

It will be remembered that by the treaty of 1868, with the Sioux, the country lying between the northern boundary of the State of Nebraska, and the forty-sixth parallel of north latitude, bounded on the east by the Missouri river and west by the one hundred and fourth degree of west longitude, together with the reservations then existing on the east side of the Missouri, was set apart for the absolute and undisturbed use and occupation of the Sioux, for their permanent home. "The United States (to quote the language of the treaty) solemnly agrees that no person ~~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 be permitted to pass over, settle upon, or reside in the same." The treaty also provides "that the country north of the North Platte and east of the summit of the Big Horn mountains, shall be held and considered unceded Indian territory, and (the United States) also stipulates / and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same, or without the consent of the Indians first had and obtained, to pass through the same." In consideration of these and other covenants the Indians agree "to relinquish all right permanently to occupy the territory outside of their reservation as defined in the treaty, but yet reserve the right to hunt on any land north of the 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." By the treaty a distinction was made in the annual annuities, between those who settled on the reservation and became farmers, and those who elected to lead the life of nomads, and continued to roam and hunt; and such as did roam and hunt were, for thirty years, to receive a specific money annuity, less in amount per head than the like annuity to the farmers. The latter, when they became settled were, each head of the family, to receive an American cow, and one good well broken pair of American oxen. The former did not receive those. Whether well or ill-advised, the treaty seemed to leave it to the discretion of the Indian whether