

or provided for elsewhere; and, at all events, suggested that their consent ought first to be obtained before any survey should be made. The subject having been submitted to your department, it was determined that an attempt should be made to obtain the formal consent of all of the Utah bands, on consideration of substantial and permanent benefits to be received, to remove to the Uintah valley, and cede their right of occupancy of all other lands in the Territory. Accordingly, instructions to this end were sent to Superintendent Irish in the spring; and during the month of June he succeeded in conveying the leading men of the tribes at Spanish Fork, and making a treaty which has received the assent of all the Utah bands above named, and which has been recently laid before you. The superintendent's interesting report, which accompanied the treaty, gives ground for hope that a great work is well-nigh accomplished for the Territory, in throwing its lands open to settlement, as well as for the Indians, in providing for them a comfortable home.

The treaty cedes nearly the whole of Utah Territory, excepting only the Uintah valley, and a strip along the southern end of the Territory, and if the superintendent is successful in his attempt to bring the Pi-Edes to agree to the treaty, that strip also will be ceded. It may be observed by those critical in geographical lines that the northwestern part of Utah is also covered by claims made by different bands of Shoshonees in the treaties of amity with them; but as the last-named tribes will soon be under treaty in Idaho, where they properly belong, no conflict of jurisdiction is likely to arise.

I recommend that medals and presents be given to Washakee, chief of the northeast Shoshonees, and to Konosh, chief of the Pah-Vauts, as a special testimonial of appreciation by the department of their good conduct and good influence over their people. Washakee recently asked permission to take part in the campaign against the western Sioux, and this was granted, subject to the arrangements to be made with the military commander of the district of the Upper Platte.

There has been, as appears from the superintendent's report, considerable uneasy feeling among all the Utah Indians, resulting from representations made to them by disloyal whites as well as by Indians, that the white troops were not succeeding in their campaign against the Sioux, who were represented as fighting for the rights of the whole red race, and to save themselves from extermination. Still further cause of dissatisfaction occurred in the delays incident upon the delivery of the goods promised to the Indians, which delay was caused by the goods being turned back by the military officers in command along the overland route, after having been started in good season from Nebraska City; but in spite of these untoward circumstances the Indians have behaved remarkably well.

The superintendent suggests that hereafter the goods be forwarded over the plains by mule trains, instead of by oxen, so that, by being started in good season, they may with some degree of certainty be expected to arrive at their destination in time to be distributed to the Indians before they leave for their winter hunt.

NEW MEXICO.

But three of the Indian agents in New Mexico have made their annual reports this year—Agents Ward, Archuleta, and Labadi. Those of the two former are somewhat meagre. That of the latter is more full, and gives some interesting information in regard to the tribes now and heretofore under his charge; but it comes at too late a day to receive any extended notice.

It is understood that most of the agents appointed in New Mexico can neither read nor write in the English language, which may account for the slowness of some and the delinquency of others in furnishing reports. I have some information in regard to the present condition of Indian affairs in New Mexico, from the superintendent's annual report, but he states that he is obliged to present it

without assistance from the agents, although, like them, he speaks the Spanish language. In order to give an intelligible summary as to matters in this Territory, I am obliged to rely much on previous reports, and upon information obtained from the late superintendent, Dr. Steck, on his late visit to this city.

The Indians of New Mexico may be best divided into four classes, to wit:

Apaches, of which there are four divisions, the Mescaleros and Mimbres, whose range was, and for the most part still is, the southeast quarter of the Territory; the Jicarillas, numbering, according to Agent Labadi, 987 souls, ranging in the northeast portion—these tribes or bands, together, being estimated to number some 3,500; and the Gila Apaches, in southwest New Mexico, estimated at, say, 4,000 or 4,500.

Utahs, being the Mohuaches, a small band of some 500, who range along the north end of the Territory, partly in Colorado; and the Capotes and Wannemuches, living in the northwest, numbering some 2,500.

Pueblos, or "Village Indians," occupying some nineteen villages, scattered for a long distance along a line drawn northeast and southwest through Santa Fé, holding their lands by grants from the Spanish government, confirmed to them by the United States, and numbering about 7,000 souls.

Navajos, taken prisoners by the military forces, and removed to the reservation at Bosque Redondo, on the Pecos river, in the eastern part of the Territory in 1863-'64, and numbering, at latest accounts, a little over 7,000; their original home being in what is now Arizona, though ranging into northwestern New Mexico.

Of the Apaches, my information, through Superintendent Delgado's report, is meagre. The reservation at the Bosque Redondo was (by recommendation from this office of January 14, 1864, laid before the President of the United States, and approved by him, as appears from department letter of January 16, 1864) set apart for the Apaches, it being intended to colonize all of the various bands of that tribe upon it; and as it was estimated to contain about 6,000 or 7,000 acres of arable land, it was deemed sufficient for the purposes. A beginning was made with a portion of the Mescaleros, who were represented as progressing with their agricultural operations in such a manner as to give good reason to hope that the remainder of the bands could be induced to come in. The removal of the Navajos to the reservation, being old enemies of the Apaches, and so largely outnumbering them as to nearly monopolize the reservation, is understood to have checked the further concentration of the Apaches at that place, and the number upon the reservation has remained about the same as last year, the superintendent reporting it at 472. The Jicarilla Apaches, who are supposed to be cared for by the agency situated upon the Cimarron river, in the northeast, are represented by Agent Labadi as being further advanced in civilization than the other wild tribes, having been more in the settlements, and many of them speaking the Spanish language. From other sources they are represented as hard cases—worthless vagabonds—concerning whose improvement the superintendent suggests their removal to the Bosque Redondo, where I doubt if there is room for them, or if they could be induced to go and remain. The agent recommends that they be established on a good reservation in their own country, and says that if this were done, and some assistance afforded them by the government, they would raise good crops, establish schools, and learn to obtain an honest living.

Of the Gila Apaches very little is known. Some years ago they were visited, and exhibited a disposition to concentrate upon a reservation, which was at that time selected by Superintendent Steck, on the dividing line between New Mexico and Arizona, in a fertile and isolated valley, but nothing further has been done in regard to them.

In regard to the Utahs, the small band of Mohuaches, being allied to the Tabeguaches of Colorado, should, it is thought, be turned over to that superintendency, and concentrated with them on the proposed reservation on the San Juan river,

in southwestern Colorado. They and the Jicarilla Apaches, having long been neighbors and intermarried, expressed to Agent Labadi a strong desire to continue united, which desire should certainly be gratified.

The Capotes and Wannemuchés (Guiguimuchés) are represented as friendly tribes of the great family of Utahs, powerful, warlike, and independent.

Agent Archuleta represents them as a wandering people, living partly by the chase, partly by the aid of government, and partly by stealing and begging; that they are utterly debased, and of the lowest grade of intelligence. They are disinclined to settle upon any reservation, and the superintendent appears to think that such concentration is unnecessary at present; and that when the progress of white population shall demand it, it can be effected without serious difficulty.

The Pueblos Indians, concerning whom an elaborate report was furnished last year by Agent Ward, showing their number in the different villages, with much other valuable information, remain in much the same condition, except that two or three of the villages or settlements have suffered greatly from drought, and from sudden overflow of streams, destroying their crops of grain and fruit, so that relief is necessary to keep them from starvation. Such directions have been given as will enable this office to know to what extent relief is necessary, and such relief will be given as the funds at hand will allow.

These Indians are a quiet agricultural people, industrious and self-sustaining, and need only, in ordinary circumstances, aid in the way of agricultural implements; but they are very desirous to have schools established among them, and this will be done as soon as it can be ascertained where, among the many villages, schools can be established to the best advantage, as it is apparent that the funds at the disposal of this office will not allow of provision for a school at each of the nineteen villages.

In regard to the Navajos, now established at the Bosque Redondo reservation, the accumulated testimony is so conflicting, derived from sources equally entitled to credit, and from persons who should have, and, so far as appears, have had but one object in view—the best interest of the government and of the Indians, that I am reluctant at present to express a decided opinion in regard to the permanent policy to be adopted. The difference is wide between the views of the late superintendent, Dr. Steck, who urged, and was supported by excellent authority in urging, that the Bosque Redondo reservation was barely sufficient for the Apaches, for whom it was set apart—that the Navajos and Apaches could not live together upon it; that the Navajos could best support themselves upon a reservation in their own country, where they had always been an agricultural and pastoral people, raising large crops, and making their own garments from the produce of their own flocks, and that the enormous expense of feeding them at the Bosque Redondo, counting by millions almost, was an unnecessary expenditure—and those of General Carleton, the military commandant of the district, who insisted that, for the sake of permanent peace, the Navajos must be taken entirely away from their own country, and that when once settled upon a reservation they would provide for their own support.

General Carleton took the responsibility of testing the question by removing the Navajos to the reservation; and this being done, they have been supported there by the War Department, with the aid of an appropriation of a comparatively small amount by Congress, placed at the disposal of the Interior Department. An attempt was made late in 1864, by sending a special agent to the Territory, to obtain such definite information as to the case as to enable Congress to act finally upon the subject, but the report of the agent did not reach this office in time for action; and, indeed, while much valuable testimony was furnished on both sides of the mooted question, and much light thrown upon both sides, it seemed as difficult as ever to make a just decision. On the whole, inasmuch as the Navajos are at the reservation, where, as appears from Superintendent Del-

gado's report, the most of them are quietly, under military supervision, working the land, cultivating 3,500 acres this year, raising good crops and having some supply of stock of their own, and on the whole are doing well; and inasmuch as their removal from the former scenes of their predatory warfare has resulted in giving quiet and security to a considerable portion of the Territory, it has been deemed best to accept, for the present at all events, the location at the Bosque as a settled fact, and an agent has been appointed, with special instructions to take charge of the expenditures of the department on their behalf, while a special agent has been charged with the duty of purchasing and conveying to the reservation a large quantity of useful implements and articles, having reference to their becoming self-sustaining at the earliest possible day. These articles are now on their way across the plains in a train of wagons, which, with the stock drawing them, will be needed upon the reservation. With a fair season for crops next year it is expected that the Navajos, by their agricultural labor, will relieve the government of the cost of subsistence after next year; and if they can be supplied with sufficient stock, will manufacture a good share of their own clothing.

The special agent, Mr. J. K. Graves, is instructed to inform himself fully, and report at the earliest possible day, in regard to the facts necessary to a conclusion as to retaining the Navajos at the Bosque permanently, and as to the cost of providing for them there, with allotments of land, &c.; and he is also to make examination and report as to the condition of affairs at each of the other agencies, in regard to which this office is lamentably deficient in information; knowing neither what has been done, nor what ought to be done, in behalf of the Indians. Almost immediately after the last adjournment of Congress, a change was made in the superintendent, and four new agents appointed, three of whom can neither read nor write the English language, and not assigned to any particular agencies.

It is a fact, that, with the exception of Agent Archuleta, who is mentioned by Superintendent Delgado as having charge of the agency of Abiquiu, for the Capote Utahs, &c., and Agent Labadi, in charge of the agency on the Cimarron river, this office has no knowledge, and has been unable to obtain any, as to the location of the several agencies since last spring. It is confidently expected that from the report of Special Agent Graves some definite information will be obtained. I trust that I shall not exceed my proper province in this report when I suggest that hereafter, whenever the subject of a change of persons charged with the management of Indian matters is proposed, your department, at least, may be consulted as to the propriety or necessity of any change, or at all events, as to the existence of vacancies, and their location and circumstances. I feel confident that if this course had been always taken, and the information easily furnished had been laid before the appointing power, some of the changes of the last year would not have been made; or if it was deemed advisable to make them, this office would have been furnished with more accurate information in regard to the changes intended, and thus with more certain means of conducting the public business intrusted to it. It appears, from the information which my brief tenure of this office has enabled me to obtain, that it has always been difficult to obtain the services, as Indian agents, of persons who are willing to accept the very moderate salaries paid by the government as their remuneration, and to be content with acting as the conscientious guardians of the Indians, as well as the economical agents of the government expenditures in their behalf, without supplementing their salaries by conniving with traders, contractors, or other parties; and when such agents are found, I can but feel that any change must be for the worse. I trust that such agents may be supplied, if it is possible, where we do not have them now; and should be pleased, and am sure that the interests of the government would be subserved, if such as we now have could be retained.

I should mention, before leaving this superintendency, that during the last winter one of the agencies was visited by a delegation from the Moqui village Indians, living in northeast Arizona, who had come, at the peril of their lives, a distance of several hundred miles to obtain food to save their people from starvation, their crops having failed last year for want of water. Some relief was given them, and they returned rejoicing. An interesting account of these Moqui Indians has been given in previous reports, and their country abounds in remains of large buildings and populous towns, the relics of old Aztec times. Their country appears to be gradually drying up, and becoming unfit for the habitation of man. They number about 2,500, and, as they belong to Arizona, the attention of that superintendency will be called to their condition and wants.

COLORADO.

Affairs in this superintendency, on the eastern side of the mountain range which occupies the central ridge of the Territory, have been in a very unsettled condition throughout the year. We are without any annual report from Governor Evans, *ex officio* superintendent, but those of Agents Head and Oakes have been received, and from these, and from the correspondence of the office since the last annual summary, the following state of affairs appears:

There are now but two established agencies in Colorado, to wit: Tabeguache Utes, at Conejos, in the southwest, Agent Head, numbering about 4,500; Grand River and Uintah bands of Utes, Middle Park agency, having headquarters at present at Denver, and claiming a large district in the northwest, Agent Oakes, numbering 2,500.

The agency for the Arapahoes and Cheyennes, established under the treaty of Fort Wise, in the southeast part of the Territory, had under charge about 1,500 Arapahoes and 1,600 Cheyennes, and was known as the Upper Arkansas agency, having its headquarters at Fort Lyon.

The northeastern portion of the Territory was within the limits of the region claimed by the Arapahoes and Cheyennes, who were considered as being, with two bands of Sioux, under charge of the Fort Laramie agency, now included within the northern superintendency.

From Agent Head's report in regard to the Tabeguache Utes, we learn that those Indians have been very quiet during the past year, making no trouble, except in one instance, where a portion of one of the bands took forcible possession of a few sacks of flour, to save themselves from starving. The agent took immediate measures to supply their pressing necessities, since which occasion they have been quiet, although there were reasons for discontent in the unavoidable delay in the delivery of the goods promised them by treaty. That treaty provides that whenever their chiefs shall express a desire, on behalf of their people, to settle down into cultivation of the soil, certain supplies of stock, &c., shall be furnished to them. The agent states that such is now the desire of the chiefs, and urges the fulfilment by government of this provision of the treaty. A detailed estimate of the amount required for the purpose will be called for, and transmitted for your information when received. Governor Evans, during the month of August, represented the tribe as very uneasy at the failure of their goods to arrive, and expressed fear that hostilities would break out, but there is no mention in their agent's report of any such excitement. However, steps were taken to push forward the goods as rapidly as possible, and advices of their arrival have recently been received. Occasion is elsewhere taken to refer to the subject of transportation across the plains. Delays and failures in the delivery of annuity goods are a fruitful cause of trouble with the Indians, who yield the occupancy of portions of their ranges, on consideration of the receipt of sundry articles necessary to their comfort, and expect to obtain them in due season in the fall, so that they can leave for their winter hunt. The suggestion that hereafter, if it could be accomplished at a reasonable price,

these goods should be forwarded by mule trains instead of by oxen, is considered a good one, and by adopting this course, and by greater care in the shipment from the frontier, I think that all cause for dissatisfaction can be avoided.

Agent Head is of the opinion that ultimately the bands of Utes, now in New Mexico, can be concentrated with the Tabeguaches to advantage.

Agent Oakes's report as to the Grand river and Uintah bands is very brief and unsatisfactory, his connexion with them having been very short. He had charge of a small number of friendly Arapahoes at Camp Collins before being appointed to this agency, but the Arapahoes left him and joined the war parties to the north in the early spring. He represents the Indians of his present charge as very peaceable and friendly, and anxious to go upon a reservation. At the latest dates he was engaged in exploring the country in search of a suitable place for such reservation.

A new agent has been appointed by the President to the Upper Arkansas agency, heretofore filled by Mr. Colley, until it was finally broken up a year ago last summer by the Indians of his charge joining with the northern Sioux and others in hostilities against the whites. The various circumstances leading to this disastrous occurrence were detailed in the annual report of last year, but no official account has ever reached this office, from its own proper sources, of that most disastrous and shameful occurrence of all, the massacre of a large number of men, women and children of the Indians of this agency by the troops under command of Colonel Chivington, of the United States volunteer cavalry of Colorado. Certain facts are apparent from the documents accompanying the report of last year, and others have been detailed in a report to Congress, and these show that during the spring and summer of last year persistent efforts were made by a part of these Indians to make peace, which efforts were repelled by some of the military officers; and that when several hundred of them had come in to a place designated by Governor Evans as a rendezvous for those who would separate themselves from the hostile parties, these Indians were set upon and butchered in cold blood by troops in the service of the United States. The few who escaped to the northward told a story which effectually prevented any more advances towards peace by such of those bands as were well disposed, except that during the last spring Roman Nose, an Arapahoe chief, sent word to an officer at one of the posts that he was anxious to obtain permission to live with his people in a locality in the vicinity of the Little Chug river. Governor Evans advised this office of the fact, and some correspondence took place upon the subject, but before any interview could be had with the chief, General Conner's campaign commenced.

A considerable amount of money had been expended at the last mentioned agency for permanent buildings, and for an extensive *acequia*, or ditch, for the purpose of irrigating the lands for cultivation. How far this expenditure has been made unavailable for agency purposes in future by damages done by the Indians or others we have no means of knowing at present. Several bands of these Arapahoes and Cheyennes went south and east, and took refuge among the Kiowas and Comanches, of Agent Leavenworth's charge, and were represented at the council which was held at Bluff creek, in southwestern Kansas, in the early part of this month. That commission, the history of which is more particularly given under the head of the Central Superintendency, after being in session about a fortnight, had succeeded, as stated in another part of this report, in negotiating a treaty with the Arapahoes and Cheyennes of this agency, numbering 2,800; and they have agreed to use their utmost endeavors to bring in those of the Upper Platte who have been associated with the Sioux and other hostile Indians in the northwest, having already sent out runners to inform them that peace had been offered them. The Apaches, too, leaving the Kiowas and Comanches, had given their assent to this treaty, and confederated with the Arapahoes and Cheyennes, the new combination being designated as "the confed-

erated tribes and bands of Cheyennes, Arapahoes and Apaches." This treaty will soon be laid before you, with a special report in reference to it.

The new agent, Mr. Taylor, who was lately appointed to the Upper Arkansas agency, was directed to report to Governor Evans, or to his successor, Governor Cumming, for assignment to such duty as he should designate in connexion with the Indian service. As the Indians, under arrangements made at the council above referred to, are to reside temporarily on the reservation made by the treaty of Fort Wise, and at the place where the improvements were being made for them, this agent has been sent to that point to remain with the Indians there until the necessary steps can be taken to remove the latter to their new reservation south of the Arkansas river.

The report of the commission above referred to will be found among the documents accompanying this report.

DAKOTA.

This superintendency, comprising the Territory of Dakota, has been for a considerable time the scene of interesting events, it being the region in which General Sully has carried on his campaigns against the Sioux Indians of the upper Missouri and country adjacent thereto; while General Conner's operations against the Sioux and other Indians of the upper Platte, whose agency was at Fort Laramie, have driven those Indians far up into the region attached to Dakota for judicial purposes, but lying west of that Territory, and between Colorado on the south and Montana on the north.

There are five agencies in this superintendency, viz:

Yanctons, at their reservation on the Missouri river, near Fort Randall, and near the southern boundary of the Territory; P. H. Conger is the agent, the number of Indians being 2,300.

Poncas, near the Yancton reservation, on the Niobrara river, which forms part of the boundary between Dakota and Nebraska; Agent Potter has them in charge, numbering at the last census 1,100.

Crow Creek Agency, near old Fort Pierre, on the Missouri. This is the point selected for a home for both the Winnebagoes and Sioux of the Mississippi, who were removed from Minnesota. The Winnebagoes have gone down to the Omaha reservation, in Nebraska Territory, leaving the Sioux, numbering 1,039, by a late enumeration, under the charge of Agent Stone.

Upper Missouri Sioux. This agency has scarcely a local habitation; Mr. S. N. Latta, who held, until recently, the office of agent, and who has from time to time distributed the annuity goods due to the Indians, having had of late very little to do with them, as they have for the most part been included among the hostile tribes. Governor Edmunds, *ex-officio* superintendent, estimates the number of the various bands as follows: Two Kettles, 780; Minnecongos, 2,220; Yanktonnais, 4,200; Uncpapas, 2,400, and Blackfeet Sioux, 1,200; Sioux of the Mississippi (not on the reservation) about 800, making a total of about 11,690.

Upper Missouri. The tribes held as belonging to this agency, having its headquarters at Fort Berthold, far up on the Missouri river, under the charge of Agent Wilkinson, are the Gros Ventres, Arickarees and Mandans, together numbering 2,500; the Assinaboines, estimated at 3,280; and the Crows at 3,500; the latter tribe, however, ranging into what is now Montana Territory.

New agents have, during the past season, been appointed for the Yanctons, Poncas, and Sioux at Crow creek, the commission of Mr. Burleigh at the first-named agency having expired, the second having been vacant for a year, and Agent Balcombe, who had charge of both the Sioux and Winnebagoes, having gone down to the Omaha reservation with the latter tribe. Special reports, required by the superintendent of each of these new agents, in regard to the condition of affairs as they found them, were forwarded to this office, and from these and the monthly reports since sent in we obtain much valuable information.

Agent Conger found the Yanctons in a very unsatisfactory condition, and expressing much discontentment, and complaining that government had not kept its promises to them, as made in the treaty by which they ceded what is now the settled portion of Dakota. He reported the agency buildings in a dilapidated condition, and everything run down; no cattle or stock, farming tools few and in bad condition, and very small preparation for a crop this year. It being already the 1st of May when Mr. Conger took the agency, but little could be done towards getting in a crop, and, for want of good seed, that little for the most part failed. The Indians are represented as being very idle and improvident. There is no school on the reservation, and none has been in existence, although the treaty provides liberally for one, and the vouchers of late Agent Burleigh are on file for the expenditure of considerable sums of money for the purpose; and there are no missionaries or teachers, though the Indians express a desire for their services.

It being considered that the annuities of the tribe are sufficient, under proper management, to place these Indians in a much better condition, and that they ought to be at least as well provided with the comforts of life as the neighboring tribes of Nebraska, the superintendent and agent are doing everything in their power to accomplish this end. On account of the failure of crops, special supplies of food must be furnished to the tribe for the coming winter, and with this fact in view I have been husbanding the funds applicable to them; but as nearly one-half of the appropriation for them for the current fiscal year had been used before the year commenced, it is doubtful whether the amount on hand will be sufficient to prevent suffering among them. The cause of this deficiency, and the remedy proposed for it, are stated in that part of this report relating to "Finances."

It is hoped that another year these Indians, being better provided, and influenced by pressing necessity, will be found cultivating good crops. The agency farms, at all events, will be under cultivation.

The Poncas, who had been without a regularly appointed agent for some time, but who were under the charge of a person specially detailed by the superintendent, were found to have some 250 acres under cultivation, with a prospect of an abundant crop. This hope has been fully realized, and the tribe, with the proceeds of a successful hunt, is in a comfortable condition for the winter, and, as appears by the report of Governor Edmunds, *ex-officio* superintendent, they are affording aid to their neighbors the Yanctons. The buildings of the agency are stated to be much in need of repairs, being built of cottonwood, which makes very poor lumber. There is no school upon the reservation; the treaty requires one, and money to a considerable amount has been forwarded from time to time, on the requisition of former agents, for school purposes. Special inquiry has been directed to this point. The agent proposes to employ Indians to do the necessary labor upon the reservation, and finds them willing to work for reasonable wages, and anxious to increase their stock of teams, wagons, &c. We shall, I am confident, find matters much improved also at this agency another year, if the season is favorable for crops.

Attention was called last year to the fact that the murderers of several of this loyal and friendly tribe had not been discovered and punished. I trust that, as there seems to be no probability that this will be done, a special appropriation may be made for presents to the relatives of the deceased.

Considering the character of the soil at the Crow Creek agency, the fact that the Sioux removed thither were mostly old men, women and children, who had been taken captive or given themselves up soon after the Minnesota massacres, and the further fact that their small attempts at hunting had been frustrated by their parties being turned back by the military forces, these Indians are in as good a condition as could well be expected. They are provided for out of an appropriation of \$100,000 made by Congress, all treaties with their tribe having been

declared abrogated, and of course all annuities stopped. Agent Stone found many things needed, which, with good management, the funds appropriated to their use ought to supply, particularly working cattle and cows. The buildings also were in poor condition, and the tribe ill provided as to shelter. Measures were taken towards an improvement in these matters. The Indians were somewhat afflicted with scurvy, and, on the recommendation of the superintendent, and at the suggestion of Hon. Mr. Hubbard, of the congressional committee, who visited the agency, an ample supply of potatoes has been provided.

The schools at the agency are in a good condition, and the Indians appreciate their advantages.

The able-bodied adult males belonging to the families at this agency are, for the most part, still confined, under charge of the military, near Davenport, Iowa. The only offence of which many of them appear to have been guilty is that of being Sioux Indians, and of having, when a part of their people committed the terrible outrages in Minnesota, taken part with them so far as to fly when pursued by the troops. At all events, as soon as the troops came near enough to give them protection they came in, and brought with them, rescued from the horrors of Indian captivity, a large number of white women and children. Their reward appears to have been a sorry one, but they have patiently endured their captivity. It is believed that measures are about being taken to release nearly all of them and send them to their people at Crow creek, where the addition of their labor will be an important help in farming operations.

In this connexion allusion may properly be made to certain Sioux, mostly Sissetons, it is believed, who were occupants of land in western Minnesota, but who, being either captured or having voluntarily surrendered, have been supported mostly by issues of supplies from Fort Wadsworth, in eastern Dakota, but partly by cultivating some crops in that vicinity. A part of them have done faithful service to the government as scouts along the frontier. Congress made special provision for such of these Indians as were known to have exerted themselves to bring in the captive whites, by setting apart eighty acres of land for each, in their old country. Steps were taken by some of these Indians last spring to avail themselves of this provision, though not without strong opposition on the part of whites who had already occupied much of their lands.

Returning to the Missouri river, the next agency above Crow creek is that to which the various tribes of Sioux belong, lying on both sides of the river. General Sully, having placed sufficient garrisons in the posts along the river and in the line of posts nearer the Minnesota frontier, has, with his movable column, been in search of the hostile Sioux during most of the spring and summer without being able to bring them to action. It was thought, at the last session of Congress, upon representations made to and through this office, that nearly all of the hostile Sioux would be glad to make peace, having suffered enough. Indeed, the same opinion was entertained the previous year, and an agent of this office, Rev. Father De Smet, was sent up the Missouri to get access to the tribes, but he was not allowed by General Sully to communicate with them.

Last winter Congress appropriated \$20,000 for the purpose of paying the expenses of negotiating a treaty with these Indians, and that amount, in goods and money, was placed at the disposal of Governor Edmunds, to enable him to proceed in the discharge of this duty; but the governor found the military officers still disinclined to act in concurrence with him, and determined upon another campaign as necessary to subdue the Indians, and the attempt to make a treaty was, for the time, abandoned.

General Sully followed the Indians as far north as the British possessions, and thence followed the course of the Missouri river down until, at last advices, he was at Fort Sully, not very far above the Crow Creek agency. Several interesting reports of the general's marches have been transmitted to this office, and it would appear that while at Fort Rice, on his way down the Missouri, a

large force of the hostile Indians, too large to be attacked with safety, were in the country to the eastward of that post. The general's report estimates the number at ten thousand warriors, but this is probably the error of a copyist, as the total population of the hostile tribes would scarcely afford so many able-bodied men, and it is understood that a large number had already separated themselves from the bands so hotly pursued. The general was under the apprehension that his failure to attack and continuance of his march down the river would be considered by the Indians as a retreat.

In the latter part of August, under the direction of the President, a commission, comprising Governor Edmunds, Major General Curtis, Superintendent Taylor, General Sully, and Hon. Orrin Gueansey, was appointed to go up the Missouri to endeavor to meet and negotiate with these Indians, and this commission is now at its appointed rendezvous.

No report has yet been received from this commission except such as is contained in the report of Governor Edmunds, herewith, under date of the 14th October, and in other advices referred to in the preliminary part of this report. They had, on the 10th, signed a treaty with the Minnecongos, numbering, as represented by their chiefs, three hundred and seventy lodges. This band was represented by eight of their principal chiefs—including One Horn, head chief—and twenty-three warriors. These claimed also to represent ten other bands of Sioux, nearly all of whom have been hostile; all of whom, they said, were anxious for peace, and would willingly treat on the same terms as offered to the Minnecongos. It is highly probable that other treaties have ere this been entered into with other bands, and that we are now actually at peace with this numerous and troublesome people. In case the report of the commission reaches this office in time, it will be published among the papers accompanying this report.

Treaties cannot, however, be completed at this time with all who are anxious for peace. This is owing to the lateness of the season, and the very widely scattered position of the Indians. I am satisfied that, with the opening of spring, the Indians being accessible, treaties of peace can readily be effected with all the tribes of the southwest; and when it is considered that ten years of such peace will be much less expensive than one year of war, I cannot but congratulate you on the abundant success of your earnest efforts in this behalf.

General Sully states, in a recent report, that he thinks that at least two-thirds of the tribes originally hostile will have, by this time, either given themselves up or detached themselves from the remainder. The cost of these military campaigns is enormous, and it still remains doubtful whether a reliable peace could not have been made last year at infinitely less price. Every possible effort, under your instructions, has been made, during these operations, to prevent the occasional differences of opinion between civil and military officers from affecting the efficiency of military operations; and if they have not fully succeeded in accomplishing their end, no fault can be found with subordinates of this department; while, if they are successful, their success will be highly gratifying to this office.

Governor Edmunds has felt it to be his duty, as governor of the Territory and superintendent of Indian affairs, to call attention to sundry irregularities, of which he considered the proof to be ample, in the conduct of parties connected with the military posts on the Missouri river, in furnishing the Indians with articles contraband of war, in exchange for articles which they had for sale. Doubtless these transactions, if brought to the knowledge of the commanding officer, have been checked. General Sully has exhibited every desire to have his operations interfere as little as possible with the intercourse with and supplies for the friendly tribes in the northern part of the Territory.

The Gros Ventres, Arickarees, and Mandans, to whom distribution of annuity goods is made by Agent Wilkinson at and near Fort Berthold, were supplied satisfactorily, except that the diminution of the quantity, caused by depreciation of the currency, was difficult of explanation.

These friendly tribes have for a long time expressed an earnest desire to concentrate upon a reservation near Fort Berthold, where they cultivate successfully a large body of land; and to receive the benefits of a treaty, in instruction in labor, agricultural implements, and particularly in schools for their children.

It is hoped that, either by the commission now up the Missouri, or by others, such a treaty may be made with these Indians. The appeal of the old Aricka-ree chief, White Shield, published in the annual report last year, and the statements made by Rev. Mr. De Smet, also published in that report, are fully confirmed and strengthened by the statements of Agent Wilkinson this year. I trust that action in their behalf may not be longer delayed.

Of the Assinaboines, no advices have been received, except that they were, about September 1, below Fort Union, at some distance north of the Missouri, divided into small bands for hunting, quite poor, but friendly.

Agent Wilkinson represents the Crows as behaving well, friendly to the whites, keeping out of the way of their old enemies, the Sioux, and anxious to have an agency established among them some seventy-five miles above the mouth of the Yellowstone, but thinks that they would consent to remove to reserved lands north of the Missouri river.

Measures should, in my judgment, be taken to compel the permanent residence of the agents with the upper Missouri tribes, of whom they have the charge. Of course this cannot be done as to the Sioux until a final arrangement is made with them; but as to the Indians about Fort Berthold, there seems to be no good reason why the agent should not be with them. The law of Congress requires it, and it is every way desirable, for the benefit of the Indians and their protection from the effects of unlawful traffic.

IDAHO.

This office has been without authentic intelligence in regard to Indian affairs in this new Territory for many months, sundry reports forwarded by Governor Lyon, *ex officio* superintendent, having failed to come to hand. But one agent has been on duty in the Territory, Mr. O'Neill, in charge of the Nez Percés, a large and friendly tribe, numbering 2,830 by a late census, and located in various bands within seventy-five miles of the agency. Through failure of the mails, Mr. O'Neill's bond, which had been forwarded by Governor Lyon, did not reach this office, and no funds could be forwarded to him for the necessary expenditures under the treaty with those Indians. Much dissatisfaction was the necessary result; but through the influence of Lawyer, the faithful head chief, the efforts of those anxious to commence hostilities have been defeated, and no outbreak had occurred at the latest dates. The causes of dissatisfaction have certainly been great. The first treaty made with these Indians, which was satisfactory to them, had been superseded by another, made by Superintendent Hale, of Oregon, of which Idaho was formerly a part, and this has not yet been ratified by the Senate. Meantime the promised payments under the first treaty were delayed, and disloyal persons were not wanting to persuade the Indians that the government was acting in bad faith towards them. However, as stated above, the efforts of the head chief, Lawyer, and others, with those of the agent, were successful in preventing any outbreak, and funds have recently been forwarded to make the deferred payments. Agent O'Neill's report sets forth the condition of things among these Indians very clearly. The rapid increase of the white population, now numbering, by Governor Lyon's estimate, nearly fifty thousand in the Territory, and the influx of a mining population, extending their prospecting tours in every direction, has still further tended to render it difficult to preserve peace.

Advantage has been taken of Governor Lyon's recent visit to this city to obtain much valuable information in regard to the Indians of Idaho, and he has returned with funds to pay the sums past due under treaty stipulations with the Nez Percés, and with authority to conclude a new treaty with that tribe, which, it is hoped, will reach this city in time to be ratified by the Senate instead of the one now before that body. Authority has also been given to Governor Lyon to conclude a treaty, if possible, with the Kootenais and Cœur d'Alene Indians in the extreme northern part of Idaho, and it is expected that very large tracts of mining and agricultural land will be opened to the public by these treaties, while the Indians will be rendered secure from molestation upon their diminished reserves. From the report of Agent Hutchins, of Montana, it would appear doubtful whether many of the Kootenais, beyond those who are already included within the provisions of the Flathead treaty, can justly claim any rights this side of the British line, and the attention of Governor Lyon will be called to this point.

In the course of the governor's extended tour through the Territory, he met, at a point not very far distant from the present capital, Boise City, the chiefs of the Boise Shoshonees, and made with them a kind of preliminary treaty agreement, by which the Indians agreed, on the fulfilment by the government of certain rather loosely defined conditions, to cede to the United States an extent of country estimated at many millions of acres, and comprising a large part of southern Idaho, and to concentrate upon a reservation of moderate dimensions. This treaty not being in a condition for submission to the Senate, authority has been given to Governor Lyon to conclude a formal treaty with the tribe referred to, upon the general basis of the arrangement above mentioned.

In the region about Fort Hall, in southeastern Idaho, and bordering upon and occupying the northern part of Utah, so far as their limited numbers and migratory habits allow them to occupy any territory, is another band of Shoshonees, understood to be one of those with whom the late Governor Doty concluded treaties of amity, providing for unmolested travel through the country by the whites, and a small annual payment by government to offset the necessary limitation of the means of subsistence of the Indians, resulting from the driving off of game and destruction of nut-bearing trees, &c. These Indians are called by Governor Lyon the Kammas Prairie tribe, and are represented by him as desirous of being concentrated upon a reservation of limited extent; and the necessary powers for the purpose have been given to him.

The Nez Percés are supposed to number about forty-five hundred, the Cœur d'Alenes, Kootenais, &c., some two thousand, the Boise Shoshonees one thousand, and the Kammas Prairie Indians about two thousand; and if the proposed arrangements with these tribes are successfully made, the whole Territory of Idaho will be thrown open to settlement, except the limited reservations above referred to.

New mail routes have just been opened, greatly facilitating the communications between the capital of Idaho and San Francisco, and this will probably be for some time to come the shortest route for letters and supplies.

MONTANA.

The Indians within this superintendency are comprised in two divisions, the Gros-Ventres of the mountains and the various tribes or bands of Blackfoot Indians—all east of the Rocky mountains, and whose numbers are estimated as follows: Gros-Ventres, 1,800; Piegans, 1,870; Bloods, 2,150, and Blackfoot proper, 2,450, the last three making the Blackfoot nation; and west of the mountains, the confederated tribes represented at the Flathead treaty, and numbering as follows, according to a census taken last spring: Flatheads, 551;

Pend d'Oreilles, 908; Kootenais, 273; total, 1,732. Agent Upson, at Fort Benton, has charge of the tribes east, and Agent Hutchins of those who are west of the mountains, Mr. Chapman having been appointed to succeed the latter.

Whether or not there are any tribes or bands who range in the mountain country now being overrun in the search for gold in the southwestern part of the Territory, we have no means of knowing, as we have no report, either this year or last, from Governor Edgerton, *ex officio* superintendent.

Provision was made by Congress at its last session by which to effect a treaty with the Blackfeet nation, having for its object the cession of their right to occupy all lands south of the Missouri river and the Teton, one of its upper branches, the object being to throw open to settlement by the large number of emigrants that region, supposed to abound in gold; and the sum of \$15,000 was appropriated for the purpose. Under date of March 24, instructions, prepared under the direction of your predecessor, were given to Agent Upson for his guidance, and the funds placed at his disposal. No report has been received from him, except that on the 12th of June he had arrived within the bounds of his agency, and was met with reports that a portion of his Indians had broken out into hostilities. His information was that the Bloods and Blackfeet proper were the hostile bands, but that the Piegans and Gros-Ventres were still friendly. Should this latter statement be correct, the conduct of those tribes may justly be ascribed to the pains taken last year by Agent Upson to bring about a peace between them and a friendly feeling towards the whites. Nothing further has been heard from the agent, the means of communication between this city and his post at Fort Benton being irregular and precarious. As a confirmation, however, of this unpleasant news, we have a letter from Agent Hutchins, dated August 3, in which he gives some information, obtained from a Flathead Indian of much intelligence, who had just returned from a hunting tour east of the mountains, to the effect that the Blackfeet had broken out into war with the whites, but that the Crows, under the influence of the good treatment which they had received last year at Fort Union, would remain at peace.*

Agent Hutchins's annual report, dated June 30, gives a favorable idea of the Indians under his charge. He had distributed, partly last fall and partly in the early spring, the goods which were sent out the previous year, being useful articles and mostly agricultural implements; and the Indians, who are decidedly improving in attention to cultivation of the soil, expressed themselves as delighted with these goods. The Flatheads live mostly in the valley of the Bitter Root river, outside of the reservation, the Pend d'Oreilles upon the reservation a few miles from the agency at Jocko, and the Kootenais just outside of the reservation, but intend to remove upon it and open farms. A portion of the Kootenai tribe, which lives principally beyond the British line, did not share in the distribution of goods. The agent thinks that the Flatheads ought to be required to remove upon the reservation, to withdraw them from the influence of and from trouble with the white population which is "prospecting" the country, but suggests that justice to the Indians requires that if they do remove, some remuneration should be given to them for their improvements, the work of their own hands.

There is now no school at this agency, a report made by Agent Hutchins, which reached this office last winter, showing the one in operation to have been so useless that he had closed it, and submitted a plan for re-establishing it on the manual labor plan. He was directed to forward estimates for this purpose, and these have but recently come to hand. They appear to be quite reasonable, and within the means at the disposal of this office. Meantime a new agent has been appointed to succeed Mr. Hutchins, and the agency has been transferred

* See Appendix for Agent Upson's annual report.

to Idaho, for greater facility of communication; and the subject of the school has been referred to Governor Lyon, with instructions to cause the plan to be put in operation, if, after inquiry, he shall deem it advisable. The Flathead agent has recently been directed to report to the governor of Idaho.

A year ago last July Mr. O. D. Barrett, under a special commission from your predecessor, and with instructions to report to Governor Edgerton, of Montana Territory, was intrusted with a quantity of goods for the Indians of that region, and provided at St. Joseph with an excellent four-mule team and wagon in which to convey the goods with himself to his destination, and a sufficient sum was advanced to him for his expenses. Governor Edgerton was advised of his appointment, and directed to discharge him upon his arrival and delivery of the goods, if his services were not needed. Mr. Barrett was heard from late in the fall, having had bad luck in his journey; again in the spring, having left his goods at Salt Lake City, and borrowed \$50 of Superintendent Irish to get them out of store; and again, two or three weeks since, having arrived in Montana with neither team nor goods. At about the same time Governor Edgerton advised this office of Mr. Barrett's arrival, and that he had notified him that his services were not necessary, and that thereupon the agent declined to be discharged, claiming to hold a commission irrevocable by the governor. Governor Edgerton has been directed to "stop the supplies," and pay over no money to Mr. Barrett, on any account, until all money and property placed in his hands shall be fully accounted for.

SOUTHERN SUPERINTENDENCY.

At the period of the last annual report from this office, affairs in this superintendency, comprising what is known as the "Indian country," south of Kansas, together with the Osages along the southern border of that State, were still in the confused and discouraging condition which necessarily resulted from the war. Portions of the country about Forts Gibson and Smith, and the travelled route for government trains from the north to those posts, were held by United States troops; and a portion of the Indians, who had remained loyal to the government, were attempting to subsist themselves in the neighborhood of the above forts. Many of the able-bodied men of the loyal sections of the tribes were in the United States service as soldiers, but many thousands of the people were, in Kansas and portions of the Indian country, subsisting at the expense of the funds which, if the tribes had remained steadfast to the Union, would have gone to them as annuities. Serious complaints were being made to the department that stock owned by Indians, and necessary for their subsistence, and the small crops of corn raised by those who had been able to till the ground, were being taken from them by unprincipled speculators. Some of the military officers had laid the blame for this state of things upon the Indian agents, but an investigation of these charges showed them to be without foundation. The most stringent rules and regulations in regard to the sale of stock from the Indian country were adopted and issued, but it is apparent that the practice of running stock out of the country has continued, the keeness of the speculators enabling them to elude the vigilance of the officers, and it is believed that an immense amount of such stolen stock has been purchased at large prices by the government. The information obtained by Superintendent Sells, as given in his report, furnishes some idea of the enormous extent as well as profit of the business, where contractors obtain ready sale for the plunder at such rates as they have received from the government. The reports of Agents Harlan and Reynolds throw further light upon the subject, and it is gratifying to know that by their efforts, aided in good earnest by the military force put at their disposal by Major General Mitchell, who has shown every disposition to assist them, much has been done towards breaking up this nefarious traffic. It is manifest, however, that

something more is needed in the form of legislation. Superintendent Sells informs us that the system of plunder is thoroughly organized, having its grade, of agents and participants, from the reckless and daring scouts and drivers, who are well acquainted with the country, and who steal and run off the cattle to the Kansas line, up through the agents of the contractors, who receive and arrange fraudulent bills of sale for them, to men of higher position in the social scale, who, incited by avarice, have seized with avidity this disgraceful means of gain. In fact, it appears as if an obliquity of conscience had affected the whole community on the border, for the great majority of the people seemed to favor the speculation, or regard it with indifference.

In confirmation of the estimate made by the superintendent as to the extent of this traffic, the position and influence, civil and military, of the persons engaged in it, the difficulty of preventing its continuance and of punishing its operators, I here subjoin brief extracts from a report which has just been received from Lieutenant George Williams, who was some time since detailed by the War Department to investigate these matters, under instructions from this office.

After alluding to the large number of persons who have made independent fortunes in the business, he says:

"Not content with having this odium attached to their own names, having carried it on so successfully and without interruption from those in authority, who knew of the whole transaction in this line, but who were too deeply interested themselves to try any measures to put a stop to it, they have induced men by the hundred to go down into the Indian territory and steal and drive out cattle," &c.

Again: "The military force sent into this State for the protection of these Indians have been the agents through whom a great portion of the stealing has been accomplished," &c.

After giving the names of some thirty or forty prominent men, merchants, military officers, Indian agents, traders and others, whom he charges directly with being implicated in this traffic in one way or another, Lieutenant Williams says:

"The above-mentioned parties and their allies, the cattle thieves, have been engaged in the business since 1862, and I have evidence against most of them in my possession, but there is scarcely if any use to attempt to prosecute them before any court in Kansas, because they openly make their boasts that they can buy men enough to swear anything they want them to, and I know they speak the truth from experience."

As to the extent of the business: "In my opinion, during the past four years there have been at least 300,000 head of cattle stolen from the Indian territory, a country at one time rich in their cattle possessions, and now scarcely a head can be seen in a ride of 200 miles."

The very late arrival of Lieutenant Williams's report, just as I am about closing this paper, makes it impossible for me to give it, with the voluminous accompanying testimony, sufficient examination to enable me to form a judgment as to whether the testimony fully supports the sweeping charges made by him, and I do not therefore feel at liberty to incorporate his report and testimony among the documents to be published with this report, but submit the papers for your information, and for such directions as you may see proper to communicate after having given them examination. I will only remark, that so far as the charges implicate any of the agents or employes of this bureau, every possible effort will be made to ascertain their truth, and bring to justice any that are found guilty.

The law enacted by the last Congress on this subject provides only for the punishment of those who actually drive or remove "any cattle, horses, or other stock from the Indian territory for the purpose of trade or commerce." This does not seem to reach the case of those who deal in the stolen property, and

it is to be hoped that the wisdom of the next Congress will provide a more stringent act, reaching all concerned in the transaction, and making the possession of Indian cattle *prima facie* evidence of their larceny; or in some other manner provide a more effectual remedy for this great evil, by insuring severe and certain punishment to the guilty parties.

Hopes have been entertained that, when the war was ended, such arrangements could be made with the tribes occupying the Indian territory as would enable the department to find room within its ample bounds for many of the tribes in Kansas, or such portions of them as did not choose to abandon their tribal relations and become citizens, and that affairs in that country might be reorganized in such a manner as to render such an arrangement highly advantageous both to the Indians and the government. It was therefore with great satisfaction that I learned, through your department, early in July, that a council had been held on the 24th of May, by the tribes of the southwest, lately allied with the rebellion, at which delegates had been appointed from each of them to visit this city for a conference with the government.

It was at first contemplated to allow these delegates to come to Washington, but subsequent correspondence resulted in the designation of a board of commissioners to proceed to the Indian country, and meet them at Fort Smith, Arkansas, and the President appointed a commission comprising the following persons: D. N. Cooley, Commissioner of Indian Affairs; Hon. Elijah Sells, superintendent southern superintendency; Thomas Wistar, a leading member of the society of Friends; Brigadier General W. S. Harney, United States army; and Colonel Ely S. Parker, of General Grant's staff. As a prominent part of the history of Indian affairs during the past year I have included the report and official record of the proceedings of this commission, which was continued for thirteen days, among the documents accompanying this report, and need only notice briefly here the results which are more fully detailed in those papers.

The council assembled at Fort Smith, September 8, and delegates were present in the course of the sittings (though not all in attendance at first) representing the Creeks, Choctaws, Chickasaws, Cherokees, Seminoles, Osages, Senecas, Shawnees, Quapaws, Wyandotts, Wichitas, and Comanches. Immediately upon the opening of proceedings, the tribes were informed generally of the object for which the commission had come to them; that they for the most part, as tribes, had, by violating their treaties—by making treaties with the so-called Confederate States, forfeited all *rights* under them, and must be considered as at the mercy of the government; but that there was every disposition to treat them leniently, and above all a determination to recognize in a signal manner the loyalty of those who had fought upon the side of the government, and endured great sufferings on its behalf. On the next day the delegates were informed that the commissioners were empowered to enter into treaties with the several tribes, upon the basis of the following propositions:

- 1st. That each tribe must enter into a treaty for permanent peace and amity among themselves, each other as tribes, and with the United States.
- 2d. The tribes settled in the "Indian country" to bind themselves, at the call of the United States authorities, to assist in compelling the wild tribes of the plains to keep the peace.
- 3d. Slavery to be abolished, and measures to be taken to incorporate the slaves into the tribes, with their rights guaranteed.
- 4th. A general stipulation as to final abolition of slavery.
- 5th. A part of the Indian country to be set apart, to be purchased for the use of such Indians, from Kansas or elsewhere, as the government may desire to colonize therein.
- 6th. That the policy of the government to unite all the Indian tribes of this region into one consolidated government should be accepted.
- 7th. That no white persons, except government employes, or officers or em-

ployes of internal improvement companies authorized by government, will be permitted to reside in the country, unless incorporated with the several nations.

Printed copies of the address of the commissioners involving the above propositions were placed in the hands of the agents, and of members of the tribes, many of whom were educated men.

On the third day the delegates from the loyal Chickasaws, Choctaws, Senecas, Osages, and Cherokees, principally occupied the time with replies to the address and propositions of the commissioners, the object being partly to express a willingness to accept those propositions, with some modifications, if they had been clothed with sufficient power by their people, but chiefly in explanation of the manner in which their nations became involved with the late confederacy. The address of the Cherokees was especially noteworthy, inasmuch as they attempted to charge the causes of their secession upon the United States, as having violated its treaty obligations, in failing to give the tribe protection, so that it was *compelled* to enter into relations with the confederacy. The next day the loyal Seminoles expressed their willingness to accede to the policy of the government, and to make peace with those of their people who had aided the rebellion. The president of the commission then read a reply to the address of the loyal Cherokees above referred to, showing, from original and official documents, that, *as a tribe*, by the action of their constituted authorities, John Ross being then, as at the time of the council, their head, they had, at the very opening of the rebellion, entered into alliance with it, and raised troops for it, and urged the other tribes to go with them, and that they could not now, under the facts proven, deny their original participation in the rebellion. (The documents establishing the bad faith of John Ross had but recently come into possession of the department. They are very interesting, and taken in connexion with his course at Fort Smith in keeping aloof from the council, but exercising his powerful influence to prevent an amicable settlement with the hitherto disloyal part of the nation, will be found fully to justify the course taken by the commission in refusing to recognize him in any manner as chief of the Cherokees.)

The loyal Creeks on this day presented their address of explanation, setting forth the manner in which their nation, by the unauthorized action of its chief, entered into treaty relations with the confederacy, and the terrible sufferings which the loyal Creeks endured in battle and on the march to Kansas seeking protection from the United States, and asking "to be considered not guilty."

It being certain that no final treaties could be now concluded with the tribes represented, for the reason that, until the differences between the loyal and disloyal portions were healed, there could be no satisfactory representation of most of them, it was determined to prepare for signature by the commission, and by the delegates representing all factions and opinions, a preliminary treaty, pledging anew, on behalf of the Indians, allegiance to the United States, and repudiating all treaties with other parties; and on the part of the United States agreeing to re-establish peace and friendship with them. This was considered essential as preliminary to the main business of the commission, to wit: to make peace between the several tribes, and negotiations as to purchasing lands, territorial government, &c. This work was diligently pursued until, on the breaking up of the commission on the 13th day, all of the delegates representing the following tribes and sections of tribes, in the order given, had signed treaties, (some of them holding out for several days until they could agree among themselves:) Senecas, Senecas and Shawnees, Quapaws, loyal Seminoles, loyal Chickasaws, loyal Creeks, Kansas, Shawnees (uncalled for, but asking to be permitted again to testify their allegiance,) loyal Osages, tribes of the Wichita agency, loyal Cherokees, disloyal Seminoles, disloyal Creeks, disloyal Cherokees, disloyal Osages, Comanches, disloyal Choctaws, and Chickasaws.

Friendly relations were established between the members of the various tribes hitherto at variance, except in the case of the Cherokees. The ancient feuds

among this people are remembered still, and the Ross, Ridge, and Boudinot difficulties have never been healed. This portion of the nation was ably represented in council by Boudinot and others, and having learned from the action of those representing the loyal party that if they came back it must be as beggars and outlaws, asked the protection and good offices of the commission. Efforts were then made on the part of the commission to effect a reconciliation, but all that could be brought about was a promise upon the part of those representing the loyal party to present the question to their council, which is now in session, and I entertain the hope that soon I shall be able to furnish you a report of their proceedings, in which they offer fair and honorable terms of adjustment. If, however, I should be disappointed in this reasonable expectation, I trust the government will take the matter in hand, and, by a just and equitable division of their property, make a final settlement of all their difficulties.

When the majority of this nation returned to their allegiance to the government, in 1863, action was taken by their council, under direction of John Ross, confiscating the property of those who still continued in the service of the confederacy, thus cutting off about five thousand five hundred of the nation, leaving them homeless and houseless. This destitute portion of the tribe are still refugees on the Red river, suffering from the want of every necessary of life, and existing only upon the charity of the humane people of northeastern Texas. The department has, however, sent a special agent to look into the wants of these refugees, and must rely upon Congress for the necessary means to relieve their necessities.

The commission did not adjourn without having made valuable progress towards the consummation of treaty arrangements with several of the most important tribes. With the Osages a treaty was made, signed by the lately disloyal party at the council, and by the loyal chiefs afterwards at their agency, by which they cede to the United States a very large area of valuable land, which may be used for colonization of other tribes if it shall be needed for the purpose, or sold for their benefit. That treaty has just reached this office by the hand of Superintendent Sells, and will be submitted to you with his report.

The terms of a treaty were agreed upon with both parties of the Creeks, whereby they cede to the United States, for the use of the friendly Indians from Kansas or elsewhere, all of their lands north of the Arkansas river, and one-half of the remainder lying south of that river, on terms which I trust will meet the approval of the government. This treaty is to be signed in this city by delegates properly accredited by the united Creek nation.

With the Choctaws and Chickasaws a treaty was agreed upon, upon the basis of the seven propositions heretofore stated, and in addition to which those tribes agreed to a thorough and friendly union among their own people, and forgetfulness of past differences; to the opening of the "leased lands" to the settlement of any tribes whom the government of the United States may desire to place thereon; and to the cession of one-third of their remaining area for the same purpose; the United States to restore these tribes to their rights forfeited by the rebellion. This treaty, after its approval by the councils of the Choctaws and Chickasaws, is to be signed in this city by three delegates from each nation sent here for that purpose.

It is not intended to hold any general council in this city, but it was understood that delegates would, if necessary, visit Washington on behalf of any of the tribes owning lands in the Indian country which the government might desire to purchase for the use of other Indians, so that, by properly accredited delegates, all necessary arrangements with the several tribes might be made.

It became sufficiently evident, in the course of the council, that one great object in view by the government, the colonization of such of the tribes or portions of tribes from further north as should desire a permanent home in the Indian country, would be secured when the policy of the government in regard to them