studies like this vital to assessing both historical and contemporary significance of Yellowstone buffalo, and, preferably, to enhance management actions concerning them.

### **Need for the Study**

Yellowstone's interest in the 1999 Buffalo Walk stems from a plan proposed by park managers to revegetate the Triangle Area where the Buffalo Walk ceremony took place and the area near the Stephen's Creek Corral Facility where another ceremony for the buffalo had taken place two years earlier (Figure 1). The Branch of Cultural Resources staff at Yellowstone was contacted by park planning staff to see if there were any culturally significant resources that would be affected by the revegetation project.



According to Yellowstone Cultural Anthropologist, Rosemary Sucec (personal communication, April 24, 2007), the revegetation project and the potential for impact to significant sites was the catalyst that led staff to seek funding for the current project to document the Buffalo Walk, the sites associated with it, and the cultural significance of Yellowstone buffalo.



**Figure 1: Map of Significant Sites of the 1999 Buffalo Walk in Yellowstone National Park showing the Triangle Area**

Yellowstone National Park’s call for this study of the cultural significance of buffalo and documentation of the 1999 Buffalo Walk is a testament to the park’s efforts to redefine the relationship between national parks and American Indians. Historically, interactions between the federal government and American Indian tribes have been

characterized by one-way communication, dominant-subordinate relations, and the imposition of non-Indian methods of interaction (Ruppert 1994:10). Today, Yellowstone and other national parks are working to redefine this relationship with cross-cultural communication and consideration of American Indian perspectives in the management of parks' cultural resources.

### **Integrating Natural and Cultural Resource Management**

A recent paradigm shift in American land management agencies from a commodity-centered approach to ecosystem management has opened new avenues for the consideration of cultural/symbolic meanings such as the cultural significance of Yellowstone buffalo to American Indian peoples. Ecosystem management recognizes the broader context of resource management and the need to connect the biophysical environment with the cultural environment of which it is a part. This study uses ethnographic accounts framed by the theoretical tenets of environmental psychology to show how Yellowstone buffalo can be managed simultaneously as a natural and cultural resource.

Thus far, the cultural/symbolic approach to environmental psychology that is employed in this study has been little developed within the field of natural resource management (Williams and Patterson 1996:512). In addition, Feld and Basso (1996:6) write that ethnographic accounts centered on native constructions of particular localities—which is to say, the collective perception and experience of place—are few

and far between. This study demonstrates that the cultural/symbolic approach can be used by Yellowstone resource managers to identify symbolic place and resource meanings for American national parks that are not limited to the country's ethnic and economic majority. With the knowledge of these unique meanings, park managers can better fulfill their obligation to consult on a government-to-government basis with American Indian tribes by identifying the need to consult before the resources are affected. In addition, entering into consultation informed about the beliefs of tribes on park resources shows a measure of respect for the people and their beliefs. The recognition and consideration of these beliefs is central to building positive relationships between American Indian tribes and the park.



## II. THEORETICAL FRAMEWORK

*"Believing, with Max Weber,  
that man is an animal suspended in webs of significance he himself has spun,  
I take culture to be those webs,  
and the analysis of it to be therefore not an experimental science in search of law  
but an interpretive one in search of meaning."*

--Clifford Geertz 1973

This study of the cultural significance of Yellowstone buffalo and the 1999 Buffalo Walk is framed under the tenets of environmental psychology. Although other theories such as cultural ecology and political ecology have been widely used in human-environment studies, environmental psychology is more appropriate to this study because of its attention to cultural and symbolic meanings. The tenets of environmental psychology and its application in this study are discussed below.

### **Environmental Psychology**

Environmental psychology takes the view that the human individual is both embedded in the environment and actively defines and gives shape to it (Williams and Patterson 1996:509). This approach differs markedly cultural ecology (in which the environment dictates human behavior), and cultural ecology (in which human interaction with the environment is analyzed according to the value of resource use). In the modern era, where most American Indians have a symbolic relationship with buffalo rather than a material one, in as much as their physical sustenance depends on it, it is necessary to utilize a theoretical framework that attends to the less tangible, symbolic components of culture.

Environmental psychology is an interdisciplinary theory integrating concepts from social psychology, human geography, sociology, anthropology, and other fields. Environmental psychology identifies four approaches to understanding the meanings that people ascribe to natural landscapes and places:

- inherent/aesthetic,
- instrumental/goal-related,
- individual/expressive,
- and cultural/symbolic (Williams and Patterson 1999:144).

This theory explores meanings of *place*, which Feld and Basso (1996:9) call “the most fundamental form of embodied experience—the site of a powerful fusion of self, space, and time.” In the current study, this fusion entails the examination of the cultural beliefs and practices of the Lakota Sioux and Nez Perce peoples, the landscape that is the Greater Yellowstone Area, and the historical and contemporary relationship of these groups to the buffalo.

Under the cultural/symbolic approach of environmental psychology that is applied to place meaning in this study, places embody a sense of history, spirituality, and cultural significance for an entire group of people (McAvoy, et al. 2003:88). Later chapters describe how the Yellowstone buffalo herd creates this sense for both the Lakota Sioux and the Nez Perce people. It should be noted here, however, that while the Yellowstone herd carries special significance to both the Lakota Sioux and the Nez Perce peoples, each group has its own unique association to the Yellowstone buffalo. It would be a mistake to refer to the two groups as one culture and to imply that information or conclusions reached about one cultural group are representative of the other (Jostad, et al. 1996:570). The theoretical discussion below identifies why the fourth approach to

environmental psychology, the cultural/symbolic approach, is best suited to describe these unique meanings.

### **Inherent/Aesthetic Approach**

The first approach, the inherent/aesthetic approach, assumes that aesthetic preferences and perceptions of scenic beauty are involuntary responses determined at a biological level as a predictable response to tangible features of the environment. Cultural influence on aesthetic preference is not addressed in this approach. The assumptions of the inherent/aesthetic approach follow Saegert and Winkel's (1990:446-452) adaptive paradigm in environmental psychology. Under the adaptive paradigm, it is assumed that behavior, and therefore adaptation, is motivated by the goal of biological and psychological survival. Because the inherent/aesthetic approach shares many of the limitations of cultural ecology (i.e. the assumption that meaning is determined at the biological level with ignorance to the social, political and economic context), it is not used here (Williams and Patterson 1996:510).

### **Instrumental/Goal-Oriented Approach**

The second approach, the instrumental/goal-oriented approach, is apparent in traditional Anglo-American resource management and particularly in natural resource

management practices of the twentieth century, such as the management of the country's national forests by the United State Forest Service's (USFS) to provide adequate timber resources to the nation. Under the instrumental/goal-oriented approach, humans are seen as rational planners empowered to choose how best to appropriate resources based on consumptive needs and sustainable limits (McAvoy, et al. 2003:87-88). This assumption follows Saegert and Winkel's (1990:452-457) opportunity structure/goal-directed paradigm in environmental psychology. Because the instrumental/goal-oriented approach shares much in common with political ecology, through its focus on the goal-fulfilling potential (i.e. value) of the environment, it tends to overlook meanings associated with intangible aspects of natural resources (Williams and Patterson 1999:147). The third and fourth approaches to understanding landscape meanings described below address these intangible features.

### **Individual/Expressive Approach**

The third approach, the individual/expressive approach, acknowledges the ability of individuals to assign intangible and relatively unique meanings to places. Unlike inherent/aesthetic and instrumental/goal-oriented meanings which can apply to features of a larger landscape, individual/expressive meanings typically apply to holistic places, not to their separable features (Williams and Patterson 1999:148). The individual/expressive approach can best be summed up in the concept of *place identity*. Individuals create personal meanings and bonds with a place that serve to define them as



individuals. These place meanings may be different from those of the social group to which the individual belongs; like social group meanings, the individual meanings may also become the new meanings of the social group as the individual passes them on (Williams and Patterson 1999:148-149). While this approach addresses meaning associated with an individual's sense of place, it does not address the collective meanings held by a cultural group as required by this study.

### **Cultural/Symbolic Approach**

The last approach to Williams and Patterson's place meaning typology, and the theory that will be applied to this study, is the cultural/symbolic approach. The assumption of the cultural/symbolic approach is that resources exist as places that people become attracted to and even attached to because they possess emotional, symbolic, cultural, and spiritual meaning (Williams and Patterson 1999:148). Under the cultural/symbolic approach, places create a sense of history, spirituality, and cultural significance for an entire group (McAvoy, et al. 2003:88). Cultural significance is experienced as an intangible emotion or enduring affection for a place built up through a history of group experience in the place.

Because cultural significance is relative to a particular group, it is often not apparent to those outside of the cultural group (Williams and Patterson 1999:152). For example, for many American Indians, a distinction between natural and cultural resources does not exist. Rather, in the American Indian worldview human beings are considered

inseparable from nature; the distinction between nature and culture is seen as a peculiar, artificial construction of Euro-Americans (Franke 2005:239). For this reason it can be difficult for Euro-Americans to conceptualize the cultural significance ascribed to natural resources by American Indians. This study examines how these two different ways of relating to the land can be reconciled in the resource management of a park known as one of America's crown jewels for its natural resources.

As indicated above, environmental psychology is a multidisciplinary field. The contributions of the anthropological field, specifically symbolic anthropology as conceived by Clifford Geertz, is noteworthy in this discussion of cultural/symbolic meaning. Clifford Geertz (1973:250) describes culture as

...a system of symbols by which man confers significance upon his own experience. Symbol systems, man-created, shared, conventional, ordered, and indeed learned, provide human beings with a meaningful framework for orienting themselves to one another, to the world around them, and to themselves.

In Geertzian (1973:14) thought culture is seen as a context, something within which social events, behaviors, institutions, and processes can be intelligibly—that is, thickly—described. Precisely what this study seeks to accomplish is the documentation and description of the cultural significance of Yellowstone buffalo and the 1999 Buffalo Walk within the cultural contexts of the Lakota Sioux and Nez Perce beliefs.

## **Buffalo as Part of the Greater Yellowstone Area Cultural Landscape**

It should be noted that the discussion of environmental psychology above refers only to *places* and *landscapes*, and not to individual resources such as buffalo. In “The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes,” *cultural landscape* is defined as a geographic area (including both cultural and natural resources and the wildlife or domestic animals therein) associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values (Birnbaum and Peters 1996:4). In the same document, the term *character-defining feature* is defined as a prominent or distinctive aspect, quality, or characteristic of a cultural landscape that contributes significantly to its physical character (Birnbaum and Peters 1996:4). For the purposes of this study, I argue that for the cultural groups involved, buffalo are a character-defining feature and culturally central element of the Greater Yellowstone Area (GYA), and therefore may be usefully analyzed within the same framework as the landscape as a whole. Buffalo may also be classified as what Ortner calls *key symbols* in the Yellowstone cultural landscape because they stand as important symbolic units that formulate meanings in Lakota Sioux and Nez Perce cultures (Ortner 1979:93).

In a his recent discussion of the eligibility of animals to the United States National Register of Historic Place, Thomas King argues that animals can contribute to the character of a property: “...I think it is entirely appropriate to identify animals—as well as plants, of course—as contributing elements, or character-defining features, of a historic property, provided they actually do contribute to that property’s historic or

cultural character” (King 2006:133). As the data gathered in the current study demonstrates, for the Lakota Sioux and the Nez Perce peoples, Yellowstone buffalo contribute enormously to both the historic and cultural character of the Greater Yellowstone Area. Events such as the 1999 Buffalo Walk, the National Day of Prayer for the Buffalo (March 6, 1997), the Nez Perce buffalo hunts in 2006 and 2007, and others continue to validate the ongoing symbolic importance of Yellowstone buffalo, and therefore the GYA, to these groups.

### III. METHODS

*"It took me a long time to be able to go and ask questions, because our older people very seldom make you ask questions.*

*When they talk to you, they give you advice.*

*When you talk to younger people, you give them advice and teach them what you want them to learn.*

*It's coming from the heart. That's just the way it was."*

—Horace Axtell (Nez Perce Tribe), Axtell and Aragon 1997

#### **Ethnohistorical Method & Qualitative Data**

Along with environmental psychology as the theoretical framework, this study employs the ethnohistorical method. This method involves developing histories informed by ethnography, linguistics, archaeology, and ecology. In this study, these methods are used to identify and document the ideas, events, and relationships linking the Lakota Sioux and Nez Perce peoples to Yellowstone buffalo and to document the 1999 Buffalo Walk (American Society for Ethnohistory 2002). As an interdisciplinary method, ethnohistory allows the application of the ethnographic perspective (the use of both qualitative and quantitative research to describe a cultural group) to the study of historical data, including documentary data pertaining to a group or community, and oral history when available (Barber and Berdan 1996:11-12; Bernard 1994:9-10; Parker and King 1990). Because little has been written specifically on the cultural significance of Yellowstone buffalo to American Indian tribes associated with the park or on the 1999 Buffalo Walk, traditional quantitative methods such as standardized questionnaires and statistical analyses seem inappropriate for this study. The exploratory nature of the study and the need to provide a thick description of ideas, events and relationships indicate that a qualitative approach involving background research and ethnographic interviews would be most effective (Geertz 1973:9-10, Jostad, et al. 1996:567).

In a study on the Native American land ethic, Jostad, McAvoy, and McDonald (1996:567) explain that a qualitative study is not about hypothesis testing, but rather an attempt to gather detailed descriptive information to aid insight, discovery, and interpretation. The researcher attempts to learn about a way of life by studying the people who live it and asking them what they think about their experiences (Yow 2005:7). Lincoln and Guba (1985:225), in their discussion of naturalistic research designs similar to the one used in this project, point out that all that can be promised in advance of such a study is that “understanding will be increased,” and that that increase will be noticeable to a variety of audiences.

### **Collective Memory vs. Official History**

Throughout the process of data collection it was clear which materials came from the collective memory of tribes, and which were included in the official history of Yellowstone buffalo and the park. Collective memory describes a set of memories shared by a community. Often these memories are maintained through oral history passed from one community member to the next. Official history describes the chronological record of events kept by a particular organization. Official histories tend to favor the written record as the preferred source of recording information. While there is also a collective memory of the Buffalo Walk and other events honoring the buffalo among park staff members who participated in and witnessed these events, the official history of Yellowstone buffalo is largely what has been written, published, and archived.

All park personnel who were interviewed about the Buffalo Walk talked about what they remembered and also referred to essays, poems, or journal entries they had written about the event. All of these materials were found to be part of Yellowstone's records. These write-ups, whether they were requested of the employees by the park or simply a way for the individuals to record their own thoughts and feelings on the events, passed from memory to history when they were added to the park's records.

These write-ups on the Buffalo Walk and other ceremonies are valuable bodies of information, reflective of the context in which they were written. Each of the write-ups provide information about the author, time period and situation in which they were recorded. Laura Joss's "Tatanka Oyate Mani—They Walk for the Buffalo People" (1999), Bill Edwards' "Spirits Rising" (2000), and George Nell's "Recollections of the Buffalo Walk in Yellowstone National Park" (2003) are invaluable resources. They are first-hand accounts with intricate details of events witnessed. They are written by people who care deeply about the Yellowstone buffalo. Like the American Indians who walked and rode to Yellowstone, these authors articulated their personal interest in preserving and protecting the Yellowstone herd. They supported the Walk administratively, logistically by securing food and accommodations for the Walkers and their horses, and spiritually by their presence and prayers. However, even though they have participated in ceremonies and events alongside American Indian friends, they write these essays as outsiders to American Indian culture. Without being a part of American Indian culture, park staff members, newspaper columnists, scholars, and any well-intentioned writer (including the author) adding to the official history of the park on the topic of the cultural significance of Yellowstone buffalo are writing on the topic as outsiders.

These words are not meant to discredit these accounts in the least. The intent is to point out that to fully and responsibly document the 1999 Buffalo Walk and the cultural significance of Yellowstone buffalo to the Lakota Sioux and the Nez Perce peoples, American Indian voices need to be heard. The current project is a first step toward including American Indian voices in the official history of the 1999 Buffalo Walk and Yellowstone buffalo.

### **Data Collection**

Following the ethnohistorical method, this study utilizes both documentary research and limited ethnographic interviews. Cruikshank (1992:22) points out that in working with a combination of documentary and oral accounts, neither the oral nor the written version can be treated simply as historical evidence to be sifted for facts. Furthermore, combining these two kinds of accounts does not provide a synthesis or the “real story.”

Instead, both kinds of account have to be understood as *windows on the way the past is constructed and discussed in different contexts*, from the perspectives of actors enmeshed in culturally distinct networks of social relationships...The exercise here is less one of straightening out facts than of identifying how such distinct cognitive models may generate different kinds of social analysis, leading to *different interpretations of a given event*, one of which is included in *official history*, while the other is relegated to *collective memory* (Cruikshank 1992:22, emphasis added).

These different interpretations of a given event, although at times contradictory, are not necessarily problematic. In fact, different ways of looking at the same event can be quite useful in understanding what actually occurred.



A number of considerations influenced the choice of the Lakota Sioux and the Nez Perce as the groups focused on in this research. Chief among these considerations is tribal members' participation and leadership in the 1999 Buffalo Walk. Another is the continual interest shown by these two groups in the park's management of buffalo. Recommendation of these two groups came from Yellowstone National Park cultural resource staff (Sucec and White), who also made final determinations in the selection of the ten consultants for this project.

### **Archival Research & Contemporary Literature Search**

Documentary research for this study was conducted between August 2006 and February 2007. Both archival and contemporary literature sources were examined for written and visual documentation of the significance of buffalo and the Buffalo Walk to the two tribal groups. Primarily, records were obtained from the Yellowstone Heritage and Research Center, located in Gardiner, Montana, work conducted by ethnographers on early twentieth century reservations, and biographies of traditional leaders. Contemporary literature sources included newspaper articles and modern writings about buffalo and tribes' beliefs about buffalo.

## **Ethnographic Interviews**

Ethnographic interviews for this study were conducted between August 2006 and July 2007. Formal, semistructured interviews were conducted to ascertain contemporary symbolic and spiritual meanings of Yellowstone buffalo as well as the Buffalo Walk. These ethnographic interviews yield oral history information that when juxtaposed with the written record, provides access to different voices and different interpretations of the same event, adding to a more complete documentation of the Buffalo Walk of 1999 (Brettell 1998:528). A pioneer in ethnohistory, Jan Vansina (1985:197) describes oral data as "...irreplaceable, not only because information would otherwise be lost, but because they are sources 'from the inside.'"

Interviews were conducted in person or by telephone with several individuals on one or more occasions. Four of the consultants were tribal members and six were non-Indian. All four of the tribal consultants were tribal elders or recognized leaders of the Buffalo Walk. Two of the four tribal consultants were Lakota and one was Nez Perce. All but one of the non-Indian consultants were Yellowstone park staff members, former members, or affiliates. The interviews were audio recorded with permission. Most interviews were conducted individually, either in person or via telephone. One of the interviews (with Carolyn Duckworth (NPS)) was conducted prior to this project but was incorporated because it contains information about the significance of Yellowstone buffalo and the Buffalo Walk.

Interviewees were selected for this study based on the qualitative research approach of progressive network referrals (Jostad, et al. 1996:568). In this approach,

sampling is not representative but contingent and serial—each element sampled depends on the characteristics of all the preceding elements (Lincoln and Guba 1985:224). In this way, tribal elders, spiritual leaders, participants in the Buffalo Walk, and Yellowstone National Park staff members present at the Walk were identified as potential consultants to the project. A total of 27 potential consultants were identified. Ten of those consultants originally identified served as consultants to this project. Yellowstone cultural resources staff made the final determination of the project consultants interviewed.

Interviews were conducted using a semistructured interviewing technique based on the use of an interview guide (see Appendix). This written list of questions and topics to be covered throughout the interview is the best method to use when the researcher has only one chance to interview a consultant, and a useful tool for gathering reliable, comparable qualitative data (Bernard 1994:210). The content of the interview guide was reviewed by Yellowstone National Park cultural resource staff (Sucec and White), the project's principal investigator (Sattler), and the Institutional Review Board at the University of Montana. Interviews began with a *grand tour question* such as: "Would you please talk about the Buffalo Walk?" The grand tour question is designed to elicit a broad picture of the participant's world and to map the cultural terrain. The consultant's overview answer to the grand tour question also helped to focus and direct the investigation (Fetterman 1998:40-41).

The semistructured interviewing technique allows the researcher to focus the interview on a particular topic while giving the consultant room to define the content of the interview. This technique also seemed a culturally appropriate method to obtain

information on American Indian beliefs, based on the importance of oral tradition in American Indian groups (Brown 1976:33-34, Jostad, et al. 1996:567). Horace Axtell (1997:52), a Nez Perce elder, explains about talking with tribal elders: “It took me a long time to be able to go and ask questions, because our older people very seldom make you ask questions. When they talk to you, they give you advice. When you talk to younger people, you give them advice and teach them what you want them to learn. It’s coming from the heart. That’s just the way it was.” In this way, consultants were free to define the content of the interview, aided by probing to encourage full explanations (Bernard 1994:215-218).

In addition to ethnographic interviews conducted by the author with tribal consultants and Yellowstone park personnel, existing interviews on the topic, transcripts of Yellowstone National Park Tribal Consultation Meetings on the EIS for the Interagency Bison Management Plan held in 1998, and verbatim quotations from video documentary, internet, and news sources are included in this report.

As a permanent record of a person’s thoughts and feelings, verbatim quotations are used to put the background information on the Buffalo Walk and the cultural significance of Yellowstone buffalo to the Lakota Sioux and Nez Perce peoples into context. Each of the quotations presented represents the thoughts, feelings, and general reality of the speaker as they express their beliefs about the Yellowstone buffalo (Fetterman 1998:123-124).

## **Data Analysis Methods**

Due to time and funding constraints, the recorded interviews will be transcribed by Yellowstone National Park at a later date. As such, the researcher performed the analysis using the recorded interviews and documentary data collected in this study. In contrast to the focused and deductive analysis common in conventional inquiry, data analysis in this study is open-ended and inductive (Lincoln & Guba 1985:224). What is meant by this is that in the process of analysis, generalized conclusions about Lakota Sioux and Nez Perce cultures were made based on the specific accounts collected. Since the data collected by the ethnographic interviewer could not be known before it was collected, there could be no hypotheses in place to guide the data analysis decisions, rather these decisions had to be made as the inquiry unfolded, in an open-ended manner. According to Lincoln and Guba (1985:224-225), "...what is at issue is the best means to 'make sense' of the data in ways that will, first, facilitate the continued unfolding of the inquiry, and second, lead to a maximal understanding...of the phenomenon being studied in its context."

To make sense of the data, narrative analysis examining how consultants talked about the Buffalo Walk and Yellowstone buffalo was used. Quotations pertaining to Yellowstone buffalo and the Buffalo Walk were analyzed and themes were identified. These themes, when placed in the context of background information are shown to be key beliefs contributing to Lakota Sioux and Nez Perce sense of place meanings regarding the Yellowstone buffalo. These findings and the contextual information detailed in the

following chapters will be presented to Yellowstone resource managers at a future date for use in the planning, management, and interpretation of Yellowstone buffalo.

## IV. BACKGROUND & HISTORY

*“Once we were happy in our own country and we were seldom hungry,  
for then the two-legged and the four-legged lived together like relatives, and there was plenty for them and for us.  
But the Wasichus came, and they made little islands for us and other little islands for the four-leggeds,  
and always these islands becoming smaller...”*

—Black Elk, in Neihardt, 1961

Before delving into meaning of the Yellowstone buffalo and the events of the 1999 Buffalo Walk, it is important to give some background on the Yellowstone herd, the park’s relationship with American Indian tribes, and other writings related to these topics. These topics, found in this chapter, are essential to understanding the need for the current study and the direction taken within it.

### **Yellowstone Buffalo**

Yellowstone National Park was established on March 1, 1872 by an act of Congress as America’s first national park. Congress’s stated purpose in creating the park was to preserve the Yellowstone area’s wonders “in their natural condition...for the benefit and enjoyment of the people.” The Act also prohibits the “wanton destruction of fish and game found within said park” (U.S. Congress 1872). Yellowstone National Park’s overseeing agency, the National Park Service, was not created until after the turn of the century by President Woodrow Wilson when he signed the Organic Act on August 25, 1916. The Organic Act (16 U.S.C.1.) created the NPS

...to promote and regulate the use of the...national parks...which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner

and by such means as will leave them unimpaired for the enjoyment of future generations.

One type of wildlife conserved within Yellowstone National Park is its buffalo population. American buffalo (*Bison bison*) are a national symbol to the United States. The animal has long been seen as emblematic of the American West and its wild nature because of its strength, power, and resilience. By the late nineteenth century, Americans began to realize that due to expanding settlement, the American frontier and the frontier way of life had begun to disappear (Nash 1967:67-69, 141-147). Once a symbol of the wildness of the continent which it inhabited the buffalo in its dwindling numbers came to be seen in the American psyche as symbolic of the country's disappearing wilderness. Today the buffalo is found in iconic forms on several American symbols: the seal of the U.S. Department of the Interior, the arrowhead logo of the National Park Service, and on the "buffalo nickels" minted in the early twentieth century. Throughout history and into the present, buffalo have also carried great symbolic importance to many American Indian nations. This paper explores the significance to two American Indian cultural groups.

Prior to the influence of Euro-American settlers, scholars estimate that approximately 28-60 million buffalo roamed throughout North America (Flores 1991:470; Danz 1997:22). Due to hide hunting, the construction of the Pacific railroads, and systematic destruction of buffalo herds to weaken the American Indian tribes that depended on the animals as their commissary, the decimation of the great herds was nearly complete by the late 1800s (Danz 1997:96-98, 112). In 1894, the Lacey Act was signed into law, prohibiting the transportation of animals from Yellowstone National Park and imposing a fine of up to \$1,000 for its violation (Franke 2005:37).



Unfortunately, the work of buffalo poachers and hunters was already done; by 1901, only 25 wild buffalo remained, all in Yellowstone National Park. Afraid that these animals would be too few to ensure survival of the herd, Yellowstone managers added 21 animals from captive herds in Montana (from the Pablo-Allard herd on the Flathead Indian Reservation) and Texas to bolster its numbers in 1902 (Brister 2002:4; NPS, et al. 2000; Whealdon 2000:69, 89). These animals were raised using livestock techniques until the 1920s, when efforts to keep the wild and domesticated populations separate ceased.<sup>2</sup> Until the 1967, the combined Yellowstone herd was managed intensively through feeding, herd reduction and shipment of live animals to conservancies outside the park and to areas inside the park and to start new herds (NPS, et al. 2000). Figure 2 shows a park ranger caring for a small herd in the early 1920s.



**Figure 2: Ranger Frazier tends a show herd of 15 buffalo at Mammoth Hot Springs, c. 1923. Photo by George A. Grant (Courtesy of NPS Historic Photograph Collection, HPC-000505)**

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<sup>2</sup> This begs the question, then, if part of the Yellowstone buffalo herd was raised using livestock techniques for a number of years, how can the herd be considered the last *continuously* free-roaming herd in North America? This question will not be addressed here, because regardless of years of intensive management, American Indian groups still view the Yellowstone herd as descendents of the millions that once roamed the continent. Thus, their cultural significance is unaffected by the years of management.

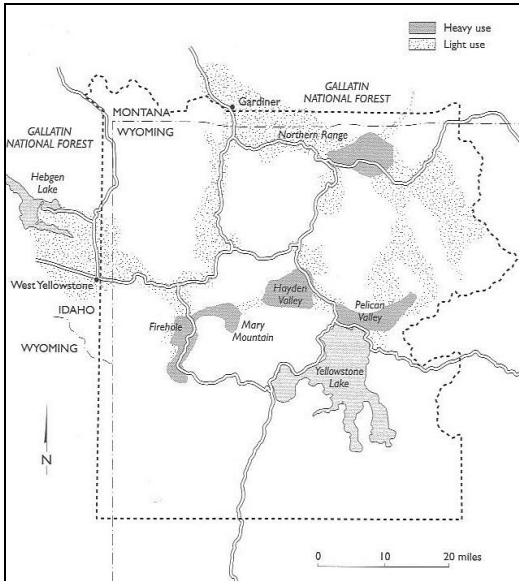
Following the release of the Leopold Report in 1963, a new management philosophy was adopted in Yellowstone National Park. Commissioned by the Department of the Interior, the Leopold Report addressed in detail the lengths to which the NPS should go to control growing ungulate populations (i.e. buffalo, elk). The report concluded that

...the goal of managing the national parks and monuments should be to preserve, or where necessary to recreate, the ecologic scene as viewed by the first European visitors. As part of this scene, native species of wild animals should be present in maximum variety and reasonable abundance (Leopold, et al. 1963).

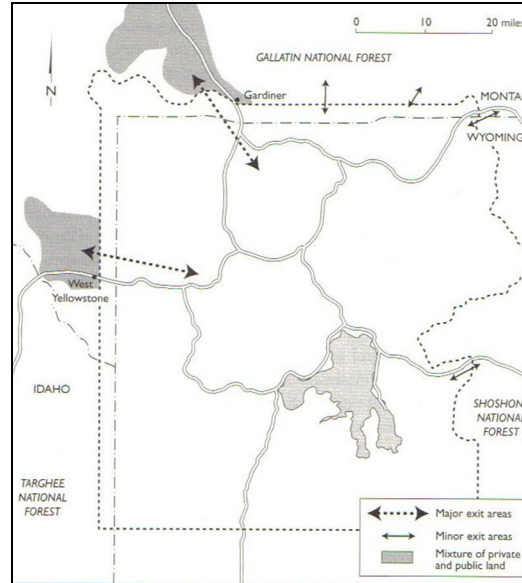
Contemporary critics of the Leopold Report point out that using European contact as the point of reference is a Eurocentric and arbitrary reference ecosystem that ignores the role that American Indians historically played in the Yellowstone ecosystem (Chase 1986:35, Franke 2005:249). Nevertheless, the Leopold Report was extremely influential at the time in shaping National Park Service wildlife management practices. Buffalo herd reductions in the park were stopped in 1967 largely due to public outcry after video footage of the culling was aired on national television. Since that time, herd sizes have been permitted to increase naturally according to environmental limitation (NPS, et al. 2000).

## **Brucellosis**

In 1917, the bacterial disease brucellosis was first discovered in the Yellowstone buffalo herd. *Brucella abortus* is the species of bacteria that infects both cattle and buffalo with the disease brucellosis. Cows infected with the bacteria typically abort their first calf. It is generally accepted that brucellosis was introduced to the Yellowstone buffalo herd from cattle, either through contact with infected cattle or from infected cows' milk given to captive buffalo calves. In cattle, the most common means of infection is through ingestion of infected afterbirth materials. Little is known about brucellosis in buffalo and there is much debate about the risk of transmission from buffalo to cattle (NPS, et al. 2000). Because a portion of the Yellowstone buffalo herd routinely migrates outside park boundaries into Montana during the winter months in search of forage accessible at lower elevations, Montana cattle ranchers are concerned about the risk of disease transmission from buffalo mingling with livestock grazing on lands adjacent to the park (Figure 3 and Figure 4. If transmission were to occur, the infection of Montana cattle with brucellosis could effect the state's "class-free" status that allows its cattle to be transported across state lines without being tested for brucellosis. Downgrading Montana's class-free status could restrict Montana cattle ranchers' access to out of state livestock markets, thus causing economic hardship for the state's livestock industry. This is the essence of the current controversy over Yellowstone buffalo.



**Figure 3: Yellowstone winter buffalo ranges, 1970-2000 (Franke 2005:117)**



**Figure 4: Areas where buffalo have exited the park during winter in recent decades (Franke 2005:132)**

To address the concern about buffalo infected with brucellosis, the National Park Service began in 1968 to develop plans for managing buffalo migration beyond park boundaries. Before adopting the Final Interagency Bison Management Plan (IBMP) in 2000, four different interim bison management plans were in place to establish boundaries and lethal control measures to address buffalo migration outside of the park (NPS, et al. 2000). Due to an especially harsh winter in 1996-1997, Yellowstone buffalo were forced to leave the park in record numbers in search of forage. Acting in accordance with the interim management plan at the time, NPS managers hazed or lethally culled those buffalo that migrated over park boundaries into Montana, primarily to the north and west of the park. Since that time lethal control measures have been taken over by Montana Department of Livestock agents. Carolyn Duckworth, a local resident who has since become a Yellowstone employee, was present in the park during the winter of 1996-1997. Duckworth (2005) recalled the sentiment of park employees:

What happened for bison and elk and other ungulates was that the snow that had been thawing since October turned to concrete. It had melted, gotten full of water, and then it froze... And right then is when the exodus started... From a natural history, scientific point of view it was really amazing to see this happen. But from a human point of view it was just horrendous and heartbreaking. You knew they were going to die. You know, and not from starvation but at the bullets of the Park Service at that time... And Park Service employees were allowed to put a band over the buffalo [that is depicted on the NPS badge visible on park employees' uniforms], a black piece of tape, and to wear a black armband... That was allowed. And again, I was not a Park Service employee at that time... I had friends in the Park Service and I knew it was a devastating time for them.

Between November 14, 1996 and April 15, 1997, 1,123 buffalo were actively removed from the park under the interim management plan. This number, combined with those that perished inside of the park during the 1996-1997 winter of starvation and other natural causes, reduced Yellowstone's buffalo population by 1,500 animals (reducing the herd from approximately 3,500 to 2,000 animals) by early spring of 1997 (NPS, et al. 2000).

In the modified preferred alternative of the 2000 Final Interagency Bison Management Plan and Environmental Impact Statement, less lethal methods, including hazing buffalo back into the park, acquisition of additional grazing lands, vaccination of buffalo, and spatial and temporal separation of potentially infectious buffalo and susceptible cattle are emphasized as the best methods for protecting Montana cattle and the state's brucellosis-free status while at the same time enabling the conservation of the Yellowstone buffalo herd (NPS, et al. 2000). According to the National Park Service, an estimated 1,255 buffalo were captured at Stephens Creek Corral Facility during the winter of 2006-2007; 849 animals were shipped to slaughter with the meat distributed to food assistance programs. This distribution of meat, hides, and heads includes

distribution to tribes who apply to participate in the program. The late winter buffalo population of 2007 was estimated at 3,500 buffalo (NPS 2007).

At the time of this writing, seven years after the implementation of the Final IBMP, the United States Government Accountability Office launched an investigation into issues related to the management of Yellowstone National Park buffalo and the efficacy of the IBMP, showing that the management of Yellowstone buffalo continues to be negotiated (Stark 2007).

### **National Parks as Former Indian Land**

When Yellowstone National Park was established in 1872, the park land was viewed by many Euro-Americans as vacant, “unspoiled,” and ripe for the taking by the federal government. In fact, the Yellowstone area, and the lands of other early national parks were not vacant. They had been occupied and used by native peoples for thousands of years (Keller and Turek 1998:20). As Black Elk (Oglala Lakota holy man of the late nineteenth and early twentieth centuries) (in Neihardt 1961:9) told John Neihardt in the 1930s:

Once we were happy in our own country and we were seldom hungry, for then the two-leggeds and the four-leggeds lived together like relatives, and there was plenty for them and for us. But the Wasichus came, and they have made little islands for us and other little islands for the four-leggeds, and always these islands are becoming smaller...

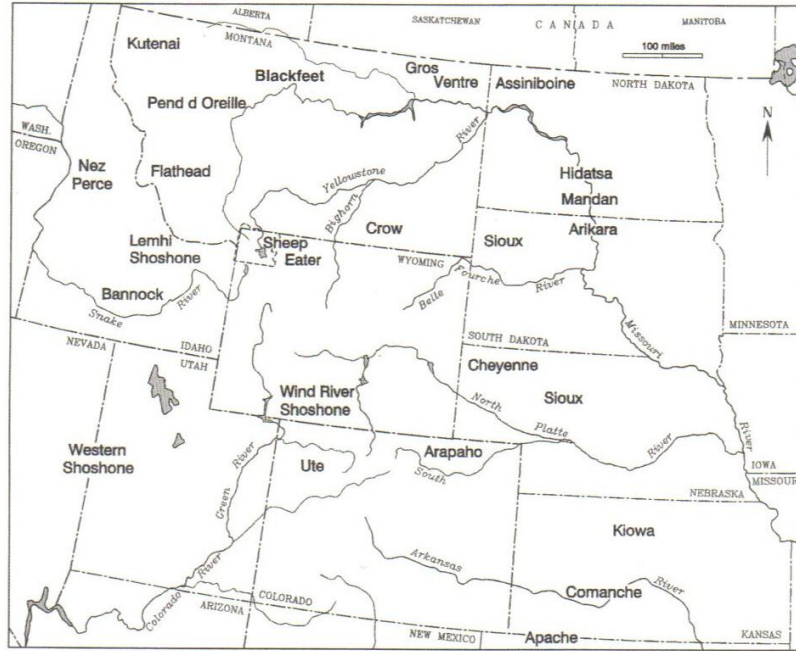
Keller and Turek (1998:xiii) estimate that of the 367 National Park Service units existing in 1992, American Indian tribes have relationships with at least 85 units. If one removes

the Civil War sites, fossil beds, presidential homes, famous buildings, malls and parkways from the equation, this ratio becomes even higher.

Nabokov and Loendorf (2002:32), who completed an extensive overview of American Indian groups with traditional association to the park, identified 10 tribes (Crow, Kiowa, Blackfeet, Flathead, Pend d'Oreille, Kootenai, Sheep Eater<sup>3</sup>, Shoshone, Bannock, and Nez Perce) with different historical, territorial, and residential connection to Yellowstone. According to Rosemary Sucec (personal communication, June 14, 2007), Yellowstone Cultural Anthropologist, subsequent to the Nabokov and Loendorf study, 16 other tribes—for a total of 26—have been identified as associated with Yellowstone National Park either through oral tradition, historical documents, or both. Portions of Yellowstone National Park were identified in treaties as the customary use area of seven tribes (Bannock, Blackfeet, Crow, Gros Ventre, Nez Perce, Flathead, and Shoshone), and two were identified as having possession of three-fourth's of what is now the park by the Indian Claims Commission, a government commission that settled claims related to the federal taking of land. Those two tribes were the Crow and the Shoshone. With these acknowledgments, the federal government clearly recognized what is now Yellowstone National Park as American Indian territory (personal communication from Rosemary Sucec, July 27, 2007). Figure 5 shows approximate historic tribal territories in and around the Yellowstone Plateau circa 1850.

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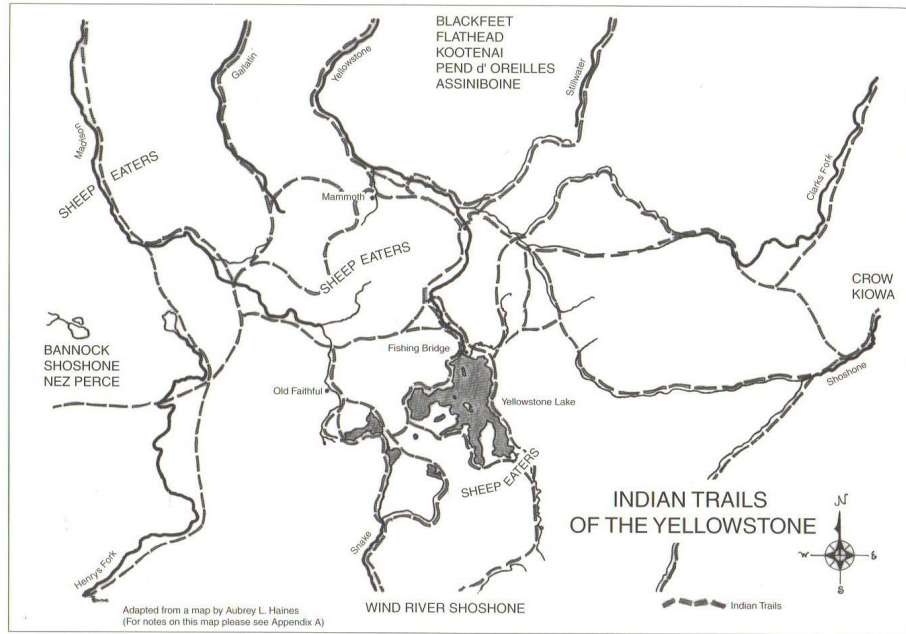
<sup>3</sup> Sheep Eater is not a contemporary tribe. Sheep Eater descendents reside among the Eastern Shoshone Tribe and the Shoshone-Bannock Tribes.



**Figure 5: Map of approximate historic tribal territories in and around the Yellowstone Plateau, c. 1850 (Nabokov and Loendorf 2002:31)**

Although small bands of American Indians historically traveled through and lived within the Yellowstone ecosystem primarily because of the abundances of game and forage, the area attracted indigenous groups for other reasons as well. The Yellowstone area served as a rich obsidian quarry for local and widespread trade use. Yellowstone’s thermal features were believed to have spiritual and healing powers by many native groups. The many mountain peaks in the Yellowstone area served as vision quest sites where individuals went to fast, pray, and seek visions from spiritual beings. The acquisition of the horse by Plains cultures and tribes west of the Rockies made it easier for those cultures to exploit the area on a seasonal basis. Others traveled to or through the area as they engaged in trading relationships with Euro-American traders (Spence 1999:43-48). Figure 6 shows the projected network of trails crisscrossing the Yellowstone area (Nabokov and Loendorf 2002:33).





**Figure 2: Map of historic Yellowstone American Indian trails (Nabokov and Loendorf 2002:33)**

In addition to meanings held by the 26 park-associated tribes, Euro-Americans also assign symbolic significance to Yellowstone National Park. Both Euro-Americans and American Indians have long considered national park lands as crucial to their political, cultural, and spiritual identities (Spence 1999:7). It is important to distinguish however, that there is a difference between the meanings held by the two groups.

McAvoy (2002:390) explains the difference in perception:

To most White Americans these special protected places symbolize not only natural pace and power, beauty and majesty, but also personal freedom, national pride, and opportunities to escape from civilization. But to many American Indians these protected places symbolize lost land, deception, continued oppression, and the death or near death of a culture.

Because of this difference in meaning, it is important that Yellowstone managers and planners are cognizant of relationships, past and present, between American Indian tribes and park resources, and that the managers actively seek the input of representatives from

traditionally associated tribes. With this information, resource managers can contextualize biophysical resources like buffalo in the various cultural environments (i.e. American Indian, Euro-American) of which they are a part.

### **Seeking Tribal Input**

In recent years, due to legislation, the National Park Service, as well as other agencies of the federal government, have sought increased tribal input on federal projects involving cultural resources tied to American Indian tribes, called “ethnographic resources” by the National Park Service. At the same time that the American Indian movement was picking up speed in the 1960s and 1970s, tribal involvement in federal cultural resource management began in 1966 with the passing of the National Historic Preservation Act (NHPA). NHPA, which established the National Register of Historic Places<sup>4</sup>, State Historic Preservation Offices, and the certified local government program, also established historic preservation programs for tribes. NHPA also stated that properties of traditional religious and cultural importance to an American Indian tribe may be determined eligible for inclusion on the National Register (United States Congress 1966 [16 U.S.C. 470a(d)]). National Environmental Policy Act (NEPA) regulations as passed in 1969 and as amended in 1978, require agencies to seek tribal input concerning major federal actions that may affect resources of interest to tribes found on or off reservations. The aforementioned rights have since been expanded by the

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<sup>4</sup> A discussion of how Yellowstone buffalo cannot be included on the National Register of Historic Places as a traditional cultural property follows in the Resource Categories section of the chapter entitled, “A Discussion of Management Options for the NPS.”

passing of the American Indian Religious Freedom Act (AIRFA) in 1978, the Native American Graves Protection and Repatriation Act (NAGPRA) in 1990, and other legislation. This succession of legislation and programming shows how American Indian participation in federal cultural resource management has increased in the twentieth century. Mike Finley, who served as Yellowstone National Park's Superintendent from 1994-2001, elaborates on this legal responsibility in regard to Yellowstone buffalo:

Not only do we have responsibilities toward all of the American people for the bison, but the Department of the Interior has a trust responsibility toward Native Americans...And [the] bison [are] very important, and we need to recognize in the overall management that we have a special group of Americans by law that we should at least recognize their interest. And their interest is valid (in Kurtis 1998/1999).

Today, Yellowstone National Park managers consult with tribal representatives on a government-to-government basis as called for in a 1994 executive order by President William J. Clinton (Clinton 1994).<sup>5</sup> During the 1990s, in an effort to build the relationship between the park and tribes, Yellowstone National Park began a tradition of holding bi-annual tribal consultation meetings on resource issues of common interest to the park and tribes (Joss 2007). Former Branch Chief of Cultural Resources and Tribal Liaison Laura Joss conceived of and worked with park management to establish a schedule of tribal consultation meetings in the fall and spring beginning in 1997. Joss also established the regular practice of NPS staff traveling to tribal locations to hold consultations.

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<sup>5</sup> Article (b) of Federal Regulations 59 FR 22951 states: "Each executive department and agency shall consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect federally recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals."

Based on comments made by park representatives Barbara Sutteer (former Liaison Office of Trust Responsibility for the Intermountain Region of the National Park Service), Laura Joss (former Branch Chief of Cultural Resources and Tribal Liaison at Yellowstone National Park at the time of the Buffalo Walk) and John Mack (former wildlife biologist, Yellowstone National Park) at the 1998 tribal consultation meetings, all of these Yellowstone managers understand that the buffalo are important to American Indians (Yellowstone National Park 1998a; 1998b; 1998c). As John Mack said at the August 21, 1998 tribal consultation at the Cheyenne River Sioux Reservation in South Dakota,

...we want to get as many people involved in learning about this issue [Yellowstone buffalo] because we know it's important to the tribes. It's important to individuals. It's important to the whole country (in Yellowstone National Park 1998b).

As the relationship between the Park Service and American Indian groups continues to be built, communication between both sides is extremely important. The Buffalo Walk, Joss (2007) says, was a form of communication by the involved tribes that confirmed many of the statements made by tribal members at formal consultations, and reinforced the contemporary significance of the buffalo to the tribes. This study seeks to document and describe for park managers precisely what this significance is to the Lakota Sioux and Nez Perce peoples.

According to the Executive Summary of the Final Environmental Impact Statement for the IBMP released in 2000, "Bison are an essential component of Yellowstone National Park because they contribute to the biological, ecological, cultural, and aesthetic purposes of the park" (NPS, et al. 2000:i). Traditionally, the NPS buffalo concept has been focused around biological and ecological issues such as herd size, herd

reduction methods, winter distribution, and disease management (Backus 2005; NPS, et al. 1996; NPS, et al. 2000). Some attention has been given to the symbolic importance of buffalo to the American public (i.e. the foresight of early park managers who recognized the national symbolic or aesthetic importance of buffalo and worked to foster the herd from 25 animals); however, until the late twentieth century, little attention was devoted to the cultural significance of Yellowstone buffalo to American Indians.

As the director of the Applied Ethnography Program in the National Park Service's Intermountain Region, Dave Ruppert (1994:13) wrote:

Since the turn of the century Euro-American perspectives have dominated judgments regarding the cultural meanings and values associated with National Parks. Today it is necessary to redefine these relationships as 'partnerships'...aimed at joint tribal-federal management of historic, cultural, and natural resources in parks that are linked to the cultural identity of Indian communities.

Ruppert goes on to say that it is not enough to talk or write about creating partnerships, as the goal of the National Park Service should be to *institutionalize* these relationships (Ruppert 1994:13, emphasis added). Some parks have begun to incorporate partnerships between tribes and the NPS. Models from these exemplary parks are described below.

For instance, in 1968, when the National Park Service doubled its land holdings in Badlands National Park, the newly added southern unit (133,300 acres) fell within the boundaries of the tribal trust lands of the Pine Ridge Indian Reservation. The park and the Oglala Sioux Park and Recreation Authority (OSPRA) worked together to reach a co-management agreement stipulating that OSPRA would manage tribal hunting within the southern unit and that the NPS would work to incorporate traditional Oglala cultural elements into the game and habitat management plan (Ruppert 1994:12, Spence 1999:135).

In 1980, Congress set aside over 44 million acres in Alaska for parklands. Many of these newly established parks bore the same relationship to Alaska's native Aleut, Inupiat, and Athabascan peoples as did the lands of Wyoming, Montana, and Idaho to American Indians there prior to the creation of Yellowstone National Park (Cook 1991:24). An initiative to work with native organizations to develop cultural landscape maps has used culturally unique place names to help keep Alaskan parks connected with American Indian peoples. Another effort to foster positive relationships with Alaskan natives has come in the form of cross-training. Cross-training involves the NPS providing interested Alaskan natives with agency training in order to make them candidates for employment within the NPS. Both the NPS and native peoples benefit from cross-training (Cook 1991:25). Cross-training occurs at other parks as well. In 1991, several Navajo Indians held key positions at Navajo National Monument and Canyon de Chelly National Monument (Cook 1991:27).

The list of positive, growing relationships between the NPS and American Indian people is increasing. Current NPS employees face the challenge of redefining a relationship that has been shaped by more than a century of historical precedents. Yellowstone has the opportunity to serve as another positive example of how to incorporate partnerships with American Indian people into resource management, especially in how the park negotiates the balance between nature and culture in the management of the Yellowstone buffalo herd.

## **Related Studies**

Prior to this study, the National Park Service commissioned a few studies about American Indian tribes associated with Yellowstone National Park and the cultural significance of buffalo to tribes. In 1997, Ravndal drafted “A General Description of the Social and Cultural Environment Surrounding the Bison/Brucecellosis Issue in the Greater Yellowstone Area” to inform park managers of the perspectives of people and organizations most likely to feel the social and cultural effects of decisions relating to bison/brucecellosis management (Ravndal 1997). The Ravndal report remains in draft form. In 2002, Nabokov and Loendorf published “American Indians and Yellowstone National Park: A Documentary Overview” in which the authors discuss the traditional associations of 10 tribes to the park. Two pages on “Indian Uses of Buffalo” are included in an appendix of the 367-page document. Other sections in the report describe “How Indians Saved the Yellowstone Buffalo” and the reactions of American Indians to the losses suffered by the Yellowstone herd in the winter of 1996-1997 (Nabokov and Loendorf 2002:92-99, 293-294).

Recent studies prepared for other units of the NPS also shed light on the significance of buffalo to American Indians. In 2002, David R.M. White prepared “Mako Washte: An Ethnographic Overview and Oral History of the Badlands National Park” (White 2002). This extensive report contains information on the natural and social setting of the park with great attention to Lakota Sioux culture. References to Lakota Sioux and buffalo are included in discussions of bison ecology, destruction of the buffalo, buffalo hunting, the Buffalo God, the Sacred Buffalo Calf Pipe, Oglala ceremonies,

ethnozoology, Buffalo Gap, and the Oglala Sioux Tribe Bison Project. Most recently in 2005, “Bison, Elk, and Other Animals of Cultural Significance to the Indian Tribes Who Utilized the Grand Teton National Park and National Elk Refuge Area” was prepared for the NPS (Walker, Jr., et al. 2005). This draft report most closely approximates the purpose of the current study in its focus on cultural significance of animals to tribes. However, the Walker study is a documentary overview that focuses on ethnographic literature rather than American Indian oral history.

The current study seeks to add to the work of these authors, by shedding light specifically on the cultural significance of Yellowstone buffalo to two American Indian cultural groups using ethnographic literature as well as (limited) interviews. This study also uses the concept of cultural significance to contextualize a particular event in the park’s history, the 1999 Buffalo Walk, and as the framework for a discussion of management options for the Yellowstone buffalo herd. The framing of the cultural significance of Yellowstone buffalo begins in the next chapter with a review of ethnographic literature on the Lakota Sioux peoples’ unique relationship to the buffalo along with contemporary ethnographic interviews on the 1999 Buffalo Walk.



## V. THE LAKOTA SIOUX

*"We told them [the commissioners sent by the president] that the supernatural powers, Taku Wakan, had given to the Lakotas the buffalo for food and clothing.*

*We told them that where the buffalo ranged, that was our country.*

*We told them that the country of the buffalo was the country of the Lakotas.*

*We told them that the buffalo must have their country and the Lakotas must have the buffalo."*

—Red Cloud, in Walker, 1980

The following chapter on the Lakota Sioux provides background information on the Lakota Sioux people and the cultural significance of the buffalo to them. Tribal history, culture, spirituality, ceremonies, and contemporary beliefs are examined to provide context for the strong and persistent interest manifested in their participation in the 1999 Buffalo Walk and their continuing interest in how buffalo are managed at Yellowstone National Park.

### **The Significance of Buffalo to the Lakota Sioux**

The examination of historical and contemporary literature demonstrates that the cultural significance of buffalo to the Lakota people is connected both to material aspects like subsistence hunting, as well as more symbolic aspects such as Lakota spirituality and worldview. The importance of buffalo to Lakota Sioux subsistence is supported by historical sources describing the Lakota people's near complete dependence on buffalo as their primary food source. The importance of buffalo to Lakota worldview is evident in traditional Lakota narratives, such as the Race Track story, the Lakota creation story, and the story of White Buffalo Calf Woman. In these stories, the establishment of the relationship between the buffalo and the Lakota people is described in detail. The

buffalo, particularly in the form of the buffalo god *Tatanka*, plays a prominent role in the major ceremonies of the Lakota, underlining the symbolic significance of the animal to Lakota culture. These material and symbolic associations are discussed below, and in later chapters, with particular attention given to contemporary manifestations of these beliefs in the Lakotas' involvement in the 1999 Buffalo Walk and interest in the Yellowstone buffalo herd.

## **Historical Background**

The Lakota Sioux are a Plains culture group identified by their common language, the Lakota dialect of Dakota (a Siouan language). In the late seventeenth century, the Lakota Sioux lived in what is today north-central Minnesota, and parts of Wisconsin (Pritzker 1998:472). There are three groups of Lakota Sioux: Oglala, Brule (Sicangu), and Saone. The Saone are further divided into the Minneconjou, Hunkpapa, Sans Arc, Blackfeet (Sihasapa), and Two Kettles (DeMallie 2001:794). Historically, the Lakota groups were friendly with one another and were free to hunt game throughout their common territory.

In approximately 1740, the Lakota Sioux acquired the horse. Decades later, the Lakotas moved west, drawn by the abundant buffalo herds beyond the Black Hills to the Powder and Yellowstone River country. By this time the number of buffalo near the Missouri River had dwindled, and pressure from Euro-American settlers on the east served as a further impetus for the Lakota people to move west. By 1830, nearly all of

the Lakota Sioux had migrated to the Plains where they developed an almost complete dependence on buffalo. (DeMallie 2001:794; Ostler 1999:479; Pritzker 1998:472-473).

In 1851, the United States signed the Treaty of Fort Laramie with the Sioux, and other tribes. In this treaty the Lakotas agreed to allow the Euro-American settlers' wagons to pass through their territory on roads established by the United States Government in return for official recognition of their territory and annuities paid to the tribes (United States Government 1851). One of these roads, the Bozeman Road, cut through Powder River country, the last great buffalo hunting ground of the Sioux (Pritzker 1998:473). The Oglala Lakota leader, Red Cloud, led a fight against the U.S. Government that resulted in the signing of the 1868 Fort Laramie Treaty in which the U.S. Government agreed to close the Bozeman Road and to not enter into Lakota Sioux territory; the Sioux agreed to cease their raids and stay within the bounds of the Great Sioux Reservation (Pritzker 1998:473; United States Government 1868). Black Elk (Oglala Lakota holy man) (in Neihardt 1961:18), remembers the year 1868:

It was a happy summer and nothing was afraid, because in the Moon  
When the Ponies Shed (May) word came from the Wasichus that there  
would be peace and that they would not use the road any more and that all  
the soldiers would go away. The soldiers did go away and their towns  
were torn down; and in the Moon of Falling Leaves (November), they  
made a treaty with Red Cloud that said our country would be ours as long  
as grass should grow and water flow. You can see that it is not the grass  
and water that have forgotten.

In 1874, gold was discovered in the Black Hills, a sacred place to the Lakota people and a part of their treaty lands. Euro-American miners and other non-Indians rushed into the area in violation of the Lakota's treaty rights. Young Lakota leaders like Crazy Horse and Sitting Bull led the resistance effort against the invasion of their sacred and legally held lands. The infamous 1876 battle in which Lakota Sioux and Cheyenne

Indians, led by Sitting Bull, defeated the U.S. Seventh Cavalry, led by General George Custer, at the Little Bighorn River was a part of this resistance effort (Pritzker 1998:474). In 1877, Red Cloud, Spotted Tail, and other Sioux leaders signed a treaty relinquishing the Black Hills and Powder River country to the United States Government. After the cessions of 1877, the Great Sioux Reservation included 35,000 square miles of land. Land speculators and railroad backers worked to further divide the reservation, and in 1888 the United States Government proposed to divide the Great Sioux Reservation into six smaller parcels, leaving more than 14,000 square miles of land open for non-Indian settlement. The following year, the required number of American Indian signatures needed to approve the Agreement of 1889 was obtained by questionable means, and the Great Sioux Reservation was broken up forever (DeMallie 2001:815; Pritzker 1998:474).

On the reservation, men's roles as warriors and hunters did not exist, leaving religion and politics as the two specifically male domains of life on the reservation (DeMallie 2001:812). Beginning in 1879, Lakota children were sent away from the reservations to boarding schools like the Carlisle Indian School in Pennsylvania and to the Hampton Institute in Virginia to be taught the ways of Euro-Americans by virtue of denying them access to traditional ways. This practice lasted until the early 1900s. The destitution created by the American Indians' dependence on inadequate and irregular rations supplied by the U.S. Government, the government's efforts to undermine the structure of traditional leadership, and a general sentiment of powerlessness created an environment receptive to the Ghost Dance religion that emerged in the winter of 1888-1889 (Pritzker 1998:474-475).

The teachings of the Ghost Dance religion foretold that an Indian messiah would come to the earth to save American Indians from the wrongdoings of Euro-Americans. The teachings said that the performance of the Ghost Dance would hasten the coming of the messiah, which would be followed by Euro-Americans being buried beneath the surface of the earth. On the new surface would be plenty of buffalo, on which the Sioux would live forever (DeMallie 2001:815). Fearing that the new religion would encourage unity and militancy among the American Indians, U.S. Government officials banned the Ghost Dance and arrested Ghost Dance leaders. In 1890, during American officials' attempt to arrest Sitting Bull at Standing Rock, the Sioux leader was killed. The Ghost Dancers panicked and some fled. Many of Sitting Bull's people fled to Cheyenne River to join Big Foot and his people. In 1891, a group led by Big Foot was stopped by the Seventh Cavalry at Wounded Knee Creek as they fled from Cheyenne River to Pine Ridge. As the Lakotas were disarmed, a shot was fired. The army reacted by firing into the crowd, killing between 260 and 300 Lakotas. Unfortunately, the Wounded Knee Massacre was not the last of the armed conflicts between the United States army and the Lakota people. Wounded Knee was reoccupied in 1973, when Lakotas on the Pine Ridge Indian Reservation clashed with Federal Bureau of Investigation officials. Casualties resulted on both sides (DeMallie 2001:815; Pritzker 1998:474-475).

In the late part of the nineteenth century, reservations were further fragmented by the allotment system as outlined in the General Allotment Act of 1887. The Lakotas were issued rations of government beef and told to begin raising cattle. Later U.S. agents advised the American Indians to sell their herds and their land allotments to non-Indians.

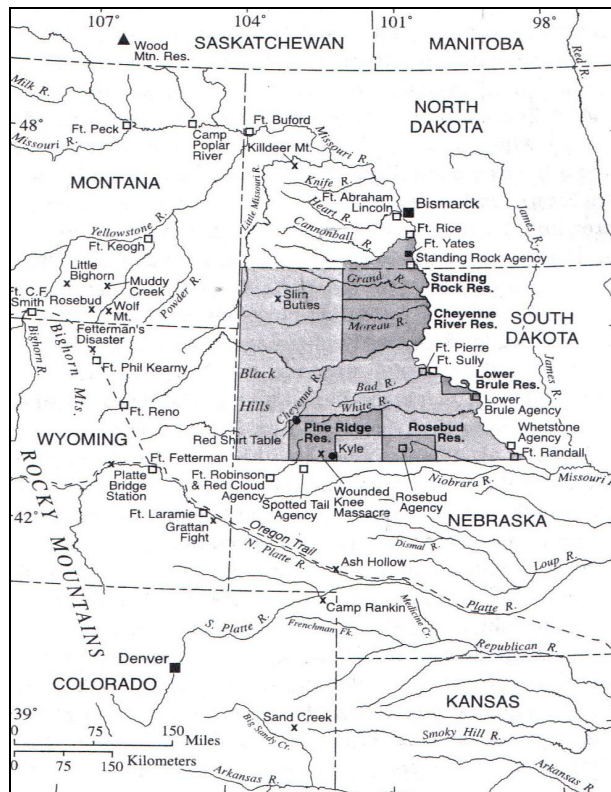
Situations on the reservations worsened in the 1930s by which time many Lakotas were without their land allotments or herds (Pritzker 1998:476).

Today most Lakotas live on reservations in South Dakota, and in regional and national cities. Contemporary Lakota Sioux reservations in the United States include Standing Rock Reservation, Cheyenne River Reservation, Lower Brulé Reservation, Crow Creek Reservation, Pine Ridge Reservation and Trust Lands, and Rosebud Reservation and Trust Lands. The tribes associated with these reservations are among the 26 tribes traditionally associated with the park. These tribes are associated with the park by virtue of oral tradition or historical documentation, including treaties. Two reserves in Canada, the Standing Buffalo Reserve and the Wood Mountain Reserve (both in Saskatchewan), are also home to Lakota people (Pritzker 1998:480).

### **Lakota Territory**

According to DeMallie (2001:794), in the mid-nineteenth century the territory of the Lakota Sioux was extensive. The territory of the Oglala ranged from the forks of the Platte River to the forks of the Cheyenne River. Walker (1982:72) extends this estimate to include territory from the Grand River in North Dakota to Smoky Hill River in Kansas and the South Platte River in Colorado, and from the Rocky Mountains east to the Minnesota River. The Brule territory included the upper portions of the Bad, White, and Niobrara rivers. Saone territory extended along the tributaries of the Missouri River from

the Cheyenne River to the Heart River (DeMallie 2001:794) (Figure 7). Oglalas, Brules, and Saones were free to hunt game in the common Lakota territory.



**Figure 7: Mid-nineteenth century Lakota Sioux territory, with the former Great Sioux Reservation in gray and modern reservations in dark gray (DeMallie 2001:794)**

In his abdication speech “I Was Born a Lakota” on July 4, 1903, Lakota leader Red Cloud summed up the relationship between buffalo country and Lakota country:

We told them [the commissioners sent by the president] that the supernatural powers, Taku Wakan, had given to the Lakotas the buffalo for food and clothing. We told them that where the buffalo ranged, that was our country. We told them that the country of the buffalo was the country of the Lakotas. We told them that the buffalo must have their country and the Lakotas must have the buffalo. (in Walker 1980:138-139).

The traditional territory of the Oglalas contained the Black Hills, which is considered by the Lakota people to be a sacred place. Traditional Lakota stories identify the Black Hills as the center of the Lakota world, the birthplace of humankind, and as the

site of the Race Track where the natural order of humans as hunters of buffalo was established. In the Race Track story, a race was held between the two-legged and winged creatures and the four-legged creatures of the world. Representatives from each group raced around the Race Track, a geological feature surrounding the Black Hills. The magpie is said to have won the race on behalf of the two-legged and winged creatures. As victors of the race, the two-leggeds (representing humankind) were given the right to hunt buffalo and other game to meet their needs (DeMallie 2001:794; La Duke 2005:91). Up until the reservation era, the Lakota depended on hunting for subsistence and buffalo was their primary game animal.

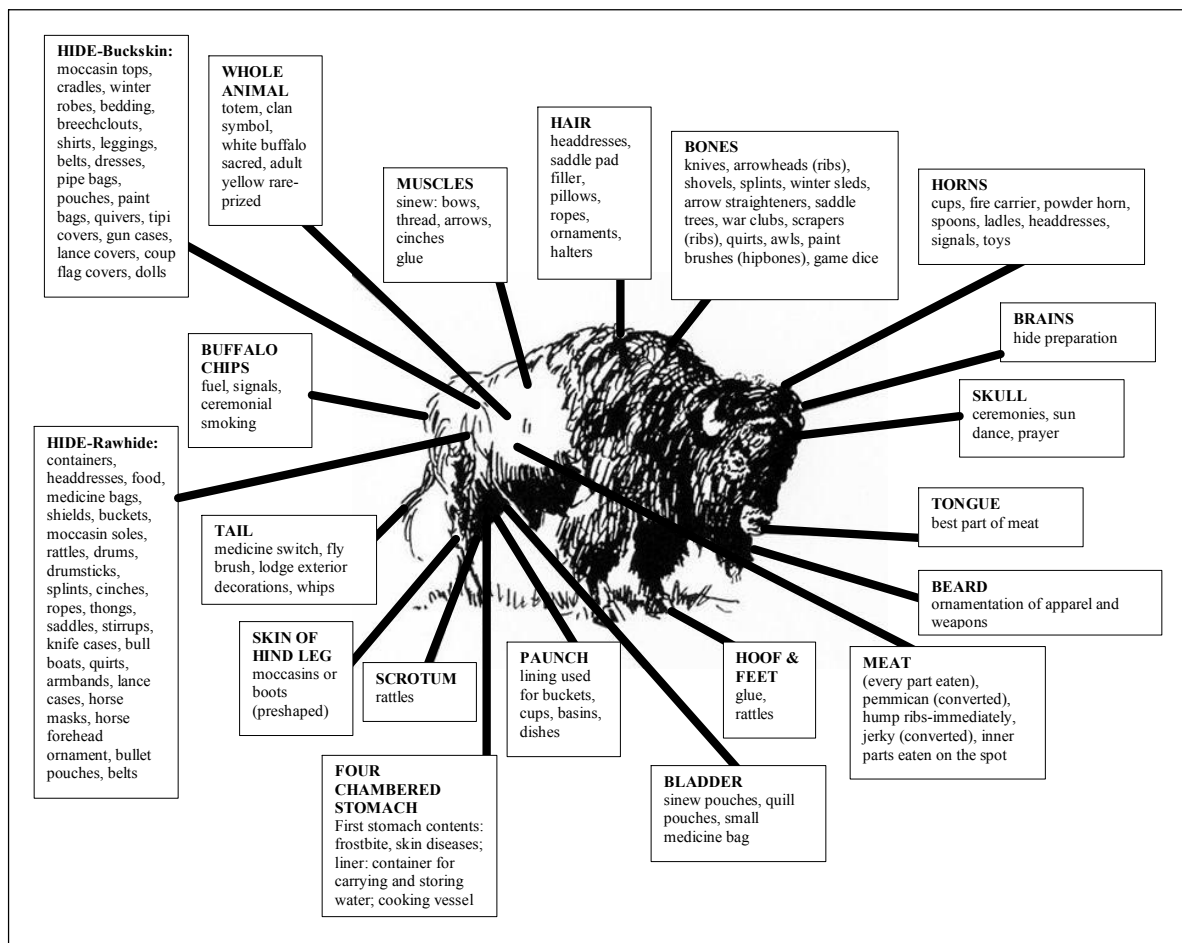
### **Lakota Buffalo Hunts**

To the Lakota Sioux, the buffalo was the most important of the four-legged animals. Everything that the people needed was contained within the animal: meat for food, hides for clothing, shelter and canvases, skulls and other parts for ceremonial purposes, and the materials to make tools, cooking vessels and other implements (Figure 8). Like other Plains culture groups, the Lakota depended largely on the buffalo for subsistence (Pritzker 1998:472).

To fulfill their everyday needs and to provide for the coming winter, communal buffalo hunts were typically held in late summer when grazing was good and the buffalo were fat (Walker 1982:75). The Lakota used various methods to hunt buffalo, including fire surrounds, clubbing, cliff jumps, and bow and arrow (Pritzker 1998:478). The



communal hunt was formally planned, beginning with a shaman seeking a vision to forecast the success of the hunt, followed by the tribal council sending out the scouts to find the herds, and the scouts' return to report their findings in ritually prescribed language (DeMallie 2001:805; Neihardt 1961:55). If the shaman received a positive vision, a buffalo skull was decorated and ceremonial offerings were made to *Tatanka*, the Buffalo God, for a successful hunt (Walker 1982:75-76, 91).



**Figure 8: Traditional Uses of the Buffalo (adapted from Mails 1972:190-191)**

The best hunters with the fastest horses were chosen to hunt for the needy, those who could not hunt themselves and had no one in their family to hunt for them. To

receive this designation was a great honor for a hunter (DeMallie 2001:805; Neihardt 1961:56). The hunt was conducted in an orderly fashion, the camp kept compact as the people moved toward the herd reported by their scouts. If a white buffalo was present in the herd, all of the hunters made an effort to take it, for white buffalo were considered a great gift and a good sign from the spirits. The robe of a white buffalo was highly prized, an offering fit for supernatural beings or a gift of great value among men. After the chase was over, the men identified their kills by personalized marks on their arrows. From the fallen animals, one was chosen as an offering to *Taku Wakan* (the spirits), particularly to *Tatanka*. The hide was removed from this animal, otherwise it was left in its entirety for *Tatanka*. If a white buffalo was among those killed, it was always chosen for this offering (DeMallie 2001:805; Walker 1981:93).

After the hunt, the meat was dressed immediately. Women and the elderly arrived to help load the meat onto horses and fastened it there using fresh buffalo hide (Neihardt 1961:57-59). Meanwhile, women back at the camp fashioned forked sticks and poles into drying racks for the meat. Some of the meat was dried, some roasted on a spit, some boiled with stones in a buffalo stomach (Figure 9), and some pounded with fat and berries to make pemmican (DeMallie 2001:805; Pritzker 1998:478).



**Figure 9: High Bear (Lakota, specific tribal affiliation not known) demonstrates cooking in a buffalo paunch. The paunch is suspended by four sticks and partly filled with water. Stones heated in the fire are dropped into the paunch to make the water boil (photo copyright 1911) (Anderson 1971:229)**

If the hunt took place between October and February when the buffalo's hair is the thickest, the hides were tanned with the hair left on and used for robes. During the spring and summer months, the hair was removed from the hides of buffalo for use as rawhide or tanned for use as buckskin. Buffalo horns, hair from the tail of the buffalo, and pendants made from buffalo skin and hair carried symbolic meaning and could be worn ceremonially only by holy men and those entitled by their great deeds (Walker 1982:103). During the nineteenth century, as Lakotas were ushered onto reservations where hunting opportunities became more scarce, clothing made from buffalo hides was slowly replaced by cloth clothing, and wool blankets were substituted for buffalo robes (DeMallie 2001:803, 810).

In addition to their use in making clothing, buffalo hides were also used in the construction of teepees. The Sioux teepee used a three pole foundation and required a

total of 19 to 21 poles for its construction. A cover made from 12 to 18 buffalo bull hides was placed over this frame. Buffalo robes carpeted the teepee floor and served as beds and blankets. Each teepee housed one Lakota extended family. The teepee was a mobile shelter constructed and deconstructed by the women as the tribe moved between camps (DeMallie 2001:810; Pritzker 1998:478).

### **Lakota Spirituality**

The Lakota view the universe and its forces as fundamentally incomprehensible, or *wakan*. The *wakan* forces pervade all of life, from the every day to the sacred. The totality of this incomprehensible power is represented by the spirit beings, *Wakan Tanka*. *Wakan Tanka* exists at the same time as one Great Incomprehensibility and as individuals (including sun, moon, wind, Thunder-beings, earth, rock, White Buffalo Woman, Tatanka, and others) with human-like attributes (DeMallie 1984:81; 2001:806). Knowledge of these *wakan* beings is held by Lakota holy men. DeMallie (1984:80n) writes that the concepts of *wakan* and *Wakan Tanka* are characteristic of late nineteenth-century Lakota beliefs, but are also prevalent in the contemporary Lakota belief system.

## Lakota Creation Story and Contemporary Connections

Stories exist to explain the relationship between the people and *wakan* beings. The Lakota creation story details the relationship between the Lakotas and *Tatanka*, the Buffalo God, and demonstrates that the Lakota and the buffalo have been inseparable since the beginning of the Lakota peoples' time on earth. Long ago the ancestors of the Lakota, the Pte, lived beneath the earth. The trickster character, called Iktomi, sent a wolf beneath the earth with a package containing choice meats and skins to lure the people to the surface. A young man called Tokahe, who aspired to leading the Pte people, went along with a few other men and the wolf to explore the earth's surface. The party reported back to the Pte of the paradise on the surface. Tatanka, the holy man of the Pte, warned the Pte that what the men had seen on the surface was a falsity, the work of a wizard (Dooling 2000:120-121; Walker 1919:182).

In spite of Tatanka's warnings, many of the Pte followed Tokahe to the surface. When they arrived, they found that Iktomi's promises of plenty were empty. They faced hardship and starvation and were unable to turn back to their cave beneath the earth. The Pte holy man then sought a vision. In his vision Tatanka was shown that he must help the Pte by becoming a buffalo and giving of himself for the welfare of the people. The Lakota people believe that the Spirit of the Earth, which is the same as the Spirit of the Buffalo (*Tatanka*), gave the buffalo to them. Since that time when Tatanka sacrificed himself for their ancestors by becoming a buffalo, the destiny of the Lakota people has been intertwined with that of the buffalo. Calling themselves the Buffalo People, the Lakota see buffalo as their kin. Robert Chasing Hawk (Cheyenne River Sioux Tribe)

(Yellowstone National Park 1998a), articulates this belief in relation to the Yellowstone buffalo, "...we are the buffalo people, the Lakota People...when a year or two years ago they killed these buffalo over here [Yellowstone National Park] they are killing our brothers and sisters, grandpas and grandmas..."

In interviews with Lakota consultants and from other oral data examined for this study, the topic of the Lakota peoples' willingness to suffer and sacrifice for the buffalo came up repeatedly. This willingness to suffer for the buffalo stems from the relationship that the Lakota have had with the buffalo since the beginning of time. In the Lakota creation story when the ancestors of the Lakota people were lured to the surface of the earth, they found the environment on the earth inhospitable and faced starvation. Taking pity on the people, the buffalo sacrificed himself so that the people would have food, shelter, and everything that they needed to survive. At that time, the Lakota people entered into a reciprocal relationship with the buffalo, a contract based on gift-giving between the Lakota people and the buffalo (Mauss 1967:6).

Today, when the Lakota people see the slaughter of Yellowstone buffalo, they are willing and obligated to suffer for their relatives, the buffalo. Whether this sacrifice takes the form of a 507-mile journey known as the Buffalo Walk, a flesh offering given at the Mammoth School in Yellowstone, or the suffering displayed in Gary Silk's Sun Dance ceremony inside the Roosevelt Arch, the Lakota people are prepared to give of themselves for their brother the buffalo. The quotations below illustrate this willingness:

Now we have to do the same for him, the buffalo, because now his future and his life is at stake. We're only returning a favor that the buffalo people gave to us back in the beginning of time (Joseph Chasing Horse (Rosebud Sioux Tribe), in *Indian Country Today* 1999).

That's what this whole walk was about. No matter how cold it was, no matter how much snow fell on us, we had to finish this walk...It's more than just a walk, it's spiritual unity and there's a lot of meaning to this walk. We're the first generation in one hundred years to make this journey...My ancestors have been making this journey for thousands of years, following the buffalo, praying this way, sacrificing this way—this is nothing new to us (Nathan Chasing Horse (Rosebud Sioux Tribe), in Kurtis 1998/1999).

I kept having these dreams that this buffalo was laying there...I don't know if he was dying, or shot, or whatever, but he was trying to get up. So in this dream I had, I hooked up to him and tried to pick him up (Gary Silk (Standing Rock Sioux Tribe), in Kurtis 1998/1999).

As a member of the Teton Nation, Hunkpapa clan of Standing Rock Indian Reservation we are bound to Rapid City, South Dakota to support a walk/ride/run of Unity to save the Buffalo. Members of Standing Rock are willing to suffer for their Brothers and Sisters the Buffalo. We are all equal who live on Mother Earth at the beginning; we need to come back to that for the Healing of all Nations. Wambli Sapa (Ken Painte (Standing Rock Sioux Tribe, tribal elder), in Sacred Walk to Save the Buffalo 1999).

I was very proud to say that I was part of it [the Buffalo Walk]...all these things that took place, because it was miserable sometimes but that's what you have to put up with, you know during that suffering and sacrifice for what your prayers...what you're asking for (Ken Painte (Standing Rock Sioux Tribe, tribal elder), Painte and Silk 2007).

So I've seen the power of prayer...how people make that ultimate sacrifice to make things happen (Ken Painte (Standing Rock Sioux Tribe, tribal elder), Painte and Silk 2007).

A second theme identified in the Lakota oral data is that the Lakota people believe that they share an inseparable destiny with the buffalo. The Lakota believe that the decimation of the American Indian people and the decimation of the migrating buffalo are one in the same. This belief is also tied to the reciprocal relationship established between the Lakota people and the buffalo people at the beginning of time. The Lakota and their relatives the buffalo share a history of coexistence followed by depopulation and confinement (to reservations and protected lands, respectively) at the hands of Euro-

Americans during the nineteenth century. With this shared history, the Lakota see the fate of the Yellowstone buffalo as being tied to the fate of the Lakota people. The quotations below express the interconnection of the Lakota people with the buffalo.

We told them [the commissioners sent by the president] that the supernatural powers, Taku Wakan, had given to the Lakotas the buffalo for food and clothing. We told them that where the buffalo ranged, that was our country. We told them that the country of the buffalo was the country of the Lakotas. We told them that the buffalo must have their country and the Lakotas must have the buffalo (Red Cloud (nineteenth century Oglala Lakota leader), in Walker 1980:138-139).

The elders say, 'They're killing us again.' There is no separation. People say, 'Every single buffalo they kill, they're killing another Indian. You know, that's how people feel. That's how I feel. It's an act of genocide (Rosalie Little Thunder (Rosebud Sioux Tribe), in Kurtis 1998/1999).

Like the two sides of the buffalo/Indian-head nickel, we are synonymous; two sides of a single coin. We, and the buffalo, share a common history that we dare not forget. We may be generations and miles removed from the buffalo, but according to the wisdom of thousands of years of existence in the natural world and interdependence with the buffalo, we hold a belief; a prophesy of an inseparable destiny (Rosalie Little Thunder (Rosebud Sioux Tribe), Little Thunder 1999b).

I humbly ask all nations to respect our way of life, because in our prophesies, if there is no buffalo, then life as we know it will cease to exist (Arvol Looking Horse (Cheyenne River Sioux Tribe), in LaDuke 2000:66).

They call me Tatanka Cante. I am a Dakota Native. I'm on this ride and walk to Yellowstone, because I really believe the Buffalo Nation are our Relatives. I have rode for almost 12 years around our sacred lands for Unity and for survival for all Mankind. So when I see the slaughter, the killing of our relatives, it really upsets me because I can see these strange people don't understand our ways, the natural law that these kind of people would hurt their own kind their children for greed, jealousy, hatred. We, the people of this continent have shared our heart with you we have shared our mother with you, our food with you. And then we have to see you killing our relatives. You killed over 100 million of them. I came here to support my relative, because I remember what you have done to us. I feel sorry for you... (Gary Silk (Standing Rock Sioux Tribe), in Sacred Walk to Save the Buffalo 1999).



We as the four colors of man, we have to come together. We have to stop slaughtering each other. We lost respect for Mother Earth. We lost respect for each other...We come face to face with each other every day, and they could be our own relatives and we wouldn't even know who they are. That's how much we've lost (Gary Silk (Standing Rock Sioux Tribe), Painte and Silk 2007).

My sons are the dawn of that seventh generation. We are at a time in history when we have come as far as we can go. We must develop a river of knowledge where all sources of knowledge can come together. If the buffalo goes, according to our winter count and our stories, we all go (Joseph Chasing Horse (Rosebud Sioux Tribe), in Adkins 1999b:24).

Our language and culture is ten thousand years old, compared to your culture that has been here only five hundred years. We have never given up our ceremonies, our language, our way of life. We've never given up our stories. To this day, in our histories, we don't know where the people begin and the buffalo leave off (Joseph Chasing Horse (Rosebud Sioux Tribe), in Adkins 1999b:24).

[The killings are]...really devastating to not only the Buffalo Nation but to the Indian nations as well. We believe that the way they treat the buffalo is the way that they treat the Indians (Ethelyne Ironcloud (Lakota, specific tribal affiliation not known), in LaDuke 2000:66).

...For thousands of years these buffalo have had a very intimate relationship with tribal people. We are the same. As a matter of fact, if you go back in time a little bit, our legends and our stories, creation stories say that we are the same, we come from exactly the same place. No matter how hard you try, you can't separate the Indian people from buffalo. That is not even possible (Fred Dubray (Cheyenne River Sioux Tribe), in United States Department of the Interior, National Park Service 2000:810).

...What I am saying is that to me when they kill buffalo in Yellowstone it's just like killing my father, mother, brother and sisters (Eagle Hunter (Lakota, specific tribal affiliation not known), in Yellowstone National Park 1998b).

## White Buffalo Calf Woman

In addition to the Lakota creation story, another sacred story that is central to the worldview of the Lakota people is that of White Buffalo Calf Woman. This story takes place during a second time of hunger and hardship for the ancestors of the Lakota people when two young men saw a beautiful woman while they were out hunting. The first young man recognized the woman as a holy being, and did not move. The second young man approached the woman with lust, whereupon he was dissolved into a skeleton at the woman's feet. The woman told the remaining young man to go to his village and to prepare a lodge and an altar for her. He and his people did as she asked, then awaited her arrival (Dooling 2000:135-136; Ostler 1999:479-480; Walker 1980:149). When the woman arrived at the village she told the people that she was sent to help them. The woman told them to send out their scouts and to prepare for a hunt. The scouts quickly spotted a large buffalo herd and the people were able to kill all that they needed. The woman also presented a sacred pipe to the people, and told them that it was a present from the Pte beneath the earth (Dooling 2000:136; Ostler 1999:479). According to Black Elk (Oglala Lakota holy man), the woman said to the people:

With this sacred pipe you will walk upon the Earth; for the Earth is your Grandmother and Mother, and She is sacred. Every step that is taken upon Her should be as a prayer. The bowl of the pipe is of red stone; it is the Earth. Carved in the stone and facing the center is this buffalo calf who represents all the four-leggeds who live upon your Mother. The stem of this pipe is of wood, and this represents all that grows upon the Earth. And these twelve feathers which hang here where the stem fits into the bowl are from *Wanbli Galeshka*, the Spotted Eagle, and they represent the eagle and all the wingeds of the air. All these peoples, and all the things of the universe, are joined to you who smoke the pipe—all send their voices to *Wakan-Tanka*, the Great Spirit. When you pray with this pipe, you pray for and with everything (in Brown 1953:6).

The pipe established the kinship between the buffalo and the Lakota people, and when it was smoked and the smoke offered to the *wakan* beings, the people invoked their relationship to the spirit beings (DeMallie 1984:81-82).

The sacred woman taught the Lakotas' ancestors how to use the pipe to pray and how to perform the seven major ceremonies of the Lakota religion: The Keeping of the Soul, the Rite of Purification (*Inipi*), Crying for a Vision (*Hanblecheyapi*), the Sun Dance (*Wiwanyag Wachipi*), the Making of Relatives (*Hunkapi*), Preparing a Girl for Womanhood (*Ishna Ta Awi Cha Lowan*), and the Throwing of the Ball (*Tapa Wanka Yap*) (Brown 1953:vii). As a tangible symbol of the relationship between the Lakotas and *Wakan Tanka*, the sacred pipe is used in all ceremonies.

When it was time for the woman to leave, the people watched as she walked away. As she crested a hill in front of them, the woman suddenly disappeared. In her place there was a white buffalo calf running over the hill. For this reason, she is known as the White Buffalo Calf Woman, and the pipe she brought as the Buffalo Calf Pipe.

To this day the Lakota people use the sacred Buffalo Calf Pipe in the way that the White Buffalo Calf Woman taught them and see it as a symbol of unity among all Sioux people. The Buffalo Calf Pipe is cared for generation after generation by a keeper in the Sans Arc, and is removed from its pouch only on the most important occasions (DeMallie 2001:799-801).

## Lakota Ceremonies

To the Lakota, the buffalo is a sacred being to which tribal members attach tremendous cultural significance. Yellowstone's buffalo are direct descendents of the wild buffalo with which the Lakota have established a long history of symbolic meaning, hunting, and ceremony. Therefore, they too are considered sacred to the Lakota people. The White Buffalo Calf Woman taught the Lakota people the seven major ceremonies of Lakota religion. Buffalo are a recurring theme in each of these ceremonies. Some ceremonies require the use of buffalo parts for food, clothing or symbolic purpose, while others emphasize particular traits exemplified by the buffalo that are desirable in humankind; still others establish and emphasize the relationship between the buffalo and humankind.

In the Keeping of the Soul (or Spirit-Keeping) ceremony, the soul of a deceased relative is kept and purified before it is set free to return to *Wakan Tanka*. The ceremony is often performed for the souls of children. This rite is performed so that the soul does not need to wander the earth as the souls of bad people do, but instead could be purified so that it could return to *Wakan Tanka*. In this ceremony, a lock of the deceased's hair is bundled in sacred buckskin and ritually fed and cared for until its release. The Keeping of the Soul and the complementary Releasing of the Soul ceremony requires the sacred pipe for its purifying smoke, as well as the meat and hide of a buffalo cow to make pemmican (*wasna*) and to cover the sacred bundle, respectively. After caring for the bundle for a year, it is unwrapped and the soul released. Then a great giveaway is held in honor of the deceased (Brown 1953:10-30; DeMallie 2001:807-808).

In the Rite of Purification (Sweat Lodge, or *Inipi*) ceremony, participants cleanse their bodies and spirits in preparation for other rituals. The sweat lodge is built by making a dome-shaped frame of bent willows covered with buffalo hides (Figure 10). The twelve or sixteen young willows were set up to mark the four corners of the universe. A round fireplace altar was constructed in the center of the lodge. Nearby, a fire pit was dug for heating the rocks that would be transported into the lodge. Inside the sweat lodge cool water is poured over the hot rocks to create steam. This rite is performed to purify the participants so that they are able to communicate with *Wakan Tanka*, and as a prelude and conclusion to other rituals (Brown 1953:31-43; DeMallie 2001:807).



**Figure 10: Sweat lodge, probably on the Rosebud Reservation, 1898. Photo by Jesse Hastings Bratley. Crane Collection, Denver Museum of Natural History (Walker 1980:194-195)**

The Crying for a Vision (Vision Seeking, or *Hanblecheyapi*) ceremony is performed by young men after reaching puberty. The ceremony serves as a rite of passage. According to Black Elk (Oglala Lakota holy man), in the “old days” both men and women performed the ceremony on a regular basis (in Brown 1953:44). The vision seeker first takes a sweat bath, and then goes to a mountaintop to fast for several days,

wearing only a breechcloth and buffalo robe. The individual takes no food or drink while on the mountain and cries to *Wakan Tanka* for a vision that may come in human or animal form. When he returns to camp, the vision seeker takes another sweat bath and consults with a holy man to interpret his vision. In cases where the individual had a vision of a particular animal, a member of the tribe who had had a vision of the same animal is also consulted (Brown 1953:44-66; DeMallie 2001:807). In this way, informal societies of buffalo, elk, and other animal visionaries are created (DeMallie 2001:808). Buffalo Dreamers, those that received visions of buffalo, were considered destined to be great hunters and providers (Walker 1980:281).

The Sun Dance ceremony (*Wiwanyag Wachipi*) is the most important sacred ceremony of the Lakota Sioux. During the summer, when the buffalo are fat, different bands of the Lakota people come together as an expression of tribal unity and to pray for the increase of the Lakota people and of the buffalo (DeMallie 2001:807; Walker 1919:61). Traditionally twelve days long, the Sun Dance has four parts: preparation by the dancers and the people, gathering at the place for the dance, setting up the camp and performing ceremonies before the dance, and the Sun Dance.

Preparations for the Sun Dance include the selection of a cottonwood tree with a forked top. After felling the tree, the lower branches are removed and the trunk is painted red from the fork down (Walker 1982:97). Chokecherry bushes and two effigies were tied to top of the pole. One of the effigies, a man with an eagle feather is painted completely red. The other, of a buffalo is painted entirely black. The base of the *wakan* tree is then put into a shallow hole, filled with earth, and tamped so that the pole will stand erect (Walker 1980:177-179).

The people arriving at the Sun Dance site erect the Sun Dance lodge and their teepees. The Sun Dance lodge is located in the middle of the camp. A bull buffalo head and pipe are placed inside (Walker 1980:176-177). A sacred buffalo calf skin is hung over the entrance to the Sun Dance lodge to propitiate the Buffalo God, *Tatanka*, who is present throughout the camp during the Sun Dance (Walker 1980:186).

The Buffalo Dance is one of the ceremonies performed before the actual Sun Dance, by those who pledge to take part in the Sun Dance. In the Buffalo Dance participants dance a step that imitates the pawing of the buffalo, while they gaze uninterrupted at an ornamented buffalo head (Walker 1919:115). By dancing the Buffalo Dance, the Sun Dancers take in the spirit of the buffalo, its strength and bravery, giving them the ability to endure the Sun Dance (Walker 1919:115; Rice 1991:132). Those who dance all four parts of the Buffalo Dance become buffalo men.

The Sun Dancers gather in the Sun Dance lodge. A Sun Dance leader emerges first, holding a buffalo head. He feigns four times to lay it down before doing so (Walker 1980:179). The Sun Dancers proceed to the site of the dance, wearing buffalo robes on their bodies, twisted sage around their heads, eagle feathers in their hair, and tufts of buffalo hair tied about their wrists and ankles. Their bodies are painted red (the color associated with the buffalo), with a circle on the stomach representing the sun (Rice 1991:125; Walker 1980:187; 1982:98). Two leaders of the Sun Dance march in front of the dancers, one carries a filled pipe and the other carries a buffalo head ornamented with colors and having wisps of sage stuffed in its nostrils to banish all evil from their march (Walker 1980:188).

At the site of the Sun Dance, the dancers are fitted with buffalo braided ropes attached to the skin of their chest or upper back using sticks pierced through the skin. At the other end, the ropes are attached either to the Sun Dance pole or to buffalo skulls. In either form, the Sun Dancers dance until the sticks tear free from their backs. They may take no food or water during the Sun Dance (Walker 1982:98). The prayer and suffering of the Sun Dance are performed to acknowledge and propitiate *Wakan Tanka*, and to be like the buffalo in his flesh offering. Just as the buffalo sacrifices himself to sustain the Lakota people, the Sun Dancer sacrifices his body through the piercing ceremony as he prays for the good of the tribe.

At the ceremony held in Yellowstone National Park at the conclusion of the 1999 Buffalo Walk, Gary Silk (Standing Rock Sioux Tribe) performed a version of the Sun Dance ceremony in honor of the Yellowstone buffalo and to fulfill a vision that he had. In this ceremony, Silk dragged two buffalo skulls tethered to his back seven times around a circle of ceremony participants. All that were present at this ceremony were unified around Silk's suffering and the suffering of the Yellowstone buffalo. This ceremony is described in detail in chapter seven.

The Making of Relatives (Hunka, or *Hunkapi*) ceremony is a ceremony of adoption in which two people become ritually related to one another as *hunka*. A *hunka* may be a Lakota, another American Indian, or even a Euro-American (Walker 1980:199). A buffalo skull is placed on one side of the altar in the *hunka* ceremony (Figure 11). In the ceremony, the Spirit of the Buffalo comes to the skull. This spirit is addressed as *Hunka of Tatanka* (Walker 1919:130). The buffalo's trait of loyalty to family is emphasized in this ceremony; once two people are made kin in this way, it is as if they



were related by blood. As with blood relatives, *hunka* were forbidden to marry each other, and were expected to give preference to their *hunka* over other relationships (Walker 1980:198, 217-218). A red stripe painted down the right side of the face is the symbol of *hunka*. The buffalo skull used in the ceremony is also given this mark (DeMallie 2001:807; Walker 1980:235). Buffalo meat, called *hunka* meat in this context, is also used in the ceremony. Equal parts of fat and lean meat were available, enough so that each guest could have a piece. A portion was also offered to *Tatanka*, addressed through the ceremonial buffalo skull, for it was he that had provided it (Walker 1980:224-228).



**Figure 11: *Hunka* ceremony at Pine Ridge in 1907. Buffalo skull and altar in foreground. Photographs by Edward S. Curtis (Walker 1980:194-195)**

The Preparing a Girl for Womanhood (Buffalo Ceremony, Buffalo Sing, or *Ishna Ta Awi Cha Lowan*) ceremony is the girls' puberty ceremony, performed after her first menstruation. A girl's first menstruation makes her *wakan* because she is now capable of motherhood (Walker 1980:242). The ceremony emphasizes the buffalo cow's traits of fecundity and nurturance and teaches the young woman for which it is performed the virtues of womanhood (DeMallie 2001:807; Rice 1991:134). Unlike most other

ceremonies, the skull of a cow buffalo with horns is used in the Buffalo Ceremony. The holy man conducting the ceremony wears a buffalo horn headdress and paints his body red (Walker 1980:246). The holy man lights the sacred pipe, blows smoke into the eyes and nostrils of the buffalo skull, and paints a red stripe down the right side of skull to show that the ceremony belonged to the buffalo and that the girl for whom it was performed will thereby become a buffalo woman. In the ceremony the holy man acts as a buffalo bull looking for a mate, while the girl's mother shows her how to drive him away. The girl is taught not to be intimate with a man before she is his wife. At the conclusion of the ceremony, the girl's hair is parted and braided for the first time in the way that women do. The holy man paints a red stripe down the right side of her face and paints the part in her hair red. She is now a buffalo woman (Walker 1980:247-252).

The last of the seven major ceremonies of the Lakota Sioux is the Throwing of the Ball ceremony (*Tapa Wanka Yap*). This ceremony originated as a puberty ceremony in which a young girl throws a ball to the four directions, with those catching the ball receiving blessings (DeMallie 2001:808). According to Black Elk (Oglala Lakota holy man) (in Brown 1953:127-138), the ceremony includes the use of a buffalo skull on which the red stripe is painted to show that the buffalo is *hunka*. In the original ceremony, Black Elk tells that the young girl changed from a little girl to a buffalo calf, to a white yearling buffalo, to a young buffalo, to a full grown buffalo, thus showing the four ages in buffalo, before changing back to a little girl again to throw the ball. Because the four-legged creatures were not able to play this ball game, they gave it to the two-leggeds.

## **Keeping Traditions Alive**

American Indians were integral players in the ethnic pride movements of the 1960s including the Red Power movement and the American Indian Movement (AIM) of the 1970s. Around the 1970s, the general attitude that young Lakota Sioux had toward traditional religion began to change. Young Lakotas at that time began to reincorporate long hair, piercing, sweat baths, Sun Dancing, and other components of traditional culture into their Indian identity. During this time, young people also attached new importance to the sacred Buffalo Calf Pipe and its central role in Lakota ritual life (Christafferson 2001:831).

Buffalo remain important both materially and symbolically to the Lakota Sioux. With the revival of the Sun Dance, buffalo are needed to supply meat, rattles, hides for drum heads, and bleached skulls to serve as altars in the ceremony (Franke 2005:238). Lakota people also have interests in the benefits of a traditional diet centered around buffalo in combating health problems on modern reservations. Many tribes across the country are bringing buffalo back to American Indians by starting herds on tribal lands. Under the organization of the Intertribal Bison Cooperative (ITBC), tribes unite with a common mission “to restore bison to Indian Nations in a manner that is compatible with their spiritual and cultural beliefs and practices.” The organization has 57 member tribes and a collective herd of over 15,000 buffalo. Four federally recognized Lakota Sioux tribes are ITBC members, including the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, Rosebud Sioux Tribe, and Standing Rock Sioux Tribe (ITBC 2007).

Tribal buffalo herds as well as those animals belonging to the Yellowstone herd continue to be of great symbolic significance to the Lakota Sioux today. In a series of government-to-government consultations held between Yellowstone National Park officials and affiliated Sioux tribes in 2002, the topic of greatest interest to tribes present at the meeting was management of the Yellowstone buffalo herd. In these meetings, among other issues, all tribes identified the critical role that Yellowstone can play in keeping Lakota traditions alive by serving as a classroom to teach Lakota youth about species such as buffalo that are central to Lakota traditional culture (Sucec 2002:7).

### **A Call for Unity**

The Buffalo Walk of 1999 is one way that the Lakota people are keeping and teaching others about their traditions. The Buffalo Walk, however, was not enacted simply to raise awareness of the plight of the Yellowstone buffalo; it was also part of a larger call for unity by its Lakota Sioux organizers and participants. The Buffalo Walk was an expression of intertribal unity, in which people from various tribes showed solidarity in the name of the buffalo. The themes of unity and solidarity in the name of the buffalo came up many times in conversations with Lakota consultants to this project. The quotations below reflect the Lakota's call for all colors of man to unite to save their relative, the buffalo:

(On the 1999 Buffalo Walk ceremony...) When we have these ceremonies we usually don't share it with the world like this, but this had to be done to show the world that all these tribes who came here...that we

could unite and put all our ceremonies into one (Gary Silk (Standing Rock Sioux Tribe), in Kurtis 1998/1999).

We as the four colors of man, we have to come together. We have to stop slaughtering each other. We lost respect for Mother Earth. We lost respect for each other...We come face to face with each other every day, and they could be our own relatives and we wouldn't even know who they are. That's how much we've lost (Gary Silk (Standing Rock Sioux Tribe), Painte and Silk 2007).

We need to all go, strong together with spirituality and life, now. And that's what He gave us. That's two of the gifts that he gave us...Spirituality and life is very strong gifts. And we need to realize that, that we're all equal, no matter what color we are as we walk as two-leggeds...or four-leggeds (Ken Painte (Standing Rock Sioux Tribe), Painte 2007).

The Lakota for many years have communicated with the Buffalo Oyate. But a difficult time was coming so the communication had stopped and through the Buffalo people a woman came to the Lakota people with a gift that empowered the Lakota both spiritually, physically and politically. Now our Buffalo brothers are being mercilessly slaughtered close to extinction and need our help. To give our help we must walk and through this walk of unity and solidarity will come a healing blessing for those involved. I salute the light within your eyes in which your spirit dwells (Everett Poor Thunder (Lakota, specific tribal affiliation unknown), in Sacred Walk to Save the Buffalo 1999).

(On the 1999 Buffalo Walk...) That's what this whole walk was about. No matter how cold it was, no matter how much snow fell on us, we had to finish this walk...It's more than just a walk, it's spiritual unity and there's a lot of meaning to this walk. We're the first generation in one hundred years to make this journey...My ancestors have been making this journey for thousands of years, following the buffalo, praying this way, sacrificing this way—this is nothing new to us (Nathan Chasing Horse (Lakota, specific tribal affiliation not known), in Kurtis 1998/1999).

In the discussion of Lakota history, practices, and beliefs above, it can be seen that the Yellowstone buffalo have tremendous symbolic significance to Lakota Sioux culture. Not only do the Yellowstone buffalo give the Sioux a sense of their history as a people, their very existence can signify the perpetuation or annihilation of the Lakota

people. Although background research points to the material importance of the buffalo to the Lakota people as much as it does to the spiritual and symbolic importance, it seems from contemporary discussions that it is the symbolic significance that most strongly pervades the Lakota culture and way of thinking to this day. These beliefs, such as the willingness to suffer for the buffalo and belief in the interconnectedness of the Lakota people and the buffalo, were expressed by the Lakota organizers and all Lakotas who participated in the 1999 Buffalo Walk.

Although Lakota Sioux and Nez Perce people both participated in the 1999 Buffalo Walk, the two groups of people each had their own reasons and unique associations with the Yellowstone buffalo that motivated their participation. In the next chapter the Nez Perce peoples' association with the Yellowstone buffalo and the ways in which they maintain this long relationship will be described.

## VI. THE NEZ PERCE

*"This is a great day for the Indian people...I pray that we will be able to connect with our past.  
I pray for our future, that this will be taken in a good way and not a negative way.  
I hope people can learn by having our children at the forefront of something historic.  
This is a day that can never be taken away from them, something they'll take when they meet their maker  
and will be able to report to their ancestors and make them proud."  
--Justin Gould (Nez Perce) on the Nez Perce youth buffalo hunt, in Associated Press 2006*

The following chapter on the Nez Perce is meant to provide background information on the Nez Perce people and the cultural significance of the buffalo to them. Tribal history, culture, spirituality and contemporary beliefs will be examined to provide context on the beliefs of the Nez Perce people that have led to their interest in how the buffalo are managed at Yellowstone National Park and their involvement in the 1999 Buffalo Walk.

### **The Significance of Buffalo to the Nez Perce**

The search of historic and contemporary literature shows that the significance of buffalo to the Nez Perce people is connected to buffalo as tutelary spirits and to tribal subsistence practices, specifically the annual buffalo hunting trips taken by the Nez Perce to the Plains. The importance of buffalo to Nez Perce subsistence is supported by sources describing the annual tribal buffalo hunts, traditional narratives describing Coyote's trips to Buffalo Country, and the occurrence of contemporary Nez Perce tribal buffalo hunts in the winters of 2006 and 2007. These associations will be discussed in later sections, with particular attention given to contemporary manifestations of these beliefs in the Nez Perce peoples' involvement in the 1999 Buffalo Walk, their assertion of buffalo hunting

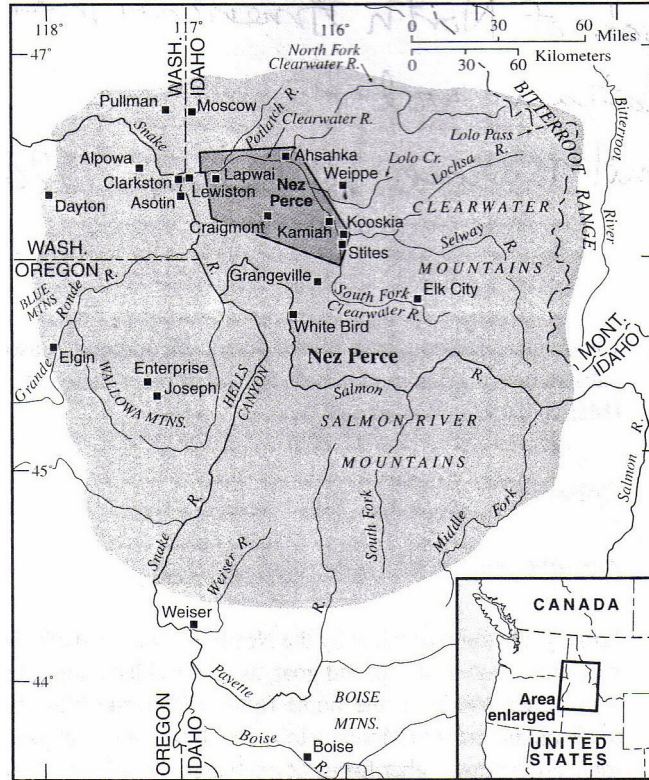
rights outside of Yellowstone, and their continued interest in the management of the Yellowstone buffalo herd.

## **Historical Background**

The Nez Perce, or *Nimiipu*, as the people identify themselves, are a culture group of the Columbian Plateau who speak the Nez Perce language (a member of the Sahaptian language family) (Pritzker 1998:376). *Nimiipu*, in Nez Perce means “we the people” (Axtell and Aragon 1997:4). The Nez Perce are divided into the Upper and Lower Nez Perce based on dialectical differences. The Upper (Upper River) Nez Perce are associated with the Kamiah people and a lifeway more like that of Plains tribes, while the Lower Nez Perce are associated with a lifeway centered on fishing and root gathering that is typical of other Plateau tribes (Walker 1998:420; Axtell & Aragon 1997:8).

Historically and prehistorically, Nez Perce territory centered on the middle Snake and Clearwater Rivers and the northern portion of the Salmon River basin in what is now central Idaho and adjacent Oregon and Washington (Figure 12) (Walker 1998:420). Before the acquisition of the horse, Nez Perce subsistence depended primarily on fish (i.e. salmon) and roots (i.e. camas). For this reason, the Nez Perce lived in small permanent to semi-permanent fishing villages and made seasonal rounds to resource areas. The size of these villages ranged from 10 to 75 people, most often with two extended family groupings in each village (Walker 1985:11-13).





**Figure 3: Nineteenth century Nez Perce territory shaded in gray, with modern reservation in dark gray (Walker 1998:421)**

In the latter half of the nineteenth century the most significant political interactions between the Nez Perce and the United States government were the treaties of 1855, 1863, and 1868, the Nez Perce flight of 1877, and the establishment of the reservation with headquarters at Lapwai, Idaho. The boundaries of the Nez Perce Reservation as established in the 1855 treaty minimally reduced the group's traditionally held lands (Walker 1985:45). In addition to establishing reservation boundaries, the treaty, negotiated by territorial governor Isaac I. Stevens and signed at the councilground near the mouth of the Judith River, also granted the Nez Perce hunting and fishing rights in their traditional territory. Article three of the treaty outlines these rights as:

...The exclusive right of taking fish in all the streams where running through or 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 (United States Government 1855b)<sup>6</sup>.

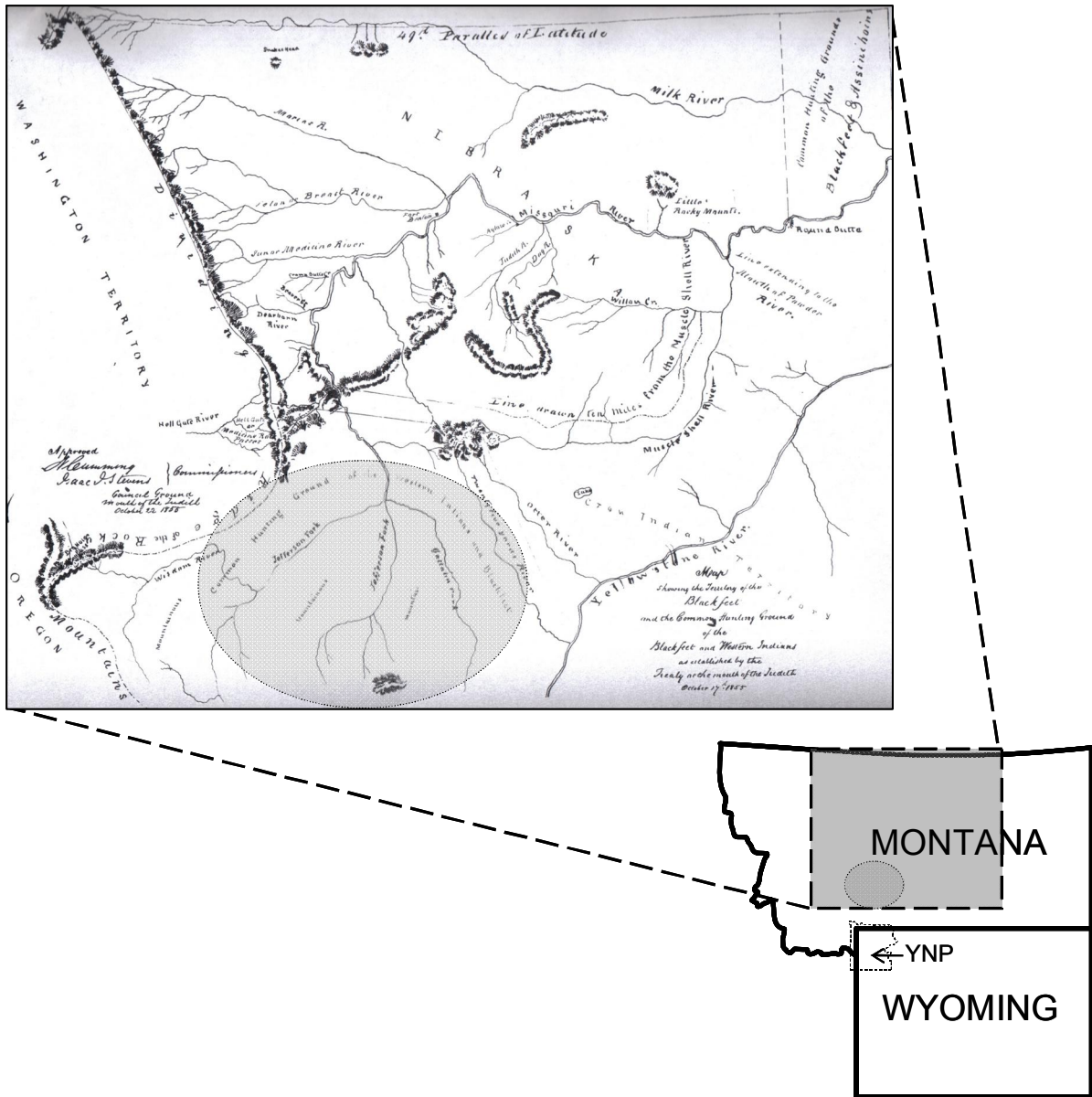
In the same year as the Judith Basin Treaty, the Nez Perce Tribe was a signatory on the Treaty with the Blackfeet, 1855. Under this treaty, also negotiated by Isaac I. Stevens and A. Cumming, the Nez Perce along with the Blackfoot Nation and Flathead Nation (present day Confederated Salish and Kootenai Tribes) were entitled to hunting, fishing, gathering and grazing rights for ninety-nine years on a common hunting ground, the lands of which are located in what is now southwestern Montana (United States Government 1855a). Article three of this treaty delineates the boundaries of the hunting ground:

The Blackfoot Nation consent and agree that all that portion of the country recognized and defined by the treaty of Laramie as Blackfoot territory, lying within lines drawn from the Hell Gate or Medicine Rock Passes in the main range of the Rocky Mountains, in an easterly direction to the nearest source of the Muscle Shell River, thence to the mouth of the Yellowstone River to its northern source, and thence along the main range of the Rocky Mountains, in a northerly direction, to the point of beginning, shall be a common hunting ground for ninety-nine years, where all nations, tribes and bands of Indians, parties to this treaty, may enjoy equal and uninterrupted privileges of hunting, fishing and gathering fruit, grazing animals, curing meat and dressing robes... (United States Government 1855a).

Figure 13 is a historic map showing the Blackfoot Territory and the common hunting ground as outlined in the 1855 Treaty with the Blackfeet.

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<sup>6</sup> These treaty rights have been evoked by the Nez Perce in modern history in the winters of 2006 and 2007 in the area north of Yellowstone National Park.



**Figure 13: Map of Blackfoot Territory showing common hunting ground (highlighted in gray circle) according to 1855 Treaty with the Blackfeet, shown in proximity to present-day Yellowstone National Park (Wheat 1960:37)**

In 1863, the Nez Perce Reservation was reduced substantially (from 7.5 million acres of land in Idaho and Oregon to 770,000 acres) by a treaty with the United States Government signed in Lapwai, Washington Territory (Figure 14) (NASA 2006; United States Government 1863). The treaty of 1863 exacerbated long-standing political and

religious divisions within the Nez Perce people. The newly designated reservation lands included only the lands of the Christianized Nez Perce, and excluded the lands of non-Christian Nez Perce (Greene 2000). Because of this exclusion, this cession of lands was not recognized by Nez Perce leader Joseph and his band as well as other Nez Perce bands, collectively known as the non-treaty Nez Perce. Non-treaty Nez Perce were required to relocate within the boundaries of the new reservation, or be taken there by military force. The non-treaty Nez Perce were forced to relocate to the reservation in little time, and struggled unsuccessfully to cross the Snake River at floodtide with their livestock and possessions (NPS Division of Publications 1983:121-122).

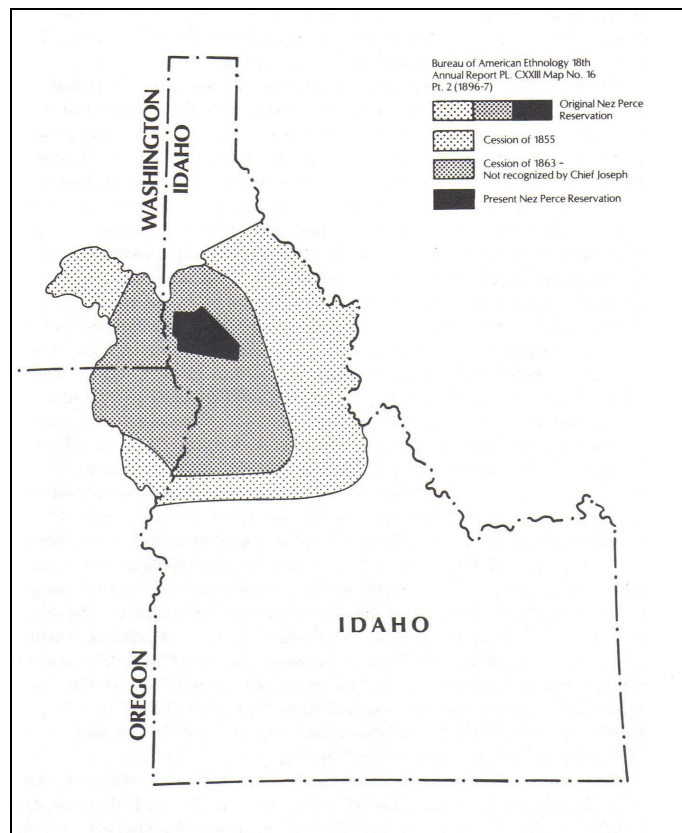


Figure 4: Reduction of Nez Perce territory by the treaties of 1855 and 1863 (Walker 1985:47)

As non-treaty Nez Perce leaders Joseph, White Bird, Looking Glass, and others prepared to move their people to the reservation, several altercations between the non-treaty bands and Euro-American settlers spurred the gunfire of the U.S. Army led by General Howard. The U.S. troops began to pursue the Nez Perce “hostiles,” whose leaders had hoped for a peaceful settlement with the troops (NPS Division of Publications 1983:125-131). This initiated the three-month-long flight in which approximately 800 Nez Perce with 2,000 horses traveled over one thousand miles evading and occasionally battling the U.S. forces in their effort to maintain their land and lifeways (Walker 1998:435). This journey took the Nez Perce east across the Bitterroot Mountains and back, south to Big Hole, through the Bannock Pass, east and then northeast through Yellowstone National Park in Wyoming, and then into Montana. On October 5, 1877, just 40 miles from the safety of the Canadian border, Joseph surrendered at Bear Paw Mountain after the death of Looking Glass to save what was left of his people (Franke 2005a:3; Green 2000; Walker 1998:435).

The night after the surrender, White Bird and most of his people, along with others, escaped to Canada to seek refuge with the Sitting Bull’s camp of Hunkpapa Lakotas. The non-treaty Nez Perce that remained in the custody of the U.S. troops were sent to a camp near Fort Leavenworth, Kansas and held as prisoners of war where many became sick with malaria. In 1878, the group was exiled to the barren land of the Indian Territory in northeastern Oklahoma where they suffered further from unsanitary conditions, lack of traditional medicines, and longing for their homeland. For years, Joseph tirelessly appealed to American officials to allow his people to return to their homeland. In 1883, 29 of the exiles were escorted to the reservation at Lapwai, Idaho.

Because of concerns about conflicts between white settlers and returning Nez Perce, the remaining exiles were sent to the Colville reservation in Nespelem, WA instead. The consequences of the 1877 Nez Perce flight are evident today in the geographic diversity of Nez Perce places residence. Descendents of the non-treaty Nez Perce now live on the Nez Perce reservation in Lapwai, Idaho, the Colville reservation in Nespelem, Washington, the Umatilla reservation in Pendleton, Oregon, and in Canada (NPS 1983:153-157).

Today the Nez Perce National Historical Park exists to commemorate the 1877 War and the Nez Perce flight in Idaho, Montana, Oregon, and Washington. Horace Axtell, a Nez Perce Tribe elder and leader of the Seven Drum Religion, emphasizes that contrary to the way that the history books portray the Nez Perce, his people are not “a bunch of people wanting to war all the time” (Axtell and Aragon 1997:19-20). Rather, the War of 1877 was an exercise in self-preservation by the Nez Perce people, who were resisting the ways of the Euro-Americans being forced upon them. At a memorial ceremony for the War of 1877 held at Yellowstone National Park in 2005, Axtell (in Franke 2005a:4) delivered a hopeful message to those gathered at the park:

We all understand what happened here with our people. We know the reason why they were here and why they lost their lives—it was for us now. A lot of cultural and spiritual things have disappeared but we are bringing it back, trying to make ourselves as powerful as our people once were. As the years go by we get stronger.

## **Horse Culture**

There is some evidence of pre-horse buffalo hunting trips east of the Bitterroot Mountains via the Nez Perce Trail, but it was not until after the acquisition of the horse sometime after 1700 that these trips became annual (Chalfant 1973:96; Walker 1998:420). The Nez Perce obtained the horse from the south (possibly from New Mexico) in approximately 1710 (Haines 1960:9). The Nez Perce were the most well-known horsemen of the Columbian Plateau. They practiced selective breeding, producing horses with outstanding strength and endurance (Walker 1998:427). By the time that Lewis and Clark arrived in 1805, the Nez Perce were using the horse for the transportation of people and equipment over short distances between camps as well as for extended trips east of the Bitterroots to hunt buffalo. East of the Bitterroots, the Nez Perce faced off with the Blackfeet who drove them back using guns acquired from Euro-Americans (Haines 1960:9-10).

In 1805, the Nez Perce procured guns through trade with the Mandans. Shortly after that, the Nez Perce began trading horses for guns and ammunition at the Northwest Fur Company at Spokane House and at Fort Nez Perce at the mouth of the Walla Walla River. With horses and guns in possession, the Nez Perce were able to travel to the Plains to hunt buffalo and to trade and to defend themselves while there (Haines 1960:9-10). With this new security, the Nez Perce began to cross the mountains annually to hunt buffalo and to stay there for multiple years.

Varying exposures to the horse and Plains culture among bands of the Nez Perce after 1700 led to the amplification of differences among the bands (Walker 1985:14).

The Upper Nez Perce readily adopted the Plains lifeway, using horses and traveling to the Plains to hunt buffalo, while the Lower Nez Perce maintained the traditional, local subsistence pattern dependent on fish and roots. By the time of contact with Europeans, roughly one hundred years after the introduction of the horse to the area, non-horse bands of Nez Perce were already known by the derogatory name *enényu ti·tó·qan*, meaning “provincials.” The bands that had adopted the Plains lifeway and traveled regularly to buffalo country were known as the *k’usáynu ti·tó·qan*, meaning “sophisticated people” (Walker 1985:14). According to Walker (1985:14), “Among the horse bands there were many derogatory stories regarding the contrastive behavior of the provincial bands, such as their eating dogs and preferring huckleberries rolled in salmon fat to buffalo flanks.”

### **Nez Perce Buffalo Hunts**

Throughout the eighteenth century, from the acquisition of the horse until the decimation of the great buffalo herds late in the 1800s, buffalo hunting on the Plains east of the Bitterroots was an important part of Nez Perce subsistence. Before the annual trips east to hunt buffalo, the Nez Perce diet had been comprised primarily of fish and roots (Chalfant 1973:41). On buffalo hunting trips in the Plains, hunting bands lived almost entirely on meat for months at a time. Even the Nez Perce that stayed behind in the villages ate more meat than before because hunters could bring back horses loaded with dried buffalo meat (Haines 1960:9-10). In the villages, underground caches were used to store dried food (i.e. meat, berries, fruits, roots) for the winter. It was not until buffalo



hunters returned from the Montana plains in late fall that these stores were opened (Chalfant 1973:80).

For the Nez Perce, there were two seasons for buffalo hunting: in spring after the thaw and in early fall after the camas harvest (Chalfant 1973:97). In the late summer, the Nez Perce took part in an intertribal gathering to harvest camas roots. Following the root harvest, the Nez Perce traveled in an intertribal hunting party, along with the Flathead, Bannock, and Shoshone, to hunt buffalo on the Plains (Spence 1999:46). The main travel routes from Nez Perce country to the Plains were the Nez Perce Trail (used pre-horse acquisition and post-horse) or the Lolo Trail (became more important post-horse) (Chalfant 1973:93-95). According to Chalfant (1973:95), the Nez Perce also had...

...a southern route to the plains south of Yellowstone National Park, an area they, and other tribes—Crow, Bannock, Shoshoni—made use of occasionally for buffalo hunting. The trail either crossed the Salmon River at “Salmon River Crossing”, south of Dixie, Idaho, or at Whitebird, thence up the Little Salmon River to Council, Idaho. Here groups would rendezvous in spring, then journey to Wyoming. They would return the same year, in the late fall. On the Montana trips, however, the buffalo hunting parties often stayed east of the Bitterroot Mountains for the winter.

Horace Axtell (Nez Perce Tribe elder) (2006) recalls how his people would journey to the Plains to hunt buffalo:

I explained how our people would plan a journey to come over here and would stay sometimes for a couple of years to get their buffalo hides cured to make robes and to also dry the meat before they would go back...That’s what our people from Nez Perce Country did. The different bands sometimes two or three bands would come over together. It was a planned thing. They all got together and planned. Some of the people that did not want to go stayed. But the others would come. Women and some younger people would go. That’s part of the way of life our people had before any missionaries of Lewis and Clark or anybody else came over our way.

Upon arriving in the Plains, the Nez Perce joined the Flathead and other western tribes for buffalo hunting (Chalfant 1973:81-82). The Nez Perce shared access to resources with friendly tribes there and often spent several seasons living with the Flathead in Montana. Many Nez Perce hunters lived on the Plains for the majority of the year, spending only winters in their own country (Chalfant 1973:76-82).

On October 8, 1853, Isaac I. Stevens and his surveying party met with a band of Nez Perce in the Bitterroot Valley of Montana on their way to hunt buffalo. There were approximately fifty Nez Perce in the party, including men, women and children. In addition, the group traveled with between 250 and 300 horses (Chalfant 1973:19). Walker (1998:427) supports this claim, saying that Nez Perce men, women and children all rode horses on their seasonal movements to subsistence hunting areas.

The area that today comprises Yellowstone National Park was familiar to Nez Perce buffalo hunting parties. Yellow Wolf (*Hemene Moxmox*) (in McWhorter 1948:26), a Nez Perce warrior who fought in the War of 1877, confirms this in his autobiography, “My grandfather [maternal], Homas, son of Seeloo Wahyakt, died on a buffalo hunt in Yellowstone National Park. I am not mistaken... We knew that Park country, no difference what white people say!” Yellow Wolf (in McWhorter 1948:30), who passed through the park himself, along with other Nez Perce on their flight from U.S. forces, continues to say that Nez Perce scouts “knew that country well before passing through there in 1877. The hot smoking springs and high-shooting water were nothing new to us.” The Nez Perce leader, Looking Glass, who fought in the War of 1877 is said to have led the last group of Nez Perce buffalo hunters to the Plains, returning home in June of 1877 before the onset of the war (Chalfant 1973:97).

In a 1997 interview, Nez Perce scholar Deward E. Walker, Ph.D. (in Nabokov and Loendorf 2002:178), agreed that the Nez Perce had full knowledge of the area that includes present day Montana, Wyoming, South Dakota, and Nebraska, and the river systems, mountain systems, and tribal territories therein. This area also includes Yellowstone National Park, where the Nez Perce would go “on a regular basis.” One traditional Nez Perce winter camp site used by buffalo hunters is located just south of Livingston, Montana, approximately 50 miles north of Yellowstone National Park (Chalfant 1973:98).

After acquisition of the horse, the buffalo became the primary source of sustenance to the Nez Perce people. Both the Nez Perce hunters on the Plains, and those who remained in the villages depended on the buffalo as a source of food and materials. Along with describing the importance of buffalo hunting trips to the Plains to procure food and materials, tribal elder Horace Axtell (Nez Perce Tribe) identifies the buffalo as a sacred animal and buffalo meat as a sacred food. He says that the buffalo are sacred to the Nez Perce because “way back in time the buffalo were already here but the other kind of people weren’t here yet” (Axtell 2006). Similar to the Lakota creation story in which the buffalo people preceded human beings, this belief links the sacredness of buffalo to their existence at the beginning of time. According to Axtell (2006), buffalo meat is a sacred food to the Nez Perce, and a food that sustained his people for many years:

That’s the important part of the buffalo that I think about. When you have different kinds of sacred foods and you bring them to the long house and you bless them in this manner. That is like asking the creator that next time we’ll have enough to do this ceremony each time we have our long house gathering... We are thankful that we still have buffalo meat on the table, to carry on our blessing of all our sacred food. That’s really important when we have those foods.

In addition to the integration of buffalo as a regular food source into Nez Perce culture, those Nez Perce who traveled by horse to the Plains incorporated these annual hunting trips and the cultural exchange that took place on the Plains as part of their culture. The journey itself was an important ritual, performed to procure buffalo robes, hides, and sacred food (Axtell 2006). The next section discusses how as the buffalo became integral to the physical sustenance of the Nez Perce, it also came to hold a place in Nez Perce ritual and spiritual life.

### **Nez Perce Spirituality**

Walker's Nez Perce informants emphasized that the coming of Euro-Americans was predicted long before their arrival. It was also predicted that Euro-Americans would bring great changes (Walker 1998:433). One of these changes came in the form of Roman Catholic and Protestant missionaries. Missionary activity among the Nez Perce was concentrated along the Clearwater River at Lapwai and Kamiah, where permanent mission stations were established. Christian missionaries prohibited many traditional Nez Perce practices among their converts, such as shamanism, tutelary spirit seeking, and most ceremonies along with drumming, dancing, singing, and regalia. Despite missionary efforts to eliminate these customs, most traditional Nez Perce beliefs endured (Walker 1998:433-434).

One important aspect of traditional Nez Perce spirituality is the seeking of a tutelary spirit. Around the time they reached adolescence, Nez Perce youths were sent

out on a vision quest (*wáyatin*) to receive a vision from a spiritual assistant (*wéyekin*) who would provide them power and guidance for the rest of their lives (Ray 1939:68-70; Walker 1985:18-19). Tutelary spirits were capable of providing desirable and undesirable powers. The Rattlesnake, for example, encouraged its possessors to kill others using sorcery. On the other hand, the Wounded Buffalo gave its possessor the ability to cure his own wounds. The Charging Buffalo gave its possessor the ability to be brave in the face of danger (Walker 1985:20; 1998:426). Other tutelary spirits with animal sources are Grizzly Bear, Crow, Mole, Raccoon, Black Bear, Ground Hog, Coyote, Wolf, Cougar, and others. Other sources include sun, moon, stars, clouds, lightning, spring floods, ice, mountains, trees, and rivers (Walker 1998:426).

The most important part of the quest for tutelary spirit power was the song received by an individual from his tutelary spirit during the quest. The song was later relearned when the individual became an adult. The song, along with a tutelary spirit dance and sacred package (package of objects said to have the tutelary spirit power resident in them) symbolized the power that an individual had received from his tutelary spirit. Each year at the Winter Spirit Dance, individuals established or confirmed their powers (Ray 1939:69-70; Walker 1998:426).

The buffalo served as a tutelary spirit in the form of Wounded Buffalo, Charging Buffalo, and other buffalo spirits. These spirits gave self-curing power and bravery, respectively. The buffalo served as a tutelary spirit along with many other animals, celestial objects, and landscape features. Evidence suggests buffalo figured similarly into the ritual and ceremony of traditional Nez Perce religion with other spirits.

Some Nez Perce ceremonies are the vision quest (*wáyatin*), the Winter Spirit Dance, a child's first roots ceremony (*patatalapó · sanaysix*), a child's first game or first kill ceremony (*patatalapó · sanaysix*), the annual first fruits ceremony (*ké?uyit*), Name Giving ceremonies, the children's feast (*toláwyact*) and war ceremonies (Axtell and Aragon 1997:8; Walker 1985:28-29). In a child's first game ceremony (*patatalapó · sanaysix*), a particularly successful hunter or fisherman would bless the first kill made by the child. In some instances, the older individual who had proven himself as an able hunter or fisherman would eat the flesh of the kill to ensure that the child would grow up to be an equally successful hunter or fisherman (Walker 1985:28).

Although the buffalo does not figure into Nez Perce spirituality as a major focus in the way that it does for the Lakota Sioux, for individuals whose tutelary spirit is a buffalo spirit or for a child whose first kill is a buffalo, the animal has additional significance. It should be noted, however, that because buffalo symbolism does not figure prominently into the ceremonies of the Nez Perce people does not mean that the buffalo is absent from Nez Perce thought and worldview or that buffalo are not significant to Nez Perce culture. After all, many of the Nez Perce were buffalo hunters who traveled annually to the Plains to hunt the great herds and depended on them for sustenance. Like most native cultures, the Nez Perce have stories that have been passed on orally for many generations. These narratives include many references to buffalo and buffalo country.

Coyote is the central character of Nez Perce narratives, appearing in more than half of Nez Perce myths. Because Coyote created the Nez Perce people, the *Nimiipu* consider themselves the children of Coyote (*Iceyé-yenm mamáyac*) (Walker and

Matthews 1998:4). Some of the Coyote narratives that include Buffalo are: Coyote Breaks the Fish Dam at Celilo (in which Coyote leaves the woods at the end of the narrative to go to “Buffalo Country [Montana]”), How Coyote Brought the Buffalo (in which Coyote goes to Buffalo Country and tries to bring a herd back west with him), Coyote and Bull (in which Coyote asks Bull to change him into a buffalo bull), How Porcupine Went to the Plains (in which Porcupine goes to the Plains and kills a buffalo cow, then loses the meat to Coyote), and Coyote’s Trip to the East (in which Coyote goes to Buffalo Country where he makes new horns for an old bull) (Walker and Matthews 1998:43, 69, 79, 85, 89). These narratives were used to educate Nez Perce children by teaching them the habits of animals, the location of food and other resources, how to use implements or tools, and the geography of their territory (Walker and Matthews 1998:3). In the case of the narratives involving Buffalo, the children were taught about the nature of buffalo, the location of buffalo on the Plains, how to hunt buffalo, and about the Nez Perce annual trips to Buffalo Country.

Because Coyote is the central character of these narratives, other characters such as Buffalo that appear as actors with Coyote are significant by association. In the narratives described above, Coyote and other characters, such as Porcupine, frequently “travel east” or “cross the divide” to reach the Plains, Montana, or Buffalo Country. This journey by Coyote and others in Nez Perce narratives parallels the journey made historically by the Nez Perce people to hunt buffalo on the Plains. In these stories, buffalo are portrayed as fat, happy grazers well-suited to life on the Plains (Walker and Matthews 1998:69, 79). Buffalo are frequently talked about as a food source to Coyote and others; and the themes of stealing and sharing buffalo meat are presented in the

narratives (Walker and Matthews 1998:85-88). In several of the stories, coming home empty-handed (without any buffalo) is rendered as a failed trip to Buffalo Country (Walker and Matthews 1998:69-71, 91). The treatment of buffalo as a game animal hunted on journeys to the Plains reinforces the importance of Plains buffalo hunts to Nez Perce subsistence and to the hunters who successfully hunted them to provide sustenance to their people.

### **A Continuation of Tradition**

Today the Nez Perce people live primarily on reservations at Lapwai, Idaho; Nespelem, Washington; and at Pendleton, Oregon. The Nez Perce Tribe of Idaho, the Confederated Tribes of the Colville Reservation, and the Confederated Tribes of the Umatilla are all federally recognized tribes by the United States (Pritzker 1998:379-380). The vision of the Nez Perce Tribe is “to provide an environment of improved well-being for our Nez Perce people while valuing culture, traditions, and resources” (Nez Perce Tribe 2006). Cultural revitalization has become an important focus to many Nez Perce people; members of the Seven Drum Religion have led efforts to revitalize traditional customs and religion (Pritzker 1998:381). Nez Perce Tribe elder and Seven Drum leader Horace Axtell (in Axtell and Aragon 1997:5) is one proponent of reinvigorating traditional culture among Nez Perce youth:



As long as we stick to our old Indian traditional ways, there's always that connection.

You must try to speak your language.  
You must have an Indian name.

Many of these things are happening right now. Our young people are coming out and bringing out these old names and being named. I think this is happiness to the elders of today, to see young people want to be named and have an Indian name. Many of our young people are letting their hair grow and they understand now. Maybe this is because some of us are like that. There must be something that we're doing that our young people are wanting to do now.

As a part of their cultural revitalization, the Nez Perce recognize the importance of restoring buffalo to tribal lands. As a member of the Intertribal Bison Cooperative (ITBC), the Nez Perce Tribe is committed to "restoring bison to Indian Nations in a manner that is compatible with their spiritual and cultural beliefs and practices" (ITBC 2007). The Nez Perce would like to introduce a herd to their reservation for future generations to support their spiritual and cultural practices (ITBC 1995:27).

Another way that traditional Nez Perce culture is being revitalized is through traditional subsistence activities. On January 25, 2006, Nez Perce tribal chairman Rebecca A. Miles (Nez Perce Tribe) wrote to Montana Governor Brian Schweitzer of the tribe's intent to assert its 1855 treaty rights in regards to buffalo hunting in Montana. "We trust that you can understand the significance of maintaining the Nez Perce Tribe's culture and our way of life," the letter read (Bohrer 2006). Governor Schweitzer responded that "...the state of Montana respectfully acknowledges that the tribe will be exercising its treaty-reserved rights" (McMillion 2006).

The 2006 Nez Perce tribal buffalo hunt was held during the same winter that Montana held its first state buffalo hunt in fifteen years. It was because of the state's

decision to hold a hunt that the Nez Perce chose to assert their perceived treaty rights. The state made fifty licenses available to the public, setting 16 aside for Montana tribes. Because of the tribe's treaty rights, the Nez Perce are not required to hold state hunting licenses to buffalo. Instead, the tribal hunt is governed by tribal regulations (Bohrer 2006). The treaty rights asserted by the Nez Perce Tribe in the winter of 2006 are those outlined in the Treaty with the Nez Percés, signed in 1855 in the Judith Basin. The language of this treaty grants Nez Perce tribal members the right to hunt on "open and unclaimed land" such as the national forest land surrounding Yellowstone National Park to the north. In the past, the tribe chose not to exercise this right because of the low numbers of wild buffalo. The successful management of the herd by the NPS resulted in the ability of the Nez Perce Tribe (as well as Montana hunters) to hunt buffalo on the northern boundary of the park that year.

The reinstatement of the Montana hunt, as well as the capture and slaughter of Yellowstone buffalo under the IBMP, alerted Nez Perce officials that the time was right for a tribal hunt. Nez Perce Fish and Wildlife Commissioner James Holt (Nez Perce Tribe) (in Associated Press 2006) explains, "[Montana Department of Livestock] slaughtered about 580 this year... We don't agree with that. We've been monitoring it and feel that our way, hunting the buffalo and using it for subsistence and ceremonial purposes, is better. That's why we decided this was the time to reassert our treaty rights."

In the winter of 2006, eleven Nez Perce youths, aged 13-18 accompanied by as many adults traveled to Gardiner, Montana for the first tribal buffalo hunt in more than a century. The youth hunters were selected based on essays they wrote about Nez Perce treaty rights (Associated Press 2006). Adam Villacienio (Nez Perce Tribe) (in Bohrer

2006; McMillion 2006), a Nez Perce tribal conservation officer, described the purpose of the hunt as “educational and ceremonial,” and a way to return to traditions that have eroded over time. The youth hunters were trained by tribal conservation officers and elders in hunting and processing techniques, and used modern weapons in the hunt (Figure 15) (McMillion 2006). Youth participants in the hunt included Nez Perce Tribe members: Anthony Capetillo, age 17; Orland Garcia, age 14; Jalon Green, age 13; Kymberlee Holsinger, age 15; Coty Reuben, age 17; Orlando Taylor, age 14 (Associated Press 2006; Cheen 2006:5).



**Figure 55: Nez Perce youth hunters take part in the 2006 tribal buffalo hunt under rights granted by an 1855 treaty (Jones 2006)**

In preparation for the hunt, some hunters fasted for three days, some used the sweat lodge, and others prayed and asked for guidance on the spiritual hunt (Cheen 2006:5). On February 4, 2006, the morning of the hunt, the youth hunters and accompanying adults convened at the Best Western Inn in Gardiner, Montana before

going out to the Eagle Creek Campground area for the hunt (Cheen 2006:1). That morning Lakota elder and buffalo advocate Rosalie Little Thunder (Rosebud Sioux Tribe), who happened to be at the park visiting with Yellowstone bison management staff that weekend, was invited to speak to the group of youths. Little Thunder (in Cheen 2006:5) reminded the group of American Indians' relationship with the buffalo:

These are our ancestors. There's a big difference in the way the National Park Service is killing these buffalo and the way you youths will be doing it today... When we do our buffalo kills, our way of killing is about seeking permission of our relatives. It's about making peace with the buffalo spirit. This is not sport.

That Saturday, Nez Perce youths took six buffalo from their ancestral hunting grounds north of Yellowstone National Park. Figure 16 shows youth hunters with one of the buffalo taken in the 2006 hunt. Coty Reuben (Nez Perce Tribe), grandson of Nez Perce elder Horace Axtell, was the first Nez Perce Indian in 140 years to shoot a buffalo on the tribe's traditional hunting grounds (Associated Press 2006; Cheen 2006:1). Hunters said prayers for the buffalo before and after shooting them and sprinkled tobacco on the carcasses of the buffalo as an offering of respect and gratitude (Associated Press 2006). For the Nez Perce youths, the tribal hunt was a right of passage. By participating in the 2006 tribal hunt, the eleven youths became adults. Nez Perce tribal executive committee member and father of one of the youth hunters, Larry Green (Nez Perce Tribe) (in Cheen 2006:5) expressed his feelings on the tribal hunt, "We've come over and received bison meat before, but never have we been able to come over and hunt them as our ancestors did... The Nez Perce are from this land. I am honored to be here with my people doing this. It's been a long time."



**Figure 16: Nez Perce youth hunters roll a buffalo into position for field dressing (Jones 2006)**

According to Kawamura (2003:157), “for most Nez Perce households, traditional subsistence practices are no longer the primary means of subsistence. However, the Nez Perce unanimously argue that these activities are crucial to their modern lives.” The importance of subsistence hunting and the revitalization of this practice to Nez Perce cultural continuity are evident in the comments about the tribal hunt of 2006. Justin Gould (Nez Perce Tribe) (in Associated Press 2006), the hunt’s quality control officer, sums up the hunt’s significance:

This is a great day for the Indian people...I pray that we will be able to connect with our past. I pray for our future, that this will be taken in a good way and not a negative way. I hope people can learn by having our children at the forefront of something historic. This is a day that can never be taken away from them, something they’ll take when they meet their maker and will be able to report to their ancestors and make them proud.

In the winter of 2007 the Nez Perce repeated their tribal hunt, this time opening it to all tribal members instead of to tribal youth only. Permits for the 2007 Treaty Buffalo Hunt, were issued to enrolled tribal members for the season beginning on January 13, 2007 and running until the end of February (McMillion 2007). There is the possibility of other tribes asserting hunting rights from the 1855 Judith Basin Treaty and other treaties around Yellowstone National Park in the future. The Confederated Salish and Kootenai Tribes have considered asserting their treaty rights to hunt buffalo before and plan to do so this fall and winter (2007) in the areas north and west of Yellowstone National Park (Brown 2007; French 2007; McMillion 2007).

In the Nez Perce oral data examined for this study, there was a prevalence of comments by tribal members on the Nez Perce tribal buffalo hunts from the winters of 2005-2006 and 2006-2007. These comments were grouped around two major themes. The first theme that recurred throughout Nez Perce tribal members' comments on the hunts was the belief that the Yellowstone buffalo ought to be free to migrate where they choose. Tribal members expressed that the Yellowstone buffalo should *remain wild and free, need to have habitat, live as free animals*, and be able to *roam when they want*. The sentiment that the Yellowstone buffalo should be given the freedom to roam recurred throughout all of the following quotations by tribal members:

Our strong cultural, spiritual and religious ties to this land and the bison spur us to take a strong stance on how we view 'sound management.' The bison is more to us than a resource to be seen in a park, but spiritual and must be allowed to remain wild and free (Samuel N. Penny, Nez Perce Tribal Chairman (Nez Perce Tribe), Penny 1999).

What you see here is us being able to continue living the way we always have, and that's all we want to do. We want to strengthen this for the buffalo. The buffalo obviously need to have habitat out here....If they are having all these permits, they need to have the animals out here living, living life... (James Holt, Nez Perce Fish and Wildlife Commissioner (Nez Perce Tribe), in Buffalo Field Campaign 2007).

What allows us to come over here and hunt buffalo is the treaty right of 1855, but it all depends on the buffalo. That treaty right means nothing without the buffalo here. The NPS has sent hundreds of them off to slaughter. And we came over here and took six. So it shows you the disparity here. That's not the way it should be. They should be able to go out of the park and live as free animals as they are, like we choose to live where we want. The buffalo deserve that same respect and honor (James Holt, Nez Perce Fish and Wildlife Commissioner (Nez Perce Tribe), in Cheen 2006:1).

This federal management plan that affects them [the Yellowstone buffalo] is the same federal management plan that affects us. It's all about termination, control, and exercising the power they have because it's there, rather than because it's right (James Holt, Nez Perce Fish and Wildlife Commissioner (Nez Perce Tribe), in Buffalo Field Campaign 2007).

In the second and third quotations above, a direct connection is made between the Nez Perce belief that the Yellowstone buffalo should be allowed to roam free without being sent to slaughter, and the fact that this movement of buffalo outside the park allows for the Nez Perce buffalo hunt to take place under their 1855 treaty right. As the Nez Perce Fish and Wildlife Commissioner, James Holt (in Cheen 2006:1) said, without the buffalo, the treaty right means nothing. It is the successful management of the buffalo within the park along, along with their migration over the park boundary, which has made the tribal hunts possible. Management by the park is necessary to ensure the success of future tribal hunts.

The fourth quotation from the grouping above draws a comparison between the federal government's control over the buffalo to the control exercised by the federal

government over the American Indian people. This statement is very much like the Lakota Sioux belief that the shared history between the Lakota people and the buffalo causes their fates to be inextricably tied. According to both the Nez Perce and the Lakota Sioux peoples, the treatment and subsequent fate of the Yellowstone buffalo is indicative of the treatment and fate of their peoples.

The belief in the need for the Yellowstone buffalo to be free to migrate where they chose was one of the main reasons that Nez Perce Tribe members became involved with the 1999 Buffalo Walk. In an interview about his participation in the Buffalo Walk, Nez Perce Tribe elder Horace Axtell (2006) articulated this belief:

Now the reason a lot of us think this was wrong was because when buffalo want to roam they can roam. And during the winter time food gets scarce so they come out of the area to look for food. They can't read signs or anything so they just come out. So for that reason our feeling was; that was wrong.

The second theme that came up repeatedly in Nez Perce oral data on the tribal hunts north of Yellowstone was the assertion that hunting buffalo in the Yellowstone area was historically important to the Nez Perce, and continues to be important to Nez Perce tribal sustenance, both bodily and spiritually. Throughout the eighteenth century and into the late 1800s, buffalo hunting east of the Bitterroot Mountains was an important part of Nez Perce subsistence. Until the decimation of the great herds in the mid-nineteenth century, the buffalo were a major source of tribal sustenance.

During more than a century of traveling east to the Plains to hunt buffalo, the Nez Perce created an enduring sense of place connected to their eastern hunting grounds. Directly tied to this cultural significance of this area is the buffalo that they hunted there. As James Holt, Nez Perce Fish and Wildlife Commissioner (Nez Perce Tribe) (in Cheen



2006:1) says in reference to the 2006 Nez Perce tribal hunt at Yellowstone, “This hunt wouldn’t mean anything if we were coming over here to hunt elk or antelope. It’s for the buffalo why we’re here and we always have to remember that.” The quotations below express the enduring sense of place that the Nez Perce people hold for the Yellowstone area and for its culturally significant feature, the buffalo. With terms such as *a long time ago, as our ancestors did, it’s been a long time, tradition, connect with our past, and ties to the buffalo*, the Nez Perce individuals quoted below establish the history of the Nez Perce experience with the buffalo in the Yellowstone area that is the foundation of the cultural significance of Yellowstone buffalo to the Nez Perce Tribe.

This is an affirmation of our treaty rights. A long time ago, our people went on an annual journey to buffalo country. They’d stay there a year or two, cure their hides, make robes, dry the meat and come back to share it with the people. My grandmother had seven buffalo robes from those trips (Horace Axtell (Nez Perce Tribe elder), in Associated Press 2006).

We’ve come over and received bison meat before, but never have we been able to come over and hunt them as our ancestors did...The Nez Perce are from this land. I am honored to be here with my people doing this. It’s been a long time (Larry Green, Nez Perce Tribal Executive Committee member and father of Nez Perce youth hunter (Nez Perce Tribe), in Cheen 2006:5).

We’re trying to gain that back [eroded traditions] and instruct and teach our youth. Our children are everything, and it’s important that tradition continues and does not die (Adam Villacicio, Nez Perce Tribal Conservation Officer (Nez Perce Tribe), in Bohrer 2006).

This is a great day for the Indian people. I pray that we will be able to connect with our past. I pray for our future, that this will be taken in a good way and not a negative way. I hope people can learn by having our children at the forefront of something historic. This is a day that can never be taken away from them, something they’ll take when they meet their maker and will be able to report to their ancestors and make them proud (Justin Gould, 2006 Nez Perce Tribal Hunt Quality Control Officer (Nez Perce Tribe), in Associated Press 2006).

The Nez Perce Tribe values its past. We are proud of our cultural, spiritual, and religious ties to the Yellowstone and the bison. We are saddened by the disrespect cast upon such a great, and revered spirit. We are striving to bring back the respect of this great and wonderful spirit lacking in the mindless, brutal slaughter being practiced at present. The slaughter that was started over a hundred years ago to keep the bison from the Native American people. To us it seems that this is happening again. Very few other people can possibly feel the pain, loss, and anger of losing a way of life. The loss of spiritual sustenance (Samuel N. Penny, Nez Perce Tribal Chairman (Nez Perce Tribe), Penny 1999).

So there's a lot tied up in us being out here, to me...It's not just to hunt, it's to provide for my family. It's to honor the ancestors. It's also to speak for the buffalo today, our family today, and make sure my son and his grandson, and his grandson have a right to come up here and do this too, with their brothers. So that's what this means to me (James Holt, Nez Perce Fish and Wildlife Commissioner (Nez Perce Tribe), in Buffalo Field Campaign 2007).

Our people are dying from diabetes. Our people are dying from all these health problems that we have on the reservation. And many of their people are people that had ties to the buffalo that were severed...one hundred and fifty, one hundred and sixty, one hundred and eighty years ago. They're the ones that are still hurting today...And so this, right here [the Nez Perce buffalo hunt], provides us an opportunity to strengthen how we live on this earth. It strengthens that resolve, that respect, that honor and that dignity that we have to live on this earth every day. That's what that means for us (James Holt, Nez Perce Fish and Wildlife Commissioner (Nez Perce Tribe), in Buffalo Field Campaign 2007).

If cultural significance is experienced as an intangible emotion or enduring affection for a place built up through a history of group experience in a place, then it can be said that the Yellowstone area is culturally significant to the Nez Perce people (Williams and Patterson 1999:152). From the two themes discussed above, it can be seen that the Yellowstone buffalo are a key symbol contributing to Yellowstone's cultural significance to the Nez Perce. The act of coming to the Yellowstone area to hunt buffalo plays a role in sustaining the Nez Perce as a people, both spiritually and physically. The contemporary tribal hunts held by the Nez Perce in the winters of 2006 and 2007, are

crucial in allowing Nez Perce tribal members to live out this place meaning and to reclaim a part of their culture (McAvoy, et al. 2003:100-101). Although the contemporary hunters have not taken buffalo in numbers enough to sustain the tribe materially as their ancestors did, the symbolic act of coming to the Yellowstone area to hunt buffalo creates a sense of history, spirituality, and cultural significance for the Nez Perce people (McAvoy, et al. 2003:88).

### **Comparing Buffalo Significance**

In this study, the cultural significance of buffalo to the Lakota Sioux and Nez Perce peoples has been documented in detail through description of the ideas, events, and relationships that connect these two groups of people to the buffalo. For each group, historical background, hunting, spirituality, ceremony, and the continuation of cultural traditions were discussed. In some areas the two groups ascribe similar significances to buffalo, and in others, their practices and beliefs are quite different. Both the Lakota Sioux and the Nez Perce have a long history of buffalo hunting on the Plains. For the Lakota, who were Plains dwellers, buffalo fulfilled their everyday needs and dictated the movement of their camps. For the Nez Perce, whose homeland lay west of the Bitterroots, the acquisition of the horse in the early eighteenth century allowed for annual buffalo hunting trips to the Plains that led to increased dependence on the buffalo as a food source. In addition to their importance to tribal subsistence, these annual hunting trips became an extremely important tradition in Nez Perce culture.

In both Lakota and Nez Perce spirituality, the buffalo holds a symbolic role. For the Lakota, the buffalo plays a central role in ceremony and in narratives establishing the relationship of the Lakota people to the earth and the spirits. In many Lakota ceremonies the spirit of the buffalo is represented or invoked using buffalo parts as food, clothing, and parts of ceremonial structures. In Nez Perce spirituality, the buffalo does not hold the same place in establishing worldview. Instead, references to buffalo in traditional Nez Perce spirituality center on buffalo as important tutelary spirits, their role in first game ceremonies, their appearance alongside Coyote in traditional narratives, and their flesh as a sacred food.

Both spirituality and traditional subsistence practices remain as important components to the cultures of the Lakota Sioux and Nez Perce peoples. The continuing significance of buffalo to these two groups of people is very much evident in their participation in the 1999 Buffalo Walk, and in the Nez Perce peoples' assertion of buffalo hunting rights in 2006 and 2007. The purpose and events of the 1999 Buffalo Walk are described in the following chapter.

While the cultural significance of buffalo to the Lakota Sioux and Nez Perce differs across categories, there is no doubt that the buffalo was historically important to the cultures of both groups, and that the significance persists to the present day.

## VII. THE 1999 BUFFALO WALK

*“On the dawn of the 7th day of February, in the 7th generation, according to ancient wintercount, in the year 1999, will rise with the sun a new beginning and a powerful day of prayer, song, honor, respect and ceremony.*

*As Elders, leaders, and common men and women will gather from the four directions near the Heart Of All That Is (Sacred Black Hills) at the Oyate Center (Peoples Gathering Place) located in the heart of Lakota Homes at Rapid City, South Dakota...to declare an event of the utmost historical importance, a great Spiritual Walk...*

--Joseph Chasing Horse, invitation to join the 1999 Buffalo Walk (Tatanka Oyate Mani, They Walk for the Buffalo People)

### **Tatanka Oyate Mani**

On February 7, 1999, approximately forty American Indians from various tribes left Rapid City, South Dakota on foot, horseback, and by vehicle destined for Yellowstone National Park. The group walked in peace, on a spiritual journey to the park to raise awareness of traditional and spiritual teachings of indigenous people and of the plight of the Yellowstone buffalo. The Buffalo Walk brought national attention to the thousands of Yellowstone buffalo killed in recent years under the IBMP.

Organizers of the Walk called it *Tatanka Oyate Mani* (They Walk for the Buffalo People). *Tatanka Oyate*, translated from the Lakota dialect means “Buffalo People.” According to the beliefs of the Lakota people and many other Plains tribes, the destinies of the buffalo and the American Indian are inseparable. At the beginning of time the buffalo sacrificed himself so that the people could survive. Now, according to Rosalie Little Thunder (Rosebud Sioux Tribe) (Little Thunder 1999a), the people have embarked on “...a spiritual journey to Yellowstone, to the buffalo...It is their belief that we must return their sacrifices for us and that through suffering, the prayers will be strong.”

Little Thunder and Joseph Chasing Horse (Lakota, specific tribal affiliation not known) served as main organizers for the event. The organizers contacted Yellowstone National Park staff in January of 1999 to discuss details of the Walk and to complete a Public Assembly Permit application. Staff members from the Branch of Cultural Resources, Natural Resources, Resource Management and Visitor Protection, and Public Affairs worked with Chasing Horse and Little Thunder to prepare the location of the ceremony and other logistics for the event (Joss 1999:7; 2007). In addition to Little Thunder and Chasing Horse, who were instrumental in planning and amassing support for the walk, many other American Indians (and non-Indians) contributed in other ways, such as procuring food and accommodations for the walkers, riders, and their horses along the way to Yellowstone. Regardless of their role, all participants in the Buffalo Walk were united in their goal to create utmost awareness of the last free-roaming buffalo herd in the world and of the buffalo's place in American Indian culture. In a letter announcing the Walk that was addressed to "Leaders and People of the Buffalo," Little Thunder (1999a) outlines the significance of the Yellowstone herd:

...we cannot abandon the buffalo that have been our source of survival and therefore, the center of our spirituality. Although there are domesticated herds elsewhere, elders and spiritual leaders have said the Yellowstone buffalo are important in that they are wild and still have natural wisdom. With their instinctive intelligence intact, they can continue to serve their rightful place as keystone species of the Ecosystem; essential to the survival of the earth and human kind. This we all know.

In ethnographic interviews about the Buffalo Walk, both park staff members and tribal members demonstrated an awareness of the special significance of the Yellowstone herd. Tribal members used the terms *pure*, *original*, *migrating*, and *eat natural* medicines to describe the Yellowstone buffalo. Park staff described the Yellowstone

herd as *native, genetically pure*, and as the *last free-ranging* herd. While both groups applied terms pointing to the Yellowstone herd's derivation from the original herd of buffalo that once roamed the Plains and its continuously migratory nature, American Indian consultants further stressed the sentient qualities of the animals (i.e. intelligence) and the effects of human policies on them. In the quotation above, Rosalie Little Thunder (1999a) identifies some of these qualities when she talks about the "natural wisdom" and "instinctive intelligence" of the buffalo. She also identifies the relationship between the fate of the buffalo and the fate of the Indian people. In an interview with Ken Painte (Standing Rock Sioux Tribe) (2007), the tribal elder echoed Little Thunder's remark about the survival of the buffalo and the Indian people:

We come back and we take a look at some of the rules and regulations that we have to live under. We can't expect the animals to live underneath that, rules and regulations, and policies and procedures...That's the whole thing...It hurts...Maybe they are smarter than us, and I know they are sometimes. But are we taking ourselves into destruction?...I hope not...

### **Purpose of the Buffalo Walk and the Manner in Which It Was Conducted**

One topic that was stressed by many of the consultants who talked about the Buffalo Walk of 1999 was their support of the Walk's purpose. In the language they used to describe the purpose of the Buffalo Walk, tribal members identified restoration and healing as main purposes of the Walk. Specific terms used by tribal consultants to describe restoration as a purpose were *the life of the buffalo; restoring the people, the buffalo, the earth and the stars in relationship to one another; and a call to treat the*

*Earth and everything on it the right way.* Reflecting on the Buffalo Walk eight years later, Ken Painte (Standing Rock Sioux Tribe elder) (Painte and Silk 2007) remembers,

It turned out good...Everything was good. All we have to do is remembering what was it done for, and it was done for the life of the buffalo. Have things changed? How can we help change them without being cruel?....

Healing purposes were conveyed by tribal members with the terms *walking for a healing blessing; youth and the next generation; and the fulfillment of dreams/visions.*

One non-Indian consultant who is a relative to a tribal consultant identified bringing attention to *the genocide of the original people* as the purpose of the Walk. This comment brings to light once again the relationship between the fate of the buffalo and the fate of the American Indian people. In their statements of purpose, tribal consultants identified the restoration of this relationship and healing for future generations as prime purposes of the 1999 Buffalo Walk. According to the beliefs of many American Indians, and particularly the Lakota Sioux, without the restoration of a balanced relationship between the buffalo and the American Indian people, neither will survive.

In addition to identifying its purpose in their discussion of the Buffalo Walk, many tribal consultants also drew attention to the way in which the Buffalo Walk was conducted. Tribal consultants often described the actions of the Walkers as being conducted *in a good way, in a sacred way, in prayer, or in a positive way.* To American Indian people it is important to conduct ceremonial and spiritual actions such as the Buffalo Walk in this manner because part of the action includes asking something of the Creator or the Spirits. When asking for something, such as the restoration of the life of the buffalo, one must propitiate the Creator by acting in a good way.



In contrast to the statements made by tribal members, when talking about the purpose of the 1999 Buffalo Walk, park staff members did not acknowledge the relationship between American Indian people and buffalo in the past, present, or future. Instead, the purpose of the Walk was stated by park staff in more logistical terms, such as *bringing attention to the buffalo issue, asking that the buffalo be treated right, and asking that the slaughter of buffalo be stopped*. George Nell (Yellowstone seasonal interpretive park ranger) describes his perception of the purpose of the Buffalo Walk,

Whatever the plan is, I think the Native Americans to a large degree with this walk were just trying to yell out as hard as they could that these buffalo need to be treated right and so does the earth in general. Everything needs to be treated right (Nell 2007).

It is possible that the Buffalo Walk affected the thinking of park staff and that since this benchmark event in park history, the historical and contemporary relationship between American Indians and Yellowstone buffalo has been brought to light. It is also possible on the other hand, as former Yellowstone Superintendent Mike Finely (2007) points out, that the park's thinking has not changed. After all, he says, "with a change in leadership comes a change in philosophy." This document will provide information about the cultural significance of Yellowstone buffalo to present and future managers who may or may not have been present at the park during the Buffalo Walk of 1999.

### **A Part of Something Larger**

A second topic that recurred during interviews with consultants about the 1999 Buffalo Walk was the feeling of being a part of something larger. As the participants in

the Buffalo Walk proceeded on their journey in a good way, many stated that they felt as though they were a part of something larger than their individual selves. Tribal consultants discussed the *energy* and *power* of the Walk and ceremony. When talking about the Buffalo Walk, one unnamed tribal consultant said,

...it becomes and has a life of its own...and then when you leave it, it's like you've left a major part of yourself (Anonymous 2007).

Gary Silk (Standing Rock Sioux Tribe) (Painte and Silk 2007) describes what he felt while riding into Gardiner on February 27, 1999:

When we rode in that day, I could really feel the power there. A lot of sadness was there too...I think because of blood spilled in that area, what happened not just to the buffalo, but to our people.

In the quotation above, Gary Silk makes the point that the Buffalo Walk was about more than bringing awareness about what was happening to the buffalo in Yellowstone, it was also about what was happening and has happened to the American Indian people in the past. Silk talks about the blood spilled in the Yellowstone area, alluding perhaps to the Nez Perce flight of 1877 through Yellowstone National Park. Tribal elder and Buffalo Walk participant, Horace Axtell (Nez Perce Tribe) (2006) elaborates on this event and the Nez Perce choice to participate in the Buffalo Walk:

We have a trail that comes all the way over here. As time went on this trail became a sad trail. That's when our people were eluding the army when they were being chased. They knew which way to go. They come right through here. That was an important part of why we were here in support of this.

According to Silk and Axtell, the Buffalo Walk exuded a power that stemmed not only from the group of Buffalo Walkers, but also from the memory of what had happened to ancestors in this area at the hands of the federal government. By coming to the park, an entity of the federal government, American Indian

participants on this spiritual march expressed not only courage, but a desire for healing of these historic interactions.

In addition to the powerful presence of history, some tribal consultants named a higher power (i.e. Creator, *Wakan Tanka*, Spirits) in association with the energy and power felt during the Buffalo Walk. Many described transcendent experiences suggesting the intervention of a higher power on the Walk. One unnamed tribal consultant, after describing herself as being crippled with rheumatoid arthritis talked about her miraculous ability to walk on the day that she carried the sacred bundle at the front of the Buffalo Walk:

It's hard to remember anything about carrying it [the bundle]...I think I walked eleven miles that day, which I would never have thought possible. And here's the miraculous thing...I didn't know what was going on around me once that bundle was in my arms, because the bundle has a life of its own (Anonymous 2007).

Several Buffalo Walk participants related accounts of still another extraordinary incident that occurred along highway 89 south of Livingston in which a highway patrolman stopped the Walkers to investigate calls that had been received about a group of buffalo walking along the road. When the highway patrolman arrived on the scene he encountered only the Buffalo Walkers. Both tribal and park consultants related this incident. Tribal members were taken by surprise when the officer told them of the reports, but felt proud to be seen as buffalo:

The only buffaloes walking here is us (Gary Silk (Standing Rock Sioux Tribe, rider) to highway patrolman, Painte and Silk 2007).

That was just us...walking in prayer. Some people see things that way...and it made us feel proud...We just went on with what we had to do (Ken Painte (Standing Rock Sioux Tribe), Painte and Silk 2007).

Although the highway patrolman encountered only the Buffalo Walkers, this incident calls to mind the Lakota belief that as the Buffalo People (*Tatanka Oyate*), the Lakota originated from the buffalo at the beginning of time. Because they originated from the buffalo and the buffalo gave himself to provide for their existence, the fate of the Lakota people is intricately intertwined with that of the buffalo. The similarity between the American Indian and the buffalo does not stop at the creation of the former from the later in the Lakota or other creation stories. In the United States, the history of the American Indian has paralleled that of the buffalo, from relative peace, to decimation, to placement on government reserves. The account above, takes the similarity between the American Indian and the buffalo a step further in telling how even the physical characteristics that separate the American Indian from the buffalo can become imperceptible. Comments by Bill Edwards, a Euro-American wildlife biologist and plant ecologist who teaches at the Yellowstone Institute, reinforce the American Indian experiences described above. As he walked into Gardiner with the Buffalo Walkers, Edwards felt the presence of the Buffalo People alongside him:

...I felt a presence on my right side and I looked up, and here it looked like a buffalo sitting on a horse. It was actually a warrior who had on a buffalo robe and the head of a buffalo and it looked just like a buffalo sitting on a horse...and that reminded me of what Joseph [Chasing Horse] had said about 'you could not tell where the Indian began and the buffalo ended.'

The fact that Edwards, a Euro-American perceived this presence is a testament to the extraordinary nature of the event.



**Figure 6: Buffalo Walk rider wearing buffalo headdress and robe (PBS 2007)**

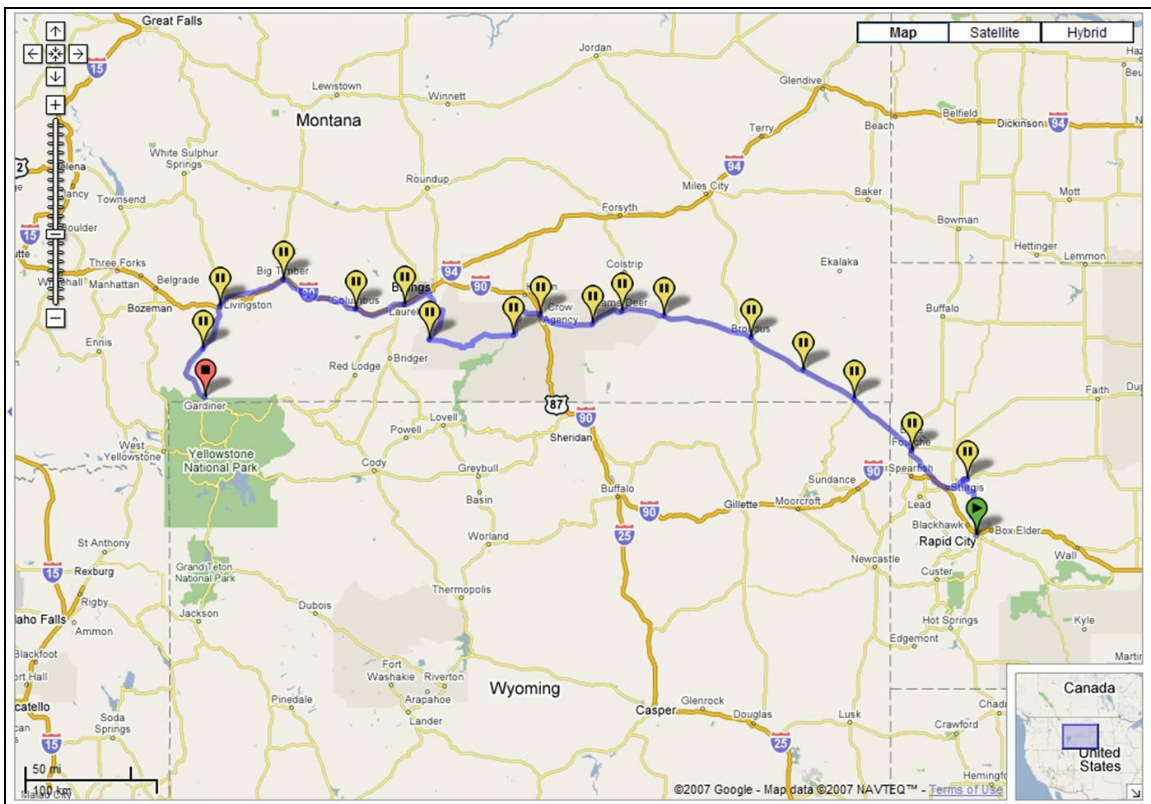
## **The Journey**

Participants walked and rode for 20 days until they completed the 507-mile journey to the gates of Yellowstone National Park. The route chosen by organizers of the Walk paralleled a traditional migratory buffalo route followed by generations of Lakota hunters. According to Joseph Chasing Horse (Lakota, specific tribal affiliation not known) (in Joss 1999:7), this was the first generation of Lakotas that had not made the journey. Joseph Chasing Horse's son, Nathan Chasing Horse (Lakota, specific tribal affiliation not known) (in Kurtis 1998/1999), echoes his father:

...That's what this whole walk was about. No matter how cold it was, no matter how much snow fell on us, we had to finish this walk. We're the first generation in one hundred years to make this journey...My ancestors have been making this journey for thousands of years, following the buffalo, praying this way, sacrificing this way—this is nothing new to us.

Along the way the group stopped at sites of cultural significance to native people, such as Bear Butte, South Dakota (Associated Press 1999b). After long days on the road,

the Walkers spent the night in churches, community centers, and schools that offered space for the travelers to rest (Associated Press 1999a). Although no one person walked the entire distance from Rapid City to Yellowstone, the Buffalo Walkers transported a sacred bundle and staff that was carried on foot or on horseback by one of the Walkers for the entire journey (McMillion 1999:12). Figure 18 shows the approximate path taken by the Buffalo Walkers from Rapid City, South Dakota to the gates of Yellowstone in Gardiner, Montana.



**Figure 78: 1999 Buffalo Walk approximate route (with stops symbolized by ‘||’) from Rapid City, South Dakota to Gardiner, Montana (from east to west)**

On February 27, 1999, the Buffalo Walk arrived at the north gate of Yellowstone with approximately 100 Walkers and 20 horsemen. Figure 19 shows the Buffalo Walk in Gardiner, Montana as the Walkers proceeded to the north gate of the park. The Walkers

were received by park staff and Gardiner locals who accompanied the group that afternoon to observe a ceremony honoring the buffalo held in the Triangle Area close to the Roosevelt Arch. Despite what a historic and tremendous event this was for the park, little formal documentation exists of the Buffalo Walk in Yellowstone.



**Figure 19: The Buffalo Walk proceeds through Gardiner, Montana to the north gate of Yellowstone National Park, February 27, 1999 (Photo courtesy of Yellowstone Center for Resources)**

### **Reactions by the Park to the Buffalo Walk**

On February 27, 1999, inside the Roosevelt Arch, in the open field on the east side of the North Entrance Road known as the Triangle area, Rosalie Little Thunder was seated on a large rock holding the sacred bundle that had been carried on the Walk all the way from Rapid City, South Dakota (Franke 2005:240, Joss 1999:7). The sacred bundle

is described by Joss (1999:7) as a “ceremonial bundle containing items relating to bison.” The bundle was relayed from South Dakota along with a buffalo pipe and three sacred staffs adorned with eagle feathers. At the ceremony Joseph Chasing Horse asked that all those present form a circle around Rosalie and the rock where she was seated. First, Chasing Horse invited the children in the group to the center of the circle. A song was sung for the children, who represent the future (Franke 2005:240; Joss 1999:7). Next, Chasing Horse walked around the circle of people, pointing to some individuals. This gesture indicated an invitation to the center of the circle. Yellowstone Superintendent Mike Finley and other park staff members who had helped to prepare for the Walkers’ arrival (i.e. Laura Joss (former Branch Chief of Cultural Resources and Tribal Liaison at Yellowstone) and Skip Meehan (former Yellowstone Interpretive Exhibits Specialist)) were among those invited to the center (Joss 1999:8).

Earlier that day, Mike Finley had asked one of the Buffalo Walk organizers if his words would be welcome at their ceremony. In an interview, Finley explained that he did not want to be seen that day as representing the Park Service as a federal official or be thought of as “the prying eyes of government” or in a “police role” (Finley 2007). Rather, the Superintendent wanted the American Indian participants in the Buffalo Walk to feel welcome and comfortable in the park. He made it clear to Yellowstone staff that Park Service staff members were to be in the minority at the ceremony. He did not want a strong uniformed presence. This is not our ceremony, he told them (Finley 2007).

After being told by the Buffalo Walk organizer that his words would be well-received at the ceremony, Finley spoke to the group. From the center of the circle, Superintendent Finley officially welcomed the Buffalo Walkers to the park, “I came here



out of respect, to pay respect to you. The bison is sacred to you and very special to the National Park Service and the nation. We welcome you to Yellowstone and, more importantly, we welcome you home” (Franke 2005:240; Joss 1999:8).

In interviews with American Indian and park consultants, Superintendent Finley’s welcome speech came up repeatedly. Consultants unanimously agreed that Yellowstone National Park was very welcoming to the Buffalo Walk. The terms *welcoming*, *good words*, and *being allowed to go through* were used by tribal consultants to describe the reaction of the park to the Buffalo Walk arriving at Yellowstone National Park. In the words of tribal consultants:

I do remember that...there was a welcoming, kind of...they made it very obvious...I kind of vaguely remember having to go through some kind of gate or entrance thing and being allowed to go through...by them...nothing but welcoming. I can’t remember this one guy’s name, but I can still see his face, because he was smiling... (Anonymous 2007).

Mike Finley, he said some good words. I really like what he said...[he] talked about ‘welcome the people back to the park’...That was good (Gary Silk (Standing Rock Sioux Tribe), Painte and Silk 2007).

With the terms *welcomed*, *well-accepted*, and *positive reaction*, non-Indian consultants reiterated the way that tribal consultants described the park’s reaction to the Buffalo Walk:

The purpose was good. And the ceremony that was done in the park was for a reason and well-accepted by the park people...welcomed by most...overall it was a good thing, good relationships were made between nations (Anonymous 2007).

I think that everyone [at the park] was quite impressed that they did this [the Buffalo Walk] (Bill Edwards (teacher at the Yellowstone Institute), Edwards 2007).

All consultants agreed that Yellowstone National Park was very *welcoming* to the Buffalo Walk. This choice of wording is likely related to Superintendent Mike Finley’s

use of *welcome* in his opening remarks to the group as the Buffalo Walkers gathered inside the Roosevelt Arch for the ceremony:

We *welcome* you to Yellowstone and, more importantly, we *welcome* you home. [Franke 2005:240; Joss 1999:8]

Interestingly, the park's welcoming attitude stands in direct contrast to its involvement in the killing of buffalo, for political reasons or otherwise. Perhaps many consultants brought up the park's positive reaction to the Buffalo Walk, because based on Yellowstone's past actions regarding buffalo, they expected a less friendly reaction. In addition to the park's past actions regarding buffalo, Buffalo Walk participants also had the park's past actions regarding American Indians in Yellowstone to base their expectations on. In light of the federal government's removal of American Indians from Yellowstone park lands, as well as the lands of other early national parks, Superintendent Finley's welcoming on the group *home* to Yellowstone was a tremendously significant and immensely symbolic event. These simple words welcoming American Indians back to the park are a benchmark event in Yellowstone's effort to redefine past relationships between the NPS and American Indian groups.

Although the park's overall reaction to the Walk was positive, one non-Indian consultant perceived that some park personnel seemed to harbor ill feelings toward American Indians being in the park, while other tribal consultants lamented that more park personnel were not present at the ceremony and that there was not more support from the local community in Gardiner. Interestingly, American Indian consultants wished there had been more of a showing of support from the park and the local community, while Mike Finley expressed the park's desire to show support but reluctance to impose on a ceremony that was not theirs. Certainly, both the Buffalo

Walkers and park staff wished to interact positively and appropriately with one another. With more communication of expectations from both sides, some of the guesswork of how to do so could have been eliminated.

Overall though, the interaction between the Buffalo Walkers and park staff was very positive. The majority of ill feelings expressed toward the Walkers, were not from park personnel or Yellowstone locals, but rather from residents in towns the Walkers passed through on their way to the park. American Indian consultants and one non-Indian consultant noted that *prejudice, lack of understanding, unhappy locals, bad local sentiment, and racism* were encountered along the way. However, tribal elder Ken Painte (Standing Rock Sioux Tribe) (Painte and Silk 2007) puts these incidences into perspective:

...that's way beside the point as long as there was some benefit that came to our relatives the buffalo.

### **The Buffalo Walk Ceremony**

Following the welcome, Joseph Chasing Horse (Lakota, specific tribal affiliation not known) spoke to the group. After speaking for some time, Chasing Horse asked Horace Axtell (Nez Perce Tribe elder) to the center of the circle. A chair was brought for Axtell. When seated, wearing white buckskins, Axtell asked that all cameras be turned off. His son, Chucky, and several other men of the Nez Perce Tribe joined him with drums. As they sang seven blessing songs in honor of the buffalo, the horsemen positioned themselves around the circle to make sure that all cameras were off. Other

elders then came before the group to speak, pray, and sing (Axtell 2006; Franke 2005:240; Joss 1999:8). As Joseph Chasing Horse spoke again, Tyler Medicine Horse (Crow Tribe) came to the center of the circle with a leather roll containing packages of surgical lancets and other items. Chasing Horse announced that Medicine Horse would be assisting Gary Silk (Standing Rock Sioux Tribe) in a ceremony to honor the buffalo who gave his blood in sacrifice for the Lakota people. “Long ago the buffalo gave his blood for us. Today we give our blood for him,” Chasing Horse told the group (Franke 2005:240). Crying, Little Thunder (Rosebud Sioux Tribe) stood up from the rock to embrace Silk (Joss 1999:8).

Normally this ceremony would not be performed publicly, but it was important to Gary Silk that he perform the ceremony in this way to fulfill a vision he had. “I kept having these dreams that this buffalo was laying there...I don’t know if he was dying, or shot...but he was trying to get up. So in this dream I had, I hooked [myself] up to him and tried to pick him up,” Silk explained later in a documentary interview (in Kurtis 1998/1999).

Gary Silk stepped forward, stripped to the waist, and was handed a sacred pipe. Keith Annis (Cheyenne River Sioux Tribe) burned sage in a cast iron skillet and cleansed Silk’s body with the smoke. Medicine Horse applied a reddish-brown paint to Silk’s back below each scapula in the form of a circle with a vertical line through it. Medicine Horse then opened one of the lancet packages and used the instrument to make two incisions on the inside of each of the circles. Scars from previous ceremonies were visible on Silk’s back. As blood trickled down Silk’s back, Medicine Horse inserted a wooden rod through each of the slits. To each rod was tied a cord; the other end of the

cord was tied to a buffalo skull. A murmur passed through the crowd as a bald eagle flew overhead.

The group of onlookers formed a corridor which Silk exited. He then slowly circled the group, blowing an eagle bone whistle and dragging the buffalo skulls behind him. At each of the four cardinal directions, Silk stopped to sing a prayer.

Accompanying him around the circle were Keith Annis (Cheyenne River Sioux Tribe) with the skillet of sage, Ken Painte, (Standing Rock Sioux Tribe elder), and others.

About thirty minutes later, as he circled the group for the seventh time and was approaching the south, an American Indian girl, Silk's daughter, Nicole, was brought to the outside of the circle. As Silk approached, his horse was led to him. The young girl sat on the skulls. Gary held onto the tail of his horse. There was a whoop, and the horse was slapped and lurched forward, its momentum tearing the rods free from Silk's back (Adkins 1999a:17; Franke 2005:240-241; Joss 1999:8-9; Nell 2003:1; Painte and Silk 2007).

Traditionally, the prayer and suffering of the Sun Dance are performed to propitiate *Wakan Tanka*, to ask for the increase of the Lakota people and of the buffalo, and to be like the buffalo in his flesh offering. In the case of Silk's Sun Dance, the actions of the ceremony were also performed to fulfill a recurring vision he had in which he tied the cords through his back and around an injured buffalo to pull the animal up from the ground. Silk's actions in this ceremony were symbolic of the reciprocal relationship between the buffalo and the Lakota people and drew attention to the belief that it is the Lakotas' turn to help their brother the buffalo, who sacrificed himself for them in the past.

After the rods tore free from his back, Silk returned to the middle of the circle. Medicine Horse applied a white powder scraped from the inside of a buffalo horn (a natural anticoagulant) to the wounds on his back. After Gary Silk's Sun Dance ceremony, other members of the group (including Rosalie Little Thunder, a teenage girl, and several men) came forward to make flesh offerings to the buffalo. Using fresh lancets, Medicine Horse cut several lines on each of their shoulders. Because there were so many individuals wanting to make offerings at that time, it was decided that the opportunity would be presented again that night where the Walkers would gather at Mammoth Elementary School (Franke 2005:241; Joss 1999:9).

Gary Silk later explained the importance of all people, Indian and non-Indian, seeing the ceremony, "When we have these ceremonies we usually don't share it with the world like this, but this had to be done to show the world that all these tribes who came here...that we could unite and put all our ceremonies into one" (in Kurtis 1998/1999). At the conclusion of the ceremony, Joseph Chasing Horse asked all tribal elders to come forward. He lit a sacred pipe, and beginning with Horace Axtell (Nez Perce Tribe), each of the elders smoked from it. Each person in the group was then touched on the shoulder as a gesture of unity (Joss 1999:9).

After the ceremony, Gary Silk was handed a letter authored by an individual who called himself White Eagle. In this letter, White Eagle wrote about the meaning of the ceremony performed by Gary Silk:

... We honored the Lakota Warrior's sacrifice he made for at the moment the flesh tore from his back, a great weight and pain was torn free from the body of the Ancestry of the Indigenous people and all who have walked the Earth as the Buffalo Tribes. We, your ancestors and spirit family felt this great warrior's pain and the relief of letting go of so much anger, sorrow and pain.

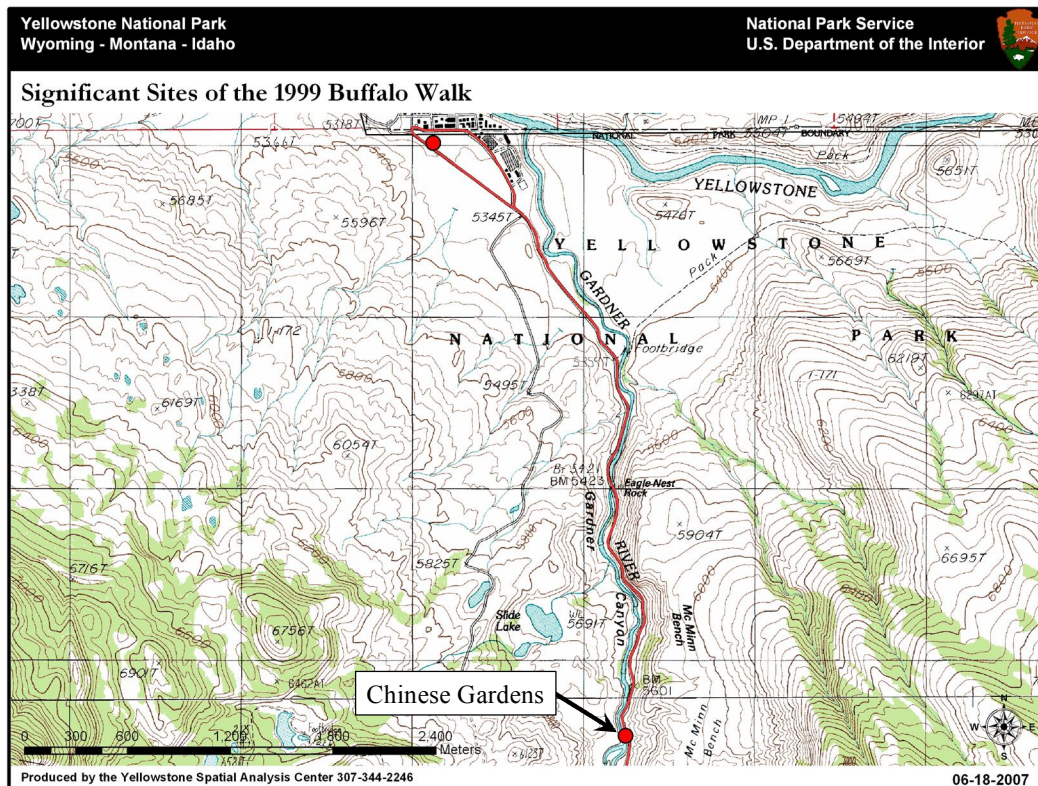
With this release we can now move forward as one, unencumbered by the weight of the past. Our vision is clear now. It is driven by love and honor for the Mother and for all creatures that walk here with her (letter to Gary Silk, February 1999).

According to the words of White Eagle, Silk's Sun Dance ceremony was more than a prayer to *Wakan Tanka* for the good of the buffalo or an expression of the interconnectivity between the Lakota people and the buffalo. In addition to these meanings, Silk's sacrifice at the moment the rods tore free from his back represented a release of pain, anger, and sorrow for all American Indian people. In Silk's ceremony, the tribal representatives that were present and the ancestors of all American Indian people were unified around the suffering of the buffalo. After the ceremony, all were able to move forward in the cause of the buffalo, free from the weight of the past.

### **After the Ceremony**

As the crowd dispersed, offerings were left on and around the large rock at the center of the gathering where Rosalie Little Thunder had been seated (Nell 2003:1). From the Triangle Area the walkers proceeded to the Mammoth School (about 5.5 miles away) where they gathered that evening. On the way, some of the walkers stopped at an area along the Gardiner River known as the Chinese Gardens. It was here, on the west side of the road in the sage brush about 100 yards north of the bridge at the 45<sup>th</sup> parallel, that they came across a small group of female buffalo and calves (Figure 20). One of the

young had wounds on its front legs, presumably from fencing or a fall through ice. At this site the group prayed for the buffalo and left prayer bundles and other offerings (Nell 2003:1). This was a moving experience for many, since the small group of buffalo were the only buffalo encountered by the participants who had walked in their name for more than 500 miles.



**Figure 20: Map of Significant Sites of the 1999 Buffalo Walk in Yellowstone National Park showing Chinese Gardens area**

That evening the Walkers gathered at Mammoth Elementary School, the location that Mammoth School Superintendent John Whitman had offered as a resting place to the group. At 6:00pm there was a potluck dinner sponsored by the Bear Creek Council (a community-based conservation organization based in Gardiner, Montana). During the meal, approximately 30 more people lined up in front of Tyler Medicine Horse (Crow



Tribe) to make flesh offerings to the buffalo (Franke 2005:241; Joss 1999:7). As he did at the ceremony that day, Medicine Horse cut lines with a lancet into the shoulders of those that came forward to make offerings. During the dinner, members of the Nez Perce Tribe, including youth, handed out gifts to participants in the Walk as a giveaway (Joss 1999:9; Nell 2003:1).

By the following day, most of the Buffalo Walkers had left Yellowstone to return home. A few Walkers remained, including Joseph Chasing Horse (Lakota, specific tribal affiliation not known) and Turhan Clause (Tuscarora Tribe), and their families. That evening the Gardiner and Yellowstone communities held a potluck dinner for those Walkers that remained (Joss 1999:9). On Monday morning, Joseph Chasing Horse spoke to students at Mammoth Elementary School about the role of buffalo in Lakota culture (Laura Joss in email to Steve and Brooke Schiavi, February 25, 1999).

By Monday evening, all of the Buffalo Walkers had gone home, their journey complete and their message sent to bison managers and the public. The Buffalo Walk was a benchmark in the history of Yellowstone's relationship with American Indian people because of the joining of people from so many different American Indian tribes to raise awareness of the situation faced by Yellowstone buffalo and the buffaloes' connection to American Indian people, and because of the tribes being officially welcomed home to park lands.

## Existing Documentation and Exploitation of the Ceremony

Almost a decade later, the major material sources documenting the Buffalo Walk include newspaper articles and flyers, and a handful of documentaries and articles that make mention of the Buffalo Walk as part of the larger buffalo issue at Yellowstone. Newspaper articles on the Buffalo Walk range from local articles in Billings, Bozeman, and Livingston, Montana newspapers that were printed as the Walkers moved through these areas, to regional and national papers that picked up on the story as it gained attention (Adkins 1999a; 1999b; Associated Press 1999a; 1999b; Indian Country Today 1999; Iwanski 1999; McCleary 1999; McMillion 1999). These articles typically give an overview of the walk followed by particulars of the Walkers' activities in the readership area.

Aside from newspaper articles and flyers, few written sources exist documenting the Buffalo Walk. Mary Ann Franke dedicates two pages in *To Save the Wild Bison* to a discussion of the Buffalo Walk as part of a chapter on Indians and Yellowstone National Park (Franke 2005:240-241). A *Sierra Magazine* article on the return of buffalo to the Great Plains opens with a description of the Walk (LaDuke 2000:66). An article in *Mother Jones* magazine about the work of pro-buffalo activist group Buffalo Field Campaign displays a photograph of Buffalo Walkers on its first page (Vollers 1999:72). The most detailed, but perhaps least circulated writing on the Buffalo Walk ceremony was written by former Yellowstone Branch Chief of Cultural Resources and Tribal Liason, Laura Joss. In 1999, Joss published an article in *The Buffalo Chip*, the park's resource management newsletter, detailing the arrival, ceremony, and participants of the

Buffalo Walk at Yellowstone National Park (Joss 1999:7-9). (For more information on the daily events as the Buffalo Walk progressed from Rapid City, South Dakota to Yellowstone National Park, see the day by day account of the 1999 Buffalo Walk in the Appendix.)

In addition to written sources, two documentary films exist that discuss the Buffalo Walk of 1999 in the context of the buffalo issue at Yellowstone. Both films seek to outline all sides of the controversy surrounding the Yellowstone buffalo, dedicating sections to the opinions of ranchers, federal and state governments, buffalo advocates, and American Indians. The first of these films, *The Buffalo War*, was produced by Bullfrog Films and has been shown on the Public Broadcasting Station (Testa 2001). The second documentary film, *War on the Range*, hosted by Bill Kurtis, was shown as part of A&E's Investigative Reports series (Kurtis 1998/1999).

The films show footage of the Walk and interviews with leaders of the event. One area that serves to separate these two films is the way in which the filmmakers chose to portray the Sun Dance ceremony held near the Roosevelt Arch the day that the Walkers arrived in Yellowstone. Before the ceremony, all audience members were asked to turn off cameras and video cameras. Several young men patrolled the crowd on horseback to be sure that this request was honored. In *The Buffalo War*, filmmaker Matthew Testa portrays a reenactment of the emotional climax of the Walk, the Sun Dance ceremony performed by Gary Silk (Standing Rock Sioux Tribe) inside the Roosevelt Arch. Testa (in Anderson, et al. 2001) explains his choice to recreate the ceremony, "The ceremony conveyed so much about tribal dedication to the bison, I thought it was important to reenact for the film. At the same time, I knew this was

sensitive territory and tried hard to respect the concerns of Native Americans.” Sun Dancer Gary Silk was consulted and gave his approval of the reenactment (Painte and Silk 2007).

In contrast to the Testa film, in the A&E film, *War on the Range*, the Sun Dance ceremony was filmed against the request of the ceremony leaders. The possession and use of this footage by Bill Kurtis and A&E is considered offensive by many tribal leaders and non-Indian participants. When talking about the Buffalo Walk with American Indian and park consultants, nearly all of the consultants brought up the fact that the ceremony performed by Gary Silk was videotaped against his and the rest of the group’s wishes, and the lack of respect this showed for the ceremony and those performing it. These comments led to the discussion of the exploitation of American Indians, the Buffalo Walk, and its purpose by the media; the distortion of facts in the portrayal of the ceremony; the exploitation of the buffalo for money; and ultimately, to comments on the importance of trust and the truth. Gary Silk (Painte and Silk 2007) spoke candidly about the ceremony and the conditions under which it was shown to the world on television and gave this message:

For hundreds of years our people have been exploited. Like the buffalo, we’ve all been exploited... Whoever filmed that documentary that came out on A&E... I lost my respect for him... When you did that, you took my spirit... You took a part of me... and he showed it all over the world... He took my spirit and made money off it.

To the American Indian participants in the ceremony, the A&E film crew’s recording and airing of the ceremony footage represents yet another broken promise by Euro-Americans to American Indian people. Gary Silk later expressed this to the filmmaker in a personal letter (Gary Silk in letter to Bill Kurtis, October 14, 2004):

Honesty, fairness, sensitivity, accountability, trust and professionalism were not displayed by the outright filming of this ceremony. Instead there was a ruthless display of pandering. By hiding that camera you deliberately had every intention of using that footage. My signature on your “treaty” did not give you authorization to use that footage, when I had no knowledge whatsoever that the ceremony had been filmed.

Aside from the disrespect shown by the filming of the ceremony, the overall outcome of the 1999 Buffalo Walk was positive. The gathering together of many nations to honor and pray for the Yellowstone buffalo was a powerful experience for all those involved and a benchmark event in Yellowstone history. Although it may be the most dramatic, the Buffalo Walk of 1999 is not the only ceremony to take place at Yellowstone to bring attention to the situation faced by the Yellowstone buffalo herd. In the next section, other ceremonies held for the Yellowstone buffalo are described.

### **Related Ceremonies**

On March 6, 1997, tribal members from across the Plains assembled near Gardiner, Montana, not far from the Stephen’s Creek Corral Facility, to hold a National Day of Prayer for the Buffalo. That winter, more than 1,000 Yellowstone buffalo had been killed. Many were being held at that time at the Stephen’s Creek facility. Figure 21 shows participants gathered near Stephen’s Creek Corral Facility for the ceremony.



**Figure 21: National Day of Prayer for the Buffalo in Yellowstone, March 6, 1997, in foreground the ceremony is being led by Joseph Chasing Horse (Lakota, specific tribal affiliation not known) (left), and Arvol Looking Horse (Cheyenne River Sioux Tribe) (right) (NPS Photo by Jim Peaco, Yellowstone Digital Slide File #17096)**

As Lakota spiritual leader Arvol Looking Horse (Cheyenne River Sioux Tribe) led the ceremony, the group was jarred by the sound of gun shots. Just a mile away, eight buffalo were shot by Montana Department of Livestock agents (Brister 2002:45; Franke 2005:143; LaDuke 2000:67; McMillion 1997; Vollers 1999:76; Walsh 1997:6). When Rosalie Little Thunder (Rosebud Sioux Tribe) left the ceremony site and arrived on the scene where the shots had been fired, she saw men beginning to process the buffalo carcasses. When Little Thunder walked onto the private property where the buffalo lay in order to pray for them, she was arrested for criminal trespassing (Brister 2002:45-46; Franke 2005:143; McMillion 1997; Walsh 1997:6). “I didn’t feel guilty at all,” Little Thunder said after her court hearing on the trespassing charges. “I felt disheartened because I was standing on ancestral land in a traditional role protecting my relatives and in accordance with natural law” (McMillion 1997).

On February 27, 1999, an advertisement in the Bozeman Chronicle invited the public to a prayer ceremony held by Scott Frazier (Crow Tribe and Santee Sioux Tribe) and members of the Buffalo Field Campaign (a field-based buffalo advocacy group based in West Yellowstone, Montana), to honor two buffalo sent to slaughter that week. The ceremony that took place on Horse Butte was held in conjunction with the Buffalo Walk ceremony held at the north entrance to the park on the same day (Bozeman Chronicle 1999).

Later that year on September 11, 1999, a group of American Indians, including Scott Frazier (Crow Tribe and Santee Sioux Tribe), John Potter (Ojibwa Nation), and Lawrence Flatlip (Crow Tribe), conducted a ceremony for the buffalo in the Triangle Area in Yellowstone National Park (See Figure 1, page 3). Participants sang, drummed, and prayed for what would happen to the buffalo during the upcoming winter (Glynn 1999).

In February 2000, one year after the Buffalo Walk, a ceremony was held to commemorate the Buffalo Walk and to pray once more for the buffalo. The ceremony was held in the Triangle Area inside the Roosevelt Arch (See Figure 1, page 3) in Yellowstone National Park. This ceremony was led by Nathan Chasing Horse (Lakota, specific tribal affiliation not known), and attended by Irvin Blackie (Navajo Nation), George Nell (Yellowstone seasonal ranger and Bear Creek Council member), Bill Edwards (Yellowstone Institute teacher), and others. Chasing Horse prayed in the Lakota language and lit a sacred pipe. Members of the group smoked from the sacred pipe and drank from a container of water. Some of the water was poured around a pile of tobacco

on the ground as an offering. Chasing Horse also left behind an offering of his own blood to the buffalo (Edwards 2000:1; Nell 2003:2).

These ceremonies, along with the Buffalo Walk, represent organized public events conducted by American Indians to honor the Yellowstone buffalo. In addition to these public events, other individuals conduct personal acts to symbolize their respect and concern for the buffalo. For example, in 1999, after the Buffalo Walk, Gary Silk (Standing Rock Sioux Tribe) received permission from Yellowstone Superintendent Mike Finley to ride on horseback through the park. Silk (Painte and Silk 2007) says proudly that he was the first American Indian to ride through the park since the Nez Perce leader Joseph did during the Nez Perce flight in 1877. Upon exiting the park at the western gate, Silk continued to ride into the Four Corners area, talking with different tribes about the buffalo along the way (Painte and Silk 2007).

Another personal act in the name of the buffalo came in June 2005 in the form of a sacred staff and flag left beside the rock where Rosalie Little Thunder opened the sacred bundle as part of the Buffalo Walk ceremony in the Triangle Area (see Figure 1, page 3). With the staff was an American flag overlaid with a picture of an American Indian holding eagle feathers (Figures 22 and 23). The items were left at the site anonymously, presumably to commemorate the Buffalo Walk events that had been held there years before.





**Figure 8: Facsimile of the image on the flag that was left with the staff at site of the Buffalo Walk ceremony, June 2005 (Painted Arrow Specialty Gifts 2007)**



**Figure 23: Staff and flag left at the site of the Buffalo Walk ceremony, June 2005 (photograph courtesy of Yellowstone Center for Resources)**

These continued prayers, ceremonies, and activities were performed for the good of the Yellowstone buffalo and in accordance with American Indian spiritual beliefs. These actions were performed to ask for the release of the spirits of buffalo that had been culled under the IBMP, in hopes of a change in the treatment of the Yellowstone buffalo, to act out the relationship between the American Indian people, the buffalo, and the

Spirits, and for other reasons. In all cases, the prayers and ceremonies brought people together for the good of the buffalo, and brought the issue to the forefront of American Indian people's and park staff members' minds.

Whether expressed publicly in ceremony or privately in personal acts, the Yellowstone buffalo remain in the minds and hearts of contemporary American Indians. According to Rosemary Sucec, Yellowstone Cultural Anthropologist, in early 2006 as the current study was being formulated, there was talk of another Buffalo Walk being planned for September of that year (email to Katie White and Hilary Sheaves, February 22, 2006). For unknown reasons, that walk did not take place. In conversation with the researcher, 1999 Buffalo Walk organizer Rosalie Little Thunder (Rosebud Sioux Tribe) mentioned the possibility of organizing a second Buffalo Walk to take place in fall of 2007. With actions like those described above and events such as the 1999 Buffalo Walk and future walks, the American Indian community sends the united message that the Yellowstone buffalo herd was and continues to be a significant symbol in their cultures.

## VIII. DATA GAPS & RECOMMENDATIONS FOR FURTHER WORK

*“Reaching fieldwork goals comes agonizingly slowly.  
You won’t achieve some goals—or won’t realize that you did until long after you leave the field.  
You’ll achieve others only by fundamentally reshaping a portion of your project.  
You will see new goals to aim at, far more important than your original set.”*

--Handwerker 2001

### Data Gaps

Due mainly to logistical constraints, there are a number of gaps in the data collected for this study. At the outset of this project, several objectives were identified. These objectives included gathering and synthesizing existing information on the 1999 Buffalo Walk and interviewing four tribal members who played key roles in the 1999 Buffalo Walk. These tribal members were to be interviewed at both the Roosevelt Arch and the Stephen’s Creek Corral Facility about the circumstances of the 1999 Buffalo Walk and asked about its significance as well as the cultural significance to their respective tribes. Due to logistical difficulties beyond the control of the researcher, the interviews with tribal members at Yellowstone National Park did not take place. Because of the power that places have to evoke memories and to stir emotion, it would have been most desirable to interview tribal members on-site at Yellowstone National Park about the Buffalo Walk and the cultural significance of Yellowstone buffalo. In place of the on-site interviews, the project researcher conducted telephone interviews with as many of the tribal members who played key roles in the Buffalo Walk as were willing and able to be interviewed over the telephone in the time allowed by the project. For this reason, not all of the key players in the Buffalo Walk were interviewed for this project; none were interviewed on-site at Yellowstone.

Perhaps in future studies of this kind, some of the logistical limitations of asking tribal members to take time off from their jobs and families to travel a long distance to Yellowstone could be alleviated by sending the project researcher along with the park representative(s) to the locations of the consultants, or by starting the process earlier in the time allowed by the project. Based on tribes' reactions to consultations where park representatives have traveled to the reservation to consult (i.e. to the reservations of the Cheyenne River Sioux Tribe, the Lower Brule Sioux Tribe, and the Oglala Sioux Tribe in 2002 (Sucec 2002:5)), it is likely that this approach would be well-received. If a second Buffalo Walk does indeed occur in the fall of 2007, it could present an opportunity for park managers to meet with tribal members at the park to talk about the relationship between the tribes and the Yellowstone buffalo.

Because of the logistical issues discussed above and the dispersed geographic locations of the project consultants, telephone interviews were used to collect the majority of the original data. Ideally, in-person interviews would have been conducted with each consultant on-site. However, since this was not an option due to budgetary and time constraints, telephone interviews were conducted and digitally recorded instead. In all, eight original interviews were collected. Existing interview data and consultation transcripts were used to supplement this small data set.

## **Further Research**

When the next Buffalo Walk takes place and the park is notified about the event, it would be helpful if the park expressed its interest in documenting the event early on to the organizers. If Buffalo Walk organizers know ahead of time of the park's interest and intentions in documenting the Walk and its place in the history of Yellowstone, organizers or participants may want to cooperate in the documentation as the event unfolds. Based on the concern expressed by many consultants about various media outlets' exploitation of the Buffalo Walk in 1999, it is important to establish from the onset a truthful and collaborative effort to document any future Buffalo Walk.

In addition to the documentation of a future Buffalo Walk, studies similar to this one focusing on the cultural significance of Yellowstone buffalo to additional park-associated tribes could be a tremendous asset to park managers in planning, compliance, and visitor education having to do with the Yellowstone buffalo. Studies like this bring to light symbolic place and resource meanings for Yellowstone National Park that have previously been undocumented or overlooked. Of Yellowstone's 26 traditionally associated tribes, this study reports on the significance of the park's buffalo to representatives of the Nez Perce Tribe and to representatives of two Sioux tribes, the Rosebud Sioux Tribe and the Standing Rock Sioux Tribe. The fact that this is the only study of its kind, documenting the cultural significance of Yellowstone buffalo to two American Indian cultural groups, suggests that there are other park-associated tribes and most likely other American Indian groups who are interested or concerned about the park's buffalo, whose views have not been formally documented. Because of the limited

resources and heavy workload faced by Yellowstone staff, it would be unrealistic to suggest that they take on the task of all of these cultural significance studies at once.

To navigate this situation, it is suggested that the park forge relationships with tribal colleges of park-associated tribes. In cooperation with Yellowstone, qualified tribal students under faculty supervision could conduct similar research on the cultural significance of Yellowstone buffalo to their own people. Tribal colleges routinely include the incorporation of traditional knowledge into academic careers and larger society as part of their mission and have departments and courses dedicated to culture, cultural preservation, and cultural resource management. Students on these academic paths would be well-suited to conduct a study of this type. Not only would this be an opportunity for the qualified student to conduct an ethnographic research project and to have a positive experience working in partnership with the federal government, but the location of the researcher within the culture being studied and with access to many cultural consultants could alleviate some of the logistical issues that were encountered in the current project. This would also provide the National Park Service an avenue to continue establishing and cultivating relationships with tribal communities.

## IX. A DISCUSSION OF MANAGEMENT OPTIONS FOR THE NPS

*"It's important to keep the history alive, because as park administrators leave...  
that turns over the power and the memory of this can fade.  
But it doesn't fade for the tribes. And it doesn't fade for the buffalo...  
Park Service people have a duty to keep it alive...If we don't keep it alive, the tribes will."*  
—Carolyn Duckworth, Yellowstone National Park Division of Publications  
and Bear Creek Council member, in Duckworth 2005

### Common Goals

In considering Yellowstone National Park's options for managing park buffalo as a cultural or ethnographic resource, the data brings into relief that the park and tribes share a common goal: conserving Yellowstone buffalo for future generations. This is part of the legal mandate of the National Park Service as outlined in the Organic Act. To the Nez Perce, tribal buffalo hunting trips to the Yellowstone area are an important way to reconnect with their tribal culture and history, which rejuvenates their tribal identity as Nez Perce. The Lakota Sioux believe that the survival of their people is dependent on the survival of the buffalo. Like the Lakota Sioux, Nez Perce representatives also linked the fate of the buffalo with their own. Each of these groups has legitimate interest in the conservation of the Yellowstone herd. Each of these groups also desires that the Buffalo Walk of 1999 and its purpose are recorded and kept alive in the memory of Yellowstone National Park. The best way to achieve these goals is through cooperation and open communication between parties.

## **Planning, Compliance, and Interpretation at Yellowstone**

It is vital that park managers have knowledge and awareness of the cultural significance that tribes ascribe to ethnographic resources in the park. Access to the information in this report and in similar studies as proposed above, allows park managers to enter into consultation with associated tribes already cognizant of the relationship of the tribes to park resources. Not only can this knowledge make consultations more productive, but its possession also demonstrates to tribes that the Park Service recognizes the role of multiple resource meanings in park resource management. The park's Ethnographic Resources Inventory (ERI) database will house information from this report pertinent to Yellowstone buffalo and the 1999 Buffalo Walk, making it easily accessible to park managers.

The proposed revegetation project for the area near Stephen's Creek Corral Facility and inside the Roosevelt Arch where the Buffalo Walk ceremony took place was discussed in interviews with Ken Painte (Standing Rock Sioux Tribe elder) and Gary Silk (Standing Rock Sioux Tribe). Both consultants reacted positively to the revegetation project. Gary Silk suggested that the entire area from inside the Roosevelt Arch into Yankee Jim Canyon be revegetated with native plants.

These two consultants were also asked whether they consider the area where the ceremony took place inside of the Arch near the large rock where the Sun Dance ceremony took place (i.e. the Triangle Area) to be a sacred site. Both responded that they do consider the area to be sacred. Both men elaborated however, that the boundaries of this sacred site extend well beyond the Triangle Area. Gary Silk identified the area inside



the Arch all the way to Yankee Jim Canyon as sacred. Ken Painte identified the site of the ceremony as well as the park and everything in it as being sacred. To explain his holistic perspective, Painte likened the human body to Mother Earth: the dirt as our skin, the rocks as our bones, the water as the blood in our veins, and the air as our breath. He explained that when we clog the rivers we block the blood to our hearts, when we crush the rocks to build roads in the name of progress we're crushing our own bones, and when we scratch the earth by strip mining it's like tearing a piece of flesh from our bodies. After giving explanation that everything is interconnected, Painte further clarified that Yellowstone is not sacred because of the buffalo that are there, it is sacred because of "...everything, everything that's there in place" (Painte 2007). Therefore, while the Triangle Area could be considered a sacred site, it must be seen as only one part of a much larger area considered sacred by these consultants. Resource categories that capture this holistic view of the Yellowstone Area as being culturally significant are discussed in the next section.

Consultant suggestions for interpreting the Buffalo Walk to park visitors include sharing the story of the Walk with visitors and placing a statue at the site of the ceremony (of a buffalo, an Indian warrior, or an Indian and a park ranger shaking hands (suggested by Gary Silk in Painte and Silk 2007)) along with an interpretive sign to symbolize what happened there and to give a message for the future. Another suggestion by Gary Silk (personal communication, June 19, 2007) for onsite interpretation was a statue of a man dragging two buffalo skulls as Silk did in the ceremony at that site. Silk stressed that it should be something to "benefit all the people" and not offend anyone (Painte and Silk 2007).

In addition to interpretation of the Buffalo Walk at the site of the ceremony inside the Roosevelt Arch, Silk (personal communication, June 19, 2007) also expressed an interest in seeing interpretive centers at the “four corners of the park,” at the north, south, east, and west gates of Yellowstone. At the north gate, Silk suggests that a building in the shape of a huge buffalo skull be built to interpret the Yellowstone buffalo. Standing two to three stories high, the buffalo skull-shaped building would house an auditorium and a museum dedicated to the interpretation of Yellowstone buffalo and people’s relationship to this special herd.

### **Resource Categories**

As Peter Nabokov (2006:91-110, 206-222) points out in his study of American Indian sacred sites, resources such as Yellowstone National Park are conceptualized differently by American Indians than by most Euro-Americans. To American Indians, resources like Yellowstone National Park or Yellowstone buffalo are not classified into categories such as natural resources, cultural resources, or economic resources. Rather, American Indians do not separate the secular from the sacred, and as Nabokov (2006:209) writes “no amount of cash could substitute for sacred lands.” Stoffle, et al. (1997:4) agree that “despite the legal basis for and widespread use of resource-specific studies, these procedures for classifying and managing American Indian cultural resources do not fit, and in some cases are quite meaningless with respect to the ways in which many American Indian people view cultural resources.”

One way for park managers to remedy the inequity of Park Service and American Indian ways of categorizing resources is to utilize the many features of the ERI database. By cross-referencing features of an entry like ‘bison’ or ‘buffalo,’ park managers can collect information about the cultural significance of buffalo to associated peoples, uses of buffalo, associated peoples’ view of the condition of Yellowstone buffalo and suggestions on maintaining it, as well as records of consultations with associated peoples about buffalo (Schoepfle 2001:7). In this way, park managers, too, can work toward comprehending a more holistic view of buffalo and use this perspective when entering into consultation with associated tribes or beginning an environmental assessment concerning buffalo.

Another way for the park to reconcile its own isolated resource categories with the holistic American Indian view of places and resources is to consider applying a more holistic resource category to the Yellowstone buffalo. Two examples of these designations are *traditional cultural property* and *cultural landscape*. In the past, the ITBC has claimed that Yellowstone buffalo should be protected under the American Indian Religious Freedom Act or as an object under the National Historic Preservation Act (Franke 2005:239-240). Neither of these requests was granted. A discussion of holistic resource categories and their capabilities for including Yellowstone buffalo follows.

In National Register Bulletin 38, *Guidelines for Evaluating and Documenting Traditional Cultural Properties*, a traditional cultural property (TCP) is defined as one “that is eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community’s

history, and (b) are important in maintaining the continuing cultural identity of the community” (Parker and King 1990). Types of properties included in the National Register of Historic places are buildings, structures, and sites; groups of buildings, structures or sites forming historic districts; landscapes; and individual objects. Because buffalo are neither buildings, structures, sites, landscapes or objects (see discussion in King 2006:130); they cannot be included in the National Register of Historic Places under these headings. One could argue that the Greater Yellowstone Area is a traditional cultural property to some native groups and that the Yellowstone buffalo are a *contributing element* to the park’s significance. However, there is no published National Register definition of *contributing element*. There are definitions of a *contributing resource, specific features, and important decorative elements*, none of whose interpretations include living animals (King 2006:131).

A second holistic designation under which Yellowstone buffalo could be considered is as a character-defining feature of a *cultural landscape*. In the case of landscapes, living things do receive consideration. In The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes, *cultural landscape* is defined as a geographic area (including both cultural and natural resources and the wildlife or domestic animals therein) associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values (Birnbaum and Peters 1996:4). In the same document, *character-defining feature* is defined as a prominent or distinctive aspect, quality, or characteristic of a cultural landscape that contributes significantly to its physical character (Birnbaum and Peters 1996:4). One could argue that the Greater Yellowstone Area is a cultural landscape

whose significance, character, and integrity are defined by several features, one of which is the Yellowstone buffalo herd.

As discussed above, several consultants recognize the cultural significance of the Yellowstone area. They see the Yellowstone buffalo as what amounts to a character-defining feature of the cultural landscape there, contributing to the sense of history, culture, and spirituality as a people. To the living communities to which these consultants belong and whose cultures ascribe great significance to the Yellowstone buffalo herd, any changes to the herd, including its treatment under the IBMP are of serious concern because of their effect on the cultural landscape. In Lakota Sioux and Nez Perce perceptions of the landscape, Yellowstone buffalo contribute to the historical and cultural character of the Greater Yellowstone Area and should be considered in any federal decisions that may affect them under Section 106 of the National Historic Preservation Act.

The guidelines for the evaluation and documentation of traditional cultural properties and cultural landscapes are both relatively new (1990 and 1996, respectively). Because of this there are few precedents to refer to in determining eligibility for these resource categories. Keeper of the National Register, Carol Shull (2001:455), wrote that “additional technical information is needed on how to document TCPs, as are good examples of studies.” The same is true of cultural landscapes. Shull also calls on the National Park Service to provide leadership by conducting these studies within units of the national park system and to provide national models of how to do this work. As the nation’s first national park, Yellowstone has always been a precedent setting park; it has

the opportunity once again to serve as a national model in its treatment of Yellowstone buffalo as an ethnographic resource.

## X. CONCLUDING REMARKS

*"The incorporation or consideration of another worldview, in this case that of Native Americans, can change the ways of perceiving the problem or issue, can change the types and sources of information gathered, can change the decision-making process, can change the nature and range of possible outcomes, and can make some outcomes simply not acceptable because they contradict ethical considerations."*

—Jostad, et al. 1996

### Concluding Remarks

In closing, it is the hope of the author that the present study sheds some light on the 1999 Buffalo Walk and on the cultural significance of Yellowstone buffalo to the Lakota Sioux and Nez Perce peoples. If this study increases the understanding park managers have about the symbolic meaning of this treasured resource to park-associated tribes, then it is a success; because with understanding comes awareness and consideration of these meanings. This study is a tool for Yellowstone park managers to use in the ongoing task of building strong and open relationships with tribes.<sup>7</sup> It is also a permanent record in park memory of the events of the 1999 Buffalo Walk and the beliefs of those who participated.

The voices of tribal consultants highlighted in this study show that the Lakota Sioux and the Nez Perce assign special symbolic meaning to the Yellowstone buffalo. The Buffalo Walk of 1999 demonstrated physically the importance of the buffalo to the tribes. The oral and written documentation of the Buffalo Walk and the cultural significance of Yellowstone buffalo in this report reveal that American Indian people are willing to share these beliefs with park managers; all managers have to do is ask and

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<sup>7</sup> This study and others of its kind could also prove to be an informative resource to agencies other than the National Park Service who have an interest or role in the management of the Yellowstone buffalo herd. These groups include, but are not limited to, the state of Montana, the United States Forest Service (USFS), and the United States Department of Agriculture Animal and Plant Health Inspection Service (APHIS).

listen. By consulting with open and informed minds, Yellowstone National Park managers can build meaningful, cooperative relationships with American Indians and work together to conserve the Yellowstone buffalo herd for future generations of all cultures.



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**APPENDIX A: Consultant List**

<b>Interviewee Name</b>	<b>Interviewee Affiliation</b>	<b>Date Interviewed</b>	<b>Interviewer Name</b>	<b>Interviewer Affiliation</b>
Carolyn Duckworth	NPS	July 19, 2005	Rosemary Sucec & Katie White	NPS Cultural Resources
Horace Axtell	Nez Perce Tribe	August 27, 2006	Josiah Pinkham	Nez Perce Tribe
Laura Joss	NPS	March 30, 2007	Sarah Tarka	NPS Project Researcher
George Nell	NPS	April 19, 2007	Sarah Tarka	NPS Project Researcher
Anonymous	Ojibwa Nation	April 23, 2007	Sarah Tarka	NPS Project Researcher
Anonymous	Buffalo Walk participant, no tribal or NPS affiliation	April 23, 2007	Sarah Tarka	NPS Project Researcher
William C. Edwards	Yellowstone Institute	May 10, 2007	Sarah Tarka	NPS Project Researcher
Gary Silk	Standing Rock Sioux Tribe	May 31, 2007	Sarah Tarka	NPS Project Researcher
Kenneth Painte, Sr.	Standing Rock Sioux Tribe	May 31, 2007 June 4, 2007	Sarah Tarka	NPS Project Researcher
Michael Finley	NPS	July 26, 2007	Sarah Tarka	NPS Project Researcher



## APPENDIX B: Interview Guide

### Tribal Consultants

- **Would you please talk about the Buffalo Walk?**
- **What was your role in the Buffalo Walk?**
- **What was the significance of buffalo in the past? today?**
- **What is the significance of the Yellowstone buffalo herd?**
- **What was the park's reaction to the Buffalo Walk?**
- **What would you say/recommend to the park today?**
- **Do you have any materials that you would like to share?**
- **Is there anything else that you would like to add?**

### YNP Consultants

- **Would you please talk about the Buffalo Walk?**
- **What was your role in the Buffalo Walk?**
- **What was the park's reaction to the Buffalo Walk?**
- **Has the Buffalo Walk affected the park's thinking on bison management? How?**
- **How does the NPS view the role of indigenous communities in shaping policy?**
- **What is the significance of the Yellowstone bison herd?**
- **Do you have any materials that you would like to share?**
- **Is there anything else that you would like to add?**





**APPENDIX C: The Buffalo Walk, Day by Day**

From newspaper articles, flyers, documentaries, interviews, and written articles, it is possible to outline the activities of the Buffalo Walk from February 7, through March 1, 1999.

According to the tentative schedule, participants would leave Rapid City, South Dakota on February 7, and arrive in Gardiner, Montana on February 27, 1999 (Sacred Walk to Save the Buffalo 1999). The group would make 16 stops and have four rest days before reaching their destination. Figure 24 shows the tentative schedule and is followed by an addendum showing the actual schedule from February 21 through February 27, 1999.

<b><u>They Walk for the Buffalo People,</u></b> <b><u>Tentative Schedule for the Sacred Walk</u></b>			
Feb. 6	Gathering at Oyate Center, Rapid City (4:00pm)		
Feb. 7	Leave Lakota Homes/Paha Sapa	Arrive Bear Butte, SD	39 miles
Feb. 8	Leave Bear Butte, SD	Arrive Belle Fourche, SD	43 miles
Feb. 9	Leave Belle Fourche, SD	Arrive Alzada, MT	30 miles
Feb. 10	Leave Alzada, MT	Arrive Hammond/Boyes, MT	28 miles
Feb. 11	Leave Hammond/Boyes, MT	Arrive Broadus, MT	20 miles
Feb. 12	Leave Broadus, MT	Arrive Ashland, MT	41 miles
Feb. 13	<i>Rest Day</i>		
Feb. 14	Leave Ashland, MT	Arrive Lamedeer, MT	41 miles
Feb. 15	Leave Lamedeer, MT	Arrive Busby, MT	16 miles
Feb. 16	Leave Busby, MT	Arrive Crow Agency, MT	25 miles
Feb. 17	<i>Rest Day</i>		
Feb. 18	Leave Crow Agency, MT	Arrive St. Xavier, MT	32 miles
Feb. 19	Leave St. Xavier, MT	Arrive Pryor, MT	41 miles
Feb. 20	Leave Pryor, MT	Arrive Laurel, MT	35 miles
Feb. 21	<i>Rest Day</i>		
Feb. 22	Leave Laurel, MT	Arrive Columbus, MT	25 miles
Feb. 23	Leave Columbus, MT	Arrive Big Timber, MT	41 miles
Feb. 24	Leave Big Timber, MT	Arrive Livingston, MT	43 miles
Feb. 25	<i>Rest Day</i>		
Feb. 26	Leave Livingston, MT	Arrive Emigrant, MT	22 miles
Feb. 27	Leave Emigrant, MT	Arrive Gardiner, MT	32 miles

**Figure 24: They Walk for the Buffalo People, Tentative Schedule (Sacred Walk to Save the Buffalo 1999)**

The tentative schedule above shows the Buffalo Walkers arriving in Big Timber, Montana on February 23. In reality, the walkers arrived in Big Timber on February 20, ahead of schedule, and took a rest day the following day. The schedule below identifies what actually occurred:

**Sunday, February 21, 1999:**

- *Rest Day* in Big Timber, MT

**Monday, February 22, 1999:**

- *Leave:* Big Timber, MT
- *Arrive:* Livingston, MT (Adkins 1999a:16, McMillion 1999a:12)
- According to the Bozeman Chronicle, "...nobody at all was walking into the brutal wind sweeping from Livingston to Big Timber on Monday, though six hatless riders were on horses followed by vans and pick-ups full of people. Rather, participants are taking turns walking a few miles at a time..." (McMillion 1999:12).

**Tuesday, February 23, 1999:**

- *Rest day* in Livingston, MT
- Walkers, riders, and support vehicles are housed at Park County Fairgrounds (Adkins 1999a:16, McMillion 1999:12).

**Wednesday, February 24, 1999:**

- *Leave:* Livingston, MT
- *Arrive:* Emigrant, MT
- Meanwhile in Gardiner, the Bear Creek Council and Rodeo Club of Gardiner meet to inform members of the Walk (Adkins 1999a:16).

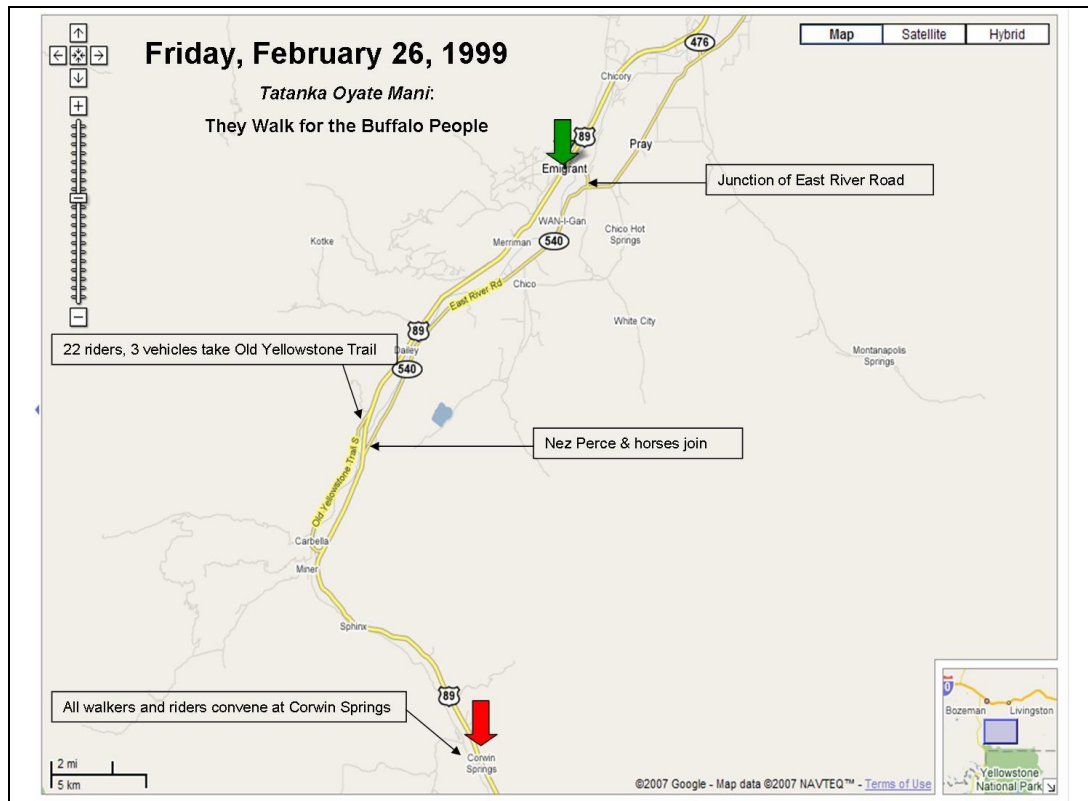
**Thursday, February 25, 1999:**

- *Rest Day* in Emigrant, MT
- Joseph Chasing Horse (Lakota) is scheduled to speak at Arrowhead Elementary School in Emigrant, MT at 10am (Laura Joss in email to Steve and Brooke Schiavi, February 25, 1999).
- Joseph Chasing Horse arrives at Yellowstone National Park on Thursday afternoon. Accompanied by Turhan Clause, Tuscarora, and Tyler Medicine Horse, Crow, at 2:00pm. Chasing Horse gave a talk on Lakota Star Knowledge in the Map Room of the Mammoth Hotel (Adkins 1999a:16; 1999b:24; Joss 1999:7). The audience at the two hour talk was mainly Yellowstone personnel (Adkins 1999a:16; Joss 1999:7). The content of the talk has been recorded in detail in the

*Park County Weekly* article, “Living on the Edge...of Yellowstone” (Adkins 1999b:24).<sup>8</sup>

**Friday, February 26, 1999:**

- *Leave:* Emigrant, MT
- *Arrive:* Corwin Springs, MT
- At 10:00am, the Buffalo Walkers assembled at the junction of East River Road in Emigrant.
- A group of Nez Perce with their fresh horses join the group just as they reach the junction with Route 89 at the south end of East River Road. At this point, 22 riders and 3 four wheel drive vehicles take the turn-off to the Old Yellowstone Trail and proceed south through Yankee Jim Canyon on the old road, while the rest of the group proceeds south on Route 89 S. The two parties meet in Corwin Springs (See Figure 25) (Adkins 1999a:16).



**Figure 25: Buffalo Walk route from Emigrant, Montana to Corwin Springs, Montana, February 26, 1999**

- From Corwin Springs, vehicles transport the walkers to Mammoth Elementary School, where they will be housed for the next two days.

<sup>8</sup> According to Joss (1999:7) this talk by Joseph Chasing Horse was filmed by park photographer Jim Peaco for the Yellowstone archives. During a 2006 search of the park’s archives (by the project researcher and park archivist), followed by a telephone call to Peaco, this recording could not be located.

At the school, Irvin Blackie (Navajo Nation) and Mia Blackie (Cherokee Nation) have soup and sandwiches waiting. Tillie Black Bear (Lakota, specific tribal affiliation not known) tells the story of the White Buffalo Calf Woman to the group (Adkins 1999a:16).

- Also at the Mammoth School, Joseph Chasing Horse (Lakota, specific tribal affiliation not known) gives the ground rules for the next day's walk into Gardiner. There are three rules: 1) No getting in front of the sacred bundle. 2) No asking unnecessary questions. 3) No women who are menstruating should be walking (Adkins 1999a:16).

**Saturday, February 27, 1999:**

- *Leave:* Corwin Springs, MT
- *Arrive:* Gardiner, MT
- After journeying more than 500 miles, the Buffalo Walk arrived in Gardiner, MT with a group of one hundred Walkers and about 20 horsemen. Montana Highway Patrol and a Park County Sheriff's Deputy provided escort as the walkers traveled down Route 89 S into Gardiner (Adkins 1999a; Joss 1999:7).
- The Buffalo Walkers entered the park through the north entrance at the Roosevelt Arch (the park had waived the \$20 gate fee for the participants) (Adkins 1999a:16).
- The Buffalo Walk concluded with a ceremony at approximately 1:00pm held just inside the Roosevelt Arch in the Triangle Area. Participants and onlookers stood in 30 degree temperatures, bracing against the wind as the ceremony lasted close to two hours (Joss 1999:7).
- The emotional climax of the ceremony was the Sun Dance performed by Gary Silk (Standing Rock Sioux Tribe).

Participants in the Buffalo Walk came from various regions and backgrounds.

About 120 individuals united over 20 days to honor the Yellowstone buffalo and to raise awareness of American Indian teachings about the buffalo. Figures 26 and 27 provide a partial list of individuals and affiliations involved (those who walked or were present at the ceremony at Yellowstone) in the Buffalo Walk.

<b><u>Individual Participants in the 1999 Buffalo Walk</u></b>	
<b>NAME</b>	<b>AFFILIATION</b>
Alan Robinson	Euro-American
Andrea Axtell	Nez Perce Tribe
Andy Gray	Standing Rock Sioux Tribe
Arlene Robinson	Ojibwa Nation
Arnold Rivers	Cheyenne River Sioux Tribe
Bill Edwards	Euro-American
Brooke Schiavi	affiliation not known
Caroline Duckworth	Euro-American
Chucky Axtell	Nez Perce Tribe
Donna Goldner	affiliation not known
Dorine Pasapa	Lakota, specific tribal affiliation not known
Elaine Matlow	affiliation not known
Florence Gardipee	Cherokee Nation
Gary Silk	Standing Rock Sioux Tribe
George Nell	Euro- American
Hank Cheuma	Standing Rock Sioux Tribe
Horace Axtell	Nez Perce Tribe
Irvin Blackie	Navajo Nation
Jean Besman	affiliation not known
Jennifer Carter	Tuscarora Tribe
Jonny Red Eagle	affiliation not known
Joseph Chasing Horse	Lakota, specific tribal affiliation not known
Joseph Chasing Horse, Jr.	Lakota, specific tribal affiliation not known
Keith Annis	Cheyenne River Sioux Tribe
Kenneth Painte, Sr.	Standing Rock Sioux Tribe
Laura Joss	Euro-American
Martha Adkins	Euro-American
Mia Blackie	Cherokee Nation
Mike Finley	Euro-American
Nathan Chasing Horse	Lakota, specific tribal affiliation not known
Peter McArthur	affiliation not known
Rosalie Little Thunder	Rosebud Sioux Tribe
Roberta Serra	affiliation not known
Rudy Shebala	Nez Perce Tribe
Skip Meehan	Euro-American
Stan Four Bears	Standing Rock Sioux Tribe
Steve Schiavi	affiliation not known
Thomas Half	affiliation not known
Tillie Black Bear	Lakota, specific tribal affiliation not known
Tom Adkins	affiliation not known
Tyler Medicine Horse	Crow Tribe
Turhan Clause	Tuscarora Tribe
Jake Whiteplume	Nez Perce Tribe

**Figure 26: Individuals involved in the 1999 Buffalo Walk (Adkins 1999a:16-17; Buffalo Walk Sign-In Sheet provided by Irvin Blackie; McCleary 1999:B3; Joss 1999:7-9)**

**Cultural Affiliations Involved in the 1999 Buffalo Walk**

Algonquin	Lakota:	(non-Indian)
Apache	Cheyenne River Sioux Tribe,	Northern Cheyenne
Assiniboine	Rosebud Sioux Tribe,	Ojibwa
Blackfeet	Standing Rock Sioux Tribe	Southern Arapaho
Cherokee	Navajo	Southern Ute
Crow	Nez Perce	Tuscarora
Dakota		

**Figure 27: Cultural affiliations involved in the 1999 Buffalo Walk (Iwanski 1999; McCleary 1999:B3)**

**APPENDIX D: Treaties Referenced**

Lakota Sioux—Treaty of Fort Laramie with Sioux, Etc., 1851

Nez Perce—Treaty with the Blackfeet, 1855

Nez Perce—Treaty with the Nez Percés, 1855

Nez Perce—Treaty with the Nez Percés, 1863

Nez Perce—Treaty with the Nez Percés, 1868

Lakota Sioux—Treaty of Fort Laramie, 1868 (or Treaty with the Sioux—Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee—and Arapaho, 1868)

TREATY OF FORT LARAMIE WITH SIOUX, ETC., 1851.

Sept. 17, 1851.  
11 Stats., p. 749.

*Articles of a treaty made and concluded at Fort Laramie, in the Indian Territory, between D. D. Mitchell, superintendent of Indian affairs, and Thomas Fitzpatrick, Indian agent, commissioners specially appointed and authorized by the President of the United States, of the first part, and the chiefs, headmen, and braves of the following Indian nations, residing south of the Missouri River, east of the Rocky Mountains, and north of the lines of Texas and New Mexico, viz, the Sioux or Dahcotahs, Cheyennes, Arrapahoes, Crows, Assinaboines, Gros-Ventre Mandans, and Arrickaras, parties of the second part, on the seventeenth day of September, A. D. one thousand eight hundred and fifty-one.<sup>a</sup>*

Peace to be observed.

ARTICLE 1. The aforesaid nations, parties to this treaty, having assembled for the purpose of establishing and confirming peaceful relations amongst themselves, do hereby covenant and agree to abstain in future from all hostilities whatever against each other, to maintain good faith and friendship in all their mutual intercourse, and to make an effective and lasting peace.

Roads may be established.

ARTICLE 2. The aforesaid nations do hereby recognize the right of the United States Government to establish roads, military and other posts, within their respective territories.

Indians to be protected.

ARTICLE 3. In consideration of the rights and privileges acknowledged in the preceding article, the United States bind themselves to protect the aforesaid Indian nations against the commission of all depredations by the people of the said United States, after the ratification of this treaty.

Depredations on whites to be satisfied.

ARTICLE 4. The aforesaid Indian nations do hereby agree and bind themselves to make restitution or satisfaction for any wrongs committed, after the ratification of this treaty, by any band or individual of their people, on the people of the United States, whilst lawfully residing in or passing through their respective territories.

Boundaries of lands.

ARTICLE 5. The aforesaid Indian nations do hereby recognize and acknowledge the following tracts of country, included within the metes and boundaries hereinafter designated, as their respective territories, viz:

Sioux.

The territory of the Sioux or Dahcotah Nation, commencing the mouth of the White Earth River, on the Missouri River; thence in a southwesterly direction to the forks of the Platte River; thence up the north fork of the Platte River to a point known as the Red Butte, or where the road leaves the river; thence along the range of mountains known as the Black Hills, to the head-waters of Heart River; thence down Heart River to its mouth; and thence down the Missouri River to the place of beginning.

Grosventre, etc.

The territory of the Gros Ventre, Mandans, and Arrickaras Nations, commencing at the mouth of Heart River; thence up the Missouri River to the mouth of the Yellowstone River; thence up the Yellowstone River to the mouth of Powder River in a southeasterly direction, to the head-waters of the Little Missouri River; thence along the Black Hills to the head of Heart River, and thence down Heart River to the place of beginning.

Assinboin.

The territory of the Assinaboin Nation, commencing at the mouth of Yellowstone River; thence up the Missouri River to the mouth of the Muscle-shell River; thence from the mouth of the Muscle-shell River in a southeasterly direction until it strikes the head-waters of

<sup>a</sup> This treaty as signed was ratified by the Senate with an amendment changing the annuity in Article 7 from fifty to ten years, subject to acceptance by the tribes. Assent of all tribes except the Crows was procured (see Upper Platte C., 570, 1853, Indian Office); and in subsequent agreements this treaty has been recognized as in force (see post p. 776).



Big Dry Creek; thence down that creek to where it empties into the Yellowstone River, nearly opposite the mouth of Powder River, and thence down the Yellowstone River to the place of beginning.

The territory of the Blackfoot Nation, commencing at the mouth of Muscle-shell River; thence up the Missouri River to its source; thence along the main range of the Rocky Mountains, in a southerly direction, to the head-waters of the northern source of the Yellowstone River; thence down the Yellowstone River to the mouth of Twenty-five Yard Creek; thence across to the head-waters of the Muscle-shell River, and thence down the Muscle-shell River to the place of beginning.

Blackfoot.

The territory of the Crow Nation, commencing at the mouth of Powder River on the Yellowstone; thence up Powder River to its source; thence along the main range of the Black Hills and Wind River Mountains to the head-waters of the Yellowstone River; thence down the Yellowstone River to the mouth of Twenty-five Yard Creek; thence to the head waters of the Muscle-shell River; thence down the Muscle-shell River to its mouth; thence to the head-waters of Big Dry Creek, and thence to its mouth.

Crow.

The territory of the Cheyennes and Arrapahoes, commencing at the Red Butte, or the place where the road leaves the north fork of the Platte River; thence up the north fork of the Platte River to its source; thence along the main range of the Rocky Mountains to the head-waters of the Arkansas River; thence down the Arkansas River to the crossing of the Santa Fé road; thence in a northwesterly direction to the forks of the Platte River, and thence up the Platte River to the place of beginning.

Cheyenne and Arrapaho.

It is, however, understood that, in making this recognition and acknowledgement, the aforesaid Indian nations do not hereby abandon or prejudice any rights or claims they may have to other lands; and further, that they do not surrender the privilege of hunting, fishing, or passing over any of the tracts of country heretofore described.

Rights in other lands.

ARTICLE 6. The parties to the second part of this treaty having selected principals or head-chiefs for their respective nations, through whom all national business will hereafter be conducted, do hereby bind themselves to sustain said chiefs and their successors during good behavior.

Head chiefs of said tribes.

ARTICLE 7. In consideration of the treaty stipulations, and for the damages which have or may occur by reason thereof to the Indian nations, parties hereto, and for their maintenance and the improvement of their moral and social customs, the United States bind themselves to deliver to the said Indian nations the sum of fifty thousand dollars per annum for the term of ten years, with the right to continue the same at the discretion of the President of the United States for a period not exceeding five years thereafter, in provisions, merchandise, domestic animals, and agricultural implements, in such proportions as may be deemed best adapted to their condition by the President of the United States, to be distributed in proportion to the population of the aforesaid Indian nations.

Annuities.

ARTICLE 8. It is understood and agreed that should any of the Indian nations, parties to this treaty, violate any of the provisions thereof, the United States may withhold the whole or a portion of the annuities mentioned in the preceding article from the nation so offending, until, in the opinion of the President of the United States, proper satisfaction shall have been made.

Annuities suspended by violation of treaty.

In testimony whereof the said D. D. Mitchell and Thomas Fitzpatrick commissioners as aforesaid, and the chiefs, headmen, and braves, parties hereto, have set their hands and affixed their marks, on the day and at the place first above written.

D. D. Mitchell  
Thomas Fitzpatrick  
Commissioners.

Sioux:  
Mah-toe-wha-you-whey, his x mark.  
Mah-kah-toe-zah-zah, his x mark.  
Bel-o-ton-kah-tan-ga, his x mark.  
Nah-ka-pah-gi-gi, his x mark.  
Mak-toe-sah-bi-chis, his x mark.  
Meh-wah-tah-ni-hans-kah, his x mark.  
Cheyennes:  
Wah-ha-nis-satta, his x mark.  
Voist-ti-toe-vetz, his x mark.  
Nahk-ko-me-ien, his x mark.  
Koh-kah-y-wh-cum-est, his x mark.  
Arrapahoes:  
Bè-ah-té-a-qui-sah, his x mark.  
Neb-ni-bah-seb-it, his x mark.  
Beh-kah-jay-beth-sah-es, his x mark.

In the presence of—

A. B. Chambers, secretary.  
S. Cooper, colonel, U. S. Army.  
R. H. Chilton, captain, First Drags.  
Thomas Duncan, captain, Mounted Rifle-  
men.  
Thos. G. Rhett, brevet captain R. M. R.  
W. L. Elliott, first lieutenant R. M. R.  
C. Campbell, interpreter for Sioux.  
John S. Smith, interpreter for Chey-  
ennes.  
Robert Meldrum, interpreter for the  
Crows.

Crows:  
Arra-tu-ri-sash, his x mark.  
Doh-che-pit-seh-chi-es, his x mark.  
Assinaboines:  
Mah-toe-wit-ko, his x mark.  
Toe-tah-ki-eh-nan, his x mark.  
Mandans and Gros Ventres:  
Nochk-pit-shi-toe-pish, his x mark.  
She-oh-mant-ho, his x mark.  
Arickarees:  
Koun-hei-ti-shan, his x mark.  
Bi-at-ch-tah-wetch, his x mark.

H. Culbertson, interpreter for Assini-  
boines and Gros Ventres.  
Francois L'Etalie, interpreter for Arick-  
arees.  
John Pizelle, interpreter for the Arrapa-  
hoes.  
B. Gratz Brown.  
Robert Campbell.  
Edmond F. Chouteau.

TREATY WITH THE BLACKFEET, 1855.

Oct. 17, 1855.

11 Stat., 657.  
Ratified Apr. 15, 1856.  
Proclaimed Apr. 25,  
1856.

*Articles of agreement and convention made and concluded at the council-ground on the Upper Missouri, near the mouth of the Judith River, in the Territory of Nebraska, this seventeenth day of October, in the year one thousand eight hundred and fifty-five, by and between A. Cumming and Isaac I. Stevens, commissioners duly appointed and authorized, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the following nations and tribes of Indians, who occupy, for the purposes of hunting, the territory on the Upper Missouri and Yellowstone Rivers, and who have permanent homes as follows: East of the Rocky Mountains, the Blackfoot Nation, consisting of the Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians. West of the Rocky Mountains, the Flathead Nation, consisting of the Flathead, Upper Pend d'Oreille, and Kootenay tribes of Indians, and the Nez Percé tribe of Indians, the said chiefs, headmen and delegates, in behalf of and acting for said nations and tribes, and being duly authorized thereto by them.*

Peace to exist with the United States.

ARTICLE 1. Peace, friendship and amity shall hereafter exist between the United States and the aforesaid nations and tribes of Indians, parties to this treaty, and the same shall be perpetual.

Peace to exist with each other and with certain other tribes.

ARTICLE 2. The aforesaid nations and tribes of Indians, parties to this treaty, do hereby jointly and severally covenant that peaceful relations shall likewise be maintained among themselves in future; and that they will abstain from all hostilities whatsoever against each other, and cultivate mutual good-will and friendship. And the nations and tribes aforesaid do furthermore jointly and severally covenant, that peaceful relations shall be maintained with and that they will abstain from all hostilities whatsoever, excepting in self-defense, against the following-named nations and tribes of Indians, to wit: the Crows, Assineboins, Crees, Snakes, Blackfeet, Sans Arcs, and Auncé-pas bands of Sioux, and all other neighboring nations and tribes of Indians.

Blackfoot territory recognized as common hunting ground.

ARTICLE 3. The Blackfoot Nation consent and agree that all that portion of the country recognized and defined by the treaty of Laramie as Blackfoot territory, lying within lines drawn from the Hell Gate or Medicine Rock Passes in the main range of the Rocky Mountains, in an easterly direction to the nearest source of the Muscle Shell River, thence to the mouth of Twenty-five Yard Creek, thence up the Yellowstone River to its northern source, and thence along the main range of the Rocky Mountains, in a northerly direction, to the point of beginning, shall be a common hunting-ground for ninety-nine years, where all the nations, tribes and bands of Indians, parties to this treaty, may enjoy equal and uninterrupted privileges of hunting, fishing and gathering fruit, grazing animals, curing meat and dressing robes. They further agree that they will not establish villages, or in any other way exercise exclusive rights within ten miles of the northern line of the common hunting-ground, and that the parties to this treaty may hunt on said northern boundary line and within ten miles thereof.

*Provided*, That the western Indians, parties to this treaty, may hunt on the trail leading down the Muscle Shell to the Yellowstone; the Muscle Shell River being the boundary separating the Blackfoot from the Crow territory.

No settlements to be made thereon.

*And provided*, That no nation, band, or tribe of Indians, parties to this treaty, nor any other Indians, shall be permitted to establish permanent settlements, or in any other way exercise, during the period above mentioned, exclusive rights or privileges within the limits of the above-described hunting-ground.

*And provided further,* That the rights of the western Indians to a whole or a part of the common hunting-ground, derived from occupancy and possession, shall not be affected by this article, except so far as said rights may be determined by the treaty of Laramie.

Vested rights not affected.

ARTICLE 4. The parties to this treaty agree and consent, that the tract of country lying within lines drawn from the Hell Gate or Medicine Rock Passes, in an easterly direction, to the nearest source of the Muscle Shell River, thence down said river to its mouth, thence down the channel of the Missouri River to the mouth of Milk River, thence due north to the forty-ninth parallel, thence due west on said parallel to the main range of the Rocky Mountains, and thence southerly along said range to the place of beginning, shall be the territory of the Blackfoot Nation, over which said nation shall exercise exclusive control, excepting as may be otherwise provided in this treaty. Subject, however, to the provisions of the third article of this treaty, giving the right to hunt, and prohibiting the establishment of permanent villages and the exercise of any exclusive rights within ten miles of the northern line of the common hunting-ground, drawn from the nearest source of the Muscle Shell River to the Medicine Rock Passes, for the period of ninety-nine years.

Certain territory to belong to the Blackfoot Nation.

*Provided also,* That the Assiniboins shall have the right of hunting, in common with the Blackfeet, in the country lying between the aforesaid eastern boundary line, running from the mouth of Milk River to the forty-ninth parallel, and a line drawn from the left bank of the Missouri River, opposite the Round Butte north, to the forty-ninth parallel.

ARTICLE 5. The parties to this treaty, residing west of the main range of the Rocky Mountains, agree and consent that they will not enter the common hunting ground, nor any part of the Blackfoot territory, or return home, by any pass in the main range of the Rocky Mountains to the north of the Hell Gate or Medicine Rock Passes. And they further agree that they will not hunt or otherwise disturb the game, when visiting the Blackfoot territory for trade or social intercourse.

How to enter and leave the common hunting ground.

ARTICLE 6. The aforesaid nations and tribes of Indians, parties to this treaty, agree and consent to remain within their own respective countries, except when going to or from, or whilst hunting upon, the "common hunting ground," or when visiting each other for the purpose of trade or social intercourse.

Indians to remain in their respective territories except, etc.

ARTICLE 7. The aforesaid nations and tribes of Indians agree that citizens of the United States may live in and pass unmolested through the countries respectively occupied and claimed by them. And the United States is hereby bound to protect said Indians against depredations and other unlawful acts which white men residing in or passing through their country may commit.

Citizens may pass through and live in the Indian Territory. Protection against depredations.

ARTICLE 8. For the purpose of establishing travelling thoroughfares through their country, and the better to enable the President to execute the provisions of this treaty, the aforesaid nations and tribes do hereby consent and agree, that the United States may, within the countries respectively occupied and claimed by them, construct roads of every description; establish lines of telegraph and military posts; use materials of every description found in the Indian country; build houses for agencies, missions, schools, farms, shops, mills, stations, and for any other purpose for which they may be required, and permanently occupy as much land as may be necessary for the various purposes above enumerated, including the use of wood for fuel and land for grazing, and that the navigation of all lakes and streams shall be forever free to citizens of the United States.

Roads, telegraph lines, and military posts, etc., may be established.

ARTICLE 9. In consideration of the foregoing agreements, stipulations, and cessions, and on condition of their faithful observance, the

Annual payment for benefit of Blackfoot Nation.

United States agree to expend, annually, for the Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians, constituting the Blackfoot Nation, in addition to the goods and provisions distributed at the time of signing the treaty, twenty thousand dollars, annually, for ten years, to be expended in such useful goods and provisions, and other articles, as the President, at his discretion, may from time to time determine; and the superintendent, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto: *Provided, however,* That if, in the judgment of the President and Senate, this amount be deemed insufficient, it may be increased not to exceed the sum of thirty-five thousand dollars per year.

Same object.

ARTICLE 10. The United States further agree to expend annually, for the benefit of the aforesaid tribes of the Blackfoot Nation, a sum not exceeding fifteen thousand dollars annually, for ten years, in establishing and instructing them in agricultural and mechanical pursuits, and in educating their children, and in any other respect promoting their civilization and Christianization: *Provided, however,* That to accomplish the objects of this article, the President may, at his discretion, apply any or all the annuities provided for in this treaty: *And provided, also,* That the President may, at his discretion, determine in what proportions the said annuities shall be divided among the several tribes.

Provisions to secure peace, and indemnity against Indian depredations.

ARTICLE 11. The aforesaid tribes acknowledge their dependence on the Government of the United States, and promise to be friendly with all citizens thereof, and to commit no depredations or other violence upon such citizens. And should any one or more violate this pledge, and the fact be proved to the satisfaction of the President, 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. The aforesaid tribes are hereby bound to deliver such offenders to the proper authorities for trial and punishment, and are held responsible, in their tribal capacity, to make reparation for depredations so committed.

War not to be made on other tribes except in self-defense.

Nor will they make war upon any other tribes, except in self-defense, but will submit all matter of difference, between themselves and other Indians, to the Government of the United States, through its agents, for adjustment, and will abide thereby. And if any of the said Indians, parties to this treaty, commit depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article in case of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

Provision against depredations of other Indians.

Criminals to be surrendered.

Annuities may be stopped in case of violation of this treaty.

ARTICLE 12. It is agreed and understood, by and between the parties to this treaty, that if any nation or tribe of Indians aforesaid, shall violate any of the agreements, obligations, or stipulations, herein contained, the United States may withhold, for such length of time as the President and Congress may determine, any portion or all of the annuities agreed to be paid to said nation or tribe under the ninth and tenth articles of this treaty.

Provision against intoxication or the introduction of ardent spirits.

ARTICLE 13. The nations and tribes of Indians, parties to this treaty, desire to exclude from their country the use of ardent spirits or other intoxicating liquor, and to prevent their people from drinking the same. Therefore it is provided, that any Indian belonging to said tribes who is guilty of bringing such liquor into the Indian country, 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.

This treaty to be in full for compensation.

ARTICLE 14. The aforesaid nations and tribes of Indians, west of the Rocky Mountains, parties to this treaty, do agree, in consideration of

the provisions already made for them in existing treaties, to accept the guarantees of the peaceful occupation of their hunting-grounds, east of the Rocky Mountains, and of remuneration for depredations made by the other tribes, pledged to them in this treaty out of the annuities of said tribes, in full compensation for the concessions which they, in common with the said tribes, have made in this treaty.

The Indians east of the mountains, parties to this treaty, likewise recognize and accept the guarantees of this treaty, in full compensation for the injuries or depredations which have been, or may be committed by the aforesaid tribes, west of the Rocky Mountains.

ARTICLE 15. The annuities of the aforesaid tribes shall not be taken to pay the debts of individuals.

Annuities not to be taken for debt.

ARTICLE 16. This treaty shall be obligatory upon the aforesaid nations and tribes of Indians, parties hereto, from the date hereof, and upon the United States as soon as the same shall be ratified by the President and Senate.

In testimony whereof the said A. Cumming and Isaac I. Stevens, commissioners on the part of the United States, and the undersigned chiefs, headmen, and delegates of the aforesaid nations and tribes of Indians, parties to this treaty, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

A. Cumming. [L. s.]  
Isaac I. Stevens. [L. s.]

Piegans:		The Three Feathers, his x mark.	[L. s.]
Nee-ti-nee, or "the only chief,"		Eagle from the Light, his x	
now called the Lame Bull, his		mark.	[L. s.]
x mark.	[L. s.]	The Lone Bird, his x mark.	[L. s.]
Mountain Chief, his x mark.	[L. s.]	Ip-shun-nee-wus, his x mark.	[L. s.]
Low Horn, his x mark.	[L. s.]	Jason, his x mark.	[L. s.]
Little Gray Head, his x mark.	[L. s.]	Wat-ti-wat-ti-we-hinck, his x	
Little Dog, his x mark.	[L. s.]	mark.	[L. s.]
Big Snake, his x mark.	[L. s.]	White Bird, his x mark.	[L. s.]
The Skunk, his x mark.	[L. s.]	Stabbing Man, his x mark.	[L. s.]
The Bad Head, his x mark.	[L. s.]	Jesse, his x mark.	[L. s.]
Kitch-ee-pone-istah, his x mark.	[L. s.]	Plenty Bears, his x mark.	[L. s.]
Middle Sitter, his x mark.	[L. s.]	Flathead Nation:	
Bloods:		Victor, his x mark.	[L. s.]
Onis-tay-say-nah-que-im, his x		Alexander, his x mark.	[L. s.]
mark.	[L. s.]	Moses, his x mark.	[L. s.]
The Father of All Children, his x		Big Canoe, his x mark.	[L. s.]
mark.	[L. s.]	Ambrose, his x mark.	[L. s.]
The Bull's Back Fat, his x mark.	[L. s.]	Kootle-cha, his x mark.	[L. s.]
Heavy Shield, his x mark.	[L. s.]	Michelle, his x mark.	[L. s.]
Nah-tose-onistah, his x mark.	[L. s.]	Francis, his x mark.	[L. s.]
The Calf Shirt, his x mark.	[L. s.]	Vincent, his x mark.	[L. s.]
Gros Ventres:		Andrew, his x mark.	[L. s.]
Bear's Shirt, his x mark.	[L. s.]	Adolphe, his x mark.	[L. s.]
Little Soldier, his x mark.	[L. s.]	Thunder, his x mark.	[L. s.]
Star Robe, his x mark.	[L. s.]	Piegans:	
Sitting Squaw, his x mark.	[L. s.]	Running Rabbit, his x mark,	[L. s.]
Weasel Horse, his x mark.	[L. s.]	Chief Bear, his x mark.	[L. s.]
The Rider, his x mark.	[L. s.]	The Little White Buffalo, his x	
Eagle Chief, his x mark.	[L. s.]	mark.	[L. s.]
Heap of Bears, his x mark.	[L. s.]	The Big Straw, his x mark.	[L. s.]
Blackfeet:		Flathead:	
The Three Bulls, his x mark.	[L. s.]	Bear Track, his x mark.	[L. s.]
The Old Kootomais, his x mark.	[L. s.]	Little Michelle, his x mark.	[L. s.]
Pow-ah-que, his x mark.	[L. s.]	Palchinah, his x mark.	[L. s.]
Chief Rabbit Runner, his x mark.	[L. s.]	Bloods:	
Nez Percés:		The Feather, his x mark.	[L. s.]
Spotted Eagle, his x mark.	[L. s.]	The White Eagle, his x mark.	[L. s.]
Looking Glass, his x mark.	[L. s.]		

Executed in presence of—

James Doty, secretary.	W. Craig,	} Nez Percé interpreters.
Alfred J. Vaughan, jr.	Delaware Jim, his x mark,	
E. Alw. Hatch, agent for Blackfeet.	Witness, James Doty,	} Flat Head in- terpreters.
Thomas Adams, special agent Flathead Nation.	A Cree Chief (Broken Arm,) his mark.	
R. H. Lansdale, Indian agent Flathead Nation.	Witness, James Doty.	
W. H. Tappan, sub-agent for the Nez Percés.	A. J. Hoeekeorsg,	
James Bird,	James Croke,	
A. Culbertson,	E. S. Wilson,	
Benj. Deroche,	A. C. Jackson,	
Benj. Kiser, his x mark,	Charles Shucette, his x mark.	
Witness, James Doty,	Christ. P. Higgins,	
Gustavus Schon,	A. H. Robie,	
	S. S. Ford, jr.	

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TREATY WITH THE NEZ PERCÉS, 1855.

June 11, 1855.  
12 Stats. 957.  
Ratified Mar. 8, 1859.  
Proclaimed Apr. 29,  
1859.

*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 I. 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 I. Stevens assumes 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.*

Cession of lands to  
the United States.

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 Wo-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 Tucanon River; thence up the Tucanon to its source in the Blue Mountains; thence southerly along the ridge of the Blue Mountains; thence to a point on Grand Ronde River, midway between Grand Ronde and the mouth of the Woll-low-how River; thence along the divide between the waters of the Woll-low-how and Powder River; thence to the crossing of Snake River, at the mouth of Powder River; thence to the Salmon River, fifty miles above the place known [as] the "crossing of the Salmon River;" thence due north to the summit of the Bitter Root Mountains; thence along the crest of the Bitter Root Mountains to the place of beginning.

Boundaries.

Reservation.

ARTICLE 2. There is, however, reserved from the lands above ceded for the use and occupation of the said tribe, and as a general reserva-



tion for other friendly tribes and bands of Indians in Washington Territory, not to exceed the present numbers of the Spokane, Walla-Walla, Cayuse, and Umatilla tribes and bands of Indians, the tract of land included within the following boundaries, to wit: Commencing where the Moh ha-na-she or southern tributary of the Palouse River flows from the spurs of the Bitter Root Mountains; thence down said tributary to the mouth of the Ti-nat-pan-up Creek; thence southerly to the crossing of the Snake River ten miles below the mouth of the Al-po-wa-wi River; thence to the source of the Al-po-wa-wi River in the Blue Mountains; thence along the crest of the Blue Mountains; thence to the crossing of the Grand Ronde River, midway between the Grand Ronde and the mouth of the Woll-low-how River; thence along the divide between the waters of the Woll-low-how 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 spurs of the Bitter Root Mountains to the place of beginning.

Boundaries.

All which tract 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 employment of the Indian Department, be permitted to reside upon the said reservation without permission of the tribe and the superintendent and agent; and the said tribe agrees to remove to and settle upon the same within one year after the ratification of this treaty. In the mean time it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States, and upon any ground claimed or occupied, if with the permission of the owner or claimant, guarantying, 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 reservation 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 hereby ceded, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President 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 improvements of equal value shall be furnished him as aforesaid.

Reservation to be set apart, and Indians to settle thereon. Whites not to reside thereon without, etc.

Improvements to be paid for by the United States.

ARTICLE 3. 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 same 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 Clear Water and other streams flowing through the reservation is also secured to citizens of the United States for rafting purposes, and as public highways.

Roads may be made.

The exclusive right of taking fish in all the streams where running through or 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.

Privileges secured to Indians.

ARTICLE 4. 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,

Payments by the United States.

in providing for their removal to the reserve, breaking up and fencing farms, 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 September 1, 1856; for the next five years, eight thousand dollars each year; for the next five years, six thousand each year, and for the next five years, four thousand dollars each year.

Payments, how to be applied.

All which said sums of money shall be applied to the use and benefit of the said Indians, 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.

The United States to establish schools, etc.

ARTICLE 5. 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, books, 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 tinshop and to the other a gunsmith's shop; one carpenter's shop, one wagon and plough maker's shop, 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.

To build mechanic's shops, etc.

Sawmill.

Hospital.

Salary to head chief; house, etc.

And in view of the fact that the head chief of the tribe is expected, 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 properly furnish the same, and to plough and fence for his use ten acres of land. The said salary to be paid to, and the said house to be occupied by, such head chief so long as he may be elected to that position by his tribe, and no longer.

And all the expenditures and expenses contemplated in this fifth 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.

Reservation may be surveyed into lots and assigned to individuals or families.

ARTICLE 6. 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 as 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 7. The annuities of the aforesaid tribe shall not be taken to pay the debts of individuals.

Annuities not to pay debts of individuals.

ARTICLE 8. 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. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the 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 prescribed in this article in cases 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.

Tribes to preserve friendly relations.

To pay for depredations.

Not to make war except in self-defence.

Offenders to be delivered up.

ARTICLE 9. The Nez Percés 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 Indian 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.

Annuities may be withheld from those who drink ardent spirits.

ARTICLE 10. The Nez Percé Indians having expressed in council a desire that William Craig should continue to live with them, he having uniformly shown himself their friend, it is further agreed that the tract 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.

Land of William Craig.

ARTICLE 11. 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.

When treaty to take effect.

In testimony whereof, the said Isaac I. 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, headmen, 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 hereinbefore written.

Isaac I. Stevens, [L. s.]  
Governor and Superintendent Washington Territory.  
Joel Palmer, [L. s.]  
Superintendent Indian Affairs.

Aleiya, or Lawyer, Head-chief of the Nez Percés,	[L. s.]	Tippelaneebupoo, his x mark.	[L. s.]
Appushwa-hite, or Looking-glass,	[L. s.]	Hah-hah-stilpilp, his x mark.	[L. s.]
his x mark.	[L. s.]	Cool-cool-shua-nin, his x mark.	[L. s.]
Joseph, his x mark.	[L. s.]	Silish, his x mark.	[L. s.]
James, his x mark.	[L. s.]	Toh-toh-molewit, his x mark.	[L. s.]
Red Wolf, his x mark.	[L. s.]	Tuky-in-lik-it, his x mark.	[L. s.]
Timothy, his x mark.	[L. s.]	Te-hole-hole-soot, his x mark.	[L. s.]
U-ute-sin-male-cun, his x mark.	[L. s.]	Ish-coh-tim, his x mark.	[L. s.]
Spotted Eagle, his x mark.	[L. s.]	Wee-as-cus, his x mark.	[L. s.]
Stoop-toop-nin, or Cut-hair, his x mark.	[L. s.]	Hah-hah-stoore-tee, his x mark.	[L. s.]
Tah-moh-moh-kin, his x mark.	[L. s.]	Eee-maht-sin-poo, his x mark.	[L. s.]
		Tow-wish-au-il-pilp, his x mark.	[L. s.]
		Kay-kay-mass, his x mark.	[L. s.]

Speaking Eagle, his x mark.	[L. S.]	Kole-kole-til-ky, his x mark.	[L. S.]
Wat-ti-wat-ti-wah-hi, his x mark.	[L. S.]	In-mat-tute-kah-ky, his x mark.	[L. S.]
Howh-no-tah-kun, his x mark.	[L. S.]	Moh-see-chee, his x mark.	[L. S.]
Tow-wish-wane, his x mark.	[L. S.]	George, his x mark.	[L. S.]
Wahpt-tah-shooshe, his x mark.	[L. S.]	Nicke-el-it-may-ho, his x mark.	[L. S.]
Bead Necklace, his x mark.	[L. S.]	Say-i-ee-ouse, his x mark.	[L. S.]
Koos-koos-tas-kut, his x mark.	[L. S.]	Wis-tasse-cut, his x mark.	[L. S.]
Levi, his x mark.	[L. S.]	Ky-ky-soo-te-lum, his x mark.	[L. S.]
Pee-oo-pe-whi-hi, his x mark.	[L. S.]	Ko-ko-whay-nee, his x mark.	[L. S.]
Pee-oo-pee-iecteim, his x mark.	[L. S.]	Kwin-to-kow, his x mark.	[L. S.]
Pee-poome-kah, his x mark.	[L. S.]	Pee-wee-au-ap-tah, his x mark.	[L. S.]
Hah-hah-still-at-me, his x mark.	[L. S.]	Wee-at-tenat-il-pilp, his x mark.	[L. S.]
Wee-yoke-sin-ate, his x mark.	[L. S.]	Pee-oo-pee-u-il-pilp, his x mark.	[L. S.]
Wee-ah-ki, his x mark.	[L. S.]	Wah-tass-tum-mannee, his x mark.	[L. S.]
Necalahsin, his x mark.	[L. S.]	Tu-wee-si-ce, his x mark.	[L. S.]
Suck-on-tie, his x mark.	[L. S.]	Lu-ec-sin-kah-koose-sin, his x mark.	[L. S.]
Ip-nat-tam-moose, his x mark.	[L. S.]	Hah-tal-ee-kin, his x mark.	[L. S.]
Jason, his x mark.	[L. S.]		

Signed and sealed in presence of us—

James Doty, secretary of treaties,  
W. T.  
Wm. C. McKay, secretary of treaties,  
O. T.  
W. H. Tappan, sub-Indian agent,  
William Craig, interpreter,  
A. D. Pamburn, interpreter,

Wm. McBean,  
Geo. C. Bomford,  
C. Chirouse, O. M. T.  
Mie. Clea. Pandosy,  
Lawrence Kip,  
W. H. Pearson.

TREATY WITH THE NEZ PERCÉS, 1863.

Articles of agreement made and concluded at the council-ground, in the valley of the Lapwai, W. T., on the ninth day of June, one thousand eight hundred and sixty-three, between the United States of America, by C. H. Hale, superintendent of Indian affairs, and Charles Hutchins and S. D. Howe, U. S. Indian agents for the Territory of Washington, acting on the part and in behalf of the United States, and the Nez Percé Indians, by the chiefs, head-men, and delegates of said tribe, such articles being supplementary and amendatory to the treaty made between the United States and said tribe on the 11th day of June, 1855.

June 9, 1863.  
14 Stats., 647.  
Ratified Apr. 17, 1867.  
Proclaimed Apr. 20, 1867.

ARTICLE 1. The said Nez Percé tribe agree to relinquish, and do hereby relinquish, to the United States the lands heretofore reserved for the use and occupation of the said tribe, saving and excepting so much thereof as is described in Article II for a new reservation.

Cession of lands to the United States.

ARTICLE 2. The United States agree to reserve for a home, and for the sole use and occupation of said tribe, the tract of land included within the following boundaries, to wit: Commencing at the northeast corner of Lake Wa-ha, and running thence, northerly, to a point on the north bank of the Clearwater River, three miles below the mouth of the Lapwai, thence down the north bank of the Clearwater to the mouth of the Hatwai Creek; thence, due north, to a point seven miles distant; thence, eastwardly, to a point on the north fork of the Clearwater, seven miles distant from its mouth; thence to a point on Oro Fino Creek, five miles above its mouth; thence to a point on the north fork of the south fork of the Clearwater, five miles above its mouth; thence to a point on the south fork of the Clearwater, one mile above the bridge, on the road leading to Elk City, (so as to include all the Indian farms now within the forks;) thence in a straight line, westwardly, to the place of beginning.

Reservation.

Boundaries.

All of which tract shall be set apart, and the above-described boundaries shall be 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 employment of the Indian Department, be permitted to reside upon the said reservation without permission of the tribe and the superintendent and agent; and the said tribe agrees that so soon after the United States shall make the necessary provision for fulfilling the stipulations of this instrument as they can conveniently arrange their affairs, and not to exceed one year from its ratification, they will vacate the country hereby relinquished, and remove to and settle upon the lands herein reserved for them, (except as may be hereinafter provided.) In the meantime it shall be lawful for them to reside upon any ground now occupied or under cultivation by said Indians at this time, and not included in the reservation above named.

Reservation to be for the sole use of the tribe, who shall settle thereon within a year.

And it is provided, that any substantial improvement heretofore made by any Indian, such as fields inclosed and cultivated, or houses erected upon the lands hereby relinquished, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President of the United States, and payment therefor shall be made in stock or in improvements of an equal value for said Indian upon the lot which may be assigned to him within the bounds of the reservation, as he may choose, and no Indian will be required to abandon the improvements aforesaid, now occupied by him, until said payment or improvement shall have been made. And it is further provided, that if any Indian living on any of the land hereby relinquished should prefer to sell his improvements to any white man, being a loyal citizen of the United States, prior to the same being valued as aforesaid, he shall be allowed so to do, but the sale or transfer of said improvements shall be made in the presence of, and with the consent

Improvements on lands ceded to be paid for.

May be sold to loyal whites.

and approval of, the agent or superintendent, by whom a certificate of sale shall be issued to the party purchasing, which shall set forth the amount of the consideration in kind. Before the issue of said certificate, the agent or superintendent shall be satisfied that a valuable consideration is paid, and that the party purchasing is of undoubted loyalty to the United States Government. No settlement or claim made upon the improved lands by any Indian will be permitted, except as herein provided, prior to the time specified for their removal. Any sale or transfer thus made shall be in the stead of payment for improvements from the United States.

**Certificates of sale.**

**Boundary lines to be marked and lands surveyed into lots.**

**Heads of families may locate on lot.**

**Certificates therefor.**

**These lots to be exempt from levy, taxes, etc.**

**Residue to be held in common.**

**Restriction not to be removed without the consent of Congress.**

**Payments to the tribe.**

**ARTICLE 3.** The President shall, immediately after the ratification of this treaty, cause the boundary-lines to be surveyed, and properly marked and established; after which, so much of the lands hereby reserved as may be suitable for cultivation shall be surveyed into lots of twenty acres each, and every male person of the tribe who shall have attained the age of twenty-one years, or is the head of a family, shall have the privilege of locating upon one lot as a permanent home for such person, and the lands so surveyed shall be allotted under such rules and regulations as the President shall prescribe, having such reference to their settlement as may secure adjoining each other the location of the different families pertaining to each band, so far as the same may be practicable. Such rules and regulations shall be prescribed by the President, or under his direction, as will insure to the family, in case of the death of the head thereof, the possession and enjoyment of such permanent home, and the improvements thereon. When the assignments as above shall have been completed, certificates shall be issued by the Commissioner of Indian Affairs, or under his direction, for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned respectively, and that said tracts are set apart for the perpetual and exclusive use and benefit of such assignees and their heirs. Until otherwise provided by law, such tracts shall be exempt from levy, taxation, or sale, and shall be alienable in fee, or leased, or otherwise disposed of, only to the United States, or to persons then being members of the Nez Percé tribe, and of Indian blood, with the permission of the President, and under such regulations as the Secretary of the Interior or the Commissioner of Indian Affairs shall prescribe; and if any such person or family shall at any time neglect or refuse to occupy and till a portion of the land so assigned, and on which they have located, or shall rove from place to place, the President may cancel the assignment, and may also withhold from such person or family their proportion of the annuities or other payments due them until they shall have returned to such permanent home, and resumed the pursuits of industry; and in default of their return, the tract may be declared abandoned, and thereafter assigned to some other person or family of such tribe. The residue of the land hereby reserved shall be held in common for pasturage for the sole use and benefit of the Indians: *Provided, however,* That from time to time, as members of the tribe may come upon the reservation, or may become of proper age, after the expiration of the time of one year after the ratification of this treaty, as aforesaid, and claim the privileges granted under this article, lots may be assigned from the lands thus held in common, wherever the same may be suitable for cultivation. No State or territorial legislature shall remove the restriction herein provided for, without the consent of Congress, and no State or territorial law to that end shall be deemed valid until the same has been specially submitted to Congress for its approval.

**ARTICLE 4.** In consideration of the relinquishment herein made the United States agree to pay to the said tribe, in addition to the annuities provided by the treaty of June 11, 1855, and the goods and provisions distributed to them at the time of signing this treaty, the

sum of two hundred and sixty-two thousand and five hundred dollars, in manner following, to wit:

First. One hundred and fifty thousand dollars, to enable the Indians to remove and locate upon the reservation, to be expended in the ploughing of land, and the fencing of the several lots, which may be assigned to those individual members of the tribe who will accept the same in accordance with the provisions of the preceding article, which said sum shall be divided into four annual instalments, as follows: For the first year after the ratification of this treaty, seventy thousand dollars; for the second year, forty thousand dollars; for the third year, twenty-five thousand dollars; for the fourth year, fifteen thousand dollars.

Second. Fifty thousand dollars to be paid the first year after the ratification of this treaty in agricultural implements, to include wagons or carts, harness, and cattle, sheep, or other stock, as may be deemed most beneficial by the superintendent of Indian affairs, or agent, after ascertaining the wishes of the Indians in relation thereto.

Third. Ten thousand dollars for the erection of a saw and flouring mill, to be located at Kamia, the same to be erected within one year after the ratification hereof.

Fourth. Fifty thousand dollars for the boarding and clothing of the children who shall attend the schools, in accordance with such rules or regulations as the Commissioner of Indian Affairs may prescribe, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, &c., for their use, and for the fencing of such lands as may be needed for gardening and farming purposes, for the use and benefit of the schools, to be expended as follows: The first year after the ratification of this treaty, six thousand dollars; for the next fourteen years, three thousand dollars each year; and for the succeeding year, being the sixteenth and last instalment, two thousand dollars.

Fifth. A further sum of two thousand five hundred dollars shall be paid within one year after the ratification hereof, to enable the Indians to build two churches, one of which is to be located at some suitable point on the Kamia, and the other on the Lapwai.

Churches.

ARTICLE 5. The United States further agree, that in addition to a head chief the tribe shall elect two subordinate chiefs, who shall assist him in the performance of his public services, and each subordinate chief shall have the same amount of land ploughed and fenced, with comfortable house and necessary furniture, and to whom the same salary shall be paid as is already provided for the head chief in article 5 of the treaty of June 11, 1855, the salary to be paid and the houses and land to be occupied during the same period and under like restrictions as therein mentioned.

Subordinate chief.

And for the purpose of enabling the agent to erect said buildings, and to plough and fence the land, as well as to procure the necessary furniture, and to complete and furnish the house, &c., of the head chief, as heretofore provided, there shall be appropriated, to be expended within the first year after the ratification hereof, the sum of two thousand five hundred dollars.

And inasmuch as several of the provisions of said art. 5th of the treaty of June 11, 1855, pertaining to the erection of school-houses, hospital, shops, necessary buildings for employe[e]s and for the agency, as well as providing the same with necessary furniture, tools, &c., have not yet been complied with, it is hereby stipulated that there shall be appropriated, to be expended for the purposes herein specified during the first year after the ratification hereof, the following sums, to wit:

Further appropriation.

First. Ten thousand dollars for the erection of the two schools, including boarding-houses and the necessary out-buildings; said schools to be conducted on the manual-labor system as far as practicable.

Schools.

Hospital. Second. Twelve hundred dollars for the erection of the hospital, and providing the necessary furniture for the same.

Blacksmith's shop, tools, etc. Third. Two thousand dollars for the erection of a blacksmith's shop, to be located at Kamia, to aid in the completion of the smith's shop at the agency, and to purchase the necessary tools, iron, steel, &c.; and to keep the same in repair and properly stocked with necessary tools and materials, there shall be appropriated thereafter, for the fifteen years next succeeding, the sum of five hundred dollars each year.

Houses, mills, etc. Fourth. Three thousand dollars for erection of houses for employe[e]s, repairs of mills, shops, &c., and providing necessary furniture, tools, and materials. For the same purpose, and to procure from year to year the necessary articles—that is to say, saw-logs, nails, glass, hardware, &c.—there shall be appropriated thereafter, for the twelve years next succeeding, the sum of two thousand dollars each year; and for the next three years, one thousand dollars each year.

Matrons, teachers, mechanics, millers. And it is further agreed that the United States shall employ, in addition to those already mentioned in art. 5th of the treaty of June 11, 1855, two matrons to take charge of the boarding-schools, two assistant teachers, one farmer, one carpenter, and two millers.

Payment to the chief, Timothy. All the expenditures and expenses contemplated in this treaty, and not otherwise provided for, shall be defrayed by the United States.

Claims for services and for horses to be paid. ARTICLE 6. In consideration of the past services and faithfulness of the Indian chief, Timothy, it is agreed that the United States shall appropriate the sum of six hundred dollars, to aid him in the erection of a house upon the lot of land which may be assigned to him, in accordance with the provisions of the third article of this treaty.

Authority, etc., of the United States acknowledged. ARTICLE 7. The United States further agree that the claims of certain members of the Nez Percé tribe against the Government for services rendered and for horses furnished by them to the Oregon mounted volunteers, as appears by certificate issued by W. H. Fauntleroy, A. R. Qr. M. and Com. Oregon volunteers, on the 6th of March, 1856, at Camp Cornelius, and amounting to the sum of four thousand six hundred and sixty-five dollars, shall be paid to them in full, in gold coin.

Roads and highways. ARTICLE 8. It is also understood that the aforesaid tribe do hereby renew their acknowledgments of dependence upon the Government of the United States, their promises of friendship, and other pledges, as set forth in the eighth article of the treaty of June 11, 1855; and further, that all the provisions of said treaty which are not abrogated or specifically changed by any article herein contained, shall remain the same to all intents and purposes as formerly,—the same obligations resting upon the United States, the same privileges continued to the Indians outside of the reservation, and the same rights secured to citizens of the U. S. as to right of way upon the streams and over the roads which may run through said reservation, as are therein set forth.

Hotels and stage stands. But it is further provided, that the United States is the only competent authority to declare and establish such necessary roads and highways, and that no other right is intended to be hereby granted to citizens of the United States than the right of way upon or over such roads as may thus be legally established: *Provided, however,* That the roads now usually travelled shall, in the mean time, be taken and deemed as within the meaning of this article, until otherwise enacted by act of Congress or by the authority of the Indian Department.

And the said tribe hereby consent, that upon the public roads which may run across the reservation there may be established, at such points as shall be necessary for public convenience, hotels, or stage-stands, of the number and necessity of which the agent or superintendent shall be the sole judge, who shall be competent to license the same, with the privilege of using such amount of land for pasturage and other pur-



poses connected with such establishment as the agent or superintendent shall deem necessary, it being understood that such lands for pasturage are to be enclosed, and the boundaries thereof described in the license.

Ferries and bridges.

And it is further understood and agreed that all ferries and bridges within the reservation shall be held and managed for the benefit of said tribe.

Such rules and regulations shall be made by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, as shall regulate the travel on the highways, the management of the ferries and bridges, the licensing of public houses, and the leasing of lands, as herein provided, so that the rents, profits, and issues thereof shall inure to the benefit of said tribe, and so that the persons thus licensed, or necessarily employed in any of the above relations, shall be subject to the control of the Indian Department, and to the provisions of the act of Congress "to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers."

Timber.

All timber within the bounds of the reservation is exclusively the property of the tribe, excepting that the U. S. Government shall be permitted to use thereof for any purpose connected with its affairs, either in carrying out any of the provisions of this treaty, or in the maintaining of its necessary forts or garrisons.

Springs or fountains.

The United States also agree to reserve all springs or fountains not adjacent to, or directly connected with, the streams or rivers within the lands hereby relinquished, and to keep back from settlement or entry so much of the surrounding land as may be necessary to prevent the said springs or fountains being enclosed; and, further, to preserve a perpetual right of way to and from the same, as watering places, for the use in common of both whites and Indians.

ARTICLE 9. Inasmuch as the Indians in council have expressed their desire that Robert Newell should have confirmed to him a piece of land lying between Snake and Clearwater Rivers, the same having been given to him on the 9th day of June, 1861, and described in an instrument of writing bearing that date, and signed by several chiefs of the tribe, it is hereby agreed that the said Robert Newell shall receive from the United States a patent for the said tract of land.

Robert Newell to receive a patent for a tract of land.

ARTICLE 10. 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.

Treaty, when to take effect.

In testimony whereof the said C. H. Hale, superintendent of Indian affairs, and Charles Hutchins and S. D. Howe, United States Indian agents in the Territory of Washington, and the chiefs, headmen, and delegates of the aforesaid Nez Perce tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Calvin H. Hale,  
Superintendent Indian Affairs, Wash. T. [SEAL.]  
Chas. Hutchins,  
United States Indian agent, Wash. T. [SEAL.]  
S. D. Howe,  
United States Indian agent, Wash. T. [SEAL.]

Fa-Ind-7-1803 Lawyer, Head Chief Nez Percés Nation.	[SEAL.]	We-as-cus, x	[SEAL.]
Ute-sin-male-e-cum, x	[SEAL.]	Pep-hoom-kan, (Noah,) x	[SEAL.]
Ha-harch-tuesta, x	[SEAL.]	Shin-in-sha-ho-soot, x	[SEAL.]
Tip-ulan-timecca, x	[SEAL.]	Nie-ki-lil-meh-hoom, (Jacob,) x	[SEAL.]
Es-coatum, x	[SEAL.]	Stoop-toop-nin, x	[SEAL.]
Timothy, x	[SEAL.]	Su-we-cus, x	[SEAL.]
Levi, x	[SEAL.]	Wal-la-ta-mana, x	[SEAL.]
Jason, x	[SEAL.]	He-kaikt-il-pilp, x	[SEAL.]
Ip-she-ne-wish-kin, (Capt. John,) x	[SEAL.]	Whis-tas-ket, x	[SEAL.]
Weptas-jump-ki, x	[SEAL.]	Neus-ne-keun, x	[SEAL.]
	[SEAL.]	Kul-lou-o-haikt, x	[SEAL.]
	[SEAL.]	Wow-en-am-ash-il-pilp, x	[SEAL.]

Kan-pow-e-eeen, x	[SEAL.]	Tuck-e-tu-et-as, x	[SEAL.]
Watai-watai-wa-haikt, x	[SEAL.]	Nic-a-las-in, x	[SEAL.]
Kup-kup-pellia, x	[SEAL.]	Was-atis-il-pilp, x	[SEAL.]
Wap-tas-la-mana, x	[SEAL.]	Wow-es-en-at-im, x	[SEAL.]
Peo-peo-ip-se-wat, x	[SEAL.]	Hiram, x	[SEAL.]
Louis-in;ha-cush-nim, x	[SEAL.]	Howlish-wampum, x	[SEAL.]
Lam-lim-si-lilp-nim, x	[SEAL.]	Wat-ska-leeks, x	[SEAL.]
Tu-ki-lai-kish, x	[SEAL.]	Wa-lai-tus, x	[SEAL.]
Sah-kan-tai, (Eagle,) x	[SEAL.]	Ky-e-wee-pus, x	[SEAL.]
We-ah-se-nat, x	[SEAL.]	Ko-ko-il-pilp, x	[SEAL.]
Hin-mia-tun-pin, x	[SEAL.]	Reuben, Tip-ia-la-na-uy-kala-	
Ma-hi-a-kim, x	[SEAL.]	tsekin, x	[SEAL.]
Shock-lo-turn-wa-haikt, (Jo-		Wish-la-na-ka-nin, x	[SEAL.]
nah,) x	[SEAL.]	Me-tat-neptas, (Three Feathers,) x	[SEAL.]
Kunness-tak-mal, x	[SEAL.]	Ray-kay-mass, x	[SEAL.]
Tu-lat-sy-wat-kin, x	[SEAL.]		

Signed and sealed in presence of—

George F. Whitworth, Secretary.	Harrison Olmstead.
Justus Steinberger, Colonel U. S. Volunteers.	Jno. Owen, (Bitter Root.)
R. F. Malloy, Colonel Cavalry, O. V.	James O'Neill.
J. S. Rinearson, Major First Cavalry Oregon Volunteers.	J. B. Buker, M. D.
William Kapus, First Lieutenant and Adjutant First W. T. Infantry U. S. Volunteers.	George W. Elber.
	A. A. Spalding, assistant interpreter.
	Perrin B. Whitman, interpreter for the council.

TREATY WITH THE NEZ PERCÉS, 1863.

Aug. 13, 1868.

15 Stats., 693.  
Ratified Feb. 16,  
1869.  
Proclaimed Feb. 24,  
1869.

Whereas certain amendments are desired by the Nez Percé tribe of Indians to their treaty concluded at the council ground in the valley of the Lapwai, in the Territory of Washington, on the ninth day of June, in the year of our Lord one thousand eight hundred and sixty-three; and whereas the United States are willing to assent to said amendments; it is therefore agreed by and between Nathaniel G. Taylor, commissioner, on the part of the United States, thereunto duly authorized, and Lawyer, Timothy, and Jason, chiefs of said tribe, also being thereunto duly authorized, in manner and form following, that is to say:

Reservation.

ARTICLE 1. That all lands embraced within the limits of the tract set apart for the exclusive use and benefit of said Indians by the 2d article of said treaty of June 9th, 1863, which are susceptible of cultivation and suitable for Indian farms, which are not now occupied by the United States for military purposes, or which are not required for agency or other buildings and purposes provided for by existing treaty stipulations, shall be surveyed as provided in the 3d article of said treaty of June 9th, 1863, and as soon as the allotments shall be plowed and fenced, and as soon as schools shall be established as provided by existing treaty stipulations, such Indians now residing outside the reservation as may be decided upon by the agent of the tribe and the Indians themselves, shall be removed to and located upon allotments within the reservation: *Provided, however,* That in case there should not be a sufficient quantity of suitable land within the boundaries of the reservation to provide allotments for those now there and those residing outside the boundaries of the same, then those residing outside, or as many thereof as allotments cannot be provided for, may remain upon the lands now occupied and improved by them, provided, that the land so occupied does not exceed twenty acres for each and every male person who shall have attained the age of twenty-one years or is the head of a family, and the tenure of those remaining upon lands outside the reservation shall be the same as is provided in said 3d article of said treaty of June 9th, 1863, for those receiving

Allotments.

allotments within the reservation; and it is further agreed that those now residing outside of the boundaries of the reservation and who may continue to so reside shall be protected by the military authorities in their rights upon the allotments occupied by them, and also in the privilege of grazing their animals upon surrounding unoccupied lands.

ARTICLE 2. It is further agreed between the parties hereto that the stipulations contained in the 8th article of the treaty of June 9th, 1863, relative to timber, are hereby annulled as far as the same provides that the United States shall be permitted to use thereof in the maintaining of forts or garrisons, and that the said Indians shall have the aid of the military authorities to protect the timber upon their reservation, and that none of the same shall be cut or removed without the consent of the head-chief of the tribe, together with the consent of the agent and superintendent of Indian affairs, first being given in writing, which written consent shall state the part of the reservation upon which the timber is to be cut, and also the quantity, and the price to be paid therefor.

Timber to be protected.

ARTICLE 3. It is further hereby stipulated and agreed that the amount due said tribe for school purposes and for the support of teachers that has not been expended for that purpose since the year 1864, but has been used for other purposes, shall be ascertained and the same shall be re-imbursed to said tribe by appropriation by Congress, and shall be set apart and invested in United States bonds and shall be held in trust by the United States, the interest on the same to be paid to said tribe annually for the support of teachers.

School moneys, etc.

In testimony whereof the said Commissioner on the part of the United States and the said chiefs representing said Nez Percé tribe of Indians have hereunto set their hands and seals this 13th day of August, in the year of our Lord one thousand eight hundred and sixty-eight, at the city of Washington, D. C.

N. G. Taylor,	[L. S.]
Commissioner Indian Affairs.	
Lawyer, Head Chief Nez Percés.	[L. S.]
Timothy, his x mark, Chief.	[L. S.]
Jason, his x mark, Chief.	[L. S.]

In presence of—

Charles E. Mix.  
Robert Newell, United States Agent.  
W. R. Irwin.

(Treaty of Fort Laramie, 1868)

**TREATY WITH THE SIOUX—BRULÉ, OGLALA, MINICONJOU,  
YANKTONAI, HUNKPAPA, BLACKFEET, CUTHEAD, TWO KETTLE,  
SANS ARCS, AND SANTEE—AND ARAPAHO, 1868.**

Apr. 29, 1868.  
15 Stats., 635.  
Ratified, Feb. 16,  
1869.  
Proclaimed, Feb. 24,  
1869.

*Articles of a treaty made and concluded by and between Lieutenant-General William T. Sherman, General William S. Harney, General Alfred H. Terry, General C. C. Augur, J. B. Henderson, Nathaniel G. Taylor, John B. Sanborn, and Samuel F. Tappan, duly appointed commissioners on the part of the United States, and the different bands of the Sioux Nation of Indians, by their chiefs and head-men, whose names are hereto subscribed, they being duly authorized to act in the premises.*

War to cease and  
peace to be kept.

**ARTICLE 1.** From this day forward all war between the parties to this agreement shall forever cease. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to maintain it.

Offenders against  
the Indians to be ar-  
rested, etc.

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.

Wrongdoers against  
the whites to be pun-  
ished.

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, upon 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 its 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. 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 one sustaining loss while violating the provisions of this treaty or the laws of the United States shall be re-imbursed therefor.

Damages.

Reservation bound-  
aries.

**ARTICLE 2.** The United States agrees that the following district of country, to wit, viz: commencing on the east bank of the Missouri River where the forty-sixth parallel of north latitude crosses the same, thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska strikes the river, thence west across said river, and along the northern line of Nebraska to the one hundred and fourth degree of longitude west from Greenwich, thence north on said meridian to a point where the forty-sixth parallel of north latitude intercepts the same, thence due east along said parallel to the place of beginning; and in addition thereto, all existing reservations on the east bank of said river shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the 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 employes 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

Certain persons not  
to enter or reside  
thereon.

described in this article, or in such territory as may be added to this reservation for the use of said Indians, and henceforth they will and do hereby relinquish all claims or right in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and except as hereinafter provided.

ARTICLE 3. If it should appear from actual survey or other satisfactory examination of said tract of land that it contains less than one hundred and sixty acres of tillable land for each person who, at the time, may be authorized to reside on it under the provisions of this treaty, and a very considerable number of such persons shall be disposed to commence cultivating the soil as farmers, the United States agrees to set apart, for the use of said Indians, as herein provided, such additional quantity of arable land, adjoining to said reservation, or as near to the same as it can be obtained, as may be required to provide the necessary amount.

Additional arable land to be added, if, etc.

ARTICLE 4. The United States agrees, at its own proper expense, to construct at some place on the Missouri River, near the center of said reservation, where timber and water may be convenient, the following buildings, to wit: a warehouse, a store-room for the use of the agent in storing goods belonging to the Indians, to cost not less than twenty-five hundred dollars; an agency-building for the residence of the agent, to cost not exceeding three thousand dollars; a residence for the physician, to cost not more than three 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 five thousand dollars.

Buildings on reservation.

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

ARTICLE 5. The United States agrees that the agent for said Indians shall in the future make his home at the agency-building; that he shall reside among them, and 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 on him 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 findings, to the Commissioner of Indian Affairs, whose decision, subject to the revision of the Secretary of the Interior, shall be binding on the parties to this treaty.

Agent's residence, office, and duties.

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 said reservation, not exceeding three hundred and twenty acres in extent, which tract, when 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.

Heads of families may select lands for farming.

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 directed.

Others may select land for cultivation.

Certificates.

For each tract of land so selected a certificate, containing a description thereof and the name of the person selecting it, with a certificate endorsed 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 "Sioux Land-Book."

Surveys.

The President may, at any time, order a survey of the reservation, and, when so surveyed, Congress shall provide for protecting the rights of said settlers in their 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 between the Indians and their descendants as may be thought proper. And it is further stipulated that any male Indians, over eighteen years of age, of any band or tribe that is or shall hereafter become a party to this treaty, who now is or who shall hereafter become a resident or occupant of any reservation or Territory not included in the tract of country designated and described in this treaty for the permanent home of the Indians, which is not mineral land, nor reserved by the United States for special purposes other than Indian occupation, and who shall have made improvements thereon of the value of two hundred dollars or more, and continuously occupied the same as a homestead for the term of three years, shall be entitled to receive from the United States a patent for one hundred and sixty acres of land including his said improvements, the same to be in the form of the legal subdivisions of the surveys of the public lands. Upon application in writing, sustained by the proof of two disinterested witnesses, made to the register of the local land-office when the land sought to be entered is within a land district, and when the tract sought to be entered is not in any land district, then upon said application and proof being made to the Commissioner of the General Land-Office, and the right of such Indian or Indians to enter such tract or tracts of land shall accrue and be perfect from the date of his first improvements thereon, and shall continue as long as he continues his residence and improvements, and no longer.

Alienation and descent of property.

Certain Indians may receive patents for 160 acres of land.

Such Indians receiving patents to become citizens of the United States.

Education.

Children to attend school.

Schoolhouses and teachers.

Seeds and agricultural implements.

Instructions in farming.

And any Indian or Indians receiving a patent for land under the foregoing provisions, shall thereby and from thenceforth become and be a citizen of the United States, and be entitled to all the privileges and immunities of such citizens, and shall, at the same time, retain all his rights to benefits accruing to Indians under this treaty.

ARTICLE 7. In order to insure the civilization of the Indians 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 not less than 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, not exceeding 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, not exceeding in value twenty-five dollars.

And it is further stipulated that such persons as commence farming shall receive instruction from the farmer herein provided for, and

whenever more than one hundred persons shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be needed.

Second blacksmith.

ARTICLE 9. At any time after ten years from the making of this treaty, the United States shall have the privilege of withdrawing the physician, farmer, blacksmith, carpenter, engineer, and miller herein provided for, but in case of such withdrawal, an additional sum thereafter of ten thousand dollars per annum shall be devoted to the education of said Indians, and the Commissioner of Indian Affairs shall, upon careful inquiry into their condition, make such rules and regulations for the expenditure of said sum as will best promote the educational and moral improvement of said tribes.

Physician, farmer, etc., may be withdrawn.

Additional appropriation in such cases.

ARTICLE 10. In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under any treaty or treaties heretofore made, the United States agrees to deliver at the agency-house on the reservation herein named, on or before the first day of August of each year, for thirty years, the following articles, to wit:

Delivery of goods in lieu of money or other annuities.

For each male person over fourteen years of age, a suit of good substantial woolen clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of home-made socks.

Clothing.

For each female over twelve years of age, a flannel skirt, or the goods necessary to make it, a pair of woolen 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 woolen 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.

Census.

And in addition to the clothing herein named, the sum of ten dollars for each person entitled to the beneficial effects of this treaty shall be annually appropriated for a period of thirty years, while such persons roam and hunt, and twenty dollars for each person who engages in farming, 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 within the thirty years, at any time, it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the Indians named herein, 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. And it is hereby expressly stipulated that each Indian over the age of four years, who shall have removed to and settled permanently upon said reservation and complied with the stipulations of this treaty, shall be entitled to receive from the United States, for the period of four years after he shall have settled upon said reservation, one pound of meat and one pound of flour per day, provided the Indians cannot furnish their own subsistence at an earlier date. And it is further stipulated that the United States will furnish and deliver to each lodge of Indians or family of persons legally incorporated with them, who shall remove to the reservation herein described and commence farming, one good American cow, and one good well-broken pair of American oxen within sixty days after such lodge or family shall have so settled upon said reservation.

Other necessary articles.

Appropriation to continue for thirty years.

Army officer to attend the delivery.

Meat and flour.

Cows and oxen.

ARTICLE 11. In consideration of the advantages and benefits conferred by this treaty, and the many pledges of friendship by the

Right to occupy territory outside of the reservation surrendered.



Right to hunt reserved.	United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside their reservation as herein defined, but yet reserve the right to hunt on any lands north of North Platte, and on the Republican Fork of the Smoky Hill River, so long as the buffalo may range thereon in such numbers as to justify the chase. And they, the said Indians, further expressly agree:
Agreements as to railroads.	1st. That they will withdraw all opposition to the construction of the railroads now being built on the plains.
Emigrants, etc.	2d. That they will permit the peaceful construction of any railroad not passing over their reservation as herein defined.
Women and children.	3d. That they will not attack any persons at home, or travelling, nor molest or disturb any wagon-trains, coaches, mules, or cattle belonging to the people of the United States, or to persons friendly therewith.
White men.	4th. They will never capture, or carry off from the settlements, white women or children.
Pacific Railroad, wagon roads, etc.	5th. They will never kill or scalp white men, nor attempt to do them harm.
Damages for crossing their reservation.	6th. They withdraw all pretence of opposition to the construction of the railroad now being built along the Platte River and westward to the Pacific Ocean, and they will not in future object to the construction of railroads, wagon-roads, mail-stations, or other works of utility or necessity, which may be ordered or permitted by the laws of the United States. But should such roads or other works be constructed on the lands of their reservation, the Government will pay the tribe whatever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one of said commissioners to be a chief or head-man of the tribe.
Military posts and roads.	7th. They agree to withdraw all opposition to the military posts or roads now established south of the North Platte River, or that may be established, not in violation of treaties heretofore made or hereafter to be made with any of the Indian tribes.
No treaty for cession of reservation to be valid unless, etc.	ARTICLE 12. No treaty for the cession of any portion or part of the reservation herein described which may be held in common shall be of any validity or force as against the said Indians, unless executed and signed by at least three-fourths 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 rights to any tract of land selected by him, as provided in article 6 of this treaty.
United States to furnish physician, teachers, etc.	ARTICLE 13. The United States hereby agrees to furnish annually to the Indians the physician, teachers, carpenter, miller, engineer, farmer, and blacksmiths 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.
Presents for crops.	ARTICLE 14. It is agreed that the sum of five hundred dollars annually, for three years from date, 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.
Reservation to be permanent home of tribes.	ARTICLE 15. The Indians herein named agree that when the agency-house or other buildings shall be constructed on the reservation named, they will regard said reservation their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right, subject to the conditions and modifications of this treaty, to hunt, as stipulated in Article 11 hereof.
Unceded Indian territory.	ARTICLE 16. The United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall be held and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of
Not to be occupied by whites, etc.	

the same; or without the consent of the Indians first had and obtained, to pass through the same; and it is further agreed by the United States that within ninety days after the conclusion of peace with all the bands of the Sioux Nation, the military posts now established in the territory in this article named shall be abandoned, and that the road leading to them and by them to the settlements in the Territory of Montana shall be closed.

ARTICLE 17. It is hereby expressly understood and agreed by and between the respective parties to this treaty that the execution of this treaty and its ratification by the United States Senate shall have the effect, and shall be construed as abrogating and annulling all treaties and agreements heretofore entered into between the respective parties hereto, so far as such treaties and agreements obligate the United States to furnish and provide money, clothing, or other articles of property to such Indians and bands of Indians as become parties to this treaty, but no further.

Effect of this treaty upon former treaties.

In testimony of all which, we, the said commissioners, and we, the chiefs and headmen of the Brulé band of the Sioux nation, have hereunto set our hands and seals at Fort Laramie, Dakota Territory, this twenty-ninth day of April, in the year one thousand eight hundred and sixty-eight.

N. G. Taylor, [SEAL.]  
 W. T. Sherman, [SEAL.]  
 Lieutenant-General.  
 Wm. S. Harney, [SEAL.]  
 Brevet Major-General U. S. Army.  
 John B. Sanborn, [SEAL.]  
 S. F. Tappan, [SEAL.]  
 C. C. Augur, [SEAL.]  
 Brevet Major-General.  
 Alfred H. Terry, [SEAL.]  
 Brevet Major-General U. S. Army.

Attest:

A. S. H. White, Secretary.

Executed on the part of the Brulé band of Sioux by the chiefs and headmen whose names are hereto annexed, they being thereunto duly authorized, at Fort Laramie, D. T., the twenty-ninth day of April, in the year A. D. 1868.

Ma-za-pon-kaska, his x mark, Iron Shell. [SEAL.]	Bella-tonka-tonka, his x mark, Big Partisan. [SEAL.]
Wah-pat-shah, his x mark, Red Leaf. [SEAL.]	Mah-to-ho-honka, his x mark, Swift Bear. [SEAL.]
Hah-sah-pah, his x mark, Black Horn. [SEAL.]	To-wis-ne, his x mark, Cold Place. [SEAL.]
Zin-tah-gah-lat-skah, his x mark, Spotted Tail. [SEAL.]	Ish-tah-skah, his x mark, White Eyes. [SEAL.]
Zin-tah-skah, his x mark, White Tail. [SEAL.]	Ma-ta-loo-zah, his x mark, Fast Bear. [SEAL.]
Me-wah-tah-ne-ho-skah, his x mark, Tall Mandas. [SEAL.]	As-hah-kah-nah-zhe, his x mark, Standing Elk. [SEAL.]
She-cha-chat-kah, his x mark, Bad Left Hand. [SEAL.]	Can-te-te-ki-ya, his x mark, The Brave Heart. [SEAL.]
No-mah-no-pah, his x mark, Two and Two. [SEAL.]	Shunka-shaton, his x mark, Day Hawk. [SEAL.]
Tah-tonka-skah, his x mark, White Bull. [SEAL.]	Tatanka-wakon, his x mark, Sacred Bull. [SEAL.]
Con-ra-washta, his x mark, Pretty Coon. [SEAL.]	Mapia shaton, his x mark, Hawk Cloud. [SEAL.]
Ha-cah-cah-she-chah, his x mark, Bad Elk. [SEAL.]	Ma-sha-a-ow, his x mark, Stands and Comes. [SEAL.]
Wa-ha-ka-zah-ish-tab, his x mark, Eye Lance. [SEAL.]	Shon-ka-ton-ka, his x mark, Big Dog. [SEAL.]
Ma-to-ha-ke-tah, his x mark, Bear that looks behind. [SEAL.]	

Attest:

Ashton S. H. White, secretary of commission.	John D. Howland.
George B. Withs, phonographer to commission.	James C. O'Connor.
Geo. H. Holtzman.	Chas. E. Guern, interpreter.
	Leon F. Pallardy, interpreter.
	Nicholas Janis, interpreter.

Execution by the Ogallalah band.

Executed on the part of the Ogallalah band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized, at Fort Laramie, the twenty-fifth day of May, in the year A. D. 1868.

Tah-shun-ka-co-qui-pah, his x mark, Man-afraid-of-his-horses. [SEAL.]	Oh-huns-ee-ga-non-sken, his x mark, Mad Shade. [SEAL.]
Sha-ton-skah, his x mark, White Hawk. [SEAL.]	Shah-ton-oh-nah-om-minne-neh-oh-minne, his x mark, Whirling Hawk. [SEAL.]
Sha-ton-sapah, his x mark, Black Hawk. [SEAL.]	Mah-to-chun-ka-oh, his x mark, Bear's Back. [SEAL.]
E-ga-mon-ton-ka-sapah, his x mark, Black Tiger. [SEAL.]	Che-ton-wee-koh, his x mark, Fool Hawk. [SEAL.]
Oh-wah-she-cha, his x mark, Bad Wound. [SEAL.]	Wah-hob-ke-za-ah-hah, his x mark, One that has the lance. [SEAL.]
Pah-gee, his x mark, Grass. [SEAL.]	Shon-gah-manni-toh-tan-ka-selh, his x mark, Big Wolf Foot. [SEAL.]
Wah-non-reh-che-geh, his x mark, Ghost Heart. [SEAL.]	Eh-ton-kah, his x mark, Big Mouth. [SEAL.]
Con-reeh, his x mark, Crow. [SEAL.]	Ma-pah-che-tah, his x mark, Bad Hand. [SEAL.]
Oh-he-te-kah, his x mark, The Brave. [SEAL.]	Wah-ke-yun-shah, his x mark, Red Thunder. [SEAL.]
Tah-ton-kah-he-yo-ta-kah, his x mark, Sitting Bull. [SEAL.]	Wak-sah, his x mark, One that Cuts Off. [SEAL.]
Shon-ka-oh-wah-mon-ye, his x mark, Whirlwind Dog. [SEAL.]	Cham-nom-qui-yah, his x mark, One that Presents the Pipe. [SEAL.]
Ha-hah-kah-tah-miech, his x mark, Poor Elk. [SEAL.]	Wah-ke-ke-yan-puh-tah, his x mark, Fire Thunder. [SEAL.]
Wam-bu-lee-wah-kon, his x mark, Medicine Eagle. [SEAL.]	Mah-to-nonk-pah-ze, his x mark, Bear with Yellow Ears. [SEAL.]
Chon-gah-ma-he-to-hans-ka, his x mark, High Wolf. [SEAL.]	Con-ree-teh-ka, his x mark, The Little Crow. [SEAL.]
Wah-se-chun-ta-shun-kah, his x mark, American Horse. [SEAL.]	He-hup-pah-toh, his x mark, The Blue War Club. [SEAL.]
Mah-hah-mah-ha-mak-near, his x mark, Man that walks under the ground. [SEAL.]	Shon-kee-toh, his x mark, The Blue Horse. [SEAL.]
Mah-to-tow-pah, his x mark, Four Bears. [SEAL.]	Wam-Balla-oh-con-quo, his x mark, Quick Eagle. [SEAL.]
Ma-to-wee-sha-kta, his x mark, One that kills the bear. [SEAL.]	Ta-tonka-suppa, his x mark, Black Bull. [SEAL.]
Oh-tah-kee-toka-wee-chakta, his x mark, One that kills in a hard place. [SEAL.]	Moh-to-ha-she-na, his x mark, The Bear Hide. [SEAL.]
Tah-ton-kah-ta-miech, his x mark, The poor Bull. [SEAL.]	

Attest:

S. E. Ward.	H. M. Matthews.
Jas. C. O'Connor.	Joseph Bissonette, interpreter.
J. M. Sherwood.	Nicholas Janis, interpreter.
W. C. Slicer.	Lefroy Jott, interpreter.
Sam Deon.	Antoine Janis, interpreter.

Execution by the Minneconjon band.

Executed on the part of the Minneconjon band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

At Fort Laramie, D. T., May 26, '68, 13 names.

Heh-won-ge-chat,	[SEAL.]
his x mark, One Horn.	
Oh-pon-ah-tah-e-manne,	[SEAL.]
his x mark, The Elk that bellows Walking.	

At Fort Laramie, D. T., May 25, '68, 2 names.

Heh-ho-lah-reh-cha-skah,	
his x mark, Young White Bull.	[SEAL.]

Wah-chah-chum-kah-coh-kee-pah, his x mark, One that is afraid of Shield. [SEAL.]	Wom-beh-le-ton-kah, his x mark, The Big Eagle. [SEAL.]
He-hon-ne-shakta, his x mark, The Old Owl. [SEAL.]	Ma-toh-eh-schne-lah, his x mark, The Lone Bear. [SEAL.]
Moc-pe-a-toh, his x mark, Blue Cloud. [SEAL.]	Mah-toh-ke-su-yah, his x mark, The One who Remembers the Bear. [SEAL.]
Oh-pong-ge-le-skah, his x mark, Spotted Elk. [SEAL.]	Ma-toh-oh-he-to-keh, his x mark, The Brave Bear. [SEAL.]
Tah-tonk-ka-hon-ke-schne, his x mark, Slow Bull. [SEAL.]	Eh-che-ma-beh, his x mark, The Runner. [SEAL.]
Shonk-a-nee-shah-shah-a-tah-pe, his x mark, The Dog Chief. [SEAL.]	Ti-ki-ya, his x mark, The Hard. [SEAL.]
Ma-to-tah-ta-tonk-ka, his x mark, Bull Bear. [SEAL.]	He-ma-za, his x mark, Iron Horn. [SEAL.]

Attest:

Jas. C. O'Connor.  
Wm. H. Brown.

Nicholas Janis, interpreter.  
Antoine Janis, interpreter.

Executed on the part of the Yanctonais band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Execution by the Yanctonais band.

Mah-to-non-pah, his x mark, Two Bears. [SEAL.]	Cha-ton-che-ca, his x mark, Small Hawk, or Long Fare. [SEAL.]
Ma-to-hna-skin-ya, his x mark, Mad Bear. [SEAL.]	Shu-ger-mon-e-too-ha-ska, his x mark, Tall Wolf. [SEAL.]
He-o-pu-za, his x mark, Louzy. [SEAL.]	Ma-to-u-tah-kah, his x mark, Sitting Bear. [SEAL.]
Ah-ke-che-tah-che-ca-dan, his x mark, Little Soldier. [SEAL.]	Hi-ha-cah-ge-na-skene, his x mark, Mad Elk. [SEAL.]
Mah-to-e-tan-chan, his x mark, Chief Bear. [SEAL.]	Arapahoes:
Cu-wi-h-win, his x mark, Rotten Stomach. [SEAL.]	Little Chief, his x mark. [SEAL.]
Skun-ka-we-tko, his x mark, Fool Dog. [SEAL.]	Tall Bear, his x mark. [SEAL.]
Ish-ta-sap-pah, his x mark, Black Eye. [SEAL.]	Top Man, his x mark. [SEAL.]
Ih-tan-chan, his x mark, The Chief. [SEAL.]	Neva, his x mark. [SEAL.]
I-a-wi-ca-ka, his x mark, The one who Tells the Truth. [SEAL.]	The Wounded Bear, his x mark. [SEAL.]
Ah-ke-che-tah, his x mark, The Soldier. [SEAL.]	Thirlwind, his x mark. [SEAL.]
Ta-shi-na-gi, his x mark, Yellow Robe. [SEAL.]	The Fox, his x mark. [SEAL.]
Nah-pe-ton-ka, his x mark, Big Hand. [SEAL.]	The Dog Big Mouth, his x mark. [SEAL.]
Chan-tee-we-cto, his x mark, Fool Heart. [SEAL.]	Spotted Wolf, his x mark. [SEAL.]
Hoh-gan-sah-pa, his x mark, Black Catfish. [SEAL.]	Sorrel Horse, his x mark. [SEAL.]
Mah-to-wah-kan, his x mark, Medicine Bear. [SEAL.]	Black Coal, his x mark. [SEAL.]
Shun-ka-kan-sha, his x mark, Red Horse. [SEAL.]	Big Wolf, his x mark. [SEAL.]
Wan-rode, his x mark, The Eagle. [SEAL.]	Knock-knee, his x mark. [SEAL.]
Can-hpi-sa-pa, his x mark, Black Tomahawk. [SEAL.]	Black Crow, his x mark. [SEAL.]
War-he-le-re, his x mark, Yellow Eagle. [SEAL.]	The Lone Old Man, his x mark. [SEAL.]
	Paul, his x mark. [SEAL.]
	Black Bull, his x mark. [SEAL.]
	Big Track, his x mark. [SEAL.]
	The Foot, his x mark. [SEAL.]
	Black White, his x mark. [SEAL.]
	Yellow Hair, his x mark. [SEAL.]
	Little Shield, his x mark. [SEAL.]
	Black Bear, his x mark. [SEAL.]
	Wolf Moccasin, his x mark. [SEAL.]
	Big Robe, his x mark. [SEAL.]
	Wolf Chief, his x mark. [SEAL.]

Witnesses:

Robt. P. McKibbin, captain, Fourth Infantry, brevet lieutenant-colonel, U. S. Army, commanding Fort Laramie.  
Wm. H. Powell, brevet major, captain, Fourth Infantry.  
Henry W. Patterson, captain, Fourth Infantry.

Theo. E. True, second lieutenant, Fourth Infantry.  
W. G. Bullock.  
Chas. E. Guern, special Indian interpreter for the peace commission.

FORT LARAMIE, Wg. T., Nov. 6, 1868.

Makh-pi-ah-lu-tah, his x mark, Red Cloud. [SEAL.]  
Wa-ki-ah-we-cha-shah, his x mark, Thunder Man. [SEAL.]  
Ma-zah-zah-geh, his x mark, Iron Cane. [SEAL.]

Wa-umble-why-wa-ka-tuyah, his x mark, High Eagle. [SEAL.]  
Ko-ke-pah, his x mark, Man Afraid. [SEAL.]  
Wa-ki-ah-wa-kou-ah, his x mark, Thunder Flying Running. [SEAL.]

Witnesses:

W. McE. Dye, brevet colonel, U. S. Army, commanding.  
A. B. Cain, captain, Fourth Infantry, brevet major, U. S. Army.  
Robt. P. McKibbin, captain, Fourth Infantry, brevet lieutenant-colonel, U. S. Army.  
Jno. Miller, captain, Fourth Infantry.  
G. L. Luhn, first lieutenant, Fourth Infantry, brevet captain, U. S. Army.

H. C. Sloan, second lieutenant, Fourth Infantry.  
Whittingham Cox, first lieutenant, Fourth Infantry.  
A. W. Vogdes, first lieutenant, Fourth Infantry.  
Butler D. Price, second lieutenant, Fourth Infantry.

HEADQRS., FORT LARAMIE, Nov. 6, '68.

Executed by the above on this date.

All of the Indians are Ogallalabs excepting Thunder Man and Thunder Flying Running, who are Brulés.

Wm. McE. Dye,  
Major Fourth Infantry, and Brevet-Colonel  
U. S. Army, Commanding.

Attest:

Jas. C. O'Connor.  
Nicholas Janis, interpreter.  
Franc. La Framboise, interpreter.  
P. J. De Smet, S. J., missionary among the Indians.  
Saml. D. Hinman, B. D., missionary.

Execution by the  
Uncpapa band.

Executed on the part of the Uncpapa band of Sioux, by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Co-kam-i-ya-ya, his x mark, The Man that Goes in the Middle. [SEAL.]  
Ma-to-ca-wa-weksa, his x mark, Bear Rib. [SEAL.]  
Ta-to-ka-in-yan-ke, his x mark, Running Antelope. [SEAL.]  
Kan-gi-wa-ki-ta, his x mark, Looking Crow. [SEAL.]  
A-ki-ci-ta-han-ska, his x mark, Long Soldier. [SEAL.]  
Wa-ku-te-ma-ni, his x mark, The One who Shoots Walking. [SEAL.]  
Un-kca-ki-ka, his x mark, The Magpie. [SEAL.]  
Kan-gi-o-ta, his x mark, Plenty Crow. [SEAL.]  
He-ma-za, his x mark, Iron Horn. [SEAL.]

Shun-ka-i-na-pin, his x mark, Wolf Necklace. [SEAL.]  
I-we-hi-yu, his x mark, The Man who Bleeds from the Mouth. [SEAL.]  
He-ha-ka-pa, his x mark, Elk Head. [SEAL.]  
I-zu-za, his x mark, Grind Stone. [SEAL.]  
Shun-ka-wi-tko, his x mark, Fool Dog. [SEAL.]  
Ma-kpi-ya-po, his x mark, Blue Cloud. [SEAL.]  
Wa-min-pi-lu-ta, his x mark, Red Eagle. [SEAL.]  
Ma-to-can-te, his x mark, Boar's Heart. [SEAL.]  
A-ki-ci-ta-i-tau-can, his x mark, Chief Soldier. [SEAL.]

Attest:

Jas. C. O'Connor.  
Nicholas Janis, interpreter.  
Franc. La Frambois[e], interpreter.  
P. J. De Smet, S. J., missionary among the Indians.  
Saml. D. Hinman, missionary.

By the Blackfeet  
band

Executed on the part of the Blackfeet band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized.

Can-te-pe-ta, his x mark, Fire Heart. [SEAL.]  
Wan-mdi-kte, his x mark, The One who Kills Eagle. [SEAL.]  
Sho-ta, his x mark, Smoke. [SEAL.]  
Wan-mdi-ma-ni, his x mark, Walking Eagle. [SEAL.]  
Wa-s'i-cun-ya-ta-pi, his x mark, Chief White Man. [SEAL.]  
Kan-gi-i-yo-tan-ke, his x mark, Sitting Crow. [SEAL.]  
Pe-ji, his x mark, The Grass. [SEAL.]  
Kda-ma-ni, his x mark, The One that Rattles as he Walks. [SEAL.]  
Wah-han-ka-sa-pa, his x mark, Black Shield. [SEAL.]  
Can-te-non-pa, his x mark, Two Hearts. [SEAL.]

Attest:

Jas. C. O'Connor.  
Nicholas Janis, interpreter.  
Franc. La Framboise, interpreter.  
P. J. De Smet, S. J., missionary among the Indians.  
Saml. D. Hinman, missionary.

Executed on the part of the Cutheads band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized. Execution by the Cutheads band.

To-ka-in-yan-ka, his x mark, The One who Goes Ahead Running. [SEAL.]  
Ta-tan-ka-wa-kin-yan, his x mark, Thunder Bull. [SEAL.]  
Sin-to-min-sa-pa, his x mark, All over Black. [SEAL.]  
Can-i-ca, his x mark, The One who Took the Stick. [SEAL.]  
Pa-tan-ka, his x mark, Big Head. [SEAL.]

Attest:

Jas. C. O'Connor.  
Nicholas Janis, interpreter.  
Franc. La Frambois[e], interpreter.  
P. J. De Smet, S. J., missionary among the Indians.  
Saml. D. Hinman, missionary.

Executed on the part of the Two Kettle band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized. By the Two Kettle band.

Ma-wa-tan-ni-han-ska, his x mark, Long Mandan. [SEAL.]  
Can-kpe-du-ta, his x mark, Red War Club. [SEAL.]  
Can-ka-ga, his x mark, The Log. [SEAL.]

Attest:

Jas. C. O'Connor.  
Nicholas Janis, interpreter.  
Franc. La Framboise, interpreter.  
P. J. De Smet, S. J., missionary among the Indians.  
Saml. D. Hinman, missionary to the Dakotas.

Executed on the part of the Sans Arch band of Sioux by the chiefs and headmen whose names are hereto annexed, they being thereunto duly authorized. By the Sans Arch band.

He-na-pin-wa-ni-ca, his x mark, The One that has Neither Horn. [SEAL.]  
Wa-inlu-pi-lu-ta, his x mark, Red Plume. [SEAL.]  
Ci-tan-gi, his x mark, Yellow Hawk. [SEAL.]  
He-na-pin-wa-ni-ca, his x mark, No Horn. [SEAL.]

Attest:

Jas. C. O'Connor.  
Nicholas Janis, interpreter.  
Franc. La Frambois[e], interpreter.  
P. J. De Smet, S. J., missionary among the Indians.  
Saml. D. Hinman, missionary.

Executed on the part of the Santee band of Sioux by the chiefs and headmen whose names are hereto subscribed, they being thereunto duly authorized. Execution by the Santee band.

Wa-pah-shaw, his x mark, Red Ensign. [SEAL.]  
Wah-koo-tay, his x mark, Shooter. [SEAL.]  
Hoo-sha-sha, his x mark, Red Legs. [SEAL.]  
O-wan-cha-du-ta, his x mark, Scarlet all over. [SEAL.]  
Wau-mace-tan-ka, his mark x, Big Eagle. [SEAL.]  
Cho-tan-ka-e-na-pe, his x mark, Flute-player. [SEAL.]  
Ta-shun-ke-mo-za, his x mark, His Iron Dog. [SEAL.]

Attest:

Saml. D. Hinman, B. D., missionary.  
J. N. Chickering,  
Second lieutenant, Twenty-second Infantry, brevet captain, U. S. Army.  
P. J. De Smet, S. J.  
Nicholas Janis, interpreter.  
Franc. La Framboise, interpreter.