Treaty of Medicine Creek, 1854

Articles of agreement and convention made and concluded on the Sho-nah-nam, or Medicine Creek, in the Territory of Washington, this twenty-sixth day of October, in the year of our Lord one thousand eight hundred and fifty-four, by Isaac I. Stevens, governor and superintendent of Indian affairs of the said Territory, and the undersigned chiefs, head-men, and delegates of the Nisqually, Puget-Dup, Stellicum, Squawkin, Pemamush, Stellicum, P. Poquin, Squa-ut, and Su-hah-wahmish tribes and bands of Indians, occupying the lands lying round the head of Puget's Sound and the adjacent inlets, who, for the purpose of this treaty, are to be regarded as one nation, on behalf of said tribes and bands, and duly authorized by them.

ARTICLE 1. The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States, all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows, to wit: Comencing at the point on the eastern side of Admiralty Inlet, known as Point Pilly, about midway between Commencement and Elliott Bays, proceeding thence in a southwesterly direction, following the divide between the waters of the Pugetpu and Dowsen, or White Rivers, to the summit of the Cascade Mountains, thence southerly, along the sum of said range, to a point opposite the main summit of the Skokomish Chuck Creek thence to and down said creek, to the coal mine thence northwesterly, to the summit of the Black Hills; thence northerly, to the upper forks of the Satsop River; thence northeasterly, through the portage known as Wilkes's Portage, to Point Southworth, on the west side of Admiralty Inlet, thence around the fort of Nisqually's Island, easterly and northeasterly, to the place of beginning.

ARTICLE 2. There is, however, reserved for the present use and occupation of the said tribes and bands, the following tracts of land, viz: The small island called Klah-ke-um, situated opposite the mouth of the Queets River; and the islands called Pointe du Fort and Nisqually, situated opposite the mouth of the Nisqually River; and the tract of land situated within the limits of the City of Port Townsend, a tract of land containing about fifty acres, lying on the north side of Commencement Bay; all which tracts shall be set apart, and, so far as necessary, surveyed and marked out for their exclusive use nor shall any white man be permitted to reside upon the same without permission of the tribe and the superintendent or agent. And the said tribes and bands agree to remove and to settle upon the said land within one year after the ratification of this treaty, or sooner if the means are furnished them. 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 present or future owners. The necessary for the public convenience, roads may be run through their reserves, and, on the other hand, the right of way for free access from the same to the nearest public highway is secured to them.

ARTICLE 3. The right of sitting still, at all usual and accustomed grounds and stations, is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses on open and unclaimed lands. Provided, however, that they shall not take sheep from any pastures staked or cultivated by citizens, and that they shall alter all staked not intended for breeding-horses, and shall keep up and confine the latter.

ARTICLE 4. In consideration of the above, the United States agree to pay to the said tribes and bands the sum of thirty-two hundred five hundred dollars, in the following manner, that is to say: In the first year after the ratification hereof, three thousand two hundred and fifty dollars for the next two years, three thousand dollars each year; for the next three years, two thousand dollars each year; for the next four years fifteen hundred dollars each year; for the next five years twelve hundred dollars each year; and for the six last years, five hundred dollars each year; all which sums of money shall be applied to the use and benefit of the said tribes, under the direction of the President of the United States, who may from time to time, on his discretion, at his own judgment, upon what beneficial objects to expend the same. And the superintendent of Indian affairs, or other proper officer, shall give such year by year the President of the wishes of said Indians in respect thereof.

ARTICLE 5. To enable said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of three thousand two hundred and fifty dollars, to be laid out and expended under the direction of the President, and in such manner as he shall approve.

ARTICLE 6. The President may hereafter, when in his opinion the interests of the Territory may require, and the welfare of the said Indians be promoted, remove them from either or all said reservations to such other suitable place or places within said Territory as he may deem fit, on remuneration for their improvements and the expenses of their removal, or may consolidate with other tribes or friendly tribes or bands. And he may further, at his discretion, cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to enter into the same, upon what beneficial objects to expend the same and the time and manner to be determined by the President, and payment to be made accordingly thereof.

ARTICLE 7. The aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE 8. The aforesaid tribes and bands acknowledge their dependence on 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 their annuities. Nor will they make war on any other tribe except in self-defense, but will submit all matters of difference between them and other Indians to the Government of the United States, or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the Territory, the same shall be reported to the President, and if necessary, shall be punished.

ARTICLE 9. The aforesaid tribes and bands are desirous to exclude from their reservations the use of spirituous liquors, and to prevent their people from drinking the same; and therefore it is provided, that no Indian belonging to said tribes, who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE 10. The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support, for a period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands, in common with those of the other tribes of said district, and to provide the said school with all necessary instruction and books, and also to provide a schoolmaster's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer, for the term of twenty years, to instruct the Indians in their respective occupations. And the United States further agree to employ an physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of the said school, shops, employees, and medical attendance, to be defrayed by the United States, and not deducted from the annuities.

ARTICLE 11. The said tribes and bands agree to free all slaves now held by them, and not to purchase or acquire others hereafter.

ARTICLE 12. The said tribes and bands finally agree not to trade at Vancouver's Island, or elsewhere out of the dominions of the United States; nor shall foreign Indians be permitted to reside in their reservations without the consent of the superintendent or agent.

ARTICLE 13. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States. In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian Affairs, and the undersigned chiefs, head-men, and delegates of the aforesaid tribes and bands, have hereunto set their hands and seals at the place and on the day and year hereunto written.

Issac I. Stevens, Governor and Superintendent of Territory of Washington.