

# TREATY OF RUBY VALLEY

Peace and friendship were declared between the Western Shoshone and the people and government of the United States with the signing of the Treaty of Ruby Valley on October 1, 1863. It ended years of conflict that cost lives and destroyed property on both sides. The Western Shoshone agreed to end their attacks on Euro-Americans and open their land to mining, transportation, and

settlement. They would move to reservations once these were established by the President. The Government agreed to compensate the Newe for their lost food resources by supplying them with \$5,000 worth of cattle and provisions each year for twenty years. But while the Newe immediately stopped their attacks, the Government acted slowly and half-heartedly in fulfilling its obligations.

**TREATY WITH THE WESTERN SHOSHONI, 1863.**  
*Treaty of Peace and Friendship made at Ruby Valley, in the Territory of Nevada, this first day of October, A. D. one thousand eight hundred and sixty-three, between the United States of America, represented by the undersigned commissioners, and the Western Bands of the Shoshone Nation of Indians, represented by their Chiefs and Principal Men and Warriors, as follows:*

**ARTICLE 1.**  
 Peace and friendship shall be hereafter established and maintained between the Western Bands of the Shoshone nation and the people and Government of the United States; and the said bands stipulate and agree that hostilities and all depredations upon the emigrant trains, the mail and telegraph lines, and upon the citizens of the United States within their country, shall cease.

**ARTICLE 2.**  
 The several routes of travel through the Shoshone country, now or hereafter used by white men, shall be forever free, and unobstructed by the said bands, for the use of the government of the United States, and of all emigrants and travellers under its authority and protection, without molestation or injury from them. And if depredations are at any time committed by bad men of their nation, the offenders shall be immediately taken and delivered up to the proper officers of the United States, to be punished as their offenses shall deserve; and the safety of all travellers passing peaceably over either of said routes is hereby guaranteed by said bands. Military posts may be established by the President of the United States along said routes or elsewhere in their country; and station houses may be erected and occupied at such points as may be necessary for the comfort and convenience of travellers or for mail or telegraph companies.

**TREATY WITH THE WESTERN SHOSHONI, 1863.**

**ARTICLE 3.**  
 The telegraph and overland stage lines having been established and operated by companies under the authority of the United States through a part of the Shoshone country, it is expressly agreed that the same may be continued without hindrance, molestation, or injury from the people of said bands, and that their property and the lives and property of passengers in the stages and of the employees of the respective companies, shall be protected by them. And further, it being understood that provision has been made by the government of the United States for the construction of a railway from the plains west to the Pacific ocean, it is stipulated by the said bands that the said railway or its branches may be located, constructed, and operated, and without molestation from them, through any portion of country claimed or occupied by them.

**ARTICLE 4.**  
 It is further agreed by the parties hereto, that the Shoshone country may be explored and prospected for gold and silver, or other minerals; and when mines are discovered, they may be worked, and mining and agricultural settlements formed, and ranches established wherever they may be required. Mills may be erected and timber taken for their use, as also for building and other purposes in any part of the country claimed by said bands.

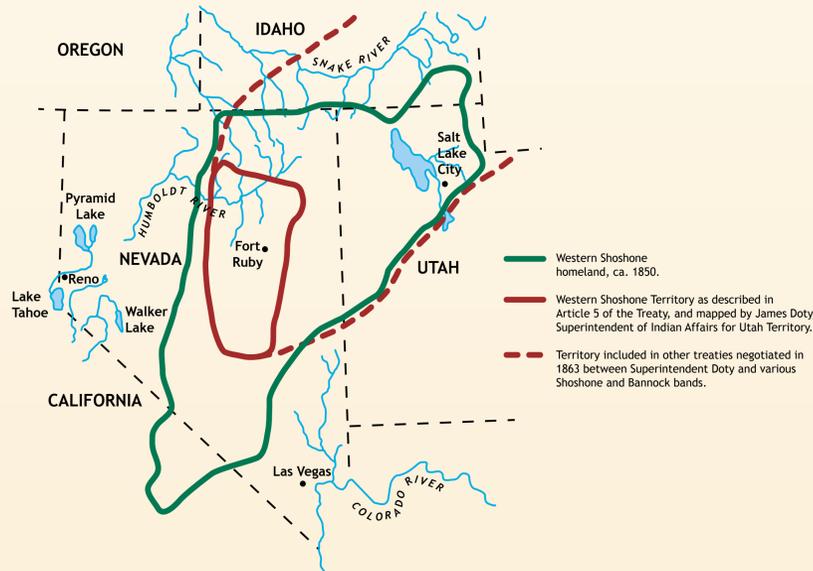
**ARTICLE 5.**  
 It is understood that the boundaries of the country claimed and occupied by said bands are defined and described by them as follows: On the north by Wong-goo-da Mountains and Shoshone River Valley; on the west by So-noo-to-yah Mountains or Smith Creek Mountains; on the south by Wi-co-lah and the Colorado Desert; on the east by Po-ko-no-be Valley or Stripes Valley and Great Salt Lake Valley.

**ARTICLE 6.**  
 The said bands agree that whenever the President of the United States shall deem it expedient for them to abandon the roaming life, which they now lead, and become herdsmen or agriculturalists, he is hereby authorized to make such reservations for their use as he may deem necessary within the country above described; and they do also hereby agree to remove their camps to such reservations as he may indicate, and to reside and remain therein.

**ARTICLE 7.**  
 The United States, being aware of the inconveniences resulting to the Indians in consequence of the driving away and destruction of game along the routes travelled by white men, and by the formation of agricultural and mining settlements, are willing to fairly compensate them for the same; therefore, and in consideration of the preceding stipulations, and of their faithful observance by the said bands, the United States promise and agree to pay to the said bands of the Shoshone nation parties hereto, annually for the term of twenty years, the sum of five thousand dollars in such articles, including cattle for breeding or other purposes, as the President of the United States shall deem suitable for their wants and condition, either as hunters or herdsmen. And the said bands hereby acknowledge the receipt of the said stipulated annuities as a full compensation and equivalent for the loss of game and the rights and privileges hereby conceded.

**ARTICLE 8.**  
 The said bands hereby acknowledge that they have received from said commissioners provisions and clothing amounting to five thousand dollars as provided at the conclusion of this treaty. Done at Ruby Valley the day and year above written.

Witnesses:  
 J. B. Moore, Lieutenant-colonel Third Infantry California Volunteers.  
 Jacob T. Lockhart, Indian agent Nevada Territory.  
 Henry Butterfield, interpreter.



## TWO VIEWS

**A TREATY.—Gov. Nye and party returned on Saturday from Fort Ruby, having formed a treaty with the Shoshone Indians and secured their good will for a long time to come. Goods left Jacobville on Monday, to be supplied to the Indians according to agreement. We have not heard the full particulars of this treaty, but it is undoubtedly satisfactory to all concerned.**

Reese River Reveille, October 7, 1863.



Group of Western Shoshone, including Captain Buck, who signed the Treaty of Ruby Valley.

Newe traditional oral history describes the signing of the Treaty as a humiliating ritual.

... the soldiers ... killed an Indian which they had previously captured and brought with them. Then they cut the Indian up and put him in a huge iron pot ... and they cooked him ... Men, women and children were all forced to eat some of this human flesh while the soldiers held their guns on the people. And it was after this terrible thing which the white man did to our people that the Treaty of 1863 was signed.

—Frank Temoke Sr., April 24, 1965

## A BROKEN TREATY

To the Newe, Article 6 of the Treaty committed the Government to establishing a reservation in Ruby Valley. In 1859, and again in 1864, the Indian Agency set aside a six-mile square area for the Newe to farm and raise livestock. But the boundary was never officially surveyed. When Euro-American ranchers began filing claims on the land, the Government abandoned the idea of a Ruby Valley reservation.

Only a fraction of the promised cattle, provisions, and supplies ever actually reached the Shoshone. In 1877, the Ruby Valley Indian Agent complained that the Newe received nothing that year but blankets and a few trinkets. The Government's failure to deliver these vital supplies prolonged the hunger and hardship of the days before the Treaty.

## A HOME IN RUBY VALLEY

The Newe maintained their traditional homes, took jobs as ranch hands and domestic workers, and defended their land rights. Eventually, a number of families obtained title to their property in Ruby Valley through government allotment or special purchases. Their ownership continues today, although the "six-mile square" reservation never became a reality.



A Newe residence in Ruby Valley, 1917.



A Newe woman carries a hoe and traditional burden basket. The curious, tame-looking bird in the foreground is a sandhill crane.



Bronco Charlie's ("Horsekiller's") camp in Ruby Valley, 1917.

## THE TREATY TODAY

The Treaty of Ruby Valley brought peace to the Nevada frontier. For the Government and Euro-Americans, it was a critical step in the settlement of the state. In the eyes of the Newe, the treaty was never honored, and its signing is remembered as a dark day in their history. The Treaty of Ruby Valley and the fort that symbolizes it still have very different meanings for different people.



Muchach Temoke, a Newe leader related to Old Temoke, one of the signers of the Treaty. Muchach Temoke was described as "a strong character and very much in earnest in this fight [for land and water rights]. He is ... very much determined to assert the rights of himself and his people to this particular tract."

