

BEFORE THE INDIAN CLAIMS COMMISSION

THE YANKTON SIOUX TRIBE,	)	
	)	
Plaintiff,	)	
	)	
THE SIOUX NATION, ET AL.,	)	
	)	
Intervenors,	)	
	)	
v.	)	Docket No. 332-C
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

Decided: December 14, 1970

FINDINGS OF FACT

1. The Yankton Sioux Tribe or Band of Indians is an identifiable group of American Indians maintaining a tribal organization recognized by the Secretary of the Interior as having authority to represent that tribe or band. The Yankton Sioux Tribe is authorized to maintain this suit under Section 2 of the Indian Claims Commission Act.

2. In the middle of the seventeenth century the Sioux were living in the vicinity of Mille Lacs Lake in eastern Minnesota. Pressure from other Indian tribes drove the Sioux south and west, the Yanktons moving into southwestern Minnesota and northwestern Iowa, the Tetons and Yanktonais moving into northeastern South Dakota and eastern North Dakota. By the mid eighteenth century the Yanktons were entering the southeastern portion of the subject lands, the Tetons were occupying the northwestern portion along the Missouri River, and the Yanktonais

were roaming the plains north of the subject lands.

3. Jean Baptiste Truteau traded on the upper Missouri River. On September 30, 1794, while between the mouth of White River and the Big Bend of the Missouri on the western edge of the subject lands, he came upon a Sioux hunting party. Although the party was predominantly Teton, there were three lodges of Yankton among them whose chief stated that they lived on the Des Moines River. The Des Moines River is east of the subject lands, in southwestern Minnesota and northwestern Iowa. In his journal, Truteau stated that the Teton had dwelled in the prairie north of the Missouri, but due to a shortage of game they now hunted both banks of the Missouri. In 1796, Truteau reported that the Yankton of the Des Moines River hunted on the Missouri at the mouth of the Big Sioux River at different times of the year.

From 1802 through 1804, Pierre Antonine Tabeau accompanied the expedition of Loisel to the Upper Missouri. He reported that there was a band of "Yinctons", who normally hunted along the Minnesota River, that had hunted for one winter along the east bank of the Missouri and along its eastern tributaries, but who were returning to Minnesota because of the shortage of beaver along the Missouri. It is evident that these "Yinctons" were Yanktonais rather than Yanktons. Tabeau further reported that there was another tribe of "Yinctons" who were then located on the James River, but who had been accustomed to hunting beaver on the Des Moines River. These latter "Yinctons" were of the Yankton tribe. Tabeau indicated that the Yanktons still conducted much of their trade on the Des Moines River.

4. The Lewis and Clark expedition explored Louisiana Territory from 1804 through 1806. On August 27, 1804, the expedition "reached the mouth of a river called by the French Jacques (James), or Yankton, from the tribe which inhabits its banks." Def. Ex. 27, p. 89 (emphasis added). The James River flows from north to south, through the center of the subject lands. The expedition journal reports that the Yanktons were camped north of the Missouri near the mouth of the James. The journal later describes the respective territories of the Sioux tribes as follows: (1) Yanktons on the James, Big Sioux, and Des Moines Rivers; (2) The various Teton bands on both sides of the Missouri from the White River north to the Warreconne River [in North Dakota]; (3) Yanktonais on the headwaters of the James, Big Sioux and Red River of the North. On September 1, 1806, while returning to St. Louis, the expedition came upon a party of Yanktons two miles down river from the mouth of the Niobrara River. These Yanktons reported that their camp, made up of 80 lodges, was on Emmanuel Creek, in present Bon Homme County, South Dakota. This is in the southern portion of the subject lands.

Lewis and Clark prepared a statistical summary of the tribes that were encountered on the expedition. This summary stated that Yankton territory stretched east from the James River, on the lower portion of the Big Sioux River, and across the headwaters of the Floyd, Little Sioux, and Des Moines Rivers.

A map published in 1806 by Merriwether Lewis located the Yanktons north of the Missouri from the Vermillion River to a point southeast

of Spirit Lake and southwest of the Des Moines River. An 1814 map copied from original drawings of William Clark located the Yanktons north of the Missouri River between the James and Floyd Rivers. On both maps the Brule Band of Tetons was located in the vicinity of the Big Bend of the Missouri.

5. In 1805 Lieutenant Zebulon M. Pike explored the upper reaches of the Mississippi River. His journal discusses the territories and habits of the several Sioux tribes. He spoke of the "Yanctongs" (Yanktons and Yanktonais) as ranging from the Des Moines River north to the plateau between the Minnesota and Missouri Rivers. The Tetons were located west of the Missouri, from the Omaha village to the Gros Ventres and east of the Missouri but only north of the Cheyenne River. Each of the tribes was described as wandering extensively over the plains.

In 1809, General Thomas James visited the Yankton village at the mouth of the James River. In his journal he mistakenly indicated that the village was of Tetons.<sup>1/</sup> In 1811, John Bradbury, an English naturalist, met a band of Yanktons at the mouth of the Floyd River, just east

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<sup>1/</sup> James' error resulted from the fact that these Yanktons went by the name "Bou Rouley" which was easily mistakeable for the Bois Brule Tetons. William Clark had also mistakenly identified these Yanktons as Tetons. General James' lack of familiarity with the Missouri tribes is evidenced by his statement that the Tetons were "kindred with the Sioux." His error is further evidenced by the fact that the Sioux he met gave him a friendly welcome, a treatment consistent with the known disposition of the Yanktons but not with that of the Tetons who Lewis and Clark had described as "the vilest miscreants of the savage race...." (Def. Ex. 28, p. 714).

of the southeastern corner of the subject lands. Two weeks later, near present Chamberlain, South Dakota, he came upon a war party composed of Yanktons and Tetons who were at war with the Mandans, Arrickaras and Hidatsas and were blockading the Missouri River. Also in 1811, Henry M. Brackenridge, a trader, described the James River as the principal trading point for the Yankton. In July of 1812, the Missouri Fur Company set up a trading post for the Yanktons and Tetons near the site of the present town of Bijou Hills in Brule County, South Dakota, in the western portion of the subject lands. During 1815, due to the efforts of Manuel Lisa, first Indian agent for the Upper Missouri River area, the Yanktons and Tetons fought on the side of the United States in the war against Great Britain.

In July of 1820, Robert Dickson, a prominent trader on the Mississippi River, wrote to Lawrence Taliaferro, Indian Agent for the Upper Mississippi, concerning the Sioux tribes. He reported the territory of the Yanktons to be near the Missouri, that of the Tetons to stretch from the Missouri towards the Coteau de Prairie, and that of the Yanktonais to be on the Coteau and near the Minnesota and Sheyenne Rivers. In 1823, William H. Keating accompanied Stephen H. Long's expedition to the headwaters of the Minnesota and Red Rivers. In describing the Sioux tribes, Keating stated that the Yanktons hunted east of the Missouri, and traded on the Missouri, the Tetons hunted between the Missouri and the Minnesota, and the Yanktonais hunted between the Red River and the Missouri. During the summer of 1823, Paul Wilhelm, Duke of Wuertemberg, explored the Missouri River. In

the vicinity of the mouth of White River he came upon a hunting party of Yanktons. On October 23, 1824, Peter Wilson, Agent for the Upper Missouri, came across twenty lodges of Yanktons at a trading post near the Big Bend of the Missouri. Yankton Chiefs Little Dish, Medicine Soul, White Crane and Little Soldier were present. Several individual Teton and Saones were also at the trading post.

6. During the summer of 1825, Brigadier General Henry Atkinson and Agent of Indian Affairs Benjamin O'Fallon led an expedition up the Missouri River. On June 18, at Fort Lookout, a Yankton hunter informed the expedition that the Yanktons were hunting on the Bijou Hills, east of the Missouri, one day's march from the Fort. In the official report of the Atkinson-O'Fallon expedition the following information about the Sioux bands was given:

The Yanktons are a band of the Sioux, and rove in the plains north of the Missouri, from near the Big Bend, down as far as the Sioux river. They do not cultivate, but live by the chase alone, subsisting principally on buffalo. They cover themselves with leather tents or lodges, which they move about from place to place, as the buffalo may chance to range. . . . Their trading ground is on the River Jacques.

The Yanktonies are also a roving band of the Sioux, and range in the intermediate country between the Missouri and the river St. Peter's, embracing the headwater's of the river Jacques. They also hunt the buffalo, whose flesh is their principal means of subsistence, and their skins, with those of the elk and deer, their chief raiment. . . .

The Teton are a band of the Sioux, who rove in a district of country south of the Grand Bend, and upon the waters of White river, and as far back as the Black Hills; their general rendezvous

is near Fort Lookout. They depend on the chase alone for subsistence, and, like the Yanctons and Yanctonies, pursue the buffalo for meat and raiment. . . .

The Ogallalas are a band of the Sioux, inhabiting a district of country on the Teeton river, stretching back from the Missouri to the Black Hills. . . .

The Siounes are also Sioux, and are commonly separated into two bands. They inhabit the country on both sides of the Missouri, from the Teeton river as high up as some fifty miles above Chayenne river, but range furthest from the Missouri on the north side. (Def. Ex. 68, p. 606).

On February 28, 1827, Major D. Ketchum reported to General Atkinson that a band of Yanktons was herding on the Vermillion River that winter, and intended to establish a village there to grow corn, pumpkins and other crops. The Vermillion River flows from north to south in the eastern portion of the subject lands. During the summer of 1830, Indian sub-agent J. L. Bean, traveled to the Missouri to induce the Yanktons to send a delegation to attend treaty negotiations being held at Prairie du Chien, Wisconsin. When he arrived at the Yankton trading post, the trader informed Bean that the Yanktons were starving and would be unable to travel. An Indian arrived with the report that the Yanktons and Santees were in a starving condition ten days travel up the James River hunting buffalo. The area in which they were hunting is in the northern portion of the subject lands.

7. Shortly prior to 1830, a small band of Wahpakeota Sioux of the Minnesota River separated from their tribe and moved to the Missouri River to live with the Yanktons. This band came to be known as "Santees", the Missouri Sioux generic term for all Minnesota Sioux. Within a short

time these Santee guests were absorbed into the Yankton Tribe.

The Treaty of July 15, 1830, 7 Stat. 328, 2 Kapp. 305, was assented to by representatives of the "Yancton and Santie Bands of Sioux." Under this treaty, the Sac and Fox, Sioux, Omaha, Iowa, Otoe, and Missouri Tribes ceded their title to land lying east and south of a line drawn from "the upper fork of the Demoine River, and passing the sources of the Little Sioux, and Floyds Rivers, to the fork of the first creek which falls into the Big Sioux or Calumet on the east side; thence, down said creek, and Calumet River to the Missouri River; thence down said Missouri River to the Missouri state line. . . ." The treaty provided annuities in the sum of \$3000 to "the Yancton and Santie Bands of Sioux," and provided for a blacksmith, tools, and agricultural implements for "the Yancton and Santie Bands of Sioux."

On June 28, 1831, Agent Bean wrote to William Clark concerning a dispute over treaty annuities. It was his belief that the treaty awarded annuities jointly to the Yanktons and Santees so as to prevent these tribes from disuniting. He suggested that, rather than distributing half of the annuities each to the Yanktons and to the Santees, all of the annuities should be distributed to the Yanktons and whichever Santees were with them. Such a practice would induce the Santees to remain with the Yanktons.

8. Maximillian, a German prince, voyaged up the Missouri River in 1833. He reported seeing ten lodges of Yanktons camped at Fort Lookout, on the western border of the subject lands. In 1835 Rev. Samuel Parker was on an exploring expedition up the Missouri River.



He met Indian Agent Joshua Pilcher, who informed him that the Yankton village was located at the mouth of the Vermillion River. On October 6, 1835, Agent Pilcher wrote to Superintendent of Indian Affairs, William Clark concerning the Yanktons. Pilcher reported that several families of Yanktons and Santees had been attempting to cultivate corn near the mouth of the Vermillion. He expressed doubt whether the Sioux would ever be able to abandon their nomadic existence in favor of agricultural pursuits. With regard to the Yanktons, however, Pilcher stated that most of them had expressed a wish to move to the Vermillion to begin planting corn, and had requested that their shop be moved to the Vermillion.

During the winter of 1835-1836, the American Fur Company maintained a trading post on the James River at the northern border of present Spink County, South Dakota, several miles north of the land in question. A band of Yanktons was camped in the vicinity of this post, and because of the severe winter the Sioux were forced to beg from the trader. On July 26, 1836, Indian Agent John Dougherty wrote to Superintendent Clark and indicated that Little Dish's Band of Yanktons was located at the mouth of the Vermillion River.

In January, 1837, Agent Pilcher wrote Commissioner of Indian Affairs Harris concerning his Sioux sub-agency. He reported that the Sioux of the Missouri hunted exclusively south of the Missouri River, with the Yanktons ranging along the White River from its mouth to its source, along the Niobrara River from its mouth up stream for 250 miles, and south as far as the North Platte River. A band of Yanktons

of about twenty-five lodges, however, remained at the mouth of the Vermillion. Pilcher indicated that he had not moved the Yankton shop to the Vermillion because he considered this band only a small part of the tribe and because he expected that the Vermillion area would shortly become part of an organized territory from which these Yanktons would be subject to removal. A year later, however, Pilcher changed his mind, and in a letter to Superintendent Clark, dated July 1, 1838, he stated that the blacksmith and striker for the Yanktons would be moved to the Vermillion and that a house would also be built there for a resident interpreter. On September 12, 1838, Agent Pilcher reported to Superintendent Clark that when he had traveled up river to vaccinate the Indians against smallpox he had found the Yanktons assembled at the mouth of the White River awaiting the arrival of their treaty annuities. He reported that at that time the Tetons were hunting on the South Platte River.

In 1839, Joseph N. Nicollet, employed by the Corps of Topographical Engineers, conducted a survey which covered land in the northern portions of the subject land. He departed from Fort Pierre, traveled up Medicine Knoll River, along Snake River, and in a north-easterly direction, reaching the James River south of Moccasin River. While traveling near Snake River, Nicollet reported finding a camp of eleven lodges of Yanktons. He stated that these were the same Yanktons he had met before on the prairie near the Vermillion River. On the map drawn from his survey, Nicollet placed the label "Yankton Country" across the center of the subject land. Missionary Stephen R. Riggs traveled

from Lac Qui Parle, on the Minnesota River, to Fort Pierre in 1840. Riggs reported that all the Tetons were west of the Missouri and hunted west to the Black Hills, from Mandan country down to the Platte River. The Yanktons were located on both sides of the Missouri as far south as the mouth of the Big Sioux River, although Riggs indicated that they hunted mainly on the west side of the river. He stated that the Yanktonais were east of the Missouri as far north as the Devil's Lake region.

9. The 1842 annual report of Superintendent of Indian Affairs, D. D. Mitchell, contains a census of the Sioux tribes. That census reported 250 lodges of Yanktons living near the Vermillion River, 320 lodges of Tetons living south of the Missouri River, 150 lodges of Oglalas living south of the Missouri, 1,150 lodges of "Sowans" on the Cheyenne and Platte Rivers, and 600 lodges of Yanktonais in the vicinity of the Mandans. On August 31, 1845, A. R. Bouis, a trader at Fort Pierre, wrote to Honore Picotte in St. Louis. He reported that part of the Yanktons were at their cornfield, part had gone to trade with the Poncas, and the remainder were on the James River. In his annual report for 1846, Agent Thomas P. Moore reported that the Yanktons received their annuities at Fort Lookout, which he described as their principal trading post. Other Yanktons were located at the Vermillion. In 1848 the Yankton were at the mouth of Crow Creek, in present Buffalo County, South Dakota, on the western edge of the subject lands. On June 13, they attacked the steamer "Martha" which was attempting to deliver their

annuities. In a letter to Superintendent of Indian Affairs Thomas Harvey, Father P. J. DeSmet, a Jesuit missionary, reported that he had seen a band of Yankton-Santees on the headwaters of the Niobrara River in October 1848. The 1849 report of Sub-agent William S. Halton indicates that he distributed annuity goods to the Yankton at Fort Lookout, and to the Santees at the Vermillion post. In 1850, Thaddeus A. Culbertson, a naturalist, explored the Missouri River and the Badlands. He found Yanktons and Santees living at the Vermillion Post. He also reported that there was a Yankton trading post on Crow Creek. In an appendix to his journal, Culbertson reported the territory of the Yankton to be the basin of the James River, that of the Yanktonais to be west of the Yankton and north of the Missouri, and that of all of the Teton bands to be west of the Missouri River.

10. During the summer of 1851, Father P. J. DeSmet was enroute to the treaty council at Fort Laramie. At the Big Bend of the Missouri he found a band of Yanktons camped. The 1853 annual report of Agent Alfred Vaughn lists the following territories for the Sioux in the Upper Missouri Agency: Yankton--from the mouth of the White River north to Fort Pierre, on both sides of the Missouri, and as far east as the Coteau de Prairie; Yanktonais--from the mouth of the Little Cheyenne River north to the Apple River, east to the James River; various Teton bands--west of the Missouri from the Niobrara River north to the Heart River. During the autumn of 1853 Lieutenant R. Saxton, of the United States Army, traveled down the Missouri River to test its navigability. He reported that on October 16, 1853, the main body of Yankton, about 2500 people, had departed from Fort Pierre, headed for buffalo country. In his 1854 annual

report, Agent Vaughn indicated that he had found the entire Yankton Tribe at its village at Fort Lookout.

In 1855, Superintendent of Indian Affairs Alfred Cumming accompanied Agent Vaughn up the Missouri River on a trip to distribute treaty annuities. Cumming reported that there was a Yankton village ten miles below the mouth of the Vermillion, another at Dorion's Bluff, and a third above the mouth of the Niobrara River. He also stated that the Yanktons claimed all the land along the Missouri between the Big Sioux River and a point opposite Fort Pierre, and for an indefinite distance northward away from the Missouri. Agent Vaughn reported that he delivered annuities to the Yanktons at their principal village, at "Handy's Point" located thirty miles above the mouth of the Niobrara River, on the northern side of the Missouri.

In 1855, Brigadier General William S. Harney commanded a military expedition against certain bands of Sioux. In his report to the Secretary of War, he reported that the Yanktons occupied territory on the east bank of the Missouri between Fort Pierre and the Big Sioux River. Lieutenant G. K. Warren, a topographical engineer, accompanied Harney's expedition. He reported the territory of the Yanktons as being between the Big Sioux and James Rivers, and on the western bank of the Missouri, that of the Yanktonais as east of the Missouri as far north as the vicinity of Devil's Lake, and that of the Tetons as west of the Missouri from the forks of the Platte River north to the Yellowstone River. Warren stated that all of the Sioux bands followed the buffalo during the

summer, but camped along the banks of lakes or rivers during the winter. In an appendix to his report written August 7, 1855, Lt. Warren noted that a band of Yanktons was then located on the east bank of the Missouri about forty miles above the mouth of the Niobrara.

Edward Thompson Denig was a trader on the upper Missouri River. In 1855 he reported the territories of the Sioux tribes as follows: Yanktons--east of the Missouri between the Vermillion River and Fort Pierre, camping along the James River when there is sufficient game, otherwise hunting west of the Missouri along the Niobrara and White River; Yanktonais--east of the Missouri between the Little Cheyenne and Apple Rivers, as far north as the area of Devil's Lake; Tetons--west of the Missouri from the Heart River in the north as far south as the North Platte River. In his annual report for 1856, Agent Vaughn stated that he had delivered annuity goods to the Yanktons just below Fort Lookout. He noted that Yankton land was totally devoid of game, and that the Yanktons were subsisting on wild roots and on the vegetables they were able to grow. In 1857, A. H. Redfield was Agent for the Upper Missouri. In his annual report for that year he reports finding Yankton villages on the eastern bank of the Missouri above the Big Sioux River, in the vicinity of the James River, at Fort Randall, and at Fort Lookout.

In 1857, a small band of Santees led by Inkpaduta carried out raids upon white settlers in the vicinity of Spirit Lake, near the Iowa-Minnesota border. This band had earlier separated itself from the Yankton-Santees which had their village at the mouth of the Vermillion

River. After the raid, Inkpaduta led his band back into the subject lands to seek refuge with the Yanktons. In May of 1857, an expedition which had set out from Yellow Medicine Agency on the Minnesota River came upon three lodges of Inkpaduta's band camped with 190 lodges of Yanktons on the James River in present Spink County, South Dakota.

Lieutenant G. K. Warren continued his explorations of Sioux territory in 1857. He reported that the Yanktons were north of the Missouri between the Big Sioux River and Fort Lookout, that the Yanktonais were east of the Missouri as far north as the Devil's Lake region, and that the Tetons were ranging west of the Missouri.

11. In 1838, Joseph N. Nicollet, exploring in a westerly direction from the Minnesota River, came upon a village of Sisseton Sioux at "Two Woods" Lake, in the northwest corner of present Deuel County, South Dakota, east of the subject lands. These Sisseton were known as the Five Lodge Band. Nicollet reported that two-thirds of the band were out of the village hunting when he arrived. Missionary Stephen R. Riggs, in his "Dakota Portraits", stated that the Five Lodge Band of Sissetons had its headquarters at "the Two Woods", which were several lakes located about fifty miles west of Lac qui Parle, Minnesota. Riggs stated that these Sissetons planted some corn, but derived most of their sustenance from the buffalo, which they hunted between "Two Woods" and the James River. In 1839, Agent Lawrence Taliaferro, of the St. Peters Agency, reported that the "(5) Lodge" Band of Sissetons had a village near Two Woods Lake, and that they depended mainly upon hunting for their food and clothing.

In 1847, Father A. Ravoux headed west from Mendota, Minnesota, traveling to Fort Pierre. About forty-five or fifty miles west of Lac qui Parle he came upon a camp of Sioux. These were probably the Five Lodge Band of Sissetons. In 1853, J. W. Bond wrote that the Five Lodge Band of Sissetons was located about forty miles west of Lac qui Parle.

12. By the Treaty of April 19, 1858, 11 Stat. 743, 2 Kapp. 776, the Yankton Sioux ceded to the United States all of their lands wherever situated, except for a reservation of about 400 thousand acres in present Charles Mix County, South Dakota. Under this treaty the Yankton ceded to the United States not only the subject lands, but also their interest in the land declared to be Sioux territory by the Treaty of Fort Laramie of September 17, 1851, 11 Stat. 749, 2 Kapp. 594. By its terms, the 1858 treaty became effective upon its ratification by the Senate and by the President. The President ratified and proclaimed the treaty on February 26, 1859.

13. Dr. John L. Champ, an anthropologist and, until his retirement, Professor of Anthropology at the University of Nebraska, testified as an expert witness for the plaintiff. Dr. Champ stated his opinion that the Yanktons exclusively used and occupied all of Royce Area 410 prior to the Treaty of 1850. Dr. James H. Howard, an anthropologist and Professor of Anthropology at the University of South Dakota, also testified as an expert witness for the plaintiff. Dr. Howard concurred in Dr. Champ's opinion that Yankton use and occupancy extended to all of Royce Area 410.



The documentary evidence, however, does not support the opinions of Drs. Champ and Howard.

Mr. Alan R. Woolworth, an archeologist and Museum Curator for the Minnesota Historical Society, testified as expert witness for the defense. Mr. Woolworth prepared a written report which was admitted into evidence as Defendant's Exhibit No. 242. Mr. Woolworth's testimony indicates that it is his opinion that the Yankton exclusively used and occupied only the south central portion of Royce Area 410, and that the western, northern and eastern portions of the area were shared by the Yanktons with the Tetons, Yanktonais, and Minnesota Sioux respectively. The documentary evidence does not support Mr. Woolworth's opinion.

14. Reports, journals, and letters of explorers, traders, travelers, Indian agents, military officers and others beginning before 1800, indicate that at the time of the cession to the United States, and for a long time prior thereto, the Yankton Sioux exclusively used and occupied the area bound as follows:

- (1) Beginning at a point in the Missouri River where Hughs, Hyde, and Lyman Counties, South Dakota meet, northeasterly in a direct line through the easternmost point in the Town of Highmore, South Dakota, to a point on South Fork Snake Creek;
- (2) Then easterly down South Fork Snake Creek and Snake Creek to its mouth on the James River;
- (3) Then southerly down the James River to the mouth of Timber Creek;
- (4) Then east-southeasterly in a direct line to the mouth of Stray Horse Creek on the Big Sioux River;

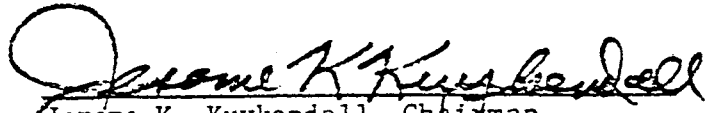
(5) Then southerly down the Big Sioux River to its mouth on the Missouri River;

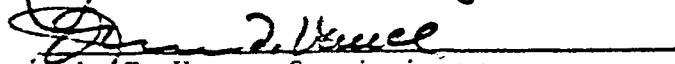
(6) Then westerly and northerly up the middle of the Missouri River to the point of beginning.

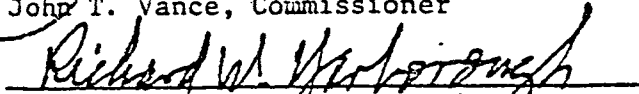
(All of the above-described locations are as depicted on the latest editions of the U. S. Geological Survey Maps, Western United States 1:250,000 series).

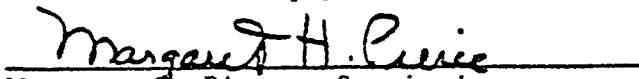
The Yankton Sioux did not exclusively use or occupy any other part of the subject lands.

The same reports, journals, and letters indicate that neither the Yanktonais Sioux nor the Teton Sioux exclusively used, or occupied any part of the subject lands at the time they were ceded to the United States.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner