

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In answer to Senate resolution of the 23d instant, a report of the Commissioner of Education regarding the progress of Indian education and civilization.

FEBRUARY 26, 1885.—Ordered to be printed, and, with the accompanying papers, referred to the Committee on Printing.

DEPARTMENT OF THE INTERIOR,
Washington, February 25, 1885.

SIR: I have the honor to acknowledge the receipt of a resolution of the Senate dated 23d instant, in the following words:

That the Secretary of the Interior be directed to furnish to the Senate the information in possession of the Commissioner of Education showing the progress of Indian education and civilization.

The Commissioner of Education, having been called upon for report, has this day submitted the accompanying letter, with copies of papers containing the information desired.

Very respectfully,

H. M. TELLER,
Secretary.

The PRESIDENT PRO TEMPORE OF THE SENATE.

BUREAU OF EDUCATION
SPECIAL REPORT, 1888

INDIAN

EDUCATION AND CIVILIZATION

A REPORT PREPARED IN ANSWER TO SENATE RESOLUTION
OF FEBRUARY 23, 1885

BY

ALICE C. FLETCHER

UNDER DIRECTION OF THE COMMISSIONER OF EDUCATION

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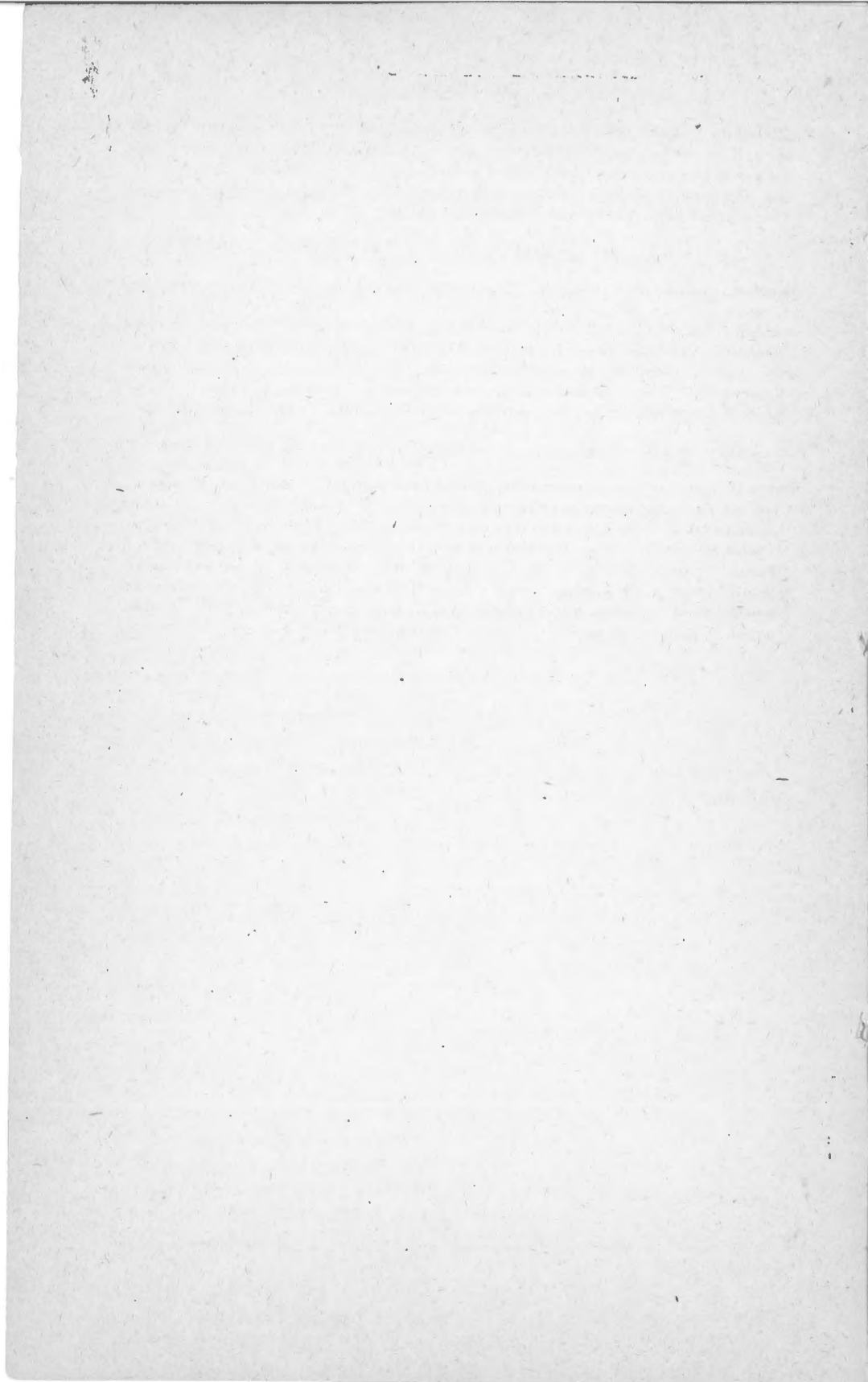
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[Senate Ex. Doc. No. 95, Forty-eighth Congress, second session.]

Letter from the Secretary of the Interior, transmitting, in answer to Senate resolution of the 23d instant, a report of the Commissioner of Education regarding the progress of Indian education and civilization.

IN THE SENATE OF THE UNITED STATES,

February 23, 1885.

Resolved, That the Secretary of the Interior be directed to furnish to the Senate the information in the possession of the Commissioner of Education, showing the progress of Indian education and civilization.

Attest:

ANSON G. MCCOOK,
Secretary.

FEBRUARY 26, 1885.—Ordered to be printed, and, with the accompanying papers, referred to the Committee on Printing.

MARCH 3, 1885.—Accompanying papers ordered to be printed.

DEPARTMENT OF THE INTERIOR,

Washington, February 25, 1885.

SIR: I have the honor to acknowledge the receipt of a resolution of the Senate, dated 23d instant, in the following words:

That the Secretary of the Interior be directed to furnish to the Senate the information in possession of the Commissioner of Education, showing the progress of Indian education and civilization.

The Commissioner of Education having been called upon for report, has this day submitted the accompanying letter, with copies of papers containing the information desired.¹

Very respectfully,

H. M. TELLER,
Secretary.

The PRESIDENT PRO TEMPORE OF THE SENATE.

DEPARTMENT OF THE INTERIOR,

BUREAU OF EDUCATION,

Washington, D. C., July 16, 1887.

SIR: In obedience to instructions from the Department conveying a resolution of the United States Senate of February 23, 1885, calling for

¹The report was subsequently returned to the Commissioner for further revision and amendment.

the information possessed by this Office in regard to the progress of Indian education and civilization, I have the honor to forward the accompanying report prepared by Alice C. Fletcher, partly from material collected by this Office and partly from the results of her own wide and varied knowledge of the subject.

The material now forwarded comprises a historical résumé of the relations between the Indians and the American colonists prior to the War of the Revolution, and of the origin and progress of the Indian policy of the Government from that date to the present time, with statements respecting the agencies, reservations, lands, legal status, population, trade, and education of these wards of the nation. I beg to invite special attention to the zeal, industry, and judgment shown by Miss Fletcher in the preparation of this material and the treatment of these important topics, qualities which do credit to the author and render this document of great value to the Government and the people of the country.

I am, sir, very respectfully, your obedient servant,

N. H. R. DAWSON,

Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

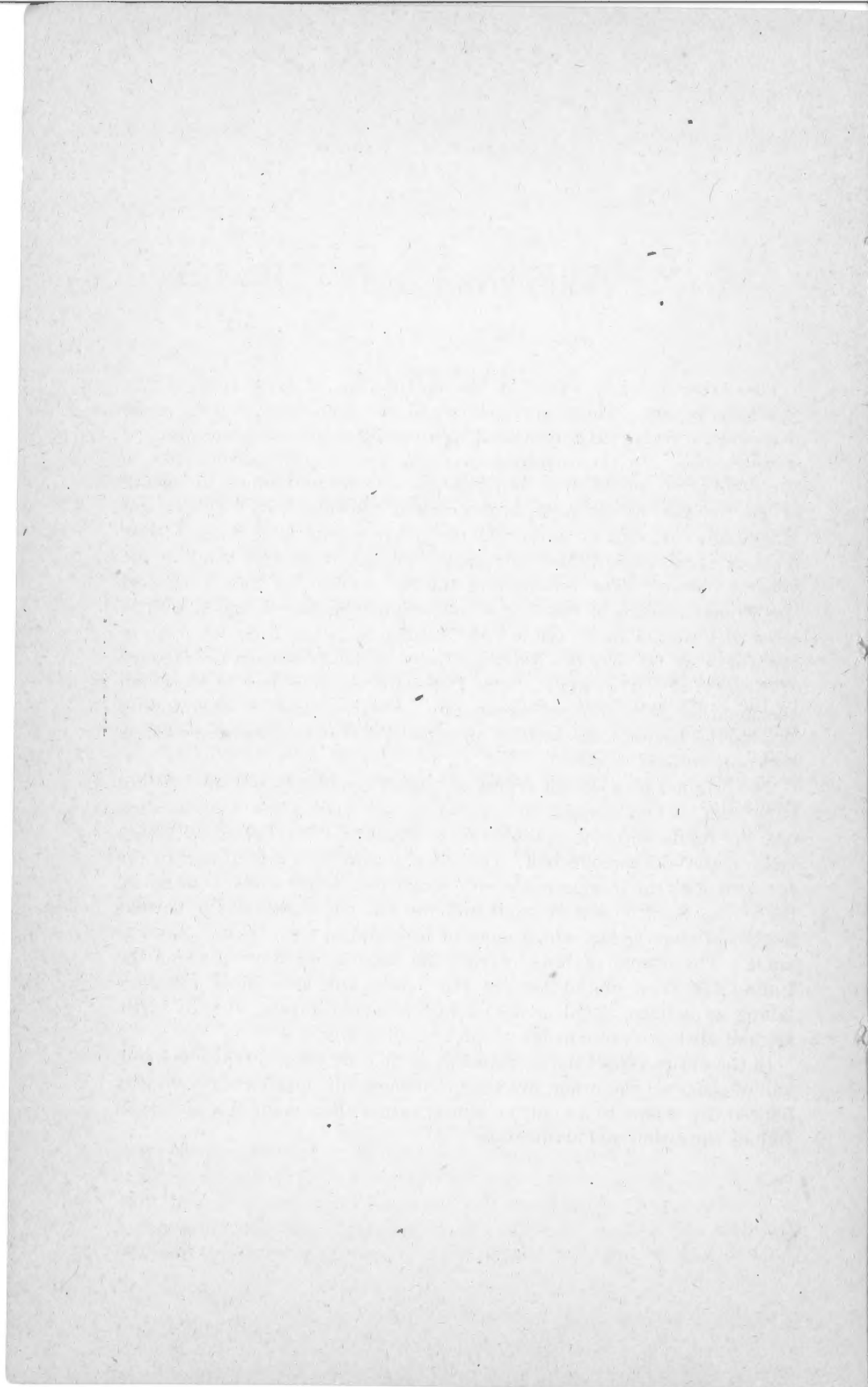
PREFATORY NOTE.

The writer is fully aware of the inequalities of treatment in the following report. These are incident to the limitation of time in its preparation, owing to the lack of appropriation to carry the work to completeness. In the historical chapters, covering the period prior to the Revolution, the legal enactments and educational efforts in behalf of the Indians are set forth in but two of the colonies—Virginia and Massachusetts; but as these led the other plantations, so to speak, in their relations with the natives, the omissions are not vital to the general picture. The influence of the Six Nations of New York, and the French control of the tribes to the north and west, are but little more than hinted at in the report, because these are fully set forth in the works of Mr. Francis Parkman and in the Documentary History of New York. The story of the Delaware tribe, under its Moravian missionaries, that suffered practically an extermination while acting as a barrier between the settlers and the wild tribes to the westward, is told only in bare outline.

The original plan of this report embraced the history of each existing tribe from its first contact with the white race to its present reservation life; but funds were not available for so great an undertaking, although much material was collected. The story, however, is told in part by the synopsis of all the treaties made with each tribe, if one recalls, as he reads, the ever-present power of trade and the current events at the various periods of negotiation, which more or less shaped each treaty as it was made. The résumé of laws reveals the singular position in which the Indian has been placed toward the nation, and also shows a strange falling away from legal privileges by the mixed bloods, who, by birth, are and always were citizens of the United States.

In the entire report the curtailment of time for labor on the one hand, and of space on the other, are plainly discernible, and have necessarily limited the report to an outline study, rather than made it a history of Indian education and civilization.

A. C. F.



INDIAN EDUCATION AND CIVILIZATION.

CHAPTER I.

THE SIXTEENTH CENTURY.

Whence came the American Indians? This question still engages the attention of scientific scholars. Archæological research reveals the fact of the high antiquity of man upon this continent, making it equal to, if not exceeding, that already accorded to man in Europe. The remains of habitations are plentiful and varied; they indicate movements of peoples over our country, one group displacing another; but whence the first impulse started remains unsolved.

It seems probable that communication between this hemisphere and that of the East took place in the past, both by way of the Pacific and by the North and South Atlantic. How long or how extended this intercourse was, is as yet unknown. At present the evidence seems to point toward a composite character for the race found here by European nations four hundred years ago, and this in the face of marked similarities.

The causes that held the people of the Americas from achieving a civilization approaching that of the eastern continents are perhaps not yet fully accounted for. Two physical peculiarities, however, may be mentioned as more or less influential in hindering a rapid advancement in America.

The configuration of the two hemispheres presents a marked contrast: in the eastern the great body of the country lies from east to west and the formation of the land is such as to foster the growth of varied peoples along the line of the same zone; in the western the stretch is from north to south and the two extended areas of land are separated by an equatorial sea and the mountainous ridge of a narrow isthmus, thus holding the people in comparative isolation, while the expanse of ocean on each side prevents free outside intercourse.

The absence of domesticated animals added to the difficulties of the people. His herds not only insured the man of the eastern continents a constant supply of food, but the horse and the ox relieved him from the heavier burdens of work. They permitted the accumulation of wealth, and by securing release from hunger and want set free the

mental powers, so that man could bring about higher social and governmental conditions. It is by observing the status of peoples in the East who did not possess these animals that we are enabled to realize the debt civilization owes to herds and horses. Their absence in America ranks the advance in agriculture and the arts attained by the people of this continent higher than would otherwise be the case; and also in a great degree explains the widespread hunter-life, the primitive governmental state, the absence of co-ordinated society, and the general classification of labor by sex. The tribal relation was better fitted for hunters than any form of arbitrary government that might have led to a higher type of society.

In the sixteenth century the Spanish, French, and English nations engaged in ventures for discovery and colonization. The Spaniards, however, penetrated farther into the present territory of the United States, and came in contact with more of the aboriginal population than either of the other nations. It is from the records of the Spaniards, therefore, that we mainly derive our historical knowledge of the Indians at that early date.

The Spanish voyages to the coast of Florida between 1513 and 1528 were generally slave-procuring ventures, and their records afford little information concerning the natives. Though the pretentious expedition of Narvaez, which landed at Tampa Bay, Florida, in 1528, encountered defeat and disaster, all but four members perishing, yet by means of the intelligence and fortitude of the treasurer of the ill-fated company, Cabeza de Vaca, a record has been left giving much valuable information concerning the inhabitants of the interior of the continent. During a period of captivity extending over six years Cabeza de Vaca devoted himself to a study of the languages of the natives of Alabama and Mississippi, and noted their customs. After many adventures he escaped, and spent two years in trying to rejoin his countrymen. In his journeyings he traversed the country from the Gulf of Mexico, through the territory at present covered by Louisiana, Texas, New Mexico, and the Mexican state of Sonora, to the Pacific Ocean. His skill in medicine caused him to be everywhere kindly received and treated with respect. He was usually accompanied from place to place by a retinue of natives. He says, "Although we knew six languages we could not everywhere avail ourselves of them, there being so many differences."¹

The tribes inhabiting the present Gulf States were found living in villages. Some of these were surrounded with palisades. The houses were built of sun-dried brick or of timber stuccoed with clay, and thatched with cane or covered with mats. Some of these houses were sufficiently commodious to accommodate several hundred persons. The country abounded with game, and the people raised maize, beans, and pumpkins. Cotton was cultivated, and the arts of spinning and weav-

¹ Shipwrecks of Cabeza de Vaca. Translated by Buckingham Smith. Washington. Privately printed, 1851, p. 103.

ing were known. The "blankets of cotton" were declared by the traveller to be better than those of New Spain.¹

In the southwest the tribes inhabiting the regions that were arid were on that account less thrifty and advanced, and they live to-day in much the same manner as when Cabeza de Vaca met them over three hundred and fifty years ago. Their dwellings were "wicky ups," made of boughs, and their food consisted of roots or other scanty natural products of the region.

In some localities the Indians had no domestic utensils, and collected the juice of fruits in holes in the earth; others cooked food by casting heated stones into calabashes partly filled with water and containing the food to be cooked; and still others had clay jars, in which they preserved their maize by burying it in the earth.

Approaching the Mexican settlements near the coast of the Gulf of California Cabeza de Vaca met a Spanish slave hunting expedition, which had laid waste the entire country. The Indians had deserted their towns and fled to the mountains. On his assurance of safety, they returned to their homes; but the leader of the expedition violated this pledge, and, capturing as many as possible, hurried them away into slavery.

The tribes on the Pacific coast subsisted mainly on fish, game, acorns, nuts, berries, and roots. The camas bulb was an important article of food, serving to make a kind of bread. Maize was unknown to these Indians as late as 1805.²

The narrative of Cabeza de Vaca and the glowing accounts of a Spanish priest who had explored the interior and seen at a distance the wall of Cibola, inspired the expedition of Coronado. This adventure made known a wide extent of country, reaching east to the tributaries of the Mississippi and north to the Arkansas River. The Indians were not at first subjugated by the invaders, and Spanish civilization made little impression upon them. Conversion was chiefly in form. The Pueblos dwelt then as now in their communal dwellings, and comparatively little change has taken place in their vocations or customs.³

Coronado had hardly reached Mexico, returning from his unsuccessful search for fabulous wealth, when another expedition, stronger and more completely equipped than any that had left Spain for the New World, sailed to explore and conquer Florida. It was commanded by De Soto, who had won fame and fortune under Pizarro in the conquest of Peru. After stopping in Cuba to complete his preparation and enroll the volunteers who flocked to his standard, he continued west and reached

¹ Shipwrecks of Cabeza de Vaca, p. 102.

² Lewis and Clarke's Travels, Vol. I, p. 384.

³ Buckingham Smith, in a note to his translations of the narrative of Cabeza de Vaca, speaking of Bernard Romans' Concise Natural History of East and West Florida, published in 1775, says: "This volume shows the customs and character of the tribes along the Gulf coast seventy-five years ago to have differed but little from those that Cabeza had before described."

Florida in 1539. During his three years of wandering he passed through the present States of Florida, Georgia, South Carolina, Alabama, and Mississippi, and penetrated into the country west of that great river beneath whose waters he found a grave.

On the arrival of De Soto at the Cherokee town of Chiaha he was kindly received by the chief, who, in his speech of welcome, said :

From Guaxale your Lordship sent unto me, that I should prepare Maiz for you in this town for two months: Here I have for you 20 barnes full of the choicest that in all the Countrie could be found.¹

The adventurers also found "much butter in gourds melted like oile; they said it was the fat of beares; also great store of oile of walnuts which was cleare as butter." The town was surrounded by "verie good meadows and manie fields sowne with Maiz."² A certain Indian governess visited De Soto in great state from one of her towns on the Savannah River. The visit is thus described :

Within a little while the Ladie came out of the towne in a Chaire, whereon certain of the principall Indians brought her to the River. She entered into a barge, which had the sterne tilted over, and on the floore her mat readie laied with two cushions upon it one upon another, where she sate her down.³

The writer continues concerning the country :

Within a league and halfe a league about this towne, were great townes dispeopled, and overgrowne with grasse; which showed, that they had been long without inhabitants. The Indians said, that two yeere before there was a plague in that Countrie, and that they remooved to other townes. There was in their store houses great quantitie of clothes, mantles of yarne made of the barkes of trees, and others made of feathers, white, greene, red, and yellow, very fine after their use, and profitable for winter. There were also many Deeres skinned, with many compartments traced in them, and some of them made into hose, stockings and shooes.⁴

De Soto had planned to settle a colony in some favorable locality, and his expedition was provided with a herd of swine, as well as with chains for Indian slaves. The swine multiplied with remarkable rapidity. After De Soto's death his effects were disposed of by auction to his followers, and seven hundred swine figure as an item of the property sold.⁵ During the march swine for breeding purposes were often presented to the Indians and many others strayed and fell into their hands, so that in a few years they were extensively distributed. Horses and mules were too valuable to the Spaniards to be given away, and the Indians feared them and were glad to destroy them whenever opportunity offered. One historian asserts⁶ that the Indians obtained cows from De Soto, but no other authority can be found for this statement and no mention is made by any writer within our knowledge of neat cattle as forming part of the outfit of the expedition.

De Soto's wanderings across the country might be traced by the groans of Indian captives, male and female, reduced to slavery and compelled

¹Portuguese Narrative of De Soto's expedition; Force's Historical Tracts, Vol. IV, p. 48. ²*Ibid.*, p. 49. ³*Ibid.*, p. 43. ⁴*Ibid.*, p. 44. ⁵*Ibid.*, p. 98. ⁶Pickett: Hist. of Alabama.

to bear the burdens of the soldiers ; by the flames of dwellings, the desolation of fields, and the heaps of slain, young and old.

In 1535, Cartier ascended the St. Lawrence to the present site of Montreal, where he found a considerable town surrounded by palisades formed of "trunks of trees set in a triple row, the outer and inner ranges inclined till they met and crossed near the summit, while the upright row between them, aided by transverse braces, gave to the whole abundant strength. Within were galleries for the defenders, rude ladders to mount them, and magazines of stones to throw down on the heads of assailants."¹ The houses were "50 yards or more in length, and 12 or 15 wide, framed of sapling pales closely covered with sheets of bark. Surrounding the town were extensive fields of maize, beans, and pumpkins."

The Indian tribes met by these early French explorers belonged to the same family as those scattered throughout the territory now covered by the Northern and Middle States. These Indians dwelt in villages and cultivated the soil to a limited extent. For their animal food they depended upon fishing and the chase. The same was true of the tribes living west of the Mississippi River. The presence of large herds of buffalo, however, tended to modify the life of the tribes depending upon that animal for food and raiment. The Indians followed the migration of the buffalo, and, therefore, tents were commonly used as habitations rather than the more permanent structures already mentioned, although this was not true of all the buffalo-hunting tribes. The hunts were conducted according to fixed tribal ceremonials and regulations, more or less religious in character.

The manufactures of the Indians consisted of articles of pottery; stone and copper axes and chisels; arrow-heads; mortars of stone and wood for grinding maize; stone and bone hoes and skin dressers; dressed hides of the deer and elk, from which they made clothing and moccasins, embroidered with quill work; weaving and spinning of vegetable fibres; canoes, rope, and domestic utensils from bark; snow-shoes; fish-nets of sinew; and wooden war-clubs, spears, and bows.

Throughout the territory of the United States the various Indian tribes, with few if any exceptions, had a social organization based upon kinship. Each tribe was divided into clans, septs, or gentes, under the leadership of chiefs. Among the Pueblos and the tribes of the Pacific coast, and those formerly living in the present Gulf, Middle, and Northern States, the woman carried the clan, or septs; that is, the children belonged to the clan of the mother and not to that of the father, who must be of a different clan. In tribes having descent by the mother, women frequently held public office. The American Archives give instances of the interposition of these "female governesses"² in governmental and other matters. Women generally held the household

¹ Parkman: *Pioneers of France in the New World*, 189. ² American Archives, 1st series, Vol. V, col. 1101.

property as their own. To them belonged all the duties pertaining to the conserving of life; they formed the only non-combatant class, and, therefore, upon them devolved the industrial pursuits and the care of the possessions of the people. To the men belonged the duties of the provider and protector, which required them to be hunters and warriors.

No regular army organization existed among the Indian tribes. Every man strove to be a warrior. All war parties, large or small, were composed of volunteers, who during the expedition followed and obeyed their leader, but disbanded upon their return, each one claiming for himself such honors as he was able to win individually. The fighting was not conducted by any system of tactics for combination; each man looked out for himself and did as he deemed best, although he would fly to the rescue of a fallen friend to prevent his being mutilated by the enemy. Religious ceremonies attended the preparation and setting out of war parties, and grave responsibilities rested upon the leaders.

The polity of the Indian tribes was an interweaving of the religious and civil elements and powers. The chiefs of the various clans composed the council, which was the central authority. In this assembly all the affairs of the tribe were settled, and a unanimous consent was needful to a decision and consequent action. The hereditary duties of the clans determined somewhat the relative positions and functions of the chiefs, but personal ability generally secured the head chieftainship. The office of chief was in part religious, and the inauguration ceremonies partook of that character. To promote internal peace and the welfare of the people was an important part of the duty of a chief. He seldom led in war after he was installed in office, although in his earlier days he had proved his personal prowess as a successful leader of war parties.

The punishment of offenders was generally left to those who were aggrieved or to their relatives. In cases where the vengeance tended to go too far the chiefs interfered to restore harmony and peace.

Indian social order was without caste or personal inheritance of power or property. The clan was superior to the individual in these and other respects, and held its members bound by bonds impossible to break or to be released from except by expatriation. There was little or none of the co-ordination or centralization which goes to form a nation, among any of the tribes; therefore conquest in the Eastern sense did not enter into the ambition of a tribe or league of tribes.

This outline sketch shows the Indians in their native condition when first met by the Spaniards. This condition exists to the present day, except as it is modified by the changes induced through the loss of game, the pressure of the white population, and the taking on of civilized ideas and modes of life.

The previous experience of the Spanish in the New World had prepared them to expect to find the country thickly populated. Their search for gold sent them to regions which the tales of the natives peopled with

numerous powerful tribes, having cities rivalling in extent and magnificence those of ancient Mexico and Peru. To these expectations may be attributed many of the exaggerations which color the Spanish narratives respecting the number of Indians inhabiting the regions visited by the Spanish adventurers. Several causes conspired to reduce the Indian population on the invasion of the white race. Among these were strange and fatal diseases, like the small-pox, which baffled the skill of the native physicians; the wars in which they became involved with the whites; and the policy inaugurated by De Soto and continued by the French and English of fomenting wars between the tribes, and of using them as allies for the sake of temporary advantage. It is highly probable that the decrease of the Indian tribes has not been so great as is generally stated and popularly supposed. Recent experience has proven that any accurate enumeration of an Indian tribe invariably reduces preceding estimates in a remarkable degree. It is doubtful if the Indian population of the territory now forming the United States exceeded half a million at the beginning of the sixteenth century.

The localities of the various tribes were generally the same in the sixteenth century as in the two centuries following. Conquest, settlement, and purchase made but slight changes in the distribution of the Indians.

MISSIONARY EFFORTS IN THE SIXTEENTH CENTURY.

The missionary efforts of the sixteenth century in behalf of the Indians were put forth solely by the Spaniards. The expedition of Narvaez to Florida, in 1528, was accompanied by a number of Franciscans, under the direction of Father John Juarez, who had labored in Mexico. No mission was founded, however, and the Franciscans perished "of famine, disease, or by the hands of the Indians."¹ De Soto and his followers in 1539 were attended by twelve priests, eight inferior clergymen and four monks. Their efforts to convert the natives were fruitless, and all the missionaries perished before the remnant of the expedition reached Tampico.

In 1544 Father Andrew de Olmas penetrated alone into the country north of the Rio Grande, and reached the rolling prairies. The inhabitants "listened in peace to his doctrines," and several followed the missionary to Tamaulipas, where he instructed them.²

About the same time the Dominican father, Louis Cancer de Barbastro, visited Spain, and through the good offices of Las Casas, who was a fellow-passenger on the voyage thither, secured the patronage of Philip II, and a royal decree emancipating all natives of Florida who were held in slavery in Spanish America. He returned to this country, and, with three companions belonging to the same order, sailed to Florida. A few days after landing he and one of his companions were

¹ Shea, *Catholic Missions*, p. 40.

² *Ibid.*, p. 45.

killed by the natives. The others fled from the country in the vessel that brought them.¹

In 1553 three hundred Spaniards, survivors of a shipwreck, landed on the Florida coast, among them five Dominicans, four of whom, with all their companions, perished in the attempt to reach Mexico by land. One survivor, after enduring great hardships, finally reached Tampico.

A Spanish expedition, consisting of thirteen vessels and fifteen hundred men, was dispatched in 1559. Several of the vessels were driven ashore in a storm, and many men perished. The survivors, establishing themselves in Florida, sent back for aid. Before it arrived the leader, with a portion of his followers and two Dominicans, penetrated into the interior, formed an alliance with the Creeks, and marched west to the Mississippi to attack the Natchez, with whom the Creeks were at war. Returning to the Creek country, the Spaniards spent some time there, the missionaries laboring to convert their Indian allies; "but their efforts were not crowned with success, and only a few baptisms of dying infants and adults rewarded their zeal."² After many vicissitudes the colony and missions of Santa Cruz, in Pensacola Bay, were abandoned in 1561.³

In 1565 the first permanent Spanish settlement in Florida was made by the founding of Saint Augustine by Menendez. The expedition consisted of thirty-four vessels and two thousand six hundred forty-six men. More than twenty Franciscans, Jesuits, and other ecclesiastics accompanied it.⁴ Soon after the colony arrived Menendez sent a party of soldiers and some Dominicans to build a fort and begin a mission among the Indians of Virginia. They were accompanied by an Indian chief belonging to one of the Virginia tribes. They failed to reach their destination, and, alarmed by storms, sailed for Spain, where the chief was baptized by the name of Don Luis Velasco.⁵

Missions were begun at several places in Florida, and in 1568 a re-enforcement of eleven Jesuit missionaries arrived.⁶ An Indian school was opened at Havana under the charge of two missionaries, who had learned the native language and "drawn up vocabularies by the help of natives then in Havana."⁷

In 1567 Father Roger tried to win the Indians of Florida to industrial pursuits; "lands were chosen; agricultural implements procured; twenty commodious houses raised."⁷ After eight months' application he judged many sufficiently instructed to receive baptism; and, calling a council of the chiefs, proposed that the tribe should "renounce the devil and embrace the new faith."⁸ The natives, however, voted unanimously to reject the new faith. The missionary departed, and after spending some time fruitlessly with other tribes, returned in 1570 to Havana with some Indian boys to be placed at school.⁹

¹ Shea's Catholic Missions, pp. 46-49. ² *Ibid.*, p. 51. ³ *Ibid.*, p. 52. ⁴ *Ibid.*, p. 55. ⁵ *Ibid.*, p. 56. ⁶ *Ibid.*, p. 58. ⁷ *Ibid.*, pp. 57-58. ⁸ *Ibid.*, p. 60. ⁹ *Ibid.*, p. 61.

At this juncture Menendez arrived in Florida with a new re-enforcement of ecclesiastics, a Jesuit priest, and two novices, accompanied by the baptized Indian chief, Don Luis.¹ It was determined to begin a mission among the Indians of the latter's tribe. Accordingly Father Segura, with seven other ecclesiastics, Don Luis, and the Indian youths who had been educated at Havana, took ship for the Chesapeake. The vessel returned to Lower Florida, leaving the party to pursue their journey into the interior in order to find the tribe of Don Luis. When at last that chief regained his people, from whom he had been separated against his will by Spanish marauders, he "apostatized," and the missionaries and their Indian pupils, save one who escaped, were put to death. Menendez visited the region in 1572 to avenge the death of the missionaries, and captured some of the Indians. Eight were executed for their crime—Don Luis, however, escaped.²

The following year a band of Franciscans arrived at Saint Augustine, and in 1592 twelve more were added to their number. About this time Father Pareja prepared an abridgment of Christian Doctrine, in the Yamassee tongue.³ In 1597 a priest of the Florida colony publicly reprovved a young chief, who became angered and determined to free his people from priestly restraints. Gathering his followers together he began his work by killing the priest who had reprovved him, and did not cease fighting until four missionaries had been slain, and one, whose life was spared, had been carried off and sold into slavery. The insurgent Indians were finally defeated by those who remained true to the whites; but the missions were for the time abandoned and no further attempts to convert the natives of Florida were made in the sixteenth century.

In the southwest Franciscan missionaries accompanied the expedition of Coronado, which set out from Mexico in 1539 for the region to the north. When Coronado was about to return two of them remained to labor among the Indians of New Mexico. They met with no success; one was killed, the fate of the other is unknown.⁴

In 1581 three missionaries started from Mexico with ten soldiers and six Mexican Indians, and halted at one of the pueblos where, on account of the refusal of the soldiers to go farther, the missionaries began their labors. Inspired by their apparent success one of their number was sent to Mexico for auxiliaries, but he perished at the hands of some wandering Indians soon after starting on his journey. Within a year the other two were killed.⁵ Some time after, two Franciscans accompanied an expedition led by Costañõ, but these were also put to death. In 1597 a colony from Mexico led by Oñate penetrated New Mexico and founded the post of San Gabriel on the Rio Grande, the first permanent European settlement in that region. Seven Franciscans joined the colony, and these were re-enforced the succeeding year by several other missionaries.⁶

¹ Shea's Catholic Missions, p. 63. ² *Ibid.*, pp. 62-65. ³ *Ibid.*, pp. 66-67. ⁴ *Ibid.*, p. 44. ⁵ *ibid.*, p. 77. ⁶ *Ibid.*, p. 78.

During the sixteenth century the Indians made no real progress towards civilization. Their contact with the white race was attended by wars, slavery, and other evils connected with the presence of soldiers. The introduction of fire-arms gave to those who first secured them an advantage over the primitive weapons of less fortunate adversaries. This caused changes in the relative power of tribes, and tended to increase intertribal disturbances. Some of the aborigines became possessors to a slight extent of domestic animals. A few Indians were taught letters, but it is doubtful if any tribe or number of individuals became christianized. Of the missionaries who endeavored to teach the people the doctrine of the Roman Catholic Church, one-half lost their lives while making their zealous efforts in this behalf.

CHAPTER II.

THE SEVENTEENTH CENTURY.

The English attempts to form settlements upon the coast of North America during the last quarter of the sixteenth century were unsuccessful. Although the colonies disappeared, the name Virginia, given to the region, remained to the English, while to the natives it was a heritage of distrust, owing to their primitive confidence having been betrayed by hasty and cruel actions on the part of the colonists. As early as 1585 many of the Indians accepted the prophecy that "there were more of the English generation yet to come to kill theirs and take their places."¹

The century saw this prophecy fulfilled by the planting of twelve of the original colonies that have since spread over the breadth of the land.²

VIRGINIA.

Civilization.—The charter issued to the Virginia Company by James I., April 10, 1606, commends the "Desires for the Furtherance of so noble a Work, which may, by the Providence of Almighty God, hereafter tend to the Glory of his Divine Majesty, in propagating of Christian Religion to such People as yet live in Darkness and miserable Ignorance of the true Knowledge and Worship of God, and may in time bring the Infidels and Savages living in those Parts to human Civility and to a settled and quiet Government."³ The second charter, dated May 23, 1609, declares, "the principal Effect, which we can desire or expect of this Action, is the Conversion and Reduction of the People in those Parts unto the true Worship of God and Christian Religion."⁴ The third charter, given March 12, 1612, makes a similar statement concerning the "reclaiming of People barbarous to Civility and Humanity."⁵ The infant colony on the James River, "weak in numbers and still weaker from want of habits of industry,"⁶ were from the first dependent upon the Indians for food, and two years after the founding of Jamestown the natives regarded the English as beggars, and planned to starve them out of the country.⁷

¹ Bancroft. Hist. of the U. S., twenty-fourth edition, Vol. I, p. 99.

² A sketch of the laws affecting the Indians in the two principal colonies of this century gives a picture of the legal and the social status of the Indian and his opportunities for civilization. ³ Stith: Hist. of Virginia; Appendix, p. 1. ⁴ *Ibid.*, p. 22. ⁵ *Ibid.*, p. 23. ⁶ Bancroft: Hist. of the U. S., Vol. I, pp. 126, 140. ⁷ *Ibid.*, p. 139.

One of the first treaties of which we have a record was made with the Chickahominies by Sir Thomas Dale in 1613. This tribe was at enmity with the Indians under Powhatan, and the English were now closely allied with the latter by the marriage of Pocahontas, therefore the Chickahominies desired to secure the friendship of the colonist. The treaty indicates the position of dependence in which the colonists were placed, and the ignorance of the Indians as to what constituted being an Englishman. It also presents a suggestive picture of the races that were now brought face to face, and destined to act and react on each other. The treaty reads:

I. That they should forever be called Englishmen and be true Subjects to King James and his Deputies.

II. That they should neither kill nor detain any of the English or of their Cattle, but should bring them home.

III. That they should be always ready to furnish the English with three hundred Men against the Spaniards or any other Enemy.

IV. That they should not enter any of the English Towns before sending in Word, that they were now Englishmen.

V. That every fighting Man at gathering their Corn should bring 2 Bushels to the Store as a Tribute, for which he should receive as many Hatchets.

VI. That the eight chief Men should see all this performed or receive the Punishment themselves; and for their Diligence they should have a red Coat, a copper Chain, and King James' Picture, and be accounted his Nobleman.¹

Sir Thomas Dale encouraged his colony to plant much corn, and it was not long before he was able to supply needy tribes with this food and for the "Repayment whereof the next Year he took a Mortgage of their Whole Countries."²

As late as 1616, Powhatan charged Tomocomo, who accompanied Pocahontas and her husband to England, not only to take the number of the people in England, but "to take an Account of their Corn and Trees." The Indians who had previously visited England had seen little else but London, and "had reported much of their Men and Houses, but thought they had small Store of Corn and Trees. And it was therefore a general opinion among these Barbarians that the English came into their country to get a supply of these; which might be strengthened and confirmed by their sending large Quantities of Cedar, Clapboard, and Wainscot to England, and by their continual Want and Eagerness after Corn."³

The establishment of the English on the "waste land"⁴ of the Indians was not effected in a manner that accorded with the pious wording of the charters. We learn that "the rights of the Indians were little respected, nor did the English disdain to appropriate by conquest the soil, the cabins, and the granaries of the tribe of the Appomattocks."⁵ The tribute of corn was not always peaceably obtained,⁶ and friendly relations with the natives were not stable.⁷ In 1618, the

¹ Stith: Hist. of Virginia, pp. 130-131.

² *Ibid.*, p. 140.

³ *Ibid.*, pp. 143-144.

⁴ Bancroft: Hist. of the U. S., Vol. I, p. 126.

⁵ *Ibid.*, p. 145.

⁶ Stith: Hist. of Virginia, p. 140.

⁷ *Ibid.*, p. 143.

governor published several edicts, among them "That no Indian should be taught to shoot with Guns, on Pain of Death to Teacher and Learner; that there should be no private Trade or Familiarity with the Savages."¹ Beads were the current coin in Indian trade, and in 1621 Captain Norton with some Italian workmen "were sent over to establish a glass furnace for the manufacture of these articles."²

The pressure of the settlers upon the Indians threatened to create serious difficulties; and the first elected assembly, which convened in the choir of the church at James City, July 30, 1619, made provision for the protection of the Indians from injury and injustice.³ Unfortunately the settler, in his haste and desire to better his estate, did not pause to consider that the savage occupant of the soil was a man having a sense of right and wrong, and believing in self-protection as fully as his white neighbors.

The villages of the Indians were scattered over a wide territory, and were quite small, seldom containing more than fifty inhabitants, although a few may have had over two hundred. The people were not accustomed to meet together in large numbers, or to act together either for defense or aggression. It has been computed that within a radius of 60 miles of Jamestown the Indian population did not exceed five thousand, and of these about fifteen hundred were warriors.⁴ Many tribes and clans were more or less affiliated under the chieftainship of Powhatan, and these could raise about twenty-four hundred warriors. The men of the colony were equal in number, and provided with firearms; they were also accustomed to concerted action, which made them still more formidable. On the other hand, it was contrary to all Indian custom for warriors to combine as an army; this peculiarity and their inferior weapons made their methods of warfare against the English almost a necessity.

The Indians, finding their claims to fair dealing frequently set at naught, their lands appropriated by strangers, and their lives threatened, counselled how they might rid the country of a people who threatened destruction to the original inhabitants. Open battle was unknown to them. Ambuscade and surprise were bred of forest experience. Viewing the circumstances from the native's standpoint it is not surprising that the Indians determined to exterminate the English; nor is the manner in which it was attempted strange, even in the history of our own race. At the same time of day, on March 22, 1622, three hundred and forty-seven colonists fell at the hands of the Indians. By this terrible disaster the colony was crippled, not destroyed, for Christian Indians, at the risk of their own lives, had warned their English friends, and the larger part of the colony was thereby saved. The next year the records show that there were two thousand five hundred Englishmen remaining in Virginia.⁵

¹ Stith: Hist. of Virginia, p. 147. ² *Ibid.*, p. 198. ³ Perry: Hist. American Episcopal Church, Vol. I, p. 6. ⁴ Bancroft: Hist. of the U. S., Vol. I, p. 180. ⁵ *Ibid.*, p. 183 and notes.

The massacre of March 22, 1622, put an end to many friendly relations and projects.¹ The Indians were disfranchised,² and the races became irreconcilably opposed to each other; henceforth the laws of war became the defense of covetousness.³ At the convening of the fourth Assembly, in March, 1624, the following laws were enacted:

ART. XVII. All public as well as private trade with the Indians for corn shall be prohibited after June following.

ART. XXIII. Every dwelling to be palisaded.

ART. XXIV. People to go armed.

ART. XXVIII. A watch to be kept day and night.

ART. XXXII. That at the beginning of July following every corporation should fall upon their adjoining Indians, and every one injured in this warfare to be cared for by the State.⁴

As a result of this policy acts of cruelty were of frequent occurrence, and ill-feeling between the English and Indians increased. In October, 1629, the General Assembly enacted laws for a more organized warfare. Commanders of plantations were to levy a force for the defense of the habitations; and arrangements were made for three expeditions, to start in November, March, and July, to clear those parts and "to doe all manner of spoile and offence to the Indians that may possibly bee effected."⁵ The Assembly of March, 1630, declared that the war against the Indians was to be prosecuted and no peace made;⁶ and in 1632 all persons were prohibited to speak to Indians, except those planters living on the Eastern Shore.⁷ Commanders were authorized to fall upon lurking Indians, or any who should molest hogs.⁸ A writer, speaking of the difficulties of the early settlers, says of the Indians:

Being accustomed to the practice of killing whatever came in their way, they ranked the planters' hogs, turkeys, and geese among their game, and freely preyed upon them. The planters as freely made use of their arms in defense of their property, and several Indians were killed during their depredations. This occasioned war, and the Indians poured their vengeance indiscriminately, as usual, on the innocent and guilty, for the loss of their friends.⁹

In 1633 the Assembly fixed the penalty for selling arms to Indians at a loss of all goods and chattels and imprisonment for life. It was also enacted that no cloth should be sold to Indians.¹⁰ Warfare continued, and in 1643 the Assembly decreed that no peace was to be made with the natives, who were greatly distressed by sudden raids upon their villages.¹¹ The county that furnished these raiders paid the expense of the expeditions.¹²

These grievances and the despair bred of their circumstances led the Indians in 1644 to attempt to rid their country of the English by an indiscriminate killing.¹³ The colonies made a prompt resistance. The Assembly in February, 1645, authorized the association of three coun-

¹ Stith: Hist. of Virginia, pp. 218, 219, 235, 281. ² Bancroft: Hist. of the U. S., Vol. II, p. 241. ³ *Ibid.*, Vol. I, p. 184. ⁴ Hening: Statutes of Virginia, Vol. I, pp. 121-129. ⁵ *Ibid.*, pp. 140-141. ⁶ *Ibid.*, p. 153. ⁷ *Ibid.*, 167. ⁸ *Ibid.*, p. 176. ⁹ Hewatt: Hist. of North Carolina, Vol. I, pp. 78-79. ¹⁰ Hening: Statutes of Virginia, Vol. I, p. 219. ¹¹ Bancroft: Hist. of the U. S., Vol. I, p. 207. ¹² Hening: Statutes of Virginia, Vol. I, p. 285. ¹³ Bancroft: Hist. of the U. S., Vol. I, p. 208.

ties to carry on the war, and every fifteen tithables to furnish one soldier.¹ Provision was also made for the building of Fort Royal, Fort Charles, and Fort James.² The following year Fort Henry, at the falls of the Appomattox, was built and garrisoned, and the war against the Mansimung and neighboring Indians pushed by "cutting up their corn and doing or performing any act of hostility against them."³ There being "almost an impossibility of a further revenge upon them, they being dispersed and driven from their towns and habitations, lurking up and down in the woods in small numbers, peace would conduce to the better being and comditie of the country,"⁴ the Assembly therefore made arrangements for meeting and concluding a peace with the shattered tribes, which was accomplished in October, 1646.

The following were the conditions made: The chief acknowledged that he held his land and office from the King. His successors were to be appointed or confirmed by the governor, and a yearly tribute of twenty beaver skins was to be paid at the time of the going away of the geese. The land between the falls of the James and the York River was ceded, and the Indians were to live upon the north side of the latter stream. It was to be death for an Indian to be seen upon the ceded territory, unless he was a messenger. These were to be known by a striped coat, which was to be provided by the commander of Fort Royal to Indian messengers from the north, and by Fort Henry to those coming from the south, and was to be returned by the Indians when their errand was accomplished. Any one killing a messenger or his party was to suffer death, and the same penalty was attached to the entertainment or concealment of an Indian. Englishmen were forbidden to hunt upon Indian territory, and all English and negro prisoners and guns were to be surrendered, and Indian servants running away to be delivered up. Indian children under twelve years were to be permitted to live with the English.⁵

The former acts authorizing depredations and war upon the Indians were at this time repealed by the Assembly.⁶

During the years of comparative peace which followed, the Assembly enacted the following laws (in March, 1656):

Whereas wee have bein often putt into great dangers by the invasions of our neighbouring and bordering Indians which humanely have bein only caused by these two particulars our extreame pressures on them, and their wanting of something to hazard and loose beside their lives; Therefore this Grand Assembly on mature advice doth make these three ensuing acts, which by the blessing of God may prevent our dangers for the future and be a sensible benefit to the whole countrey for the present.

Ffirst for every eight wolves heads brought in by the Indians, The King or Great man (as they call him) shall have a cow delivered him at the charge of the publick. This will be a step to civilizing them and to makeing them Christians, besides it will certainly make the commanding Indians watch over their own men that they do vs no injuries, knowing that by their default they may be in danger of losing their

¹ Hening: Statutes of Virginia, Vol. I, pp. 292-293.
315. ⁴ *Ibid.*, pp. 317-319. *Ibid.*, pp. 323-326.⁶

² *Ibid.* p. 293.

³ *Ibid.*, p.

Ibid., p. 333.

estates, therefore be it enacted as aforesaid only with this exception, That Accomack shall pay for no more then what are killed in their own country.

Secondly, If the Indians shall bring in any children as gages of their good and quiet intentions to vs and amity with vs, then the parents of such children shall choose the persons to whom the care of such children shall be intrusted and the country by vs their representatives do engage that we will not vse them as slaves, but do their best to bring them vp in Christianity, civility and the knowledge of necessary traders; and on the report of the Commissioner of each respective country that those vnder whose tuition they are, do really intend the bettering of the children in these particulars, then a salary shall be allowed to such men as shall deserve and require it.

What lands the Indians shall be possessed of by order of this or other ensuing Assemblies, such land shall not be alienable by them the Indians to any man de futuro, for this will putt vs to a continuall necessity of allotting them new lands and possessions and they will be allwaies in feare of what they hold not being able to distinguish between our desires to buy or inforcement to have, in case their grants and sales be desired; Therefore be it enacted, that for the future no such alienation or bargains and sales be valid without the assent of the Assembly. This act not to prejudice any Christian who hath land already granted by patent."¹

The Assembly also ordered that Indians were not to be killed unless they were doing mischief, but "no Indian to be entertained without a license from the county court." "Indian children by leave of their parents may be taken as servants, but must be educated and brought up in the Christian religion."² In 1658 the Assembly declared that no grants were to be issued until a certain proportion of land should be allotted to "each Indian bowman," and Indians lands included in patents be relinquished or paid for.³

Additional legislation was enacted for the security of Indians on their lands, which were made inalienable,⁴ and penalties were affixed for stealing Indians; the purchaser of one so taken was to return him within ten days.⁵ Indians were also permitted to use their own guns,⁶ and one Thomas Flood was made official interpreter.⁷ During this period of tranquility and republican prosperity⁸ explorations of the region west of the mountains of Virginia were authorized,⁹ and the fertile Shenandoah and its tributary valleys became known to the colony. The settlers spread over the country, and land was purchased for match-coats and other articles.¹⁰

Trouble again began to arise from the pressure of the colonists upon Indian lands. In 1660, one John Powell having received damage, the Assembly authorized the court to sell as many Indians to foreign countries as was needful to raise the proper compensation accorded to the complainant.¹¹

In 1662 the eagerness of the colonists to possess Indian lands was restrained by the Assembly annulling all illegal contracts with the natives and the burning of the houses of those who had encroached upon

¹ Hening: Statutes of Virginia, Vol. I, pp. 393-396. ² *Ibid.*, p. 410. ³ *Ibid.*, p. 457. ⁴ *Ibid.*, pp. 467, 468. ⁵ *Ibid.*, pp. 481-482. ⁶ *Ibid.*, p. 518. ⁷ *Ibid.*, p. 521. ⁸ Bancroft: Hist. of the U. S., Vol. I, pp. 224-232, and Vol. II, pp. 188-197. ⁹ Hening: Statutes of Virginia, Vol. I, p. 381. ¹⁰ *Ibid.*, Vol. I, p. 515, and Vol. II, pp. 34, 35, 36, 39. ¹¹ *Ibid.*, Vol. II, p. 15.

the Indians' country. Injury to the person or property of an Indian was to be punished as "the laws of England in this country doe inflict if the same had bin done to an Englishman." Settlers within 3 miles of the Indians to assist the latter to fence their corn fields in order to prevent damage from English hogs and cattle. The Indians to keep the fence in repair or suffer the consequences.

Upon application to two justices the Indians were allowed to go, unarmed and for a limited time each year, to gather oysters and wild fruits "by which they were wonted for a greate parte of the yeare to subsist."

All trade was to be under license from the governor. A commissioner was appointed to proclaim these acts, and to visit annually the Indians to see that these laws were kept. Friendly Indians were to be distinguished by a silver or copper badge to be provided by the chiefs, and any one found within English bounds without such proof was to be imprisoned or fined. No Indian servant was to be sold as a slave for a longer time than an Englishman of like age, and no Indian servant allowed without a license from the governor.¹

The growth of the Virginia colony and of Maryland on the north, together with the successful planting of settlements in North and in South Carolina, created great uneasiness among the Indian tribes. In spite of laws enacted to protect them, they were more and more oppressed by the keen-witted pioneer, and tribes from the interior² began to aid their enfeebled kindred on the coast to resist the encroachments of the whites. The colonies were growing stronger daily, and in 1663 demanded children as hostages of the Potomaks and northern tribes. These were to be civilly treated and "brought up in English literature." If there were not found persons willing to educate them, twelve hundred pounds of tobacco per annum were to be set aside for that purpose. The same act assured the Indians that they were to have equal justice with the white man, yet if any one should entice away a hostage he would be treated as an enemy.³ If a white man was murdered the Indians of the next town were to be held responsible.⁴

The Indians living in the interior had not yet felt the pressure of the colonists, and they were, therefore, still bent upon their ancient feuds and carried on their accustomed tribal warfare. The Iroquois, or Five Nations, of New York, made frequent sallies against the Indians living near the sources of the rivers that make their way through Maryland and Virginia. These Indians as early as 1662 had been warned against encroaching upon the territory of the colonists or molesting tributary Indians.⁵ Difficulties, however, increased as the settlers pushed further inland, and the latter became involved in the native wars. In 1674 and 1675 the Senecas, Susquehannahs, Piscataways of the Potomac, and the inhabitants of Maryland and northern Virginia were in arms.

¹Hening: Statutes of Virginia, Vol. I, pp. 149-151. ²*Ibid.*, p. 185. ³*Ibid.*, p. 193. ⁴*Ibid.*, p. 218. ⁵*Ibid.*, Vol. II, p. 153.

Murder and revenge were practiced by both races,¹ and little mercy shown. Six of the chiefs came to the colonies to arrange for a peace, but they were murdered on the spot.¹ This outrage roused the vengeance of the Indians and a hundred English were slain to balance the death of the six chiefs. Again the confederated Indians offered peace, but their proposals were rejected by the English.

Meanwhile the colony was torn with contentions incident to the Restoration, and these troubles culminated in Bacon's Rebellion. The resistance offered by the Indians to the encroachments of settlers and to the constant pressure of wars and murders afforded Bacon and his followers their excuse for arming.² Counties were organized for war against the natives,³ and a series of stringent laws⁴ was passed by the Assembly, authorizing the war.

Although most of these laws were repealed within a few years after the dispersion of Bacon's followers, they had been meanwhile enforced upon the Indians with vigor. The result was the breaking up of tribes and the clearing of the country of Indians to such an extent as to enable the governor, Sir William Berkeley, to state in 1680 that "the Indians, our neighbors, are absolutely subjected, so that there is no fear of them."⁵

The Bacon Assembly authorized the raising of one thousand men, and eighteen counties were called upon to furnish a given number each, to make up the quota. War was declared against the Indians, and, that the innocent might not become involved, a statement was made as to what constituted an Indian enemy.

All Indians absent from their towns without leave of the governor were enemies.

All who refused to deliver up their arms to the English; all who should refuse to deliver hostages, or to send any Indians to the Assembly who should be demanded, or who should entertain Indians not friendly to the English, or harbor strange Indians and not immediately deliver such to the English, or kill or destroy them. If, however, they were not strong enough, they were to be excused, provided they at once reported to an English official.

All Indians who should hold commerce with unfriendly Indians were to be accounted enemies.

The officer of the militia was to take a full list by name and number of the Indians in every town, and any Indian refusing to give his true name or account of his people was to be accounted an enemy.

All Indians taken in war were to be held and accounted slaves during life.⁶

"Lands set apart for Indians at the last peace and deserted by them to be vested in the county and disposed of to defray the charges of the war, but not to affect legal or prior grants."⁷

¹ T. M.: Beginning, Progress, and Conclusion of Bacon's Rebellion. ² Bancroft: Hist. of the U. S., Vol. II, p. 218. ³ Hening: Statutes of Virginia, Vol. II, p. 327. ⁴ *Ibid.*, p. 336. ⁵ *Ibid.*, 513. ⁶ *Ibid.*, p. 341. ⁷ *Ibid.*, p. 351.

The cruelty of these laws lay in their entirely ignoring any obligation on the part of the colonies to protect and become identified with those Indians who placed themselves in the attitude of friends. If an Indian tribe should fall upon and kill all chance visitors from other tribes that happened not to be friendly to English methods of dealing with the natives, who was to protect the tribe from the vengeance of the kindred of those slain while trusting to the usual hospitality of Indians? This war was planned to be, as it proved to be, a war of extermination, for the rules laid down were such as to make it difficult for an Indian to be true to his sense of honor and to be anything but an "enemy." All such we have seen were subject to death or slavery.

The act of Bacon's Assembly concerning enslaving the Indians was confirmed in 1676,¹ and again enacted in 1679.² About this time the following law declared who were to be accounted slaves:

Whether Negroes, Moors, Molattoes or Indians, who and whose parentage and native country are not Christians at the time of their first purchase of such servant by some Christian, although afterwards, and before such their importation and bringing into this country, they shall be converted to the Christian faith, and all Indians which shall hereafter be sold by our neighboring Indians, or any other trafficking with us as for slaves are hereby adjudged, deemed and taken, and shall be adjudged and taken to be slaves to all intents and purposes, any law, usage, or custome to the contrary notwithstanding.³

In order to prevent any harm done to friendly neighboring Indians by the various garrisons, four Indians were to be stationed at each fort. Friendly Indians were instructed not to fly, "but to stand peaceably and discourse the English, and give true account who and what they are, and upon their approaching lay down their arms, that then they shall be civilly treated and no harm shall be offered or be done unto them."⁴

All trade had been prohibited with Indians,⁵ but this was found to be disadvantageous to the colonial merchant, and in 1677 trade was opened with friendly Indians, and marts or fairs established for the natives north and south of the James River. These fairs were held for forty days twice a year, the governor receiving a revenue and the clerks a percentage on all sales. The Indians were bade to come to the marts unarmed, and no one was to entertain an Indian without the governor's license.⁶

Fourteen years later, in 1691, all former laws restricting trade were repealed, and it became lawful to trade "at all times and all places with all Indians whatsoever."⁷ This law became the basis of the decision of the Supreme Court in 1898: "That no native American Indian brought into Virginia since the year 1691 could, under any circumstances, be lawfully made a slave."⁸ Although the law of 1691 by implication asserted that the Indian was not a slave because he was made capable of trading, it remained inoperative, so far as the Indian's freedom was concerned, for he continued to be held and bought as a slave for more than a hundred

¹ Hening: Statutes of Virginia, Vol. II, p. 404. ² *Ibid.*, p. 440. ³ *Ibid.*, Vol. II, pp. 491-492. ⁴ *Ibid.*, p. 439. ⁵ *Ibid.*, p. 336. ⁶ *Ibid.*, p. 410. ⁷ *Ibid.*, Vol. III, p. 69. ⁸ *Pallas vs. Hill* (2 Hening and Mumford Reports, 149).

years afterward, as is attested by the case in which the above decision was rendered in the year 1808.

At this time (1691) the Assembly authorized the employment of a lieutenant, eleven soldiers, and two Indians to scout at the head of each of the great rivers in the colony. The Indians employed were to receive as pay eight yards of duffels and two barrels of Indian corn per year, for a less term of service a proportionate amount; and each one was to be furnished with a horse, bridle, and saddle.¹ This act was repeated each year until 1696, when the employment of Indian scouts seems to have been abandoned.²

In 1691 the Assembly made the marriage between a white person and an Indian punishable by perpetual banishment.³

In the following year the tribunal for the trial of slaves was first established by law. The governor was empowered to issue a commission of oyer and terminer to such persons as he thought fit. The offenders to be indicted by the oaths of two witnesses or by the oath of one with pregnant circumstances, and without the solemnity of jury, "judgment to be executed in the manner the law provides."⁴

Four years later the Assembly declared that children should follow the condition of the mother, bond or free.⁵

The century opened with the declaration of the charter of 1606, that it was one of the desires of the colony to bring the savages living in Virginia to "human civility," and "unto the true worship of God and Christian religion." The last years of the seventeenth century found but a remnant of the natives who welcomed the English to their "waste lands," and these were enslaved, degraded by law, impoverished by the loss of their homes and by the greater loss of their own rude laws and government, while they were excluded from almost every benefit of civilization. The Indians were mainly tolerated as furnishing a revenue for government officials⁶ and enterprising traders, and as a scourge to wolves.⁷

Education.—At the first Assembly held in James City, July 30, 1619, "workmen of all sorts for the erecting of the university and college" were called for;⁸ and it was also enacted that "the most towardly [Indian] boys in wit and graces of nature should be brought up in the first elements of literature, and sent from the college to the work of conversion"⁹ of the natives to Christianity. The action of the colonists was in accord with the purposes of the company in England. Sir Edwin

¹ Hening: Statutes of Virginia, Vol. III, p. 82.

² *Ibid.*, p. 164.

³ *Ibid.*, p. 87.

⁴ *Ibid.*, p. 102.

⁵ *Ibid.*, p. 140.

This enactment and the one preceding bore more directly upon the negroes, since by far the larger proportion of slaves were of that race; but as Indians were also held in slavery they were governed by these laws until the court decided upon their freedom in 1808. There were Indians in the Virginia colony who never were slaves, as they were never captured or tempted to bind themselves to the English upon unequal terms.

⁶ *Ibid.*, Vol. II, pp. 20, 124, 140.

⁷ *Ibid.*,

Vol. III, p. 141.

⁸ Perry: Hist. American Episcopal Church, Vol. I, p. 6.

⁹ Ban-

croft: Hist. of U. S., Vol. I, p. 155.

Sandys, the president, had authorized an endowment of ten thousand acres¹ to the proposed university at Henrico (near the present site of Richmond), and King James issued a letter to the archbishops of Canterbury and York to take up four collections throughout their provinces for "the erecting of some churches and schools for the Education of the children of those Barbarians."² About £1,500 was received, and the money invested until such time as the building should be erected.³ We read that in 1620 "for the better procuring and retaining the Indian children, the Company ordered a Treaty and Agreement to be made with Opechancanough, and authorized Sir George Yardley to make such presents out of the Magazine as would be most grateful to him and best promote the Design." Mr. Nicholas Farrar bequeathed £300 for "converting infidel children in Virginia," this money to be paid to Sir Edwin Sandys and Mr. John Farrar when it should appear by certificate that ten Indian children were placed in the college, the money then to be disposed of according to the true intent of the gift. Meanwhile 8 per cent. on the money was to be given to those Virginians of "good life and fame," who should bring up one of the Indian children in the Christian religion.⁴

In 1621 the company allotted 1,000 acres, with five servants and an overseer, and received a subscription of £125 to endow a school at Charles City, to be called the East Indian School.⁵ This name was given because Mr. Copeland, to whom the school was offered, had recently returned from missionary work in the East Indies.⁶ While these efforts were in progress for the erection of schools, the following recommendations were made for securing scholars from among the native tribes:

It would be proper to draw the best disposed among the Indians to converse and labour with our people for a convenient reward that they might not only learn a civil way of life, but be brought to a knowledge of religion and become instruments in the conversion of their countrymen. Each town, Burrough and Hundred ought to procure by just means a certain number of [Indian] children to be brought up in the first elements of literature that the most towardly of these should be fitted for college, in the building of which they proposed to proceed as soon as any profit arose from the estate appointed to that use.⁷

On March 22, 1622, Mr. George Thorpe, a gentleman of His Majesty's privy chamber, who had come over as superintendent of the college, together with a number of the college tenants,⁸ were put to death during the sudden uprising of the Indians to rid the land of the dangerous white man.

Although the larger part of the colony owed their safety to the warning of Christian Indians (and had hints given by friendly Indians been taken by different settlers even more would have been saved), still the

¹ Catalogue College of William and Mary, in Virginia, 1859. ² Perry: Hist. American Episcopal Church, Vol. I, p. 69. ³ *Ibid.*, p. 70. ⁴ Stith: Hist. of Virginia, p. 172. ⁵ Catalogue College of William and Mary, 1859. ⁶ Perry: Hist. American Episcopal Church, Vol. I, p. 73. ⁷ Stith: Hist. of Virginia, p. 195. ⁸ *Ibid.*, p. 217; Catalogue College of William and Mary, 1859.

company in England were unable to start any educational projects in behalf of the Indians. Subscriptions continued to be received by the company from philanthropic persons, and a few Indians were sent to England for education; but, except in individual instances, there was no further attempt to establish an Indian school recorded until the bequest of the Hon. Robert Boyle, in 1691, became known.

The charter of the College of William and Mary, in Virginia, given in 1693, declares one of the objects of the institution to be, "that the Christian faith may be propagated amongst the Western Indians." The Hon. Robert Boyle had left, in 1691, directions in his will that the residue of his estate, after debts and legacies were paid, be disposed of by his executors for such charitable and pious uses as they in their discretion should think fit. Five thousand four hundred pounds were set apart and Brasserton Manor purchased. The court having decreed upon the purchase on December 21, 1697, the Earl of Burlington and the Bishop of London laid down the following rules "for the settlement of said charity in Virginia":

First. That all the yearly rents and profits of the said manor of Brasserton, as well as those incurred due since the purchase thereof, as which should there after grow due, after the deduction thereof of £90 a year to the college for propagating the gospel in New England, and other necessary or incident charges, should be, by the present or future receivers of the rents thereof paid into the hands of Micajah Perry, of London, merchant, agent in London for the president and masters of the College of William and Mary, in Virginia, and to all future agent and agents in England, for said college, for the time being, for the purposes thereafter mentioned, and such agent or agent's receipts and acquittances should be sufficient discharges to such receiver or receivers for what should be so paid.

Second. All sum and sums of money already or that should thereafter be received out of the said manor, subject to the deductions aforesaid, should be thereafter remitted to the said president and masters for the time being.

Third. That the said president and masters, and his and their successors, should therout expend so much as should be necessary toward fitting and furnishing lodgings and rooms for such Indian children as should be thereafter brought into the said college.

Fourth. The said president and masters, and his or their successors, should keep at the said college so many Indian children in sickness and health, in meat, drink, washing, lodging, clothes, medicines, books and education, from the first beginning of letters till they should be ready to receive orders, and be thought sufficient to be sent abroad to preach and convert the Indians, at the rate of £14 per annum for every such child as the yearly income of the premises, subject to the deduction aforesaid should amount to.

Fifth. That the care, instruction and education of such children as should be thereafter placed in said college, should be left to the president and masters thereof, for the time being, but yet subject therein as they were for all their trusts to the visitations and inspections of the rector and governors of the said college, for the time being.

Sixth. That the said president and masters, and his and their successors, should once every year transmit to the Earl of Burlington and lord bishop of London, for the time being, a particular account of what sum and sums of money they should hereafter receive by virtue of the said decree, as also to lay out or expend on all or any of the matters aforesaid, and the occasion or occasions thereof, as also the number and names of the Indian children that should thereafter be brought into the said college,

together with their progress or proficiency in their studies and of all other matters relating thereto.

Seventh. That the laying out of the money from time to time thereafter, to be remitted, as also the manner and method of educating and instructing such children, and all other matters relating to this charity or the executing of it, should be subject to such other rules and methods as should from time to time thereafter be transmitted to the said president and masters and his and their successors, by the Earl of Burlington and the lord bishop of London, for the time being, and in default thereof to such rules and methods as the rectors and governors of the said college, for the time being, should make or appoint. But until such other and further rules were made, the rules and directions thereby given were to take place.

Eighth. That the name of the benefactor might not be forgotten, the said Earl of Burlington and bishop of London did direct and appoint that the said charity should thereafter be called "The charity of the Honorable Robert Boyle, esq., of the city of London, deceased."¹

The preceding rules, slightly altered, were ratified by the lord high chancellor of England on June 9, 1698. During the delay incident to founding the college the rents accumulated, and a "convenient building of brick" was erected out of the fund. This building was known as "Brasserton," being named after the estate in England which yielded the income for the support of the Indian school. The rents amounted to about £370 per annum.² The master of the Indian school was deemed the "sixth master or professor of the said college."³

The statute reads:

There is but one master in this [Indian] school, who is to teach the Indian boys to read and write, and vulgar arithmetic. And especially he is to teach them thoroughly the catechism and the principles of the Christian religion. For a yearly salary let him have forty or fifty pounds sterling, according to the ability of that school, appointed by the honorable Robert Boyle, or to be further appointed by other benefactors. And in the same school the master may be permitted to teach other scholars from the town, for which he is to take the usual wages of twenty shillings a year."⁴

It would seem that there had been difficulty in obtaining Indian pupils for this school. Governor Spotswood, in a letter to the London council of trade, under date of November 17, 1711, says:

It has hitherto been judged a matter so impracticable that the governors of the college have thought it in vain to attempt it, and have chosen rather to be at a great expense for buying Indians of remote nations taken in war to be educated in pursuance of a donation left for that purpose by Mr. Boyle.⁵

In a letter to Lord Dartmouth, dated November 11, 1711, Governor Spotswood indicates the cause of this difficulty:

They [the Indians] urged the breach of a former compact made long ago by this government, when, instead of their children receiving the promised education, they were transported (as they say) to other countrys and sold as slaves.⁶

Under the same date the governor writes to the bishop of London:

The little care that hath hither been taken for converting the Indians of this Country to the Christian faith, or so much as endeavouring in any manner to Civilize them, seems to be no small reproach both to our Religion and politicks after above

¹ Statutes and charter of the College of William and Mary, 1855, p. 30. ² Catalogue of College of William and Mary, 1855, p. 5. ³ Statutes and charter of the College of William and Mary, 1855, p. 32. ⁴ *Ibid.*, p. 37. ⁵ Spotswood Letters, Virginia Hist. Soc., Vol. I, p. 122. ⁶ *Ibid.*, p. 125.

one whole Century that the English Government hath been established here. They who would excuse this neglect urge that the small number of our Neighbouring Indians, who are still declining, makes it not worth while to take any pains with them, and likewise that they are of so suspicious a Nature that they could never be persuaded to let their children stay any time among the Inhabitants to attain a tolerable Knowledge of our language, without which they are incapable of receiving Instruction in the principles of Christianity; but as the first of those excuses always seemed to me to carry the face of too much carelessness, as if the Salvation of those few were unworthy the trouble, I could not believe but that the latter might, if it had not been too lazily endeavoured, have been removed by proper applications.¹

MARYLAND.

The fundamental charter of Maryland, dated 1632, states that the baron of Baltimore, "being animated with a laudable and pious zeal for extending the Christian Religion, and also the territories of our Empire," was to hold the region described "in free and common soccage by Fealty only for all services," yielding therefor "unto us and our heirs and Successors Two Indian Arrows of those parts, to be delivered at the said Castle of Windsor every year on Tuesday in Easter week,"² besides the fifth part of all precious metals.

The meeting between the colonists and the Indians was friendly, the Indians on the Saint Mary's consenting to share their village with the English, and to yield the whole after harvest. "The Indian women taught the wives of the new-comers to make bread of maize; the warriors of the tribe instructed the huntsmen how rich were the forests in game, and joined them in the chase."³

The increase of settlers and their unfair dealings provoked the Indians to hostility; peace, however, was re-established, and in 1649 the Assembly passed an act of which the preamble states that—

Divers persons have heretofore purchased or accepted of Lands, from the *Indians*, and made use of and possessed the same, without any lawful Title and authority derived from the Lord Proprietary, neglecting also to take out grants from his Lordship, under the Great Seal, for such Lands as have been due to them by virtue of his Lordship's conditions of Plantations, or other Warrant from his Lordship, which Proceedings are not only very great Contempts and Prejudice to his Lordship's Dignity & Rights but also of such dangerous consequence, if not timely prevented, that they may hereafter bring a great Confusion in the Government & public Peace of this Province. Be it therefore enacted by the Lord Proprietary, with the assent and Approbation of the upper and Lower House of this Assembly & (1) All Purchases or Acquisitions whatsoever, of any lands, &c within this Province, made or to be made, from any Person whatsoever, not deriving at the same time a lawful title thereto, by, from, or under, His Lordship or his Heirs, under the Great Seal, shall be void & null. (2) It shall be lawful for his Lordship to enter upon, seize, possess and dispose of, any such Lands, &c. so purchased or acquired from any *Indian* or other, at his Will and Pleasure, unless such Purchaser, at the time of such Purchase or acquisition have some lawful Right or Title to such lands, by some grant from his Lordship, under the Great Seal.⁴

¹ Spotswood Letters, Virginia Hist. Soc., Vol. I, p. 126. ² Bacon: Laws of Maryland at Large, 1649. ³ Bancroft: Hist. of the U. S., Vol. I, p. 247. ⁴ Bacon: Laws of Maryland at Large.

Having thus sought to secure the Indians from too hasty loss of land, the same Assembly decreed that—

it was Felony of death (without forfeiture of Estate) to take, entice, surprise, transport or sell any Friend *Indian*; and a Penalty of 1,000 lb. Tobacco laid on such as should deliver any Gun or Ammunition to any Indian.¹

In 1650 the Indians were prohibited from going into Kent or Anne Arundel Counties without notice.² The internal difficulties in the colony made it difficult to maintain peace with the Indians, who saw their lands passing from them and their people pushed to one side. All the inhabitants of the colony were permitted to trade freely for pelts and other commodities, and export them, except corn; and the people cautioned not to provoke quarrels, or to go about "too weak in numbers, so as to provoke attack."³

In 1698 the Nanticoke Indians had their lands defined;⁴ but the demands of settlers were stronger than the laws, and the Assembly, in 1704, sought to protect the natives by prohibiting trespass and the cutting of timber upon Indian lands.⁵ In 1705 it became again necessary to threaten punishment for selling or transporting friendly Indians out of the province.⁶ This was a favorite method of getting rid of Indian neighbors in all the colonies, as it involved less risk than open warfare and effectually diminished the Indian population.

In 1711 the Nanticoke Indians were removed to a new reservation, to be theirs during their occupancy, and afterward to be disposed of at the direction of the General Assembly.⁷

During the Indian troubles of 1715, Art. XIV. of "An Act for the ordering and regulating of the Militia of the Province for the better defence and security thereof," provides:

For the better Encouragement of such soldiers as shall, in the time of War, adventure in the service of the country and in defence thereof against Indians and others, Be it Enacted by the Authority aforesaid, that the booty, prize, pillage, or plunder, or any Indian, or other seized, or taken prisoner, shall be by the the Commander-in-Chief bestowed on such officer, soldier, or soldiers taking or seizing the same.⁸

Two years later Indians, bond and free, were made incompetent to give evidence in court.⁹

In 1723 no Indian was permitted to lease his land for a longer term than seven years, and certain sales, if made when the Indians were sober, were confirmed.¹⁰ In 1741 the remnant of several Indian tribes were gathered upon a place called Indian Neck, the land to fall to the public when deserted by the Indians.¹¹ The Nottoways, having gone to the westward, returned to their old haunts and put up cabins, but they were considered as spies. In 1756 the Assembly directed the constable of hundreds annually to give a list of names, Indian and English, as well as the sex and age of all Indians belonging to every Indian town, to the clerk of the county, who should enter the same on his land

¹ Bacon: Laws of Maryland at Large, 1649.

² *Ibid.*, 1650.

³ *Ibid.*, 1676.

⁴ *Ibid.*, 1698.

⁵ *Ibid.*, 1704.

⁶ *Ibid.*, 1705.

⁷ *Ibid.*, 1711.

⁸ *Ibid.*, 1715.

⁹ *Ibid.*, 1717.

¹⁰ *Ibid.*, 1723.

¹¹ *Ibid.*, 1741.

records. A chief refusing to give the desired information was to be taken before a justice, and if he refused then to give the names was to be retained in prison until he gave such an account. Indians going from town to town were required to have a pass from a justice of the peace where such town lay; no charge to be made for the pass, which must contain Indian and English name, the town, and a personal description, and be signed by the county clerk, and bear the seal of the county. Any Indian discovered 10 miles from his town without such a pass was to be seized and committed. This did not apply to "the Ambassadors of the Six Nations going to the Governor."¹ This act was maintained in force during the French and Indian war.

A price was put upon Indian scalps, as the records show:

To paying any Inhabitant of this Province or Indian Allies for scalps of Indian Enemies, or Indian prisoners by them brought in, at £10 per scalp or prisoner.²

In 1763 money was still paid for scalps, and the magistrate was to receive the scalp, burn it, and then give a certificate to the man who had taken the scalp, and upon his presentation of this paper to the commissioners of loans he was to receive payment.³

This summary of laws relating to the Indians of Maryland reveals a similar state of feeling between the two races as existed in Virginia. The Indian's claims to his land were in a measure verbally respected by the law, but he was manœvered out of it, and the law evaded. The person of the Indian was liable to capture and slavery, and he was disqualified from civilized pursuits and remanded to hunting wolves and bringing pelts to the trader. Little or no effort was made for his education. During the seventeenth or eighteenth centuries we read of no schools being founded for the benefit of the natives.

MASSACHUSETTS.

The same distrust which awaited the English upon the shores of Virginia existed upon the coast of New England, and was bred of kindred experiences.⁴ Indians had been kidnapped and ruthlessly attacked and killed on the rivers and bays of Maine; and although few vessels had ever skirted Cape Cod still the reputation of the English had preceded the Pilgrims, who attempted to explore that region early in December, 1620, and they were assailed by a shower of arrows.⁵ It was fortunate for the emigrants who were forced to struggle to make a footing on the bleak coast in the midst of a New England winter that the Indian population in the immediate vicinity had been almost swept away by some pestilence a few years before.⁶ So that the weary explorers found graves and abandoned villages, rather than vigilant warriors to dispute possession of the land.⁷ It was in March following the landing of the Pilgrims at Plymouth that Samoset entered the little settlement, and

¹ Bacon: Laws of Maryland at Large, 1741.

² *Ibid.*, 1756.

³ *Ibid.*, 1763.

⁴ Bancroft: Hist. of the U. S., Vol. I, p. 270.

⁵ *Ibid.*, p. 312.

⁶ Mass. Hist. Coll.,

1st series, Vol. I, pp. 122, 148.

⁷ Bancroft: Hist. of the U. S., Vol. I, pp. 314-316.

in the English tongue exclaimed, "Welcome, Englishmen!" The friendship then begun proved of service and led to treaties with neighboring tribes.¹ Pleasant relations with the natives were threatened by the injustice of traders, but disaster was averted by the gallantry of Standish and the friendship of Indians.²

The charter granted by Charles I to the colony of Massachusetts Bay in March, 1629, declares:

And for the directing, ruling, and disposing of all other matters and things whereby our said people, inhabitants there, may be so religiously, peaceably, and civilly governed as their good life and orderly conversation may win and invite the natives of the country to the knowledge and obedience of the only true God and Saviour of mankind, and the Christian faith; which, in our royal intention, and the adventurers' free profession, is the principal end of this plantation.³

The first letter of instructions extant written by Governor Cradock, February 16, 1629, says:

And we trust you will not be unmindful of the main end of our plantation by endeavoring to bring the Indians to the knowledge of the gospel; which, that it may be speedier and better effected, the earnest desire of our whole company is that you have diligent and watchful eye on our own people, that they live unblamable and without reproof, and demean themselves justly and courteous towards [the Indians], thereby to draw them to affect our persons and consequently our religion; as also to endeavor to get some of their children to train up to reading, and consequently to religion whilst they are young; herein to young or old to omit no good opportunity to bring them out of that woeful state and condition they are now in.⁴

In the "First general letter of instructions of the governor and deputy of the New England Company to the governor and council for London's Plantation in the Massachusetts Bay, in New England," dated "Gravesend, 17th April, 1629," we find the following:

And for that the propagating of the gospel is the thing [we] do profess above all to be our aim in settling this plantation, we have been careful to make plentiful provision of godly ministers, by whose faithful preaching, godly conversation, and exemplary life, we trust, not only those of our own nation will be built up in the knowledge of God, but also the Indians may, in God's appointed time, be reduced to the obedience of the gospel of Christ.⁵

It is stated that the colony seal of Massachusetts was "An Indian erect, naked, an arrow in his right hand and a bow in his left hand; these words issuing in a scroll from his mouth: 'Come over and help us;' and in a round, *Sigillum Gub. et Societatis de Massachusetts-Bay in Nova Anglia.*"⁶

The relations between the various settlements and the Indians seems to have been harmonious in the main.⁷ The Rev. Mr. Higginson wrote in 1629: "They [the Indians] doe generally profess to like well our coming and planting here, partly because there is abundance of ground that they can not possess or make use of," and this was therefore the

¹ Bancroft: Hist. of the U. S., Vol. 1, pp. 316-318. ² *Ibid.*, pp. 318-319. ³ Records of Mass., I, 17. ⁴ *Ibid.*, 384. ⁵ *Ibid.*, 386. ⁶ Douglas: British Settlements in America, Vol. II, p. 298. London, 1760. ⁷ Bancroft: Hist. of the U. S., Vol. I, pp. 363, 364, 378.

means of relief in want and the English defense against Indian enemies. The writer goes on to say: "We neither fear them nor trust them. We use them kindly. They will come into our houses sometimes, half a dozen or half a score at a time, when we are at victuals, but will ask or take nothing but what we give them."¹

The irregularities and improper conduct of the traders received the attention of the General Court of the Colony of Massachusetts in 1629,² and the sale of fire-arms to Indians was prohibited the following year.³ In 1631 no Indian servant could be employed without a grant from the Court. The use of money in trade with the natives was at the same time prohibited.⁴ This provision forced the Indians to become diligent hunters in order to obtain the articles they had already learned to use and to need. The effect was to postpone any attempts at civilization. This regulation was repealed in 1646.⁵ In 1632 the Court appointed certain houses in every plantation that were to have the sole right to trade,⁶ and the penalty of death attached to the selling of ammunition to Indians.⁷

Drunkenness was introduced by white men and the "orchards brought cider."⁸ The Court decreed in 1633: "No man shall sell or give any strong water to an Indian."⁹ In the same year it was made unlawful for any one to purchase land of Indians without permission of the Court.

The following year the Court ordered certain persons living in Charlestown, whose swine had destroyed corn belonging to some Indians, to pay for the damage. This act seems to have been brought about by the intervention of Thomas Mayhew, who afterward became widely known for his work among the Indians at Martha's Vineyard and Nantucket.¹⁰

Friendly intercourse between the colonists and Indians evoked another question of importance, and we find that in 1634-'35 "The matter of intermarriage between English and Indians is referred to after consideration."¹¹ No official action regarding it appears to have been taken, and thus one means to cement friendship and open the way to Christianity and civilization was left untried. Of course the easy, unlawful relations between whites and Indians that were permitted, if not encouraged, in the French and Spanish, and in some of the Southern English, colonies never could have existed in Puritan New England.

In 1640 it was enacted that—

The English shall keep their cattle from destroying the Indians' corn, in any ground where they have a right to plant; and if any corn shall be destroyed for want of fencing or herding, the towns shall be liable to make satisfaction. * * * And the Indians are to be encouraged to help towards the fencing in of their own fields.¹²

¹ Mass. Hist. Coll., 1st series, Vol. I, p. 123. ² Records of Mass., Vol. I, p. 48.
³ *Ibid.*, p. 76. ⁴ *Ibid.*, p. 83. ⁵ *Ibid.*, Vol. II, p. 152. ⁶ *Ibid.*, Vol. I, p. 96.
⁷ *Ibid.*, p. 100. ⁸ Mass. Hist. Col., 1st Series, Vol. I, p. 151. ⁹ Records of Mass., Vol. I, p. 106. ¹⁰ *Ibid.*, p. 121. ¹¹ *Ibid.*, p. 140. ¹² *Ibid.*, p. 293.

From time to time the colonists were enjoined by the directors of the company in England to pay for all lands occupied by them when the Indians claimed ownership.¹

These and other provisions show a uniform desire to confirm the Indians in all their rights, and seem to have been so far successful that in 1643 two chiefs with their followers became voluntarily subject to the Massachusetts laws, promising to assist in maintaining the government and to be willing to be "instructed in the knowledge and worship of God."² From time to time, subsequently, most of the New England Indians professed submission and subjection to the colonial authorities; a fact that should be remembered when considering the severity with which the Indians were afterward treated.

On the occasion when five chiefs offered their submission a number of questions or propositions were propounded to them, which, with the answers they returned, are given as well to show the ideas of the essentials of Christian civilization held by our New England ancestors as to illustrate the views of the Indians themselves.

1. To worship the only true God, which made heaven and earth, and not to blaspheme Him.

Ans. We do desire to reverence the God of the English and to speak well of Him, because we see He doth better to the English than other gods do to others.

2. Not to swear falsely.

Ans. They say they know not what swearing is among them.

3. Not to do any unnecessary work on the Sabbath day, especially within the gates of Christian towns.

Ans. It is easy to them; they have not much to do on any day, and they can well take their ease on that day.

4. To honor their parents and all their superiors.

Ans. It is their custom to do so; for the inferiors to honor the superiors.

5. To kill no man without just cause and just authority.

Ans. This is good and they desire to do so.

6. To commit no unclean lust, as fornication, adultery, incest, rape, sodomy, buggery, or bestiality.

Ans. Though some time some of them do it, yet they count that naught,³ and do not allow it.

7. Not to steal.

Ans. They say to that as to the sixth query.

8. To suffer their children to learn to read God's word, that they may learn to know God aright and worship Him in His own way.

Ans. They say as opportunity will serve, and English live among them, they desire so to do.

9. That they should not be idle.

Ans. To this they consented, acknowledging it to be good.⁴

¹Records of Mass., Vol. I, p. 400. ²Ibid., Vol. II, p. 40. ³Vile. ⁴Records of Mass., Vol. II, pp. 55-56.

The custom of enslaving prisoners of war was the usual custom. Chief Justice Marshall says :

From the earliest times war has existed, and war confers rights in which all have acquiesced. Among the most enlightened nations of antiquity one of these was that the victor might enslave the vanquished. This, which was the usage of all, could not be pronounced repugnant to the law of nations, which is certainly to be tried by the test of general usage.¹

Slavery was also a mode of punishment for crime. Persons were permitted by English law to sell themselves; and it was also adjudged that infidels could be bought and sold as merchandise. Scruples, however, were felt against enslaving Christians.

In 1641 a statement of the laws for Massachusetts Colony was compiled in accordance with an order of the Court in 1638, and this compilation became known as the "Body of Liberties."² The ninety-first article declares :

There shall never be any Bond Slavery, Villinage, or Captivity amongst us, unless it be lawful Captives taken in just Wars, and such strangers as willingly sell themselves, or are sold to us. And these shall have all the liberties and Christian usages which the law of God established in Israel concerning such persons, doth morally require. This exempts none from servitude who shall be judged thereto by authority.³

Based on this law, it has been repeatedly held by the highest courts of Massachusetts that—

No child born here since 1641 was ever by law a slave. Single judges may have dropped language, at times, that might be capable of another construction; but that of the courts, when speaking authoritatively upon the point, has all been one way, that freedom was the child's birthright.⁴

The Indians who had become subject to the English appear to have paid regular taxes in the form of tribute. In September, 1655, we find, according to the records of the commissioners, that—

The Pequot Indian Tributaries came in to present their Wampam to the Commissioners desiring to give them orders both for settlement and comly demeanor of themselves, one towards another, as alsoe whoe should be their governor this next year.

The amount paid by the Pequots on this occasion was 301 fathoms, 1s. 6d.⁵

¹ 10 Wheat, Rep., 120. ² Palfrey: Hist. of New England, Vol. II, pp. 23-27.

³ Mass. Hist. Col., Vol. XXVIII, p. 231; Massachusetts and its Early History, Lowell Inst. Lectures, p. 201.

⁴ 4 Mass., 128, n.; 16 Mass., 75; 13 Mass., 552; 10 Cush., 410; Quincy Rep., 29, Gray's note; Massachusetts and its Early History, Lowell Inst. Lectures, p. 205.

⁵ Wampum was made a legal tender to the amount of forty shillings by the Massachusetts General Court in 1643, "the white at 8 a penny, the black at 4, excepting in payment of country rates."—*Holmes' Annals*, I, p. 271. A fathom or belt of wampum consisted of 360 beads, and its value fluctuated greatly from time to time. In 1640 the white was reckoned at four, and the black at two beads a penny; three years afterward it was worth but half as much. But it had been made legal tender to the amount of forty shillings, whereas in 1640 it was limited to one shilling.—*Sumner's History American Currency*, pp. 4, 8. Reckoning wampum at its value as fixed in 1643, the tax paid by the Pequots on this occasion amounted, if in black wampum, to £112 19s.; if in white, to £56 10s. 3d.

In 1644, the allied Indians being threatened by the Narragansets, the Court ordered ten Englishmen to build a strong palisaded house for the Indians and to guard them for a season.¹ These precautions having had the effect of deterring the southern Indians, the Court stated that if this labor seemed needless, such provisions should be made as seemed best for the Indians.² The Narragansets at the same time were bade to leave the vicinity of the allied Indians on pain of being treated as enemies.³

In the same year the Court record contains the following: "It is not fit to deprive the Indians of any lawful comfort which God alloweth to all men by the use of wine;" and it was therefore made lawful to sell wine to the Indians.⁴

In November, 1644, the General Court of Massachusetts "ordered that the county courts in this jurisdiction shall take care that the Indians in the several shires shall be civilized, and they shall have power to take order from time to time to have them instructed in the knowledge and worship of God." A year later the General Court, "being still mindful of its duty, doth endeavor as much as in it lies, that all means may be used to bring the natives to the knowledge of God and his ways, and to civilize them as rapidly as may be," and it called in the aid of the elders of the several shires and asked them to consider some plan to accomplish this desire, and report at the next session of the Court.⁵

All Indians subject to New England government were enjoined to attend service on Sunday,⁶ and no Indian was to be permitted to enter a town on Sunday except to attend meeting, and never to enter an Englishman's house without knocking, under penalty of punishment.⁷

The next year, therefore, we find that a law which had been enacted prohibiting the employment of Indian labor, except under a permit from the General Court, was repealed; that provision was made for having the laws interpreted to them; that it was ordered that two ministers should be appointed each year to preach to them through interpreters, and to improve their prospects of success something was to be allowed them by the General Court "to give away freely unto those Indians whom they shall perceive most willing and ready to be instructed by them;" and a committee was appointed to select and purchase lands "for the encouragement of the Indians to live in an orderly way amongst us,"⁸ from which it would appear that the Indians had no land of their own left in the vicinity of the English settlements.

The same year it was decided that though the Indians were not to be compelled to embrace the Christian religion, they were to be held amenable to punishment for a violation of the law against blasphemy, the penalty of which was death. It was also "ordered and decreed by this Court that no Indian shall at any time powow or perform outward wor-

¹ Records of Mass., Vol. II, p. 72. ² *Ibid.*, p. 74. ³ *Ibid.*, p. 112. ⁴ *Ibid.*, p. 85.
⁵ *Ibid.*, p. 134. ⁶ *Ibid.*, Vol. III, p. 7. ⁷ *Ibid.*, p. 6. ⁸ *Ibid.*, Vol. II, pp. 166, 178-179, Vol. III, pp. 56, 57, 85-100.

ship to their false gods, or to the devil, in any part of our jurisdiction, whether they be such as dwell here, or shall come hither. If any shall transgress the law, the powower to pay five pounds, the procurer five pounds, and every assistant countenancing by his presence or otherwise twenty shillings."¹

From this time the political condition of the Indians, as well as their relation to their white neighbors, became intimately connected with the labors of John Eliot and his co-workers. These men declared that it was "absolutely necessary to carry on civility with religion." Civilization, education, and religious training were closely interwoven in the history of the Indians of New England. Two points of legislation which had their influence upon the Indians' future, need to be cited:

First, in 1665 the Court declared that Indian lands shall not be sold or leased without the consent of the Court.²

Second, ten years later the methods of Indian trade were changed. Considering the "great abuse and scandal that hath arisen by the license of trading-houses with the Indians, whereby drunkenness and other crimes have been, as it were, sold unto them, all Indian trading-houses are to cease, and no sales to be made except in open shops where goods are sold to the English."³

In the preamble to the Articles of Union adopted by the colonies of Plymouth, Massachusetts, Connecticut, and New Haven, in May, 1643, forming the united colonies of New England, occurs the following passage: "Whereas we all came into these parts of America with the same end and aim, namely, to advance the kingdom of our Lord Jesus Christ."⁴

The articles provided for a commission to frame agreements to promote peace and prevent wars, and so arrange with regard to the Indians "that they neither grow insolent nor be injured without due satisfaction."⁵

Trumbull, in speaking of the benefits realized from the union of the New England colonies, remarks: "It was the grand source of mutual defense in Philip's war, and of the most eminent service in civilizing the Indians, and propagating the gospel among them."⁶ This union, which existed until the charters of the colonies were vacated in 1686, covered the period in which Eliot, Mayhew, and others labored with such zeal and success to christianize and civilize the Indians of New England.

Though difficulties had sometimes arisen between the whites and Indians in New England, they had not involved any considerable number of the latter, and had been easily composed until the outbreak of King Philip's War in 1675, so that the efforts to christianize and civilize the natives had proceeded without serious interruption. The terri-

¹ Records of Mass., Vol. II, pp. 176, 177. ² *Ibid.*, Vol. IV, Part 2, p. 282. ³ *Ibid.*, Vol. V, p. 63. ⁴ Winthrop: Hist. of Mass., Vol. II, p. 121; Mass. Hist. Coll., 1st series, Vol. I, p. 175. ⁵ Records of Mass., Vol. IV, Part 2, p. 473. ⁶ Hist. of Conn., I, 129; Holmes' Annals, I, 270.

ble effects of that war on the scattered New England settlements have often been portrayed, but its destructive influence on the efforts to elevate the Indians has not been so carefully estimated.

Mr. Gookin's narrative, entitled "An Historical Account of the Doings and Sufferings of the Christian Indians in New England, in the years 1675, 1676, and 1677, impartially drawn, by one well acquainted with that Affair," was written from his residence at Cambridge, December, 1677. It was found long after in private hands in England, and was given to the public by the American Antiquarian Society only in 1836. Mr. George E. Ellis says of this narrative:

Even at this late day and while the pangs which it cost the writer, and of which as borne by others it was the faithful record, have long been stilled in peace, it can not be read without a profound sympathy of sorrow. * * * The gentle, earnest truthfulness, the sweet forbearance, the passionless tone, and the full, minute, and well-authenticated matter of this record, draw to the writer our warmest respect and confidence. The substance of it is a matter-of-fact, detailed rehearsal of the jealousies, apprehensions, and severe measures on the part of the people and government of Massachusetts, in their dealing with the "Praying Indians" during the horrors and massacres of that exterminating war [King Philip's]. * * * Gookin and Eliot were fully persuaded, from their own knowledge, that the Indians under instruction were then sufficient in numbers, with constancy and sincerity for the emergency, if they had been judiciously managed, to have been most effective allies of the whites in that war, and that their settlements were in fact admirably adapted to be a wall of defense. * * * The darkest jealousies, which could not be reasoned with, popular panics, and bruited or whispered suspicions, had full sway. The word was, "We have been nourishing vipers." It was affirmed that, either by artifice, or threats, or promises of reward, Philip would sooner or later induce the converted Indians to make common cause with him as spies or traitors. This jealousy was natural, and is not to be wondered over. The magistrates seem to have tried to withstand it. Many of their first measures in dealing with it were considerate and forbearing, as they remonstrated with the popular excitement, and endeavored to restrain it, manifesting a true sympathy with the suspected and odious parties. But it was all in vain. Just enough cases also did occur, which, when aggravated by rumor and generalized upon, seemed to warrant suspicion and distrust of all the christianized Indians. Some few who had settlements in the towns, and a larger number of those who had never committed themselves directly to the experiment on trial in their behalf, slipped away into the woods. In three instances barns or outbuildings in exposed situations were set on fire, as was suspected and alleged, by Indians who had been under the kindly care of the whites. In no instance, however, was such a deed proved against any one of them, while there were mischievous and malignant strollers enough in those dismal days to have done many such acts, and worse ones. In the meantime several outrages and even murders were committed against the Indians by the exasperated whites, and the juries would not convict the offenders in the courts, though the magistrates faithfully instructed and urged them to do so. It would appear that, as the excitement and panic increased, something of the effect followed which had from the first been apprehended. * * * As day by day brought fresh alarms * * * the suspicions and animosities against the christianized Indians could no longer be held in check. Some indeed were ready to turn against them with the deadliest weapons. * * * The rooted race prejudice stirred the English blood. Their [the Indians'] occasional assumptions of equality, induced by their common Christian profession and observances, made the Indians offensive. Timid and thrifty persons dreaded the strolling or camping of a few of them in their neighborhood, as worse than Gypsies. The Indians observed and felt all these things, and it is not to be wondered at that they sometimes

gave the whites reason to dread their proximity. But there was no alternative to the removal of the Indians from their settlements. * * * Eliot and Gookin stood resolutely and most affectionately for the championship of the objects of their care. They had no distrust, no wavering in their love. They pleaded, remonstrated, and offered themselves to be sureties for the fidelity of the wretched and cowering converts. Gookin was confronted and insulted for his conduct in the case, and even Eliot was treated by some with reproaches and disdain. The courts were compelled to yield to the wishes of the panic-stricken whites.¹

The fate of the "Praying Indians" at Natick was less distressing than that which befell those in other towns where men, women, and children were killed while living quietly and pursuing their industries in their homes. None of these outrages committed by white people seem to have been punished by law, the juries failing to render a verdict against one guilty of the offence of killing Indians.

The story of the Natick Indians is briefly as follows: The town lay on the road from the west to the east; and through the little town one June day in 1675 passed Oneco, son of Uncas, with fifty Mohicans, on their way to Boston to join their British allies. As they passed they were joined by two Englishmen and some Natick Indians. Three months later, just as their crops were ripening, these Christian Indians were hurried off from their village home with a few movables, the sick and lame being taken in carts. They were brought to the site where the arsenal now stands in Watertown, Mass. There John Eliot and a few friends met them and sought to comfort them with prayer, being "deeply moved by their submissive patience." At midnight, October 30, the tide serving, they were shipped in three vessels to Deer Island, in Boston Harbor. Indians from other of the praying towns joined them later, until over five hundred were huddled upon the barren island. John Eliot, then seventy-two years old, visited them with Mr. Gookin, who writes: "I observed in all my visits to them that they carried themselves patiently, humbly, and piously, without murmuring or complaining against the English for their sufferings (which were not few), for they lived chiefly upon clams and shell-fish that they digged out of the sand at low water. The island was bleak and cold, and their wigwams poor and mean—their clothes few and thin. Some little corn they had of their own, which the Council ordered to be fetched from their plantations and conveyed to them by little and little."

Finally, as the war pressed harder and harder upon the colonists, the help of these persecuted Indians was reluctantly sought, and by their faithfulness they turned the tide of war and saved the English. It is stated that had it not been for the 3,000 "Praying Indians" of Massachusetts and Plymouth colonies, who were thus withdrawn from Philip's support, and many of them turned actively against him, there would hardly have remained a remnant of the white race upon the New England coast.

In the following year the exiles on Deer Island were permitted to return to their desolated homes. At Natick their mill was burned, their

¹The Red Man and the White Man, pp. 459-463. Boston, 1882.

fields and houses wasted. It was hard to rally them or to make them forget the unprovoked outrages and hard treatment put upon them merely because of their race. Prosperity can hardly be said to have ever returned to the Natick Indians.

"Daniel Takawampait was ordained November, 1681, ye first Indian minister," writes Judge Sewall, in his diary. The ordination of this Indian minister was John Eliot's legacy to his Natick flock. In 1691 the Indians petitioned the General Court for permission to sell a "nook of land" that they might pay the carpenter for a new church, their old one having "fallen down." This was granted, and their native preacher ministered to them until his death, in 1716.¹

In 1677 the General Court reduced the number of "praying towns" to four, and their inhabitants were forbidden to entertain strangers or to "travel with guns." Those who desired to remain with the settlers as servants could do so, but they must be instructed in the Christian religion until twenty-four years of age. Indians that had been captured and sold as slaves must be "trained in civility and religion."²

In 1681 the towns were reduced to three, and all the Indians in the Massachusetts colony were ordered to live within these limits under "pain of going to prison."³

Education.—Rev. John Eliot was born in Essex, England, in 1604; graduated at Cambridge, in 1623; and came to New England, in 1631. He accepted the pastorate of the First Church at Roxbury, in 1632, and continued his charge until his death in 1690. His attention and sym-

¹ Proceedings of the Hist. Nat. Hist. and Library Asso., South Natick, Mass.

² Records of Mass., Vol. V, p. 136.

³ *Ibid.*, p. 327. In 1721 a white minister came to labor among the Indians, and an old record says: "Great enthusiasm prevailed." A new meeting-house was built at the cost of 40 acres of land. That site was the same as the first one built, and the people, as they came and went on Sunday, "used to step across the ditch which surrounded the fort in Eliot's time." White families had gathered at Natick, and some of them lived on terms of friendship with the natives. Joshua Brand, a noted native physician, was near neighbor to Jonathan Carver, the father of six daughters. Betty, next to the youngest, was an energetic, executive, and kindly person, teaching school among her many doings. Her sayings and ballad singing, "keeping time on the treadle of her spinning-wheel," are part of the town traditions. Between the home of this cheery woman and the house of Joshua Brand was a "beaten path," made partly by "the children of the two families," that were "equally welcome in both houses."

These pleasant relations seem to have continued, for in 1753, when the new pastor, the Parson Lothrop, of Mrs. Stowe's "Oldtown Folks," built his house, the Indians brought elms on their shoulders and planted them about the new home as a testimonial of their regard.

Up to 1733 all the town officers were Indians; but as the white inhabitants increased white men served with the natives, and finally superseded them. In 1762 Natick was incorporated as an English town after having remained for one hundred and eleven years as an Indian reservation. The Indians gradually disappeared. In 1792 there remained but one full blood family. In October, 1846, at the celebration of the two hundredth anniversary of Eliot's first visit to the spot, a young girl of sixteen was present, the only lineal descendant of the Natick Indians known to the present inhabitants.

pathy were early drawn to the condition of the Indians, and plans for helping them occupied his mind. He began the study of the language of the tribes in his immediate vicinity, instructing those Indians who visited him, as well as he could, in the Christian doctrine. In his letters to the agent of the colony in England and to other persons he sought not only to arouse sympathy for the Indians, but to secure pecuniary aid to carry on the work of Christianization. This came later, but not until John Eliot and other laborers had proven the practicability of the work proposed.

One of the ablest of Eliot's coadjutors was Mr. Daniel Gookin, born in Kent, England, in 1602. Having secured a grant of land in Virginia he undertook "to transport a great multitude of people and cattle" thither, and arrived in 1631. He settled in Newport News. When the nonconformists were banished from Virginia in 1643, "divers Godly disposed persons came from thence to New England." Mr. Gookin arrived in 1644, and was that year admitted as a freeman of the colony. He lived in Boston, and afterward in Cambridge. He became commander-in-chief of the military of the colony, speaker of the House of Deputies in 1651, and was made superintendent of the Indians in Massachusetts in 1656. He continued to hold this office, which was magisterial in character, until his death in 1686.¹

The duties of the superintendent required Mr. Gookin "to make and execute good orders for keeping holy the Sabbath day; and that the people do attend the public worship of God; and that schools for the education of youth be settled and continued among them; and to provide that the Indian teachers and rulers have some small encouragement distributed among them, according to the people's ability, which is done out of the tenths of their yearly increase of all sorts of grain and pulse." He was also required to make and enforce orders "for promoting and practicing morality, civility, industry, and diligence in their particular callings; for idleness and improvidence are the Indians' great sins, and are a kind of second nature to them, which by good example and wholesome laws, gradually applied, with God's blessing, may be rooted out."

John Eliot gave as his reason for engaging in work for the Indians:

First. The glory of God in the conversion of some of these poor desolate souls.

Second. His compassion and ardent affection to them as of mankind in their great blindness and ignorance.

Third. And not the least to endeavor as far as in him lay the accomplishment and fulfilling of the covenant and promise the New England people had made to their King when he granted them their charter.²

That a man capable of so large a Christian feeling toward a race that was characterized as a "nation of wretches, whose whole religion was the most explicate sort of devil worship,"³ and proposing their elevation from motives of the broadest humanity and patriotism, should fail to meet

¹Archæologia Americana, Vol. II, p. 425. ²Mass. Hist. Coll., 1st series, Vol. I, p. 175.

³Magnalia, Vol. VII, p. 6.

a cordial response from the colonists, was not surprising. It has taken this nation two hundred and forty years to secure the legislation¹ that makes it possible to take up the work begun by John Eliot in the midst of the pioneer life of New England.

In October, 1646, John Eliot, accompanied by several friends, made a visit and preached to the Indians of Nonantum (East Newton),² a few miles from Roxbury, where he was kindly received by the natives and their chief Waban, a warm friend of the English, whose son was being educated in an English school at Dedham. One of the questions asked by the Indians after the sermon was whether God or Jesus Christ could understand prayers in the Indian language. Eliot's visits to the Indians were continued with such success that in December they offered all their children to be instructed by the English, and lamented their inability to pay anything for their education. Many of the Indians appear to have cut off their scalp-locks at this time, for one of the converts complained at the December meeting that the other Indians called the Christian Indians rogues for wearing their hair short like the English.

The General Court having set apart for their use a tract of land at Nonantum,³ he furnished them "by the public aid" with agricultural implements, and induced them to build ditches, walls, better wigwams, and to engage in husbandry and learn certain trades. Among the articles they carried to market for sale were brooms, staves, baskets, cranberries, and fish. The women learned to spin, and Eliot took it upon himself to see that they were supplied with spinning wheels. The Indians desired a form of civil government, and the General Court ordered that one or more of the magistrates appointed should hold a court quarterly⁴ and adjudicate all civil and criminal causes, not being capital, concerning the Indians only; and the sachems were empowered to bring any of their people before his court. They also held among themselves a monthly court for the trial of inferior causes. The executive officers of both courts were appointed by the sachems, and all fines collected were to be used for building school-houses or for other purposes of public benefit. At the same session (May 26, 1647) the Court passed the following order:

It is ordered that £10 be given Mr. Eliot as a gratuitie from this Court in respect of his paynes in instructing the Indians in the knowledge of God, & that order be taken that the £20 per annum by the Lady Ermin for yt purpose may be called for & employed accordingly.⁵

The next year an unknown gentleman in London sent to Eliot £10 to be expended in instructing the children in letters, and the latter, while remarking on the good it had done, laments the prospect of his being unable to keep the children in school for want of means. Considerable interest in behalf of the Indians was awakened in England; and in 1649

¹ Severalty act, signed February 8, 1887. ² Mass. Hist. Coll., 1st series, Vol. I, p. 168. ³ Records of Mass., Vol. III, p. 85. ⁴ *Ibid.*, p. 106. ⁵ *Ibid.*, Vol. II, p. 188.

Parliament instituted the corporation entitled "The President and Society for the Propagation of the Gospel in New England," and enacted that a general contribution should be made throughout England and Wales for its benefit. Though much opposition to the plan of converting the Indians was displayed, a considerable sum, yielding between five and six hundred pounds a year, was collected and the income properly expended. On the accession of Charles II in 1660 the enemies of the society endeavored to destroy it by persuading him that the charter, never having received the royal assent, was illegal, and inducing him to divert its revenues to the royal coffers. The friends of the society were on the alert and succeeded in getting the charter confirmed by Charles, an act that made possible the continuation of work by Eliot and others in behalf of the Indians.

The Indian titles to lands in Massachusetts had been generally alienated, and such improvements as the Indians made seem to have been at the mercy of the English, so that the General Court in October, 1652, took cognizance of the subject as follows:

* * * It is therefore ordered and enacted by this Court & the authority thereof, that what landes any of the Indians, within this jurisdiction, have by possession or improvement, by subdueing of the same, they have just right thereunto accordinge to that Gen: 1: 28, chap: 9: 1, Psa: 115, 16.

It was further provided that any Indians who became civilized might acquire land by allotment in the white settlements on the same terms as the English. It was also decreed that when "a competent number of Indians shall be capable of a township, upon their request unto the General Court they shall have grant of lands undisposed of for a plantation as the English have." "Any Indian unjustly put from his planting or fishing ground, upon their complaint or proof thereof, they shall have relief in any of the courts of justice amongst the English as the English have."¹

Under this ordinance the first town was established at Natick. Thither John Eliot took a small colony of Indians in 1651. Three wide streets were laid out, one on the south and two on the north side of the Charles River. An arched foot-bridge, resting upon wooden abutments weighted with stone, was thrown across the stream. The bridge was 80 feet long and 8 feet high, and proved to be a substantial structure. Separate lots were set off for each family, and each dwelling was to have a garden patch. Orchards were planted, clearings made, and fields cultivated, and all of these were inclosed by wooden or stone fences. The meeting-house was 50 feet long, 25 feet wide, and 12 feet high. It was built of squared timber, hewn by the Indians under the supervision of John Eliot, and carried on their shoulders from the forest to the building-site. All the work was done by Indian labor, except two days' service by an English carpenter. The house was two stories; the lower served as a school room on week days and as a place for worship on Sunday.

¹ Records of Mass., Vol. III, pp. 281-282.

The upper room was used by the Indians to store their pelts and other salable articles; one corner was partitioned off as the missionary's apartment. A circular palisade, flanked by a ditch, surrounded the meeting-house, making it a kind of fortress.¹

In 1652 the General Court set apart 4 square miles for the use of the town.²

The Corporation for the Propagation of the Gospel in Foreign Parts, in England, sent tools as well as books and money. The Indians, being now settled, were more anxious than before to imitate their English neighbors by living under civil and ecclesiastical laws. Eliot believed that all civil government and laws should be derived from the Scriptures alone, and he said of his Indians, "They shall be wholly governed by the Scriptures in all things, both in church and state; the Lord shall be their law-giver, the Lord shall be their judge, the Lord shall be their king, and unto that frame the Lord will bring all the world ere he hath done." The form of government chosen by the Indians under Eliot's influence was that proposed by Jethro to the Israelites. Accordingly they met together and chose one ruler of a hundred, two rulers of fifties, and ten rulers of tens.

In the schools and in the homes, industries were taught. The girls learned to spin and weave, and cleanliness was exacted in all the houses. The boys became carpenters, masons, and blacksmiths. Basket-weaving and the making of shingles and clapboards were carried on, the people having built a saw-mill in 1658, the third erected in America. The people became thrifty, and gathered about them horses, cattle, swine, and fowls. They were diligent and reverent in their attention to religious duties, attending the two services on Sunday and at other times during the week. A church with native members was not instituted until 1660. This delay, however, was occasioned by other causes than the lack of Christian converts.

It is a suggestive chapter to read the painstaking account of John Eliot's pleadings with the colonists to permit him to make this experiment of civilizing and Christianizing the Indians. It was by no means popular, and hardly approved. The money for the support of this mission work did not come from the colonists, but from friendly sympathizers in England. The people near at hand ridiculed his schemes and sought to thwart all measures for the protection of the Indians by contemptuous treatment and injustice in trade, while the magistrates hesitated to carry out beneficial enactments. In religious matters the English resented the recognition of a church composed of natives. It was deemed derogatory to English pride, self-respect, and the dignity of Puritan institutions, and as tending toward an equality not to be welcomed. The gentler counsels of John Eliot, however, finally prevailed, and the "assembled elders admitted the confessions" of the

¹Field-Day Proceedings, etc. Hist. Nat. Hist. and Library Society of South Natick, Mass., 1881, 1882, 1883. ²Records of Mass., Vol. III, p. 294.

Indians, and a native church was established at Natick nine years after its settlement.

Eliot wrote to England asking that physicians, well supplied with drugs and other appliances, might be sent to practice among the Indians. He also suggested that these gentlemen should lecture with the help of anatomy, "or skeleton." This plan was proposed as a means to break the power of the medicine-man over the ignorant. Eliot himself had "some thoughts," so he says, of reading medicine.

Once a week in the summer Eliot lectured on logic and theology to the natives at Natick (the first summer school in Massachusetts).

The Indians were encouraged to ask questions at the services held for religious teaching upon subjects that engaged their thoughts. Eliot said "they were fruitful in that way." A writer touching on this subject remarks wittily: "It was altogether natural that the Indians, being so positively told by those who seemed to have knowledge in the case that they were the natural bond subjects of Satan in life and death, and being generally treated by the English in conformity with this teaching, should be especially interested in learning all they could about their dark and spiritual adversary." The Indians asked, "If God made hell in one of the six days, why did he make hell before Adam sinned?" "Why do Englishmen so eagerly kill all snakes?" "Why does not God, having full power, kill the devil, that makes all men so bad?" And, again, "If God loves those who turn to him, why does he ever afflict them after they have turned to him?"

Eliot extended his labors to other bands of Indians living in Massachusetts with such success that there were in 1674 fourteen towns of Praying Indians in the colony,¹ seven of which had been settled a number of years and contained in all a permanent Indian population of about five hundred. At certain seasons this population was greatly increased by the temporary sojourn of Indians who led a more or less wandering life, and these occasions were improved by Eliot, who visited and preached to them.

At Wamesit (Tewksbury), about 20 miles from Boston, there were about fifteen families settled, but the population was largely increased during the fishing season, at which time Eliot sought "to spread the net of the Gospel to fish for their souls." We learn that "the ruler of this people is called Numphaw," and that "their teacher is called Samuel, son to the ruler, a young man of good parts, and can speak read, and write English and Indian competently. He is one of those that was bred up at school at the charge of the corporation for the Indians." Our author describes the fishery at this place as very pro-

¹Mass. Hist. Coll., 1st series, Vol. I, pp. 180-195.

The following towns occupy the sites of the "Indian praying towns": Natick, Stoughton, Grafton, Marlborough, Tewksbury, Littleton, Hopkinton, Dudley, North-east, Southeast, and Southwest Woodstock, Uxbridge, and Brookfield. There were nine other towns among the Nipmuck that dwelt near the Connecticut Valley, beside settlements and towns on Cape Cod and throughout Plymouth Colony. See p. 59.

ductive, and says that "the Indians, being well stored with horses at a low price, might furnish the market (Boston) fully, being at so small a distance."

These visits frequently took place at the time the court was being held by the colonial magistrate at the different Indian towns; and these occasions were sometimes a sort of market time, the Indians adjusting their trading in pelts, fish, and other articles. According to the decree of the General Court one or two ministers were present, and John Eliot was generally the companion of his friend, Mr. Daniel Gookin, superintendent and magistrate for the Indians.

The Indian towns were similarly organized, and the code of laws contained many practical lessons:

If any man be idle a week, or at most a fortnight, he shall pay 5s.

If any man shall beat his wife, his hands shall be tied behind him and he shall be carried to the place of justice to be severely punished.

Any young man, if not another's servant, and if unmarried, shall be compelled to set up a wigwam and plant for himself and not shift up and down in other wigwams.

If any woman shall not have her hair tied up, but hang loose or be cut as men's hair, she shall pay 5s.

All men that wear long locks shall pay 5s.

Immorality and indecent conduct were also subject to fine.¹

The New England Indian had acquired the appetite for strong drink, and while the rigorous prohibitory laws of the colonies repressed the traffic in rum to a great extent, so far as he was concerned, they did not prevent his making a substitute. Gookin says:

In this village [Nashobah (Littleton)], as well as on other old Indian plantations, they have orchards of apples, whereof they make cider, which some of them have not wisdom and grace to use for their comfort, but are prone to abuse unto drunkenness. And although the laws be strict to suppress this sin, and some of their own rulers are very careful and zealous in the execution of them, yet such is the madness and folly of man naturally, that he doth eagerly pursue after that which tendeth to his own destruction. I have often seriously considered what course to take to restrain this beastly sin of drunkenness among them, but hitherto cannot reach it. For if it were possible, as it is not, to prevent the English from selling them strong drink, yet they have a native liberty to plant orchards and sow grain, as barley and the like, of which they may and do make strong drink that doth inebriate them, so that nothing can overcome and conquer this exorbitancy but the sovereign grace of God in Christ, which is the only antidote to prevent and mortify the poison of sin.

A teacher, commonly an Indian, whose duty seems to have usually been rather that of a catechist than a school-master, was stationed at each town. Eliot's desire to maintain schools for the children was greatly hampered by a lack of competent teachers, the Indians usually not being sufficiently versed in letters, and few English being found with patience to learn the Indian language. Besides, money for their support was wanting. The English "Corporation for the Propagation of the Gospel in Foreign Parts," seconding Mr. Eliot's views, tried the plan of educating Indian and other youth for missionaries and teachers.

¹ Hist. of Grafton, pp. 20-21; also Mass. Hist. Coll., 3d series, Vol. IV, p. 20.

September 23, 1654, it was ordered that the two sons of Thomas Stanton (of Connecticut), who "have good skill in the Indian language," should be maintained and educated at Cambridge at the expense of the society, "for future service, to be helpful in teaching such Indian children as shall be taken into the college for that end."¹

It was agreed at the same time to change the plan of the building for the Indian college at Cambridge, so that it "exceed not thirty foot in length and twenty in breadth," and that the building should be finished as soon as possible, at the charge of the society.

The efforts to educate Indian youth for school-masters were measurably successful, but the attempt to give them a college training and fit them for the higher duties of the ministry appears to have failed. Notwithstanding the misfortunes of sickness and death that clouded the first attempts to endow the Indian youth with a higher education, their friends did not despair, and built at Cambridge the Indian college, a brick structure large enough to accommodate twenty pupils with lodgings and study-rooms, and costing three or four hundred pounds, which expense was borne by the society under whose direction it was built. It appears to have been little used for the purpose designed, "by reason of the death and failing of the Indian scholars. It hath hitherto been principally improved for to accommodate English scholars, and for placing and using a printing-press belonging to the college." Gookin, a fellow-laborer, of Eliot, writes of the college and of Eliot, as follows:

But besides his industry to provoke others, and his frequent travels and preaching among the Indians, he set up that great work of translating the bible into the Indian language; which the Honourable Corporation for propagating the gospel in New-England, residing in London, did greatly encourage, and out of the revenues belonging to that stock, which then was more considerable than now it is, did pay for the printing thereof. Besides, he framed and translated into the Indian language divers other books; as Indian catechisms, a grammar, primer, singing psalms, the Practice of Piety, Baxter's Call to the Unconverted, and other things; all which are printed at the charge of the Corporation stock.

Moreover he took great care, that schools should be planted among the praying Indians; and he taught some himself to read, that they might be capable to teach others; and by his procurement, some of the choice Indian youths were put to school with English schoolmasters, to learn both the English, Latin, and Greek tongues.

There was much cost out of the Corporation stock expended in this work, for fitting and preparing the Indian youth to be learned and able preachers unto their countrymen. Their diet, apparel, books, and schooling, was chargeable. In truth the design was prudent, noble, and good; but it proved ineffectual to the end proposed. For several of the said youth died, after they had been sundry years at learning, and made good proficiency therein. Others were disheartened and left learning, after they were almost ready for the college. And some returned to live among their countrymen; where some of them are improved for schoolmasters and teachers, unto which they are advantaged by their education. Some others of them have entered upon other callings: as one is a mariner; another, a carpenter; another

¹ The charter of Harvard College, Cambridge, Mass., states that one of its objects shall be "the Education of the English and Indian youth of this country in Knowledge and Godliness."

went for England with a gentleman, that lived sometimes at Cambridge in New-England, named Mr. Drake, which Indian, as I heard, died there not many months after his arrival.

I remember but only two of them all, that lived in the college at Cambridge; the one named Joel, the other Caleb; both natives of Martha's Vineyard. These two were hopeful young men, especially Joel being so ripe in learning, that he should, within a few months, have taken his first degree of bachelor of art in the college. He took a voyage to Martha's Vineyard to visit his father and kindred, a little before the commencement; but upon his return back in a vessel, with other passengers and mariners, suffered shipwreck upon the island of Nantucket; where the bark was found put on shore; and in all probability the people in it came on shore alive, but afterwards were murdered by some wicked Indians of that place; who, for lucre of the spoil in the vessel, which was laden with goods, thus cruelly destroyed the people in it; for which fault some of those Indians was convicted and executed afterwards. Thus perished our hopeful young prophet Joel. He was a good scholar and a pious man, as I judge. I knew him well; for he lived and was taught in the same town where I dwell. I observed him for several years, after he was grown to years of discretion, to be not only a diligent student, but an attentive hearer of God's word; diligently writing the sermons, and frequenting lectures; grave and sober in his conversation.

The other, called Caleb, not long after he took his degree of bachelor of art at Cambridge in New-England, died of a consumption at Charlestown, where he was placed by Mr. Thomas Danforth, who had inspection over him, under the care of a physician in order to his health; where he wanted not for the best means the country could afford, both of food and physick; but God denied the blessing, and put a period to his days.

Of this disease of the consumption sundry of those Indian youths died that were bred up to school among the English. The truth is, this disease is frequent among the Indians; and sundry die of it, that live not with the English. A hectick fever, issuing in a consumption, is a common and mortal disease among them. I know some have apprehended other causes of the mortality of these Indian scholars. Some have attributed it unto the great change upon their bodies, in respect of their diet, lodging, apparel, studies; so much different from what they were inured to among their own countrymen."¹

The chief cause of the failure of the Indian scholars seems to have been loss of health attending the sudden change of habits compelled by a course of study and a sedentary life, though the worthy writer quoted intimates that other reasons were held by many people. "Some conceived God was not pleased yet to make use of the Indians to preach the gospel, and that the time of the great harvest of their ingathering is not yet come, but will follow after the calling of the Jews. Others thought that this honour of their instruction and conversion will be continued with Englishmen." While there were those who thought that Satan "did use all his stratagems and endeavours to impede the spreading of the Christian faith."

But one Indian was ever graduated at Harvard College, though students of that race appear to have entered from time to time.² Presi-

¹ Mass. Hist. Coll., 1st series, Vol. I, pp. 172-173.

² At the time the Indian graduated the classics held rigid sway at Harvard, one of the early regulations of the college being that only Latin should be spoken on the college grounds. Latin, Greek, Hebrew, besides other studies, had to be mastered, and the acquisition of English was only the stepping-stone to the Indian who attempted to go through college.

dent Leverett gives an account in his diary, under date of March 20, 1714, of the effects of college discipline on Larnil, an Indian student who had been dismissed from college for some offense and afterwards restored. He died the following July. Leverett writes: "He was about twenty years old, an acute grammarian, an extraordinary Latin poet, and a good Greek one."¹

At an early period of his labors Eliot felt the necessity of placing books in the hands of the Indians, and he began the work of translation as soon as he had acquired a sufficient knowledge of the Indian language. His labors in this field are historical and need not be described at length here. Suffice it to say that from 1653, when his Indian catechism first appeared from the press at Cambridge, until 1689, when his translation of Shepard's *Sincere Convert* was published, he devoted all the time that could be spared from other duties and a considerable portion of his salary to this work. Thomas² gives a list of works written or translated by Eliot and published during this period of thirty-six years. It includes the two editions of the Bible, Baxter's *Call*, the *Indian Grammar*, the *Practice of Piety* and *Indian Primer* both of which passed through several editions.

The society sent a printing-press, type, etc., to America in 1653, it being found impracticable to print the books for the Indians in London, and paid all the expenses of printing the different works, except the sum contributed by Eliot from his salary towards the printing of the second edition of the Bible. Thomas³ estimates the cost of printing the first edition of the Bible (1,000 copies), 500 extra copies of the *New Testament*, an edition of *Baxter's Call to the Unconverted* (1,000 copies), the *Psalter* (500 copies), and two editions of the *Catechism*, at a little more than £1,200 sterling. There were printed 2,000 copies of the second edition of the Bible, towards the cost of which the society paid £900 sterling. An interesting circumstance connected with the printing of these Indian translations may be noted. An Indian youth whose father and brothers held civil and ecclesiastical offices among the *Praying Indians*, had been taught to read and write English at the Indian charity school in Cambridge; he afterwards served an apprenticeship with Green, the printer of the Indian books, and assisted as pressman in printing the first edition of the Bible. At the outbreak of *King Philip's War* in 1675 he absconded and joined the Indians against the English, but returned the next year. In 1680 he was employed by Green on the second edition of the *Indian Bible*, and Eliot in his correspondence with Boyle in 1682 says of him: "We have but one man, the Indian printer, that is able to compose the sheets and correct the press with understanding."⁴ In 1709 "James's name appears in connection with that of Bartholomew Green as printer on the title-page of the *Psalter in Indian and English*."

¹Leverett's *Diary*, p. 89. ²*Hist. of Printing*, Vol. I, pp. 63-74; *American Antiquarian Society*, 1874. ³*Hist. of Printing*, Vol. I, p. 57. ⁴*Life of John Eliot*, by Converse Francis; *Spark's American Biographies*, 1st series, p. 233.

The commissioners of the United Colonies were the New England managers of the English corporation for the propagation of the gospel in foreign parts, and their records show how the contributions were received and how they were used.

Goods for the use of the Indians and for those engaged in the work were shipped from time to time from England by the society. The invoices include cloth of various kinds, nails, axes, hoes, scythes and other agricultural tools and implements, type, paper, horn books, primers, ink-horns, spectacles, Bibles, etc.¹ They often directed purchases. For example, in September, 1655, they ordered that "a coat of about 3 yards of the coarsest cloth be made up and given to the Sagamore of Ag-gawam to Incurrage him to learn to know god and to exite other Indians to doe the like."

Some trouble was experienced by the society in England, because regular accounts of moneys and goods received and expended and of persons employed in the Indian service had not been transmitted by the commissioners, and in response to specific instructions the latter rendered their first detailed account in 1656, from which it appears they had received up to that time money, goods, etc., to the amount of £1,722 4s. 8d. sterling. At the same time they forwarded a note as to the persons employed and the amount paid each, from which we learn that there were eleven persons in the service whose yearly salaries amounted to £285. This account is as follows:

Mr. John Eliot	£50
Mr. Francis Eliot, his brother.....	30
Sosamam, Monequason, Job (three Indian interpreters and school-masters employed by Mr. Eliot)	30
Mr. Thomas Mayhew.....	50
Peter Forlger, employed by Mr. Mayhew.....	30
Hiacombs and Panuppaqua (employed by Mr. Mayhew as interpreters).....	20
Mr. Eliot and Mr. Mayhew to distribute to sick Indians	20
Mr. Weld for diet, and for teaching eight Indian boys and one girl.....	85
Clothing the said boys and girl, about.....	50
Diet, clothing, and teaching of John, the son of Tho. Stanton, who spake the Indian language well, to further him for the work, about.....	20
Mr. Abraham Person.....	15
Mr. Rawson, our agent, for his salary and wharf-house room.....	30

¹ One of these invoices, shipped in 1654, is as follows:

In good strong socorum.....	£ 40
" " dowlis	" 40
" canvice	" 50
" blew linnin and say	" 50
" good serge.....	" 40
" " strong carsye.....	" 100
" good cottens and penistones.....	" 60
" " shaggs and double bayes.....	" 30
" " maidstone blacke, browne, and fine cullered thrid.....	" 7
Five dozen of sythes and 3d, 6d, and 8d nailles to the value in all of about.....	" 30
In good gunpowder.....	" 80
" horn-bookes and in old common primmers	" 3

In another invoice £20 worth of "good brand cloth of a sadd couller" figure.

Besides what is usefully expended in gifts and gratuities to well-deserving Indians.

To Indian plantations in their beginning in stock of cattle and tools, etc., charges about buildings, meeting-houses, boats, and other accidental charges and expenses. The yearly value is uncertain.

The records of the commissioners for the years 1656-'64 and 1667 contain detailed accounts showing the amounts expended for the society in those years for supporting students in the college at Cambridge, and at preparatory schools; for salaries of missionaries and school-masters, and incomplete accounts of money paid out for other purposes. The several items for the ten years are as follows:

	£	s.	d.
Pay of missionaries and teachers	2,759	0	0
Board, clothing, and tuition of Indian pupils in the college and in preparatory schools	1,289	14	6
Medicines and medical attendance	75	18	9
Educating John Stanton for a missionary	156	1	5
Laying out and stocking new Indian towns	90	0	0
Mrs. Mayhew, widow of a missionary at Martha's Vineyard	74	0	0
Gratuities to deserving Indians	110	2	0
Holding courts and instructing the Indians in the laws, etc.	125	0	0
School books, stationery, ink horns, etc.	75	16	10
Board and clothing of Mr. Mayhew's son while at school	39	0	0
Type, printing paper, and ink	200	9	2
Printing and binding Bible, catechism, and other Indian books	764	1	8
Agricultural implements	15	0	0
Holding public meetings, interpreting, etc.	32	13	4
Clothing	9	8	6
Cards and wool, industrial school for women	12	13	4
Miscellaneous	18	0	0
Making a total of	5,829	17	6

The number of missionaries and teachers in these years averaged seventeen. After 1660 the majority appear to have been natives.

The amount above given, though large for the time and showing a liberal scale of expenditure, does not by any means show the total expenses of the society on account of Indian Christianization and civilization. It is impossible, after the lapse of two centuries, to make up a complete statement.

Besides the amount paid by the society, the missionaries, particularly Mr. Eliot, received considerable sums from friends of the Indians in old as well as in New England, which were devoted to the benefit of the Indians, but the amount thus given can not now be ascertained.

The society derived a considerable portion of its revenue from New England, where collections were regularly made in the churches for its benefit. Some years after the period of which we are now writing the collections for a single year (1718) amounted to £483, besides which there was an invested fund of eight hundred or a thousand pounds, the income of which was devoted to missionary work among the Indians.¹

¹ Neal: Hist. of New England, Chap. VI.

Notwithstanding the liberal remittances from England and other places, the needs of the work far exceeded the money received, and the lives of the missionaries illustrated self-denial in all its phases. Gookin, writing in 1674, says: "Yet there is always more occasion to disburse than there is money to be disbursed."

The work among the Indians in Plymouth Colony was carried on under the direction of Revs. Richard Bourne and John Cotton, and from the information furnished by them to Gookin in 1674¹ it appears that there were at that time a number of villages of Christian Indians. The former enumerates eight such communities, with a total population of 497 Praying Indians, of whom 142 could read in Indian, 9 in English, and 72 could write. There was one church, formed in 1670, which numbered 27 communicants, and there were 90 baptized persons. Eight Indian assistants were employed under Mr. Bourne's direction.

Mr. Cotton writes that he has not been long in the Indian work, but reports 40 Praying Indians at Katamet (in the present town of Sandwich), where he began to preach, of whom 10 could read in Indian. He says that "many more desire to learn to read the word; but there is very great want of Indian primers and Bibles." He also preached at a number of other places on Cape Cod, and where the courts were held, whither resorted "great multitudes of Indians from all parts of the colony."²

In accordance with the decree of the General Court Quachatasset, sachem of Manomet, in 1660 gave to the South Shore Indians all the territory afterwards known as the Mashpee Plantation. By the aid of Richard Bourne, their missionary, it was confirmed by the General Court in Plymouth in 1661, "to the said Indians to a perpetuity to them and their children, as that no part of their lands shall be granted or purchased by any English whatsoever, by the court's allowance, without the consent of all the Indians." In 1693 the General Court placed the Indians under the government of white commissioners, appointed by the Governor and Council, and in 1718 the Indians were deprived of the right to make any contract unless in the presence of two justices of the peace. They continued under this guardianship until 1760, when one Reuben Cognehew, a Mashpee Indian, undertook a mission to England, and in person presented to the King complaints against the measures of the colonial government toward the Indians. As a result, in 1763 the General Court passed an act incorporating the Indians and mulattoes of Mashpee with their lands there, into a district. This act empowered them annually to meet in the public meeting-house in said Mashpee, and to choose five overseers, two being Englishmen, and also gave them the management of their own affairs in town meeting.

¹ Mass. Hist. Coll., 1st series, Vol. I, pp. 196-199.

² Testimony as to the wisdom and faithfulness of the labors of John Eliot and those associated with him stands forth clearly in the history of the town of Mashpee, Barnstable County, Mass. Other evidence lies scattered not only throughout New England but in far western regions unknown to the workers for Indian civilization in the seventeenth century.

At the breaking out of the Revolution twenty-six men of the tribe enlisted in the first continental regiment raised in Barnstable County, and of that number but one survived.

In 1788 the charter act of 1763 was repealed, and the proprietors and inhabitants of Mashpee were deprived of all their civil rights, and put under the sole control of overseers, who were empowered to manage all the affairs, interests, and concerns of the inhabitants of the district; to let out their lands and tenements, control and regulate their bargains, contracts, and wages; to bind out their children without consent of parents; and to bind out to service for three years any adult proprietor or member who, in the judgment of the overseers, was a drunkard and idler, and to appropriate his earnings as they saw fit. From the decision of the overseers there was no appeal. After many earnest efforts on the part of the people of Mashpee to be restored to their rights, the district of Mashpee was re-established in 1834, subject, however, to the appointment of a commissioner by the Governor and Council, who was to act as moderator in the town meetings and to have a veto power.

In 1842 the Legislature passed an act dividing the Mashpee lands in lots of 60 acres, and patenting one of these to each male or female proprietor. This included the original Indian and mulatto proprietors and their descendants, together with those who had married a proprietor, and also persons of Indian blood whose parents, or ancestors, or who themselves had been resident for twenty years on the plantation.

This partition was made and adjusted in open meeting by commissioners. The sale of land was restricted to those living within the district. In 1853, in answer to a petition, the Legislature relieved them from the supervision of a commissioner, and a treasurer was appointed by the Governor and Council, whose sole duty was to keep and pay out the money of the district by the order of the selectmen. This was the only officer not chosen by the people.

In 1869 they were made citizens of Massachusetts, their common lands were afterwards surveyed and sold, and the money divided among them.

In 1870, by the request of the people, the Legislature passed an act abolishing the district of Mashpee and incorporating it into a town of the same name, and invested it with all the powers, privileges, rights, and immunities, and subject to all the duties and requisitions to which other towns are entitled and subject by the constitution and laws of the Commonwealth.¹

Thomas Mayhew and his son Thomas, having met with commercial disaster at Watertown, Mass., sold their effects and emigrated to Martha's Vineyard in 1642. They were the first settlers. The son, being a

¹ Acknowledgments are made to the researches of Mr. Watson F. Hammond, a native of the Mashpee tribe and a member of the Massachusetts Legislature in 1886. The Mashpee Indians now manage their own affairs in every particular, carry on trade, practice handicraft, and in the culture of the cranberry stand foremost in the State.

minister, applied himself to the study of the Indian tongue, and began to preach to the natives in 1648-'49, with satisfactory results.

In September, 1654, he was informed that certain allowances would be made him for carrying on the work there, in addition to the £40 for his personal services, as follows:

For a school-master and two assistants	£30 a year.
For relief of sick Indians	10 a year.
For building a church ¹ (in nails, glass, etc.).....	40
For building a boat	8

In September, 1654, an allowance of £40 each was paid to Messrs. Eliot and Mayhew for their services, and at the same time, the question of what proportion of cows and goats should be allowed for the new Indian towns, and certain other matters respecting payments to school-masters and interpreters, and for medicines furnished the sick, were referred to the Massachusetts commissioners.

In 1657 Mr. Thomas Mayhew, Jr., sailed for England, intending to make a visit to his old home, but the vessel was lost at sea. His father, who was less skilled in the language of the Indians, did not suffer the mission to die, but "struck in on his son's death."

In 1664 he reported two churches organized, and ten Indian preachers. The people were divided into seven jurisdictions, where meetings were held every Sunday. The heads of each jurisdiction were Christian Indians, and "all the families praying." "For schools, sometimes there are some, sometimes not. But many can read and write Indian, very few English, none to great purpose. Myself and my two grandsons can speak the language of the island, but my grandsons are not yet employed. John, the younger, doth teach the Indians and is like now to suppose to be encouraged by the commissioners. Matthew, my eldest grandchild, hath also preached, and I think when settled will begin."²

The Indians on Martha's Vineyard "plant English as well as Indian corn, spin and knit stockings, are diligent and poor."³

In 1674 on Nantucket there were three praying towns with 300 souls; one church, of which John Gibbs was the preacher.

In 1694 the population was 500; there were five assemblies of Praying Indians, two Congregational churches and one Baptist.⁴

The Indians of all the praying towns subsisted largely by agriculture. They also owned considerable numbers of cattle, horses, and swine. Many of them worked on the farms of their English neighbors. Efforts were made to induce all the Indians that could be reached to settle in towns, to be set apart for them, in order to prevent future

¹The Indians were expected to do the work, "as at Natick."

²Mass. Hist. Coll., 1st series, Vol. I, pp. 204-205.

³*Ibid.*, p. 206. In 1720 there were six small villages, and a population of 800 souls; each village had an Indian preacher. In 1764 Duke County had a population of 313, and the Indians began to intermarry with the negroes. In 1792 the population, pure and mixed, was 440.

⁴In 1763 there were 385 souls; a fever raged six months, and 222 died. In 1792 there were 20 souls.—Mass. Hist. Coll., 1 series, Vol. I, p. 207.

differences between the English and Indians as to the titles to land; and to secure permanent homes for the latter.

In 1653 Mr. Abram Pierson, of "Braynford, within New Haven jurisdiction," was paid "the summe of twelve pound towards his charge and paines in fiting himselfe to teach the Indians;" and the amount was increased to fifteen pounds the following year, besides five pounds "to be disposed of to such Indians as desire to be instructed in the knowledge of Christ."

Mr. Pierson at his death was succeeded by Mr. James Fitch, of Norwich, who began to work among the Mohegans. "They suffered great persecution, reproaches, revilings, and threatenings, especially in a private and clandestine manner, to destroy them." "For the settlement and encouragement of these Indians," Mr. Fitch writes, "I have given them of mine own lands and some that I had procured of our town above 300 acres of good improveable land, and made it secure to them and theirs as long as they go in the ways of God."¹

In 1676 it was said of the Indians in Rhode Island that they "are active, laborious, and ingenious," and that "more are employed at hard labours than any other Indian people or neighbors." In 1792 they numbered 500.²

Few Indians were known to live in the territory of New Hampshire, and none in Vermont, all having gone from there to Canada.

In Maine there were sixty Roman Catholic families on the Penobscot and thirty families on the Passamaquoddy; there was a chapel in each place.³

NEW YORK.

The amicable visit of Hudson in 1609 to the river now bearing his name resulted in a peaceable trade between the Dutch and the Indians. In 1615 a trading-post, containing within its stockade a truck house and building for the garrison, was completed on the site of the present city of Albany. A friendly trade grew up, and a treaty was ratified between the Dutch and the Five Nations, which, it is stated, was never broken by the former.⁴ In 1626 Peter Minuit purchased Manhattan Island for 60 guilders. This was the first land transaction between the Indians and the Dutch; other purchases followed.

The traffic in otters and beavers employed the Indians in the pursuit of the game as far as the St. Lawrence, "and the skiffs of the Dutch, in quest of furs, penetrated every bay and bosom and inlet from Narragansett to the Delaware."⁵ The sale of intoxicating liquors and the dishonest practices of the traders brought on bloody quarrels, the Indians being maddened by drink. The Indians plead against this trade, say-

¹ Mass. Hist. Coll., 1st series, Vol. I, p. 209. In 1774 there were 1,363 Indians between Norwich and New London. The Mohegans went with Mr. Sampson Occom to Oneida. ² Mass. Hist. Coll., 1st series, Vol. I, p. 210. ³ *Ibid.*, p. 211. ⁴ Bancroft: Hist. of the U. S., Vol. II, p. 276. ⁵ *Ibid.*, pp. 279-280.

ing, "You ought not to craze the young Indians with brandy. Your own people when drunk fight with knives and do foolish things."¹

The effect of "strong drink" upon the Indians is particularly disastrous. Those living in the east and north were ignorant of fermented liquors until the white people introduced them. These Indians, bred of a race unused to stimulants of that character, became as great a prey to the desire for the effects of liquor as when the white man's diseases swept the natives off by the hundred. The records of colonial and later times are full of protests and pleadings that this seductive enemy be kept from Indians, protests and prayers from the Indians, and from those who desired to elevate the race. The French, who traversed a wider range of country during the seventeenth and eighteenth centuries, carried the havoc more widely. The English settled among the tribes living on the coast, endeavored to restrain by law the selling of liquors to the Indians living within the colonies, with more or less success. Private interest and desire for gain tempted many to surreptitiously furnish the Indian with fire-water in spite of the statute-book.²

With regard to the dealings of the Dutch with the Indians Mr. Ellis remarks:³

A journal written in the Dutch province, at Albany, N. Y., soon after 1640, traces the beginnings of discordant relations with the neighboring Indians to the misdoings of the whites. The writer says that, instead of trading as a company and by system with the natives, each man set up for himself, roamed in the wilderness for free traffic, and was mastered by a jealous selfishness. They drew upon themselves contempt instead of respect from the Indians by overfamiliarity, admitting them to their cabins, feasting and trifling with them, and selling them guns, powder, and bullets. At least four hundred armed savages were then found between the Dutch settlements and Canada, and were thus placed at an unfair and mischievous advantage over other Indians. * * *

From 1640 to 1643 the war then raging between the Dutch and the Indians threatened to become general through the colonies. The traders up the Hudson had defied all the rigid prohibitions against the selling arms to the Indians, and the Mohawks, with their confederates on the river, nearly exterminated the settlers at Manhattan. Then the massacre of the Indians by the Dutch at Pavonia and Corlaer's Hook was attended by barbarous tortures, which rivaled in cruelty and horror even the savagery of the natives. Fearful devastation and terror followed. Two Indians were so shockingly tortured by the Dutch at Manhattan that even some squaws, as they looked on, cried "Shame!" Captain Underhill, leading the Dutch, massacred nearly seven hundred Indians near Greenwich and Stamford. It was estimated that sixteen hundred savages were killed in this war.

These wars finally broke the power of the Algonquins.

During the contentions between the New Netherlanders and the New England settlers the Five Nations remained faithful friends of the Dutch, saying, "With them we keep but one council fire. We are united by a covenant chain."⁴

¹ Bancroft: Hist. of the U. S., Vol. II, p. 289.

² The efforts put forth by the Jesuit missionaries to stay this traffic, and the opposition offered by traders, backed by the king and court interested in money-getting, is ably set forth by Mr. Parkman in his *Old Régime in Canada*.

³ Ellis: *The Red Man and the White Man*, pp. 343-344.

⁴ Bancroft: Hist. of the U. S., Vol. II, p. 311.

In 1664, upon the surrender of New Netherlands to the Duke of York, the Indians of that province became subject to the English rule.

The Five Nations played an active part in the history of the colonies during the seventeenth and eighteenth centuries. Their hereditary enemies, many of whom resided within the limits of the colonies to the south and east of them, were frequently warred against and the white settlers became more or less involved. The Senecas were particularly troublesome to the colonies to the southward, and the Mohawks spread desolation through the Connecticut Valley, their war parties sometimes penetrating to the towns near the coast. The complications between England and France increased the importance of the Iroquois group, and a history of them is largely the history of the contest of England for the possession of the territory claimed by France.

In 1664 a body of laws "collected out of the several laws now in force in His Majesty's American Colonies and Plantations," including the Massachusetts colony, was adopted for the Duke of York's province, afterwards a part of New York. Under the head of "Bond Slavery," there is a provision that "no *Christian* shall be kept in Bond Slavery, Villanage, or Captivity," except as therein stated, excluding from this exemption, agreeably to the prevailing notion of some of the English courts, all such as were *infidels* or *heathen*.¹

ROMAN CATHOLIC MISSIONS.

Florida.—In 1601 the Governor of Florida made an appeal for missionaries. The following year the bishop of Cuba visited the colony, and within a few years so many missionaries were sent thither that Florida was made a Franciscan province under the name of St. Helena. In 1612 twenty-three missionaries arrived; in 1613, eight; and in 1615, twelve more. "In less than two years they were established at the principal points, and numbered no less than twenty convents or residences in Florida."²

In 1638 the Appalaches attacked the Spaniards and were defeated. The prisoners were put to work on the fort and public buildings, and here the missionaries gained access to them, and through them to the villages of their tribe. Missions were also begun among the Creeks in west Florida and Georgia, and among the Cherokees, a chief of which tribe was baptized in 1643.³

In 1684 the Yamassees drove away the missionaries and joined the English, and the next year attacked and destroyed the Spanish mission of St. Catharine's.⁴ The Franciscans established convents on the Flint, and on the Appalachicola and other rivers in Florida.⁴

New Mexico.—In 1626 a memoir was addressed to the Spanish court by Father Benavides, of New Mexico, and twenty-seven stations re-

¹ N. Y. Hist. Coll., Vol. I, p. 322; Massachusetts and its early History, Lowell Inst. Lectures, p. 203. ² Shea: Catholic Missions, p. 71. ³ *Ibid.*, p. 72. ⁴ *Ibid.*, p. 73.

ported. Residences or convents were established at Saint Antonio or Senecu, Socorro, Pilabo, Sevilleta, Saint Francis, Isleta, and Acoma, among the Topiras, the Teoas, the Picuries, and at Zuñi, and churches built at Santa Fé, Pecos, Saint Joseph or Hemes, and the Queres; but before 1660 the Territory was abandoned.¹

In that year two missionaries returned and remained for two years, when the Indians, after stripping them naked, drove them out of their villages. The missionaries returned the next year and founded several missions. In 1680 all the Indians except three of San Juan de los Caballeros joined in a general insurrection, destroyed several of the stations, and killed a number of the missionaries. The Moquis and Navajoes also killed the missionaries who had ventured among them. "After a few years * * * the missions rose again, * * * but many churches were never rebuilt, for the new colonies were much harassed by the Apaches."²

California.—Three Carmelite friars accompanied Vizcaino's expedition to Upper California in 1601. At Monterey an altar was raised under an oak and services held, but no mission work was instituted.³

Maine.—In March, 1613, French missionaries landed on Mount Desert Island, and buildings were erected. During that year the English under Argall captured the post and took the priest prisoner.⁴ In 1646 a mission was begun by the Jesuits on the Kennebec River, among the Abnakis. A chapel was built a few miles above the English trading-post of Norridgewock, and with the exception of a hiatus between 1656 and 1688 the mission continued throughout the seventeenth century. During the period the Abnakis were without a priest a number were induced to emigrate to Canada, and finally settled in the village of Saint Francis, where their descendants still live. A portion, however, remained and were ministered to by Father Sebastian Rale, who compiled a dictionary of the Abnakis language. These Indians were allies of the French and became involved in the wars of the period, taking part against the English. The mission was for a time broken up amid scenes of disaster, and many of the survivors joined their relatives at Saint Francis, Canada. The missions on the Penobscot and Saint John's remained for a time longer.⁵

Michigan and the Lakes.—The war between the Hurons and the Five Nations resulted disastrously to the former. About 1650 a number of Hurons were received into the Seneca tribe in New York. Another band of Hurons, the Tionontates or Tobacco Nation (at present known as the Wyandottes), driven northward, formed an alliance with the Ottawas, and settled, first at Michilimackinac, next near Green Bay, Wis.; moving to the Mississippi they met the Dakotas, who drove them back

¹ Shea: Catholic Missions, pp. 80, 81, 82. ² *Ibid.*, p. 82. ³ *Ibid.*, p. 88. ⁴ Parkman: Pioneers of France in the New World, pp. 274-280; Shea: Catholic Missions, pp. 132, 133; Holmes: Annals of America, Vol. I, pp. 143-144. ⁵ Shea: Catholic Missions, pp. 136-152.

to Lake Superior near the present town of Bayfield. The Dakotas still harassed them, and about the year 1671 they again returned to Michilimackinac, from whence they removed to Detroit and Sandusky. During the period from 1615 to the present century they were ministered to from time to time by Jesuit missionaries.¹

Father Brébeuf, a missionary to the Huron tribes from 1626 to 1629 and from 1634 to 1649, suffered torture and death at the hands of those Indians in March, 1649. He was the first Huron scholar, and wrote a catechism in the language of the tribe, published in 1632, and a grammar which has never been published.²

Father Ménard began his labors among the Ottawas on Lake Superior in 1660. Five years later Father Allouéz started his mission at La Pointe, Lake Superior, and preached to Ottawas, Pottawottamies, Sacs and Foxes, Winnebagoes, Kickapoos, Miamis, and Illinois. He was succeeded by Dablon. Druilletes and André were added to the work, and missions at Green Bay and Sault Ste. Marie were begun. In 1672 Marquette set out with Joliet on his voyage of exploration of the Mississippi. Galinée, a Sulpitian missionary, who visited the mission in 1670, remarks, that though the Jesuits had baptized a few Indians at the Sault, not one of them was a good enough Christian to receive the eucharist; and he intimates that the case, by their own showing, was still worse at their mission of Saint Esprit.³

The coming of La Salle and the Récollets brought dissension and jealousy; the French were at war with the Iroquois of New York, and called on their Algonquin allies for help, and the Ottawas sent warriors in 1677, accompanied by Father Enjalran, to aid Denonville against the Senecas. The Coureurs de Bois roamed through the country corrupting the Indians, with whom they vied in heathenism, and the soldiery added their demoralizing influences at the military posts which had been established, so that although Allouéz, Albanel, De Carheil, and their associates continued to labor, their influence gradually waned, and at the close of the seventeenth century the missions among the Ottawas and their kindred tribes were practically extinguished.

The Récollet friars who accompanied La Salle were Hennepin, the aged Ribourde, and Membré.⁴ Hennepin was sent by La Salle to explore the Upper Mississippi. He fell into the hands of the Dakotas, among whom he remained until rescued by Du Lhut in the autumn of 1680. Hennepin does not appear to have attempted missionary work among them, unless his baptism of a sick child may be so called. The child presently died, "which," he writes, "gave me great joy and satisfaction."⁵

In 1680 five hundred Iroquois warriors invaded the country of the Illinois, and the two missionaries, with the remnant of La Salle's colony,

¹Shea: Catholic Missions, pp. 195-204. ²*Ibid.*, p. 190 and note. ³Parkman: Discovery of the Great West, p. 18. ⁴Shea: Catholic Missions, p. 411. ⁵Parkman: Discovery of the Great West, p. 243.

were compelled to flee. Ribourde was killed by Kickapoo warriors and thus ended the Récollet mission.

Allouez spent from 1681 to 1687 among the Illinois, Gravier from 1687 to the end of the century, and Rale 1691 and 1692. Gravier met with some success among the Kaskaskias. A woman married to a Frenchman named Acau was converted, and through her influence the missionary gained the confidence of the Indians.¹

When La Salle descended the Mississippi in 1682 he was accompanied by the Récollet friar Membré, who met his death in Texas. A year later Tonty, La Salle's lieutenant, having received a large grant of land on the Arkansas River, deeded to Father Dablon, superior of the Canada mission, a tract of land for the support of a missionary. "This mission was to begin in November, 1690, and the missionary was, among other things, to build two chapels, raise a cross 15 feet high, minister to whites and Indians, and say a mass for Tonty on his feast, St. Henry's day."² No record remains of this mission.

In 1699 the Jesuits, Montigny and Davion, descended the Mississippi and began their labors among the Taenzas and the Tonicas on the Yazoo.³

New York.—Father Jogues, who was taken captive by the Mohawks in 1642, began to teach them Christianity. He was, however, tortured and mutilated, but laid the foundation of the Iroquois Jesuit mission.⁴ The Dutch at Fort Orange (Albany) assisted Father Jogues to escape, and he reached France in January, 1644, by the help of Governor Kieft. He returned to Canada in the spring of the same year, and met his death from a Mohawk two years later.⁵ No further missionary efforts were made among the Iroquois until 1653,⁶ when Le Moyne visited them, and was followed the next year by two missionaries from Quebec, accompanied by a dozen Iroquois converts.

The Indians insisted upon a permanent French colony at Onondaga, and accordingly in 1656 an officer, ten soldiers, thirty or forty colonists, four Jesuit priests, and two lay brothers arrived at Onondaga, where a fort and chapel were soon built. From this point the Cayugas, Senecas, and Oneidas were visited by the missionaries.

The ulterior object of the Onondagas seems to have been to gain possession of the Hurons, who six years before had taken refuge under the walls of Quebec. This object accomplished, they determined to destroy the colony. Their plot was revealed, and early in 1657 the colony was secretly abandoned, the people narrowly escaping with their lives.⁷

After the close of the war in 1667 the Jesuits again entered the field, and within a year established missions among the Mohawks, Oneidas, Onondagas, Cayugas, and Senecas. Hostilities being again renewed, the field was abandoned about 1685, and Jesuit missions among the Iroquois of New York were never re-established.

¹ Shea: Catholic Missions, p. 419. ² *Ibid.*, p. 439. ³ *Ibid.*, p. 440. ⁴ *Ibid.*, p. 207. ⁵ *Ibid.*, p. 217. ⁶ *Ibid.*, p. 220. ⁷ *Ibid.*, p. 329.

The number of baptisms reported by the Jesuits in the eight years between 1668 and 1677 was 2,221.¹ A large portion were of the dying or infants, "the mothers readily presenting their children when sick; so that here, and we may say everywhere, the number of baptisms is no criterion of the success of the mission."²

From 1650 the Jesuits labored to induce their Iroquois converts to abandon their homes in New York and emigrate to Canada. This enterprise was fostered by the civil and military authorities of Canada in the seventeenth century. Many belonging to the Iroquois tribes settled north of the St. Lawrence, where they were taught by the Jesuits, in the vicinity of Montreal by the Sulpitians, and at Quinté by the Récollets.

Near Montreal an Indian school was established about the year 1676; "the boys, * * * twenty-three from the first, learned to read, write, and chant, as well as various trades; the girls to read, write, sew, knit; and the government, which took a deep interest in the mission, sent out women to teach them to spin, knit, and embroider."³

The granddaughter of a Huron convert entered the school and finally was "made school-mistress, a post which she filled to the age of twenty-seven."⁴

A school was begun at Quebec in 1668, with eight French and six Indian pupils, in the old house of Madame Couillard; but so far as the Indians were concerned it was a failure.⁵

Within the present limits of the United States the Jesuit missionaries did not establish any schools in the seventeenth century. "The missionaries began their instructions in religion at once; they did not seek to teach the Indians to read and write as an indispensable prelude to Christianity."⁶

One hindrance to the success of the missionaries, and for which they were themselves measurably responsible, was the perennial state of warfare that existed between the different Indian tribes and between the French and their Indian allies on the one side, and the Iroquois and English on the other. Caring much for the soul, little or nothing for the body, the Jesuits seldom tried to mitigate the horrors of savage warfare in the seventeenth century; indeed, they sometimes instigated their savage converts and allies to cruelty. Such was the case at Michilimackinac in 1690, when the Jesuits insisted that an Iroquois prisoner in the hands of their Huron allies should be put "into the kettle," *i. e.*, burned, though the captors desired to spare his life.⁷ At Quebec, in 1692, when Frontenac ordered two Iroquois captives to be burned, "one stabbed himself in prison; the other was tortured by the Christian Hurons on Cape Diamond, defying them to the last."⁸ After the futile attack on Wells, Me., by the Canadians and the Christian Indians

¹ Shea: Catholic Missions, p. 293. ² *Ibid.*, p. 288. ³ *Ibid.*, p. 310. ⁴ *Ibid.*, 311.

⁵ Parkman: Old Régime in Canada, p. 162. ⁶ Shea: Catholic Missions, p. 300.

⁷ Parkman: Frontenac and New France, p. 205. ⁸ *Ibid.*, p. 300.

in the same year, Villebon, the governor, gave his savage allies a prisoner to burn. "They put him to death with all their ingenuity of torture."¹

The Abenaki chief Bomaseen, when a prisoner at Boston in 1696, declared that they [the French missionaries] told the Indians that Jesus Christ was a Frenchman and his mother, the Virgin, a French lady; that the English had murdered him, and that the best way to gain his favor was to revenge his death. * * * They [the priests of the mission villages] avoided all that might impair the warlike spirit of the neophyte, and they were well aware that in savages the warlike spirit is mainly dependent on native ferocity. They taught temperance, conjugal fidelity, devotion to the rights of their religion, and submission to the priest; but they left the savage a savage still. In spite of the remonstrances of the civil authorities, the mission Indian was separated as far as possible from intercourse with the French, and discouraged from learning the French tongue. He wore a crucifix, hung wampum on the shrine of the Virgin, told his beads, prayed three times a day, knelt for hours before the Host, invoked the saints, and confessed to the priest; but, with rare exceptions, he murdered, scalped, and tortured like his heathen countrymen.²

The Indian captors of Hannah Dustan knocked out the brains of her week-old infant against a tree, but every morning and night in camp they regularly told their beads and said their prayers, as instructed by the priests.³

Parkman, in *The Old Régime in Canada*, relates an incident that took place at Québec in 1660. A Wolf (Mohegan) prisoner was burned at the stake; the Jesuits could, if they desired, have saved him:

The truth was, they did not care to prevent the tortures of prisoners of war, not solely out of that spirit of compliance with the savage humor of Indian allies which stains so often the pages of French American history, but also, and perhaps chiefly, from motives purely religious. Torture, in their eyes, seems to have been a blessing in disguise. They thought it good for the soul, and in case of obstinacy the surest way of salvation. "We have very rarely indeed," writes one to them, "seen the burning of an Iroquois without feeling sure that he was on the path to Paradise; and we never knew one of them to be surely on the path to Paradise without seeing him pass through this fiery punishment." So they let the Wolf burn; but first having instructed him, after their fashion, they baptized him, and his savage soul flew to heaven out of the fire. "Is it not," pursues the same writer, "a marvel to see a Wolf changed at one stroke into a lamb, and enter into the fold of Christ, which he came to ravage?"⁴

¹ Parkman: *Frontenac and New France*, p. 356. ² *Ibid.*, pp. 376-377. See also Mather's *Magnalia*, II, 629, and Dummer's *Memorial*, *Mass. Hist. Coll.*, 3rd series, I, 233. ³ Mather's *Magnalia*, II, 635. ⁴ Parkman quotes the Jesuit Relation of 1660.

CHAPTER III.

THE EIGHTEENTH CENTURY.

The civil status of the Indian suffered little change during the first three-quarters of the century. The wars incident to the contentions and rivalries between England, France, and Spain brought no benefits to the Indian tribes. These were tossed upon the bayonets of the contending parties, courted as allies, used as scourges, and at all times disdained as equals. The hunting grounds of the Indians nearest to the settlements became more and more occupied by plantations and towns, and the Indians were forced by the farmer and the trader to fall back further and further. This threw Indians who had become possessed of habits modified by contact with the whites upon the tribes still living in their ancient manner, and bred new tribal jealousies. The history of individual Indians who accepted the Christian doctrine of peace and good will, the result of the teachings of Wheelock, Brainard, and others, gives proof of the capacity of the Indian for education and Christian civilization. Their history also shows that the failure to have these teachings accepted by the entire tribe is due to the persecution of the white people, moved by the kindling of race prejudice or by the greed for gain. The Indian has tried; we have continually thwarted his efforts and made them abortive.

VIRGINIA.

To more effectually isolate the Indian from the white population, the Assembly enacted in March, 1702, and repeated the enactment in 1705, that Indians should not be allowed to hunt or range upon patented lands;¹ neither should any Indian hold an office in the county,² nor be a capable witness;³ and the more effectually to remove him from any of the legal privileges of the white race, the child of an Indian was to be deemed a mulatto.⁴ During this year, 1705, Indians, together with other slaves held in the Dominion, were declared to be real estate and not chattles, to descend to heirs, and also to be liable to be taken in execution for payment of debts.⁵ A slave's conversion to Christianity, it was decreed, would not alter the condition of servitude.⁶

The difficulties in North Carolina made the Tuscarora Indians particularly unwelcome neighbors, and the Assembly sought to exclude them

¹ Hening: Statutes of Virginia, Vol. III, p. 224. ² *Ibid.*, p. 251. ³ *Ibid.*, p. 298.
⁴ *Ibid.*, p. 252. ⁵ *Ibid.*, p. 333. ⁶ *Ibid.*, p. 447

from the colony by making it unlawful to employ one of this tribe who was not a slave, or, in fact, any free Indian to hunt game, except the Pamunkey, Chickahominy, or Eastern Shore Indians.¹ During the same session it was decreed that it was not lawful for any Indian to barter, sell, or devise land laid out for them by the peace of May 29, 1677, and all such bargains were declared void; nor could any one lease or occupy Indian land, under penalties, or settle within 3 miles of an Indian village; but if the Indian town were on one side of a river and the English settlement on the other, the river was to be a sufficient boundary between the two. Any injury done to a tributary Indian was to be punished as though the offense had been committed upon an Englishman. On the other hand, tributary Indians were permitted to go unarmed upon land belonging to the English to gather such roots and oysters as were not needed by the settler. Tributary Indians were to give notice of the approach of strange Indians, and should they need aid the militia were ordered to render it. In return, the tributary Indians were to march with the English against strange Indians. Free trade was permitted with all Indians, but no liquor was to be sold on Indian land. "If any person discovers a town or nation of Indians west of the Appalachian Mountains it shall be lawful for the governor and council to grant sole liberty to trade with said Indians for fourteen years, and such discoverers may have a charter of corporation with liberty and privilege."²

In less than ten years Virginia traders were said to have their "chiefest traffique some four or five hundred miles to the south-west, among Indians whose names are scarce known to any but the traders."³

The exploration of the Neuse River by De Graffenried and Lawson, in September, 1711, in order to ascertain its navigability and the fitness of the region for the occupation of the German colony, gave fresh umbrage to the already irritated Tuscaroras.⁴ A party of Indians captured the two men, and soon spread havoc among the settlers nearer the coast.⁵ North Carolina had been involved in party troubles, and the various leaders used what means were possible to assert the claims of their respective parties. One is said to have sought help from the Indians, the young men agreeing to render the desired aid, but the elder Indians refusing to take any part in the affair.⁶ On learning of the capture of De Graffenried and the warfare upon the settlers, Governor Spotswood sent out detachments of militia to prevent the tributary Indians of Virginia from being drawn into the fray, and he also dispatched messengers to the Tuscaroras to meet him on the border of the Dominion, that they might make a treaty.⁷ With the assembled soldiery of three counties, amounting to upwards of six hundred men, the governor met the deputies of those towns among the Tuscaroras which refused to

¹Hening: Statutes of Virginia, p. 343. ²*Ibid.*, pp. 464-469. ³Spotswood Letters, Vol. I, p. 167. ⁴Bancroft: Hist. of the U. S., Vol. III, p. 319. ⁵Spotswood Letters, Vol. I, p. 116. ⁶*Ibid.*, p. 96. ⁷*Ibid.*, p. 117.

take part in the war, and proposed that they should deliver "two Children of the great men of each town, to remain as Hostages, and to be educated at our College." But as these deputies had no authority to conclude these arrangements they agreed to inform their nation and return answer by November 20.¹ Meanwhile the Assembly passed the following act for the protection of the frontier by appointing rangers and defining their duties: If the "rangers" shall see any Indian whatsoever and endeavor to seize him, they shall, if they see cause, convey him before a justice of the peace, who may commit him to the sheriff, and he to the lieutenant-governor or commandant of the Dominion, the justice to certify the cause. If the Indians so arrested belong to any nation at war with the English, they shall be transported and sold for the benefit of the rangers. If any Indian seen shall attempt to run away, he may be killed, and the person killing him incur no penalty. Any person capturing an Indian who has attacked a white person shall receive £20 reward, or in case the Indian has been killed owing to resistance, he shall receive a like amount. Rangers to be exempt from parish levies during service, and this act to be in force one year.² The Assembly of the next year continued the act for another year. The tributary Indians, as well as the Tuscaroras, agreed to give their children as hostages, but owing to sickness and bad weather the Tuscarora deputies were detained a few days beyond the date agreed upon, and the Assembly, upon a representation from Carolina, requested the governor to declare war upon the Tuscaroras. Governor Spotswood writes to the board of trade:

So violent an humour prevail amongst them [the Assembly] for extirpating all the Indians without distinction of Friends or Enemys, that even a project I laid before them for assisting the College to support the charge of those Hostages has been thrown aside without allowing it a debate in their House, tho' it was proposed on such a foot as would not have cost the country one farthing.³

The governor seems to have met with something more than indifference from the Assembly, in his plans for securing the friendship and co-operation of these Indians, who not only gave up their children as sureties of good faith but secured the liberation of De Graffenried, and offered to assist in fighting those Indians who had risen against the English. The Assembly voted £20,000 to carry on a war against all the Tuscaroras, even after the treaty "entered into at the instance of their own house" was laid before them; the governor, however, refused to declare the war.⁴ Some gentlemen voluntarily offered to advance money on the credit of the revenue to make good the treaty with the Tuscaroras.⁵

In 1712 there were "nine nations" of Indians tributary to Virginia. The Pamunkeys, Chickahominies, Nansemonds, Nottoways, Maherins, Sapons, Stukanocks, Occoneechees, and Totteros, some seven hundred in all. These lived quietly in entire subjection to the government, traf-

¹ Spotswood Letters, Vol. I., p. 121. ² Hening: Statutes of Virginia, Vol. IV., p. 10.
³ Spotswood Letters, Vol. I., p. 130. ⁴ *Ibid.*, pp. 130, 131, 134, 135, 144. ⁵ *Ibid.*, pp. 141, 145.

ficking pelts for clothing, arms, and ammunition. Trade was also held with the neighboring Tuscaroras, who were said to have two thousand fighting men.¹ The same authority gives the number fit to bear arms and free men in the Dominion at twelve thousand and fifty one.²

Difficulties with the Indians increased. Allies from the southern tribes of Cherokees, Creeks, Catawbias, and Yamassies joined the forces of South Carolina, and came to the aid of the North Carolinians who were battling with the Tuscaroras, now assisted by the Senecas of the Five Nations of New York. The dissensions in the colony prevented any unity of action, and a hasty peace was concluded, and as soon broken by the returning South Carolina troops. These fell upon Indian towns protected by the treaty, and many persons were carried off as captives. This treachery brought on fresh attacks from the outraged Indians, who fell indiscriminately upon the settlers and tributary Indians of Virginia, the peaceful Nottoways losing five of their number in a single day. Finally a battle took place on the Neuse that ended disastrously to the Tuscaroras. The many captives taken were sold as slaves, and the power of the Indians of North Carolina was broken; the hostile portion of the Tuscaroras left the country about 1714, and joined the Iroquois of New York, forming the Sixth Nation of that league.³

The desire of the French and the various colonies to control the Indian trade had much to do with fomenting these and other wars. The possession of the great Mississippi Valley was almost literally being fought for by individual and enterprising traders, prior to the time that this wide region of country came to play a public part in the politics of foreign nations. Virginia traders had penetrated so far westward that "they must travel fifteen hundred miles to come at their most considerable" nations.⁴ The long journeys made by the traders, and the risk they frequently ran of losing their goods from war parties en route to attack some distant tribe, together with unfair dealings in trade and advantages taken by making Indians intoxicated, frequently led to grave results, involving not only the settlers but innocent and friendly Indians in a disastrous warfare. The early history of each one of the colonies gives many such instances.⁵ Governor Spotswood writes to the lord commissioners of trade in London, May 9, 1716:

It has been the general observation in this and the Neighboring provinces, that the Indians have rarely ever broke with the English, except where they have received some notorious Injury from the persons trading with them. Advantage has often been taken by making them drunk, to impose upon them in the price of their Commodities, which, they not being acquainted with the method of seeking reparation by law, have frequently revenged by the murder of the offender, believing that since by their Customs the punishment of murder may be Commuted by the payment of a certain number of skins or other Commodities, the defrauding them of any part of their goods might with equal reason be punished with Death.⁶

¹ Spotswood Letters, Vol. I, p. 167. ² *Ibid.*, p. 166. ³ Bancroft: Hist. of the U. S., Vol. III, pp. 320, 321; Spotswood Letters, Vol. I, pp. 169, 170, 171, Vol. II, pp. 19, 24, 25. ⁴ Spotswood Letters, Vol. I, p. 172. ⁵ *Ibid.*, Vol. II, pp. 25, 121, 231.

⁶ *Ibid.*, p. 145.

The aggressive Iroquois continued their excursions in spite of the various treaties made with the purpose of preventing their moving southward against their ancient enemies. The treaty of 1722, made at Albany, in connection with the governors of the other colonies to the northward, sought to impose the penalty of death or slavery upon any one of the Five Nation Indians passing to the southward of the Potomac River, or east of the mountains, without a passport from the governor of New York; the tributary Indians of Virginia to remain to the eastward of these limits under pain of like penalty.¹ By these means the colonists sought peace and an opportunity to enlarge their settlements.

An act of the Assembly, in August, 1734, permitted free Indians to testify in criminal cases involving Indians.² This same year the Nottoway Indians, being "reduced by wars, sickness, and other casualties to a small number, and many of them being too old to labor or hunt," agreed to sell the land set apart for them on the north side of the river in order to "pay their debts" and support their aged. The record also states that "the tract prevents increase of inhabitants in that parish, and is therefore grievous and burdensome."³ About this time, as the Indians all spoke "the English language very well," the office of interpreter was abolished.⁴

Ten years later the Nottoways sold a portion of their reservation south of the river, not to include any of the swamp, at £12 10s. per hundred acres; and the Nansemond Indians also disposed of their land, these Indians being again in debt, being enticed "thereto by drink;" whereupon the Assembly decreed that "no one shall sell liquor on trust to an Indian."⁵

In 1748 negroes, mulattoes, and Indians were permitted to hold slaves of their own color. This act, however, was repealed by the King in 1752.⁶

The settlements of the valleys west of the Alleghany Mountains, begun about 1751, were involved in many difficulties with the Indians, particularly through the French and Indian war. In 1761 all British subjects living on the western waters were ordered to vacate the lands, which were claimed by the Indians. This command was issued in the hope of securing the good-will of the natives; but the order was never carried out, and that region became the scene of the exploits of Cornstalk, the Shawnee warrior. These Indians were a valiant tribe, and were those who defeated General Braddock in 1755, and were again victorious at Fort Pitt in 1758. After the peace of 1761 the Shawnees again were in the field, and cut off the settlers of the Greenbrier Valley in 1763, and in 1764 had pushed as far east as Staunton. That year a peace was made on the Muskingum in Ohio, which lasted until 1774.

The colonial disturbances with the mother country were used by in-

¹ Hening: Statutes of Virginia, Vol. IV, p. 103. ² *Ibid.*, p. 405. ³ *Ibid.*, p. 461.
⁴ *Ibid.* ⁵ *Ibid.*, Vol. V, p. 270-273. ⁶ *Ibid.*, p. 547.

terested persons to foment trouble with the Indians, in order to intimidate and embarrass those of the independent party, while the spread of settlers on the Ohio and its tributaries made the Indians uneasy and irritable. It is stated that British agents urged the Indians to begin war against the colonists by the killing of traders. This aroused the Virginians, and on October, 10, 1774, General Lewis fought the Indians under Cornstalk on the Ohio near the Kanawha with little success on either side. This battle has been called by some the opening of the Revolutionary War. A peace was soon after concluded by Lord Dunmore, governor of Virginia.

In 1777 Cornstalk came to the garrison at Point Pleasant to tell the colonial troops that the British were securing the co-operation of all the Indians on the lakes and northerly, but that he and his tribe, although not wishing to take part, might have to move with the stream. He was detained by the commander, together with the two other Indians who accompanied him. Cornstalk's son came to learn how his father fared and to bring him news of the tribe. Two young men from the garrison crossed the river to hunt deer and were attacked by some hostile Indians; one of the men was killed. As his body was brought back the soldiers, under the lead of one Captain Hall, a relative of the dead man, rushed to the fort to kill Cornstalk, who was just then drawing a map of the country and waters between the Shawnee towns and the Mississippi. As they approached Cornstalk rose and met them. They sent seven or eight bullets through him, then shot his son as he sat on a stool, and murdered the other two Indians. Cornstalk had come as a friend to render service at a critical time, and was stricken down regardless of the laws of peace or war because he was an Indian.¹

The condition of the Indians in the other Southern colonies remained about the same, as far as legal enactments were concerned. The founding of the Colony of Georgia was attended by most friendly relations between the natives and Oglethorpe. He won the confidence and friendship of the Cherokees and Creeks, and the knowledge of this trusty man extended far beyond the limits of the province of which he was the father. During the years when the Spanish and French urged their claims to the land and trade of the Indians the Creeks, Cherokees, Chickasaws, and Choctaws remained faithful to Oglethorpe and the English until his departure for England in 1743.

Except the attempts made by the Moravians, during their short stay in Georgia, to Christianize the Indians, no other efforts in this behalf seem to have been undertaken in that colony during this period.

Education.—In 1713 the plan of removing friendly Indians upon land set apart for them upon the frontier, where they might act as a guard, was put in operation, it having been previously agreed to by treaty.² The Indians and Indian trade were to be concentrated at three points. A fort was

¹ Stuart: *Memoir of Indian Wars*; Coll. Virginia Hist. and Phil. Soc., Vol. I.

² Spotswood Letters, Vol. II., pp. 43, 70, 197.

erected upon the Rapidan, and made the point of trade for the Indians of the North.¹ A tract of good land 6 miles square upon the Maherin River was set apart, and the Saponys and four other affiliated tribes were induced to emigrate. This movement necessitated the Indians leaving their former improvements. The Saponys received fourteen cows and as many calves besides corn as their share of payment.² As inducements to settle on the reservation the education of their children was promised, and also that they should purchase their goods at reduced rates. A five-bastion fort was built and the fort named Christanna, and the Indian trading company put in charge was to have a monopoly of all the trade south of the James River for twenty years.³ The school was opened under the care of Mr. Charles Griffin, his salary of £50 being paid out of Governor Spotswood's pocket.⁴ In 1715 three hundred Indians were reported on this reservation, and seventy children in school,⁵ "a great part of which can already say the Lord's prayer and the creed."⁶ By 1718, the opposition to the Indian trading company became sufficiently powerful to secure its legal dissolution, and the tributary Indians were abandoned to the mercy of their Indian enemies although the governor for a time sought to protect them;⁷ but he was already involved in difficulties, his policy toward the Indians forming a part of the charges against him which resulted in his removal.⁸ The school was broken up to the distress of the Indians, who were much attached to Mr. Griffin. The latter gentleman was transferred to the Brasserton Indian school in connection with the College of William and Mary,⁹ and the only attempt at an Indian school outside of Brasserton came to an end in about five years.

As early as 1711 the governor of Virginia had demanded hostages, not only of tributary Indians, but of the border tribes. The children, two from "the great men of each town,"¹⁰ were to be surety for the friendliness of their relatives. Up to this time none but slaves seem to have been attainable as pupils for the Indian school established by the charity of the Hon. Robert Boyle.¹¹ Those Indians giving their children to be educated were to have their tribute of skins remitted while they kept their children in school.¹²

Governor Spotswood's interest in the welfare of the Indians seems to have been practical and sincere, but he labored at grave disadvantage, for public sentiment failed to second his plans and endeavors. He ventured not only his private purse, but his public reputation to secure to the natives some chance to become civilized and educated. His letters to the authorities in London are full of pleadings for the support of such benevolent plans as he sought to set in motion. He secured the little hostages; and the Nansemonds, the Nottoways, the Maherins, the Pamunks, and the Chickahominies, who sent their children were well pleased

¹ Spotswood Letters, Vol. II., p. 194. ² *Ibid.*, p. 198. ³ *Ibid.*, pp. 89, 141, 194.
⁴ *Ibid.*, pp. 90, 196. ⁵ *Ibid.*, p. 113. ⁶ *Ibid.*, p. 138. ⁷ *Ibid.*, pp. 302, 303. ⁸ *Ibid.*, pp. 190-218. ⁹ Perry: Hist. of the American Episcopal Church, Vol. I, p. 128.
¹⁰ Spotswood Letters, Vol. I, p. 121. ¹¹ See p. 34. ¹² Spotswood Letters, Vol. I, p. 122.

with the treatment they received.¹ In 1713 he reported seventeen boys at the college.² The numbers fell off during the maintenance of the school at Christanna, where most of the hostages, as well as the children living on the reservation, were brought under instruction. The attendance seems to have been always very small at Brasserton, not more than eight or ten at any time.³ The funds derived from the bequest of Mr. Boyle exceeded the expenses of the school, for, in 1732, the president and master of the college requested the authorities in London to permit the expending of the £500 surplus, which had accumulated over the expenses of the Indian school, in the purchase of books to serve as a common library for Indians and white pupils.⁴ The Revolution put an end to this Indian school, "the funds by which it was sustained having been diverted by the English courts of law into a different channel."⁵

The records of the college during the period prior to the Revolution are quite imperfect, and but fourteen Indians are mentioned in the collective catalogue.

Mr. Hugh Jones, professor of mathematics in the college, states in his "Present State of Virginia," published in London in 1724, he having left Virginia two years before :

The young Indians, procured from the tributary or foreign nations with much difficulty, were formerly boarded and lodged in town, where abundance of them used to die, either through sickness, change of provision and way of life, or, as some will have it, often for want of proper necessaries and due care taken with them. Those of them that have escaped well, and have been taught to read and write, have, for the most part, returned to their home. Some with and some without baptism, where they follow their own savage customs and heathenish rites. A few of them lived as servants with the English, or loitered and idled away their time in laziness and mischief. But it is a pity more care is not taken of them after they are dismissed from school. They have admirable capacities when their humors and tempers are perfectly understood.

It is impossible to tell how large was the number of returned students referred to by Professor Jones. The school, prior to 1711, had had only a few slaves; in that year the hostages were brought in. Professor Jones's observations, therefore, cover a period of about ten years, during which time there could hardly have been more than fifty different Indian pupils, seventeen being the highest number given as present at one time. Of these, "abundance" died; a few remained "as servants," the only occupation open to an Indian among the colonists; consequently the number must have been very small who, after a few years of schooling of a primitive character, returned to their tribes and fell in with the religious customs of their people. The Indian tribes were isolated and forbidden by law to share in the life of the whites; they were relegated to hunting in order to gain the pelts demanded by the trader in exchange for goods. No missionaries or schools were in their midst to uphold and encourage any new mode of life; and, as to the surroundings of these Indian tribes which had been pushed to the

¹ Spotswood Letters, Vol. I, p. 122. ² *Ibid.*, Vol. II, p. 64. ³ Catalogue College of William and Mary, 1855, p. 5. ⁴ *Ibid.*, 1859, p. 10. ⁵ *Ibid.*, 1855, p. 5.

frontier to guard the colonists from the Indians further to the westward, Governor Spotswood writes as follows:

The Inhabitants of our frontiers are composed generally of such as have been transported hither as servants, and being out of their time settle themselves where land is to be taken up and that will produce the necessaries of Life with little Labour. It is pretty well known what Morals such people bring with them hither, which are not like to be mended by their situation. * * * Those who are nearest neighbours to the Indians, by whose principles and practices they are not like to be much improved; but this is not all, for these people, knowing the Indian to be lovers of strong liquors, make no scruple of first making them drunk and then cheating them of their skins, and even of beating them in the bargain. * * * Hence your Lordships may judge whether a frequent intercourse and communication between such people and the Indians be like either to reform their Morals, or to promote a good understanding with them. As to beginning a nearer friendship by intermarriage (as the custom of the French is), the inclinations of our people are not the same with those of that Nation, for notwithstanding the long intercourse between ye Inhabitants of this Country and ye Indians and their living amongst one another for so many Years, I cannot find one Englishman that has an Indian wife, or an Indian married to a white woman.¹

Ostracized by law and race prejudice, and remanded to the company of men not of a reputable type, it would be well nigh a miracle if the Indian should blossom out into a life of Christian civilization, or that Indian students who had gained a little English and could repeat the creed should, on their return, isolate themselves from their kindred and attempt to carry out principles but vaguely comprehended, and which, if carried out, would condemn the white population even more severely than the Indians themselves.

PENNSYLVANIA.

The establishment of a lasting friendship between the followers of William Penn and the Indians is too well known to need more than mention. The good-will bred of fair treatment has never grown dim during the long and varied experiences of over two centuries. While peace abounded where the Friends had control, the strong, positive people that pioneered through the western portions of the colony came into conflict with the vigorous tribes inhabiting that region.

Pennsylvania became the theater of one of the most remarkable examples of missionary labor in our history, not only on account of its success, but from its tragic fate; proving again, in records written in human blood, that failure lies with us, not with the Indians.

Moravian missions.—The headquarters of the Moravian church in America were at Bethlehem, Pa.,² a town on the Lehigh River, 12 miles westerly from its junction with the Delaware. Its site was purchased and its settlement commenced in 1740.³ The inhabitants were united by a community of labor and house-keeping,⁴ but each retained his own

¹ Spotswood Letters, Vol. II, p. 227. ² Schweinitz: Life of David Zeisberger, p. 24. ³ Loskiel: History of the Mission to the Indians, p. 84. ⁴ Schweinitz: Life of David Zeisberger, p. 24.

private property. From this religious family missionaries went out to labor for the conversion and civilization of the Indians, and to it they returned with bodies exhausted by travel and exposure, but often with hearts rejoicing over new-made converts and increasing opportunities of usefulness. When the Christian Indians of Shekomeko reached Pennsylvania they were received at Bethlehem, and a little hamlet was built near by for their temporary abode.¹ Soon afterward they were permanently located 30 miles farther up the Lehigh River, and the town built there for them was named Gnadenhütten (tents of grace). It became, says Loskiel, "a very regular and pleasant town."² The Indians were diligent, cheerful, and active.³ They united with the missionaries in building houses and in cultivating the soil.⁴ Mills and shops were erected at a little distance from the town,⁵ and schools were provided for the children.⁶ In 1749 the Indian congregation contained several hundred persons,⁷ and the frequency of conversions incited the brethren to unceasing efforts for the surrounding tribes, most of which belonged to the Delaware Nation.

Several missionary enterprises were undertaken during the prosperous days of Gnadenhütten. The famous Zeisberger had visited the Iroquois, learned their language, and been adopted into their nation; but his efforts at converting the natives were unsuccessful, and the fruits of his labors appeared only in incidental advantages gained to the missions through his acquaintance with the Iroquois and his standing among them.⁸ The inhabitants of the Wyoming Valley attracted the attention of the missionaries, and they made occasional visits to it, and at length it became a regular field for missionary labor.⁹ Another mission established was at Shamokin, the chief town of the Delawares. The first attempt to interest its people in Christianity was unsuccessful, and the mission, which was greatly desired, was opened rather as an adjunct to a blacksmith's shop, than as an independent enterprise.¹⁰ The mission never flourished, for the inhabitants seemed depraved and vicious beyond remedy, but one of its principal results was the enlistment of the sympathies of the Delaware chief on the side of the Moravians.¹¹ A mission at an Indian town about 20 miles east from Gnadenhütten was more successful. The chief residing there and his wife were converted and afterward became useful assistants in the Indian church.¹²

The French and Indian war terminated the mission at Gnadenhütten. Its situation upon the Indian frontier exposed it to the misfortunes of war, and the principles of its religion forbade the bearing of arms. The English and the French were alike suspicious of these peaceful settle-

¹ Schweinitz: Life of Zeisberger, p. 141. ² Loskiel: History of the Mission to the Indians, p. 87. ³ *Ibid.*, p. 84. ⁴ *Ibid.*, p. 87. ⁵ Heckewelder: Narrative of the Mission among the Delaware and Mohegan Indians, p. 36. ⁶ *Ibid.*, 38. ⁷ Loskiel and Heckewelder say five hundred. ⁸ Schweinitz: Life of Zeisberger, p. 219. ⁹ *Ibid.*, p. 219. ¹⁰ *Ibid.*, p. 143. ¹¹ Loskiel: History of the Mission to the Indians, Part II, p. 119. ¹² *Ibid.*, p. 116.

ments; and while the former were threatening their extinction the allies of the latter accomplished their destruction. Ten of the Christian Indians were massacred in November, 1755;¹ and on the next New Year's Day the entire village, together with the mill across the river, was laid in ashes.² The fugitive converts established themselves near the large Moravian towns, and worked industriously in the fields and farm-yards of the people, or helped to support themselves by manufacturing simple wooden utensils.³

With the prospect of peace the Christian Indians in 1757 began a new settlement in the outskirts of Bethlehem and called it Nain.⁴ It was built in the form of a square, three sides of which were composed of houses,⁵ and the fourth was defined by a small stream of water. The houses were of squared timber and had shingle roofs. The public buildings were a chapel, school-house, and home for indigent widows. Visitors were astonished at the prosperity of the congregation, and "thought it next to a miracle that by the light of the gospel a savage race should be brought to live together in peace and harmony, and, above all, devote themselves to religion."⁶ Nothing occurred to impair seriously the prosperity of the town until Pontiac's War (1763).⁷ Rumors of its bloody progress brought terror to the peaceful Indians. An outlying congregation was compelled to flee from its home, and ere long Nain was endangered on all sides.⁸ The white settlers suffering from the attacks of the hostile Indians, were inflamed against the entire race; and the converts were saved from violence only by obedience to rules of dress and conduct prescribed and promulgated by the governor of the province.⁹ They were to be always clothed and have hats and caps, but no paint or feathers. They were to let their hair grow naturally, carry their guns on their shoulders, observe special forms of salutation, and obtain passes when going out to hunt. Willing submission to such rules was an evidence of the changed character of these Indians.

An accusation of murder brought against a young convert hastened the impending crisis, and necessitated the immediate removal of the congregation to a place of safety.¹⁰ This was not found until after many wanderings and much persecution and suffering, borne with truly Christian fortitude. Only eighty-three Indians remained at the end of sixteen months to join in a farewell to Nain as they journeyed westward from their refuge in Philadelphia to seek a new home remote from their white enemies.¹¹

The place chosen for the home of the Christian Indians was near the Susquehanna, in the northern part of Pennsylvania.¹² Permission to locate permanently was obtained with difficulty. A town called Friedenshütten was built, surpassing in attractiveness the former settle-

¹ Schweinitz: Life of David Zeisberger, p. 236. ² *Ibid.*, p. 239. ³ *Ibid.*, p. 240.
⁴ Heckewelder: Narrative of the Mission among the Delaware and Mohegan Indians, p. 56. ⁵ *Ibid.*, p. 251. ⁶ *Ibid.*, p. 257. ⁷ Loskiel: History of the Mission to the Indians, Part II, p. 202. ⁸ *Ibid.*, p. 212. ⁹ Schweinitz: Life of David Zeisberger, p. 276. ¹⁰ *Ibid.*, p. 282. ¹¹ *Ibid.*, p. 307. ¹² *Ibid.*, p. 316.

ments of the Moravian converts. A description of it in its highest prosperity is given by Schweinitz as follows :

It embraced twenty-nine log-houses, with windows and chimneys, like the homesteads of the settlers, and thirteen huts, forming one street, in the center of which stood the chapel, 32 by 24 feet, roofed with shingles, and having a school-house as its wing. Immediately opposite, on the left side of the street, was the mission house. Each lot had a front of 32 feet, and between every two lots was an alley 10 feet wide. Back of the houses were the gardens and orchards, stocked with vegetables and fruit trees. The entire town was surrounded by a post-and-rail fence, and kept scrupulously clean. In summer a party of women passed through the street and alleys, sweeping them with wooden brooms and removing the rubbish. Stretching down to the river lay 250 acres of plantations and meadows, with 2 miles of fences; and moored to the bank was found a canoe for each household of the community. The converts had large herds of cattle and hogs, and poultry of every kind in abundance. They devoted more time to tilling the ground than to hunting, and raised plentiful crops. Their trade was considerable in corn, maple-sugar, butter and pork, which they sold to the Indians; as also in canoes made of white pine and bought by the settlers living along the Susquehanna, some of them as far as 100 miles below Friedenshütten. The population had increased from the remnant that left the Philadelphia barracks to one hundred and fifty souls.¹

The land on which Friedenshütten was built was obtained by Pennsylvania through the treaty of Fort Stanwix (1768), and thus this mission lost the title to its lands.² In 1771 the Indian inhabitants consulted with their preachers on the expediency of their removing to some other place; and the opinion was unanimous that, as their lands were sold and the whites becoming troublesome through the introduction of liquor and otherwise,³ they could not enjoy undisturbed peace in their present location, and would therefore accept an offer to locate on the Muskingum, in Ohio. The removal took place the following June, when over two hundred Christian Indians left Friedenshütten and its tributary mission for another land of promise.⁴ The government granted them £125 for their improvements, and Quaker friends added \$100.

Missionary work had been commenced in western Pennsylvania during the continuance of the mission on the Susquehanna. The first mission was established in 1768 on the Alleghany River, in a village noted for its wickedness. As soon as the effects of missionary instruction were realized, a bitter opposition arose and the station was removed some 3 miles up the river.⁵ The conversion of Glikkikan, a famous Delaware warrior and orator, occurred there, and resulted in an invitation being extended to the mission to remove to the seat of his tribe on the Beaver River. Fifteen canoes carried the Christian Indians down the Alleghany and Ohio Rivers and up the Beaver to their destination.⁶ The settlement was made under auspicious circumstances, but the beautiful valley of the Tuscarawas in Ohio and its thriving congregations induced the Christian Indians to make it a common home.

¹ Schweinitz: Life of David Zeisberger, p. 316. ² *Ibid.*, p. 348. ³ Heckewelder: Narrative of the Mission among the Delaware and Mohegan Indians, p. 116.
⁴ Schweinitz: Life of David Zeisberger, p. 376. ⁵ *Ibid.*, p. 353. ⁶ *Ibid.*, p. 359.

The first Moravian town in Ohio was begun May 4, 1772. It took its name, Schönbrunn (Beautiful Spring), from the natural feature of its location. A mission-house was completed on the 9th of June, and before many months the town contained more than sixty houses of squared timber, besides huts and lodges. The rules adopted for the mission illustrate the religious and domestic duties of the converts. They included the following: ¹

Statutes agreed upon by the Christian Indians at Languntontenünk and Welhik Tuppeek in the month of August, 1772.

I. We will know no other God but the one only true God, who made us and all creatures, and came into this world in order to save sinners; to Him alone we will pray.

II. We will rest from work on the Lord's Day and attend public service.

III. We will honor father and mother, and when they grow old we will do for them what we can.

IV. No person shall get leave to dwell with us until our teachers have given their consent and the helpers [native assistants] have examined them.

V. We will have nothing to do with thieves, murderers, whoremongers, adulterers, or drunkards.

VI. We will not take part in dances, sacrifices, heathenish festivals, or games.

VII. We will use no *tshapiet*, or witchcraft, when hunting.

VIII. We renounce and abhor all tricks, lies, and deceits of Satan.

IX. We will be obedient to our teachers and to the helpers who are appointed to preserve order in our meetings in the towns and fields.

X. We will not be idle, nor scold, nor beat one another, nor tell lies.

XI. Whoever injures the property of his neighbor shall make restitution.

XII. A man shall have but one wife, shall love her, and provide for her and his children. A woman shall have but one husband, be obedient to him, care for her children, and be cleanly in all things.

XIII. We will not admit rum or any other intoxicating liquor into our towns. If strangers or traders bring intoxicating liquor the helpers shall take it from them and not restore it until the owners are ready to leave the place.

XIV. No one shall contract debts with traders or receive goods to sell for traders, unless the helpers give their consent.

XV. Whoever goes hunting or on a journey shall inform the minister or stewards.

XVI. Young persons shall not marry without the consent of their parents and the minister.

XVII. Whenever the stewards or helpers appoint a time to make fences or to perform other work for the public good we will assist and do as we are bid.

XVIII. Whenever corn is needed to entertain strangers or sugar for love-feasts we will freely contribute from our stores.

XIX. We will not go to war, and will not buy anything of warriors, taken in war.

Says a popular writer :

Under these laws a people fiercely free became meek and obedient, changed their wild unchastity and loose marital relations for Christian purity and wedlock; left their indolence for continual toil; learned to forego revenge and to withhold the angry word and hand; eschewed the delights and deliriums of drunkenness; and, above all, in a time and country where all men, red and white alike, seemed born to massacre and rapine, set their faces steadfastly against war, and did no murder.²

¹ *Ibid.*, pp. 378-379.

² *Atlantic Monthly*, January, 1869, p. 104.

A second Indian town was soon established 8 miles from Schönbrunn by emigrants from the Beaver Valley, among whom were many Mohegans,¹ and it was called Gnadenhütten. A third town, Lichtenau,² was begun in 1776 at a place chosen by the Delaware chiefs on account of its being near their principal village.³ At the close of the year the population of the Christian towns was 414. Schools were kept up regularly in each of the settlements, and the missionaries were preparing new books for the use of the pupils.⁴ The inhabitants had become for the most part husbandmen, and possessed large fields and gardens, suitably fenced, excellent orchards, and herds of cattle, horses, and hogs.⁵ Their prosperity was endangered by the hostilities of the Revolutionary War, and for a time all the inhabitants of the settlement were at Lichtenau.⁶ In the spring of 1779 those that had lived at Gnadenhütten and Schönbrunn⁷ returned to their former place of residence, as the crowded condition of Lichtenau did not permit the proper care of their large herds of horses, cattle, and hogs, and the principal war-path of the hostile Indians extended through the town. For the latter reason the removal of its congregation was decided upon and accomplished in 1780. The new location, called Salem, was 6 miles from Gnadenhütten. The fortunes of war were turning against the British, and their emissaries incited their Indian allies to renewed violence. The destruction of the Moravian settlements was determined,⁸ and in the autumn of 1781 the Christian Indians were removed by force to the desolate banks of the Sandusky River, in northern Ohio. Says Heckewelder:

Never did the Christian Indians leave a country with more regret. The three beautiful settlements—Gnadenhütten, Schönbrunn, and Salem—were now to be forsaken, together with many of their young cattle that were in the woods, with some hundred head of hogs; and at least 300 acres of corn ripe for harvesting, exclusive of a great quantity of old corn, potatoes, turnips, cabbages, etc., were now lost to them, together with books that were burnt, many of which were for the instruction of the youth.⁹

The sad journey into exile brought the captives into a cheerless and empty wilderness at the beginning of a severe winter.¹⁰ Man and beast alike suffered from the terrible famine.

The missionaries could give the members of their families only a pint of corn a day each, and the Indians fared even worse. As the winter advanced the exiles scattered, and not a few returned to their old home in the Tuscarawas Valley, there to meet the most melancholy fate that ever awaited an Indian mission.

An American party had set out from the Monongahela Valley to avenge the murder of a neighboring family.¹¹ The murderers had passed through Gnadenhütten on their return, and left there part of the spoil,

¹ Loskiel: History of the Mission to the Indians, Part III, p. 82. ² Schweinitz: Life of David Zeisberger, p. 380. ³ Heckewelder: Narrative of the Mission Among the Delaware and Mohegan Indians, p. 143. ⁴ *Ibid.*, p. 144. ⁵ *Ibid.*, p. 157. ⁶ *Ibid.*, p. 183. ⁷ *Ibid.*, p. 194. ⁸ Schweinitz: Life of David Zeisberger, chap. 31, p. 531. ⁹ Heckewelder: Narrative of the Mission among the Delaware and Mohegan Indians, p. 270. ¹⁰ *Ibid.*, p. 282. ¹¹ Schweinitz: Life of David Zeisberger, 537-552.

The avengers assumed the guilt of the peaceful Indians and condemned them to death. Two buildings were chosen as slaughter-houses, one for the men and the other for the women; and a cold-blooded butchery ended the lives of ninety innocent and unresisting Christians, and gave the death-blow to the Moravian Indian missions. Mr. W. D. Howells, in writing of Gnadenhütten, gives the following account of the massacre of its inhabitants:

The house in which the men were confined had been that of a cooper, and his mallet, abandoned in the removal of the preceding autumn, lay upon the floor. One of the whites picked it up, and saying, "How exactly this will answer for the business," made his way among the kneeling figures toward Brother Abraham, a convert, who, from being somewhat lukewarm in the faith, had in this extremity become the most fervent in exhortation. Then, while the clear and awful music of the victims' prayers and songs arose, this nameless murderer lifted his weapon and struck Abraham down with a single blow. Thirteen others fell by his hand before he passed the mallet to a fellow assassin with the words, "My arm fails me, go on in the same way; I think I have done pretty well." In the house where the women and children awaited their doom the massacre began with Judith, a very old and pious widow; and in a little space the voices of singing and of supplication failing one by one, the silence that fell upon the place attested the accomplishment of a crime which, for all its circumstances and conditions, must be deemed one of the blackest in history.

The surviving Indians were disheartened by their misfortunes and sufferings, and dismayed by the terrible death of their brethren. Settlements were attempted in Ohio, Michigan, Canada, and again in Ohio. A New Salem sprang up on the shore of Lake Erie in 1787, and flourished for several years.¹ It had abundant harvests in 1789, and fed multitudes during the ensuing winter, whose crops had failed, and demonstrated to their hungry guests the benefits of civilization.² In 1791 its inhabitants were scattered to Michigan and Canada. At length the aged missionary Zeisberger, who had labored faithfully for half a century among the Indians, was allowed to return to the valley where his work had most prospered, and, with his assistants, to build there near the former site of Gnadenhütten, another town for Christian Indians. It was named Goshen, and its church had seventy-one members in 1800. Its prosperity was never great, and after about twenty years it was abandoned, and the little remnant of converts joined the more promising mission in Canada.³ Schweinitz, summing up the labors of Zeisberger, speaks of the communities he established in the following language:⁴

They were the wonder of all who saw them, whether white men or natives; and they seem even to us, who can only read of them, miracles of energy and faith. A hunter and a warrior, the Indian was constrained to give up his wild habits and cruel ways; to quench all the instincts of his savage nature; to change most of the customs of his race; to acknowledge woman as his equal; to perform the labor himself which for generations had been put upon her; to lay aside his plumes, paint, and traditional ornaments of every kind; to assume the dress which white men wore; to plow and plant and reap like any farmer; to rove no longer through the wilderness at pleasure, building lodges here and there, but to remain with his family in one town; and, above all, to submit to municipal enactments, which were of necessity so stringent that nothing could be more galling to the native pride of American aborigines.

¹ Schweinitz: *Life of David Zeisberger*, p. 603.

² *Ibid.*, p. 613.

³ *Ibid.*, p. 696.

⁴ *Ibid.*, p. 679.

NEW YORK.

The Six Nations for a time seemed to hold the balance of power during the troublesome times which fell upon the colonies in the eighteenth century. These tribes were subjected to contending interests, none of which contemplated what might be the effect of the alternatives offered upon the future of the Indian people. There was little regard manifested for them, except to keep them safe and friendly towards the settlers and vigilant and vengeful towards those who interfered with the colonists and their plans. The care for the Indian himself found expression in the missionary efforts. These, as elsewhere, became either abolished or enfeebled, because of persecution or political conflicts. The work, however, was not wholly lost, and has since spread to regions beyond the present limits of New York.

*Missions among the Iroquois.*¹—The history of Protestant missions among the Iroquois dates from 1700, when the Earl of Bellamont, governor of New York, made a representation to the Lords of Trade and Plantations in London “that there was a great want of some ministers of the Church of England to instruct the Five Nations of Indians on the frontiers of New York.” This necessity was laid before Queen Anne, and her council recommended “that two Protestant ministers be appointed, with a competent allowance, to dwell among them, in order to instruct them in the true religion and confirm them in their duty to Her Majesty.” The execution of the project was referred to the archbishop of Canterbury, and intrusted by him to the recently established Society for the Propagation of the Gospel in Foreign Parts.

The hardships and difficulties of Indian missions were well known to the society, and care was taken to secure competent leaders for the enterprise. Mr. Dellins, who had been a minister at Albany for some time, “useful in instructing and converting some of the Indians who used to resort to that place,” and had gained some knowledge of their language, was requested to undertake the mission, but declined. Mr. Freeman, of Schenectady, who had received a salary from Governor Bellamont for instructing the Indians,² and had translated portions of the Scripture into their language, also declined. Mr. Thoroughgood Moor was sent from England in 1704, and was received favorably by the governor at New York and the Indians at Albany. The latter professed great pleasure at being remembered by those disposed to give them religious instruction; yet they postponed active co-operation. Mr. Moor did not seem to have the tact and persistency essential to missionary success, and at the expiration of a year gave up his efforts without having achieved any apparent results.

¹ The authorities mainly relied on in the preparation of this sketch are: Notices of the Church of England missions to North American Colonies, previous to the independence of the United States, by Ernest Hawkins, London, 1845; and an Historical Account of the Incorporated Society for the Propagation of the Gospel in Foreign Parts, by David Humphreys, D. D., London, 1730.

² Clark: Onondaga, Vol. I, p. 212.

In 1709 four Iroquois chiefs visited England and while there requested Queen Anne "that their subjects might be instructed in Christianity and ministers might be sent to reside among them." The Queen approved of the measure, and the society already mentioned agreed to send two missionaries, each to be accompanied by an interpreter and school-master. One missionary, Rev. Mr. Andrews, was sent with his attendants, Mr. Clausen and Mr. Oliver. He was "particularly directed by the society to use all possible means to persuade the Indians to let their children learn English, and the school-master was to make it his whole business to teach them." Mr. Andrews arrived in Albany late in 1712 and was ceremoniously received by the whites and Indians. The mission work was commenced immediately. The Indians sent many of their children at first, and Mr. Oliver began to teach them English. The parents objected, and the society was forced to comply with the Indian obstinacy and devise means for instructing the children in their own language. Hornbooks and primers were procured in great numbers for the children, and inkhorns, penknives, paper, and other little necessaries were also provided. No correction was ventured, "for the parents were so fond of their children and valued learning so little they thought it not worth gaining at the least displeasing of their children." Food and presents were used as inducements to attend. The instruction of adult Indians was attempted, but without any success. Portions of the Scriptures were translated into the Mohawk tongue and evidences of missionary success appeared in the lives of both men and women. But hunting expeditions and strong drink interfered with the advance of civilization among them, and the mission of Mr. Andrews ended in 1718 without having met the expectations of its supporters. It seems to have reached its highest prosperity in 1715, when there were twenty children quite regularly attending school, sixty or seventy ordinarily attending church, and thirty-eight communicants.

The missionaries of the Church of England located at Albany and at other settlements in that vicinity continued the efforts for the conversion and civilization of the Indians. The commanding officer of the garrison at Albany stated, in 1735, "that the Indians were much civilized of late, which he imputed to the industry and pains of Rev. John Miln," and that "many of the Indians are become very orderly and observe the Sabbath." Mr. Miln was succeeded by Henry Barclay, son of a former missionary, who was accustomed to catechise the Indians on Sunday evenings, when thirty, forty, and sometimes fifty would attend. Mr. Hawkins presents the following summary of facts reported by Mr. Barclay in 1741 and 1743:

In 1741 he informed the society that his own congregation at Albany consisted of one hundred and eighty English, besides two independent companies; and in the Mohawk country of five hundred Indians, settled in two towns at thirty miles distance from Albany; that he had sixty English and fifty-eight Indian communicants. He further stated, as a satisfactory test of their moral improvement, that there was a great decrease in the vice of drunkenness, not so many cases having occurred during

the whole summer as frequently occurred in a single day on his first coming among them. In 1743 he informed the society that two or three only of the whole tribe remained unbaptised, and that, with the consent of the Governor, he had appointed Mohawk school-masters at the two towns, Cornelius, a sachem, at the lower and one Daniel at the upper town, who are both very diligent, and teach the young Mohawks with surprising success.¹

The mission was seriously hindered by King George's War (1744-1748). Mr. Barclay had removed to New York, and his successor, Rev. John Ogilvie, did not arrive until 1749. The labors of this missionary were fairly successful during the many years he remained at Albany. The missionary efforts of the Moravians among the Iroquois were contemporaneous with his labors with the Mohawks, and the enterprises supervised by Rev. Eliazer Wheelock, of Connecticut, succeed those of Mr. Ogilvie in point of time. The last missionary to the Mohawks before the Revolutionary War was Rev. John Stuart, who learned their language and obtained a strong hold upon their affections. It was claimed by the Rev. Charles Inglis, in 1771, that by the labors of the missionaries "the whole nation was brought over to Christianity." "They cultivate land; several of them have learned trades; all have fixed habitations; they have also cattle of various kinds, many of the conveniences of polished life; are professors of Christianity, and as regular and virtuous in their conduct as the generality of white people."²

Moravian missions.—The church of the United Brethren, commonly known as the Moravian Church, first interested itself in missions in America by sending missionaries to the island of St. Thomas in 1732, to Greenland in 1733, and to Georgia in 1734. The latter arrived at their destination in the spring of 1735. The first work done by them was the establishment of a school-house for the children of the Creek Nation living near their settlement at Savannah. Most of these Indians understood some English, and heard the missionaries gladly. The prospects of the mission were encouraging for a time; but a war between the Spanish and the English brought it into difficulty on account of the refusal of its members to bear arms against the invaders, and the missionaries left the colony and settled in Pennsylvania.³

In the year 1740 Christian Henry Rauch arrived in New York. There were in the city at the same time several Mohegan Indians from the Indian town of Shekomeko in Dutchess County. Rauch met the Indians and they professed to desire instruction and invited him to go with them to Shekomeko and become the teacher of their tribe. He gladly consented, but when the time fixed on for departure came he found that they had evaded him and left. Nothing daunted he started out and, inquiring his way, at last reached Shekomeko and began his work. He found the surrounding white settlers unfriendly. Many of them were engaged in trade with the Indians and found profit in the de-

¹Hawkins: Missions, p. 284. ²Documentary History of New York, Vol. IV, pp. 1092, 1098. ³Loskiel: History of the Mission to the Indians, Part II, pp. 1-5.

praved habits and ignorance of their customers. It is said that some of them even tried to bribe the Indians to kill their teacher.

Other missionaries came from the Moravian communities in Pennsylvania to assist Rauch. The opposition now took the form of persecution on account of the religious belief of the missionaries which impelled them to refuse not only to bear arms as soldiers but also to take an oath. To these charges was added the very absurd one that they were French emissaries. They were visited and searched for arms and finally cited to appear before the governor and council at New York. After an examination they were released. Their work prospered; a neat chapel was built and dedicated in the summer of 1743; at the end of the same year the number of baptized Indian converts was sixty-three; land was cleared and cultivated by the Indians the same season; and they had so far improved in morals and manners that their simple daily lives were a constant reproach to many of their white neighbors. Deputations came from other Indian villages beseeching that missionaries might be sent them. Four missionaries were sent, and two stations and three preaching places were established in Connecticut and Massachusetts.

In the midst of this prosperity came an act of the governor and council which ended the usefulness of the mission. It required that all suspected persons should take the oath of allegiance, or emigrate or be imprisoned, and it further commanded "the several Moravian and vagrant teachers among the Indians to desist from further teaching or preaching, and to depart the province."

Count Zinzendorff, the founder of the Moravian church, appealed to the Lords of Trade at London in behalf of the missionaries, and a letter was addressed by them to the governor of New York requiring an explanation of the oppressive laws. The answer is lengthy and is a curious document to read in these days.¹ The act was rigidly carried into effect; the missionaries were compelled to desist from teaching and preaching and to leave the province; and on December 15, 1744, the church and school-house were formally closed by the high sheriff of Dutchess County.

It appears that the persecution of the Moravian Christian Indians, who generally held to their profession, did not cease even after the expulsion of their teachers, for Heckewelder relates that—

The directors of the society, seeing the imminent danger these Christian Indians were in, represented their case to his excellency George Thomas, esq., then Governor of Pennsylvania, who thereupon ordered "that all Indians who took refuge in Pennsylvania should be protected in the quiet practice of their religious profession," which being made known to them, the first emigration, consisting of ten families, in all forty-four persons, took place in April, 1748.²

¹ It will be found, together with other interesting papers relating to the expulsion of the Moravians from New York, in the *Documentary History of New York*, Vol. III, pp. 1012-1027.

² Heckewelder: *Narrative of the Mission of the United Brethren among the Delaware and Mohegan Indians*, Philadelphia, 1820, pp. 34-35.

Evidently all the Christian Indians, as they are called, removed to Pennsylvania, and their after history is identified with that of the Moravian missions in that province.

*Indian mission work of Rev. Samuel Kirkland.*¹—The nature and extent of the missionary work of the elder Wheelock appear in the lives and labors of the members of his school who became missionaries and teachers, or who aided otherwise in the elevation and instruction of the Indians. Foremost among these was Rev. Samuel Kirkland who in 1761, was a youth of nineteen years in Moor's Indian Charity School. He entered Princeton College soon afterward, and combined missionary labors and liberal studies during the ensuing years. The Indian languages always received his particular attention. Before the completion of the college course he commenced the active life of an Indian missionary among the Senecas, the most warlike and dangerous tribe of the Iroquois. From January, 1765, to May, 1766, he labored with them, but without decided success. In July he started on a mission to the Oneidas, a tribe occupying a central position among the Iroquois nations and already offering a promising field for missionary labors. The second year of labor in this tribe was eminently successful. In 1769 he married, and the influence of his wife "was extensive and beneficial in introducing order, neatness, industry, purity, and a devout spirit among the women of the nation." "The Christian character and civilized habits and condition of many families among the Oneidas now residing at Green Bay, in Wisconsin," says his biographer, Lothrop, "date back to this period, and have thus descended through two or three generations."² The mission of Mr. Kirkland was transferred to the London Board of Correspondents in Boston in 1770. Through their aid a meeting-house, a saw-mill, and a grist-mill were built, additional cattle and agricultural implements were purchased, and a blacksmith's shop opened, and the habits and arts of civilized life were obtaining recognition among the tribe. The Revolutionary War interrupted the mission, but did not destroy it. Through the influence of Mr. Kirkland the Oneidas remained neutral for a time, but subsequently they insisted on giving the colonists active support. The mission continued to render the tribe useful and acceptable services for many years. Its period of greatest prosperity was in 1786. Mr. Kirkland said, at that time: "It is now more than seven months since there has been a single instance of drunkenness in two villages. Many who were formerly given to dissipation, every step of whose past life was marked with the foulest vices, have

¹ Lothrop: Life of Samuel Kirkland.

² The tribe now numbers about 1,600 persons, and is well advanced in civilization. As a general thing the members have good houses, and obtain their living by farming, cutting stove-buts, hoop-poles, cord-wood, etc., which they dispose of in neighboring towns. Many of them have large and well-tilled farms, and are as well off as the average farmer among their white neighbors. * * * There are two churches, which are well attended, and six day schools in operation.—Report of Commissioner of Indian Affairs, 1886, p. 251.

now become visibly sober, regular, industrious, praying Indians." In the following years educational and industrial appliances increased, and the extension of industry, thrift, and intelligence was manifest. A scheme of education was prepared which contemplated a high school and primary schools for instruction in reading and writing in the English and Oneida languages, and the rudiments of arithmetic. The high school was intended for the mutual benefit of the young and flourishing settlements and the various tribes of confederate Indians. It was incorporated in 1793 as Hamilton Oneida Academy, and afterwards developed into Hamilton College. Though the establishment of this school was the last of the principal labors of Mr. Kirkland, he continued his missionary work with usefulness for several years.

NEW ENGLAND.

The principal event for the Indians of this region was the interest felt by the Rev. Mr. Wheelock for their education and civilization. The plans proposed by this gentleman differed from those set in motion by Eliot in the seventeenth century, inasmuch as his plan contemplated the establishing of a boarding-school where the children should be taken and thus removed from the immediate influence of their homes should be trained to industries and, especially, to become teachers. The outcome of this school, which lasted hardly beyond a generation, was quite noteworthy. The experiment proved the practicability of the new method, in touching another of the many sides of the question, how to securely and speedily lift a people out of tribal conditions into those of organized society.

*Rev. John Sergeant's work among the Moheakenuk or Housatonic Indians,*¹ at Stockbridge, Mass.—In 1734 the commissioners of the Society for the Propagation of the Gospel offered £100 a year for the support of a missionary among the Housatonic Indians, living about the site of the present town of Stockbridge, Mass.; and Mr. John Sergeant, a tutor in Yale College, undertook the mission.

In October the Indians built a house to serve as a church and school-house, and settled about it in huts for the winter. In November Mr. Sergeant opened a school with about twenty scholars. He soon called to his assistance Mr. Timothy Woodbridge, who taught the school in the absence of Mr. Sergeant, and continued among the Indians until after the death of the latter in 1749. At the close of 1735 the school numbered about forty scholars, and the number gradually increased, until in 1749 there were fifty-five in attendance.

The church formed by Mr. Sergeant gained in numbers, and by June 27, 1736, he had baptized fifty-two Indians. That same year the General Assembly of Massachusetts ordered that a meeting-house, 30 feet broad and 40 feet long, together with a school-house, should be built for the Indians at the charge of the province (the first building, a rough

¹ These are now called the Stockbridge Indians and are living in Wisconsin.

structure covered with bark, was built by the Indians themselves). The new building was occupied for the first time in November, 1739.

About this time the Indians took action against the use of intoxicating liquor by laying a penalty of £40, "York money," upon any one who should bring rum into the settlement.

In 1736 Mr. Hollis, of London (a nephew of the benefactor of Harvard College), agreed to support twelve Indian pupils, at a cost of £25 each, colonial money, and he desired that boys only should be taught at his expense. Mr. Samuel Holden, of London, sent a gift of £100 to the school, and this donation was set apart for the education of Indian girls.

Mr. Sergeant was deeply impressed with the necessity of educating the girls. His friend, Dr. Colman, of Boston, wrote in 1743:

Another thing suggested by Mr. Sergeant, and a most wise and necessary one in the present case, is his taking in girls as well as boys, if Providence succeed the design and a fund sufficient to carry it on can be procured. I must needs add on this head that this proposal is a matter of absolute necessity wherein we are not left at liberty either as men or Christians; for there cannot be a propagation of religion among any people without an equal regard to both sexes; not only because females are alike precious souls, formed for God and religion as much as the males, but also because the care of the souls of children in families and more especially in those of low degree lies chiefly upon the mothers for the first seven or eight years.

The plan put in practice for the girls was to place them in white families at some distance from their homes. They soon became discontented and returned to their parents. A few years later they begged for a new trial and offered to support themselves by their own labor. What was accomplished is unknown, but we learn that two were sent to Northampton and placed in good families there. The Indian girls were not disinclined to attend the school at Stockbridge. A writer in the *Boston Post Boy*, September 3, 1739, says:

I have lately visited my friends in Stockbridge and was well pleased to find the Indians so improved. I saw several young women sewing, but I was in special gratified to find them improved in learning. Several of them have made good proficiency and can read in their Bibles, and some can write a good hand.

Mr. Sergeant notes in his diary on January 11, 1737-'38: "I began to keep the twelve boys on Mr. Hollis's foundation. I took them into my own house and under my instruction."

Contributions came from friends at home and abroad to support the missionary and the school. In 1738 the General Assembly voted him £100. The effort to teach the girls not appearing to succeed, the £100 contributed by Mr. Holden were given to Mr. Sergeant, and a like sum was contributed by the Society for the Propagation of the Gospel which appears to have paid the salary of the missionary and teacher regularly. The society the same year contributed £300 for the further benefit of the Indians, which was expended for them as became necessary, the first payment being made in agricultural implements.

Mr. Hollis and Mr. Holden (and after the death of the latter his widow) continued their liberal gifts. During the first four or five years

Mr. Hollis contributed over £1,000 colonial currency. In 1744 Madam Holden gave £100 for the school. In December, 1743, Mr. Hollis wrote Mr. Sergeant:

Take up for me twelve boys afresh, about the age of nine, ten, eleven, twelve years, and let them be totally maintained at my expense, with food and raiment, education and the like. * * * N. B.—I would have none but boys educated for me, but it may be well if a number of girls could be educated on the account of some others.

That year Mr. Sergeant reported that one of the twelve Indian boys was qualified to keep school among his people.

Mr. Sergeant was at this time busy with his plan for an industrial boarding-school, that being the "design" referred to in Dr. Colman's letter, but this project was postponed and the operations of the mission greatly disturbed by the war then raging between the English and the French and their Indian allies. Stockbridge, the seat of the church and school, lay in the route over which the war parties of French and Indians passed in their forays in the New England settlements. In the face of all these difficulties money was raised, upward of £115 being subscribed at Stockbridge.

The Indians offered to clear land for the school. Madam Holden gave £100, Dr. Watts collected and sent £70 from England in 1745, and that year Captain Coram, who had been in the colonies, started a subscription headed by the Prince of Wales, who gave 20 guineas to the boarding-school, and the Duke of Cumberland and others added 35 guineas more.

In January, 1747, Mr. Sergeant wrote Captain Coram:

There are many Indian youths that read English well, and some are able to write. Instead of their bark huts they own seventeen English houses, fifteen of which they have built themselves at their own cost, and some of them are comfortably furnished with household stuff. * * * We have of Indians in regular standing in the church thirty-five, thirteen males and twenty-two females, besides five or six under a temporary suspension from the communion.

This year the Indians gave 200 acres of land for the boarding-school.

Mr. Hollis had by this time become impatient at the delay in taking the Indian boys for whom he had provided, and he wrote Mr. Sergeant as follows:

I am not willing to have my money of the £350 your currency lying by useless until the war is ended, and I do herewith appoint that there be as soon as possible twelve more heathen boys taken on my account to be entirely provided for with lodging and maintenance to be instructed in the Christian doctrine, and after I know of this order being complied with I design to make a large remittance for carrying on the work.

Accordingly Mr. Sergeant selected twelve boys and sent them to Remington, Conn., where they were placed under the care and instruction of Capt. Martin Kellogg, who had learned the Indian language while a captive. He kept them a year and then returned with them to Stockbridge, where he engaged to remain with them another year. Soon after the house for the boarding-school was finished and occupied. The building was 38 by 36 feet. We are told that "it has three fine

rooms on one floor and two convenient rooms besides, with a large cellar under it."

In 1749, after Mr. Sergeant's death, the historian of the early mission was furnished with the following statistics of the Indians at Stockbridge by Mr. Woodbridge, who had from the first been their teacher:

Number of Indian families	53
Number of Indians	218
Number of Indians baptized by Mr. Sergeant during his ministry	182
Number of baptized Indians at date of report	129
Number of English houses occupied by Indians	20
Number of scholars in Woodbridge's school	55
Number of average attendance	40

Mr. Sergeant, in addition to his labors as missionary, which involved the preaching of four sermons each Sunday, two in the English and two in the Indian language, and his work in connection with the school and boarding-school, translated into Indian the greater part of the New and some portions of the Old Testament. The mission was not abandoned at his death. Mr. Hollis continued his benefactions, and for several years gave £5 sterling a year each to keep thirty-six Indian boys at school.

In 1751 Jacob Nawwamptok (an Indian), constable in the town of Stockbridge, nailed the following on the door of the meeting-house:

You are hereby ordered forthwith to warn all the Indian free-holders and other inhabitants of Stockbridge town, who are qualified according to law to vote in town affairs, to meet at the school-house on Fryday ye 22d of Feb., current, at 2 o'clock, in ye forenoon, for ye following ends, viz:

1st. To know the minds of the town whether Rev. Mr. Johnathan Edwards shall have a call to settle in the Gospel ministry of the town, and as far as the town is for admitting him thereof.

2d. To know the minds of the town whether they will give the Rev. Mr. Edwards anything toward the support in the case he should settle, and in what manner. By order of the Selectmen.

The town voted to call Mr. Edwards, and to pay him "£6 13s. 4d. per year lawful money," and also that the "Indian and English inhabitants" "will give one hundred slay-loads of fire-wood" "annually, and carry it to his dwelling-house." "The Indians are to get eighty loads, the English twenty."

Mr. Sergeant was succeeded by Rev. Jonathan Edwards, whom church difficulties had driven from Northampton, and he remained until 1758. An effort was made to gather the Mohawks at Stockbridge, and the Christian Indians offered them land if they would settle there in a body, and in 1750 some ninety of them resided there. Others came from the Oneida and Tuscarora tribes, and in January, 1751, there were sixty scholars in the school to which Mr. Gideon Hawley had been appointed as teacher. The emigration scheme did not prove successful, and the commissioners decided to send missionaries to the Indians in New York. The school at Stockbridge was abandoned in 1754, and the few children on Mr. Hollis's foundation were sent by Mr. Edwards to Bethlehem,

Conn., where they were placed in charge of Dr. Bellamy. Nothing is known of their history after 1756. Several of the Indian scholars attending the Stockbridge school completed their studies at Dartmouth College.

The whites and Indians formed a part of the same church, and were ministered to by the same pastor until 1775, when the office of missionary was conferred on Rev. John Sergeant, a son of the first missionary. He received \$400 a year from the Scotch Society for promoting Christian Knowledge. At what date this society assumed the salary of the missionary does not appear.

The work among the Indians at Stockbridge appears to have languished after Mr. Sergeant's death. Mr. Edwards did not escape from all his troubles by his removal to Stockbridge, and it appears that his conduct of the Indian mission was much embarrassed both by his enemies and by a party among the whites which was inimical to the best interests of the Indians, supplying them with rum and fomenting dissatisfaction and discord among them.

The biographer¹ of Mr. Edwards goes so far as to say that the funds sent for the benefit of the Indians by the Society for the Propagation of the Gospel were largely used for the purpose of defeating Mr. Edwards's efforts in their behalf, and "were either embezzled or strangely perverted to the purposes of secular gain, by men who were unhappily vested with agencies for the management of their affairs." The French and Indian war also intervened to prevent any efficient effort for the improvement of the Indians. At a period subsequent to the Revolution these Indians were removed to the Oneida country, New York, where they again moved forward in the path of civilization, guided by Rev. John Sergeant, the son of their first missionary.

Moor's Indian Charity School.—The germinal thought, which eventually produced the Moor's Indian Charity School, was bred by the insufficient support given to the pastor, Rev. Eleazer Wheelock,² by the people of Lebanon, Conn. Mr. Wheelock acted upon the principle that if his flock furnished him but half a living they were entitled to but

¹ Sam. Miller, D.D. See Sparks's Library of American Biography, Vol. VIII, 1st series.

² "The Reverend Eleazar Wheelock, of Lebanon, in the Colony of Connecticut in New England aforesaid, now Doctor in Divinity, did on or about the year of our Lord one thousand seven hundred and fifty-four at his own expense, on his own estate and plantation set on foot an Indian charity school, and for several years through the assistance of well-disposed persons in America, clothed, maintained and educated a number of the children of the Indian natives with a view to their carrying the gospel in their own language and spreading the knowledge of the great Redeemer among their savage tribes, and hath actually employed a number of them as missionaries and school masters in the wilderness for that purpose: And by the blessing of God upon the endeavours of said Wheelock, the design became reputable among the Indians insomuch that a larger number desired the education of their children in said school, and were also disposed to receive missionaries and school masters in the wilderness more than could be supported by the charitable contributions in these American colonies."—*Dartmouth College Charter.*

half his services, and concluded that the Indians merited the other half.

Many reasons presented themselves in support of this conclusion. The instruction and conversion of the Indians would be a defense against their incursions and a benefit to the King and his dominions; and work for this end was demanded by the instincts of humanity, by the missionary spirit of religion, and by many positive commands of Holy Writ, which required Christians to relieve destitution and to labor for the conversion of all men.

The most feasible plan of educating the Indians seemed to Mr. Wheelock to be one in which educated natives should unite with foreigners in giving instruction, and in which the girls should be trained in home employments. Among the reasons assigned in favor of this scheme were the deep-rooted prejudice against the English, occasioned by sharp and unjust bargains; the greater usefulness and less expense of native missionaries; their better understanding of Indian temper and customs; the respect and attention they would command; the friendship which would arise between the scholars of different tribes and extend through them to their families; the assistance they would be to English missionaries; the absence of difficulties in matters of language; and the uselessness of attempting English schools in many of the Indian regions.

A pamphlet distributed early in the present century reviews the principles underlying the methods of the school, as follows:

Two plans have been adopted by the Anglo-Americans to enlighten and convert the savages. That of sending missionaries and instructors among them has, in general, been productive of good effects, but not to be compared with that revolution which might have been accomplished had means and measures been sufficiently provided, as in the former case, to introduce arts to their view, had the teachers united with them in social ties and in one common interest, and thus securing their confidence, allured their attention and feelings in the path of improvement. But the plan of receiving their children to be educated in the abodes of civilization, and afterwards returning them to their native tribes, is more conducive than the former, as practised, to the end proposed. With principles and manners thus formed, they will, by their examples, habits, and information, produce more interesting and enduring impressions on the views and feelings of their friends and associates, in the familiar intercourse of life, than one whom they behold as unallied, unconnected with their interest, and foreign to their system of economy and pursuits.

Such were among the powerful motives which led to the establishment and continuation of Moor's Indian Charity School.

Mr. Wheelock's earliest Indian pupil was Samson Occum, a Mohegan Indian, whom he received into his family in 1743, and kept four or five years. He found him an excellent scholar, and helped him to become a teacher and an acceptable preacher. The success of Occum induced Mr. Wheelock to ask for other Indian youths, and two Delawares were received from New Jersey in December, 1754. They formed the nucleus of the school, which the next year received its name and asked for a charter. Mr. Wheelock enlisted influential citizens in behalf of the

school, and Mr. Joshua Moor, from whom the school received its name, gave a small house and shop and about 2 acres of land for its use and support. After receiving this gift it seemed best that the school should have a charter, in order to place it upon a firmer basis and inspire confidence of its success in those that might be disposed to contribute to its resources.

While efforts were being made to secure a charter subscription papers were circulated throughout the colonies, and many persons promised to contribute to the support of the school when it should become a body corporate. Societies and individuals, in both the mother country and the colonies, hearing of the enterprise aided it by money and influence. The agents of the Scotch Society for Propagating Christian Knowledge voted in May, 1761—

That the Rev. Mr. Wheelock, of Lebanon, be desired to fit out David Fowler, an Indian youth, to accompany Mr. Samson Occom, going on a mission to the Oneidas; that said David be supported on said mission for a term not exceeding four months; and that he endeavor, on his return, to bring with him a number of Indian boys, not exceeding three, to be put under Mr. Wheelock's care and instruction, and that £20 be put into Mr. Wheelock's hands to carry this design into execution.

In November of the same year (1761) the General Court of the province of Massachusetts Bay voted Mr. Wheelock £72 for the education, clothing, and boarding of six Iroquois children for one year. Not long after this Mr. Wheelock reported on his work for Indian youth the following facts among others:

I have had two upon my hands since 1754; four since April, 1757; five since April, 1759; seven since November, 1760; and eleven since August, 1761. And for some time I have had twenty five, three of the number English youth. One of the Indian lads, Jacob Wooley, is now in his last year at New Jersey College.

Continuing his narrative, he says:

Two others are sent here by the Rev. Mr. Brainerd, and are designed for trades; the one for a blacksmith (a trade much wanted among the Indians), and is to go to his apprenticeship as soon as a good place is ready for him; the other is designed for a carpenter and joiner, and is to go to an apprenticeship as soon as he has learned to read and write. Another of the Indians is son to the sachem at Mohegan, and is heir-apparent; he is somewhat infirm as to his bodily health. For his support last year I have charged nothing more than £10 lawful money, granted by the honorable London commissioners. Several of my scholars are considerably well accomplished for school-masters, and seven or eight will likely be well fitted for interpreters in a few years more. And four of this number are girls, whom I have hired women in this neighborhood to instruct in all the arts of good housewifery, they attending the school one day in a week to be instructed in writing, etc., till they shall be fit for an apprenticeship, to be taught to make men's and women's apparel, etc., in order to accompany these boys, when they shall have occasion for such assistance in the business of their mission. And six of them are Mohawks, obtained pursuant and according to the direction of the honorable General Assembly of the Province of the Massachusetts Bay, and are learning to speak, write, and read English: And the most of them make good proficiency therein.

The expenses of the school from December 18, 1754, to November 27, 1762, were £566 2s. 5d. The pastors of more than twenty neighboring

churches at this time expressed their approval of Mr. Wheelock and his work in the following terms :

We verily believe a disinterested regard to the advancement of the Redeemer's kingdom and the good of His Majesty's dominions in America were the governing motives which at first induced the Rev. Mr. Wheelock to enter upon the great affair, and to risk his own private interest as he has done since in carrying it on; so we esteem his plan to be good, his measures prudently and well concerted, his endowments peculiar, his zeal fervent, and his endeavors indefatigable for the accomplishing this design; and we know no man like-minded who will naturally care for their state.

A list of the charity scholars under Mr. Wheelock's tuition from 1754 to 1767 contains the names of sixty-two persons, eighteen of them women. Among the persons educated at this time were Joseph Brant, the famous Mohawk, and several others who afterwards became successful missionaries among their kindred, and whose labors are mentioned elsewhere in this report.

The endowment, incorporation, and location of the school occupied the attention and engaged the efforts of its founder during the years immediately preceding 1770. Occum visited Great Britain for the purpose of soliciting funds, and through his instrumentality over £9,000 were collected in England, and between £2,000 and £3,000 in Scotland. The former fund was placed in the hands of a board of London trustees, with the Earl of Dartmouth at its head; the latter was deposited with the Scotch Society for the Propagation of Christian Knowledge.

The objects to be gained by the possession of a charter were stated by a warm friend of the school, William Smith, of New York, as follows :

Beyond all doubt it would be best to have a charter, incorporating a number of warm friends in America, near to each other to direct and govern the school, and some reputable friends in England for correspondence and protectors. This is the only way to render the project permanent, to secure wisdom and counsel equal to the work, to defend it against opposition, and to encourage future donations. * * * An incorporated body will not only acquire rights maintainable by law in the courts of justice, but command the favor of the officers of the government, who, without that sanction, may, at such distances from the Crown, oppress the undertaking a thousand ways and utterly destroy it.

A charter was never obtained for Moor's Indian Charity School, but when its location was changed to New Hampshire, John Wentworth, governor of that province, took the opportunity to create, for the benefit of his people, a higher institution of learning. He endowed the new corporation with all the powers of a university and named it Dartmouth College. It was designed that the Indian school should be connected with it as a subservient institution.

The permanent location of the Indian school was a question which greatly perplexed Mr. Wheelock. Among the localities considered with reference to the determination of the problem were the lands on the Mississippi given to officers who had served in the old French war; several places in the Middle States; Springfield and other towns in Massachusetts; and western New Hampshire. The last named region

was selected by the English trustees of the school, to whom Mr. Wheelock, when he found out how delicate and responsible a matter was the location of the school, represented the situations open to it. But as neither the trustees in England nor the recently granted charter of Dartmouth College had fixed upon any particular site for the institution, Mr. Wheelock, in the spring of 1770, undertook, with the assistance of two friends, "to examine thoroughly the several places proposed within the limits prescribed, for 50 or 60 miles on or near said [Connecticut] river, and to hear all the reasons and arguments that could be offered in favor of each of them."

Eight weeks were spent in this exploration, and a report was made on the strength of which the trustees of the college "unanimously agreed that the southwesterly corner of Hanover, adjoining upon Lebanon, was the place above any other to fix it in." Thus superior and inferior institutions were established at Hanover, N. H., the latter exclusively for Indian youth, and the former primarily for their education. Its charter states that it was created "for the education and instruction of youths of the Indian tribes in this land, in reading, writing, and all parts of learning which shall appear necessary and expedient for civilizing and Christianizing the children of pagans, as well as in all liberal arts and sciences, and also of English youths and any others." The trustees of the college were empowered "to pay all such missionaries and schoolmasters as shall be authorized, appointed, and employed by them for civilizing, Christianizing, and instructing the Indian natives of this land, their several allowances," and other necessary and contingent charges. "The Indians are the first object in the charter," says President Wheelock, "and the first object of the lands secured thereby, and of many other subscriptions and donations made to it."

Moor's Indian Charity School and Dartmouth College were thus associated in attempts to promote Indian civilization. It became necessary at the outset to define their relations to each other. At the first meeting of the trustees of the college they resolved that the charter gave them no right of jurisdiction but over the college, and that the school remained still under the same patronage, authority, and jurisdiction as it was under before the charter was given.

The English trustees of the Indian school misunderstood the movements of Mr. Wheelock, and disapproved his inclination to devote much attention to the education of English youth. In a reply to a letter in which he assures them that "the charter was never designed to convey the least power or control of any funds collected in Europe," they say:

When we consider that the money collected here was given for the express purpose of "creating, establishing, endowing, and maintaining an Indian" charity-school and a suitable number of missionaries to be employed in the Indian country, for the instruction of Indians in the Christian "Religion," and for no other purpose whatsoever, we can not but look upon the charter you have obtained, and your intention of building a college and educating English youths, as going beyond the line by which both you and we are circumscribed.

This letter also demanded a continuation of the narrative of the school, and in the portion which was sent in the same year President Wheelock defends his action in combining the education of English youth with that of the Indians. He had been disappointed in many of his Indian pupils. Some of them had done excellently as school-masters for a single season, or until their schools were broken up by a hunting tour. Then the scholars were scattered never to be gathered again; and some of the teachers became the victims of intemperance, and others the slaves of licentiousness. He writes of his discouragements and of his modified plan, as follows:

The most melancholy part of the account which I have here to relate, and which has occasioned me the greatest weight of sorrow, has been the bad conduct and behavior of such as have been educated here, after they have left the school, and been put into business abroad; and it is that from which, I think, I had the fullest evidence that a greater proportion of English youths must be fitted for missionaries; and enough of them to take the lead entirely, and conduct the whole affair of Christianizing and civilizing the savages without any dependence upon their own sons as leaders, in this matter, or any further than they are employed under the immediate inspection and direction of Englishmen.

The early classes of Dartmouth College contained many members whose purpose was to fit themselves for missionary work among the Indians; but the breaking out of the Revolutionary War and the increased hostility to the settlers shown by nearly all the Indians limited the work which it was possible to do, and turned many prospective missionaries to other occupations.

The first published report of the school, after its removal to Hanover, was issued in 1771. Then there were twenty-four charity scholars, eighteen English, five Indian, and one of mixed blood. The teacher was Mr. McClure, a graduate of Yale College. During the next year there were from five to nine Indian scholars, and quite a number of English charity scholars fitting themselves for missionary labors. In 1773 there were sixteen or seventeen Indian pupils, and as many English. In 1775 President Wheelock says:

The number of Indians in this school since my last narrative [1773] has been from sixteen to twenty-one, and the whole number of charity or dependent scholars has been about thirty; and the whole number of dependent and independent scholars in the college and school about an hundred.

By this time the funds committed to the London trustees had been expended, and the school was in destitution. It had no patronage in America, and no help could come from abroad. Thus "it was reduced in childhood to nakedness and want." Its founder died in 1779, while the troubles and calamities of the war were pressing hard upon his schools. His son, Rev. John Wheelock, succeeded him and immediately began efforts to repair the fortunes of the school. In 1782 he went to Europe, obtained a considerable sum of money in Holland, and reclaimed the Scotch fund, which had been originally provided for Indian education. The debts of the school were paid and the income from this

fund became a means of support. The Society for Propagating Christian Knowledge also resumed its contributions.

A glimpse of the school is given, after many years, in the following quotation :

Joseph Brant, so memorable in the Indian annals for his improvements and exploits, sent two sons to be members of the same school in which he had been educated, with letters of grateful remembrance of the founder, as, to whom, under God, he owed his elevation above the savage. One of them, more promising, died not long after his return and many hopes were buried with him. In 1802 the Rev. Mr. Merrill, then preceptor of the school, visited the tribes in Lower Canada. The chiefs of St. Francis gratefully rejoiced to place their children in the path of instruction; and several of them were received. Three in general, and at times four, from the St. Francis Caghnawaga and Algonquin tribes have been maintained annually at the school till last year. By obstruction of intercourse and interruptions by the war, there is only one at present; others are expected as soon as peaceful communications are opened.

All these have been supported at the school with every necessary, by the interest of its fund in the care of the society, through the medium of their commissioners, at the rate of about \$130 per annum for each. Generally they were regular and attentive, their improvements useful; and since their return their conduct becoming, so far as we have heard.

When finally Dr. Wheelock was removed from the presidency of Dartmouth College, one of the reasons assigned was that "he had taken a youth who was not an Indian, but adopted by an Indian tribe, and supported him in Moor's school on the Scotch fund, which is granted for the sole purpose of instructing and civilizing Indians." This is equivalent to a vindication of his use of the funds of the school in all other respects.

Among the early graduates of Dartmouth College, who labored as missionaries to the Indians were Levi Frisbee, James Dean, Andrew Judson, Daniel Simons, Peter Pohquonnoppeet, and Louis Vincent. The last three were Indians, the first of whom, a Narragansett, became a missionary, and at last fell a victim to drunkenness; the second, a Stockbridge, was a chief of his tribe, and the third, a Lorette, was long a useful teacher among his own people.

Reviewing the efforts of President Eleazar Wheelock to promote the civilization and enlightenment of the Indians, Rev. William Allen, D. D., says :

If it should be asked what success attended the efforts of Dr. Wheelock to communicate the Gospel to the Indian nations, it may be replied that he accomplished something for their benefit, and that great and insuperable obstacles, in the providence of God, prevented him from accomplishing more. It was soon after he sent out missionaries into the wilderness that the controversy with Great Britain blighted his fair and encouraging prospects. During the last four years of his life there was actual war, in which many of the Indian tribes acted with the enemy. Yet the Oneidas, to whom Mr. Kirkland was sent as a missionary, kept the hatchet buried during the whole Revolutionary struggle, and by means of this mission, probably, were a multitude of frontier settlements saved from the tomahawk and the scalping knife.

Samson Occom was the earliest Indian pupil of Mr. Wheelock that became widely known. He was a Mohegan, born in 1723, converted to Christianity in 1740, and received into Mr. Wheelock's family in 1743.

He had already commenced studying, and he continued under tuition until 1748. Then he became a teacher, and afterward a preacher among his own people. Mr. Wheelock sent him to England in 1766 and gave him a letter of recommendation containing the following sketch of his life:

The Reverend Mr. Samson Occom, of Mohegan, came to live with me soon after he emerged out of gross Paganism, and was a Member in my Family and under my Instruction for several Years before he went to keep a school on Long Island, in which he continued for some Years; and at the same time officiated as public Teacher of the Indian Tribe at Montauk, on Long Island, till he received Ordination by the Hands of Suffolk Presbytery on said Island: Since which he has been employed in several Missions to various Tribes of Indians to good Acceptance. All which Time I have kept up my Acquaintance with him, and, so far as I have known or heard, he has behaved himself becoming his Christian and Ministerial Character. Ever since he left my House he has been under great Disadvantages, and his Abilities have been much starved for want of suitable Support for himself and numerous Family, which has obliged him to labor with his Hands, and for many Years was without polite Conversation, while he lived among Indians, and in want of a Library. Notwithstanding all which, he appears to me to be well accomplished and peculiarly turned to teach and edify his savage Brethren; and he hath also preached in New York, Boston, and other polite Towns among the English to good Acceptance. By the best Judges he is said to be an excellent Speaker in his own Language. His Influence is very great among the Indians, and if it should please God to spare his Life, there is reason to hope he may be eminently useful as a Missionary among them.¹

The appearance of the Reverend Mr. Occom in England attracted much notice, and his sermons were heard by crowded audiences in the principal cities. He is said to have preached between three and four hundred times during his visit, which extended from February, 1766, to July, 1767. On his return he resumed preaching among his people, and came to be acknowledged as a leader. During his ministry a number of Mohegans began to pay some attention to tillage and to keep sheep and cattle. In 1786 Mr. Occom led the Brothertown Indians to the lands given them for a residence within the present town of Marshall, Oneida County, N. Y. His death occurred in 1792, and it is recorded that "the Mohegan preacher died, as he had lived, in the faith and practice of the Christian religion."

David Fowler, a Montauk youth, was one of those who entered Mr. Wheelock's school in its earliest years, and was eminently successful in his work in the school-room and on the farm.² In 1761 the Scotch commissioners at Boston desired Mr. Wheelock to fit Fowler out to accompany Mr. Occom to the Oneidas and to support him on a mission there for a term not exceeding four months. He was to bring back a few Indian boys.³ The mission seems to have been accomplished prosperously, and he afterward labored for this tribe with a fair degree of success. In 1765 Mr. Wheelock says of him,⁴ "He is serious, active, a good scholar, and well acquainted with farming. He is like to bring the

¹ Wheelock: A Brief Narrative of the Indian Charity School in Lebanon, in Connecticut, New England, Founded and Carried on by that Faithful Servant of God, the Rev. Mr. Eleazar Wheelock, p. 24. ² *Ibid.*, p. 33. ³ *Ibid.*, p. 39. ⁴ *Ibid.*, p. 31.

Oneidas to cultivate their lands." A letter of Fowler recounts the difficulties which surrounded his little school, arising from the degradation and roving disposition of the people.¹ He is said to have preserved his Christian character unblemished to the end of his life (1812).

Dr. Wheelock gives the following account of seven other Indian school-masters :

Joseph Wolley and Hezekiah Calvin are both Delawares. Joseph appears eminently pious, and teaches a school at Onohoquage, which is increasing. He appears earnestly desirous to bring his poor savage brethren to the knowledge of Christ. Hezekiah is a sober, well-behaved youth, and teaches a school among the Mohawks. They are all good scholars in English, Latin and Greek, and write a very good hand.

Abraham primus, Abraham secundus, Peter, Moses, and Johannes. These five are all Mohawks, and were well accomplished for school-masters, but because they were rather too young to have the full management of schools they were appointed to be under the more special direction of the missionaries, who by the earnest desire of the poor heathen, soon found it necessary to place them all in schools. In this station they have behaved well. These youths had under them one hundred twenty-seven Indian children last September, who have made such surprising proficiency that they will need bibles immediately.

Joseph Brant,² a Mohawk, was in Mr. Wheelock's school for some time previous to 1761, being then about nineteen years of age. He was engaged when leaving the school as an interpreter to Rev. C. J. Smith, a missionary to the Mohawks, but was drawn into the war with Pontiac, which occurred soon afterward. He visited England at the commencement of the Revolutionary War, and returning was an ally of the British and an officer in their army. In due time he became the chief of his tribe, and ever sought to improve its condition by bringing intellectual, moral, and religious instruction within their reach, by encouraging the arts of peace, and by checking intemperance. His efforts for improvement and his tendencies toward an intellectual life and a religious influence, doubtless awakened by his early instruction and nourished by his intercourse with many intelligent whites, have been summarized as follows:

His early advantages of education were limited, but of these he evidently made the best use. Probably, being connected by the alliance of his sister with Sir William Johnson, he may have attended some of the missionary schools in the Mohawk Valley previous to his being sent by the baronet to Moor's Charity School under the care of the elder Dr. Wheelock. But as he had already, though at so early an age, been upon the war-path in two campaigns, his opportunities of study could not have been great—to say nothing of the reluctance with which an ardent youth, looking with delight upon the pride, pomp, and circumstances of glorious war, and impatient of military renown, might be expected to confine himself to the dull and quiet pursuits of the school-room. Still, he acknowledged in after life that he had derived great and lasting advantages from the instructions of Dr. Wheelock. The

¹ Wheelock: A Brief Narrative of the Indian Charity School in Lebanon, in Connecticut, New England, Founded and Carried on by that Faithful Servant of God, the Rev. Mr. Eleazar Wheelock, p. 38. ² Stone: Life of Joseph Brant, Vol. II, p. 488.

wars of Pontiac a third time called him to the field ; but the campaign was no sooner ended than he was again engaged in literary pursuits under the direction of the missionaries. The influence of his sister in the administration of the Indian department called him more directly into active public life on the death of Sir William Johnson, although he had been much employed in the transaction of business with the Indians previous to that event. These avocations had of course deprived him of much time which might otherwise have been devoted to study ; and when upon him had devolved the chieftainship of the whole confederacy of the Six Nations, it may well be imagined that the official claims upon his attention were in themselves sufficient to occupy unremittingly the most active mind. Then followed the protracted conflict of the American Revolution, requiring, from his position and the side he espoused, the exercise of all his energies, physical and intellectual. But his return to his books the moment that the great contest was ended, the progressive improvement in the style of his letters and the fruits of his labors in the translations he produced, are circumstances proving his perseverance amidst the most harassing cares and perplexities of his after life, and that he had a natural taste for literature and was zealous in the acquisition of knowledge. His solicitude was great for the thorough education of his children, and he had himself not only projected writing a history of his own people, but had it in contemplation himself to acquire the knowledge of the Greek language, that he might be enabled to read the New Testament in the original, and thus make a more perfect translation of the Greek Scriptures in the Mohawk tongue.

From 1776 to 1789.—Among the exigent problems that confronted the leaders of the American Revolution none was more pressing than the Indian question. There was no doubt that Great Britain would endeavor to secure the alliance of all the tribes, and with their assistance she might reasonably hope to subdue the colonies.

So early as June 1, 1775, the Continental Congress received a petition from that part of Augusta County, Va., lying west of the Alleghany Mountains, expressing “fears of a rupture with the Indians on account of Lord Dunmore’s conduct,” and praying that commissioners be sent by Virginia and Pennsylvania to meet the Indians at Pittsburgh, and the matter was referred to the delegates from those colonies. The 30th of the same month letters and speeches from the Stockbridge Indians were laid before Congress and read. A committee on Indian affairs, with General Schuyler as chairman, had been constituted before this (June 17), and on the 12th of July, 1775, its report was adopted. In brief, the report set forth that the friendship of the Indian nations was a subject of the utmost importance; that there was too much reason to believe that they would be incited and aided to commit acts of hostility against the colonies; that the greatest vigilance and prudence should be exercised to gain, confirm, and retain the friendly disposition of the Indians; that as the Indians were dependent on the colonies

for arms, ammunition and clothing, commissioners to superintend Indian affairs should be appointed. For this purpose the colonies were divided into three departments, northern, middle and southern.

On July 13, 1775, Congress—

“Ordered, That a talk be prepared for the Indian nations so as to suit the Indians in the several departments.”

The commissioners were at once appointed, and that the necessity for immediate action was felt is shown by the fact that in August following they made a treaty with the Six Nations, the minutes of which were submitted to Congress September 14, and, excepting one provision, which was postponed but subsequently agreed to, ratified by that body in November.

In January, 1776, the matter that had been postponed in the preceding November was considered and disposed of by ordering the importation, at the expense of the colonies, of goods for the Indian trade to the value of £40,000 sterling, to be divided equally among the three departments and sold by the commissioners, under certain regulations, to licensed traders who were obliged to sell goods to the Indians according to a tariff of prices fixed by the commissioners. To maintain trade and friendly intercourse with the Indians was regarded as being of prime importance, in order to avert military disaster to the cause of the colonies.

March 4 following it was resolved that Indians should not be employed as soldiers in the colonial armies until a formal consent of their respective tribes thereunto had been given, nor then without the express approbation of Congress.

April 10, 1776, the commissioners were directed to employ a minister, a schoolmaster, and a blacksmith for the Delaware Indians in response to a request of those Indians presented by White Eyes, one of their chiefs.

As appears by a resolution of the same date some discontent had been manifested by the Indians in the middle department, and the commissioners were instructed to ascertain and report the cause and proper remedy therefor, and in the meantime to use their utmost endeavors to prevent hostilities. The following, in substance, was the plan adopted at that day by Congress to compose Indian troubles: “That disputes which shall arise between any of the white people and the Indians in their dealings (if the latter will consent), be determined by arbitrators chosen one by each of the parties and one by the commissioners of Indian affairs, or when they are absent by the agent in the department where the Indian party resides.” Adherence to this wise policy of our Revolutionary fathers would have saved this nation thousands of lives and millions on millions of treasure.

In the same month it was directed that none except those licensed should be allowed to trade in the Indian country; and that care should be taken by the agents to prevent the traders from charging exorbitant prices for goods.

In the summer of 1776 a white man was murdered by the Indians near Pittsburgh. The commissioners were instructed to discover the offenders and demand their punishment by the Indians, which being granted Congress would not regard the offense as a national act, *i. e.*, an act for which the tribe was responsible except in so far as it required the tribe to mete out punishment to the murderer. Difficulties continued to multiply, especially in the middle department, and it was shrewdly suspected that they were fomented by the Indian traders with a view to pecuniary gain, as well as by British emissaries. Congress transmitted to the commissioners of the middle department an extract from a speech of an Indian chief on the subject, and passed a resolution concluding as follows:

And as it may possibly happen, that the persons concerned in the Indian trade, in order to engross to themselves, or to the traders of their own State, the whole of the said Indian trade, and by false suggestions endeavor to poison the minds of the said Indians, and render them inimical to any other State, and to involve such State in an Indian war, that it be therefore recommended to the assemblies and conventions of the several States from which trade is carried on with the Indians, that they take the most effectual measures to prevent the traders of their respective States from pursuing a practice so dangerous to the peace of the United States.

Indians who were friendly to the colonies complained that they did not always receive good treatment from their friends, and September 10, 1776, Congress "*Resolved*, That it be recommended to the inhabitants of the frontiers, and to the officers at all the posts there, to treat the Indians who behave peaceably and inoffensively with kindness and civility and not to suffer them to be ill used or insulted." On the same date, as it might "be a means of conciliating the friendship of the Canadian Indians, or at least preventing hostilities from them," Congress directed that \$500 be paid to Dr. Wheelock, president of Dartmouth College, to maintain the Indian youth there under his tuition.

In 1781, July 31, Congress directed the payment of £137 "currency of New Jersey, in specie, for the support and tuition of three Indian boys of the Delaware Nation now at Princeton College."

CHAPTER IV.

ADMINISTRATION OF INDIAN AFFAIRS.

During the Revolutionary period various communications were received by the provincial assemblies relative to the Indian tribes, and these were transmitted to the Continental Congress. On June 16, 1775, a committee on Indian affairs of five was appointed and instructed to report on such steps as were deemed necessary to secure and preserve the friendship of the Indian nations.¹ Accordingly the following plan was adopted July 12, 1775:

As the Indians depend on the colonists for arms, ammunition, and clothing, which are become necessary to their subsistence * * * that there be three departments of Indians: The northern department, to include the Six Nations and all the Indians to the northward; the southern department, to extend so far north as to embrace the Cherokees; the middle department, to take in all Indians living between the other two departments. Five commissioners were placed over the southern department and \$10,000 voted to defray the expenses of treaties and presents to the Indians. Three commissioners were to have charge of the northern department and three of the middle department, and \$6,666 $\frac{2}{3}$ were appropriated to each of these departments for similar expenses. The commissioners were empowered to treat with the Indians "in the name and on behalf of the United Colonies, in order to preserve peace and friendship with the said Indians and to prevent their taking any part in the present commotions." * * * "The commissioners respectively have power * * * to appoint agents, residing near or among the Indians, to watch the conduct of the [King's] superintendents [and] their emissaries, * * * and, upon satisfactory proof, * * * to cause to be seized and kept in safe custody * * * these officials or any other person * * * [found] inciting the Indians * * * to become inimical to the American Colonies, * * * until order shall be taken therein by a majority of the commissioners of the district, * * * or by the Continental Congress. * * * The commissioners shall exhibit fair accounts of the expenditure of all moneys by them * * * to every succeeding Continental Congress, or committee of Congress, together with a general state of Indian affairs in their several departments."²

The following gentlemen were elected commissioners for the middle department: Benjamin Franklin, Patrick Henry, and James Wilson.

For the northern department: Philip Schuyler, Joseph Hawley, Turbot Francis, Oliver Wolcott, Volkert P. Douw, the number of commissioners of this department to be increased by vote.³

For the southern department: John Walker, of Virginia; Willie Jones, of North Carolina; the remaining three to be nominated by the council of safety appointed by the colony of South Carolina.⁴

¹ American Archives, Vol. II, 4th series, col. 1849. ² *Ibid.*, Vol. II, 4th series, col. 1879. ³ *Ibid.*, col. 1883. ⁴ *Ibid.*, 4th series, col. 1887.

April 29, 1776, a standing Committee on Indian Affairs was organized in Congress.¹

By Article IX. of the Articles of Confederation, "the United States in Congress assembled" were charged with the sole and exclusive right and power of * * * managing all affairs with Indians."²

On June 3, 1784, "the Secretary in the War Office" was directed to order a force of militia, to be raised for the purpose, to be marched to what place or places the commissioners for negotiating treaties with the Indians shall direct."³

An ordinance for the regulation of Indian affairs, passed August 7, 1786, provided that the Indian Department be divided into two districts; the northern district to include all Indians residing north of the Ohio and west of the Hudson River; the southern district, all tribes living south of the Ohio. The superintendent of each district to be appointed for a term of two years, and to give bonds for the sum of \$6,000. All business to be transacted at an outpost occupied by troops of the United States. The superintendent to reside in or near the district to which he is appointed. The superintendent of the northern district to be empowered to appoint two deputies and to remove them for misbehavior; these deputies to give bonds for \$3,000, and to reside in such places as shall best facilitate the regulation of Indian trade. "The superintendent shall regularly correspond with the Secretary of War, through whom all communication respecting the Indian Department shall be made to Congress, and the superintendents are hereby directed to obey all instructions received from the Secretary of War."⁴

Upon the creation of the War Department, August 7, 1789, Indian affairs were left under the charge of the Secretary of War.⁵

The act of March 1, 1793, provides that the President may—

As he shall judge proper, appoint such persons, from time to time, as temporary agents, to reside among the Indians. * * * The President may, in order to promote civilization among the friendly Indian tribes, and to secure the continuance of their friendship, furnish them with useful domestic animals, and implements of husbandry, and also furnish them with goods or money.⁶

By act of Congress, April 16, 1818, superintendents and agents were to be nominated by the President and appointed by and with the advice and consent of the Senate, and each agent to give bonds for \$10,000.⁷

By the act of April 20, 1818, the salaries of agents were graded. All sub-agents to receive \$500 per annum. Of the agents named in the act, five only were in control of distinct tribes, the others were in charge of districts wherein different tribes lived.⁸

The growth of the frontier, and the consequent complexity and magnitude of the duties devolving upon the Secretary, resulted in the organization, by act of Congress July 9, 1832, of a distinct office for the Indian service, to be under a commissioner, subordinate to the Secretary of

¹Journals of Congress, Washington, 1823, Vol. I, pp. 330-331. ²*Ibid.*, Vol. III, p. 589. ³*Ibid.*, Vol. IV, p. 446. ⁴*Ibid.*, pp. 677-678. ⁵United States Statutes at Large, Vol. I, pp. 49-50. ⁶*Ibid.*, p. 331. ⁷*Ibid.*, Vol. III, p. 428. ⁸*Ibid.*, p. 461.

War.¹ On June 30, 1834, an act was passed "to provide for the organization of the Department of Indian Affairs." By it certain agencies were established and others abolished, the duties of superintendents and agents defined, interpreters and employés provided, and the President empowered to prescribe the rules and regulations needful to carry into effect the provisions of this act, which stands as the organic law of the Indian Department.²

The Hon. Robert J. Walker, Secretary of the Treasury, in his annual report to Congress, dated December 9, 1848, says :

The duties now performed by the Commissioner of Indian Affairs are most numerous and important, and must be vastly increased with the great number of tribes scattered over Texas, Oregon, New Mexico, and California, and with the interesting progress of so many of the tribes in Christianity, knowledge, and civilization. These duties do not necessarily appertain to war, but to peace, and to our domestic relations with those tribes placed by the Constitution under the charge of this Government.

This most important Bureau, then, should be detached from the War Department, with which it has no necessary connection.

* * * * *

There is another reason why the Pension Office, as well as the Indian Bureau, should be detached from the War Department and placed under the supervision of the same Secretary to whom the Land Office would be intrusted, namely: Under our system of Revolutionary and military bounties and land warrants, as well as under treaties and reservations with Indian tribes, many questions arise in relation to our public lands and private land claims, connecting themselves frequently and intimately with our general land system, and with decisions upon land titles made by the Commissioner of the General Land Office; and therefore all those bureaus whose duties are so intimately connected with the public lands, as well as with private land claims, ought to be placed under the supervision of the same Department, or conflict of decision and jurisdiction may, and does in fact, take place.

In consideration of these and kindred arguments, upon the creation of the Department of the Interior by the act of March 3, 1849,³ the Bureau of Indian Affairs was transferred to that Department, and the Indians passed from military to civil control.

With the exception of a period from March, 1869, to July, 1870, during which officers of the Army, detailed for that duty, acted as Indian agents at most of the agencies, the service in the field has been since that time generally performed by appointees from civil life. During the ten years following 1870, agents were appointed upon the recommendation of the religious denominations of the country, a certain number of agencies being assigned to each denomination. The intent of this distribution of agencies was to enlist the active sympathy of the several religious organizations in the Indian work, and to obtain men specially qualified by disposition and character for the peculiar service desired.

The above plan for appointing agents has been discontinued since about 1880.

The policy of the Indian service is to bring the Indians into a condition of self-support. The success of that policy has varied with the circumstances, situation, and individual characteristics of the several tribes. Some of those which were first brought into close relations

¹ United States Statutes at Large, Vol. IV, p. 564.

² *Ibid.*, p. 735-738.

³ *Ibid.*,

Vol. IX, p. 395.

with the Government fifty or sixty years ago have not for years received assistance from the Government, appropriation for them being the interest upon their own funds accruing from the sales of their lands, invested and held in trust by the United States. There are other tribes who rely mainly and some times entirely on their own efforts for support.

OFFICE ORGANIZATION.

Commissioner of Indian Affairs.—The head of the Indian Office is known as the Commissioner of Indian Affairs, whom “the President shall appoint by and with the advice and consent of the Senate.” * * * The Commissioner “shall, under the direction of the Secretary of War,¹ and agreeably to such regulations as the President may from time to time prescribe, have the direction and management of all Indian affairs and of all matter arising out of Indian relations.”² He is also required “to report separately to Congress at the commencement of each December session, a tabular statement showing distinctly the separate objects of expenditure under his supervision;”³ “all bids and proposals for * * * supplies or annuity-goods;”⁴ and “the reports of agents.”⁵ The Commissioner “shall have the sole power and authority to appoint traders to the Indian tribes and to make such rules and regulations as he may deem just and proper, specifying the kind and quantity of goods and the prices at which such goods shall be sold to the Indians.”⁶

From 1832 until the present time the office has been filled as follows :

Names.	Term of service.	Where born.	Whence appointed.
Elbert Herring	1832-36	Connecticut	
Casey A. Harris	1836-38	Tennessee	
T. Hartley Crawford	1838-45	Pennsylvania	Pennsylvania.
William Medill	1845-49	Delaware	Ohio.
Orlando Brown	1849	Kentucky	Kentucky.
Luke Lea	1850-53	Tennessee	Mississippi.
George W. Manypenny	1853-57	Pennsylvania	Ohio.
James W. Denver	1857-58	Virginia	California.
Charles E. Mix	1858	Connecticut	District of Columbia.
James W. Denver	1858-59	Virginia	California.
Alfred B. Greenwood	1859-61	Georgia	Arkansas.
William P. Dole	1861-65	New Hampshire	Illinois.
Dennis N. Cooley	1865-66	do	Iowa.
Lewis V. Bogy	1866-67	Missouri	Missouri.
Nathaniel G. Taylor	1867-69	Tennessee	Tennessee.
Ely S. Parker	1869-71	New York	District of Columbia.
Francis A. Walker	1871-73	Massachusetts	Massachusetts.
Edward P. Smith	1873-75	Connecticut	New York.
John O. Smith	1875-77	Ohio	Ohio.
Ezra A. Hayt	1877-80	New York	New York.
Rowland E. Trowbridge	1880-81	do	Michigan.
Hiram Price	1881-85	Pennsylvania	Iowa.
John D. C. Atkins	1885	Tennessee	Tennessee.

¹ Now under the direction of the Secretary of the Interior. ² United States Statutes at Large, Vol. IV, p. 564. ³ *Ibid.*, XIV, p. 515. ⁴ *Ibid.*, XIX, p. 199. ⁵ *Ibid.*, Vol. XVIII, p. 178. ⁶ *Ibid.*, XIX, p. 200.

The Commissioner is aided by an Assistant Commissioner, "who shall also perform the duties of chief clerk,"¹ and who, in the absence of the Commissioner, is authorized to act in his stead.

There are also under the immediate direction of the Commissioner and Assistant Commissioner a stenographer, type-writing and index clerk, and a stationery clerk; also a clerk charged with the appointment and bonding of traders.

The clerical force of the Indian Office is classified into five divisions, viz: Finance, Land and Law, Accounts, Education, Records and Files; the work in each division being under the immediate direction of a clerk known as the chief of the division. The following account of the several divisions was revised with the courteous assistance of the Indian Office to November 1, 1885, but they are subject to modification and change:²

Finance division.—The finance division has charge of all financial affairs pertaining to the Indian service, and all correspondence relating thereto; keeps account of all receipts and disbursements of all appropriations and other funds for the Indian service; prepares and records all contracts for furnishing Indian supplies and goods, and for their transportation, and acts upon all questions relating to the same; remits funds to the disbursing officers of the Bureau on their estimates; gives such officers specific directions in regard to the objects for which funds remitted may be expended; audits and pays all claims for indebtedness incurred by the Indian Office directly; also, is charged with the investigation of all claims arising on account of depredations by Indians, and making report upon the same to the Department.

This division also audits and pays a large number of claims based on indebtedness incurred by agents, who, under authority from the office, transmit such accounts in the form of certified vouchers to the Indian Office for payment. This system, which was inaugurated in 1875, has relieved agents of large money responsibilities, but has materially increased the labor required of the finance division.

The clerical force of the division consists of the chief, a book-keeper, one clerk of class 4, two clerks of class 3, three clerks of class 2, three lower grade, and three record clerks.

Land and law division.—This division has charge of all the Indian lands in the United States, and is the law division of the Indian Office. It directs all allotments, surveys, conveyances, appraisement and sale; prepares copies of land plats, and conducts the entire correspondence connected with the foregoing; the establishment, enlargement, or reduction of Indian reservations by Executive order; issues certificates of allotments of land in severalty to Indians, and instructions to special commissions. It is the depository for all maps, diagrams, and plats

¹ Act of Congress, March 3, 1887, United States Statutes, second session Forty-ninth Congress, 1886-87.

² For fuller statement see Report Indian Commissioner, 1878, p. LI-LXIV.

of field-notes of survey; keeps a record of all Indian deeds approved by the Department, and of all treaties and agreements made with the various Indian tribes. Tract books of all Indian reservations that have been fully surveyed are kept, showing subdivisions of land and the dispositions made thereof. It has charge of all matters relating to the location and removal of Indians; the removal from the reservation of persons considered detrimental to the peace and welfare of the Indians; all matters relating to crimes and offenses committed by Indians either on or off the reservations; also, all matters pertaining to railroad companies having right of way through Indian reservations, and the consideration of claims to compensation therefor, and to damages, direct and consequential, resulting therefrom; all claims for arrears of pay, pensions, and bounty claims by reason of the military service of Indians pass through this division. The examination of contracts with any tribe or individual Indians for the payment of money, etc.; questions relating to the guardianship of minors, settlements of estates of decedents, the reclamation of property stolen or illegally sold, and remedies for trespass belong to this division, which is also charged with the construction of treaties and of laws enacted for the benefit of the Indians; the determination of all the vexed and multifarious legal questions arising among a semi-civilized people, and between them and their white neighbors, as well as all matters pertaining to the civilization and advancement of the Indian. All bills originating in either House of Congress which affect Indian lands or any claims arising from or connected with them are referred to this division for examination and report.

The clerical force consists of the chief, one clerk of class 4, three clerks of class 3, two clerks of class 1, four clerks of lower grade, one draughtsman, one record clerk.

Accounts division.—The accounts division has charge of the examination and recording of bonds given by Indian agents; the cash and property accounts of all disbursing officers of the Indian Bureau, and examines and audits the same, preparatory to their final settlement by the accounting officers of the Treasury; determines all questions relative to the quantities and distribution of supplies; examines monthly and weekly statements of balances of public funds, weekly statements of issues of supplies, and quarterly reports of employés; has supervision of the appointment and discharge of agents and all agency employés, except school employés. All correspondence pertaining to the accountability of agents for public funds and property placed in their hands is conducted in this division and a permanent record kept thereof.

The clerical force consists of the chief, 2 clerks of class three, 8 clerks of class two, 2 clerks of class one, 5 lower grade, and 2 record clerks.

Education division.—The education division, under general direction of the Superintendent of Indian Schools, has supervision over all questions relating to Indian schools; has charge of all records and cor-

respondence relating to their management; supervises all plans and specifications for school buildings; prepares all contracts for education of Indians; fixes all positions and salaries of school employés, and has supervision of their appointment and discharge.

The clerical force consists of the chief, 1 clerk of class three, and 3 copyists.

Records and files division.—The records and files division keeps a register of all letters received; the records of all correspondence issuing from the office; files, in proper order, of all papers relating to the service received by the Office.

The clerical force consists of the chief, 2 clerks of class two, 1 clerk of class one, 3 record clerks, 2 messengers.

The general office employs 1 messenger, 1 assistant messenger, 1 laborer, 1 messenger boy.

FIELD ORGANIZATION.

The field work of the Indian Department is under the charge of 60 agents, 609 employés, exclusive of school employés, and 5 special agents. Also 5 inspectors, who report directly to the Secretary of the Interior.

Agents.—Indian agents are “nominated by the President and appointed by and with the consent of the Senate.”¹ Each Indian agent holds his office for four years² and until his successor is appointed and qualified.³ He must give bond⁴ with not less than two sureties, and the several sums in which the sureties justify must aggregate at least double the penalty of the bond.⁵ Upon assuming charge the agent shall take an inventory of all public property on the reservation, and shall receipt for the same to his predecessor.⁶ An agent shall, if required, perform the duties of two agencies for one salary,⁷ and he shall not depart from the limits of his agency without permission.⁸ In the absence of the agent, an employé shall serve, he having been authorized by the agent in writing. Three copies to be made of this authorization, one to be kept by the acting employé, one in the agency files, one sent to the Indian Office, signed by the employé and certified to by the agent. The agent to be held responsible under his bond for all acts of the employé.⁹

Duties of agents.—The office of agent being of so great importance to the welfare of the Indians, the popular demand seems to require this officer to be not only the Government official, but the philanthropic leader of the people over whom he is placed. Should the agent be a man of large capacity he might be able to fulfill these requirements. There have been and are such men in the service. In order that something of the legal demands upon this bonded officer may be known, the following partial enumeration of the duties of agents is given. A full statement

¹ United States Statutes at Large, Vol. III, p. 428. ² *Ibid.*, Vol. IX, p. 587.

³ *Ibid.*, Vol. XXII, p. 87. ⁴ *Ibid.*, Vol. IX, p. 587. ⁵ Regulations of the Indian Department, 1884, sec. 172. ⁶ *Ibid.*, sec. 189. ⁷ United States Statutes at Large, Vol. XVIII, p. 147. ⁸ *Ibid.*, Vol. IV, p. 736. ⁹ Regulations of the Indian Department, 1884, secs. 180-183.

would occupy more space than is permitted to this topic. For further information see Regulations of the Indian Department, 1884.

“The chief duty of an agent is to induce his Indians to labor in civilized pursuits.”¹ He is also charged with the preservation of order upon the reservation ;² the removal “from the Indian country of all persons found therein contrary to law ;”³ the oversight of employes ;⁴ “to protect the rights of the Indians” in the matter of trade ;⁵ to suppress “the traffic in intoxicating liquors ;”⁶ to investigate “depredation claims ;”⁷ to “protect Indians” on their “land in severalty ;”⁸ the care of all Government property ;⁹ the care of agency stock ;¹⁰ the proper receipt and distribution of all supplies received ;¹¹ disbursements of money received ;¹² the supervision of schools.¹³

In addition to the correspondence and other clerical work incident to the conduct of the current business of his office, each agent is required to—

Keep a book of itemized expenditures of every kind, with a record of all contracts, together with receipts of money from all sources ; * * * the books * * * shall always be open to inspection * * * remain * * * at the respective agencies * * * safely kept and handed over to his successor ; and true transcripts of all entries of every character * * * shall be forwarded quarterly by each agent to the Commissioner of Indian Affairs. * * * Should any agent knowingly make any false entry in said books or in the transcripts * * * or * * * fail to keep a perfect entry * * * he shall be deemed guilty of a misdemeanor, and on conviction before any United States court, * * * shall be fined * * * not less than \$500 nor more than \$1,000, * * * and shall be rendered incompetent to hold said office of Indian agent.¹⁴ And he shall also keep a record of * * * all transactions of whatever character as they occur on each day.¹⁵

The transcript of this book must be forwarded to the Indian Office immediately upon the expiration of each quarter, without reference to the regular quarterly accounts, and must contain the certificate of the agent that it is a true transcript of the book kept at the agency.¹⁶

The agent must render to the Indian Office—

A weekly-supply report showing quantity of supplies issued to the Indians, etc.¹⁷

A weekly report making a statement of “funds on hand or on deposit.”¹⁸

A monthly report of the same.¹⁸

A monthly report of irregular employes.¹⁹

¹ Regulations of the Indian Department, 1884 ; secs. 486-490, 354, 346, 352, 353.
² United States Statutes at Large, Vol. IV, p. 736. ³ *Ibid.*, p. 730, Vol. XI, p. 80 ; also Regulations of the Indian Department, 1884, sec. 537. ⁴ *Ibid.*, sec. 565. ⁵ *Ibid.*, sec. 526, 575-576. ⁶ United States Statutes at Large, Vol. IV, p. 564 ; Vol. XIII, p. 29 ; Vol. XIX, p. 244 ; Vol. XXIII, p. 94 ; also Regulations of the Indian Department, 1884, sec. 491. ⁷ *Ibid.*, Vol. IV, p. 732 ; Vol. X, p. 701 ; also Regulations of the Indian Department, secs. 484, 485. ⁸ *Ibid.*, Vol. XII, p. 427 ; also Regulations of the Indian Department, 1884, sec. 543. ⁹ *Ibid.*, secs. 334, 337. ¹⁰ *Ibid.*, secs. 93-102, 331, 366-368. ¹¹ United States Statutes at Large, Vol. IV, p. 738 ; Vol. XI, p. 169 ; Vol. XVIII, p. 449 ; Vol. XIX, p. 293 ; also Regulations of the Indian Department, 1884, secs. 345-350 and secs. 358-365. ¹² *Ibid.*, secs. 475-478. ¹³ *Ibid.*, secs. 506, 507, 511-514, 517. ¹⁴ United States Statutes at Large, Vol. XVIII, p. 451. ¹⁵ Regulations of the Indian Department, 1884, sec. 326. ¹⁶ *Ibid.*, sec. 328. ¹⁷ *Ibid.*, sec. 377 ; also p. 185. ¹⁸ *Ibid.*, secs. 439, 440. ¹⁹ *Ibid.*, secs. 234, 235.

A monthly statement of the amount of indebtedness for employés.¹

Monthly report of the number of acres of land broken and cultivated; of the kind and quantity of crops raised; hay cut; number of feet of logs cut; lumber sawed; bushels of grain ground; number of fence-rails split; rods of fence made; houses built for or by Indians; agency buildings erected; of the work performed by Indians; amount of money received for it, and from whom; and of whatever occurrences have required or will require the attention of the Indian Office.²

A "monthly report of schools" showing attendance, progress of pupils, statistics of teachers.³

A monthly report of all school issues and expenditures.⁴

A quarterly account consisting of—

An account current of all moneys received, whether from appropriations or miscellaneous sources, and * * * the aggregate of disbursements * * * and all deposits to the credit of the United States.⁵

Abstract of disbursements.⁶

Vouchers from all persons to whom money has been paid for any service or article.⁷

Transcript of cash.⁸

A sworn report of employés.⁹

A property return, accompanied by the proper abstracts, must show all public property of whatever kind or description upon the reservation, and all property received, issued, and remaining in the hands of an officer, including all Government buildings on the reservation.¹⁰

Abstract A, showing all articles purchased by agent.¹¹

Abstract B, showing all articles received from contractors by consignment, etc.¹²

Abstract C, showing all articles received from various sources, including gains in issues; all beef hides; all articles manufactured or produced in any manner at the agency; (all garments, etc., made by school children or employés, and articles made at the shops are included in the above item).¹³

Abstract D, showing all articles issued to the Indians. This abstract must be accompanied by the issue vouchers containing the name of each Indian and articles or the amount of subsistence issued to him, and his receipt, duly witnessed, for what he receives. The vouchers must be supported by certificates from the interpreter, two disinterested witnesses, and the agent, setting forth that the articles have been distributed to the Indians in the prescribed method.¹⁴

Abstract E, showing all subsistence sold to employés, accompanied by the affidavit of the agent and of each employé who purchased any supplies.¹⁵

Abstract F, showing all articles expended at the agency, including stationery, fuel, supplies for the mill, shops, farms, and schools, accompanied by vouchers from the miller, shop employés, farmer, superintendent, principal teacher, or other employé as to the disposition made of each article expended.¹⁶

Medical return, showing all medical property received, expended, and on hand, supported by certificate of the physician.¹⁷

Quarterly accounts are required to be made out in triplicate, one copy for the Indian Office, one for the accounting officers of the Treasury, and the third to be preserved in the agency files.¹⁸ These reports must be made out and transmitted to the

¹ Regulations of the Indian Department, 1884, sec. 266. ² *Ibid.*, sec. 209. ³ *Ibid.*, secs. 509, 511. ⁴ *Ibid.*, sec. 512. ⁵ *Ibid.*, secs. 284-288. ⁶ *Ibid.*, sec. 289.

⁷ *Ibid.*, secs. 290-325. ⁸ United States Statutes at Large, Vol. XVIII, p. 451; also

Regulations of the Indian Department, 1884, secs. 326-328. ⁹ United States Statutes at Large, Vol. XVIII, p. 449; also Regulations of the Indian Department, 1884, sec. 329.

¹⁰ *Ibid.*, secs. 330-334. ¹¹ Regulations of the Indian Department, 1884, secs. 335-336.

¹² *Ibid.*, secs. 337-340. ¹³ *Ibid.*, secs. 341-343 and 394-404. ¹⁴ United States Statutes

at Large, Vol. IV, p. 738; Vol. XI, p. 169; Vol. XVIII, p. 449; Vol. XIX, p. 293; also Regulations of the Indian Department, 1884, secs. 344-347. ¹⁵ *Ibid.*, secs. 378-382.

¹⁶ *Ibid.*, secs. 383-390. ¹⁷ *Ibid.*, secs. 391-392. ¹⁸ *Ibid.*, sec. 270.

Indian Office within thirty days from the close of the quarter, or legal proceedings may be taken against the sureties of the delinquent officer.¹

Descriptive roll of school children;² an annual report, including a census of all Indians at each agency, giving the number of males over eighteen years of age, females over fourteen; school children between the ages of six and sixteen years;³ number of school-houses, number of schools in operation, attendance at each school, names of teachers employed, and salaries paid such teachers.⁴

To give a history of the work, progress, and events of the year, together with full statistics in regard to land cultivated, produce, stock, buildings erected both by Indians and Government,⁵ with other information called for by the Indian Office⁶ in regard to missionary work, population, number of Indians wearing citizens' dress, speaking English, and who can read; number of Indian families engaged in agriculture and civilized pursuits; number of male Indians who undertake manual labor; per cent. of Indians who subsist by labor and civilized pursuits, hunting, fishing, root gathering, etc.; issue of Government rations; number of Indian apprentices; number of Indians having allotments; number of houses occupied by Indians, and vital statistics.⁷

Agents are required to furnish once during the year, a descriptive statement of Government buildings;⁸ annuity pay-rolls. The agent is required to re-enroll the Indians under his charge prior to each distribution of annuities.⁹

Agents are directed to forward quarterly to the Indian Office estimates of the funds required to conduct the business of their agencies for the ensuing quarter;¹⁰ and to estimate annually for supplies needed during the fiscal year for office, farm, shop, and school work, for the repair and erection of buildings, and the subsistence supplies necessary for the Indians.¹¹

The salaries of agents range from \$800 to \$2,200, as follows:¹²

One	\$800
Eleven	1,000
Two	1,100
Seven	1,200
One	1,300
One	1,400
Fifteen	1,500
Five	1,600
One	1,700
Seven	1,800
Eight	2,000
Three	2,200

Employés.—Employés except physicians and clerks are nominated annually by the agent, subject to the approval of the Indian Office.¹³

“Not more than \$6,000 shall be paid in one year for salaries of employés at any one agency in addition to that of the agent,” teachers, and Indians. * * * “The Secretary may by written order increase the amount, but not to exceed \$10,000.”¹⁴ When two or more agencies are consolidated the expenditures shall not exceed \$15,000.¹⁵ Employés will in all cases be expected to perform without additional compensation not only the duties for which they are engaged, but also such other duties as the in-

¹ Regulations of the Indian Department, 1884, secs. 268, 269. ² *Ibid.*, sec. 508.

³ United States Statutes at Large, Vol. XXIII, p. 98, sec. 9. ⁴ *Ibid.*, Vol. XXIII, p. 91.

⁵ Regulations of the Indian Department, 1884, sec. 210. ⁶ *Ibid.*, sec. 212. ⁷ Tables, Indian Commissioner's Report, annually. ⁸ Regulations of the Indian Department, 1884, sec. 393. ⁹ *Ibid.*, secs. 150-151. ¹⁰ *Ibid.*, sec. 417. ¹¹ *Ibid.*, sec. 2. ¹² Appropriation act of March 3, 1885. ¹³ Regulations of the Indian Department, 1884, sec. 220. ¹⁴ United States Statutes at Large, Vol. XVIII, pp. 449-450. ¹⁵ *Ibid.*, Vol. XXII, p. 328; also Regulations of the Indian Department, 1884, sec. 216.

terests and exigencies of the service may in the judgment of the agent require. In no case can two salaries be paid to any employé.¹

No relative or bondsman of any Indian agent shall be appointed to any position at any Indian agency without the authority of the Secretary of the Interior, except it be the wife, daughter, or sister of the agent, either of whom, if competent, may be appointed to fill the position of school-teacher, but in no event shall more than one of the above be employed in that capacity.²

The expenses of white employés must be reduced as soon as practicable to the lowest degree. To this end agents are instructed to supply each mechanic employed with one or more Indian apprentices, at not less than \$60 nor more than \$120 per annum for the first year, and, whenever it is possible to do so, to fill the positions authorized at an agency with Indians.³

Neither the agent, interpreter, nor any person whose salary is established by law is entitled to rations, except Indian police. Agency employés may be sold such quantities of the subsistence stores purchased for the Indians at an agency as may be necessary for the support of themselves and families, at the cost price, adding transportation.⁴

The selection and appointment of agency physicians and clerks is reserved to the Indian Office.⁵ Physicians are required to report monthly to the Indian Office, giving the number, nature, and result of all cases treated.⁶

The agents of the Indian Bureau are assisted by the following employés,⁷ not including irregular or school employés:

Employés.	Num-ber.	Salaries.	
		Lowest.	Highest.
Physicians	58	\$200	\$1,200
Clerks	51	700	1,200
Clerks, issue	10	200	1,000
Clerks, assistant	2	720	900
Interpreters	57	150	900
Farming, superintendent of	3	600	900
Farmers	42	300	1,000
Farmers, assistant	11	180	720
Farmers, district	6	120	120
Farmer, head	1	900	900
Farmer, additional ⁸	1	900	900
Carpenters	30	350	900
Carpenters, assistant	12	120	300
Carpenters' apprentices	5	60	120
Carpenter and superintendent	1	600	600
Carpenter and mill superintendent	1	900	900
Carpenter and sawyer	1	900	900
Blacksmiths	50	240	1,200
Blacksmiths, assistant	11	120	400
Blacksmiths' apprentices	3	60	120
Apprentices	39	60	200
Herders	24	120	900
Herders, assistant	5	240	600
Herder, chief	3	600	900
Herder, assistant chief	1	600	600
Laborers	47	100	600
Watchmen	4	180	600
Miscellaneous (millers, butchers, teamsters, engineers, etc.)	103	60	1,200

¹ United States Statutes at Large, Vol. V, pp. 349, 510, 525; also Regulations of the Indian Department, 1884, sec. 241. ² *Ibid.*, sec. 262. ³ *Ibid.*, sec. 260. ⁴ *Ibid.*, sec. 258. ⁵ *Ibid.*, sec. 263.

⁶ *Ibid.*, secs. 518-524. ⁷ Official Register, 1885. ⁸ 27 additional farmers have been added to the force since the above table was compiled.

A large portion of the employés are provided in accordance with treaty stipulations.

As an aid toward civilization the following Indian forces are employed :

Indian police.—By act of Congress May 27, 1878, provision was made for organizing an Indian police, not exceeding 50 officers and 430 privates,¹ and in that year the Indian police was organized at thirty different agencies.² During the year 1884 the force consisted of 784 officers and privates, at forty-eight different agencies.³

The duties of the police are to preserve order on the reservation, prohibit illegal traffic in liquor, and arrest offenders; act as guards at ration issues and annuity payments; take charge of and protect at all times Government property; restore lost or stolen property to its rightful owners; drive out timber thieves and other trespassers; return truant pupils to school; make arrests for disorderly conduct and other offenses.

The pay, in addition to rations, is as follows: Officers, \$10 per month; privates, \$8 per month.⁴

Court of Indian offenses.—In 1882 the court of Indian offenses was instituted. It consists of three members (Indians), appointed by the Indian Office for a term of one year, subject to removal at any time at the discretion of the Commissioner of Indian Affairs. No polygamist shall be eligible to appointment.

The court shall hold at least two regular sessions each month, and special sessions may be held when requested by three reputable members of the tribe and approved by the agent. The offenses cognizable and punishable are: The "sun dance," the "scalp dance," the "war dance," and all other so-called feasts assimilating thereto; plural marriage hereafter contracted or entered into by any member of an Indian tribe under the supervision of a United States Indian agent; the usual practices of so-called "medicine men;" stealing and willfully abusing property; the sale of women; the sale or use of liquor.⁵

For the discharge of these duties the court receives no compensation. Where the Indians have been induced to undertake the task, the agent reports faithful service on the part of the Indians comprising the court of Indian offenses.⁶

Inspectors.—The office of inspector was established by act of Congress February 14, 1873. The act provided for the appointment of five inspectors, to be appointed by the President, by and with the consent of the Senate, at a salary each of \$3,000 per annum and his necessary travelling expenses. His duties are thus defined :

A statement of each inspector's expenses shall accompany the annual report to the Secretary of the Interior. Each inspector shall hold his office for four years, unless sooner removed by the President. Each Indian agency shall be visited and exam-

¹ United States Statutes at Large, Vol. XX, p. 86. ² Report Commissioner Indian Affairs, 1878, p. xlii. ³ *Ibid.*, 1884, p. xvi. ⁴ Regulations of the Indian Department, secs. 577, 578; and act of March 3, 1885. ⁵ Regulations of the Indian Department, 1884, secs. 496-499. ⁶ Report Indian Commissioner, 1884, pp. ix-xi.

ined. Such examination shall extend to a full investigation of all matters pertaining to the business of the superintendency or agency, including an examination of accounts, the manner of expending money, the number of Indians provided for, contracts of all kinds connected with the business, the condition of the Indians, their advancement in civilization, the extent of the reservations, and what use is made of the land set apart for that purpose, and, generally, all matters pertaining to the Indian service. For the purpose of making such investigations the inspector has power to examine all books, papers, and vouchers; to administer oaths and to examine on oath all officers and persons employed at the agency, and such other persons as he may deem necessary and proper; to suspend an agent or an employé, and to designate some person in his place temporarily, subject to the approval of the President, making immediate report of such suspension and designation; and, upon the conclusion of each examination, a report shall be forwarded to the President without delay. The inspectors, in the discharge of their duties, jointly and individually, shall have power, by proper legal proceedings, which it shall be the duty of the district attorney of the United States for the appropriate district duly to effectuate, to enforce the laws, and to prevent the violation of law in the administration of affairs in the several agencies and superintendencies.¹

United States special agents.—The Indian appropriation bill of 1879 provided for special agents who are appointed by the Secretary of the Interior² at a salary each of \$2,000 per annum. Five are at present employed. Their duties are somewhat similar to those of the inspectors, and they are required to take charge of agencies in cases of emergency, being bonded sufficiently for this purpose. They report direct to the Indian Office.

Special agents are also detailed by the Indian Bureau to make investigations in special matters pertaining to Indian affairs upon which information is desired, or to transact special business.

The Board of Indian Commissioners.—The Board of Indian Commissioners was organized under the fourth section of the act of Congress, approved April 10, 1869, entitled "An act making appropriations for the current and contingent expenses of the Indian Department."

This act authorizes the President "to organize a Board of Commissioners, to consist of not more than ten persons, to be selected by him from men eminent for their intelligence and philanthropy, to serve without pecuniary compensation, who may, under his direction, exercise joint control with the Secretary of the Interior over the disbursement of the appropriations made by this act or any part thereof that the President may designate."

Upon the appointment of the Commission, in accordance with this act of Congress, the President issued the following regulations "to control the action of said Commission and of the Bureau of Indian Affairs in matters coming under their joint supervision: "

(1) The Commission will make its own organization and employ its own clerical assistants, keeping its "necessary expenses of transportation, subsistence, and clerk-hire, when actually engaged in said service," within the amount appropriated therefor by Congress.

¹ United States Statutes at Large, Vol. XVII, p. 463.

² United States Statutes at

Large, Vol. XII, p. 792.

(2) The Commission shall be furnished with full opportunity to inspect the records of the Indian Office and to obtain full information as to the conduct of all parts of the affairs thereof.

(3) They shall have full power to inspect in person or by subcommittee the various Indian superintendencies and agencies in the Indian country, to be present at payment of annuities, at consultations or councils with the Indians, and, when on the ground, to advise superintendents and agents in the performance of their duties.

(4) They are authorized to be present, in person or by subcommittee, at purchase of goods for Indian purposes and inspect said purchases, advising with the Commissioner of Indian Affairs in regard thereto.

(5) Whenever they shall find it necessary or advisable that instructions of superintendents or agents be changed or modified, they will communicate such advice, through the office of the Commissioner of Indian Affairs, to the Secretary of the Interior, and in like manner their advice as to changes in modes of purchasing goods or conducting the affairs of the Indian Bureau proper.

(6) The Commission will at their board meetings determine upon their recommendations to be made as to the plans of civilizing or dealing with the Indians, and submit the same for action in the manner above indicated.

(7) The usual modes of accounting with the Treasury cannot be changed, and all the expenditures, therefore, must be subject to the approvals now required by law.

(8) All the officers of the Government connected with the Indian service are enjoined to afford every facility and opportunity to said Commission and their subcommittees in the performance of their duties, and to give the most respectful heed to their advice within the limits of such officers' positive instructions from their superiors; to allow such Commissioners full access to their records and accounts; and to co-operate with them in the most earnest manner, to the extent of their proper powers, in the general work of civilizing the Indians, protecting them in their legal rights, and stimulating them to become industrious citizens in permanent homes instead of following a roving and savage life.

(9) The Commission will keep such records and minutes of their proceedings as may be necessary to afford evidence of their action.

The Commissioners appointed adopted the following minutes as expressing their views of their prerogatives and duties:

The Commission, under the authority of the President, considers itself clothed with full power to examine all matters appertaining to the conduct of Indian affairs, and, in the language of its original letter of appointment, to act both as a consulting board of advisers, and through their subcommittees as inspectors of the agencies, etc., in the Indian country.

And in their first report they further say:

The board have entire confidence in the design of the administration to carry out the system of reform in the management of Indian affairs upon which it has entered. Nor do we deem it expedient that the Commission should be charged with the expenditure of any portion of the Indian appropriations or any responsibility connected therewith, further than is involved in their general advising powers.

Thus the Board of Indian Commissioners, though at first appointed for a specified purpose "to enable the President to execute the powers conferred" by a single act, the commission has been continued from year to year by subsequent acts of Congress "with the powers and duties heretofore provided by law;" and in 1871 Congress enacted that

all accounts and vouchers for goods or supplies of any sort furnished to the Indians, and for transportation, buildings, and machinery should be submitted to the executive committee of the board for examination, revision, and approval.

The examination of accounts rendered necessary an office in Washington, and the employment of an assistant secretary and one or more clerks. Every expenditure of money for the Indian service, either under contract or by purchase in open market, has been revised by the executive committee, requiring an examination of several thousand vouchers each year, involving the disbursement and transfer of five or six millions of dollars.¹

The purchasing committee has devoted much time to the supervision of contracts in consultation with the Commissioner of Indian Affairs, and to the inspection of goods and supplies of every kind purchased in New York, Baltimore, Philadelphia, Chicago, St. Paul, St. Louis, and other cities.

Copies of all contracts are kept on file in the Washington office for the purpose of verifying the accounts when received for examination, and a record is kept of all vouchers, with the name of claimants, the amounts and dates in detail, and of the action thereon, as well as of all correspondence relating to Indian affairs.

Subcommittees are appointed from time to time to visit the agencies, to hold councils with Indians, and to advise them respecting their interests, rights, and duties.

Correspondence is held with religious bodies and an annual conference with their secretaries and representatives in relation to the missionary and educational work carried on by them.

The Board of Indian Commissioners was constituted June 7, 1869, the President appointing the following-named gentlemen:

- Hon. William Welsh, Philadelphia, Pa.
- Hon. George H. Stuart, Philadelphia, Pa.
- Hon. John V. Farwell, Chicago, Ill.
- Hon. Robert Campbell, St. Louis, Mo.
- Hon. William E. Dodge, New York, N. Y.
- Hon. Nathan Bishop, New York, N. Y.
- Hon. E. S. Tobey, Boston, Mass.
- Hon. Felix R. Brunot, Pittsburg, Pa.
- Hon. Henry S. Lane, ———, Ind.

Mr. Welsh was elected chairman and Mr. Brunot secretary of the board.

In June, 1869, Mr. Welsh resigned, and in November Mr. Brunot was elected chairman and Mr. Farwell secretary.

A number of changes have taken place in the board since it was first constituted, as will appear by the following list showing the names of

¹The board was relieved of this duty of revising accounts by the act of May 17, 1892.

gentlemen appointed from time to time to fill vacancies caused by resignation or death :

Name.	State.	Date of appointment.
Hon. Vincent Colyer.....	.....	June 23, 1869.
Hon. John D. Lang.....	Maine.....	January 31, 1870.
Hon. Nelson J. Turney.....	Ohio.....	November 14, 1871.
Hon. Thomas C. Jones.....	do.....	January 27, 1874.
Hon. Francis H. Smith.....	District of Columbia..	January 27, 1874.
Hon. B. Rush Roberts.....	Maryland.....	June 3, 1874.
Hon. Clinton B. Fisk.....	Missouri.....	July 3, 1874.
Hon. H. H. Sibley.....	Minnesota.....	July 3, 1874.
Hon. Ezra A. Hayt.....	New York ¹	August 15, 1874.
Hon. Charles G. Hammond.....	Illinois.....	September 22, 1874.
Hon. William Stickney.....	District of Columbia..	November 17, 1874.
Hon. Ezra M. Kingsley.....	New York.....	February 9, 1875.
Hon. A. C. Barstow.....	Rhode Island.....	March 30, 1875.
Hon. D. H. Jerome.....	Michigan.....	January 11, 1876.
Hon. William Bingham.....	Ohio.....	February 25, 1876.
Hon. William H. Lyon.....	New York.....	January 12, 1877.
Hon. Edward N. Stebbins.....	New Jersey.....	January 17, 1877.
Hon. Charles Tuttle.....	New York.....	May 16, 1878.
Hon. George Stoneman.....	California.....	December 6, 1879.
Hon. Albert K. Smiley.....	New York.....	December 9, 1879.
Hon. Orange Judd.....	do.....	July 12, 1880.
Hon. William McMichael.....	Pennsylvania.....	April 26, 1881.
Hon. John K. Boies.....	Michigan.....	April 26, 1881.
Hon. William T. Johnson.....	Illinois.....	April 27, 1881.
Hon. E. Whittlesey.....	District of Columbia..	January 8, 1882.
Hon. C. R. Agnew.....	New York.....	June 27, 1884.
Hon. Merrill E. Gates.....	New Jersey.....	June 27, 1884.
Hon. John Charlton.....	New York.....	January 28, 1885.
Hon. William H. Morgan.....	Tennessee.....	—, 1886.
Hon. James Lidgerwood.....	New York.....	—, 1886.
Hon. William H. Waldby.....	Michigan.....	—, 1886.

MEMBERS OF THE BOARD OF INDIAN COMMISSIONERS, WITH THEIR POST-OFFICE ADDRESSES.

The Board now consists of the following gentlemen :

- Clinton B. Fisk, chairman, 15 Broad street, New York City.
 E. Whittlesey, secretary, Washington, D. C.
 Albert K. Smiley, Mohonk Lake, N. Y.
 William McMichael, 265 Broadway, New York City.
 Merrill E. Gates, New Brunswick, N. J.
 John H. Charlton, Nyack, N. Y.
 William H. Morgan, Nashville, Tenn.
 James Lidgerwood, 835 Broadway, New York City.
 William H. Waldby, Adrian, Mich.
 William D. Walker, Fargo, Dak.

For their services the members of the Board, with the exception of the secretary, receive no compensation.

The expenditures on account of the Board have been as follows :

For the fiscal year ending June 30—

1870	
1871	
1872	\$9,700.00
1873	12,238.29
1874	7,362.14
1875	12,618.70
1876	12,381.11
1877	13,631.93
1878	
1879	14,545.11
1880	13,265.98
1881	8,075.35
1882	3,900.00
1883	4,160.90
1884	2,000.00

The clerical force consisted of one secretary, one assistant secretary, one copyist, and one messenger previous to July, 1882. Since that date of only one secretary.

CHAPTER V.

GENERAL REVIEW OF INDIAN RESERVATIONS.

Reservations are established in two ways, by treaty and by the order of the President. Reservations established by treaty are frequently tracts reserved by the Indians in or near the lands ceded to the United States.

In the early years of the Government the treaties often defined a boundary line between the Indian country and that of the United States. This at first extended from the Lakes on the north to Florida on the south; beyond this line the United States claimed no control over its citizens who ventured to pass it. Gradually trading and military posts were established and the land about them secured from the Indians; then roadways between these stations were obtained, until finally the Indians were hedged in by their cessions and were living upon defined tracts. The continued pressure of immigration and the consequent demand for land resulted in the Indians exchanging their more eastern tracts for reservations set apart by the United States in territory acquired by conquest, or to which the Indian title had been extinguished.

The plan of removing the Indians in a body west of the Mississippi was set forth by President Monroe in his message to the Senate on January 27, 1825. During the debates which preceded the inauguration of this policy it was declared to be "the boldest experiment upon human life and human happiness that is to be found in the history of the world." The records of the past sixty years have shown it to have been as costly to national honor and treasure as to the life and happiness of its victims.

The following act served not only to clear the Eastern and Middle States of the Indians residing therein, but to set aside the tract now known as the Indian Territory:

AN ACT to provide for an exchange of lands with Indians residing in any of the States or Territories, and for their removal west of the Mississippi.

Sec. 1. The President is authorized to divide into districts any unorganized territory west of the Mississippi to which the Indian title has been extinguished for the reception of such tribes as may choose to exchange the lands where they now reside and remove thereto. Said districts to be described by natural or artificial marks. (Sec. 2.) The President may negotiate with any tribes residing within any of the States or Territories having treaties with the United States for the whole or any portion of their territory claimed and occupied by them within the limits of any State or Territory where the land so claimed is owned by the United States or the United

States is bound to the State within which it lies to extinguish the Indian claim thereto. (Sec. 3.) To tribes exchanging their lands the United States will forever guaranty to them and their heirs or successors the country so exchanged, or may cause a patent to be executed to them, such lands to revert to the United States if the Indians become extinct or abandon the same. (Sec. 4.) Any improvements made upon exchanged lands to be appraised and value paid to persons claiming such improvements. Upon such payment, possession not to be again permitted to any of the same tribe. (Sec. 5.) Assistance to be furnished Indians removing, and support and subsistence first year after removal. (Sec. 6.) Indians to be protected at their new residence against Indians and other persons. (Sec. 7.) Superintendents of Indians to continue as heretofore, and no violation of existing treaties authorized by this act. (Sec. 8.) The sum of \$500,000 appropriated to carry out the act.

Approved May 28, 1830.¹

The President has been authorized from time to time to enter into negotiations with Indians living within a particular State or Territory to secure their removal elsewhere. These acts have sometimes resulted from memorials from the State legislature, as that presented from Minnesota. (See House Miscellaneous Document No. 68, Thirty-sixth Congress, first session.) The removal of the Sioux of the Mississippi, those who were friendly as well as those who had taken part in hostilities, was authorized by the act of March 3, 1863.² By the same act the President was also authorized to extinguish the Indian title to lands in Kansas.³

In this manner the present location of Indian tribes formerly living in different parts of our country has come about; not by voluntary emigrations, but by force, either military or civil.

Reservations held by treaty, act of Congress, patent, or acknowledged Spanish grants can not be alienated by the Indians except with the consent of Congress.

At the present day the following one hundred and eight reservations are held by the above tenure :

RESERVATIONS ESTABLISHED BY TREATIES OR ACT OF CONGRESS.

Arizona Territory.—Colorado River and Gila River.

California.—Hoopa Valley and Round Valley.

Colorado.—Ute.

Dakota Territory.—Devil's Lake, Lake Traverse, Ponca, Sioux, and Yankton.

Idaho Territory.—Fort Hall and Lapwai.

Indian Territory.—Cherokee, Chickasaw, Choctaw, Creek, Kansas, Kiowa and Comanche, Modoc, Oakland, Osage, Otoe, Ottawa, Pawnee, Peoria, Ponca, Pottawatomie, Quapaw, Sac and Fox, Seminole, Seneca, Shawnee, Wichita, and Wyandotte.

Iowa.—Sac and Fox.

Kansas.—Chippewa and Munsee, Kickapoo, and Pottawatomie.

Michigan.—L'Anse and Ontonagon.

¹ United States Statutes at Large, Vol. IV, p. 411. ² *Ibid.*, Vol. XII, p. 784.

³ *Ibid.*, p. 793.

Minnesota.—Boisé Fort, Fond Du Lac, Grand Portage, Leech Lake, Mille Lac, Red Lake, White Earth, and Winnebagoshish.

Montana Territory.—Blackfeet, Crow, and Jocko.

Nebraska.—Iowa, Niobrara, Omaha, Sac and Fox, and Winnebago.

New Mexico.—Navajo, and Pueblos (19 grants).

New York.—Allegany, Cattaraugus, Oil Spring, Oneida, Onondaga, Saint Regis, Tonawanda, and Tuscarora.

North Carolina.—Qualla Boundary and other lands.

Oregon.—Grand Ronde, Klamath, Umatilla, and Warm Springs.

Washington Territory.—Lummi, Makah, Nisqually, Port Madison, Puyallup, Quinaielt, S'Kokomish, Snohomish or Tulalip, Squaxim Island (Klah-che-min), Swinomish (Perry's Island), and Yakama.

Wisconsin.—Lac Court Oreilles, Lac de Flambeau, La Pointe (Bad River), Red Cliff, Menomonee, Oneida, and Stockbridge.

Wyoming Territory.—Wind River.

Reservations are set apart by order of the President at the request of the Indian Department.¹

The authority for the President thus assigning portions of the public domain for Indian purposes is thus summed up by the Attorney-General in a communication to the Secretary of the Interior, under date of January 17, 1882:

* * * The question may be thus stated: Has the President authority to make reservations for the occupation of Indians from the public lands * * * ? The Constitution has not conferred this power upon the President. * * * From an early period, however, it has been the practice of the President to order from time to time, as the exigencies of the public service required, parcels of land belonging to the United States to be reserved from sale and set apart for public uses. (*Grisar v. McDonnell*, 6 Wallace, 363; see page 381.) This practice doubtless has sprung from the authority given by Congress to the President, early in the history of this Government, to appropriate lands for purposes more or less general; as in the act of May 3, 1798 (United States Statutes at Large, Vol. I, p. 554); so by the act of April, 1806 (United States Statutes at Large, Vol. II, p. 402), * * * and by act of June 14, 1809 (United States Statutes at Large, Vol. I, p. 547). * * * These instances are taken from the opinion of the court in *Wilcox v. Jackson*, 13 Peters, 498. Moreover, the authority of the President in this regard has been recognized in several acts of Congress; as in the fourth section of the pre-emption act of May 29, 1830 (United States Statutes at Large, Vol. IV, p. 421), * * * lands included in any reservation by treaty, law, or proclamation of the President are exempted from entry under the act. (*Wilcox v. Jackson*, 13 Peters, p. 512-513.) See also 15 Peters, 430, where an order of the President is spoken of as a valid reservation.

It appears from these authorities that not only has the President the power to make reservations of public lands for public uses, but if the reservations are made by the heads of Departments it will be presumed that the President has acted through them.

* * * By the acts of July 9, 1832 (United States Statutes at Large, p. 564), and 30th of June, 1834 (United States Statutes at Large, Vol. IV, p. 738), a bureau of Indian affairs was established, and extensive powers were given to the President in the control and management of the Indian, and our statute-book abounds with legislation concerning the Indians and Indian tribes. The regulation of the relations of

¹The Public Domain, 1883, p. 243.

the Government with these tribes is a great public interest, and their settlement upon reservations has been considered a matter of great importance. Indeed, it has been the settled policy of the Government for many years. A reservation from the public lands therefore for Indian occupation may well be regarded as a measure in the public interest and it is for public use.

* * * In the case of the United States against John Leathers, tried and decided by Hillyer, district judge of the district of Nevada, an order of reservation, made March 23, 1874, of lands in the State of Nevada for Indian occupation was passed upon.

* * * This case was thoroughly and vigorously contested, but the argument derived from the jurisdiction and sovereignty of the State is not noticed in the decision of the judge. It makes no figure in the case. He does decide that the reservation was legally and rightfully made by the President, and this after a thorough examination of the authorities.

Reservations created by executive order can be restored to the public domain by the same authority without an act of Congress.¹

The earliest issue of an executive order for an existing reservation was that of May 14, 1855, setting apart the Isabella Reservation, in Michigan.²

Sixty-one reservations exist by executive order at the present time, as follows :

RESERVATIONS ESTABLISHED BY EXECUTIVE ORDER.

Arizona Territory.—Gila Bend, Hualpai, Moqui, Papago, Salt River, Suppai, and White Mountain.

California.—Klamath River, Mission (21 reserves), Tule River, and Yuma.

Dakota Territory.—Crow Creek, Old Winnebago, Fort Berthold, and Turtle Mountain.

Idaho Territory.—Cœur d'Aléne and Lemhi.

Indian Territory.—Cheyenne and Arrapaho, Iowa, and Kickapoo.

Michigan.—Isabella.

Minnesota.—Deer Creek and Vermillion Lake.

Montana.—Northern Cheyenne.

Nebraska.—Sioux (addition).

Nevada.—Duck Valley, Moapa River, Pyramid Lake, and Walker River.

New Mexico Territory.—Mescalero, Apache, and Zuñi.

Oregon.—Malheur and Siletz.

Utah Territory.—Uintah Valley and Uncompahgre.

Washington Territory.—Chehalis, Columbia, Colville, Muckleshoot, Shoalwater, and Spokane.³

REGULATIONS PERTAINING TO INDIAN RESERVATIONS.

An act to prevent settlements being made on lands ceded to the United States until authorized by law, March 3, 1807.

(Sec. 1.) Lands of the United States, by whatsoever title acquired, not to be occupied, possessed, or settled but with the consent of the United States.

Titles of intruders forfeited.

¹ Public Domain, 1883, p. 243.

² Report of Indian Commissioner, 1882, p. 272.

³ *Ibid.*, 1884, pp. 256-265.

President authorized to have them removed.

The manner of doing this.

Forfeitures to inure to the benefit of the United States: "*Provided*, That nothing herein contained shall be construed to affect the right, title, or claim of any person to lands in the Territories of Orleans or Louisiana before the boards of commissioners established by the act entitled 'An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the district of Louisiana' shall have made their reports and the decision of Congress been had thereon." (Act of March 2, 1805, chapter 26.)

(Sec. 2.) Actual settlers may hold under the United States as tenants at will, under bargains with the officers of the land offices.

Conditions prescribed: "*Provided, however*, That such permission shall not be granted to any such applicant, unless he shall previously sign a declaration stating that he does not lay any claim to such tract or tracts of land, and that he does not occupy the same by virtue of any claim or pretended claim derived, or pretended to be derived, from any other person or persons: *And provided also*, That in all cases where the tract of land applied for includes either a lead mine or salt spring, no permission to work the same shall be granted without the approbation of the President of the United States, who is hereby authorized to cause such mines or springs to be leased for a term not exceeding three years, and on such conditions as he shall think proper."

(Sec. 3.) Applications to be entered on books.

(Sec. 4.) Marshals, etc., authorized, under instructions from the President, to remove intruders.

Penalties for keeping possession after notice to give it up: "*Provided always, and it is further enacted*, That nothing in this section contained shall be construed to apply to any persons claiming lands in the Territories of Orleans or Louisiana whose claim shall have been filed with the proper commissioners before the first day of January next."¹

The following rules are quoted from the "Regulations of the Indian Department," published in 1884:

(Sec. 525). The right of the Indians to the reservations ordinarily occupied by them is that of occupancy alone. * * * They have the right to apply to their own use and benefit the entire products of the reservation, whether the result of their own labor or of natural growth, so they do not commit waste. If the lands in a state of nature are not in a condition for profitable use, they may be made so; if desired for the purpose of agriculture, they may be cleared of their timber to such an extent as may be reasonable under the circumstances, and the surplus timber taken off by the Indians in such clearing, and not required for use on the premises, may be sold by them. The Indians may also cut dead and fallen timber and sell the surplus not needed for their own use; they may cut growing timber for fuel and for use upon the reservation; they may open mines and quarry stone for the purpose of obtaining fuel and building material; they may cut hay for the use of the live-stock, and may sell any surplus not needed for that purpose. They may not, however, cut growing timber, open mines, quarry stone, etc., to obtain lumber, coal, building material, etc., solely for the purpose of sale or speculation. In short, what a tenant for life may do upon the lands of a remainderman the Indians may do upon their reservations, but no more. (Sec. 262. Instructions, 1880; *United States v. Cook*, 19 Wallace, 591; acts of March 22, 1882, March 31, 1882; Secretary of Interior, May 19, 1882; 9636, 1882, Indian Office.)

(526). Agents must be the judges of the necessity of clearing land for the purpose of improvements. * * * (Sec. 262, Instructions 1880.)

(527). Money derived from the sale of timber, hay, etc., must be taken up and accounted for as directed under the head of miscellaneous receipts. (Sec. 262, Instructions 1880.)

¹ United States Statutes at Large, Vol. II, chap. 46, pp. 445-446.

(532). Indians have no right to grant, lease, or otherwise convey the lands occupied by them for any purpose whatever, unless such conveyance be made in accordance with treaty or with law. (Sec. 2116, Revised Statutes.)

That for the purpose of inducing Indians to labor and become self-supporting, it is provided that hereafter, in distributing the supplies and annuities to the Indians for whom the same are appropriated, the agent distributing the same shall require all able-bodied male Indians between the ages of eighteen and forty-five to perform service upon the reservation, for the benefit of themselves or of the tribe, at a reasonable rate, to be fixed by the agent in charge, and to an amount equal in value to the supplies to be delivered; and the allowances provided for such Indians shall be distributed to them only upon condition of the performance of such labor, under such rules and regulations as the agent may prescribe: *Provided*, That the Secretary of the Interior may, by written order, except any particular tribe, or portion of tribe, from the operation of this provision where he deems it proper and expedient. (United States Statutes at Large, Vol. XVIII, pp. 176, 449.)

(540). Agents are instructed to take such measures, not inconsistent with law, as may be necessary to protect those Indians who have adopted the habits of civilized life, and received their lands in severalty by allotment, in the quiet enjoyment of the lands allotted to them. (Sec. 2119, Revised Statutes.)

(541). If any person of Indian blood, belonging to a band or tribe which receives or is entitled to receive annuities, and who has not adopted the habits of civilized life and received lands in severalty by allotment, commits a trespass upon the lands of any Indian who has so received his lands by allotment, the agent of such band or tribe shall ascertain the damages resulting from such trespass, and the sum so ascertained shall be withheld from the payment next thereafter to be made either to the band or tribe to which the party committing the trespass belongs, as in the discretion of the agent he shall deem proper; and the sum so withheld shall, if the Secretary of the Interior approve, be paid over to the party injured. (Sec. 2120, Revised Statutes.)

(542). Whenever such trespasser as is mentioned in the preceding section is the chief or head-man of a band or tribe, the agent shall also suspend the trespasser from his office for three months, and shall, during that time deprive him of all the benefits and emoluments connected therewith. The chief or head-man may, however, be sooner restored to his former position if the agent so directs. (Sec. 2121, Revised Statutes.)

(569). Indians must be permitted to sell their crops or other articles produced by them at the nearest market town, proper precautions being taken to guard them against fraud or obtaining intoxicating liquors. (Sec. 246, Instructions 1880, Circular 68, Indian Office.)

(528). The military, when stationed at a post within an Indian reservation, have a right to cut and use timber and hay to an amount sufficient for their necessities, without liability to make payment therefor to the Indians, or to any person in their behalf. No person except Indians, officers of the Indian service, and the military are authorized to cut timber or hay upon Indian reservations, and the rights of said excepted classes are carefully limited and restricted as stated above. (Secs. 263, 264, Instructions 1880.)

(530). Where provision is made by treaty for the establishment of cattle-trails across Indian reservations, and such trails have been established with the consent of the Indians and the approval of the Department, cattle-men will be permitted to cross such reservation, care being taken by the agent that the established route is not deviated from, and that unnecessary time is not consumed upon the reservation. (Sec. 270, Instructions 1880.)

(531). Subject to the preceding section, no white person or persons will be permitted to drive stock across Indian reservations or Indian country without first having obtained the consent of the Indians and the approval of the Indian Office. Persons

violating this section, and section 529 (2117 Revised Statutes), are liable to a penalty of one dollar for each animal driven upon the reservation. (Sec. 271, Instructions 1880; sec. 2117 Revised Statutes.)

(533). Settlement on any lands secured to the Indians by treaty, surveying or attempting to survey, or in any manner to designate the boundaries of such lands, is expressly forbidden by law under a penalty of one thousand dollars. (Sec. 272, Instructions 1880; sec. 2118, Revised Statutes.)

(534). Foreigners are forbidden to go into the Indian country without a passport from the Department of the Interior, agent, or commanding officer of the nearest military post, or to remain therein after the expiration of such passport, under a penalty of one thousand dollars. Such passport must show the object of the visit, the time allowed to remain, and route of travel. (Sec. 2134, Revised Statutes.)

(535). Hunting on Indian lands by others than Indians, except for subsistence in the Indian country, is prohibited. Any violation of this section will render the offender liable to a forfeiture of all his guns, traps, ammunition, etc., and to a further penalty of five hundred dollars. (Sec. 2137, Revised Statutes.)

(537). Indian agents have authority to remove from the Indian country all persons found therein contrary to law, and the military may be used for the purpose under direction of the President. Any person who, having been removed, returns thereafter to the Indian country is liable to a penalty of one thousand dollars. (Secs. 2147, 2148, Revised Statutes.)

(538). The Commissioner of Indian Affairs is authorized and required, with the approval of the Secretary of the Interior, to remove from any tribal reservation any person thereon unlawfully, or whose presence on the reservation may, in the judgment of the Commissioner, be detrimental to the peace and welfare of the Indians, and may employ such force as may be necessary for the purpose. (Sec. 2149, Revised Statutes.)

Indian land tenure.—In the proclamation of George III, dated October 7, 1763,¹ four principles of government in Indian affairs, in force to the present day, are laid down:

(1) The recognition of the Indian's right of occupancy: * * * And whereas it is just and reasonable, and essential to our interest, and the security of our Colonies, that the several nations or tribes of Indians, with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories, as, not having been ceded to, or purchased by us, are reserved to them, or any of them, as their hunting grounds.

(2) The right to expell white intruders on Indian lands: * * * All the lands and territories not included within the limits of our said three new Governments or within the limits of the territory granted to the Hudson's Bay Company; as also all the lands and territories lying to the westward of the sources of the rivers which fall into the sea from the West and Northwest as aforesaid; and we do hereby strictly forbid * * * all * * * subjects from making * * * settlements * * * or taking possession of any of the lands above reserved. * * * And we do further strictly enjoin and require all persons whatever, who have wilfully or inadvertently seated themselves upon any lands within the countries above described, or upon any other lands, which not having been ceded to, or purchased by us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such settlements.

(3) The right to purchase Indian lands is vested solely in the government: * * * We do, with the advice of our Privy Council, strictly enjoin and require that no private person do presume to make any purchase from the said Indians of any lands reserved to the said Indians * * * if at any time any of the said Indians should be inclined to dispose of the said lands, the same shall be purchased only for us, in our name.

¹ American Archives, 4th series, Vol. 1, col. 174.

(4) The right to regulate trade and license traders: * * * Every person who may incline to trade with the said Indians, do take out a license for carrying on such trade, from the Governor or Commander-in-chief of any of our colonies respectively * * * and also give security to observe such regulations as we shall at any time think fit * * * to direct and appoint for the benefit of the said trade.¹

Section 4 of the ninth article, of the Articles of Confederation of July 9, 1778, states :

The United States in Congress assembled, shall also have the sole and exclusive right and power of * * * regulating the trade and managing all affairs with the Indians, not members of any of the States; provided that the legislative right of any State, within its own limits, be not infringed or violated.²

In 1783 Pennsylvania having need to negotiate with certain Indians living west of the Ohio River, yet claiming territory within the State lines, the General Assembly, September 12, 1783, referred the matter of treating with these Indians to Congress, "being deeply impressed with the delicacy of touching the subject of Federal relations."³

On September 22, 1783, Congress issued a proclamation forbidding private purchase or gift of lands from Indians, or settlements to be made upon unceded Indian territory.

The Constitution states in section 3 of Article IV : "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."⁴

The right of eminent domain is recognized by the Supreme Court as vested in the United States. Chief-Justice Marshall decides in the case of *Johnson v. McIntosh* :

On the discovery of this immense continent, the great nations of Europe * * * were all in pursuit of nearly the same object, it was necessary, in order to avoid conflicting settlements, and consequent war with each other, to establish a principle, which all should acknowledge as the law by which the right of acquisition, which they all asserted, should be regulated as between themselves. This principle was, that discovery gave title to the Government by whose subjects, or by whose authority, it was made, against all other European Governments, which title might be consummated by possession.

In the establishment of these relations the rights of the original inhabitants were in no instance entirely disregarded, but were necessarily to a considerable extent impaired. They were admitted to be the rightful occupants of the soil, with a legal as well as just claim to retain possession of it, and to use it according to their own discretion; but their rights to complete sovereignty, as independent nations, were necessarily diminished, and their power to dispose of the soil at their own will, to whomsoever they pleased, was denied by the original fundamental principle that discovery gave exclusive title to those who made it.

By the treaty which concluded the war of our Revolution Great Britain relinquished all claim, not only to the government, but to the "proprietary and territorial rights of the United States," whose boundaries were fixed in the second article. By this treaty the powers of government, and the right to soil, which had previously been in Great Britain, passed definitely to these States. * * * It has never been doubted

¹ See Chapter IV on Trading Regulations. ² United States Statutes at Large, Vol. I, p. 7, Art. 9, sec. 4. ³ Journals of Congress, Vol. IV, pp., 273-274. ⁴ United States Statutes at Large, Vol. I, p. 19.

that either the United States, or the several States, had a clear title to all the lands within the boundary lines described in the treaty, subject only to the Indian right of occupancy, and that the exclusive power to extinguish that right was vested in that government which might constitutionally exercise it.

* * * The United States, then, have unequivocally acceded to that great and broad rule by which its civilized inhabitants now hold this country. They hold and assert in themselves the title by which it was acquired. They maintain, as all others have maintained, that discovery gave an exclusive right to extinguish the Indian title of occupancy, either by purchase or by conquest, and gave also a right to such a degree of sovereignty as the circumstances of the people would allow them to exercise.

The power now possessed by the Government of the United States to grant lands, resided, while we were colonies, in the Crown or its grantees. The validity of the titles given by either has never been questioned in our courts. It has been exercised uniformly over territory in possession of the Indians. The existence of this power must negative the existence of any right which may conflict with or control it. An absolute title to lands can not exist at the same time in different persons or in different governments. An absolute must be an exclusive title, or at least a title which excludes all others not compatible with it. All our institutions recognize the absolute title of the Crown, subject only to the Indian right of occupancy, and recognize the absolute title of the Crown to extinguish that right. This is incompatible with an absolute and complete title in the Indians. * * * However extravagant the pretension of converting the discovery of an inhabited country into conquest may appear, if the principle has been asserted in the first instance and afterward sustained; if a country has been acquired and held under it, if property of the great mass of the community originates in it, it becomes the law of the land, and can not be questioned. So, too, with respect to the concomitant principle that the Indian inhabitants are to be considered merely as occupants, to be protected, indeed, while in peace, in the possession of their lands, but to be deemed incapable of transferring the absolute title to others. However this restriction may be opposed to natural right and to the usages of civilized nations, yet, if it be indispensable to that system under which the country has been settled, and be adapted to the actual condition of the two people, it may, perhaps, be supported by reason, and certainly can not be rejected by courts of justice.¹

One uniform rule seems to have prevailed in the British provinces in America by which Indian lands were held and sold from their first settlement, as appears by their laws; that friendly Indians were protected in the possession of the lands they occupied, and were considered as owning them by a perpetual right of possession in the tribe or nation inhabiting them as their common property from generation to generation, not as the right of the individuals located on particular spots. Subject to this right of possession the ultimate fee was in the Crown and its grantees, which could be granted by the Crown or colonial legislatures, while the lands remained in possession of the Indians, though possession could not be taken without their consent. (*United States v. Clark*, 9 Peters, 168.)

The colonial charters, a great portion of the individual grants by the proprietary and royal governments, and a still greater portion by the States of the Union after the Revolution, were made for lands within the Indian hunting-grounds. North Carolina and Virginia, to a great extent, paid their officers and soldiers of the Revolutionary War by such grants, and extinguished the arrears due the Army by similar means. It was one of the great resources which sustained the war, not only by those States but by other States. The ultimate fee incumbered with the right of Indian occupancy, was in the Crown previous to the Revolution and in the States of the Union afterwards, and subject to grant. This right of occupancy was protected by the political power and respected by the courts until extinguished, when the patentee took

¹8 Wheaton, 543.

the unincumbered fee. So the Supreme Court and the State courts have uniformly held. (*Clark v. Smith*, 13 Peters, 195.)

The treaties and laws of the United States contemplate the Indian Territory as completely separated from that of the States, and provide that all intercourse with them shall be carried on exclusively by the Government of the Union. (*Worcester v. The State of Georgia*, 6 Peters, 515.)

The Constitution states: The President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." Article II, section 2. (See *United States Statutes at Large*, Vol. I, p. 17.)

The treaty-making power was not limited by its terms, as the authority to make a treaty with the Indian tribes was one which the treaty-making power derived from a source higher than an act of Congress, to wit, the Constitution. * * *. This treaty-making power could make a sale or grant of land without an act of Congress. It could lawfully provide that a patent should issue to convey lands which belong to the United States without the consent of Congress, and in such case the grantee would have a good title. (*Holden v. Joy*, 17 Wallace, 247; *United States v. Brooks*, 10 Howard, 442; *Meigs v. McClung*, 9 Cranch, 11.) Congress has no constitutional right to interfere with rights under treaties, except in cases purely political. (*Holden v. Joy*, 17 Wallace, 247; *Wilson v. Wall*, 6 Wallace, 89; *Insurance Company v. Carter*, 1 Peters, 542; *Doe v. Wilson*, 23 Howard, 461; *Mitchel v. United States*, 9 Peters, 749; *The Kansas Indians*, 5 Wallace, 737; 2 Story on Constitution, section 1508; *Foster v. Neilson*, 2 Peters, 254; *Crews v. Burcham*, 1 Black, 356; *Worcester v. Georgia*, 6 Peters, 562; *Blair v. Pathkiller*, 2 Yerger, 407; *Harris v. Burnett*, 4 Blackford, 369.)

By their treaties the Indians on their part ceded to the United States, and opened for settlement and occupation by the whites, large tracts of land in which they claimed and had been allowed proprietary rights. The tracts of country to which this claim of the Indians has thus been recognized covers, speaking roughly, and excluding Alaska, all the territory of the United States outside of the thirteen original States, and a considerable portion of the latter. The Indians generally agreed to settle and remain upon reservations from which white intruders were to be rigidly excluded, and in all cases bound themselves to remain at peace with the whites, and to trade with persons appointed by the United States.

On the part of the Government, in consideration of these cessions and agreements by the Indians, provisions for their benefit varying in character, amount, and form were guaranteed. In some treaties this consideration took the form of an annuity payment in specie, either for a term of years or perpetually; in others, rations and clothing, besides agricultural implements, facilities for education, instruction in agriculture and other arts of civilization.¹

The first of these treaties was negotiated with the Six Nations, August 25, 1775.² Ten others were made with as many different tribes prior to the Federal Constitution going into effect in 1789. The last Indian treaty was proclaimed August 27, 1870. The total number of treaties from 1775 to 1871 was six hundred and forty-five.³

By act of March 3, 1885, it is provided by section 14—

That the treaties made during the present Congress, with the Indian tribes, and those to be made in future, shall be published as the laws and other treaties in the

¹ 5 Dillon, 409. ² American Archives, 4th series, Vol. III, column 1, 924. ³ Report Indian Commissioners, 1881, pp. 316-324.

newspapers of such States and Territories as the Secretary of the Interior may think expedient. (United States Statutes at Large, Vol. X, p. 671.)

An act of Congress approved March 3, 1871, provides "that hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty."¹ Since that time agreements, substantially like treaties, have been made with different tribes, subject to the approval of both branches of Congress.

In some instances where Indians, either because of their remote situation or for other reasons, have never entered into treaty relations with the United States, or where treaty provisions have expired by limitation, aid and assistance are furnished by the Government.

The act of July 13, 1787, entitled "An ordinance for the government of the territory of the United States northwest of the river Ohio," provides, in article 3:

The utmost good faith shall always be observed towards the Indians; their land and property shall never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made for preventing wrongs being done to them and for preserving peace and friendship with them.²

This ordinance was confirmed by act of August 7, 1789, only such governmental provisions being made "as to adapt the same to the present Constitution."³

The acts organizing the Territories of Indiana in 1800,⁴ Michigan in 1805,⁵ Illinois in 1809,⁶ each contained an article referring to the ordinance of July 13, 1787, and its provision concerning the inhabitants of the territory northwest of the Ohio. When Mississippi, by act of December 10, 1817,⁷ and Alabama, by act of December 14, 1819,⁸ were admitted as States into the Union their constitutions and State governments were declared to be in conformity to the principles of the ordinance of July 13, 1787.

The act of April 20, 1836, establishing a territorial government for the Territory of Wisconsin, provides, in section 1:

That nothing in this act contained shall be construed to impair the rights of person or property now appertaining to any Indians within the said Territory so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to impair the obligations of any treaty now existing between the United States and such Indians, or to impair or anywise to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty or law or otherwise, which it would have been competent to the Government to make if this act had never been passed.⁹

A similar provision was inserted in the act of June 12, 1838, establishing the Territory of Iowa,¹⁰ and it was seemingly implied in section

¹ United States Statutes at Large, Vol. XVI, p. 566. ² *Ibid.*, Vol. I, p. 52, part 3.

³ *Ibid.*, p. 50. ⁴ *Ibid.*, Vol. II, p. 58. ⁵ *Ibid.*, p. 308. ⁶ *Ibid.*, p. 514. ⁷ *Ibid.*, Vol. III, p. 472. ⁸ *Ibid.*, p. 608. ⁹ *Ibid.*, Vol. V, p. 11. ¹⁰ *Ibid.*, p. 235.

12¹ of the act of March 3, 1849, organizing the Territory of Minnesota. The act of August 14, 1848, organizing the Territory of Oregon contains the same provision, with the exception of the foregoing italicized lines. The same provision is inserted in the acts organizing the Territories of Kansas and Nebraska in 1854,² Colorado,³ Dakota,⁴ and Nevada⁵ in 1861, Idaho in 1863,⁶ Montana in 1864,⁷ and Wyoming in 1868.⁸

No such provision appears in the acts authorizing the Territories of Kentucky, Tennessee, Missouri, Arkansas, New Mexico, Utah, Arizona, and Washington.

In the treaty of April 30, 1803, between the United States and France for the purchase of the tract west of the Mississippi known as Louisiana, article 6 provides:

The United States promise to execute such treaties and articles as may have been agreed between Spain and the tribes and nations of Indians, until, by mutual consent of the United States and the said tribes or nations, other suitable articles shall have been agreed upon.⁹

The Indians living within the present limits of Arizona, California, Nevada, New Mexico, and Utah come under the provisions of the treaty of Guadalupe Hidalgo, concluded with the Republic of Mexico, February 2, 1848, and that of the Gadsden purchase of June 30, 1854. The articles containing the provisions are as follows:

Treaty of Guadalupe Hidalgo.—(Art. 8.) Those who shall prefer to remain in the said Territories may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said Territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

In the said Territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guarantees equally ample as if the same belonged to citizens of the United States.

(Art. 9.) The Mexicans who, in the Territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding articles, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all rights of citizens of the United States, according to the principles of the Constitution; and in the mean time shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

(Art. 10.) [Stricken out.]

(Art. 11.) Considering that a great part of the Territories, which by the present treaty are to be comprehended for the future within the limits of the United States, is now occupied by savage tribes, who will hereafter be under the exclusive control of the Government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States when-

¹ United States Statutes at Large, Vol. IX, p. 407. ² *Ibid.*, Vol. X, p. 277. ³ *Ibid.* Vol. XII, p. 172. ⁴ *Ibid.*, p. 239. ⁵ *Ibid.*, p. 210. ⁶ *Ibid.*, p. 808. ⁷ *Ibid.*, Vol. XIII, p. 86. ⁸ *Ibid.*, Vol. XV, p. 178. ⁹ *Ibid.*, Vol. VIII, p. 202.

soever this may be necessary; and that when they can not be prevented they shall be punished by the said Government, and satisfaction for the same shall be exacted—all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory against its own citizens.

It shall not be lawful, under any pretext whatever, for any inhabitant of the United States to purchase or acquire any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians inhabiting the territory of either of the two Republics; nor to purchase or acquire horses, mules, cattle, or property of any kind stolen within Mexican territory by such Indians.

And in the event of any person or persons, captured within Mexican territory by Indians, being carried into the territory of the United States, the Government of the latter engages and binds itself, in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country, or deliver them to the agent or representative of the Mexican Government. The Mexican authorities will, as far as practicable, give to the Government of the United States notice of such captures; and its agents shall pay the expenses incurred in the maintenance and transmission of the rescued captives, who, in the mean time, shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the Government of the United States, before receiving such notice from Mexico, shall obtain intelligence, through any other channel, of the existence of Mexican captives within its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent, as above stipulated.

For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the Government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require. And, finally, the sacredness of this obligation shall never be lost sight of by the said Government when providing for the removal of the Indians from any portion of the said Territories, or for its being settled by citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes, by committing those invasions which the United States have solemnly obliged themselves to restrain.¹

Protocol. (1) The American Government by suppressing the ninth article of the treaty of Guadalupe Hidalgo and substituting the third² article of the treaty of Louisiana did not intend to diminish in any way what was agreed upon by the aforesaid article 9 in favor of the inhabitants of the Territories ceded by Mexico. Its understanding is that all of that agreement is contained in the third article of the treaty of Louisiana. In consequence, all the privileges and guarantees—civil, political, and religious—which would have been possessed by the inhabitants of the ceded territories if the ninth article of the treaty had been retained, will be enjoyed by them, without any difference, under the article which has been substituted.

(2) The American Government by suppressing the tenth article of the treaty of Guadalupe did not in any way intend to annul the grants of lands made by Mexico in the ceded Territories. These grants, notwithstanding the suppression of the article of the treaty, preserve the legal value which they may possess, and the grantees may cause their legitimate [titles] to be acknowledged before the American tribunals.

¹ United States Statutes at Large, Vol. IX, pp. 929-932.

² *Art. 3.* Treaty of cession between the United States and the French Republic, April 30, 1803. The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess. (United States Statutes at Large, Vol. VIII, p. 202)

Conformably to the law of the United States, legitimate titles to every description of property, personal and real, existing in the ceded Territories are those which were legitimated titles under the Mexican law in California and New Mexico up to the 13th of May, 1846, and in Texas up to the 2d of March, 1836.¹

Gadsden purchase.—Treaty with Mexico, proclaimed June 30, 1854.

(Art. 5.) All the provisions of the eighth and ninth, sixteenth, and seventeenth articles of the treaty of Guadalupe Hidalgo shall apply to the territory ceded by the Mexican Republic in the first article of the present treaty, and to all the rights of persons and property, both civil and ecclesiastical, within the same, as fully and effectually as if the said articles were herein again recited and set forth.

(Art. 6.) No grants of land within the territory ceded by the first article of this treaty bearing date subsequent to the day—25th of September—when the minister and subscriber to this treaty on the part of the United States proposed to the Government of Mexico to terminate the question of boundary, will be considered valid or be recognized by the United States, or will any grants made previously be respected or be considered as obligatory which have not been located and duly recorded in the archives of Mexico.²

A considerable part of the territory occupied by Indian reservations is unfit for cultivation without irrigation; therefore the following legislation, touching water rights and privileges, is given:

*An act changing the mode of surveying the public lands on any river, lake, bayou, or water-course.*³

Sec. 2407. Whenever, in the opinion of the President, a departure from the ordinary method of surveying land on any river, lake, bayou, or water-course would promote the public interest, he may direct the surveyor-general in whose district such land is situated, and where the change is intended to be made, to cause the lands thus situated to be surveyed in tracts of two acres in width, fronting on any river, bayou, lake, or water-course, and running back the depth of forty acres; which tracts of land so surveyed shall be offered for sale entire, instead of in half-quarter sections, and in the usual manner and on the same terms in all respects as the other public lands of the United States.⁴

An act granting the right of way to ditch and canal owners over the public lands, and for other purposes.

Sec. 9. *And be it further enacted,* That whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right of way for the construction of ditches and canals for the purposes aforesaid is hereby acknowledged and confirmed: *Provided, however,* That whenever, after the passage of this act, any person or persons shall, in the construction of any ditch or canal, injure or damage the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.⁵

Laws permitting Indians to take up public lands.—Under the act of August 4, 1854, entitled "An act to graduate and reduce the price of the public lands to actual settlers and cultivators," some Indians purchased land. (United States Statutes, Vol. X, p. 574.) By their treaty of July 31, 1855, the Chippewa Indians of Michigan were per-

¹The Public Domain, 1883, p. 133. ²United States Statutes at Large, Vol. X, p. 1035. ³*Ibid.*, Vol. IV, p. 34. ⁴Revised Statutes of the United States, 2d edition, 1878, sec. 2407, p. 421. ⁵United States Statutes at Large, Vol. XIV, p. 253.

mitted to receive their title to land so purchased without "actual occupancy or residence," in order to sell and dispose of the same. (United States Statutes, Vol. II, p. 627.)

By act of March 3, 1875, the Indians were permitted to homestead. The following is the law:

That any Indian born in the United States, who is the head of a family, or who has arrived at the age of twenty-one years, and who has abandoned, or may hereafter abandon, his tribal relations, shall, on making satisfactory proof of such abandonment, under rules to be prescribed by the Secretary of the Interior, be entitled to the benefits of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May 20, 1862, and the acts amendatory thereof, except that the provisions of the eighth section of the said act shall not be held to apply to entries made under this act: *Provided, however,* That the title to lands acquired by any Indian by virtue hereof shall not be subject to alienation or incumbrance, either by voluntary conveyance or the judgment, decree, or order of any court, and shall be and remain inalienable for a period of five years from the date of the patent issued therefor: *Provided,* That any such Indian shall be entitled to his distributive share of all annuities, tribal funds, lands, and other property, the same as though he had maintained his tribal relations; and any transfer, alienation, or incumbrance of any interest he may hold or claim by reason of his former tribal relations shall be void.

That in all cases in which Indians have heretofore entered public lands under the homestead law, and have proceeded in accordance with the regulations prescribed by the Commissioner of the General Land Office, or in which they may hereafter be allowed to so enter under said regulations prior to the promulgation of regulations to be established by the Secretary of the Interior, under the fifteenth section of this act, and in which the conditions prescribed by law have been or may be complied with, the entries so allowed are hereby confirmed, and patents shall be issued thereon; subject, however, to the restrictions and limitations contained in the fifteenth section of this act in regard to alienation and incumbrance.¹ Approved March 3, 1875.

The act of July 4, 1884, provided that such Indians as may now be located on public lands, or as may, under the direction of the Secretary of the Interior, or otherwise, hereafter so locate, may avail themselves of the provisions of the homestead laws as fully and to the same extent as may now be done by citizens of the United States; and to aid such Indians in making selections of homesteads and the necessary proofs at the proper land offices, \$1,000 or so much thereof as may be necessary is hereby appropriated; but no fees or commissions shall be charged on account of said entries or proofs. All patents therefor shall be of the legal effect, and declare that the United States does and will hold the land thus entered for the period of twenty-five years, in trust for the sole use and benefit of the Indian by whom such entry shall have been made, or, in case of his decease, of his widow and heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his widow and heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever.²

Indians cannot pre-empt public lands, and they cannot remove, disability by declaring in the form of the statute their intention to become citizens.

* * * Citizenship is not requisite for the ordinary purchase of public land.
* * * It may be done by a foreign alien, and *a fortiori* by a mere denizen or domestic alien, such as are the Indians.³

By act of July 4, 1884, sec. 10. No part of the expenses of the public lands service shall be deducted from the proceeds of Indian lands sold through the General Land Office, except as authorized by the treaty or agreement providing for the disposition of the land. (United States Statutes, Vol. XXIII, p. 98.)

¹United States Statutes, Vol. XVIII, p. 240, secs. 15, 16. ²Indian appropriation act, July 4, 1884, Statutes 23, p. 961. ³Opinion of Attorney-General, Vol. VII, p. 753.

Manner of dissolving tribal relations.—A circular to registers and receivers, issued by the General Land Office August 23, 1884, states:

Upon any Indian applying to enter land under the above act, you will allow him to do so without payment of fee or commission, but you will require him to furnish a certificate from the agent of the tribe to which he belongs that he is an Indian of the age of twenty-one, or head of a family, and not the subject of any foreign country. The certificate of any other officer of the Indian Department, particularly where the Indian making application is not attached to any particular agency, will serve as well.

In a previous circular letter to registers and receivers by the General Land Office, they are instructed "to peremptorily refuse all entries and filings attempted to be made by others than the Indians occupying lands in the possession of Indians who have made improvements of any value whatsoever thereon, and, further, when lands are unsurveyed" no apportionment will be allowed within the region of Indian settlers until the surveys have been made and the land occupied by Indians ascertained and defined.

Leasing of Indian lands.—The Attorney General, on July 21, 1885, in reply to certain questions propounded by the Interior Department, touching the legality of the leases of Indian lands, rendered his opinion that under existing statutes of the United States (twelfth section of the trade and intercourse act of June 30, 1834, 4 Statutes at Large, p. 730, reproduced in section 2116 of the Revised Statutes) the several Indian nations or tribes, regardless of the character of the title by which they hold their lands, whether the same be a fee-simple or a right of occupancy only, are precluded by the force and effect of the statute from either alienating or leasing any part of their several reservations, or imparting any interest or claim in or to the same, without the consent of the Government of the United States, and that a lease of land for grazing purposes is as clearly within the statutes as a lease for any other or for general purposes, the duration of the term being immaterial.

The Attorney-General further holds that in the absence of any treaty or statutory provisions to that effect, neither the President, any Secretary of the Interior, nor any other officer of the Government has power to make, authorize, or approve any leases of lands held by Indian tribes; instancing the act of Congress of February 19, 1875 (18 Statutes at Large, p. 330), "authorizing the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany Reservations, and to confirm existing leases," as significant that, in the views of Congress, Indian tribes can not lease their reservations without the authority of some law of the United States.¹

Land in severalty.—The following is the text in full of the act which permits certain Indians to possess their land individually:

AN ACT to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and Territories over the Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where any tribe or band of Indians has been,

¹ Report of Commissioner of Indian Affairs 1885, pp. xviii, xix.

or shall hereafter be, located upon any reservation created for their use, either by treaty stipulation or by virtue of an act of Congress or executive order setting apart the same for their use, the President of the United States be, and he hereby is, authorized, whenever in his opinion any reservation or any part thereof of such Indians is advantageous for agricultural and grazing purposes, to cause said reservation, or any part thereof, to be surveyed, or resurveyed if necessary, and to allot the lands in said reservation in severalty to any Indian located thereon in quantities as follows:

To each head of a family, one-quarter of a section ;

To each single person over eighteen years of age, one-eighth of a section ;

To each orphan child under eighteen years of age, one-eighth of a section ; and

To each other single person under eighteen years now living, or who may be born prior to the date of the order of the President directing an allotment of the land embraced in any reservation, one-sixteenth of a section : *Provided*, That in case there is not sufficient land in any of said reservations to allot lands to each individual of the classes above named in quantities as above provided, the lands embraced in such reservation or reservations shall be allotted to each individual of each of said classes pro rata in accordance with the provisions of this act : *And provided further*, That where the treaty or act of Congress setting apart such reservation provides for the allotment of lands in severalty in quantities in excess of those herein provided, the President, in making allotments upon such reservation, shall allot the lands to each individual Indian belonging thereon in quantity as specified in such treaty or act : *And provided further*, That when the lands allotted are only valuable for grazing purposes, an additional allotment of such grazing lands, in quantities as above provided, shall be made to each individual.

Sec. 2. That all allotments set apart under the provisions of this act shall be selected by the Indians, heads of families selecting for their minor children, and the agents shall select for each orphan child, and in such manner as to embrace the improvements of the Indians making the selection. Where the improvements of two or more Indians have been made on the same legal subdivision of land, unless they shall otherwise agree, a provisional line may be run dividing said lands between them, and the amount to which each is entitled shall be equalized in the assignment of the remainder of the land to which they are entitled under this act : *Provided*, That if any one entitled to an allotment shall fail to make a selection within four years after the President shall direct that allotments may be made on a particular reservation, the Secretary of the Interior may direct the agent of such tribe or band, if such there be, and if there be no agent, then a special agent appointed for that purpose, to make a selection for such Indian, which selection shall be allotted as in cases where selections are made by the Indians, and patents shall issue in like manner.

Sec. 3. That the allotments provided for in this act shall be made by special agents appointed by the President for such purpose, and the agents in charge of the respective reservations on which the allotments are directed to be made, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, and shall be certified by such agents to the Commissioner of Indian Affairs, in duplicate, one copy to be retained in the Indian Office and the other to be transmitted to the Secretary of the Interior for his action, and to be deposited in the General Land Office.

Sec. 4. That where any Indian not residing upon a reservation, or for whose tribe no reservation has been provided by treaty, act of Congress, or executive order, shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land-office for the district in which the lands are located, to have the same allotted to him or her, and to his or her children, in quantities and manner as provided in this act for Indians residing upon reservations ; and when such settlement is made upon unsurveyed lands, the grant to such Indians shall be adjusted upon the survey of the lands

to as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions as herein provided. And the fees to which the officers of such local land-office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them, from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office, and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

Sec. 5. That upon the approval of the allotments provided for in this act by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect, and declare that the United States does and will hold the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever: *Provided*, That the President of the United States may in any case in his discretion extend the period. And if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void: *Provided*, That the law of descent and partition in force in the State or Territory where such lands are situate shall apply thereto after patents therefor have been executed and delivered, except as herein otherwise provided; and the laws of the State of Kansas regulating the descent and partition of real estate shall, so far as practicable, apply to all lands in the Indian Territory which may be allotted in severalty under the provisions of this act: *And provided further*, That at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservation not allotted as such tribe shall, from time to time, consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be prescribed by Congress: *Provided, however*, That all lands adapted to agriculture, with or without irrigation so sold or released to the United States by any Indian tribe shall be held by the United States for the sole purpose of securing homes to actual settlers and shall be disposed of by the United States to actual and bona fide settlers only in tracts not exceeding one hundred and sixty acres to any one person, on such terms as Congress shall prescribe, subject to grants which Congress may make in aid of education: *And provided further*, That no patents shall issue therefor except to the person so taking the same as and for a homestead, or his heirs, and after the expiration of five years occupancy thereof as such homestead; and any conveyance of said lands so taken as a homestead, or any contract touching the same, or lien thereon, created prior to the date of such patent, shall be null and void. And the sums agreed to be paid by the United States as purchase money for any portion of any such reservation shall be held in the Treasury of the United States for the sole use of the tribe or tribes of Indians to whom such reservations belonged, and the same, with interest thereon at three per cent. per annum, shall be at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof. The patents aforesaid shall be recorded in the General Land Office, and afterward delivered, free of charge, to the allottee entitled thereto. And if any religious society or other organization is now occupying any of the public lands to which this act is applicable, for religious or educational work

among the Indians, the Secretary of the Interior is hereby authorized to confirm such occupation to such society or organization, in quantity not exceeding one hundred and sixty acres in any one tract, so long as the same shall be so occupied, on such terms as he shall deem just; but nothing herein contained shall change or alter any claim of such society for religious or educational purposes heretofore granted by law. And hereafter in the employment of Indian police, or any other employés in the public service among any of the Indian tribes or bands affected by this act, and where Indians can perform the duties required, those Indians who have availed themselves of the provisions of this act and become citizens of the United States shall be preferred.

Sec. 6. That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of the respective bands or tribes of Indians to whom allotments have been made shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

Sec. 7. That in cases where the use of water for irrigation is necessary to render the lands within any Indian reservation available for agricultural purposes, the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations as he may deem necessary to secure a just and equal distribution thereof among the Indians residing upon any such reservations; and no other appropriation or grant of water by any riparian proprietor shall be authorized or permitted to the damage of any other riparian proprietor.

Sec. 8. That the provision of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south added by Executive order.

Sec. 9. That for the purpose of making the surveys and resurveys mentioned in section two of this act, there be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be repaid proportionately out of the proceeds of the sales of such land as may be acquired from the Indians under the provisions of this act.

Sec. 10. That nothing in this act contained shall be so construed as to affect the right and power of Congress to grant the right of way through any lands granted to an Indian, or a tribe of Indians, for railroads or other highways, or telegraph lines, for the public use, or to condemn such lands to public uses, upon making just compensation.

Sec. 11. That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in southwestern Colorado to a new reservation by and with the consent of a majority of the adult male members of said tribe.

Approved, February 8, 1887.

LEGAL STATUS OF INDIANS.

The act of July 22, 1790, was the first act making provision in reference to "intercourse with the Indians," and therein it is stated that any

offense committed by a citizen against the person or property of peaceable and friendly Indians shall be punishable in the same manner as if the act had been committed against a white inhabitant.¹

The act of May 19, 1796, gave to the President the power for the legal apprehension or arresting, within the limits of any State or district, of any Indian guilty of theft, outrage, or murder.² The act of March 3, 1817,³ provided that a similar provision⁴ should not "be so construed as to affect any treaty in force between the United States and any Indian nation, or to extend to any offense committed by one Indian against another within any Indian boundary." During the twenty years between the two last acts the idea that the Indian tribes were to be distinct nations with their own forms of government, and power to conduct their social polity, had taken form and been distinctly stated in treaties. The right of the Indians to punish white intruding settlers had also been stipulated in treaties made with the Choctaw, Chickasaw, Creek, Cherokee, Wyandotte, Delaware, Ottawa, Chippewa, Potawatomie, and Sac Nations, Shawnees and other tribes.⁵ In the case of *The Cherokee Nation v. The State of Georgia* (5 Peters, 1), the court stated :

It may well be doubted whether those tribes, which reside within the acknowledged boundaries of the United States, can with strict accuracy be denominated foreign nations. They may more correctly, perhaps, be denominated domestic dependent nations. They occupy a territory to which we assert a title, independent of their will, which must take effect in point of possession when their right of possession ceases; meanwhile they are in a state of pupilage. Their relations to the United States resemble that of a ward to his guardian. They look to our Government for protection; rely upon its kindness and its power * * *.⁶

This confused relation between dependence and independence, which continues to the present day, has permitted much harm to reach the Indians and retarded their advance towards civilization. The need for recasting the entire legal position of Indians towards the state and towards each other, and of permitting the laws of the land to be fully extended over all the various reservations and tribes, has been from time to time fully set forth by Indian Commissioners,⁷ and appeals have been made for adequate legislation. Efforts at such legislation have as yet met with but partial success.

On March 3, 1885,⁸ the following act was passed extending the law over Indians to a limited extent :

That immediately upon and after the date of this act all Indians committing against the person or property of another Indian or other person any of the following crimes,

¹ United States Statutes at Large, Vol. I, p. 138. ² *Ibid.*, p. 472. ³ *Ibid.*, Vol. III, p. 383. ⁴ The court decided that that part of the act of March 3, 1817, "which assumes to exercise a general jurisdiction over Indian countries within a State, is unconstitutional and of no effect. The crime of murder charged against a white man for killing another white man in the Cherokee country, within the State of Tennessee, can not be punished in the courts of the United States." (*United States v. Bailey*, 1 McLean's C. Cls. R., 234.) ⁵ Synopsis of treaties with these tribes. ⁶ United States Statutes at Large, Vol. II, p. 146. ⁷ Report of Indian Commissioner 1876, p. ix, and 1883, p. x, and 1884, p. xiv. ⁸ United States Statutes at Large, Vol. XXIII, p. 385.

namely, murder, manslaughter, rape, assault with intent to kill, arson, burglary, and larceny within any Territory of the United States, and either within or without an Indian reservation, shall be subject therefor to the laws of such Territory relating to said crimes, and shall be tried therefor in the same courts and in the same manner and shall be subject to the same penalties as are all other persons charged with the commission of said crimes, respectively; and the said courts are hereby given jurisdiction in all such cases; and all such Indians committing any of the above crimes against the person or property of another Indian or other person within the boundaries of any State in the United States, and within the limits of any Indian reservation, shall be subject to the same laws, tried in the same courts and in the same manner and subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States.

By the act known as the severalty act, approved February 8, 1887, Indians taking their lands individually are placed under the laws, civil and criminal, of the State or Territory in which they reside, and are also made citizens of the United States.

The following extract from the decisions of the Attorney-General, the United States and State courts gives the present legal status of the Indians within the limits of the United States.

The United States court has ruled concerning *Indians who maintain their tribal relations* as follows :

Indians who maintain their tribal relations are the subjects of independent governments, and, as such, not in the jurisdiction of the United States, within the meaning of the Constitution and laws of the United States, because the Indian nations have always been regarded as distinct political communities, between which and our Government certain international relations were to be maintained. These relations are established by treaties to the same extent as with foreign powers. They are treated as sovereign communities, possessing and exercising the right of free deliberation and action, but, in consideration of protection, owing a qualified subjection to the United States. (*Ex parte Reynolds*, 5 Dillon, p. 394.)

Concerning *Indians living apart from their tribe* the court decides :

When the members of a tribe of Indians scatter themselves among the citizens of the United States, and live among the people of the United States, they are merged in the mass of our people, owing complete allegiance to the Government of the United States, and equally with the citizens thereof, subject to the jurisdiction of the courts thereof. (*Ex parte Reynolds*, 5 Dillon, p. 394.)

The following rulings apply to *all Indians* on or off reservations :

The right of expatriation is a natural, inherent, and inalienable right, and extends to the Indian as well as to the white race. (*United States v. Crook*, 5 Dillon, p. 453.)

* * * In time of peace, no authority, civil or military, exists for transporting Indians from one section of the country to another without the consent of the Indians, nor to confine them to any particular reservation against their will; and where officers of the Government attempt to do this, and arrest and hold Indians who are at peace with the Government, for the purpose of removing them to and confining them on a reservation in the Indian Territory, they will be released on *habeas corpus*. (*United States v. Crook*, 5 Dillon, p. 454.)

An Indian is a *person* within the meaning of the *habeas corpus* act, and as such is entitled to sue out a writ of *habeas corpus* in the Federal courts when it is shown that the petitioner is deprived of liberty under color of authority of the United States, or is in custody of an officer in violation of the Constitution or a law of the United States, or in violation of a treaty made in pursuance thereof. (*United States v. Crook*, 5 Dillon, p. 453.)

The Indian country (territory) is within the jurisdiction of the western district of Arkansas. A writ of *habeas corpus* issued by the United States court of that district, or the judge thereof, will run in that territory. (*Ex parte Kenyon*, 5 Dillon, 385.)

Au Indian may abandon his tribe, and, for the purpose of jurisdiction, become a member of the body politic known as citizens of the United States. (*Ex parte Kenyon*, 5 Dillon, p. 385.)

The Attorney-General has given the following opinion on the relation of Indians to citizenship:

The fact, therefore, that Indians are born in the country does not make them citizens of the United States.

* * * The Indians are the *subjects* of the United States, and therefore are not in mere right of home-birth citizens of the United States. The two conditions are incompatible.

This distinction between *citizens* proper, that is, the constituent members of the political sovereignty, and *subjects* of that sovereignty, who are not therefore citizens, is recognized in the best authorities of public law.¹ (See Puffendorf, *De Jure Naturæ*, Lib. VII, Cap. II, S.)

Indians and half-breed Indians do not become citizens of the United States by being declared electors by any one of the States.²

* * * *Electorship* and *citizenship* are different things; they are not, of necessity, consociated facts; a person may be elector and not citizen, as he may be citizen and not elector.³

Indians * * * can be made citizens of the United States only by some competent act of the General Government, either a treaty or an act of Congress.⁴

Members of the following tribes can become citizens by treaty stipulations:

Delaware, 1866 (United States Statutes at Large, Vol. XIV, p. 793, art. 9; also *ibid.*, Vol. XVIII, p. 175); Kickapoo, 1862 (*Ibid.*, Vol. XIII, p. 623, sec. 3); Miami, 1873 (*Ibid.*, Vol. XVII, p. 631, sec. 3); Miami of Indiana, 1873 (*Ibid.*, p. 213, sec. 5); Ottawa, 1862 (*Ibid.*, Vol. XII, p. 1237, sec. 1); Peoria, Kaskaskia, Weas, Piankeshaw, 1867 (*Ibid.*, Vol. XV, p. 513, art. 28); Sioux, 1868 (*Ibid.*, Vol. XV, p. 635, art. 6); Stockbridge Munsee, 1865 (*Ibid.*, Vol. XIII, p. 562, sec. 4); Winnebagoes living in Minnesota, 1870 (*Ibid.*, Vol. XVI, p. 361, sec. 10).

The Pueblo Indians and other sedentary tribes that came under the dominion of the United States by the treaty of Guadalupe Hidalgo and Gadsden purchase.⁵

The following decision by the United States court decides the status of mixed bloods:

The condition of the offspring of a union between a citizen of the United States and one who is not a citizen, *e. g.*, an Indian living with his people in a tribal relation, is that of the father. The status of the child in such case is that of the father. The rule of the common law and of the Roman civil law, as well as of the law of nations, prevails in determining the status of the child in such case. (*Ex parte Reynolds*, 5 Dillon, p. 394.)

The following legislation applies exclusively to contracts touching lands, annuities, or benefits derived by treaty or official act of the United States:

Sec. 2103. No agreement shall be made by any person with any tribe of Indians or individual Indians not citizens of the United States for the payment or delivery of any

¹Opinion, Attorney-General, Vol. VII, p. 749.

²*Ibid.*, p. 746.

³*Ibid.*, p. 754.

⁴Opinion Attorney-General, Vol. VII, pp. 749, 750.

⁵See Chapter II, containing provisions of these treaties affecting legal status.

money or other thing of value, in present or in prospective, or for the granting or procuring any privilege to him or any other person in consideration of services for said Indians relative to their lands, or to any claims growing out of or in reference to annuities, instalments, or other moneys, claims, demands, or thing under laws or treaties with the United States, or official acts of any officers thereof, or in any way connected with or due from the United States, unless such contract or agreement be executed and approved as follows:

First. Such agreement shall be in writing, and a duplicate of it delivered to each party.

Second. It shall be executed before a judge of a court of record, and bear the approval of the Secretary of the Interior and the Commissioner of Indian Affairs indorsed upon it.

Third. It shall contain the names of all parties in interest, their residence and occupation, and, if made with a tribe, by their tribal authorities, the scope of authority and the reason for exercising that authority shall be given specifically.

Fourth. It shall state the time when and place where made, the particular purpose for which made, the special thing or things to be done under it, and, if for the collection of money, the basis of the claim, the source from which it is to be collected, the disposition to be made of it when collected, the amount or rate per centum of the fee in all cases, and if any contingent matter or condition constitutes a part of the contract or agreement, it shall be specifically set forth.

Fifth. It shall have a fixed limited time to run, which shall be distinctly stated.

Sixth. The judge before whom such contract or agreement is executed shall certify officially the time when and the place where such contract or agreement was executed, and that it was in his presence, and who are the interested parties thereto as stated to him at the time, the parties present making the same, the source and extent of authority claimed at the time by the contracting parties to make the contract or agreement, and whether made in person or by agent or attorney of either party or parties.

All contracts or agreements made in violation of this section shall be null and void, and all money or other thing of value paid to any person by any Indian or tribe, or any one else, for or on his or their behalf, on account of such services in excess of the amount approved by the Commissioner and Secretary for such services may be recovered by suit in the name of the United States in any court of the United States regardless of the amount in controversy, and one-half thereof shall be paid to the person suing for the same and the other half shall be paid into the Treasury for the use of the Indian or tribe by or for whom it was so paid.¹

SEC. 2104. * * * The moneys due the tribe, Indian, or Indians, as the case may be, shall be paid by the United States, through its own officers or agents, to the party or parties entitled thereto; and no money or thing shall be paid to any person for services under such contract or agreement until such person shall have first filed with the Commissioner of Indian Affairs a sworn statement showing each particular act of service under the contract, giving date and fact in detail, and the Secretary of the Interior and Commissioner of Indian Affairs shall determine therefrom whether, in their judgment, such contract or agreement has been complied with or fulfilled; if so, the same may be paid, and if not, it shall be paid in proportion to the services rendered under the contract.

SEC. 2108. The Secretary of the Interior is directed to cause settlements to be made with all persons appointed by Indian councils to receive moneys due to incompetent or orphan Indians, and to require all moneys found due to such incompetent or orphan Indians to be returned to the Treasury; and all moneys so returned shall bear interest at the rate of 6 per centum per annum until paid by order of the Secretary of the Interior to those entitled to the same. No money shall be paid to any person appointed by any Indian council to receive moneys due to incompetent or orphan

¹Revised Statutes, p. 367, section 2103.

Indians, but the same shall remain in the Treasury of the United States until ordered to be paid by the Secretary to those entitled to receive the same, and shall bear 6 per centum interest until so paid.

The courts of Kansas and Washington Territory have held that "an Indian sustaining tribal relations is as capable of entering into binding contracts as any other alien," except in the particular instance prohibited by section 2103 *et seq.*, Revised Statutes; that is, that said contract shall not touch his lands, annuities, or statute benefits. "The right to contract necessarily draws after it the liability to be sued"; therefore upon contracts of the aforesaid character Indians can sue and be sued.¹

Jurisdiction of State courts over Indians.—John Rubideaux, a Miami Indian chief, bought a piece of land in Miami County of Jack Vallie, and in consideration therefor gave to Vallie an instrument in writing, substantially a promissory note. After maturity of the note Vallie sued Rubideaux thereon in the district court of Miami County, Kans. Held:

That said court has jurisdiction to hear and determine the case.

There is no law of the United States nor of this State that authorizes Indians to purchase lands in Kansas, and then refuse to pay for the same. Neither is there any law that prohibits the courts of Kansas from taking jurisdiction of the persons and property of Indians found within the territorial boundaries of this State, except while such Indians or property are actually situated on a reserve excluded from the jurisdiction of the State.²

TRADING REGULATION.

The trader from the earliest time wielded great influence among the Indians. From him the natives obtained fire-arms, implements, and utensils of metal, and thereby secured an advantage over Indians not so well supplied. By the introduction of the goods of the white man's make native manufacture fell into disuse, as the stone, wooden, or pottery implements cost the Indian much labor and were less useful when completed than the articles offered by the trader in exchange for peltries. Weaving became a lost art among the tribes nearest to white settlements, and the tanning of skins for raiment finally gave place to the cheaper calico and flannel. The wants thus created among the Indians by the traders required to be supplied in order to keep the people peaceful, and the importance of having the traders directly responsible to the Government was early recognized and enforced.

The proclamation of George III³ set forth the claim of the Crown to regulate trade and license traders. The Articles of Confederation⁴ reserved that right to Congress. The ordinance for the regulation of Indian affairs, passed August 7, 1786, provides that none but citizens were to reside or trade among the Indians, and no person, under penalty of \$500, to so reside or trade without a license from the superin-

¹ Jack Gho (a Chinaman) v. Charley Jules (an Indian), Washington Territory Reports, Vol. I, p. 325. ² John Rubideaux v. Jack Vallie, Kansas Report, Vol. XII, p. 28. ³ American Archives, 4th series, Vol. I, col. 174. ⁴ United States Statutes at Large, Vol. I, p. 7, art. 9, sec. 4.

tendents or deputies; these officers to license every person "who shall produce from the supreme executive of any State a certificate, under the seal of the State, that he is of good character and suitably qualified, * * * for which license he shall pay the sum of \$50 to the superintendent." Each trader was required to give bonds for \$3,000 to the superintendent, and this officer to annually account for licenses or bonds to the board of treasury.¹

By the act of July 22, 1790,² the right to license traders was vested in the President or officers appointed by him. All unauthorized persons trading with Indians were liable to the forfeiture of their goods: This act to "be in force * * * two years." The act of March 1, 1793,³ regarding traders was similar in character. Section 13 provided, "That nothing in this act shall be construed to prevent any trade or intercourse with Indians living on lands surrounded by settlements of the citizens of the United States, and being within the jurisdiction of any of the individual States."⁴

The act of March 3, 1795,⁵ appropriated \$50,000 for the purchase of goods for the Indians, "the sale of such goods to be made under the direction of the President." In accordance with the suggestion of the President, General Washington,⁶ the act of April 18, 1796,⁷ provided for the establishing of "trading houses," under the immediate direction of the President, who was empowered to appoint an agent, who should give bonds and take oath not to become personally interested in trade, and transmit the accounts of the business semi-annually to the Secretary of the Treasury, the price of the goods "to be regulated in such manner that the capital stock furnished by the United States may not be diminished;" the sum of \$150,000 to be thus invested, and \$80,000 for the payment of the agent and clerks, agents to be allowed two rations per diem, and clerks one ration, from the public supplies. Agents were forbidden under penalty to barter goods for guns, implements, or clothing, except skins and furs—

In 1803 the President, Thomas Jefferson, sent a message to Congress wherein he stated that the Indians were growing uneasy and refusing further sales of land, and that—

* * * In order peaceably to counteract this policy of theirs * * * two measures are deemed expedient: *First*, to encourage them to abandon hunting, to apply to the raising of stock, of agriculture, and domestic manufacture. * * * *Secondly*, to multiply trading houses among them and place within their reach those things which will contribute more to their domestic comfort than the possession of extensive but uncultivated wilds.

The President goes on to state that the Government trading houses

* * * undersell private traders, foreign and domestic; drive them from the com-

¹ Journals of Congress, Washington, 1823, Vol. IV, cols. 677-678. ² United States Statutes at Large, Vol. I, p. 137. ³ *Ibid.*, p. 329. ⁴ *Ibid.*, p. 331. See also in Chapter III, regulation 569, permitting Indians to sell their crops off reservations. ⁵ *Ibid.*, p. 443. ⁶ American State Papers, Indian Affairs, Vol. I, p. 487. ⁷ United States Statutes at Large, Vol. I, p. 452.

petition, and thus with the good-will of the Indian rid ourselves of a description of men who are constantly endeavoring to excite in the Indian mind suspicion, fears, and irritation towards us.

By act of April 21, 1806, the office of superintendent of Indian trade was created.¹

The following list of trading houses, which had been established under the act of 1796, is taken from a letter addressed to the Hon. Joseph Anderson, chairman of the Senate Committee on Indian Affairs, by John Mason, superintendent of Indian trade, dated from "Indian-trade office" at Georgetown, D. C., April 12, 1810 :²

At Coleraine, on the river St. Mary's, Georgia, established in 1795. Removed to Fort Wilkinson, on the Oconee, in 1797, and to Fort Hawkins, on the Oakmulgee, in 1806.

At Tellico block house, Southwestern Territory, established in 1795. Removed to the Hiwasee of the Tennessee in 1807.

At Fort St. Stephens, on the Mobile, Mississippi Territory, established in 1802.

At Chicasaw Bluffs, on the Mississippi, Mississippi Territory, established in 1802.

At Fort Wayne, on the Miami of the Lakes, Indiana Territory, established in 1802.

At Detroit, Michigan Territory, established 1802 (discontinued in 1805).

At Arkansas, on the river Arkansas, Louisiana Territory, established in 1805.

At Nachitoches, on the Red River, Orleans Territory, established in 1805.

At Belle Fontaine, mouth of the Missouri, Louisiana Territory, established in 1805 (discontinued in 1808).

At Chicago, on Lake Michigan, Indiana Territory, established in the year 1805.

At Sandusky, Lake Erie, Ohio, established in 1806.

At the Island of Michilimackinac, Lake Huron, Michigan Territory, established in 1808.

At Fort Osage, on the Missouri, Louisiana Territory, established in 1808.

At Fort Madison, on the Upper Mississippi, Louisiana Territory, established in 1808.

After varied experiences the trading houses were abolished by act of May 6, 1822,³ the Government sustaining loss in closing up these "factories,"⁴ and Indian trade was finally left to the enterprise of individuals and companies.

The traders not only influenced the relations between different tribes, but the attitude of the tribes towards the colonies, and later towards the Government itself. During the period of the Revolution the British trader rallied the Indians under his control to the cause of the King; as in the same manner at an earlier date the French trader had turned certain tribes against the English. To offset this power, in the first treaty made under the Colonial Congress with the Six Nations, at Albany, August 25, 1775,⁵ provision was made for trade to be resumed at Albany and Schenectady; Congress to "exert their strenuous endeavors to procure the goods the Indians may want and put the trade under such wise regulations as that mutual justice may be effected."⁶ The treaty with the Delaware Nation, in 1778, provided for an "agent to

¹ United States Statutes, Vol. II, p. 402.

² American State Papers, Indian Affairs,

Vol. I, p. 768.

³ United States Statutes at Large, Vol. III, p. 682.

⁴ American

State Papers, Indian Affairs, Vol. II, p. 513.

⁵ American Archives, 4th series, Vol.

III, col. 1881.

⁶ *Ibid.*, Vol. III, col. 1924.

trade" with the tribe.¹ The treaty made with the Chippewa, Wyandotte, Delaware, Ottawa, Pottawatomie, and Sac Indians, in 1789, stipulated that these Indians should sell their peltries to the United States only, and that any foreigners attempting to trade should be delivered up.²

For more than a century the Indian traders have kept alive on this continent the rivalry of foreign nations, playing Indian against Indian, and Indian against white men. This is witnessed in the border disputes both prior to 1812 and during that war, also in the later controversies over the Canadian boundary line and on the North Pacific Coast. In all of these troubles Indian tribes have become involved in wars with us and with each other upon issues foreign to the Indians themselves. The trading posts of the Hudson Bay Company and of the various American trading companies were all more or less military in character, and the officials held almost despotic sway over the Indians within reach. Many agencies to-day stand upon the sites of these former trading posts.

The treaties with the various tribes bear ample testimony to the grasp of the trader upon the Indians. A large proportion of the money from the sales of land passed directly to the traders for "debts," and these debts in several instances were the causes of cessions of land.³ Nor is the grasp of the trader loosened to-day, except where reservations are surrounded by settlements, and the Indians have become sufficiently educated to be able to transact their own business in the towns of white men.

In a message to Congress dated January 28, 1802, the President (Thomas Jefferson) states: "These people (the Indians) are becoming very sensible of the baneful effects produced on their morals, their health, and existence by the abuse of ardent spirits; and some of them earnestly desire a prohibition of that article from being carried among them. The Legislature will consider whether the effectuating that desire would not be in the spirit of benevolence and liberality."⁴ The act of March 30, 1802, contained the first provision against the sale of intoxicating liquors to Indians: "That the President of the United States be authorized to take such measures from time to time as to him may appear expedient to prevent or restrain the vending or distributing of spirituous liquors among all or any of the said Indian tribes, anything herein contained to the contrary thereof notwithstanding."⁵

By the act of February 13, 1862,⁶ it was made a crime, punishable by fine and imprisonment, to sell liquor to Indians under the care of a superintendent or agent, whether on or off their reservations; and the constitutionality of this law was affirmed by the Supreme Court in 1865. On the revision of the laws in 1873-74 this law was changed so that its

¹ United States Statutes at Large, Vol. VII, p. 13. ² *Ibid.*, p. 28. ³ See synopsis of treaties. ⁴ American State Papers, Indian Affairs, Vol. I, p. 653. ⁵ United States Statutes at Large, Vol. II, p. 146. ⁶ Regulations of Indian Department 1884, sec. 491, p. 85.

penalties could only apply to persons found guilty of selling liquors to Indians on their reservations; but an act approved February 27, 1877 (United States Statutes, Vol. XIX, p. 244), restores the provisions of the law of 1862 by striking out of section 2139 the words "except to an Indian in the Indian country," so that persons who now engage in the liquor traffic with Indians, no matter in what locality, or who give it to them, are liable to a penalty of \$300 and two years' imprisonment. The law (act July 4, 1884) also provides that no part of sections 2139 and 2140, Revised Statutes shall be a bar to the prosecution of any officer, soldier, sutler or store-keeper, attaché or employé of the Army of the United States, who shall barter, donate, or furnish, in any manner whatsoever, liquors, wines, beer, or any intoxicating beverage whatsoever to any Indian. When persons are detected in a violation of the law their cases to be placed in the hands of the district attorney for the district wherein the crime was committed, in order that they may be promptly arrested, tried, and punished; and agents will co-operate with that officer in his efforts to convict the guilty parties, furnishing him with the requisite evidence and all the facts that they may be able to obtain for the purpose indicated. Indians are competent witnesses in these cases. (See section 2140, Revised Statutes; section 236, Instructions, 1880.)

Licensed traders must see to it that no intoxicating liquor is, under any pretense, allowed on or about their premises, and a violation of this rule, or a failure to use their utmost efforts to suppress the traffic, or to notify the Indian Office in regard to it, will subject them to have their licenses revoked and themselves removed from the reservations. In short, a failure to heartily co-operate with the Indian Office in preventing any one from furnishing liquor in any shape or under any pretext to the Indians will certainly result in the removal of the agent and the revocation of the license of the trader. (See section 491, circular 67, Indian Office.)

By the act of May 6, 1822,¹ traders to the remote tribes beyond the Mississippi were to be licensed for a term not exceeding seven years; other traders for two years.

The year 1834 marked an epoch in the administration of Indian affairs. On the same day (June 30, 1834) that the organic act was passed creating the Indian Department there was also passed the "act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier."² The majority of the provisions of this act are in force to the present day.

The following rules are taken from the "Regulations of the Indian Department," published in 1884:

(544.) The Commissioner of Indian Affairs has the sole power and authority to appoint traders to the Indian tribes, and to make such rules and regulations as he may deem just and proper, specifying the kind and quantity of goods and the prices at which such goods shall be sold to the Indians. (Act of August 15, 1876, sec. 5, 19 Statutes, 200.)

¹ United States Statutes at Large, Vol. III, p. 682. ² *Ibid.*, Vol. IV, p. 729.

(545.) No person employed in Indian affairs shall have any interest or concern in any trade with Indians except for and on account of the United States, and any person offending herein shall be liable to a penalty of \$5,000, and shall be removed from his office. (Sec. 2078, Revised Statutes.)

(546.) Any person other than an Indian of the full blood who shall attempt to reside in the Indian country or on any Indian reservation as a trader, or to introduce goods, or to trade therein, without such license, shall forfeit all merchandise offered for sale to the Indians or found in his possession, and shall moreover be liable to a penalty of \$500: *Provided*, That this section shall not apply to any person residing among or trading with the Choctaws, Cherokees, Chickasaws, Creeks, or Seminoles. * * * *And provided further*, That no white person shall be employed as a clerk by any Indian trader, except such as trade with said five civilized tribes, unless first licensed so to do by the Commissioner of Indian Affairs, under and in conformity to regulations to be established by the Secretary of the Interior. (Act of July 31, 1882, 22 Statutes, 179.)

(547.) Every person, other than an Indian, who, within the Indian country, purchases or receives of any Indian in the way of barter, trade, or pledge a gun, trap, or other article commonly used in hunting, any instrument of husbandry, or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any article of clothing, except skins or furs, shall be liable to a penalty of \$50. (Sec. 2135, Revised Statutes.)

(548.) Licenses to trade with the Indians will only be granted to citizens of the United States of unexceptionable character, and who are fit persons to be in the Indian country. (Sec. 2128, Revised Statutes.)

(549.) A bond in the penal sum of \$10,000 is required. * * * (Sec. 250, Instructions, 1880; sec. 2128, Revised Statutes.)

(550.) Sureties must not be bonded officers of the United States. * * *

(552.) This application must be forwarded through the agent in charge of the Indians with whom it is desired to trade. * * *

(554.) All applications for license or renewal of license must be accompanied by agent's affidavit that he has no interest, directly or indirectly, present or prospective, in the proposed business or the profits arising therefrom, nor any person for him, and that no arrangement for any benefit to himself or other person or persons on his behalf is in contemplation in case the license shall be granted.

(555.) No license will be granted for a longer period than one year, but at the end of that time * * * a new license may be granted. * * *

(556.) A new bond must be given with each renewal of license. * * *

(559.) The principals of all trading establishments will be held responsible for the conduct and acts of the persons in their employ in the Indian country. * * *

(560.) Licenses will be revoked by the Commissioner of Indian Affairs whenever, in his opinion, the persons licensed, or any of those in his or their employ, "shall have transgressed any of the laws or regulations made for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit them to remain in the Indian country." * * *

(562.) All licensed traders, before any goods shall be offered for sale, shall exhibit to the agent the original invoices of all goods intended for sale, and also the bills of lading therefor, together with the price at which each article is to be sold, and it is the duty of each agent to see that the prices are in all cases fair and reasonable.

(566.) No trade is permitted with any other tribe or tribes at any other place or places than are specified in the license. (Sec. 245, Instructions 1880.)

(567.) In making purchases from Indians, money only must be used. * * * Payment, however, may be made in goods for labor or for articles purchased, provided payment is made at the time of the performance of labor or delivery of articles pur-

chased, and that payment in goods was agreed upon at the time of contracting for the labor or purchase of the goods. (Sec. 246, Instructions 1880; Circular 68, Indian Office.)

(571.) If credit is given the Indians by the trader he must take the risk of his action, as is done by all business men, and no assistance in the collection of alleged claims will be given him by the agent. (Section 96, Instructions 1880.)

(572.) Traders will not be allowed, under any circumstances, to sell to the Indians⁸ breech-loading arms, pistols of any description, fixed ammunition, or metallic cartridges. (See sec. 373; sec. 467; and 2136 Revised Statutes; joint resolution August 5, 1876, 19 Statutes, 216; Circular 100, Indian Office.)

(573.) The fact of having a license to trade with Indians does not confer upon the trader the right to herd or raise cattle upon the reservation, or to be directly or indirectly interested in such business, or the profits arising therefrom. (Circular 80, Indian Office.)

(574.) Traders are forbidden to buy, trade for, or have in their possession any annuity or other goods of any description that have been purchased for or furnished by the Government for the use or welfare of the Indians. (See sec. 364; Circular 81, Indian Office.)

ARE THE INDIANS DYING OUT?

In 1877 the Bureau of Education issued a bulletin upon this question,¹ in which estimates and enumerations are given in more or less detail of the entire Indian population at different periods from 1790 to 1877, as well as more extended statements concerning certain groups of tribes, as the Six Nations of New York. The Commissioner of Education remarks:

In considering the following statement of Indian population at different periods from 1790 to 1876, several things should be remembered and heeded:

(1) It is entirely impracticable to present any trustworthy statement of the number of Indians in the whole territory comprised within the present limits of the United States in 1790, or at any subsequent period down to about the year 1850.² All enumerations and estimates prior to the latter date were based on fragmentary and otherwise insufficient data. Our official intercourse with the Indian tribes at the beginning of this century did not extend much beyond the Ohio River and the Mississippi from its confluence with the Ohio to the Gulf of Mexico; and our information respecting the number of Indian tribes beyond, and their numerical strength, was extremely meager and indefinite. The number of Indian tribes in official relations with the United States steadily increased from 1778, the date of our first Indian treaty, to within a few years.

(2) Such estimates and enumerations as have been presented do not coincide (except in two instances, 1820 and 1870) in date with the years in which the regular census of the United States was taken, nor do they appear at regular intervals.

(3) It is almost invariably true that estimates of the numbers of an Indian tribe exceed the real numbers; and, from the nature of the case, all official enumerations, until within a very recent period, have necessarily included many estimates, and are for that reason inaccurate.

(4) The United States census returns before 1850 did not include Indians.

¹ Incorporated in general report of Indian Commissioner, 1877, p. 485.

² This remark is almost equally true of estimates and enumerations from 1850 to the present time.

After receiving each estimate quoted, the following recapitulation is given, the Commissioner stating that "it should not be considered apart from the remarks which accompany each separate period."

No.	Year.	Authority.	Population.
1	1789.....	Estimate of the Secretary of War	76,000
2	1790-'91.....	Estimate of Gilbert Inlay	60,000
3	1820.....	Report of Morse on Indian affairs	471,036
4	1825.....	Report of Secretary of War	129,366
5	1829.....	.....do	312,930
6	1834.....	.....do	312,610
7	1836.....	Report of Superintendent of Indian Affairs	253,464
8	1837.....	.....do	302,498
9	1850.....	Report of H. R. Schoolcraft	388,229
10	1853.....	Report of United States Census, 1850	400,764
11	1855.....	Report of Indian Office	314,622
12	1857.....	Report of H. R. Schoolcraft	379,264
13	1860.....	Report of Indian Office	254,300
14	1865.....	.....do	294,574
15	1870.....	Report of the United States Census	313,712
16	1870.....	Report of Indian Office	313,371
17	1875.....	.....do	305,068
18	1876.....	.....do	291,882

The following computation made in the same manner¹ brings this general statement up to the year 1887:

Year.	Authority.	Population.
1877.....	Report of Indian Office.....	276,540
1878.....	.....do	276,595
1879.....	.....do	278,628
1880.....	Report of United States Census	322,534
1880.....	Report of Indian Office	256,127
1881.....	.....do	328,258
1882.....	.....do	326,039
1883.....	.....do	331,972
1884.....	.....do	330,776
1885.....	.....do	344,064
1886.....	.....do	334,735

The number of Indians "mingled with white men and not under tribal relations or upon reservations" by the census of 1870 is given as 25,731; 1880, as 66,407; showing an increase of 40,676.

¹ To the number given by the Indian Commissioner is added the 25,731 Indians reported in the census of 1870 as not holding tribal relations, but living with white men, and the 66,407 reported in census of 1880, to the Indian Commissioner's estimate given at and since that date.

The following tables show in what States and Territories this change has taken place:

Table of the United States Census.

State and Territory.	1870.	1880.	State and Territory.	1870.	1880.
Alabama.....	98	213	New York.....	439	819
Arkansas.....	89	195	North Carolina.....	1,241	1,230
California.....	7,241	16,277	Ohio.....	100	130
Colorado.....	180	154	Oregon.....	318	1,694
Connecticut.....	235	255	Pennsylvania.....	34	184
Delaware.....	.....	5	Rhode Island.....	154	77
Florida ¹	2	180	South Carolina.....	124	131
Georgia.....	40	124	Tennessee.....	70	352
Illinois.....	32	140	Texas.....	379	992
Indiana.....	240	246	Vermont.....	14	11
Iowa.....	48	466	Virginia.....	229	85
Kansas.....	914	815	West Virginia.....	1	29
Kentucky.....	108	50	Wisconsin.....	1,206	3,161
Louisiana.....	569	848	Alaska.....	.....	.....
Maine.....	499	625	Arizona.....	31	3,493
Maryland.....	4	15	Dakota.....	1,200	1,391
Massachusetts.....	151	369	District of Columbia.....	15	5
Michigan.....	4,926	7,249	Idaho.....	47	165
Minnesota.....	690	2,300	Montana.....	157	1,663
Mississippi.....	809	1,857	New Mexico.....	1,309	9,772
Missouri.....	75	113	Utah.....	179	807
Nebraska.....	87	235	Washington.....	1,319	4,405
Nevada.....	23	2,803	Wyoming.....	66	140
New Hampshire.....	23	63	Total ²	25,731	60,407
New Jersey.....	16	74			

¹ By act of July 4, 1884, Congress appropriated \$6,000 to enable the Seminole Indians in Florida to obtain homesteads upon public lands. (United States Statutes, Vol. XXIII, p. 95.)

² Census 1880, pp. 37, 39.

Population and reservations.

Indians in the United States, exclusive of Alaska ¹	264,369
Acres in Indian reservations ¹	137,766,731
Acres tillable ²	17,886,815
Acres cultivated by Indians.....	256,161
Reservations (including Pueblos).....	169
Agencies.....	60
Largest number of reservations under one agent.....	7
Smallest number of reservations under one agent.....	1
Largest number of Indians, not including five civilized tribes, on one reservation (Navajo, New Mexico) ³	19,013
Smallest number of Indians on one reservation (Iowa, Kansas) ⁴	132
Reservation having the largest number of acres (Montana) ⁵	21,651,200
Reservation having the smallest number of acres (Shoal Water, Washington Territory) ⁶	335
Reservations in States.....	32
Reservations in Territories.....	39

¹ Report of Indian Commissioner, 1884, p. 302. ² *Ibid.*, 1883, p. 302. ³ *Ibid.*, 1884, p. 244. ⁴ *Ibid.*, 1883, p. 274. ⁵ *Ibid.*, 1884, p. 310. ⁶ *Ibid.*, p. 316.

Distribution of Indians and Indian reservations. a

States and Territories.	Number of reservations.	Number of agents.	Number of Indians on reservations.	Area of reservations.
				<i>Acres.</i>
Arizona.....	9	3	18,699	6,603,191
California.....	26	4	4,738	472,947
Colorado.....	1	1	991	1,094,400
Dakota.....	9	9	32,111	26,847,105
Idaho.....	4	3	3,676	2,611,481
Indian Territory.....	20	7	18,334	41,102,546
Indian Territory (five civilized tribes).....	5	1	64,000	
Iowa.....	1	1	354	1,258
Kansas.....	3	1	976	106,375
Michigan.....	3	1	9,577	66,332
Minnesota.....	10	1	5,287	4,755,716
Montana.....	4	5	615,333	27,797,800
Nebraska.....	6	3	3,602	422,353
Nevada.....	4	2	5,016	885,015
New Mexico.....	22	3	30,003	9,540,445
New York.....	8	1	5,007	87,677
North Carolina.....	1	.....	3,100	65,211
Oregon.....	6	4	4,255	2,075,560
Texas.....	(c)	.....	97	.....
Utah.....	2	2	2,309	3,972,430
Washington.....	17	5	10,846	6,330,125
Wisconsin.....	7	2	6,628	586,309
Wyoming.....	1	1	1,855	2,342,400
Total	169	60	246,794	137,766,731

a Report of Indian Commissioner, 1884, p. xviii.

b Of these 558 are in charge of a military officer and not on an Indian reservation.

c Indians in charge of a military officer and not on an Indian reservation.

Indians not under control of agencies. a

States and Territories.	No.	States and Territories.	No.
Arizona.....	2,464	Texas.....	290
California.....	6,669	Utah.....	390
Dakota.....	400	Washington Territory.....	150
Idaho.....	600	Wisconsin.....	1,210
Maine.....	410	Indiana and Florida.....	892
Nevada.....	3,300	Total	17,575
Oregon.....	800		

a Report of Indian Commissioner, 1884, p. xviii.

STATISTICS OF CONDITION AND WORK.¹

Indian allotments. (A certain number of acres set apart to an individual Indian or the head of a family)	8, 278
Houses occupied	14, 824
Houses built for Indians during the year	292
Houses built by Indians during the year	1, 975
Indians who wear citizens' dress wholly	82, 642
Indians who wear citizens' dress in part	56, 012
Indians who speak English	25, 394
Indians who read English	18, 185
Indian apprentices on reservation	392
Indian apprentices at Carlisle and Forest Grove	231
Indian families engaged in agriculture	24, 451
Indian families engaged in civilized pursuits	6, 750
Male Indians who undertake manual labor in civilized pursuits	47, 553

PRODUCE RAISED BY INDIANS.

Wheat, bushels ²	823, 299
Corn, bushels ²	984, 318
Oats and barley, bushels ²	455, 526
Rye, bushels ³	12, 755
Vegetables, bushels ⁴	497, 597
Number of melons and pumpkins ²	710, 431
Tons of hay cut ³	79, 892
Pounds of butter made ²	42, 621
Pounds of maple sugar made ²	205, 000

OTHER RESULTS OF INDIAN LABOR.

Lumber sawed, ² feet	4, 416, 935
Number of shingles cut ³	42, 700
Cords of wood cut ²	81, 625
Fish sold ²	\$4, 200
Pounds of snake-root gathered and sold ²	\$15, 600
Bushels of berries sold ²	500
Bushels of wild rice ²	1, 400
Pounds of wool produced ²	700, 000
Blankets manufactured and sold ²	\$30, 000
Robes and furs sold ²	\$140, 675
Number of pounds of freight transported by Indian teams ³	11, 337, 853
Amount earned thereby ³	\$74, 782 96

STOCK OWNED BY INDIANS.²

Horses	235, 534
Mules	3, 405
Cattle	103, 324
Swine	67, 835
Sheep	1, 029, 869

VITAL AND OTHER STATISTICS.¹

Births	4, 069
Deaths	3, 787
Number who have received medical treatment during the year	53, 774
Indians killed by Indians during the year	29

¹ Report of Indian Commissioner, 1884, p. 302.² *Ibid.*, p. 320.³ *Ibid.*, 1883,p. 302. ⁴ *Ibid.*, 1884, p. 321.

Indians killed by whites during the year.....	9
Indians killed by accident.....	10
Whites killed by Indians.....	1
Crimes against Indians by whites.....	73
Whisky sellers prosecuted during the year.....	200

STATISTICS OF FIVE CIVILIZED TRIBES, INDIAN TERRITORY.

Acres in reservation ¹	19,785,771
Acres tillable ¹	8,870,000
Acres under cultivation ²	400,000
Indians who wear citizens' dress ³	64,000
Indians speaking English ³	45,800
Indian families engaged in agriculture ³	13,600
Indian families engaged in civilized pursuits ³	1,017
Male Indians who undertake manual labor in civilized pursuits ³	9,500
Houses occupied by Indians ³	14,250

PRODUCE RAISED.⁴

Wheat ⁵	bushels..	280,000
Corn ⁵	do.....	1,615,000
Oats and barley ⁵	do.....	313,000
Cotton ⁶	pounds..	5,900,000

STOCK OWNED.⁵

Horses.....	87,000
Mules.....	26,570
Cattle.....	710,000
Swine.....	530,000
Sheep.....	81,000

AGENCY STATISTICS.

Acres cultivated by Government during the year ²	5,272
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Produce raised by Government.¹

Wheat.....	bushels..	10,361
Corn.....	do.....	11,295
Oats and barley.....	do.....	26,033
Vegetables.....	do.....	13,619
Hay cut.....	tons.....	4,476
Hops.....	pounds..	28,000
Butter made.....	do.....	1,450

Stock owned by Government.¹

Horses.....	2,128
Mules.....	199
Cattle.....	8,728
Swine.....	309

WHITE INTRUDERS.¹

Whites unlawfully on reserves.....	950
Acres occupied by white intruders.....	3,760

¹ Report of Indian Commissioner, 1884, p. 320. ² *Ibid.*, 1883, p. 302. ³ *Ibid.*, 1884, p. 302. ⁴ In the Report of the Commissioner of Indian Affairs for 1884, page 321, will be found a comparative statement showing the increase in Indian productions and property made in five years. ⁵ *Ibid.*, 1884, p. 321. ⁶ *Ibid.*, 1884, p. 303.

*Five civilized tribes.*¹

Whites unlawfully on reserves.....	4, 100
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MISSIONARY STATISTICS OF OTHER THAN THE FIVE CIVILIZED TRIBES.

Missionaries ¹	129
Church buildings ²	236
Amount contributed for education by religions societies ²	\$115, 385
Amount contributed for other purposes by religious societies ³	\$52, 706

Civilized tribes.

Missionaries ¹	93
Church buildings ¹	178
Amount contributed for education by religious societies ²	\$13, 578
Amount contributed for other purposes by religious societies ²	\$17, 651

STATISTICS OF EXPENDITURE AND TRUST FUNDS.

*Pay of officials.*⁴

Pay and expenses of Indian inspectors.....	\$17, 250. 00
Pay of special agents.....	8, 558. 46
Travelling expenses of special agents.....	5, 810. 52
Pay of Indian agents.....	81, 888. 53
Travelling expenses of Indian agents.....	11, 543. 45
Payment of regular employés at agencies.....	254, 853. 30
Payment of temporary employés at agencies.....	9, 096. 48
Pay of interpreters.....	19, 187. 62
Pay of Indian police, scouts, and equipments.....	60, 097. 08
Incidental expenses of agencies.....	21, 111. 75
In hands of agents.....	746. 09
Total.....	\$490, 143. 58

AGENCY EXPENSES.⁵

Building at agencies and repairs.....	\$30, 941. 04
Survey of Indian reservations.....	496. 50
Agricultural improvements.....	7, 581. 49
Agricultural and miscellaneous supplies.....	259, 693. 51
Stock for Indians.....	263, 880. 47
Medicines and medical supplies.....	15, 728. 76
Vaccination of Indians.....	246. 00
To promote civilization among Indians generally.....	92, 130. 67
Support of schools.....	669, 974. 21
Miscellaneous.....	13, 988. 23
Total.....	\$1, 354, 660. 88

*Support and payment of Indians.*³

Annuity goods.....	\$371, 073. 79
Subsistence supplies.....	2, 160, 967. 92
Purchase and inspection of annuity goods and supplies.....	24, 803. 12
Advertising expenses and telegraphing.....	21, 196. 88

¹ Report of Indian Commissioner, 1884, p. 302. ² *Ibid.*, 1883, p. 284. ³ Partial report. ⁴ *Ibid.*, 1884, p. xviii.

Expenses of transportation and storage	\$235, 148. 76
Payment of annuity in money	298, 666. 56
Total	\$3, 161, 857. 03

In this amount are included :¹

A special appropriation for the subsistence of the Arapahoes, Cheyennes, Apaches, Kiowas, Comanches, and Wichitas, 1884	\$413, 000. 00
A like appropriation for the subsistence of the Arickarees, Gros Ventres, and Mandans, 1884	38, 000. 00
For the Assinaboines in Montana, 1884	15, 000. 00
For the Blackfeet, Bloods, and Piegans, 1884	35, 000. 00
For the Chippewas of Lake Superior	15, 000. 00
Chippewas of Red Lake and Pembina, 1884	15, 000. 00
Chippewas, Turtle Mountain band, 1884	9, 000. 00
Chippewas on White Earth Reservation	8, 000. 00
Confederated tribes and bands in middle Oregon, 1884	7, 000. 00
D'Wamish and other allied tribes in Washington, 1884	8, 000. 00
Flathead and other confederated tribes, 1884	13, 000. 00
Gros Ventres in Montana, 1884	18, 000. 00
Kansas Indians, 1884	5, 000. 00
Kickapoos, 1884	6, 000. 00
Makahs, 1884	5, 000. 00
Monomonees, 1884	5, 000. 00
Modocs in the Indian Territory, 1884	5, 000. 00
Navajoes, 1884	30, 000. 00
Nez Percés of Joseph band, 1884	20, 000. 00
Quinaielts and Quillehutes, 1884	5, 000. 00
Shoshones in Wyoming, 1884	15, 000. 00
Sioux of Lake Traverse, 1884	8, 000. 00
Sioux of Devil's Lake, 1884	8, 000. 00
S'Klallams, 1884	5, 000. 00
Tonkawas at Fort Griffin, Tex., 1884	3, 000. 00
Walla-Walla, Cayuse, and Umatilla tribes, 1884	8, 000. 00
Yakamas and other Indians, 1884	20, 000. 00
Indians in Arizona and New Mexico, 1884	300, 000. 00
Indians of Central Superintendency	18, 000. 00
Indians of Fort Hall Reservation, 1884	20, 000. 00
Indians of Fort Peck Agency, 1884	70, 000. 00
Indians of Klamath Agency, 1884	6, 000. 00
Indians of Lemhi Agency	19, 000. 00
Total	\$1, 175, 000. 00

The extinction of game throws some tribes temporarily on the Government for subsistence, so that this class of expenditure can not be expected to disappear entirely for some time to come, though the amount will undoubtedly diminish from year to year, as habits of industry and providence increase among the Indians.

Besides the expenditure already stated, the United States annually pays a large sum as interest due certain tribes on stocks and bonds, and trust funds in the Treasury. The amount of Indian trust funds,

¹ Report of Indian Commissioner, 1884, pp. 236, 240.

according to the report of the Commissioner of Indian Affairs for the year 1881,¹ was—

Stock and bonds held in trust	\$1,800,016.83
Funds in United States Treasury to credit of Indians.....	16,668,233.84
Total.....	18,468,250.67

The interest on the above paid to or expended for the Indians, viz :

On stock and bonds.....	\$112,341.01
On funds in United States Treasury, uninvested	821,511.59
Total.....	933,852.60

In the appropriation for "current and contingent expenses of the Indian Department" a part of this sum is included; and it is sometimes forgotten that this money is a payment made to the Indians as an income earned by their own funds, and not bestowed as gratuity.

¹The picture presented by these statistics varies from year to year; happily the change is in the line of self-support and civilization. For later statistics see Report of the Indian Commissioner for 1886.

CHAPTER VI.

INDIAN EDUCATION.

On the 12th of July, 1775, the Continental Congress appropriated \$500 for the education of Indian youth at Dartmouth College, New Hampshire.¹

The Mohegans declared that year to the commissioners, appointed to treat with the Indians at Albany, "their desire to have teachers and instructors among them which the commissioners promised to report to Congress."² In December of the same year Captain White Eyes, a Delaware chief, being introduced to Congress, the President said: * * * "We will send you, according to your desire, a minister and a school-master."³ This promise was renewed on April 10, 1776.⁴ Similar requests were made in behalf of the Oneidas.⁵

Cornplanter, speaking for the Senecas, said to the President:

Father, you give us leave to speak our minds concerning the tilling of the ground. We ask you to teach us to plow and to grind corn; to assist us in building saw-mills, and to supply us with broad axes, saws, augers, and other tools, so that we may make our houses more comfortable and more durable; that you will send smiths among us, and, above all, that you will teach our children to read and write, and our women to spin and to weave. The manner of your doing these things for us we leave to you, who understand them; but we assure you that we will follow your advice as far as we are able.

Father, you have not asked any security for peace on our part, but we have agreed to send nine Seneca boys, to be under your care for education. Tell us at what time you will receive them, and they shall be sent at the time you shall appoint. This will assure you that we are, indeed, at peace with you, and determined to continue so. If you can teach them to become wise and good men, we will take care that our nation shall be willing to receive instruction from them.⁶

General Washington replied, through the Secretary of War:

You will also inform the Indians how desirous the President of the United States is that the Indians should have imparted to them the blessings of husbandry, and the arts, and of his willingness to receive the young sons of some of their principal chiefs, for the twofold purpose of teaching them to read and write, and to instruct them fully in the arts of husbandry. If they should readily accede to this proposition, you may receive the children to be educated, either at the time of the treaty, or at such other time and place as you may agree.⁷

On February 5, 1776, the Committee on Indian Affairs reported:

That a friendly commerce between the people of the United Colonies and the Indians, and the propagation of the Gospel, and the cultivation of the civil arts among

¹ American Archives, 4th series, Vol. II, col. 1879. ² *Ibid.*, 5th series, Vol. I, col. 903. ³ *Ibid.*, 4th series, Vol. III, col. 1953. ⁴ *Ibid.*, Vol. V, col. 1663. ⁵ *Ibid.*,

5th series, Vol. I, cols. 902, 903. ⁶ American State Papers, Indian Affairs, Vol. I, p. 144. ⁷ *Ibid.*, p. 166.

the latter, may produce many and inestimable advantages to both, and that the commissioners for Indian affairs be desired to consider of proper places, in their respective departments for the residence of ministers and school-masters, and report the same to Congress.¹

On May 22, 1792, the following was included in the instruction to Brig. Gen. Rufus Putnam, who was sent to negotiate with the late hostile Indians near Lake Erie :

That the United States are highly desirous of imparting to all the Indian tribes the blessings of civilization, as the only means of perpetuating them on the earth. That we are willing to be at the expense of teaching them to read and write, to plow and to sow, in order to raise their own bread and meat, with certainty, as the white people do.²

The first treaty agreement providing for any form of education was made December 2, 1794, with the Oneida, Tuscarora, and Stockbridge Indians, who had faithfully adhered to the United States during the Revolution. For three years one or two persons were to be employed to instruct in the arts of the miller and sawyer.³

The second treaty agreement for education was with the Kaskaskias, August 13, 1803, wherein the United States promised to give annually for seven years \$100 toward the support of a Roman Catholic priest, who, beside the duties of his office, was "to instruct as many of the children as possible in the rudiments of literature."⁴

The treaties negotiated during the fifteen years following make no mention of education. They were mainly devoted to cessions of land and to the establishing of peace after the disturbances incident to the war of 1812. The great religious awakening which occurred about that period and which resulted in the formation of missionary associations and the Bible and the tract societies made itself felt in a revival of interest in Indian education and civilization.

On January 22, 1818 the House Committee on Indian Affairs reported :

We are induced to believe that nothing which it is in the power of Government to do would have a more direct tendency to produce this desirable object [civilization] than the establishment of schools at convenient and safe places amongst those tribes friendly to us. The committee are aware that many plausible objections may be raised against the proposed measure; but we believe that all difficulties on this subject may be surmounted, and that the great object may be carried into practical effect. In the present state of our country one of two things seems to be necessary. Either that those sons of the forest should be moralized or exterminated. Humanity would rejoice at the former, but shrink with horror from the latter. Put into the hands of their children the primer and the hoe, and they will naturally, in time, take hold of the plow, and as their minds become enlightened and expand the Bible will be their book, and they will grow up in habits of morality and industry, leave the chase to those whose minds are less cultivated, and become useful members of society. The committee believe that increasing the number of trading-posts, and establishing schools on or near our frontiers for the education of Indian children, would be attended with beneficial effects both to the United States and the Indian tribes, and

¹American Archives, 4th series, Vol. IV, col. 1662. ²American State Papers, Indian Affairs, Vol. I, p. 235. ³United States Statutes at Large, Vol. II, p. 48, art. 3. ⁴*Ibid.*, p. 79, art. 3.

the best possible means of securing the friendship of those nations in amity with us, and, in time, to bring the hostile tribes to see that their true interest lies in peace and not in war; and therefore the committee report a bill.¹

The first general appropriation for Indian education was made March 3, 1819, when an act was passed:

For the purpose of providing against the further decline and final extinction of the Indian tribes adjoining the frontier settlements of the United States, and for introducing among them the habits and arts of civilization, the President of the United States shall be, and he is hereby, authorized, in every case where he shall judge improvement in the habits and condition of such Indians practicable, and that the means of instruction can be introduced with their own consent, to employ capable persons of good moral character to instruct them in the mode of agriculture suited to their situation; and for teaching their children in reading, writing, and arithmetic, and performing such other duties as may be enjoined, according to such instructions and rules as the President may give and prescribe for the regulation of their conduct in the discharge of their duties.

Sec. 2. *And be it further enacted*, That the annual sum of \$10,000 be, and the same is hereby, appropriated for the purpose of carrying into effect the provisions of this act; and an account of the expenditure of the money and proceedings in execution of the foregoing provisions shall be laid annually before Congress.²

On January 15, 1820, J. C. Calhoun, in compliance with a request from the House as to the progress made in the civilization of the Indians and to know whether any of the \$10,000 had been expended, reported that:

No part of the appropriation * * * had yet been applied. The President was of opinion that the object of the act would be more certainly effected by applying the sum appropriated in aid of the efforts of societies or individuals who might feel disposed to bestow their time and resources to effect the object contemplated by it; and a circular was addressed to those who had directed their attention to the civilization of the Indians. The objects of the circular were to obtain information, and disclose the views of the President, in order to concentrate and unite the efforts of individuals and societies in the mode contemplated by the act of the last session. * * * The Cherokees exhibit a more favorable appearance than any other tribe of Indians. There are already established two flourishing schools among them; one at Brainard, under the superintendence of the American Board for Foreign Missions, at which there are at present about one hundred youths of both sexes. * * * The Choctaws and Chickasaws have recently evinced a strong desire to have schools established among them, and measures have been taken by the American Board for Foreign Missions for that purpose. A part of the former nation have appropriated \$2,000 annually, out of their annuity, for seventeen years, as a school fund. A part of the Six Nations in New York have, of late, made considerable improvements; and the Wyandots, Senecas, and Shawanees at Upper Sandusky and Wapaghkonetta have, under the superintendence of the Society of Friends, made considerable advances in civilization.

Although partial advances may be made under the present system to civilize the Indians, I am of opinion that until there is a radical change in the system any efforts which may be made must fall short of complete success. They must be brought gradually under our authority and laws, or they will insensibly waste away in vice and misery. It is impossible, with their customs, that they should exist as independent communities in the midst of civilized society. They are not, in fact, an independent people (I speak of those surrounded by our population), nor ought they to be so

¹ American State Papers, Indian Affairs, Vol. II, p. 151. ² United States Statutes at Large, Vol. III, pp. 516-517.

considered. They should be taken under our guardianship; and our opinion, and not theirs, ought to prevail in measures intended for their civilization and happiness. A system less vigorous may protract, but can not arrest their fate.¹

The following extract from the circular of September 3, 1819, mentioned above, indicates the policy of the President:

But it will be indispensable, in order to apply any portion of the sum appropriated in the manner proposed, that the plan of education, in addition to reading, writing, and arithmetic, should, in the instruction of the boys, extend to the practical knowledge of the mode of agriculture, and of such of the mechanic arts as are suited to the condition of the Indians; and in that of the girls, to spinning, weaving, and sewing. It is also indispensable that the establishment should be fixed within the limits of those Indian nations who border on our settlements. Such associations or individuals who are already actually engaged in educating the Indians, and who may desire the co-operation of the Government, will report to the Department of War. * * * In proportion to the means of the Government co-operation will be extended to such institutions as may be approved, as well in erecting necessary buildings, as in their current expenses.²

In 1823 the following schools are reported as receiving Government aid:

Names and sites of stations.	By whom established.	When established.	Number of scholars at last report.	Sum annually allowed by the United States for tuition.	Whole expense during last year.
School at Cornwall, Conn.....	American Board of Foreign Missions, Boston.	1817	85	\$1,438	.....
Brainard, Cherokee Nation, Tenn.....	do	1817	84	1,200	\$7,632
Elliot, Choctaw Nation	do	1818	80	1,200	9,735
Newell, Choctaw Nation.....	do	1821	15	350	668
Mayhew, Choctaw Nation	do	1822	66	800	15,706
Dwight, Cherokees, Arkansas	do	1820	50	600	6,241
Fort Wayne, Indiana and Michigan	Baptist General Convention	1820	40	200	3,000
Valley Towns, Cherokees, Tenn.....	do	1820	50	500	3,000
Tensawatee, Cherokees, Tenn	do	1821	25	250	.....
Withington, Creek Nation.....	do	1823	40	600	3,000
Oneida Nation	Hamilton Baptist Missionary Society.	1820	24	500	.....
Tuscarora Nation, New York.....	United Foreign Missionary Society, New York.	1819	45	450	.....
Seneca Nation, New York	do	1819	31	450	2,451
Union, Osages, Arkansas	do	1820	12	250	6,700
Harmony, Osages, Missouri	do	1822	17	250	4,680
Wyandottes, near Upper Sandusky.	Methodist Ohio Conference	1821	60	500	1,950
Spring Place, Cherokees, Tenn.....	United Brethren.....	1801	20	300	744
Monroe, Chickasaw Nation, Tenn..	Synod of South Carolina and Georgia.	1821	54	500	2,675
Charity Hall, Nation.....	Cumberland Missionary Society ..	1822	21	400	608
Ottawas, Miami of the Lake.....	Western Missionary Society.....	1823	.....	300	.....
Florissant, Missouri.....	Catholic Bishop of New Orleans ..	1823	.....	800	.....

¹ American State papers, Indian Affairs, Vol. II, p. 200, 201.

² *Ibid.*, p. 201.

The expenses over and above the amount allowed by the Government were paid by the respective societies.¹

The schools in 1825 were 38 in number, and were located and cared for as follows:²

Tribes.	No.	By whom established.
Choctaw	11	American Board of Foreign Missions.
East and West Cherokee ..	9	Five by the American Board of Foreign Missions; two by United Brethen; two by Baptist General Convention.
Seneca.....	3	Two by United Foreign Mission Society; one by Baptist General Convention.
Chickasaw.....	2	One by Cumberland Mission Board; one by Synod of South Carolina and Georgia.
Oneida.....	2	One by Baptist General Convention; one by Protestant Episcopal Church.
Osage.....	2	United Foreign Mission Society.
Ottawa.....	2	One by Baptist General Convention; one by Western Mission Society.
Chippewa	1	United Foreign Mission Society.
Creek.....	1	Baptist General Convention.
Missouria	1	Jesuit.
Passamaquoddy	1	Society for Propagating the Gospel, etc.
Pottawatomie	1	Baptist General Convention.
Tuscaroras	1	United Foreign Mission Society.
Wyandotte	1	Methodist Episcopal Church.

The following statement shows the amount paid by the Government to missionaries, and the amount received by them in money, property, stock, etc., from other sources, for the support of schools in the Indian country in the years 1824 and 1825:³

Sources from which paid or received.	1824.	1825.
From the Government.....	\$12,708.48	\$13,620.41
From Indian annuities and under provisions of Indian treaties	8,750.00	11,750.00
From private contributions, in money, property, stock, etc., and including the value of the houses and other improvements on the sites of the respective institutions.....	170,147.52	176,700.00
Total	191,606.00	202,070.41

In 1826 the Indian report states:

Hundreds of Indian children are turned away for the want of ability on the part of the superintendent to receive them. Numerous applications for assistance, and from the most respectable societies, are now on file in this office, to which it has not been possible to return any other answer than the fund appropriated by Congress is exhausted. It is recommended that the sum be increased. In order to meet the discouragement arising from the educated children being thrown back into uneducated Indian settlements, it is recommended that sections of land and agriculture and other implements be given them, by which they may earn their living and become an intermediate link between our own citizens and our wandering neighbors, softening the shades of each and enjoying the confidence of both.⁴

In 1833 the Indian Commissioner reports concerning the school at Mackinac and Sault Ste. Marie, which had been established ten years,

¹ American State Papers, Indian Affairs, Vol. II, p. 459. ² *Ibid.* p. 587. ³ *Ibid.*, p. 669. ⁴ American State Papers, second session 19th Congress, Vol. I, pp. 507-508.

that 191 children had been received; 8 had learned mechanical trades; 13 had been engaged as clerks in the Indian trade; 1 was United States Indian interpreter, and none have returned to the forest as hunters.¹ Two years later, two pupils from the same school had gone as teachers among the Indians to the North, a third had been received as a catechist by the American Board of Missions, a fourth had taken command of a vessel on the lakes, and a sixth was studying medicine.² The same year, 1835, the agent of the Delawares and Shawnees writes, he was shown cloth spun and woven, and shirts and other clothing made by Indian girls.² The Indian Commissioner states, that the agents of the several tribes, for whose benefit schools are supported, are required to visit and inspect the schools at least once a year. At these visits a public examination of the pupils is to be made, and the attendance of the military officers and of other citizens requested whenever convenience will permit.²

In 1846 the Indian Commissioner reported :

The general introduction of manual labor schools among the Indians, and the purchase of tools and agricultural implements as are necessary for their management and operation, will be attended with much expense, and will require all the funds that are in any way applicable to objects of education. A portion of these funds has heretofore been applied to the education of boys at literary institutions in the various States, and even to the preparation of some of them for the practice of learned professions; and although important advantages have thereby resulted in the diffusion of information among the different tribes, yet it is believed the money can now be more beneficially expended at the homes and in the midst of the Indian people. The prejudices of the red man will be thus more easily overcome, and the benefits extended alike to both sexes of the tribe.³

In 1848 sixteen manual labor schools, eighty-seven boarding and other schools, were reported in operation, and several additional manual labor schools under contract: two each for the Creeks and Pottawatomies, one each for the Chickasaws, Kansas, and Miamis. The aggregate sum expended for buildings and improvements was \$34,000; annual endowment and maintenance \$26,000; in addition to the amounts contributed by missionary societies under whose care they were in general placed.⁴

The Indian Commissioner states in 1849 "nearly the whole of the large amount required for the support and maintenance of the schools now in operation is furnished by the Indians themselves out of their national funds,"⁵ and urges that the \$10,000 annually appropriated, in accordance with the act of 1819, be raised to \$50,000.

In 1855 the Indian Commissioner made a detailed statement of the money expended for Indian education and civilization. He says :

In addition to the \$102,107.14 furnished by the United States, and to the aggregate of \$324,160.61 drawn from the Indian funds, and over \$400,000 paid out by the

¹American State Papers, first session 23d Congress, Vol. I, p. 188. ²*Ibid.*, first session 24th Congress, Vol. I, p. 285. ³Executive Documents, second session 29th Congress, Vol. I, p. 227. ⁴*Ibid.*, 30th Congress, Vol. I, p. 406. ⁵*Ibid.*, first session 31st Congress, Vol. III, Part 2, p. 956.

Indian nations among themselves, that private benevolence in ten years has expended for the Christianization and civilization of the Indian tribes more than \$830,000; showing a total outlay for these objects in ten years exceeding \$2,150,000.¹

The Secretary of the Interior, in his report of 1865, recommends—

That Congress provide a civilization and educational fund, to be disbursed in such mode as to secure the co-operation and assistance of benevolent organizations. * * * It is believed that all the Christian Churches would gladly occupy this missionary field, supplying a large per cent. of the means necessary for their instruction, and thus bring into contact with the Indian tribes a class of men and women whose lives conform to a higher standard of morals than that which is recognized as obligatory by too many of the present employés of the Government.²

By a treaty made with the Osage Indians September 29, 1865, article 2 provided that the proceeds from certain ceded lands were, under the direction of the Secretary of the Interior, to be applied to the education and civilization of Indian tribes residing within the United States.³ The fund amounted to \$770,179.42. Between the date of the establishment of this fund and the year 1882, when it became exhausted, a large amount had been expended for educational purposes.⁴

In 1868 the Indian Commissioner wrote :

Many of the tribes have no schools and are without any religious instruction whatever. * * * The Government should invite the co-operation, in its great duty of protecting, educating, and elevating the race to a higher style of being, of all Christian societies or individuals who may be disposed to take part in the work, and should liberally assist in the maintenance of schools and mission establishments.⁵

In 1869 the Board of Indian Commissioners recommended in their report that—

Schools should be established, and teachers be employed by the Government to introduce the English language in every tribe. * * * The establishment of Christian missions should be encouraged, and their schools fostered.⁶

On July 15, 1870, \$100,000 were appropriated for the support of industrial and other schools among the Indian tribes not otherwise provided for.⁷

By the act of February 14, 1873,⁸ so much of the act of March 3, 1819, as provided for the appropriation of an annual sum of \$10,000 for the civilization of the Indians was repealed.

Hitherto the schools had been maintained either wholly by missionaries or jointly with the aid of the Government, with the exception of a few schools supported wholly from tribal funds and under the charge of United States teachers. About this time strictly Government schools began to be established; day-schools first, and later boarding-schools, the number increasing with each year.

The Indian Commissioner in 1873 says :

Instruction in the day-schools merely, except among Indians who are already far along in civilization, is attempted at great disadvantage on every hand. * * * It

¹ Message and Documents, 1855-96, p. 561. ² Report of the Indian Commissioner, 1865, p. IV, Extract, Secretary of Interior. ³ United States Statutes at Large, Vol. XIV, p. 687. ⁴ Report of Indian Commissioner, 1885, pp. LXXIX, LXXX. ⁵ *Ibid.*, 1868, p. 2. ⁶ *Ibid.*, 1869, p. 50. ⁷ United States Statutes at Large, Vol. XVI, p. 359. ⁸ *Ibid.*, Vol. XVII, p. 461.

is also well-nigh impossible to teach Indian children the English language when they spend twenty hours out of the twenty-four in the wigwam, using only their native tongue. The boarding-school, on the contrary, takes the youth under constant care, has him always at hand, and surrounds him by an English-speaking community, and, above all, gives him instruction in the first lessons of civilization, which can be found only in a well-ordered home. Any plan for civilization which does not provide for training the young, even though at a largely increased expenditure, is short-sighted and expensive. A large expenditure for a few years in the proper direction will be more economical than a smaller expenditure perpetuated. * * * I most earnestly recommend that this appropriation for education be made on a scale commensurate with the urgent necessities of the case.¹

In this year a medical and educational division was established in the Indian Bureau and continued to 1877.² In 1877 the Indian Commissioner states as one of the requisites "to lay the foundations on which to build up * * * civilization, the establishment of the common-school system (including industrial schools) among the Indians, with provision for their compulsory education in such schools."³

Again, in his Report for 1878, he says: "Experience shows that Indian children do not differ from white children of similar social status and surroundings in aptitude or capacity for acquiring knowledge, and opposition or indifference to education on the part of parents decreases yearly, so that the question of Indian education resolves itself mainly into a question of school facilities."⁴ In this year the Indian department at Hampton Institute, Hampton, Va., was started, and the following year the training-school at Carlisle, Pa., was established.⁵

In 1880 the Commissioner reports: "Persistent calls for the opening of new schools or the enlargement of those already established come to the office from every quarter. * * * The educational work of the Bureau could have been enlarged to a much greater extent but for the inadequate appropriations made by Congress for the support of schools."⁶

In 1881 he writes:

Schools for Indians are divided into three classes—day-schools and boarding-schools for Indians in the Indian country, and boarding-schools in civilized communities remote from Indian reservations. Although varying greatly in the extent and character of their results, each holds its own important place as a factor in Indian civilization. * * * Exclusive of those among the five civilized tribes, the day-schools during the past year have numbered one hundred and six, and have been attended by four thousand two hundred and twenty-one pupils. * * * Of the one hundred and six schools one is supported by the State of Pennsylvania and twenty-eight are located in and supported by the State of New York as part of its common-school system. * * * The amount expended last year in the support of these schools was \$8,000, and the superintendent asks that on account of the establishment of three new schools another \$1,000 be added. New York is also expending about \$8,000 a year in the support of an Indian orphan asylum. * * * Sixty-eight boarding-schools have been in operation during the year; an increase of eight over last year. They have been attended by three thousand eight hundred and eighty-eight pupils. * * * Three new school buildings have been completed, furnished, and occupied during the year, eight more are now ready for use, and five are in process of erection. These buildings will give accommodation for ten new schools and additional room, which

¹ Report of Indian Commissioner, 1873, pp. 8, 9. ² *Ibid.*, 1885, p. LXXVI. ³ *Ibid.*, 1877, p. 1. ⁴ *Ibid.*, 1878, p. XXVI. ⁵ *Ibid.*, 1879, p. VIII. ⁶ *Ibid.*, 1880, p. V.

has been sorely needed, for three old ones. Buildings are needed at nine other agencies for whose sixteen thousand Indians no boarding-schools have yet been furnished, and where there are now but six day-schools, with accommodations for one hundred and seventy-five pupils. * * * But so long as the American people [as] now demand that Indians shall become white men within one generation the Indian child must have opportunities and come under other influences than reservations can offer. He must be compelled to adopt the English language, must be so placed that attendance at school shall be regular, and that vacations shall not be periods of retrogression, and must breathe the atmosphere of a civilized instead of a barbarous or semi-barbarous community. Therefore, youth chosen for their intelligence, force of character, and soundness of constitution are sent to Carlisle, Hampton, and Forest Grove.¹

Under provision of the act of May 17, 1882—

The Secretary of the Interior is further authorized and directed to provide for the care, support, and education of one hundred Indian children not belonging to the five civilized tribes in the Indian Territory at any established industrial, agricultural, or mechanical school or schools, other than those herein provided for, in any of the States of the United States, such schools to be selected by him from applications made to him, at a cost not exceeding \$167 per annum for each child; and for this purpose there is hereby appropriated the sum of \$17,000, or so much thereof as may be necessary: *Provided*, That not more than twenty of said pupils shall be educated in any one State.²

The Indian Commissioner applied to forty-three agricultural and mechanical schools, endowed by national land grants, stating that—

The pupils must be cared for during vacations as well as term time, and the sum of \$167 is all that is appropriated to cover all the expense of board, clothes, tuition, medical attendance, etc., of an Indian child during twelve months.³ * * * But one school was prepared to take pupils, and that school could guaranty to instruct the boys only in farming and carpentry. * * * It is evident that a large outlay is necessary to equip institutions for the work required of them, an expenditure for which the Government proposes to make no return, while it fixes the amount to be paid thereafter at less than the average actual cost of supporting and teaching the pupils. No generous response could be expected to such an offer. In this dilemma the various religious societies have come to the help of the Bureau, and have so supplemented Government aid by private charity that the whole four hundred pupils will be provided for. * * *

Concerning school buildings the Commissioner says:

The want of suitable commodious buildings continues. Eleven new ones are needed immediately, and ten others should be so enlarged as to double their capacity; yet the whole amount appropriated for erection and repair of school buildings this year is but \$25,000 less than the cost of one building erected by private contributions at Hampton for the use of fifty girls. I will not repeat what has been reiterated before as to the impossibility of conducting creditable schools in ill-arranged, ill-ventilated,⁴ dilapidated, overcrowded buildings.

The act of July 31, 1882, provides—

That the Secretary of War be, and he is hereby, authorized to set aside, for use in the establishment of normal and industrial training-schools for Indian youth from the nomadic tribes having educational treaty claims upon the United States, any vacant posts or barracks so long as they may not be required for military occupation, and to detail one or more officers of the Army for duty in connection with Indian education, under the direction of the Secretary of the Interior, at each such school

¹ Report of Indian Commissioner, 1881, pp. 32-35. ² *Ibid.*, 1883, p. XXXIV.

³ *Ibid.*, p. XXXVI. ⁴ *Ibid.*, p. 33.

so established: *Provided*, That moneys appropriated, or to be appropriated for general purposes of education among the Indians may be expended, under the direction of the Secretary of the Interior, for the education of Indian youth at such posts, institutions, and schools as he may consider advantageous, or as Congress from time to time may authorize and provide.¹

In 1885 the Indian Commissioner writes:

The appropriations made by Congress, * * * have been expended in establishing and supporting schools on the reservations and at other localities within the limits of the States, notably at Carlisle, Pa.; Haskell Institute, Lawrence, Kans.; Genoa, Nebr., Forest Grove, Oregon; also at Chilocco, in the Indian Territory. At all of these institutions, as well as at others conducted by private management, as, for instance, the Normal and Agricultural Institute at Hampton, and the Lincoln Institute in Philadelphia, and others, a higher grade of instruction and more thorough and complete industrial training is given than is usually afforded at reservation schools, * * * The great work of educating the Indian must be confined to the industrial schools on the reservations. * * * In the erection of school buildings, for which the Government furnishes money, I believe, from the best sources of information attainable, that the purpose in future should be to apply Government aid in the erection of small, rather than large structures, thereby increasing the number of buildings for which the appropriation can be made to provide. * * * It will be the policy of the Bureau, while under its present control, to manage by and through its own appointees all schools which occupy buildings erected with funds furnished by the Government. The Government should manage its own schools, and the different religious denominations should manage theirs separately. * * * But the Government can, and does, fairly and without invidious discrimination, encourage any religious sects whose philanthropy and liberality prompt them to assist in the great work of redeeming these benighted children of nature from the darkness of their superstition and ignorance. * * * Since experience and practical demonstration has taught us that the Indian is easily educated, and that he is, like the Anglo-Saxon, a progressive being, capable of the highest mental and moral development, it is the policy of the friends of civilization, as it is of this Bureau, to extend to him the advantages of education as rapidly as it can be practically afforded.²

In 1886 the Indian Commissioner writes:

In * * * my first report * * * I expressed very decidedly the idea that Indians should be taught the English language only. From that position I believe, so far as I am advised, there is no dissent either among the law-makers or the executive agents who are selected under the law to do the work. There is not an Indian pupil whose tuition and maintenance is paid for by the United States Government who is permitted to study any other language than our own vernacular.³ * * * The common day school on the reservation of course is the more economic method, if limited to the immediate outlay of money for the time employed; but if viewed from the broader standpoint of permanent efficiency and enduring advancement of Indian youth, that plan may justly be challenged for some years to come by the friends of other methods as being not only the least efficient and permanent, but eventually the most expensive. The greatest difficulty is experienced in freeing the children attending day schools from the language and habits of their untutored and oftentimes savage parents. When they return to their homes at night, and on Saturdays and Sundays, and are among their old surroundings, they relapse more or less into their former moral and mental stupor. This constitutes the strongest objection to this class of schools, and I fear that, in many instances the objection is too well founded. But as education and general civilization take deeper hold upon the Indian race the

¹ United States Statutes, Vol. XXII, p. 181. ² Report of Indian Commissioner, 1885, pp. XIII, XIV. ³ *Ibid.*, 1886, p. 23.

day school on the reservation will show better results, and must eventually become universal, as are our common schools in the States.

At this time, however, after the best examination I can give the subject, I would not advise any diminution of material aid and support to any of the different kinds of schools now fostered by the Government. All are doing most excellent and efficient services in their particular spheres, and all are performing a good part in the grand work of educating and civilizing the hitherto untutored Indians. * * *

That the Indians are not lacking in appreciation of their educational advantages is shown by the following statistics, which do not include the schools among the five civilized tribes nor the Indians of New York State, nor boarding and day schools supported by religious societies without expense to the Government.¹

Schools.	1885.		1886.		Increase in average attendance.
	No.	Average attendance.	No.	Average attendance.	
Boarding schools under agency supervision.....	84	4,066	85	4,817	751
Day schools under agency supervision.....	86	1,942	90	2,370	458
Training schools.....	7	1,425	7	1,582	157
Schools in States.....	23	710	23	861	151
Total.....	200	8,143	214	9,630	1,517

In 1886 the superintendent of Indian schools reported :

During the current fiscal year provision has been made for the education of three Indian boys and one Indian girl at the following-named institutions: Wayland Seminary and Howard University, in the District of Columbia; the Woman's Medical College of Philadelphia, Pa., and the Medical Department of the University of Pennsylvania. Indian physicians trained in our medical colleges might render valuable service for their race in destroying the influence of the "medicine-men" and in giving instruction in hygienic laws. Such physicians would possess greater influence with them than those now performing this service at the various agencies under Government appointment.²

On May 20, 1886, Congress enacted the following :

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the nature of alcoholic drinks and narcotics, and special instruction as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the common or public schools, and in the Military and Naval Schools, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text-books in the hands of pupils where other branches are thus studied in said schools, and by all pupils in all said schools throughout the Territories, in the Military and Naval Academies of the United States, and in the District of Columbia, and in all Indian and colored schools in the Territories of the United States.

Sec. 2. That it shall be the duty of the proper officers in control of any school described in the foregoing section to enforce the provisions of this act; and any such officer, school director, committee, superintendent, or teacher who shall refuse or neglect to comply with the requirements of this act, or shall neglect or fail to make proper provisions for the instruction required and in the manner specified by the first section of this act, for all pupils in each and every school under his jurisdiction, shall be removed from office, and the vacancy filled as in other cases.

¹ Report of Indian Commissioner, 1886, p. XXIV. ² *Ibid.*, p. LXXXIV.

Sec. 3. That no certificate shall be granted to any person to teach in the public schools of the District of Columbia or Territories, after the first day of January, anno Domini eighteen hundred and eighty-eight, who has not passed a satisfactory examination in physiology and hygiene, with special reference to the nature and the effects of alcoholic drinks and other narcotics upon the human system.¹

The superintendent of Indian schools, in his report of 1886, says:

There are upwards of 12,000 Indians children now attending school, exclusive of those attending the schools of the five civilized tribes and those supported by the State of New York. There are at least as many more whose attendance could be readily secured, for which provision should be made at the earliest practicable moment. * * * The construction of the necessary school buildings and the expense attending the maintenance of the schools and the supplemental work of settling Indians * * * on lands * * * will necessitate larger appropriations for a term of years. * * * It should be borne in mind that a large portion of the funds now appropriated and used for educational purposes belongs to the Indians, and is in this way only legally available.

Nearly three times as much money is now spent annually by the War Department in keeping the Indians in subjection as is expended in their civilization and education. * * * It is not creditable to us as a nation that so much should be used to keep the Indian in subjection, while so little is expended to improve his condition.²

By act of Congress, May 17, 1882,³ the President was authorized to appoint a person to inspect all Indian schools, who is hereby required to report a plan for carrying into effect, in the most economical and efficient manner, all existing treaty stipulations for the education of Indians, with careful estimates for educating youths for whom no such provision now exists, and estimates of what sums can be saved from existing expenditures for Indian support by the adoption of such plan, whose compensation shall not exceed \$3,000, which sum is hereby appropriated for that purpose, and also a further sum of \$1,500 for his necessary travelling expenses.

In the Indian appropriation act approved March 1, 1883, the title of superintendent is given to the office.⁴

Mr. J. M. Haworth was appointed to the office, which he held until his death in March, 1885. In May Mr. John H. Oberly was appointed, but in May, 1886, he resigned, and Mr. John B. Riley was appointed to the office. In 1888 Mr. Riley resigned, and in October Mr. Samuel H. Albro was appointed superintendent of Indian schools.

The Indian appropriation act, approved June 29, 1888, provides in section 8 as follows:

There shall be appointed by the President, by and with the advice and consent of the Senate, a person of knowledge and experience in the management, training, and practical education of children, to be Superintendent of Indian Schools, who shall, from time to time, and as often as the nature of his duties will permit, visit the schools where Indians are taught, in whole or in part, by appropriations from the United States Treasury, and shall, from time to time, report to the Secretary of the Interior what, in his judgment, are the defects, if any, in any of them in system, in administration, or in means for the most effective advancement of the children in

¹ United States Statutes at Large, Vol. XXIV, p. 69. ² Report of Indian Commissioner, 1886, p. LXXXVI. ³ United States Statutes at Large, Vol. XXII, p. 68.

⁴ United States Statutes at Large, Vol. XXII, p. 434.

them toward civilization and self-support; and what changes are needed to remedy such defects as may exist; and shall, subject to the approval of the Secretary of the Interior, employ and discharge superintendents, teachers, and any other person connected with schools wholly supported by the Government, and with like approval make such rules and regulations for the conduct of such schools as in his judgment their good may require. The Secretary of the Interior shall cause to be detailed from the employés of his Department such assistants, and shall furnish such facilities as shall be necessary to carry out the foregoing provisions respecting said Indian schools.

The general policy of the Department in regard to Indian education is to teach the pupil to speak, read, and write the English language, to give him a knowledge of arithmetic, geography, and United States history, and also to instruct him in farming, the care of stock, and the trades.¹ Girls are to be taught all branches of housekeeping, butter and cheese making, to cut and make and mend garments, to care for the sick, to cook, wash, and iron.²

A farm and garden are to be connected with each school,³ and one-half of the school time devoted to industrial training.⁴ An evening session is to be held for reading, study, singing, and other exercises.⁵ A Sabbath-school or some other suitable service is to be held every Sunday, which pupils are required to attend.⁵ Superintendent, matron, and employés are to reside in the boarding-school building.⁶ Superintendents are required to make a monthly report in detail to the agent, showing attendance, progress, health of pupils, and to account for all issues and expenditures made during the month.⁷

A contract school is one wherein the Government pays a stated sum for each pupil, and the religious society provides the teachers and pays their salaries and other expenses of the school. The buildings are generally furnished by the society.

STATISTICS OF INDIAN EDUCATION.

The following statistics are from the Report of 1885. They are given to present a picture at a definite period, and to show the need of increased rather than diminished appropriations for Indian schools. Not only do the schools already established require each year larger amounts to meet the requirements created by their own work, but there is as yet not sufficient school accommodation for the entire Indian school population. The fact that the Indians are already by law on the threshold of citizenship makes the necessity for more schools and better equipped schools a national need. For later statistics see the reports of the superintendent for Indian schools, and reports of Indian Commissioner.

¹ Regulations of the Indian Department, 1884, secs. 500, 502, 503, 504, 517, rule 7.

² *Ibid.*, sec. 517, rules 8, 15, 16, 17. ³ *Ibid.*, sec. 517, rule 6. ⁴ *Ibid.*, sec. 517, rule 5.

⁵ *Ibid.*, sec. 517, rule 22. ⁶ *Ibid.*, sec. 517, rule 23. ⁷ *Ibid.*, secs. 509-512.

Statistics of schools for the education of the Indian.

Reservation,	Agency.	School.	Industries taught.	School population. ^a	School accommodation.		Number of teachers.		Largest monthly attendance.				Months in school session.	Acres cultivated by school.	Cost of maintaining schools.	
					Boarding.	Day.	Employés.	Government boarding.	Government day.	Contract.	Mission.	To Govern-ment.			To religious societies. ^b	
ARIZONA TERRITORY.																
Colorado River	Colorado River	Agency Boarding.....	Housework and sewing.	273	50	10	3	2	38				8	4	\$5,605.02	
Suppai.....	do	No school.....		43												
Gila Bend.....	Pima	do		488												
Gila River.....	do	Agency Boarding.....	Farming, blacksmithing, general housework, sewing.	720	90		4	2	73				9		5,444.65	
Papago.....	do	Papago Day		976		40	1		21				10		760.60	
Salt River	do	No school		240												
Moqui.....	Moqui Pueblo	do		565												
White Mountain.....	San Carlos.....	do		1,000												
Hualpai	No agency.....	do		125												
Indians not under agencies (4,277.)		do		855												
Total				5,285	140	50	8	4	111	21			27	4	11,810.27	
CALIFORNIA.																
Hoopa Valley.....	Hoopa Valley.....	Agency Day.....	Sewing	60		60	1		44				11		1,559.05	
Round Valley.....	Round Valley.....	Headquarters school	Gardening and general housework.	91		75	2		51				12		546.93	
		Lowerquarters school				40	2		32				9		704.66	
Mission (21 reserves) ..	Mission.....			759												
		Protrero Day.....				35	1		30				10		720.00	
		San Jacinto Day.....				40	1		30				10		720.00	
		Coahuilla Day				50	1		38				9		608.00	
		Aqua Caliente Day, No. 1.				50	1		38				10		720.00	

		Aqua Caliente Day, No. 2				30	1			29		6	360.60		
		Temecula Day				45	1			28		10	720.00		
		Sajoalla school				50	1			60		6	360.00		
		Rincon Day				40	1			42		10	720.00		
Klamath River		No school				45									
Tule River	Tule River	Agency Day				20				18		7	418.70		
Yuma	Colorado River	Yuma Boarding	Housework and sewing		190	200	100	2	2	30		9	4,410.38		
Indians not under agencies (6,669).		No school			1,554										
Total					2,719	260	641	16	2	30	440	119	12,547.72		
COLORADO.															
Ute	Southern Ute	No schools			200										
Total					200										
DAKOTA.															
Crow Creek	Crow Creek and Lower Brulé	Crow Creek Boarding	Domestic work, sewing, farming.		170	40	10	2	2	50		10	4	4,147.30	
Old Winnebago	do	No school													
Sioux, Lower Brulé	do	Lower Brulé Boarding	Domestic work, sewing, farming.		135	40		2	3	36		10	2	4,030.00	
Devil's Lake	Devil's Lake	Agency Industrial Boarding	do		160	70		3	2	69		10	13	7,879.90	
		Boys' Industrial Boarding	Farming			30				30		10	20	4,135.52	
Fort Berthold	Fort Berthold	Fort Stephenson's Boarding	Domestic work, sewing, farming, shoe making.		175	80		5	6	76		12	25	8,695.53	
		Mission Day	Sewing and housework				60	2				15	9½	945.00	
Lake Traverse	Sisseton	Agency Boarding	Harness and shoemaking, tailoring, housework, sewing, farming.		344	130	12	5	7	116		10	25	15,394.00	
		Good-Will Mission Boarding	Farming, care of stock, sewing, housework.			55	10				61	8	3	3,000.00	2,117.00
		Ascension Boarding (Girls)	Sewing and housework			14		2		13		10		1,457.54	
Sioux	Cheyenne River	Agency Boarding	Domestic work and farming.		879	50		2	3	50		10	8	6,063.62	

a School population taken from Report of Indian Commissioner for 1884.

b Taken from Report of Indian Commissioner for 1884.

c Fifteen thousand dollars appropriated in 1885, conditional on gift of 160 acres of land.

Statistics of schools—Continued.

Reservation.	Agency.	School.	Industries taught.	School population. ^a	School accommodation.		Number of teachers.	Employés.	Largest monthly attendance.					Months in school session.	Acres cultivated by school.	Cost of maintaining schools.		
					Boarding.	Day.			Government boarding.	Government day.	Contract.	Mission.	To Govern-ment.			To religious societies. ^b		
DAKOTA—continued.																		
Sioux.....	Cheyenne River ...	Mission Industrial Day.	General housework and sewing.			25	2					7	9				\$671.00	
		Chargers Camp.....				40	1	1	19				4					168.00
		Mission Day, No. 1.....				20	1					11	6					350.00
		Mission Day, No. 2.....				20	1					14	3					100.00
		Mission Day, No. 3.....				40	1					18	3					150.00
		Mission Day, Chantier Bottom.				20	1					7	3					113.00
		Mission Day, Peoria Bottom.	Farming and housework at the homes of Indians.		25						21		6			\$623.01		950.00
		Duprey Camp.....				25	1						10			571.44		
		Agency Day.....				40	1				31		9			450.00		
		Humps Camp.....				40	1				29		9			662.00		
Pine Ridge	Pine Ridge	St. Stephen's Day.....				25	1		31			10			706.14			
		St. John's Boarding (Girls).	Gardening, housework, dairying, sewing.		38						38		10	10	1,030.85	3,690.00		
		Agency Boarding.....	Gardening, sewing, housework.	1,800	80		4	3	100				10	5	10,022.94			
		Medicine Root Creek Day.	Farming, care of stock, sewing.			45	1				59		10		480.00	300.00		
		St. Andrews Day.....	do			45	1				55		10		399.20			
		White Bird Day.....	House-building, farming, sewing.			50	1				75		10		480.00			
		Wounded Knee Day..	do			60	1						9		450.00			
		Ogalalla Day.....	do			80	1						10		480.00			

Sioux	Pine Ridge	Agency Day	do			40	1		48		8		399.50			
	Rose Bud	Agency Day	Sewing	1,853		30	1		47		7		339.13			
		White Thunder				30	2		37		10		630.09			
		Oak Creek Day				30	1		30		9		600.00			
		Little Oak Creek				30	1		39		6		281.63			
		St. Matthew's Mission Day				30	1			16	1		10.00			
		Black Pipe Creek				30	2		60		6		397.50			
		St. Mark's Mission Day				35	1			25	7		200.00			
		St. Ann's Mission Day				60	1			21	3		350.00			
		Scabby Creek				30	2		29		5		236.67			
		St. Mark's Night School					1			6						
		Cut-Meat Creek				34	1		28		2		100.50			
		Standing Rock	Industrial Boarding	Gardening, dairying, housework, sewing.	1,034	100		5	3	127		10	5	11,096.00		
				Industrial Farm Boarding.	Farming, care of stock, dairying, carpentering.	60		5	2	58		10	50	6,139.08		
Dacotah Mission Day	Gardening				40	1			25	8	1	800.00				
Cannon Ball Mission Day					60	2		88		10		1,070.27	250.00			
Yankton	Yankton	Agency Boarding	Farming, sewing, housework.	80		5	8	79		10	30	9,528.59				
		St. Paul Boarding	Farming and trades	40					46	10	5	1,687.68	7,000.00			
		White Swan Day				20	1		38		10		698.14			
		Ree Day				20	1		34		2		71.14			
		White Swan Mission Day				40	1			18	5		175.00			
Ponca	Santee Agency	Mission Day			30	1			10	9½		300.00				
		Ponca Day		36		50	1		36		6		350.50			
		St. Mary's Boarding			50	15			70		12		5,082.61			
Turtle Mountain	Devil's Lake Ag'cy.	St. John's Day	Gardening	80		60		65		10	3	1,000.00				
Indians not under agencies (400).		No school		80												
Total				7,246	982	1,481	84	40	736	961	429	193	420	209	111,551.19	18,471.00

^a School population taken from Report of Indian Commissioner for 1884.

^b Taken from Report of Indian Commissioner for 1884.

Statistics of schools—Continued.

Reservation.	Agency.	School.	Industries taught.	School population. ^a	School accommodation.		Number of teachers.				Largest monthly attendance.				Cost of maintaining schools.	
					Boarding.	Day.	Employés.	Government boarding.	Government day.	Contract.	Mission.	Months in school session.	Acres cultivated by school.	To Government.	To religious societies. ^b	
IDAHO TERRITORY.																
Cœur d'Alène.....	Colville.....	Girls' Boarding.....	Housework, sewing, knitting.	100	80						71	12			\$4,483.33	\$580.00
		Boys' Boarding.....	Painting, glazing, carpentering, farming.		100						72	12	17		5,216.06	6,250.00
Fort Hall.....	Fort Hall.....	Agency Boarding.....	Farming, harness-making, sewing.	285	100	2	2	42				10	3		4,235.09	
Lapwai.....	Nez Percé.....	Agency Boarding and Industrial.	Farming, gardening, housework, sewing.	380	60	4	3	57				8	15		9,540.12	
		Kamiah Boarding.....	Carpentering, housework.		24	3		21				6			3,100.00	
		St. Joseph's Day.....				40	1					18	7			
		Men's Day.....				8	1					6	5			600.00
		Women's Day.....	Housework and sewing.			11	1					7	9			600.00
Lemhi.....	Lemhi.....	No school.....		1,085												
Indians not under agencies (600).		No schools.....		120												
		Total.....		985	364	59	12	5	120		143	31	69	35	26,575.20	8,030.00
INDIAN TERRITORY. <i>d</i>																
Cherokee.....	Union.....	Female Seminary.....	Domestic work and sewing.	4,600	108	4	5	60				9			e11,000.00	
		Male Seminary.....	Gardening.....		200	4	5	100				9	12		e14,000.00	
		Orphan Asylum.....	Farming, housework, sewing.		171	5	6	160				12	10		e17,000.00	
		One hundred day schools.				6,000	100				2500		9		e37,000.00	
		Worcester Academy..	Industrial drawing.....		150							70	9			3,730.00

Chickasaw.....	do.....	Male Academy.....		1,200	60	2	54		9		\$8,970.00					
		Orphan Home.....			60	2	54		12		\$12,600.00					
		Bloomfield Academy..			45	2	35		9		\$7,603.00					
		Wapamucka Academy.....			45	2	40		9		\$6,840.00					
Choctaw.....	do.....	Eight day schools.....			240	8			10		\$30,000.00					
		New Hope Seminary..		3,600	58	2	2		9		\$5,300.00					
		Armstrong Orphan Home.			38	2	2		25	7	\$3,000.00	2,000.00				
		Spencery Academy..			71	3	2		60	8	\$6,000.00	1,240.00				
		Fifty-seven day schools				1,800	57			8		(g)				
Creek.....	do.....	Ashbury Manual Labor Boarding.	Farming and housework.	2,400	80	2			40	10	\$5,600.00	1,200.00				
		Tallahassee Mission Boarding.	do.....		50	3	1		49	10	\$3,500.00	1,400.00				
		Weatoka Manual Labor Boarding.	do.....		125	4	6		90	10	\$7,325.00	2,400.00				
		Levering Manual Labor Boarding.	do.....		120	3	5		92	10	\$7,000.00	1,000.00				
		Presbyterian Industrial Boarding and Day.	Housework.....		14	60	2	2		40	8	1	1,700.00			
		Pittsburg Mission Day.	Sewing.....			50	2			40	7		1,000.00			
		Muskekee Mission Boarding.	Domestic work.....			60	2	2		20	7					
		Harrell Institute (Boarding and Day).					3	3		65	10		2,400.00			
		Twenty-nine day schools.				800	29		335		10		\$12,200.00			
		Seminole.....	do.....	Weewooka Mission..	Farming, housework, sewing.	600	60	3	3		46	9	\$3,500.00	1,745.00		
Female Academy.....					50	2	3		27	10	\$1,950.00	1,265.00				
Six day schools.....						250	6			8		(j)				
Total for the five civilized tribes.				12,400	1,565	9,200	254	47	503	2835	429	235	238	62	219,890.00	21,080.00

a School population taken from Report of Indian Commissioner for 1884.

b Taken from Report of Indian Commissioner for 1884.

c Most of this sum for support of mission connected with school.

d Statistics of schools among the five civilized tribes are from the Report of Indian Commissioner, 1884.

e Paid by Cherokee Nation.

f Paid by Chickasaw Nation.

g Paid by Choctaw Nation.

h Paid by Creek Nation.

i Paid by Seminole Nation.

j Supported by Moravian Church.

Statistics of schools—Continued.

Reservation.	Agency.	School.	Industries taught.	School population. ^a	School accommodation.		Number of teachers.	Employés.	Largest monthly attendance.				Months in school session.	Acres cultivated by school.	Cost of maintaining schools.	
					Boarding.	Day.			Government boarding.	Government day.	Contract.	Mission.			To Govern-ment.	To religious societies. ^b
INDIAN TERRITORY— continued.																
Cheyenne and Arapaho	Cheyenne and Arapaho.	Arapaho Boarding....	Farming, care of stock, housework, tailoring.	1,297	100	20	4	9	102	.....	.....	10	15	\$9,703.13	.....
		Cheyenne Boarding...	do .....	.....	100	20	4	9	97	.....	.....	10	20	9,268.61	.....
		Mennonite Boarding (at Agency).	do	40	10	50	10	35	1,856.77	\$2,314.00
		Mennonite Boarding (at Cantonment).	do	60	58	10	47	2,294.56	3,429.00
		Night School.....	1	11
Iowa.....	Sac and Fox.....	Day school.....	20
Kickapoo.....	do.....	do.....	70
Pottawatomie.....	do.....	No school.....	100
		Sacred Heart Mission Boarding.	70	35	10
Sac and Fox.....	do.....	Sac and Fox Boarding.	Farming, dairying, housework, sewing.	95	40	.....	4	4	39	.....	.....	10	25	4,737.19	.....
		Absentee Shawnee Boarding.	do	125	40	.....	4	5	37	.....	.....	7	50	4,465.53	.....
Osage.....	Osage.....	Osage Boarding.....	do	330	130	.....	6	13	180	.....	.....	10	48	16,241.76	.....
Kansas.....	do.....	Kaw Boarding.....	do	55	75	.....	4	8	55	.....	.....	10	40	6,728.76	.....
Kiowa and Comanche..	Kiowa, Comanche, and Wichita Agency.	Kiowa and Comanche Boarding.	Farming, housework, sewing.	825	120	.....	3	11	122	.....	.....	10	24	10,536.81	.....
Wichita.....	do.....	Wichita Boarding.....	do .....	.....	70	.....	2	8	50	.....	.....	10	22	5,662.80	.....
Modoc.....	Quapaw.....	Modoc Day.....	.....	30	.....	30	1	.....	13	.....	.....	10	.....	508.09	.....
		Modoc Night.....	.....	.....	.....	.....	1	.....	12	.....	.....	.....	.....	(c)	.....
Peoria.....	do.....	Peoria Day.....	.....	40	.....	56	1	.....	27	.....	.....	10	.....	597.26	.....

Quapaw	do	Quapaw Boarding and Day.	Farming, housework, sewing.	15	80	20	5	2	44	10	48	5,303.02		
		Miami Day		15		30	1		34	7		d431.10		
Seneca	do	Seneca, Shawnee, and Wyandotte Boarding.	Farming, housework, sewing.	53										
Shawnee				15										
Wyandotte				70	100	15	6	4	107	10	40	8,608.41		
Ottawa	do			25										
Oakland or Nez Percé	Ponca, Pawnee, and Otoe.	Oakland	Farming, housework, sewing.	54		45	2		31	9		585.62		
Otoe	do	Otoe Boarding	do	54	70		3	4	49	10	5	4,621.11		
Pawnee	do	Pawnee Boarding	do	375	80		5	8	107	10	95	9,255.88		
Ponca	do	Ponca Boarding	do	132	80		3	7	83	10	15	7,156.49		
		Total		3,795	1,255	246	60	92	1072	117	108 46	193 529	109,582.90	5,743.00
IOWA.														
Sac and Fox	Sac and Fox	Agency Day	Sewing and housework.	101		25	1		25	10		600.00		
KANSAS.														
Black Bob	Pottawatomie and Great Nemaha.	No school		25										
Chippewa and Munsee	do	Chippewa and Munsee Day.		15		20	1			10	6		(e)	
Kickapoo	do	Kickapoo Boarding	Farming, housework, sewing.	45	20		2	4	26	12	35	3,188.22		
Pottawatomie	do	Pottawatomie Boarding.	do	55	30		3	3	29	10	63	4,087.63		
Indians not under agencies (800).		No school		120										
		Total		260	50	20	6	7	55	10	28	98	7,275.85	
MICHIGAN.														
L'Anse	Mackinac	L'Anse Day	Sewing	1,500		45	1		37	9		400.00		
		Baraga Day	do			40	1		57	10		400.00		
Isabella	do	Longwood Day	do			20	1		21	10		600.00		
		Naubetung Day	do			45	1		22	10		400.00		
		Nepissing Day	do			30	1		19	10		376.09		
Menomonee County	do	Hannahville Day	do			40	1		28	10		400.00		

a School population taken from Report of Indian Commissioner for 1884.

b Taken from Report of Indian Commissioner for 1884.
c By same teacher as Day.

d Over half paid for board.
e Supported by Moravian Church.

Statistics of schools—Continued.

Reservat.ion.	Agency.	School.	Industries taught.	School population. <i>a</i>	School accommo- dation.		Number of teachers.	Employés.	Largest monthly attendance.				Months in school session.	Acres cultivated by school.	Cost of maintaining schools.	
					Boarding.	Day.			Government boarding.	Government day.	Contract.	Mission.			To Govern- ment.	To religious societies. <i>b</i>
MICHIGAN—continued.																
Bay Mills	Mackinac	Iroquois Point Day	Sewing				75	1		30		10			\$326.00	
High Islands, Lake Michigan	do	High Island Day	do				50	1		24		6			400.00	
Good Heart	do	Middle Village Day	do				36	1		33		9			332.97	
Chippewa County	do	Sugar Island Day	do				40	1		30		9			323.90	
Schoolcraft County	do	Munissing	do				40	1		18		10			400.00	
		Otchippewa Orphan Boarding and Day.	Farming, sewing, house- work.				15	25	1		32	10	40		400.00	\$3,600.00
		Total		1,500	15	486	12			319	32	113	40		4,759.05	3,600.00
MINNESOTA.																
White Earth	White Earth (con- solidated).	White Earth Board- ing and Day.	Gardening, housework, sewing.	471	90	20	2	5	124			9	6		5,476.67	
		White Earth Day				120	1				30	10				50.00
		St. Benedict Day			20					10		6			500.00	
		Buffalo River Day				30	1			7		8				36.00
		do				50	1				35	5				50.00
		Wild Rice River Day				80	1			37		10				300.00
Red Lake	do	Red Lake Boarding and Day.	Sewing, housework, gardening.	200	50	20	1	3	97			9	3		2,802.79	
		Red Lake Day				50	1				16	5				375.00
Leech Lake	do	Leech Lake Boarding.	Sewing, housework, gardening.	383	40	20	2	2	61			9	3		2,041.10	
Winnebagoshish (White Oak Point),	do	Winnebagoshish Day		70		40	1			27		3			60.00	12.00

Statistics of schools—Continued.

Reservation.	Agency.	School.	Industries taught.	School population. ^a	School accommodation.		Number of teachers.	Employés.	Largest monthly attendance.				Months in school season.	Acres cultivated by school.	Cost of maintaining schools.	
					Boarding.	Day.			Government boarding.	Government day.	Contract.	Mission.			To Govern-ment.	To religious societies. ^b
NEBRASKA—continued.																
Niobrara.....	Santee and Flan-dreau.	Agency Boarding and Day.	Farming, housework, etc.	170	45	.....	3	5	66	.....	.....	10	21	\$6,663.49	.....
		Normal Training and Boarding.	Farming, housework, sewing, trades.	.....	130	20	10	11	.....	149	.....	10	15	12,270.13	\$7,519.00
		Episcopal Boys' Boarding and Day.	Farming	.....	6	6	1	.....	.....	7	.....	9½	26	209.00	432.00
		St. Mary's Girls' Boarding.	Gardening, housework, sewing.	.....	26	.....	3	5	.....	27	.....	9	23	654.20	2,960.00
		Hope Boarding.....	do	.....	28	.....	2	2	.....	27	.....	9	1	8,023.89	2,500.00
		Flandreau Day.....	.....	.....	83	.....	50	1	.....	36	.....	10	.....	1,600.50	.....
		Total.....	842	485	101	32	39	271	36	252	99½	247	43,039.29	16,393.00
NEVADA.																
Duck Valley.....	Western Shoshone.	Agency Day.....	Gardening	.....	50	.....	30	1	.....	21	.....	3	5	180.00	.....
Pyramid.....	Nevada.....	Pyramid Boarding and Day.	Farming, housework, sewing.	.....	400	48	.....	2	2	50	.....	10	3	3,744.59	.....
Walker River.....	do	Walker River Day...	Sewing and housework.	.....	300	.....	30	1	.....	56	.....	10	.....	890.28	.....
Moapa River.....	do	No school.....	.....	.....	100	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indians not under agen-cies (3,300).	do	do	.....	.....	660	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	1,510	48	60	4	2	50	77	23	8	4,814.87
NEW MEXICO.																
Mescalero Apache....	Mescalero and Ji-carilla.	Agency Boarding....	Sewing and gardening	.....	350	151	.....	1	3	11	.....	11	½	2,928.65	.....
Navajo.....	Navajo	do	Sewing and housework	.....	4,000	80	20	3	4	40	.....	10	.....	7,669.01	c2,412.00
Jemez.....	Pueblo	Jemez Day	Sewing and knitting	.....	2,000	.....	75	1	.....	76	.....	10	.....	902.12	687.00
Acoma.....	do	No school.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

San Juan	do	San Juan Day			40	2			35		7		807.69			
Picuris	do	No school														
San Felipe	do	do														
Pecos	do	do														
Cochiti	do	do														
Santo Domingo	do	do														
Taos	do	do														
Santa Clara	do	Santa Clara Day			40	1			24		4		557.00			
Tesuque	do	No school														
San Ildefonso	do	do														
Pojoaque	do	do														
Zia	do	do														
Sandia	do	do														
Isleta	do	Isleta Day			50	2			37		5		688.68			
Nambe	do	No school														
Laguna	do	Laguna Day	Sewing and knitting		100	2			76		10		1,207.64	400.00		
Santa Ana	do	No school														
Zufi	do	Zufi Day			100	1			56		10		916.16	1,750.00		
		University of New Mexico.			50				67		3		1,018.00			
		Albuquerque Boarding.	Farming, trades, housework, sewing.		200	6	7		178		12	13	10,198.18	8,982.00		
		Total			6,350	481	605	19	14	51	304	245	82	134	26,893.13	14,231.00
NEW YORK. ^d																
Allegany	New York	Allegany District No. 1 (Day).	Farming, sewing, housework.		275		35	1		12		8			e275.00	
		Allegany District No. 2 (Day).	do				50	1		29		8			e350.00	
		Allegany District No. 3 (Day).	do				50	1		30		8			e370.00	
		Allegany District No. 4 (Day).	do				40	1		27		8			e370.00	
		Allegany District No. 5 (Day).	do				45	1		18		8			e340.00	

^a School population taken from Report of Indian Commissioner for 1884.

^b Taken from Report of Indian Commissioner for 1884.

^c Besides clothing, bedding, etc.

^d Statistics of New York schools, from Report of Indian Commissioner, 1884.

^e Paid by the State of New York; clothing also supplied.

Statistics of schools—Continued.

Reservation.	Agency.	School.	Industries taught.	School population. <i>a</i>	School accommodation.		Number of teachers.	Employés.	Largest monthly attendance.					Cost of maintaining schools.		
					Boarding.	Day.			Government boarding.	Government day.	Contract.	Mission.	Months in school session.	Acres cultivated by school.	To Government.	To religious societies. <i>b</i>
NEW YORK—continued.																
Allegany	New York	Allegany District No. 7 (Day).	Farming, sewing, house-work.			35	1		24			8		\$375.00		
		Allegany Tunesassa Boarding.	do		30		3	2			28	10	30		\$4,454.00	
Cattaraugus	do	Cattaraugus District No. 1 (Day).		485		40	1		26			8		\$200.00		
		Cattaraugus District No. 2 (Day).				40	1		18			8		\$290.00		
		Cattaraugus District No. 3 (Day).				40	1		27			8		\$290.00		
		Cattaraugus District No. 4 (Day).				100	2		95			10		\$750.00		
		Cattaraugus District No. 5 (Day).				40	1		23			8		\$275.00		
		Cattaraugus District No. 6 (Day).				40	1		24			8		\$275.00		
		Cattaraugus District No. 7 (Day).				35	1		19			8		\$275.00		
		Cattaraugus District No. 8 (Day).				40	1		24			8		\$275.00		
		Cattaraugus District No. 9 (Day).				40	1		18			8		\$275.00		
		Cattaraugus District No. 10 (Day).				40	1		24			8		\$275.00		
Tonawanda	do	Tonawanda District No. 1 (Day).		139		40	1		26			10		\$284.00		
		Tonawanda District No. 2 (Day).				40	1		22			10		\$284.00		

		Tonawanda District No. 3 (Day)			50	1			25		10		d284.00		
Cornplanter	do	Cornplanter District No. 1.		20	40	1		8		8			e310.00		
Oneida	do	Oneida District No. 1 (Day).		40	36	1		8		8			e207.00		
		Oneida District No. 2 (Day).			35	1		16		8			e207.00		
Onondaga	do	Onondaga District No. 1 (Day).		132	55	1		24		8			e245.00		
		Onondaga District No. 2 (Day).			40	2				30	8			250.00	
St. Regis	do	St. Regis District No. 1 (Day).		100	45	1		18		8			e255.00		
		St. Regis District No. 2 (Day).			45	1		14		8			e255.00		
		St. Regis District No. 3 (Day).			55	1		30		8			e305.00		
Tuscarora	New York	Tuscarora District No. 1 (Day).		120	70	1		25		8			e263.00		
		Tuscarora District No. 2 (Day).			65	1		22		8			e263.00		
		Thomas Orphan Asylum.	Farming, broom-making, housework, sewing.	100		3	2	100		10	65		e9,000.00		
		Total		1,311	130	1,326	37	4	100	676	58	260	95	17,512.00	4,704.00
NORTH CAROLINA.															
Qualla Boundary and other lands.	Eastern Cherokee	Cherokee Day		400	40	2		22		8			} 1,960.00	436.00	
	Do	Echota Day			50	1				7				116.00	
		Bird Town Day			40	1				7				147.00	
		Big Cove Day			50	1		27		7				150.00	
		Robinsville Day			40	1		19		7				150.00	
		Total		400	220	6		68		36			1,960.00	999.00	
OREGON.															
Grande Ronde	Grande Ronde	Agency Boarding and Day.	Farming, housework, sewing.	165	75	30	2	2	65		12	4	4,970.87	(f)	
Klamath	Klamath	Klamath Boarding and Day.	Farming, carpentry, housework, sewing.	261	80	10	2	4	80		10	4	7,951.64		

a School population taken from Report of Indian Commissioner for 1884.

b Taken from Report of Indian Commissioner for 1884.

c Paid by the State of New York; clothing also supplied. d Paid by the State of New York. e To State of New York. f Building donated to school; value, \$800.

Statistics of schools—Continued.

Reservation.	Agency.	School.	Industries taught.	School population. ^a	School accommodation.		Number of teachers.		Largest monthly attendance.				Months in school session.	Acres cultivated by school.	Cost of maintaining schools.	
					Boarding.	Day.	Employés.	Government boarding.	Government day.	Contract.	Mission.	To Govern-ment.			To religious societies. ^b	
OREGON—continued.																
Klamath	Klamath	Yainax Boarding.....	Farming, carpentry, housework, sewing....	.....	60	6	2	2	61	.....	.....	10	5	5,202.05	.....	.....
Malheur	None	No school .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Siletz	Siletz	Agency Boarding and Day.	Gardening, housework, sewing.	175	84	12	2	4	72	.....	.....	10	4	5,630.83	.....	.....
Umatilla	Umatilla	Agency Boarding.....	do	95	75	20	4	4	75	.....	.....	10	20	10,036.62	.....	.....
Warm Springs.....	Warm Springs.....	Warm Springs Boarding and Day.	do	150	30	10	3	2	62	.....	.....	10	8	4,927.32	.....	.....
Indians not under agencies (800).	.....	Sin-e-ma-sha.....	Cooking and sewing.....	.....	30	20	1	2	45	.....	.....	11	.....	4,013.78	.....	.....
Indians not under agencies (800).	.....	No school.....	.....	50	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total .....	.....	.....	.....	896	434	108	16	22	460	.....	.....	73	45	42,733.11	.....	.....
UTAH.																
Uintah Valley.....	Uintah	Agency Boarding and Day.	Gardening, housework, sewing.	260	20	10	2	2	37	.....	.....	9	1	2,652.35	.....	.....
Uncompahgre	Ouray	Ouray .....	.....	260	.....	.....	1	.....	8	.....	.....	.....	.....	108.79	.....	.....
Indians not under agencies (400).	.....	do .....	.....	80	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indians not under agencies (400).	.....	do .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total .....	.....	.....	.....	600	20	10	3	2	37	.....	.....	9	1	2,761.14	.....	.....
WASHINGTON TERRITORY.																
Chehalis	Nisqually and S'Kokomish.	Chehalis Boarding and Day.	Farming, trades, housework, sewing.	49	50	.....	2	3	41	.....	.....	11	40	5,325.16	.....	.....
Nisqually	do	No school.....	.....	c86	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Puyallup	do	Puyallup Boarding	Farming and housework	78	75	.....	4	4	80	.....	.....	11	20	8,521.52	.....	.....
S'Kokomish	do	S'Kokomish Boarding and Day.	do	49	48	.....	2	4	52	.....	.....	11	40	6,884.41	.....	.....

Statistics of schools—Continued.

Reservation.	Agency.	School.	Industries taught.	School population. <i>a</i>	School accommo- dation.		Number of teachers.	Employes.	Largest monthly attendance.				Months in school session.	Acres cultivated by school.	Cost of maintaining schools.		
					Boarding.	Day.			Government boarding.	Government day.	Contract.	Mission.			To Govern- ment.	To religious societies. <i>b</i>	
WISCONSIN—continued.																	
Red Cliff.....	La Pointe	Red Cliff Day.....	.....	73		60	1				26	10					(c)
Lac du Flambeau.....	do	Day school.....	.....	100			1		20			4			\$538.04		
Menomonee.....	Green Bay.....	Menomonee Boarding and Day.	Sewing, knitting, house- work.	350	100	30	3	4	117			10	10		7,214.78		
		St. Joseph Boarding..	.....		150						131	12			10,000.00		
		Menomonee West Branch Day.	.....			35	1		18			10			261.00		
		Menomonee South Branch Day.	.....			40	1		14			10			258.00		
Stockbridge.....	do	Stockbridge Day .....	.....	30		20	1		18			10			418.13		
Oneida.....	do	Oneida Hobart Day..	.....	320		40	1		103			10			482.14		
		Oneida East Day.....	.....			30	1		37			10			331.63		
		Oneida West No. 1 (Day).	.....			50	1		48			10			469.02		
		Oneida West No. 2 (Day).	.....			45	1		35			10			287.99		
		Oneida West No. 3 (Day).	.....			40	1		33			10			265.07		
		Oneida Cornelius Day.	.....			56	1		26			10			260.89		
Indians not under agen- cies (1,200).		No schools .....	.....	300													
		Total .....	.....	1,443	275	840	24	4	117	432	131	201	178	90	21,766.56	\$3,219.00	
WYOMING.																	
Wind River.....	Shoshone	Agency Boarding and Day.	Farming, housework, sewing.	407	80	20	4	7	87			11	5½		10,219.56		

**Industrial Training
Schools off of Reser-
vations supported
wholly or in part by
Government. ^a**

Carlisle Training School, Carlisle, Pa.	All the trades, farming, housework, sewing.	400	10	28	e475	12	e200	f70,852.00	e16,509.00
Forest Grove Training School, Oregon.	do	150	3	22	189	12	156	g33,160.00	
Hampton Normal and Agricultural Institute, Virginia.	do	140			119	12	(h)	20,944.93	9,800.00
Genoa Industrial Boarding, Nebraska.	do	150	4	20	86	12	20	27,434.00	
Chilocco Industrial Boarding, Indian Territory.	do	150	3	23	153	12	15	33,000.00	
Haskell Industrial Boarding, Lawrence, Kans.	do	320	6	28	240	10	119	51,408.65	
Lincoln Institute, Philadelphia, Pa.		200			163	12		27,254.46	
Total		1,510	30	121	1425			275,054.04	26,309.00

^a School population taken from Report of Indian Commissioner for 1884.

^b Taken from Report of Indian Commissioner for 1884.

^c Not reported.

^d From advanced sheets of Report of Indian Commissioner for 1885; by courtesy of superintendent of Indian schools.

^e From Report of Indian Commissioner for 1884.

^f This amount includes \$4,025 paid from the Osage school fund. An additional sum of \$9,618.72 is reported as contributed by friends of the school.

^g This includes amount expended for buildings.

^h Indian students work with other pupils on the 100-acre farm.

School attendance, products raised by pupils, stock owned by school.¹

	In New York.	On or near reservations other than those of the five civilized tribes.	Training schools.	Schools in States.	Total.
Pupils attending boarding schools one month or more during the year	130	4, 805	1, 195	579	6, 709
Pupils attending day schools one month or more during the year	892	4, 130	.....	.....	5, 022
Average attendance	690	5, 879	947	334	7, 650
Largest average monthly attendance	796	7, 099	1, 041	579	9, 515
Indians who can read	1, 765	17, 120	694	.....	19, 579
Indians who have learned to read during the year	87	2, 018	152	.....	2, 257
Acres cultivated by school children	210	1, 981	548	.....	2, 739
Bushels of corn raised	1, 200	14, 923	6, 850	.....	22, 973
Bushels of wheat raised	150	3, 730	700	.....	4, 580
Bushels of oats raised	1, 200	7, 594	2, 300	.....	11, 094
Bushels of vegetables raised	1, 075	26, 348	5, 327	.....	32, 750
Melons and pumpkins raised	250	7, 628	400	.....	8, 278
Bushels of fruit raised	200	634	.....	.....	834
Tons of hay cut	62	1, 670	158	.....	1, 890
Pounds of butter made	1, 200	5, 024	510	.....	6, 734
Pounds of cheese made .....	.....	425	.....	.....	425
Stock owned:					
Horses	6	154	37	.....	197
Cattle	23	1, 401	501	.....	1, 925
Swine	14	494	18	.....	526
Domestic fowls	50	1, 289	.....	.....	1, 339

¹ Report of Indian Commissioner, 1884, p. 282.

Summary of foregoing tables.

	School population.	Boarding and industrial schools.	Accommodation.	Day schools.	Accommodation.	Total accommodation.	Teachers.	Employés.	Acres cultivated by school.	Cost of maintaining schools.	
										Government.	Religious societies.
Statistics of total Indian school population, accommodation, teachers, etc., dependent for support upon Government, religious societies, and other sources.....	41, 562	117	8, 376	113	5, 943	14, 319	366	407	2, 210½	\$712, 056. 54	\$106, 015
Statistics of total school population, accommodation, teachers, etc., dependent for support upon the five civilized tribes and religious societies.....	12, 400	19	1, 565	201	9, 200	10, 765	254	47	62	219, 890. 00	21, 080
Statistics of total school population, accommodation, teachers, etc., dependent upon the State of New York and religious societies	1, 311	2	130	29	1, 326	1, 456	37	4	95	17, 512. 00	4, 704
	55, 273	138	10, 071	343	16, 469	26, 540	657	458	2, 367½	949, 368. 54	131, 799

Statistics showing, by States and Territories, Indian school population, accommodation, teachers, cost, etc.

State or Territory.	School population.	Boarding and industrial schools.	Accommodation.	Day schools.	Accommodation.	Total accommodation.	Teachers.	Employés.	Acres cultivated by school.	Cost of maintaining schools.	
										Government.	Religious societies.
Arizona	5,285	2	140	1	50	190	8	4	4	\$11,810.27	.....
California	2,719	1	200	11	641	841	16	2	.....	12,547.72	.....
Colorado	200	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dakota	7,246	16	982	34	1,481	2,463	84	40	209	111,551.19	\$18,471
Idaho	1,085	5	364	3	59	423	12	5	35	26,575.20	8,030
Indian Territory (five civilized tribes)	12,400	19	1,565	201	9,200	10,765	254	47	62	219,890.00	21,080
Indian Territory (other tribes)	3,795	16	1,255	4	246	1,501	60	92	529	109,582.90	5,743
Iowa	101	.....	.....	1	25	25	1	.....	.....	600.00	.....
Kansas	260	2	50	1	20	70	6	7	98	7,275.85	.....
Michigan	1,500	1	15	11	486	501	12	.....	40	4,759.05	3,600
Minnesota	1,630	4	200	10	565	765	16	10	12	12,380.56	523
Montana	3,030	5	420	6	316	736	17	14	160	30,588.67	8,187
Nebraska	842	9	485	1	101	586	82	39	247	43,039.29	16,393
Nevada	1,510	1	48	2	60	108	4	2	8	4,814.87	.....
New Mexico	6,350	4	481	6	605	1,086	19	14	13½	26,893.13	14,231
New York	1,311	2	130	29	1,326	1,456	37	4	95	17,512.00	4,704
North Carolina	400	.....	.....	5	220	220	6	.....	.....	1,960.00	999
Oregon	896	7	434	.....	108	542	16	22	45	42,733.11	.....
Utah	600	1	20	.....	10	30	3	2	1	2,761.14	.....
Washington	2,263	10	708	3	90	798	26	28	204½	57,053.42	310
Wisconsin	1,443	3	275	14	840	1,115	24	4	90	21,766.56	3,219
Wyoming	407	1	80	.....	20	100	4	7	5½	10,219.56	.....
Total	55,273	109	7,852	343	16,469	24,321	657	337	1,857½	676,314.49	105,490
Training schools (totals) .....	.....	7	1,510	.....	.....	.....	26	121	510	273,054.05	26,309
Grand total	55,273	116	9,362	343	16,469	24,321	683	458	2,367½	949,368.54	131,799

S. Ex. 95-13

STATISTICS.

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Statistics of teachers and employés.

	No.	Salaries.	
		Lowest.	Highest.
Superintendent of schools.....	7	\$720	\$1,000
Superintendent and general instructor.....	1	700	700
Other officials, etc.....	3	840	900
Teachers.....	111	300	800
Teachers, assistant.....	26	60	900
Teachers, industrial.....	25	420	900
Teachers, principal.....	10	600	800
Teachers, superintendent and principal.....	22	500	1,000
Teachers, Indian.....	5	480	540
Teacher, second assistant.....	1	300	300
Teacher and physician.....	1	900	900
Matrons.....	51	300	720
Matrons, assistant.....	5	300	480
Seamstresses.....	40	240	500
Cooks.....	46	120	500
Cooks, assistant.....	2	120	180
Laundresses.....	35	120	480
Helpers.....	6	60	a 60

a United States Official Register, 1885.

Statistics of schools in the States having Indian pupils authorized by the Secretary of the Interior. a

School.	Location.	Months in session.	Average number of pupils.	Amount paid.	Remarks.
ALASKA.					
Industrial Training School	Sitka	12	71	\$561.63	Contract with Henry Kendall, at \$10 per month.
CALIFORNIA.					
Anaheim Boarding School	Anaheim, Los Angeles County ...	6	5	464.51	Paid from schools in States, \$167 per annum.
Middletown Training School.....	Middletown, Lake County.....	12	12	2,090.06	Do.
DAKOTA.					
Dakota Industrial School.....	Yankton City.....	12	63	6,300.00	Contract with Rev. Joseph A. Stephan, at \$25 per quarter.
ILLINOIS.					
Homewood Boarding School	Jubilee, Peoria County	12	12	1,920.50	Paid from schools in States, \$167 per annum.
St. Mary's Training School.....	Des Plaines (Feehanville)	9½	41	3,916.98	Contract with Rev. Joseph A. Stephan, at \$30 per quarter.
INDIANA.					
White's Manual Labor School....	Wabash, Wabash County.....	12	59	9,836.36	Paid from schools in States, \$167 per annum.
IOWA.					
White's Manual Labor Institute...	Houghton, Lee County.....	12	41	6,974.07	Do.
MINNESOTA.					
St. Benedict's Academy	St. Joseph's, Stearns County	12	30	5,010.00	Do.
		7	13	857.23	Contract with Rev. Alexis Edelbrook, at \$27.50 per quarter.
St. Francis Xavier's Academy....	Avoca, Murray County.....	12	32	3,174.98	Contract with Rev. Joseph A. Stephan, at \$25 per quarter.
St. John's Institute.....	Collegeville, Stearns County.....	6	27	1,363.89	Do.
St. Paul's Industrial School	Clontarf, Swift County	10	57	4,725.36	Do.
MONTANA.					
St. Labre's Mission	Custer County.....	4	30	1,000.00	Do.
St. Peter's Mission	Near Fort Shaw	4	18	602.22	Do.

a United States Statutes at Large, Vol. XXII, pp. 85, 448.

Statistics of schools in the States having Indian pupils authorized by the Secretary of the Interior—Continued.

School.	Location.	Months in session.	Average number of pupils.	Amount paid.	Remarks.
NORTH CAROLINA.					
Cherokee Training School.....	Swain County	9(?)	43	\$5,382.91	Paid from schools in States, \$167 per annum.
Judson College	Henderson, Henderson County ...	12	16	2,588.81	Do.
Trinity College	Randolph County.....	12	20	3,270.41	Do.
PENNSYLVANIA.					
Juniata Institute	Martinsburg, Juniata County...	4	50	2,244.31	Contract with Philip H. Bridenbaugh, at \$32.50 per quarter.
TENNESSEE.					
Carson College	Mossy Creek, Jefferson County...	5	10	712.01	Paid from schools in States, \$167 per annum.
Female Seminary.....	do	5	3	204.66	Do.
WISCONSIN.					
Good Shepherd Industrial School..	Milwaukee, Milwaukee County ..	12	49	8,245.61	Do.
Parochial Boarding School.....	Bayfield, Bayfield County.....	12	7	1,206.77	Do.

Statistics of Indian schools, taken from the reports of the Commissioners of Indian Affairs.

Year.	No. of schools.	No. of pupils.	Year.	No. of schools.	No. of pupils.
1819 <i>a</i>			1861	162	5,950
1825	38	1,159	1862	75	2,776
1826	40	1,248	1863	89	2,643
1827	40	1,291	1864	47	1,458
1828	40	1,291	1865	48	2,165
1829	45	1,460	1866	69	2,872
1830	52	1,601	1867	90	4,041
1831	43	1,215	1868 <i>d</i>	109	4,633
1832	51	1,979	1869 <i>e</i>	20	1,200
1833 <i>b</i>	58	1,835	1870	60	3,095
1834			1871	256	5,981
1835	29		1872	260	6,180
1836	52	1,381	1873	285	9,026
1837			1874	345	10,958
1838	46	1,425	1875	329	10,501
1839	44	2,104	1876	344	11,328
1840	29	975	1877	330	11,515
1841	35		1878	366	12,222
1842	52	2,132	1879	354	13,443
1843			1880	393	13,338
1844	45	2,644	1881	383	14,292
1845	58	2,508	1882	391	14,394
1846			1883 <i>f</i>	284	15,118
1847			1884	433	19,593
1848	103	3,682	1885 <i>g</i>	261	9,314
1849-60	<i>c</i>	<i>c</i>	1886	531	21,281

a First action taken by Congress for Indian instruction was in 1819 and 1824; no statistics.

b Five hundred dollars appropriated for erection of shops.

c Statistics imperfect or missing.

d New York schools not reported.

e New York schools and five civilized tribes not reported.

f Religious societies and Government. No reports from Creek day-schools, owing to disturbances in the Nation.

g No report of five civilized tribes.

CHAPTER VII.

INDIAN RESERVATIONS OF ARIZONA TERRITORY.

The Gadsden purchase first bore the name of Arizona,¹ which was transferred to the Territory when it was organized by the act of February 24, 1863,² to include the above purchase and a portion of New Mexico Territory.

The tribes of Indians residing in Arizona at the time of its organization were about the same as at the present day. They are gathered upon nine reservations, having a total area of 6,603,191 acres.³

Number of Indians under agency control.....	18,699
Number of Indians not under agency	2,464
Total Indian population.....	21,163

Agencies: Colorado River Agency, having in charge Colorado River, Hualpai, Suppai Reservations, and Yuma Reservation, of California; Pima Agency, having the Gila Bend, Gila River, Papago, Salt River Reservations; and San Carlos Agency, having White Mountain Reservation in charge.

The Moqui Reservation is under the care of the Navajo Agency, New Mexico.

COLORADO RIVER AGENCY.

[Post-office address, Parker, Yuma County, Ariz.]

COLORADO RIVER RESERVATION.

How established.—By act of Congress, March 3, 1865; executive orders, November 22, 1873, November 16, 1874, and May 15, 1876.

Area and survey.—Contains 300,800 acres, of which 80,000 are classed as tillable.¹ Out-boundaries surveyed.

Acres cultivated.—The Indians have under cultivation 1,040 acres.⁴

Tribes and population.—The tribes living here are the Kemahivivi (Tantawait), Koahualla, Kokopa, Mohavi, and Yuma. Total population, 1,025.⁵

Location.—The reservation, beginning at a point 5 miles north of Ehrenberg, Ariz., extends 70 miles up the Colorado River, which here forms the boundary line between the State of California and the Terri-

¹ Report of Indian Commissioner, 1857, p. 296. ² United States Statutes at Large, Vol. XII, p. 664. ³ Report of Indian Commissioner, 1884, p. 256. ⁴ *Ibid.*, p. 304.

⁵ *Ibid.*, p. 284.

tory of Arizona, and embraces within its limits all, or nearly all, of the bottom land on either side of said river. The agency is situated near the northern line of the reservation, at a distance of 50 miles from Ehrenberg, 100 miles from Fort Mohave, 180 miles from Fort Yuma, and about the same distance from Prescott, the capital of the Territory. The soil is a light sandy loam, interspersed with large tracts of "adobe land," strongly impregnated with alkali; also with occasional sloughs or marshes, which are productive only when an overflow of the Colorado River occurs. As these sloughs constitute the entire arable land of the reserve, and as these are small in area, limited in number, and widely separated by interposing tracts of non-productive soil, the results of farming are necessarily meagre and unsatisfactory.¹

Government rations.—Seventeen per cent. of Government rations issued to these Indians in 1884.²

Mill and employés.—No mills and farmers.

Indian police.—Established in 1881.³

Indian court of offences.—Established in 1883.⁴

School population, attendance, and support.

School population as reported in 1886 ⁵	145
Agency boarding and day school accommodation.....	60
Average boarding and day school attendance.....	63
Months in session.....	10
Cost to Government ⁶	\$7,310.91

Missionary work.—No missionary has ever labored among these Indians.

Act of Congress.—By an act of March 3, 1865, making appropriations for the year 1866, "the land lying west of a direct line from Half-way Bend to Corner Rock, on the Colorado River, containing 75,000 acres, was set apart for an Indian reservation for the Indians of said river and its tributaries."⁶

*Executive orders.*⁷

EXECUTIVE MANSION, November 22, 1873.

It is hereby ordered that the following-described tract of country in the Territory of Arizona be withdrawn from sale and added to the reservation set apart for the Indians of the Colorado River and its tributaries, by act of Congress, approved March 3, 1865 (U. S. Stat. at Large, Vol. 13, p. 559), viz: All that section of bottomland adjoining the Colorado Reserve, and extending from that reserve on the north side to within 6 miles of Ehrenberg on the south, bounded on the west by the Colorado River, and east by mountains and mesas.

U. S. GRANT.

EXECUTIVE MANSION, November 16, 1874.

It is hereby ordered that a tract of country embraced within the following-described boundaries, which covers and adds to the present reservation, as set apart by act of

¹ Report of Indian Commissioner, 1882, p. 1. ² *Ibid.*, 1884, p. 285. ³ *Ibid.*, 1881, p. 3. ⁴ *Ibid.*, 1883, p. 4. ⁵ *Ibid.*, 1886, p. LXXXVIII. ⁶ United States Statutes at Large, Vol. XIII, p. 559. ⁷ Report of Indian Commissioner, 1882, p. 244.

Congress approved March 3, 1865 (Stat. at Large, Vol. 13, p. 559), and enlarged by executive order dated November 22, 1873, viz:

Beginning at a point where the La Paz Arroyo enters the Colorado River, 4 miles above Ehrenberg; thence easterly with said Arroyo to a point south of the crest of La Paz Mountain; thence with said crest of mountain in a northerly direction to the top of Black Mountain; thence in a northwesterly direction across the Colorado River to the top of Monument Peak, in the State of California; thence southwesterly in a straight line to the top of Riverside Mountain, California; thence in a southeasterly direction to the point of beginning, be, and the same is hereby, withdrawn from sale and set apart as the reservation for the Indians of the Colorado River and its tributaries.

U. S. GRANT.

Executive order, May 15, 1876.—Whereas an executive order was issued November 16, 1874, defining the limits of the Colorado River Indian Reservation, which purported to cover, but did not, all the lands theretofore set apart by act of Congress approved March 3, 1865, and executive order dated November 22, 1873; and whereas the order of November 16, 1874, did not revoke the order of November 22, 1873, it is hereby ordered that all lands withdrawn from sale by either of these orders are still set apart for Indian purposes; and the following are hereby declared to be the boundaries of the Colorado River Indian Reservation in Arizona and California, viz:

“Beginning at a point where La Paz Arroyo enters the Colorado River and 4 miles above Ehrenberg; thence easterly with said Arroyo to a point south of the crest of La Paz Mountain; thence with said mountain crest in a northerly direction to the top of Black Mountain; thence in a northwesterly direction over the Colorado River to the top of Monument Peak, in the State of California; thence southwesterly in a straight line to the top of Riverside Mountain, California; thence in a direct line towards the place of beginning to the west bank of the Colorado River; thence down said west bank to a point opposite the place of beginning; thence to the place of beginning.”¹

HUALPAI RESERVATION.

How established.—Executive order, January 4, 1883.

Area and survey.—Contains 730,880 acres.² Not surveyed.

Acres cultivated.—Not reported.

Tribes and population.—The tribe living here are the Hualpai,³ numbering 620.⁴

Location.—Located on a bend of the Colorado River, in the northwestern part of Arizona Territory. The reservation includes “little arable land,” and “the water is in such small quantities, and the country is so rocky and devoid of grass, that it would not be available for stock-raising.”⁵

Government rations.—None reported.

Mills and employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—Estimated at about 140.⁶ No school provided.

¹ Report of Indian Commissioner, 1882, p. 244. ² *Ibid.*, p. 256. ³ *Ibid.*, p. 256.
Ibid., p. 284. ⁴ *Ibid.*, 1881, p. 46. ⁵ *Ibid.*, 1886, p. XXXVI.

Missionary work.—No missionary work has been undertaken among this tribe.

Executive order, January 4, 1883.—It is hereby ordered that the following-described tract of country situated in the Territory of Arizona be, and the same is hereby, set aside and reserved for the use and occupancy of the Hualpai Indians, namely: Beginning at a point on the Colorado River 5 miles eastward of Tinnakah Spring; thence south 20 miles to crest of high mesa; thence south 40 degrees east 25 miles to a point of Music Mounds; thence east 15 miles; thence north 50 degrees east 35 miles; thence north 30 miles to the Colorado River; thence along said river to the place of beginning; the southern boundary being at least 2 miles south of Peach Spring, and the eastern boundary at least 2 miles east of Pine Spring; all bearings and distances being approximate.¹

SUPPAI RESERVATION.

How established.—By executive orders, June 8 and November 23, 1880, and March 31, 1882.

Area and survey.—Contains 38,400 acres.² Out-boundaries surveyed.

Acres cultivated.—Not reported.

Tribes and population.—The tribe living here are the Suppai. Population, 214.³

Location.—The village of the Suppai is situated upon Cataract Creek, a southern branch of the Colorado River in the northwestern part of Arizona.

Government rations.—None reported.

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—Estimated at 50.⁴ No school provided.

Missionary work.—None reported.

Executive order, June 8, 1880.—It is hereby ordered that the following-described country, lying within the boundaries of the Territory of Arizona, viz: Beginning at a point in the middle of Cataract Creek, 2 miles below the lowest fall south of the settlement of the Suppai Indians; thence due east $2\frac{1}{2}$ miles; thence in a northerly direction 12 miles to a point $2\frac{1}{2}$ miles due east of the middle of said creek; thence due west 5 miles; thence in a southerly direction 12 miles to a point $2\frac{1}{2}$ miles due west of the middle of said creek; thence due east $2\frac{1}{2}$ miles to the place of beginning, to embrace the settlements and improvements of the Suppai Indians, be, and the same is hereby, withdrawn from sale and settlement and set apart for the use and occupancy of said Suppai Indians. (Indian Commissioner's Report, 1886, p. 297.)

Executive order, November 23, 1880.—It is hereby ordered that the following-described country, lying within the boundaries of the Territory of Arizona, viz: Beginning at a point in the middle of Cataract Creek, 2 miles below the lowest fall north of the settlement of the Suppai Indians; thence due east $2\frac{1}{2}$ miles; thence in a southerly direction 12 miles to a point $2\frac{1}{2}$ miles due east of the middle of said creek; thence due west 5 miles; thence in a northerly direction 12 miles to a point $2\frac{1}{2}$ miles due west of the middle of said creek; thence due east $2\frac{1}{2}$ miles to the place of beginning, to embrace the settlements and improvements of the Suppai Indians, be, and the same is hereby, withdrawn from sale and settlement, and set apart for the use and occupancy

¹ Report of Indian Commissioner, 1883, p. 221. ² *Ibid.*, 1884, p. 256. ³ *Ibid.*, p. 284. ⁴ *Ibid.*, 1886, p. 392.

of said Suppai Indians, and the Executive order dated June 8, 1880, withdrawing from sale and setting apart a reservation for said Indians is hereby revoked. (Indian Commissioner's Report, 1886, p. 297.)

Executive order, March 31, 1882.—It is hereby ordered that the following-described country lying within the boundaries of the Territory of Arizona, viz: So much of the bottom land of the cañon of Cataract Creek, bounded by walls of red sand-stone on the east and west, as is included within certain lines, viz, on the south, an east and west line (magnetic) crossing said cañon at a narrow pass marked by a monument of stone placed in the summer of 1881 by Lieutenant Carl Palfrey, of the Corps of Engineers of the Army, about 2 miles above the village of the Yavai Suppai Indians; and on the north, a line bearing N. 55° E. (magnetic) crossing said cañon at the crest of the third falls of Cataract Creek, and marked by Lieutenant Palfrey by two monuments of stone, one on each side of the stream, be, and the same is hereby, withdrawn from sale and settlement, and set apart for the use and occupancy of said Yavai Suppai Indians, and the Executive order dated November 23, 1880, withdrawing from sale and settlement and setting apart a reservation for said Indians, is hereby revoked. (Indian Commissioner's Report, 1886, p. 298.)

PIMA AGENCY.

[Post-office address, Sacaton, Pinal County, Arizona.]

GILA RIVER RESERVATION.

How established.—By act of Congress, February 28, 1859; Executive orders, August 31, 1876, January 10, 1879, June 14, 1879, May 5, 1882, and November 15, 1883.

Area and survey.—Contains 357,120 acres.¹ Tillable acres not reported. Partially surveyed.

Acres cultivated.—Not reported.

Tribes and population.—The tribes living here are the Marikopa and Pima. Population, 5,374.²

Location.—Located on the Gila River, a miniature stream, such as would be termed a creek in any part of the Eastern States. The reservation has but little timber, composed of cottonwood, willow, and mesquit. Irrigation is necessary to agriculture, and the Indians as well as the settlers are entirely dependent on the Gila River for water to irrigate their farms.³

Government rations.—None reported.

Mills and Indian employés.—A grist-mill. No Indian employés reported.

Indian police.—None reported.

Indian court of offences.—None reported.

*School population and attendance.*⁴

School population, including Gila Bend and Salt River Reservations, as estimated in 1886	950
Boarding-school accommodation	90
Average attendance	91
Months in session	9
Cost to Government	\$6, 679.50

¹ Report of Indian Commissioner, 1884, p. 25C.

² *Ibid.*, p. 284.

³ *Ibid.*, 1878, p. 2.

⁴ *Ibid.*, 1886, p. LXXXVIII.

Missionary work.—Rev. Charles H. Cook, missionary of Presbyterian Board of Home Missions. One church.

Act of Congress approved February 28, 1859. (United States Statutes at Large, Vol. XI, p. 401.)

SEC. 3. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized and required to cause to be surveyed, and the boundaries thereof permanently marked, the tract or tracts of land lying on or near the Gila River, in the Territory of Arizona, New Mexico, now occupied by the confederated bands of Pima and Maricopa Indians, and the sum of one thousand dollars is hereby appropriated to defray the expenses of the said survey.¹

SEC. 4. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized and required to set apart the tract or tracts of land aforesaid as a reservation for the confederated bands of Pimas and Maricopas: *Provided*, That the said reservations shall not exceed one hundred square miles in extent.

SEC. 5. *And be it further enacted*, That the sum of ten thousand dollars is hereby appropriated to enable the Commissioner of Indian Affairs to make suitable presents to the Pimas and Maricopas in acknowledgment of their loyalty to this Government and the many kindnesses heretofore rendered by them to our citizens.

*Executive orders.*²

EXECUTIVE MANSION, August 31, 1876.

It is hereby ordered that the following-described lands in the Territory of Arizona, viz, township 4 south, range 7 east, sections 14, 15, 22, 23, 24, 25, 26, 27, north half of section 35 and section 36; township 5 south, range 7 east, northeast quarter of section 1; township 4 south, range 8 east, southwest quarter of section 19, west half and southeast quarter of section 29, sections 30, 31, 32, and southwest quarter of section 33; township 5 south, range 8 east, southwest quarter of section 3, section 4, north half of section 5, north half of northeast quarter and northwest quarter of section 6, and northwest quarter of section 10, be, and the same are hereby, withdrawn from the public domain and set apart as an addition to the Gila River Reservation in Arizona, for the use and occupancy of the Pima and Maricopa Indians.

U. S. GRANT.

EXECUTIVE MANSION, May 5, 1882.

It is hereby ordered that the following-described lands, situated in the Territory of Arizona, viz:

Beginning at a point where the south boundary of section 15, township 3 south, range 3 east, intersects the western boundary of the present reservation south of the Gila River; thence west along the south boundary of sections 15 and 16, township 3 south, range 3 east, to the southwest corner of section 16; thence north along the section line to the northwest corner of section 16; thence due west along the south boundary of sections 8 and 7, in township 3 south, range 3 east, and sections 12, 11, and 10, in township 3 south, range 2 east, to the southwest corner of section 10; thence north along the west boundary of sections 10 and 3, to the northwest corner of section 3, in township 3 south, range 2 east; thence west along the north boundary of said township to the southwest corner of section 33, in township 2 south, range 2 east; thence north along the west boundary of sections 33 and 28 to the northwest corner of section 28; thence northwest in a straight line to a point on the Gila River meridian 2 miles south of the initial point on the Gila River base line; thence north

¹ The reservation, as then set apart, was surveyed in 1859. See Report of Indian Commissioner, 1859, p. 358. ² Report of Indian Commissioner, 1886, pp. 294, 299. For executive orders of January 10, 1879, and June 14, 1879, see Salt River Reservation.

along the Gila River meridian to the middle of the Gila River; thence with the boundary of the present reservation along and up the middle of the Gila River to a point where the said boundary leaves the said river; thence continuing along said boundary south $18^{\circ} 38'$ east to the place of beginning, be, and the same is hereby, withdrawn from sale and settlement, and set apart for the use of the Pima and Maricopa Indians, in addition to their present reservation in said Territory: *Provided, however,* That any tract or tracts of land included within the foregoing-described boundaries the title to which has passed out of the United States Government, or to which valid homestead and pre-emption rights have attached under the laws of the United States, prior to the date of this order, are hereby excluded from the reservation hereby made.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *Novemb* 15 1883.

It is hereby ordered that the tract of country in the Territory of Arizona embraced within the following-described boundaries, which covers and adds to the present reservation as set apart by act of Congress approved February 28, 1859 (11 Stats., 401), and executive orders dated August 31, 1876, June 14, 1879, and May 5, 1882, viz, beginning at a point in the middle of Salt River 4 miles east from the intersection of said river with the Gila River, being the northeast corner of the executive addition of June 14, 1879; thence southeasterly along the boundary line of said executive addition to the township line between townships 1 and 2 south, range 2 east of the Gila and Salt River meridian; thence east on the township lines between townships 1 and 2 south to the northeast corner of township 2 south, range 4 east; thence south on the range line between ranges 4 and 5 east to the southeast corner of township 2 south, range 4 east; thence east on the township lines between townships 2 and 3 south to the northeast corner of township 3 south, range 6 east; thence south on the range line between ranges 6 and 7 east to the southeast corner of township 3 south, range 6 east; thence east on the township lines between townships 3 and 4 south to the quarter-section corner on the north boundary of section 3, township 4 south, range 8 east; thence south through the middle of sections 3, 10, 15, 22, 27, and 34, in township 4 south, range 8 east, and section 3, in township 5 south, range 8 east, to the northeast corner of the present reservation as established by executive order dated August 31, 1876, being the northeast corner of the southwest quarter of section 3, township 5 south, range 8 east; thence following the boundary line of said reservation southwest and north to the northeast corner of section 2, township 5 south, range 7 east; thence south on the section lines to the southeast corner of section 11, in township 5 south, range 7 east; thence west on the section lines through ranges 7, 6, and 5 east to the southwest corner of section 7, township 5 south, range 5 east; thence north on the range line between ranges 4 and 5 east to the northwest corner of section 18, township 4 south, range 5 east; thence west on the section lines through ranges 4, 3, and 2 east to the southwest corner of section 7, township 4 south, range 2 east; thence north on the range line between ranges 1 and 2 east to the northwest corner of section 19, in township 2 south, range 2 east; thence west on the section lines through range 1 east to the southwest corner of section 18, township 2 south, range 1 east on the Gila and Salt River meridian; thence north on the Gila and Salt River meridian to a point in the Gila River opposite the middle of the mouth of Salt River; thence up the middle of Salt River to the place of beginning, as approximately represented on the accompanying diagram, be, and the same is hereby, withdrawn from sale and settlement and set apart for the use and occupancy of the Pima and Maricopa Indians: *Provided, however,* That any tract or tracts of land included within the foregoing-described boundaries the title of which has passed out of the United States Government, or to which valid homestead or pre-emption rights have attached under the laws of the United States prior to the date of this order, are hereby excluded from the reservation hereby made.¹

CHESTER A. ARTHUR.

¹Report of Indian Commissioner, 1886, p. 296.

GILA BEND RESERVATION.

How established.—By executive order, December 12, 1882.

Area and survey.—Contains 22,391 acres.¹ Township line surveyed.

Acres cultivated.—Not reported.

Tribes and population.—The tribe living here is the Papago.² Population included in that of Gila River Reservation.³

Location.—Situated on the Gila River about 35 miles below the Gila River Reservation.

Government rations.—No Government rations reported.

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—There is no school on this reservation, nor is the school population reported separately from the agency school population.⁴ The only school privilege is that offered at the agency boarding school at Gila River Reservation.

Missionary work.—No missionary resides among these people, but the Rev. Mr. Cook, of Gila River Reservation, visits the people of the different villages.⁵

Executive order, December 12, 1882.—It is hereby ordered that the following tract of country in the Territory of Arizona, viz, township 5 south, range 5 west, Gila and Salt River meridian, excepting section 18 thereof, be, and the same is hereby, withdrawn from sale and settlement and set apart for the use and occupancy of the Papago and other Indians now settled there, and such other Indians as the Secretary of the Interior may see fit to settle thereon.⁶

PAPAGO RESERVATION.

How established.—By executive order, July 1, 1874, and act of Congress, August 5, 1882.⁷

Area and survey.—Contains 70,080 acres, of which 8,000 are classed as tillable.⁸ Out-boundaries surveyed.

Acres cultivated.—The Indians have under cultivation 300 acres.⁹

Tribe and population.—The tribe living here are the Papago, numbering 7,300.¹⁰

Location.—The reservation is on the Santa Cruz River, about 9 miles from Tucson, and contains the ruins of the mission of San Xavier del Bac. A part of the land is tolerably well timbered, but it is poorly watered, and irrigation is necessary to agriculture.¹¹

Government rations.—None reported.

Mills and employés.—No mills; no employés. Blacksmith in 1865.

Indian police.—No police reported.

Indian court of offences.—None reported.

¹ Report of Indian Commissioner, 1884, p. 256. ² *Ibid.*, p. 256. ³ *Ibid.*, p. 284.
⁴ *Ibid.*, p. 284. Also school statistics in Gila River Reservation, p. 202. ⁵ Report of Indian Commissioner, 1882, p. 8. ⁶ *Ibid.*, 1883, p. 221. ⁷ United States Statutes at Large, Vol. XXII, p. 299. ⁸ Report of Indian Commissioner, 1884, p. 304.
⁹ *Ibid.*, p. 304. ¹⁰ *Ibid.*, p. 284. ¹¹ *Ibid.*, 1878, p. 5.

School population and attendance.

School population in 1886	1,423
Day-school accommodation	30
Average attendance	15
Months in session	10
Cost to Government ¹	\$900

Missionary work.—Roman Catholic, one missionary and one church.

Executive order, July 1, 1874.—It is hereby ordered that there be withdrawn from sale or entry and set apart for the use of the Papago and such other Indians as it may be desirable to place thereon, the following tract of country around San Xavier del Bac, in Arizona, viz:

Beginning at the northeast corner of section 9, township 15 south, range 13 east; thence west one-half mile to the quarter-section corner; thence south 3 miles to the section line between sections 21 and 28 of same township; thence west along north boundary of sections 23, 29, and 30, up to the northwest corner of section 30, same township; continuing thence due west 9 miles to a point; thence south 7 miles to a point; thence east three miles to the southwest corner of section 30, township 16 south, range 12 east; thence east along the south boundary of sections 30, 29, 28, 27, 26, and 25, township 16 south, range 12 east, and sections 30, 29, 28, 27, 26, and 25, township 16 south, range 13 east, to the southeast corner of section 25, same township; thence north along the range-line between ranges 13 and 14 east to the northeast corner of section 24, township 15 south, range 13 east; thence west to the northwest corner of section 22, same township; thence north to the place of beginning, to be known as the Papago Indian Reserve.²

An act granting the right of way to Arizona Southern Railway Company through Papago Indian Reservation, Arizona, a corporation duly organized under the laws of the Territory of Arizona, according to the plans of route and survey of the said company now on file in the Department of the Interior, which said plans of route and survey have been approved by the Secretary of the Interior, except as to that portion running through said reservation: *Provided*, That the consent of the Indians occupying said reservation be first obtained, and such compensation as may be fixed by the Secretary of the Interior be paid to him by the said railroad company, to be expended by him for the benefit of the said Indians.

SEC. 2. That whenever said right of way shall cease to be used for the purposes of the said railroad company the same shall revert to the United States.³

Approved August 5, 1882.

SALT RIVER RESERVATION.

How established.—By Executive order, June 14, 1879.

Area and survey.—Contains 46,720 acres,⁴ partially surveyed.

Acres cultivated.—Not reported.

Tribes and population.—The tribes living here are the Marikopa and Pima.⁵ Population included in that of Gila River.⁶

Location.—Located on the north side of Salt River, about 25 miles above its junction with the Gila River.

Government rations.—None reported.

¹ Report of Indian Commissioner, 1886, p. LXXXVIII.

² *Ibid.*, 1882, p. 246.

³ United States Statutes at Large, Vol. XXII., p. 299.

⁴ Report of Indian Commissioner, 1884, p. 256.

⁵ *Ibid.*, p. 256.

⁶ *Ibid.*, p. 285.

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School.—No school is furnished on this reservation, the agency boarding school at Gila River affording the only educational facilities. School population not reported separately from the agency school population.¹

Missionary work.—No missionary resides here. Rev. Mr. Cook includes this reservation in his extensive parish. The Mormons have had considerable influence among these Indians.²

*Executive orders.*³

EXECUTIVE MANSION, *January 10, 1879.*

It is hereby ordered that all the public lands embraced within the following boundaries lying within the Territory of Arizona, viz, commencing at the mouth of the Salt River, running thence up the Gila River to the south line of township No. 2 south, Gila and Salt River base line; thence east with said line to the southeast corner of township No. 2 south, range 6 east; thence north with said line to a point 2 miles south of the Salt River; thence following the course of said stream in an easterly direction, and 2 miles south of the same, to the west line of the White Mountain Reservation; thence north with the line of said reservation, or the extension of the same, to a point 2 miles north of said river; thence in a westerly direction, following the course of said river, and 2 miles north of the same, to the east line of range 6 east; thence north with said line to the northeast corner of township 2 north, range 6 east; thence west with the north line of said township to the Gila and Salt River meridian line; thence south with said line to the Gila River, and thence by said river to the place of beginning, be, and the same are hereby, withdrawn from sale and set apart for the use of the Pima and Maricopa Indians, in addition to their present reservation in said Territory.

R. B. HAYES.

EXECUTIVE MANSION, *June 14, 1879.*

In lieu of an Executive order dated January 10, 1879, setting apart certain lands in the Territory of Arizona as a reservation for the Pima and Maricopa Indians, which order is hereby cancelled, it is hereby ordered that there be withdrawn from sale and settlement, and set apart for the use of said Pima and Maricopa Indians, as an addition to the reservation set apart for said Indians by act of Congress approved February 28, 1859 (11 Stat., 401), the several tracts of country in said Territory of Arizona lying within the following boundaries, viz:

Beginning at the point where the range-line between ranges 4 and 5 east crosses the Salt River; thence up and along the middle of said river to a point where the easterly line of Camp McDowell military reservation, if prolonged south, would strike said river; thence northerly to the southeast corner of Camp McDowell reservation; thence west along the southern boundary-line of said Camp McDowell reservation to the southwest corner thereof; thence up and along the west boundary-line of said reservation until it intersects the north boundary of the southern tier of sections in township 3 north, range 6 east; thence west along the north boundary of the southern tier of sections in townships 3 north, ranges 5 and 6 east, to the northwest corner of section 31, township 3 north, range 5 east; thence south along the range-line between ranges 4 and 5 east to the place of beginning.

Also all the land in said Territory bounded and described as follows, viz:

Beginning at the northwest corner of the old Gila Reservation; thence by a direct line running northwesterly until it strikes Salt River 4 miles east from the intersection

¹ Report of Indian Commissioner, 1884. p. 284.

² *Ibid.*, 1877, p. 32.

³ *Ibid.*, 1886,

p. 295.

of said river with the Gila River; thence down and along the middle of said Salt River to the mouth of the Gila River; thence up and along the middle of said Gila River to its intersection with the northwesterly boundary-line of the old Gila Reservation; thence northwesterly along the said last-described boundary-line to the place of beginning.

It is hereby ordered that so much of townships 1 and 2 north, ranges 5 and 6 east, lying south of the Salt River, as are now occupied and improved by said Indians, be temporarily withdrawn from sale and settlement until such time as they may severally dispose of and receive payment for the improvements made by them on said lands.

R. B. HAYES.

SAN CARLOS AGENCY.

[Post-office address, San Carlos Agency, Ariz.]

WHITE MOUNTAIN RESERVATION.

How established.—By executive orders, November 9, 1871, December 14, 1872, August 5, 1873, July 21, 1874, April 27, 1876, January 26 and March 31, 1877.

Area and survey.—Contains 2,528,000 acres,¹ of which 1,600 are classed as tillable.² Out-boundaries surveyed.

Acres cultivated.—The Indians have under cultivation 1,500 acres.³

Tribes and population.—The tribes living here are the Aravapai, Chilion, Chiricahua, 500; Koitotero, Mienbre, Mogollon, Mohavi, 600; Pinal, Tonto, Yuma, 300; and Apache. Total population, 5,000.⁴

Location.—The agency is located on the right bank of the Gila River, three-fourths of a mile below the mouth of the San Carlos.⁵ The buildings are of adobe, and stand upon a mesa some 45 feet above the bed of the Gila River. On account of the lack of water on this mesa it is barren of trees for shade, or of verdure of any kind, but has a fine view of the mountain ranges by which it is surrounded, notably Mount Trumbull on the south, the Triplets on the north, and the Pinal Mountains on the west.⁶

Government rations.—Fifty per cent. of these Indians subsisted by Government rations in 1886.⁷

Mills and Indian employes.—None reported.

Indian police.—Established in 1874.⁸

Indian court of offences.—None reported.

School population and attendance.—School population in 1886, 1,000. No school.

Missionary work.—No missionary work reported.

*Tulerosa Valley Reserve.*⁹

CAMP TULEROSA, N. MEX., August 29, 1871.

SIR: Agreeably to the power conferred upon me by the President, and communicated to me in the letter of the Honorable Secretary of the Interior of the 22d July,

¹ Report of Indian Commissioner, 1884, p. 256. ² *Ibid.*, p. 304. ³ *Ibid.* ⁴ *Ibid.* p. 284. ⁵ *Ibid.*, 1879, p. 7. ⁶ *Ibid.*, 1880, p. 5. ⁷ *Ibid.*, 1886, p. 412. ⁸ *Ibid.*, 1874, p. 297. ⁹ *Ibid.*, 1886, p. 352.

1871, that I should proceed to New Mexico and Arizona and there take such action as in my judgment should be deemed wisest and most proper for locating the nomadic tribes of those Territories upon suitable reservations, bringing them under the control of the proper officers of the Indian Department, etc., assisted by yourself and O. F. Piper, agent for the Southern Apache Indians, I have carefully examined the place and neighborhood at Canada Alamosa, where the agency is at present located, and for several reasons find the same unsuitable for a reservation. Assisted by the officers named above, I have also carefully inspected the valley of the Tulerosa, and finding the same to possess most of the requisites necessary to a home for the Indians, it being remote from white settlements, surrounded by mountains, and easily crossed, with sufficient arable lands, good water, and plenty of wood and game, I hereby declare the said valley of the Tulerosa, beginning at the headwaters of the Tulerosa River and its tributaries in the mountains, and extending down the same 2 miles on each side for a distance of 30 miles, to be an Indian reservation for the sole use and occupation of the Southern and other roving bands of Apache Indians, their agent, and other officers and employés of the Government, the laws relating to Indian reservations in the United States governing the same until such time as the Executive or Congress shall set aside this order. I would therefore suggest that Agent Piper be instructed to remove his agency and the Indians under his charge from Canada Alamosa to the Tulerosa Valley as soon as practicable after the receipt of this letter. The War Department having directed the officers commanding the district of New Mexico and Arizona to afford military protection to such Indians as may be induced to come in, both on their way and after arrival at the reservation, the agency will be amply protected, and the Department having authorized me to supply these Indians with whatever may be necessary, you are at liberty to incur such moderate expenditures as may be absolutely necessary to carry out the above instructions.

Very respectfully, your obedient servant,

VINCENT COLYER,
Commissioner.

NATHANIEL POPE, Esq.,
Superintendent of Indian Affairs.

EXECUTIVE MANSION, *November 24, 1874.*

All orders establishing and setting apart the Tulerosa Valley, in New Mexico, described as follows: Beginning at the headwaters of the Tulerosa River and its tributaries in the mountains, and extending down the same 10 miles on each side for a distance of 30 miles, as an Indian reservation, are hereby revoked and annulled, and the said described tract of country is hereby restored to the public domain.

U. S. GRANT.

*Camp Grant Reservation.*¹

DEPARTMENT OF THE INTERIOR,
BOARD OF INDIAN COMMISSIONERS,
Camp Grant, Ariz.; September 18, 1871.

SIR: The boundaries of the reservation selected with the approval of the President and Secretary of the Interior and Secretary of War, at Camp Grant, Arizona Territory, within the limits of which all peaceably disposed Arivapa, Pinal, and other roving bands of Apache Indians are hereafter to be protected, fed, and otherwise provided, will be as follows:

Bounded north by the Gila River; west by a line 10 miles from and parallel to the general course of the San Pedro River; south by a line at right angles to the western boundary, crossing the San Pedro 10 miles from Camp Grant; east by a line at right angles to the southern boundary, touching the western base of Mount Turnbull, terminating at the Gila River, the northern boundary.

¹Report of Indian Commissioner, 1886, p. 292. Restored to public domain by Executive order, December 14, 1872.

Citizens who have built or are now working ranches within the above described boundaries will be allowed to remain to secure their crops and care for their property until further orders from Washington, D. C., provided they conform to the laws prescribed by Congress for the government of Indian reservations. A copy of the laws and regulations governing this as well as all other Indian reservations will be forwarded to you on my return to Washington.

Very respectfully, your obedient servant,

VINCENT COLYER,
Commissioner.

Lieut. ROYAL E. WHITMAN, U. S. A.,
In charge Indian Reservation, Camp Grant, Ariz.

Camp Verde Reservation.¹

DEPARTMENT OF THE INTERIOR,
BOARD OF INDIAN COMMISSIONERS,
Camp Verde, Ariz., October 3, 1871.

GENERAL: Having personally inspected the country and condition of the Apache Mohave Indians on the Verde River, above the post, and finding the Indians to be in considerable numbers, destitute and in a starving condition, having no boundaries defining their homes, their country overrun by hunters who kill their game, and not unfrequently kill the Indians—gold prospectors and others, none of whom locate in this section of country—agreeably to the powers conferred upon me by the President, and communicated to me in the letter of the Secretary of the Interior dated July 21, 1871, and the orders of the Secretary of War of July 18 and 31, 1871, and in harmony with the humane action of Congress in providing funds for this purpose, I have concluded to declare all that portion of country adjoining on the northwest side of and above the military reservation of this post on the Verde River for a distance of 10 miles on both sides of the river, to the point where the old wagon-road to New Mexico crosses the Verde, supposed to be a distance up the river of about 45 miles, to be an Indian reservation, within the limits of which all peaceably disposed Apache Mohave Indians are to be protected, fed, and otherwise cared for, and the laws of Congress and Executive orders relating to the government of Indian reservations shall have full power and force within the boundaries of the same, unless otherwise ordered by Congress or the President.

Very respectfully, your obedient servant,

VINCENT COLYER,
Commissioner.

Bvt. Maj. Gen. C. GROVER,
Commanding Camp Verde, Ariz.

White Mountain or San Carlos Reserve.²

ENGINEER'S OFFICE,
HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,
San Francisco, Cal., January 31, 1870.

SIR: I respectfully forward the following description of the proposed Indian reservation in Arizona; the boundaries of the reservation to be as follows, as shown in red on the accompanying map: Starting at the point of intersection of the boundary between New Mexico and Arizona with the south edge of the Black Mesa, and following the southern edge of the Black Mesa to a point due north of Sombrero or Plumoso Butte; then in the direction of the Picache Colorado to the crest of the Apache Mountains, following said crest down the Salt River to Pinal Creek, and then

¹ Report of Indian Commissioner, 1886, p. 292. Restored to public domain, see Executive order, April 23, 1875.

² Formerly called White Mountain or Camp Apache Reserve. Report of Indian Commissioner, 1886, pp. 298-301.

up the Pinal Creek to the top of the Pinal Mountains; then following the crest of the Pinal range, "the Cordilleras de la Gila," the "Almagra Mountains," and other mountains bordering the north bank of the Gila River, to the New Mexican boundary near Steeple Rock; then following said boundary north to its intersection with the south edge of the Black Mesa, the starting point.

H. M. ROBERT,
Major Engineers.

General W. D. WHIPPLE,
Adjutant-General Military Division of the Pacific.

DEPARTMENT OF THE INTERIOR,
BOARD OF INDIAN COMMISSIONERS,
Camp Apache, Arizona Territory, September 5, 1871.

SIR: As the White Mountain region has been set apart by the War Department as an Indian reservation, and there are several bands of peaceably-disposed Apaches, who have for many years lived in this country, who can not be removed without much suffering to themselves, risk of war and expense to the Government, I have concluded to select the White Mountain Reservation, the boundaries of which were defined in letter of H. M. Robert, major of engineers, dated Headquarters Military Division of the Pacific, San Francisco, Cal., January 31, 1870, as one of the Indian reservations upon which the Apache Indians of Arizona may be collected, fed, clothed, and otherwise provided for and protected, agreeable to the power conferred upon me at the suggestion of the President by the Hon. Secretary of the Interior, under date July 21, 1871, and supplementary orders July 31, 1871, copies of which are herewith inclosed.

Agreeable to your wish that I should name the articles and amount of provisions to be issued, I would suggest that one pound of beef and one pound of corn per capita be issued with salt daily, and sugar and coffee occasionally.

Very respectfully, your obedient servant,

VINCENT COLYER,
Commissioner.

Lieut. Col. JOHN GREEN,
First Cavalry, U. S. A., Commanding,
Camp Apache, Arizona Territory.

DEPARTMENT OF THE INTERIOR,
BOARD OF INDIAN COMMISSIONERS,
Washington, D. C., November 7, 1871.

SIR: Reservations for the roving Apache Indians of New Mexico and Arizona were selected under your instructions of 21st July, 1871, as follows:

For the Mimbres and Coyoteros at Tularosa Valley, in New Mexico.

For the Coyoteros and Chiloccos of Arizona, at Camp Apache, in White Mountains, Arizona.

For the Arrivapis and Pinals, at Camp Grant, Arizona.

For the Mohave Apaches, at Camp Verde, Arizona.

A detailed description of the Camp Apache Reservation, which was established by Major-General Thomas, will be found on file in the War Department.

I also requested, with the advice of General Crook and the several post commanders, that temporary asylums, where the Tontos, Hualapais, and Western band of Apache Mohaves might be protected and fed, should be established at Camp McDowell, Beal Spring, and Date Creek, until such times as the Indians collected there could be removed to the above reservations.

Very respectfully, etc.,

VINCENT COLYER.

Hon. C. DELANO,
Secretary of the Interior, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., November 7, 1871.

SIR: I have the honor to transmit herewith a copy of a communication addressed to this Department by the Hon. Vincent Colyer, one of the board of Indian peace commissioners, who recently visited Arizona, wherein he states his views in relation to the Apache Indians, and describes certain tracts of country in Arizona and New Mexico which, during his recent visit to said Indians, he has selected to be set apart as reservations for their use, as authorized to do by orders issued to him before visiting the Apaches.

I have the honor to recommend, in pursuance of the understanding arrived at in our conversation with the Secretary of War on the 6th instant, that the President issue an order authorizing said tracts of country described in Mr. Colyer's letter to be regarded as reservations for the settlement of Indians until it is otherwise ordered. * * *

I would further suggest that the War Department will, for the present, select some suitable and discreet officer of the Army to act as Indian agent for any of the reservations in Arizona which may be occupied by the Indians, under the order herein contemplated. Such agents will be superseded by persons hereafter appointed by this Department, at such times as the President may hereafter deem proper.

Very respectfully, your obedient servant,

C. DELANO,
Secretary

The PRESIDENT.

These recommendations were approved by the President as follows:

EXECUTIVE MANSION,
Washington, D. C., November 9, 1871.

Respectfully referred to the Secretary of War, who will take such action as may be necessary to carry out the recommendations of the Secretary of the Interior.

U. S. GRANT.

And indorsed by General Sherman thus.

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, D. C., November 9, 1871.

GENERAL: I now inclose you copies of a correspondence between the Secretary of the Interior and War Department on the subject of the policy that is to prevail in Arizona with the Apache Indians. The Secretary of War wishes you to give all the necessary orders to carry into full effect this policy, which is the same that prevails in the Indian country generally, viz, to fix and determine (usually with the assent, expressed or implied, of the Indians concerned) the reservation within which they may live and be protected by all branches of the Executive Government; but if they wander outside they at once become objects of suspicion, liable to be attacked by the troops as hostile. The three reservations referred to in these papers, and more particularly defined in the accompanying map, seem far enough removed from the white settlements to avoid the dangers of collision of interest. At all events, these Indians must have a chance to escape war, and the most natural way is to assign them homes and to compel them to remain thereon. While they remain on such reservations there is an implied condition that they should not be permitted to starve, and our experience is that the Indian Bureau is rarely supplied with the necessary money to provide food, in which event you may authorize the commissary department to provide for them, being careful to confine issues only to those acting in good faith, and only for absolute wants.

The commanding officer of the nearest military post will be the proper person to act as the Indian agent until the regular agents come provided with the necessary

authority and funds to relieve them; but you may yourself, or allow General Crook, to appoint these temporary agents regardless of rank.

The citizens of Arizona should be publicly informed of these events, and that the military have the command of the President to protect these Indians on their reservations, and that under no pretense must they invade them, except under the leadership of the commanding officer having charge of them.

The boundaries of these reservations should also be clearly defined, and any changes in them suggested by experience should be reported, to the end that they may be modified or changed by the highest authority.

After general notice to Indians and whites of this policy, General Crook may feel assured that whatever measures of severity he may adopt to reduce these Apaches to a peaceful and subordinate condition will be approved by the War Department and the President.

I am, your obedient servant,

W. T. SHERMAN, *General.*

EXECUTIVE MANSION, *December 14, 1872.*

It is hereby ordered that the following tract of country be, and the same is hereby, withheld from sale and set apart as a reservation for certain Apache Indians in the Territory of Arizona, to be known as the "Chiricahua Indian Reservation," viz:

Beginning at Dragoon Springs, near Dragoon Pass, and running thence northeasterly along the north base of the Chiricahua Mountains to a point on the summit of Peloncillo Mountains or Stevens Peak range; thence running southeasterly along said range through Stevens Peak to the boundary of New Mexico; thence running south to the boundary of Mexico; thence running westerly along said boundary 55 miles; thence running northerly, following substantially the western base of the Dragoon Mountains, to the place of beginning.

It is also hereby ordered that the reservation heretofore set apart for certain Apache Indians in the said Territory, known as the "Camp Grant Indian Reservation," be, and the same is hereby, restored to the public domain.

It is also ordered that the following tract of country be, and the same is hereby, withheld from sale and added to the White Mountain Indian Reservation in said Territory, which addition shall hereafter be known as the "San Carlos division of the White Mountain Indian Reservation," viz:

Commencing at the southeast corner of the White Mountain Reservation as now established, and running thence south to a line 15 miles south of and parallel to the Gila River; thence west along said line to a point due south of the southwest corner of the present White Mountain Reservation; thence north to the said southwest corner of the aforesaid White Mountain Reservation, and thence along the southern boundary of the same to the place of beginning; the said addition to be known as the "San Carlos division of the White Mountain Reservation," which will make the entire boundary of the White Mountain Reserve as follows, viz:

Starting at the point of intersection of the boundary between New Mexico and Arizona with the south edge of the Black Mesa, and following the southern edge of the Black Mesa to a point due north of Sombrero or Plumoso Butte; thence due south to said Sombrero or Plumoso Butte; thence in the direction of the Piache Colorado to the crest of the Apache Mountains, following said crest down the Salt River to Pinal Creek to the top of the Pinal Mountains; thence due south to a point 15 miles south of the Gila River; thence east with a line parallel with and 15 miles south of the Gila River to the boundary of New Mexico; thence north along said boundary line to its intersection with the south edge of the Black Mesa, the place of beginning.

U. S. GRANT.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 30, 1873.

Respectfully submitted to the President, with the recommendation that all that portion of the valley of the Gila River in the Territory of Arizona hitherto included

in the San Carlos division of the White Mountain Indian Reservation, as established by executive order, dated December 14, 1872, lying east of and above the site of old Camp Goodwin, be restored to the public domain, as recommended by the Acting Commissioner of Indian Affairs.

B. R. COWEN,
Acting Secretary.

EXECUTIVE MANSION, *August 5, 1873.*

Agreeable to the above recommendation of the Acting Secretary of the Interior, it is hereby ordered that the land therein described be restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *July 21, 1874.*

It is hereby ordered that all that portion of the White Mountain Indian Reservation in Arizona Territory lying east of 109° 30' west longitude be restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *April 23, 1875.*

All orders establishing and setting apart the Camp Verde Indian Reservation, in the Territory of Arizona, described as follows: "All that portion of country adjoining on the northwest side of and above the military reservation of this [Camp Verde] post, on the Verde River, for a distance of 10 miles on both sides of the river to the point where the old wagon road to New Mexico crosses the Verde, supposed to be a distance up the river of about 45 miles," are hereby revoked and annulled; and the said described tract of country is hereby restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *April 27, 1876.*

It is hereby ordered that all that portion of the White Mountain Indian Reservation in Arizona Territory lying west of the following-described line, viz: Commencing at the northwest corner of the present reserve, a point at the southern edge of the Black Mesas, due north of Sombrero or Plumoso Butte; thence due south to said Sombrero or Plumoso Butte; thence southeastwardly to Chromo Peak; thence in a southerly direction to the mouth of the San Pedro River; thence due south to the southern boundary of the reservation, be, and the same hereby is, restored to the public domain.

U. S. GRANT.

*Chiricahua Reserve.*¹

EXECUTIVE MANSION, *October 30, 1876.*

It is hereby ordered that the order of December 14, 1872, setting apart the following-described lands in the Territory of Arizona as a reservation for certain Apache Indians, viz: Beginning at Dragoon Springs, near Dragoon Pass, and running thence northeasterly along the north base of the Chiricahua Mountains to a point on the summit of Peloncillo Mountains or Stevens Peak Range; thence running southeasterly along said range through Stevens Peak to the boundary of New Mexico; thence running south to the boundary of Mexico; thence running westerly along said boundary 53 miles; thence running northerly, following substantially the western base of the Dragoon Mountains, to the place of beginning, be, and the same is hereby, canceled, and said lands are restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *January 26, 1877.*

It is hereby ordered that all that portion of the White Mountain Indian Reservation in Arizona Territory lying within the following-described boundaries, viz: Commencing at a point known as corner I of survey made by Lieut. E. D. Thomas, Fifth Cavalry, in March, 1876, situated northeast of, and 313 chains from, flag-staff of Camp

¹ Report of Indian Commissioner, 1886, pp. 293, 301. For Executive order of December 14, 1872, setting apart this reserve, see "White Mountain Reserve."

Apache, magnetic variation $13^{\circ} 48'$ east; thence south $63^{\circ} 34'$ west, 360 chains, to corner II, post in monument of stones, variation $13^{\circ} 45'$ east; thence south $7^{\circ} 5'$ west, 240 chains to corner III, post in monument of stones, variation $13^{\circ} 43'$ east; thence north $68^{\circ} 34'$ east, 360 chains to corner IV, post in monument of stones, magnetic variation $13^{\circ} 42'$ east; thence north $7^{\circ} 15'$ east, 240 chains to place of beginning, comprising 7,421.14 acres, be restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *March 31, 1877.*

It is hereby ordered that all that portion of the White Mountain Indian Reservation in the Territory of Arizona lying within the following-described boundaries, be, and the same hereby is, restored to the public domain, to wit: Commencing at a point at the south bank of the Gila River, where the San Pedro empties into the same; thence up and along the south bank of said Gila River 10 miles; thence due south to the southern boundary of the said reservation; thence along the southern boundary to the western boundary thereof; thence up said western boundary to the place of beginning.

R. B. HAYES.

MOQUI RESERVATION.

[*Under the charge of the Navajo Agency, New Mexico.*]

How established.—By executive order, December 16, 1882.

Area and survey.—Contains 2,508,800 acres,¹ of which 10,000 are classed as tillable.² Not surveyed.

Acres cultivated.—Six thousand five hundred acres reported.³

Tribes and population.—The tribe living here is the Moqui.⁴ Population, 1,920.⁵

Location.—Located 90 miles from the junction of the San Juan and the Colorado rivers (south), and about 75 miles east from the point where the Little Colorado River joins its larger namesake. Three of these villages are upon the point of the first or most eastern mesa. Seven miles farther west are three other villages, similarly situated, upon what is locally termed the second mesa, and about 8 miles still farther west is the village of Orabi.⁶

Government rations.—None reported.

Mills and employés.—None; no Indian employés reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population and attendance.—School population, 512. No school reported.⁷

Missionary work.—No missionary work reported.

Executive order, December 16, 1882.—It is hereby ordered that the tract of country in the Territory of Arizona, lying and being within the following described boundaries, viz: Beginning on the one hundred and tenth degree of longitude west from Greenwich, at a point $36^{\circ} 30'$ north, thence due west to the one hundred and eleventh degree of longitude, and thence due north to place of beginning, be, and the same is hereby, withdrawn from settlement, and sale, and set apart for the use and occupancy of the Moqui and such other Indians as the Secretary of the Interior may see fit to settle thereon.⁸

¹ Report of Indian Commissioner, 1884, p. 256. ² *Ibid.*, p. 304. ³ *Ibid.*, p. 304.

⁴ *Ibid.*, p. 256. ⁵ *Ibid.*, p. 137. ⁶ *Ibid.*, p. 136. ⁷ *Ibid.*, 1886, p. 205. ⁸ *Ibid.*, 1883, p. 221.

CHAPTER VIII.

INDIAN RESERVATIONS OF CALIFORNIA.

The treaty of Guadalupe Hidalgo covered the Territory of California and the Indians residing there.

The policy of the Mexican Government in not recognizing the Indian's right of occupancy seems to have been followed by the United States, as no compensation has been made the California Indians for their lands, except in the establishing and maintaining of certain reservations and agencies.

On September 28, 1850, Congress provided—

Three agents for the Indian tribes within the State of California.¹ After these agents were appointed it was found that no appropriation had been made for their salaries and the necessary expenses of their agencies. Their functions as agents were therefore suspended; but, as there was an appropriation for negotiating treaties with the Indians in that State, they were constituted commissioners for that purpose.²

These commissioners were instructed—

To conciliate the good feelings of the Indians; and to get them to ratify those feelings by entering into written treaties binding on them towards the Government and each other.³

A little over a year previously, the Department had authorized an agent to report upon the Indian tribes; he states:

They have an indefinite idea of their right to the soil, and they complain that the pale faces are overrunning their country and destroying their means of subsistence. The immigrants are trampling down and feeding their grass, and the miners are destroying their fish-dams; for this they claim some remuneration—not in money, for they know nothing of its value, but in the shape of clothing and food.⁴

When the commissioners arrived in California the Indians, owing to the encroachments of miners and other settlers, had fled—

to the mountains, leaving behind them their principal stores of subsistence, intending to return for them as necessity required. The whites in pursuing the Indians burnt and destroyed all that fell in their way; consequently, at the time the different treaties were entered into, the Indians of this region were destitute of anything to subsist upon, even if left to range at liberty over their native hills. Under each treaty they were required to come from the mountains to their reservations on the plains at the base of the hills.⁵

Treaties were entered into with eighty or ninety bands of Indians⁶ (none were ever ratified), and a large number of reservations established in different parts of the State in accordance with the following acts of 1854 and 1855.

¹ United States Statutes at Large, Vol. IX, p. 519.

³ *Ibid.*, p. 122.

⁴ *Ibid.*, p. 92.

⁵ *Ibid.*, 1851, p. 250.

⁶ *Ibid.*, p. 9.

ACTS OF CONGRESS.

ACT of Congress making Appropriations for the current and contingent Expenses of the Indian Department and for fulfilling Treaty Stipulations with various Indian tribes, and for other purposes. Approved July 31, 1854.

* * * * *
 For defraying the expenses and continuing the removal and subsistence of Indians in California, three military reservations in accordance with the plan submitted by the Superintendent of Indian Affairs of that State and approved by the President, the sum of two hundred thousand dollars. * * *

And provided, The subagents created by this act shall not exceed one for each reservation, nor three in all; the said reservations to contain not less than five nor more than ten thousand acres; and the said superintendent is authorized to apply out of the sum hereby appropriated, not exceeding twenty-five thousand dollars in the extinguishment of conflicting titles and rights to said reserved lands at a price not exceeding one dollar and twenty-five cents per acre for a valid and indefeasible title to the land so purchased: *And provided*, The State of California shall cede the necessary jurisdiction in such cases with regard to the land so purchased. (United States Statutes at Large, Vol. X, p. 332.)

AN ACT making Appropriations for the Current and Contingent Expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes, and for other purposes. Approved March 3, 1855.

For collecting, removing and subsisting the Indians of California (as provided by law) on two additional military reservations to be selected as heretofore, and not to contain exceeding twenty-five thousand acres each, the sum of one hundred and fifty thousand dollars: *Provided*, That the President may enlarge the quantity of reservations heretofore selected, equal to those hereby provided for. * * * (United States Statutes at Large, Vol. X, p. 699.)

The difficulty of maintaining so many agencies and the pressure of immigration resulted in the frequent breaking up of a reservation and removal of the Indians. In 1857 the number of reservations was reduced to five—Sebastian or Tejon, Fresno-Farm, Nome-Lackee, Mendoceno, and Klamath.¹ Under various pretenses the Indian lands were taken, and even the “reservation teams and farming implements seized.”

In 1862 an agent writes from one reservation:

The settlers have succeeded in destroying a large portion of the small grain, and the corn crop entirely. The corners of the fence had been raised and chunks of wood put in, so that the largest hogs could walk in. Where they had destroyed the crops, the Indians were told that there was nothing for them to eat, and that they would have to starve or steal, and that if they did not leave they (the settlers) would kill them.²

Although “the sentiment of the great mass of the people of California, embracing every class in life, was all that the friends of the Indian could desire,”³ serious disturbances occurred in various parts of the State, consequent upon the unsettled status of Indian lands. The act of 1864 was passed to meet these difficulties.

AN ACT to provide for the better Organization of Indian Affairs in California. April 8, 1864.
 [United States Statutes at Large, Vol. XIII, p. 39.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first day of April, anno Domini eight-

¹ Report of Indian Commissioner, 1857, p. 10. ² *Ibid.*, 1862, p. 311. ³ *Ibid.*, 1856, p. 17.

een hundred and sixty-four, the State of California shall, for Indian purposes, constitute one superintendency, * * *.

Sec. 2. *And be it further enacted*, That there shall be set apart by the President, and at his discretion, not exceeding four tracts of land, within the limits of the said State, to be retained by the United States for the purposes of Indian reservations, which shall be of suitable extent for the accommodation of the Indians of said State, and shall be located as remote from white settlements as may be found practicable, having due regard to their adaptation to the purposes for which they are intended: *Provided*, That at least one of said tracts shall be located in what has heretofore been known as the northern district: *And provided further*, That if it shall be found impracticable to establish the reservations herein contemplated without embracing improvements made within their limits by white persons lawfully there, the Secretary of the Interior is hereby authorized and empowered to contract for the purchase of such improvements at a price not exceeding a fair valuation thereof to be made under his direction.

But no such contract shall be valid, or any money paid thereon until, upon a report of said contract and of said valuation to Congress, the same shall be approved and the money appropriated by law for that purpose: *And provided further*, That said tracts to be set apart as aforesaid may, or may not, as in the discretion of the President may be deemed for the best interests of the Indians to be provided for, include any of the Indian reservations heretofore set apart in said State, and that in case any such reservation is so included, the same may be enlarged to such an extent as in the opinion of the President may be necessary in order to its complete adaptation to the purposes for which it is intended.

Sec. 3. *And be it further enacted*, That the several Indian reservations in California which shall not be retained for the purposes of Indian reservations under the provisions of the preceding section of this act, shall, by the Commissioner of the General Land Office under the direction of the Secretary of the Interior, be surveyed into lots or parcels of suitable size, and as far as practicable in conformity to the surveys of the public lands, which said lots shall, under his direction, be appraised by disinterested persons at their cash value, and shall thereupon, after due advertisement, as now provided by law in the case of other public lands, be offered for sale at public outcry, and thence afterward shall be held subject to sale at private entry, according to such regulations as the Secretary of the Interior may prescribe: *Provided*, That no lot shall be disposed of at less than the appraised value, nor at less than one dollar and twenty-five cents per acre: *And provided further*, That said sale shall be conducted by the registrar and receiver of the land office in the district in which such reservation or reservations may be situated, in accordance with the instructions of the department regulating the sale of public lands.

Sec. 4. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint an Indian agent for each of the reservations which shall be established under the provisions of this act, which said agent shall reside upon the reservation for which he shall be appointed, and shall discharge all the duties now or hereafter to be required of Indian agents by law, or by rules and regulations adopted, or to be adopted, for the regulation of the Indian service, so far as the same may be applicable. * * *

Sec. 5. *And be it further enacted*, That there may be appointed, in the manner prescribed by law, for each of said reservations, if in the opinion of the Secretary of the Interior the welfare of said Indians shall require it, one physician, one blacksmith, one assistant blacksmith, one farmer, and one carpenter, who shall receive compensation at rates to be determined by the Secretary of the Interior, not exceeding fifty dollars per month.

Sec. 6. *And be it further enacted*, That hereafter, when it shall become necessary to survey any Indian or other reservations, or any lands, the same shall be surveyed under the direction and control of the General Land Office, and as nearly as may be

in conformity to the rules and regulations under which other public lands are surveyed.

Sec. 8. *And be it further enacted*, That all acts or parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed; and all offices and employments connected with Indian affairs in California not provided for in this act be, and the same are hereby, abolished.

Approved, April 8, 1864.

During the six years following the passage of the foregoing act, the reservations existing at the present time were established. The Indians of Fresno Farm, and Sebastian military reservation in Tejon Valley, were urged to concentrate upon Tule River reservation. Those at Nome-Lackee and Mendocino, upon Round Valley. Hoopa Valley received many of the insurgents of northern California during the wars which followed upon the uprising of the Indians of southern Oregon.

There are twenty-six reservations in the State, aggregating 472,492 acres, and the number of Indians under agency control is 5,033.

The following is the distribution by counties of Indians in California not on reservations: Sierra, 12; El Dorado, 193; Mendocino, 1,240; Shasta, 1,037; Yolo, 47; Tehama, 157; Solano, 21; Lassen, 330; Colusa, 353; Humboldt, 224; Marin, 162; Sonoma, 339; Butte, 522; Plumas, 508; Placer, 91; Napa, 64; Sutter, 12; Amador, 272; Nevada, 98; Lake, 774; total, 6,456.¹

The total Indian population in California is 11,489.

Agencies.—Hoopa Valley Agency, having in charge the Hoopa Valley Reservation; Mission Agency, having in charge the twenty-one Mission Indian reservations; Round Valley Agency, having in charge the Round Valley Reservation; Tule River Agency, having in charge the Tule River Reservation.

HOOPA VALLEY AGENCY.

[Post-office address: Hoopa Valley, Humboldt County, Cal.]

HOOPA VALLEY RESERVATION.

How established.—By act of Congress, April 8, 1864, and Executive order, June 23, 1876.

Area and survey.—Contains 89,572 acres, 900 of which are tillable.² Out-boundaries surveyed.

Area cultivated.—The Indians had 200 acres under cultivation in 1884.³

Tribes and population.—The tribes living here are the Hoopa Valley, Hunsatung, Hupâ, Klamath River, Miskut, Redwood, Saiaz, Sermalton, and Tishtanatan.⁴ Total population, 1886, 442.⁵

¹ Report of Indian Commissioner, 1884, p. 286.

² *Ibid.*, 1884, p. 304.

³ *Ibid.*

⁴ *Ibid.*, 1886, p. 381.

⁵ *Ibid.*, 1886, p. 392.

Location.—The reservation lies in Humboldt County, and is 12 miles from east to west, and about $11\frac{1}{2}$ miles from north to south.

The valley from which the reservation takes its name, is a narrow valley through which Trinity River runs in a northerly direction, and contains about 2,500 acres, of which about 900 acres are fit for cultivation, and 1,000 of a poor quality. The soil is sandy and lies on a bed of gravel, through which the water wastes away, leaving the crops to parch and burn for the want of moisture. The Bald Hills, north of the valley, comprise perhaps one-fifth of the reservation and afford some fine pasturage for stock; the other four-fifths, leaving out the valley, is composed of rugged mountains, almost worthless.¹

Government rations.—Thirty-three per cent. of these Indians subsisted by Government rations in 1886.

Mill and employés.—The mill was erected in 1872,² but suffered in the general disastrous condition of affairs during the first seven or eight years of the reservation, but was put in order about 1880,³ and has since done good service. There are no Indian employés reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support:—³

School population, estimated in 1886	95
Day-school accommodation	50
Attendance at day-school	30
Cost to Government	\$1,974.72
Months in session	11

The Middletown Training School, Middletown, Lake County, Cal., receives twenty of these children from this agency, at a cost to the Government of \$2,982.06.

Missionary work.—No missionary work reported.

*Hoopa Valley Reserve.*⁴

FORT GASTON, CAL., August 21, 1864.

By virtue of power vested in me by an act of Congress approved April 8, 1864, and acting under instructions from the Interior Department, dated at Washington City, D. C., April 26, 1864, concerning the location of four tracts of land for Indian reservations in the State of California, I do hereby proclaim and make known to all concerned that I have this day located an Indian reservation, to be known and called by the name and title of the Hoopa Valley Reservation, said reservation being situated on the Trinity River, in Klamath County, Cal., to be described by such metes and bounds as may hereafter be established by order of the Interior Department, subject to the approval of the President of the United States. Settlers in Hoopa Valley are hereby notified not to make any further improvements upon their places, as they will be appraised and purchased as soon as the Interior Department may direct.

AUSTIN WILEY,

Superintendent Indian Affairs for the State of California.

¹ Report of Indian Commissioner, 1875, p. 220. ² *Ibid.*, 1872, p. 412. ³ *Ibid.*, 1886, p. LXXXVIII. ⁴ *Ibid.*, 1886, p. 301.

For act authorizing the above order see act of Congress April 8, 1864, in the preceding pages, under head of California.

AN ACT to amend an act entitled "An act to provide for the better organization of Indian Affairs in California."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of sixty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of enabling the Secretary of the Interior to pay the settlers in Hoopa Valley, California, for their improvements on the Indian reservation therein: *Provided,* That before the same or any part of the money hereby appropriated shall be paid, the said improvements shall be appraised by the superintendent of Indian affairs, the Indian agent at said reservation, and the surveyor-general of California; and if in the opinion of the Secretary of the Interior their appraisement shall be reasonable and shall not in the aggregate exceed the sum herein appropriated, the Secretary is hereby authorized to apply the same, or so much thereof as may be necessary, in payment for the said improvements, taking the proper releases therefor: *And provided further,* That the moneys hereby appropriated be reimbursed from the proceeds of the sales of Indian reservations in said State under the provisions of the act to provide for the better organization of Indian affairs in California, approved April eighth, eighteen hundred and sixty-four.

Approved, March 3, 1865. (United States Statutes at Large, Vol. XIII, p. 538.)

EXECUTIVE MANSION, June 23, 1876.

It is hereby ordered that the south and west boundaries and that portion of the north boundary west of Trinity River surveyed in 1875 by C. T. Bissel, and the courses and distances of the east boundary, and that portion of the north boundary east of Trinity River reported but not surveyed by him, viz: "Beginning at the southeast corner of the reservation at a post set in mound of rocks, marked 'H. V. R., No. 3'; thence south $17\frac{1}{2}^{\circ}$ west, 905.15 chains, to southeast corner of reservation; thence south $72\frac{3}{4}^{\circ}$ west, 480 chains, to the mouth of Trinity River," be, and hereby are, declared to be the exterior boundaries of Hoopa Valley Indian Reservation, and the land embraced therein, an area of 89,572.43 acres, be, and hereby is, withdrawn from public sale, and set apart for Indian purposes, as one of the Indian reservations authorized to be set apart, in California, by act of Congress approved April 8, 1864. (13 Statutes, p. 39.)¹

U. S. GRANT.

KLAMATH RIVER RESERVATION.

(No agency.)

How established.—By Executive order, November 16, 1855.

Area and survey.—Contains 25,600 acres;² 4,000 tillable.³ Surveyed.

Acres cultivated.—Not reported.

Tribes and population.—The tribe living here is the Klamath River. Population, 213.⁴

Location.—Klamath Reservation is located on the river of that name, which discharges its waters into the Pacific Ocean twenty miles south of Crescent City.⁵ Three or four hundred acres cover all the level

¹ Report of Indian Commissioner, 1886, p. 302. ² *Ibid.*, 1884, p. 256. ³ *Ibid.*, 1875, p. 67. ⁴ *Ibid.*, 1886, p. 394. ⁵ *Ibid.*, 1856, p. 238.

land along the river; they are situated principally at the site of old Fort Terwer, and just opposite on Wakel Flats. Timber is in the greatest abundance and variety, and very fine. From the mouth of the river to Klamath bluffs is a very dense growth of the finest rosewood, which is easy of access.¹

There are no agency statistics for this reservation.

School population, attendance, and support.—Estimated in 1886 at 50. No school provided.

Missionary work.—None reported.

Executive order.

NOVEMBER 10, 1855.

SIR: Referring to your communication of the 8th of August last to the Acting Commissioner of Indian Affairs, advising him of the approval by the President of the United States of the recommendation of the Department that it was expedient to expend the money appropriated on the 3d of March last for removing the Indians in California to two additional military reservations, I have the honor now to make the following report:

On the 15th day of August last the Acting Commissioner inclosed a copy of your letter of the 8th of that month to the superintendent of Indian Affairs in California, with directions to select these reservations from such "tracts of land adapted as to soil, climate, water privileges, and timber, to the comfortable and permanent accommodation of the Indians, which tracts should be unencumbered by old Spanish grants or claims of recent white settlers," limiting the dimensions of the reserves to within 25,000 acres each, and to report to this office a description of their geographical position in relation to streams, mountain ranges, and county lines, etc., and indicating the same upon a map. A copy of that letter is herewith, marked A.² By the last mail from California I have received from Superintendent Thomas I. Henley a report upon this subject, dated the 4th ultimo (a copy of which is herewith, marked B),² by which it appears he recommends as one of the reservations aforesaid "a strip of territory 1 mile in width on each side of the Klamath River for a distance of 20 miles." The superintendent remarks upon the character of the country selected and incloses an extract from a report (also herewith, marked C)² to him of the 19th of June last, by Mr. S. G. Whipple, which contains in some detail a description of the country selected, habits and usages of the Indians, etc., but no map is furnished.

It will be observed from this report of the superintendent that he has deemed it important to continue the employ of an agent and to prepare for raising a crop in order to assure the Indians of the good faith of the Government and to preserve the peace of the country. Considering the great distance of this reserve from the seat of Government and the length of time it necessarily requires to communicate with an agency at the Klamath, it is desirable that some definite action be taken, if practicable, before the sailing of the next steamer, to leave New York on the 20th instant.

I therefore beg leave to ask your attention to the subject, and if you shall be of the opinion from the representations made by the superintendent in California and Mr. Whipple that the selection at the mouth of the Klamath River is a judicious and proper one, that it be laid before the President of the United States for his approval, but with the provision, however, that upon a survey of the tract selected that a sufficient quantity be cut off from the upper end of the proposed reserve to bring it within the limitation of 25,000 acres, authorized by the act of 3d March last.

I inclose also herewith a copy of another letter from Superintendent Henley, of 4th ultimo (marked D)², in which he states, in relation to the other reserve, that it is intended to locate it "between the headwaters of Russian River and Cape Mendocino." In reference to both of these proposed reserves, and as connected with the means to

¹ Report of Indian Commissioner, 1875, p. 67. ² These documents are not printed in this work.

be used to maintain peaceable relations with the Indians, the superintendent is of opinion that it is of great importance to provide for crops, and that to do so an agent in each instance is necessary. As this last-named selection has not been defined by any specific boundaries, and no sufficient description is given as to soil, climate, and suitability for Indian purposes, to enable the Department to determine the matter understandingly, of course nothing definite can now be done. But it may not be improper to consider the subject in connection with the general intent as to the particular locality in which it is proposed to make the location.

The reserve proposed on the Klamath River and Pacific Coast does not appear from the map of the State of California to be very far removed from Cape Mendocino, or a point between that and Russian River; and as provision is made only for two reserves in the State other than those already in operation, the question arises whether it should not be situated farther in the interior or perhaps eastern part of the State than the point referred to. The Noome Lacke Reserve is situated in one of the Sacramento valleys, at about the latitude of 40° north and 122° of longitude west, about the centre of that portion of the State north of the port of San Francisco. As, therefore, the proposed Klamath Reserve, being northwest from the Noome Lacke Reservation, would appear to be adapted to the convenient use of the Indians in that direction, the question is suggested whether the other reserve should not be located farther east and north, say, on the tributaries of either Pitt or Feather Rivers. As in the case of the proposed reserve of the Klamath, I am desirous of obtaining your opinion, and that of the President of the United States, with such decision as may be arrived at under the circumstances, in season to communicate the same by the next California mail, for the government of the action of Superintendent Henley.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,
Commissioner.

HON. R. MCCLELLAND,
Secretary of the Interior.

NOVEMBER 12, 1855.

SIR: I have the honor to submit herewith the report from the Commissioner of Indian Affairs of the 10th instant, and its accompanying papers, having relation to two of the reservations in California for Indian purposes, authorized by the act of 3d March last.

The precise limits of but one of the reservations, viz, a strip of territory commencing at the Pacific Ocean and extending 1 mile in width on each side of the Klamath River, are given, no sufficient data being furnished to justify any definite action on the other.

I recommend your approval of the proposed Klamath Reservation, with the provision, however, that upon a survey of the tract a sufficient quantity be cut off from the upper end thereof to bring it within the limit of 25,000 acres authorized by law.

Respectfully, your obedient servant,

R. MCCLELLAND,
Secretary.

The PRESIDENT.

Let the reservation be made, as proposed.

FRANKLIN PIERCE.

NOVEMBER 16, 1855.

*Mendocino Reservation.*¹

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
April 16, 1856.

SIR: Referring to the report I had the honor to submit for your consideration on the 10th of November last, relative to the establishment of a military reservation for the

¹ Report of Indian Commissioner, 1856, pp. 302, 304.

benefit of the Indians of northern California, upon both sides of the Klamath River, from its mouth the distance of 20 miles up the same; and to the remarks then made upon the subject of establishing a third similar reservation as proposed by the superintendent of Indians affairs in California, at Cape Mendocino, or at some point between that place and Russian River, or, as appeared to this office at that time more expedient, farther in the interior and easterly part of the State, I have now respectfully to call your attention again to the subject, and to submit for your consideration the following documents:

* * * * *

From these documents it appears that the section between the Noyo River on the south and Bee-da-loe or Hale Creek on the north, extending from the coast on the west to the Coast Mountains, combines advantages which are not to be found in any of the other locations examined, reference being had to the purposes for which it is required and to the habits and necessities of the Indians.

* * * * *

The tract intended for the reservation lies between the south bank of the Noyo River, so as to include that river, and a point 1 mile north of the mouth of Hale or Bee-da-loe Creek, extending eastward from the coast for quantity so as to include the valleys beyond the first range of hills to the Coast Mountains, conforming to their shape. Its geographical position is in Mendocino County, about 170 miles from San Francisco, and 80 miles south of Cape Mendocino, 70 miles northwest of Clear Lake, and about 180 miles from Sacramento City.

It is proposed to embrace within the limits of the reservation 25,000 acres of land.

* * * * *

If upon an examination of the subject you shall come to a similar conclusion, I have respectfully to request that the proposition may be laid before the President of the United States for his approval, and that the superintendent may be enabled to carry out with him, on his return to his post by the steamer of the 20th instant, such decision as may be made in the premises.

Very respectfully, your obedient servant,

GEORGE W. MANYPENNY,
Commissioner.

Hon. R. McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, April 17, 1856.

SIR: I have the honor to submit herewith a report from the Commissioner of Indian Affairs of the 16th instant, and accompanying papers, in relation to the establishment of a military reserve of land for Indians in California, authorized by act of Congress of the 3d of March, 1855.

The tract of country, containing about 25,000 acres, proposed to be selected is in Mendocino County, and fully described in the papers accompanying the Commissioner's report.

Concurring with the Commissioner in his views of the matter, I recommend your approval of the proposed reservation.

I am, sir, with great respect, your obedient servant,

R. McCLELLAND, *Secretary.*

MAY 22, 1856.

Let the proposed reservation within referred to be made as recommended in letter of Secretary of the Interior of April 17, 1856.

FR. PIERCE.

(Restored to the public domain by the sixth section of the act of Congress approved July 27, 1868, 15 Stats., 223.)

*Smith River Reserve.*¹DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

April 9, 1862.

SIR: I have the honor to submit for your consideration a report from Agent Hanson, of February 14, and also his letter, with accompanying papers, of February 23, 1862, relative to the destruction by flood of the Klamath Reservation in California, and the selection of a new reservation in the Smith River Valley, with a map thereof as submitted by him.

The report having already been submitted to the Senate Committee on Indian Affairs, and understood to meet their approval, I would respectfully recommend, should it meet with your concurrence, that the President be requested to cause such portions of the proposed reservation as have been proclaimed for sale, and are not included in the purchases made by Agent Hanson from individuals, to be withdrawn from sale, and that the local land office be instructed to respect the same as an Indian reservation until otherwise ordered.

Very respectfully, your obedient servant,

WM. P. DOLE,
Commissioner.

Hon. CALEB B. SMITH,
Secretary of the Interior.

[Indorsement.]

The lands embraced in the proposed reservation may be withdrawn from sale for the present.

C. B. SMITH.

MAY 3, 1862.

The lands referred to were in townships 17, 18, and 19, lying upon the Pacific Ocean, in Del Norte County. This reserve was discontinued by act of Congress approved July 27, 1868 (15 Stats., 221).

MISSION AGENCY.

[Post-office address: Colton, Cal.]

MISSION RESERVATIONS.

How established.—By executive orders, December 27, 1875; May 15, 1876; May 3, August 25, September 29, 1877; January 17, 1880; March 2, March 9, 1881; June 27, July 24, 1882; February 5, June 19, 1883; January 25, March 22, 1886.

Area and survey.—Contains 161,217 acres;² tillable acres not reported. Not surveyed. Three thousand dollars appropriated in 1885 for resurveying and marking.

Acres cultivated.—The Indians have under cultivation 5,200 acres.³

Tribes and population.—The tribes living here are the Coahuila, Diegenes, San Luis Rey, Serranos, and Temecula.² Total population, 3,096.⁴

Location.—At least two-thirds of the whole number live in San Diego County; nearly all the remainder in the county of San Bernardino, and a small number in Los Angeles County. They live in about twenty villages, generally on reservations, the nearest being about 30 miles and the farthest about 120 miles from the agency at San Bernar-

¹ Report of Indian Commissioner, 1886, p. 312. ² *Ibid.*, 1884, p. 256. ³ *Ibid.*, p. 304. ⁴ *Ibid.*, 1886, p. 392.

dino.¹ Here and there lands have been reserved for the Mission Indians, but its character is such that very little of it is of any practical use, and very few comparatively are living on the land so reserved.²

Government rations.—Two per cent of these Indians subsisted by Government rations in 1886.³

*School population, attendance, and support.*⁴

Schools in 1886.	Accommodation.	Months in session.	Average attendance.	Cost to Government.
Protrero Day	35	10	15	\$720
Mesa Grande Day	40	1	14	60
San Jacinto Day	40	10	26	720
Pauma Day	40	6	10	360
Coahuila Day	40	10	20	720
Santa Ysabel Day	30	2	20	90
Agua Caliente Day No. 1	50	10	25	720
Agua Caliente Day No. 2	30	10	11	720
Temecula Day	30	10	20	720
La Jolla Day	48	10	28	720
Rincon Day	50	10	31	660

Total school population in 1886, 800.

Missionary work.—The missionary work performed during the year was by the school teachers, with occasional, but few, church services by the Roman Catholics.⁵

*Mission Indian Reserves.*⁶

DEPARTMENT OF THE INTERIOR,

January 27, 1870.

To the PRESIDENT:

The accompanying papers are respectfully submitted to the President, with the request that the following lands in California be set apart as reservations for the Mission Indians in the southern portion of that State, being the San Pasqual and Pala Valleys, and recommended by the Commissioner of Indian Affairs, viz: Townships 12 and 13 south, of ranges 1 east and 1 west, of the San Bernardino meridian, and township 9 south, of ranges 1 and 2 west, of the San Bernardino meridian.

With great respect, your obedient servant,

J. D. COX, *Secretary.*

January 31, 1870.

Let the lands designated in the foregoing letter of the Secretary of the Interior be set apart as reservations for Indian purposes, as therein recommended.

U. S. GRANT.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

Washington, D. C., February 13, 1871.

SIR: I have the honor to call your attention to a report from this office, dated January 15, 1870, in which was inclosed a letter from J. B. McIntosh, brevet major-general U. S. Army, and superintendent of Indian affairs for California, dated December 27, 1869, and report of Lieut. A. P. Greene, U. S. Army, agent for Mission Indians in southern California, dated Los Angeles, Cal., December 16, 1869, recommending that San Pasqual and Pala Valleys, in southern California, be set apart as reservations for the Mission Indians of said State.

In my report, above referred to, I recommend that the following described lands

¹ Report of Indian Commissioner, 1884, p. 12. ² *Ibid.*, 1879, p. 13. ³ *Ibid.*, 1886, p. 412. ⁴ *Ibid.*, p. lxxxviii. ⁵ *Ibid.*, 1884, p. 14. ⁶ *Ibid.*, 1886, pp. 304-8.

should be set apart for said reservations, viz: Townships 12 and 13 south, of ranges 1 east and 1 west, and township 9 south, of ranges 1 and 2 west, of the San Bernardino meridian, California.

My recommendation, meeting with the approval of the Secretary of the Interior, was forwarded to the President, who, on the 31st of January, 1870, ordered that the above designated lands should be set apart as reservations for Indian purposes.

It appears from the papers transmitted herewith that the citizens of San Diego County protest against the order of the President setting apart said lands for Indian reservations; that the Indians are unanimously opposed to going on said reservations; that citizens have made valuable improvements thereon, and that there are but few Indians on the lands set apart as aforesaid; that recent gold discoveries have attracted a large immigration thither; and the opinion of the press, together with other evidence, would indicate that it would be for the best interests and welfare of the Indians, as well as others, that the order of the President setting apart said lands for Indian purposes should be rescinded.

In view of these facts I would therefore respectfully recommend that the order of the President be revoked, and that the aforesaid reservations be again restored to the public domain.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

[First indorsement.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
February 15, 1871.

Commissioner transmits papers in reference to San Pasqual and Pala Valley Reservations in southern California, and recommends that the order of the President setting apart the same be revoked and the lands restored to the public domain.

[Second indorsement.]

DEPARTMENT OF THE INTERIOR,
February 17, 1871,

The within recommendation of the Commissioner of Indian Affairs is respectfully submitted to the President, with the request that the order of the Executive for the restoration to the public domain of the lands referred to be given.

C. DELANO,
Secretary of the Interior.

Approved, February 17, 1871.

U. S. GRANT.

Executive orders by Presidents Grant, Hayes, and Arthur.

December 27, 1875.—It is hereby ordered that the following-described lands (San Bernardino base and meridian) in the county of San Diego, Cal., viz:

Protero, including Rincon, Gapich, and La Joya, township 10 south, range 1 east, sections 16, 23, 25, 26, 30, 31, 32, 33, 34, 35, 36, and fractional sections 17, 18, 19, 20, 21, 22, 27, 28, and 29;

Coahuila, township 7 south, range 2 east, sections 25, 26, 27, 28, 33, 34, 35, and 36; township 7 south, range 3 east, sections 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35; township 8 south, range 2 east, sections 1, 2, 3, and 4; township 8 south, range 3 east, sections 2, 3, 4, 5, and 6;

Capitan Grande, township 14 south, range 2 east, sections 25, 26, 27, 34, 35, and 36; township 14 south, range 3 east, sections 31 and 32; township 15 south, range 2 east, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10; township 15 south, range 3 east, sections 5 and 6;

Santa Ysabel, including Mesa Grande, township 11 south, range 2 east, south half of section 21, northwest quarter, and east half of section 28, and sections 25, 26, and 27;

township 11 south, range 3 east, sections 25, 26, 27, 28, 33, 34, 35, 36, and fractional sections 29, 30, and 32; township 12 south, range 2 east, sections 3, 10, 14, 15, and fractional section 13; township 12 south, range 3 east, sections 1, 2, 12, and fractional sections 3, 4, 10, 11, 13, and 14;

Pala, township 9 south, range 2 west, northeast quarter of section 33, and north half of the north half of 34;

Agua Caliente, township 10 south, range 3 east, southeast quarter of section 23, southwest quarter of 24, west half of 25, and east half of 26;

Sycuan, township 16 south, range 1 east, section 13;

Inaja, township 13 south, range 3 east, northeast quarter of section 35;

Cosmit, township 13 south, range 3 east, north half of northeast quarter of section 25—

Be, and the same are hereby, withdrawn from sale, and set apart as reservations for the permanent use and occupancy of the Mission Indians in Lower California.

May 15, 1876.—It is hereby ordered that the following-described lands in San Bernardino County, Cal., viz:

Portrero, township 2 south, range 1 east, section 36;

Mission, township 2 south, range 3 east, sections 12, 13, and 14;

Agua Caliente, township 4 south, range 4 east, section 14, and east half of southeast quarter and northeast quarter of section 22;

Torros, township 7 south, range 7 east, section 2;

Village, township 7 south, range 8 east, section 16;

Cabezons, township 7 south, range 9 east, section 6;

Village, township 5 south, range 8 east, section 19;

Village, township 5 south, range 7 east, section 24—

Be, and the same hereby are, withdrawn from sale, and set apart as reservations for the permanent use and occupancy of the Mission Indians in southern California, in addition to the selections noted and reserved under Executive order dated 27th December last.

May 3, 1877.—It is hereby ordered that the following lands, situate in California, viz: Township 10 south, range 1 east, sections 16 and 36, San Bernardino; township 7 south, range 2 east, section 36; township 14 south, range 2 east, section 36; township 11 south, range 3 east, section 36; township 9 south, range 2 west, north half of northeast quarter, section 33, being lands withdrawn from the public domain for the Mission Indians by President's order of December 27, 1875; also, the following: Township 2 south, range 1 east, section 36; township 7 south, range 8 east, section 16, being lands withdrawn by President's order of May 15, 1876, for the same purpose,—be, and the same are hereby, restored to the public domain.

August 25, 1877.—It is hereby ordered that the following lands in California, to wit: All the even-numbered sections and all the unsurveyed portions of township 2 south, range 1 east; township 2 south, range 2 east; township 3 south, range 1 east; and township 3 south, range 2 east, San Bernardino meridian, excepting sections 16 and 36, and excepting, also, all tract or tracts the title to which has passed out of the United States Government,—be, and the same hereby are, withdrawn from sale and settlement, and set apart as a reservation for Indian purposes.

September 29, 1877.—It is hereby ordered that the following-described lands in California, to wit: All the even-numbered sections and all the unsurveyed portions of township 4 south, range 4 east; township 4 south, range 5 east, and township 5 south, range 4 east, San Bernardino meridian, excepting sections 16 and 36, and excepting also any tract or tracts the title to which has passed out of the United States Government,—be, and the same are hereby, withdrawn from sale and settlement, and set apart as a reservation for Indian purposes for certain of the Mission Indians.

January 17, 1880.—It is hereby ordered that so much of the order of December 27, 1875, as relates to the Agua Caliente Indian Reservation in California be, and the same is hereby, cancelled.

It is also hereby ordered that said order of December 27, 1875, so far as the same

relates to the Santa Ysabel Indian Reservation, be, and the same is hereby, cancelled to the following extent, viz :

All that portion of sections numbered 25, 26, and 27, township 11 south, range 3 east, lying north of the following line, viz : Beginning on the north boundary line of section 25, township 11 south, range 3 east, of San Bernardino meridian, at a point 51.59 chains west of the northeast corner of said section 25; thence according to the true meridian south $25\frac{1}{2}^{\circ}$ west, 56.50 chains, to a granite stone marked "P," at the north side of a granite boulder 8 feet high; thence south 74° west, 34.60 chains, to a black oak marked "Pxxi"; thence north 56° west, 52 chains, to a granite stone marked "P" in stone mound; thence north 39° west, 40.46 chains, to a point on the north boundary of section 27; thence east along the north boundaries of sections 27, 26, and 25, of township 11 south, range 3 east, to the place of beginning.

March 2, 1881.—It is hereby ordered that the following-described lands in California, viz : sections 26 and 35, in township 10 south, of range 1 west, and sections 2 and 3, in township 11 south, of range 1 west, of the San Bernardino meridian, be, and the same are hereby, withdrawn from sale and set apart as a reservation for the permanent use and occupancy of the Mission Indians in California: *Provided*, That this withdrawal shall not affect any existing valid adverse rights of any party.

March 9, 1881.—It is hereby ordered that all the unsurveyed portions of township 2 south, range 1 east, San Bernardino meridian, California, excepting any tract or tracts the title to which has passed out of the United States Government, be, and the same are hereby, withdrawn from sale and settlement, and set apart as a reservation for Indian purposes.

June 27, 1882.—It is hereby ordered that the following-described lands, situated and lying in the State of California, viz : sections numbered 26, 27, 28, 34, and 35, in township numbered 8 south, of range numbered 2 west, of the San Bernardino meridian, be, and the same are hereby, withdrawn from sale and settlement, and set apart for Indian purposes: *Provided, however*, That any tract or tracts the title to which has passed out of the United States or to which valid legal rights have attached under existing laws of the United States providing for the disposition of the public domain, are hereby excluded from the reservation hereby created.

July 24, 1882.—It is hereby ordered that the Executive order dated December 27, 1875, setting aside certain described lands in the State of California for the use and occupancy of the Mission Indians be, and the same hereby is, cancelled so far as relates to the northwest quarter of the northeast quarter and the northeast quarter of the northwest quarter of section 34, township 9 south, range 2 west, of the San Bernardino meridian.

EXECUTIVE MANSION, February 5, 1883.

It is hereby ordered that the following lands, situate in California, viz : the southeast quarter of the northeast quarter, the north half of the southeast quarter, and the southeast quarter of the southeast quarter of section 3, township 12 south, range 2 east, of San Bernardino meridian, being lands withdrawn from the public domain for the Mission Indians by Executive order of December 27, 1875,—be, and the same are hereby, restored to the public domain.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, June 19, 1883.

It is hereby ordered that the following-described lands, situate in the State of California, San Bernardino base and meridian, viz : section 28, the northeast quarter of the northeast quarter, and lots 1, 2, 3, 4, and 5, of section 31; the north half, the southeast quarter, the northeast quarter of the southwest quarter, and lots 1 and 2 of section 32, and the north half of section 33, township 4 south, range 1 east; section 2, the south half of section 3, the fractional south half of section 4, the fractional north half of section 10, and the fractional northeast quarter of section 9, township 5 south, range 1 east; the east half of the southeast quarter of section 8, and the

southwest quarter of the southwest quarter of section 9, township 12 south, range 2 east, and sections 10, 11, 14, 15, 22, 23, 28, and 33, township 14 south, range 2 east,—be, and the same are hereby, withdrawn from sale and set apart for the permanent use and occupation of the Mission Indians in the State of California: *Provided*, That this withdrawal shall not affect any existing valid rights of any party.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January 25, 1886.*

It is hereby ordered that the Executive order dated June 27, 1882, setting aside certain described lands in the State of California for Indian purposes, be, and the same is hereby, cancelled, so far as relates to lot 2 in section 28, township 8 south, range 2 west, of the San Bernardino meridian.

GROVER CLEVELAND.

EXECUTIVE MANSION, *March 22, 1886.*

It is hereby ordered that the Executive order dated June 19, 1883, setting apart certain described lands in the State of California for Indian purposes, be, and the same is hereby, cancelled so far as relates to east half southeast quarter, northwest quarter southeast quarter, and southwest quarter northeast quarter, and southwest quarter southeast quarter, southeast quarter southwest quarter, northeast quarter southwest quarter, and southeast quarter northwest quarter, section 28, township 4 south, range 1 east, San Bernardino meridian.

GROVER CLEVELAND.

ROUND VALLEY AGENCY.

[Post-office address: Covelo, Mendocino County, Cal.]

ROUND VALLEY RESERVATION.

How established.—By act of Congress, April 8, 1864, and March 3, 1873; and executive orders, March 30, 1870; April 8, 1873; May 18, 1875; July 26, 1876.

Area and survey.—102,118 acres, of which 2,000 are classed as tillable.¹ Out-boundaries surveyed.

Acres cultivated.—Five hundred and forty acres cultivated by the Indians in 1884.²

Tribes and population—The tribes living here are the Konkau, 154; Little Lake, 165; Pitt River, 23; Potter Valley, 10; Redwood, 32; Wailakki and Yuki, 215;³ total population, 599.⁴

Location.—This reservation is in the northeastern portion of Mendocino County. By actual survey there are 102,118.19 acres included within its boundaries. Deduct from this 3,600 acres of school and other lands, patents to which had been obtained before the change of the boundaries in 1873; 1,080 acres claimed as swamp lands; and 90,000 acres of grazing lands in the possession and use of settlers who have never been paid for their improvements. Of the remaining 7,438 acres, 4,938 are rough and mountainous, and 2,500 lying in the valley are capable of cultivation.⁵

¹ Report of Indian Commissioner, 1884, p. 304. ² *Ibid.* ³ *Ibid.*, 1884, p. 256.
⁴ *Ibid.*, p. 284. ⁵ *Ibid.*, 1880, p. 8.

Government rations.—Twenty-five per cent. of the Indians were subsisted by Government rations in 1886.¹

Mill and employes.—The saw and grist mill was started in 1864. Indian apprentices have worked at carpentering, blacksmithing, milling, herding, and office work.

Indian police.—None reported.

Indian court of offences.—Established in 1883.

*School population, attendance, and support.*²

The school population estimated in 1886 as	145
Accommodations (headquarters) day school.....	40
Accommodations (lower quarters) day school.....	80
Average attendance (headquarters) day school.....	34
Average attendance (lower quarters) day school.....	40
In session (months).....	12
Cost to Government (headquarters).....	\$780.00
Cost to Government (lower quarters).....	780.00

Missionary work.—The Baptist Church has charge, aided by the Woman's National Indian Association.

*Round Valley (Nome Cult) Reserve.*³

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

November 18, 1858.

SIR: * * * In accordance to your recommendation the Secretary of the Interior has directed that the entire Nome Cult Valley shall be retained as a reservation, and you are required, immediately after the receipt of this letter, to give public notice to that effect.

* * * * *
Very respectfully, etc.,

J. W. DENVER,
Commissioner.

THOMAS I. HENLEY, Esq.,
Superintendent, etc., San Francisco, Cal.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

January 6, 1860.

SIR: I have to acknowledge the receipt of your letter of the 31st ultimo, inclosing a diagram indicating the public surveys in Round Valley, California, together with accompanying papers pertaining to allegations respecting an Indian reservation in that valley; and in reply to your inquiry in relation to evidence of the existence of a reserve in that locality, I herewith inclose a copy of a letter from this Office to late Superintendent Henley, of November 18, 1858, from which you will perceive that by order of the Secretary of the Interior the entire valley of Nome Cult, designated by you as the Round Valley, was set apart and reserved for Indian purposes, and Mr. Henley was directed to give public notice to that effect.

In regard to the alleged statement of late Superintendent Henley to Deputy Surveyor Hatch, that he had appropriated a portion of said valley for an Indian farm, but that the same had never been recognized by the Government, I would remark that said valley was selected for Indian purposes by Mr. Henley in 1856; and Special Agent A. P. Storms gave it the name of Nome Cult, under the impression that he was

¹ Report of Indian Commissioner, 1886, p. 412. ² *Ibid.*, p. lxxxviii. ³ *Ibid.*, pp. 308-12.

the first discoverer of a new valley. An Indian farm was then established at that point under his supervision, which has been cultivated and improved at the expense of the Government from that period to the present time, and is still held for Indian use.

There is a letter on file here, dated May 7, 1858, from the then superintendent, Henley, in which he makes use of the following language in regard to the Nome Cult farm :

"This farm seems in a prosperous condition, and bids fair, in my judgment, to become the best location for the subsistence of Indians we have yet selected."

Again, in a letter of the 28th of February last, he called attention to intrusions upon the rights of Indians in this valley, and inclosed, for the information of this Office, a copy of a letter from Special Agent Storms, in charge of the "Round Valley farm."

These facts are deemed sufficient to show that the Round Valley has been set apart and recognized by the Department for an Indian reservation; and I have to request that you will respect the same upon the books of your office, and notify the local office in California accordingly.

Very respectfully, your obedient servant,

A. B. GREENWOOD,
Commissioner.

JOSEPH S. WILSON, Esq.,
Acting Commissioner General Land Office.

(June 21, 1860, the General Land Office transmitted to this office plat of a survey of the boundaries of this reserve, certified by the surveyor-general of California May 4, 1860, which showed the reserve as surveyed at that time to be situated in townships 22 and 23 north, of ranges 12 and 13 west of Mount Diablo meridian, California, and to embrace 25,030.08 acres.)

(For act of Congress April 8, 1864, see preceding pages, under California.)

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 30, 1870.

SIR: I have the honor to transmit herewith a communication, dated the 4th instant, from the Commissioner of Indian Affairs, and accompanying papers, map, etc., recommending the enlargement of Round Valley Indian Reservation, in Mendocino County, Cal., to the extent indicated by the Commissioner and as delineated on the said map.

I concur with the Commissioner in the opinion that the Indian service in California requires that all of "Round Valley" be reserved for Indian purposes, and have the honor to request that said valley be set apart as an Indian reservation as the same is enlarged, in accordance with the report of Superintendent McIntosh, plat, field-notes, and schedule of lands, marked A, B, and C, which are herewith inclosed.

With great respect, your obedient servant,

J. D. COX,
Secretary.

[Inclosure B.]

OFFICE OF THE SUPERINTENDENT OF INDIAN AFFAIRS, CALIFORNIA,
San Francisco, February 18, 1870.

SIR: I have the honor to inclose to you the field-notes of the recent survey of the Round Valley Indian Reservation. I also forward a proposed description of lands to be set apart for an Indian reservation at Round Valley, Mendocino County, Cal.

* * * * *

I am, sir, very respectfully, your obedient servant,

J. B. MCINTOSH,
Bvt. Maj. Gen., U. S. A., Supt. of Indian Affairs.

Hon. E. S. PARKER,
Commissioner of Indian Affairs.

[Inclosure C.—Proposed description of lands to be reserved for Indian purposes in Round Valley, Mendocino County, Cal.]

All that piece or tract of land situated in Round Valley, Mendocino County, Cal., being a portion of the four townships hereinafter mentioned, namely:

Townships 22 and 23 north, range 12 west, and 22 and 23 north, range 13 west, Mount Diablo meridian, and contained within the boundaries hereinafter described.

Beginning at a white-oak post the southeast corner section 23, township 23 north, range 13 west, Mount Diablo meridian; thence south $72^{\circ} 22'$ west for 5,330 feet (magnetic variation $17^{\circ} 38'$ east), to a white-oak post; thence south for 3,154 feet, to a white-oak post in stone mound; thence south 23° east for 2,073 feet, to a white-oak post; thence south $7^{\circ} 35'$ east for 4,491 feet, to a white-oak post; thence south $37^{\circ} 25'$ east for 13,324 feet, to a white-oak post on rock mound; thence south $41^{\circ} 40'$ east for 4,763 feet, to an oak post in rock mound; thence south $71^{\circ} 20'$ east for 2,845 feet, to an oak post; thence south $20^{\circ} 30'$ east for 4,098 feet, to black-oak tree blazed on four sides 4 feet from the ground; thence south $80^{\circ} 15'$ east for 2,730 feet, to a pine tree 100 feet in height, bushy top, blazed as above; thence south $53^{\circ} 10'$ east for 937 feet, to a pine tree 20 inches in diameter, forked 10 feet above ground, blazed as above; thence south $45^{\circ} 10'$ east for 2,333 feet, to a black-oak tree 30 inches in diameter, blazed as above; thence south $72^{\circ} 58'$ east for 9,120 feet, to an oak post on high knoll; thence north $39^{\circ} 33'$ east for 4,627 feet, to a white-oak tree 30 inches in diameter, blazed as above; thence north $29^{\circ} 30'$ east for 2,485 feet, to a pine tree 30 inches in diameter, blazed as above; thence north $16^{\circ} 42'$ east for 3,209 feet, to a black-oak tree 32 inches in diameter, and blazed as above; thence north $51^{\circ} 40'$ east for 3,797 feet, to a white-oak tree 15 inches in diameter, and blazed as above; thence north $23^{\circ} 32'$ east for 3,053 feet, to a white-oak tree 10 inches in diameter, and blazed as above; thence north $7^{\circ} 35'$ east for 6,150 feet, to a white-oak tree 20 inches in diameter, and blazed as above; thence north $48^{\circ} 40'$ east for 1,088 feet, to a pine tree 30 inches in diameter, and blazed as above; thence north 15° east for 719 feet, to a pine tree 20 inches in diameter, and blazed as above; thence north $71^{\circ} 25'$ east for 962 feet, to a forked black-oak 20 inches in diameter, and blazed as above; thence north $0^{\circ} 15'$ east for 13,930 feet, to a white-oak 30 inches in diameter, and blazed as above; thence north $53^{\circ} 45'$ west for 1,678 feet, to a pine tree 15 inches in diameter, and blazed as above; thence north $45^{\circ} 25'$ west for 4,616 feet, to a white-oak tree 40 inches in diameter, and blazed as above; thence north $76^{\circ} 55'$ west for 3,935 feet, to a white-oak tree 22 inches in diameter, and blazed as above; thence north $81^{\circ} 45'$ west for 5,670 feet, to a black-oak tree 20 inches in diameter, and blazed as above; thence north $89^{\circ} 15'$ west for 1,874 feet, to a pine tree 35 inches in diameter, and blazed as above; thence north $83^{\circ} 15'$ west for 849 feet, to a pine tree 40 inches in diameter, and blazed as above; thence north $71^{\circ} 15'$ west for 1,257 feet, to a pine tree 30 inches in diameter, and blazed as above; thence north $60^{\circ} 40'$ west for 1,337 feet, to a pine tree 28 inches in diameter, and blazed as above; thence north $52^{\circ} 25'$ west for 1,530 feet, to a pine tree 30 inches in diameter, and blazed as above; thence north $64^{\circ} 40'$ west for 5,525 feet, to a pine tree 35 inches in diameter, and blazed as above; thence south $78^{\circ} 30'$ west for 604 feet, to a pine tree 30 inches in diameter, and blazed as above; thence north $84^{\circ} 35'$ west for 3,357 feet, to a pine tree 9 inches in diameter, and blazed as above; thence north $71^{\circ} 40'$ west for 3,103 feet, to a pine tree 40 inches in diameter, and near a boulder, and blazed as above; thence north $87^{\circ} 35'$ west for 4,482 feet, to a black-oak tree 40 inches in diameter, and blazed as above; thence south $66^{\circ} 20'$ west for 2,423 feet, to a pine tree 60 inches in diameter, and blazed as above; thence south $3^{\circ} 37'$ east for 3,314 feet, to a manderone tree 40 inches in diameter, and blazed as above; thence south $34^{\circ} 10'$ west for 9,170 feet, to a white-oak tree 30 inches in diameter, and blazed as above; thence south $23^{\circ} 10'$ west for 1,768 feet, to a white-oak tree 50 inches in diameter, and blazed as above; thence south $16^{\circ} 50'$ west for 734 feet, to a pine tree 40 inches in diameter, and blazed as above; thence south $35^{\circ} 40'$ west for 993 feet, to a double pine tree 60 inches by 25 inches at butt,

and blazed as above; thence south $0^{\circ} 25'$ west for 409 feet, to a pine tree 32 inches in diameter, and blazed as above; thence south $61^{\circ} 15'$ east for 1,046 feet, to a pine tree 40 inches in diameter, and blazed as above; thence north $48^{\circ} 14'$ east for 1,347 feet, to a white-oak tree 30 inches in diameter, and blazed as above; thence north $41^{\circ} 50'$ for 1,043 feet, to a white-oak tree 25 inches in diameter, and blazed as above; thence north $32^{\circ} 40'$ east for 735 feet to point of beginning.

The total length of said boundary being 31 miles and 1,039 feet, and including an area of 31,683 acres; said tract of land being more minutely described in the field-notes and plat of the survey of said tract executed in December, 1869, and January, 1870, under the superintendence of Bvt. Maj. Gen. John B. McIntosh, U. S. Army, by Brevet Second Lieut. R. U. Vazaro, Corps of Engineers, U. S. Army.

WASHINGTON, D. C., *March 30, 1870.*

I hereby order that "Round Valley," in Mendocino County, Cal., be set apart as an Indian reservation, in accordance with the recommendation of the Secretary of the Interior, as the same is delineated on the map accompanying his letter of the 30th March, 1870.

U. S. GRANT.

AN ACT to restore a part of the Round Valley Indian Reservation in California to the public lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the Indian reservation in Round Valley, California, which lies south of the township line running east and west between townships twenty-two and twenty-three north, of ranges twelve and thirteen west of the Mount Diablo meridian, be, and the same is hereby, restored to the public lands of the United States, and the Secretary of the Interior shall cause the same to be surveyed and offered for sale in legal subdivisions at not less than one dollar and twenty-five cents per acre: *Provided,* That the improvements owned by persons on the lands hereby restored before the passage of this act shall be the sole property of such persons, who shall have priority of right to purchase not exceeding three hundred and twenty acres of land in adjacent quarter-sections, containing and adjoining said improvements, and all said lands shall be sold and disposed of for cash only, the same to be done through the local land office within the jurisdiction of which these lands are situated: *And provided further,* That the proceeds of the sale of the lands hereby restored, or so much thereof as may be necessary, shall be used to pay for the improvements and claims of settlers now residing within the limits of the new reservation created under this act and for improvements of Indians on lands hereby restored to the public lands, after such improvements shall have been appraised and the appraisal approved, as hereinafter provided.

SEC. 2. That said township line between townships twenty-two and twenty-three north, extending from the middle fork of Eel River on the east to Eel River on the west, shall hereafter be the southern boundary of the Indian reservation in Round Valley; and the centre of the middle fork of Eel River shall be the eastern boundary, and the centre of Eel River shall be the western boundary of said reservation, with the privilege of fishing in said streams. And the Secretary of the Interior is hereby authorized and directed to appoint three commissioners who shall proceed to make an examination of the country in that locality, and report their views in regard to where the northern line of this reservation should be located; they shall also make an appraisal of all improvements of white persons north of said southern boundary of the reservation, as established by this section of this act, within the limits proposed by them for a reservation, and of all Indians south of said line, and report the same to the Secretary of the Interior, who shall cause the same to be paid to such settlers or Indians out of the money hereinbefore reserved for such purpose.

SEC. 3. That immediately after the passage of this act the President shall cause to be withdrawn from sale or entry under the homestead and pre-emption laws all the land lying north of the southern boundary of the reservation as herein defined, and bounded north by the Eel River and the north fork of said river, east by the middle fork, and west by Eel River; and the report of said commission fixing the north boundary of said reservation shall have been approved; and all settlers now residing upon the tract herein described lying north of the south boundary of the said reservation shall be required to remove therefrom as soon as they shall be paid for or tendered the amount of the appraised value of their improvements.

SEC. 4. That there shall hereafter be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of five thousand dollars, or so much thereof as may be necessary, for the purposes of defraying the expenses of the commission provided for in this act.

Approved, March 3, 1873.¹

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
March 29, 1873.

SIR: I have the honor to invite your attention to the terms of an act of Congress approved March 3, 1873, entitled "An act to restore a part of the Round Valley Indian Reservation in California to the public lands, and for other purposes."

Section 2 of said act provides "that said township line between townships 22 and 23 north, extending from the middle fork of Eel River on the east to Eel River on the west, shall hereafter be the southern boundary of the Indian reservation in Round Valley, and the centre of the middle fork of Eel River shall be the eastern boundary, and the centre of Eel River shall be the western boundary of said reservation, with the privilege of fishing in said streams."

Section 3 of the same act further provides "that immediately after the passage of this act the President shall cause to be withdrawn from sale or entry under the homestead and pre-emption laws all the land lying north of the southern boundary of the reservation as herein defined, and bounded north by the Eel River and the north fork of said river, east by the middle fork, and west by Eel River." * * *

In compliance with the provisions of said act, I have the honor to recommend that the President be requested to issue his order, directing that the tract of country described in said section 3 thereof be withdrawn, and reserved from sale or entry as public lands until after the report of the commissioners appointed to fix the northern boundary of said reservation shall have been received and approved.

Very respectfully, your obedient servant,

H. R. CLUM,
Acting Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., April 8, 1873.

SIR: I have the honor to hand you herewith a letter dated the 29th ultimo, from the Acting Commissioner of Indian Affairs, wherein it is recommended that an order be issued by the Executive directing that the tract of country described in the third section of the act approved March 3, 1873, entitled "An act to restore a part of the Round Valley Indian Reservation in California to the public lands, and for other purposes," be withdrawn and reserved from sale and entry as public land until the report of the commissioners appointed under said act to fix the northern boundary of said reservation, etc., shall have been received and action had thereon.

¹ United States Statutes at Large, Vol. XVII, p. 633.

The recommendation of the Acting Commissioner is approved, and I have respectfully to request that an order may be issued setting apart the lands referred to for the purpose named.

I have the honor to be, sir, your obedient servant,

C. DELANO,
Secretary.

To the PRESIDENT.

EXECUTIVE MANSION, *April 8, 1873.*

Let the lands described in the third section of the act of 3d March, 1873, for the restoration to market of a part of the Round Valley Indian Reservation in California, be withdrawn from sale and entry, as recommended in the within letter of the Honorable the Secretary of the Interior of this date.

U. S. GRANT.

EXECUTIVE MANSION, *May 18, 1875.*

Whereas an act of Congress entitled "An act to restore a part of the Round Valley Indian Reservation in California to the public lands, and for other purposes," approved March 3, 1873 (Statutes at Large, Vol. XVII, p. 633), defines the south, east, and west boundaries of said reservation, and authorizes and directs the Secretary of the Interior to appoint a commission to report its north boundary, and said commission having made their report, which was approved by the Secretary of the Interior August 4, 1874, I hereby order and proclaim the following as the boundaries of the Round Valley Indian Reservation in California, conformable to said act of Congress, viz:

Beginning for the same at a point in section 36 of township 23, range 12 west, Mount Diablo meridian, where the township line crosses Eel River, being at a point about 80 rods west of the southeast corner of said township and section; thence following the courses of Eel River up said stream, in the centre thereof, to a point where the same is intersected by a stream known as Williams Creek or Bland Mountain Creek; thence following up the centre of said creek to its extreme northern source on the ridge dividing the waters of said creek from the waters of Hall's Cañon or Creek, a tributary to the north fork of Eel River, at the foot of Bland Mountain, crossing said dividing ridge at a point on a line where a small white-oak tree and a cluster of arbor-vitæ trees are branded with the letters "U. S. R.;" thence in a direct line to the centre of said Hall's Cañon or Creek; thence following down the centre of the same to its intersection with the north fork of Eel River; thence down the centre of said north fork to its intersection with the main fork; thence following up the main fork of the Eel River, in the centre thereof, where the township line between townships 22 and 23 north, range 13 west, would intersect said river if produced; thence east along said township line through ranges 13 and 12, to the place of beginning.

U. S. GRANT.

EXECUTIVE MANSION, *July 26, 1876.*

The military reservation in California known as Camp Wright, embracing the west half of section 1 and east half of section 2, township 22 north, range 13 west, and containing 1 mile square of land, be the same more or less, having been, with its buildings, improvements, etc., relinquished by the War Department, the Executive order of April 27, 1869, creating said military reservation was revoked and the said tract of land, with its buildings, improvements, etc., withheld from public sale and reserved for the use and occupancy of the Indians located on the Round Valley Reservation, as an extension thereof, until otherwise ordered.

U. S. GRANT.

TULE RIVER AGENCY.

[Post-office address: Porterville, Tulare County, Cal.]

TULE RIVER RESERVATION.

How established.—By Executive order January 9 and October 3, 1873, and August 3, 1878.

Area and survey.—Forty-eight thousand five hundred and fifty-one acres, of which 250 acres are tillable.¹ Outboundaries surveyed.

Acres cultivated.—Two hundred and twenty acres cultivated by the Indians in 1884.²

Tribes and population.—The tribes living here are the Kawai, King's River, Monache, Tehon, Tule, and Wichumni.³ Total population reported in 1884, 683.⁴

Location.—Located on South Tule River, in Tulare County. The original Executive order embraced 91,837 acres. In 1878 the reservation was reduced by Executive order to 48,551 acres, of which not more than 250 acres can be used for farming purposes. Almost the entire tract is a rough, mountainous district, and one-half of it too rugged and rocky for even grazing purposes. The eastern portion abounds in good sawing timber, but so inaccessible that it can never be available to the Indians for the manufacture of lumber, as too much capital will be required in the construction of a road to these pineries.⁵

Government rations.—None reported in 1886.

Mills and employés.—A grist-mill is in operation, but no Indian employés are reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—Estimated in 1886 as 19. No school.

Missionary work.—None reported.

*Tule River Reserve.*⁶

DEPARTMENT OF THE INTERIOR,

Washington, D. C., January 9, 1873.

SIR: I have the honor to submit herewith a letter from the Acting Commissioner of Indian Affairs, dated the 3d instant, requesting the setting apart for the use of the Tule River, King's River, Owen's River, Manche Cajon, and other scattering bands of Indians in California, a tract of land described as follows: Commencing on the South Tule River, 4 miles below the Soda Springs on said river, running thence north to the ridge of mountains dividing the waters of the South Tule and Middle Tule; thence east on the dividing line 10 miles; thence south to the ridge dividing the waters of South Tule River and Deer Creek; thence west on said ridge 10 miles; thence north to the place of beginning; the said described tract of country being about 10 miles long and 6 miles wide. The request of the Acting Commissioner meets the

¹ Report of Commissioner of Indian Affairs, 1884, p. 304.

² *Ibid.*

³ *Ibid.*, p. 25.

⁴ *Ibid.*, p. 284.

⁵ *Ibid.*, 1880, p. 10.

Ibid., 1886, p. 313.

approval of this Department, and I respectfully recommend that an order be issued by the Executive setting apart the lands referred to for the purpose indicated.

I have the honor to be, your obedient servant,

B. R. COWEN,
Acting Secretary.

EXECUTIVE MANSION, *January 9, 1873.*

Let the lands described in the within letter be set apart as a reservation for the bands of Indians in California therein named, agreeably to the recommendation of the Acting Secretary of the Interior.

U. S. GRANT.

EXECUTIVE MANSION, *October 3, 1873.*

It is hereby ordered that the following tract of country be, and the same is hereby, withheld from sale and set apart as a reservation for the Tule River, King's River, Owen's River, Manche Cajon, and other scattered bands of Indians in the State of California, to be known as the "Tule River Indian Reservation," this being in lieu of the reservation set apart for those Indians by Executive order dated the 9th of January last, which is hereby cancelled: Commencing on the south fork of Tule River, 4 miles below the Soda Springs, on said river; running thence north to the ridge of mountains dividing the waters of the North Fork and Middle Fork of Tule River; thence on said ridge easterly, extending if necessary to a point from which a line running due south would intersect a line running due east from the place of beginning, and at a distance of 10 miles therefrom; thence from said point due south to the ridge, extended if necessary, dividing the waters of the South Fork of Tule River and Deer Creek; thence westerly on said ridge to a point due south of the place of beginning; thence north to the place of beginning.

U. S. GRANT.

By the Executive order of August 3, 1878, all that portion of the Tule River Indian Reservation lying within the following boundary, viz: Commencing at a place where a line running due north from a point on the South Fork of the Tule River, 4 miles below the Soda Springs on said River, crosses the ridge of mountains dividing the waters of the South Fork and Middle Fork of Tule River; thence north to the ridge of mountains dividing the waters of the North Fork and Middle Fork of Tule River; thence on said ridge easterly to a point from which a line running due south would intersect a line running due east from the place of beginning and at a distance of 10 miles therefrom; thence from said point due south to the ridge of mountains dividing the waters of the South Fork and Middle Fork of Tule River; thence westerly on said ridge to the place of beginning, was restored to the public domain.

YUMA RESERVATION.

[*Under the charge of Colorado River Agency, Arizona.*]

How established.—By Executive order, January 9, 1884.

Area and survey.—Contains 45,889 acres.¹ Surveyed.

Acres cultivated.—Not reported.

Tribes and population.—The tribe living here is the Yuma; population, 930.²

Location.—Situated on the west bank of the Colorado River and forming the south-east corner of the State of California.

Government rations.—Not reported separately from the agency.

Mills and Indian employes.—None reported.

Indian police.—None reported.

¹Report of Indian Commissioner, 1884, p. 256. ²*Ibid.*, p. 284.

Indian court of offences.—None reported.

School population and attendance.—School population as estimated in 1886, about 100; boarding and day school accommodation, 200 boarding and 100 day; average attendance, 29; ten months' session; cost to Government, \$6,066.80.¹

Missionary work.—No missionary work reported among these people.

*Yuma Reserve.*²

EXECUTIVE MANSION, July 6, 1883.

It is hereby ordered that the following-described tract of country in the Territory of Arizona, viz, beginning at a point in the channel of the Colorado River, opposite the mouth of the Gila River, thence up the channel of the Gila River to the range line (when extended) between ranges 19 and 20 west of the Gila and Salt River meridian; thence north on said range line to the first standard parallel south; thence west on said parallel to the channel of the Colorado River; thence down the channel of said river to the place of beginning, be, and the same is hereby, withdrawn from settlement and sale and set apart as a reservation for the Yuma and such other Indians as the Secretary of the Interior may see fit to settle thereon: *Provided, however,* That any tract or tracts included within the above-described boundaries to which valid rights have attached under the laws of the United States are hereby excluded from the reservation hereby made.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, January 9, 1884.

In lieu of an Executive order dated July 6, 1883, setting apart certain lands in the Territory of Arizona as a reservation for the Yuma Indians, which order is hereby cancelled, it is hereby ordered that the following-described tract of country in the State of California, except so much thereof as is embraced within the Fort Yuma Military Reservation, viz, beginning at a point in the middle of the channel of the Colorado River due east of the meander corner to sections 19 and 30, township 15 south, range 24 east, San Bernardino meridian; thence west on the line between sections 19 and 30 to the range line between townships 23 and 24 east; thence continuing west on the section line to a point which, when surveyed, will be the corner to sections 22, 23, 26, and 27, in township 15 south, range 21 east; thence south on the line between sections 26 and 27, in township 15 south, range 21 east, and continuing south on the section lines to the intersection of the international boundary, being the corner to fractional sections 34 and 35, in township 16 south, range 21 east; thence easterly on the international boundary to the middle of the channel of the Colorado River; thence up said river, in the middle of the channel thereof, to the place of beginning, be, and the same is hereby, withdrawn from settlement and sale and set apart as a reservation for the Yuma and such other Indians as the Secretary of the Interior may see fit to settle thereon: *Provided, however,* That any tract or tracts included within the foregoing-described boundaries to which valid rights have attached under the laws of the United States are hereby excluded out of the reservation hereby made.

It is also hereby ordered that the Fort Yuma Military Reservation before mentioned be, and the same is hereby, transferred to the control of the Department of the Interior, to be used for Indian purposes in connection with the Indian reservation established by this order, said military reservation having been abandoned by the War Department for military purposes.

CHESTER A. ARTHUR.

¹ Report of Indian Commissioner, 1886, p. lxxxviii.

² *Ibid.*, 1886, pp. 313-314.

CHAPTER IX.

INDIAN RESERVATIONS OF COLORADO.

The provisions of the treaty of Guadalupe Hidalgo extend over the Indians of this State.

That part of the lands ceded by Mexico covering the present States of Colorado and Nevada and the Territories of Utah and Wyoming were in 1850 formed into the Territory of Utah. The Indians claiming this land were the several tribes of Utes and the Shoshones who lived west of the Rocky Mountains. East of that range the Cheyenne and Arapahoes claimed the territory north of the Arkansas River, and the Kiowas and Comanches the region to the south of the river.

It is stated of the Pai-Utes that when the first emigrant company passed through their territory in 1847 *en route* to California these Indians had "wheat and corn fields, and the company would have fared badly but for the wheat, corn, peas, and beans purchased from the Indians."¹ In 1849 a treaty was made with the Ute Indians at Santa Fé, N. Mex.,² and in 1850 an agent was dispatched from the Indian Department to investigate the condition of these Indians.³ By the act of February 27, 1851, one agent was authorized for Utah Territory, and the laws regulating trade and intercourse extended over the Indians of that region.⁴

The stream of emigration flowing towards California demanded protection, and in accordance with the treaty of 1849 military reservations and agencies were established. They were needed not only on account of the encroachments of Mormon settlers upon the best lands, to the dissatisfaction of the Indians, who often avenged their wrongs upon the innocent, but because of a set of traders called "Freemen," a "mixture of all nations," "who settled around and among the Indians; some marrying among them," and who "induced the Indians to drive off the stock of emigrants, so as to force them to purchase of the 'Freemen' at exorbitant prices; and, after the emigrants had left, made a pretended purchase of the Indians for a mere trifle, and were ready to sell again to the next train, which may have been served in the same manner."⁵

¹ Report of Indian Commissioner, 1859, p. 366. ² United States Statutes at Large, Vol. IV., p. 984. ³ Report of Indian Commissioner, 1850, p. 12. ⁴ United States Statutes at Large, Vol. IV., p. 587. ⁵ Report of Indian Commissioner, 1851, p. 184.

Farms were opened for the Indians at Twelve-mile Creek, in the north-east portion of the present Territory of Utah, at Corn Creek, towards the western part, and at Spanish Fork, near Utah Lake.¹ At these points and in the valleys scattered along the south-western part of the Territory the Indians were reported to be industrious and willing to learn.² The agent writes in 1856 of a band living on the Santa Clara River :

I visited several of their little farms or patches, * * * where their corn was 2 feet high, which had been planted in land prepared with no other implement than a rough stick taken from the cottonwood tree, and hewn with a knife something in the shape of a spade. One instance I will mention, which shows the industry and perseverance of this band. One of the chiefs, Que-o-gan, took me to his farm and showed me the main irrigating ditch to convey the water from the river on his land, which I found to be half a mile long, 4 feet wide, 4 feet deep, and had been dug principally through a gravel bed with wooden spades, similar to the one before mentioned, and the dirt thrown out with their hands, the last being performed by the squaws and children, while the men were employed in digging. He also showed me a dam, constructed of logs and brush-wood, which he had made to turn a portion of the water from the river and convey it to his farm through this ditch. * * * I saw others of a similar kind, but these I have noticed more particularly to show that, with proper assistance from the General Government, these Indians could in a few years be taught the arts of civilized life, and would depend upon their own labor for a support ; and I am well persuaded that this course would be most economical and best adapted to their wants. * * * The Piede Indians have been much diminished of late years by the cruelty practiced towards them by the Utahs in stealing their squaws and children and selling them as slaves to other tribes, as well as to the Mexican people.³

In 1859 the Indian Commissioner states, concerning the Utes :

The whites are in possession of most of the little comparatively good country there is, and the game has become so scarce as no longer to afford the Indians an adequate subsistence. They are often reduced to the greatest straits, particularly in the winter, which is severe in that region, and when it is no uncommon thing for them to perish of cold and hunger. Even at other seasons numbers of them are compelled to sustain life by using for food reptiles, insects, grass-seed, and roots. Several farms have been opened for the benefit of the Indians in different localities, and many of them have manifested a disposition to aid in the cultivation of the land ; but, unfortunately, most of the crops were this year destroyed by the grasshopper and other insects. Many of the numerous depredations upon the emigrants have doubtless been committed by Indians in consequence of their destitute and desperate condition. They have at times been compelled to either steal or starve, but there is reason to be apprehended that in their forays they have often been only the tools of the lawless whites residing in the Territory. * * * That this was the case in the atrocious and dreadful massacre at Mountain Meadow in September, 1857, the facts stated in the report of the superintendent in regard to that occurrence leave no room for doubt.⁴

Some of the Utes living in that part of Utah Territory, now covered by the State of Colorado, joined certain bands of the Jicarilla Apaches, who lived in the mountains lying between Santa Fé, Taos, and Abiquiu,⁵ in a desultory warfare; these met with a severe defeat after a vigorous campaign, and treaties of peace were made in 1855, with the

¹ Report of Indian Commissioner, 1856, p. 225. ² *Ibid.*, p. 233. ³ *Ibid.*, pp. 234, 235. ⁴ *Ibid.*, 1859, pp. 21, 22 ⁵ *Ibid.*, 1860, p. 159.

Ka-poti and Mauchi bands of Utes. "Each treaty containing a stipulation requiring the Indians to cultivate the land assigned to them."¹

In 1856 the Indian Commissioner writes, "The Utes are quietly awaiting the ratification of the treaties concluded with them, and will commence farming whenever permanent homes are assigned them."² Meanwhile they suffered from war parties of Kiowas and Indians of the Arkansas River.³ Until 1861 the agency for the Southern and Eastern Utes was at Taos, N. Mex., and the yearly presents voted by Congress were distributed at Abiquiu or Conejas.⁴ The failure to ratify the treaties and to assign reservations to these Indians prevented their having an agent with them and receiving encouragement to cultivate the soil.⁵ Meanwhile the unsettled state of the country, owing to the refusal of the Mormons to permit any military occupation, and the discovery of gold in the mountains of California, brought on conflicts between the Indians and the prospectors who killed the game or drove it from the country,⁶ while Mormon missionaries, who in 1856 had been sent by the semi-annual conference of Latter-Day Saints to the Lamonites, as the Indians were termed, sought to bind the Utes to the Mormon cause.⁷ In 1861 the Territory of Utah was divided, and Colorado and Nevada organized.

The only Indian reservation remaining in the State is the Southern Ute, having an aggregate area of 1,094,400 acres.

SOUTHERN UTE AGENCY.

[Post-office address, Ignacio, La Plata County, Colo.]

UTE RESERVATION.

How established.—Established by treaties of October 7, 1863; March 2, 1868; act of Congress, April 29, 1874; executive orders, November 22, 1875; August 17, 1876; February 7, 1879; August 4, 1882, and act of Congress, July 28, 1882.

Area and survey.—Contains 1,094,400 acres, of which 8,000 are classed as tillable.⁸ Out boundaries surveyed.⁹

Acres cultivated.—The Indians have under cultivation 110 acres.¹⁰

Tribes and population.—The tribes living here are the Ka-poti, Mauchi, and Wiminuchi Ute. Total population, 991.¹¹

Location.—The reservation is a strip of country 15 by 120 miles, and borders on New Mexico and Utah. It is a rough, mountainous country, suitable only for grazing purposes, it being well watered by the Piedra, Rio Los Pinos, Florida, Animas, La Plata, Mancos, and Dolores Rivers.

¹ Report of Indian Commissioner, 1855, p. 507. ² *Ibid.*, 1856, p. 15. ³ *Ibid.*, p. 184.

⁴ *Ibid.*, 1857, p. 279; 1859, p. 335. ⁵ *Ibid.*, 1859, p. 343. ⁶ *Ibid.*, 1859 pp. 343, 344; 1860, p. 163. ⁷ *Ibid.*, 1857, p. 305; 1858, p. 195; 1859, p. 336. ⁸ *Ibid.*, 1884, p. 304.

⁹ Advanced sheets for 1885, by courtesy of the Indian Commissioner. ¹⁰ Report of Indian Commissioner, 1884, p. 304. ¹¹ *Ibid.*, p. 286.

There is not to exceed 20,000 acres of agricultural land on the reservation, and that could be brought under cultivation only by irrigating.¹

Government rations.—Twenty per cent. of these Indians subsisted by Government rations, as reported in 1886.²

Mills and Indian employés.—None reported.

Indian police.—Established in 1878.

Indian court of offences.—None reported.

School population, attendance, and support:—³

School population, as estimated in 1886.....	316
Day-school accommodations.....	25
Average attendance.....	11
Months in session.....	3
Cost to Government.....	\$202.75
Twenty-five children from this agency sent to Good Shepherd School, Denver, Colo., cost per annum to the Government being.....	\$2,700.00

Missionary work.—None reported.

SYNOPSIS OF TREATIES.

Treaty with the Utah tribe of Indians, made at Abiquiu, N. Mex., December 30, 1849.

The Utah Indians acknowledge themselves under the authority and jurisdiction of the United States. (Art. 1.)

Hostilities between the contracting parties shall cease, and the Utah Indians promise to give no aid to any tribe or powers who may at any time be at enmity with the United States, and to treat honestly and humanely all citizens, and to refer all cases of aggression to the Government for adjustment and settlement. (Art. 2.)

All American and Mexican captives and stolen property to be restored. (Art. 3.)

The Utahs agree to accept the laws of the United States regulating trade and intercourse with the Indians. (Art. 4.)

The people of the United States shall have free passage through the territory of said Utahs. (Art. 5.)

The Government to establish such military posts and agencies, and to authorize such trading houses, as it may deem best. (Art. 6.)

The Government shall designate, adjust, and settle the territorial boundaries of the Utahs, and the Indians bind themselves not to depart from their accustomed homes except by the permit of the agent, and, after their reservations are defined, to confine themselves to said limits, to cultivate the soil, to support themselves by their own industry. (Art. 7.)

In consideration of the faithful performance of the stipulations of this treaty the United States grants these Indians donations, presents, and implements, and will adopt such other liberal and humane measures as the Government may deem meet and proper. (Art. 8.)

This treaty shall be binding upon the contracting parties from and after the signing of the same, subject in the first place to the approval of the civil and military Governor of New Mexico, and to such other modifications, amendments, and orders as may be adopted by the government of the United States. (Art. 9.)

Proclaimed September 9, 1850. (United States Statutes at Large, Vol. IX, p. 984.)

¹ Report of Indian Commissioner, 1882, p. 17. ² *Ibid.*, 1886, p. 412. ³ *Ibid.*, p. lxxxviii.

Treaty made at the agency at Conejos, Colorado Territory, with the Tabogauche band of Utah Indians, October 7, 1863.

The boundary of the lands claimed by the Tabogauche band of Utah Indians is as follows:

"Beginning on the thirty-seventh degree of north latitude at the eastern base of the Sierra Madre Mountains, running thence northerly with the base of the Rocky Mountains to the forty-first parallel of north latitude; thence west with the line of said forty-first parallel of north latitude to its intersection with the summit of the Snowy range northwest of the North Park; thence with the summit of the Snowy range southerly to the Rabbit-Ear Mountains; thence southerly with the summit of said Rabbit-Ear range of mountains west of the Middle Park to the Grand River; thence with the said Grand River to its confluence with the Gunnison River; thence with the said Gunnison River to the mouth of the Uncompahgre River; thence with the said Uncompahgre River to its source in the summit of the Snowy range, opposite the source of the Rio Grande del Norte; thence in a right line south to the summit of the Sierra La Plata range of mountains, dividing the waters of the San Juan River from those of the Rio Grande del Norte; thence with the summit of said range southeasterly to the thirty-seventh parallel of north latitude; thence with the line of said parallel of latitude to the place of beginning."

The supremacy of the United States acknowledged, and all right, title, and interest relinquished by the said band of Utah Indians to all other lands within the territory of the United States, wherever situated, except those included in the following boundary, to be "reserved as their hunting grounds:"*

"Beginning at the mouth of the Uncompahgre River; thence down Gunnison River to its confluence with the Bunkara River; thence up the Bunkara River to the Roaring Fork of the same; thence up the Roaring Fork to its source; thence along the summit of the range dividing the waters of the Arkansas from those of the Gunnison River to its intersection with the range dividing the waters of the San Luis Valley from those of the Arkansas River; thence along the summit of said range to the source of the Uncompahgre River; thence to said source and down the main channel of said Uncompahgre River to its mouth, the place of beginning."

"Nothing contained in this treaty shall be construed or taken to admit on the part of the United States any other or greater title or interest in the lands above excepted and reserved in said tribe of Indians than existed in them upon the acquisition of said territory from Mexico by the laws thereof."* (Art. 2.)

The United States shall establish military posts upon the lands not ceded in this treaty; and locate, construct, and maintain railroads and other roads through the same, and establish and maintain stations. Any citizen may mine in any part of the country retained by said Indians where gold or other minerals may be found. And except as herein stipulated, settlement by other persons than Indians is hereby prohibited. (Art. 3.)

The Mohuache band of Utah Indians may be settled upon the lands reserved in this treaty. (Art. 4.)

The band agree to give safe conduct to persons legally authorized to pass through their country, and to protect the persons and property of all agents or other persons sent by the United States to reside temporarily among them. (Art. 5.)

The Indians agree to take no private revenge; to deliver up offenders to be punished agreeably to the laws of the United States; to help to recover property stolen from citizens, or if not restored to pay for it from annuities received, and to deliver up upon requisition any white man residing among them. The United States guarantees full indemnification for property stolen by citizens from the Indians upon sufficient proof. (Art. 6.)

For ten years said band shall receive annually, as the Secretary of the Interior may direct, \$10,000 worth of goods and \$10,000 worth of provisions. (Art. 8.)

five American stallions for improving their breed of horses. (Art. 9.)

"In case the chiefs" shall determine to engage in agricultural or pastoral pursuits lands shall be set apart within the reservation under such regulations as the Secretary of the Interior may provide, and they shall receive of cattle "not exceeding 150"* head during the five years beginning with the ratification of this treaty; of sheep "not exceeding 1,000"* head annually during the first two years, and 500 head annually during three years thereafter; such stock shall only be donated so long as the "chiefs"* shall keep good faith in the use of the same. All Indians who conform to the provisions of this article shall be protected in the peaceable possession of their lands and property. The Government also agrees to maintain a blacksmith shop and employ a blacksmith. (Art. 10.)

Amended October 8, 1864. Proclaimed December 14, 1864. (United States Statutes at Large, Vol. XIII, p. 673.)

NOTE.—All words or paragraphs quoted and starred are amendments which were inserted by the Senate.

Treaty with the Tabegauche, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah bands of Ute Indians, made at Washington March 2, 1868.

All the provisions of the treaty of 1864 not inconsistent with this treaty are hereby re-affirmed and declared to be applicable and to continue in force as well to the other bands respectively parties to this treaty as to the Tabegauche band of Ute Indians. (Art. 1.)

The United States agrees that the following district of country, to wit, commencing at that point on the southern boundary line of the Territory of Colorado where the meridian of longitude 107° west from Greenwich crosses the same; running thence north with said meridian to a point 15 miles due north of where said meridian intersects the fortieth parallel of north latitude; thence due west to the western boundary line of said Territory; thence south with said western boundary line of said Territory to the southern boundary line of said Territory; thence east with said southern boundary line to the place of beginning, shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit among them; and the United States now solemnly agrees that no persons, except those herein authorized to do so, and except such officers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the Territory described in this article, except as herein otherwise provided. (Art. 2.)

The Indians parties hereto agree and hereby relinquish all claims and rights in and to any portions of the United States or Territories, except such as are embraced in the preceding article. (Art. 3.)

The United States agrees to establish two agencies, one for the Grand River, Yampa, and Uintah bands, on White River, and the other for the Tabegauche, Muache, Weeminuche, and Capote bands, on the Rio de los Pinos, and to construct at said agencies mills, shops, and buildings at a cost not exceeding \$20,500: *Provided*, The same shall not be erected until such time as the Secretary of the Interior shall think necessary for the wants of the Indians. (Art. 4.)

United States agrees to furnish and maintain millers, carpenters, farmers, and blacksmiths. (Art. 15.)

United States agrees to arrest and punish, according to law, any white person committing any wrong upon the person or property of the Indians, and also to re-imburse the injured person for the loss sustained. The Indians agree to deliver up any wrongdoer among their number, to be tried and punished by the United States, or to re-imburse the injured person from moneys due the tribe. (Art. 6.)

The President may order a survey of the reservation, and Congress shall provide

for protecting the rights of Indian settlers in their improvements and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property and on all subjects connected with the government of the Indians on said reservation as may be thought proper. Any head of a family may select 160 acres, which shall be recorded in a land-book. Said land shall cease to be held in common, but shall be held in exclusive possession of the person selecting it and his family so long as he or they may continue to cultivate it. Any person over eighteen years may select 80 acres. Any family having satisfied the agent that they intend cultivating the soil for a living shall be entitled to seeds and agricultural implements for the first year not exceeding \$100, and for three succeeding years not exceeding the value of \$50. Such persons shall receive instructions from the farmer. After ten years from the making of this treaty the United States shall have the privilege of withdrawing the farmers, blacksmiths, carpenters, and millers, and in that case an additional sum thereafter of \$10,000 per annum shall be devoted to the education of said Indians. (Articles 7, 9, and 10.)

The United States agrees to build a school-house or mission buildings so soon as a sufficient number of children can be induced by the agent to attend school, cost not to exceed \$5,000. The Indians pledge themselves to induce their children between seven and eighteen years to attend school. It is hereby made the duty of said agent to see that this stipulation is complied with to the greatest possible extent, and for every thirty children between said ages who can be induced to attend school a house and teacher shall be provided, the provisions of this article to continue for not less than twenty years. (Articles 4 and 8.)

Under the direction of the Secretary of the Interior, a sum not exceeding \$30,000 per annum for thirty years shall be expended for clothing, blankets, etc. (Art. 11.)

A sum of \$30,000 per annum shall be expended for beef, mutton, wheat, flour, beans, and potatoes until such Indians shall be found to be capable of sustaining themselves. (Art. 12.)

The sum of \$45,000 to provide each head of a family with one gentle American cow and five head of sheep. (Art. 13.)

No treaty for the cession of lands held in common shall be of any validity or force unless signed by at least three-fourths of all adult male Indians interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive without his consent any individual member of the tribe of his right to land selected by him, as provided in Art. 7. (Art. 16.)

All roads, highways, and railroads authorized by law shall have right of way through the reservation herein designated. (Art. 14.)

Any chief making war against the United States or violating this treaty in any essential part shall forfeit his possession and all rights to any benefits in this treaty. And any Indian who shall remain at peace and abide by the terms of this treaty shall be entitled to its benefits and provisions, notwithstanding his particular chief and band may have forfeited their rights thereto. (Art. 17.)

Amended July 25, 1868. Ratified August 15, September 1, September 14, September 24, September 25, 1868. Proclaimed November 6, 1868.¹

Treaty made at Los Pinos Agency, September 13, 1873, between Felix R. Brunot, commissioner on behalf of the United States, and the chiefs and head-men of the Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah bands of Ute Indians, approved by act of Congress April 29, 1874.

By act of Congress, April 23, 1872, the Secretary of the Interior was authorized to enter into negotiations for a certain portion of the reservation defined in the second article of the treaty of March 2, 1868, and said negotiations having failed, a new commission was appointed June 2, 1873.

¹ From United States Statutes at Large, Vol. XV, p. 619.

Now, therefore, the commissioner on behalf of the United States, and the chiefs of the Tabeguache, Mauche, Capote, Weeminuche, Yampa, Grand River, and Uintah confederated bands of the Ute Nation, do enter into the following agreement:

The confederated band[s] of the Ute Nation hereby relinquish to the United States the following-described portion of the reservation heretofore conveyed to them by the United States, viz: Beginning at a point on the eastern boundary of said reservation 15 miles due north of the southern boundary of the Territory of Colorado, running thence west on a line parallel to the said southern boundary to a point on said line 20 miles due east of the western boundary of Colorado Territory; thence north by a line parallel with the western boundary to a point 10 miles north of the point where said line intersects the thirty-eighth parallel of north latitude; thence east to the eastern boundary of the Ute Reservation; thence along said boundary to place of beginning: *Provided*, That if any part of the Uncompahgre Park shall be found to extend south of the north line of said described country, the same is not intended to be included therein, and is hereby reserved and retained as a portion of the Ute Reservation. (Art. 1.)

The United States shall permit the Ute Indians to hunt upon said land as long as game lasts and the Indians are at peace with the white people. (Art. 2.)

The United States agrees to set apart and hold as a perpetual trust for the Ute Indians a sum of money, or its equivalent, in bonds sufficient to produce the sum of \$25,000 per annum, which sum shall be disbursed or invested at the discretion of the President, for the use and benefit of the Ute tribe of Indians, annually forever. (Art. 3.)

The United States agrees, as soon as the President may deem it necessary, to establish an agency at some suitable point to be selected in the southern part of the Ute Reservation. (Art. 4.)

The provisions of the treaty of 1868 not altered by this agreement shall continue in force, and the following words from Art. 2 of said treaty, viz: "The United States now solemnly agrees that no persons except those herein authorized to do so, and except such officers, agents, and employes of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, except as herein otherwise provided," are expressly reaffirmed, except so far as they apply to the country herein relinquished. (Art. 5.)

Ouray, head chief of the Ute Nation, shall receive a salary of \$1,000 per annum for the term of ten years, or so long as he shall remain head chief of the Utes and at peace with the United States.¹

By Executive order of November 22, 1875, it was ordered that the tract of country in the Territory of Colorado lying within the following described boundaries, viz: Commencing at the northeast corner of the present Ute Indian Reservation, as defined in the treaty of March 2, 1868, thence running north on the one hundred and seventh degree of longitude to the first standard parallel north; thence west on said first standard parallel to the boundary line between Colorado and Utah; thence south with said boundary to the northwest corner of the Ute Indian Reservation; thence east with the north boundary of the said reservation to the place of beginning, was withdrawn from sale and set apart for the use of the several tribes of Ute Indians as an addition to the present reservation in said Territory.²

By Executive order of August 17, 1876, all that portion of country in the State of Colorado lying within the following-described boundaries and forming a part of the Uncompahgre Park, viz: Commencing at the 53d mile-post on the north line of the survey of the boundaries of the Ute cession, executed by James W. Miller in 1875; thence south 4 miles; thence east 4 miles; thence north 4 miles to the said north line; thence west to the place of beginning, was withdrawn from the public domain and set apart

¹ United States Statutes at Large, Vol. XVIII, p. 36. ² Report of Commissioner of Indian Affairs, 1882, p. 259.

as a part of the Ute Reservation, in accordance with the first article of an agreement made with said Indians and ratified by Congress, April 29, 1874.¹

By Executive order of February 7, 1879, the following-described tract of country in the State of Colorado, to wit, commencing at the intersection of the thirty-seventh parallel of north latitude with the one hundred and seventh degree of west longitude; thence east along said parallel to the ridge described in Hayden's Geographical and Geological Survey of said State as the "National Divide" of the San Juan Mountains; thence following said divide in a general northerly and northwesterly direction to longitude 107° 23' west; thence due south to latitude 37° 17' north; thence due east to the one hundred and seventh meridian of west longitude; thence south with said meridian to the place of beginning, was withdrawn from sale and settlement and set apart as a reservation for the Muache, Capote, and Weeminuche bands of Ute Indians.¹

By Executive order of August 4, 1882, the lands set apart by the Executive orders of November 22, 1875, and February 7, 1879, were restored to the public domain.¹

An act to accept and ratify the agreement submitted by the confederated bands of Ute Indians in Colorado for the sale of their reservation in said State and for other purposes, and to make the necessary appropriations for carrying out the same, approved June 15, 1880.

The chiefs and head-men of the confederated bands of Utes promise and agree to procure the surrender to the United States for trial and punishment, if found guilty, members of their nation implicated in the murder of Agent Meeker, and until such apprehension or proof of the guilty parties being dead or beyond the limits of the United States the moneys hereinafter provided coming to the White River Utes, except such for their removal and settlement, shall not be paid.

The Utes cede to the United States all their present reservation in Colorado, except as herein provided for.

The Southern Utes shall remove to the unoccupied lands on the La Plata River or its vicinity. If there is not land enough there in Colorado, then upon lands on the La Plata River or its vicinity in New Mexico.

The Uncompahgre Utes are to remove to Grand River, near the mouth of Gunnison River, in Colorado. If there is not land enough there, then upon other unoccupied lands in that vicinity in Utah.

The White River Utes are to remove to the Uintah Reservation, in Utah.

The United States shall cause the land so set apart to be properly surveyed and divided among the said Indians in severalty, and shall issue patents in fee-simple therefor so soon as the necessary laws are passed by Congress. The land shall be inalienable and not subject to taxation for twenty-five years, and until such time thereafter as the President may see fit to remove the restriction. The land shall be allotted as follows:

To the head of a family one-fourth of a section, and grazing land not exceeding one-fourth of a section. To a single person over eighteen years of age, one-eighth of a section, and grazing land not exceeding one-eighth of a section. To an orphan child under eighteen years, one-eighth of a section, and grazing land not exceeding one-eighth of a section. All other persons under eighteen years, or born prior to said allotments, one-eighth of a section, and a like quantity of grazing land.

The confederated bands of Utes promise not to interfere with travel upon any of the high ways now open or hereafter to be opened with lawful authority upon their reservation.

The \$60,000 of annuity now due and provided for, and so much more as Congress may appropriate for that purpose, shall be distributed among the Utes, and a commission shall be sent to superintend their removal and settlement. They shall be furnished with houses, wagons, agricultural implements, and stock cattle sufficient

¹ Report of Indian Commissioner, 1882, p. 259.

for their reasonable needs, also saw and grist mills; and the money appropriated for this purpose shall be apportioned as follows: One-third to those on the La Plata River and vicinity, one-half to those on the Grand River and vicinity, and one-sixth to those on the Uintah Reservation.

In addition to annuities and sums and clothing provided for in existing treaties and laws, the United States sets apart a perpetual trust for said Ute Indians a sum of money sufficient to produce \$50,000 per annum; this whole sum to be distributed per capita to them forever: *Provided*, That the President may appropriate an amount not exceeding \$10,000 for the education in schools of youths of both sexes, and that out of the money coming to the White River Utes the United States shall pay annually for twenty years, or so long as the parties may live, \$3,500, to be divided among ten specified persons, sufferers from the White River disaster. Article 3 of the act of March, 1874, is expressly re-affirmed. This sum, together with the annuity of \$50,000 hereinbefore provided, may, at the discretion of Congress, at the end of twenty-five years be capitalized and the sum be paid to said Indians per capita in lieu of said annuities.

Until such time as the Utes are able to support themselves the United States will establish and maintain schools in the settlements of the Utes, and make all necessary provision for the education of their children.

The commissioners above mentioned shall ascertain what improvements have been made upon any part of the relinquished lands, and payment in cash shall be made to the individuals owning such improvements, upon a fair and liberal valuation of the same, and nothing in this treaty shall be so construed as to compel any Ute Indian to remove from any lands that he or she may claim in severalty.¹

By act of Congress of July 23, 1882, all that portion of the Ute Indian Reservation lately occupied by the Uncompahgre and White River Utes was declared to be public land of the United States, and subject to disposal from the passage of said act. In accordance with the restrictions and limitations of section 3, act of June 15, 1880, (section 1), the boundary line to be established between land described in section 1 and that now occupied by Southern Utes (section 2).²

By act of Congress of March 1, 1883, the commission appointed under the act of Congress of June 15, 1880, known as the "Ute Commission," was abolished. And the Secretary of the Interior, with the consent of the Ute Indians, may, instead of paying to the said Indians the \$50,000 in cash per capita, per agreement June 15, 1880, pay the same in stock or such other property as the Secretary and the Indians shall agree upon.³

¹United States Statutes at Large, Vol. XXI, pp. 199-205. ²Regulations concerning entries on land, section 3; United States Statutes, Vol. XXII, p. 178.

³United States Statutes, Vol. XXII, p. 449.

CHAPTER X.

INDIAN RESERVATIONS OF DAKOTA TERRITORY.

The Territory covered by Dakota was a part of the Louisiana purchase of 1803.¹ In 1804 the recently acquired province was divided into two parts, that south of the thirty-third degree, north latitude, being called Orleans, and the residue bearing the name of Louisiana.² In 1812 the name of the Territory was changed to Missouri.³ The State of that name was cut off in 1820.⁴ In 1836 that portion of Dakota which lies east of the White Earth and Missouri Rivers was included in the Territory of Wisconsin;⁵ in 1838 it was transferred to the Territory of Iowa,⁶ and to Minnesota Territory in 1849;⁷ the eastern boundary was finally settled in 1857, when Minnesota became a State.⁸ That portion of Dakota lying west of the Missouri and White Earth Rivers was in 1854 made a part of Nebraska Territory.⁹ In 1862, when the Territory of Dakota was organized, its western limits were fixed on the summit of the Rocky Mountains, the boundary line of what was then Washington Territory.¹⁰ The organization of Idaho Territory in 1863 defined the present western line of Dakota to be the twenty-seventh degree of longitude west of Washington.¹¹

The act of March 2, 1863, organizing the Territory of Dakota, containing the proviso is given in another part of this work.

The tribes living within Dakota at the time when its present limits were fixed, were the same as those living therein to-day, viz: the Arickarees, Chippewas, Dakota or Sioux, Gros Ventres, and Mandans.

The Arickarees, Gros Ventres, and Mandans inhabit the Upper Missouri, and the Yellowstone near its mouth; their territory is defined in the treaty of 1851, made at Fort Laramie. Neither this treaty nor the agreement of 1866 were ever ratified by Congress. Article 10 of the agreement is noteworthy as to the duty imposed upon the Indians, and the corresponding obligation not yet assumed by the Government, and also article 1 of the addenda.

The Chippewas inhabit the region in the vicinity of the Turtle Mountains. They have never ceded their country or received compensation for the 9,000,000 acres thrown open to settlement in 1882.

¹ United States Statutes at Large, Vol. II, p. 245. ² *Ibid.*, p. 283. ³ *Ibid.*, p. 743. ⁴ *Ibid.*, Vol. III, pp. 545, 645. ⁵ *Ibid.*, Vol. V, p. 10. ⁶ *Ibid.*, p. 235. ⁷ *Ibid.*, Vol. IV, p. 403. ⁸ *Ibid.*, Vol. XI, p. 166. ⁹ *Ibid.*, Vol. X, p. 277. ¹⁰ *Ibid.*, Vol. XII, p. 239. ¹¹ *Ibid.*, p. 808.

The Dakota or Sioux Indians formerly occupied lands extending east to the Mississippi and beyond. (See article 2 and article 5 of treaty August 19, 1825.) Their lands east of the Red River and Lake Traverse with the exception of a few small reservations were ceded prior to 1860. Owing to the hostilities of 1862 all previous treaties were abrogated, and in 1863 the Sioux were removed "beyond the limits of any State." During 1865 and 1866, treaties of peace were made and reservations established. In 1868 they ceded all their claims to lands except the tract then set apart for their use. (See article 2.) In 1876 they ceded their hunting privileges outside their reservation and also the Black Hills. The Sioux have received for their ceded lands, in round numbers, as follows: For the territory embraced in Minnesota and Iowa, \$2,000,000; for their claims in Dakota, about \$40,000,000, making a total of \$42,000,000, exclusive of agency expenses and the cost of wars connected with the taking of the Black Hills.

The various tribes are gathered upon nine reservations, having a total area of 26,847,105 acres.

The number of Indians in Dakota under agency control is 30,651; not under agencies, 400. Total Indian population, 31,051. These statistics are for 1884.

Agencies: Cheyenne River, having in charge a portion of Sioux Reservation; Crow Creek and Lower Broulé Agencies, a portion of Sioux Reservation, and old Winnebago; Devil's Lake Agency, Devil's Lake Reservation, and Turtle Mountain Reservation; Fort Berthold Agency, Fort Berthold Reservation; Pine Ridge Agency, a portion of Sioux Reservation; Rose Bud Agency, a portion of Sioux Reservation; Sisseton Agency, Lake Traverse Reservation; Standing Rock Agency, a portion of Sioux Reservation; Yankton Agency, Yankton Reservation.

FORT BERTHOLD AGENCY.¹

[Post-office address: Fort Berthold Agency, Stevens County, Dak.]

FORT BERTHOLD RESERVATION.

How established.—Unratified agreement of September 17, 1851, and July 27, 1866; Executive orders, April 12, 1870, and July 13, 1880.

Area and survey.—Contains 2,912,000 acres, of which 50,000 are classed as tillable.² Not surveyed.

Acres cultivated.—The Indians have under cultivation 1,300 acres.³

Tribes and population.—The tribes living here are the Arickaree, Gros Ventre, and Mandan. Total population was 1,322 in 1886.⁴

Location.—The topographical and other characteristics of the reservation have been thus described:

Fort Berthold is * * * located on the right bank of the Missouri River. The "lower agency," containing the houses of the employés, office, tool house, carpenter

¹ In the following pages the agencies are not arranged alphabetically, as it is more convenient for reference to the treaties to group the Sioux tribes together. ² Report of Indian Commissioner, 1884, p. 306. ³ *Ibid.*, 1886, p. 426. ⁴ *Ibid.*, 1886, p. 396.

and blacksmith shops, barns and corral, is * * * on a bench of land about 50 feet above the river. The "upper agency," consisting of the Indian village, with a trader's store, old corral, and issue room, is located about $1\frac{1}{2}$ miles across a bend of the river, on a high bluff, at the foot of which the river makes a sharp turn. The village is about 50 feet above high-water mark, and, being built of bullet-proof logs and earth, surrounded on two sides by high bluffs, it presents an almost impregnable defence against any number of hostile Sioux. Between the upper and lower agency are little farms, consisting of from 1 to 2 acres, cultivated by the Indians, making an aggregate of about 400 acres, while above the village, on bottom lands, are other small patches amounting to as much more.¹ This reservation is located in the northwestern part of Dakota, and the agency in the southeastern corner of the reservation, 95 miles overland from Bismarck in a northwestern direction.²

Government rations.—Eighty-five per cent. of these Indians subsisted by Government rations in 1886.³

Mills and Indian employés.—A mill was built in 1868.⁴

Indian police.—Established in 1878.⁵

Indian court of offences.—None reported.

*School population, attendance, and support.*⁶—School population as estimated in 1886 was 220; other educational statistics are given in the following table:

Schools.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Fort Berthold boarding contract.....	30	12	12	\$1,296.00
Fort Stevenson boarding.....	175	79	10	9,662.19
Cost of Fort Berthold boarding school and mission to American Missionary Association.....				3,370.32

Missionary work.—Charles L. Hall, of American Missionary Association (Congregational), in charge

SYNOPSIS OF TREATIES.

Treaty between the United States and the Mandan tribe of Indians, made at the Mandan village, July 30, 1825.

The Indians acknowledge the supremacy of the United States and its right to regulate trade. (Art. 2.)

The Indians hereby make peace. (Art. 1.)

The United States receives the Mandans under protection. (Art. 3.)

The United States to designate places for trade and appoint traders; no others shall hold intercourse or trade. The Indians to protect the persons and property of traders; should any foreigner come for trade, the Indians to deliver him to the United States agent or the nearest military post. Indians agree to give safe conduct to all authorized persons passing through their country. (Art. 5.)

¹ Report of Indian Commissioner, 1878, p. 32. ² *Ibid.*, 1881, p. 36. ³ *Ibid.*, 1886, p. 414. ⁴ *Ibid.*, 1868, p. 192. ⁵ *Ibid.*, 1880, p. 33. ⁶ *Ibid.*, 1886, p. xc.

Offenders to be delivered up to be punished by the United States, and any person committing injury upon the Indians shall be punished according to law. The chiefs promise to take means to recover property stolen from citizens, and the United States guaranties full indemnification to the Indians, upon sufficient proof, for any property stolen from them. Any white men resident upon the reservation to be delivered up upon the requisition of the President. (Art. 6.)

The Indians promise not to provide arms or ammunition to any Indians at war with the United States. (Art. 7.)

Proclaimed February 6, 1826.¹

Treaty with Ricara tribe, made at Ricara village, July 18, 1825.

Peace and friendship established. (Art. 1.)

Supremacy of United States acknowledged. (Art. 2.)

United States extends protection to tribe. (Art. 3.)

None but citizens to trade, and President to designate the places. (Art. 4.)

Tribe to protect person and property of traders, to deliver up foreigners or other unauthorized persons, to give safe conduct through their country. (Art. 5.)

Difficulties to be referred to the United States, offenders to be punished according to law, stolen property to be returned or indemnification made by both Indians and citizens. (Art. 6.)

No guns or ammunition to be furnished by Indians to persons hostile to the United States. (Art. 7.)

Proclaimed February 6, 1826.²

Treaty with Minnetaree tribe made at Lower Mandan village, July 30, 1825.

Treaty identical with that made with the Ricara tribe, July 18, 1825.

Proclaimed February 6, 1826.³

Unratified agreement made at Fort Berthold, Dak., July 27, 1866, between the United States and the Indians of the Upper Missouri and the Arikaree tribes.⁴

The Indians convey to the United States the right to lay out and construct roads, highways, and telegraph lines through their country, and also agree to prevent any interruption therewith. (Art. 3.)

Perpetual peace established. (Art. 1.)

Peace to be kept with other tribes. (Arts. 2 and 5.)

Acknowledge dependence upon the United States, agree to obey laws made by Congress and assist in enforcing them, to deliver up offenders against treaties and laws. (Art. 5.)

No white person, unless authorized by the United States, to reside or make settlement in the country belonging to the Indians. Lands not to be alienated except to the United States. (Art. 4.)

Indians using liquors to forfeit claim to annuity for the current year. (Art. 6.)

The United States to pay \$10,000 annually for twenty years after the ratification of treaty; \$3,000 expended at the discretion of the President for stock, agricultural implements, employment of mechanics, and for the support of the sick, infirm, and orphans. The President to determine the proportion of annuities to be distributed. The sum of \$200 per annum to each head chief; \$50 to soldier chiefs and eight leading men so long as faithful to treaty obligations. (Art. 7.)

¹ United States Statutes at Large, Vol. VII, p. 264. ² United States Statutes, Vol. VII, p. 259. ³ *Ibid.*, Vol. VII, p. 261. ⁴ For unratified treaty of September 17, 1851, between United States and Indians residing south of the Missouri and east of the Rocky Mountains, including Mandans, see Blackfoot treaties, in Montana.

For violation of agreement the President may withhold any portion or all of annuities. (Art. 8.)

Annuities not to be liable for debt. (Art. 9.)

"This treaty shall be obligatory upon the aforesaid tribe of Indians from the date hereof and upon the United States so soon as the same shall be ratified by the President and the Senate." (Art. 10.)

Any amendment by the Senate not materially changing the treaty shall be considered final and binding on the Indians. (Art. 11.)

The Gros Ventres and Mandan tribes become parties in the foregoing treaty. The Arickarees, Gros Ventres, and Mandans unite in ceding the following lands:

"Beginning on the Missouri River at the mouth of Snake River, about 30 miles below Fort Berthold; thence up Snake River and in a northeast direction 25 miles; thence southwardly parallel to the Missouri River to a point opposite and 25 miles east of old Fort Clarke; thence west to a point on the Missouri River opposite to old Fort Clarke; thence up the Missouri River to the place of beginning: *Provided*, That the territory shall not be a harbor for Indians hostile to the parties to this treaty, whom the United States agrees to protect in the occupation of their homes and enjoyment of civil rights in the same manner as white people." (Art. 1 of Addenda.)

United States to pay \$10,000 annually, to be divided equally between the Gros Ventres and Mandans. Money to be expended in goods at discretion of the President; 20 per cent. for purposes specified in article 7. To head chiefs of Gros Ventres and Mandans, \$200 annually; to six soldier chiefs of Gros Ventres, \$50 annually; to nine soldier chiefs of Mandans, \$50 annually. (Art. 2 of Addenda.)

(Indian Laws, p. 322.)

HEADQUARTERS, FORT STEVENSON,

September 25, 1869.

SIR: I have the honor to report that I have consulted the best guides and obtained all available information in addition to my own examination, as far as it was practicable, in regard to a reservation for the Arickaree, Gros Ventre, and Mandan Indians.

I had an interview with the chiefs of the three tribes, and read the communication from the Commissioner of Indian Affairs, forwarded to me from the commanding general of the department, with which they seemed much pleased. I proposed to them the following reservation, with which they were satisfied: From a point on the Missouri River 4 miles below the Indian village (Berthold), in a northeast direction 3 miles (so as to include the wood and grazing around the village); from this point a line running so as to strike the Missouri River at the junction of Little Knife River with it; thence along the left bank of the Missouri River to the mouth of the Yellowstone River, along the south bank of the Yellowstone River to the Powder River, up the Powder River to where the Little Powder River unites with it; thence in a direct line across to the starting point, 4 miles below Berthold. The Indians desired that the reservation should extend to the Mouse River, but in view of a railroad passing over that country I did not accede to their wish. They seemed to comprehend my reason for not doing so, and were satisfied. I have endeavored in this proposed reservation to give them land enough to cultivate and for hunting and grazing purposes. I inclose a sketch of the proposed reservation.

Very respectfully, sir,

S. A. WAINWRIGHT,

Captain Twenty-Second Infantry, Commanding Post.

Bvt. Brig. Gen. O. D. GREENE,

Adj. Gen. Dept. of Dakota, Saint Paul, Minn.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., April 2, 1870.

SIR: I have the honor to transmit herewith a letter of Capt. S. A. Wainwright, Twenty-second United States Infantry, commanding post at Fort Stevenson, Dak., dated September 25 last, indorsed respectively by the commanding officer of the Department of Dakota and by the assistant adjutant-general of the Military Division of the Missouri, and forwarded by the Adjutant-General of the United States Army to this office, relative to setting apart of a reservation for the Arickaree, Gros Ventre, and Mandan Indians.

This has been the subject of correspondence before between Maj. Gen. Winfield S. Hancock, commanding Department of Dakota, and this office.

General Hancock, in a letter dated near Fort Rice, Dak., July 21, 1869, addressed to Bvt. Maj. Gen. George L. Hartsuff, assistant adjutant-general, Military Division of the Missouri (copy of which has been furnished by direction of Lieutenant-General Sheridan to this office), states that the Arickaree, Gros Ventre, and Mandan Indians, among others, complain "that whites came on their land at Berthold and cut wood for sale to steam-boats. They want this stopped. They are willing that boats should go and cut all they want, but do not want strangers to come and sell their wood while they are starving; they want to cut and sell it themselves."

General Hancock further states, in the letter above referred to, that he did not know whether those Indians had a reservation or not, and that he has instructed the commanding officer at Fort Stevenson to examine the country about Berthold and to recommend what portions should be set off for them.

By letter dated August 16 last General Hancock was informed by this office that by the treaty concluded at Fort Laramie October 17, 1851, which was not ratified, but was amended by the Senate, and the stipulations as amended fulfilled by the Government, the following are given as the boundaries of a reservation for the Gros Ventres Arickarees, and Mandans, viz: Commencing at the mouth of Heart River; thence up the Missouri to the mouth of Yellowstone River; thence up the Yellowstone to the mouth of Powder River; thence southeast to the headwaters of the Little Missouri River; thence along the Black Hills to the head of Heart River, and down said river to the place of beginning.

A subsequent treaty was concluded with these Indians at Fort Berthold July 27, 1866. This makes no provision in regard to a reservation. The Indians, parties to the same, grant to the United States the right to lay out and construct roads, highways, and telegraphs through their country, and they cede to the United States "their right and title to the following lands, situated on the northeast side of the Missouri River, to wit: Beginning on the Missouri River, at the mouth of Snake River, about 30 miles below Fort Berthold; thence up Snake River in a northeast direction 25 miles; thence southwardly, parallel to the Missouri River, to a point opposite and 25 miles east of old Fort Clarke; thence west to a point on the Missouri River opposite the old Fort Clarke; thence up the Missouri River to the place of beginning."

This treaty has never been ratified, but appropriations have been made by Congress in accordance with its provisions. There are no treaty stipulations with these Indians relative to a reservation for them which have been ratified.

It is proper here to state that the reservation as proposed by Captain Wainwright is a part of the country belonging to the Arickaree, Gros Ventre, and Mandan Indians, according to the agreement of Fort Laramie, with the addition of a strip of land east of the Missouri River from Fort Berthold Indian village to the mouth of Little Knife River, as shown by the inclosed diagram; and I therefore respectfully recommend that an order of the Executive may be invoked directing the setting apart of a reservation for said Indians as proposed.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. J. D. Cox,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., April 12, 1870.

SIR: I have the honor herewith to lay before you a communication dated the 2d instant, from the Commissioner of Indian Affairs, together with the accompanying papers, reporting the selection by Captain Wainwright, Twenty-second Infantry, of a reservation for the Arickaree, Gros Ventre, and Mandan Indians, and respectfully recommend that the lands included within the boundary lines of said reserve be set apart for those Indians by Executive order, as indicated in the inclosed diagram of the same.

I have the honor to be, sir, your obedient servant,

J. D. COX,
Secretary.

The PRESIDENT.

WASHINGTON, D. C., April 12, 1870.

Let the lands indicated in the accompanying diagram be set apart as a reservation for the Arickaree, Gros Ventre, and Mandan Indians, as recommended in the letter of the Secretary of the Interior of the 12th instant.

U. S. GRANT.

EXECUTIVE MANSION, July 13, 1880.

It is hereby ordered that all that portion of the Arickaree, Gros Ventre, and Mandan Reservations set aside by Executive order dated April 12, 1870, and known as the Fort Berthold Reservation, and situated in the Territories of Dakota and Montana, respectively, lying within the following boundaries, viz: Beginning at a point where the northern 40-mile limit of the grant to the Northern Pacific Railroad intersects the present southeast boundary of the Fort Berthold Indian Reservation; thence westerly with the line of said 40-mile limit to its intersection with range line between ranges 92 and 93 west of the fifth principal meridian; thence north along said range line to its intersection with the south bank of the Little Missouri River; thence northwesterly along and up the south bank of said Little Missouri River, with the meanders thereof, to its intersection with the range line between ranges 96 and 97 west of the fifth principal meridian; thence westerly in a straight line to the southeast corner of the Fort Buford military reservation; thence west along the south boundary of said military reservation to the south bank of the Yellowstone River, the present northwest boundary of the Fort Berthold Indian Reservation; thence along the present boundary of said reservation and the south bank of the Yellowstone River to the Powder River; thence up the Powder River to where the Little Powder River unites with it; thence northeasterly in a direct line to the point of beginning,—be, and the same hereby is, restored to the public domain.

And it is further ordered, that the tract of country in the Territory of Dakota lying within the following-described boundaries, viz: beginning on the most easterly point of the present Fort Berthold Indian Reservation (on the Missouri River); thence north to the township line between townships 158 and 159 north; thence west along said township line to its intersection with the White Earth River; thence down the said White Earth River to its junction with the Missouri River; thence along the present boundary of the Fort Berthold Indian Reservation and the left bank of the Missouri River to the mouth of the Little Knife River; thence southeasterly in a direct line to the point of beginning,—be, and the same hereby is, withdrawn from sale, and set apart for the use of the Arickaree, Gros Ventre, and Mandan Indians, as an addition to the present reservation in said Territory.

R. B. HAYES.¹

SIoux RESERVATION.

How established.—By treaty of April 29, 1868, and Executive orders, January 11, March 16, May 20, 1875, and November 28, 1876; agreement ratified by act of Congress approved February 28, 1877, and Ex-

¹ Report of Indian Commissioner, 1886, pp. 317-319.

ecutive orders, August 9, 1879, and March 20, 1884. (Tract of 32,000 acres, set apart by Executive order January 24, 1882, is situated in Nebraska.)

Area and survey.—Contains 21,593,128 acres,¹ of which 2,691,000 are classed as tillable.² Partly surveyed.

Agencies.—There are five agencies on this reservation: The Cheyenne River, Crow Creek and Lower Brulé, Pine Ridge, Rose Bud, and Standing Rock.

CHEYENNE RIVER AGENCY.

[Post-office address: Cheyenne River Agency, Fort Bennett, Dak.]

Acres cultivated.—The Indians have under cultivation 1,350 acres.³

Tribes and population.—The tribes living here are the Blackfeet, Minnekonjo, Sans Arc, and Two-Kettle Sioux. Population, 2,965.⁴

Location.—“The agency is located on the west bank of the Missouri River about 8 miles below the mouth of the Big Cheyenne. The buildings stand upon about as unfertile a piece of ‘gumbo’ land as can be found along the river.”⁵ “The ground occupied by this agency stretches from Antelope Creek on the south to Moreau River on the north, a distance of about 150 miles, and west from the Missouri River about 125 miles.”⁶

Government rations.—Eighty per cent. of these Indians subsisted by Government rations in 1886.⁷

Mills and employés.—One mill.

Indian police.—Organized in 1878.⁸

Indian court of offences.—Organized in 1886.

*School population, attendance, and support.*⁹—The school population as estimated in 1886, was 767. The following table shows the accommodation, attendance, etc.:

School	Accommodation.	Average attendance.	Session.	Cost.
			Months.	
Boy's boarding	70	71	10	\$12,369.82
Oahe industrial (contract)	75	20	3	405.00
St. John's girl's boarding (Government and mission)	40	25	11	1,322.33
Charger's camp day	20	11	10	621.07
Duprez camp day	30	20	9	562.78
Hump's camp day	15	6	9	603.35
On the Trees camp day	20	15	10	621.79
St. Stephen's day	18	13	10	560.36
Swift Bird's camp day	20	14	10	614.15
Eleven mission day schools	96			

¹ Report of the Indian Commissioner, 1886, p. 352. ² *Ibid.*, pp. 426-428. ³ *Ibid.*, p. 426. ⁴ *Ibid.*, p. 394. ⁵ *Ibid.*, 1883, p. 21. ⁶ *Ibid.*, 1884, p. 20. ⁷ *Ibid.*, 1886, p. 412. ⁸ See Report, 1879, p. 23. ⁹ Report of the Indian Commissioner, 1886, p. lxxxviii.

Missionary work.—American Missionary Association (Congregational), Rev. T. L. Riggs in charge, with native assistance. The Protestant Episcopal Church work is under the care of Rev. Henry Swift, and, with native assistance, both denominations' support several stations and schools.

CROW CREEK AND LOWER BRULÉ AGENCY.

[Post-office address: Crow Creek Agency, Dak., via Chamberlain.]

Acres cultivated.—The Indians have under cultivation 1,566 acres.¹

Tribes and population.—The tribes living here are the Lower Brulé and Lower Yanktonai Sioux. Population, 2,374.²

Location.—The following is the location:

Crow Creek Agency, situated on the east side of the Missouri River, about 25 miles above Chamberlain, the western terminus of the Chicago, Milwaukee, and St. Paul Railroad, and about 60 miles below Pierre, western terminus of Chicago and North-western Railroad, is located on a low bottom, extending some miles up and down the river, with a heavy growth of young timber between the agency and the river front. * * * The reservation is quite extensive, containing 630,312 acres. The land may be divided into four classes: Farming, grazing, wood, and hay lands. The farming lands constitute the larger portion of the reservation, consisting of plateau and bottom lands. * * * This industry is carried on among these Indians to a considerable extent. In place of the usual Indian patch of corn are seen fields of wheat, oats, and corn, with gardens and potato patches, all usually well fenced and kept in good order and tolerably well cultivated.³

Lower Brulé Agency is located upon the west bank of the Missouri River, latitude 44° north, longitude about 23° west from Washington; its southern boundary near the White River, and extending 20 miles north to a point near Fort Hale, and extending west from the Missouri River a uniform width of 10 miles (as described by treaty made at Fort Sully, A. D. 1866). Much more land than this, however, is claimed by this tribe. The surface of the country is very broken, and there is but little land in the whole range of what may be called "first-class" for cultivation; the most is only adapted for grazing purposes.⁴

Government rations.—Sixty-seven per cent. of the Indians at Crow Creek Agency subsisted by Government rations, and 85 per cent. of the Indians at Lower Brulé Agency⁵ reported in 1886.

Mills and employés.—A mill was erected in 1868; rebuilt in 1869;⁶ burned in 1871.⁷ Employés of the returned students from Eastern schools.

Indian police.—Established at Lower Brulé in 1878,⁸ and at Crow Creek Agency in 1878.⁹

Indian court of offences.—Indians decline to serve without compensation.¹⁰

*School population, attendance, and support.*¹¹—The school population was estimated in 1886 at 541; Crow Creek, 220; Lower Brulé, 321. The following table shows the accommodation, attendance, etc.:

¹ Report of the Indian Commissioner, 1886, p. 426. ² *Ibid.*, p. 394. ³ *Ibid.*, 1883; pp. 27, 28. ⁴ *Ibid.*, 1881, p. 37. ⁵ *Ibid.*, 1886, p. 412. ⁶ *Ibid.*, 1869, p. 313. ⁷ *Ibid.*, 1871, p. 520. ⁸ *Ibid.*, 1878, p. 36. ⁹ *Ibid.*, 1879, p. 27. ¹⁰ *Ibid.*, 1886, p. 69.

¹¹ *Ibid.*, p. lxxxviii.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Crow Creek boarding.....	100	58	10	\$6,616.26
Lower Brulé boarding.....	40	33	10	4,600.92

Missionary work.—At Crow Creek the Protestant Episcopal Church maintains Rev. H. Burt and Rev. David Tatyopa (native) in charge. Three churches reported in 1886. Roman Catholic Church opened a mission in 1886. At Lower Brulé the Protestant Episcopal Church maintains Rev. L. C. Walker, with native catechists in charge. Five churches were reported in 1886.¹

CROW CREEK RESERVATION.

How established.—Order of Department, July 1, 1863 (see Annual Report, 1863, p. 318); treaty of April 29, 1868, Vol. XV, p. 635, and Executive order, February 27, 1885. (See President's proclamation of April 17, 1885, annulling Executive order of February 27, 1885.)

Area and survey.—Contains 203,397 acres, not reported separately.
Acres cultivated.—Not reported separately from agency.

Tribes and population.—The tribes living here are the Lower Yanktonai, Lower Brulé, and Minnekonjo Sioux. Total population not reported separately.

Location.—See Executive orders.

*Crow Creek Reserve.*²

USHER'S LANDING, DAK., July 1, 1863.

SIR: * * * With this report I transmit a plat and field-notes of the surveys made for the Sioux and Winnebago Reservations by Mr. Powers, and to which I desire to call your attention.

* * * * *

The reservation for the Sioux of the Mississippi is bounded as follows, to wit: Beginning at a point in the middle channel of the Missouri River, opposite the mouth of Crow Creek, in Dakota Territory; follow up said channel of the Missouri River about 14 miles, to a point opposite the mouth of Sne-o-tka Creek; thence due north and through the centre of the stockade surrounding the agency buildings for the Sioux of the Mississippi and Winnebago Indians, about 3 miles, to a large stone mound; thence due east 20 miles; thence due south to the Cedar Island River or American Creek; thence down the said river or creek to the middle channel of the Missouri River; thence up said channel to the place of beginning. * * *

Very respectfully, your obedient servant,

CLARK W. THOMPSON,
Superintendent of Indian Affairs.

Hon. WILLIAM P. DOLE,
*Commissioner of Indian Affairs.*³

¹ Report of the Indian Commissioner, 1886, p. 413. ² *Ibid.*, p. 319. ³ See Annual Report of Indian Office for 1863, p. 318, and United States Statutes at Large, Vol. XV, p. 635.

EXECUTIVE MANSION, *February 27, 1885.*

It is hereby ordered that all that tract of country in the Territory of Dakota, known as the Old Winnebago Reservation and the Sioux or Crow Creek Reservation, and lying on the east bank of the Missouri River, set apart and reserved by Executive order dated January 11, 1875, and which is not covered by Executive order dated August 9, 1879, restoring certain of the lands reserved by the order of January 11, 1875, except the following described tracts: Townships 108 north, range 71 west, 108 north, range 72 west; fractional township 108 north, range 73 west, the west half of section 4, sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 of township 107 north, range 70 west; fractional townships 107 north, range 71 west, 107 north, range 72 west, 107 north, range 73 west, the west half of township 106 north, range 70 west, and the fractional township 106 north, range 71 west; and except also all tracts within the limits of the aforesaid Old Winnebago Reservation and the Sioux or Crow Creek Reservation, which are outside the limits of the above-described tracts and which may have heretofore been allotted to the Indians residing upon said reservation, or which may have heretofore been selected or occupied by the said Indians under and in accordance with the provisions of article 6 of the treaty with the Sioux Indians of April 29, 1868, be, and the same is hereby, restored to the public domain.

CHESTER A. ARTHUR.

The above order was annulled by proclamation of the President, April 17, 1885.¹

OLD WINNEBAGO RESERVATION.

How established.—By order of Department, July 1, 1863. By treaty of April 29, 1868.

Area and survey.—Contains 416,915 acres.

Tribes and population.—The tribes living here are the Two Kettle and Yanktonai Sioux. No statistics separately from the agency.

By order of the Indian Department of July 1, 1863, the following tracts of land were designated as reservations for the Indians:

As a reservation for the Winnebago Indians, "beginning at a point in the middle channel of the Missouri River where the western boundary of the Sioux of the Mississippi Reserve intersects the same; thence north and through the centre of the stockade surrounding the agency buildings of the Sioux of the Mississippi and Winnebago Indians, and along said boundary line to the northwest corner of said Sioux Reserve; thence along the northern boundary of the said Sioux Reserve 10 miles; thence due north 20 miles; thence due west to the middle channel of Medicine Knoll River; thence down said river to the middle channel of the Missouri River; thence down said channel to the place of beginning."²

*Executive order.*³

FEBRUARY 27, 1885.

It is hereby ordered that all that tract of country in the Territory of Dakota, known as the Old Winnebago Reservation and the Sioux or Crow Creek Reservation, and lying on the east bank of the Missouri River, set apart and reserved by Executive order dated January 11, 1875, and which is not covered by Executive order dated August 9, 1879, restoring certain of the lands reserved by the order of January 11, 1875, except the following-described tracts: Townships 108 north, range 71 west, 108 north, range 72 west; fractional township 108 north, range 73 west, the west half of section 4, sections

¹ United States Statutes at Large, Vol. XXIII, 844; also under Old Winnebago Reservation above. ² See Report of Commissioner of Indian Affairs, 1863, p. 318. For treaty of April 29, 1868, see page 272. ³ Report of the Indian Commissioner, 1886, p.

5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 of township 107 north, range 70 west; fractional townships 107 north, range 71 west; 107 north, range 72 west; 107 north, range 73 west; the west half of township 106 north, range 70 west, and the fractional township 106 north, range 71 west; and except also all tracts within the limits of the aforesaid Old Winnebago Reservation and the Sioux or Crow Creek Reservation, which are outside the limits of the above-described tracts and which may have heretofore been allotted to the Indians residing upon said reservation, or which may have heretofore been selected or occupied by the said Indians under and in accordance with the provisions of article 6 of the treaty with the Sioux Indians of April 29, 1868, be, and the same is hereby, restored to the public domain.

CHESTER A. ARTHUR.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION:

Whereas by an Executive order bearing date the 27th day of February, 1885, it was ordered that "all that tract of country in the Territory of Dakota known as the Old Winnebago Reservation, and the Sioux or Crow Creek Reservation, and lying on the east bank of the Missouri River, set apart and reserved by Executive order dated January 11, 1875, and which is not covered by the Executive order dated August 9, 1879, restoring certain of the lands reserved by the order of January 11, 1875, except the following described tracts: Townships number 108 north, range 71 west; 108 north, range 72 west; fractional township 108 north, range 73 west; the west half of section 4, sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 of township 107 north, range 70 west, fractional townships 107 north, range 71 west, 107 north, range 72 west, 107 north, range 73 west, the west half of township 106 north, range 70 west, and fractional township 106 north, range 71 west; and except, also, all tracts within the limits of the aforesaid Old Winnebago Reservation and the Sioux or Crow Creek Reservation which are outside of the limits of the above described tracts, and which may have heretofore been allotted to the Indians residing upon said reservation, or which may have heretofore been selected or occupied by the said Indians under and in accordance with the provisions of article 6 of the treaty with the Sioux Indians of April 29, 1868, be, and the same is hereby, restored to the public domain;"

And whereas, upon the claim being made that said order is illegal and in violation of the plighted faith and obligations of the United States contained in sundry treaties heretofore entered into with the Indian tribes or bands, occupants of said reservation; and that the further execution of said order will not only occasion much distress and suffering to peaceable Indians, but retard the work of their civilization and engender amongst them a distrust of the National Government, I have determined, after a careful examination of the several treaties, acts of Congress, and other official data bearing on the subject, aided and assisted therein by the advice and opinion of the Attorney-General of the United States duly rendered in that behalf, that the lands so proposed to be restored to the public domain by said Executive order of February 27, 1885, are included as existing Indian reservations on the east bank of the Missouri River by the terms of the second article of the treaty with the Sioux Indians concluded April 29, 1868, and that consequently being treaty reservations, the Executive was without lawful power to restore them to the public domain by said executive order, which is therefore deemed and considered to be wholly inoperative and void;

And whereas the laws of the United States provide for the removal of all persons residing or being found upon Indian lands and territory without permission expressly and legally obtained of the Interior Department:

Now, therefore, in order to maintain inviolate the solemn pledges and plighted faith of the Government as given in the treaties in question and for the purpose of properly protecting the interests of the Indian tribes as well as of the United States

in the premises, and to the end that no person or persons may be induced to enter upon said lands where they will not be allowed to remain without the permission of the authority aforesaid, I, Grover Cleveland, President of the United States, do hereby declare and proclaim the said Executive order of February 27, 1885, to be in contravention of the treaty obligations of the United States with the Sioux tribe of Indians and therefore to be inoperative and of no effect; and I further declare that the lands intended to be embraced therein are existing Indian reservations and as such available for Indian purposes above and subject to the Indian intercourse acts of the United States. I do further warn and admonish all and every person or persons now in the occupation of said lands under color of said Executive order, and all such person or persons as are intending or preparing to enter and settle upon the same thereunder, that they will neither be permitted to remain nor enter upon said lands, and such persons as are already there are hereby required to vacate and remove therefrom with their effects within sixty days from the date hereof; and in case a due regard for and voluntary obedience to the laws and treaties of the United States and this admonition and warning be not sufficient to effect the purpose and intentions as herein declared, all the power of the Government will be employed to carry into proper execution the treaties and laws of the United States herein referred to.

In testimony whereof I hereunto set my hand and cause the seal of the United States to be affixed.

Done at the city of Washington this seventeenth day of April, one thousand eight hundred and eighty-five, and of the independence of the United States of America the one hundred and ninth.¹

[SEAL.]

GROVER CLEVELAND.

By the President:

T. F. BAYARD,
Secretary of State.

PINE RIDGE AGENCY.

[Post-office address: Pine Ridge Agency, Dak.]

Acres cultivated.—The Indians have under cultivation 1,516 acres.²

Tribes and population.—The tribes living here are the Northern Cheyenne and Ogalalla Sioux. Population, 4,873.³

Location.—“Situated on White Clay Creek, a branch of White Earth River.⁴ * * * This creek is a bold-running stream, of good fresh water, rising in the pine ridge which runs parallel to the northern boundary of Nebraska, and nearly due north 25 miles into the main White Earth River.”⁵

Government rations.—Seventy per cent. of these Indians subsisted by Government rations in 1886.⁶

Mills and Indian employés.—A mill built at White River in 1874,⁷ and one at Pine Ridge in 1873.⁸

Indian police.—Organized in 1874.⁹ In 1881 an agent writes: “There has been constructed at the agency one building for the use of the police, containing mess-room, kitchen, and dormitory. Here the police and Indian laborers are furnished their meals three times a day at regular hours; this arrangement is civilizing in its effect, teaching them

¹ See United States Statutes, Vol. XXIII, pp. 844–846. ² Report of the Indian Commissioner, 1886, 426. ³ *Ibid.*, p. 396. ⁴ *Ibid.*, 1887, p. 37. ⁵ *Ibid.*, p. 157. ⁶ *Ibid.*, 1886, p. 414. ⁷ *Ibid.*, 1874 p. 46. ⁸ *Ibid.*, 1879, p. 40. ⁹ *Ibid.*, 1874, p. 46.

how to conduct themselves at table, and the benefit of properly-prepared food."¹

Indian court of offences.—Indians unwilling to serve without pay.

*School population, attendance, and support.*²—The school population as estimated in 1886 was 1,800. The following table shows the accommodation, attendance, etc:

School	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Pine Ridge boarding	225	110	10	\$11,351.97
Kiyakea day.....	45	50	9	416.38
Medicine Root Creek day.....	50	46	10	549.50
Pahabia day.....	40	45	2	100.50
Pine Ridge day.....	45	45	10	575.00
Red Dog's day.....	40	42	10	600.00
St. Andrews' day.....	45	41	10	600.00
White Bird day.....	70	60	10	524.23

Missionary work.—Protestant Episcopal Church missions, under the charge of Rev. John Robinson assisted by Rev. Isaac Cook and Rev. Amos Ross (natives), and native catechists. Two churches and several mission stations reported. The Presbyterians and Roman Catholics have started missions recently.³

ROSEBUD AGENCY.

[Post-office address: Rosebud Agency, Dak., via Valentine, Nebr.]

Acres cultivated.—The Indians have under cultivation 4,199 acres.⁴

Tribes and population.—The tribes living here are the Minnekonjo, Ogalalla, Upper Brulé, and Wahzahzah Sioux. Population, 8,291.⁵

Location.—“This agency is located 92 miles from the Missouri River, on the western bank of the Rosebud, nearly 3 miles above its confluence with the White River, and is surrounded with high hills, which render it difficult of access.” This agency has control of an area of 65 by 200 square miles.⁶

Government rations.—Seventy per cent. of the Indians subsisted by Government rations.

Mills and Indian employés.—A mill was built on White River⁷ at Rosebud Agency, 1878,⁸ but being built where a supply of water was impossible to obtain, it was useless until removed to the bank of the stream.⁹

Indian police.—Established in 1878.¹⁰

Indian court of offences.—None reported.

¹ Report of the Indian Commissioner, 1881, p. 50. ² *Ibid.*, 1886, p. xc. ³ *Ibid.*, pp. 77, 415. ⁴ *Ibid.*, p. 428. ⁵ *Ibid.*, p. 396. ⁶ *Ibid.*, 1884, p. 41; 1886, p. 78. ⁷ *Ibid.*, 1875, p. 254. ⁸ *Ibid.*, 1878, p. 38. ⁹ *Ibid.*, 1880, p. 43. ¹⁰ *Ibid.*, 1878, p. 40.

*School population, attendance, and support.*¹—The school population as estimated in 1886 was 1,700. The following table shows the accommodation, attendance, etc.:

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Agency day.....	30	24	10	\$849.40
Black Pipe day.....	48	33	10	637.06
Corn Creek day.....	30	18	3	123.58
Cut Meat Creek day.....	30	19	9	541.26
Little Oak Creek day.....	30	23	10	477.72
Little White River day.....	30	19	3	131.82
Oak Creek day.....	30	22	10	600.00
Pass Creek day.....	35	24	7	326.09
Red Leaf Camp day.....	30	24	7	340.76
Ring Thunder Camp day.....	30	26	6	253.36
Scabby Creek day.....	30	24	10	862.06
White Thunder Creek day.....	40	31	10	875.00
Episcopal boarding mission.....	40			
Roman Catholic boarding mission.....	33			
Congregational Church day.....	22			

Missionary work.—The Protestant Episcopal Church has missions here under the charge of Rev. William J. Cleveland, assisted by the Rev. Charles S. Cook (native) and native deacons and catechists. Seven church buildings were reported in 1886. In that year the Roman Catholics began a mission.²

STANDING ROCK AGENCY.

[Post-office address: Standing Rock Agency, Fort Yates, Dak.]

Acres cultivated.—The Indians have under cultivation 3,350 acres.³

Tribes and population.—The tribes living here are the Blackfeet, Unkpapa, Lower and Upper Yanktonai Sioux. Population, 4,690.⁴

Location.—The following is the location:

Standing Rock Agency is located upon the west bank of the Missouri River, in latitude 46° 10' north. The Indian settlements extend along the Missouri, from the Cannon Ball River on the north to the Grand River on the south, a distance of about 60 miles; whilst the agency buildings are situated nearly midway between these two streams, the Cannon Ball River being the northern boundary of the reservation, and the Missouri River the eastern line. The Indians of this agency therefore occupy the north-eastern corner of the reservation, which, for agricultural and grazing purposes combined, I believe to be by far the best portion of the "Great Sioux Reservation," so called.⁵

Government rations.—Seventy per cent. of these Indians subsisted by Government rations in 1886.⁶

Mills and employés.—None reported.

¹ Report of the Indian Commissioner, 1886, p. xc. ² *Ibid.*, pp. 82-85, 415. ³ *Ibid.*, p. 428. ⁴ *Ibid.*, p. 396. ⁵ *Ibid.*, 1882, p. 43. ⁶ *Ibid.*, 1886, p. 414.

Indian police.—Organized in 1878.¹

Indian court of offences.—Established in 1883.²

*School population, attendance, and support.*³—The school population as estimated in 1886 was 1,109. The following table shows the accommodation, attendance, etc.:

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Agency boarding.....	100	116	12	\$9,883.78
Boys' boarding.....	60	48	12	6,612.80
No. 1 day.....	30	21	10	495.79
No. 2 day.....	30	21	11	594.96
No. 3 day.....	30	14	10	594.95
Cannon Ball day.....	60	61	10	1,461.33
Grand River day.....	60	50	10	1,263.56

Missionary work.—The Roman Catholic Church has here four mission stations. The American Missionary Association (Congregational) has a station at Grand River. The Protestant Episcopal Church has a station at Oak Creek. These last are under the charge of natives.

SYNOPSIS OF SIOUX TREATIES.

Treaty of September 23, 1805, with the Sioux Indians, made by Lieut. Z. M. Pike.

The Indians cede for military posts 9 miles square at the mouth of the river St. Croix; and at the confluence of the Mississippi and St. Peter's Rivers, to include the falls of St. Anthony, 9 miles on each side of the Mississippi. (Art. 1.)

The United States to pay \$2,000 or to deliver the same value in goods and merchandise. (Art. 2.)

Indians to be allowed to hunt and traverse the districts ceded. (Art. 3.)

Approved by the Senate April 13, 1808. (Indian Laws, p. 316.)

Treaty of peace made at Portage des Sioux with the Sioux of the Lakes, July 19, 1815.

Injuries to be mutually forgiven. (Art. 1.)

Perpetual peace to be maintained. (Art. 2.)

The protection of the United States acknowledged. (Art. 3.)

Ratified December 26, 1815. (United States Statutes at Large, Vol. VII, p. 126.)

A similar treaty was made on the same date (July 19, 1815), and at the same place, with the Teton band of Sioux. (See United States Statutes at Large, Vol. VII, p. 125.)

A similar treaty was made on the same date (July 19, 1815), same place, with the Sioux of the St. Peter's. (See United States Statutes at Large, Vol. VII, p. 127.)

A treaty with the eight bands of the Sioux, composing the three tribes called the Sioux of the Leaf, the Sioux of the Broad Leaf, and the Sioux who Shoot in the Pine Tops, was made at St. Louis, June 1, 1816, of the same import as the preceding, except that these bands agree to confirm to the United States all cessions hitherto made by them to the British, French, or Spanish Governments within the limits of the United States. (Art. 3.)

Proclaimed December 30, 1816. (United States Statutes at Large, Vol. VII, p. 143.)

¹ Report of the Indian Commissioner, 1879, p. 47. ² *Ibid.*, 1883, p. 56. ³ *Ibid.*, 1886, p. xc.

Treaty between the Teton, Yancton, and Yanctonic bands of Sioux Indians, made at Fort Lookout, June 22, 1825.

The Indians acknowledge dependence upon the United States and the right of the latter to regulate trade. (Arts. 1, 3.)

United States to extend benefits to Indians. (Art. 2.)

Indians to protect traders and surrender any person not legally authorized by the United States to trade. Safe conduct to all persons legally authorized to pass through their country. To deliver up offenders to the laws of the United States and to assist in the restoration of stolen property. The United States, upon proof, to indemnify the Indians for property stolen by citizens. (Art. 5.)

Indians not to supply implements of war to hostile tribes. (Art. 6.)

Proclaimed February 6, 1826. (United States Statutes at Large, Vol. VII, p. 250.)

Treaty with the Sioune and Ogalalla tribes of Sioux Indians, made at the mouth of the Teton River, July 5, 1825.

Similar to the preceding treaty. Proclaimed February 6, 1826. (United States Statutes at Large, Vol. VII, p. 252.)

Treaty with the Hunkpapa band of Sioux Indians, made at the Auricara village, July 16, 1825.

Similar to the preceding treaty. Proclaimed February 6, 1826. (United States Statutes at Large, Vol. VII, p. 257.)

Treaty with the Sioux and Chippewa, Sac and Fox, Menominie, Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chippewa, and Potawattomie Indians, made at Prairie des Chiens, Michigan Territory, August 19, 1825.

Peace established between the Sioux and the Chippewas, the confederated tribes of Sacs and Foxes, and the Ioways. (Art. 1.)

The line between the confederated tribes of the Sacs and Foxes and the Sioux shall be as follows: From the mouth of the Upper Ioway River, on the west bank of the Mississippi, and ascending the said Ioway River to its left fork; thence to its source; thence crossing the fork of Red Cedar River in a direct line to the second or upper fork of the Des Moines River; and thence in a direct line to the lower fork of the Calumet River; and down that river to its juncture with the Missouri River, subject to the assent of the Yankton to the line from the Des Moines to the Missouri. Sac and Fox relinquish to the tribes interested all their claims to the land east of the Mississippi. (Art. 2.)

The Ioways accede to this agreement, they having a just claim to a portion of the country described; they to reside peaceably therein with Sac and Fox. (Art. 3.)

The Otoes not being represented their claim to the land is not affected. (Art. 4.)

The line dividing the respective countries of the Sioux and Chippewas begins at the Chippewa River, half a day's march below the falls; * * * thence, * * * to Red Cedar River immediately below the falls; thence to the St. Croix River, * * * at a place called the standing cedar, about a day's paddle in a canoe above the lake at the mouth of that river; thence * * * between two lakes called by the Chippewas "Green Lakes," and by the Sioux "the lakes they bury the eagles in," and thence to the standing cedar that "the Sioux split;" thence to Rum River, crossing it at the mouth of * * * Choaking Creek, a long day's march from the Mississippi; thence to a point of woods that projects into the prairie, half a day's march from the Mississippi; thence in a straight line to the mouth of the first river which enters the Mississippi on its west side above the mouth of Sac River; thence ascending the said river (above the mouth of Sac River) to a small lake at its source; thence in a direct line to a lake at the head of Prairie River, which is supposed to enter the Crow

Wing River on its south side; thence to Otter-tail Lake Portage; thence to said Otter-tail Lake, and down through the middle thereof to its outlet; thence in a direct line so as to strike Buffalo River half way from its source to its mouth, and down the said river to Red River; thence descending Red River to the mouth of Outard or Goose Creek. The eastern boundary of the Sioux commences opposite the mouth of Ioway River, on the Mississippi, runs back 2 or 3 miles to the bluffs, follows the bluffs crossing Bad Axe River to the mouth of Black River, and from Black River to half a day's march below the falls of the Chippewa River. (Art. 5.)

It is agreed, so far as the Chippewas and Winnebagoes are mutually interested therein, that the southern boundary line of the Chippewa country shall commence on the Chippewa River aforesaid, half a day's march below the falls of that river, and run thence to the source of Clear Water River (a branch of the Chippewa); thence south to Black River; thence to a point where the woods project into the meadows, and thence to the Plover Portage of the Ouisconsin. (Art. 6.)

It is agreed between the Winnebagoes and the Sioux, Sacs and Foxes, Chippewas and Ottawas, Chippewas and Potawatomes of the Illinois, that the Winnebago country shall be bounded as follows: South-easterly by Rock River from its source, near the Winnebago Lake to the Winnebago village, about 40 miles above its mouth; westerly by the east line of the tract, lying upon the Mississippi herein secured to the Ottawa, Chippewa, and Potawatomie Indians of the Illinois; and also by the high bluff described in the Sioux boundary and running north to Black River; from this point the Winnebagoes claim up Black River to a point due west from the source of the left fork of the Ouisconsin; thence to the source of the said fork and down the same to the Ouisconsin; thence down the Ouisconsin to the portage, and across the portage to Fox River; thence down Fox River to the Winnebago Lake and to the grand Kan Kanlin, including in their claim the whole of Winnebago Lake; but, for the causes stated in the next article, this line from Black River must for the present be left indeterminate. (Art. 7.)

The rights of the Menomines, they being absent, shall not be affected, their land being bounded on the north by the Chippewa country, on the East by Green Bay and Lake Michigan, extending as far south as Milwaukee River, and on the west they claim to Black River. (Art. 8.)

The country secured to the Ottawa, Chippewa, and Potawatomie tribes of the Illinois is bounded as follows: Beginning at the Winnebago village on Rock River, 40 miles from its mouth, and running thence down the Rock River to a line which runs from Lake Michigan to the Mississippi, and with that line to the Mississippi opposite Rock Island; thence up that river to the United States Reservation at the mouth of the Ouisconsin; thence with the south and east lines of the said reservation to the Ouisconsin; thence southerly, passing the heads of the small streams emptying into the Mississippi, to the Rock River at the Winnebago village. The Illinois Indians have also a just claim to a portion of the country bounded south by the Indian boundary line aforesaid, running from the southern extreme of Lake Michigan, east by Lake Michigan, north by the Menomine country, and northwest by Rock River. This claim is recognized in the treaty concluded with the said Illinois tribes at St. Louis, August 24, 1816. (Art. 9.)

All the tribes acknowledge dependence upon the United States, and make no claim to the reservations at Fever River, Ouisconsin, St. Peter's, Prairie des Chiens, and Green Bay, and the half-breed reservations on the Mississippi, made August 4, 1824. (See treaty Sac and Fox, made at Washington, August 4, 1824.) (Art. 10.)

President to hold a council with Yankton and Otoe in 1826 to adjust unsettled lines (Art. 11), and with Chippewas in the same year on Lake Superior. (Art. 12.)

No tribe to hunt within the acknowledged limits of any other tribe without its consent. (Art. 13.)

Tribes to settle difficulties amicably. United States to take such measures as it deems proper to effect same objects. (Art. 14.)

Treaty obligation on tribes from its date; on the United States after ratification. (Art. 15.)

Proclaimed February 6, 1836. (United States Statutes at Large, Vol. VII, p. 272.)

Treaty with the confederated tribes of the Sacs and Foxes; the Medawah-Kanton, Wahpa-coota, Wahpeton, and Sissetong bands of Sioux; the Omahas, Ioways, Ottoes, and Missourias, made at Prairie du Chien, Michigan Territory, July 15, 1830.

The said tribes cede to the United States their lands within the following boundaries: Beginning at the upper fork of the Dempoine 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 above the Kansas; thence along said line to the north-west corner of said State; thence to the highlands between the waters falling into the Missouri and Dempoine, passing to said highlands along the dividing ridge between the forks of the Grand River; thence along said highlands or ridge separating the waters of the Missouri from those of the Dempoine to a point opposite the source of Boyer River, and thence in a direct line to the upper fork of the Dempoine, the place of beginning. But it is understood that the lands ceded and relinquished by this treaty are to be assigned and allotted under the direction of the President of the United States, to the tribes now living thereon, or to such other tribes as the President may locate thereon for hunting and other purposes. (Art. 1.)

The confederated tribes of the Sacs and Foxes cede to the United States a tract 20 miles in width, from the Mississippi to the Dempoine; situate south and adjoining the line between the said confederated tribes of Sacs and Foxes, and the Sioux, as established by the second article of the treaty of Prairie du Chien, of August 19, 1825. (Art. 2.)

The Medawah-Kanton, Wah-pa-coota, Wahpeton, and Sisseton bands of the Sioux cede to the United States a tract of country 20 miles in width, from the Mississippi to the Dempoine River, situate north, and adjoining the line mentioned in the preceding article. (Art. 3.)

The claim or right in common of the tribes to any lands not embraced in these cessions shall not be affected. (Art. 12.)

The United States to pay to the Sacs \$3,000; to the Foxes \$3,000; to the Sioux of the Mississippi \$2,000; to the Yancton and Santie bands of the Sioux \$3,000; to the Omahas \$2,500; to the Ioways \$2,500; to the Ottoes and Missourias \$2,500, and to the Sacs of the Missouri River \$500, to be paid annually for ten years in money, merchandise, or domestic animals, at their option; also to maintain for ten years one blacksmith and agricultural implements as stipulated for each of the foregoing bands. (Art. 4.)

Also a gift of \$5,132 worth of merchandise which shall be considered as full compensation for the cession made. (Art. 8.)

The United States to set apart \$3,000 annually for ten years, to be applied, at the discretion of the President, to the education of the children of said tribes. (Art. 5.)

The United States to set apart the following reservation for half-breed Sioux: Beginning at a place called the barn, below and near the village of the Red Wing Chief, and running back 15 miles; thence in a parallel line with Lake Pepin and the Mississippi about 32 miles to a point opposite Beef or O-Beef River; thence 15 miles to the Grand Encampment opposite to the river aforesaid. The half-breeds' title to be the same as other Indian titles. (Art. 9.)

The following reservation for the Omaha, Ioway, Ottoe, Yancton, and Santie half-breeds: Beginning at the mouth of the Little Ne-mohaw River and running up the main channel of said river to a point which will be 10 miles from its mouth in a direct line; from thence in a direct line to strike the Grand Ne-mohaw 10 miles above its mouth in a direct line (the distance between the two Ne-mohaws being about 20

miles); thence down said river to its mouth; thence up and with the meanders of the Missouri River to the point of beginning. Half-breeds of said tribes and bands may occupy said tract in the same manner as other Indians. The President may hereafter assign to any of the said half-breeds, to be held in fee-simple, any portion of said tract not exceeding 640 acres to each individual. And this provision shall extend to the cession made by the Sioux in the preceding article. (Art. 10.)

The reservation mentioned in the preceding article having belonged to the Ottobes and been ceded by them, it is agreed that the Omahas, the Ioways, and the Yankton and Santee bands of Sioux shall pay out of their annuities to the said Ottoe tribe for the period of ten years \$100 each, making \$300 annually. (Art. 11.)

Treaty to take effect after ratification. (Art. 13.)

Proclaimed February 24, 1831. (United States Statutes at Large, Vol. VII, pp. 328-332.)

Treaty with the band of Sioux under Wahashaw, September 10, 1836.

The Indians cede all that portion of territory lying between the State of Missouri and the Missouri River included in the land to be assigned and allotted according to article 1 of the treaty of July 15, 1830, receiving as payment presents to the amount of \$400 in goods or money.

Proclaimed February 15, 1837. (United States Statutes at Large, Vol. VII, p. 510.)

Treaty with the Ottobes, Missouries, Omahaws, and Yankton and Santee bands of Sioux, made at Bellevue, Upper Missouri, October 15, 1836.

The Indians relinquish all claim to that portion of the land set apart in article 1, of the treaty of July 15, 1830, lying between the State of Missouri and the Missouri River. (Art. 1.)

The United States to give presents to the Ottobes, \$1,250; to the Missouries, \$1,000; to the Omahaws, \$1,270; to the Yankton and Santee bands, \$1,000. (Art. 2.)

The Ottobes and Missouries having removed to a place selected for them, the United States to furnish 500 bushels of corn; and the Omahaws having established themselves at the place recommended to them, the United States to break and fence 100 acres of ground as soon as it can be done after ratification of this treaty. (Art. 3.)

Treaty obligatory on tribes from date, upon the United States after ratification.

Proclaimed February 15, 1837. (United States Statutes at Large, Vol. VII, pp. 524-526.)

Treaty with the Wahpaakootah, Susseton, and Upper Medawakanton bands of Sioux Indians, made at St. Peters, November 30, 1836.

Indians agree to the cession of the land lying between the State of Missouri and the Missouri River.

United States agrees to pay \$550 in goods.

Proclaimed February 18, 1837. (United States Statutes at Large, Vol. VII, p. 527.)

Treaty with certain braves and chiefs of the Sioux Nation, made at Washington, September 29, 1837.

Cede their lands east of the Mississippi River and all their islands in said river. (Art. 1.)

The sum of \$300,000 shall be invested at 5 per cent., the interest to be paid annually forever; one-third to be applied as the President may direct, and the residue to be paid in specie or in such other manner as the tribe may designate; \$110,000 to be distributed as determined by the chiefs signing treaty and the War Department, no mixed bloods less than quarter breeds to be included in this benefit; \$90,000 for the payment of the just debts of the Sioux Indians; to the chiefs and braves an annuity for

twenty years of \$10,000 in goods; to expend annually for twenty years \$8,250 for medicine, agricultural implements and stock, support of physician, farmer, and blacksmith; to enable the Indians to improve their lands, and purchase agricultural implements, tools, cattle, and other useful articles, an amount not exceeding \$10,000 allowed. For twenty years the sum of \$5,500 annually shall be expended in the purchase of provisions. The chiefs and braves signing this treaty shall receive \$6,000 in goods. (Art. 2.)

Treaty binding when ratified.

Proclaimed June 15, 1838. (United States Statutes at Large, Vol. VII, p. 538.)

Treaty with the See-see-toan and Wah-pay-toan bands of Sioux Indians, made at Traverse des Sioux, Minnesota, July 23, 1851.

Peace shall be perpetual. (Art. 1.)

The Indians cede their land in the State of Iowa, and also in the Territory of Minnesota lying east of the following line: Beginning at the junction of the Buffalo River with the Red River of the North; thence along the western bank of said Red River of the North to the mouth of the Sioux Wood River; thence along the western bank of said river to Lake Traverse; thence along the western shore of said lake to the southern extremity thereof; thence in a direct line to the junction of Kameska Lake with the Tchan-kas-an-data or Sioux River; thence along the western bank of said river to its point of intersection with the northern line of the State of Iowa, including all the islands in said rivers and lake. (Art. 2.)

The sum of \$1,665,000, in the following manner: To the chiefs, \$275,000, out of which the chiefs agree to remove to their reservations and subsist themselves one year without further cost to the Government; \$30,000 to be expended under the direction of the President for the establishment of a manual labor school, mills, blacksmith shop, opening farms, etc.; the balance, \$1,360,000, to remain in trust, at 5 per cent., interest to be paid annually, for a period of fifty years, commencing July, 1852, which shall be in full payment of said balance, principal and interest, the said payment to be applied, under the direction of the President, as follows: \$12,000 for a general agricultural and civilization fund, \$6,000 for education, \$10,000 for goods and provisions, and \$40,000 money annuity. (Art. 4.)

All that tract of country on either side of the Minnesota River, from the western boundary of the lands herein ceded, east to the Tchay-tam-bay River on the north, and to Yellow Medicine River on the south, to extend on each side a distance of not less than 10 miles from the general course of said river. (Art. 3.)

The United States to pay at the rate of 10 cents an acre for the above lands, which had been set apart as a reservation for these Indians.

The President is authorized, with the assent of the Indians, to set apart by appropriate landmarks and boundaries such tracts of country without the limits of the cession herein made as may be satisfactory for future occupation of these Indians. The President may, by the consent of the Indians, vary the conditions aforesaid if deemed expedient. (Senate amendment to Art. 3.)

The sale of liquor is forbidden in the Indian country. The rules and regulations to protect the personal property of the Indians to be prescribed and enforced as the President or Congress may direct. (Art. 5.)

Treaty amended June 23, 1852; assented to by Indians September 8, 1852; proclaimed February 24, 1853. (United States Statutes at Large, Vol. X, pp. 949-953.)

Treaty with the Medaywakantooan and Wahpaykootay bands of Sioux Indians, made at Mendota, Minnesota, August 5, 1851.

Peace shall be perpetual. (Art. 1.)

Indians cede all their lands in the Territory of Minnesota or the State of Iowa. (Art. 2.)

The United States to pay \$1,410,000 in the following manner: Two hundred and twenty thousand dollars to the chiefs to remove and sustain themselves for one year without cost to the Government, this sum to be divided in equal parts between the two bands; \$30,000, under the direction of the President, for manual-labor school, mills, shops, opening farms, etc.; the balance, \$1,160,000, to remain in trust, at the rate of 5 per cent. interest, to be paid annually, for a period of fifty years, commencing July, 1852, which shall be in full payment of said balance, principal, and interest, to be applied, under the direction of the President, as follows: Twelve thousand dollars for a general agricultural and civilization fund; \$6,000 for education; \$10,000 for the purchase of goods and provisions; \$30,000 as a money annuity.

The entire annuity provided for in the second article of the treaty of 1837 (United States Statutes at Large, Vol. VII, p. 539), including any unexpended balance that may be in the Treasury on the 1st of July, 1852, shall thereafter be paid in money.

Following reservation set apart, tract of country of the average width of 10 miles on either side of the Minnesota River, and bounded on the west by the Tchay-tambay and Yellow Medicine Rivers, and on the east by Little Rock River and a line running due south from its mouth to the Waraju River, the boundaries of said tract to be marked out by as straight lines as practicable, whenever and in such manner as the President of the United States shall direct (United States Statutes at Large, Vol. X, p. 957), United States to pay for the above lands 10 cents per acre in lieu of reservation. (Senate amendment to Art. 3, preceding treaty.)

Amended June 23, 1852; assented to September 8, 1852; proclaimed February 24, 1853. (United States Statutes at Large, Vol. X, pp. 954-959.)

Treaty between Sioux and other tribes, made at Fort Laramie, Wyo., September 17, 1851.
(Indian Laws, p. 317.)

See Blackfoot treaties, Montana.

Treaty with the Mendawakanton and Wahpakoota tribes of Sioux Indians made at Washington, June 19, 1858.

Whereas it was agreed that the land described in the third article of the treaty of August 5, 1851, was to be purchased by the United States. Said land having been set apart for the future occupancy and home of these Indians, the President so far varied the conditions as to permit these said bands to locate for the time being upon the tract originally reserved; and whereas, no other home having been provided for them, Congress, by act of July 31, 1854, authorized the President to confirm to these bands forever their reservation on the Minnesota River now occupied by them. (Art. 2.)

It is agreed that that part of the tract of land described in article 3 of the treaty of August 5, 1851, of the Minnesota River, shall constitute a reservation for said bands, and shall be surveyed. Eighty acres shall be allotted to the head of each family, or single person over the age of twenty-one years, and to children upon arriving at majority. Each allotment shall include a proper portion of timber land, the residue of the reservation to be held in common. The President, at his discretion, may cause patents to be issued, which shall be inalienable except to the United States. Tracts exempt from levy, taxation, or forfeiture until otherwise provided. The expenses of survey and allotment to be paid out of the funds of said bands. (Art. 1.)

And whereas the President has not directly so confirmed said reserve, the question shall be submitted to the Senate whether these bands have a right to said lands, and if so, what compensation shall be made for that part of said reservation lying north of the Minnesota River. (Art. 2.)

If the Senate shall assent to compensation, a sum not exceeding \$70,000, from the proceeds of sale, shall be used to cancel the just debts and obligations of the bands. (Art. 3.)

All laws regulating trade and intercourse with Indian tribes shall be enforced over the reservation, and shall protect from trespass not only the timber land allotted to individuals, but that reserved for subsequent use. (Art. 4.)

The United States shall have the right to establish military posts, agencies, schools, mills, shops, roads, and other improvements, as may be deemed necessary. Compensation shall be made to the Indians for any injury arising therefrom. Roads or highways authorized by competent authority other than the United States shall have right of way upon payment of a fair value of the land taken. (Art. 5.)

The bands acknowledge their dependence on the United States and bind themselves to friendly relations, to make compensation for injuries done, and to deliver up offenders to punishment. (Art. 6.)

Annuities to be withheld from those using intoxicating liquors. (Art. 7.)

Stipulations in former treaties providing for the payment of particular sums of money or for the application thereof are hereby so amended and changed as to invest the Secretary of the Interior with discretionary power in regard to the objects of annual expenditure of all sums which have accrued and are now due to said bands, together with that which shall become due, provided said sums shall be expended for the benefit of said bands as the Secretary shall deem best. (Art. 8.)

Senate decide on claim of A. J. Campbell. (Art. 9.)

United States pay expenses of treaty. (Art. 11.)

Proclaimed March 31, 1859. (United States Statutes at Large, Vol. XII, p. 1031.)

Treaty with the Sisseton and Wahpaton bands of Sioux Indians, made at Washington, June 19, 1858.

The stipulations and agreements of articles 1, 2, 3, 4, 5, 6, 7, of this treaty are identical with those of the preceding treaty of June 19 with the Mendawakanton and Wahpakoota bands.

Article 8 provides as follows: "Any members of said Sisseton and Wahpaton bands who may be desirous of dissolving their tribal connection and obligations, and of locating beyond the limits of the reservation provided for said bands, shall have the privilege of so doing by notifying the United States agent of such intention, and making an actual settlement beyond the limits of said reservation; shall be vested with all the rights, privileges and immunities, and be subject to all the laws, obligations and duties of citizens of the United States; but such procedure shall work no forfeiture on their part of the right to share in the annuities of said bands.

Articles 9 and 10 identical with articles 8 and 10 of preceding treaty.

Proclaimed March 31, 1859. (United States Statutes at Large, Vol. XII, p. 1037.)

By an act of Congress of June 27, 1860, the Senate decided that the Mendawakanton and Wahpakoota and Sisseton and Wahpaton bands possessed a just and valid right and title to the reservation, and that they be allowed the sum of 30 cents per acre for the lands lying north of the Minnesota River, exclusive of the cost of survey and sale or contingent expenses; and also that all persons who had settled in good faith and made improvements on lands contained in the reservation, believing them to be Government lands, shall have the right of pre-emption to 160 acres, paying the sum of \$1.25 per acre. For such settlements on the south side of the Minnesota River the consent of the Indians shall first be obtained in such manner as the Secretary of the Interior may prescribe. The money for the sale to be paid into the Treasury of the United States. (United States Statutes at Large, Vol. XII, p. 1042.)

By the act of February 16, 1863, all treaties heretofore made and entered into with the Sisseton, Wahpeton, Mendawakanton, and Wahpakoota bands of Sioux Indians are declared to be abrogated and annulled so far as they impose any future obligations on the United States, and all lands and rights of occupancy within the State of Minnesota and all annuities and claims heretofore recorded to said Indians or any of them to be forfeited to the United States. (Sec. 1.)

Two hundred thousand dollars of annuities due said bands hereby appropriated to be apportioned among the persons whose property had been destroyed and damaged by the Indians or by the troops of the United States, upon proof as herein prescribed, the sum not exceeding \$200 to be paid to any one family. (Sec. 2.)

Provision of a commission and payments provided in sections 3, 4, 5, 6, 7, 8, and 10:

And be it further enacted, That the Secretary of the Interior is hereby authorized to set apart, of the public lands not otherwise appropriated, 80 acres in severalty to each individual of the before-mentioned bands who exerted himself in rescuing the whites from the late massacre of said Indians. The land so set apart shall not be subject to any tax, forfeiture, or sale by process of law, and shall not be aliened or devised, except by the consent of the President of the United States, but shall be an inheritance to said Indians and their heirs forever. (Sec. 9 United States Statutes at Large, Vol. XII, p. 652.)

Act making appropriations for current and contingent expenses of Indian Department, and fulfilling treaty stipulations with various Indian tribes, March 3, 1863, for year ending June 30, 1864.

* * * To enable the President of the United States to cause the Sioux of the Mississippi to be removed beyond the limits of any States, and for establishing them in their new homes, \$50,016.66; the same being equal to one-third of the whole sum heretofore stipulated to be paid in the several treaties heretofore existing between the said Indians and the United States, but which treaties have been abrogated in consequence of the war by the said Indians and the people of the United States, * * * and for maintaining said Indians in their new home and making such provisions as for them to support themselves by agricultural pursuits, the President is authorized to spend one-third of unexpended balance in the Treasury hitherto appropriated for the benefit of said Indians. No part of said sum to be paid in money. (United States Statutes at Large, Vol. XII, p. 784.)

Treaty with the Minneconjon band of Sioux Indians, made at Fort Sully, Dak., October 10, 1865.

The Indians acknowledge the authority of the United States. (Art. 1.)

They agree to desist from hostilities against citizens (Art. 1) and other bands of Indians (Art. 2), and to prevent other bands of Sioux Indians from hostile action. (Art. 1.)

Also to submit controversies between different bands of Sioux to the arbitrament of the President. (Art. 3.)

Indians to withdraw from all overland routes already established or hereafter to be established through their country. (Art. 4.)

The United States to pay \$10,000 annually for twenty years in such articles as the Secretary of the Interior may direct. (Art. 4.)

Also to protect any members of the band who desire to locate permanently upon any lands claimed by them for the purpose of agricultural or other pursuits. (Art. 5.)

Any amendment or modification of this treaty by the Senate of the United States shall be considered final and binding upon the said band represented in council as a part of this treaty in the same manner as if it had been subsequently presented and agreed to by the chiefs and head-men of said band. (Art. 6.)

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 695.)

Treaty with the Lower Brulé band of Sioux Indians, made at Fort Sully, Dak., October 14, 1865.

The provisions and agreements of articles 1, 2, 3, 4, and 5 are similar to those of the treaty of October 10, 1865, with the Minneconjon band of Sioux, except the amount of payment in article 4, which is \$6,000 for twenty years.

A reservation to be established, to include Fort Lookout, near the mouth of White River, 20 miles in a straight line along the Missouri River and 10 miles in depth. (Art. 6.)

When not less than fifty lodges or families shall engage in agriculture or other pursuits on the reservation, the Government shall furnish \$25 for five years to every lodge or family so engaged, to be expended in stock and implements, which are to be the property of the United States, and not to be sold or alienated to any member of the band. Also to maintain a blacksmith and farmer. (Art. 6.)

Whenever the Secretary of the Interior may so direct schools may be opened. (Art. 6.)

The United States to construct roads through the reservation. No white person unconnected with the Government shall be permitted to go on or remain on the reservation unless admitted as a member of the band. (Art. 6.)

The Indians to permit the Two Kettles band to be located adjoining them. (Art. 7.)

Article 8 is the same as article 6 of the treaty of October 10, 1865.

Amended March 5, 1866; proclaimed March 17, 1866. (Statutes at Large, Vol. XIV, p. 699.)

Treaty with the Two Kettle band of Sioux Indians, made at Fort Sully, Dak., October 19, 1865.

Provisions of articles 1, 2, 3, 4, and 5 are the same as those of the treaty of October 14, 1865, with the Lower Brulé band, except that the provision for agricultural implements, etc., is contingent upon twenty lodges locating on lands for agricultural purposes. When one hundred lodges have so engaged they shall be entitled to a farmer, blacksmith, and teacher at the expense of the Government and option of the Secretary of the Interior. (Art. 5.)

United States soldiers having killed a friendly chief, \$500 to be paid to his widow and children. (Art. 6.)

Article 7 same as articles 6 and 8 of preceding treaty.

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 723.)

Treaty with the Blackfeet band of Dakota Indians, made at Fort Sully, Dak., October 19, 1865.

Articles 1, 2, 3, and 4, are the same as those of the treaty of October 19, 1865, with the Two Kettles band, except payments.

The United States to pay \$7,000 annually for twenty years in such articles as the Secretary of the Interior may direct. (Art. 4.)

Provision for the modification of this treaty is the same as in the treaty of October 10, 1865, with the Minneconjon band.

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 727.)

Treaty with the Sans Arc band of Sioux Indians, made at Fort Sully, Dak., October 20, 1865.

Articles 1, 2, 3, and 4 are the same as those of the treaty of October 19, 1865, with the Blackfeet band, except as to payments.

The United States to pay \$30 annually for twenty years to each lodge or family in such articles as the Secretary of the Interior may direct. (Art. 4.)

Article 5 the same as article 5 of treaty with Two Kettles band of Sioux.

Article 6 of this treaty the same as article 6 of the treaty of October 10, 1865, with the Minneconjon band.

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 731.)

Treaty with the Yanktonai band of Sioux Indians, made at Fort Sully, Dak., October 20, 1865.

Provisions and agreements of this treaty are the same as those of the treaty of October 20, 1865, with the Sans Arc band.

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 735.)

Treaty with the Onkpahpah band of Sioux Indians, made at Fort Sully, Dak., October 20, 1865.

Provisions and agreements of this treaty are the same as those of the treaty of October 20, 1865, with the Yanktonai band.

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 739.)

Treaty with the Upper Yanktonai bands of Sioux Indians, made at Fort Sully, Dak., October 28, 1865.

Provisions and agreements are the same as those of the treaty of October 20, 1865, with the Onkpahpah band, except payments.

The Government to pay \$10,000 annually for twenty years, to be expended in such articles as the Secretary of the Interior may direct. (Art. 4.)

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 743.)

Treaty with the Ogallala band of Sioux Indians, made at Fort Sully, Dak., October 28, 1865.

Provisions and agreements are the same as those of the treaty of October 28, 1865, with the Upper Yanktonais band.

Amended March 5, 1866; proclaimed March 17, 1866. (United States Statutes at Large, Vol. XIV, p. 747.)

Treaty with the Brulé, Ogallala, Minnekonjo, Yanktonai, Uncpapa, Blackfeet, Cuthead, Two Kettle, Sans Arc, Arrapahoe, and Santee tribes of Sioux made at Fort Laramie, Dak., April 29, 1868.

War between the parties to this treaty shall forever cease, and peace shall be maintained toward the United States. Any white persons committing wrong upon the persons or property of the Indians shall be, through the Commissioner of Indian Affairs, upon proof, arrested and punished according to the laws of the United States, and the injured person reimbursed for the loss sustained. Any Indian committing wrong or depredation upon any one subject to the authority of the United States, and at peace therewith, the Indians shall deliver up the wrong-doer to be tried and punished according to law. In case of refusal the person injured shall be reimbursed for his loss from annuities due the tribes. No one violating the laws of the United States shall be reimbursed for loss sustained. (Art. 1.)

The United States agrees that the following district of country, to wit, commencing on the east bank of the Missouri River, where the forty-sixth parallel of north latitude crosses the same; thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska strikes the river; thence west across said river and along the northern line of Nebraska to the one hundred and fourth degree of longitude west from Greenwich; thence north on said meridian to a point where the forty-sixth parallel of north latitude intercepts the same; thence due east along said parallel to the place of beginning; and, in addition thereto, all existing reservations on the east bank of said river shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for

such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons except those herein designated and authorized to do so, and except such officers, agents, and employes of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory as may be added to this reservation for the use of said Indians; and henceforth they will, and do hereby, relinquish all claims or right in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and except as hereinafter provided. (Art. 2.)

If from actual survey it shall appear that the above tract of land contains less than 160 acres of tillable land for each person authorized to reside there under the provisions of this treaty, and a very considerable number of such persons are disposed to become farmers, the United States agrees to set apart for the use of said Indians an additional quantity of arable land adjoining said reservation as near as can be obtained. (Art. 3.)

The United States agrees to erect near the centre of said reservation, and where timber and water may be convenient, a warehouse or store-room at a cost of not less than \$2,500; agency buildings, not exceeding \$3,000; residence of physician, not exceeding \$3,000; buildings for carpenter, farmer, blacksmith, miller, and engineer, not exceeding \$2,000; school-house or mission building, and so soon as a sufficient number of children can be induced to attend school, at a cost not exceeding \$5,000. A good steam circular saw-mill, with grist-mill and shingle machine attached, shall be erected at a cost not exceeding \$3,000. (Art. 4.)

United States to furnish annually physician, teachers, carpenter, miller, engineer, farmer, and blacksmith. (Art. 13.)

The agent shall reside at the agency buildings. (Art. 5.)

Any individual, being the head of a family, desiring to farm shall select in the presence and with the assistance of the agent a tract not exceeding 320 acres. Any person over eighteen years of age shall select a tract not exceeding 80 acres. For each tract so selected he shall receive a certificate, to be recorded by the agent in a book known as "The Sioux land book." (Art. 6.)

Persons so selecting lands, when the agent is satisfied that they intend in good faith to cultivate the soil for a living, shall be entitled to receive seeds and agricultural implements for the first year not exceeding the value of \$100, and for each succeeding year they shall farm, for a period of three years, not exceeding \$25. Whenever more than one hundred persons shall so enter upon cultivation of the soil a second blacksmith shall be provided, and they shall receive instruction from farmer. (Art. 8.)

The President may at any time order a survey of the reservation, and Congress shall provide for protecting the rights of settlers in their improvements. The United States may pass such laws on the subject of alienation and descent as it may deem proper.

Any male Indian over eighteen years of age, of any band or tribe that is or shall hereafter become a party to this treaty, who now is or who shall hereafter become a resident or occupant of any reservation or territory not included in the tract of country designated and described in this treaty for the permanent home of the Indians, which is not mineral land, nor reserved by the United States for special purposes other than Indian occupation; and who shall have made improvements thereon, of the value of \$200 or more, and continuously occupied the same as a homestead for the term of three years, shall be entitled to receive from the United States a patent for 160 acres of land, including his said improvements, the same to be in the form of the legal subdivisions of the surveys of the public lands * * * and the right of such Indian or Indians to enter such tract or tracts of land shall accrue and be perfect from the date of his first improvements thereon, and shall continue as long as he continues

his residence and improvements, and no longer. Any Indian receiving a patent under the foregoing provisions shall be and henceforth become a citizen of the United States, and shall be entitled to all the privileges and immunities of such citizens, and shall at the same time retain his rights to benefits accruing to Indians under this treaty. (Art. 6.)

The Indians agree to compel their children between the ages of six and sixteen to attend school, and it is the duty of the agent to see that this stipulation is complied with. The United States agrees that for every thirty children between said ages a school and teacher shall be provided. The provisions of this article shall continue for not less than twenty years. (Art. 7.)

At any time after ten years the United States shall have the privilege of withdrawing the employes, and in case of such withdrawal the additional sum of \$10,000 per annum will be devoted to the education of said Indians. (Art. 9.)

In lieu of all sums or other annuities provided to be paid for the Indians herein named under any treaty or treaties heretofore made, the United States agrees to deliver on the reservation on or before the 1st day of August, each year, for thirty years the following articles: To each male person over fourteen, a coat, pantaloons, shirt, hat, and pair of socks. To each female over twelve, a flannel skirt, or goods to make it, a pair of hose, 12 yards of calico, and 12 yards of cotton domestics. For the boys and girls under the ages named, such flannel and cotton goods as may be needed to make each a suit, and a pair of woolen hose for each. In addition to clothing, the sum of \$10 for thirty years to such persons as roam or hunt are entitled to the beneficial effects of this treaty. To each person engaged in farming, to be used in the purchase of such articles as the Secretary of the Interior may deem proper, \$20. If within thirty years it shall appear that the money needed for clothing can be appropriated for better uses, Congress by law shall change the appropriation to other purposes, but in no event shall the amount of this appropriation be withdrawn or discontinued during the period named. It is expressly stipulated that each Indian over the age of four years who shall remove to and settle permanently upon the reservation and comply with the stipulations of this treaty, shall be entitled to receive for a period of four years, 1 pound of meat and 1 pound of flour per day, provided the Indians can not furnish their own subsistence at an earlier date. To each Indian commencing farming there shall be given one good American cow, one good pair of American oxen, within sixty days after they shall settle. An army officer shall attend to the delivery of these supplies, and the agent shall furnish to the Commissioner of Indian Affairs a full and exact census of the Indians upon the reservation, upon which the distribution is to be based. (Art. 10.)

The parties to this treaty relinquish the right to occupy permanently the country outside their reservation, but reserve the right to hunt on any lands north of the North Platte, and on the Republican Fork of the Smoky Hill River, so long as buffalo may range thereon in such numbers as to justify the chase. The Indians withdraw all opposition to the construction of railroads not passing over their reservation, agreeing not to interfere or attack any travellers, or capture or kill any persons, or molest property. For any roads passing over their lands, the Government shall pay the tribe whatever amount of damage shall be assessed by three commissioners to be appointed by the President for that purpose, one of said commissioners to be a chief or headman of the tribe. They also agree to the establishment of military posts not in violation of treaty. (Art. 11.)

No treaty for the cession of any part or portion held in common of the reservation herein described shall be of any validity or force unless executed and signed by at least three-fourths of all adult male Indians interested in the same, and no cession by the tribe shall deprive, without his consent, any individual member of his right to any tract of land selected by him as provided in article 6 of this treaty. (Art. 12.)

The sum of \$500 shall be paid annually for three years to the ten persons of the said tribe who, in the judgment of the agent, grow the most valuable crops for the respective years. (Art. 14.)

The Indians agree that when the agency house and other buildings shall be constructed that they will make the reservation their permanent home, but they shall have the right, subject to the conditions and modifications of the treaty, to hunt as stipulated in article 11. (Art. 15.)

"The United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall be held and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same, or without the consent of the Indians, first had and obtained, to pass through the same; and it is further agreed by the United States that, within ninety days after the conclusion of peace with all the bands of the Sioux Nation, the military posts now established in the territory in this article named shall be abandoned, and that the road leading to them and by them to the settlements in the Territory of Montana shall be closed." (Art. 16.)

"It is hereby expressly understood and agreed by and between the respective parties to this treaty that the execution of this treaty and its ratification by the United States Senate shall have the same effect, and shall be construed as abrogating and annulling all treaties and agreements heretofore entered into between the respective parties hereto, so far as such treaties and agreements obligate the United States to furnish and provide money, clothing, or other articles of property to such Indians and bands of Indians as become parties to this treaty, but no further." (Art. 17.)

Proclaimed February 24, 1869.¹

By Executive order of January 11, 1875, the following tract in Dakota was withdrawn from sale and set apart as a reservation for several tribes of Sioux, as an addition to their present reservation: Commencing on the east bank of Missouri River, where the forty-sixth parallel of north latitude crosses the same; thence east with said parallel to ninety-ninth degree of west longitude; thence south with said degree to east bank of Missouri River; thence with said east bank up to place of beginning.²

By Executive order of March 16, 1875, the following tract of land was withdrawn from public sale and set apart as a reservation for the several tribes of Sioux, in addition to their present reservation: Commencing at a point where the one hundred and second degree of west longitude intersects the forty-sixth parallel of north latitude; thence north on said degree of longitude to the south bank of the Cannon Ball River; thence down the south bank of said river to a point on the east side of the Missouri opposite the mouth of said Cannon Ball River; down east bank of the Missouri to mouth of Beaver River; up south bank of Beaver River to the one hundredth degree of west longitude; south with said degree to forty-sixth parallel of latitude; west with said parallel of latitude to the place of beginning.³

By Executive order of May 20, 1875, the following tract was withdrawn from sale and set apart as for the use of the several tribes of Sioux, as an additional reservation: That portion lying south of an east and west line from the northwest corner of the Yankton Indian Reservation to the ninety-ninth degree of longitude, and between said longitude and the Missouri River on the west and the Yankton Reservation on the east.⁴

By Executive order of November 28, 1876, the following tract of land in Dakota Territory was withdrawn from sale and set apart for the several tribes of Sioux in said Territory: Commencing at a point on the south bank of Beaver River, intersected by the one hundredth degree of west longitude; thence in a direct line to the east corner of the Fort Rice military reservation; thence southwest along said reservation to the east bank of the Missouri River; thence with said east bank to mouth of Beaver River; thence up the south bank of said river to the place of beginning.⁵

¹ United States Statutes at Large, Vol. XV, p. 635.

² See Report of the Indian

Commissioner, 1882, p. 263.

³ *Ibid.*, p. 263.

⁴ *Ibid.*, p. 263.

⁵ *Ibid.*, p. 263.

*Drifting Goose Reserve.¹*EXECUTIVE MANSION, *June 27, 1879.*

It is hereby ordered that townships numbered 119, 120, and 121 north, of range 63 west, in the Territory of Dakota, be, and the same are hereby, set apart as a reservation for the use of "Mag-a-bo-das," or "Drifting Goose," band of Yanktonais Sioux Indians.

R. B. HAYES.

EXECUTIVE MANSION, *July 13, 1880.*

It is hereby ordered that townships numbered 119, 120, and 121 north, of range 63 west, in the Territory of Dakota, set apart by Executive order dated June 27, 1879, for the use of "Mag-a-bo-das," or "Drifting Goose," band of Yanktonais Sioux Indians, be, and the same are hereby, restored to the public domain.

R. B. HAYES.

An act (of February 28, 1877) to ratify an agreement between the Northern Cheyenne and Arapahoe, the Ogallala, Brulé, Lower and Upper Yanktonai, Uncpapa, Blackfeet, Sans Arc, Two Kettle, Minneconjou, Lower Brulé, and Santee bands of Sioux, made at Red Cloud, Spotted Tail, Standing Rock, Cheyenne River, Crow Creek, Lower Brulé, and Santee Agencies, from September 26 to October 27, 1876.

Northern and western boundaries of reservation defined in article 2 of treaty of April 29, 1868, to be as follows: The western boundaries shall commence at the intersection of the one hundred and third meridian of longitude with the northern boundary of the State of Nebraska; thence along said meridian to its intersection with the south fork of the Cheyenne River; thence down said stream to its junction with the north fork; thence up the north fork of the said Cheyenne River to the said one hundred and third meridian; thence north along said meridian to the south branch of Cannon Ball River or Cedar Creek; and the northern boundary of their reservation shall follow the said south branch to its intersection with the main Cannon Ball River, and thence down the said main Cannon Ball River to the Missouri River.

Indians cede to United States all territory outside said reservation, including privilege of hunting. Article 16, treaty of April 29, 1868, hereby abrogated. (Art. 1.)

Three roads to be constructed and maintained from the Missouri through the reservation to country west, and free navigation of Missouri River. (Art. 2.)

Annuities to be received at such points as the President may designate. (Art. 3.)

Delegation of five to visit the Indian Territory with a view of selecting a permanent home for the Indians, and if the Indians agree to remove they shall do so within one year. (Art. 4.)

Besides schools and instruction in agriculture, as provided in treaty of 1868, the following rations given to each individual: A pound and a half of beef, or a half of a pound of bacon, one-half pound of flour, and one-half pound of corn, and for every 100 rations 4 pounds of coffee, 8 pounds of sugar, and 3 pounds of beans, or in lieu thereof their equivalent. Said rations, or so much thereof as may be necessary, to continue until the Indians are able to support themselves. Whenever Indians are located upon lands suitable for cultivation, rations to be issued only to those who labor, the aged, sick, and infirm excepted. Rations to be issued to head of each family. Indians shall receive payment for their labor in other necessary articles. Government to aid in finding a market for their surplus productions, and purchase such surplus as far as may be required, and employ Indians as far as practicable in work upon reservation. Children between the ages of six and fourteen to receive no rations unless attending school, sick and infirm excepted. (Art. 5.)

Head of family selecting an allotment and cultivating it in good faith, Government to erect, with his aid, house for him. If Indians remove to Indian Territory, Government to erect houses for principal chiefs. (Art. 6.)

¹ See Report of Indian Commissioner, 1879, p. 24; *Ibid.*, 1886, p. 317.

All employés to be married, and must have their families with them. (Art. 7.)

Treaty of 1868 in full force, except as herein modified. "Congress shall, by appropriate legislation, secure to" the Indians "an orderly" government; they shall be subject to the laws of the United States, and each individual shall be protected in his rights of person, property, and life. (Art. 8.)

Indians pledge themselves to select allotments of land as soon as possible, to maintain peace with the United States, and to observe its laws and treaties, and may select suitable men from each tribe to coöperate with the President in maintaining order, who shall receive such compensation as Congress may provide. (Art. 9.)

Census to be taken in December of each year. (Art. 10.)

The term "reservation" to apply to any country selected as the future home of said Indians. (Art. 11.)

Article 4 and the last clause of article 6 not agreed to by the Sioux Nation, "and nothing in this act shall be construed to authorize the removal of the Sioux Indians to the Indian Territory, and the President of the United States is hereby directed to prohibit the removal of any portion of the Sioux Indians to the Indian Territory until the same shall be authorized by Congress."

Approved February 23, 1877.¹

By Executive order of August 9, 1879, the following tracts of land were restored to the public domain: Beginning at a point where the west line of Fort Randall military reservation crosses the Missouri River; thence along said river to the mouth of American Creek; up said creek to the ninety-ninth degree of west longitude; south along said degree to a point due west from the northwest corner of the Yankton Indian Reservation; thence east to northwest corner of said reservation; thence south to north boundary of Fort Randall military reservation; thence on said boundary line to northwest corner of said reservation; thence south on west boundary line of said reservation to place of beginning.

Also, beginning at the east bank of the Missouri River, at the mouth of Medicine Knoll Creek; thence up the Missouri to the boundary line of Fort Sully military reservation; thence along said boundary to the southeast corner of said reservation; thence northwest on said boundary line to the northeast corner of said reservation; thence north to the east bank of the Missouri River; thence up said bank to the mouth of the Bois Cache; thence north to the east bank of the Missouri River; thence up said bank to the south line of township 129 north; thence east on said township line to the line between ranges 78 and 79 west; thence north on said line to Beaver Creek or north boundary line of reservation set aside in Executive order of March 16, 1875; thence west along said creek to east bank of Missouri River; thence up said east bank to southeast corner of Fort Rice military reservation; northeast along said reservation to the east corner thereof; thence in a direct line to a point on south bank of Beaver Creek where said creek is intersected by the one-hundredth degree of west longitude; thence south with said degree to forty-sixth parallel of north latitude; thence east with said parallel to the ninety-ninth degree of west longitude; thence south with said degree to its intersection with the north boundary line of the old Crow Creek Reservation; thence west on north boundary of said reservation to the east boundary of the old Winnebago Reservation; thence north along said east line to the northeast corner of said Winnebago Reservation; thence west along said boundary to the middle channel of Medicine Knoll Creek; thence to the place of beginning.²

By Executive order of January 24, 1882, the following country in Nebraska was withdrawn from sale and set apart as an additional reservation for the Sioux Indians: Beginning at a point on the boundary line between Nebraska and Minnesota, where the range line between ranges 44 and 45 west of the sixth principal meridian in Dakota intersects said boundary; thence west 10 miles, thence north to said boundary line; thence east to the place of beginning.³

¹ United States Statutes at Large, Vol. XIX, 254. ² See Report of Indian Commissioner, 1882, p. 263. ³ *Ibid*, p. 263.

By Executive order of March 20, 1884, the lands embraced within the three existing executive additions to the great Sioux Reservation, in Dakota, east of the Missouri River, viz, the one opposite the standing Rock Agency, the one opposite the mouth of Grand River, and the site of the old Grand River Agency, and the one opposite the mouth of the Big Cheyenne River and the Cheyenne Agency, were restored to the public domain, being no more needed for the purpose for which they were withdrawn from sale and settlement.¹

SISSETON AGENCY.

[Post-office address: Sisseton Agency, Dak.]

LAKE TRAVERSE RESERVATION.

How established.—By treaty of February 19, 1867; agreement, September 20, 1872; confirmed by act of Congress June 22, 1874.

Area and survey.—Contains 918,780 acres, of which 14,000 are classed as tillable.² Surveyed.

Acres cultivated.—The Indians have under cultivation 4,850 acres.³

Tribes and population.—The tribes living here are Sisseton and Wahpeton Sioux. Population in 1886, 1,496.⁴

Location.—The features of the locality are as follows:

The reservation, which is triangular in shape, has its northeast corner at the outlet of Lake Traverse, which is on the boundary between Minnesota and Dakota, and about midway between their northern and southern boundaries; thence in a southwesterly course along the shore of that lake, whence it continues about 45 miles beyond its head to Lake Kampeska for its southern point; thence in a straight northwesterly course to a place on the "coteaus" for its northwest point about 10 miles north and 40 miles west of the original starting point; thence in a slightly southeasterly course straight to the outlet of Lake Traverse. Three-fourths of its area can be plowed, and is land of the finest quality for agricultural purposes, while the balance is well adapted to grazing purposes. The reservation embraces many of the wooded ravines of the "coteaus," which supply the Indians with wood in plenty and much to spare. It is well supplied with spring water and is dotted with innumerable lakes of small size.⁵

Government rations.—Five per cent. of these Indians subsisted on Government rations, 1886.⁶

Mills and Indian employés.—Steam saw and grist mills erected in 1871.⁷ Flouring mill in 1873.⁸

Indian police.—Established in 1871.⁹

Indian court of offenses.—Included in the organization described on page 51, Report of Indian Commissioner for 1884.

*School population, attendance, and support.*¹⁰—School population as estimated in 1886 was 379; the following table shows accommodation, attendance, etc.:

¹ Report of Indian Commissioner, 1884, p. 253. ² *Ibid.*, p. 306. ³ *Ibid.* ⁴ *Ibid.*, 1886, p. 396. ⁵ *Ibid.*, 1884, p. 39. The Sissetons in 1887 received their lands in severalty, under the act of February 8, 1887. ⁶ *Ibid.*, 1886, p. 414. ⁷ *Ibid.*, 1871, p. 531. *Ibid.*, 1873, p. 226. ⁹ *Ibid.*, 1871, p. 533. ¹⁰ *Ibid.*, 1886, p. xc.

School.	Accommodation.	Average attendance.	Sessions.	Cost.
Sisseton Industrial boarding	150	112	Months. 9	\$17,340.72
Ascension girls' boarding	14	13	9	1,262.54
Good Will Mission boarding, contract	60	53	12	3,240.00

Missionary work.—This work is carried on under the Home Board of the Presbyterian Church, and the Protestant Episcopal Church. Eight churches and eight missionaries are reported in 1884. The Good Will Mission is under Mr. and Mrs. W. K. Morris. The latter is a daughter of the late S. R. Riggs.

For the treaties with these bands of the Sioux tribe, as well as the acts of Congress affecting them prior to 1867, see the Sioux treaties under Sioux Reservation.

SYNOPSIS OF TREATIES.

Treaty between the United States and the Sisseton and Wahpeton bands of Sioux Indians, made at Washington February 19, 1867.

From 1,200 to 1,500 of the Sisseton and Wahpeton Sioux not only preserved their obligations to the Government during the outbreak of other bands of Sioux in 1862, but rescued white residents on the Sioux reservations, and obtained captives made by the hostile bands. From 1,000 to 1,200 Sisseton and Wahpeton Sioux, fearing indiscriminate vengeance from the white people, fled to the prairies of the Northwest, where they still remain; and Congress in confiscating the Sioux annuities and reservation made no provision or support for these friendly Indians, they having been suffered to remain homeless wanderers, subject to intense suffering from the lack of food and clothing, although prompt in rendering service against hostile Indians. The Indians therefore ask that provision shall be made for them to return to an agricultural life.

The Indians cede to the United States the right to construct wagon roads, railroads, mail stations, telegraph lines and other public improvements over their lands claimed, as follows: "Bounded on the south and east by the treaty-line of 1851 and the Red River of the North to the mouth of Goose River; on the north by the Goose River and a line running from the source thereof by the most westerly point of Devil's Lake to the Chief's Bluff, at the head of James River; and on the west by the James River to the mouth of Moccasin River, and thence to Kempeska Lake." (Art. 2.)

For the members of the said bands who have heretofore surrendered to the authorities and were not sent to the Crow Creek Reservation, and for others who were released from prison in 1866, the following reservation is set apart: "Beginning at the head of Lake Travers[e], and thence along the treaty-line of the treaty of 1851 to Kampeska Lake; thence in a direct line to Reipan, or the northeast point of the Coteau des Prairie[s], and thence passing north of Skunk Lake, on the most direct line to the foot of Lake Traverse; and thence along the treaty-line of 1851 to the place of beginning." (Art. 3.)

For all similar members of said bands, and also for the Cut-head bands of Yanktonai Sioux, a reservation as follows: "Beginning at the most easterly point of Devil's Lake, thence along the waters of said lake to the most westerly point of the same; thence on a direct line to the nearest point on the Cheyenne River; thence down said river to a point opposite the lower end of Aspen Island; and thence on a direct line to the place of beginning." (Art. 4.)

The reservation shall be surveyed, 160 acres to each head of a family and each single person over twenty-one years; any one who shall cultivate a portion of his allotment for five consecutive years shall be entitled to a patent so soon as he shall have 50 acres of said tract fenced and in crops. Said patent shall not authorize any transfer of said lands or portions thereof except to the United States, and said lands and improvements shall descend to the proper heirs of the person obtaining a patent. (Art. 5.)

Congress, at its own discretion, from time to time, shall make such appropriation as may be deemed requisite to enable the Indians to return to an agricultural life, including, if thought advisable, the establishment and support of a manual-labor school, and the employment of mechanical, agricultural, and other teachers, and opening and improving individual farms. (Art. 6.)

An agency shall be established at Lake Traverse, and whenever there shall be five hundred persons permanently located on the Devil's Lake Reservation an agent or other competent person shall be appointed to superintend the agricultural, educational, and mechanical interests. (Art. 7.)

All expenditures shall be for agricultural improvement and civilization. No goods and provisions, except material for the erection of houses or to facilitate agriculture, shall be issued, excepting in payment for labor, or in cases of age, sickness, or deformity. (Art. 8.)

No person shall be authorized to trade for furs or peltries within the limits of the lands now claimed by these tribes. (Art. 9.)

Chiefs and head-men are authorized to adopt such rules and regulations for the security of life and property as may be necessary, and shall have authority under the direction of the agent, without expense to the Government, to organize a force to carry out such rules and laws, and all rules and regulations as may be prescribed by the Interior Department. All rules and regulations adopted or amended by the chiefs shall receive the sanction of the agent. (Art. 10.)

Amended April 22, 1867; proclaimed May 2, 1867.¹

By act of Congress, June 7, 1872, the Secretary of the Interior was authorized to report upon the title of the Sisseton and Wahpeton bands of Sioux to the land described in article 2, of the treaty of February 19, 1867, "or by virtue of any other law or treaty whatsoever, excepting such rights as were secured to said bands of Indians of the third and fourth articles of said treaty as 'a permanent reservation'; and whether any, and if any, what, compensation ought, in justice and equity, to be made to said bands of Indians, respectively, for the extinguishment of whatever title they may have had to said lands."²

*Agreement between the United States and the Sisseton and Wahpeton bands of Sioux Indians, September 20, 1872.*³

The Indians cede to the United States all the territory described in article 2 of the treaty of February 19, 1867, as well as all lands in the Territory of Dakota in which they have title or interest.

The United States agrees to pay \$80,000 annually for ten years, the same to be apportioned to the Sisseton and Devil's Lake Agency in proportion to the number of Indians located upon the two reservations. The money to be expended under the

¹ United States Statutes at Large, Vol. XV, p. 505.

² *Ibid.*, Vol. XVII, p. 281.

³ Agreement in full, Revision of Indian Treaties, p. 1050.

direction of the President in accordance with the provisions of the treaty of February 19, 1867, to wit, for goods and provisions, erection and maintaining manual-labor school and public schools, mills and workshops, opening and fencing farms, agricultural implements and stock. (Art. 2.)

By act of Congress of February 14, 1873, the agreement made September 20, 1872, was amended by omitting that part included in paragraphs 3, 4, 5, 6, 7, 8 and 9, "No payments to be made until after the ratification by said Indians of said agreement as hereby amended."¹

By act of Congress of June 22, 1874, the agreement confirmed as amended, and payments authorized.²

DEVIL'S LAKE AGENCY.

[Post-office address: Fort Totten, Ramsey County, Dak.]

DEVIL'S LAKE RESERVATION.

How established.—By treaty, February 19, 1867; agreement, September 20, 1872; confirmed, Act of Congress, June 22, 1874.³

Area and survey.—Contains 230,400 acres, of which 150,000 are classed as tillable.⁴ Outboundaries partly surveyed.

Acres cultivated.—The Indians have under cultivation 3,155 acres.⁵

Tribes and population.—The tribes living here are the Cut-head, Sisseton, and Wahpeton Sioux. Total population, 937.⁶

Location.—The agricultural features of the reservation are thus described:

Devil's Lake Indian Reservation (which includes the military reservation of Fort Totten) * * * lies along the southern shore of Devil's Lake, in northeastern Dakota, in latitude 48°. It is excellent agricultural land, producing cereals and vegetables of the very best quality in large and paying quantities.⁷ Early flint and red corn also mature and yield surprisingly when not overtaken by early fall frosts, but the occurrence of such frosts makes the corn crop an uncertain one.⁸ It also possesses * * * sufficient timber for fuel, some of the oak being suitable for dimension lumber for building purposes. * * * Water is easily obtained [and] the prairies are unsurpassed for summer grazing.⁹ The hills contain large quantities of loose limestone, valuable for building purposes, and the ravines running out from the lake, together with dried-up beds of numerous small lakes throughout the reservation, furnish an abundant supply of wild hay.¹⁰

Government rations.—Twelve per cent. of these Indians subsisted by Government rations.¹¹

Mills and Indian employes.—A mill was erected in 1872.¹² Employes reported in 1879.¹³

Indian police.—Established in 1880.¹⁴

Indian court of offenses.—Established in 1883.¹⁵

¹ United States Statutes, Vol. XVII, p. 456. ² *Ibid.*, Vol. XVIII, p. 167. ³ See Sisseton Agency, Lake Traverse Reservation. ⁴ Report of Indian Commissioner, 1884, p. 306. ⁵ *Ibid.*, p. 306. ⁶ *Ibid.*, 1886, p. 394. ⁷ *Ibid.*, 1881, p. 33. ⁸ *Ibid.*, 1880, p. 28. ⁹ *Ibid.*, 1881, p. 33. ¹⁰ *Ibid.*, 1880, p. 28. ¹¹ *Ibid.*, 1886, p. 412. ¹² *Ibid.*, 1872, p. 259. ¹³ *Ibid.*, 1879, p. 28. ¹⁴ *Ibid.*, 1880, p. 30. ¹⁵ *Ibid.*, 1883, p. 27.

*School population, attendance, and support.*¹—School population as estimated in 1886 was 210; the following tables exhibits other school items:

School.	Accommodation.	Average attendance.	Session.	Cost.
Boys' boarding.....	30	36	<i>Months.</i> 10	\$4,139.37
Boys' and girls' boarding.....	60	77	10	8,024.45

Missionary work.—The Presbyterian Church and the Roman Catholic Church have missions among these Indians. Five churches and two missionaries reported in 1886.

TURTLE MOUNTAIN RESERVATION.

How established.—By Executive orders, December 21, 1882; March 29 and June 3, 1884.

Area and survey.—Contains 46,080 acres.² Tillable acres, 15,000.² Not surveyed.

Acres cultivated.—One thousand and fifty-five reported cultivated and broken in 1886.

Tribes and population.—The tribes living here are the Chippewas, of the Mississippi. Total population, 1,245.³

Location.—The Turtle Mountain Reservation consists of two townships, which form the southeastern portion of the mountain, and contain sufficient arable land and also sufficient timber for the use of the Indians and mixed bloods.⁴

Government rations.—Twenty-five per cent. of these Indians subsisted by Government rations in 1886.⁵

Mills and employés.—None reported.

Indian police.—None reported.

Indian court of offenses.—None reported.

*School population, attendance, and support.*⁶—School population as estimated in 1886 was 263; other items are as follows:

School.	Accommodation.	Average attendance.	Session.	Cost.
St. Mary's boarding (Turtle Mountain).....	70	38	<i>Months.</i> 12	\$5,400.00
St. John's day (Turtle Mountain).....	40	19	12	460.00

Missionary work.—The Roman Catholic Church has a mission here. One church and one missionary reported in 1886.

¹ Report of Indian Commissioner, 1886, p. xc. ² *Ibid.*, 1886, pp. 382, 426.
³ *Ibid.*, 1886, p. 394. ⁴ *Ibid.*, p. 34. ⁵ *Ibid.*, 1886, p. 412. ⁶ *Ibid.*, p. xc.

*Executive orders.*¹

DECEMBER 21, 1882.

It is hereby ordered that the following-described country in the Territory of Dakota, viz: Beginning at a point on the international boundary where the tenth-guide meridian west of the fifth principal meridian (being the range line between ranges 73 and 74 west of the fifth principal meridian) will, when extended, intersect said international boundary; thence south on the tenth-guide meridian to the southeast corner of township 161 north, range 74 west; thence east on the fifteenth standard parallel north, to the northeast corner of township 160 north, range 74 west; thence south on the tenth-guide meridian, west to the southeast corner of township 159 north, range 74 west; thence east on the line between townships 158 and 159 north to the southeast corner of township 159 north, range 70 west; thence north with the line between ranges 69 and 70 west to the northeast corner of township 160 north, range 70 west; thence west on the fifteenth standard parallel, north to the southeast corner of township 161 north, range 70 west; thence north on the line between ranges 69 and 70 west to the international boundary; thence west on the international boundary to the place of beginning, be, and the same is hereby, withdrawn from sale and settlement and set apart for the use and occupancy of the Turtle Mountain band of Chippewas and such other Indians of the Chippewa tribe as the Secretary of the Interior may see fit to settle thereon.

CHESTER A. ARTHUR.

MARCH 29, 1884.

It is hereby ordered that the tract of country in the Territory of Dakota withdrawn from sale and settlement and set apart for the use and occupancy of the Turtle Mountain band of Chippewa Indians by Executive order dated December 21, 1882, except townships 162 and 163 north, range 71 west, be, and the same is hereby, restored to the mass of the public domain.

CHESTER A. ARTHUR.

JUNE 3, 1884.

The Executive order dated March 29, 1884, whereby certain lands in the Territory of Dakota previously set apart for the use and occupancy of the Turtle Mountain band of Chippewa Indians were, with the exception of townships 162 and 163 north, range 71 west, restored to the mass of the public domain, is hereby amended so as to substitute township 162 north, range 70 west, for township 163 north, range 71 west, the purpose and effect of such amendment being to withdraw from sale and settlement and set apart for the use and occupancy of said Indians said township 162 north, range 70 west, in lieu of township 163 north, range 71 west, which last mentioned township is thereby restored to the mass of the public domain.

CHESTER A. ARTHUR.

PONCA RESERVATION.

[In charge of Santee Agency, Nebraska.]

How established.—By treaty of March 12, 1858, and supplemental treaty, March 10, 1865.

Area and survey.—Contains 96,000 acres.² Tillable acres not reported. Partly surveyed.³

¹ Report of Indian Commissioner, 1886, p. 323. See treaties of Poncas, in Indian Territory. ² *Ibid.*, 1884, p. 257. ³ *Ibid.*, p. 257.

Acres cultivated.—Acres cultivated, 519.¹

Tribes and population.—The tribe living here is the Ponca. Population, 274.²

Location.—The reservation is situated on the north side of the Niobrara River where it empties into the Missouri.

Government rations.—None reported in 1886.

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

*School population, attendance, and support.*³—

School population, as estimated in 1886	47
Government day school accommodation	50
Average attendance	9
In session (months)	11
Cost to Government	\$600.00

Missionary work.—No missionary stationed here.

YANKTON AGENCY.

[Post-office address, Yankton Agency, Greenwood, Dak.]

YANKTON RESERVATION.

How established.—By treaty of April 19, 1858.

Area and survey.—Contains 430,405 acres, of which 25,000 are classed as tillable.⁴ Surveyed.

Acres cultivated.—The Indians have under cultivation 2,911 acres.⁵

Tribes and population.—The tribe living here is the Yankton Sioux. Population, 1,776.⁶

Location.—This reservation has been thus described:

By treaty of 1858 the Yanktons, then laying claim to some millions of acres in Dakota, ceded all to the Government, except some 430,000 acres comprised in their present reservation lying 30 miles along the Missouri River and over 20 miles back. Its eastern boundary is Choteau Creek, some 45 miles from Yankton. The tract contains some 15,000 acres of river bottom, timbered occasionally with cotton-wood, and varying from one-quarter of a mile to 2 miles in width. The remainder consists of high, rolling praries.⁷

Government rations.—Fifty per cent. of these Indians subsisted by Government rations in 1886.⁸

Mills and employés.—A mill was built in 1859. Employés were reported in 1873.

Indian police.—Reorganized in 1882.

Indian court of offences.—Reported established.

¹Report of Indian Commissioner, 1886, p. 432. ²*Ibid.*, p. 402. ³*Ibid.*, 1886, p. xciv. ⁴*Ibid.*, 1884, p. 306. ⁵*Ibid.*, 1886, p. 428. ⁶*Ibid.*, p. 396. ⁷*Ibid.*, 1878, p. 46. ⁸*Ibid.*, 1886, p. 414.

*School population, attendance, and support.*¹—School population as estimated in 1886 was 355; the statistics of the two schools were as follows:

School.	Accommodation.	Average attendance.	Session.	Cost.
Yankton boarding and day school.....	87	66	Months 9	\$9,314.50
St. Paul boarding and day school, contract.....	40	23	10	938.44

Missionary work.—The Presbyterian and Protestant Episcopal Churches have missions here. Rev. John P. Williamson represents the former and reports, in 1886, two churches; amount contributed by the Indians to support of preaching, \$108; to missionary society, \$263. The Rev. Joseph W. Cook represents the latter church, and reports one church and three stations, and \$130 contributed toward church service; beside \$295 raised for church building.

SYNOPSIS OF TREATIES.

For treaty of July 19, 1815, see Sioux treaty same date, United States Statutes, Vol. VII, 128.

For treaty June 22, 1825, see Sioux treaties same date, United States Statutes, Vol. VII, 250.

For treaty October 15, 1836, see Sioux treaties same date, United States Statutes, Vol. VII, 524.

Treaty with the Yankton tribe of Sioux, made at Washington, October 21, 1837.

These Indians agree to cessions of land by the treaties of 1830 and September 29, 1837.² (See Sioux treaty same date.)

The United States agrees to pay \$4,000; \$1,500 of which shall be for horses and presents to the chiefs; \$2,000 in goods; \$500 for removing the agency buildings and blacksmith shop. (Art. 2.)

Expenses of treaty to be paid by United States. (Art. 3.)

Treaty binding when ratified. (Art. 4.)

Proclaimed February 21, 1838.³

Treaty between the United States and the Yankton Sioux, made at Washington April 19, 1858.

The Indians cede all lands now owned, possessed, or claimed by them wherever situated, to wit: "Beginning at the mouth of the Tehankasandata or Calumet or Big Sioux River; thence up the Missouri River to the mouth of the Pahahwakan or East Medicine Knoll River; thence up said river to its head; thence in a direction to the head of the main fork of the Wandushkahfor or Snake River; thence down said river to its junction with the Tehansansan or Jacques or James River; thence in a direct line to the northern point of Lake Kampeska; thence along the northern shore of that lake and its outlet to the junction of said outlet with the Big Sioux River;

¹ Report of Indian Commissioner, 1886, p. xc. Vol. VII, p. 510.

² United States Statutes at Large, Vol. VII, p. 542.

thence down the Big Sioux River to its junction with the Missouri River." Also all their right and title to and in all the islands of the Missouri River from the mouth of the Big Sioux to the mouth of the Medicine Knoll River. (Art. 2.)

They also relinquish and abandon all claims and complaints about or growing out of any and all treaties heretofore made by them or other Indians, except their annuity rights under the treaty of Laramie, of September 17, 1851. (Art. 1.)

The Indians except to the above cession the following tract of land: "Beginning at the mouth of the Nawisiwakoopah or Chouteau River and extending up the Missouri River 30 miles; thence due north to a point; thence easterly to a point on said Chouteau River; thence down said river to the place of beginning so as to include the said quantity of 400,000 acres." (Art. 1.)

The Indians agree to remove, settle, and reside on the reservation within one year, and until they do so remove the United States guarantees them undisturbed possession of their present settlement. (Art. 3.)

The United States to construct and use roads across the reservation by first paying all damages and a fair value of the land so used. Damage and value to be determined by the Secretary of the Interior. (Art. 3.)

Also to establish military posts and agencies. (Art. 9.)

The United States agrees to protect the persons and property of said Indians on their reservation during good behavior; to expend for their benefit \$65,000 per annum for ten years, commencing from the year of removal; also agrees to pay \$1,600,000 in annuities as follows: \$40,000 per annum for the next ten years; \$25,000 per annum for the third ten years; \$15,000 per annum for twenty years thereafter.

The President shall determine what proportion shall be in cash and what otherwise expended. Also \$25,000 for maintaining the Indians during the first year, for the purchase of stock, agricultural implements, breaking lands, erecting houses, etc.; also to erect a grist-mill, one or more shops and dwelling-houses for mechanics and farmer, and to expend for these a sum not exceeding \$15,000. Any injury to this property to be paid for by the tribe. (Art. 4.)

Whenever the Secretary of the Interior shall be satisfied that the Indians have become sufficiently advanced in agriculture, etc., to provide for themselves, he may turn over to them all the said houses and other property furnished by the United States, and dispense with the services of the employés. (Art. 5.)

Education.—The United States to expend \$10,000 for school-house or houses, and to establish and maintain one or more normal labor schools, so far as the sum will admit, to be managed and conducted as the Secretary of the Interior shall direct. The Indians to keep all their children between seven and eighteen years at school nine months in the year. Any persons neglecting to comply with this regulation shall have such portion of their annuities withheld as the Secretary may direct. Such sum as the President may deem best may be reserved and taken from the annuities and added to the amount already mentioned for the support of schools. Indians agree to furnish a number of young men as apprentices at the mills and shops, at least three persons to work constantly with each white laborer in agricultural and mechanical pursuits. Such Indian laborers shall be paid a fair compensation out of the shares of the annuities of such Indians as being able refuse or neglect to work. For failure on the part of the Indians to avail themselves of this stipulation the President may discontinue the allowance for schools and instruction. (Art. 4.)

Chiefs in open council may authorize their just debts and obligations to be paid out of the annuities, and provide for such half-breed relations as do not live with them. The agent shall approve and the Secretary authorize such payment, which shall not exceed in any one year \$15,000. (Art. 6.)

The Yankton Indians shall be secured in their unrestricted use of the quarry for the purpose of procuring stone for pipes, and the United States agrees to survey and mark off so much as shall be necessary and proper for that purpose and retain the same and keep it open and free to the Indians to procure stones for pipes so long as they shall desire. (Art. 8.)

All expenses of the survey shall be paid by the United States. (Art. 14.)

Indians agree not to alienate their lands except to the United States. Whenever the Secretary may direct the land shall be surveyed and divided, each head of a family or single person receiving a separate farm, with such rights of property or transfer to any other member of the tribe or descent as may be deemed just. (Art. 10.)

The Indians pledge themselves to remain at peace and to deliver to the United States all offenders for punishment. For intemperance the annuities shall be withheld from offenders for at least one year. (Arts. 11 and 12.)

The agent shall reside on the reservation and have set apart for his use 160 acres of land. (Art. 15.)

Proclaimed February 26, 1859.¹

¹United States Statutes at Large, Vol. XI, p. 743.

CHAPTER XI.

INDIAN RESERVATIONS OF IDAHO TERRITORY.

Idaho was organized March 3, 1863;¹ for the account of the territory out of which it was formed, see Dakota.

Little change has taken place in the Indian tribes living within this Territory, except the gathering them upon reservations, some of which cover territory originally occupied by the Indians located thereon.

There are four reservations, containing an aggregate area of 2,611,481 acres; Indians under agencies, 3,009; Indians not under an agent, 600. Total Indian population, 3,609.

The following are the agencies: Fort Hall Agency, in charge of Fort Hall Reservation; Lemhi Agency, in charge of Lemhi Reservation; Nez Percé Agency, having the Lapwai Reservation. Cœur d'Aléne Reservation is under the charge of the Colville Agency, of Washington Territory.

FORT HALL AGENCY.

[Post-office address: Ross Fork, Bingham County, Idaho.]

FORT HALL RESERVATION.

How established.—By treaty, July 3, 1868. Executive order of June 14, 1867, and of July 30, 1869. Agreement with Indians made July 18, 1881. Approved by act of Congress, July 3, 1882. •

Area and survey.—Contains 1,202,330 acres, of which 10,000 are tillable.² Outboundaries surveyed.³

Acres cultivated.—The Indians had 798 acres under cultivation in 1886.⁴

Tribes and population.—The tribes living here are the Boisé and Brunau, Bannack, and Shoshone. Total population, 1,444.⁵

Location.—This reservation is situated in Oneida County, in the Snake River Valley, and extends some 50 miles north and south immediately along the river, and is in width in the centre about 39 miles.⁶ The valley is from 5,200 to 5,400 feet above sea-level. Irrigation is needful to agriculture.

Government rations.—Twenty-five per cent. of the Indians were subsisted by Government rations in 1886.⁷

¹ United States Statutes, Vol. XII, p. 808. ² Report of Indian Commissioner, 1884, p. 306. ³ *Ibid.*, p. 257. ⁴ *Ibid.*, 1886, p. 425. ⁵ *Ibid.*, p. 396. ⁶ *Ibid.*, 1881, p. 63. ⁷ *Ibid.*, 1886, p. 414.

Mills and employés.—A mill was built in 1870,¹ and was burned in 1882.² No Indian employés reported.

Indian police.—Established in 1882.³

Indian court of offences.—None reported.

*School population, attendance, and support:*⁴—

School population, as estimated in 1886	250
Boarding-school accommodation	125
Boarding-school average attendance	36
Cost to Government	\$4,420.80
Session (months)	10

Missionary work.—No missionary work among these Indians.⁵ The Mormons have baptized some three hundred.⁶

SYNOPSIS OF TREATIES.

Treaty between the United States and the Shoshone and Bannack Indians, made at Fort Bridger, Utah Territory, July 3, 1868.

In 1868 the Eastern Band Shoshones and Bannack Indians agree to a continued peace. In cases of wrong or injury committed towards the Indians the United States agrees, upon suitable proof, to punish the offender and reimburse the injured person. Indians to deliver up all offenders to Government authority for punishment. (Art. 1.)

For the Bannacks the President shall select a suitable reservation in their present country, which shall embrace reasonable portions of the Port Neuf and Kansas prairie countries, and they shall have the same rights and privileges and same expenditures in proportion to numbers, excepting agency house and residence, as provided for Shoshones. Government sets apart a reservation for Shoshones, and for such other Indians as they may be willing to admit, and agrees that no persons, except Government officers, shall be permitted to pass over or settle upon said territory, and relinquishes all claim or title to said lands. United States agrees to construct agency buildings, shops, mill, and school-house. Indians agree to make the reservation their permanent home. (Art. 2.)

An Indian desiring to farm may choose within the reservation not more than 320 acres, which selection shall be recorded and land shall belong to him and his heirs forever. Any person over eighteen years old, not the head of a family, may select 80 acres, which shall be recorded and remain in his exclusive possession. President may order a survey and fix title to these selections. (Art. 6.)

Indians are to compel their children of both sexes, between the ages of six and sixteen, to attend school, and Government agrees that for every thirty children between said ages a school-house and teacher shall be provided, and this provision to run twenty years. (Art. 7.)

After the head of a family shall have selected land he shall be entitled to \$100 worth of seeds and implements for the first year, and for the next three years succeeding which he shall continue to farm, \$25 per year. All persons to receive instruction, and when one hundred persons have begun to farm a second blacksmith shall be provided, together with iron, steel, etc. (Art. 8.)

In lieu of all other moneys or annuities provided for under any or all treaties hitherto made the United States agrees, on the 1st of September of each year for thirty years, to furnish to each man, woman, and child a suit of clothes, in accordance with the census taken by the agent each year. Also \$10 to each roaming Indian, and \$20 to each Indian engaged in agriculture, to be expended as the Secretary of the

¹ Report of Indian Commissioner, 1870, p. 183. ² *Ibid.*, 1883, p. 53. ³ *Ibid.*, 1882, p. 50. ⁴ *Ibid.*, 1886, p. xc. ⁵ *Ibid.*, p. 108. ⁶ *Ibid.*, 1883, p. 54.

Interior may deem proper for a term of ten years. Congress may by law permit money used for clothing to be expended for other purposes. President to detail an army officer to be present at delivery of goods. (Art. 9.)

To the validity of any treaty ceding lands the consent of a majority of adult males shall be necessary. No cession by the tribe shall deprive any individual member, without his consent, of the tract of land selected by him. A prize of \$50 shall be given for three years to each of ten persons growing the best crops each year. (Art. 11.)

Treaty ratified in 1869.¹

*Fort Hall Reserve.*²

(This reservation is included in the Executive order of June 14, 1867, and preliminary correspondence, under the head of "Cœur d'Aléne Reserve.")

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

July 23, 1869.

SIR: I have the honor to submit herewith a letter from Charles F. Powell, special United States Indian agent, Fort Hall Agency, Idaho Territory, dated the 30th ultimo, which letter was forwarded to this office, with indorsement dated the 6th instant, by Hon. D. W. Ballard, Governor and *ex-officio* superintendent of Indian affairs for said Territory, and would respectfully call your attention to that portion of Agent Powell's letter relative to a selection of reservation for the Bannock Indians.

It is provided in the second article of the treaty concluded with the Eastern band of Shoshones and the Bannock tribe of Indians, July 3, 1868, that whenever the Bannocks desire a reservation to be set apart for their use, or whenever the President of the United States shall deem it advisable for them to be put upon a reservation, he shall cause a suitable one to be selected for them in their present country, which shall embrace reasonable portions of the Port Neuf and "Kansas prairie" countries, and that when the reservation is declared, the United States will secure to the Bannocks the same rights and privileges therein and make the same and like expenditures therein for their benefit, except the agency house and residence of agent, in proportion to their numbers, as herein provided for the Shoshone Reservation.

By virtue of Executive order, dated June 14, 1867 (herewith inclosed), there was set apart a reservation for the Indians in southern Idaho, including the Bannocks. This reserve, it will be observed from the diagram accompanying said Executive order, embraces a portion of the country which the treaty provision above quoted provides the reservation for the Bannocks shall be selected from. It appears from the letter of Agent Powell that the Bannocks are at present upon the reserve set apart by Executive order, as above stated, and that they desire to remain there. I think the area embraced within this reserve is sufficient for the Bannocks and any other Indians that it may be desired to locate thereon. I therefore respectfully recommend that the same be designated as the reserve provided for in the treaty of July 3, 1868, as hereinbefore recited, and that the President be requested to so direct.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. J. D. Cox,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 29, 1869.

SIR: I have the honor to submit herewith a communication from the Commissioner of Indian Affairs, dated the 23d instant, and accompanying papers, relative to the designation of a reservation in Idaho for the Bannock Indians, as provided by the

¹ United States Statutes, Vol. XV, p. 673.
1886, p. 325.

² Report of Indian Commissioner,

second article of the treaty of July 3, 1868, with that tribe, and for the reasons stated by the Commissioner respectfully recommended that you direct that the lands reserved by an Executive order dated June 14, 1867, for the Indians of southern Idaho, including the Bannocks, be designated as the reservation provided for said tribe by the second article of the treaty referred to, dated July 3, 1868.

With great respect, your obedient servant,

J. D. COX, *Secretary.*

EXECUTIVE MANSION, *July 30, 1869.*

The within recommendation of the Secretary of the Interior is hereby approved, and within the limits of the tract reserved by Executive order of June 14, 1867, for the Indians of southern Idaho, will be designated a reservation provided for the Bannocks by the second article of the treaty with said tribe of 3d July, 1868.

U. S. GRANT.

Unratified agreement of 1880.¹

The chiefs and head-men of the Shoshones and Bannocks of Fort Hall agreed to cede to the United States a portion of the southern half of their reservation, including Marsh Valley and the settlements therein. By the terms of the agreement the United States, in consideration of such cession, agrees to pay to the Fort Hall Indians the sum of \$6,000 per annum for twenty years, in addition to any sums to which said Indians are already entitled by treaty provisions. The United States further agrees to cause the lands of the Fort Hall Reservation to be surveyed and allotted to the said Indians in severalty, in the proportions mentioned in said agreement, and to issue patents therefor with restrictive clauses against alienation, etc., so soon as the necessary laws are passed by Congress.

By act of Congress of July 3, 1882, an agreement made July 18, 1881, granting a right of way to the Utah and Northern Railroad, a strip of land not exceeding 100 feet in width, except for certain "depots, stations, sidings, etc., and containing in the whole by actual survey 102 acres, more or less." In consideration the United States to pay \$6,000, to be deposited in the United States Treasury to the credit of said Indians, to bear interest at 5 per cent. Said agreement ratified and confirmed. (Sec. 1.)

The money to make the aforesaid payment appropriated. (Sec. 2.)

The said railway company to pay all damages sustained by the United States or "said Indians individually or in their tribal capacity, or any other Indians lawfully occupying said reservation," by reason of acts of said company or on account of fires originating by or in the construction or operation of such railroad. Damages to be recovered in court. (Sec. 3.)

Moneys recovered on account of such damages to tribal or Indian property to be placed to the credit of said Indians and expended by the Secretary of the Interior for their benefit, except in case of an individual Indian, when the amount shall be expended for his sole benefit.² (Sec. 4.)

LEMHI AGENCY.

[Post-office address: Lemhi Agency, Idaho.]

LEMHI RESERVATION.

How established.—By unratified treaty on September 24, 1868; Executive order, February 12, 1875.

Area and survey.—Contains 64,000 acres, of which 500 are tillable.³ Not surveyed.

¹ Report of the Commissioner of Indian Affairs, 1880, p. xxx. ² United States Statutes, Vol. XXII, p. 148. ³ Report of Indian Commissioner, 1884, p. 306.

Acres cultivated.—The Indians had 265 acres under cultivation in 1886.¹

Tribes and population.—The tribes living here are the Bannock, Panaiti, Sheepeater, and Shoshone. Total population, 557.²

Location.—The Lemhi River runs through the length of the reservation.³ About one-sixteenth of the land is capable of being cultivated; the rest is mountainous.⁴ The arable land lies along the river valley or cañon 12 miles in extent, and irrigation is needful to crops.

Government rations.—Twenty-five per cent. of the Indians were subsisted by Government rations in 1886.⁵

Mills and employés.—A mill was built in 1882.⁶ No Indian employés reported.

Indian police.—Established in 1878.

Indian court of offences.—Not reported.

School population, attendance, and support: ⁷—

School population, as estimated in 1886.....	134
Boarding-school accommodation	20
Average attendance.....	12
In session (months)	9
Cost to Government	\$2,584.34

Missionary work.—No missionary work has ever been undertaken here, although urgent demands for it have been made.⁸

*Lemhi Reserve.*⁹

EXECUTIVE MANSION, February 12, 1875.

It is hereby ordered that the tract of country in the Territory of Idaho lying within the following described boundaries, viz: Commencing at a point on the Lemhi River that is due west of a point 1 mile due south of Fort Lemhi; thence due east about 3 miles to the crest of the mountain; thence with said mountain in a southerly direction about 12 miles to a point due east of Yeanun bridge, on the Lemhi River; thence west across said bridge and Lemhi River to the crest of the mountain on the west side of river; thence with said mountain in a northerly direction to a point due west of the place of beginning; thence due east to the place of beginning, be, and the same hereby is, withdrawn from sale, and set apart for the exclusive use of the mixed tribes of Shoshone, Bannock, and Sheepeater Indians, to be known as the Lemhi Valley Indian Reservation.

Said tract of country is estimated to contain about 100 square miles, and is in lieu of the tract provided for in the third article of an unratified treaty made and concluded at Virginia City, Montana Territory, on the 24th of September, 1868.

U. S. GRANT.

¹ Report of Indian Commissioner, 1886, p. 428. ² *Ibid.*, p. 396. ³ *Ibid.*, 1880, p. 63.
⁴ *Ibid.*, 1881, p. 64. ⁵ *Ibid.*, 1886, p. 414. ⁶ *Ibid.*, 1883, p. 55. ⁷ *Ibid.*, 1886, p. xc.
⁸ *Ibid.*, 1884, p. 66. ⁹ *Ibid.*, 1882, p. 269.

NEZ PÉRCÉ AGENCY.

[Post-office address : Nez Percé Agency, via Lewiston, Idaho.]

LAPWAI RESERVATION.

How established.—By treaty June 9, 1863.

Area and survey.—Contains 746,651 acres, of which 300,000 are classed as tillable.¹ Outboundaries partly surveyed.²

Acres cultivated.—The Indians have 5,900 acres under cultivation.³

Tribes and population.—The tribes living here are the Nez Percé. Total population, 1,460.⁴

Location.—Situated in the northwestern part of Idaho. The Clear Water River flows directly through the reservation, branches out in the North, Middle, and South Forks, greatly benefiting the locations that have been taken in the valley.⁵

Government rations.—No Government rations reported.

Mills and employés.—In 1862 a saw and grist mill was erected at Lapwai,⁶ and in 1879 a similar mill at Kamia.⁷ In 1875 Indian apprentices were reported⁸ and Indian employés in 1876. The limited sum allowed by the Government to be paid to Indian laborers made it difficult to secure them at the agency, since four times the amount could be earned outside the reservation by Indians skilled and willing to work. Although the time set by the treaty for the maintaining of the mill has expired; the Government has recently put both mills in repair.⁹

Indian police.—A police force reported.¹⁰

Indian court of offences.—Established in 1883.¹⁰

School population, attendance, and support:—

The school population, as estimated in 1886 ¹¹	375
Agency boarding and industrial school accommodation	60
Agency boarding and industrial school average attendance ¹¹	60
Mission day	5
Cost to Government (agency, boarding, and industrial school)	\$10,644.24
In session (months)	9

Missionary work.—Under the charge of the Presbyterian Board of Foreign Missions. Three churches and three missionaries are reported in 1886.

SYNOPSIS OF TREATIES.

Treaty between the United States and the Nez Percé Indians, made at Camp Stevens, in the Walla Walla Valley, June 11, 1855.

The Nez Percé tribe of Indians ceded to the United States the lands lying between the Bitter Root and Blue Mountains and the Palouse River on the north to the mouth of the Powder River on the south. (Art. 1.)

The land reserved for the use and occupation of the Nez Percé and other friendly tribes and bands of Indians in Washington Territory lay between the spurs of the Bitter Root Mountains and crest of the Blue Mountains, including the valley of the Snake River between a point 15 miles below Powder River to a point 10 miles below the mouth of the

¹ Report of Indian Commissioner, 1884, p. 306. ² *Ibid.*, 1884, p. 259. ³ *Ibid.*, 1886, p. 428. ⁴ *Ibid.*, 1886, p. 396. ⁵ *Ibid.*, 1879, p. 55. ⁶ *Ibid.*, 1862, p. 395. ⁷ *Ibid.*, 1879, p. 57. ⁸ *Ibid.*, 1875, p. 261. ⁹ *Ibid.*, 1883, p. 57. ¹⁰ *Ibid.*, 1883, p. 58. ¹¹ *Ibid.*, 1886, p. xcii.

Alpo-wa-wi River, the reservation, so far as necessary, to be surveyed and marked out for the exclusive use of the tribe, no white person to be permitted to reside on the reservation without the permission of the tribe, the superintendent, and agent. If any Indians had made substantial improvements on the lands ceded to the United States, such as fields inclosed and cultivated, houses erected, and which they may be compelled to abandon in consequence of this treaty, such improvements shall be valued under the direction of the President, and payment made therefor in money, or improvements of an equal value upon the reservation and no Indian will be required to abandon his improvements until their value in money or other improvements shall have been furnished him. (Art. 2.)

The United States agrees to pay \$200,000—\$60,000 to be expended under the direction of the President the first year after the ratification of the treaty, in providing for the removal of the Indians to the reservation, breaking up and opening farms, building houses, supplying provisions and outfit, the remaining \$140,000 to be paid in diminishing instalments of the capital for twenty years, beginning September 1, 1856. These sums to be applied to the use and benefit of the Indians, the Superintendent of Indian Affairs each year to inform the President of the wishes of the Indians in relation thereto. (Art. 4.)

The United States agrees to furnish and keep in repair for twenty years two blacksmith shops—one to have a tin-shop and the other a gunsmith shop attached, one carpenter, and one wagon and plow-maker's shop, and one saw-mill and one flouring-mill; to employ one superintendent of farming, two farmers, two blacksmiths, two millers, one tinner, gunsmith, carpenter, and wagon and plow-maker, to instruct the Indians in trades and to assist them; to furnish a hospital and employ a physician. The expense of all these employés, as well as the transportation of annuity goods, to be defrayed by the United States. (Art. 5.)

The United States agrees to pay to such head chief as the tribes may select a salary of \$500 for twenty years, and to build and furnish a comfortable home, and to plow and fence 10 acres of land for the use of said chief. (Art. 5.)

Within one year after ratification of treaty, United States agrees to erect and furnish suitable buildings for two schools, one of which to be an agricultural and industrial school located at the agency and free to all the children of the tribe. One superintendent and two teachers to be employed for the term of twenty years. (Art. 5.)

The President may from time to time cause the whole or portions of the reservation to be surveyed into lots and assign the same to individuals or families, as provided in article 6 of treaty with the Omahas in the year 1854. (Art. 6.)

Roads may be run through the reservation, if necessary, for the public convenience, and the use of streams flowing through the reservation is secured to citizens of the United States for rafting purposes and as public highways. Indians to have the right in common with citizens of the United States to travel upon all public highways. (Art. 3.)

The exclusive right to fish in streams running through or bordering on the reservation secured to the Indians, also the right to fish at all usual places in the Territory in common with citizens, and of erecting temporary buildings for curing, also to hunt, gather roots and berries, pasture horses and cattle upon open and unoccupied land. (Art. 3.)

Indians acknowledge their dependence on the United States and pledge themselves to commit no depredation on citizens, and to surrender offenders and compensate out of annuities any one suffering loss. Also agree to make no war except in self-defense, nor to shelter offenders against the law of the United States. The annuities not to be taken for personal debts. (Arts. 7 and 8.)

Any Indian bringing upon the reservation or using liquor may have his or her portion of annuities withheld for such time as the President may determine. (Art. 9.)

Proclaimed April 29, 1859.¹

¹ United States Statutes at Large, Vol. XII, p. 957.

Treaty of October 17, 1855.—The Nez Percés took part in this treaty, which established the Blackfeet territory and a common hunting-ground.¹

Treaty between the United States and the Nez Percé Indians, made at the council ground in Lapwai Valley, Washington Territory, June 9, 1863.

The Nez Percé Indians ceded to the United States that part of their reservation lying within the present limits of Oregon and Washington Territory and along the Snake and Salmon Rivers, reserving a portion of the Clear Water Valley, which constitutes their present reservation. The Indians agreed to remove to within the limits of their reservation within one year, and similar provisions were made for compensating Indians for their improvements on the ceded lands as in article 2 of the treaty of 1855. (Arts. 1 and 2.)

The President to cause the boundaries of the reservation to be surveyed, and such portion of the land as is suitable for cultivation divided into lots of 20 acres. All males over twenty-one years, or the heads of families, to have the privilege of selecting each one lot and locating on it. Certificates of allotments giving a right to occupancy to be issued by the Commissioner of Indian Affairs to each one taking a lot of land. The residue of the land to be held in common for pasturage. No State or Territorial law, without the consent of Congress, to remove the restriction placed upon the land allotted to Indians. (Art. 3.)

In addition to goods and provisions distributed at the time of signing the treaty the United States agrees to pay to the Indians \$262,500; \$150,000 to be used to remove the Indians, and plow and fence the lots of land taken in severalty, the sum to be divided into four annual instalments, respectively of \$70,000, \$40,000, \$25,000, and \$15,000; the sum of \$50,000 to be expended in agricultural implements, wagons, harness, and stock; \$10,000 for a saw and flouring mill; \$2,500 for the erection of two churches; \$50,000 for the trade and clothing of school children, fencing of school farm, and furnishing of agricultural implements, wagons, and teams for the school—this sum to be paid in sixteen instalments, one of \$6,000, fourteen of \$3,000, one of \$2,000. (Art. 4.)

As the provisions of article 4, treaty of 1855, had not been complied with, the United States agrees to appropriate \$2,000 to erect and furnish a blacksmith shop, and to maintain it for fifteen years at a cost of \$500 per annum. Also to appropriate \$3,000 for the erection of houses for employes and for repairs on mills and shops, and to maintain the same for twelve years at \$2,000 per annum, and to employ, in addition to the employes already agreed upon by former treaty, one farmer, one carpenter, and two millers, for three succeeding years, at \$1,000 per year. (Art. 5.)

As the provisions concerning schools in the treaty of 1855 have not been complied with, the United States agrees to appropriate \$10,000 for the erection of two schools, including boarding homes and the necessary outbuildings, schools to be conducted on the manual labor system. And in addition to the teachers promised by the previous treaty, two matrons to take charge of boarding-schools and two assistant teachers. (Art. 5.)

In addition to the head chief, the tribe to elect two subordinate chiefs, who shall be paid the same salary as the head chief, and be provided with a similar home and farm. The sum of \$2,500 to be appropriated to carry out the provisions of the former treaty in regard to the head chief, and a sum of \$600 to erect a home for Chief Timothy, who has rendered services to the United States. (Arts. 5 and 6.)

For services rendered by individual Indians and horses furnished the Oregon mounted volunteers in 1856, the sum of \$4,665, to be paid in gold coin. (Art. 7.)

The provision of article 3, treaty of 1855, confirmed with the additional consent that hotels, stage stands, and land for pasturage and other purposes may be estab-

¹ See synopsis of treaties giving an account of the Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Reservations in Montana Territory; United States Statutes, Vol. XI, p. 657.

lished at such points on the reservation as shall be necessary for public convenience and of the number and necessity of which the agent or superintendent shall be the sole judge, and who shall be competent to license the same, the rental of these and of all ferries and bridges within the reservation to be held and managed for the benefit of the tribe. (Art. 8.)

All timber within the boundaries of the reservation declared to be the exclusive property of the tribe, the United States to be permitted to use thereof in carrying on its affairs both military and civil. United States agrees to reserve all springs or fountains within the ceded lands not adjacent to or directly connected with the streams or rivers, and to keep back surrounding land from settlement and preserve a perpetual right of way to and from the springs as watering places for the use in common of both whites and Indians. (Art. 8.)

Treaty proclaimed April 20, 1867.¹

Amendatory treaty made August 13, 1868.

All land within the reservation fitted for agriculture and not occupied by the United States for military or agency purposes, to be surveyed in accordance with article 3, treaty of 1863. As soon as the allotments shall be plowed and fenced and the schools established as provided by existing treaty stipulation, such Indians as now live outside the reservation as may be decided by the agent and the Indian, shall be removed and located within the reservation. If there is not sufficient land to allot these Indians, then they may remain on the land now occupied and improved by them outside the reservation: *Provided*, That the land does not exceed 20 acres for every male over twenty-one years or the head of a family; the tenure of this land shall be the same as provided for those living on allotments within the reservation by article 3, treaty of 1863, and the military authorities shall protect those residing outside in their rights upon the allotments occupied by them, and also in the privilege of grazing their animals upon surrounding unoccupied lands. (Art. 1.)

The agreement that timber from the reservation could be used in the maintaining of forts and garrisons is annulled. The military authorities to protect the timber on the reservation, and none to be cut without the written consent of the head chief of the tribe; the agent, and the Superintendent of Indian Affairs, stating where the timber is to be cut, the quantity, and the price to be paid. (Art. 2.)

The amount due for the support of schools and teachers and which has not been expended for the purpose since 1864, but used for other purposes, shall be ascertained and the sum reimbursed to the tribe by appropriation of Congress and the money held in trust by the United States, the interest on the same to be paid to the tribe annually for the support of teachers. (Art. 3.)

Proclaimed February 16, 1869.²

Wallowa Valley Reserve.³

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

June 9, 1873.

The above diagram is intended to show a proposed reservation for the roaming Nez Percé Indians in the Wallowa Valley, in the State of Oregon. Said proposed reservation is indicated on the diagram by red lines, and is described as follows, viz:

Commencing at the right bank of the mouth of Grande Ronde River; thence up Snake River to a point due east of the south-east corner of township No. 1, south of the base-line of the surveys in Oregon, in range No. 46 east, of the Willamette meridian; thence from said point due west to the West Fork of the Wallowa River; thence down said West Fork to its junction with the Wallowa River; thence down said river to its confluence with the Grande Ronde River; thence down the last-named river to the place of beginning.

¹United States Statutes at Large, Vol. XIV, p. 647.

²*Ibid.*, Vol. XV, p. 693.

³Report of Indian Commissioner, 1866, p. 358.

I respectfully recommend that the President be requested to order that the lands comprised within the above-described limits be withheld from entry and settlement as public lands, and that the same be set apart as an Indian reservation as indicated in my report to the Department of this date.

EDWARD P. SMITH,
Commissioner.

DEPARTMENT OF THE INTERIOR, June 11, 1873.

Respectfully presented to the President, with the recommendation that he make the order above proposed by the Commissioner of Indian Affairs.

C. DELANO,
Secretary.

EXECUTIVE MANSION, June 16, 1873.

It is hereby ordered that the tract of country above described be withheld from entry and settlement as public lands, and that the same be set apart as a reservation for the roaming Nez Percé Indians, as recommended by the Secretary of the Interior and the Commissioner of Indian Affairs.

U. S. GRANT.

EXECUTIVE MANSION, June 10, 1875.

It is hereby ordered that the order, dated June 16, 1873, withdrawing from sale and settlement and setting apart the Wallowa Valley, in Oregon, described as follows: Commencing at the right bank of the mouth of Grande Ronde River; thence up Snake River to a point due east of the south-east corner of township No. 1 south of the base-line of the surveys in Oregon, in ranges No. 46 east of the Willamette meridian; thence from said point due west to the west fork of the Wallowa River; thence down said west fork to its junction with the Wallowa River; thence down said river to its confluence with the Grande Ronde River; thence down the last-named river to the place of beginning, as an Indian reservation, is hereby revoked and annulled; and the said described tract of country is hereby restored to the public domain.

U. S. GRANT.

CŒUR D'ALÉNE RESERVATION.

UNDER CHARGE OF COLVILLE AGENCY, WASHINGTON TERRITORY.

How established.—By Executive orders, June 14, 1867, and November 8, 1873.

Area and survey.—Contains 598,500 acres.¹ Outboundaries partly surveyed.²

Acres cultivated.—Six thousand one hundred acres cultivated.³

Tribes and population.—The tribes living here are the Cœur d'Aléne, Kutenay, Pend d'Oreille, and Spokane. Population, 476.⁴

Location.—The Cœur d'Aléne Reservation is situated in the northern part of Idaho. Cœur d'Aléne Lake lies within the reservation. The country is mountainous, well covered with timber, and the valleys afford grazing and agricultural lands. This reservation is distant 110 miles from the agency having charge.

Government rations.—Twenty-five per cent. of these Indians subsisted by Government rations as reported in 1886.⁵

Mills and employés.—Not reported. Indian apprentices employed.

¹ Report of Indian Commissioner, 1884, p. 257.

² *Ibid.*

³ *Ibid.*, 1886, p. 434.

⁴ *Ibid.*, p. 406.

⁵ *Ibid.*, p. 422.

Indian police.—Not reported.

Indian court of offences.—Not reported.

School population and attendance:—

School population estimated in 1886	100
Accommodation in girls' contract boarding and day school	200
Accommodation in boys' contract boarding and day school ¹	200
Average attendance in girls' school	51
Average attendance in boys' school, 72 ¹	54
Cost to Government { Girls' school	\$5, 629. 77
{ Boys' school	5, 902. 92
Session (months)	12

Missionary work.—Missionary work under the Roman Catholic Church. Two churches and three missionaries reported in 1886.

*Cœur d'Aléne Reserve.*²

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

May 23, 1867.

SIR: Under date October 1, 1866, Governor Ballard, of Idaho, was instructed to select and report to this office reservations for the use of the Boisé and Bruneau bands of Shoshones in the southern part, and for the Cœur d'Alénes and other Indians in the northern part of that Territory. These instructions were based upon statements contained in the annual report of Governor Ballard, printed at pages 191 and 192 of the annual report of this office for 1866. There are no treaties existing with either of the tribes or bands named, nor, so far as the Shoshones are concerned, have they any such complete tribal organization as would justify treaties with them, even if such arrangements were practicable under the force of recent legislation by Congress. The northern tribes have a better organization, but advices from the Executive indicate that while a necessity exists for some arrangement under which the Indians of all the bands referred to should have some fixed home set apart for them before the lands are all occupied by the whites, who are rapidly prospecting the country, such arrangements can now be made by the direct action of the Department.

I herewith transmit two reports of Governor Ballard, describing tracts proposed to be set apart for these Indians. So far as the one intended for the Shoshones is concerned, its location as a permanent home for those bands is dependent upon the consent of Washakee's band, commonly known and heretofore treated with as the eastern bands Shoshones; but there is no doubt of their ready acquiescence in the arrangement. The land referred to is within the limits acknowledged as their hunting range by the treaty of 1863. Believing that the interest of the Government as well as that of the Indians requires that such action should be taken, I recommend that the President be requested to set apart the reservation, described in the diagram herewith, for the use of the Indians referred to, and that the General Land Office be directed to respect the boundaries thus defined.

Should the suggestions herein contained be approved, and favorable action had, this office will inform the Governor and superintendent of Indian affairs of the fact, and direct such further measures as to carry the plan into operation without delay, so far as the means at the disposal of the Department will permit.

Very respectfully, your obedient servant,

N. G. TAYLOR,
Commissioner.

Hon. O. H. BROWNING,
Secretary of the Interior.

¹ Report of Indian Commissioner, p. xcvi.

² *Ibid.*, 1886, p. 323.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,

June 6, 1867.

SIR: I have the honor to acknowledge the receipt of your communication of the 27th ultimo, transmitting one from the Commissioner of Indian Affairs of the 23d May last, with accompanying documents, relating to proposed Indian reservations in Idaho Territory; and in obedience to your directions that I examine and report upon the subject-matter, I have to state as follows:

The suggestion of the Commissioner of Indian Affairs in reference to the reservations proposed for the Bois  and Bruneau bands of Shoshones in the southern part of Idaho, and for the C ur d'Al nes and other Indians in the northern part of that Territory, is that the same may be set apart by the President for those Indians as their home reservations to the extent as represented on the accompanying diagrams herewith, and transferred on a map of Idaho accompanying this letter, being there represented in *green* and *blue* shadings, respectively.

The boundaries as defined by the local Indian agents, as per separate diagrams of the above reservations, are:

1st. The Bois  and Bruneau bands of Shoshones and Bannock Reservation: "Commencing on the south bank of Snake River, at the junction of the Port Neuf River with said Snake River; thence south 25 miles to the summit of the mountains dividing the waters of Bear River from those of Snake River; thence easterly along the summit of said range of mountains 70 miles to a point where Sublette road crosses said divide; thence north about 50 miles to Blackfoot River; thence down said stream to its junction with Snake River; thence down Snake River to the place of beginning," embracing about 1,800,000 acres, and comprehending Fort Hall on the Snake River within its limits.

2d. The C ur d'Al ne and other tribes of northern Idaho, the proposed reservation for which is shown on the map of Idaho, herewith, in blue color, is represented to be about 20 miles square: "Commencing at the head of the Latah, about 6 miles above the crossing on the Lewiston trail, a road to the Spokane Bridge; thence running north-north easterly to the St. Joseph River, the site of the old C ur d'Al ne Mission; thence west to the boundary line of Washington and Idaho Territories; thence south to a point due west of the place of beginning; thence east to place of beginning," including about 250,000 acres.

I have to observe that no surveys of the public lands have been made in those portions of Idaho Territory, nor is this office advised of the extinguishment of Indian titles to the same guaranteed to them by the provisions of the first and seventeenth sections of an act to provide a temporary government for the Territory of Idaho, approved March 3, 1863.¹

The records of this office showing no objection to the policy recommended to the Department by the Commissioner of Indian Affairs in his communication of the 23d ultimo, I have the honor to return the same to the Department, together with the papers accompanying the same.

I have the honor to be, very respectfully, your obedient servant,

JOS. S. WILSON,
Commissioner.

Hon. W. T. OTTO,
Acting Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 13, 1867.

SIR: I submit herewith the papers that accompanied the inclosed report of the Commissioner of Indian Affairs, of the 23d ultimo, in relation to the propriety of selecting reservations in Idaho Territory upon which to locate the C ur d'Al nes and other Indians in the northern part of Idaho, and the Bois  and Bruneau bands of Shoshones in the southern part of that Territory.

¹ United States Statutes, Vol. XII, pp. 809, 814.

This Department concurs in the recommendation of the Commissioner of Indian Affairs that the lands indicated upon the annexed diagram, and defined in the accompanying report of the Commissioner of the General Land Office of the 6th instant, be set apart as reservations for the Indians referred to, and I have the honor to request, if it meet your approval, that you make the requisite order in the premises.

With great respect, your obedient servant,

W. T. OTTO,
Acting Secretary.

The PRESIDENT.

WASHINGTON, D. C., *June 14, 1867.*

Let the lands be set apart as reservations for the Indians within named, as recommended by the Acting Secretary of the Interior.

ANDREW JOHNSON.

In 1873 a special commission, of which J. P. C. Shanks was chairman, visited the Cœur d'Aléne Indians in reference to their reservation. The Indians "agreed to relinquish their claim to northern Idaho on condition that the Government supply them with stock and farming implements, and to remain upon the reservation, provided its boundaries should be changed so as to include the Cœur d'Aléne Mission and some farming lands in the valley of the Latah (or Hangman's) Creek. The lands were withdrawn by Executive order for the use of these Indians, in accordance with lines agreed upon with the commission; but the necessary legislation confirming this negotiation has not yet been enacted."¹

EXECUTIVE MANSION, *November 8, 1873.*

It is hereby ordered that the following tract of country in the Territory of Idaho be, and the same is hereby, withdrawn from sale and set apart as a reservation for the Cœur d'Aléne Indians, in said Territory, viz :

"Beginning at a point on the top of the dividing ridge between Pine and Latah (or Hangman's) Creeks, directly south of a point on said last-named creek, 6 miles above the point where the trail from Lewiston to Spokane Bridge crosses said creek; thence in a north-easterly direction in a direct line to the Cœur d'Aléne Mission, on the Cœur d'Aléne River (but not to include the lands of said mission); thence in a westerly direction, in a direct line, to the point where the Spokane River heads in or leaves the Cœur d'Aléne Lakes; thence down along the center of the channel of said Spokane River to the dividing line between the Territories of Idaho and Washington, as established by the act of Congress organizing a Territorial government for the Territory of Idaho; thence south along said dividing line to the top of the dividing ridge between Pine and Latah (or Hangman's) Creeks; thence along the top of the said ridge to the place of beginning."²

U. S. GRANT.

¹ Report of the Indian Commission, 1874, pp. 57, 88.

² Report of the Indian Commission, 1886, p. 325.

CHAPTER XII.

INDIAN RESERVATIONS OF INDIAN TERRITORY.

This Territory is without organization, and its boundaries are not defined, except by those of other States and Territories which hedge it. The agents at the various agencies and the military at the posts within this region represent the authority of the United States. The courts at Fort Smith, Ark., afford legal protection to the white citizens residing within the easterly reservations.¹ Of the many tribes at present living here, only the Kiowa and Comanche, and a few bands of Apache, formerly inhabited a portion of this country; although hunting and war parties of the Cheyenne, Arapahoe, Osage, Kansas, Pawnee, Caddo, and Wichita tribes occasionally visited the region. Almost the entire Indian population of this Territory has been transported thither by the power of the United States Government from lands more or less remote.

There are twenty-five reservations, containing an aggregate area of 31,673,626 acres. There are also unoccupied lands outside of these reservations aggregating 9,423,606 acres, making a total area of the tract known as the Indian Territory of 41,097,332 acres. The total Indian population is 85,283.

The following are the agencies: Cheyenne and Arapahoe Agency, having the Cheyenne and Arapahoe Reservation in charge; the Kiowa, Comanche, and Wichita Agency, having the Kiowa and Comanche and Wichita Reservations in charge; the Osage Agency, having the Kansas and Osage Reservations in charge; the Ponca, Pawnee, and Otoe Agency, having the Oakland, Otoe, Pawnee, and Ponca Reservations in charge; the Quapaw Agency, having the Modoc, Ottawa, Peoria, Quapaw, Seneca, Shawnee, and Wyandotte Reservations in charge; the Sac and Fox Agency, having the Iowa, Kickapoo, Pottawatomie, Sac, and Fox Reservations in charge; the Union Agency, having the Cherokee, Chickasaw, Choctaw, Creek, and Seminole Reservations in charge.

FORT SUPPLY MILITARY RESERVE.²

WAR DEPARTMENT,

Washington City, January 16, 1883.

SIR: I have the honor, upon the recommendation of the commanding general, Department of the Missouri, concurred in by the Lieutenant-General and approved by the General of the Army, to request that the United States military reservation of

¹ For legislation setting apart this Territory, see United States Statutes, Vol. IV, p. 411, and Vol. XIV, p. 771. ² Report of Indian Commissioner, 1886, p. 329.

Fort Supply, Indian Territory, originally declared by Executive order dated April 18, 1882, as announced in General Orders No. 14, of May 10, 1882, from department headquarters, may be enlarged, for the purpose of supplying the post with water and timber, by the addition of the following-described tracts of land adjacent thereto, viz :

The south half of township 25 north, range 22 west, and the south-west quarter of township 25 north, range 21 west, in the Indian Territory.

It has been ascertained from the Interior Department that no objection will be interposed to the enlargement of the reservation in question as herein indicated.

The Commissioner of Indian Affairs, however, with the concurrence of the Secretary of the Interior, recommends that a proviso be inserted in the order making the proposed addition, so as to cover the entire reservation, "that whenever any portion of the land so set apart may be required by the Secretary of the Interior for Indian purposes the same shall be abandoned by the military, upon notice to that effect to the Secretary of War."

I have the honor to be, sir, with great respect, etc.,

ROBERT T. LINCOLN,
Secretary of War.

The PRESIDENT.

EXECUTIVE MANSION,
Washington, January 17, 1883.

The within request is approved, and the enlargement of the reservation is made and proclaimed accordingly: *Provided*, That whenever any portion of the land set apart for this post may be required by the Secretary of the Interior for Indian purposes the same shall be relinquished by the military, upon notice to that effect to the Secretary of War; and the Executive order of April 13, 1882, is modified to this extent.

The Secretary of the Interior will cause the same to be noted in the General Land Office.

CHESTER A. ARTHUR.

CHILOCCO INDUSTRIAL SCHOOL RESERVE.¹

EXECUTIVE MANSION, *July 12, 1884.*

It is hereby ordered that the following-described tracts of country in the Indian Territory, viz, sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, and the east half of sections 17, 20, and 29, all in township No. 29 north, range No. 2 east of the Indian meridian, be, and the same are hereby, reserved and set apart for the settlement of such friendly Indians belonging within the Indian Territory as have been or who may hereafter be educated at the Chilocco Indian Industrial School in said Territory.

CHESTER A. ARTHUR.

CHEYENNE AND ARAPAHOE AGENCY.

[Post-office address: Darlington, Ind. T.]

CHEYENNE AND ARAPAHOE RESERVATION.

How established.—By Executive order, August 10, 1869; unratified agreement with Wichita, Caddo, and others, October 19, 1872.

Area and survey.—Contains 4,297,771 acres, of which 30,000 are classed as tillable.² Surveyed.³

Acres cultivated.—The Indians have under cultivation 811 acres.⁴

¹ Report of Indian Commissioner, 1886, p. 328. ² *Ibid.*, 1884, p. 308. ³ *Ibid.*, p. 259.

⁴ *Ibid.*, 1886, p. 428.

Tribes and population.—The tribes living here are the Apache, Southern Arapahoe, Northern and Southern Cheyenne. Total population, 3,536.¹

Location.—The following extract describes the situation:

The reservation lies between the thirty-fifth and thirty-seventh parallels of latitude, and between the ninety-eighth and one hundredth degrees of longitude, * * * about one-fourth of which I estimate arable land, or such that could be made so. The reservation is watered by the Cimarron, the North Canadian, the South Canadian, Washita, and North Fork of Red River, the streams running in a southeasterly course. The best farming land is in the eastern part of the reservation, and along the river bottoms. The scarcity of timber is the main drawback in this quarter, but as one goes westward there is an abundance of timber for fuel and also for building purposes, except the high grades of lumber. The timber consists of cotton-wood and black-jack, white oak, hackberry, and cedar. Three-fourths of the reservation is well adapted to the grazing and rearing of all kinds of stock. * * * This is an executive-order reservation. * * * It was so declared in exchange for a larger area, perhaps, set aside by the treaty of 1863.²

Government rations.—Ninety per cent. of these Indians subsisted by Government rations, as reported in 1886.³

Mills and Indian employés.—Mill reported and Indian employé.

Indian police.—Indian police established.

Indian court of offences.—Indian court of offences not established.

*School population, attendance, and support.*⁴—School population as estimated in 1886 was 650. Other statistics are as follows:

School.	Accommo- dation.	Average at- tendance.	Session.	Cost.
			<i>Months.</i>	
Arapahoe boarding and day school.....	120	67	10	\$19,339.62
Cheyenne boarding and day school.....	120	89	10	10,412.10
Mennonite boarding, contract (agency).....	50	47	10	1,851.18
Mennonite boarding, contract (cantonment).....	100	63	10	3,083.28

Missionary work.—Under the charge of the Mennonite Church. See full report of resident missionary and superintendent of mission work.⁵

SYNOPSIS OF APACHE TREATIES.

Treaty with certain bands of Apaches, made at Santa Fé, July 1, 1852.

Authority of United States acknowledged. (Art. 1.) Peace to be maintained and Apaches not to assist other Indians at war with Government. (Art. 2.) To treat humanely all persons having lawful intercourse with them. (Art. 3.) Refer all cases of aggression to the United States for adjustment, and obey the laws and regulations

¹ Report of Commissioner of Indian Affairs, 1886, p. 398.

² *Ibid.*, p. 118.

³ *Ibid.*,

p. 414. ⁴ *Ibid.*, p. xcii. ⁵ *Ibid.*, pp. 124-127.

of the Government. (Art. 4.) To desist from making hostile incursions into Mexico, and to surrender all captives now in their possession. (Art. 5.) Any citizens murdering, robbing, or otherwise maltreating Apaches, shall be subject to arrest, trial, and conviction same as other citizens. (Art. 6.) Free passage given through Apache country. (Art. 7.) Military posts, agencies, and trading houses to be established. (Art. 8.) Territorial boundaries to be adjusted and laws to be passed conducive to the prosperity of said Indians. (Art. 9.) Faithful performance of stipulations to be rewarded by presents and implements and such measures as Government may deem proper. (Art. 10.) Apaches of the treaty not to be held responsible for conduct of other Indians. Treaty binding when signed. (Art. 11.)

Proclaimed March 25, 1853.¹

*Treaty with Apache, Kiowa, and Comanche, Indians at Fort Atkinson, Ind. T., July 27, 1853.*²

See Kiowa and Comanche treaty same date.

Treaty with the Apache, Cheyenne, and Arapahoe Indians, made on the Little Arkansas River, Kansas, October 17, 1865.

Whereas the Apaches desire to dissolve their connection with the Kiowas and Comanches and unite with the Cheyennes and Arapahoes, these three to be hereafter recognized as confederated bands. (Art. 1.)

Stipulations of treaty of October 14, 1865, to be binding upon these confederated tribes. (Art. 2.)

Proclaimed May 26, 1866.³

Treaty with the Apaches, Kiowas, and Comanches, made at Medicine Lodge Creek, Kansas, October 21, 1867.

Apache tribe agrees to confederate and become incorporated with the Kiowa and Comanche; to accept as its permanent home the reservation described in article 2, treaty with Kiowas and Comanches, October 21, 1867, and pledges itself to make no permanent settlement outside of reservation. (Art. 1.) Kiowas and Comanches agree to share with the Apaches benefits of said treaty. (Art. 2.) United States to provide clothing, etc., as agreed in article 10 of said treaty, for the Apaches; also to increase appropriation provided in article 10 of said treaty from \$25,000 to \$30,000. Separate census of Apaches to be taken annually. (Art. 3.) Apaches agree to faithfully observe the stipulations entered into by the Kiowas and Comanches in said treaty, and to keep the peace. The Apaches forever relinquish to the United States all rights, privileges, and grants transferred to them by the treaty of the 14th of October, 1865, with the Arapahoe and Cheyenne;⁴ and also supplemental treaty on October 17, 1865. (Art. 4.)

Proclaimed August 25, 1868.⁵

SYNOPSIS OF CHEYENNE TREATIES.

*Treaty with the Northern Cheyenne, made at the mouth of the Teton River, Dakota, July 6, 1825.*⁶

See similar treaty made with Sioux tribe, July 5, 1825, in Dakota.

*Unratified treaty with Northern Cheyenne and other tribes, made at Fort Laramie, Wyo., September 17, 1851.*⁷

See Blackfoot treaties, same date, Montana.

¹United States Statutes at Large, Vol. X, p. 979. ²*Ibid.*, p. 1013. ³*Ibid.*, Vol. XIV, p. 713. ⁴See Arapahoe and Cheyenne treaties, same date. ⁵United States Statutes at Large, Vol. XV, p. 589. ⁶*Ibid.*, Vol. VII, p. 255. ⁷Indian Laws, p. 317.

Treaty made with the Cheyenne and Arapahoe of the Upper Arkansas River, made at Fort Wise, Kans., February 18, 1861.

Cessions and reservation.—The Indians cede to the United States all lands claimed by them wherever situated, except a tract to be reserved for the use of said tribes as follows: Beginning at the mouth of the Sandy Fork of the Arkansas River and extending westwardly along the said river to the mouth of Purgatory River; thence along up the west bank of the Purgatory River to the northern boundary of the Territory of New Mexico; thence west along said boundary to a point where a line drawn due south from a point on the Arkansas River 5 miles east of the mouth of the Huerfano River would intersect said northern boundary of New Mexico; thence due north from that point on said boundary to the Sandy Fork to the place of beginning. (Art. 1.)

Survey and land in severalty.—United States agrees to survey a line to run due north from a point on the northern boundary of New Mexico, 15 miles west of Purgatory River and extending to the Sandy Fork of the Arkansas River, said line to establish the eastern boundary of the reservation of the Cheyennes and the western boundary of the reservation of the Arapahoes. (Art. 1.)

Each member of said tribe shall receive a tract of 40 acres, to include a reasonable portion of timber and water. One hundred and sixty acres to be set apart for the use of the agency. One hundred and sixty acres in each reservation to be set apart for the support of schools. The land held in common may be assigned in severalty in case of increase in the tribes. (Art. 2.)

Certificates shall be issued. Land inalienable, except to United States. Not subject to taxation. Secretary of Interior to regulate descent of property. (Art. 3.)

Payments.—United States agrees to expend \$15,000 per annum to each tribe for fifteen years in agricultural implements, stock, houses, fencing land, etc. Secretary of Interior shall determine what proportion shall be expended for said objects. Annuities may be discontinued should Indians fail to make reasonable effort to improve their condition. (Art. 4.) Mill and shop to be provided, and a sum not to exceed \$5,000 per annum, for five years, shall be expended for employés. (Art. 5.) Those Indians who do not reunite with the tribe within one year not to receive benefit of treaty. (Art. 6.)

President, with consent of Congress, to have full power to modify or change any provision of former treaties as he may deem expedient for the interest of the Indians. (Art. 7.) Expenses of treaty to be borne by United States. (Art. 8.) Existing annuities to be continued until fulfilled. (Art. 10.)

Roads.—Roads to be laid out on same terms as when made through lands of citizens. (Art. 9.) Treaty binding when ratified. (Art. 12.) Amended August 6, 1861; amendment accepted October 29, 1861; proclaimed December 5, 1861.¹

Treaty with the Cheyenne and Arapahoe of the Upper Arkansas, made at Little Arkansas River, Kansas, October 14, 1865.

Peace.—Past offences condoned and peace made. (Art. 1.)

Reservation.—The following tract set aside: Commencing at the mouth of Red Creek or Red Fork of the Arkansas River; thence up said creek or fork to its source; thence westwardly to a point on the Cimarron River opposite the mouth of Buffalo Creek; thence due north to the Arkansas River; thence down the same to the beginning. No part of said reservation to be within the State of Kansas. Land not to be taken from Indians without their consent. No white person except Government official or person formally admitted to tribes to reside on reservation. Indians agree to make reservation their permanent home, and not to leave it without written consent of agent. Indians agree to refrain from depredation and not to camp within 10 miles of any road or town without consent of authorities. (Art. 2.)

¹United States Statutes at Large, Vol. XII, p. 1163.

Cessions.—Indians cede claims to all land in any portion of the United States, particularly from the forks of the Platte to the Rocky Mountains; south to the headwaters of the Arkansas; thence to the Cimarron, and on to place of beginning. (Art. 2.) Until Indians remove to reservation they shall range through the unsettled parts of the country originally theirs, between the Arkansas and Platte Rivers, observing the restrictions before mentioned. (Art. 3.) United States to have the right to establish roads and military posts throughout the reservation. (Art. 4.)

Donation of land.—Patents granted for one section each to thirty-one mixed bloods, from the reservation established by the first article of treaty of February 18, 1861.

Payments.—As reparation for the outrage upon peaceful Indians who were under the protection of the United States flag at Sandy Creek, Colorado, November 29, 1864, 320 acres of land patented to three chiefs, and 160 acres to widows and orphans. Said locations not to be upon land heretofore granted to any person, corporation, or State. (Art. 5.) Land inalienable and not to be taxed for fifty years. Land to be selected by Secretary of Interior. Compensation to be made to the Indians for their property destroyed on the occasion aforesaid. (Art. 6.) United States agrees to expend annually for forty years \$20 per capita; until Indians remove to their reservation \$40, one-third to be delivered during the spring, and two-thirds during the autumn of each year. Census to be taken each spring. (Art. 7.) Other portions of the tribe urged to unite on this treaty. (Art. 8.) On ratification of this treaty all former treaties abrogated. (Art. 9.)

Amended May 22, 1866; assented to November 10 and 19, 1866; proclaimed February 2, 1867.¹

For treaty of October 17, 1865, with Apache, see Apache treaty of same date.²

Treaty with the Cheyenne and Arapahoe of the Upper Arkansas, made at Medicine Lodge Creek, Kansas, October 28, 1867.

Peace.—Peace established. Offenders against the Indians to be punished. Indian offenders to be delivered up on demand, and to be punished according to law. (Art. 1.)

Reservation.—The following tract set aside for the absolute and undisturbed use and occupation of the Indians herein named: Commencing at the point where the Arkansas River crosses the thirty-seventh parallel of north latitude; thence west on said parallel—the said line being the southern boundary of the State of Kansas—to the Cimarron River (sometimes called the Red Fork of the Arkansas River); thence down said Cimarron River, in the middle of the main channel thereof, to the Arkansas River; thence up the Arkansas River, in the middle of the main channel thereof, to the place of beginning. No unauthorized white person to reside or pass over reservation. (Art. 2.)

If the tract contained less than 160 acres of tillable land for each person authorized to reside thereon, the United States to add sufficient quantity. (Art. 3.)

Agency buildings, shops, saw and grist mill, and school house or mission buildings to be erected so soon as agent can induce sufficient number to attend school. (Art. 4.)

Agent to reside on reservation. (Art. 5.)

Land in severalty.—President may order reservation surveyed. Head of family desiring to farm may select 320 acres; others, over eighteen, 80 acres. Certificate to be delivered and recorded. United States to pass laws concerning alienation and descent. (Art. 6.) Each person, having satisfied the agent of his good faith in farming, and received certificate, to receive \$100 worth of seeds and agricultural implements for the first year, and \$25 for three succeeding years, and receive instruction from resident farmer. (Art. 8.) Five hundred dollars to be expended annually for three years in presents to the ten persons growing the best crops. (Art. 14.)

¹ United States Statute at Large, Vol. XIV, p. 703. ² *Ibid.*, Vol. XIV, p. 713.

Education.—Children between six and sixteen to be compelled to attend school. Agent to see that this stipulation is complied with. For every thirty children a school-house and teacher to be provided. Provision to continue for twenty years. (Art. 7.) After ten years United States may withdraw physician, farmer, carpenter, blacksmith, engineer, and miller, after which an additional \$10,000 per annum shall be devoted to education and moral improvement. (Art. 9.)

Payment.—In lieu of payment provided for in the treaty of October 14, 1865, a stipulated amount of clothing to be delivered each year for thirty years. Also \$20,000 per annum for thirty years, to be expended at the discretion of the Secretary of the Interior. If at any time the money used for clothing can be appropriated for better uses, Congress may change the appropriation to other purposes; but the amount shall not be withdrawn or discontinued for the period named. Army officers to be present at the delivery of goods. (Art. 10.)

Cessions.—Indians cede all right to occupy territory outside of reservation.¹ To have privilege of hunting south of the Arkansas as long as buffalo are in such numbers as to justify the chase. Indians agree to withdraw all opposition to railroads. Not to attack persons or property or to capture whites. To permit erection of military posts and running of roads. Any damages to their reservation to be assessed by their commissioners. (Art. 11.) Future treaties containing cessions not valid unless signed by three-quarters of adult male Indians. (Art. 12.)

Employés.—United States agrees to furnish physician, teacher, carpenter, miller, engineer, farmer, and blacksmith. (Art. 13.) When agency established, reservation to become permanent home. (Art. 15.)

Proclaimed August 19, 1868. (United States Statutes at Large, Vol. XV, p. 593.)

*Cheyenne and Arapahoe Reserve in Colorado.*²

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

January 14, 1868.

SIR: I have the honor to acknowledge the receipt by reference from you on the 20th ultimo of a letter addressed to you by General John B. Sanborn, dated the 17th ultimo, requesting that patents may issue for selections, described in this letter, to the half-breeds entitled under the fifth article of the Cheyenne and Arapahoe treaty of 1865 (see pamphlet laws, second session Thirty-ninth Congress, Treaties, page 143), and upon which you direct a report of the views of this office. In reference to the same I would respectfully say that I doubt the practicability of having patents issued in the absence of surveys.

It is provided in said fifth article of the treaty of 1865 that such lands shall be selected from the reservation established by the first article of the Arapahoe and Cheyenne treaty of February 18, 1861 (see Statutes at Large, Vol. XII, page 1163). In view, therefore, of the fact that many of the half-breeds entitled to selections under said treaty are settled and have made valuable improvements upon the lands they desire to have patented to them, and as there may be delay in the appropriation for the survey of the selections, during which time the railway company * * * may procure legislation granting them lands in the reserve from which the half-breed selections are provided by treaty to be made, I respectfully recommend that the President be requested to direct that this reserve be withdrawn from sale until these selections are made.

Very respectfully, your obedient servant,

C. E. MIX,
Acting Commissioner.

Hon. O. H. BROWNING,
Secretary of the Interior.

¹ For territory claimed see description in article 5, treaty of September 17, 1851; Blackfoot treaties, Montana. ² Report of Indian Commissioner, 1886, pp. 314-315.

DEPARTMENT OF THE INTERIOR,

January 16, 1868.

SIR: I have the honor to submit herewith a communication from the Acting Commissioner of Indian Affairs, of the 14th instant, and accompanying paper in relation to the selections of lands for half-breeds of the Cheyenne and Arapahoe Indian tribes, under the fifth article of the treaty of October 14, 1865, with said tribes; and recommend that the Indian reservation therein referred to be withdrawn from sale until the selections are made as recommended.

Very respectfully, your obedient servant,

O. H. BROWNING,
Secretary.

To the PRESIDENT.

[Indorsement.]

WASHINGTON, D. C., January 16, 1868.

Let the reservation within referred to be withdrawn from sale, as recommended by the Secretary of the Interior.

ANDREW JOHNSON.

DEPARTMENT OF THE INTERIOR,

November 17, 1870.

SIR: This Department has been informed by the Acting Commissioner of Indian Affairs, under date of the 16th instant, that patents for the selections of land for half-breeds, under the fifth article of the treaty of 14th October, 1865, with the Cheyenne and Arapahoe Indians, have been issued, and that the object for which the withdrawal from sale of the reservation for said Indians was made, by order of the President, has been accomplished. You will take appropriate action with a view to restoring said reservation to market.

Very respectfully, your obedient servant,

W. T. OTTO,
Acting Secretary.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

Unratified agreement of October 19, 1872, made with Arapahoes, Wichitas, Caddoes, and others.

Under the provisions of the fifth section of the act of May 29, 1872, negotiations have been had with a duly authorized delegation of the Southern Arapahoe Indians for the relinquishment of their claim to land ceded to them and the Southern Cheyennes by the second article of the treaty made with both tribes, October 28, 1867. The Arapahoes have agreed to relinquish all claim to the land ceded to them by said treaty, and to accept in lieu thereof the following-described tract, viz: Commencing at a point in the middle of the main channel of the north fork of the Canadian River, 10 miles east of the ninety-eighth meridian of west longitude, thence up the middle of the main channel of the said north fork to a point where the present trail from the Upper Arkansas Indian Agency, so-called, to Camp Supply crosses the said stream, thence due north to the middle of the main channel of the Red Fork of the Arkansas River, thence down the said river in the middle of the main channel thereof to a point in said channel 10 miles east of the ninety-eighth meridian of west longitude, thence south to the place of beginning. The agreement entered into by the Commissioner of Indian Affairs with the Arapahoes in the above matter will be submitted to the Department at an early day, with the recommendation that the necessary legislation be had by Congress to perfect the relinquishment and cession of the treaty reservation of 1867, and to vest in the Arapahoe tribe of Indians the title to the land which it has agreed to accept in lieu thereof.¹

¹ Report of Indian Commissioner, 1872, p. 101.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
June 19, 1869.

SIR: I have the honor to acknowledge the receipt, by reference from the Secretary of the Interior on the 10th instant, of a letter from Adjutant-General E. D. Townsend, bearing date the 9th instant, inclosing a copy of a telegram dated Fort Leavenworth, Kans., June 8, 1869, from Maj. Gen. J. M. Schofield to General W. T. Sherman, recommending that the reservation for the Arapahoe Indians be changed from its present location to the North Fork of the Canadian River, and requesting a report thereon from this office.

By the terms of the treaty with the Cheyenne and Arapahoe tribes of Indians, proclaimed August 19, 1868, it is provided in the second article thereof that "the United States agrees that the following district of country, to wit: Commencing at the point where the Arkansas River crosses the thirty-seventh parallel of north latitude; thence west on said parallel—the said line being the southern boundary of the State of Kansas—to the Cimarron River (sometimes called the Red Fork of the Arkansas River); thence down said Cimarron River, in the middle of the main channel thereof, to the Arkansas River; thence up the Arkansas River, in the middle of the main channel thereof, to the place of beginning, shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit among them."

It will be seen from the language of the second article of said treaty, just quoted, that a reservation upon which they are now located has already been provided for said Indians within the boundaries in said article designated, but I am of opinion that it would be better for both the Indians and the Government if they were to be removed to the North Fork of the Canadian River in accordance with the suggestions of General Schofield, provided any authority can be found for removing and locating said Indians in the manner contemplated.

Should you be of opinion that such authority exists, and determine in pursuance thereof to cause a removal of said Indians to be made from their present reservation, I would suggest that a tract of country be set aside for their occupation and use bounded as follows, viz: Commencing at the point where the Washita River crosses the ninety-eighth degree of west longitude; thence north on a line with said ninety-eighth degree to the point where it is crossed by the Red Fork of the Arkansas (sometimes called the Cimarron River); thence up said river, in the middle of the main channel thereof, to the north boundary of the country ceded to the United States by the treaty of June 14, 1866, with the Creek Nation of Indians; thence west on said north boundary and the north boundary of the country ceded to the United States by the treaty of March 21, 1866, with the Seminole Indians, to the one hundredth degree of west longitude; thence south on the line of said one hundredth degree to the north boundary of the country set apart for the Kiowas and Comanches by the second article of the treaty concluded October 21, 1867, with said tribes; thence east along said boundary to the point where it strikes the Washita River; thence down said Washita River, in the middle of the main channel thereof, to the place of beginning.

The territory comprised within the boundaries last above designated contains a small portion of the country ceded to the United States by the terms of the treaty with the Creek Indians concluded June 14, 1866, a portion of the country ceded to the United States by the terms of the treaty with the Seminole Indians concluded March 21, 1866, and the remainder is composed of a portion of what is commonly known as the "leased country."

Inasmuch as this office has no information upon the subject, except that conveyed by the telegram of General Schofield, which is very meager and indefinite, I am unable to determine the causes which seem to require this change, and I would therefore respectfully suggest, unless there is some pressing necessity which will admit of

no delay, whether it would not be well to refer the matter to the proper officers of this Bureau for investigation and report before any action is taken.

The letter of Adjutant-General Townsend, together with the copy of the telegram of General Schofield, is herewith returned.¹

Very respectfully, etc.,

E. S. PARKER,
Commissioner.

Hon. W. T. OTTO,
Acting Secretary of the Interior.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 10, 1869.

SIR: Referring to my report to you of the 19th of June last, relative to the change of location of the reservation for the Cheyenne and Arapahoe Indians, I now have the honor to submit, herewith, copies of the following letters relative to this subject, viz:

Letter from Superintendent Hoag, dated the 31st ultimo, inclosing letter from Brevet Major-General Hazen, dated the 24th ultimo.

Letter from Superintendent Hoag, dated the 4th instant, inclosing letter from General Hazen, dated the 2d instant.

It appears from these letters that the Cheyennes and Arapahoes did not understand the location of the reservation as defined by the treaty of August 19, 1868; that they have never been upon said reserve, and do not desire to go there, but that they desire to locate on the North Fork of the Canadian, some 60 miles below Camp Supply; that the agent for these tribes has a large quantity of valuable stores in this locality, which are very much exposed.

Inasmuch as these Indians express a desire to be located upon a reserve, I think it very desirable that their wishes should be gratified, and that they be not permitted to again roam on the plains. I therefore respectfully recommend that the President be requested to authorize the location of these Indians on the North Fork of the Canadian River, where they desire to go, and that immediate steps be taken to provide temporarily for them there. The country desired by them is public land, and I think it competent for the President to direct their location thereon. In view, however, of the fact that these Indians have a reservation defined for them by treaty stipulation, legislation can be asked of Congress at the coming session to insure a permanent reservation for them where they may locate, and abandon as a reservation the present one, restoring it to the public lands.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. J. D. COX,
Secretary of the Interior.

AUGUST 10, 1869.

The recommendation of the Indian Commissioner approved.

J. D. COX,
Secretary.

Approved, August 10, 1869.

U. S. GRANT,
President.

Fort Reno Military Reserve.²

WAR DEPARTMENT,
Washington City, July 17, 1883.

SIR: Upon recommendation of the post commander, concurred in by the commanding general Department of the Missouri and the Lieutenant-General, I have the honor to request that the following described tract of land in the Indian Territory, located

¹ From Report of Indian Commissioner, 1886, p. 227.

² *Ibid.*, p. 329.

within the limits of the Cheyenne and Arapahoe Indian Reservation, created by Executive order dated August 10, 1869, be duly declared and set apart by the Executive as a military reservation for the post of Fort Reno, viz:

Beginning at the northwest corner of section 28, township 13 north, range 8 west of the Indian meridian, and running thence east to North Fork of the Canadian River; thence down this stream to the range line between ranges 7 and 8 west of the Indian meridian; thence south on said range line to the southeast corner of section 36, township 13 north, range 8 west of the Indian meridian; thence east to the northeast corner of township 12 north, range 8 west of the Indian meridian; thence south to the southeast corner of section 12 of said township; thence west to the southwest corner of section 9 of said township; thence north to the northwest corner of section 4 of said township; thence west to the southwest corner of section 33, township 13 north, range 8 west of the Indian meridian; thence north to the point of beginning, containing an area of about $14\frac{1}{2}$ square miles, or 9,493 acres.

A sketch showing the proposed reservation is inclosed herewith, and the Interior Department reports that there is no objection on the part of the Indian Office to the setting apart for military purposes exclusively of the tract of land herein described.

I have the honor to be, sir, with great respect, etc.,

ROBERT T. LINCOLN,
Secretary of War.

The PRESIDENT.

EXECUTIVE MANSION, *Washington, July 17, 1883.*

The within request is approved, and the reservation is made and proclaimed accordingly.

The Secretary of the Interior will cause the same to be noted in the General Land Office.

CHESTER A. ARTHUR.

KIOWA, COMANCHE, AND WICHITA AGENCY.

[Post-office address: Anadarko, Ind. T.]

KIOWA AND COMANCHE RESERVATION.

How established.—By treaty of October 21, 1867.

Acres and survey.—Contains 2,968,893 acres, of which 346,000 are classed as tillable;¹ surveyed.²

Area cultivated.—Acres cultivated, 132.³

Tribes and population.—The tribes living here are the Apache, Comanche, Komantsu, Delaware, and Kiowa. Population, 3,233.⁴

Location.—In this country the crops often fail because of the scarcity of rainfall. It has been a question with some whether Indians will ever be entirely able to support themselves by the cultivation of the soil in this country, which is not well adapted to agriculture. The only other means by which they can subsist themselves is by the breeding of cattle. The country is well adapted to this business.⁵

Government rations.—Ninety per cent. of these Indians subsisted by Government rations, as reported in 1886.⁶

Mills and Indian employés.—Mill erected in 1886. No Indian employés reported.⁷

¹ Report of Indian Commissioner, 1884, p. 308.
p. 428. ⁴ *Ibid.*, p. 398.

⁵ *Ibid.*, 1882, p. 66.

² *Ibid.*, p. 259.

³ *Ibid.*, 1886,

⁶ *Ibid.*, 1886, p. 414.

⁷ *Ibid.*,

p. 129.

Indian police.—Police force established.

Indian court of offences.—None reported.

School population, attendance, and support:—

School population	894
Kiowa and Comanche boarding accommodation	137
Average attendance ¹	99
Cost	\$10,961.80
Session, months	10

Missionary.—No missionary work.

SYNOPSIS OF TREATIES.

Treaty with the Kiowa, Comanche, Wichita Indians and their associated tribes, and between these tribes and the Cherokee, Muskogee, Choctaw, Osage, Seneca, and Quapaw tribes, made at Camp Holmes, Grand Prairie on the Canadian River, Muskogee Nation, August 24, 1835.

Peace established between the United States and said tribes, and between the tribes party to this treaty. (Art. 1.) Injuries mutually forgiven. (Art. 2.) Citizens to pass through their boundaries without molestation. Indians to pay in full for any property taken from citizens or destroyed; and United States upon proof to compensate Indians for property stolen by citizens. (Art. 3.) All parties to this treaty free to hunt in the Grand Prairie on the Canadian River to the western limits of the United States. (Art. 4.) Indians to treat with friendship and not molest any Indian tribes from the north who may visit or hunt on the above region. (Art. 6.) Difficulties between parties to be adjusted by the United States. (Art. 7.) Indians to protect and pay full value for any injury to the property of traders appointed by the United States. (Art. 5.) Presents to be given to signers of treaty by the United States. (Art. 8.) Indians shall preserve peace with the Republic of Mexico. (Art. 9.) Treaty obligatory when ratified. (Art. 10.)

Proclaimed May 19, 1836.²

Treaty with the Kiowa, Kataka, and Tawakaro Indians, made at Fort Gibson, May 26, 1837.

Treaty having similar provisions to preceding one.

Proclaimed February 21, 1838.³

Treaty with the Comanche, Ioni, Anadaca, Caddoe, Lepau, Longwha, Keechy, Tahwacarro, Wichita, Waco, and their associate bands, made at Council Springs, Brazos River, Texas, May 15, 1846.

Protection of the United States acknowledged (art. 1), together with the sole right to regulate trade. No trader permitted to reside among Indians without a license; unfair dealing to be punished. (Art. 2.) Indian prisoners, taken by Texas or United States, to be released. White and negro prisoners among Indians to be delivered up. In case of refusal force may be used. (Art. 4.) Tribes to give notice of hostile intentions towards the United States. (Art. 6.) Any Indians guilty of murder or robbery to be punished according to law, and any citizen guilty of like offense to be punished in same manner. (Art. 7.) Horse stealing on both sides to be discontinued under pain of severe punishment. All horses stolen, upon proof of rightful ownership, to be restored. (Art. 8.) United States to establish trading houses and posts and

¹Report of Indian Commissioner, p. xcii.
Vol. VII, p. 474.

²United States Statutes at Large,

³*Ibid.*, Vol. VII, p. 533.

deliver \$10,000 worth of presents. (Art. 9.) Peace established with the United States. (Art. 10.) Also with other tribes on the Arkansas, Missouri, and Red Rivers. (Art. 11.) Introduction of intoxicating liquors forbidden. (Art. 12.) Blacksmith to be provided and school teachers at the discretion of the President. Missionaries may reside among them by permission of the President. (Art. 13.) President to use his exertions to preserve peace among the different tribes. (Art. 14.)

Amended February 15, 1847; proclaimed March 8, 1847.¹

Treaty with the Kiowas, Comanches, and Apaches, made at Fort Atkinson, Ind. T., July 27, 1853.

Peace established with the United States (Art. 1) and each of the three tribes parties to this treaty. (Art. 2.) Right conceded to lay out roads, locate depots, establish military posts, and to prescribe and enforce rules and regulations, and to protect persons and property. (Art. 3.) Tribes agree to make restitution for injuries to citizens lawfully residing in and passing through their country. (Art. 4.) Tribes agree to refrain from warlike incursions into Mexico, and restore all captives taken by war parties or individuals belonging to said tribes, and to make proper and just compensation for wrongs inflicted upon Mexicans, as the President may direct. (Art. 5.) To repair losses Indians may sustain from travellers through their Territory, and for the social improvement of said tribes, the United States to pay \$18,000 annually for ten years, with an extension of five more years, at the option of President. Money to be expended in goods and agricultural implements as President may designate. (Art. 6.) United States to protect Indians from injury during that term of years. (Art. 7.) Should Indians violate this treaty, annuities in whole or in part may be withheld until satisfaction shall be made or offenders delivered up to justice. (Art. 8.) If President deems proper to establish farms the annuities may, by and with the consent of the Senate, be applied therefor. (Art. 10.)

Amended April 12, 1854; amendments accepted July 21, 1854; treaty proclaimed February 12, 1854.²

Treaty with the Kiowa and Comanche Indians, made at Little Arkansas River, Kansas, October 18, 1865.

Peace to be maintained toward the United States and other friendly Indians. Hostile acts to be settled by arbitration under direction of President. Any member of tribe committing crime to be delivered up to be punished according to United States law. (Art. 1.)

Cessions and reservations.—Kiowas and Comanches cede to the United States all their claim to territory outside of the following limits: Beginning at the point where the Cimarron River crosses the Kansas line, west on that line to the eastern boundary of New Mexico, south on said boundary to the southeast corner, northeast from that point to the Red River opposite the North Fork, down the Red River to the ninety-eighth degree of west longitude, north on said meridian to the Cimarron River, up that river to the place of beginning. Said tract or such portions as may from time to time be designated by the President to be reserved to them and such tribes as they may admit. Indians to remove to said reservation whenever directed by the President, and not to leave without written consent of agent, not to camp by day or night within 10 miles of any travelled route, town, or military post without consent of military or civil authorities, and to refrain from depredations on persons or property. No white persons to settle within the reservation unless formally incorporated in one of the tribes lawfully residing there. (Art. 2.) Until Indians remove they are permitted to range through unsettled portions of the country originally theirs south of the Arkansas River, subject to the provisions as to camping, etc., and report presence of hostile In-

¹ United States Statutes at Large, Vol. IX, p. 844.

² *Ibid.*, Vol. X, p. 1013.

dians to the commander of nearest military post. (Art. 3.) United States to build roads, establish posts, enforce rules and regulations prescribed by Congress, and any damage sustained by Indians to be compensated according to judgment of Congress. (Art. 4.)

Compensation.—For forty years an annual expenditure prior to removal of \$10 per capita; after removal \$15 per capita. Census to be taken each spring. (Art. 5.) Indians to endeavor to have all their tribe agree to this treaty. (Art. 6.)

Proclaimed May 26, 1866.¹

Treaty with the Kiowas and Comanches, made at Council Camp, on Medicine Lodge Creek, Kansas, October 21, 1867.

Peace established. White offenders against Indians to be tried according to law. Indians reimbursed for losses. Same provision to apply to whites. (Art. 1.)

Reservation.—The following tract set apart: Beginning where the Wichita crosses the ninety-eighth meridian west from Greenwich, up the river 30 miles, then due west to the north fork of the Red River, provided said line strikes said river east of the one hundredth meridian of west longitude; if not; then only to said meridian, down said line to the north fork of Red River, and down said fork to intersection by the line above described to main Red River; thence down said river to the ninety-eighth meridian, and thence north on said meridian to the place of beginning. Said tract to be for the absolute and undisturbed use and occupation of said tribes and such other tribes or individual Indians as they may admit. United States agrees that no unauthorized person shall ever be permitted to pass over said reservation, settle upon, or reside therein. (Art. 2.) If from actual survey the tract set apart does not contain 160 acres of tillable land for each person entitled to reside thereon, United States shall set apart the necessary amount. (Art. 3.)

Agency and school.—United States agrees to build agency buildings, including shops, grist and saw mill, school-house, and mission building. (Art. 4.) Agent to reside on reservation. (Art. 5.)

Survey and severalty.—President may order survey of reservation. Any head of a family may select a tract 320 acres in extent, to be recorded in land book. Person over eighteen, 80 acres. Tract to be recorded and certificate issued. Congress to provide protection to settlers and their improvements, and fix title and decide upon alienation, descent of property, etc. (Art. 6.)

Compulsory education, farming, etc.—Indians to compel their children between six and sixteen to attend schools. Agent to see this stipulation complied with. United States to build school-houses and provide teacher for every thirty children. Provision to continue for twenty years. (Art. 7.) Any Indian beginning to farm in good faith to receive first year \$100 worth of seed and implements, and for three years to the value of \$25 each year. Also to receive instruction in farming. Extra blacksmith to be provided whenever more than one hundred persons are cultivating soil. (Art. 8.) After ten years the United States to have the privilege of withdrawing physician, farmer, blacksmith, carpenter, engineer, and miller, when additional sum of \$10,000 shall be devoted to the education of the Indians. (Art. 8.)

Annuities.—In lieu of all annuities under previous treaties, United States to furnish for thirty years to each male over fourteen years one suit of clothes; to each female one flannel skirt, 12 yards of calico, and 12 yards of domestic, one pair of woolen hose; for male children under fourteen and female under twelve years of age flannel and cotton goods as may be needed, and one pair of hose each. (Art. 9.)

In addition, \$25,000 to be used as the Secretary of the Interior may direct, and if, at any time, it may appear that the money can be appropriated to better uses, Congress may change the appropriation. Army officers to be present at delivery of goods, and census to be taken each year. (Art. 10.)

¹ United States Statutes at Large, Vol. XIV, p. 717.

Cession.—Indians cede all right to territory outside of reservation, but reserve the right to hunt south of Arkansas River so long as buffalo shall remain. No white settlers permitted on the relinquished portion of the reservation within three years. Indians to withdraw all opposition to construction of railroads passing over their reservation as herein described, and to the establishment of military posts. Not to attack travellers, or capture white women or children, or kill white men. (Art. 11.) No treaty for cession of land valid unless signed by three-fourths of adult male Indians, and no cession to be construed to deprive any individual of his selected tract of land. (Art. 12.) Indians, when qualified, to act as employes. (Art. 13.) United States to furnish physician, teachers, carpenter, miller, and blacksmith. (Art. 14.) House to be erected for Comanche chief. Five hundred dollars for three years to be distributed as prizes to the ten best farmers. (Art. 15.) When the agency home and other buildings shall be constructed on the reservation named the Indians to make reservation their permanent home and not settle elsewhere, but have the right to hunt as herein provided. (Art. 16.)

Proclaimed August 25, 1868.¹

WICHITA RESERVATION.

How established.—By treaty of July 4, 1866, with Delawares.

Unratified agreement, October 19, 1872.²

Area and survey.—Contains 743,610 acres.³ Tillable acres not reported. Surveyed.⁴

Acres cultivated.—Acres cultivated by Indians, 745.⁵

Tribes and population.—The tribes living here are the Caddo, Comanche, Delaware, Ion-ie, Kichai, Tawakanay, Wako, and Wichita. Total population, 994.⁶

Location.—The reservation is adapted to grazing and agriculture. Only nine of this tribe are without small farms, and these own more or less live stock.⁷

Government rations.—None of these Indians subsisted by Government rations, as reported in 1886.

Mills and Indian employes.—Not reported apart from agency.

Indian police.—Not reported apart from agency.

Indian court of offenses.—Not reported apart from agency.

*School population, attendance, and support.*⁸—School population as estimated in 1886 was 200; the statistics of the Wichita Boarding School are as follows:

Accommodations	107
Average attendance	68
Cost to Government	\$9,562.12
Session (months)	10

Missionary work.—The natives have a church, which is under the Baptist denomination.

SYNOPSIS OF TREATIES WITH THE DELAWARE INDIANS.

Treaty with the Delaware Indians, made at Fort Pitt September 17, 1778.

Offences mutually forgiven. (Art. 1.) Peace declared. (Art. 2.) In case of war each to assist the other. United States to have free passage to towns or forts of

¹ United States Statutes at Large, Vol. XV, p. 581. ² Report of Indian Commissioner, 1872, p. 101. ³ *Ibid.*, 1884, p. 258. ⁴ *Ibid.* ⁵ *Ibid.*, 1886, p. 128. ⁶ *Ibid.*, p. 127. ⁷ *Ibid.*, p. 128. ⁸ *Ibid.*, p. xcii.

enemy. Delawares to join the troops of the United States. (Art. 3.) No punishment inflicted without trial, nor criminals, fugitives, servants, or slaves to be harbored. (Art. 4.) Agent authorized by the United States to trade with Delawares. (Art. 5.) All the country of Delawares guaranteed to them, and should an Indian state be formed with the Delawares at its head they to have representation in Congress. (Art. 6.)¹

For treaty of January 21, 1785, made with Delaware, Chippewa, Ottawa, Wyandotte, see Chippewa treaty of same date—Michigan.

For treaty of January 9, 1789, made with Chippewa, Wyandotte, Ottawa, Pottawatomie, Sac, and Delaware Indians, see Chippewa treaty same date—Michigan.

For treaty of August 3, 1795, made with Delaware, Chippewa, Wyandotte, Shawnee, Ottawa, Pottawatomie, Miami, Weas, Eel River, Kickapoo, Pinankashaw, and Kaskaskia Indians, see Chippewa treaty, same date—Michigan.

For treaty of June 7, 1803, with Delaware, Shawnee, Pottawatomie, Miami, Eel River, Weas, Kickapoo, Pinankashaw, and Kaskaskia Indians, see Pottawatomie treaties, Pottawatomie Reservation—Indian Territory.

Treaty with the Delaware Indians, made at Vincennes August 18, 1804.

Indians cede their land between the Ohio and Wabash. (Art. 1.) Three hundred dollars for ten years to be devoted to promoting civilization; also, \$300 for five years to provide for teaching in agriculture, etc., \$400 for stock, and \$800 in goods. (Art. 2.) Stolen property to be restored. (Art. 3.) Territory claimed by Delawares defined as all the country between the White River on the north, Ohio on the south, general boundary line running from mouth of the Kentucky River on the east, and on the west and southwest the tracts ceded by this and the treaty of June 7, 1803 (see Pottawatomie treaties). (Art. 4.) United States to negotiate with the Pinankashaw for their claim to land herein ceded. (Art. 5.) Boundary line to run half a mile from the most northerly bend of the road from Vincennes to Clark's grant. (Art. 6.) Proclaimed February 14, 1805.²

For treaty of July 4, 1805, with Delawares, Chippewas, Ottawas, Pottawatomes, Munsees, Shawnees, and Wyandottes, see Chippewa treaty, same date—Michigan.

For the treaty of August 21, 1805, with the Delawares, Pottawatomes, Miamis, Eel River, and Weas, see Pottawatomie treaty, same date—Indian Territory.

For treaty of September 30, 1809, with Delawares, Pottawatomes, Miamis, and Eel River, see Pottawatomie treaty, same date—Indian Territory.

For treaty of July 22, 1814, with Delawares, Wyandottes, Shawnees, Senecas, and Miamis, see Shawnee treaty, same date—Indian Territory.

For treaty of September 8, 1815, with Delaware, Wyandotte, Seneca, Shawnee, Miami, Chippewa, Ottawa, and Pottawatomie Indians, see Chippewa treaty, same date—Michigan.

For treaty of September 29, 1817, supplementary treaty of September 17, 1818, with Delaware, Wyandotte, Seneca, Shawnee, Pottawatomie, Ottawa, and Chippewa Indians, see Chippewa treaty, same date—Michigan.

Treaty with the Delaware Indians, made at St. Mary's, Ohio, October 3, 1818.

Indians cede all their lands in Indiana. (Art. 1.)

United States to provide country west of Mississippi. (Art. 2.)

United States to pay full value for improvements on ceded land, valuation to be made by persons appointed by President; one hundred and twenty horses, value \$40 each, and pirogues to transport them west side of the Mississippi, and furnish provisions for journey. (Art. 3.)

Delawares to occupy their present improvements for three years. (Art. 4.)

¹ United States Statutes at Large, Vol. VII, p. 13.

² *Ibid.* p. 81.

Perpetual annuity of \$4,000. (Art. 5.)

Blacksmith to be supported after their removal. (Art. 6.)

Grants to individuals. (Art. 7.)

The sum of \$13,312.25, paid by United States to satisfy claims. (Art. 8.)

Treaty binding when ratified. (Art. 9.)

Proclaimed January 15, 1819.¹

Treaty with the Delawares of the Ohio, made at Little Sandusky, Ohio, August 3, 1829.

Indians cede land on Sandusky River reserved to them by the treaty of September 29, 1817, and agree to remove before January next west of Mississippi. (Art. 1.)

The sum of \$3,000 in payments: \$2,000 in cash, \$1,000 in goods. (Art. 2.)

Proclaimed January 2, 1830.²

Treaty with the Delaware Indians, made at St. Mary's, Ohio, September 24, 1829.

Delawares to remove from the James Fork of White River, Missouri, to land between the Kansas and the Missouri, about Fort Leavenworth. United States pledges the faith of the Government to Delaware tribe forever to guaranty quiet and undisturbed possession of their land. Wagons and ox teams provided for removal. Permanent annuity of \$1,000 provided for the cession of all claims to land in Missouri. Thirty-six sections of relinquished land to be sold for the purpose of establishing a school fund. Deputation to explore the country proposed as a reservation.

Proclaimed March 24, 1831.³

For treaty of October 26, 1832, with Shawnees and Delawares, of Cape Girardeau, see Shawnee treaty of same date—Indian Territory.

For agreement of December 14, 1843, approved by act of Congress July 25, 1848, see Wyandotte treaty of same date—Indian Territory.

Treaty with the Delaware Indians, made at Washington May 6, 1854.

Delawares cede all claim to land lying west of the Missouri except that portion sold to the Wyandottes and a strip along the Missouri River. (Art. 1.) United States to survey and sell at auction ceded land. (Art. 2.) After deducting cost of survey and sale United States to pay all moneys received from sale of land to tribe; also \$10,000 for their interest in a tract known as the "outlet." (Art. 3.) Delawares being entitled to permanent annuities by various treaties, amounting to \$7,540, relinquish the same for the sum of \$148,000 to be paid in two years. (Art. 4.) Educational fund of \$46,030 from sale of thirty-six sections set apart for this purpose, at 5 per cent. interest, in accordance with Senate resolution, January 19, 1838, to remain. (Art. 5.) Life annuities to chiefs provided. (Art. 6.) Proceeds of sales to be invested as a permanent fund, and the interest used for civilization and education (Art. 7), subject to the President's judgment and action of Congress. (Art. 8.) Private debts not to be paid from general fund. (Art. 9.) Annuities belonging to the intemperate and idle controlled by the President. (Art. 10.) President to survey reservations and assign land to persons designated by principal men of tribe, such assignment to be uniform. (Art. 11.) Roads authorized by law subject to same terms as through land of citizens. Railroads to compensate in money. (Art. 12.) Christian Indians to remain on their present improvements within ceded territory. Four sections set apart to be paid for by the United States or said Christian Indians at the rate of \$2.50 per acre, to the Delaware tribe. Provision for roads and railroads to apply to this tract. (Art. 13.) Dependence upon United States acknowledged. (Art. 14.) Congress may enact further laws to effect objects of this treaty. (Art. 15.) Act of March 3, 1807, to apply to ceded land. (Art. 16.) If Senate reject

¹ United States Statutes at Large, Vol. VII, p. 188.

² *Ibid.*, p. 325.

³ *Ibid.*,

thirteenth article of this treaty not to affect the rest of the treaty. (Art. 17.) Treaty binding when ratified. (Art. 18.)

Proclaimed July 17, 1854.¹

Treaty with the Delawares, made at Sarcovieville, on the Delaware Reservation, May 30, 1860.

Their reservation by treaty of May 6, 1854, lying east and south of a line beginning at a point on the line between the Delawares and Half-breed Kansas, 40 miles in a direct line west of the boundary between the Delawares and Wyandottes; thence north 10 miles; thence in an easterly course to a point on the south bank of Big Island Creek, which shall also be on the bank of the Missouri River, where the usual high-water line of said creek intersects the high-water line of said river, to be surveyed. Eighty acres to be assigned to each member of tribe. (Art. 1.) Usual certificate of allotment to be granted. (Art. 2.) Leavenworth, Pawnee, and Western Railroad to have opportunity of purchasing residue of land after allotment at \$1.25 per acre. (Art. 3.) Two hundred Delawares who had gone south to receive allotments on their return. (Art. 4.) Three hundred and twenty acres where the school and mill stand set aside; 320 acres for council house; 160 acres for Baptist mission; 40 acres for Methodist Episcopal Church, South; 40 acres for Methodist Episcopal Church, North, to be reserved and disposed of by the Secretary of the Interior when objects have been accomplished. (Art. 5.) United States to pay \$12,000 for depreciations on timber by white people, and \$9,500 for stock stolen by United States citizens since last treaty was made. If Senate refuse to ratify this article it shall not affect the rest of treaty. Delawares to be compensated for land taken by United States for Kansas Indians. (Art. 6.) Grants and payments to individuals. (Art. 7.) Stipulations inconsistent with previous treaties to be invalid. (Art. 8.) Indians to bear expense of treaty. (Art. 9.) Interest accruing under treaties to be paid on 1st of April and October each year. (Art. 10.)

Amended by Senate June 27, 1860. Proclaimed August 22, 1860.²

Treaty with the Delaware Indians, made at Leavenworth City, Kans., July 2, 1861.

Certain lands pledged by the Leavenworth, Pawnee and Western Railroad Company to secure its bonds. Arrangements made for payments, etc.

Proclaimed October 4, 1861.³

Treaty with the Delaware Indians, made at the Delaware Agency July 4, 1866.

Whereas Congress has by law made it the duty of the President of the United States to provide by treaty for the removal of Indian tribes in the State of Kansas,⁴ and the Delawares have expressed a wish to remove to the Indian Territory, and the United States has negotiated with certain tribes for the right to locate other tribes on their Territory, and the Missouri River Railroad has expressed a desire to purchase the Delaware Reservation in a body: Therefore, the United States shall cause to be paid the full value of that part of the reservation and its improvements sold to the Leavenworth, Pawnee and Western Railroad Company by the treaty of 1860 and 1861 (Art. 1.) The remaining lands held by the Delawares shall be sold to the Missouri River Railroad Company or other responsible parties at not less than \$2.50 per acre, exclusive of improvements. (Art. 2.) Adult Delawares who may so elect can become citizens, and their lands and those of their minor children be reserved from sale. Improvements on lands to be sold to be appraised and the money reserved to defray removal and make improvements on new land. Children born since the al-

¹ United States Statutes at Large, Vol. X, p. 1048.

² *Ibid.*, Vol. XII, p. 1129.

³ *Ibid.*, Vol. XII, p. 1177.

⁴ See act of March 3, 1863, United States Statutes, Vol. XII, p. 793, sec. 4.

lotment to receive their share and value of improvement selected for them. (Art. 3.) United States to sell to Delawares a tract equal to 160 acres for each man, woman, and child who shall remove to ceded country, at the price paid by United States to Choctaws, Chickasaws, Creeks, and Seminoles for the tract. Delawares to pay for this land out of proceeds of sale of lands in Kansas. Land to be surveyed when Delawares shall request the same. (Art. 4.) Peaceable possession and protection in their new home guaranteed. (Art. 5.) "It is agreed that the proceeds of the sale of the Delaware lands herein provided for shall be paid to said Indians in the manner following, to wit: Whenever the Department of the Interior shall be notified by the counsel, through the agent, that any of the Delawares who hold land in severalty are ready to remove, at the same time describing their allotments, there shall be paid to each such person the value of his allotment, and that of his family, to enable him to remove to and improve his new home, provided the money for the said allotment shall have been paid to the Secretary of the Interior; and while said money, or any part thereof, shall remain in the Treasury of the United States, the Delawares shall be entitled to receive interest on the amount so retained at the rate of 5 per cent. per annum. And the residue of the proceeds of the sale of the Delaware lands, being those which have not been allotted, or which have once been allotted, but abandoned by the allottees, shall be added to the general fund of the Delawares, interest thereon to be paid to the Indians in the same manner as is now provided in regard to that fund." (Art. 6.)

Secretary to give notice to Missouri Railroad Company, within thirty days after the ratification of this treaty, that the land is for sale. Notice of intention to purchase to be made within twenty days after receiving notice. Bond to be filed for the fulfilling of this contract. Upon failure to file bond within twenty days, negotiations to be opened with other parties. (Art. 7.) Payments to be made within sixty days after sale in manner provided. (Art. 8.) Register of Delawares to be made. Those desiring to become citizens to appear before court and give proof of having adopted a civilized life and of supporting their families for five years. They shall receive a patent in fee simple for land and proportion of sale under provisions of this treaty, and shall cease to be members of tribe or share in property or annuities. Minor children of those becoming citizens may at maturity elect between citizenship and returning to tribe. Any one failing to be admitted as a citizen shall not be compelled to remove, but his rights and those of his family shall be protected by proper guardianship. (Art. 9.) Tribal funds not to pay private and individual debts. No trader to be licensed without consent of chiefs. Salary of chiefs \$400 per annum. (Art. 10.) Delawares acknowledge their dependence on the United States, which agrees to protect, preserve, and defend them in all their just rights. Any lands not sold as herein provided may be appraised in separate tracts and sold for not less than \$2.50 per acre and for as much more as they will bring. Money to be applied as herein provided. (Art. 12.) Railroads to have right of way through the Delaware Reservation in the Indian country 200 feet wide, and to use gravel and other materials, except timber, for construction. Compensation for damages to be made under such regulations as prescribed by Secretary of Interior. (Art. 13.) Agreement of article 6, treaty of 1867, not having been complied with, \$30,000 to be credited to Delawares in the purchase of their new home in the Indian Territory. This to be received as full settlement of all claims for depredations, and twenty-three sections on their new reservation for the twenty-three sections given to the half-breed Kaw Indians. Secretary of the Interior to make examination concerning the stock stolen from the Delawares and when the value shall be ascertained, same to be reported to Congress with a recommendation for an appropriation to pay it. Money to be paid to owners of said stock. (Art. 14.) Delawares not required to remove until they shall have selected and received title to lands in new home. (Art. 15.)

Proclaimed August 10, 1866.¹

¹ United States Statutes at Large, Vol. XIV, p. 793.

SYNOPSIS OF TREATY WITH THE CADDO INDIANS.

Treaty with the Caddoes, made at the agency house, Louisiana, July 1, 1835.

Indians cede to the United States their land between the Red and Saline Rivers in the State of Louisiana. (Art. 1.)

Indians to remove at their own expense out of the boundary of the United States, and never return, and settle themselves as a community or people within the same. (Art. 2.) The sum of \$80,000 payment; \$30,000 in goods and horses and money, and \$10,000 annually for five years. (Art. 3.) Caddoes to appoint an agent or attorney to receive the money. (Art. 4.) Treaty binding when ratified. (Art. 5.)¹

Proclaimed February 2, 1836.

Supplementary articles made at agency house, July 1, 1835.

Grants of 4 leagues of land by Indians in 1801 to François Grappe and his heirs within the ceded territory to be properly confirmed. (Art. 1.) One section to be reserved forever to Larkin Edwards and his heirs, an old interpreter, within ceded territory. (Art. 2.) Treaty binding when ratified. (Art. 3.)²

For treaty of May 15, 1846, with Caddo and other tribes, see Kiowa and Comanche treaty same date—Indian Territory.

For treaty with Wichita and other tribes, August 24, 1835, see Kiowa and Comanche treaty same date—Indian Territory.

*Unratified agreement of October 19, 1872.*³

The Wichitas and other affiliated bands, having for a long time resided within the limits of the tract known as the "leased district" in the Indian Territory, without any defined reservation set apart for their occupancy, and having also a claim, good or bad, to a large tract of country, an agreement was made by the Commissioner of Indian Affairs with a duly authorized delegation of said Indians, by which the following-described tract of land is set apart for them, viz:

Commencing at a point in the middle of the main channel of the Washita River, where the ninety-eighth meridian of west longitude crosses the same; thence up the middle of the main channel of said river to the line of 98° 40' west longitude; thence on said line of 98° 40' due north to the middle of the main channel of the main Canadian River; thence down the middle of said main Canadian River to where it crosses the ninety-eighth meridian; thence due south to the place of beginning.

In consideration for said tract of land the Indians cede and relinquish to the United States all their right, title, interest, or claim of any nature whatsoever, to any lands in Texas, Louisiana, the Indian Territory, or elsewhere within the limits of the United States.

OSAGE AGENCY.

[Post-office address: Pawhuska, Ind. T.]

OSAGE RESERVATION.

How established.—By article 16, treaty with Cherokees, July 19, 1866; order of Secretary of the Interior, March 27, 1871;⁴ act of Congress, June 5, 1872. (See deed dated June 14, 1883, from Cherokees, Vol. VI, Indian Deeds, p. 482.)

¹ United States Statutes at Large, Vol. VII, p. 470. ² *Ibid.*, p. 472. ³ Report of Commissioner of Indian Affairs, 1872, p. 101. ⁴ For account of the difficulties raising from these acts and orders, see Indian Commissioner's Report, 1872, pp. 40 and 245.

Area and survey.—Contains 1,470,059 acres, of which 314,038 are reported as tillable.¹ Surveyed.

Acres cultivated.—Nine thousand nine hundred and forty acres reported cultivated in 1886.²

Tribes and population.—The tribes living here are the Great and Little Osage, 1,927, and Quapaw. Total population, 2,107.³

Location.—The reservation is situated south of and adjoining the State of Kansas; bounded on the east by the ninety-sixth principal meridian, and on the west and south by the Arkansas River. The land is hilly, almost mountainous in places, with numerous croppings of stone, with an occasional fertile valley along the streams. Good timber is found in limited quantities near the larger streams, and quite an amount of scrub oak on the hills.⁴

Government rations.—Fifty per cent. of these Indians subsisted by Government rations, as reported in 1886.⁵

Mills and Indian employés.—Mill established. Indian employés reported.

Indian police.—Police force established.

Indian court of offences.—Not reported.

School population, attendance, and support:—

School population as estimated in 1886.....	269
Boarding-school accommodation.....	175
Average attendance.....	138
Cost to Government ⁶	\$15,033.14
Session (months).....	9

Missionary work.—Missionary work in charge of the Methodist Episcopal Church.

SYNOPSIS OF OSAGE TREATIES.

Treaty with the Osage Indians, made at Fort Clark, on the Missouri, November 10, 1808.

Fort on Missouri River to be established (Art. 1), and a store to be kept. (Art. 2.) Blacksmith, mill, implements, and block house to be furnished. (Art. 3.) Property stolen by Osages previous to acquisition of Louisiana to be paid for by the United States. (Art. 4.) Merchandise and money paid to the amount of \$2,700. (Art. 5.) Indians cede territory lying east of line from the Fort Clark to the Arkansas, and down the same to the Mississippi. Also 2 leagues to embrace Fort Clark. (Art. 6.) Boundary line to be run at the expense of the United States. (Art. 7.) Right to live and hunt on land west of ceded land granted. (Art. 8.) Offenders to be punished by law. Chiefs to assist in recovering stolen property. Indemnification upon proof for property stolen from Indians by citizens. (Art. 9.) United States to receive Osages under its protection. (Art. 10.) Any person hunting on their grounds to be surrendered to United States and dealt with according to law. (Art. 11.) Osage not to supply Indians with arms who are at war with the United States. (Art. 12.) Treaty binding when ratified. (Art. 13.)

Chiefs of the Osages of the Arkansas River assent to the above treaty, August 31, 1809. Proclaimed April 28, 1810.⁷

¹ Report of Indian Commissioner, 1886, p. 383. ² *Ibid.*, p. 428. ³ *Ibid.*, p. 398.
⁴ *Ibid.*, 1882, p. 72. ⁵ *Ibid.*, 1886, p. 416. ⁶ *Ibid.*, p. xcii. ⁷ United States Statutes at Large, Vol. VII, p. 107.

Treaty with the Osage Indians, made at Portage des Sioux, September 12, 1815.

See United States Statutes at Large, Vol. VII, p. 133.

A similar treaty to the Sioux treaty, July 19, 1815—Dakota Territory.

Treaty with the Osage Indians, made at St. Louis, September 25, 1818.

Tracts ceded on the Arkansas and Verdigris Rivers. (Art. 1.) In compensation United States to pay for depredations committed by Osages since 1814. (Art. 2.)

Treaty binding when ratified. (Art. 3.)¹

Proclaimed January 7, 1819.

Treaty with the Osage Indians, made at the United States factory, Missouri, August 31, 1822.

In consideration of \$3,329.40 worth of merchandise the United States released from keeping a store at Fort Clark.²

Proclaimed February 13, 1823.

Treaty with the Osage Indians, made at St. Louis, June 2, 1825.

Indians cede all land in Missouri and Arkansas and west and north of the Red River and south of the Kansas and east of a line drawn from the sources of the Kansas to the Rock Saline. (Art. 1.) Reserve a tract 25 miles west of State of Missouri. (Art. 2.) Seven thousand dollars for twenty years in money, merchandise, or stock. (Art. 3.) Stock and farming implements and houses for chiefs, also farmer and blacksmith, to be furnished. (Art. 4.) Tracts granted to half-breed. (Art. 5.) Also fifty-four sections to be laid off and sold by President for education fund. (Art. 6.) United States released from garrison at Fort Clark, keeping blacksmith, and delivery of merchandise in consideration of payment of debts of Osages, amounting to \$4,105.80. (Art. 7.) The sum of \$1,000, claim of Delawares against Osages, to be paid. (Art. 8.) Also depredation of claims of citizens, not to exceed \$5,000. (Art. 9.) Missionary establishments on the Grand River and on the Marais des Cygnes to be disposed of for the benefit of said missions, and to establish them. (Art. 10.) Free navigation granted to Osages on all water-courses on ceded land. (Art. 11.) Eight thousand eight hundred dollars in merchandise hereby delivered. (Art. 12.) Traders' debts amounting to \$1,500 paid. (Art. 13.) Treaty binding when ratified. (Art. 14.)³

Proclaimed December 30, 1835.

Treaty with the Osage Indians, at Council Grove, August 10, 1825.

Roadway between Missouri and New Mexico granted through Osage territory. Treaty same as that with Kansas Indians.⁴

Proclaimed May 3, 1826.

For treaty of August 24, 1835, with Osage, Kiowa, Comanche, and other tribes, see Kiowa and Comanche treaty, same date—Indian Territory.

Treaty with the Osage Indians, made at Fort Gibson, Ind. T., January 11, 1839.

Indians cede all interest in any reservation heretofore claimed within the limits of any other tribe, and also all interest under preceding treaties, excepting that relating to their education fund (article 6, treaty of 1825), and agree to remove from the lands of other tribes and to remain within their own boundaries. (Art. 1.) United States to pay annuity of \$20,000 for twenty years; to furnish two blacksmiths and two assistants with tools and material, a saw and grist mill and miller and assistant

¹ United States Statutes at Large, Vol. VII, p. 183.

² *Ibid.*, p. 222.

³ *Ibid.*,

p. 240.

⁴ *Ibid.*, p. 263; also page 238 of this work.

for fifteen years; to provide a certain amount of stock, houses, and wagons for certain chiefs, and pay all claims against Osages not exceeding \$30,000; to purchase reservation provided for individuals provided in article 5, treaty of June 2, 1825, at \$2 per acre, except tracts purchased in fourth article, Cherokee treaty, December 29, 1835; also to reimburse \$3,000 deducted from their annuity for stolen property, which they have since returned; to reimburse \$3,000 to Cleimont's band, withheld from them by the agent of the Government. (Art. 2.) Treaty binding when ratified. (Art. 3.)¹

Proclaimed March 2, 1839.

Treaty with the Osage Indians, made at Campbell Trading Post, Kansas, September 29, 1865.

Indians cede to the United States a tract 50 by 30 miles. Western boundary not to extend beyond where the Verdigris River crosses the Kansas State line. The sum of \$300,000, to be placed at 5 per cent. interest, to be expended semi-annually for the benefit of the tribe as Secretary may direct; ceded land to be sold as herein prescribed; proceeds, after deducting expenses of survey and sale and the \$300,000 to be placed in Treasury to the credit of the "civilization fund," to be used under the direction of the Secretary of the Interior for the education and civilization of Indian tribes residing within the United States. (Art. 2.) Further cession of tract 20 miles wide on the north side of their reservation, extending its entire length. Proceeds of ceded land, after deducting expenses, to be funded at 5 per cent. and interest expended for benefit of tribe. Twenty-five per cent. of net proceeds of sales until percentage amounts to \$80,000, to be placed to credit of Old Sage school fund. (Art. 2.) Grant of one section of land and privilege of purchase of two other sections accorded to Roman Catholic mission. (Art. 3.) Provision for citizens or Indians having pre-empted on ceded or sold lands to purchase the same. (Art. 9.) Payment of debts not exceeding \$5,000 provided for. (Art. 5.) Provision for land for certain chief. (Art. 6.) Five hundred dollars salary for chiefs. (Art. 7.) Section of land set apart for school upon diminished reservation while used for school. (Art. 8.) Purchase of land by Darius Rogers permitted. (Art. 9.) Dependence upon the United States acknowledged. (Art. 10.) Roads and highways on same terms as through lands of citizens. Railroads to make compensation. (Art. 11.) Indians to remove on reservation within six months. (Art. 12.) United States to advance money for expenses of survey and sale; money to be returned from sale. (Art. 13.) Certain half breeds to receive patents to tracts occupied by them on lands sold. (Art. 14.) Osage may unite with other Indians in the Indian Territory. (Art. 15.) If Osages remove to Indian Territory, diminished reservation shall be disposed of in manner relating to trust lands, and 50 per cent. used to purchase suitable home in Indian country. (Art. 16.) Treaty binding when ratified. (Art. 17.)²

Proclaimed January 21, 1867.

An act, July 15, 1870, making an appropriation for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1871, and for other purposes.

Whenever the Osages shall agree thereto it shall be the duty of the President to remove said Indians from Kansas to lands to be provided for them in the Indian Territory in compact form in quantity 160 acres for each member of the tribe, to be purchased from the proceeds of the sales of their lands in Kansas, the price not to exceed that paid by United States for same. Fifty thousand dollars appropriated to remove them and subsist them for one year, to be reimbursed from the proceeds of the sales. Lands to be sold as herein provided, and interest of money expended by the President for the benefit of the tribe. (Sec. 12.) Twenty thousand dollars to

¹ United States Statutes at Large, Vol. VII, p. 576. ² *Ibid.*, Vol. XIV, p. 687.

compensate for that portion of the stock not furnished as required by article 2, treaty of January 11, 1839. Ten thousand dollars as compensation for running the mill only five years instead of fifteen. Said sums to be expended for the erection of agency buildings, warehouse, shops, school-house, and mill in the Indian Territory. (Sec. 13.)¹

By the act of July 15, 1870, provision was made for sale of all the lands belonging to the Osages within the limits of Kansas and for their removal across the line into the Indian Territory. In accordance with the terms of this act a reservation was selected by them, which was supposed to be immediately west of the ninety-sixth degree of west longitude, but a large portion of it, containing in fact all the improvements made and all the really available land in the body, was found upon a subsequent survey to be east of it; that is, within the Cherokee country. To remedy this difficulty Congress, by act of June 5, 1872, set apart their present reservation.²

*Act of Congress entitled "An act to confirm to the Osages a reservation in the Indian Territory," June 5, 1872.*³

United States having purchased from the Cherokees their lands lying west of the ninety-sixth meridian, and the Osages being removed to that land, upon survey it was found that improvements made by the Osages were east of the ninety-sixth meridian, and the Cherokees consenting to the establishment of the Osages west of that line, the following tract was set apart and confirmed as their reservation: Bounded east by the ninety-sixth meridian, south by the Creek country, west by the Arkansas, and north by the State of Kansas: *Provided*, The selection shall be made under the provisions of article 16 of the treaty of 1866, so far as applicable, and that the Kansas tribe be permitted to occupy land not exceeding 160 acres to each member, to be paid for by said Kansas tribe from the proceeds of their land in Kansas, the price not to exceed the amount paid by the Osages to Cherokee Nation.

KANSAS RESERVATION.

How established.—By act of Congress, June 5, 1872.

Area and survey.—Contains 100,137 acres;⁴ 20,000 tillable acres reported in 1886. Surveyed.⁵

Acres cultivated.—One thousand eight hundred and ninety-five acres reported cultivated in 1886.⁶

Tribes and population.—The tribes living here are the Kansas or Kaw. Population, 254.⁷

Location.—The reservation is bounded on the north by Kansas, east and south by the Osage Reservation, and west by the Arkansas River. The soil is similar to that of the Osage Reservation.

Government rations.—The per cent. of these Indians subsisted by Government rations is reported in 1886 with the Osage.⁸

Mills and Indian employes.—Reported with Osage.

Indian police.—Reported with Osage.

Indian court of offences.—None reported.

¹ United States Statutes at Large, Vol. XVI, p. 362. ² Report of Indian Commissioner, 1872, p. 40. ³ United States Statutes at Large, Vol. XVII, p. 228. ⁴ Report of Indian Commissioner, 1884, p. 258. ⁵ *Ibid.*, p. 259. ⁶ *Ibid.*, 1886, p. 428. ⁷ *Ibid.*, p. 338. ⁸ *Ibid.*, 1886, p. 416.

*School population, attendance, and support:—*¹

School population as estimated in 1886.....	75
Boarding and day school accommodations	80
Average attendance.....	54
Boarding and day, cost to Government.....	\$6,803.11
Session (months).....	10

Missionary work.—None reported.

SYNOPSIS OF KANSAS TREATIES.

Treaty with the Kansas Indians, made at St. Louis October 28, 1815.

(See United States Statutes at Large, Vol. VII, p. 137.)

(See similar Sioux treaty of July 19, 1815, Dakota Territory.)

Treaty with the Kansas Indians, made at St. Louis, June 3, 1825.

Kansas Indians cede to United States all their lands within State of Missouri and the lands west of it within the following boundaries: Beginning at the mouth of Kansas River, thence north to the northwest corner of the State of Missouri, thence west to the Nodewa, 30 miles from its mouth; thence to the mouth of the big Nemaha River, up the same to its source; thence to the source of the Kansas, leaving Pawnee Republic Village to the west; thence along the ridge between the Kansas and Arkansas to the Missouri line, and with that line 30 miles to the place of beginning. (Art. 1.) Reservation within ceded territory set apart, 20 leagues up the Kansas, including their village, extending west 30 miles in width. (Art. 2.) Three thousand five hundred dollars per annum for twenty years in money, merchandise, provisions, or stock, at option of nation. (Art. 3.) Stock, agricultural implements, farmer, and blacksmith to be furnished. (Art. 4.) Thirty-six sections of good land on the Big Blue to be laid out under direction of President and sold for the purpose of raising an educational fund. (Art. 5.) Twenty-three sections set apart for half-breeds north of Kansas River. (Art. 6.) Claims not exceeding \$3,000 paid to citizens for depredations by Kansas Indians. (Art. 7.) Five hundred dollars paid for debt to traders. (Art. 8.) The sum of \$4,000 in merchandise and horses to be paid. (Art. 9.) Offenders to be punished according to law. Chiefs to assist in restoring stolen property from citizens. United States to indemnify Indians on proof of property stolen. (Art. 10.) United States to have right of navigating water courses. No land to be disposed of except to United States. (Art. 11.) Treaty binding when ratified. (Art. 12.)²

Proclaimed December 30, 1825.

Treaty with the Kansas Indians, made on the Sora Kansas Creek, August 16, 1825.

Whereas Congress on March 3, 1825, authorized the President to cause a road to be marked out from the western frontier of the Missouri to the confines of New Mexico, therefore the Kansas tribe consents to the road through its territory. (Art. 1.) Travel to be free and unmolested. (Art. 2.) Indians to render assistance to citizens of the United States or Mexico. (Art. 3.) Territory granted on either side of road to admit of camping. (Art. 4.) The sum of \$500 to be paid for privilege. (Art. 5.) Gift of merchandise to value of \$300 acknowledged. (Art. 6.)³

Proclaimed May 3, 1826.

¹ Report of the Indian Commissioner, 1886, p. xcii. ² United States Statutes at Large, Vol. VII, p. 244. ³ *Ibid.*, p. 270.

Treaty with the Kansas Indians, made at the Methodist Mission, Kansas country, January 14, 1846.

Two million acres of land ceded on the east part of their country, embracing the width of 30 miles and running west for quantity. (Art. 1.) West line of cessions to be surveyed. (Art. 3.) Indians to remove within sixteen months. (Art. 4.) The sum of \$202,000 paid, \$200,000 to be funded at 5 per cent. and interest paid annually for thirty years, and if at the end of that time the tribe be less than at first payment the payment to be pro rata according to the number of tribe when first annuity payment was made. One thousand dollars of interest to be applied for education and \$1,000 for agricultural improvements. Out of the \$2,000 not funded shall be paid, first, the expenses of this treaty; second, \$400 to the mission of the Methodist Episcopal Church for improvements on ceded lands; third, \$600 to replace mill on ceded land, and the remainder to be expended for provisions for the present year. (Art. 2.) In case of insufficient timber on the land remaining to the Indians the President shall select a suitable country near the western boundary of land ceded to remain for their use forever; in consideration of which the Kansas Indians cede the balance of land reserved in 1825 not covered in article 1. (Art. 5.) Subagent to reside among them. (Art. 6.) Blacksmith provided for. (Art. 7.)¹

Proclaimed April 15, 1846.

Treaty with the Kansas Indians, made at the Kansas Agency, October 5, 1859.

A tract 14 miles east and west, 9 miles north and south, situated in the southwestern part of the reservation, to be assigned in individual tracts of 40 acres to each member of tribe; 160 acres set apart for the agency and 160 for school. (Art. 1.) The land so assigned, including that for agency and school, to be in a compact form, so as to present a well-defined territory. Any intermediate portions of land or water to be owned in common in case of increase. Tract to be now known as "Kansas Reservation" and no white person allowed thereon. (Art. 2.) Certificates of allotment to be issued. (Art. 3.) All lands not embraced in portion to be retained to be sold. That portion lying between the boundary of assignments and the tract set apart to be subject to sale. Persons having made bona fide improvements on the land hereby reserved to be paid for their improvements out of proceeds of sale of land. Proceeds to be expended for benefit of Indians by Secretary of the Interior. (Art. 4.) Debts to be paid out of proceeds. (Art. 5.) If amount proves insufficient moneys due from former treaties available. (Art. 6.) President, with the assent of Congress, may modify treaties. (Art. 7.) Expense of treaty to be paid by Kansas Indians. (Art. 8.) Land assigned to certain half-breeds. (Art. 9.) Right to roads same as through lands of citizens. Railroads to compensate in money. (Art. 10.) Treaty binding when ratified. (Art. 11.)

Amended June 27, 1860. Assented to October 4, 1860; proclaimed November 17, 1860.²

Treaty with the Kansas Indians, made at the Kansas Agency, March 13, 1862.

Claims for improvements by settlers to be ascertained by Secretary of the Interior, and certificates for the same issued in the manner set forth, the amount to be paid not to exceed \$65,815.47. Payment out of proceeds of sale. (Art. 1.) Private sale of half section of land granted. (Art. 2.)

Amended February 6, 1863; assented to February 26, 1863; proclaimed February 6, 1863.³

¹ United States Statutes at Large, Vol. IX, p. 842. ² *Ibid.*, Vol. XII, p. 1111.

³ *Ibid.*, p. 1221.

An act of Congress entitled "An act to confirm to the Great and Little Osage Indians a reservation in Indian Territory," June 5, 1872.¹

The Great and Little Osage tribe to permit the settlement within the limits of their tract of land of the Kansas tribe; the land so occupied not to exceed 160 acres to each member of said tribe; said land to be paid for by Kansas Indians out of the sales of their lands in Kansas; the price not to exceed that paid by Great and Little Osages to the Cherokee Nation.

PONCA, PAWNEE, AND OTOE AGENCY.

[Post-office address: Ponca Agency, Ind. T.]

PONCA RESERVATION.

How established.—By acts of Congress, August 15, 1876; March 3, 1877; May 27, 1878; and March 3, 1881. (See deed, dated June 14, 1883, from Cherokees, Vol. VI, Indian Deeds, p. 473.)

Area and survey.—Contains 101,894 acres.² Tillable acres, 90,000. Surveyed.³

Acres cultivated.—There were 974 acres reported under cultivation in 1886.⁴

Tribes and population.—The tribe living here is the Ponca. Population, 619.⁵

Location.—The reservation is situated west of the Arkansas River and between it and the Chikaskia. Besides these two rivers, the reserve is well watered by a confluent of the Arkansas called the Salt Fork, and numerous smaller streams, all serving to irrigate the country in an admirable manner, the bottom lands forming a rich agricultural country and the benches excellent grazing land.⁶

Government rations.—None issued.

Mills and Indian employés.—A mill; no Indian employés reported.

Indian police.—Established.

Indian court of offences.—Indians refuse to serve without compensation.

School population, attendance, and support:—

School population, as estimated in 1886.....	100
Boarding-school accommodation.....	85
Average attendance.....	73
Boarding school, cost to the Government ⁷	\$7,236.66
Session (months).....	10

Missionary work.—Methodist Episcopal Church in charge of missionary work.

SYNOPSIS OF TREATIES WITH THE PONCA INDIANS.

Treaty made June 25, 1817.

Peace and friendship re-established as before the war of 1812. (Art. 2.) Injuries forgiven. (Art. 1.) Protection of United States acknowledged. (Art. 3.)⁸
Proclaimed December 26, 1817.

¹ United States Statutes at Large, Vol. XVII, p. 228. ² Report of Indian Commissioner, 1884, p. 308. ³ *Ibid.*, p. 259. ⁴ *Ibid.*, 1886, p. 428. ⁵ *Ibid.*, p. 398. ⁶ *Ibid.*, 1883, p. 75. ⁷ *Ibid.*, 1886, p. xcii. ⁸ United States Statutes at Large, Vol. VII, p. 155.

Treaty made at Ponca Village, on White Paint Creek, Dakota, June 9, 1825.

Supremacy of the United States acknowledged. (Art. 1.) Protection granted. (Art. 2.) American citizens only to trade and hold intercourse. (Art. 3.) Poncas to protect person and property of traders and agents, and to deliver to nearest military posts foreigners attempting to trade. Safe conduct granted to all authorized persons. (Art. 4.) Offenders to be punished according to law. Chiefs to recover stolen property. United States guarantees full indemnification for Indian property stolen by citizens, upon proof. (Art. 5.) No weapons or ammunition to be furnished Indians at war with the United States. (Art. 6.)¹

Proclaimed February 6, 1826.

Treaty made at Washington, March 12, 1853.

Cessions.—Poncas cede to United States all the land owned or claimed by them wherever situated, except the following tract, which is reserved for their future home: Beginning at a point on the Niobrara River and running due north so as to intersect the Ponca River 25 miles from its mouth; thence from said point of intersection up and along the Ponca River 20 miles; thence due south to the Niobrara River, and thence down and along said river to the place of beginning.

Payments.—United States agree to protect the Poncas in possession of their land and security of person and property during good behavior. United States to pay \$12,000 for five years, when they shall remove and settle on the tract. The sum of \$10,000 to be paid for ten following years; \$8,000 for the next fifteen years. President to determine how the money shall be expended. In case of decrease of Poncas, amount to be diminished in proportion, or discontinued altogether if the Indians fail to make satisfactory efforts to advance. The sum of \$20,000 to be expended for subsistence and agricultural improvements during first year. Mill and mechanic shops to be erected and maintained for ten years. Indians agree to furnish apprentices, who shall receive a fair compensation for services. Indians to protect property, and when President shall be satisfied of the advance of the Poncas he may turn over to the tribe said property. The sum amount of \$20,000 to settle and adjust existing obligations. (Art. 2.) All demands upon United States hereby relinquished.

Education.—One or more manual-labor schools to be maintained for ten years. Annual expense not to exceed \$5,000. Indians to keep all their children between seven and eighteen years at school under pain of loss of annuities and closing of school. (Art. 2.)

Roads.—United States to establish and maintain military posts and roads and agencies. All roads authorized by competent authority to have right of way through reservation upon a fair value being paid Poncas. No person except those in the employ of the Government to reside on reservation. (Art. 4.)

Indians not to alienate land except to United States. Each head of family may select a farm within reservation. (Art. 5.) Poncas pledge themselves to peace and to pay for any depredation out of annuities and to deliver up offenders. (Art. 7.) Annuities to be withheld from those drinking or procuring intoxicating liquors. (Art. 8.) Annuities not to be taken for private debts. (Art. 9.)²

Proclaimed April 11, 1859.

Supplementary treaty, made at Washington, March 10, 1865.

Cessions.—Poncas cede the following portion of their present reservation: Portion lying west of the range line between townships numbers 32 and 33 north, ranges 10 and 11 west of the sixth principal meridian, according to the Kansas and Nebraska survey. (Art. 1.)

¹United States Statutes at Large, Vol. VII, p. 247.

²*Ibid.*, Vol. XII, p. 997.

As a reward for constant fidelity, the United States hereby cede their old burying-grounds at Greenfield. Poncas to satisfy from their funds claims of any settlers on account of the ceded lands. As indemnity for spoliation committed upon the Indians \$15,080 to be paid. (Art. 2.)¹

Proclaimed March 28, 1867.

ACTS OF CONGRESS.

August 15, 1876.—That the Secretary of the Interior may use of the foregoing amounts the sum of twenty-five thousand dollars for the removal of the Poncas to the Indian Territory, and providing them a home therein, with the consent of said band.²

March 3, 1877.—That the sum of fifteen thousand dollars of this appropriation, in addition to that heretofore appropriated, may be used for the removal and permanent location of the Poncas in the Indian Territory.³

May 27, 1878.—For fifth of fifteen installments, last series, to be paid to them or expended for their benefit, per second article of the treaty of March twelfth, eighteen hundred and fifty-eight, eight thousand dollars.

For this amount, or so much thereof as may be necessary, to be used at the discretion of the President, to carry on the work of aiding and instructing the Poncas in the arts of civilization, with a view to their self-support, for clothing, and for pay of employes, seven thousand five hundred dollars.

For this amount, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior, to be immediately available, in the removal of the Ponca Indians from their present location on the Quapaw Reservation, Indian Territory, to a new one west of the Kaw or Kansas, and between the Arkansas and Shakaskia Rivers, and for their settlement thereon, preparation of land for cultivation, purchase of agricultural implements, wagons, stock cattle, and such other articles as may be required for their advancement in civilization, including the employment of such skilled labor as may be necessary to aid and teach them civilized pursuits, with a view to their future self-support, thirty thousand dollars, and which amount may be immediately available; in all, forty-five thousand five hundred dollars.⁴

March 3, 1881.—For the purpose of enabling the Secretary of the Interior to indemnify the Ponca tribe of Indians for losses sustained by them in consequence of their removal to the Indian Territory, to secure to them lands in severalty in either the old or new reservation, in accordance with their wishes, and to settle all matters of difference with these Indians, one hundred and sixty-five thousand dollars, to be immediately available, and to be expended under the direction of the Secretary of the Interior, as follows:

For the purchase of one hundred and one thousand eight hundred and ninety-four acres of land in the Indian Territory, where most of these Indians are now located, fifty thousand dollars.

To be distributed per capita among the Ponca Indians in the Indian Territory, ten thousand dollars.

For the purchase of stock, cattle, and draught animals for Poncas in the Indian Territory, ten thousand dollars.

For the erection of dwelling-houses for Poncas now in Dakota, five thousand dollars; for agricultural implements, stock, and seed, five thousand dollars; for school purposes, five thousand dollars; for general distribution among them per capita, ten thousand dollars.

To be held as a permanent fund in the Treasury of the United States, at five per centum interest, the interest to be distributed annually among all the Ponca Indians, in cash, seventy thousand dollars.⁵

¹United States Statutes at Large, Vol. XIV, p. 675. ²*Ibid.*, Vol. XIX, p. 192.
³*Ibid.*, p. 287. ⁴*Ibid.*, Vol. XX, p. 76. ⁵*Ibid.*, Vol. XXI, p. 422.

OTOE RESERVATION.

How established.—By act of Congress March 3, 1831, order of the Secretary of the Interior June 25, 1831. (See deed dated June 14, 1833, from Cherokees, Vol. VI, Indian Deeds, p. 479.)

Area and survey.—Contains 129,113 acres.¹ Tillable acres, 115,000. Surveyed.²

Acres cultivated.—The Indians have under cultivation 324 acres.³

Tribes and population.—The tribes living here are the Otoe and Missouri. Population, 434.⁴

Location.—The reservation is situated 8 miles south of the Poncas. About 90 per cent. of this area is available for farming purposes, and is well watered by two considerable creeks and their numerous small tributaries running through it. Good drinking water can be secured almost anywhere by sinking wells from 20 to 30 feet.⁵

Government rations.—Fifty-five per cent. of these Indians subsisted by Government rations, as reported in 1836.⁶

Mills and Indian employes.—None reported.

Indian police.—Established.

Indian court of offences.—Not reported.

School population, attendance, and support:—

School population, as estimated in 1836	80
Boarding-school accommodation	50
Average attendance	45
Boarding school, cost to Government ⁷	\$4,651.62
Session (months)	10

Missionary work.—None reported.

SYNOPSIS OF TREATIES.

Treaty with the Otoe Indians, made June 24, 1817 at St. Louis; proclaimed December 26, 1817

(See United States Statutes at Large, Vol. VII, p. 154.)

A similar treaty to the Sioux treaty of July 19, 1815—Dakota Territory.

Treaty with the Otoes, made at Prairie du Chien, Mich., July 15, 1830; proclaimed February 24, 1831.

(See United States Statutes at Large, Vol. VII, p. 328.)

See Sioux treaty July 15, 1830—Dakota Territory. For treaty of July 15, 1830, with Otoe, Sioux, and other tribes, see Sioux treaty, same date—Dakota Territory.

Treaty with the Otoe and Missouri Indians, made at the Otoe village on the river Platte, September 21, 1833.

Indians cede lands south of the river Nemaha, and running west from its headwaters as far as the tribes have any claim. (Art. 1.) Annuity of \$2,500 continued to July 15, 1850. (Art. 2.) Also annuity of \$500 for agricultural purposes. (Art. 3.) Five hundred dollars for five years for education. (Art. 4.) Mill and two farmers for five years. (Art. 5.) One thousand dollars in stock to be cared for by agent. (Art. 6.) Stipulations

¹ Report of Indian Commissioner, 1834, p. 308. ² *Ibid.*, p. 259. ³ *Ibid.*, 1836, p. 428. ⁴ *Ibid.*, p. 398. ⁵ *Ibid.*, p. 138. ⁶ *Ibid.*, 416. ⁷ *Ibid.*, p. xcii.

of articles 3, 4, 5, and 6 not to be fulfilled until tribes locate upon agricultural districts under the direction of the President, and to continue thereon. (Art. 7.) Tribes agree to peace, abandon the chase, and submit to arbitration. (Art. 8.) Four hundred dollars in goods presented. (Art. 9.) Treaty binding when ratified. (Art. 10.)¹

Proclaimed April 12, 1834.

Treaty with the Otoes and other tribes, made at Bellevue, Nebr., October 15, 1836; proclaimed February 15, 1837.

(See United States Statutes at Large, Vol. VII, p. 524.)

See Sioux treaty, October 15, 1836—Dakota Territory.

Treaty with the Oloee and Missouri Indians, made at Washington, March 15, 1854.

Indians cede all country west of Missouri River, excepting strip on the Big Blue 10 miles in width and 25 miles in length. (Art. 1.) Indians to remove from ceded lands within one year. (Art. 2.) Indians relinquish all claims under former treaties to lands east of the Missouri. Unexpended balances of former appropriations to be paid. (Art. 3.) The sum of \$385,000, in diminishing payments for forty years, to be expended under the direction of the President. (Art. 4.) The sum of \$20,000 to enable them to remove and establish themselves. (Art. 5.) President may survey and allot reservation. (Art. 6.) Grist-mill and shops to be erected, and miller, blacksmith, and farmer provided for ten years. (Art. 7.) Annuities not to be taken to pay individual debts. (Art. 8.) Dependence on Government acknowledged, and peace promised. (Art. 9.) Introduction of liquor to be punished. (Art. 10.) Right of way granted for roads on compensation. (Art. 11.) Three hundred dollars to interpreter. (Art. 12.) Treaty binding when ratified. (Art. 13.)²

Proclaimed June 21, 1854.

Treaty with the Otoes and Missouris, made at Nebraska City, December 9, 1854.

The land set apart in the preceding treaty proving to be without sufficiency of timber, the boundaries are hereby changed to embrace more suitable land.³

Proclaimed April 10, 1855.

Act of Congress for the relief of certain tribes of Indians in the Northern Superintendency, June 10, 1872.

The Secretary of the Interior authorized, with the consent and concurrence of the Otoe and Missouri tribe of Indians, expressed in open council, to cause to be surveyed a portion of their reservation lying in the States of Nebraska and Kansas, not exceeding 80,000 acres, to be taken from the western part thereof lying west of the Big Blue River, part of said tract lying in the State of Nebraska and part lying in the State of Kansas; lands to be appraised by three commissioners, one to be selected by the Otoe and Missouri tribe of Indians in open council, and the other two appointed by the Secretary of the Interior; to be offered for sale, for cash in hand; proposals to be invited; proceeds of sales to be placed at interest at 5 per cent., payable semi-annually, except such portion as shall be expended for their immediate use by the Secretary of the Interior.⁴

Money appropriated by act of Congress of March 3, 1873, to carry out act of June 10, 1872.

(See United States Statutes at Large, Vol. XVII, p. 517.)

By act of Congress of June 22, 1874, \$13,000 were appropriated for the erection and support of industrial school on Otoe and Missouri Reservation, money to be refunded from sale of land under act of June 10, 1872.⁵

¹ United States Statutes at Large, Vol. VII, p. 429.

² *Ibid.*, Vol. X, p. 1038.

³ *Ibid.*, p. 1130.

⁴ *Ibid.*, Vol. XVII, p. 392.

⁵ *Ibid.*, Vol. XVIII, p. 172.

Act of Congress entitled "An act to provide for the sale of the reservation of the Otoe and Missouri and Sac and Fox Indians," August 15, 1876.

Indians consent in open council that the Secretary of the Interior be authorized to survey the reservation of the Otoes and Missouris. (Sec. 1.) Land to be appraised by three commissioners. (Sec. 2.) One hundred and twenty thousand acres of the western portion to be sold as prescribed. (Sec. 3.) Proceeds of sale at 5 per cent. placed to the credit of the Indians, expended under direction of the Secretary of the Interior. (Sec. 4.) All expenses connected with the sale defrayed from proceeds. (Sec. 5.) Official records at Beatrice, Nebr. (Sec. 6.) Ten sections of Sac and Fox Reservation to be sold on the same terms, with the consent of said Indians given in open council. (Sec. 7.)¹

Bill vetoed by President, and passed by two-thirds majority of Congress.

An act to provide for the sale of the remainder of the reservation of the Otoes and Missouris, March 3, 1881.

With the consent in open council of the Indians remainder of reservation to be sold as herein specified. (Secs. 1, 2, 3.) Proceeds at 5 per cent. interest expended under the direction of the Secretary of the Interior. (Sec. 4.) With the consent of the Indians in council other reservation lands to be secured. Indians to remove thereto and \$100,000, including cost of survey and removal, to be expended from funds arising from the sales authorized by treaty of August 15, 1876. (Sec. 5.)²

Approved March 3, 1881.

*Otoe Reserve.*³

DEPARTMENT OF THE INTERIOR,
Washington, June 25, 1881.

SIR: Agreeably to your recommendation of the 13th instant, the following described lands in the Indian Territory, west of the ninety-sixth degree west longitude, in the tract ceded to the United States by the Cherokees for the settlement of friendly Indians by the sixteenth article of their treaty of July 19, 1866, are hereby designated and assigned for the use and occupation of the confederated Otoe and Missouri tribes of Indians, under the provisions of the act of Congress approved March 3, 1881 (21 Stats., p. 381), namely:

Township 22 north, range 1 east, containing 23,013.70 acres.

Township 23 north, range 1 east, containing 23,018.79 acres.

Township 22 north, range 2 east, containing 23,049.27 acres.

Township 23 north, range 2 east, containing 22,945.91 acres.

Township 22 north, range 3 east, containing 22,986.69 acres.

Also that portion of township 23 north, range 3 east, lying west of the Arkansas River, containing 14,093.84 acres.

Total acreage, 129,113.20 acres.

The papers which accompanied your letter before noted are herewith returned.

Very respectfully,

S. J. KIRKWOOD,
Secretary.

The COMMISSIONER OF INDIAN AFFAIRS.

¹ United States Statutes at Large, Vol. XIX, p. 208.
Report of Indian Commissioner, 1886, p. 330.

² *Ibid.*, Vol. XXI, p. 380.

PAWNEE RESERVATION.

How established.—By act of Congress, April 10, 1876 (of this 230,014 acres are Cherokee, and 53,006 acres are Creek lands). (See deed dated June 14, 1883, from Cherokees, Vol. VI, Indian Deeds, p. 470.)

Area and survey.—Contains 283,020 acres, of which 100,000 are classed as tillable.¹ Surveyed.²

Acres cultivated.—The Indians have under cultivation 1,360 acres.³

Tribes and population.—The tribe living here is the Pawnee (Pâni). Total population, 1,058.⁴

Location.—The land has a great diversity of soil with an abundant supply of timber and a fair supply of water. The fertile bottoms along the numerous streams are well adapted to agricultural purposes. The table-lands produce an abundance of nutritious grass.⁵

Government rations.—Thirty-three per cent. of these Indians subsisted by Government rations, as reported in 1886.⁶

Mills and Indian employés.—Mill erected in 1884.⁷

Indian police.—Established.

Indian court of offences.—Indians refuse to serve without compensation.

*School population, attendance, and support.*⁸

School population, as estimated in 1886.....	269
Boarding-school accommodation.....	105
Average attendance.....	64
Boarding school, cost to Government.....	\$8,709.10
Session (months).....	10

Missionary work.—Methodist Episcopal Church in charge of missionary work.

SYNOPSIS OF TREATIES WITH THE PAWNEE INDIANS.

Treaty with the Grand Pawnee, made at St. Louis, June 18, 1818.

Injuries mutually forgiven. (Art. 1.) Peace established. (Art. 2.) Protection of the United States acknowledged. (Art. 3.) Offenders to be delivered up and punished according to law. (Art. 4.)⁹

Proclaimed January 7, 1819.

Treaty with the Pitavirate Noisy tribe of Pawnee Indians, made at St. Louis, June 19, 1818.

Same as preceding treaty.¹⁰

Proclaimed January 7, 1819.

Treaty with the Pawnee Republic, made at St. Louis, June 20, 1818.

Same as preceding treaty.¹¹

Proclaimed January 17, 1819.

¹ Report of Indian Commissioner, 1886, p. 428. ² *Ibid.*, p. 383. ³ *Ibid.*, p. 428.
⁴ *Ibid.*, p. 398. ⁵ *Ibid.*, 1882, p. 78. ⁶ *Ibid.*, 1886, p. 416. ⁷ *Ibid.*, 1884, p. 88.
⁸ *Ibid.*, 1886, p. xcii. ⁹ United States Statutes at Large, Vol. VII, p. 172. ¹⁰ *Ibid.*, p. 173. ¹¹ *Ibid.*, p. 174.

Treaty with the Pawnee Marhar Indians, made at St. Louis. June 22, 1818.

Same as preceding treaty.¹
Proclaimed January 5, 1819.

Treaty with the Pawnee tribe, made at Fort Atkinson, Council Bluffs, September 20, 1825.

Supremacy of the United States acknowledged. (Art. 1.) Pawnees received under protection of Government. (Art. 2.) Government to regulate places of trade. None but citizens eligible as traders. (Art. 3.) Indians to protect traders; also to deliver up illegal traders; give safe conduct through their territory to all authorized persons, and not to interrupt citizens passing through their country to and from New Mexico. (Art. 4.) Offenders to be punished according to law. Chiefs to assist in recovering stolen property. United States, upon sufficient proof, to indemnify Indians for property stolen by citizens of United States. Indians, upon requisition, to deliver up any white man living among them. (Art. 5.) No implements of war to be furnished hostile Indians. (Art. 6.)²

Proclaimed February 6, 1826.

Treaty with the Pawnee Indians, made at Grand Pawnee Village, on the Platte River, October 9, 1833.

Indians cede all land lying south of Platte River (Art. 1), but to remain common hunting ground during the pleasure of President. (Art. 2.) Four thousand six hundred dollars in goods for twelve years. (Art. 3.) Five hundred dollars paid in agricultural implements for five years to be given to the four bands of Pawnees; longer if President deems proper. (Art. 4.) One thousand dollars for ten years for schools. (Art. 5.) Two thousand dollars for ten years for blacksmith, etc. (Art. 6.) Farmer to be provided for five years one thousand dollars' worth of stock. (Art. 7.) Horse grist-mill to be erected. (Art. 8.) President to arbitrate when difficulties arise with other tribes. (Art. 9.) Stipulations of fifth, seventh, and eighth articles not to be fulfilled until one year after the bands locate themselves in agricultural district. (Art. 10.) Land to be broken for each village. (Art. 11.) If Pawnees remain at home during the year the United States to furnish guns and ammunition for defense against hostile bands. (Art. 12.) Presents acknowledged. (Art. 13.) Treaty binding when ratified. (Art. 14.)³

Proclaimed April 12, 1834.

Treaty with the Pawnees, made at Fort Childs, on the Platte River, August 6, 1848.

Indians cede 60 miles on the Platte River, east of Fort Childs. (Art. 1.) Two thousand dollars in presents acknowledged. (Art. 2.) United States to use as needed hard timber upon Wood River. (Art. 3.) Friendship renewed. All disputes to be decided by arbitration. (Art. 4.) Treaty binding when ratified. (Art. 5.)⁴

Proclaimed January 8, 1849.

Treaty with the Pawnee Indians, made at Table Creek, Nebraska, September 24, 1857.

Indians cede all their lands, except a tract 30 miles east and west, 15 miles north and south, including both banks of the Loup Fork of the Platte River. Line not to go beyond the mouth of Beaver Creek. Pawnees to remove within one year without cost to the United States. (Art. 1.) The sum of \$40,000 per annum for five years. After that, \$30,000 per annum perpetual annuity, unless the President in his discretion cause a value of fair commutation thereof to be paid or expended for the benefit of said Indians. One-half to be in goods. (Art. 2.) Two manual labor schools

¹ United States Statutes at Large, Vol. VII, p. 175. ² *Ibid.*, p. 279. ³ *Ibid.*, p. 448. ⁴ *Ibid.*, Vol. IX, p. 949.

to be established. President may increase them to four. Pawnee children between seven and eighteen years to be kept at school for nine months each year. Proportion of annuities deducted according to absence. Chiefs to be responsible for attendance of orphans. United States to furnish suitable school-houses and farms, and not less than \$5,000 per annum for each school. President may modify regulations, or upon failure of Indians to fulfil their part may discontinue schools. (Art. 3.) Blacksmith to be maintained. Pawnees to furnish apprentices. Farming utensils and stock to amount of \$1,200 furnished for ten years. Farmers furnished. Steam saw and grist-mill built and maintained for ten years, and miller and engineer employed. Pawnees to furnish apprentices. Houses to be erected for employés, and the value of any injuries to them or to implements furnished to be deducted from tribal annuities. United States to protect Pawnees. (Art. 4.) Six laborers to teach care of stock furnished for three years. (Art. 7.) Dependence on Government acknowledged and peace to be maintained with Indians. (Art. 5.) United States to build and occupy military posts. Road to be opened through reservations, but no unauthorized white person to reside thereon. (Art. 6.) Offenders to be tried according to the laws of the United States. (Art. 8.) Certain half-breeds provided with land scrip. (Art. 9.) The sum of \$2,000 paid to Samuel Allis. (Art. 10.) The sum of \$100 apiece for damages sustained by five guides to United States troops. (Art. 11.) The sum of \$10,000 set apart for claims to be proved as provided for, and United States released from all previous claims. (Art. 12.)¹

Amended by Senate March 31, 1858. Amendment accepted April 3, 1858. Proclaimed May 26, 1858.

Act of Congress, June 10, 1872, authorizes that with the consent and concurrence of the Pawnee tribe of Indians, expressed in open council, the Secretary of the Interior to cause to be surveyed a portion of their reservation in the State of Nebraska not exceeding 50,000 acres, to be taken from that part of said reservation lying south of Loup Fork. The said lands so surveyed to be appraised by three competent commissioners, one to be selected by the Pawnees and the other two to be appointed by the Secretary of the Interior. After survey and appraisal said lands to be offered for sale for cash in hand, proceeds to be placed at interest at 5 per cent., payable semi-annually, except such portion as Secretary of the Interior, with the approval of the President of the United States, may deem necessary to expend for their immediate use.²

For act of Congress of June 10, 1872, see Otoe treaties—Indian Territory.

Act of Congress, April 10, 1876.

With the consent of the Pawnee tribe their reservation in Nebraska to be appraised and sold in manner prescribed. (Sec. 1.) Three hundred thousand dollars appropriated to be reimbursed from sales; \$150,000 to be expended for defraying expenses of removal to Indian Territory and settlement therein; \$150,000 appropriated and made immediately available for expenses of appraisal, subsistence of Indians, purchase of implements and stock, and establishment and support of schools. (Sec. 2.) Any surplus from proceeds of sales, after reimbursement and purchase of a reservation in the Indian Territory, to bear interest at 5 per cent., payable semi-annually, except such portion as the Secretary may deem necessary for subsistence or other beneficial objects. (Sec. 3.)

Following tract in the Indian Territory set apart as a reservation: All that tract of country between the Cimarron and Arkansas Rivers embraced within the limits of townships 21, 22, 23, and 24 north, of range 4 east, townships 18, 19, 20, 21, 22, 23, and 24 north, of range 5 east, townships 18, 19, 20, 21, 22, and 23 north, of range 6 east of the Indian meridian: "Provided, That the terms of the sixteenth article of the Chero-

¹ United States Statutes at Large, Vol. XI, p. 729. ² *Ibid.*, Vol. XVII, p. 391.

kec treaty of July 19, 1866, shall be complied with so far as the same may be applicable thereto."

Price to be paid by Pawnees not to exceed 70 cents per acre, and that portion of reservation ceded to the United States by the Creek at 30 cents per acre. (Sec. 4.) Each head of a family or single person over twenty-one who shall so locate, shall have an allotment of 160 acres and receive certificate from Commissioner of Indian Affairs: *Provided*, That whenever the allottee shall have occupied the allotment for twelve years, and shall have 25 acres fenced and in crops he shall be entitled to a patent inalienable for fifteen years, and then only with consent of Secretary of the Interior under such rules and regulations as he may prescribe. (Sec. 5.)¹

OAKLAND RESERVATION.

How established.—By act of Congress, May 27, 1878. (See deed dated June 14, 1883, from Cherokees, Vol. VI, Indian Deeds, p. 476; also deed from Nez Percés, May 22, 1885, Vol. VI, Indian Deeds, p. 504.)

Area and survey.—Contains 90,711 acres.² Tillable acres, 75,000; surveyed.³

Acres cultivated.—The Indians have under cultivation 68 acres.⁴

Tribes and population.—The tribes living here are the Tonkawas.⁵ Population, 91.⁶

Location.—The reservation is situated 15 miles in a northwesterly direction from the Ponca Agency.⁷

Government rations.—Fifty-five per cent. of these Indians subsisted by Government rations, as reported in 1886.⁸

Mills and Indian employés.—Mill erected in 1882.

Indian police.—Not reported.

Indian court of offences.—Not reported.

School population, attendance, and support.—School population, as estimated in 1886, 12;⁹ 5 at Chilocco school; 6 at Ponca school.

Missionary work.—No missionary work.

Act of Congress, May 27, 1878.

Twenty thousand dollars appropriated "or so much thereof as may be necessary to be expended, under the direction of the Secretary of the Interior, in the removal of the Nez Percé Indians of Joseph's band, now held as prisoners of war at Fort Leavenworth, Kans., to such suitable location in the Indian Territory as the United States has a right to use for such purpose, consistent with existing treaties or arrangements with tribes occupying Indian Territory, and for their settlement thereon." (United States Statutes, Vol. XX, p. 74.)

¹ United States Statutes at Large, Vol. XIX, p. 28. ² Report of Indian Commissioner, 1884, p. 308. ³ *Ibid.*, p. 259. ⁴ *Ibid.*, 1886, p. 428.

⁵ The Tonkawas, formerly of Fort Griffin, Tex. (Report of Indian Commissioner, 1885, p. 98), were brought to this reservation on June 29, 1885, Joseph's band of the Nez Percés having left for their old home in Idaho and Washington Territory in May, 1885 (Report of Indian Commissioner, 1885, p. 96).

⁶ *Ibid.*, p. 398. ⁷ *Ibid.*, 1882, p. 76. ⁸ *Ibid.*, 1886, p. 416. ⁹ *Ibid.*, p. 139.

QUAPAW AGENCY.

[Post-office address: Seneca, Newton County, Mo.]

QUAPAW RESERVATION.

How established.—By treaties of May 13, 1833, and of February 23, 1867.

Area and survey.—Contains 56,685 acres, of which 42,000 are classed as tillable.¹ Surveyed.²

Acres cultivated.—The Indians have under cultivation 520 acres.³

Tribes and population.—The tribe living here is the Quapaw. Population, 64.⁴

Location.—This reservation is “situated in the north-east corner of the Indian Territory, adjoining the State of Missouri on the east and Kansas on the north, with the Neosho and Grand Rivers on the west, which separate this agency from the Cherokee country, and a geographical line extended from the south boundary of Newton County, Mo., west to Grand River forms our southern boundary. Like the State of Kansas, our average elevation above tidal wave is about 2,375 feet. In the main the land is gently rolling, but broken here and there (more especially in the eastern and south-eastern part) by high, stony ridges and bluffs—the foot-hills of the Ozark range of mountains of Missouri. A skirting of timber is found along all the rivers and numerous creeks, which flow mainly in a southerly direction. The Neosho, Spring, and Cowskin Rivers are the principal water-courses, all of which drain wide valleys by many small tributaries. The surface soil is very rich and fertile. * * * One-half of this large area is agricultural, while it is all fine grazing land. Probably one-half is covered with timber, principally oak on the uplands, while the bottoms abound in walnut, hickory, pecan, etc.”⁵

Government rations.—None issued.

Mills and Indian employés.—A mill; no Indian employés reported.

Indian police.—Established.

Indian court of offences.—Established.

School population, attendance, and support.

School population as estimated in 1884.....	18
Boarding-school accommodations.....	50
Average attendance ⁶	50
Boarding-school cost to Government ⁷	\$5,082.27
Session (months).....	10

¹ Report of Indian Commissioner, 1884, p. 308. ² *Ibid.*, p. 259. ³ *Ibid.*, 1886, p. 430. ⁴ *Ibid.*, p. 398. ⁵ *Ibid.*, 1882, p. 81. ⁶ The children of other tribes belonging to the agency attend this school. ⁷ Report of Indian Commissioner, 1886, p. xcii.

SYNOPSIS OF TREATIES.

Treaty with the Quapaws, made at St. Louis, August 24, 1818.

Indians acknowledge the protection of the United States. (Art. 1.) Cede to the United States the land lying between the Arkansas, Canadian, and Red Rivers. Reserve land south of the Arkansas from Arkansas Post to the Wachita, thence up to the Saline Fork, thence due north to Little Rock, thence down the Arkansas to the place of beginning; reservation to be surveyed. (Art. 2.) Quapaws to hunt in ceded territory. (Art. 3.) No person to settle upon reserve land. Right of roads and free passage established. (Art. 4.) Present of \$4,000 in goods and \$1,000 in merchandise; perpetual annuity. (Art. 5.) Offenders to be delivered up to punishment and stolen property recovered or deducted from annuity. United States guaranty indemnity for property stolen by citizens upon sufficient proof. (Art. 6.) Treaty binding when ratified. (Art. 7.) Proclaimed January 5, 1819. (United States Statutes at Large, Vol. VII, p. 176.)

Treaty with the Quapaw Indians, made at Harrington's, in Territory of Arkansas, November 15, 1824.

Indians cede land reserved in preceding treaty. (Art. 1.) Five hundred dollars paid to four chiefs for losses sustained by removing, and gifts of \$4,000 to tribe, and \$1,000 in cash for eleven years. (Art. 2.) Right to hunt on ceded territory. (Art. 3.) Quapaws to be concentrated with Caddoes and removed within a year. (Art. 4.) Sustenance for six months, and \$1,000 to assist in removal. (Art. 5.) Certain debt paid. (Art. 6.) Grants to individuals. (Art. 7.) Treaty binding when ratified. (Art. 8.) Proclaimed February 19, 1825. (United States Statutes at Large, Vol. VII, p. 232.)

Treaty with the Quapaws, made May 13, 1833.

Whereas the Quapaws removed to the territory of the Caddoes and settled on the Bayou Treache, south of the Red River, where the land was subject to frequent inundations, thereby destroying their crops year after year, and one-fourth of their people died by sickness, the tribe returned to their old home on the Arkansas, where they suffer from settlers taking from them their improvements. Therefore they cede to the United States all their right to the lands given them by the Caddoes. (Art. 1.) The United States in lieu thereof conveys to the Quapaws one hundred and fifty sections of land west of the Missouri State line, between the Senecas and Shawnees, to be patented so long as they exist as a nation or reside thereon. Congress to protect them in their new residence. (Art. 2.) In consideration of their wretched condition, removal shall be at the expense of the United States. Cattle, farming implements, and other articles to be provided. (Art. 3.) Stock to be under the care of agent and farmer. (Art. 5.) Farmer and blacksmith to reside with them, and \$1,000 paid annually for education so long as President deems necessary. (Art. 3.) In lieu of perpetual and limited annuities, United States to pay schedule of debts to amount of \$4,180. Government to expend \$1,000 in building houses, pay Indians \$2,000 annually for twenty years out of this annuity, four chiefs or their successors to be paid each \$50 per year. (Art. 4.) Interpreter to remain with the Indians. (Art. 6.)

Proclaimed April 12, 1834. (United States Statutes at Large, Vol. VII, p. 424.)

For treaty of August 24, 1835, with Quapaw, Kiowa, Comanche, and other tribes, see Kiowa and Comanche treaty of same date—Indian Territory.

Treaty with the Quapaws and other tribes made at Washington, February 23, 1867

See Kaskaskia treaty, same date—Indian Territory.

(United States Statutes at Large, Vol. XV, p. 513.)

An act to carry into effect the fourth article of the treaty of February 23, 1867.

Article 4, as amended in treaty of February 23, 1867, shall be construed to authorize the disposal of the land belonging to the Quapaws within the State of Kansas, which was sold to the United States for \$1.25 per acre. (Sec. 1.) Said land declared open to entry and pre-emption with such exceptions as provided. (Sec. 2.)

Approved June 5, 1872. (United States Statutes at Large, Vol. XVII, p. 228.)

MODOC RESERVATION.

How established.—By agreement with Eastern Shawnees, June 23, 1874 (see Annual Report, 1882, p. 271); act of Congress March 3, 1875.

Area and survey.—Contains 4,040 acres, of which 1,000 are classed as tillable.¹ Surveyed.²

Acres cultivated.—The Indians have under cultivation 441 acres.³

Tribes and population.—The tribe living here is the Modoc. Population, 95.⁴

Location.—About one-fourth of this reservation is arable land with soil of a fair quality, but ill-watered and unproductive in any but favorable seasons.⁵

Government rations.—Twenty-five per cent. of these Indians subsisted by Government rations as reported in 1886.⁶

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—School population, as estimated in 1886, 20.

No schools separate from the agency.

Missionary work.—One church building reported in 1886.

Articles of agreement made and concluded at Quapaw Agency, Ind. T., June 23, 1874, between the United States, by H. W. Jones, United States Indian agent, and the Eastern Shawnee Indians.

Whereas it is desirable that the Modoc Indians (now temporarily located on the Eastern Shawnee Reservation) should have a permanent home, in order that they may be enabled to settle down and become self-supporting; therefore it is agreed—

1st. The Eastern Shawnees cede to the United States a tract of land situated in the north-east corner of their present reservation in the Indian country. The land so ceded to be bounded as follows, to wit: Beginning at the north-east corner of their reservation, running south along the Missouri State line two and one-half miles; thence west two and one-half miles; thence north to the north line of said reserve; thence east along said north line to the place of beginning, containing four thousand acres, more or less, for which the United States is to pay six thousand dollars, one-half upon the ratification of this agreement by the Secretary of the Interior, the balance in twelve months thereafter; said installments to be paid to the Eastern Shawnee Indians per capita, for the purpose of enabling them to enlarge their farms and otherwise improve their condition in civilization.

2d. The land proposed to be purchased in the first article of this agreement shall be set apart as a permanent home for the Modoc Indians.

¹ Report of Indian Commissioner, 1884, p. 308. ² *Ibid.*, p. 259. ³ *Ibid.*, 1886, p. 428. ⁴ *Ibid.*, p. 398. ⁵ *Ibid.*, p. 140. ⁶ *Ibid.*, p. 416.

3d. And it is further agreed that in case the United States fail to carry out the provisions of the agreement this contract shall be null and void.

In testimony whereof we have hereunto set our hands and seals the day and year first above written.

H. W. JONES, [SEAL.]
United States Indian Agent.

JAMES CHOCTAW (his + mark),

JAMES CAPTAIN (his + mark),

Chiefs.

JOHN LOGAN (his + mark),

JOHN WILLIAMS (his + mark),

Councillors.

GOOD HUNT (his + mark),

BILLY DICK (his + mark),

JOHN MOHAWK (his + mark),

CORN STALK (his + mark),

GEORGE BEAVER (his + mark),

SAMSON KYZER (his + mark),

JOHN JACKSON (his + mark),

Young Men.

Attest:

LAZARUS FLINT, *Interpreter.*

ENDSLEY JONES.

(Report of the Indian Commissioner, 1882, p. 271. Recorded in Records of Treaties, Vol. III, p. 19.)

This agreement was confirmed in Indian appropriation act of March 3, 1875:

For this amount, or so much thereof as may be necessary, to provide, under the direction of the Secretary of the Interior, settlements, clothing, food, agricultural implements, and seeds for the Modoc Indians that have been removed to and are now residing within the Indian Territory, ten thousand dollars: *Provided*, That three thousand dollars of the amount hereby appropriated may be used to pay the Eastern Shawnee Indians the balance due them for four thousand acres of land in the north-east corner of their reserve, ceded to the United States for the Modoc Indians, as per agreement made with said Shawnee Indians June twenty-third, eighteen hundred and seventy-four, which agreement is hereby confirmed. (United States Statutes at Large, Vol. XVIII, p. 447.)

OTTAWA RESERVATION.

How established.—By treaty of February 23, 1867.

Area and survey.—Contains 14,860 acres, of which 10,860 are classed as tillable.¹ Outboundaries surveyed.²

Acres cultivated.—The Indians have under cultivation 1,287 acres.³

Tribes and population.—The tribes living here are the Ottawa of Blanchard's Fork and Roche de Boeuf. Total population, 150.⁴

Location.—The reservation is of gently undulating prairie.⁵

Government rations.—None issued.

Mills and Indian employés.—Not reported.

Indian police.—Not reported.

¹ Report of Indian Commissioner, 1884, p. 308. ² *Ibid.*, p. 259. ³ *Ibid.*, 1886, p. 428. ⁴ *Ibid.*, p. 398. ⁵ *Ibid.*, 1882, p. 82.

Indian court of offences.—Not reported.

School population, attendance, and support.—School population, as estimated in 1886, 30. No separate schools reported.

Missionary work.—Not reported.

SYNOPSIS OF TREATIES WITH OTTAWA INDIANS.

For treaties with Ottawa, Chippewa, and other tribes, of January 21, 1785; of January 9, 1789; of August 3, 1795; of July 4, 1805; of November 17, 1807; of November 25, 1808; of September 8, 1815; of August 24, 1816; of September 29, 1817; of September 17, 1818; of July 6, 1820; and of August 29, 1821, see Chippewa treaty, same date—Michigan. For treaty of August 19, 1825, see Sioux treaty same date—Dakota Territory. For treaties of August 25, 1828, and July 29, 1829, see Chippewa treaty same date—Michigan.

Treaty with Ottawa Indians, residing in Ohio, made at Miami Bay of Lake Erie, August 30, 1831.

Blanchard Fork band cede their reservation on the Great and Little Auglaize River, in all 21,768 acres. (Art. 1.) Roche de Bœuf band cede their reservation secured by treaty of November 17, 1807, 28,157 acres. (Art. 2.) Ottawas of Blanchard Fork to be removed west of Mississippi and have patented in fee simple 34,000 acres on Kansas River adjoining Shawnees. (Art. 3.) United States to defray expenses of removal. (Art. 4.) Ceded lands to be sold to highest bidder. (Art. 7.) The sum of \$2,000 to be advanced to enable them to erect houses and open farms on new land. (Art. 5.) Stock and other property to be sold and proceeds paid to owners. (Art. 6.) Debts to be paid and proceeds of sale to be invested at 5 per cent. as annuity during pleasure of Congress. (Art. 7.) Annuities by former treaties to be apportioned by Secretary of War. (Art. 8.) Land granted to said band under this treaty United States guarantees shall never be within boundary of any State or Territory not subject to the laws thereof. Said band to be protected against depredations from any person whatever. (Art. 9.) Merchandise given at making of treaty. (Art. 10.) To Roche de Bœuf band 40,000 acres in fee simple adjoining the Blanchard Fork band west of Mississippi. United States to remove Indians when ready, and when removed to receive their proportion of the annuity due from the United States by former treaties. (Art. 11.) Lands of this band to be sold at auction to the highest bidder. Survey and cost of sale to be deducted from proceeds. Debts of tribe to be paid. Any surplus placed at 5 per cent. as annuity under same conditions as Blanchard Fork band. (Art. 12.) Temporary reservations established for three years only prior to removal. (Art. 13.) Grants of land secured to specific individuals. (Arts. 14 and 15.) Claims against the Ottawas recognized. (Arts. 16 and 19.) Privileges under former treaties to Ottawas within State of Ohio to cease forever. (Art. 17.) Said bands to have their just portion in annuities due for 1830 when paid. (Art. 18.) Allowance to chief agreed to. (Art. 20.)

Proclaimed April 6, 1832.¹

Treaty with Ottawa band of Miami of the Lake, made at Maumee, Ohio, February 18, 1833.

Indians cede their land on either side of Miami River and on Miami Bay. (Art. 1.) Certain tract reserved to specified individuals. (Art. 2.) The sum of \$29,440 used to extinguish debts. Indians to remove from all ceded lands. Claims recognized. Treaty binding when ratified. (Art. 3.)

Proclaimed March 22, 1833.²

¹ United States Statutes at Large, Vol. VII, p. 359. ² *Ibid.*, p. 420.

For treaties of September 26, 1833; of September 27, 1833; of March 28, 1836; of June 5 and 17, 1846; and of July 31, 1855, see Chippewa treaty same date—Michigan.

Treaty with the Blanchard Fork and Roche de Bœuf bands of Ottawas, made at Washington, June 24, 1862.

Ottawas to become citizens in five years. Entitled to all rights, privileges, and immunities. (Art. 1.) Ottawa Reservation to be surveyed. (Art. 2.) Five sections of land to be divided among certain chiefs and head-men as compensation for services, and patents in fee-simple issued. Each head of family to receive 160 acres of land, including improvements. All other members to receive 80 acres. (Art. 3.) The sum of \$18,000 to be paid out of their moneys to assist in preparation for citizenship, and all moneys in the hands of United States to be paid in four equal annual instalments. (Art. 4.) The sum of \$15,000 for payment of debts approved by council, agent, and Secretary of the Interior. (Art. 5.) Twenty thousand acres to be set aside for school endowment, and one section of land in which said school shall be located, which section to be made inalienable and not taxed. Seven trustees appointed to have charge of school funds and property, and control and management of school in manner herein provided. Vacancies by death or otherwise to be filled by survivors. Three of said board to be white citizens. Children of Ottawas and their descendants, no matter where they may emigrate, shall have right to advantages of said school. (Art. 6.) Ten acres set apart for Ottawa Baptist Church. Title vested in board of five trustees appointed by church. Gift of land authorized to certain specified persons. Lands to be patented in fee-simple at the time of arriving at citizenship. Forty acres of each allotment, including house and improvements, to be inalienable during the life-time of party receiving title. (Art. 7.) Census to be taken. Money of minors to be paid to legal guardians. (Art. 8.) After allotment, unallotted portion to be sold to actual settlers in specified manner. (Art. 9.) United States to pay Ottawas \$13,005.95 for stolen stock and timber. (Art. 10.) Interpreter to be appointed and expenses of treaty paid by tribe. (Art. 11.)

Amended July 16, 1862; assented to July 19, 1862; proclaimed July 28, 1862.¹

For treaty of February 23, 1867, see Kaskaskia treaty same date—Indian Territory.

PEORIA RESERVATION.

How established.—By treaty of February 23, 1867.

Area and survey.—Contains 50,301 acres, of which 40,000 are classed as tillable.² Surveyed.³

Acres cultivated.—The Indians have under cultivation 1,928 acres.⁴

Tribes and population.—The tribes living here are the Kaskaskia, Miami, Peoria, Pian-kasha, and Wea. Total population, 280.⁵

Location.—This reservation is similar in character to that of the Quapaw.⁶

Government rations.—None issued.

Mills and Indian employés.—Not reported.

Indian police.—Not reported.

Indian court of offences.—Not reported.

School population, attendance, and support.—School population, as estimated in 1886, 60. No separate schools reported.

¹ United States Statutes at Large, Vol. XII, p. 1237. ² Report of Indian Commissioner, 1884, p. 308. ³ *Ibid.*, p. 259. ⁴ *Ibid.*, 1886, p. 428. ⁵ *Ibid.*, p. 983.

⁶ *Ibid.*, 1882, p. 62.

SYNOPSIS OF KASKASKIA TREATIES.

Treaty with Kaskaskia and other tribes, made at Greenville, August 3, 1795.

(United States Statutes at Large, Vol. VII, p. 49.)
See Chippewa treaty, August 3, 1795—Michigan.

Treaty with the Kaskaskia and other tribes, made at Fort Wayne, Ind., June 7, 1803.

(United States Statutes at Large, Vol. VII, p. 74.)*
See Delaware treaty, June 7, 1803—Indian Territory.

Treaty with the Kaskaskia and other tribes, made at Vincennes, Ind., August 7, 1803.

(United States Statutes at Large, Vol. VII, p. 77.)
See Kickapoo treaty, August 7, 1803—Kansas.

Treaty with the Kaskaskias, made at Vincennes, Ind., August 13, 1803.

The Kaskaskias, representing the consolidated remains of the several tribes of the Illinois, viz, Kaskaskia, Mitchigamia, Cahokia, and Tamarqi, cede all their lands in the Illinois country, reserving the tract of 350 acres near the town of Kaskaskia, secured to them by act of Congress, March 3, 1791, viz: Beginning at the confluence of the Ohio and the Mississippi, thence up the Ohio to the mouth of the Saline Creek, about 12 miles below the mouth of the Wabash; thence along the dividing ridge between the said creek and the Wabash until it comes to the general dividing ridge between the waters which fall into the Wabash and those which fall into the Kaskaskia River; thence along the said ridge until it reaches the waters which fall into the Illinois River; thence in a direct course to the mouth of the Illinois River; and thence down the Mississippi to the beginning; and also the right of locating 1,280 acres within the ceded territory, which two tracts shall remain to them forever. (Art. 1.) Kaskaskias to be under the protection of the United States. (Art. 2.) Annuities increased to \$1,000. House built and 100 acres inclosed for chief, \$100 for seven years to be given toward support of the Roman Catholic priest to instruct the children, \$300 to build a church, and \$500 for payment of debts. (Art. 3.) Division of annuity to be by United States. (Art. 4.) Land heretofore claimed by Kaskaskias defined. (Art. 5.) Right to hunt on ceded lands. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Proclaimed December 23, 1803.¹

Treaty with Kaskaskia and other tribes, made at Vincennes, September 25, 1818.

(United States Statutes at Large, Vol. VII, p. 181.)
See Peoria treaty, September 25, 1818—Indian Territory.

Treaty with Kaskaskia and other tribes, made at Castor Hill, October 27, 1832.

(United States Statutes at Large, Vol. VII, p. 403.)
See Peoria treaty, October 27, 1832—Indian Territory.

Treaty with Kaskaskia and other tribes, made at Washington, May 30, 1854.

(United States Statutes at Large, Vol. X, p. 1082.)
See Peoria treaty, May 30, 1854—Indian Territory.

¹ United States Statutes at Large, Vol. VII, p. 78.

Treaty with the Kaskaskias, Senecas, Mixed Senecas and Shawnees, Quapaws, Confederated Peorias, Weas, and Piankeshaws, Ottowas of Blanchard's Fork and Roche de Bauf, and certain Wyandottes, made at Washington, February 23, 1867.

Whereas certain portions of the tribes now residing in Kansas are to remove to the Indian Territory, and others to dissolve their tribal relations and become citizens, and certain tribes residing in the Indian Territory having suffered during the late War desire the means of rebuilding their houses, reopening farms, and are therefore willing to sell lands; a portion of the Wyandottes, parties to the treaty of 1855, have sold their lands in severalty and have claim against the Government; therefore, it is agreed that the Senecas cede to the United States a strip of land bounded as follows: East by the State of Missouri, north by north line of reservation, west by Neosho River, and south the necessary distance to contain 20,000 acres. South line to be ascertained by survey at the cost of United States. Payment, \$20,000. (Art. 1.) Mixed Senecas and Shawnees cede to the United States north half of their reservation, bounded east by State of Missouri, north by Quapaw Reservation, west by Neosho River, south by an east and west line bisecting present Seneca and Shawnee Reservation into equal parts. United States to survey said line. Tract to contain 30,000 acres. Payment, \$24,000. (Art. 2.) Shawnees heretofore confederated with Senecas cede to United States 12,000 acres, boundary beginning at the point where Spring River crosses the south line of the tract ceded in article 2, down said river to south line of Shawnee Reserve, west to Neosho River, and up said river to the south line of tract ceded in article 2. Survey at expense of the United States. Payment, \$1 per acre. (Art. 3.) Quapaws cede strip of land north of their reservation, one-half mile in width, in State of Kansas, containing twelve sections, except one half-section to be patented to Sam. G. Vallier, including his improvements. Payment, \$1.25 per acre. Also tract beginning at a point where the Neosho River strikes the south line of Quapaw Reserve, thence east 3 miles, thence north to Kansas boundary, thence west to Neosho River, and down to the place of beginning. Payment, \$1.15 per acre. Survey of this tract made at cost of tribe to which it shall be sold. Land in Kansas to be open to entry and settlement within sixty days after survey. Payment to be made within one year from entry. (Art. 4.)

Senecas.—Senecas agree to separate from Shawnees, unite with Senecas, parties to treaty of February 28, 1831, upon the reservation described in article 2 of same treaty. Funds of the several bands of Senecas to be a common fund. Equitable division of annuities now held in common by Senecas and Shawnees. (Art. 5.)

Four thousand dollars of the \$24,000 provided in article 2 to be used for rebuilding homes, etc., the balance of the \$20,000 to be consolidated with \$20,000 provided in article 1 and invested at 5 per cent. to be paid per capita semi-annually together with annuity of \$500 provided by article 4 of treaty of September 29, 1817. (Art. 6.) The amount annually due for blacksmith and miller under article 4 of treaty of February 28, 1831, to be paid as a fund for the purchase of implements, and any amounts found due and unpaid to Senecas upon an examination of their accounts to be added to this fund, the interest to be used as aforesaid. (Art. 7.)

Shawnees.—Two thousand dollars of sum provided in article 3 used for establishing homes, etc. Balance to be invested at 5 per cent. and paid semi-annually. Amounts due and unpaid upon stocks and bonds invested to be expended under the direction of chiefs with consent of agent, and one-half of blacksmith's fund remaining after division to be made with Senecas shall be devoted to the same purposes with the addition of \$500 annually for five years. (Art. 8.)

Quapaws.—Five thousand dollars of sum provided in fourth article to be used for re-establishing homes, etc. Balance invested at 5 per cent., payable semi-annually per capita. (Art. 9.) If Osage mission schools should close so that Quapaw school fund can not be used at that institution, fund to remain in Treasury of United States until the Secretary, with the consent of chiefs, can use it to establish a school upon

their reservation. (Art. 10.) The amount of farmer's fund now due and unpaid provided in article 3 of treaty of May 13, 1833, to be used for implements, seeds, etc., now and hereafter. (Art. 11.) A commission of two to investigate the losses sustained by the Senecas and Shawnees and Quapaws when driven from their homes during the late War, and report same to Congress. (Art. 12.)

Wyandottes.—Lands ceded by Senecas in article 1, set apart for Wyandottes, to be owned in common. Three persons appointed to ascertain the amount of money due under existing stipulations and submit a report to Congress. Registry of people, residents in Kansas and elsewhere, to be taken by agent of Delawares showing the names of those who desire to remain in a tribal condition together with incompetents and orphans. These to constitute the tribe. No one hitherto a citizen or descendant of such to become a member of the tribe after its new organization except by consent of tribe unless the agent shall certify such person as likely to become a public charge. (Art. 13.) Upon completion of register the moneys acknowledged due to be divided among the people, including those who remain citizens. The balance, deducting the cost of land purchased in the first article and \$5,000 to enable the Wyandottes to start in their new home, to be divided per capita among those constituting the tribe. (Art. 14.) Restrictions on sales of land made under fourth article of treaty with Wyandottes of 1855 hereby removed, but Secretary to order investigation. (Art. 15.)

Ottawas.—Shawnee cession of article 3 hereby sold to Ottawas at \$1 per acre, to be paid from the sale of Ottawa trust lands, as provided in article 9 of treaty of 1862. Balance, after payment of accounts provided in article 5 of same treaty, to be paid per capita. (Art. 16.) Period when tribes shall become citizens extended to July 16, 1869. Previous to that date any member may appear before United States district court for Kansas and declare his intention and receive certificate of citizenship, which shall include his family and entitle him to his proportion of tribal fund and dissolve his relation with the tribe. All Ottawas who shall not have made such declaration before said date to be considered members of the tribe. To enable tribe to dispose of its property in Kansas, fee-simple patent given to allottees. Said lands to remain exempt from taxation so long as retained by members of the tribe down to the date aforesaid. Chiefs to decide heirship to real estate according to laws of Kansas. (Art. 17.) United States to pay certain claims for destruction of property by whites. (Art. 18.) Children from six to eighteen to be entitled to education and care at the institution provided for in article 6, treaty of 1862. Secretary of the Interior and senior corresponding secretary of American Baptist Home Missionary Society to be members *ex officio* of board of trustees. (Art. 19.) The remaining 7,221 and fraction acres of trust lands to be sold to trustees of Ottawa University for benefit of said institution as provided. (Art. 20.)

Peorias, Kaskaskias, Weas, and Piankeshaws.—Sales of nine and a half sections made by confederated tribes to actual settlers confirmed. Money to be paid to the Secretary of the Interior for the benefit of tribe, subject to the provisions of this treaty. (Art. 21.) Land in the second and fourth articles to be purchased from the Senecas and Quapaws hereby sold to Peorias to be paid for at the same rate out of the money received by the provisions of article 21, and other moneys belonging to the tribe. Indians to dispose of their allotments in Kansas and to remove therefrom within two years. Restrictions to sale of lands in article 3, treaty of May 30, 1854, removed. Chiefs to determine members of tribe to be placed on pay-rolls. (Art. 23.)

An examination shall be made of the books of the Indian Office, and an account current prepared stating the condition of its funds, and the representations of the Indians for overcharges for sales of their lands in 1857 and 1858 shall be examined, and if any amount is found to be due such balance, it together with the interest of their invested funds shall be paid to them upon the 1st of July, 1867; and in order further to assist them in preparing for removal and in paying their debts the further amount of \$25,000 shall be at the same time paid to them per capita from the sum of \$169,686.75 invested for said Indians under act of Congress of July 12, 1862, and the balance of

said sum of \$169,686.75, together with the sum of \$98,000 now invested on behalf of the said Indians in State stocks of Southern States, and the sum of \$3,700 being the balance of interest at 5 per cent. per annum on \$39,950 held by the United States from July, 1857, till vested in Kansas bonds in December, 1861, after crediting \$5,000 thereon heretofore receipted for by the chiefs of said Indians, shall be and remain as the permanent fund of the said tribe, and 5 per cent. be paid semi-annually thereon, per capita, to the tribe; and the interest due upon the sum of \$28,500 in Kansas bonds, and upon \$16,200 in United States stocks, now held for their benefit, shall be paid to the tribe semi-annually in two equal payments as a permanent school fund income: *Provided*, That there shall be taken from the said invested fund and paid to the said tribe, per capita, on the 1st of July, 1868, the sum of \$30,000 to assist them in establishing themselves upon their new homes; and at any time thereafter, when the chiefs shall represent to the satisfaction of the Secretary of the Interior that an additional sum is necessary, such sum may be taken from their invested fund: *And provided also*, That the said invested fund shall be subject to such division and diminution as may be found necessary in order to pay those who may become citizens their share of the funds of the tribe. (Art. 24.)

In case the Supreme Court decides certain taxes levied upon the Indians as unlawful, the Government shall take measures to secure the refunding of the same. (Art. 25.) The Miamis to be confederated with these tribes and own an undivided right in said reservation by paying their proportionate share of purchase-money and contributing to the common fund such amount as shall make their annuities equal to said tribes. (Art. 26.) The sum of \$1,500 for six years, for blacksmith, in lieu of claims for losses during late War. (Art. 27.) Register to be taken of such as may desire to become citizens and remain in Kansas. (Art. 28.) Amendments to be assented to by tribes particularly interested. (Art. 40.)

Amended June 18, 1868, at which time articles 29 to 39 inclusive and 41 were stricken out; assented to the 1st, 7th, 8th, and 15th of September, 1868, and proclaimed October 14, 1868.¹

SYNOPSIS OF TREATIES WITH THE MIAMI INDIANS.

For treaty of August 3, 1795, with Miamis, Chippewas, and other tribes, see Chippewa treaty, same date—Michigan.

For treaty of June 7, 1803, with Miamis, Pottawatomies, and other tribes, see Pottawatomie treaty, same date—Indian Territory.

For treaty of August 21, 1805, with Miamis, Delawares, and other tribes, see Delaware treaty, same date—Indian Territory.

For treaty of September 30, 1809, with Miamis, Delawares, and other tribes, see Delaware treaty, same date—Indian Territory.

For treaty of July 22, 1814, with Miamis, Shawnees, and other tribes, see Shawnee treaty, same date—Indian Territory.

For treaty of September 8, 1815, with Miamis, Chippewas, and other tribes, see Chippewa treaty, same date—Michigan.

Treaty with the Miami Indians made at St. Mary's, Ohio, October 6, 1818.

Beginning at the Wabash River, where the present Indian boundary line crosses the same, near the mouth of Raccoon Creek; thence up the Wabash River to the reserve at its head, near Fort Wayne; thence with the lines thereof to the St. Mary's River; thence up the St. Mary's River to the reservation at the portage; thence with the line of the cession made by the Wyandotte Nation of Indians to the United States, at the foot of the rapids of the Miami of Lake Erie, on the 29th day of September, A. D. 1817, to the reservation at Loramic's store; thence with the present

¹ United States Statutes at Large, Vol. XV, p. 513.

Indian boundary line to Fort Recovery; and with the said line following the courses thereof, to the place of beginning. (Art. 1.) From the cession aforesaid the following reservations for the use of the Miami Nation of Indians shall be made: One reservation extending along the Wabash River, from the mouth of Salamanie River to the mouth of Eel River, and from those points running due south a distance equal to a direct line from the mouth of Salamanie River to the mouth of Eel River. One other reservation of 2 miles square, on the river Salamanie, at the mouth of Atchepong-wawe Creek. One other reservation of 6 miles square, on the Wabash River below the forks thereof; one 10 miles square opposite the mouth of the river A Bonette; one 10 miles square at the village on Sugar Tree Creek; one 2 miles square at the mouth of a creek called Flat Rock, where the road to White River crosses the same. (Art. 2.) Grants to individuals. (Art. 3.) Assent to cessions by Kickapoos in treaty of December 9, 1809. (Art. 4.) The sum of \$15,000 perpetual annuity. Also 160 bushels of salt. Mill and blacksmith-shop and agricultural implements provided. (Art. 5.) Tracts granted not transferable without consent of President. (Art. 6.) Treaty binding when ratified. (Art. 7.) Proclaimed January 15, 1819.¹

Treaty with the Miami Indians, made near the mouth of the Mississinewa on the Wabash River, Indiana, October 23, 1826.

Indians cede all lands in Indiana north and west of Wabash and Miami Rivers. (Art. 1.) From the cession aforesaid, the following reservations for the use of the said tribe shall be made: Fourteen sections of land at Seek's village; five sections for the Beaver, below and adjoining the preceding reservation; thirty-six sections at Flat Belly's Village; five sections for Little Charley above the old village on the north side of Eel River; one section for Laventure's daughter, opposite the islands, about 15 miles below Fort Wayne; one section for Chapine, above and adjoining Seek's village; ten sections at the White Raccoon's village; ten sections at the mouth of Mud Creek, on Eel River, at the old village; ten sections at the forks of the Wabash; one reservation commencing 2½ miles below the mouth of the Mississinewa, and running up the Wabash 5 miles, with the bank thereof, and from these points running due north to Eel River. And it is agreed that the State of Indiana may lay out a canal or a road through any of these reservations, and for the use of a canal, 6 chains along the same are hereby appropriated. (Art. 2.) Individual grants not to be sold without the consent of the President. (Art. 3.) Payments of \$122,300 in goods and money, and after two years perpetual annuity of \$25,000 as long as Miamis exist as a tribe; also cattle and employes provided. (Art. 4.) Certain claims against the Miamis to be paid by United States. (Art. 5.) Two thousand dollars for support of infirm, and for education, as long as Congress thinks proper. (Art. 6.) United States to purchase lands owned by certain individual Miamis. (Art. 7.) Hunting permitted on ceded land. (Art. 8.) Treaty binding when ratified. (Art. 9.)

Proclaimed January 24, 1827.²

Treaty with the Eel River Band of Miami Indians, made at the Wyandotte Village, on the Wabash River, Indiana, February 11, 1828.

Indians cede 10 miles on Sugar Tree Creek, Indiana, and Indians to remove to the 5-mile reservation on Eel River. (Art. 1.) Payment of \$10,000 in goods. Houses to be built, land broken, stock, etc., furnished on Eel River Reservation. (Art. 2.) Four thousand dollars debts to be paid. (Art. 3.) The sum of \$1,000 paid for five years for education. (Art. 4.) If article 4 is omitted not to affect treaty. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed May 7, 1828.³

¹United States Statutes at Large, Vol. VI, p. 189. ²*Ibid.*, p. 300. ³*Ibid.*, p. 309.

Treaty with the Miami Indians, made at the Forks of the Wabash, October 23, 1844.

This treaty not being approved by the President, the Indians, on July 31, 1837, offered the following:

The Miami tribe of Indians agrees to cede to the United States the following described tracts of land within the State of Indiana, being a part of reservations made to said tribe from former cessions, now conveyed for and in consideration of the payments stipulated to be made to them in the second article of this treaty of cession. One tract of land, thirty-six sections, at Flat Belly's village, a reserve made by the treaty of Wabash of 1826; also one tract of land, about 23,000 acres, more or less, a reserve made at Wabash treaty in 1826 of 5 miles in length on the Wabash River, extending back to Eel River; also one other tract of ten sections at Raccoon village, and a tract of ten sections at Mud Creek, on Eel River, reserves made at Wabash treaty of 1826; also one reserve of 2 miles square on the Salamany River, at the mouth of At-che-pong-quawe Creek, reserve made at the treaty of St. Mary's of 1818; also one other tract, being a portion of the 10 miles square reserve made at the treaty of St. Mary's of 1818, opposite the mouth of the river Abouette, commencing at the northeast corner of said reserve; thence south with the eastern boundary of the same 10 miles to the southeast corner of the reserve; thence west with the southern boundary 1 mile; thence north 9 miles; thence west 9 miles; thence north 1 mile to the northwest corner of said reserve; thence to the place of beginning. The Miamies also agree to cede a portion of their big reserve made at the treaty of St. Mary's of 1818, situated southeast of the Wabash, extending along the Wabash River from the mouth of Salamany River to the mouth of Eel River. The part now ceded shall be embraced within the following bounds, to wit: Commencing on the Wabash River opposite the mouth of Eel River, running up said Wabash River 8 miles; thence south 2 miles; thence westwardly 1 mile; thence south to the southern boundary of said reserve; thence along said boundary line 7 miles to the southwest corner; thence northerly with the western boundary line to the place of beginning. (Art. 1.) The sum of \$208,000 paid; \$58,000 in goods, \$50,000 in payment of debts, \$100,000 in annual installments of \$10,000 each. (Art. 2.) Grants to certain individuals. (Arts. 3, 4, 8, 9.) A miller to replace gun-smith promised in article 5 of treaty of 1818. (Art. 5.) Improvements on ceded lands to be valued and improvements to same amount to be made on reservation. (Art. 6.) One thousand five hundred dollars for horses stolen by whites. (Art. 7.)

Amended October 12, 1837, and amendment ratified by Indians, November 10, 1837; proclaimed, December 22, 1837.¹

Treaty with the Miami Indians, made at the Forks of the Wabash, in the State of Indiana, November 6, 1838.

The Miami tribe of Indians hereby cede to the United States all that tract of land lying south of the Wabash River and included within the following bounds, to wit: Commencing at a point on said river where the western boundary line of the Miami Reserve intersects the same, near the mouth of Pipe Creek; thence south 2 miles; thence west 1 mile; thence south along said boundary line 3 miles; thence east to the Mississinnewa River; thence up the said river with the meanders thereof to the eastern boundary line of the said Miami Reserve; thence north along said eastern boundary line to the Wabash River; thence down the said last named river, with the meanders thereof, to the place of beginning. The said Miami tribe of Indians do also hereby cede to the United States the three following reservations of land, made for the use of the Miami Nation of Indians by the second article of a treaty made and concluded at St. Mary's, in the State of Ohio, on the 6th of October, 1818, to wit: The reservation on the Wabash River, below the forks thereof; the residue of the reservation opposite the mouth of the river Abouette; the reservation at the mouth

¹ United States Statutes at Large, Vol. VII, pp. 458 to 463.

of a creek called Flat Rock, where the road to White River crosses the same. Also one other reservation of land made for the use of said tribe at Seek's village, on Eel River, by the second article of a treaty made and concluded on the 23d of October, 1826. (Art. 1.)

From the cession aforesaid the Miami tribe reserve for the band of Me-to-sin-ia the following tract of land, to wit: Beginning on the eastern boundary line of the big reserve, where the Mississinewa River crosses the same; thence down said river with the meanders thereof, to the mouth of the creek called Forked Branch; thence north 2 miles; thence in a direct line to a point on the eastern boundary line 2 miles north of the place of beginning; thence south to the place of beginning; supposed to contain 10 square miles. (Art. 2.)

The sum of \$335,680 paid; from which, after certain payments have been deducted, ten yearly installments to be paid of \$12,568 each. (Art. 3.) Debts amounting to \$9,412 to be paid. (Art. 4.) Commission to investigate claims against Miamis. (Art. 5.) The sum of \$150,000 set apart for paying same. (Art. 6.) Improvements and building on ceded lands to be appraised. Indians to occupy them until United States makes corresponding improvements on reservation. (Art. 7.) Land patented to individual. (Art. 8.) Boundary of Miami lands to be surveyed. (Art. 9.) United States guaranty to the Miamis forever a country west of Mississippi when they are disposed to emigrate. (Art. 10.) United States to defray expenses of exploring party to the west. (Art. 11.) Grants and provisions for individuals. (Arts. 12 and 14.) If treaty not ratified at next session of Congress, to be null and void. (Art. 13.) Treaty binding when ratified. (Art. 15.)

Proclaimed February 8, 1839.¹

Treaty with the Miami Indians, made at the Forks of the Wabash, November 28, 1840.

Indians cede all their remaining lands in Indiana. (Art. 1.) United States paid tribe \$550,000; \$300,000 applied to debts and \$250,000 to be paid in twenty installments. (Art. 2.) Commission to investigate claims. (Art. 3.) Payments to individuals provided. (Arts. 4, 5.) The sum of \$250,000 annually in lieu of labor provided in article 4, treaty of October 23, 1826. (Art. 6.) Miamis to remove west of Mississippi within five years. United States to pay expenses of removal and subsist them for one year, and expend \$4,000 out of their annuity the second year. (Art. 8.) Grants to individuals. (Arts. 7 and 10.) Nothing in this treaty to invalidate former treaties. (Art. 11.) Expenses of treaty paid by United States. (Art. 12.) Treaty binding when ratified. (Art. 13.) Indians to assent. (Art. 14.) Five hundred thousand acres set apart west of State of Missouri. (Supplementary article.)

Amended by Senate, February 25, 1841. Approved by Indians, May 15, 1841. Proclaimed June 7, 1841.²

Joint resolution for the benefit of certain Miami Indians, March 3, 1845.

Payment of annuities to certain Miami Indians to be paid at Fort Wayne, or elsewhere, as Secretary of War may direct. In case of removal of said Indians west of Mississippi River, annuities to be paid them at place of payment of annuities to said tribe.

Approved March 3, 1845.³

Joint resolution, May 1, 1850.

Provisions of joint resolution of March 3, 1845, extended to certain persons named therein.

Approved May 1, 1850.⁴

¹ United States Statutes at Large, Vol. VII, p. 569. ² *Ibid.*, p. 582. ³ *Ibid.*, Vol. VI, p. 942. ⁴ *Ibid.*, Vol. IX, p. 806.

Treaty with the Miamis of Indiana, made at Washington, June 5, 1854.

Miamis cede all the land set apart for them west of the State of Missouri, except 70,000 acres for a reservation and 640 for school purposes. (Art. 1.) Reservation to be surveyed at expense of Miamis. Each person to select 200 acres. Chiefs to select the 640 acres for school and to include school buildings, etc. Residue of 70,000 acres taken in a compact form and held as common property, and which may, with consent of the tribe, be sold to the United States. Patents to be issued to persons selecting land, and not liable to levy, sale, or forfeiture. Legislature of the State embracing the territory may remove restrictions with consent of Congress. (Art. 2.) United States to pay \$200,000; \$50,000 to be invested and interest expended for educational purposes under direction of President. Remainder paid in twenty annual installments; no part of these payments to be made to Miamis who draw their annuities in State of Indiana. (Art. 3.) Payments due under preceding treaties proportioned between the Indiana Miamis and Western Miamis. (Arts. 4 and 5.) Indians release United States from claims under previous treaties, for which the United States shall pay \$421,433.68, of which \$231,004 shall be for the Miamis of Indiana. Other payments provided for damages to stock and property by removal and depredations by citizens of the United States. Amount due Miamis of Indiana to be invested at 5 per cent., interest to be paid for twenty-five years, at which time, or sooner if approved by President, the principal sum to be paid in full. No persons other than the three hundred and two names upon the census of the Miamis of Indiana to be recipients unless they be added to the tribe according to the custom of the Miamis. (Art. 4.) Permanent annuity of \$25,000 to cease with 1855. (Art. 5.) Miamis to reimburse United States for moneys erroneously paid to them which belonged to Eel River band. (Art. 6.) No settlement on ceded country until Indian selections have been made. (Art. 7.) Personal debts not to be paid out of general fund. (Art. 8.) Intemperance to be discouraged. (Art. 9.) Authorized roads to be provided for as through lands of citizens. Railroads to make compensation. (Art. 10.) Legislation permitted to effect objects of treaty. (Art. 11.) First annuity set apart for education. (Art. 12.) Annuity money set apart for repair of mill and school-house. (Art. 13.) Treaty binding when ratified. (Art. 14.)

Amended by Senate August 4, 1854. Proclaimed August 4, 1854.¹

Act of Congress July 12, 1858.

* * * * *

SEC. 3. *And be it further enacted*, That the Secretary of the Interior be, and is hereby, authorized and directed to pay to such persons of Miami blood as have heretofore been excluded from the annuities of the tribe since the removal of the Miamis in 1846, and whose names are not included in the supplement to said treaty, their proportion of the tribal annuities from which they have been excluded; and he is also authorized and directed to enroll such persons upon the pay-list of said tribe and cause their annuities to be paid them in future: *Provided*, That the foregoing payments shall be in full of all claims for annuities arising out of previous treaties. And said Secretary is also authorized and directed to cause to be located for such persons each 200 acres of land out of tract of 70,000 acres reserved by the second article of the treaty of June 5, 1854, with the Miamis, to be held by such persons by the same tenure as the locations of individuals are held which have been made under the third article of said treaty.

Approved July 12, 1858.²

An act to authorize the Secretary of the Interior to make partition of the reservation to Me-shin-go-me-sia, a Miami Indian, June 1, 1872.

The Secretary of the Interior is authorized to cause partition to be made of the reservation held in trust for the band of Me-shin-go-me-sia, of ten sections of land made

¹ United States Statutes at Large, Vol. X, p. 1093. ² *Ibid.*, Vol. XI, p. 332.

by the treaty between the United States and the Miami tribe of Indians, entered into on the 28th day of November, 1840. The United States to release to said band all right of purchase of said reservation; the expenses of the partition to be paid by the band. Any costs or expenses made by claimants who shall not be found entitled to share in said lands shall not be a lien thereon, but shall be paid by claimants, to be retained by the Secretary out of any moneys that may be due or become due them from the United States: *And provided further*, That if from any cause the chief of said band shall fail to make said written application within six months next after the passage of this act any person or persons interested in said lands may make the same. Names of members of the band, November 28, 1840, to be ascertained and partition made to survivors. Such testimony may be taken before any person authorized to take and certify depositions under the law of the State of Indiana.

The homes and improvements of the persons entitled under section two of this act shall be set apart to the occupants, the value of said improvements not in any case to be estimated where the same shall be on land awarded to the person who made them, and a record kept thereof and filed in the office of the Secretary of the Interior, and certified copies forwarded to and filed in the offices of auditors of Grant and Wabash Counties, in the State of Indiana, where the land lies.

The Secretary of the Interior shall, so soon as said partition is made, cause patents to issue to the several persons to whom partition is made under this act, conveying in fee to each the tract of land so set apart to him or her, which shall entitle the owner thereof to the use, occupancy, and control of the same against all claims whatsoever: *Provided*, That after the date of partition the said lands shall become subject to the laws of descent of the State of Indiana.

Said lands shall never be subject, in any time to come, to any debt contracted, the consideration of which passed, in whole or in part, prior to the date of partition. Nor shall said lands be subject to levy, sale, forfeiture, or mortgage; nor to any lease for a longer period at any one time than three years prior to the 1st day of January, 1881; nor shall said lands be disposed of, contracted, or sold by the owners thereof, under this partition, prior to the 1st day of January, 1881: *Provided*, That the same shall be subject to taxation as other property under the laws of the State of Indiana, on and after that date.

The members of said band, and their descendants, shall become citizens of the United States on the 1st day of January, 1881.¹

The following extract from the Report of the Indian Commissioner for 1873, p. 16, tells of the completion of this act:

By act of Congress of June 10, 1872, the Secretary of the Interior was directed to ascertain what persons constituted the band of said chief, their survivors and descendants, and to partition said reserve to them. A commission was appointed for this purpose, who made investigation, and partitioned said land to sixty-three persons, which partition was reported in due form and approved by the Secretary of the Interior, and patents are being issued to the parties.

For treaty of February 23, 1867, with Miamis, Kaskaskias, and other tribes; see Kaskaskia treaty, same date—Indian Territory.

An act to abolish the tribal relations of the Miami Indians, and for other purposes, March 3, 1873.

If the Miami Indians shall signify to the President their desire to sell lands reserved by article 1 of the treaty of June 5, 1854, together with the school section, said lands to be disposed of as follows: Land to be appraised by legal subdivisions. Improvements made by United States and Indians to be included, and those by white settlers to be excluded in determining the estimate of value. (Sec. 1.) Each bona fide settler having valued improvements, or their heirs at law who are citizens or who have de-

¹ United States Statutes, Vol. XVII, p. 213.

clared their intention of becoming such, shall be entitled to purchase for cash land so occupied at appraised value. Unoccupied and unimproved lands to be sold to highest bidder. (Sec. 2.) Any adult member of said tribe may become a citizen by proving, to the satisfaction of the United States circuit court of Kansas, by two competent witnesses, that he or she is capable of managing his or her affairs, has adopted the habits of civilized life, and for five years maintained himself and family, shall take oath of allegiance as provided for the naturalization of aliens, and shall be declared by said court to be a citizen, and shall be entered of record and a certificate thereof given to said party. Upon presentation of said certificate to the Secretary of the Interior with proof of identity the land held by said party and their minor children to be patented without power of alienation or subject to levy, taxation, or sale during the natural life of said Indian or his minor children. Also to be paid from time to time his proportion of moneys and effects of the tribe held by the United States. Also a proportion of net proceeds of sales of land under this act. (Sec. 3.) Census to be taken of all Miami Indians entitled to a share of the reserved lands and moneys set apart by the afore mentioned treaty, including those persons provided for by section 3 of the act of June 12, 1853, subject to the approval of the Secretary of the Interior. With the census, two lists to be made, one, of those Indians electing to be become citizens, the other, of those who elect to unite with the Wea, Peoria, Kaskaskia, and Piankeshaw Indians in the Indian Territory, according to contract of January 15, 1872. Said lists to be filed with the Secretary of the Interior. Those desiring to be citizens, when they have completed the provisions for naturalization, shall be treated in all respects as citizens of the United States. Secretary to ascertain amount due certain Miami Indians. (Sec. 4.) Proceeds of sales of land and all moneys, securities, annuities, and effects held by the United States for said Miami Indians of Kansas, after the deductions for citizen Indians and their minor children, to be the exclusive property of said tribe and known as the "consolidated" fund. (Sec. 5.) The Secretary to examine the contract of January 15, 1872, made between the Western Miamis of Kansas and Confederated Wea, Peoria, Kaskaskia, and Piankeshaw Indians, and approve the same, with such modifications as equity may require, and for carrying into effect said contract may withdraw from consolidated fund the sum to pay the Weas, Peorias, Kaskaskias, and Piankeshaws for an interest in their lands for those of the Miamis who shall unite with the confederated tribes. After making said payment a sum shall be placed in the hands of the confederated tribe, which shall enable all the Miamis to draw like annuities with the said confederated tribes without prejudice to the latter. The remainder of the consolidated fund shall be paid per capita to the Miamis electing to unite with the consolidated tribe to aid them in moving to and improving their new homes. After their union with the confederated tribes they shall all be known as the United Peorias and Miamis, drawing equal and like annuities. (Sec. 6.) This act not to affect the claims of Miamis or their descendants referred to in Senate amendment to article 4, treaty of June 5, 1854. (Sec. 7.)¹

SYNOPSIS OF TREATIES WITH THE PEORIA INDIANS.

Treaty with the Peoria, Kaskaskia, Michigamia, Cahokia, and Tamarois tribes of Illinois Indians, made at Vincennes, September 25, 1818.

Peorias cede all their right to land lying from the mouth of the Ohio up the latter to mouth of Saline Creek, along the dividing ridge between the Saline and the Wabash to the dividing ridge between the Wabash and Kaskaskia; thence along the ridge until it reaches the waters which fall into the Illinois River; thence direct to the confluence of the Kankakee and Maple Rivers; thence down the Illinois to the Mississippi, and down the latter to the mouth of the Ohio. (Art. 1.) Treaty of August 13, 1803, to continue obligatory. (Art. 2.) Peorias to remain at peace under the protection of the United States. (Art. 3.) Two thousand dollars' worth of merchandise

¹ United States Statutes at Large, Vol. XVII, p. 631.

paid down and annuity of \$300 for twelve years. (Art. 4.) Also United States to cede 640 acres, including the Peoria Village on the Blackwater River, Missouri, if not included in private claim. Otherwise an equal tract elsewhere. (Art. 5.)

Proclaimed January 5, 1819.¹

Treaty with the Peoria, Kaskaskia, Mitchigamia, Cahokia, and Tamarois bands, composing the Illinois nation, made at Castor Hill, Mo., October 27, 1832.

Kaskaskias cede to United States the land granted them forever by section 1, treaty of August 13, 1803, except 350 acres near the town of Kaskaskia, secured to them by act of March 3, 1793. (Art. 1.) Also their annuity under article 3, same treaty, and salt annuity treaty, June 7, 1803. (Art. 2.) Peorias relinquish all land heretofore assigned them in Illinois or Missouri. (Art. 3.) United States cede to Kaskaskias and Peorias forever, or as long as they live in it as a tribe, one hundred and fifty sections of land west of the State of Missouri on the Osage River, bounded north by Shawnee lands; west by western line of Piankeshaw, Wea, and Peoria reservation; east by Piankeshaws and Weas. (Art. 4.) Annuity, \$3,000 for ten years. (Art. 5.) The Peorias not understanding by article 5 of the treaty of Edwardsville, September 25, 1825, that they ceded land in Missouri of which they had been possessed for more than sixty years, now demanded an equivalent. United States to pay Peorias and Kaskaskias \$1,600; to Peorias for abandoned improvements \$250; to Kaskaskias for loss of stock, salt annuity due \$350; stock, etc., to both tribes to value of \$400. Also to build houses, breaking land \$300; for implements, etc., \$50 for four years; and assistance given Kaskaskias to remove, and subsistence for one year thereafter to the amount of \$1,000, and \$800 in goods on signing treaty. (Art. 6.) In consideration of said payments all claims within Illinois and Missouri relinquished. (Art. 7.) Treaty binding when ratified. (Art. 8.)

Proclaimed February 12, 1833.²

Treaty with the Peorias, Kaskaskias, Piankeshaws, and Weas, made at Washington, May 30, 1854.

Peorias, Kaskaskias, Piankeshaws, and Weas to form a consolidated tribe. (Art. 1.) Indians relinquish all land granted by article 4, treaty of October 27, 1832, except an amount equal to 160 acres for each person in the united tribes, and ten additional sections. (Art. 2.) Also a grant of 640 acres to the board of the American Indian Missionary Association. Same to be patented. (Art. 5.) Ceded land to be surveyed. Indians to make selections therefrom within ninety days thereafter. (Art. 3.) Residue to be sold at usual rates. After three years Congress may reduce the price of land until all be sold. Proceeds, after deducting expenses, etc., to be paid to Indians. (Art. 4.) The consolidated tribes to relinquish all permanent annuities, amounting to \$3,800, and all claims for damages by reason of unfulfillment of treaties, etc. United States to pay \$66,000 in six annual installments, and to furnish interpreter and blacksmith and shop for five years. (Art. 6.) Of annuities, \$500 set apart for support of aged; \$2,000 for education; \$2,000 to settle their affairs. (Art. 7.) Settlements not permitted until selections have been made by Indians. (Art. 8.) Private debts not to be paid from general fund. (Art. 9.) Liquor not to be introduced into the country. (Art. 10.) Congress may enact laws to carry out treaty. (Art. 11.) Right of way granted for roads on same terms as through land of citizens. (Art. 12.) Any member omitted from schedule to be provided for. (Art. 13.) Treaty binding when ratified. (Art. 14.)

Proclaimed August 10, 1854.³

For treaty of February 23, 1867, with Peorias, Kaskaskias, and other tribes, see Kaskaskia treaty, same date—Indian Territory.

¹ United States Statutes at Large, Vol. VII, p. 181. ² *Ibid.*, p. 403. ³ *Ibid.*, Vol. X, p. 1082.

SYNOPSIS OF TREATIES WITH THE PIANKESHAW INDIANS.

For treaty of August 3, 1795, with Piankeshaw, Chippewa, and other tribes, see Chippewa treaty, same date—Michigan.

For treaty of June 7, 1803, with Piankeshaw, Pottawatomie, and other tribes, see Pottawatomie treaty, same date—Indian Territory.

For treaty of August, 1803, with Piankeshaw, Kickapoo, and other tribes, see Kickapoo treaty, same date—Kansas.

Treaty with the Piankeshaws, made at Vincennes, Ind., August 27, 1804.

Indians cede land between the Ohio and Wabash Rivers and below Clark's grant and the Vincennes tract. (Art. 1.) Acknowledge the rights of Kaskaskias to sell certain lands recently ceded to the United States. (Art. 2.) Annuity of \$200 for ten years, and \$700 in goods at beginning of treaty. (Art. 3.) United States to divide the annuity among the tribe. (Art. 4.)

Proclaimed February 6, 1805.¹

Treaty with the Piankeshaws, made at Vincennes, Ind., December 30, 1805.

Indians cede land between Wabash and Kaskaskia cession. (Art. 1.) United States to protect Kaskaskias. (Art. 2.) Additional annuity of \$300. (Art. 3.) Acknowledgment of \$1,100 for compensation of past treaty stipulations. (Art. 4.) Right to hunt on ceded territory. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed May 23, 1807.²

Treaty with the Piankeshaws, made at Portage des Sioux, July 18, 1815.

(See United States Statutes at Large, Vol. VII, p. 124.)

Treaty similar to one made with the Sioux, July 19, 1815 (see Dakota Territory).

Treaty with the Piankeshaws and Weas, made at Castor Hill, St. Louis County, Mo., October 29, 1832.

Indians cede all land in Missouri and Illinois. (Art. 1.) Cede two hundred and fifty sections of land west of State of Missouri within the land set apart for the Piankeshaws and Weas and Peorias, bounded as follows: East by Missouri State, 15 miles; north by Shawnee lands; west by Peoria and Kaskaskia land; south by original tract surveyed for Piankeshaws, Weas, and Peorias, to include present villages of Piankeshaws and Weas. (Art. 2.) As equivalent for salt and improvements on lands left in Missouri and horses lost in removal, to the Piankeshaws \$500 for five years, and \$750 to assist in agriculture. (Art. 3.) Equivalent to Weas for improvements on lands removed and loss of stock \$500, \$200 in merchandise. The United States to assist the Weas of Indiana to remove. (Art. 4.) Support of blacksmith shop for five years for benefit of Piankeshaws, Weas, Peorias, and Kaskaskias in common. Treaty binding when ratified. (Art. 6.)

Proclaimed February 12, 1833.³

For treaty of May 30, 1854, with Piankeshaw, Peoria, and other tribes, see Peoria treaty, same date—Indian Territory.

For treaty of February 23, 1867, with Piankeshaw, Kaskaskia, and other tribes, see Kaskaskia treaty same date—Indian Territory.

SYNOPSIS OF TREATIES WITH THE WEA INDIANS.

Treaty with Weas and tribes northwest of the Ohio, made at Vincennes, Ind., October 26, 1809.

For treaty of August 3, 1795, with Weas, Chippewas, and other tribes, see Chippewa treaty, same date—Michigan.

¹ United States Statutes at Large, Vol. VII, p. 83.

² *Ibid.*, p. 100.

³ *Ibid.*, p. 410.

For treaty of June 7, 1803, with Weas, Pottawatomies, and other tribes, see Pottawatomie treaty, same date—Indian Territory.

For treaty of August 21, 1805, see Pottawatomie treaty, same date—Indian Territory.

Tribes assent to cession of treaty of September 30, 1809, additional annuity of \$300. and \$1,500 down; permanent annuity of \$100, when Kickapoos consent.

(See Pottawatomie treaty, same date.)

Proclaimed January 25, 1810.¹

Treaty with the Weas and Kickapoos, made at Fort Harrison, Ind., June 4, 1816.

Peace and friendship acknowledged. (Art. 1.) Treaty of Greenville and subsequent treaties confirmed. (Art. 2.) Also boundary surveyed and marked on Wabash and White Rivers in 1809. (Art. 3.) Kickapoos acknowledge cession between Wabash and Vermillion Rivers, according to treaty of December 8, 1809. (Art. 4.)

Proclaimed December 30, 1816.²

Treaty with the Weas, made at St. Mary's, Ohio, October 2, 1818.

Indians cede all land within the States of Indiana and Ohio and Illinois. (Art. 1.) Reserved the following tract: Beginning at the mouth of Raccoon Creek; thence by present boundary line 7 miles; thence northeasterly 7 miles to 7 miles from Wabash River; thence to said river by line parallel to boundary; thence by Wabash River to place of beginning. (Art. 2.) Grants to individuals. (Art. 3.) Sanction of Kickapoos' cession of December 9, 1809. (Art. 4.) The sum of \$1,850 annually, making a total of \$3,000 annuity to Weas. (Art. 5.)

Proclaimed January 7, 1819.³

Treaty with the Weas, made at Vincennes, August 11, 1820.

Indians cede tract reserved by article 2, treaty October 2, 1818. (Art. 1.) The sum of \$500 in payment. (Art. 2.) Weas to remove. Annuity to be paid at Kaskaskia, Ill. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed January 7, 1821.⁴

For treaty of October 29, 1832, with Weas and Piankeshaws, see Piankeshaw treaty, same date—Indian Territory.

For treaty of May 30, 1854, with Weas, Peorias, and other tribes, see Peoria treaty, same date—Indian Territory.

For treaty of February 23, 1867, with Weas, Kaskaskias, and other tribes, see Kaskaskia treaty, same date—Indian Territory.

¹ United States Statutes at Large, Vol. VII, p. 116. ² *Ibid.*, p. 145. ³ *Ibid.*, p. 186. ⁴ *Ibid.*, p. 209.

CHAPTER XIII.

INDIAN RESERVATIONS OF INDIAN TERRITORY—Continued.

QUAPAW AGENCY—Continued.

SENECA RESERVATION.

How established.—By treaties of February 28, 1831, December 29, 1832, and February 23, 1867. For synopsis of treaties, see Seneca treaties, New York; for treaty of December 29, 1832, see Shawnee treaty of same date, Indian Territory; for treaty of February 23, 1867, see Kaskaskia treaty of same date, Indian Territory.

Area and survey.—Contains 51,958 acres, of which 29,958 are classed as tillable.¹ Surveyed.²

Acres cultivated.—The Indians have under cultivation 2,519 acres.³

Tribes and population.—The tribe living here is the Seneca. Population, 250.⁴

Location.—A large majority of the reservation is only fit for grazing and timber.⁵

Government rations.—None reported.

Mills and Indian employés.—A mill owned by a member of the tribe.

Indian police.—Not reported.

Indian court of offences.—Not reported.

*School population, attendance, and support.*⁶

School population, estimated, in 1886	50
Seneca, Shawnee, and Wyandotte boarding and day accommodation.....	115
Seneca, Shawnee, and Wyandotte boarding and day average attendance...	71
Seneca, Shawnee, and Wyandotte cost to Government	\$7, 096. 86
Session (months)	10

SHAWNEE RESERVATION.

How established.—Treaties of July 20, 1831; December 29, 1832; February 23, 1867, and agreement with Modocs, made June 23, 1874, confirmed by Congress in Indian appropriation act, approved March 3, 1875.

Area and survey.—Contains 13,048 acres, of which 6,088 are classed as tillable.⁷ Surveyed.⁸

Acres cultivated.—The Indians have 2,559 acres under cultivation.⁹

Tribes and population.—The tribes living here are the Eastern Shawnee. Population, 88.¹⁰

¹ Report of Indian Commissioner, 1884, p. 308. ² *Ibid.*, p. 259. ³ *Ibid.*, 1886, p. 430. ⁴ *Ibid.*, p. 398. ⁵ *Ibid.*, 1882, p. 83. ⁶ *Ibid.*, 1886, p. xcii. ⁷ *Ibid.*, 1884, p. 308. ⁸ *Ibid.*, p. 259. ⁹ *Ibid.*, 1886, p. 430. ¹⁰ *Ibid.*, p. 398.

Location.—Two-thirds of the reservation is rough and broken, while all is good grass land, and well adapted for stock-raising.¹

Government rations.—None issued.

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—School population as estimated in 1886, 18. School reported with the Seneca Reservation.

SYNOPSIS OF TREATIES WITH THE SHAWNEE INDIANS.

For treaty of August 3, 1795, see Chippewa treaty same date—Michigan.

Treaty with the Shawnees, made at the mouth of the Great Miami River, Ohio, January 31, 1786.

Hostages retained until prisoners restored. (Art. 1.) Indians acknowledge the right of the United States to territory ceded by Great Britain. (Art. 2.) To deliver up criminals. (Art. 3.) To give notice of designs against the United States. (Art. 4.) Peace established. (Art. 5.) United States to allot lands to Shawnees beyond a line touching the Great Miami and De la Panse Rivers to the Wabash. Indians relinquish all claim to land east, west, and south of said line. (Art. 6.) Any citizen settling on Shawnee land to lose protection of United States. (Art. 7.)²

For treaty of June 7, 1803, see Chippewa treaty same date—Michigan.

For treaty of July 4, 1805, see Pottawatomie treaty same date—Indian Territory.

For treaty of November 25, 1808, see Chippewa treaty same date—Michigan.

Treaty with the Shawnees, Delawares, Miamis, Senecas, Wyandottes, made at Greenville, Ohio, July 22, 1814.

Peace guaranteed. (Art. 1.) Indians agree to aid United States in war. (Art. 2.) Protection of United States acknowledged. (Art. 3.) Previous boundaries between tribes to be confirmed. (Art. 4.)

Ratified December 13, 1814. (United States Statutes at Large, Vol. VII, p. 118.)

For treaties of September 8, 1815, September 29, 1817, and September 17, 1818, see Chippewa treaty same date—Michigan.

Treaty with the Shawnees of the Missouri, made at St. Louis, November 7, 1825.

The Shawnees of the Missouri together with the Delawares possessing a 25-mile square tract near Cape Girardeau, Mo., obtained from the Spanish Government; the Delawares removed from the same in 1815. The Shawnees cede their title for said tract to the United States. (Art. 1.) A tract 50 miles square south-west of the State of Missouri, in the late Osage country, given in exchange; and for the loss of valuable improvements upon ceded tract \$14,000 shall be paid, \$5,000 for purchase of domestic animals. (Art. 2.) Deputation to visit said tract. If not acceptable, to select lands on Kansas River. (Art. 3.) The sum of \$11,000 to pay for depredations committed by citizens on Shawnees, and for support and maintenance of blacksmith for five years. (Art. 4.) Friendship renewed. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed December 30, 1825.³

Treaty with the Shawnees and Senecas, made near Lewiston, Logan County, Ohio, July 20, 1831.

Indians cede the 48 square miles patented by treaty of September 29, 1817; also the tract reserved in article 2 of the treaty of September 17, 1818. (Art. 1.) United

¹ Report of Indian Commissioner, 1882, p. 82. ² United States Statutes at Large, Vol. VII, p. 26. ³ *Ibid.*, p. 234.

States to patent to Shawnees 60,000 acres west of Mississippi as long as they exist as a nation and remain on same. (Art. 2.) United States to pay for their removal and support for one year. (Art. 3.) Saw-mill and blacksmith shop established at discretion of President. (Art. 4.) The sum of \$6,000 advanced in lieu of improvements relinquished. (Art. 5.) Stock and implements unable to be transported to be sold by Secretary of War; proceeds to be paid to owners. (Art. 6.) Agent to superintend removal. (Art. 7.) Ceded land to be sold at auction; balance from sale after payments provided for to constitute a fund. (Art. 8.) Annuities by former treaties to be paid west of Mississippi. (Art. 9.) Merchandise distributed. (Art. 10.) Land granted in article 2 to be sold only to United States. Never to be within bounds of any Territory or State or subject to laws thereof. Indians to be protected from disturbance. (Art. 11.) Grants to individuals. (Arts. 12, 13, 14, 15.)

Proclaimed April 6, 1832.¹

Treaty with the Shawnees, made in Allen County, Ohio, August 8, 1831, under authority of the act of May 28, 1830.

Shawnees cede to the United States 145 square miles of land claimed by them in Ohio. (Art. 1.) United States to patent 100,000 acres on or near the tract set apart for the Shawnees of the Missouri, so long as they exist as a nation and remain on the same. (Art. 2.) Expenses of removal and one year's support granted. (Art. 3.) Saw and grist mill and blacksmith shop furnished out of sales of land ceded, and supported as long as President deems proper. (Art. 4.) The sum of \$13,000 advanced for improvements on relinquished lands. (Art. 5.) Stock and chattel property of the Indians which they are not able to carry with them to be sold and proceeds paid to owners. (Art. 6.) Ceded lands sold at auction. After deducting 70 cents per acre, cost of survey, and mill and blacksmith shops, and money advanced for improvements, 5 per cent. of remainder to be paid as annuity. Said fund to be continued during the pleasure of Congress unless the tribe desire it to be dissolved and paid over to them. (Art. 7.) Annuities by former treaties to be paid west of the Mississippi. (Art. 8.) Merchandise given. (Arts. 9 and 14.) Land granted to Shawnees never to be assigned within any State or Territory, or subject to laws thereof. Indians to be protected against disturbance from any person whatever. (Art. 10.) Grants to individuals. (Arts. 11, 13.) Price of section of land set apart for possible removal of Shawnees of the river Huron, Michigan. (Art. 13.)

Proclaimed April 6, 1832.²

Treaty with the Shawnees and Delawares of Cape Girardeau, made at Castor Hill, Mo., October 26, 1832.

Indians cede all claims to their lands within the State of Missouri, and against the United States for the loss of property and improvements. (Art. 1.) In consideration thereof \$1,000 worth of stock paid to Delawares; \$1,000 for breaking up ground; \$2,500 for support of mill for five years; \$1,500 for support of school three years. (Art. 2.) Also goods to the value of \$5,000 and debts to the amount of \$12,000. (Art. 3.) All Shawnees settled in the Territory of Arkansas to remove to lands on the Kansas River. The sum of \$1,200 to be paid them, \$500 toward expenses of removal, and one year's sustenance on new lands. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Proclaimed February 12, 1833.³

Treaty with the Shawnees and Senecas, made at the Seneca Agency, near the headwaters of Cowskin River, December 29, 1832.

Whereas the Senecas from Sandusky and the mixed band of Senecas and Shawnees, having formed a confederacy to be called the united nation of Senecas and Shawnees, desire to occupy their lands as tenants in common; therefore they cede

¹ United States Statutes at Large, Vol. VII, p. 351.

² *Ibid.*, p. 355.

³ *Ibid.*,

to the United States all lands granted to them to the west of Grand River by treaties of July 20, 1831, and February 28, 1831. (Art. 1.) United States to patent a tract of land bounded as follows: East by the State of Missouri, south by the line of the Cherokees, west by Grand River, north by a line parallel with the south line and extending from the present north line of the Senecas so as to include 60,000 acres, exclusive of land owned by Seneca Indians east of Grand River. Two patents granted: one to mixed band of Senecas and Shawnees of Ohio for the north half, and one to Senecas from Sandusky to the south half, the whole to be occupied in common so long as they desire. Not to be ceded or sold without the consent of United States. (Art. 2.) Saw and grist mill and blacksmith shop to be erected, and furnished from sales of land previously ceded to the United States. (Art. 3.) Claim of \$1,000 against the United States paid. (Art. 4.) Rights existing under treaties not affected. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed March 22, 1833.¹

Treaty with the united tribes of Shawnees, made at Washington, May 10, 1854.

Cessions.—Indians cede to United States tract of land lying west of Missouri and designated in articles 2 and 3, treaty of November 7, 1825, and in article 2, treaty of August 8, 1831, containing 1,600,000 acres. (Art. 1.) Two hundred thousand acres ceded by United States, a tract between the Missouri State line and line parallel thereto and 30 miles west, which shall be drawn from the Kansas River to the southern boundary line of the country herein ceded. The following tracts set apart: Three sections of land, including the Indian manual labor school of the Methodist Episcopal Church South; 320 acres, including Friends' Shawnee Labor School; 160 acres, including mission of American Baptist Missionary Union, and 5 acres to Shawnee Methodist Church, including graveyard. Individual selections and tracts set apart to be considered as part of the 200,000 acres.

Reservation and land in severalty.—Indians having improvements in the Territory ceded by the United States to take their land individually, as follows: Two hundred acres to each person to include improvements. Improvements of two or more persons on same tract, the oldest settler to have preference or to be paid for the same. Black Bob and Long Tail settlements to hold their land in common in amount equal to 200 acres for each person. Census of Shawnees to be taken. Persons to elect which settlement they will join, and 200 acres in a compact form to be set apart for each person. All selections and tracts granted to missionary societies to be included as part of 200,000 acres. Surplus remaining after selections to be set apart in compact form for Shawnees who have been separated from the tribes, and all such who return within five years shall be entitled to same quantity of land out of surplus. After five years land remaining unallotted to be sold. Proceeds of sale to be retained for ten years to be invested for benevolent work among the Shawnees, during which period any absentee Shawnee may receive assignment of any unsold land or his portion of proceeds of sale. All selections to be made within sixty or ninety days after survey. (Art. 2.) Shawnees taking the land in common may, whenever desired, select from within the reservation their land individually. (Art. 4.) Those making separate selections to receive separate patents with such guards and restrictions as may seem advisable. (Art. 9.) Tract set apart for Baptists and Friends to be used so long as schools are kept. When no longer used to be sold at public sale, value of improvements deducted, and remainder applied for the benefit of Shawnees. (Art. 6.)

Payments.—The sum of \$700,000 to be paid in seven annual installments, and \$89,000 the following year. The sum of \$40,000 invested at 5 per cent. for education, the fund to be increased by the \$3,000 perpetual annuity provided by the treaty of 1795; also the sum provided in the treaty of 1817, and \$10,000 for the tract set apart for the Methodist Episcopal Church South. (Art. 3.) Such Shawnees as are competent to manage their affairs to receive their portion of annual installments in cash. For

¹United States Statutes at Large, Vol. VII, p. 411.

others President will expend annuities for their welfare. (Art. 8.) The sum of \$27,000 set apart for the claims for destruction of stock and crops by emigrants. (Art. 11.)

Survey and sale.—Lands ceded to be surveyed and no settlements or sales permitted until Shawnees have made their selections. (Art. 5.)

Provisions made for individuals (Art. 7) and for payment of debts. (Art. 10.)

Roads.—Right of way provided for authorized roads on same terms as through lands of citizens. Railroads to make compensation in money. (Art. 13.) Dependence on United States acknowledged. (Art. 14.) Use of liquor to be suppressed. (Art. 15.) One hundred and sixty acres set apart for agency. (Art. 16.) Treaty binding when ratified. (Art. 17.)

Amended August 2, 1854. Amendments accepted August 21, 1854. Proclaimed November 2, 1854.¹

For treaty of February 23, 1867, see Kaskaskia treaty, same date—Indian Territory.

For agreement made with Modocs, June 23, 1874, and act of Congress confirming the same, see Modoc Reservation—Indian Territory.

WYANDOTTE RESERVATION.

How established.—By treaty of February 23, 1867.

Area and survey.—Contains 21,406 acres, of which 14,000 are classed as tillable.² Surveyed.³

Acres cultivated.—The Indians have under cultivation 1,144 acres.⁴

Tribes and population.—The tribe living here is the Wyandotte. Population, 367.⁵

Location.—The reservation consists principally of wooded flint hills, dotted here and there with small arable prairies, combined with the rich valley and bottom lands.⁶

Government rations.—None issued.

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—School population, as estimated in 1886, 75. School reported with the Seneca Reservation.

SYNOPSIS OF TREATIES WITH THE WYANDOTTE INDIANS.

Treaty with the Wyandottes and other tribes, made at Fort McIntosh, January 21, 1785.

See Chippewa treaty of same date.—Michigan.

(See United States Statutes at Large, Vol. VII, p. 116.)

Treaty with the Wyandottes and other tribes, made at Fort Harmer, January 9, 1789.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 28.)

Treaty with the Wyandottes and other tribes, made at Greenville, Ohio, August 3, 1795

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 49.)

¹ United States Statutes at Large, Vol. X, p. 1053. ² Report of Indian Commissioner, 1884, p. 308. ³ *Ibid.*, p. 259. ⁴ *Ibid.*, 1886, p. 430. ⁵ *Ibid.*, p. 398. ⁶ *Ibid.*, p. 140.

Treaty with Wyandottes and other tribes, made at Vincennes, August 7, 1803.

See treaty with Kickapoos, same date.

(See United States Statutes at Large, Vol. VII, p. 77.)

Treaty with Wyandottes and other tribes, made at Fort Industry, July 4, 1805.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 87.)

Treaty with the Wyandottes and other tribes, made at Detroit, November 17, 1807.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 105.)

Treaty with the Wyandottes and other tribes, made at Bronston, Mich., November 25, 1808.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 112.)

Treaty with Wyandottes and other tribes, made at Greenville, Ohio, July 22, 1814.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 118.)

Treaty with the Wyandottes and other tribes, made at Spring Wells, Mich., September 8, 1815.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 131.)

Treaty with the Wyandottes and other tribes, made on Miami of the Lakes, September 29, 1817.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 160.)

Treaty with the Wyandottes and other tribes, made at St. Mary's, Ohio, September 17, 1818.

See Chippewa treaty, same date.

(See United States Statutes at Large, Vol. VII, p. 178.)

Treaty with the Wyandottes, made at St. Mary's, Ohio, September 20, 1818.

Indians cede two tracts of land in Michigan, containing about 5,000 acres, said tracts being reserved for use of Indians for fifty years under act of Congress, entitled "An act for the relief of certain Alabama and Wyandotte Indians," passed February 28, 1809. (Art. 1.) In consideration of cession 4,996 acres reserved near river Huron on same terms as provided for Alabama Indians in above act, except that Wyandottes shall hold said lands so long as they occupy the same. (Art. 2.)

Proclaimed January 7, 1819.¹

Treaty with Wyandottes, made at McCutcheonville, Crawford County, Ohio, January 19, 1832.

Wyandottes of Big Spring, Crawford County, Ohio, cede reservation of 16,000 acres, granted in article 2, treaty of September 17, 1818. (Art. 1.) Land to be surveyed and sold for benefit of tribe, which shall receive \$1.25 per acre for all land sold. (Art. 2.) Improvements on ceded lands to be appraised and purchased. (Art. 3.) Tract reserved for one chief. (Art. 4.) Wyandottes permitted to remove to river Harod, Michigan, where they own a reservation, or wherever they may obtain permis-

¹ United States Statutes at Large, Vol. VII, p. 180.

sion from other Indians to go. (Art. 5.) Said band being separated from Wyandottes of Upper Sandusky, a special agent to be employed. (Art. 7.) Treaty binding when ratified.

Proclaimed April 6, 1832.¹

Treaty with the Wyandottes in Ohio, April 23, 1836.

Indians cede three tracts in the county of Crawford herein described. (Art. 1.) Cession to be surveyed and sold as President may direct. (Art. 2.) President to appoint a register and receiver. (Art. 3.) Expenses of treaty and sale defrayed from proceeds of sale. (Art. 4.) Amount approved by chiefs to be used for rebuilding of mills, repairing of roads, and establishing of schools. The remainder to be distributed as annuities. (Art. 5.) All moneys except the last to be paid by receiver on order of chiefs. (Art. 6.) Certain tracts included in cession and set apart by treaty of September 29, 1817, to be sold and proceeds paid to those for whom they were set apart. (Art. 7.) If prices paid for land be unsatisfactory to chiefs receiver may close sale and President appoint some other time for sale. (Art. 8.) President to direct the execution of treaty. (Art. 9.)

Proclaimed May 16, 1836.²

Treaty with the Wyandottes, made at Upper Sandusky, Crawford County, Ohio, March 17, 1842.

Wyandottes cede the residue of their reservation, 109,144 acres, being all their lands in the State of Ohio; also 4,966 acres, their reservation on the river Huron, and all their lands in the State of Michigan. United States to pay \$500 towards removal of Huron River Indians. (Art. 1.) In consideration of foregoing United States grants a tract of 148,000 acres west of the Mississippi, to be located on lands now to be set apart for Indian use and not already assigned. (Art. 2.) Wyandottes to receive perpetual annuity of \$17,500 in specie; first payment to be made in 1842, and to include all former annuities. (Art. 3.) Also permanent provision of \$500 per annum for support of school, to begin in three years [1845]. (Art. 4.) Wyandottes to be paid full value of improvements in country ceded in Ohio and Michigan. (Art. 5.) United States to pay debts of Wyandottes to citizens of United States to amount of \$23,860. (Art. 6.) Wyandottes allowed use and occupancy of their homes until April 1, 1844. (Art. 7.) Blacksmith and shop to be provided. (Art. 8.) Also subagent and interpreter. (Art. 9.) Farm and buildings of Methodist Episcopal Mission to be possessed until April 1, 1844. (Art. 10.) All Wyandottes emigrating west to participate in benefits of annuity and other privileges. Those who do not emigrate or may cease to remain with the tribe not to be entitled to benefits aforesaid. (Art. 11.) Four hundred and eighty acres remaining of a grant to Wyandotte chief by treaty of September 29, 1817, to be sold for benefit of his heirs. (Art. 12.) Chiefs agree to remove their people west of Mississippi. The sum of \$5,000 to be paid chiefs when first detachment sets out; \$5,000 on arrival of whole nation in the west. (Art. 13.) United States to patent one section of land to Wyandottes herein named out of any lands west of Missouri set apart for Indian use and not otherwise claimed or occupied. Patent in fee-simple. (Art. 14.) Payment made to certain interpreters and chiefs. (Art. 15.) Grant of \$3,000 to the widow of a citizen living with Wyandottes for property destroyed in the War of 1812. (Art. 16.) Two acres of ground forever reserved and devoted to public use, to include stone meeting-house and burying-grounds north of Upper Sandusky; said tracts to remain forever open and free to all persons for purposes of interment and worship, and no other purposes whatever. (Art. 17.) Treaty binding when ratified. (Art. 18.)

Amended August 17, 1842; assented to September 16, 1842; proclaimed October 5, 1842.³

¹ United States Statutes at Large, Vol. VII, p. 364.

² *Ibid.*, p. 502.

³ *Ibid.*, Vol.

Agreement of December 14, 1843, approved by act of Congress July 25, 1848.

This act sanctions agreement made December 14, 1843, between the Wyandotte and Delaware Indians for purchase of certain lands by the former of the latter, with proviso. Delawares donate, grant, and quitclaim forever to Wyandottes three sections of land at the junction of the Missouri and Kansas Rivers. (Sec. 1.) Delawares grant to Wyandottes and their heirs thirty-six sections lying between the Missouri and Kansas, west of the aforesaid three sections. Land to be surveyed in as nearly a square form as rivers and territory will admit. (Sec. 2.) Wyandotte chiefs bind themselves and their successors in office and their people to pay Delawares \$46,080, as follows: The sum of \$6,080 to be paid in 1844, and \$4,000 annually thereafter for ten years. (Sec. 3.) Agreement not binding until approved by President. *Proviso:* That the Wyandotte Indian Nation shall take no better right nor interest in said lands than is now vested in the Delaware Nation of Indians.¹

Treaty with the Wyandottes, made at Washington, April 1, 1850.

Whereas by the first article of the treaty of March 17, 1842, the United States agreed, in consideration of cessions of Wyandotte lands in Ohio and Michigan, to grant a tract of 148,000 acres, besides annuities; and

Whereas the Wyandottes never did receive said amount of land but were forced to purchase land from the Delaware Nation on December 14, 1843, said purchase being ratified by Congress;

Therefore, in order to settle the claim against the United States the following treaty is agreed to:

The Wyandottes relinquish all claim to 148,000 acres of land to be given them under the treaty of March 17, 1842, and receive in lieu thereof \$185,000; \$100,000 to be invested at 5 per cent., interest to be paid at the time and in the manner of their present annuities, and \$85,000 to enable them to extinguish their just debts, including that due the Delawares for the purchase of their land. (Art. 1.) Reasonable expenses connected with this treaty to be paid by the United States.

Amended September 24, 1850; proclaimed September 30, 1850.²

Treaty with the Wyandottes, made at Washington, January 31, 1855.

At the ratification of this treaty Wyandottes to become citizens of the United States and to be entitled to all the rights, privileges, and immunities of such; to be subject to laws of the United States and the Territory of Kansas. Jurisdiction of the United States and of Territory to extend over Wyandotte country, but such of said Indians who may so desire, and shall make application accordingly, shall be exempt from immediate operation of preceding provision, and shall have the assistance and protection of the United States and Indian agent in their vicinity for such limited period as shall be determined by the Commissioner of Indian Affairs, and upon the expiration of such period they shall also become citizens of the United States. (Art. 1) Wyandottes cede all their tract purchased from the Delaware Indians for the purpose of said land being subdivided, assigned, and reconveyed by patent in fee-simple, except that portion now inclosed and used as a public burying-ground, which shall be permanently reserved for that purpose. Two acres, to include the church building of the Methodist Episcopal Church, and present burying-ground connected therewith, to be reserved and continued to that church. Two acres hereby reserved and conveyed to Methodist Episcopal Church South. Four acres adjoining Wyandotte Ferry near the mouth of the Kansas reserved, together with rights in said ferry to be sold to the highest bidder among the Wyandotte people. Proceeds to be paid to Wyandottes. Upon payment, patent to be conveyed from the United States, (Art. 2.) Land to be surveyed. Three commissioners appointed; one by United States, two by Wyandotte council, and the land to be assigned to individual members. Land to be as nearly as possible equal in quantity and value irrespective of improvements. Assignments to include the houses, and as far as practicable, the im-

¹ United States Statutes at Large, Vol. IX, p. 337. ² *Ibid.*, p. 987.

provements of each person or family. Full report and plat and schedule to be made, showing land assigned to each individual and quantity thereof, and also a list of members of the tribe, to exhibit, first, heads of families whom the commissioner considers competent to control and manage their own affairs, also such persons without families; second, those not competent; third, orphans, idiots, and insane. Council to appoint a proper person or persons to be representatives of those of the second class, and also guardians for the third class. Said appointments to be revised annually by the council. Also a list of persons applying to be temporarily exempted from citizenship. Said lists and action of the council to be filed with the Commissioner of Indian Affairs, and attested copies to be filed in the office of the secretary of Kansas, and clerk of county in which Wyandotte lands are situated. (Art. 3.) Patents in fee to be issued to those of the first class; to those of the second with a restriction upon sale for five years, and not then without the consent of the President. Said patents may be withheld so long as commissioner may deem it beneficial for the individual. None of the lands thus assigned and patented to be subject to taxation for five years from and after the organization of State government. Those of the incompetent class not to be alienated or leased for period longer than two years, and to be exempt from levy, sale, or forfeiture until otherwise provided by State legislation with the assent of Congress. (Art. 4.) Three persons appointed to appraise improvements belonging to the Methodist Episcopal Church South. Amount of appraisements to be paid said church by the individual to whom the lands having said houses or improvements have been assigned. Until payments made no patents or evidence of title to be issued. (Art. 5.) Wyandottes release the United States from all claims to annuities and school money, blacksmith, agent, and other assistants and material. In consideration of which the United States pays \$380,000, to be equally distributed in three installments, commencing October, 1855. Such annuities as have accrued and remain unpaid at the time of the payment of the first installment to be paid and considered as a final discharge of said annuity. (Art. 6.) The invested sum of \$480,000 by treaty of 1850 to be paid in two equal annual installments, commencing after the payment of the last installment as provided in article 6. Meanwhile interest, together with sum realized from ferry, to be used for support of schools. (Art. 7.) Persons included in the apportionment of lands or money to be actual members of Wyandotte Nation, or legal heirs and representatives according to the laws, usages, and customs thereof at the time of the ratification of this treaty. (Art. 8.) Grantees under former treaty of 1842 permitted to select lands west of Missouri and Iowa subject to pre-emption and settlement. Such selections to be patented with unrestricted rights. For those incapable of managing their own affairs, council to appoint guardians with full authority to make and execute a good and valid title. (Art. 9.) All expenses connected with the provisions of this treaty, except the survey and issue of patents, to be borne by Wyandottes. (Art. 10.) Treaty binding when ratified. (Art. 11.)

Proclaimed March 1, 1855.¹

Treaty with the Wyandottes and other tribes, made at Washington, February 23, 1867.

See Kaskaskia treaty, same date—Indian Territory.

(See United States Statutes, Vol. XV, p. 513.)

SAC AND FOX AGENCY.

[Post-office address: Sac and Fox Agency, Ind. T.]

SAC AND FOX RESERVATION.

How established.—By treaty of February 18, 1867.

Area and survey.—Contains 479,667 acres.² Tillable acres not reported. Surveyed.²

² United States Statutes at Large, Vol. X, p. 1159. ² Report of Indian Commissioner, 1884, p. 259.

Acres cultivated.—Not reported separately from the agency.

Tribes and population.—The tribes living here are the Otoe, Ottawa, Sac and Fox of the Missouri and of the Mississippi (including Moko-hoko's band). Total population, 1,025.¹

Location.—The reservation of the Sacs and Foxes of the Mississippi embraces about 750 square miles. About 10 per cent. is agricultural; the remaining 90 per cent. is rolling, with a considerable quantity of scrubby timber, mostly jack and post-oak, very much of which is fit for nothing but fire-wood. This land is fairly watered and affords good summer grazing; the winter grasses are limited, hardly sufficient to support the stock.²

Government rations.—None issued.

Mills and Indian employés.—One mill. Indian employés not reported.

Indian police.—Not reported.

Indian court of offences.—Established.

School population, attendance, and support.

School population as estimated in 1886 ³	115
Boarding-school accommodations.....	50
Average attendance.....	25
Boarding-school, cost to Government ³	\$4,038.97
In session (months).....	10

SYNOPSIS OF SAC AND FOX TREATIES.

*Treaty with Sac Nation and other tribes made at Fort Harmer, January 9, 1789.*⁴

See Chippewa treaty, January 9, 1789, page 421.

Treaty with the United Sac and Fox, made at St. Louis, November 3, 1804.

Protection of the United States acknowledged. (Art. 1.) Indians cede land from point on Missouri opposite the Gasconade River to 30 miles from the mouth of the Jeffreron River; thence to the Mississippi; thence to the mouth of the Wisconsin, up the same 36 miles; thence to Lake Sakaegan; thence down Fox River to the Illinois, and thence down to the Mississippi. (Art. 2.) The sum of \$2,234.50 in presents. Goods to be delivered annually to the amount of \$1,000; \$600 to Sacs, \$400 to Foxes. (Art. 3.) United States will never interrupt tribes in the possession of lands rightfully claimed, and will protect them in the enjoyment of the same against all persons who may intrude thereon. Tribe not to sell land to others than the United States. (Art. 4.) Offenders on both sides to be punished according to law. Stolen property restored to owners and full indemnification upon proof granted to Indians for property stolen from them. (Art. 5.) Intruders to be removed from Indian lands. (Art. 6.) Tribes to hunt on ceded land so long as it belongs to the Government. (Art. 7.) No traders but those authorized by the United States permitted. (Art. 8.) United States to establish a trading-house. (Art. 9.) Sac and Fox to cease war with the Osage. (Art. 10.) Two square miles for a fort granted on the upper side of Wisconsin or right bank of Mississippi. (Art. 11.) Treaty binding when ratified. (Art. 12.) Additional article: Spanish grants known and recognized by the tribes not affected by this treaty.

Proclaimed February 21, 1805.⁵

¹ Report of Indian Commissioner, 1834, p. 290. ² *Ibid.*, p. 93. ³ *Ibid.*, 1886, p. xcii. ⁴ United States Statutes at Large, Vol. VII, p. 28. ⁵ *Ibid.*, p. 84.

Treaty with certain peaceful bands of the Sac Nation on the Missouri, made at Portage Des Sioux, September 13, 1815.

Sac of Missouri assent to preceding treaty. (Art. 1.) United States agrees to furnish a just proportion of annuity. (Art. 3.) Indians agree to hold no intercourse with hostile Sac of Rock River. (Art. 2.)

Ratified December 26, 1815.¹

Treaty with the Fox Nation, made at Portage Des Sioux, September 14, 1815.

Injuries mutually forgiven. (Art. 1.) Peace between all individuals of Fox Nation. (Art. 2.) Prisoners on both sides released. (Art. 3.) Treaty of November 3, 1804, agreed to. (Art. 4.)

Ratified December 26, 1815.²

Treaty with the Sac Indians of Rock River, made at Saint Louis, May 13, 1816.

In pursuance of the ninth article of treaty of Ghent, for the putting an end to hostilities with Indian tribes, and restoring them their footing before the war.

Sac of Rock River confirm treaty of November 3, 1804. (Art. 1.) United States to put them on ante-bellum footing upon delivery of stolen property. (Art. 2.) Annuities to be withheld from those failing to comply. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed December 13, 1816.³

Treaty with the United Sac and Fox Indians, made at Fort Armstrong, Rock Island, Ill., September 3, 1822.

Indians release the United States from maintaining trading-house as provided in treaty of November 3, 1804.

Proclaimed February 13, 1823.⁴

Treaty with the Sac and Fox Indians, made at Washington, August 4, 1824.

Indians cede land lying in the State of Missouri from a line running from the Kansas River 100 miles north to northwest corner of State of Missouri, and thence east to Mississippi. Small tract between the Des Moines and Mississippi intended for half-breeds of Sac and Fox Nation. (Art. 1.) Indians not to hunt or settle on ceded land. (Art. 2.) The sum of \$1,000 down, in cash or merchandise, and \$1,000 annually for ten years. (Art. 3.) Stock, agricultural implements, and blacksmith furnished as long as President thinks proper. (Art. 4.) Annuities paid in cash, merchandise, or stock. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed January 18, 1825.⁵

See article 10, treaty with Sioux and other tribes, August 19, 1825, page 663.

Treaty with the confederated Sac and Fox and other Indians, made at Prairie des Chiens August 19, 1825.

Proclaimed February 6, 1826.⁶

See Sioux treaty, August 19, 1825, page 263.

Treaty with the confederated Sac and Fox and other Indians, made at Prairie Du Chien, July 15, 1830.

Proclaimed February 24, 1831.⁷

See Sioux treaty, July 15, 1830, page 265.

¹ United States Statutes at Large, Vol. VII, p. 134. ² *Ibid.*, p. 135. ³ *Ibid.*, p. 141.
⁴ *Ibid.*, p. 223. ⁵ *Ibid.*, p. 229. ⁶ *Ibid.*, p. 272. ⁷ *Ibid.*, p. 328.

Treaty with the confederated Sac and Fox and other tribes, made at Fort Armstrong, Ill., September 21, 1832.

Indians cede the land lying between the Red Cedar, the Iowa, and the Mississippi Rivers, as part indemnification for war just closed. (Art. 1.) Tract 400 miles square set apart by President as a reservation on the Iowa River. (Art. 2.) The sum of \$20,000 in specie for thirty years. (Art. 3.) Gun and blacksmith shops for thirty years, also 40 kegs of tobacco and 40 barrels of salt. (Art. 4.) Forty thousand dollars debts to traders provided for. (Art. 5.) Private grants. (Art. 6.) Prisoners to be delivered up by the United States, except Black Hawk and two sons and four other chiefs, to be held as hostages during the pleasure of the President. (Art. 7.) Hostile bands to be divided among neutral bands according to blood. (Art. 8.) Peace and friendship restored. (Art. 9.) Subsistence furnished to widows and orphans of warriors killed in the late war. (Art. 10.) Present made for finding mines. (Art. 11.) Treaty binding when ratified. (Art. 12.)

Proclaimed February 13, 1833.¹

Treaty with the Sac and Fox Indians of the Missouri, made at Fort Leavenworth, September 17, 1836.

Proclaimed February 15, 1837.²

See Iowa treaty, September 17, 1836, page 479.

Treaty with the Sac and Fox Indians, September 27, 1836.

They cede their right to land lying between the State of Missouri and Missouri River.

Proclaimed February 15, 1837.³

Treaty with the confederated Sac and Fox Indians, made at Dubuque, September 28, 1836.

Indians cede four hundred sections of land set apart by article 2, treaty of September 21, 1832. (Art. 1.) The sum of \$30,000 to be paid the following year; \$10,000 for ten years succeeding; \$48,458.87½ provided for debts. (Art. 2.) Nine thousand three hundred and forty-one dollars to be expended for horses. (Art. 3.) Tracts set apart for half-breeds. (Art. 4.) Provision for orphan children. (Art. 5.) Indians to remove within two months and not to hunt or fish within ceded territory. (Art. 6.) Iowas claiming a portion of this land; their claim to be investigated. (Art. 7.) Treaty binding when ratified. (Art. 6.)

Proclaimed February 27, 1837.⁴

Treaty with the Confederated Sac and Fox Indians, made at Washington, October 21, 1837.

Indians cede 1,250,000 acres lying just adjoining tract conveyed to them September 21, 1832. Also all interest in land ceded by confederated tribes on July 15, 1830. (Art. 1.) Ceded land to be surveyed at expense of United States. Sum of \$100,000 set apart for debts, \$28,500 in goods. Sum of \$10,000 to erect a grist-mill and support millers for five years. Sum of \$24,000 for breaking land, etc. Sum of \$2,000 for five years for farmers; horses and presents, \$4,500, \$1,000 of which for stipulation of blacksmith, treaty 1832. Two hundred thousand dollars invested at 5 per cent., to be expended under the direction of the President. (Art. 2.) Two blacksmiths to be maintained. (Art. 3.) Indians to remove from ceded tract, except Keokuk village; possession there for two years. (Art. 5.) United States to pay expense of treaty. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed February 21, 1838.⁵

¹ United States Statutes at Large, Vol. VII, p. 374. ² *Ibid.*, p. 511. ³ *Ibid.*, p. 516.
⁴ *Ibid.*, p. 517. ⁵ *Ibid.*, p. 540.

Treaty with the Sac and Fox of the Missouri, made at Washington, October 21, 1837.

Indians cede all country between the Missouri and Mississippi Rivers, all rights to hunt, and all claims in treaties of November 3, 1804; August 4, 1824; July 15, 1830; and September 17, 1836. (Art. 1.) Sum of \$160,000 payment, \$157,400 of which to be invested at 5 per cent. Two thousand five hundred dollars presents of merchandise; \$100 to interpreter. Blacksmith, farmer, and teacher to be provided at the discretion of the President and paid out of interest money. (Art. 2.) Expenses borne by United States. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed February 21, 1838.¹

Treaty with the Confederated Sac and Fox Indians, made at Sac and Fox Agency in Iowa, October 11, 1842.

Indians cede all land west of Mississippi, and reserving the right to occupy for three years tract on the Des Moines. (Art. 1.) The sum of \$800,000 at 5 per cent. and payment of debts amounting to \$258,566.34, according to schedule. President to assign a tract of land suitable for a permanent residence on the Missouri or some of its waters. Blacksmiths provided, one for Sac, one for Fox. Boundary on the Des Moines to be run. (Art. 2.) Indians to remove by or before three years to the tract on the Missouri. If they should remain longer to bear their own expense of removal. United States to furnish one year's subsistence. (Art. 3.) The sum of \$500 annually paid out of annuities to chiefs. (Art. 4.) Sum of \$30,000 to be annually retained for care of poor of Sac and Fox. (Art. 5.) Part of annuity money may be set aside for agricultural purposes. (Arts. 6 and 7.) Section granted to widow of General J. M. Street to include grave of their chief, and agency buildings. (Art. 8.) Treaty binding when ratified. (Art. 9.)

Proclaimed March 23, 1843.²

Treaty with the Sac and Fox Indians of Missouri, made at the city of Washington, May 18, 1854.

Indians cede all their reservation set apart by treaty of September 27, 1836, except fifty sections, if they can be found within the western part of the reservation. Selection must be made within six months, and description transmitted in manner described. (Art. 1.) The sum of \$48,000 to be paid as stipulated within four years. (Art. 2.) Reservation to be surveyed and allotted in severalty, and patented under regulations and restrictions as Congress may prescribe. (Art. 3.) Site of their present farm and mill to be retained for two years. (Art. 4.) One hundred and sixty acres patented to Presbyterian Board of Foreign Missions. (Art. 5.) United States released from all demands under previous treaties, and to remove themselves, in consideration of which United States to pay the sum of \$5,000. (Art. 6.) Interest on fund provided in treaty of October 21, 1837, to be expended under the direction of the President. (Art. 7.) Tribal money not be taken for private debts. (Art. 8.) Right to roads and highways same as through lands of citizens. (Art. 9.) Introduction of intoxicating liquors to be prevented; Indians to keep peace. (Art. 10.) President of Senate may adopt such policy in the management of the affairs of Indians as deemed best. (Art. 11.) Treaty binding when ratified. (Art. 12.)

Proclaimed July 17, 1854.³

Treaty with the Confederated Sac and Fox of the Mississippi, made at Sac and Fox Agency, October 1, 1859.

One hundred and fifty-three thousand six hundred acres of their present reservation set apart. (Art. 1.) Land assigned in severalty. Eighty acres to each person, 160 acres for the agency, and same for the schools. Allotments to be made in a body,

¹ United States Statutes at Large, Vol. VII, p. 543. ² *Ibid.*, p. 596. ³ *Ibid.*, Vol. X, p. 1074.

so as to present a well-defined boundary. Intermediate portions to be held in common. No intruders allowed. Certificates to allotments to be issued by Indian Commissioner. (Art. 2.) Remainder of reservation to be sold after being surveyed. (Art. 3.) Improvements to be appraised. Any surplus lying between the boundary of the land sold and the reservation set apart may be surveyed and sold. (Art. 4.) Debts to be paid out of proceeds of sale. (Art. 5.) If amount be insufficient, the balance to be taken from moneys accruing from former treaties. (Art. 6.) That all members of the tribe may share in the provisions of this treaty, absentees to return within one year. (Art. 7.) Expenses of the treaty to be paid by Indians. (Art. 8.) Right of way of roads same as through lands of citizens. (Art. 9.) Provision for half-breeds. (Art. 10.) Any funds heretofore held to be paid. (Art. 11.) Treaty binding when ratified. (Art. 12.)

Proclaimed July 9, 1860.¹

Treaty with the Sac and Fox of Missouri and Iowa tribes, made at Great Nemaha Agency, Nebraska, March 6, 1861.

See Iowa treaty, same date.

(United States Statutes at Large, Vol. XII, p. 1171.)

Treaty with the Sac and Fox of the Mississippi, made at Washington, February 18, 1867.

Indians cede to the United States the unsold portion, to be offered for sale according to treaty October 1, 1859, together with the improvements thereon. (Arts. 1 and 2.) United States to pay at the rate of \$1 per acre for the whole amount, about 157,000 acres, also to advance \$26,570 and interest for debts; amount to be refunded from proceeds of sale. (Art. 3.) Lands not to be occupied by settlers or used by railroad corporations until the removal of Indians by public notice. (Arts. 4 and 5.) In consideration of improvements on ceded lands, United States agrees to give Sac and Fox 750 square miles south of Cherokee lands. Selection made by Secretary of the Interior and delegations of Indians. Boundaries of reservation surveyed at cost not to exceed \$3,000. (Art. 6.) Agency buildings and dwelling-houses for chiefs to be built. (Art. 7.) Invested funds not to be used in payment of claims. (Art. 8.) Section of land set apart near the agency for manual labor school, \$10,000 for school building, and \$5,000 from income of funds, for support of school. (Art. 9.) Physician for five years, and \$350 for tobacco and salt. (Art. 10.) Grants of land for individuals. (Arts. 11, 12, and 13.) Sac and Fox of Missouri allowed to unite with Sac and Fox of Mississippi, upon approval of Secretary of Interior, and contribution of funds to common fund. (Art. 14.) The sum of \$16,400 for stock stolen from the Sac and Fox to be paid by the United States. (Art. 15.) United States to advance \$20,000 to assist Indians in removal. (Art. 16.) Certain members of the tribe entitled to selection to receive fee-simple patents according to schedule. (Art. 17.) Approval of the Secretary of the Interior necessary for sale of lands assigned in this treaty. (Art. 18.) Expenses of treaty borne by United States. (Art. 19.) Certain tract containing valuable improvements to be sold separately for the benefit of the tribe. (Art. 20.) All Sac and Fox Indians to be induced to reside on this reservation except those in State of Iowa. (Art. 21.)

Amended July 25, 1868. Assented to September 2, 1868. Proclaimed October 14, 1868.²

IOWA RESERVATION.

[Post-office address: Sac and Fox Agency, Ind. T.]

How established.—By Executive order, August 15, 1883.

Area and survey.—Contains 228,418 acres.³ Tillable acres not reported. Surveyed.⁴

¹ United States Statutes at Large, Vol. XV, p. 467. ² *Ibid.*, p. 495. ³ Report of Indian Commissioner, 1884, p. 258. ⁴ *Ibid.*, p. 259.

Acres cultivated.—Not reported separately from agency report of all the reservations.

Tribes and population.—The tribes living here are the Iowa and Tonkawa. Iowas number eighty-four.¹

Location.—The reservation lies between the Cimarron River on the north, Deep Fork Canadian River on the south, Sac and Fox Reserve on the east, and Indian meridian on the west.² The soil is sandy, grass grows fairly, so that in summer there is grazing. One-third of the reservation is timbered, and about 7 per cent. arable land.

Government rations.—None issued.

Mills and Indian employés.—Not reported.

Indian police.—Not reported.

Indian court of offences.—Not reported.

School population, attendance, and support.—School population, as estimated in 1886, 21. No separate school reported.

*Executive order.*³

AUGUST 15, 1883.

It is hereby ordered that the following-described tract of country in the Indian Territory, viz: Commencing at the point where the Deep Fork of the Canadian River intersects the west boundary of the Sac and Fox Reservation; thence north along said west boundary to the south bank of the Cimarron River; thence up said Cimarron River to the Indian meridian; thence south along said Indian meridian to the Deep Fork of the Canadian River; thence down said Deep Fork to the place of beginning, be, and the same hereby is, set apart for the permanent use and occupation of the Iowa and such other Indians as the Secretary of the Interior may see fit to locate thereon.

CHESTER A. ARTHUR.

For treaties relating to Iowas, see Iowa treaties—Kansas.

KICKAPOO RESERVATION.

How established.—By Executive order August 15, 1883.

Area and survey.—Contains 206,466 acres.⁴ Tillable acres not reported. Surveyed.

Acres cultivated.—Not reported separately.

Tribes and population.—The tribe living here is the Mexican Kickapoo. Population, 326.⁵

Location.—The reservation is a tract of land bounded on the north by the Iowa Reservation, on the east by that of the Sac and Fox, on the south by North Fork Canadian River, on the west by the Indian meridian; contains about 190,000 acres, of which 25 per cent. is covered with timber, post oak and jack oak; 65 per cent. high rolling prairie, and about 10 per cent. good agricultural land, lying mostly on the North Fork Canadian and its tributaries, though a portion of the upland prairie would produce fair crops.⁶

Government rations.—Five per cent. of these Indians subsisted by Government rations as reported in 1886.⁷

¹ Report of Indian Commissioner, 1886, p. 398.

² *Ibid.*, p. 144.

³ *Ibid.*, p. 330.

⁴ *Ibid.*, p. 383.

⁵ *Ibid.*, p. 398.

⁶ *Ibid.*, p. 144.

⁷ *Ibid.*, p. 416.

School population, attendance, and support.—School population, as estimated in 1886, 70. No separated school reported.

Missionary work.—Under Society of Friends.¹

*Kickapoo Reserve.*²

EXECUTIVE MANSION, August 15, 1863.

It is hereby ordered that the following-described tract of country in the Indian Territory, viz: Commencing at the southwest corner of the Sac and Fox Reservation; thence north along the western boundary of said reservation to the Deep Fork of the Canadian River; thence up said Deep Fork to the point where it intersects the Indian meridian; thence south along said Indian meridian to the North Fork of the Canadian River; thence down said river to the place of beginning, be, and the same hereby is, set apart for the permanent use and occupation of the Kickapoo Indians.

CHESTER A. ARTHUR.

POTTAWATOMIE RESERVATION.

How established.—By treaty of February 27, 1867; act of Congress approved May 23, 1872.

Area and survey.—Contained 575,877 acres.³ Tillable acres not reported. Two hundred and twenty-two thousand seven hundred and sixteen acres are Creek ceded lands, 353,161 acres are Seminole lands. Surveyed.⁴

Acres cultivated.—Not reported separately.

Tribes and population.—The tribes living here are the Absentee Shawnee, and Pottawatomie. Population, 1,087.⁵

Location.—The reservation lies south of North Fork of Canadian, west of Seminole Nation, north of South Canadian, East Indian meridian. About 40 per cent. is covered with timber similar to that of the Sac and Fox Reservation, 50 per cent. high rolling prairie suitable for grazing purposes, the remaining 10 per cent. fair to good agricultural land.⁶

Government rations.—None issued.

Indian police.—Not reported.

Indian court of offences.—Not reported.

*School population, attendance, and support.*⁷

School population, as estimated in 1886.....	285
Shawneetown school accommodations.....	86
Average attendance	40
Shawneetown school, cost to Government.....	\$5,645.79
In session (months)	11

Missionary work.—Society of Friends has charge of work among both tribes, and the Roman Catholic Church has a mission among the Pottawatomies.⁸

¹ Report of Indian Commissioner, 1886, p. 146. ² *Ibid.*, p. 330. ³ *Ibid.*, 1884, p. 258. ⁴ *Ibid.*, p. 259. ⁵ *Ibid.*, 1886, p. 398. ⁶ *Ibid.*, p. 143. ⁷ *Ibid.*, p. xcii. ⁸ *Ibid.*, p. 146.

SYNOPSIS OF TREATIES WITH THE POTTAWATOMIE INDIANS.

For treaties of January 9, 1789, and August 3, 1795, see Chippewa treaty, same date—Michigan.

Treaty with the Delawares, Shawnees, Pottawatomes, Miamis, Eel River, Weas, Kickapoos, Piankeshaws, and Kaskaskias, made at Fort Wayne, June 7, 1803.

Boundaries at Saint Vincennes, as held by French and British Government, defined as follows: Beginning at Point Coupée, on the Wabash; thence by a line north 78 degrees west 12 miles; thence by line parallel with Wabash until intersected by a line at right angles to the same passing through the mouth of White River; thence by this line across the Wabash and toward the Ohio 72 miles; thence by a line north 12 degrees west until intersected by line passing through Point Coupée, and by last line to place of beginning. United States reserves all lands adjacent to this part to which Indian title has been extinguished. (Art. 1.) United States relinquishes all claim to land adjoining. (Art. 2.) Indians cede the salt springs in Southern Ohio; United States to deliver 150 bushels to tribes. Three houses of entertainment to be erected on roads between Saint Vincennes and Kaskaskias and Clarksville, including ferries. (Art. 4.) If settlements by United States citizens fall within Indian country, boundaries to be changed. (Art. 5.)

Proclaimed December 26, 1803.¹

For treaty of July 4, 1805, see Chippewa treaty, same date—Michigan.

Treaty with the Delawares, Pottawatomes, Miamis, Eel Rivers, and Weas, made near Vincennes, August 21, 1805.

Delawares cede land claimed in article 4, treaty of August, 1804. (Art. 1.) Their right to do so acknowledged by other tribes to this treaty. (Art. 5.) Miami, Eel River, and Wea cede land between Fort Wayne and the Ohio, not including the Driftwood Fork of White River. (Art. 2.) Permanent annuity: Miamis, \$600; Eel River, \$250; Weas, \$250; Pottawatomes, \$500, for ten years. The sum of \$4,000 was delivered. (Art. 3.) Miamis, Eel Rivers, and Weas to be considered one nation, and as owners of country on Wabash and tributaries above the Saint Vincennes tract. This not to affect claims of Kickapoos. (Art. 4.) Annuities delivered in usual manner. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Proclaimed, April 24, 1806.²

For treaties of November 7, 1807, and November 28, 1808, see Chippewa treaty, same date—Michigan.

Treaty between the United States and the Delawares, Pottawatomes, Eel Rivers, and Miamis, made at Fort Wayne, September 30, 1809.

Indians agree to cede all that tract of country which shall be included between the boundary line established by the treaty of June 7, 1803, the Wabash, and a line from the mouth of Racoon Creek, 12 miles below the mouth of the Vermilion River, so as to strike the boundary line established by the treaty of August 21, 1805, at such a distance from its commencement at the northeast corner of the Vincennes tract as will leave the tract now ceded 30 miles wide at the narrowest place. Also, beginning at Fort Recovery, thence southwardly along the general boundary line, established by the treaty of August 3, 1795, to its intersection with the boundary line established by the treaty of August 21, 1805; thence along said line to a point from which a line drawn parallel to the first mentioned line will be 12 miles distant from the same, and along the said parallel line to its intersection, with a line to be drawn from Fort Recovery, parallel to the line established by the said treaty of August 21, 1805.

¹ United States Statutes at Large, Vol. VII, p. 74.

² *Ibid.*, p. 91.

(Art. 1.) Delawares' right to White River country acknowledged. Improvements made by them or the Moheicans to be theirs forever. (Art. 2.) Permanent annuity: Delawares, Miamis, and Pottawatomies \$500 each; Eel Rivers, \$250. (Art. 3.) Manner paying annuities similar to Greenville treaty. (Art. 4.) Consent of Weas to be obtained, for which annuity of \$300 to be paid. (Art. 5.) Five thousand two hundred dollars in addition annuities paid. (Art. 6.) Depredations upon Indians by Indians to be paid out of annuities. (Art. 7.) Agree to relinquish their right to the reservation at the old Ouroctenon towns, made by the treaty of August 3, 1795, so far at least as to make no further use of it than for the establishment of a military post. (Art. 8.) Annuity of \$400 granted if Kickapoos agree. (Art. 9.) Miamis being the larger owners of land ceded, further compensation made, \$500, to be expended in domestic animals for three years, beside blacksmith; and if Kickapoos agree to cession a permanent annuity of \$200. To Wea and Eel River further annuity of \$100 each. (Separate article.)

Proclaimed January 16, 1810.¹

Treaty with the Weas, made at Vincennes, October 26, 1809.

Weas consent to preceding treaty. Annuity of \$300 granted; \$1,500 delivered at treaty.

Proclaimed January 25, 1810.²

Treaty with the Kickapoos, December 9, 1809.

Indians agree to article 9, treaty of September 30, 1809, and cede land on Vermilion River. Annuity of \$100 and presents of goods. (Art. 1.) If Miamis should not agree to cession, and United States not take possession, annuity cancelled. (Art. 2.)

Proclaimed March 8, 1810.³

Treaty with the Pottawatomies, made at Portage des Sioux, July 18, 1815.

Injuries mutually forgiven. (Art. 1.) Perpetual peace and friendship. (Art. 2.) Prisoners to be delivered up at Fort Clarke, on the Illinois River. (Art. 3.) Former treaties confirmed. (Art. 4.)

Proclaimed December 26, 1815.⁴

For treaties of September 8, 1815; August 24, 1816; September 29, 1817, and September 17, 1818, see Chippewa treaty, same date—Michigan.

Treaty with Pottawatomies, made at Saint Mary's, Ohio, October 2, 1818.

Indians cede land as follows: Beginning at the mouth of the Tippecanoe River and running up the same to a point 25 miles in a direct line from the Wabash River; thence on a line as nearly parallel to the general course of the Wabash River as practicable, to a point on the Vermilion River 25 miles from the Wabash River; thence down the Vermilion River to its mouth, and thence up the Wabash River to the place of beginning. Also cede all their claim to the country south of the Wabash River. (Art. 1.) United States to purchase Kickapoo claim to said land. (Art. 2.) Perpetual annuity of \$2,500 in silver. (Art. 3.) Land granted to certain individuals. (Art. 4.)

Proclaimed January 15, 1819.⁵

For treaty of August 29, 1821, see Chippewa treaty, same date—Michigan.

For treaty of August 19, 1825, see Sioux treaty, same date—Dakota.

Treaty with the Pottawatomies, on the Wabash, October 16, 1826.

Indians cede land as follows: Beginning on the Tippecanoe River, where the northern boundary of the tract ceded by the treaty of October 2, 1818, intersects the same; thence in a direct line to a point on Eel River, half-way between the mouth of said river and Pierish's village; thence up Eel River to Seek's village, near the

¹ United States Statutes at Large, Vol. VII, p. 113. ² *Ibid.*, p. 116. ³ *Ibid.*, p. 117. ⁴ *Ibid.*, p. 123. ⁵ *Ibid.*, p. 185.

head thereof; thence in a direct line to the mouth of a creek emptying into the St. Joseph's of the Miami, near Metea's village; thence up the St. Joseph's to the boundary line between the States of Indiana and Ohio; thence south to the Miami; thence up the same to the reservation at Fort Wayne; thence with the lines of the said reservation to the boundary established by the treaty of October 6, 1818; thence with the said line to the Wabash River; thence with the same river to the mouth of the Tippecanoe River; and thence with the said Tippecanoe River to the place of beginning. Also cede all their rights to land within the following limits: Beginning at a point upon Lake Michigan, 10 miles due north of the southern extreme thereof; thence due east to the land ceded by treaty of August 29, 1821; thence south with the boundary thereof 10 miles; thence west to the southern extreme of Lake Michigan; thence with the shore thereof to place of beginning. (Art. 1.) Indians cede tract 100 feet wide for road from Lake Michigan to Wabash River. Also similar road through Indianapolis to the Ohio. (Art. 2.) Sale of sections to pay certain claims, amounting to \$9,573. (Art. 5.) Annuity of \$2,000 in silver for twenty-two years; also to build mill and provide miller and blacksmith; one hundred and sixty bushels of salt; \$2,000 for education, so long as Congress shall see proper. (Art. 3.) Also \$30,547.71 worth of goods. (Art. 4.) Grants to individuals. (Art. 6.) Indians to hunt on ceded land so long as property of United States. (Art. 7.) Certain articles only may be rejected. (Art. 8.) Treaty binding when ratified. (Art. 9.)

Proclaimed February 27, 1827.¹

Treaty with the Pottawatomies, made at Saint Joseph, Mich., September 19, 1827.

Ninety-nine sections heretofore reserved for Indians ceded to the United States. Treaty binding when ratified.

Proclaimed February 23, 1829.²

For treaty of August 25, 1828, see Chippewa treaty, same date—Michigan.

Treaty with the Pottawatomies, made at Saint Joseph, Mich., September 20, 1828.

Indians cede land as follows: (1) Beginning at the mouth of the Saint Joseph, of Lake Michigan, and thence running up the said river to a point on the same river half-way between La-vache-qui-pisse and Macousin village; thence in a direct line to the nineteenth mile tree on the northern boundary line of the State of Indiana; thence with the same west to Lake Michigan; and thence, with the shore of said lake, to the place of beginning. (2) Beginning at a point on the line run in 1817 due east from the southern extreme of Lake Michigan, which point is due south from the head of the most easterly branch of the Kankakee River, and from that point running south 10 miles; thence in a direct line to the northeast corner of Flatbelly's Reservation; thence to the northwest corner of the reservation at Seek's village; thence, with the lines of the said reservation and of former cessions, to the line between the States of Indiana and Ohio; thence with the same to the former-described line, running due east from the southern extreme of Lake Michigan; and thence with the said line to the place of beginning. (Art. 1.) Perpetual annuity of \$2,000; \$1,000 for twenty years; \$30,000 worth of goods; \$10,000 in goods and \$5,000 in specie to be paid in 1829. The sum of \$7,500 in clearing and fencing land, erecting houses, purchasing stock, farming implements, etc. Two thousand pounds of tobacco annually, besides iron and steel. Sum of \$1,000 per annum for education. Blacksmith permanently established. Three laborers provided. (Art. 2.) Grants to individuals. (Art. 3.) Claims amounting to \$10,895 paid.³ (Art. 4.) Value of mission station on Saint Joseph, when tribe removed, to be paid by the United States. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed January 7, 1829.⁴

For treaty of July 29, 1829, see Chippewa treaty, same date—Michigan.

¹ United States Statutes at Large, Vol. VII, p. 295. ² *Ibid.*, p. 305. ³ For claims, see *Ibid.*, p. 663. ⁴ *Ibid.*, p. 317.

Treaty with Prairie and Kankakee bands of Pottawatomie Indians, made at Tippecanoe, Ind., October 20, 1832.

Indians cede land as follows: Beginning at a point on Lake Michigan 10 miles southward of the mouth of Chicago River; thence in a direct line to a point on the Kankakee River 10 miles above its mouth; thence with said river and the Illinois River to the mouth of the Fox River, being the boundary of a cession made by them in 1816; thence with the southern boundary of the Indian Territory to the State line between Illinois and Indiana; thence north with said line to Lake Michigan; thence with the shore of Lake Michigan to the place of beginning. (Art. 1.) Tracts set apart within cessions. (Art. 2.) The sum of \$15,000 annually for twenty years. (Art. 3.) Payment of claims amounting to \$28,746 and \$45,000 worth of merchandise on signing treaty, and \$30,000 worth to be paid in 1833, and \$1,400 to certain Indians for horses stolen. Indians to hunt on ceded lands. (Art. 4.)

Proclaimed January 21, 1833.¹

Treaty with the Pottawatomies, at Tippecanoe, Ind., October 26, 1832.

The Indians cede the following tract: Beginning at a point on Lake Michigan where the line dividing the States of Indiana and Illinois intersects the same; thence with the margin of said lake to the intersection of the southern boundary of a cession made by the Pottawatomies at the treaty of October 16, 1826; thence east to the northwest corner of the cession made by the treaty of September 20, 1828; thence south 10 miles; thence with the Indian boundary line to the Michigan road; thence south with said road to the northern boundary line, as designated in the treaty of October 26, 1826; thence west with the Indian boundary line to the river Tippecanoe; thence with the Indian boundary line, as established by the treaty of October 2, 1818, to the line dividing the States of Indiana and Illinois, and thence north, with the line dividing the said States, to the place of beginning. (Art. 1.) Grants set apart. (Art. 2.) The sum of \$100,000 in goods at signing of treaty; \$80,000 worth, 1833; \$20,000 for twenty years. (Art. 3.) Debts amounting to \$62,412 to be paid. (Art. 4.) United States to assist Indians when they desire to emigrate. (Art. 5.) Saw-mill erected. (Art. 6.)

Proclaimed January 21, 1833.²

Treaty with the Pottawatomies of Indiana and Michigan Territory, made at Tippecanoe, Ind., October 27, 1832.

Indians cede all lands in Indiana and Illinois and in Michigan south of Grand River. (Art. 1.) Sixty-eight sections for different bands set apart. (Art. 2.) Tracts patented to individuals. (Art. 3.) The sum of \$15,000 for twelve years, and \$32,000 in goods; \$10,000 worth in 1833; debts amounting to \$20,721 to be paid; \$2,000 for education so long as Congress thinks proper. (Art. 4.)

Proclaimed January 21, 1833.³

For treaties of September 26, 1833, and September 27, 1833, see Chippewa treaty of same date—Michigan.

Treaty with the Pottawatomies, made at a camp on Lake Maxeeniekuckee, Ind., December 4, 1834.

The band cede two sections of land reserved for it by article 2, treaty October 26, 1832. (Art. 1.) Possession given in three years. (Art. 2.) Payment of \$400 in goods and \$400 cash. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed March 16, 1835.⁴

By treaties with the different bands of Pottawatomies, made in Indiana and dated December 10, 16, 17, 1834; March 26 and 29, April 11 and 22, August 5, September

¹ United States Statutes at Large, Vol. VII, p. 378. ² *Ibid.*, p. 394. ³ *Ibid.*, p. 399. ⁴ *Ibid.*, p. 467.

20, 22, and 23, 1836, the Indians cede to the United States the lands granted to them by the treaties of October 26 and 27, 1833, receiving as compensation a total amount of \$99,840 and payment of expenses of treaties, and agree to remove west of the Mississippi within two years.¹

Treaty with the Pottawatomies, made at Washington, February 11, 1837.

Indians agree to cessions of treaties of August 5 and September 23, 1836, of lands reserved by treaties of October 26 and 27, 1832, and will remove southwest of Missouri River within two years. (Art. 1.) Moneys promised in treaties of August and September, 1836, to be paid. (Art. 2.) Tract on Osage River, sufficient in extent for their wants, to be patented to Pottawatomies of Indiana, and one year's subsistence furnished on their arrival. (Art. 3.) United States to buy for \$4,000 tract of five sections near Rock village, reserved for Quikto by treaty of October 20, 1832. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Proclaimed February 18, 1837.²

For treaty of June 5 and 17, 1846, see Chippewa treaty, same date—Michigan.

Treaty with the Pottawatomie Nation, made at its agency, on the Kansas River, November 15, 1861.

Reservation in Kansas acquired by article 4, treaty of June 5 and 17, 1846, to be surveyed. Land allotted. Portions set apart in common. Remainder to be sold. (Art. 1.) Census of those desiring land in severalty and those land in common to be taken. Each chief allowed one section; head-man, half section; head of family, quarter section; other persons, 80 acres. Certificates to be issued. Land exempt from levy, and to be disposed of to United States only. Persons receiving certificates to relinquish all right to land assigned to others in severalty or held in common and proceeds of sale of same. (Art. 2.) President to grant a fee-simple patent and a division of tribal funds to any male head of family giving proof of capacity to manage his own affairs. Indian may become citizen by appearing in district court of Kansas, taking oath of allegiance and giving proof of civilized life and support of family for at least five years. (Art. 3.) Those persons desiring to hold land in common to have a similar quantity for each individual, as provided in article 2, and to relinquish all claim for land taken in severalty and proceeds of sale. (Art. 4.) Leavenworth, Pawnee and Western Railroad to have privilege of purchasing remainder of Pottawatomie lands at \$1.25 per acre, under restrictions set forth. Payment to be made in nine years. Company to have perpetual right of way over Pottawatomie lands not sold, not exceeding 100 feet in width, and to use gravel, stone, earth, and other material except timber for construction and operation of road. To make compensation for damages done while obtaining such material, any lands not purchased or forfeited by railroad company to be sold to highest bidder at auction. (Art. 5.) Three hundred and twenty acres of land, including church, school-houses, and fields, to be conveyed to three trustees of St. Mary's Roman Catholic Mission, the land to be used exclusively for the maintenance of a school and church so long as Pottawatomies occupy reservation. Three hundred and twenty acres to be conveyed to Baptist Board of Missions. (Art. 6.) Interest on improvement fund to be expended for agricultural implements. (Art. 7.) Any band desiring to remove, the United States to appraise and sell land and invest money for benefit of said band. (Art. 8.) Claims under former treaties to hold good. (Art. 9.) Allottees to have pro rata share of improvement fund for agricultural purposes. (Art. 10.) Treaty binding when ratified. (Art. 11.)

Proclaimed April 19, 1861.³

¹ United States Statutes at Large, Vol. VII, pp. 467, 468, 469, 490, 498, 499, 500, 501, 505, 513, 514, 515. ² *Ibid.*, p. 532. ³ *Ibid.*, p. 1191.

Treaty with the Pottawatomies, made at Washington, March 29, 1866.

Provisions of article of former treaty extended to adult persons without distinction of sex.

Proclaimed May 5, 1866.¹

Treaty with the Pottawatomies, made at Washington, February 27, 1867.

Delegation of Pottawatomies to accompany commission to select for the tribes in Kansas a reservation in Indian Territory not exceeding 30 miles square. Upon survey said tract to be patented to Pottawatomie Indians. (Art. 1.) New reservation to be purchased from money derived from the sale of lands to railroad under treaty November 15, 1861. Prairie band to have no interest in reservation, but in lieu to receive pro rata share of proceeds of sale in money. Atchison, Topeka, and Santa Fé Railroad may purchase unsold lands at \$1 per acre. Payment within five years as provided. (Art. 2.) New reservation never to be included in any State or Territory unless Indian Territory shall be organized. (Art. 3.) Register to be made of Indians desiring to remove and those desiring to become citizens as provided. No person to receive the proceeds of the sale of his land unless authorized by agent. (Art. 4.) Proceeds of sales to be expended for benefit of owner on new reservation. (Art. 5.) Provisions for citizenship re-affirmed. (Art. 6.) Allottees to have benefit of probate court. (Art. 8.) Amounts due Pottawatomies to be ascertained. (Art. 9.) Report made to Congress. (Art. 10.) Lands set apart for mission schools to be granted them in fee-simple, and purchase of certain lands by individuals authorized. (Art. 11.) Provisions of this treaty not to interfere with members holding their land in common. (Art. 12.) Inconsistent provisions of former treaties to be void. (Art. 13.) Expense of treaty to be paid by United States. (Art. 14.)

Proclaimed August 7, 1868.²

An act to provide homes for Pottawatomies and absentee Shawnees in the Indian Territory, May 23, 1872.

Citizen band of Pottawatomies.—Secretary of the Interior authorized to issue certificates of allotment to land lying within the 30-mile square tract heretofore selected for Pottawatomie Indians next west of Seminole Reservation. To each member of citizen band of Pottawatomie Indians, the head of a family or person over twenty-one years of age, 160 acres granted; to minors, 80 acres. Land to include improvements made by individuals. Certificates to individuals allotted. Land for exclusive use of assignees and their heirs. Until otherwise provided by law it shall be exempt from levy or sale and alienable or leased only to United States or Indians lawfully residing within said territory. Such allotments to be made to persons who have resided or shall hereafter reside three years continuously on such reservation. The cost of such lands to the United States to be paid from any fund held for benefit of such Indians and charged as their distributed share, or shall be paid for by said Indians before such certificates are issued. Said Indians shall neither acquire nor exercise under the laws of the United States any rights or privileges in said Indian Territory other than those enjoyed by the members of Indian tribes lawfully residing there. Indians may enforce tribal usages not inconsistent with the laws of the United States for the preservation of rights of person and property and shall be entitled to representation in the territorial council and subject to their laws. (Sec. 1.)

Absentee Shawnees.—Upon the satisfaction of the Secretary of the Interior any pure or mixed-blood absentee Shawnee, the head of a family or over twenty-one years of age, who has resided continuously for three years within the 30-mile tract before mentioned and made improvements thereon, shall receive a certificate of allotment for 80 acres, to include his or her improvements, and an additional 20 acres for each minor child belonging to the said family. Certificate issued with the same provisions as in preceding section. (Sec. 2.)³

¹United States Statutes at Large, Vol. XIV, p. 763. ²*Ibid.*, Vol. XV, p. 531. ³*Ibid.*, Vol. XVII, p. 159.

UNION AGENCY.

[Post-office address: Muskogee, Ind. T.]

CHEROKEE RESERVATION.

How established.—By treaties of February 14, 1833, of December 29, 1835, and of July 19, 1866.

Area and survey.—Contains 5,031,353 acres, of which 2,500,000 are classed as tillable.¹ Outboundaries surveyed.²

Acres cultivated.—Not reported separately in 1886.

Tribes and population.—The tribe living here is the Cherokee. Population, 22,000.³

Location.—See treaties for location.

The five civilized tribes, although under an agent, are not under an agency organization such as is common to other reservations.

The governments of the Five Nations are similar to the government of the State of Mississippi. Their constitution is based on that of the United States. The laws are "fitted to the condition of the people, and are affected to some extent by their ancient customs." "The treaties of the United States are declared the supreme law of the land, and the intercourse laws in pursuance thereof paramount." "Religious and political tolerance is secured, and the rights of person, property, and reputation protected." The title of the land is vested in the nation, and the citizen has the "indefeasible right" to occupy and control what he wishes to cultivate. The government is divided into the executive, judicial, and legislative departments.

The head of the executive division is called the principal chief. He has an advisory council of three selected by the national council, beside his secretaries. In this office are kept the archives of the nation. All warrants on the public treasury are drawn by the principal chief. The treasurer is a bonded officer, and is the custodian and disburser of the national funds, upon lawful warrants and appropriations. He has a salaried secretary. The executive department has also an auditor who supervises the accounts of the nation in its internal management.

The judicial department of the Cherokee Nation is composed of a district court for each of the nine political districts, with probate jurisdiction and original and exclusive jurisdiction over certain minor civil cases and misdemeanors, with right of appeal to circuit court, which meets semi-annually in each district. The circuit court has original jurisdiction over civil cases exceeding \$100 in value, and in felony cases. The right of appeal lies from the circuit court to the supreme court of the Cherokee Nation. In cases involving the death penalty one of the justices of the supreme court presides. The supreme court is composed of a chief-justice and two associate justices. It is a court of appeals, and with original jurisdiction in murder and treason cases. It provides rules and regulations, and its decisions govern the lower court.

Each of the nine political districts has its sheriff and subordinate officers, who keep records of the court meetings, all probate matter, transfers of property, permits granted United States citizens, brands of cattle, and other public matters. Each district has also its prosecuting attorney.

The legislative department is the "national council," composed of a senate and house, the latter called the "council." Senators and representatives are elected by the people, every man over eighteen having a vote, and voting *viva voce*. There are two clerks and two judges at each election precinct, one of each from the two rival parties, and they record the voter's choice in his presence.⁴

Education.

School population estimated at 4,660. The schools are under a board of education. The orphan asylum averages 150 children, and costs the nation \$19,080.92.

¹ Report of Indian Commissioner, 1884, p. 308. ² *Ibid.*, p. 259. ³ *Ibid.*, 1886, p. 398. ⁴ *Ibid.*, pp. 146-161.

Male seminary accommodation, 150; average attendance, 140. Cost to the nation, \$16,696.25.

Female seminary accommodation, 150; cost \$15,838.10. One hundred public schools scattered over the district in proportion to population, the neighborhoods furnishing the houses. Maximum number of pupils allowed in one school, 35. Maximum salary, \$50 per month. Cost of these schools, \$36,082.65. Total cost to nation for education, \$87,497.92.

Besides these public schools are the following:¹

Worcester Academy, Vinita, accommodation.....	150
Baptist mission, Tahlequah, accommodation.....	75
Presbyterian mission, Tahlequah, accommodation.....	60
Moravian mission, Oaks, accommodation.....	
Presbyterian mission, Childer's station, accommodation.....	50
Episcopalian school, Prairie City, accommodation.....	40
Presbyterian school, Locust Grove, accommodation.....	50

Besides others not reported. Aggregate attendance 4,091; average attendance 2,516.

SYNOPSIS OF CHEROKEE TREATIES.

Treaty made at Hopewell, on the Keowee River, November 28, 1785.

Indians restore all prisoners and property. (Art. 1.) United States to restore prisoners. (Art. 2.)

Acknowledge supremacy of United States. (Art. 3.) Boundary line of hunting grounds defined from mouth of Duck River northeast to Cumberland, 40 miles above Nashville, thence to the mountains of North Carolina and Georgia (Art. 4), on which no citizen is to settle. (Art. 5.) Indians agree to deliver up criminals. (Art. 6.) Citizens to be punished for offenses against the Indians. (Art. 7.) Retaliation prohibited. (Art. 8.)

United States to regulate trade. (Art. 9.) Citizens permitted to trade pending legislation. (Art. 10.) Indians to give notice of any design against the Government. (Art. 11.) May send a deputy to Congress. (Art. 12.) Peace established. (Art. 13.)²

Treaty made on the Holston River, July 2, 1791.

Perpetual peace (Art. 1) and protection of the United States acknowledged. (Art. 2.) Prisoners to be restored. (Art. 3.) Boundaries of hunting grounds to be marked, and all land to the right of line ceded; as payment, presents to be delivered and \$1,000 paid annually. (Art. 4.) Construction of road to the Mero district and navigation of Tennessee River agreed to. (Art. 5.) United States to have sole right of trade. (Art. 6.) Unceded lands solemnly guaranteed. (Art. 7.) No citizen to settle on Cherokee land (Art. 8) or to hunt. (Art. 9.) Indians to deliver up criminals. (Art. 10.) Citizens committing crimes in Indian Territory to be punished. (Art. 11.) Retaliation restrained. (Art. 12.) Notices to be given of designs against Government. (Art. 13.)

United States to furnish implements of husbandry, and interpreters. (Art. 14.) Animosities to cease. (Art. 15.) Treaty binding when ratified. (Art. 16.)

Proclaimed February 7, 1792.³

Additional Article, February 17, 1792, payment increased to \$1,500 annually. (See Art. 4.)

Proclaimed February 17, 1792.⁴

Treaty made on the Holston River, June 26, 1794.

Preceding treaty not having been carried into execution hereby declared binding. (Art. 1.) Boundaries of Cherokee lands to be marked. (Art. 2.) In lieu of other

¹ Report of Indian Commissioner, 1886, pp. lxxi-lxxii. ² United States Statutes at Large, Vol. VII, p. 18. ³ *Ibid.*, p. 39. ⁴ *Ibid.*, p. 42.

payments, the sum of \$5,000 to be paid yearly. (Art. 3.) For every horse stolen by a Cherokee and not returned within three months, the sum of \$50 to be deducted from annuity. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Proclaimed January 21, 1795.¹

Treaty made at Tellico, October 2, 1798.

By the delay in marking boundaries until 1797 divers citizens settled upon Indian lands and were removed by authority of the United States; to remedy this trouble, following treaty made:

Peace continued. (Art. 1.) Existing treaties to operate. (Art. 2.) Boundaries to remain, except as altered by the present treaty. (Art. 3.) Cession of territory along the Tennessee and Clinch Rivers. (Art. 4.) Boundary line to be run by two commissioners, one of whom shall be appointed by the Cherokees. (Art. 5.) Additional annuity of \$1,000 annually, and present of \$5,000 in goods, and continue the guaranty of the remainder of their country forever. (Art. 6.) Kentucky road through Cumberland Mountains to be free, and Indians to hunt on ceded land until it is settled. (Art. 7.) Notice of delivery of annuities to be given. (Art. 8.) The sum of \$60 to be paid for horses stolen by citizens or Indians. (Art. 9.) Ground given for agency. (Art. 10.)²

Treaty made at Tellico, October 24, 1804.

Cession of lands of Whafford's settlement in Georgia. (Art. 1.) Five thousand dollars in presents and \$1,000 in goods to be paid annually. (Art. 2.)

Proclaimed May 17, 1824.³

Treaty made at Tellico, October 25, 1805.

Provisions for peace in former treaties recognized. (Art. 1.) Cessions on Duck, Clinch, and Tennessee Rivers. Garrison and factory at Tellico removed to Tennessee River, opposite mouth of Hiwasa. Three square miles there reserved. (Art. 2.) Fourteen thousand dollars in merchandise and an annuity of \$3,000 to be paid. (Art. 3.) The road into Georgia and that to the settlements of the Tombigbee to be free. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Proclaimed April 24, 1806.⁴

Treaty made at Tellico, October 27, 1805.

Cession of land about Kingston and first island in Tennessee River above mouth of Clinch. (Art. 1.) Mail route from Knoxville to New Orleans to be free. (Art. 2.) One thousand six hundred dollars in money and merchandise to be paid. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed June 10, 1806.⁵

Treaty made at Washington, January 7, 1806.

Cession of country between Tennessee and headwaters of Duck River, except two tracts north of Tennessee River herein described, and other lands, and Long Island in Holston River. (Art. 1.) United States to pay \$2,000 in presents, \$2,000 for four years. Grist-mill and cotton-gin to be built, and Chief Black Fox to be paid \$100 annually during his life. (Art. 2.) Boundaries between Cherokees and Chickasaws to be established. (Art. 3.) Claims of Chickasaws to land reserved north of Tennessee to be settled by United States. (Art. 4.)

Proclaimed May 23, 1807.⁶

¹ United States Statutes at Large, Vol. VII, p. 43. ² *Ibid.*, p. 62. ³ *Ibid.*, p. 228.
⁴ *Ibid.*, p. 93. ⁵ *Ibid.*, p. 95. ⁶ *Ibid.*, p. 101.

Treaty made at Chickasaw Island, September 11, 1807.

Eastern limits of cessions of preceding treaty fully defined.
Proclaimed April 22, 1803.¹

Treaty made at Washington, March 22, 1816.

Cessions to South Carolina between Chattuga River and boundary between North and South Carolina. (Art. 1.) United States guaranties payment by South Carolina of \$5,000. (Art. 2.)
Ratified April 8, 1816.²

Treaty made at Washington, March 22, 1816.

Boundary line between Creek cessions of August 9, 1814, and Cherokee lands west of Coosa to be defined. (Art. 1.) United States to have right of opening and using roads north of aforesaid line through Cherokee country for intercourse between Tennessee, Georgia, and Mississippi. Cherokees to establish and keep ferries and public houses for the accommodation of citizens. (Art. 2.) Two Cherokee commissioners to assist in running boundary line of Creek cessions. (Art. 3.) Commission to lay out roads, one to be a Cherokee. (Art. 4.) The sum of \$25,500 indemnity for damage by United States troops to be paid. (Art. 5.)
Ratified April 8, 1816.³

Treaty made at Turkey Town, September 14, 1816.

Peace confirmed. (Art. 1.) Western boundary established from Tennessee River, opposite Chickasaw Island, along ridge between Tennessee and Tombigbee Rivers, southeast and along Coosa River. (Art. 2.) All lands west and south of the line ceded. The sum of \$5,000 paid, and \$6,000 annually for ten years. (Art. 3.) Boundary line to be marked. (Art. 4.) Council to be held for ratification of treaty. (Art. 5.)
Proclaimed December 30, 1816.⁴

Treaty made at the Cherokee Agency, July 8, 1817.

Whereas in 1808 a deputation from the upper and lower Cherokee towns represented to the President that the Indians of the upper town desired to contract their limits and to establish a regular government, and requested a dividing line to be drawn between the upper and lower town, so as to include the Hiwasee to the upper town. The lower town Cherokees desired to continue their hunter life and to remove beyond the Mississippi. The President, January 9, 1809, permitted an exploring party to go to the Arkansas and White Rivers to seek a country not occupied by other Indians. Said party having found a territory, send on their agents to notify President and relinquish to United States the land they had left. In order to secure equal distribution of annuities the following treaty was made:

Cessions of land in Georgia claimed by portion of Cherokees, now west of the Mississippi. (Art. 1.) The whole Cherokee Nation cede a tract herein described north of the Tennessee River (Art. 2), and also tracts reserved to individuals in the treaty of January 7, 1806. (Art. 10.) Census to be taken of those desiring to remove west of the Mississippi and of those desiring to remain east. (Art. 3.) Annuities to be divided proportionately between the two parties, and lands to be apportioned, that belonging to party going west to be ceded to the United States. (Art. 4.) United States to cede to the Cherokees upon the Arkansas and White Rivers the amount, acre for acre, of lands received by this treaty from them. All former treaties to remain in force with both parts of nation. (Art. 5.) Warriors to receive one gun and ammunition, one blanket, one brass kettle or beaver trap. Flat-bottomed boats and provisions

¹ United States Statutes at Large, Vol. VII, p. 103.² *Ibid.*, p. 138.³ *Ibid.*,p. 139. ⁴*Ibid.*, p. 148.

furnished on the Tennessee to emigrants. Those leaving improvements to receive full compensation for same. (Art. 6.) Improvements on ceded lands to be paid for or equal improvements made on new lands or the rental of improved lands applied to the care of the poor and decrepit remaining east of the Mississippi. (Art. 7.) To each head of a family desiring to become a citizen, 640 acres as a life estate. Reversion in fee-simple to children, the widow having her dower. In case such heads of families remove, land reverts to United States. Amount of land so reserved to be deducted from lands ceded in articles 1 and 2 given on the Arkansas. (Art. 8.) Free navigation of waters assured. (Art. 9.) United States to mark boundary of all ceded and guaranteed lands. (Art. 11.) No intruders on ceded lands until treaty ratified. (Art. 12.) Treaty binding when ratified. (Art. 13.)

Proclaimed December 26, 1817.¹

Treaty made at Washington, February 27, 1819.

Greater part of Cherokee Nation having expressed a desire to remain east of Mississippi, they cede to the United States tracts of land along the Tennessee and its tributaries. The reservation contained in article 2 of the treaty of October 25, 1805, and a tract equal to 12 square miles, herein defined, are ceded to the United States in trust for the Cherokee Nation as a school fund. It is agreed that the lands hereby ceded are in full satisfaction on account of the cessions to the Cherokees who have or may emigrate to the Arkansas. (Art. 1.) Improvements on ceded lands to be paid for, and any head of a family choosing to become a citizen of the United States to be allowed 640 acres in the ceded territory. (Art. 2.) To all persons whose names are upon the certified list of this treaty, 640 acres, including improvements, shall be given in fee-simple: *Provided*, They shall, within six months after the ratification of this treaty, notify the Cherokee agent of their intention to remain on the land. Also lands to ten persons as designated in said article. (Art. 3.) School fund provided as in article 1 to be invested in United States stocks, the interest to be applied under the direction of the President for education among the Cherokees east of the Mississippi River. (Art. 4.) Boundary lines to be run by commissioners. White intruders to be removed. (Art. 5.) Two-thirds of annuity paid to Cherokees east of Mississippi; one-third to those west. Objection to be filed within one year. (Art. 6.) Cherokees allowed to secure crops on said lands. (Art. 7.) Treaty binding when ratified. (Art. 8.)

Proclaimed March 10, 1819.²

Treaty made at Washington, May 6, 1828.

Whereas United States desires to secure to Cherokees a home guaranteed forever, around which the lines, or over which the jurisdiction, of a Territory or State shall be placed, and to avoid the cost which may attend negotiations to rid Arkansas, when it may become a State, of Choctaws and Cherokees; therefore the western boundary of Arkansas to be defined. (Art. 1.) United States guaranties to Cherokees forever 7,000,000 acres of land herein described. Also perpetual outlet west and free use of country west of western boundary as far as sovereignty of United States extends, provided it shall not interfere with lands assigned to the Creek or other Indians. (Art. 2.) Boundary lines to be immediately run. (Art. 3.) Any improvements abandoned by the establishment of the lines of territory in article 1 to be paid for. The improvements connected with agency to be sold and proceeds used to erect in Cherokee country a grist and saw mill. (Art. 4.) In consideration of this second removal from lands given by treaties of 1817 and 1819, and the reduced value of lands hereby given to Cherokees, the sum of \$50,000 to be paid; \$2,000 for three years for recovery of stock, \$8,760 for spoliations committed on the Cherokees, \$1,200 for damages to a chief, \$2,000 to be expended for period of ten years for education, \$1,000 for purchase of printing-press. Also to refund to benevolent societies sums expended, amount to be expended for buildings on new reservation. Five hundred dollars to the

¹ United States Statutes at Large, Vol. VII, p. 156.

² *Ibid.*, p. 195.

inventor of Cherokee alphabet for valuable saline. Thirty-five hundred dollars debts to United States trading-house remitted. (Art. 5.) United States agrees to survey the land and provide Cherokees with a set of plain laws. (Art. 6.) Cherokees to remove from Arkansas within fourteen months. (Art. 7.) To induce East Cherokees to emigrate, rifle, blanket, kettle, and 5 pounds of tobacco, to each head of family, compensation for property abandoned, transportation and support for one year, and \$50 for every four persons he shall take along, provided they are from the chartered limits of Georgia. (Art. 8.) United States reserves a tract, two miles wide and six miles long, at Fort Gibson, and road through Cherokee country to reach said fort. (Art. 9.) The sum of \$500 for damages to Captain Rogers. (Art. 10.) Treaty binding when ratified. (Art. 11.)

Proclaimed May 28, 1828.¹

Treaty made at Fort Gibson, February 14, 1833.

Whereas a portion of the land guaranteed to the Cherokees in the treaty of 1828 had already been ceded to the Creeks in 1826, the United States guaranties 7,000,000 acres, to be bounded as described, perpetual outlet west and free use of country west as far as sovereignty of United States extends. If salt plains are discovered west, on the said outlet, other tribes shall have a right to them in common with the Cherokees. Letters patent to be issued for land guaranteed. (Art. 1.) Cherokees to relinquish to the United States all lands guaranteed to them by the treaty of May 6, 1828, not contained in present limits of reservation. (Art. 2.) Article 6 of treaty of 1828 annulled. (Art. 3.) In consideration of new boundary United States to maintain mechanic shops during discretion of President and erect six patent railway corn-mills from sales of old agency, in lieu of mills, article 4, treaty of May 6, 1828. (Art. 4.) This treaty supplementary to preceding treaty. (Art. 5.) One square mile set apart for agency. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Proclaimed April 12, 1834.²

Treaty made at New Echota, Georgia, December 29, 1835.

Whereas difficulties have arisen in consequence of legislation of the States, the Cherokees cede to the United States all lands claimed by them east of the Mississippi for \$5,000,000 and all claims for spoliations to be submitted to Senate and \$300,000 allowed for them. (Art. 1.) Additional lands herein described west of the Mississippi conveyed in fee-simple in consideration of \$500. Tracts reserved to other tribes to be excepted out of said lands and price reduced accordingly. (Art. 2.) Military reservation at Fort Gibson when abandoned to revert to Cherokee Nation. United States to always have the right to establish military posts and roads in Cherokee country. Land set apart by treaty of February 14, 1833, including the outlet, to be patented to Cherokee Nation. (Art. 3.) Titles to tracts of lands given to half-breeds by treaty of 1825 with Osages to be extended for the benefit of Cherokees. Improvements in Union and Harmony Missionary Reservations to be purchased by the United States. (Art. 4.) The lands ceded to Cherokees shall not be included, without consent of Nation, in any State or Territory. Cherokees to govern themselves consistently with the Constitution of the United States and acts of Congress. Their laws not to extend to citizens and army travelling or residing in the Indian Territory. (Art. 5.) United States to protect the Cherokees from domestic strife and foreign enemies and intrusion from citizens of the United States. (Art. 6.) They shall be entitled to a delegate in House of Representatives whenever Congress shall make provision for the same. (Art. 7.) United States to provide steam-boats and baggage wagons for each detachment of Indians removed, and subsist them for one year after their removal, or each member of family to receive \$20 for his expenses and \$33.33 in lieu of

¹ United States Statutes at Large, Vol. VII, p. 311. ² *Ibid.*, p. 414.

one year's rations. Any Cherokee removing within two years entitled to above. (Art. 8.) Teachers accompanying Indians entitled to same terms. Improvements on lands, ferries, etc., owned by Cherokees to be appraised; also missionary establishments, and the amount paid over to Indians and missionary societies. Just debts paid out of money received from improvements or claims. (Art. 9.) The following permanent funds provided: \$200,000 in addition to present annuities to form a general fund, interest to be applied by the council of the Nation; \$50,000 orphan fund, interest for the education of orphan children; \$150,000 in addition to present school fund, interest to be applied by the council for the support of schools. Council to report to President, when required, on the application of these funds. Council can withdraw the funds and invest them as it thinks proper, by giving two years' notice and gaining consent of President and Senate. Nation to pay just debts held by citizens against Cherokees. The sum of \$60,000 appropriated for this purpose, and \$300,000 set apart to pay spoliations of every kind. (Art. 10.) Cherokees commute their permanent annuity of \$10,000 for \$214,000 invested and added to the general fund; present school fund of \$50,000 to be part of permanent school fund. (Art. 11.) Such families as are averse to removal west of the Mississippi, and desire to reside in the States of North Carolina, Tennessee, Alabama, and are qualified to become citizens on certificate of commissioner, are entitled to 160 acres of land at the minimum price, to include their present improvements. Others may locate within two years on any unoccupied lands. Committee of thirteen appointed to recommend such persons and transact other business, and \$100,000 given them to expend for the benefit of the poorer classes of Cherokees. (Art. 12.) All individuals to whom tracts have been ceded by previous treaties, said tracts having been sold by the United States, they and their heirs shall have a just claim for their value as unimproved lands. Individual Indians still possessing such lands are hereby confirmed in them. All persons entitled to tracts by the treaty of 1817 are confirmed in them. All such as were obliged by the laws of States to abandon their tracts or purchase them from the States, shall have just claim against the United States for the amount paid with interest thereon. If obliged to abandon the same they are entitled to their value as unimproved lands. Money to be paid by the United States as a just fulfillment of former stipulations. (Art. 13.) Wounded Cherokees taking the part of the United States in the War of 1812 entitled to pensions. (Art. 14.) Any balance remaining after payment and investments herein provided to be divided among the eastern Cherokees according to census. Those having gone west since June, 1833, to be paid for their improvements at honest valuation. (Art. 15.) Indians to move within two years. United States to protect and defend them and their property meanwhile, and restore or pay damages sustained by Indians dispossessed by the State law of December 18, 1835. Buildings at New Echota to be reserved for public use. Ceded lands to be immediately surveyed. (Art. 16.) Two commissioners appointed to examine all claims under this treaty. (Art. 17.) In consequence of unsettled affairs and suffering of the people, the annuities shall be extended in the next two years for provisions and clothing, this not to interfere with annuities due Western Cherokees. (Art. 18.) Treaty binding when ratified. (Art. 19.)

Proclaimed May 23, 1836.¹

Supplemental treaty made at New Echota, Georgia, March 1, 1836.

Whereas the President of the United States has expressed his determination not to allow any pre-emptions or reservations, his desire being that the whole Cherokee people should remove together and establish themselves in the country provided for them west of the Mississippi River :

All pre-emption rights to tracts provided for in Arts. 12 and 13 of the treaty of December 29, 1835, hereby relinquished. (Art. 1.) Referring to the Senate that spolia-

¹ United States Statutes at Large, Vol. VII, p. 478.

tion claims and expenses of removal be not included in \$5,000,000 allowed. (Art. 2.) Six hundred thousand dollars to include all expenses of removal and claims against the Government in lieu of said tracts and pre-emptions and of the sum of \$300,000 for spoliations described in Article 1, in preceding treaty; any surplus left from removal fund to be added to education fund. (Art. 3.) One hundred thousand dollars for the poorer classes to be added to the national fund, making it \$500,000. (Art. 4.) Expenses of treaty defrayed by United States. (Art. 5.)

Proclaimed May 23, 1836.¹

Treaty with the principal chief and delegates appointed by authorities of Cherokee Nation, delegation appointed by treaty party, delegation appointed by western Cherokees or old settlers, made at Washington, August 6, 1846.

Whereas difficulties have existed between portions of the Cherokee Nation, and unsettled claims exist against the United States, it is therefore agreed that the lands now occupied by the Cherokee Nation shall be secured to the whole people, and a patent to it issued in accordance with previous treaties, including 800,000 acres purchased, together with the outlet west, provided that such lands shall revert to the United States if the Indians become extinct or abandon the same. (Art. 1.) All past offenses to be pardoned and party distinctions to cease, and general amnesty declared. This amnesty to be extended to all who shall return within three months. Laws to be passed for equal protection and security of life, liberty, and property. All armed police and other military organizations to be abolished, and laws enforced by civil authority alone. United States to deliver up fugitives from justice to the Cherokee Nation for trial and punishment. (Art. 2.) Certain claims and expenses having been unjustly paid out of the fund of \$5,000,000, the amount to be re-imbursed by the United States. (Art. 3.) A certain portion of Cherokees known as "Western Cherokees" or "Old Settlers," to whom was ceded a certain tract of land by the treaty of 1833, hereby release to the United States all claim to the Cherokee lands east of the Mississippi, and withdraw exclusive ownership of all lands ceded to them by the treaty of 1833 west of Mississippi, which lands, together with that ceded by treaty of 1835, shall remain the common property of the whole Cherokee people, provided that all investments and expenditures properly chargeable to the \$5,600,000 be deducted, and that of the remainder a sum equal to one-third shall be distributed per capita to the "Old Settlers" and "Western Cherokees." The principle above defined to embrace all Cherokees who emigrated prior to the treaty of 1835. (Art. 4.) The per capita allowance for the Western Cherokees or "Old Settlers" to be held in trust by the Government, and a committee of five from their party, together with a United States agent, shall ascertain who are entitled to it. (Art. 5.) That portion of the Cherokees known as the "treaty party" having suffered losses by the treaty of 1835, the United States agrees to pay the sum of \$115,000, as provided herein. (Art. 6.) The value of salines, the private property of individuals of Western Cherokees, who were dispossessed of them, to be paid amounts found due and salines returned to their owners. (Art. 7.) Two thousand dollars for printing-press, etc., destroyed; \$5,000 to those whose arms were taken from them previous to removal; \$20,000 in lieu of all other claims prior to treaty of 1835, except school funds. (Art. 8.) A settlement promised of moneys due the Cherokees under treaty of 1835. (Art. 9.) Nothing in treaty to be construed as taking away or abrogating any rights or claims under treaty of 1835 of Cherokees now residing east of Mississippi. (Art. 10.) Questions pertaining to expense of subsistence after removal submitted to United States Senate. (Art. 11.) Treaty binding when ratified. (Art. 13.)

Amended August 8, 1846; proclaimed August 17, 1846.²

¹ United States Statutes at Large, Vol. VII, p. 488. ² *Ibid.*, Vol. IX, p. 671.

Treaty at Washington, July 19, 1866.

Treaty made between the Cherokee Nation and the Confederate States declared void. (Art. 1.) Amnesty declared for all crimes prior to July 4, 1866. (Art. 2.) Confiscation laws of Cherokees repealed and former owners restored to their rights. Purchaser of such property to be repaid by treasurer of Cherokee Nation from national funds, and cost of improvements to be fixed by commission and paid for in same manner. (Art. 3.) Cherokees and freed persons and free negroes permitted to reside in certain territory herein described, provided the amount of land be sufficient (Art. 4), and elect their local officers and delegates to general council, and control their local affairs in a manner not inconsistent with Constitution of Cherokee Nation and laws of the United States. President may suspend oppressive rules. (Art. 5.) Inhabitants of said district entitled to representation in national council, and all laws to be uniform throughout Cherokee Nation. (Art. 6.) United States court to be created in Indian Territory; until then nearest United States district court to have jurisdiction of civil and criminal cases between persons belonging to the two districts. Distinction between districts to be abrogated by President when Nation so vote. (Art. 7.) No licenses to traders without consent of Cherokee council except in specified districts—Canadian, and district north of Arkansas and west of Grand rivers occupied by Southern Cherokees. (Art. 8.) All freedmen and free colored persons who were in the country prior to 1861, and their descendants, to have the rights of native Cherokees. (Art. 9.) Cherokee products to be free from United States taxation. (Art. 10.) Right of way not exceeding 200 feet, excepting stations, switches, water stations, crossing rivers, and then only 200 additional feet, guaranteed for a railroad, or for two railroads, one north and south, other east and west. (Art. 11.) General council of delegates from each nation or tribe lawfully residing in Indian Territory to be annually convened. Census to be taken of all Indian tribes. Council to consist of one member from each tribe, and an additional member for each 1,000 Indians or fraction greater than 500, to be selected by the tribes who may assent to this council. Council to decide time and place of meeting. Session not to exceed thirty days; special session to be called by the Secretary of Interior. Said council to legislate on matters relating to the Indian tribes, administration of justice and common safety of all nations in Territory. No law shall be enacted inconsistent with the Constitution or laws of Congress or treaty stipulations. Legislative powers may be enlarged by the tribal consent, with the approval of the President of the United States. President of council to be designated by the Secretary of the Interior. Secretary to be paid \$500 by United States. Members of council to be paid by the United States \$4 per diem during the term, and \$4 for every 20 miles travelled going and returning. (Art. 12.) Judicial tribunals of the nation to have exclusive jurisdiction in civil and criminal cases between members of nation. (Art. 13.) With consent of national council 160 acres of unimproved land to be given to any society or denomination whereon to erect building for missionary or educational purposes; land or buildings so set apart not to be sold without consent of council and Secretary of the Interior, and proceeds of sale to be applied by said society for like purposes under approval of the Secretary of the Interior. (Art. 14.) United States may settle friendly civilized Indians on unoccupied lands east of ninety-sixth degree, in the following manner: A tribe abandoning its tribal relations may pay its proportion of money to the national fund and become a part of the Cherokee Nation. Or a tribe maintaining its tribal laws and usages not inconsistent with the Cherokee Constitution and laws, subject to the approval of the President and consent of council, may purchase a tract and pay a sum proportionate to their number and thereafter enjoy the rights of native Cherokees. Said payments to be added to the national fund. (Art. 15.) United States may settle friendly Indians west of ninety-sixth degree on lands to be in compact form at the rate of 160 acres for each person; said tracts to be conveyed in fee-simple to tribe or in severalty as United States may decide. Price as shall be agreed on to be paid to Cherokee Nation, which shall retain jurisdiction over all land west of ninety-sixth degree until so sold. (Art. 16l.)

A tract of land owned under article 2 of treaty of 1835 now lying in State of Kansas, ceded in trust to the United States and conditions of sale stipulated. (Art. 17.) Cherokee lands in Arkansas or east of Mississippi may be sold by national council under approval of Secretary of the Interior. (Art. 18.) Any head of family residing on ceded lands, or lands to be sold, shall be entitled to patent for 320 acres, including his improvements. (Art. 19.) Whenever council shall request it the Secretary of the Interior shall cause the Cherokee country to be surveyed and allotted. (Art. 20.) Boundary lines between Cherokee country and States of Missouri, Arkansas, and Kansas to be run and marked. (Art. 21.) National council may appoint an agent to examine the accounts with the United States agent, and to have free access to books in the Executive Departments. (Art. 22.) All Cherokee funds to be invested in United States registered stocks, interest to be applied as follows: 35 per cent. for educational purposes; 15 per cent. for orphan fund; 50 per cent. for general purposes; and United States may pay on order of national council debts caused by non-payment of annuities, not to exceed \$150,000. (Art. 23.) The Rev. Evan Jones, forty years a missionary, now a cripple, to receive \$3,000 out of nation's fund. (Art. 24.) Bounty and pay due dead Cherokee soldiers in the service of United States, having no heirs, to be applied to the foundation and support of orphan asylum, to be under the control of the national council or such benevolent society as it may designate, subject to approval of the Secretary. (Art. 25.) Peaceful possession and protection guaranteed against domestic feuds. (Art. 26.) One or more military posts to be established. Importation of liquors forbidden. Intruders to be removed. (Art. 27.) The sum of \$10,000 for provisions and clothing furnished the Army in 1861 and 1862. (Art. 28.) Expenses of delegation of Cherokees paid. (Art. 29.) Twenty thousand dollars to pay losses, and missionary societies for property destroyed by troops. (Art. 30.) Treaties not inconsistent with the present re-affirmed. (Art. 31.)

Amended July 27, 1866; assented to July 31, 1866; proclaimed August 11, 1866.¹

Treaty made at Washington, April 27, 1868.

Contract made in reference to the sale of Cherokee neutral lands, Kansas, with the American Emigrant Company, August 30, 1866, to be assigned to James F. Joy, of Detroit, Mich., and a contract entered into by said Joy and Orville H. Browning, October 9, 1867, to be relinquished and cancelled. The following modifications made in the existing contract: the sum of \$75,000 paid within ten days of ratification of treaty; other payments when they fall due, with interest from date of ratification thereof. All moneys paid to the Secretary of the Interior as trustee for Cherokee Nation.

Proclaimed June 10, 1868.²

CHICKASAW RESERVATION.

How established.—By treaty of June 22, 1855.

Area and survey.—Contains 4,650,925 acres, of which 2,300,000 acres are classed as tillable.³ Surveyed.⁴

Acres cultivated.—Not reported separately.

Tribes and population.—The tribe living here is the Chickasaw. Population, 6,000.⁵

Location.—See treaties for location.

The government of the Chickasaws is similar to that of the Cherokee Nation, already given. The Nation is divided into four counties.

¹ United States Statutes at Large, Vol. XIV, p. 799.

² *Ibid.*, Vol. XVI, p. 727.

³ Report of Indian Commissioner, 1884, p. 308.

⁴ *Ibid.*, p. 259.

⁵ *Ibid.*, p. 290.

Education.—The Chickasaw Nation has four large boarding schools:

School population, estimated, in 1886.....	1,200
Chickasaw Male Academy, Tishomingo (boys).....	100
Orphan Home, Lebanon (boys and girls).....	75
Wapanucka Academy (boys and girls).....	60
Female Seminary (girls).....	75
Fourteen common schools (average probably 20).....	280

Some students are educated in the States. Of the church and private schools no report is given.¹

SYNOPSIS OF CHICKASAW TREATIES.

Treaty made at Hopewell, January 10, 1786.

Indians to restore prisoners and property. (Art. 1.) Acknowledge the protection of the United States. (Art. 2.) Boundaries of their hunting grounds defined: The ridge dividing the waters of Cumberland and Tennessee, thence to mouth of Duck River north-west to Ohio River, thence to Mississippi, down the same to Choctaw line in Natchez district, and east to limit of land claimed. Trading-post reserved. (Art. 3.) No citizens to settle on Indian lands. (Art. 4.) Offenders to be delivered up for punishment by United States laws. (Art. 5.) Citizens to be punished for depredations upon Indians. (Art. 6.) Retaliation restrained. (Art. 7.) United States to regulate trade. (Art. 8.) Meanwhile citizens to trade. (Art. 9.) Indians to give notice of designs against United States. (Art. 10.) Peace and friendship established. (Art. 11.)²

Treaty made at Chickasaw Bluffs, October 24, 1801.

Right of way granted for road from settlements in the Mero district to those of Natchez, Miss. (Art. 1.) Seven hundred dollars in presents. President to assist Chickasaws to preserve peace. (Art. 2.) Treaty binding when ratified. (Art. 3.) Proclaimed May 4, 1802.³

Treaty made in the Chickasaw country, July 23, 1805.

The Chickasaws, being embarrassed with heavy debts to merchants and traders, cede to the United States land lying along the Ohio, Tennessee, and the Eastern Mountains; one mile square reserved on Tennessee below mouth of Duck River for Chief O'Coy. (Art. 1.) Twenty thousand dollars for debts; \$2,000 to George Colbert and O'Coy. Annuity of \$100 to chief of nation. (Art. 2.) Boundary to be established. (Art. 3.) No citizens allowed to settle in Indian country. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Proclaimed May 23, 1807.⁴

Treaty made in the Chickasaw country, September 20, 1816.

Peace and friendship perpetuated. (Art. 1.) Indians cede to the United States territory on the north and south sides of the Tennessee and on the Tombigbee. (Art. 2.) Receive \$12,000 per annum for ten years, and \$2,000 for improvements on east side of Tombigbee, and \$2,500 for improvements on the north side of Tennessee. (Art. 3.) Five tracts of land set apart so long as occupied, and when abandoned to revert to the United States as a portion of ceded territory. (Art. 4.) Line on south side of Tennessee River to be ascertained and marked. (Art. 5.) The sum of \$2,950 distributed in goods as presents to specified chiefs and warriors. Annuity of \$100 to William Col-

¹ Report of Indian Commissioner, 1886, p. lxxii. ² United States Statutes at Large, Vol. VII, p. 24. ³ *Ibid.*, p. 65. ⁴ *Ibid.*, p. 89.

bert for life. (Art. 6.) No more peddlers to be allowed to traffic in Chickasaw Nation. (Art. 7.)

Proclaimed December 13, 1816.¹

Treaty made at Oldtown, October 19, 1818.

Perpetual peace established. (Art. 1.) Cessions of land lying between Tennessee, Ohio, and Mississippi Rivers and thirty-five degrees north latitude. (Art. 2.) Twenty thousand dollars to be paid annually for fifteen years; \$3,115 for payment of debts, (Art. 3.) Reservation 4 miles square on River Sandy within ceded territory, and containing salt springs, set aside and regulations for salt trade made. (Art. 4.) Five hundred dollars compensation for a tract set apart to chief by treaty of September 18, 1816, and other tracts set apart by same treaty to inure to the heirs and assigns, under conditions similar to other citizens. Two hundred and fourteen dollars paid individuals for losses. (Art. 5.) Southern boundary of ceded territory marked and improvements to be paid for. (Art. 6.) Two thousand six hundred and fifty dollars in presents to chiefs and soldiers. Annuities hereafter to be paid in cash. (Art. 7.)

Proclaimed January 7, 1819.²

Treaty made on Pontitock Creek, October 20, 1832.

Indians cede to United States all their lands east of Mississippi. (Art. 1.) Ceded land to be surveyed and sold. (Art. 2.) Money received from sale, less the expenses of survey and selling, to be paid to Chickasaw Nation. (Art. 3.) Chickasaws to seek a home west of Mississippi. Should they fail they may take up allotments, including improvements, within ceded territory, and occupy the same until a country is obtained suited to their wants. United States to guaranty their quiet possession of allotments. After removal, said tracts to be sold. (Art. 4.) Improvements on lands to be valued, and payment provided for. (Art. 5.) Surveyor-general appointed to superintend survey of ceded land. (Art. 6.) No pre-emption rights or combination among purchasers permitted. (Art. 7.) All land possible to be sold at Government price; after that, at reduced rates. If after five years land remains unsold, further reduction in price made. (Art. 8.) Agent to reside among the Chickasaws. (Art. 9.) Money to be advanced from the proceeds of sales for expenses of removal and one year's provision. (Art. 10.) The money accruing from the sale of lands to be invested for the benefit of Chickasaw Nation. If, at the expiration of fifty years, President and Senate are satisfied of the capability of the Chickasaws to manage their own affairs, the fund may be passed over to their charge. (Art. 11.) One hundred dollars annuity provided for old chief and \$50 annuity for "Queen Puccaunla." (Art. 12.) Boundary line to be established between Chickasaws and Choctaws. (Art. 13.) Chiefs to furnish list of tracts taken by individuals, in accordance with article 4. List to be recorded in land office. (Art. 14.) No person to settle in the country before the land is sold. (Art. 15.)

Proclaimed March 1, 1833.³

Treaty supplementary to preceding treaty, made on Pontitock Creek, October 22, 1832.

Any tracts of land taken up under article 4 of preceding treaty shall not be leased, or land occupied after tribe remove. Three dollars per acre minimum price for said tracts. A section of land granted in lieu of debt. A land office to be established and mail-routes opened through the country about to be ceded.⁴

¹ United States Statutes at Large, Vol. VII, p. 150. ² *Ibid.*, p. 192. ³ *Ibid.*, p. 381. ⁴ *Ibid.*, p. 388.

Treaty made at Washington, May 24, 1834.

Peace and friendship established. (Art. 1.) Chickasaws being about to remove west of the Mississippi, the United States is pledged to protect and defend them against whites and other tribes of Indians, and to keep them without the limits of any State or Territory; Chickasaws pledge themselves not to make war unless authorized by the United States. (Art. 2.) White intruders to be prosecuted by United States agent. (Art. 3.) Stipulations as to the selling of tracts taken under article 4 preceding treaty. (Art. 4.) Amount of land taken by head of family under article 4 increased. (Art. 5.) Also tracts taken by persons over twenty-one. (Art. 6.) In mixed marriage, land belongs to Chickasaw woman. (Art. 7.) Land provided for orphans. (Art. 8.) Provisions for adjusting sectional lines. (Art. 9.) Special tracts given to persons named. (Art. 10.) Special provision for sale of the residue of ceded lands. (Art. 11.) Notice of sale to be given six months prior to sale. (Art. 12.) United States to advance money to purchase territory west of Mississippi for the establishing of mills, shops, and schools, and other needful purposes; furnish competent person to conduct them, and subsist them on their journey; money to be re-imbursed from sale. (Art. 13.) Articles 12 and 13 of treaty of October 20, 1832, in force. (Art. 14.) Boundary line as run by article 6; treaty of October 19, 1818, recognized. (Art. 15.) Appropriation made in 1833, to carry out treaty made with Chickasaws, to be applicable with this, and to be re-imbursed. (Art. 16.) Provisions for chiefs and debts, \$3,000. (Art. 1, supplementary.) Three thousand dollars for fifteen years appropriated for education of Chickasaw children within the United States by the consent of President and Senate. (Art. 2, supplementary.) Indians cede 4-mile tract set apart in article 4 of treaty of 1818. (Art. 3, supplementary.) (One thousand dollars stolen by slave of Chickasaw from agent refunded by United States. (Art. 4, supplementary.) Additional clerk for sale of land appointed. (Art. 5, supplementary.)

Proclaimed July 1, 1834.¹

Treaty between Chickasaws and Choctaws, made at Doaksville, Choctaw country, January 17, 1837.

Chickasaws to be allowed a district in the Choctaw country on the same terms that the Choctaws hold it, except the right of disposing of it. Choctaw and Chickasaw annuities to be held separately. (Art. 1.) Choctaw district designated. (Art. 2.) Chickasaws to pay the Choctaws \$530,000; \$30,000 in the manner that the Choctaw annuity of 1837 is paid, the remaining \$500,000 to be invested in Government stocks, interest to be paid annually. Twenty thousand dollars to be paid for four years, as the present Choctaw annuity is paid, and the residue subject to control of general council; after four years the entire interest to be subject to control of council. (Art. 3.) Differences between two nations to be decided by Choctaw agent, subject to appeal to President. (Art. 4.) Equal rights and privileges granted to both nations, except each nation to manage its own funds. (Art. 5.)

Proclaimed March 24, 1837.²

Treaty between United States and Chickasaws, made at Washington, June 22, 1852.

Chickasaws acknowledge guardianship of United States; agent to reside with tribe. (Art. 1.) Expenses of sale of lands having for some time exceeded receipts, President to dispose of remainder as deemed best. The tract of four acres near the town of Pontotoc, where many of the Chickasaws are buried, is set apart and conveyed to said town as a public burial ground forever. (Art. 2.) The rights of the Chickasaws to a reservation of four miles on the Sandy River, so long contended for, submitted to Secretary of Interior for decision. If anything shall be paid, the amount shall not exceed

¹ United States Statutes at Large, Vol. VII, p. 450. ² *Ibid.*, Vol. XI, p. 573.

\$1.25 per acre. (Art. 3.) Chickasaws alleging mismanagement in the disbursement of their funds and money held in trust for orphans and incompetents, a full exhibit of receipts and disbursements to be placed before the nation, to which objections may be filed. Secretary of Interior to adjudicate. (Art. 4.) Chickasaw fund to be still held in trust by United States, but such portions as tribe may require for permanent settlement shall be subject to control of general council. (Art. 5.) General council to be vested with powers heretofore conferred on certain persons in article 4 of the treaty of 1834. (Art. 6.) No claim to be paid by the United States out of Chickasaw funds unless allowed by general council. (Art. 7.) United States to furnish semi-annual accounts of receipts and disbursements of Chickasaw fund to the general council. (Art. 8.) Fifteen hundred dollars paid for expenses of treaty. (Art. 9.) Payments in the future to be made to parties primarily entitled thereto. (Art. 10.)

Amended August 13, 1852; assented to October 16, 1852; proclaimed February 24, 1853.¹

Treaty between Chickasaws and Choctaws, made at Doaksville, November 4, 1854.

Dispute having arisen, the boundary of Chickasaw district to be re-established as described. (Art. 1.) Chickasaws to employ a surveyor to mark the eastern boundary line and to pay his expenses. (Art. 2.)

Proclaimed August 10, 1855.²

Treaty between the United States and Chickasaws and Choctaws, made at Washington, June 22, 1855.

In pursuance of the act May 28, 1830, the Choctaw and Chickasaw country herein defined is guaranteed to them forever by the United States, provided no part shall be sold without the consent of both tribes, and the land to revert to United States should they abandon the same or become extinct. Choctaw and Chickasaw country defined as follows: Beginning at a point on the Arkansas River where the west line of the State of Arkansas crosses said river; thence south to Red River, up said river to where meridian one hundred degrees west longitude crosses the same; thence north on the meridian to main Canadian River, down said river to Arkansas River, and down said river to place of beginning. (Art. 1.) Chickasaw district defined as follows: Beginning at north bank of Red River at the mouth of Island Bayou; thence north-westerly along the channel of said bayou to the junction of three prongs of said bayou nearest to the ridge dividing the Washita and Low Blue Rivers; thence northerly to eastern prong of Island Bayou to source; thence north to Canadian River, up said river to ninety-eight degrees west longitude; thence south to Red River, down said river to place of beginning: *Provided*, If the eastern line shall not include Allen's or Wapanacka Academy within Chickasaw district, an offset to be made so as to leave said academy two miles within Chickasaw district to the north, west, and south. (Art. 2.) Remainder of country held in common by Choctaw and Chickasaw to constitute Choctaw district. Officers and people to have safe conduct and free passage through Chickasaw district. (Art. 3.) Present government within limits of Chickasaw district to remain in force until Chickasaws shall adopt a constitution and enact laws superseding said government. (Art. 4.) Members of either tribe may settle within jurisdiction of the other, but not participate in the funds belonging to the other. Citizens of both tribes shall have the right to institute and prosecute suits in the courts of either, under regulation prescribed by the respective legislatures. (Art. 5.) Extradition of criminals between the two districts. (Art. 6.) Tribes to govern themselves agreeably to the Constitution and laws of the United States. Intruders to be removed by United States agent. (Art. 7.) In consideration of the foregoing stipulations, Choctaws to be paid \$150,000 out of Chickasaw trust fund. (Art. 8.) Choctaws cede to

¹ United States Statutes at Large, Vol. X, p. 974.

² *Ibid.*, p. 1116.

United States all lands west of one hundred degrees west longitude. Choctaws and Chickasaws lease to the United States their own country west of ninety-eight degrees for the permanent settlement of the Wichita and such other tribes as United States may desire, excluding all Indians of New Mexico and those north of Arkansas and Canadian Rivers, and including those south of the Canadian or between it and the Arkansas. These Indians to be under the exclusive control of the United States. The country so leased shall remain open to settlement by Choctaws and Chickasaws. (Art. 9.) United States to pay Choctaws \$600,000, Chickasaws, \$200,000, in such manner as general councils direct. (Art. 10.) Senate to decide what, if any, and how the price should be paid Choctaws for lands remaining unsold of those ceded by the treaty of 1830. (Art. 11.) If Senate award payment, Choctaws to receive it in satisfaction for all claims against United States, and pay from it all individual claims. (Art. 12.) Sums due under existing treaties to be paid, and funds invested to be still held in trust. (Art. 13.) United States to protect the Chickasaws and Choctaws from domestic strife and hostile invasion by other Indians and of white intruders; and for injuries so resulting United States guaranties payment according to rules in cases of depredations by Indians. (Art. 14.) Indians to deliver up persons guilty of offenses against the laws of States or the United States. (Art. 15.) Traders to pay compensation for land and timber used by them. (Art. 16.) United States shall have the right to establish military posts, roads, and agencies. (Art. 17.) Right of way for railroads or telegraph lines guaranteed. Property taken to be compensated for. (Art. 18.) Boundaries of countries herein described to be established. (Art. 19.) This to supersede all other treaties inconsistent therewith between the United States and the Chickasaws or Choctaws, singly or together. (Art. 21.) Expenses of treaty paid by United States. (Art. 22.)

Proclaimed March 4, 1856.¹

Treaty made at Washington, April 28, 1866.

Peace established between the Choctaws, Chickasaws, and the United States. (Art. 1.) Slavery to cease. (Art. 2.) Indians cede to the United States the territory west of ninety-eighth meridian of west longitude known as the "leased district" for \$300,000 to be invested at five per cent., to be paid when certain conditions toward the ex-slaves are complied with as herein set forth. (Art. 3.) A portion of this money to be advanced. (Art. 4.) Provision for civil rights of freedmen. (Art. 5.) General amnesty granted for past offenses. (Art. 6.) Right of way through Territory for two railroads granted on compensation being made. Indians to be permitted to subscribe to stock or make land grants, etc. (Art. 7.) Indians agree to such legislation as Congress shall deem necessary for better administration of justice, provided it does not interfere with or annul their present tribal organization. (Art. 8.) Choctaws and Chickasaws agree to formation of a council elected by tribes lawfully resident in the Indian Territory, with powers as herein described. Courts to be organized as Congress may prescribe. Superintendent of Indian affairs to be Governor of the "Territory of Oklahoma," with officers as described. When council shall so desire, Congress to permit the division of the council into an upper and lower house as herein set forth. (Art. 9.) Funds invested previous to 1861 for purposes of education to remain so invested, and interest to be applied for that purpose. (Art. 10.) Annuities entered into prior to the late War renewed after the close of the fiscal year of 1866. (Art. 11.) At the request of the general council, the United States will survey the lands of the Choctaws and Chickasaws that they may be taken in severalty. Also print maps of same and establish a land office at Boggy Depot, Choctaw Territory. (Arts. 12, 13.) Notice of said provision given to all members of tribe residing outside of lands. (Art. 14.) Tracts of land to be set aside for seats of justice, schools, etc. (Art. 15.) One hundred and sixty acres of land to be taken by each individual. (Art. 16.) Occupants may abandon improvements and select other lands. (Art. 17.)

¹ United States Statutes at Large, Vol. XI, p. 611.

Missionary establishment not to be interfered with. Missionary of five or more years standing permitted to select quarter section. (Art. 17.) Parents to select land for children. (Art. 18.) Selection to be registered at land office. Legal subdivisions to be observed. (Art. 19.) Proof of improvements to be made prior to entries, also number of persons a parent or guardian is entitled to select for. (Art. 20.) Sections 16 and 36 in each township to be reserved for school purposes; if occupied or sterile, other sections to be selected. (Art. 21.) Military posts permitted not exceeding 1 square mile. When abandoned, land to revert to Nation. (Art. 22.) Suitable books of registry to be kept at land office. (Art. 23.) Provisions for laying off town lots. (Art. 24.) Patents to be issued by President of United States, countersigned by chief executive of Nation for selected land. (Art. 25.) Rights given to all persons who may become citizens by adoption or intermarriage (Art. 26), and they shall be subject to the laws of the Nation. (Art. 38.) How disputes concerning land shall be settled. (Arts. 27, 28.) Descent established. (Art. 29.) Not over 10,000 Kansas Indians to be received as citizens, and entitled to allotments after Choctaws and Chickasaws and persons of African descent have selected. (Arts. 30, 31.) After two years, documents in land offices to be given to Choctaws and Chickasaws; future patents to be issued as legislative authorities may provide. (Art. 32.) Unselected land to be common property for Choctaw and Chickasaw. (Art. 33.) Persons prevented from selecting within ninety days may select afterward. (Art. 34.) Selections made after a transfer of records to be in accordance with regulations of the legislature of the Nations. (Art. 35.) Selected land abandoned except such belonging to married women, minors, or incompetents, may be rented or otherwise disposed of for their benefit by the legislative authorities of the Nation. (Art. 36.) United States to pay \$1 per acre for lands selected for other Indians, one-fourth to go to Chickasaws, three-fourths to Choctaws. (Art. 37.) No person not a member of Nation to trade without a permit. (Art. 39.) Restrictions upon personal property removed. (Art. 40.) Members of Choctaw and Chickasaw Nations to be competent witnesses in civil and criminal suits in any court of the United States. (Art. 41.) Criminals against the United States to be delivered up on requisition of the Governor of any State or the United States. (Art. 42.) White intruders forbidden. (Art. 43.) Post-offices to be established and maintained. (Art. 44.) All former rights and immunities to remain in force. (Art. 45.) After the assignment of lands in severalty, annuities and funds to be capitalized and divided per capita. President to retain sufficient sum to defray the expenses of government of said nations with a judicious system of education, until these objects are provided for by proper system of taxation, when the sum shall be divided in manner already mentioned. (Art. 47.) Fifty thousand dollars allowed to Choctaw and Chickasaw commissioners for incidental and other expenses. (Art. 48.) Three commissioners appointed to settle damages of Indians loyal to the United States who were driven from their homes. (Art. 49.) Appointing of a commission to determine the claims of certain citizens of the United States for damages. Aggregate of these claims not to exceed \$90,000. (Art. 50.) Former treaty provisions inconsistent with present treaty to be null and void. (Art. 51.)

Amended June 28, 1866; assented to July 2, 1866; proclaimed July 10, 1866.¹

CHOCTAW RESERVATION.

How established.—By treaty of June 22, 1855.

Area and survey.—Contains 6,688,000 acres, of which 3,000,000 are classed as tillable.² Out-boundaries surveyed.³

Acres cultivated.—Not reported separately.

¹ United States Statutes at Large, Vol. XIV, p. 769. ² Report of Indian Commissioner, 1884, p. 308. ³ *Ibid.*, p. 259.

Tribes and population.—The tribe living here is the Choctaw. Population, 16,000.¹

Location.—See treaties for location.

The government of the Choctaws is similar to that of the Cherokee Nation, already given. The nation is divided into three districts, each district subdivided into counties.

EDUCATION.

Wheelock Orphan School (boys and girls)	50
New Hope Seminary (girls).....	100
Spencer Academy (boys)	100
Old Spencer	50
School population estimated in 1886	3,600
Public schools, first district:	
Number	41
Number of children.....	750
Public schools, second district:	
Number	35
Number of children.....	716
Public schools, third district:	
Number	70
Number of children.....	1,200
High schools:	
Number	4
Number of children.....	300
Students sent to State colleges	24

Total number of public schools, 146; total number of children in public schools, 2,666; total in schools and colleges, 2,990.

Appropriated for support of above, \$62,800.

Improvements for accommodation of scholars are estimated to be worth \$200,000, besides others not reported.²

SYNOPSIS OF TREATIES WITH THE CHOCTAW INDIANS.

Treaty at Hopewell, January 3, 1786.

Prisoners to be restored. (Art. 1.) Indians acknowledge sovereignty of United States. (Art. 2.) Hunting grounds defined, the southern boundary being the thirty-first degree north latitude; three tracts 6 miles square reserved for United States trading-posts. (Art. 3.) No citizens to settle on Indian lands. (Art. 4.) Indians to deliver up criminals. (Art. 5.) Citizens committing crimes against Indians to be punished. (Art. 6.) Retaliation restrained. (Art. 7.) United States to regulate trade. (Art. 8.) Meanwhile citizens to be permitted to trade. (Art. 9.) Indians to give notice of designs against United States. (Art. 10.) Peace established. (Art. 11.)³

Treaty made at Fort Adams, on the Mississippi River, December 17, 1801.

Peace to be maintained. (Art. 1.) Wagon road to be made through Choctaw country. (Art. 2.) Land lying between the Yazoo and the thirty-first degree of north latitude, on the Mississippi, hereby ceded. Choctaw territory east of cession to be marked off. (Art. 3.) Indians to be notified of the time when survey shall be

¹ Report of Indian Commissioner, 1886, p. 398. ² *Ibid.*, p. lxxii. ³ United States Statutes at Large, Vol. VII, p. 21.

made. (Art. 4.) Two thousand dollars in goods and mechanics' tools as payment. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed May 4, 1802.¹

Treaty made at Fort Confederation, on the Tombigbee River, October 17, 1802.

Boundary line between United States and Choctaw to be re-marked. (Art. 1.) Land between the Chickasawhay, Mobile, and Tombigbee Rivers ceded to United States forever, in consideration of \$1. (Art. 2.) Boundary near mouth of Yazoo River to be altered. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed January 20, 1803.²

Treaty made at Hoe Buckintoopa, August 1, 1803.

Boundary line of cessions of preceding treaty established and following presents acknowledged in payment: Fifteen pieces of strouds, three rifles, one hundred and fifty blankets, two hundred and fifty pounds of powder, one bridle, one man's saddle, one black silk handkerchief.

Proclaimed December 26, 1803.³

Treaty made at Mount Dexter, November 16, 1805.

Further cessions on the Chickasawha and Pearl Rivers and their tributaries, and tracts reserved for individual Choctaws. (Art. 1.) Fifty thousand five hundred dollars in payment; \$48,000 of which to discharge debts due traders, \$2,500 to pay loss to persons named, and \$3,000 annually in goods. (Art. 2.) Annuity of \$150 granted to three chiefs, besides gifts of \$1,500 each. (Art. 3.) Boundary to be surveyed. (Art. 5.) Lease granted for establishments on roads through Choctaw country hereby confirmed. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Proclaimed February 25, 1808.⁴

Treaty made at Choctaw Trading House, October 24, 1816.

Cessions made on the Tombigbee River. (Art. 1.) Payment of \$6,000 annually for twenty years, and \$10,000 in merchandise at signing of treaty. (Art. 2.)

Proclaimed December 30, 1816.⁵

Treaty made at Doaks Stand, October 18, 1820.

Cessions.—Cessions on and east of the Mississippi River. (Art. 1.)

Reservation.—United States cede to the Cherokees a tract between the Arkansas and Red Rivers. (Art. 2.)

Survey.—Boundaries to be established. (Art. 3.) Boundaries east of Mississippi to remain until Choctaws become capable of citizenship. Congress to lay off to each individual a parcel of land. (Art. 4.)

Removal.—Each warrior removing west to receive a blanket, kettle, gun, etc., and corn for self and family while travelling thither and for one year's subsistence. (Art. 5.) Agent and blacksmith guaranteed to those moving west of Mississippi. (Art. 6.)

School fund.—Fifty-four sections of ceded land to be sold to make a school fund. Three-quarters to be appropriated to schools east, and one-quarter to schools west of Mississippi. (Art. 7.) Also additional tract sold to make a fund equal to \$6,000 a year for school purposes. (Art. 8.)

Individual tracts and payments.—Indians choosing to remain on ceded land may have one square mile, including improvements. (Art. 9.) An equivalent paid for improve-

¹ United States Statutes at Large, Vol. VII, p. 66. ² *Ibid.*, p. 73. ³ *Ibid.*, p. 80. ⁴ *Ibid.*, p. 98. ⁵ *Ibid.*, p. 152.

ments to those who remove. (Art. 10.) Choctaw soldiers in the Pensacola campaign to be paid what is due over the value of the blanket, shirt, flap, and leggings which have been delivered. (Art. 11.) Whisky traffic to cease. (Art. 12.) Choctaws to organize corps of light horse to act as police. (Art. 13.) Annuity granted to chief. (Art. 14.) Peace to continue. (Art. 15.) Treaty binding when ratified.

Proclaimed January 8, 1821.¹

Treaty made at Washington, January 20, 1825.

Cession and boundary.—All land lying east of a line beginning on the Arkansas 100 paces east of Fort Smith, thence due south to the Red River, hereby ceded back to United States; said line to be the permanent boundary between the United States and the Choctaws; United States to remove citizens west of line and prevent future settlements. (Art. 1.)

Payments.—Six thousand dollars to be paid annually forever. The sum to be applied for schools for twenty years. After that, invested in stocks. (Art. 2.) In lieu of agreement of article 8 of the treaty of October 18, 1820, \$6,000 to be paid for sixteen years. (Art. 3.)

Sales permitted.—Tracts set apart by ninth section of said treaty may, with the consent of the President, be conveyed by the Indians in fee-simple. Four other tracts granted with similar provision. (Art. 4.)

Debts and claims paid.—United States agrees to relinquish trading debts of Choctaws. (Art. 5.) The sum of \$14,972.50 paid to soldiers for Pensacola campaign. (Art. 6.) Modification of fourth article of treaty of October 18, 1820, by adding, "with consent of the Choctaw Nation." (Art. 7.) The sum of \$2,000 paid for spoliations committed by citizens. (Art. 8.)

Agent and blacksmith for Choctaws west of Mississippi. (Art. 9.) Peace maintained. (Art. 11.) Treaty binding when ratified. (Art. 12.)

Proclaimed February 19, 1825.²

Treaty made at Dancing Rabbit Creek, September 27, 1830.

Peace maintained. (Art. 1.)

Reservation patented.—Choctaw territory west of Mississippi conveyed to Choctaws, in fee-simple. (Art. 2.)

Cessions and removal.—Indians cede all their country east of Mississippi, and agree to remove between 1831 and 1833. (Art. 3.)

Self-government.—Choctaws to govern themselves. (Art. 4.)

United States protection.—United States to protect them. (Arts. 5, 7.)

Punishment of offenders.—Any Choctaw committing an act of violence against citizens to be delivered up to United States. (Art. 6.) Offenders against laws of States or United States to be delivered up by the Choctaws. (Art. 8.) Citizens of the United States may be expelled from Choctaw territory. (Art. 9.) Intruders removed and thieves of both races to be punished. (Art. 12.)

Traders, roads, and agent.—Traders to have written permit. (Art. 10.) United States to establish post-offices, military posts, roads, etc. (Art. 11.) Agent provided. (Art. 13.)

Citizens.—Choctaws desiring to remain east and become citizens may do so. Such persons not to lose rights of a Choctaw citizen except being entitled to share in annuity. (Art. 14.)

Payments, annuities, agency, and provisions.—Certain tracts heretofore granted to be sold by their owners. Annuities to chiefs for twenty years, and payment for other officers. (Art. 15.) United States to remove the Indians in wagons or steam-boats, and support them for one year, and shall take their cattle, paying in money or delivering an equivalent in stock. (Art. 16.) In addition to other annuities, \$20,000 for twenty years. (Art. 17.) Ceded lands to be surveyed. (Art. 18.) Tracts reserved to indi-

¹United States Statutes at Large, Vol. VII, p. 210.

²*Ibid.*, p. 234.

viduals. (Art. 19.) United States to maintain forty youths at school, to erect council-house and house for each chief, church for three districts; also \$2,500 to be paid annually for support of three teachers for twenty years. Three blacksmiths to be furnished for sixteen years, millwright for five years. Besides gifts of merchandise. (Art. 20.) Annuities to twenty warriors who fought with General Wayne. (Art. 21.)

Request to have a delegate in the House of Representatives submitted to Congress. (Art. 22.) Further provisions of land to individuals. (Arts. 2 and 4, supplementary.) Exploring party to go west of the Mississippi authorized. (Art. 3, supplementary.) Two square miles of land granted to trader for debts. (Art. 4, supplementary.)

Supplementary treaty, September 28, 1830. Proclaimed February 24, 1831.¹

*Treaty between Choctaws and Chickasaws, made at Doaksville, Choctaw country, January 17, 1837.*²

See Chickasaw treaty same date, p. 393.

*Treaty between Choctaws and Chickasaws, made at Doaksville, November 4, 1854.*³

See Chickasaw treaty same date, p. 394.

*Treaty between United States, Choctaws, and Chickasaws, made at Washington, June 22, 1855.*⁴

See Chickasaw treaty same date, p. 394.

*Treaty between United States, Choctaws and Chickasaws made at Washington, April 28, 1866.*⁵

See Chickasaw treaty same date, p. 395.

CREEK RESERVATION.

How established.—By treaty of February 14, 1833, June 14, 1885, and deficiency appropriation act of August 5, 1882. (See Annual Report, 1882, p. 54.)

Area and survey.—Contains 3,040,495 acres, of which 1,000,000 are classed as tillable.⁶ Outboundaries surveyed.⁷

Acres cultivated.—Not reported separately.⁸

Tribes and population.—The tribe living here is the Creek. Population, 14,000.⁹

Location.—See treaties for location.

The government of the Creek is similar to that of the Cherokee Nation, already given. The nation is divided into six districts.

¹ United States Statutes at Large, Vol. VII, pp. 333-340. ² *Ibid.*, Vol. XI, p. 573.
³ *Ibid.*, Vol. X, p. 1116. ⁴ *Ibid.*, Vol. XI, p. 611. ⁵ *Ibid.*, Vol. XIV, p. 769.
⁶ Report of Indian Commissioner, 1884, p. 303. ⁷ *Ibid.*, p. 259. ⁸ *Ibid.*, p. 290.

Education.

School population, estimated, 2,800.

Schools.	Attend- ance.	Cost.
One Levering boarding-school.....	100	\$7,000
One Wealaka boarding-school.....	100	7,000
One Asbury boarding-school.....	80	5,600
One Nu Yaka boarding-school.....	80	5,600
One Tallahassa boarding-school (colored).....	50	3,500
Twenty-two public common schools.....	25	8,800
Six public common schools (colored).....	25	2,400
Youths attending college in State.....	24	6,500
Total.....		46,400

Besides these there are church and private schools:

Presbyterian mission, Muscogee, accommodation.....	20
Harold Institute (Methodist) Muscogee, accommodation.....	100
Presbyterian school, Tulsa, accommodation.....	50
Kane's school (colored) Agency Hill, Muscogee.....	35
Private schools at Muscogee, Eufaula, etc. ¹	—

SYNOPSIS OF TREATIES WITH THE CREEK INDIANS.

Treaty made at New York, August 7, 1790.

Peace established. (Art. 1.) Supremacy of United States acknowledged. (Art. 2.) Prisoners and property restored. (Art. 3.) Northern and eastern boundaries established, beginning where old line strikes Savannah River, thence up to the top of Oc-cun-na Mountain, thence south-west to Cur-ra-hee Mountain, thence to the source of south branch of Oconee, and on down to the old line on Altamaha River; thence south to St. Mary's River. All land north and east of above boundary ceded. Goods delivered, and \$1,500 annuity granted. (Art. 4.) All land west and south guaranteed to Creek Nation. (Art. 5.) On which no citizen to settle (Art. 6) or hunt. (Art. 7.) Indians to deliver up criminals. (Art. 8.) Citizens committing crimes against Indians to be punished. (Art. 9.) Retaliation restrained. (Art. 10.) Indians to give notice of designs against United States. (Art. 11.) Domestic animals and implements to be furnished from time to time by the United States. (Art. 12.) Animosities to cease. (Art. 13.) Treaty binding when ratified. (Art. 14.)

Proclaimed August 13, 1790.²

Treaty at Coleraine, June 29, 1796.

Preceding treaty to be binding. (Art. 1.) Boundary line to be marked. (Art. 2.) Military and trading post to be established south of Altamaha River and near Oconee River. (Arts. 3 and 4.) President of United States to co-operate with Spain and the chiefs in fixing boundaries. (Art. 5.) Creeks relinquish any claim to territory ceded to Choctaws, Chickasaws, and Cherokees by treaties at Holston. (Art. 6.) Prisoners to be given up. (Art. 7.) Six thousand dollars worth of goods as presents. Also two blacksmiths to be employed. (Art. 8.) Animosities to cease. (Art. 9.) Treaty binding when ratified. (Art. 10.)

Proclaimed March 18, 1797.³

¹ Report of Indian Commissioner, 1886; p. lxxii.

² United States Statutes at

Large, Vol. VII, p. 35. ³ *Ibid.*, p. 56.

Treaty made at Fort Wilkinson, June 16, 1802.

Cessions on the Altamaha, Ocmulgee, and Appalachee Rivers. (Art. 1.) Three thousand dollars annually, \$1,000 to chiefs for ten years and \$10,000 in gift of goods, \$10,000 in payment of debts, \$5,000 to satisfy claims, and blacksmith furnished for three years. (Art. 2.) Garrisons to be maintained. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed January 11, 1803.¹

Treaty made at Washington, November 14, 1805.

Cessions on the Oconee and Ocmulgee Rivers. Military and trading post to be established. (Art. 1.) Road to Mobile granted. (Art. 2.) Twelve thousand dollars paid for eight years and \$11,000 for ten years succeeding. (Art. 3.) In lieu of former agreements, two blacksmiths furnished for eight years. (Art. 4.) Boundaries to be defined. (Art. 5.)

Proclaimed June 2, 1806.²

Treaty made at Fort Jackson, August 9, 1814.

As equivalent for the expenses of the recent war with the Creek Nation the Indians cede lands on the Coosa and Tallapoosa Rivers. The improvements of any friendly Indians within ceded territory to be reserved, and boundary line to be run. (Art. 1.) All land east and north of said line guaranteed to Creeks. (Art. 2.) Intercourse with the British and Spanish posts to cease. (Art. 3.) United States to establish military posts. (Art. 4.) All property taken to be surrendered to United States. (Art. 5.) Instigators of war to be given up. (Art. 6.) Corn to be supplied until crops are secured. (Art. 7.) Permanent peace established. (Art. 8.) Lines of Creek territory defined. (Art. 9.)

Proclaimed February 16, 1815.³

Treaty made at Creek Agency, Flint River, June 22, 1818.

Two tracts ceded on Altamaha River and Appalachee and Chattahooche Rivers. (Art. 1.) Twenty thousand dollars to be paid at once, and \$10,000 for ten succeeding years. (Art. 2.) Two blacksmiths furnished for three years. (Art. 3.) Boundary lines run and treaty binding when ratified. (Art. 4.)

Proclaimed March 28, 1818.⁴

Treaty made at Indian Spring, January 8, 1821.

Cessions on the Flint and Chattahooche Rivers. (Art. 1.) Certain tracts in ceded country to continue in possession of present Creek occupants. (Art. 2.) Tract for agency set aside on Flint River to revert to United States when agency shall be removed. (Art. 3.) Ten thousand dollars paid down and \$40,000 divided into fourteen annual payments. Also balance due State of Georgia by the Creek Nation for property taken or destroyed prior to 1802, not exceeding \$250,000. (Art. 4.) Boundary lines to be run. (Art. 5.)

Proclaimed March 2, 1821.⁵

Treaty made at Mineral Spring, January 8, 1821.

Claims against the Creek Nation and against citizens referred to decision of President. Commissioners of Georgia release the Creeks from claims prior to 1802 for \$250,000 and transfer said claims to United States.

Proclaimed March 2, 1821.⁶

¹ United States Statutes at Large, Vol. VII, p. 68. ² *Ibid.*, p. 96. ³ *Ibid.*, p. 120.
⁴ *Ibid.*, p. 171. ⁵ *Ibid.*, p. 215. ⁶ *Ibid.*, p. 217.

Treaty made at Indian Spring, February 12, 1825.

Indians cede all lands within State of Georgia and other lands north and west of line described. (Art. 1.) United States to give in exchange, acre for acre, lands west of Mississippi and between the Arkansas and Canadian Rivers. As equivalent for improvements on land ceded, and to pay for removal, \$400,000; \$200,000 to be paid down, \$100,000 when ready to remove, the first and second year after removal \$25,000 each, and the remainder in \$5,000 annual instalments until the whole is paid. (Art. 2.) Annuities to be divided between those emigrating and those remaining. (Art. 3.) Exploring parties authorized to select western territory. (Art. 4.) First payment to be made by commissioners negotiating this treaty. (Art. 5.) Other payments made in the West to be money or merchandise at option of Creeks. (Art. 6.) Blacksmith and wheelwright kept among people as long as President may think proper. (Art. 7.) Eighteen months allowed for removal. (Art. 8.) Treaty binding when ratified. (Art. 9.) Certain tracts ceded by their owner to the United States for \$25,000. (Additional article of February 14, 1825.)

Proclaimed March 7, 1825.¹

Treaty made at Washington, January 24, 1826.

Treaty of February 12, 1825, declared null and void. (Art. 1.) Indians cede to United States land in the State of Georgia east of Chattahooche River; also other tracts. (Art. 2.) Two hundred and seventeen thousand six hundred dollars to be paid. (Art. 3.) Perpetual annuity of \$20,000. (Art. 4.) Dissensions consequent on preceding treaty shall be amicably adjusted, and those who sign that treaty to be admitted to their privileges as members of Creek Nation. (Art. 5.) Deputation to be sent to examine and select country west of the Mississippi. President to determine its extent. (Art. 6.) Emigrating party to remove within two years; to be subsisted for one year. (Art. 7.) Agent, blacksmith, wheelwright, and interpreter to reside with emigrants. (Art. 8.) Presents of \$100,000 to chiefs and warriors influential in effecting removal. (Art. 9.) Damages sustained by party favoring removal to be ascertained and paid out of annuities. (Art. 10.) Improvements in ceded land to be valued and amount paid to owners. (Art. 11.) Possession of ceded country given within one year. (Art. 12.) All of their country unceded guaranteed to Creeks, and United States to make good losses sustained from citizens. (Art. 13.) Two sections granted for agency. (Art. 14.) Creeks have right to establish ferries on streams forming boundary. (Art. 15.) Creek commissioners to attend running of boundary lines. (Art. 16.) Treaty binding when ratified.

Proclaimed February 22, 1826.²

Supplementary article to preceding treaty, March 31, 1826. Further cessions made so as to embrace all Creek land within chartered limits of Georgia, for which the sum of \$30,000 is paid.³

Treaty at Creek Agency, November 15, 1827.

Former cessions not including all territory in Georgia, remaining lands now ceded, and \$27,491 paid to chiefs and head-men; also \$5,000 to be applied for support of three children at Choctaw Academy, Kentucky. One thousand dollars each for support of Withington and Asbury schools in Creek Nation under direction of War Department; \$2,000 for four horse mills; \$1,000 for purchase of cards and wheels; and \$5,000 to be paid in useful goods.

Proclaimed March 4, 1828.⁴

¹ United States Statutes at Large, Vol. VII, p. 237.
p. 289.

⁴ *Ibid.*, p. 307.

² *Ibid.*, p. 286.

³ *Ibid.*,

Treaty made at Washington, March 24, 1832.

Creeks cede all their land east of Mississippi River. (Art. 1.) Land to be surveyed. Tracts to include improvements reserved for individuals for five years unless sooner disposed of, and twenty sections to be sold for benefit of orphan children. No selection to include agency tract and improvements. Census to be taken of persons holding said tract. (Art. 2.) Said tracts may be sold on approval of President. (Art. 3.) Patents in fee simple to be given to Creeks holding tracts in five years. (Art. 4.) All intruders upon ceded land to be removed. (Art. 5.) Additional tracts granted by patent. (Art. 6.) Location to conform with survey and relinquish all claim for improvements. (Art. 7.) Twelve thousand dollars to be paid for five years, and \$10,000 for fifteen years following. (Art. 8.) The sum of \$100,000 for the payment of debts. (Art. 9.) The sum of \$16,000 for expenses of delegation. (Art. 10.) For ferries, bridges, and causeways in ceded country, \$3,000. Certain claims and annuities, \$500 to chiefs; \$14,000 to persons emigrating without expense to United States; \$3,000 to persons suffering losses by being prevented from emigrating. All payments except those of articles 9 and 10 to be taken out of funds derived from ceded land. (Art. 11.) United States to pay expenses of removal and subsist Indians for one year. Creeks to go or stay, as they please. (Art. 12.) Rifle ammunition to each warrior, one blanket to each family emigrating, \$3,000 for twenty years for education, and blacksmiths for twenty years as soon as people emigrate. (Art. 13.) Creek country west of Mississippi to be patented and Creek people are to govern themselves. No State or Territory ever to pass laws for the government of said Indians. United States to protect from hostile Indians. (Art. 14.) Treaty binding when ratified. (Art. 15.)

Proclaimed April 4, 1832.¹

Treaty made at Fort Gibson, February 14, 1833.

Friendship acknowledged. (Art. 1.) With consent of Creek and Cherokee delegates, boundaries of Creek country west of Mississippi established as follows: Beginning at the mouth of the north fork of the Canadian, thence north 4 miles, thence in a straight line to meet a line drawn from a point on the Arkansas opposite the east bank of Grand River at its junction with the Arkansas, and which runs a course south forty-four degrees west, 1 mile, to a post; thence along said line to the Arkansas, up the same and the Verdigris River to the old territorial line, along said line north to a point 25 miles from the Arkansas where the line crosses the same, thence at right angles west to the Mexico line, along said line southerly to the Canadian River, or to the boundary of the Choctaw country. The lines on the north bound the country of the Cherokees by treaty of February 14, 1833. (Art. 2.) United States to convey in fee simple. (Art. 3.) Country to be property of whole Creek Nation, including those east of Mississippi. Seminoles to have a permanent home in a district set apart in Creek country. (Art. 4.) Additional mechanics and mills to be furnished. One thousand dollars annually for education. (Art. 5.) Improvements made outside present boundary lines to be compensated for. (Art. 6.) Salt plains if within limits of boundary to be used by friendly Indians. (Art. 7.) Country herein described granted in lieu of that provided by treaty of January 24, 1826. (Art. 8.) Binding when ratified. (Art. 9.)

Proclaimed April 2, 1834.²

Treaty made at Fort Gibson, November 23, 1838.

Creeks relinquish all claim for property and improvements lost in consequence of emigration. (Art. 1.) United States agrees to compensate losers with \$50,000 in stock animals, to be distributed according to losses. (Art. 2.) Also 5 per cent. interest on

¹ United States Statutes at Large, Vol. VII, p. 366.

² *Ibid.*, p. 417.

\$350,000 to individual losers named in schedule attached, for twenty-five years. (Art. 3.) At end of that time interest to go to Creek Nation. (Art. 4.) The sum of \$21,103.33 to settle claims of early Creek emigrants. (Art. 5.) To relieve sufferings of Creek hostiles removed to Creek country, and \$10,000 in stock animals. (Art. 6.) Proclaimed March 2, 1839.¹

Treaty with United States, Creeks, and Seminoles, made at Creek Agency, January 4, 1845.²

See Seminole treaty, same date, p. 409.

Supplementary treaty made at Fort Gibson, June 13, 1854.

Third and fourth articles of treaty of November 23, 1838, annulled, and the \$350,000 therein provided as compensation for losses, to be divided and paid to individuals set forth in schedule of said treaty.

Assent of Senate, July 21, 1854.³

Treaty made with the United States, Creeks, and Seminoles, at Washington, August 7, 1856.

Seminole Country.—Creeks cede the following tracts to Seminoles: Beginning on the Canadian River at mouth of Pond Creek, a few miles east of ninety-seventh parallel west longitude, thence north to North Fork of Canadian, up said fork to southern line of Cherokee country, west of that line to one hundredth parallel of west longitude, thence south on said parallel to Canadian River, down said river to place of beginning. (Art. 1.)

Creek Country.—Bounded as in article 2, treaty of April 14, 1833, less the cession for the Seminoles. (Art. 2.) Land guaranteed to Seminole Indians and to Creek Indians by patent, provided that no part ceded to the Seminoles shall be sold without the consent of both tribes. (Art. 3.)

No State or Territory to pass laws for said tribe, nor country to be included in any State or Territory without their consent. (Art. 4.) Creek Indians relinquish all claim to other lands and all claims against United States except those provided for by treaties as set forth herein. (Art. 5.) In consideration for country ceded to Seminole Indians the Creeks receive \$1,000,000, \$200,000 of which to be invested at 5 per cent. for education; \$400,000 paid per capita; \$100,000 may be diverted for a national object; \$10,000 for arrears under act of March 3, 1837; \$120,000 for Creeks who emigrated before 1832; \$70,000 for individual claims; \$200,000 to be retained until Seminoles remove and then paid or invested. (Art. 6.) All interest on educational, mechanical and agricultural funds to be paid to treasurer of Creek Nation. (Art. 7.) Seminoles release the United States from all claims and demands. United States to pay \$90,000, \$3,000 for ten years for schools, \$2,000 for agricultural assistants, \$2,200 for mechanics' shops, to invest \$250,000 at 5 per cent., and a further \$250,000 when the Seminoles remaining in Florida shall have emigrated, the two sums then to constitute a fund belonging to the Seminoles. Interest to be paid per capita. (Art. 8.) United States agrees to remove all Seminoles now in Florida and furnish subsistence for one year; also to provide certain supplies. (Art. 9.) Seminoles agree to send delegation to Florida to effect the union of the tribe. (Art. 10.) Payments authorized to certain Indians. (Art. 11.) Agency for Seminoles. (Art. 12.) Creeks and Seminoles allowed to settle in each other's country, not to participate in each other's funds. (Art. 13.) Extradition of criminals between two tribes. (Art. 14.) Laws of Creeks and Seminoles not to be incompatible with the Constitution of United States. (Art. 15.) All offenders against the laws of States to be delivered up to the United States. (Art. 16.) Licensed traders to pay for use of land or timber. (Art. 17.) United States to protect Creeks and Seminoles from domestic strife or invasion.

¹ United States Statutes at Large, Vol. VII, p. 574.

² *Ibid.*, Vol. IX, p. 821.

³ *Ibid.*, Vol. XI, p. 599.

(Art. 18.) United States to establish military posts, roads, etc., through their country. (Art. 19.) Right of way for railroads and telegraph lines to be had by compensation. (Art. 20.) United States to survey boundaries. (Art. 21.) Amnesty for past offenses. (Art. 22.) An allowance made to treaty delegation. (Art. 23.) Seminoles may set apart a portion of their country for Florida Seminoles. (Art. 24.) Creek law to be enforced until Seminoles remove to their country. (Art. 25.) This treaty to supersede former inconsistent ones, but not to release the United States from any liability. (Art. 26.)

Amended August 16, 1856; assented to August 18, 1856; proclaimed August 28, 1856.¹

Treaty made at Washington, June 14, 1866.

Whereas the treaty made by the Creeks and Confederate States in 1861 was repudiated at the treaty of peace made at Fort Smith, September 10, 1865, the Creeks bind themselves to peace and friendship with the United States, and to permit military occupation of their country at any time. The United States to grant a general amnesty for all past offenses. (Art. 1.) Slavery to no longer exist, and rights of negroes defined. (Art. 2.) Creeks cede to United States 3,250,560 acres, the west half of their entire domain. United States to pay at the rate of 30 cents per acre \$975,168; in manner prescribed \$400,000; \$200,000 per capita for losses of Federal soldiers, loyal refugees, and freedman \$100,000; as lands sold to other tribes, \$275,168, to remain in the Treasury at 5 per cent. (Art. 3.) Losses of loyal refugee Indians and freedmen and soldiers enlisted in the Federal Army to be ascertained and paid from the above \$100,000. (Art. 4.) Right of way for a railroad north and south, east and west, granted. Compensation to be made for the land, none to be sold to persons outside of Creek Nation. (Art. 5.) Seminole tribe may sell to the United States all or any portion of Seminole lands. (Art. 7.) Boundary line of Creeks to be accurately surveyed. (Art. 8.) United States to erect agency buildings destroyed during the late War, Creeks relinquishing land for the purpose. (Art. 9.) Creeks agree to legislation by Congress for the better protection of life and property, which shall not interfere with their tribal organization. Agree to general council of delegates elected from each nation in the manner set forth. (Art. 10.) United States re-affirms all treaty obligations made prior to 1861, and renews annuity payments after the close of the fiscal year 1866. (Art. 11.) Land granted for missionary and educational purposes. (Art. 13.) Inconsistent treaty provisions annulled; \$10,000 appropriated for treaty expenses. (Art. 14.) Amended July 19, 1866; assented to July 23, 1866; proclaimed August 11, 1866.²

Agreement of February 14, 1881,³

Under the provisions of the act of March 3, 1873 (17 Statutes, p. 626), the Secretary of the Interior was authorized to negotiate with the Creek Indians "for the relinquishment to the United States of such portions of their country as may have been set apart in accordance with treaty stipulations for the use of the Seminoles and the Sacs and Foxes of the Mississippi tribes of Indians, respectively, found to be east of the line separating the Creek ceded lands from the Creek Reservation, and also to negotiate and arrange with said tribes for a final and permanent adjustment of their reservations."

So much of said act as relates to the Sacs and Foxes has been carried into effect by their removal to their proper location on lands west of the said "dividing line." The Seminoles, however, are still occupying the lands belonging to the Creeks, for which occupancy the Creeks have as yet received no compensation, from the fact that no agreement could be arrived at between them and the United States as to the price per acre to be paid to the said Creeks by the United States for said lands.

¹ United States Statutes at Large, Vol. XI, p. 699. ² *Ibid.*, Vol. XIV, p. 785. ³ Report of Commissioner of Indian Affairs, 1882, p. 54.

The undersigned, members of the Creek delegation resident in Washington, duly authorized to act in the premises, both by appointment for general purposes under the certificate of the Governor under the national seal, and also by special action of the national council in this instance, copies of which general and special authority are hereto attached, do promise and agree for themselves and for their nation that they will sell, cede, and dispose of the lands now occupied by the Seminoles, belonging to the Creek Nation, to the United States for the sum of \$175,000.

And the said Creek delegation do hereby agree, for and on behalf of said nation, that they will cede to the United States, and do hereby cede, a strip of land in the Indian Territory now occupied by the Seminole Nation of Indians, lying east of the said line dividing the Creek lands from the lands ceded to the United States in the treaty of June 14, 1866, bounded on the north by the North Fork of the Canadian River, on the south by the Canadian River, on the west by the dividing line between the Creek Reservation and the lands ceded under treaty of 1866 above noted, and on the east by a line running north and south between the rivers named so far east of said divisional line as will comprise within said described boundaries 175,000 acres, at \$1 per acre; said cession to be in full force and effect when the sum of \$175,000 shall have been deposited in the Treasury of the United States to the credit of the Creek Nation, to draw interest at the rate allowed in the treaty of June 14, 1866, wherein certain of their lands in Indian Territory were ceded to the United States; and one-third of said fund shall be forever set aside for educational purposes, and the remaining two-thirds shall be subject to such use as the Creek council shall determine.

WARD COACHMAN,
PLEASANT PORTER,
DAVID M. HODGE,
Creek Delegation.

WASHINGTON, D. C., *February 14, 1881.*

Act of Congress, August 5, 1882.¹

To pay the Creek Nation of Indians for one hundred and seventy-five thousand acres of land now occupied by the Seminole Nation, the sum of one hundred and seventy-five thousand dollars, as per agreement made in pursuance of the act of March 3, 1873, which agreement bears date February 14, 1881, and is now on file in the Department of the Interior; said sum to be immediately available.

SEMINOLE RESERVATION.

How established.—By treaty of March 21, 1866. See Creek agreement, February 14, 1881 (Annual Report, 1882, p. liv), and deficiency act of August 5, 1882.

Area and survey.—Contains 375,000 acres. Not surveyed.

Acres cultivated.—Not reported separately in 1886.

Tribes and population.—The tribe living here is the Seminole. Population, 3,000.

Location.—See treaties for location.

Education.

School population, estimated, in 1886.....	600
Wewoka mission:	
Accommodation.....	75
Cost.....	\$3,700
Seminole Female Academy:	
Accommodation.....	35
Cost.....	\$2,600

¹ United States Statutes at Large, Vol. XXII, p. 265.

Two high schools, one at Wewoka and one at Sasakwa.

The Presbyterian board furnished \$1,700 for Wewoka, and the Methodist \$600 for Sasakwa Female Academy. The Seminoles have also four district schools, which are in a prosperous condition.¹

SYNOPSIS OF TREATIES WITH THE SEMINOLE INDIANS.

Treaty with the Florida tribes, made at Camp on Moultrie Creek, Florida, September 18, 1823.

Protection of the United States acknowledged. All claims to territory in Florida relinquished, except the following tract (Art. 1): Beginning 5 miles north of Okahumka, running west within fifteen miles of the coast of the Gulf of Mexico, south 12 miles, south-east to 5 miles of main branch of Charlotte River, thence to within 20 miles of the Atlantic Coast, thence north to 15 miles west, and thence 50 miles to place of beginning. Florida Indians to be concentrated and confined within the above tract. (Art. 2.) Commissioners, accompanied by Indian delegate, to mark boundary of reservation. (Art. 8.) To meet the objection of the Indians to concentration on reservation on account of the insufficient quantity of good land to subsist them, it is expressly understood that should more be needed the commission shall remove the northern boundary so far north as to embrace a sufficient quantity of good tillable land. (Art. 9.) United States to protect Indians who shall refrain from making war without the consent of the United States. On removal to reservation an agent to be provided, agricultural implements, stock to the amount of \$6,000, and \$5,000 a year for twenty years under the direction of the President. (Art. 3.) Right to open roads granted. No white person to settle or hunt upon reservation. Authorized persons to travel unmolested. (Art. 4.) Rations provided for the first year after removal, and \$4,500 to be distributed among persons abandoning improvements. The sum of \$2,000 appropriated for removal. (Art. 5.) Agent, subagent, and interpreter to reside with the Indians. Sum of \$1,000 for maintenance of school for twenty years. Same amount for blacksmith. (Art. 6.) Indians to prevent fugitive slaves from taking shelter among them. (Art. 7.) One section of land granted to agent and one to interpreter. (Art. 10.) Six of the principal chiefs, parties to the treaty, permitted to remain on following lands inhabited by them: For Neamathla and his connections 2 miles square on Rocky Comfort Creek; for Blunt and Tuskihajo 4 miles on Appalachicola, extending west 2 miles; for Mulatto King and Emathlochee 4 miles on the Appalachicola, extending west 1 mile; for Econchatimico 4 miles on the Chatahoochee, extending west 1 mile. Peaceable possession guaranteed to chiefs and descendants only during occupation and cultivation of the same. If abandoned, reservation to be included in cession of article 1. Chiefs to furnish to the Indian superintendent of Florida names of individuals who are to reside on said reservations. Chiefs to be held responsible for conduct of individuals. Indians to be permitted to remove voluntarily to the reservation set apart in article 2, United States reserving the right to order their removal in case of misconduct. Eight hundred dollars of the amount stipulated in article 3 to be expended for these Indians. Also to receive their proportion of annuities. Sum of \$5,000 of the money set apart in article 5 to be given Neamathla for improvements relinquished by him.

Proclaimed January 2, 1824.²

Treaty made at Paine's Landing, May 9, 1832.

Seminole Indians relinquish to United States all lands they occupy in Territory of Florida. Agree to emigrate west of Mississippi River, an additional tract being added for them to Creek country. Delegation to be sent to examine territory. (Art.

¹ Report of Indian Commissioner, 1886, pp. lxxii-lxxiii. ² United States Statutes at Large, Vol. VII, p. 224.

1.) United States to pay \$15,400, to be divided proportionately between chiefs and warriors of their several towns. (Art. 2.) Blanket and homespun suit given to each emigrant on arrival at Creek country. (Art. 3.) Blacksmith provided according to article 6, preceding treaty, to be continued for ten additional years, and \$3,000 paid for fifteen years after removal of whole tribe. (Art. 4.) United States to take the cattle belonging to Seminoles and pay in money or stock on their arrival west. (Art. 5.) Demands for damages by Seminoles to the amount of \$7,000 to be paid. (Art. 6.) Seminoles to move within three years. To be subsisted for twelve months. (Art. 7.) Removal to take place within 1833 and 1835. (Art. 8.)

Proclaimed April 12, 1834.¹

Treaty with the Appalachian band of Indians, made at Tallahassee, Fla., October 11, 1832.

Blunt and successor to Tuskihajo surrender their reservation on the Appalachian River, set apart for them in the preceding treaty, and agree to remove with their followers, two hundred and fifty-six souls, west of the Mississippi, beyond the limits of the United States. (Art. 1.) Sum of \$3,000 in cash paid down and \$10,000 for the subsequent removal of the whole party. (Art. 2.) Indians to remove, if possible, within one year, certainly within two. Portion of annuity provided in article 3 of treaty of April 18, 1823, to continue to these chiefs. (Art. 3.)

Proclaimed February 13, 1833.²

Treaty made at Fort Gibson, March 28, 1833.

Tract of land between the Canadian River and its north fork, in the Creek country, set apart for Seminole Indians. Nation agrees to remove to that location. Indians request that Major Phagan superintend removal.

Proclaimed April 12, 1834.³

Treaty with the Appalachian band, made at Pope's, Fayette County, Fla., June 18, 1833

Indians relinquish reservation set apart by treaty of September 18, 1823, on the Appalachian River. (Art. 1.) United States to convey in three years by patent to Mulatto King and head chief of Emathlochee's band a section and a half each, to be laid off in accordance with public surveys under the direction of the President, so as to embrace their fields and improvements. Chiefs may dispose of said land before three years, but as soon as the Seminoles shall have gone west of the Mississippi the United States to withdraw protection, and Indians to become subject to government and laws of Florida. (Art. 2.) Proportion of annuities provided in article 3 of treaty of September 18, 1823, to be paid this band. If hereafter chiefs elect to sell their patented land and go west of the Mississippi they must defray their own expenses; but if they surrender land to the United States they may receive \$3,000 and become parties to the provisions of the treaty of May 9, 1832. (Art. 3.)

Proclaimed February 12, 1834.⁴

Treaty between United States, Creeks, and Seminoles, made at Creek Agency, January 4, 1845.

Whereas article 4 of Creek treaty of 1833 provides that the Seminoles shall be considered as a part of the Creek Nation, and a permanent home secured in the Creek country, and a large portion of the Seminoles having refused to submit to Creek government, and these Seminoles having settled on lands secured to other tribes to the

¹ United States Statutes at Large, Vol. VII, p. 368. ² *Ibid.*, p. 377. ³ *Ibid.*, p. 423. ⁴ *Ibid.*, p. 427.

detriment of said tribes: This treaty is made to reconcile all difficulties between the Creeks and Seminoles respecting location and jurisdiction. (Preamble.) Creeks agree that Seminoles shall be entitled to settle in Creek country. Seminoles to make their town regulations subject to general control of Creek council, in which they shall be represented. Each tribe to manage its own money affairs and neither to interfere with the other. (Art. 1.) All Seminoles to permanently settle in Creek country. (Art. 2.) Contested cases between two tribes subject to decision of President of United States. (Art. 3.) Additional annuity of \$3,000 for education allowed Creeks for twenty years. All educational funds, including above, to be under the direction of the President. (Art. 4.) Rations to be issued to Seminoles removing, and tribes to be sustained for six months. Those in Florida allowed twelve months wherein to remove. (Art. 5.) Sums provided in articles 2 and 4 of treaty May 9, 1832, to be paid as stipulated, and additional \$2,000 for fifteen years. (Art. 6.) Sum of \$1,000 per annum for five years and agricultural implements given in satisfaction of all claims for property abandoned in Florida. (Art. 7.) Boundary between Creeks and Seminoles distinctly marked. (Art. 8.)

Treaty amended March 6, 1845.

Proclaimed May 28, 1845.¹

*Treaty made with the United States, Creeks, and Seminoles, at Washington, August 7, 1856.*²

See Creek treaties, same date, p. 405.

Treaty made at Washington, March 21, 1866.

Amnesty granted and annuities restored, the provisions made being generally the same as those of the treaties with the Creeks of June 14, 1866, except article 3, in which they cede to the United States a tract of land containing 2,169,080 acres ceded to them by the Creek Nation in the treaty of August 7, 1856, the United States to pay the sum of \$325,362, being at the rate of 15 cents an acre, and to grant to the Seminoles a portion of the territory purchased from the Creeks, for which the Seminoles pay \$100,000, to be deducted from the sum received for their lands. Balance due to be paid in the following manner:

The sum of \$30,000 under direction of the Secretary of the Interior for improving farms; \$20,000 for stock, seed, and agricultural implements; \$15,000 for the erection of mill; \$70,000 at 5 per cent. interest, \$50,000 of which will be a permanent school fund, interest on the remaining \$20,000 for the support of the Seminole government; \$40,362 for subsisting said Indians; \$50,000 for the payment of losses sustained by loyal Seminoles during late War, said losses to be ascertained by a board of commissioners.

Seminole district.—Beginning on Canadian River, at the line dividing the Creek lands, according to their sales to the United States by treaty of February 6, 1866, north on said line to the North Fork of Canadian, up said fork to a distance sufficient to make 200,000 acres by running due south to the Canadian River; thence down said Canadian River to place of beginning.

Proclaimed August 16, 1866.³

For Creek agreement of February 14, 1881, and act of Congress confirming the same, see Creek treaties.

¹ United States Statutes at Large, Vol. IX, p. 821.

² *Ibid.*, Vol. XI, p. 699.

³ *Ibid.*, Vol. XIV, p. 755.

CHAPTER XIV.

INDIAN RESERVATIONS OF IOWA, KANSAS, AND MICHIGAN.

IOWA.

For the early history of the Territory from which Iowa was formed, see Dakota. Organized as a Territory June 12, 1838;¹ admitted as a State March 3, 1845.²

The Indians that formerly dwelt here, the Sacs and Foxes, Otoes, Ioways, and Sioux, have all been removed; the Sacs and Foxes contending by force of arms for their old home here and in the adjoining eastern States, under the leadership of Black Hawk. A portion of the Sac and Fox tribe purchased the only reservation in the State.

Has one reservation, the Sac and Fox, containing a united area of 1,258 acres. This land was purchased by the tribes residing there. Total Indian population, 280.

The Sac and Fox Agency has charge of the reservation of that name.

SAC AND FOX AGENCY.

[Post-office address: Montour, Tama County, Iowa.]

SAC AND FOX RESERVATION.

How established.—By purchase. See act of Congress, March 2, 1867. (United States Statutes, Vol. XIV, p. 507.) Deeds, November, 1876, 1882, 1883.³

Area and survey.—Contains 1,258 acres. Survey not reported.³

Acres cultivated.—Two hundred and twenty-five reported in 1886.⁴

Tribes and population.—Pottawatomies, Sacs and Foxes of the Mississippi, and Winnebagoes. Total population, 380.⁵

Location.—Located in Tama County, Iowa, the land held in trust for them by the Governor of the State of Iowa. Individual Indians also own 85 acres in their own right. This tract of land is about one-third timber, and the balance good grazing and farming land, though subject to overflow in time of high water.

Government rations.—None issued.

¹ United States Statutes, Vol. V, p. 235.

² *Ibid.*, p. 742.

³ Report of Indian

Commissioner, 1886, p. 385.

⁴ *Ibid.*, p. 430.

⁵ *Ibid.*, p. 400.

*School population, attendance, and support.*¹

School population as estimated in 1886 was	80
Day-school accommodation	40
Average attendance	12
Day-school, cost to Government	\$350
In session (months)	5

Missionary work.—Not reported.

By act of Congress (Indian appropriation act), March 2, 1867, provided, that the band of Sacs and Foxes of the Mississippi, now in Tama County, Iowa, shall be paid pro rata, according to their numbers, of the annuities, so long as they are peaceful and have the assent of the government of Iowa to reside in that State.²

KANSAS.

For the early history of the Territory from which Kansas was formed, see Dakota. Organized as a Territory May 30, 1854;³ admitted as a State June 29, 1861.⁴

The Indians originally occupying this locality are all removed to the Indian Territory. Those holding reservations at the present time were placed there by the United States when this region was known as the Indian Territory.

*Act of March 3, 1863.*⁵

* * * * *
 SEC. 4. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to enter into treaties with the several tribes of Indians, respectively, now residing in the State of Kansas, providing for the extinction of their titles to lands held in common within said State, and for the removal of such Indians of said tribes as hold their lands in common to suitable localities, elsewhere within the territorial limits of the United States, and outside the limits of any State.

There are three reservations, containing an aggregate area of 109,828.03 acres. The Indian population is 1,318. There is one agency, the Pottawatomie and Great Nemaha, having charge of the Chippewa and Munsee, Kickapoo, and Pottawatomie Reservations and the Iowa and Sac and Fox Reservations, partly in Nebraska.

POTTAWATOMIE AND GREAT NEMAHA AGENCY.⁶

[Post-office address, Silver Lake, Pottawatomie County, Kans.]

CHIPPEWA AND MUNSEE RESERVATION.

How established.—By treaty of July 16, 1859.⁷

Area and survey.—Contains 4,395 acres, of which 4,000 are classed as tillable.⁸ Surveyed.⁹

¹ Report of Indian Commissioner, p. xcii. ² United States Statutes, Vol. XIV, p. 507. ³ *Ibid.*, Vol. X, p. 277. ⁴ *Ibid.*, Vol. XII, p. 126. ⁵ *Ibid.*, chap. 99, p. 793.
⁶ For Pottawatomie treaties, see Pottawatomie Reservation—Indian Territory. ⁷ For treaty, see Chippewa treaty, same date—Michigan. ⁸ Report of Indian Commissioner, 1884, p. 310. ⁹ *Ibid.*, p. 261.

Acres cultivated.—The Indians have under cultivation 1,000 acres.¹

Tribes and population.—The tribes living here are the Chippewa and Munsee. Population, 101.²

Location.—Franklin County, on allotted lands which they hold by certificate title.³

No statistics of agency government or of Government schools given for this reservation.

LIST OF TREATIES WITH MUNSEE INDIANS.

*Treaty with the Munsee Indians, July 4, 1805.*⁴

See Chippewa, July 4, 1805—Michigan.

*Treaty with the Munsee Indians, October 27, 1832.*⁵

See Menomonee treaty, October 27, 1832—Wisconsin.

*Treaty with the Munsee Indians, January 15, 1838.*⁶

See treaty with New York Indians, January 15, 1838—New York.

*Treaty with the Munsee Indians, September 3, 1839.*⁷

See Stockbridge treaty, September 3, 1839—Wisconsin.

*Treaty with the Munsee Indians, February 5, 1856.*⁸

See Stockbridge treaty, same date.—Wisconsin.

*Treaty with the Munsee Indians, July 16, 1859.*⁹

See Chippewa treaty, same date—Michigan.

KICKAPOO RESERVATION.

How established.—By treaty of June 28, 1862.

Area and survey.—Contains 20,273 acres, 10,136 of which are classed as tillable.¹⁰ Surveyed.¹¹

Acres cultivated.—The Indians have under cultivation 2,550 acres.¹²

Tribes and population.—The tribes living here are the Kickapoo. Population, 321.¹³

Location.—In Brown County, Kans. Nearly all the land excellent for farming.

The interest on trust money supports school, and blacksmith shop. No statistics of agency government reported.

¹ Report of Indian Commissioner, 1886, p. 430. ² *Ibid.*, p. 400. ³ *Ibid.*, p. 162.
⁴ United States Statutes at Large, Vol. VII, p. 87. ⁵ *Ibid.*, p. 409. ⁶ *Ibid.*, p. 550.
⁷ *Ibid.*, p. 580. ⁸ *Ibid.*, Vol. XI, p. 663. ⁹ *Ibid.*, Vol. XII, p. 1105. ¹⁰ Report of Indian Commissioner, 1884, p. 310. ¹¹ *Ibid.*, p. 261. ¹² *Ibid.*, 1886, p. 430. ¹³ *Ibid.*, p. 400.

School population, attendance, and support.

School population, as estimated in 1886	50
Boarding-school accommodations	30
Average attendance	22
Boarding-school cost ¹	\$2, 218. 86
In session (months)	11

Missionary work.—Not reported.

SYNOPSIS OF KICKAPOO TREATIES.

*Treaty with Kickapoo and other tribes, made at Greenville, Ohio, August 3, 1795.*²

See Chippewa treaty, August 3, 1795, p. 421.

*Treaty with Pottawatomie and other tribes, made at Fort Wayne, Ind., June 7, 1803.*³

See Delaware treaty, June 7, 1803.

Treaty with Kickapoo and other tribes, made at Vincennes, August 7, 1803.

Indians agree to article 4, preceding treaty, at Fort Wayne.

Proclaimed December 23, 1803.⁴

(Piankasha, Kaskaskia, Wyandotte, Eel River.)

(See treaty with Kaskaskias.)

*Treaty with Kickapoos, made December 9, 1809.*⁵

Cessions confirmed in article 9, treaty of September 30, 1809.

(See Delaware treaty, September 30, 1809, p. 375.)

Permanent annuity of \$400 and \$800 in goods. (Art. 1.) Also cede land on Wabash and Vermillion Rivers. Further annuity of \$100 and \$700 in goods. Cession and payment, condition on consent of Miamis. (Art. 2.) Payments and right to hunt on ceded territory as to treaty of Greenville, August 3, 1795. (Art. 3.)

See Chippewa treaty, August 3, 1795, p. 421.

*Treaty with the Kickapoo Indians, made at Portage des Sioux, September 2, 1815.*⁶

A similar treaty to the Sioux treaty of July 19, 1815. See page 262.

*Treaty with the Kickapoo and Wea Indians, made at Fort Harrison, Ind., June 4, 1816.*⁷

See Wea treaty, June 4, 1816.

Treaty with the Kickapoo Indians, made at Edwardsville, Ill., July 30, 1819.

Indians cede their claim to lands east and west of Wabash River, and all territory on Illinois and Mississippi Rivers. (Arts. 1 and 10.) Former treaties confirmed. (Art. 2.) Protection of United States acknowledged. (Art. 3.) United States released from all obligations imposed by former treaties. (Art. 4.) Sum of \$2,000 paid for fifteen years (Art. 5), and \$3,000 worth of merchandise given. Tract granted on Osage River. (Art. 6.) Peaceable possession against intruders granted. (Art. 7.) Two boats furnished for removal on Illinois River. (Art. 8.) Protection granted. (Art. 9.)

Proclaimed January 13, 1821.⁸

¹ Report of Indian Commissioner, 1886, p. xcii. ² United States Statutes at Large, Vol. VII, p. 49. ³ *Ibid.*, p. 74. ⁴ *Ibid.*, p. 77. ⁵ *Ibid.*, p. 117. ⁶ *Ibid.*, p. 130. ⁷ *Ibid.*, p. 145. ⁸ *Ibid.*, p. 200.

Treaty with the Kickapoo Indians of the Vermillion River, made at Fort Harrison, August 30, 1819.

Indians cede all land on the Wabash River and its tributaries. (Art. 1.) Land claimed by these Indians defined. (Art. 2.) Also relinquish annuity of \$1,000. Payment of \$2,000 for ten years; and \$3,000 now received. (Art. 3.)

Proclaimed May 10, 1820.¹

Treaty with the Kickapoo Indians, made at St. Louis, July 19, 1820.

Lands set apart on the Osage to be held and possessed in like manner as lands ceded in article 1, treaty of July 30, 1819.

Proclaimed January 13, 1821.²

Treaty with the Kickapoo Indians of the Vermillion River, made at Vincennes, September 5, 1820.

Annuities secured by treaty of August 30, 1819, to be hereafter paid to Kaskaskias in Illinois. (Art. 1.) Two thousand dollars in lieu of annuity for 1821 to enable the Kickapoos to remove. (Art. 2.)

Proclaimed January 8, 1821.³

Treaty with the Kickapoo Indians, made at Castor Hill, Mo., October 24, 1832.

Indians cede tract of land on Osage River, and all claims to land in Missouri. (Art. 1.) United States to provide land on the Missouri near Fort Leavenworth, as long as they remain a tribe. (Art. 2.) Sum of \$18,000 paid, \$12,000 of which shall be applied to debts (Art. 3); \$5,000, for nineteen years (Art. 4); \$1,000 for blacksmith, for five years (Art. 5); \$3,700 for mill and church (Art. 6); \$500, for ten years, for support of school (Art. 7); \$3,000 for farming implements (Art. 8); \$4,000 for improvements on ceded lands (Art. 9); \$4,000 in stock (Art. 10); \$6,000 in merchandise, assistance in removing, and one year's provisions. (Art. 11.) Boundary line to be run within three years. (Art. 12.) Commission appointed to visit reservation which may be exchanged for land near the Nemaha River. (Art. 13.)

Proclaimed February 13, 1833.⁴

Supplementary article, made at Fort Leavenworth, November 26, 1832.

Commission report boundaries of land selected.⁵

Treaty with the Kickapoo Indians, made at Washington, May 18, 1854.

Cessions.—Indians cede land on Missouri River, but reserve 150,000 acres in western part where suitable. Selection to be made within six months. (Art. 1.)

Payments.—Sum of \$300,000 paid as follows: \$100,000 invested at 5 per cent. for education; \$25,000 in 1854; \$20,000 for two years; \$14,000 for two years; \$9,000 for six years; \$7,000 for four years; \$5,000 for five years; in all, twenty years. (Art. 2.)

Survey and allotment.—President to survey and allot reservation. Patents to be issued. Congress to impose restrictions. (Art. 3.) Compensation made for improvements on ceded lands. (Art. 4.)

Roads.—Right of way granted for authorized roads on same terms as through lands of citizens. Railroads to compensate in money. (Art. 7.) United States released from all claims under previous treaties. (Art. 8.) Grants to individuals. (Art. 6.) Individual debts not to be paid from general funds. (Art. 5.) Intoxicating liquors not to be introduced. (Art. 9.) President and Senate to make such provisions as shall be most beneficial to Indians. (Art. 10.)

Proclaimed July 17, 1854.⁶

¹ United States Statutes at Large, Vol. VII, p. 202. ² *Ibid.*, p. 208. ³ *Ibid.*, p. 210. ⁴ *Ibid.*, p. 391. ⁵ *Ibid.*, p. 393. ⁶ *Ibid.*, Vol. X, p. 1078.

Treaty with the Kickapoo Indians, made at the Kickapoo Agency, June 28, 1862.

Reservation to be surveyed. (Art. 1.) Census to be taken. Tribe classified into those who desire to hold land in severalty and those who wish to hold land in common. Those desiring land in severalty to have, each head of a family 160 acres, each other person 40 acres, to include improvements and a reasonable portion of timber. Chiefs, one-half section. Certificates to be issued. (Art. 2.) Any male adult or head of family able to control his affairs and to so satisfy the President, and upon proof in a district court of the United States of civilized life and support of family for five years, shall become a citizen of the United States, receive a patent in fee simple, and also his proportion of tribal credits, principal and interest. (Art. 3.) To those desiring land in common shall be set apart a quantity of land sufficient to give each individual an amount, as in article 2, said persons to relinquish all claim to land taken in severalty and proceeds of sale thereof. Should they decide to move to Indian country, they may occupy a tract as large as can be purchased by the sale of present lands at \$1.25 per acre, selection and purchase to be made by Indian Commissioner, and removal at cost to the United States. (Art. 4.) After apportionment between the above two classes, remainder of reservation to be sold. (Art. 1.) Atchison and Pike's Peak Railroad to be permitted to purchase residue of land within six months under certain provisions. (Arts. 5, 6.) Kickapoos who have been residing south may return within one year and receive benefit of this treaty. (Art. 10.) Following tracts reserved: Six hundred and forty acres as site for mill, 320 acres where the mission-house is, 160 where the agency is. These tracts to be disposed of as provided by law, when the purposes have been accomplished for which they were reserved. (Art. 11.) Surveys to be paid for out of proceeds of sales. (Art. 13.) All right, title, and interest of Kickapoos in their present reservation ceded to and vested in the United States, subject to the limitations and the purposes herein expressed and provided for. (Art. 14.) Stipulations of former treaties inconsistent with foregoing articles to have no force. (Art. 15.)

Proclaimed May 28, 1863.¹

POTTAWATOMIE RESERVATION.

How established.—By treaties of June 5, 1846, November 15, 1861; treaty of relinquishment, February 27, 1867.²

Area and survey.—Contains 77,358 acres, of which 29,119 acres are classed as tillable.³ Surveyed.⁴

Acres cultivated.—The Indians have under cultivation 3,100 acres.⁵

Tribes and population.—The tribes living here are the Prairie band of Pottawatomies. Population, 554.⁶

Location.—Jackson County, Kans., well watered by two large creeks and several small streams fed by springs.⁷

The interest on trust money supports schools, shops, etc.

School population, attendance, and support.

School population, as estimated in 1886.....	60
Boarding-school accommodations	30
Average attendance	24
In session (months)	11
Cost ⁸	\$4,254.39

Missionary work.—Not reported.

¹ United States Statutes at Large, Vol. XIII, p. 623.

² For treaties, see Pottawatomie treaties, Pottawatomie Indian Territory.

³ Report of Indian Commissioner, 1884, p. 310.

⁴ *Ibid.*, p. 261.

⁵ *Ibid.*, 1886, p. 430.

⁶ *Ibid.*, p. 400.

⁷ *Ibid.*,

p. 216. ⁸ *Ibid.*, p. xcii.

MICHIGAN.

Organized as a Territory in 1805, and admitted as a State, January 26, 1837.

The Indians formerly living in this region were the Chippewas, Pottawatomies, and Ottawas. A portion of them still remain, and others are to be found in Kansas and the Indian Territory.

There are three reservations, having an aggregate area of 66,332 acres. The Indian population is 7,868.

There is one agency, the Mackinac, having in charge the Isabella, the L'Anse, and the Ontonagon Reservations.

The Indians of Michigan are all citizens; are voters and eligible to hold office. They are not known or recognized by tribal relations, either by State laws or treaties, and in every respect, so far as the rights of citizenship are concerned, they stand on an equality with the whites. While no tribal relations exist, yet the Indians annually elect certain of their number, whom they call chiefs or headmen, whose duty it is to transact all business with the Government or the Indian agent, sign all papers and stipulations, which they consider as binding upon the band.¹

MACKINAC AGENCY.

[Post-office address: Flint, Genesee County, Mich.]

ISABELLA RESERVATION.

How established.—By Executive order, May 14, 1855; treaties of August 2, 1855, and of October 18, 1864.

Area and survey.—Contains 11,097 acres.² Surveyed.

Acres cultivated.—Eight hundred and eighty-six acres in 1886.³

Tribes and population.—The tribes living here are the Chippewas of Saginaw, Swan Creek, and Black River. Population, 2,500.⁴

Location.—In Isabella County, Mich.

The Indians of this band are scattered all over northern Michigan, mingled with other bands. Large numbers of them have gone west, and many of them have gone to Canada. Certain land speculators claim title to very much of the lands that were never patented, also claim to have titles to the lands that have been patented by restricted patents. A large amount of land on the reservation, some of which are vacant lands, and some of which have been patented by restricted patents, are covered by tax titles, thus intimidating and preventing the Indians from improving the land, although as a matter of fact and law these claims of title are not valid; but the effect upon the Indian is the same as though they were. Several suits have lately been commenced in the United States court against various parties charged with trespasses, for the purpose of recovering for the Indians and the Government that to which they are justly entitled.⁵

*School population, attendance, and support.*⁶—School population for Mackinac Agency, estimated in 1886, was 1,000.

¹ Report of Indian Commissioner, 1886, p. 165. ² *Ibid.*, 1884, p. 260. ³ *Ibid.*, 1886, p. 167. ⁴ *Ibid.*, 1884, p. 292. ⁵ *Ibid.*, 1886, p. 167. ⁶ *Ibid.*, p. xciv.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Baraga, day	40	29	10	\$400.00
Hannahville, day	40	14	10	400.00
Iroquois Point, day	50	2	6	266.30
L'Anse, day	40	15	12	384.78
Longwood, day	20	12	10	400.00
Middle Village, day	40	18	10	400.00
Munissing, day	40	13	10	400.00
Naubetung, day	40	8	10	400.00
Nepissing, day	30	6	10	400.00
Sugar Island, day	40	10	9	400.00

Missionary work.—Methodists, Roman Catholics, and Presbyterians have missions among these Indians.

*Isabella Reserve.*¹

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

December 11, 1854.

SIR: I inclose a copy of a letter from Messrs. George Smith and P. O. Johnson, missionaries of the Methodist Episcopal Church in Michigan, addressed to Rev. Dr. Durbin, and by him forwarded to this office, in relation to certain desired reservations of public lands.

In consideration of certain contemplated arrangements with the Indians in Michigan during the ensuing spring, I have to ask that you reserve from public sale the lands designated in the letter of Messrs. Smith and Johnson.

I have also received a communication from the Rev. J. P. Durbin, corresponding secretary of the Missionary Society of the Methodist Episcopal Church, asking for an additional reservation of lands near Iroquois Point, back from the lake.

For the reasons above, I concur in the request, and ask that several additional sections to those already reserved be made of the lands in the vicinity of Iroquois Point.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,
Commissioner.

JOHN WILSON, Esq.,
Commissioner of General Land Office.

GENERAL LAND OFFICE,

December 20, 1854.

SIR: I have the honor to transmit a communication from the Commissioner of Indian Affairs, addressed to this office, bearing date the 11th instant, and its inclosure, recommending, for reasons stated, the withdrawal from market and reservation for Indian purposes the lands in Isabella County, Michigan, or so much thereof as may be deemed expedient.

The pink-shaded lines on the inclosed printed map show the limits of Isabella County, covering, according to the maps of this office, townships 13, 14, 15, and 16 north, of ranges 3, 4, 5, and 6 west of the Michigan meridian, in the Ionia district, the whole of which are requested to be reserved, and the numbers 1, 2, 3, 4, 5, 6 placed on certain townships, show the order of the preference to be given should it be determined to reserve less than the east half of the county.

From an estimate just made at this office it appears that only about two-ninths of the whole surface has been disposed of, although three of the townships have been in market since 1833, and the balance since 1840.

¹ Report of Indian Commissioner, 1886, p. 330.

As regards the conditions mentioned in the Rev. George Smith's letter (among the papers), that the reserve be made "for the Chippewa Indians of Michigan, to be purchased under the direction of the missionary society," etc., I have to remark that no such privilege could, in my opinion, be given without legislation of Congress.

I am, very respectfully, your obedient servant,

JOHN WILSON,
Commissioner.

Hon. ROBERT McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
April 12, 1855.

SIR: I have the honor to submit herewith two letters from the Commissioner of the General Land Office in relation to the withdrawal of certain lands in Michigan from sale with a view to the benefit hereafter of certain Indian tribes, in accordance with the intimations of the Indian Office.

The first letter, that of the 20th of December last, has reference to lands in Isabella County, Mich., and that of the 10th instant to land in a new county, called Emmett, in the same State, the former county containing sixteen and the latter twenty-seven townships and fractional townships, and the withdrawal appears to be desired by the Indian Office "in consequence of certain contemplated arrangements with the Indians in Michigan during the present spring." The matter connected with the letter of the 20th December has been delayed, waiting more specific information from the Indian Office as to the specific land wanted, which is supplied by this letter of the 10th instant from that office.

The philanthropic policy of furnishing these Indians, who are desirous of becoming cultivators of the soil, with land for that purpose, to the greatest possible extent separated from evil example or annoyance of unprincipled whites, who might be disposed to settle in their vicinity, or within their midst, after farms already opened by them had rendered the surrounding land more valuable is apparent, and I have no hesitation in recommending your sanction to the withdrawal of the lands indicated in each of said communications from the Land Office, but it must be with the express understanding that no peculiar or exclusive claim to any of the land so withdrawn can be acquired by said Indians, for whose future benefit it is understood to be made, until after they shall by future legislation be invested with the legal title thereto.

With much respect, your obedient servant,

R. McCLELLAND,
Secretary.

The PRESIDENT OF THE UNITED STATES.

[Indorsement.]

MAY 14, 1855.

Let the withdrawal of all the vacant land in Isabella County be made with the express understanding contained in the letter of the Secretary of the Interior to me of the 12th instant.

FRANKLIN PIERCE.

(Superseded by treaty of August 2, 1855, with Chippewas of Saginaw, Swan Creek, and Black River, 11 Statutes, 633.)

L'ANSE RESERVATION.

How established.—By treaty of September 30, 1854.

Area and survey.—Contains 52,684 acres.¹ Surveyed.

¹ Report of Indian Commissioner, 1854, p. 260.

Acres cultivated.—Not reported separately.

Tribes and population.—The tribes living here are the L'Anse, Vieux de Sert bands of Chippewas of Lake Superior. Total population, 1,000.¹

Location.—In the north-western part of Michigan. There are about sixteen sections of the land, valuable for deposit of slate stone. The reservation lies too far north for winter wheat, but the Indians raise spring crops successfully. They are in every way self-supporting.²

School population and accommodation not reported separately. (See Isabella Reservation.)

ONTONAGON RESERVATION.

How established.—By treaty of September 30, 1854 (6th clause, 2d art.); Executive order, September 25, 1855.

Area and survey.—Contains 2,551 acres.³ Surveyed.

Acres cultivated.—Not reported separately.

Tribes and population.—The tribes living here are the Ontonagon band of Chippewas of Lake Superior. Total population, 79.⁴

Location.—In the north-western part of Michigan.

The people are self-supporting.

School population and accommodation not reported separately. (See Isabella Reservation.)

SYNOPSIS OF TREATIES WITH THE CHIPPEWA INDIANS.

*Treaty with the Wyandotte, Delaware, Chippewa, and Ottawa Indians, made at Fort M'Intosh, January 21, 1785.*⁵

Three chiefs, one Wyandotte and two Delaware, to be retained until the restoration of prisoners. (Art. 1.) Protection of United States acknowledged. (Art. 2.) Boundary fixed between United States and Wyandottes and Delawares as follows: Beginning at the mouth of the Cayahoga River, up said river to portage, between that and Tuscarawas branch of Muskingum, down said to forks at crossing above Fort Lawrence, next to portage of Big Miami, along portage to the Great Miami or Ome, thence down on the south-east side of same to its mouth, thence along south shore of Lake Erie to place of beginning. (Art. 3.) Reservations 6 miles square reserved by the United States as trading posts at the mouth of the Miami, at the portage of the Big Miami, at Sandusky Bay and lower rapids of the river. (Art. 4.) No citizens to settle on Indian lands on pain of forfeiture of protection of United States. (Art. 5.) Claim to all land east, south, and west of boundary relinquished. (Art. 6.) Six miles along west bank of Detroit River reserved to use of United States. (Art. 7.) Also 12 miles square at post of Michillimachenac reserved for United States. (Art. 8.) Robbers and murderers to be delivered to United States. (Art. 9.) United States commissioners to distribute goods to tribes in treaty at time of signing same. (Art. 10.) Three Delaware chiefs who fought for the United States to be received and restored to their rank by the Delaware Nation, and they and their families to enjoy their portion of the land. (Separate article.)

¹ Report of Indian Commissioner, 1884, p. 292. ² *Ibid.*, 1886, p. 166. ³ *Ibid.*, p. 260. ⁴ *Ibid.*, p. 400. ⁵ United States Statutes at Large, Vol. VII, p. 16.

Treaty with the Chippewa, Wyandotte, Delaware, Ottawa, Pottawatomie, and Sac Indians, made at Fort Harmer, on the Muskingum, North-west Territory, January 9, 1789.

Prisoners restored. Two Wyandotte hostages held for fulfillment of this agreement. (Art. 1.) Boundary lines and cessions of preceding treaty confirmed, and \$6,000 worth of goods acknowledged. (Arts. 2, 10, 11, 12, and 15.) United States relinquishes to said tribes lands lying between boundaries. Indians not to sell except to United States. (Art. 3.) Indians to hunt peaceably on ceded territory. (Art. 4.) Any Indian committing robbery or murder on citizens or other Indians to be punished by the United States. Citizens guilty of like offenses to receive similar punishment. (Art. 5.) Horse-stealing prohibited. (Art. 6.) Trade to be established and persons and property of traders and agents to be protected. Any unlicensed person attempting to trade to be delivered up. (Art. 7.) Indians to give notice of any hostile intention toward the United States. United States to do the same towards Indians. (Art. 8.) No citizen to settle on Indian lands, and said tribes may punish such persons in such manner as they see fit. (Art. 9.) Friendship renewed. (Art. 13.) Pottawatomes and Sacs taken under protection of United States. (Art. 14.) Wyandottes claim lands granted to Shawnees and threaten to dispossess them unless they make peace. Wyandottes claim all country west of Miami boundary to Lake Erie. (Separate article.) Wyandottes to retain without molestation villages on the Rosine River, along the Strait. (Separate article.)

Proclaimed September 27, 1789

Treaty with the Chippewas, Wyandottes, Delawares, Shawnees, Ottawas, Pottawatomes, Miamis, Weas, and Eel River, Kickapoo, Piankashaw, and Kaskaskia Indians, made at Greenville, North-west Territory, August 3, 1795.

Hostilities to cease and peace established. (Art. 1.) Prisoners on both sides to be restored. (Art. 2.) Boundary line to be as follows: Beginning at the mouth of the Cayahoga River, and running thence up the same to the portage between that and the Tuscarawas branch of the Muskingum; thence down that branch to the crossing place above Fort Lawrence; thence westerly to a fork of that branch of the Great Miami River running into Ohio at or near which fork stood Loromie's store, and where commences the portage between the Miami of the Ohio and St. Mary's River, which is a branch of the Miami which runs into Lake Erie; thence in a westerly course to Fort Recovery, which stands on a branch of the Wabash; then south-westerly in a direct line to the Ohio so as to intersect that river opposite the mouth of the Kentucky River. Indians cede all lands lying south and east of the boundary line. The following tracts were ceded: At Loromie's store, 6 miles square; at Girty's town, on the St. Mary's River, 2 miles square; at the head of navigation of the Au-Glaize, 6 miles square; at Fort Defiance, 6 miles square; at Fort Wayne, 6 miles square; 2 miles square about 8 miles west of Fort Wayne; at the Ouatanon or old Weea towns on the Wabash, 6 miles square; at the British fort at the foot of the rapids of the Miami, 12 miles square; at the mouth of the river where it empties into the lake, 6 miles square; at Sandusky Lake, 6 miles square; at the lower rapids of the Sandusky River, 2 miles square; and all land about the post of Detroit, Indian title to which has been extinguished by gifts from the French or English governments, and land between the river Rosine on the south and Lake St. Clair on the north and a line the general course whereof shall be 6 miles distant from the west end of Lake Erie and Detroit River; and the land about Michillimackinac, and all land on the island and main land adjacent, Indian title to which has been extinguished by French or English governments; also on the mainland north of the post, 6 miles on Lake Huron and 3 miles back; and the De Bois Blanc Island, being a voluntary gift of the Chippewas; at the mouth of the Chicago River, 6 miles square; at the mouth of the Illinois River, 12 miles square; and at the old Peoria fort, 6 miles square. When boundaries of tracts

¹ United States Statutes at Large, Vol. VII, p. 28.

are surveyed, Indian chiefs to attend the survey. Free passage by land and water permitted from post to post. Free use also of all harbors and mouths of rivers along the lakes. (Art. 3.) United States relinquish all claim to other Indian lands north of Ohio, east of Mississippi, west and south of Great Lakes, according to line of treaty of 1783, except 150,000 acres near the rapids of the Ohio, the post of Vincennes, on the Wabash, and the lands adjacent, or the lands in possession of French or other white settlers, and the post of Fort Massac, near the mouth of the Ohio; \$20,000 in presents distributed in gifts, and perpetual annuity of \$1,000 each to Wyandottes, Delawares, Shawnees, Miamis, Ottawas, Chippewas, Pottawatomes; and \$500 each to Kickapoo, Weea, Eel River, Piankashaw, and Kaskaskia Indians. Money may be expended for stock. (Art. 4.) Indians to be protected on their lands and sell only to United States. (Art. 5.) White settlers on Indian lands to be punished in such manner as tribes see fit. (Art. 6.) Indians may hunt on ceded lands. (Art. 7.) United States to open trade with the Indians. (Art. 8.) Offenders to be delivered up to be punished according to law. Indians to give notice of hostile intentions. (Art. 9.) This treaty to supersede all other treaties. (Art. 10.)

Proclaimed December 2, 1795.¹

Treaty with the Chippewas, Delawares, Ottawas, Pottawatomes, Munsees, Shawnees, and Wyandottes, made at Fort Industry, on the Miami of the Lake, July 4, 1805.

Protection of the United States acknowledged. (Art. 1.) Boundary line to be a meridian 120 miles west of western boundary of State of Pennsylvania, intersecting the boundary line of the United States on the north and the line of the Greenville treaty on the south. (Art. 2.) Indians cede all lands lying east of the aforesaid line and bounded southerly and easterly by the treaty of Greenville line and north by the forty-first degree of north latitude. (Art. 3.) Perpetual annuity to the Munsees, Delawares and Wyandottes, and to the Shawnees and Senecas residing with the Wyandottes, of \$825 annually forever, and \$175 in trust from the Connecticut Land Company, proprietors of "Sufferer's Land." (Art. 4.) Ottawas and Chippewas and such of Pottawatomes as reside on the river Huron or Lake Erie have received from aforementioned company \$4,000 in hand, and the company has secured to the President of the United States in trust \$12,000, payable in six annual installments of \$2,000 each. (Art. 5.) Indians to fish and hunt on ceded territory. (Art. 6.)

Proclaimed April 24, 1806.²

Treaty with the Chippewa, Ottawa, Wyandotte, and Pottawatomie Indians, made at Detroit, November 17, 1807.

Indians cede land as follows: Beginning at the mouth of the Miami River of the Lakes, and running thence up the middle thereof to the mouth of the great Au-Glaize River; thence running due north until it intersects a parallel of latitude to be drawn from the outlet of Lake Huron, which forms the river Sinclair; thence running north-east the course that may be found will lead in a direct line to White Rock, in Lake Huron; thence due east until it intersects the boundary line between the United States and Upper Canada, in said lake; thence southwardly, following the said boundary line down said lake, through river Sinclair, Lake St. Clair, and the river Detroit, into Lake Erie, to a point due east of the aforesaid Miami River; thence west to the place of beginning. (Art. 1.) Ottawas receive \$3,333.33; Chippewas, same; Wyandottes, \$1,666.66; Pottawatomes, same. Also a perpetual annuity to the Ottawas and Chippewas of \$800 each, and Wyandottes and Pottawatomes \$400 each. (Art. 2.) Annuity may be commuted. (Art. 3.) Blacksmith provided for Ottawas and Chippewas for ten years. (Art. 4.) Hunting and fishing allowed on ceded lands. (Art. 5.) Eight reservations set apart within ceded land, two on Maumee, one on Miami Bay, one on river Rosine, two on river Rouge, one on lake St. Clair, one to be

¹ United States Statutes at Large, Vol. VII p. 49. ² *Ibid.*, p. 87.

selected by the President. (Art. 6.) Protection of the United States acknowledged. (Art. 7.)

Proclaimed January 27, 1808.¹

Treaty with the Chippewa, Ottawa, Wyandotte, Pottawatomie, and Shawnee Indians, made at Brownstown, Mich., November 25, 1808.

Cessions for road 125 feet wide from the rapids of the Miami of Lake Erie to the western line of the Connecticut Reserve, together with 1 mile on each side of the road. Also land for a road from Lower Sandusky to the boundary established by treaty of Greenville. (Arts. 1 and 2.) President to direct line of roads. (Art. 3.) Indians to hunt and fish on ceded lands. (Art. 4.) Protection of United States acknowledged. (Art. 5.)

Proclaimed March 3, 1809.²

Treaty with the Chippewa, Wyandotte, Delaware, Seneca, Shawnee, Miami, Ottawa, and Pottawatomie Indians, made at Spring Wells, near Detroit, Mich., September 8, 1815.

Whereas these tribes were associated with Great Britain in the War of 1812, United States gives peace to the Chippewas, Ottawas, and Pottawatomes. (Art. 1.) Restores all possessions, rights, and privileges that they were entitled to in 1811. Tribes acknowledge protection of United States. (Art. 2.) Pardon to those of the other tribes who committed hostilities during the late war. (Art. 3.) Tribes renew and confirm treaty of Greenville, made in 1795, and all subsequent treaties. (Art. 4.)

Ratified December 26, 1815.³

Treaty with the Ottawas, Chippewas, and Pottawatomes residing on the Illinois and Milwaukee Rivers, made at Saint Louis, August 24, 1816.

(See treaty with Sioux and other tribes, made at Prairie du Chien, August 19, 1825, page 263.)

Whereas a dispute exists concerning lands ceded by the Sacs and Foxes on November 3, 1804, these tribes agree to the cession made by the Sacs and Foxes, and also cede the land lying between the Fox and Kankakee Rivers and Lake Michigan. Right to hunt and fish retained. (Art. 1.) One thousand dollars in goods paid annually for twelve years. Goods to be delivered on Illinois River in neighborhood of Peoria. United States relinquish that portion of the cessions made by the Sac and Fox Indians which lie north of the line drawn from the southern extremity of Lake Michigan to the Mississippi River, except three leagues square at the mouth of the Wisconsin, including both banks and such other tracts, the aggregate not to exceed 5 leagues square on the Mississippi and Wisconsin Rivers, as the President may direct. (Art. 2.) Peace and friendship to exist. (Art. 3.)

Proclaimed December 30, 1816.⁴

Treaty with the Chippewa, Wyandotte, Seneca, Delaware, Shawnee, Pottawatomie, and Ottawa Indians, made on the Miami of the Lake, September 29, 1817.

Wyandottes cede their rights to the land between Lake Erie and the boundary of the Greenville treaty, including the north-western portion of Ohio. (Art. 1.) Pottawatomes, Ottawas, and Chippewas cede the north-east corner of the State of Ohio, west of the line of the treaty of 1807. (Art. 2.) Other tribes accede to these cessions. (Art. 3.) Perpetual annuity granted Wyandottes, \$4,000; Senecas, \$500; Shawnees, \$2,000. For fifteen years to Pottawatomes, \$1,300; Ottawas and Chippewas, \$1,000. Delawares' payment in hand, \$500. Former annuities promised to be paid in specie. (Art. 4.) Grants of land to specified persons permitted. (Art. 5.) Grants

¹ United States Statutes at Large, Vol. VII, p. 105. ² *Ibid.*, p. 112. ³ *Ibid.*, p. 131. ⁴ *Ibid.*, p. 146.

to be free from taxes. (Art. 15.) Tract 12 miles square at Fort Ferre, Upper Sandusky, to be patented to nine Wyandotte chiefs and their successors. Similar grant of 30,000 acres to eight Seneca chiefs. Similar grant of 10 miles square at Wapaghkonetta to eight Shawnees. Adjoining tract on Hog Creek of 25 miles square to other Shawnee chiefs. Similar grant to three Shawnee and four Seneca chiefs residing at Lewiston, a tract of 48 miles square near the sources of Little Miami and Sciota Rivers. Two reservations, one 5 and the other 3 miles square, for the Ottawas, near the Au Glaize and tributaries. (Art. 6.) Portions of said grants may be conveyed with the permission of President. (Art. 7.) Special grants given to specified persons related to said tribes or adopted by them. (Art. 8.) Agent to be appointed for Wyandottes and Senecas, and Delawares of the Sandusky. Also agent for the Shawnees. (Art. 9.) Saw and grist mill on Wyandotte Reservation, and blacksmith for them and for Senecas; also one for Shawnees on Hog Creek Reservation. (Art. 10.) Indians to hunt and make sugar on ceded land. (Art. 11.) Property of friendly Indians destroyed during War of 1812 to be paid by United States. Wyandottes, \$4,319.39; Senecas, \$3,989.34; Indians at Lewis and Scoutashs towns, \$1,227.50; Delawares of Greentown and Jerome's town, \$3,956.50; to Hembis, a Delaware Indian, \$348.50; and to Shawnees, \$420, and Senecas additional sum of \$219. (Art. 12.) Sum of \$2,500 to be paid Wyandottes in behalf of treaty of Fort Industry. (Art. 13.) Right to make roads and establish ferries granted. (Art. 14.) Ottawas, Chippewas, and Potawatomies cede to Roman Catholic Church of St. Ann and College at Detroit 640 acres on the river Raisin and 3 sections of land to be selected by Indian superintendent. (Art. 16.) Any Indian improvements on abandoned lands to be paid for. (Art. 17.) Delawares cede land reserved for certain persons of their tribe by section 2 of treaty of March 3, 1807. (Art. 18; see Statutes at Large, Vol. II, p. 448.) Twelve miles square to be patented to two Delaware chiefs, to adjoin the Wyandotte tract. (Art. 19.) Patent to chiefs of Ottawas, 34 square miles on the Miami of the Lake. (Art. 20.) Treaty binding when ratified. (Art. 21.)

Proclaimed January 4, 1819.¹

Supplementary treaty to the former with the Wyandotte, Seneca, Shawnee, and Ottawa Indians, made at Saint Mary's, Ohio, September 17, 1818.

Grants to chiefs in articles 6 and 20 of treaty of September 29, 1817, not to be patented, but held as Indian reservations. Said tracts to be used by chiefs and their heirs unless ceded to United States. (Art. 1.) Additional reservations for Wyandottes of 71,840 acres near the grants to their chiefs. Sum of 21,760 acres additional reservation for Shawnees and Senecas adjoining grants to chiefs, north half to Senecas, south to Shawnees, and 10,000 acres on the east side of Sandusky for Senecas. (Art. 2.) Tracts granted in article 8 of preceding treaty not to be conveyed without permission of President of United States. (Art. 3.) Perpetual annuity as follows: Wyandottes, \$500; Shawnees, Senecas of Lewiston, \$1,000; and to Senecas, \$500; Ottawas, \$1,000. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Proclaimed January 4, 1819.²

Treaty with the Chippewas, made at Saginaw, Mich., September 24, 1819.

Indians cede to United States eastern part of Michigan and headwaters of Thunder Bay River down to its mouth, northeast to boundary line of Canada. (Art. 1.) Following tracts reserved for Chippewas: 8,000 acres east side of Au Sable; 2,000 acres on the Mesagwisk; 6,000 acres north of river Kawkawling; 5,760 acres on Flint River; 8,000 acres at head of river Huron; one island in Saginaw Bay; 2,000 acres at Nabobask village; 1,000 acres near the island in the Saginaw River; 640 acres at the bend of the Huron River; 1,000 acres on the river Huron; 2,000 on Point

¹ United States Statutes at Large, Vol. VII, p. 160.

² *Ibid.*, p. 178.

Angrais River; two tracts, one 10,000 acres and one 3,000, on the Shawassee River; two tracts of 6,000 acres on the Tetabwasink River; 40,000 acres west side of Saginaw River. (Art. 2.) Tracts of land reserved to individuals. (Art. 3.) Perpetual annuity of \$1,000 in silver. All previous annuities to be paid in cash. (Art. 4.) Rights to hunt and make sugar upon the ceded lands. (Art. 5.) Any improvements abandoned to be paid for. (Art. 6.) Right of roads reserved to United States. (Art. 7.) Blacksmith and farming utensils and cattle provided, and persons to instruct in agriculture, to be supported at discretion of President. (Art. 8.) Treaty binding when ratified. (Art. 9.)

Proclaimed March 25, 1820.¹

Treaty with the Chippewas, at Sault de St. Marie, Mich., June 16, 1820.

Indians cede 16 square miles on the St. Mary's River. (Art. 1.) Payment in goods acknowledged. (Art. 2.) Perpetual right to fish at Falls of St. Mary's. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed March 2, 1821.²

Treaty with the Chippewa and Ottawa Indians, made at L'Arbre Croche and at Michilimackinac, Mich., July 6, 1820.

St. Martin Islands in Lake Huron ceded. (Art. 1.) Payment in goods acknowledged. (Art. 2.) Treaty binding when ratified. (Art. 3.)

Proclaimed March 8, 1821.³

Treaty with the Chippewa, Ottawa, and Pottawatomie Indians, made at Chicago, Ill., August 29, 1821.

Tract of land between the St. Joseph and Grand Rivers and Lake Michigan, in Michigan, ceded. (Art. 1.) The following reserved: Six miles square on Peble River, and like amounts on Mickesawbe, 4 miles at Natowasepe, 3 miles at Prairie Ronde, and a tract at the head of the Kalamazoo River. (Art. 2.) Grants made to persons named of Indian descent. Said tracts not transferable without consent of President. (Art. 3.) Perpetual annuity to Ottawas of \$1,000; sum of \$1,500 for ten years for support of blacksmith, teacher, farmer, purchase of cattle and agricultural implements. To Pottawatomies, \$5,000 annually for twenty years. For fifteen years, \$1,000 for blacksmith and teacher. One mile square north of Grand River and similar tract south of Saint Joseph, upon which blacksmith and teacher to respectively reside. (Art. 4.) Indians to hunt on ceded land. (Art. 5.) Road granted from Detroit and Fort Wayne to Chicago. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Proclaimed March 25, 1822.⁴

For treaty of August 19, 1825, made at Prairie du Chien, see Sioux treaty, same date—Dakota Territory.

Treaty with the Chippewas, made at the Fond du Lac of Lake Superior, Michigan, August 5, 1826.

Treaty made in accordance with article 12 of treaty of August 19, 1825, to the stipulations of which the Chippewa tribe hereby assent. (Art. 1.) Boundary between the Chippewas, Winnebagoes, and Menomonies to be fixed in 1827 at Green Bay. (Art. 2.) United States to have the right to search for and carry away metals and minerals. (Art. 3.) Tract granted on St. Mary's River for use of half-breeds. (Art. 4.) Annuity of \$2,000 during the pleasure of Congress. (Art. 5.) Under same limitation, \$1,000 for support of educational establishment on St. Mary's River. (Art. 6.) The rejec-

¹ United States Statutes at Large, Vol. VII, p. 203. ² *Ibid.*, p. 206. ³ *Ibid.*, p. 207. ⁴ *Ibid.*, p. 218.

tion of the fourth, fifth, or sixth article by Senate not to affect validity of other articles. (Art. 7.) Authority of United States acknowledged. (Art. 8.) Treaty binding when ratified. (Art. 9.) Certain Chippewas guilty of murder to be surrendered to United States authorities at Sault St. Marie or Green Bay during the coming summer. (Supplementary article.)

Proclaimed February 7, 1827.¹

Treaty with Chippewa, Menomonie, and Winnebago tribes, at Butte des Morts, Fox River, Michigan Territory, August 11, 1827.

Southern boundary of Chippewa country, left undefined by treaty of August 19, 1825, settled. (Art. 1.) Difficulties between Menomonie and Winnebagoes and portion of New York Indians to the west of Lake Michigan to be referred to President for decision. (Art. 2.) Boundary between the Menomonie tribe and the United States defined. (Art. 3.) Fifteen thousand six hundred and eighty-two dollars worth of goods distributed (Art. 4), \$1,000 appropriated annually for three years, and \$1,500 so long as Congress thinks proper for the education of children of tribes making treaty and New York Indians. (Art. 5.) United States to punish certain Winnebagoes. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Proclaimed February 23, 1829.²

Treaty with the Chippewa, Ottawa, Pottawatomie, and Winnebago Indians, made at Green Bay, Michigan Territory, August 25, 1828.

To permit mining the Indians agree that the United States shall occupy the land between the Wisconsin River and Illinois until ceded, and that miners may enter the Indian country. Ferries over Rock River at Fort Clark road and Lewiston. (Art. 1.) United States agree to pay \$20,000 when land is ceded, payment to be made in goods, and to be divided equitably. (Art. 2.)

Proclaimed January 7, 1829.³

Treaty with the Chippewa, Ottawa, and Pottawatomie of the Illinois, Milwaukee, and Manitououck Rivers, at Prairie du Chien, July 29, 1829.

Indians cede the land in northern Illinois, between Lake Michigan, Fox and Rock Rivers. (Art. 1.) Perpetual annuity of \$16,000 and fifty barrels of salt, \$12,000 worth of goods as present. Blacksmith established at Chicago. (Art. 2.) Lands reserved, eleven sections in the vicinity of Fox River. (Art. 3.) Lands granted to specified mixed bloods. (Art. 4.) Claims against the Indians for \$11,601 paid. (Art. 5.) Boundary line from Lake Michigan to Rock River surveyed. (Art. 6.) Right to hunt reserved. (Art. 7.) Treaty binding when ratified. (Art. 8.)

Proclaimed January 2, 1830.⁴

Treaty with the United Nation of Chippewa, Ottawa, and Pottawatomie Indians of Michigan, made at Chicago, September 26, 1833.

Indians cede all land lying on the western shore of Lake Michigan, about 5,000,000 acres. (Art. 1.) Five million acres granted said Indians east of the Missouri and south of Boyer's River. Indians to remove as soon as convenient. United States to defray expenses of a preliminary visit of five chiefs to the country. Removal of Indians to be at expense of United States. To be subsisted one year after removal. Indians to remove immediately from the State of Illinois and remain three years north of the boundary line (Art. 2); \$100,000 to satisfy individuals to whom lands are denied and for lands claimed by said Indians ceded by the Menomonies; \$150,000

¹ United States Statutes at Large, Vol. VII, p. 290. ² *Ibid.*, p. 303. ³ *Ibid.*, p. 315. ⁴ *Ibid.*, p. 320.

to satisfy claims against the United States; \$100,000 in goods at signing of treaty and during the ensuing year; \$14,000 annually for twenty years; \$150,000 for the erection of mills and shops and support of employes; \$70,000 for education. Indians request this to be invested as permanent fund. Special life annuities to be paid. (Art. 3.) Annuities to be paid west of Mississippi. (Art. 4.) Proclaimed February 21, 1835.¹

Supplementary treaty with same Indians living on reservations south of Grand River, Michigan, made at Chicago, September 27, 1833.

These bands cede all their land in the Territory of Michigan south of Grand River. Also forty-nine sections on St. Joseph River. (Art. 1.) These bands to participate in the provisions of preceding treaty and also to receive \$10,000 additional to the \$100,000 provided in article 3, preceding treaty. Also \$25,000 for claims, \$25,000 in goods, and \$2,000 annuity for twenty years. (Art. 2.) Indians to remove in three years. Until then they may occupy and hunt on the land. (Art. 3.) Eight chiefs and headmen request permission on account of their religious creed to remove to northern part of Michigan. Granted. They to receive their just proportion of payments and annuities. (Supplementary article.) Grants to individuals named. (Supplementary article.) Chiefs having visited territory west of Mississippi suggest changes in boundary of their reservation. (Supplementary article.)

Treaties amended by Senate. Proclaimed February 21, 1831.²

Treaty with the Ottawas and Chippewas, made at Washington, March 28, 1836.

Indians cede the land north of Grand River and Thunder Bay River, and boundary between the United States and Great Britain, thence through the St. Mary to a point opposite Chocolate River, thence south to Green Bay and across Lake Michigan to the entrance of Grand River. (Art. 1.) Reservations granted for five years unless longer time is permitted by Congress. On southern peninsula, 50,000 acres on Little Traverse Bay; 20,000 on Grand Traverse Bay; 70,000 on Piere Marquette; 1,000 on Cheboigan; and 1,000 on Thunder Bay. (Art. 2.) Those on the northern peninsula are two tracts 3 miles square on the north shore of the straits, and Beaver, Round, Chenos, and Sugar Islands; 1 mile wide on the north shore of Lake Huron, and 640 acres at Little Rapids; a tract at the mouth of the Pississowining River; 640 acres on Grand Island; 2,000 acres on main-land south of it, and two sections on the northern extremity of Green Bay. Fishing rights of treaty of June 16, 1820, unaffected. (Art. 3.) Annuity for twenty years as follows: Sum of \$18,000 to Indians living between Grand River and Cheboigan; \$3,600 to those living between Cheboigan and Thunder Bay; \$7,400 to those north of the straits; \$1,000 to be invested in stock for twenty-one years; for education \$5,000 for twenty years or as long as Congress may appropriate; for missions \$3,000 on same terms; \$10,000 for agriculture, stock, etc.; \$300 for medicine; \$2,000 for twenty years to be expended for tobacco, salt, and fish-barrels; \$150,000 in goods on ratification of treaty; \$200,000 when reservations are surrendered, until then the interest on that sum (Art. 4); \$300,000 of debts to be paid under certain regulations. (Art. 5.) Fund of \$150,000 set apart for mixed bloods to be disposed of according to stipulations. (Art. 6.) Interpreter and mechanics to be provided at Sault Ste. Marie north of Grand River for twenty years. (Art. 7.) Improvements on mission property valued, and value to be paid to society. Indians may send deputation south-west of Missouri to seek lands. (Art. 8.) Payments of cash to mixed bloods in lieu of land. (Art. 9.) Payment to chiefs. (Art. 10.) Annuities granted to chiefs. (Art. 11.) Expenses of treaty paid by United States. (Art. 12.) Right to hunt on ceded lands. (Art. 13.)

Amended by Senate. Proclaimed May 27, 1836.³

¹ United States Statutes at Large, Vol. VII, p. 431.
p. 491.

² *Ibid.*, p. 442.

³ *Ibid.*,

Treaty with the Swan Creek and Black River bands of Chippewas, made at Washington, May 9, 1836.

Eight thousand three hundred and twenty acres in vicinity of Lake St. Claire ceded. (Art. 1.) Land to be surveyed and sold; proceeds to be invested in stock as a permanent fund, interest payable annually, less \$10,000 to be paid in ten annual installments. Stock may be sold and proceeds paid to tribe. (Art. 2.) Sum of \$25,000 to be advanced and \$4,000 worth of goods plus the freight from New York and expenses of treaty. (Art. 3.) Eight thousand three hundred and twenty acres north-west of St. Anthony's Falls granted. (Art. 4.)

Proclaimed May 25, 1836.¹

Treaty with the Saginaw band of Chippewas, made at Detroit, June 14, 1837.

One hundred and forty-two thousand acres of land situated in eastern Michigan near Saginaw Bay and tributaries ceded. (Art. 1.) Indians to remain five years on certain tracts west of Saginaw Bay. No white man to settle thereon under penalty. (Art. 2.) Land to be surveyed and sold. Proceeds of sale invested in stock, interest to be paid annually. After twenty years, stock may be sold and money distributed. (Art. 3.) Expenditure of annuity specified, including \$10,000 for support of schools. (Art. 4.) Certain advances made to pay debts, purchase goods, pay for depredations by Indians. (Art. 5.) Bands agree to remove from State of Michigan as soon as proper place is obtained. (Art. 6.) Shops to be continued. (Art. 7.) Payment of \$1,000 made for two reservations ceded by Pottawatomies. (Art. 8.) Annuities by former treaties not affected. (Art. 9.) If land not sold within the year United States to advance the annuity and refund from sales when made. (Art. 10.) Expenses of treaty to be paid by United States. (Art. 11.)

Proclaimed July 2, 1838.²

Treaty with the Chippewa Nation, made at the mouth of St. Peter River, Minnesota, July 29, 1837.

Indians cede the land between Crow Wing and branches of the Chippewa and Wisconsin Rivers. (Art. 1.) Annuities for twenty years, \$9,500 in money, \$19,000 in goods, \$3,000 for shops, \$1,000 for agricultural implements, etc., \$2,000 in provisions, \$500 in tobacco. The cash payment may be made commuted for goods or for the support of schools. (Art. 2.) Sum of \$100,000 to Chippewa half-breeds (Art. 3); \$70,000 in payment of claims against Indians. (Art. 4.) Hunting and fishing and rice gathering on ceded territory guaranteed during the pleasure of President. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed June 15, 1838.³

Treaty with Saginaw band of Chippewas, made at Flint River, Michigan, December 20, 1837.

Fifty cents per acre to be reserved from the price obtained from land ceded by treaty of January 14, 1837, as a price to buy future residence and form a fund for emigrating thereto. (Art. 1.) A reservation to be set apart near headwaters of Osage River. (Art. 2.) Moneys to be advanced by United States not to exceed \$75,000. (Art. 3.) First and second clauses of article 4 and article 10 of treaty, January 14, 1837, hereby abrogated, in lieu United States to pay \$5,000 cash and \$10,000 in goods during year 1838 and 1839, money to be refunded from proceeds of sale of lands. (Art. 4.) Payments due dead chiefs to be adjusted by President. (Art. 5.) No pre-emption on land ceded. (Art. 6.) United States to pay expenses of treaty. (Art. 7.)

Amended by Senate. Proclaimed July 2, 1838.⁴

¹ United States Statutes at Large, Vol. VII, p. 503. ² *Ibid.*, p. 528. ³ *Ibid.*, p. 536. ⁴ *Ibid.*, p. 547.

Treaty with Saginaw band of Chippewas, at Saginaw, January 23, 1838.

Land ceded by treaty of January 14, 1837, to be offered for sale so as to prevent combination to reduce price. (Art. 1.) Land remaining unsold within five years to be sold for what it will command, but not less than 75 cents per acre. (Art. 2.) Treaty binding when ratified. (Art. 3.)

Amended by Senate. Proclaimed July 2, 1838.¹

Treaty with Saginaw band of Chippewas, made at Saginaw, February 7, 1839.

Tract of 40 acres for light-house at mouth of Saginaw River reserved from sale and bought by United States, at \$8 per acre. (Art. 1.) This compact to be confirmed by President and Senate. (Art. 2.)

Proclaimed March 2, 1839.²

Treaty with Saginaw band of Chippewas, made at Saginaw, February 7, 1839.

President permitted to change the location of the tract of the light-house.

Proclaimed March 2, 1839.³

Treaty with Chippewas of Mississippi and Lake Superior, at La Pointe, Wis., October 4, 1842.

Indians cede the land between Chocolate and St. Louis Rivers south of the Portage of the Wisconsin and along the boundary between the Chippewas and Menomones. (Art. 1.) Right to hunt on ceded land reserved. (Art. 2.) All unceded lands belonging to Fond du Lac, Sandy Lake, and Mississippi Chippewas to be common property to parties of this treaty. (Art. 3.) Annuity for twenty-five years as follows: \$12,500 cash, \$10,500 in goods, \$2,000 provisions, \$4,200 for shops, \$1,000 for two farmers, \$2,000 for schools, \$5,000 as agricultural fund, \$75,000 for extinguishing debts, \$15,000 to half-breeds. (Art. 4.) As the whole country between Lake Superior and Mississippi belonged to Chippewas, hereafter all annuities shall be divided equally between the bands of Mississippi and Lake Superior Chippewas. (Art. 5.) Indians residing on mineral lands to be subject to removal at pleasure of President. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Proclaimed March 23, 1843.⁴

Treaty with the Chippewas, Ottawas, and Pottawatomes, made at Council Bluffs, June 5, and at Osage River, June 17, 1846.

The Pottawatomes, known as the Chippewas, Ottawas, and Pottawatomes, the Pottawatomes of the Prairie, the Pottawatomes of the Wabash, and the Pottawatomes of Indiana, desire to be known as the Pottawatome Nation. Peace and friendship to continue. (Art. 1.) Indians cede to United States all lands to which they have any claim whatever. (Art. 2.) United States to pay to said Indians \$850,000. (Art. 3.) Tract 30 miles square set apart on the Kansas River, for which the Indians pay to United States \$87,000. (Art. 4.) United States to pay \$50,000 for abandoned improvements, debts, and purchase of horses and wagons to enable Indians to remove. (Art. 5.) Removal to take place within two years; United States to advance at that time \$20,000 to upper bands, \$10,000 to lower bands to pay expenses of removing, and \$40,000 to subsist all the bands the first twelve months; the aforesaid sums to be deducted from amount paid by article 3. (Art. 6.) Balance of money to be placed in trust at 5 per cent. and paid as provided. (Art. 7.) School fund to be expended in new country after removal. Improvement fund to be paid at new home. President may pay money in lieu of employing persons. (Art. 8.) Missionary buildings to be

¹ United States Statutes at Large, Vol. VII, p. 565. ² *Ibid.*, p. 578. ³ *Ibid.*, p. 579. ⁴ *Ibid.*, p. 591.

used for the agency. Shops to revert to Pottawatomies. (Art. 9.) Money heretofore spent for tobacco and iron to be paid in cash. (Art. 10.)

Proclaimed July 23, 1846.¹

Treaty with Chippewas of Mississippi and Lake Superior, made at Fond du Lac, August 2, 1847.

Peace and friendship agreed upon. (Art. 1.) Land ceded lying between Crow Wing, Long Prairie, and Mississippi Rivers. Also tract, conditional to assent of Pillagers, lying north of Long Prairie River. (Art. 2.) Sum of \$17,000 each to Lake Superior and Mississippi River bands of Chippewas; further sum of \$1,000 for forty-six years to Mississippi River band who may request schools and shops to be supported out of their annual payments. Natives to be employed when competent. (Art. 3.) Mixed bloods to participate in annuities. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Amended, April 3, 1848. Proclaimed April 7, 1848.²

Treaty with Pillager band of Chippewas, made at Leech Lake, August 21, 1847.

Peace and friendship agreed upon. (Art. 1.) Land ceded lying between Ottertail Lake, Long Prairie, Crow Wing, and Leaf Rivers. (Art. 2.) Ceded land to be held as Indian land until otherwise ordered by President. (Art. 3.) Stipulated amount of goods to be given for five years. (Art. 4.) Treaty binding when ratified. (Art. 5.)

Proclaimed, April 7, 1848.³

Treaty with the La Pointe, Ontonagon, L'Anse, Vieux de Sert, Fond du Lac, Lac Court Oreille, Lac du Flambeau, Boise Fort, Grand Portage, and Mississippi bands of Lake Superior, and Mississippi Chippewas, made at La Pointe, Wis., September 30, 1854.

Indians cede all their lands lying east of Snake, East Savannah, East Swan, and Vermillion Rivers. Chippewas of Mississippi agree that this cession shall be made, and that money for the land be paid to Chippewas of Lake Superior. The latter in turn, except Boise Fort band, relinquish all their claim to lands west of the line of cession to the Chippewas of the Mississippi. (Art. 1.) Following reservation set apart for Chippewas of Lake Superior: For L'Anse and Vieux de Sert bands, all unsold lands in townships 51 north, in ranges 31, 32, and 33 west; east half of township 50 north, range 33 west, and west half of township 50 north, range 32 west; for La Pointe band: Beginning on the south shore of Lake Superior a few miles west of Montreal River, at the mouth of a creek called by the Indians Ke-che-se-be-we-she, running thence south to a line drawn east and west through the centre of township 47 north; thence west to the west line of said township; thence south to the southeast corner of township 46 north, range 32 west; thence west the width of two townships; thence north the width of two townships; thence west 1 mile; thence north to the lake shore; and thence along the lake shore, crossing Shag-waw-me-quon Point, to the place of beginning. Also 200 acres on the northern extremity of Madeline Island for a fishing-ground.

For the other Wisconsin bands, a tract of land lying about Lac de Flambeau and another tract on Lac Court Oreilles, each equal in extent to three townships, the boundaries of which shall be hereafter agreed upon or fixed under the direction of President.

For Fond du Lac bands, a tract of land bounded as follows: Beginning at an island in the St. Louis River above Knife Portage, called by the Indians "Pawpawcome-metig," running thence west to the boundary line heretofore described; thence north along said boundary line to the mouth of Savannah River; thence down the St. Louis River to the place of beginning. And if said tract shall contain less than 100,000

¹ United States Statutes at Large, Vol. IX, p. 853.

² *Ibid.*, p. 904.

³ *Ibid.*,

acres, a strip of land shall be added on the south side thereof large enough to equal such deficiency.

For Grand Portage band, tract bounded as follows: Beginning a little east of eastern extremity of Grand Portage Bay, running thence along the lake to the mouth of Cranberry Marsh River; thence across to the point to Pigeon River; thence down said river to a point opposite the starting point, and across to place of beginning.

The Ontonagon band and subdivision of La Pointe band, of which Buffalo is chief, may each select near the lake shore four sections of land, boundaries of which shall be defined hereafter. It is agreed that Chief Buffalo may select one section of land for his relatives at such place in ceded lands as he may see fit, which land shall be conveyed to such persons as he may direct. Mixed bloods over twenty-one years entitled to 80 acres, to be secured by patent. (Art. 2.) President may survey and assign to each head of a family or person over twenty-one years of age 80 acres. As fast as occupant becomes capable of transacting his own affairs patents may be issued. Restrictions and power of alienation as President may see fit; may also regulate disposition of abandoned property. President may assign other lands in exchange for mineral lands and make changes in boundaries to prevent interference with vested rights. All railroads and highways to have right of way through lands, and compensation to be made therefor. (Art. 3.) For twenty years \$5,000 in coin, \$8,000 in merchandise, \$3,000 in stock, agricultural implements, etc., \$3,000 for education, of which \$300 shall be paid per annum to Grand Portage band. Further sum of \$90,000 to cancel debts; also \$6,000 for agricultural implements, etc., to mixed bloods; also stipulated amounts of arms and ammunition, traps, and clothing to young men. (Art. 4.) In lieu of implements provided by previous treaties to the Chippewas of Lake Superior, a blacksmith and assistant for twenty years to be maintained at each reservation. (Art. 5.) Annuities not to be taken to pay debts of individuals. (Art. 6.) No liquor to be sold or used. (Art. 7.) Chippewas of Lake Superior to be entitled to two-thirds and Chippewas of Mississippi to one-third of benefits from treaties prior to 1847. (Art. 8.) Arrearages to be paid by Government. (Art. 9.) Missionaries and teachers and other adults to be allowed to purchase one-quarter section of land occupied by them in the ceded territory. (Art. 10.) Annuity payments to be made at L'Anse, La Pointe, Grand Portage, and St. Louis River. Indians not to be removed from their homes hereby set apart, and may hunt and fish on ceded lands until otherwise ordered by President. (Art. 11.) To Boise Fort Indians, who have never received any annuity, and who own exclusively a large part of ceded territory, a gift of \$10,000 to meet their debts, and \$2,000 annually for five years in goods. They to select their reservation at any time hereafter, under the direction of the President, to be equal in extent in proportion to their numbers as those reservations hereby set apart. A blacksmith and two farmers allowed at the discretion of President. (Art. 12.) Treaty binding when ratified. (Art. 13.)

Proclaimed January 10, 1855.¹

Treaty with the Mississippi, Pillager, and Winnibigoshish bands of Chippewa Indians, made at Washington, February 22, 1855.

Indians cede the land lying west of the Vermillion and Big Fork to the Black River, thence southwest to Turtle Lake, to the mouth of Wild Rice River, up the Red River of the North to Buffalo River; thence to the south of Ottertail Lake, through it to the Leaf River; thence to the Crow Wing, down to the Mississippi, meeting the line of the cession of the treaty of July 29, 1837. Also relinquish any rights they may have in the Territory of Minnesota or elsewhere. (Art. 1.)

Following reservations set apart: For Mississippi bands of Chippewas, the first to embrace the following fractional townships: 42 north, of range 25 west; 42 north, of range 26 west; 42 and 43 north, of range 27 west; and also the three islands in the southern part of Mille Lac. The second, beginning at a point half a mile east of

¹ United States Statutes at Large, Vol: X, p. 1109.

Rabbit Lake; thence south 3 miles; thence west 3 miles in a straight line to a point 3 miles south of the mouth of Rabbit River; thence north to mouth of said river; thence up Mississippi River to a point north of place of beginning; thence south to place of beginning. The third, beginning at a point half a mile southwest from south-west point of Gull Lake; thence south to Crow Wing River; down said river to the Mississippi; up said river to Long Lake Portage; thence in a straight line to head of Gull Lake; thence south-west in a direct line to place of beginning. The fourth, boundary to be as nearly as possible at right angles, and embrace within them Pokagomon Lake, but nowhere to approach nearer than half a mile from said lake. The fifth, beginning at mouth of Sandy Lake River; south to point on east and west line 2 miles south of most southern point of Sandy Lake; east to a point due south from mouth of West Savannah River; thence north to mouth of said river; thence north to point on east and west line 1 mile north of northern point of Sandy Lake; west to Little Rice River; down said river to Sandy Lake River, and down said river to beginning. The sixth, to include all islands in Rice Lake, and half section of land on said lake to include present gardens of Indians. The seventh, one section of land for Hole-in-the-Day, to include his house and farm, for which he is to receive patent, in fee-simple.

For the Pillager and Lake Winnibigoshish bands, three tracts, as follows: First, beginning at mouth of Little Boy River; thence up said river to Lake Hassler; through centre of said lake to its western extremity; thence in a direct line to most southern point of Leech Lake, through said lake so as to include all the islands therein, to the place of beginning. Second, beginning at point where Mississippi River leaves Lake Winnibigoshish; thence north to the head of first river; west by the head of the next river to the head of the third river emptying into said lake; down latter to said lake and in direct line to place of beginning. Third, beginning at mouth of Turtle River; thence up said river to first lake; thence east 4 miles; thence south in line parallel with Turtle River to Cass Lake; and thence so as to include all islands in said lake, to place of beginning. President may survey reservations and assign to head of family or adult, 80 acres; issue patents for same when occupants are capable of managing their business. Said tracts to be exempt from taxation or sale. Not to be leased for longer than two years unless otherwise provided by Legislature of State with assent of Congress. Shall not be sold for five years after date of patent and then only with assent of the President. President to regulate descent of property prior to patent. (Art. 2.) Payments, \$10,000 in goods; \$50,000 to pay debts, \$10,000 of which shall be paid to mixed bloods; \$20,000 annually for twenty years, \$2,000 of which shall be expended as chiefs may request; \$5,000 to construct a road from Rum River to Mille Lac. Land to be plowed on each reservation. For the Pillagers and Lake Winnibigoshish bands, \$10,000 in goods, \$40,000 for obligations, of which \$10,000 shall be for mixed bloods; sum of \$10,666.66 annually for thirty years, \$8,000 for thirty years in goods as requested by chiefs; \$4,000 for thirty years for agricultural pursuits; sum not exceeding \$3,000 for twenty years for purposes of education; \$600 in ammunition and other articles annually for five years; blacksmith and shops for fifteen years; six laborers for five years; \$200 for tools, and \$15,000 for opening road from Crow Wing to Leech Lake; 200 acres in ten or more lots to be plowed at Leech Lake, 50 acres at Lake Winnibigoshish, 25 acres at Cass Lake. Mills to be provided out of their own funds. (Art. 3.) Mississippi bands to receive their payments by former treaties in cash and employ their own mechanics. If they fail, the Indian Commissioner to expend the amounts. (Art. 4.) Annuities of Mississippi bands paid on their reservation, others at Leech Lake. (Art. 5.) Missionaries and other persons occupying land may enter quarter section at \$1.25 per acre. Mixed bloods to receive 80 acres. (Art. 6.) Liquor traffic prohibited. (Art. 7.) Right of way for roads guaranteed at fair valuation. (Art. 8.) Indians agree to commit no depredations and to settle on reservation. (Art. 9.) Treaty binding when ratified. (Art. 10.) Proclaimed April 7, 1855.¹

¹ United States Statutes at Large, Vol. X, p. 1165.

Treaty with the Sault Ste. Marie, Grand River, Grand Traverse, Little Traverse, Mackinac bands of Ottawa and Chippewa Indians, made at Detroit, July 31, 1855.

The following reservations withdrawn from public sale and set apart for Indians : For use of six bands residing at and near the Sault Ste. Marie, sections 13, 14, 23, 24, 25, 26, 27, and 28, in township 47 north, range 5 west; sections 18, 19, and 30, in township 47 north, range 4 west; sections 11, 12, 13, 14, 15, 22, 23, 25, and 26, in township 47 north, range 3 west; and section 29, in township 47 north, range 2 west; sections 2, 3, 4, 11, 14, and 15, in township 47 north, range 2 east; and section 34 in township 48 north, range 2 east; sections 6, 7, 18, 19, 20, 28, 29, and 33, in township 45 north, range 2 east; sections 1, 12, and 13, in township 45 north, range 1 east; and section 4 in township 44 north, range 2 east.

For use of bands who wish to reside north of Straits of Mackinac, townships 42 north, ranges 1 and 2 west; township 43 north, range 1 west, and township 44 north, range 12 west.

For Beaver Island band, High Island and Garden Island, in Lake Michigan.

For the Cross Village, Middle Village, L'Arbrechroche, and Bear Creek bands, and such Bay du Noc and Beaver Island Indians as may prefer to live with them, townships 34 to 39 north, inclusive, range 5 west; townships 34 to 38 north, inclusive, range 6 west; townships 34, 36, and 37 north, range 7 west; and all that part of township 34 north, range 8 west, lying north of Pine River.

For the bands which usually assemble for payment at Fort Traverse, townships 29, 30, and 31 north, range 11 west; and townships 29, 30, and 31 north, range 12 west, and the east half of township 29 north, range 9 west.

For the Grand River bands, township 12 north, range 15 west, and townships 15, 16, 17, and 18 north, range 16 west.

For the Cheboygan band, townships 35 and 36 north, range 3 west.

For the Thunder Bay band, sections 25 and 36 in township 30 north, range 7 east, and section 22 in township 30 north, range 8 east.

For Indians desiring to reside near Sault Ste. Marie on land owned by missionary society of Methodist Episcopal Church at Iroquois Point, United States to purchase as much as society will sell at the Government price. Within tracts before mentioned, each head of family to have 80 acres; persons over twenty-one, 40 acres, family of two or more orphan children under twenty-one, 80 acres; single orphan child, 40 acres. Indians to make their own selection. Agent to make classified list of same. Patents to be issued before July 1, 1856. No applications allowed afterward. Selections to be made within five years and accord with legal subdivisions. Possession to be had at once. Certificate of possession to guaranty ultimate title. After ten years, on recommendation of agent Secretary of the Interior may issue patent in fee-simple. From those incapable of managing their own affairs patents may be withheld. Head of family dying before issue of certificates or patent, the same shall go to his heirs. These provisions extend to Indians resident in the State of Michigan, including Garden River band of Sault Ste. Marie and who participate in the annuities provided by treaty of March 28, 1836. All tracts within said land unallotted during the first five years to remain property of the United States for a further term of five years, subject to entry by Indians only, at same rate per acre as other adjacent public lands, and for lands so purchased fee-simple patent to be issued. At the expiration of second five years, unappropriated or unsold land to be disposed of by the United States. Rights of actual settlers by pre-emption undisturbed by above provisions. Indian purchasers under graduation act¹ not required to occupy said land in order to secure title. Said land may be sold by Indians to Board of Foreign Missions of Presbyterian Church, which is permitted to purchase 63 and a fraction acres, at \$1.25 per acre, on Grand Traverse Bay. United States to pay \$40,000 for liquidation of debts, the same having been investigated by Secretary of the Interior and presented within six

¹ United States Statutes at Large, Vol. X, p. 574.

months after the ratification of this treaty. Any balance to be expended for the benefit of the Chippewas. (Art. 1.) The sum of \$538,400 paid in the following manner: Eighty thousand dollars in ten equal annual instalments for education; \$75,000 in five equal annual instalments, for stock, agricultural implements, etc.; \$42,400 for four blacksmith shops for ten years. Sum of \$306,000 to be paid in coin as follows: "Ten thousand dollars of the principal and the interest on the whole of said sum remaining unpaid at the rate of 5 per cent. annually for ten years," distributed per capita; \$206,000 remaining unpaid at the expiration of ten years shall then be due and payable per capita in not less than four equal annual instalments. To the Grand River Ottawas, \$35,000 in ten annual instalments, distributed per capita, and in lieu of all permanent annuities by former treaty stipulations. (Art. 2.) Indians release the United States from all former treaty stipulations for land, money, or other articles, it being understood that the grants and payments herein provided are in satisfaction of all claims of said Indians, except the right of encampment and fishing, secured by treaty of June 16, 1820. (Art. 3.) Interpreters granted for five years. (Art. 4.) Tribal organization of Ottawa and Chippewa Indians, except so far as necessary to carry out treaty, hereby dissolved. Negotiations with the United States to take place by individuals. (Art. 5.) Treaty binding when ratified. (Art. 6.) Amended April 15, 1856. Amendments accepted by different bands June 27, July 2, 5, and 31, 1856. Proclaimed September 10, 1856.¹

Treaty with the Chippewas of Saull Ste. Marie, made at Detroit, August 2, 1855.

Indians surrender to United States right of fishing at the Falls of St. Mary, near the fishing grounds described by treaty of June 16, 1820. (Art. 1.) United States to appoint a commissioner to determine the value of the interest of the Indians therein. His award to be reported to President and to be final and conclusive. Amount awarded to be paid as annuities are paid and received in full satisfaction for the right surrendered. One-third, if the Indians desire, to be paid to their half-breeds. (Art. 2.) To Chief Oshawwawno a fee-simple patent to the small island whereon he lives in the river St. Mary adjacent to camping ground, said to contain less than half an acre, provided that it has not been heretofore appropriated or disposed of. In that case no compensation to be claimed by said chief or any of the Indians. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed April 24, 1856.²

Treaty with the Saginaw, Swan Creek, and Black River bands of Chippewa Indians, made at Detroit, August 2, 1855.

Following tracts withdrawn from sale and set apart: Six adjoining townships in the county of Isabella to be selected by Indians within three months from this date, and notice given to their agent. Also townships Nos. 17 and 18 north, ranges 3, 4, and 5 east.

Provisions for land in severalty same as in preceding treaty. (Art. 1.) Payment of \$220,000 as follows: For education, \$4,000 for five years; \$2,000 for five subsequent years; for stock, agricultural implements, etc., \$5,000 for five years; \$3,000 for five subsequent years; per capita, \$10,000 for ten years; \$18,800 for two subsequent years; for blacksmith shop for ten years, \$12,400; saw and grist mill in Isabella County, \$4,000; \$20,000 for debts to be investigated and approved by Secretary of the Interior within six months after ratification of treaty. Surplus to be expended for benefit of Indians. (Art. 2.) Chippewas cede to United States all land in Michigan owned by them or held in trust for them, and release the United States from all liability to them for the value of lands hitherto sold, the proceeds of which remain unpaid. Also surrender all their permanent annuities secured to them by former treaty stipulations,

¹ United States Statutes at Large, Vol. XI, p. 621.

² *Ibid.*, p. 631.

including that portion of the \$300 payable by the treaty of November 17, 1807, to which they are entitled. Grants and payments of this treaty are in satisfaction of all claims of said Indians against the United States. (Art. 3.) Entries of land heretofore made by Indians and Missionary Society of Methodist Episcopal Church and withdrawn from sale in townships 14 north, range 4 east, and 10 north, range 5 east, Michigan, hereby confirmed. Patents to be issued. (Art. 4.) Interpreter for five years, or as long as President deems necessary. (Art. 5.) Tribal organization dissolved. (Art. 6.) Treaty binding when ratified. (Art. 7.)

Amended April 15, 1856. Amendments accepted May 14, 1856. Proclaimed June 21, 1856.¹

Treaty with the Swan Creek and Black River Chippewas and Munsee Christian Indians, made at Sac and Fox Agency July 16, 1859.

Munsee Indians express a desire to unite with Chippewas, which is agreed to. Reservation west of Mississippi set apart by treaty of May 9, 1836, shall be surveyed. Forty acres allotted to each head of family and 40 acres to each child or other member of family; 40 acres to each orphan child; 80 acres to each single person twenty-one years of age not connected with any family. Improvements of Indians as far as possible to be covered by their allotment. Intermediate parcels of land to be held in common, subject to assignment in severalty. Lands assigned not to exceed 4,880 acres, to be known as "Chippewa and Christian Indian Reservation." Indian laws passed by Congress shall have force on reservation. No white person except such as are in employ of United States to reside thereon. Certificates to be issued. Lands not to be alienated or disposed of except to United States or members of said bands, under rules prescribed by Secretary of the Interior. Land to be exempt from taxation. Descent of property to be decided by Secretary. (Art. 1.) Residue of tract set apart by treaty of 1836 to be appraised, and sold at public auction. No bids received for less than appraised value. Proceeds, after deducting expenses, to belong to the aforesaid band of Chippewas; \$3,000 out of funds of Christian Indians used to pay for the land assigned them. United States to pay \$6,000 to Chippewas in satisfaction of all claims and demands under previous treaties. Said \$6,000 to be derived from the avails of land sold under the treaty of 1836, the interest accruing thereon, or the balance of annuities resulting from other treaties with said Indians. (Art. 2.) Out of aggregate sum of \$43,400 deposited to credit of Christian Indians, \$20,000 for providing them with stock, houses, agricultural implements, etc. Remainder of sum to be mingled with the funds of said bands of Chippewas and constitute a general fund. This money, less \$2,000, to be invested in stocks yielding interest at not less than 5 per cent. Interest to be applied for educational purposes, support of shops, and civilization of Indians. (Art. 3.) One hundred and sixty acres set apart for manual labor school. (Art. 1.) Two thousand dollars before mentioned to be expended for school-house, church buildings, blacksmith shop, etc. (Art. 3.) All railroads and highways authorized by law to have right of way, just compensation being made. (Art. 5.) Bands of Chippewas relinquish all claims under the treaty of November 17, 1807, May 9, 1836, August 2, 1855, and receive the stipulations and provisions herein contained in full satisfaction, and release the United States from claims of every character. (Art. 4.) Treaty binding when ratified. (Art. 6.)

Proclaimed April 19, 1860.²

Treaty with the Pillager and Lake Winnibigoshish Chippewas of Minnesota and Chippewas of Mississippi, at Washington, March 11, 1863.

Cessions.—Gull Lake, Mille Lac, Sandy Lake, Rabbit Lake, Pokagomin Lake, and Rice Lake Reservations described in second article of treaty of February 22, 1855, ceded to United States, except one-half section including mission buildings at Gull Lake, granted in fee-simple to Rev. John Johnson, missionary. (Art. 1.)

¹United States Statutes at Large, Vol. XI, p. 633.

²*Ibid.*, Vol. XII, p. 1105.

Reservations.—In consideration of the foregoing cession the United States agrees to set apart for the future homes of the Chippewas of the Mississippi all the lands embraced within the following-described boundaries, excepting the reservations made and described in the third clause of the second article of the said treaty of February 22, 1855, for the Pillager and Winnibigoshish bands; that is to say, beginning at a point one mile south of the most southerly point of Leech Lake, and running thence in an easterly course to a point one mile south of the most southerly point of Goose Lake; thence due east to a point due south from the intersection of the Pokagomin Reservation and the Mississippi River; thence on the dividing line between Deer River and lakes and Mashkorden's River and lakes until a point is reached north of the first-named river and lakes; thence in a direct line north-westwardly to the outlet of Two Routes Lake; thence in a south-westerly direction to the north-west corner of the Cass Lake Reservation; thence in a south-westerly direction to Karbekaun River; thence down said river to the lake of the same name; thence due south to a point due west from the beginning; thence to the place of beginning. (Art. 2.)

Payments.—Present annuities extended ten years. Sum of \$30,000 paid toward depredation claims and \$20,000 toward debts. Out of arrearage due under ninth article of treaty of September 30, 1854, \$16,000 to chiefs, \$1,000 of which shall be to Pillager and Lake Winnibigoshish Indians. Sum of \$1,338.75 to pay expenses incurred by commission sent by Legislature of Minnesota. (Art. 3.) Sum of \$3,600 to be expended in clearing stumps and rocks in lots 10 acres each, for Gull Lake; Mille Lac, 70 acres; Sandy Lake and Pokagomin Lake, 50 acres each; Rabbit Lake, 40 acres, and Rice Lake 20 acres; and to build house for each chief as herein described. (Art. 4.) To expend \$1,000 for ten years, to provide ten yoke of oxen, twenty log chains, two hundred grubbing hoes, ten plows, ten grindstones, one hundred axes, and twenty spades. Also two carpenters, two blacksmiths, four farm laborers, and one physician. (Art. 5.) Saw-mill to be removed to new reservation. Road to be extended from Leech Lake to junction of Mississippi and Leech Lake Rivers, and agency placed near junction. (Art. 6.) President to appoint three persons from Christian denominations to attend to annuity payments. (Art. 7.) No chief of band less than fifty to be recognized. Chiefs to be paid out of annuities annually \$150. (Art. 8.) Agents and employés to be lawfully married. (Art. 9.) Annuities under former treaties to be paid. (Art. 10.) Indian employés authorized. (Art. 11.) Not obligatory on Indians to remove until articles 4 and 6 are complied with, when United States shall furnish transportation and subsistence for six months after removal: "Provided, That owing to the heretofore good conduct of the Mille Lac Indians they shall not be compelled to remove so long as they shall not in any way interfere with or in any manner molest the persons or property of the whites." (Art. 12.) Ten dollars a month allowed members of employers' families who teach Indian girls domestic economy. Not more than \$1,000 to be so expended. (Art. 13.) Breaking and clearing provided for in article 4 in lieu of all former similar engagements. (Art. 14.)

Amended March 13, 1863; assented to March 14, 1863; proclaimed March 19, 1863.¹

Treaty with the Red Lake and Pembina bands of Chippewa Indians, made at Old Crossing of Red Lake River, Minnesota, October 2, 1863.

Peace and friendship to continue. (Art. 1.) Indians cede all lands lying west of the Lake of the Woods, including the valley of the Red River of the North from the boundary of British possessions to Cheyenne River. (Art. 2.) Sum of \$20,000 for twenty years, \$5,000 of which shall be applied to education, agricultural implements, etc. (Art. 3.) To pay claims for depredation on British and American traders and exactions levied on steam-boat on Red River, \$100,000; such claims to be audited under direction of President. (Art. 4.) Five hundred dollars to each chief for a house and \$150 annually in annuities; \$5,000 for road from Leach Lake to Red Lake. (Art. 5.)

¹ United States Statutes at Large, Vol. XII, p. 1249.

Board of visitors to be appointed by President. (Art. 6.) Liquors prohibited. (Art. 7.) Homesteads under homestead laws granted to mixed bloods. (Art. 8.) Six hundred and forty acres at mouth of Thief River; similar tract north of Pembina River set apart for two specified chiefs. (Art. 9.)

Amended March 1, 1864; assented to April 12, 1864; proclaimed May 5, 1864.¹

Supplementary treaty with the Red Lake and Pembina bands of Chippewa Indians, made at Washington April 12, 1864.

Indians assent to treaty of October 2, 1863, as amended. (Art. 1.) Payments in lieu of those provided in preceding treaty: Ten thousand dollars during the pleasure of President to Red Lake band; Pembina band \$5,000 per capita. (Art. 2.) Eight thousand dollars in goods for fifteen years. (Art. 3.) Blacksmith, physician, miller, and farmer, and \$1,500 worth of blacksmiths' articles, \$1,000 of carpenters', for fifteen years. (Art. 4.) Saw and grist mill provided. (Art. 5.) Of the \$100,000 provided in article 4 of preceding treaty, \$25,000 to be expended by the chiefs, on their return home, for provisions and clothing for the people; the remaining \$75,000 for claims for depredations before mentioned. (Art. 6.) Scrip to be issued to mixed bloods and lands to be located in ceded territory. (Art. 7.)

Proclaimed April 25, 1864.²

Treaty with the Mississippi, Pillager, and Lake Winnibagoshish bands of Chippewas, made at Washington May 7, 1864.

Cessions of treaty of February 22, 1855, confirmed. Also grant to Rev. John Johnson; and a section southeast of Gull Lake, a second at Sandy Lake, and a third at Mille Lac, granted for three chiefs respectively. (Art. 1.) In consideration of the foregoing cession, the United States agrees to set apart for the future home of the Chippewas of the Mississippi all the lands embraced within the following-described boundaries, excepting the reservations made and described in the third clause of the second article of the said treaty of February 22, 1855, for the Pillager and Lake Winnibagoshish bands; that is to say, beginning at a point one mile south of the most southerly point of Leech Lake, and running thence in an easterly course to a point one mile south of the most southerly point of Goose Lake; thence due east to a point due south from the intersection of the Pokagomin Reservation and the Mississippi River; thence on the dividing line between Deer River and lakes and Mashkorden's River and lakes until a point is reached north of the first-named river and lakes; thence in a direct line north westerly to the outlet of Two Routes Lake, then in a south westerly direction to Turtle Lake; thence south westerly to the head water of Rice River; thence north westerly along the line of the Red Lake Reservation to the mouth of Thief River; thence down the centre of the main channel of Red Lake River to a point opposite the mouth of Black River; thence southeasterly in a direct line with the outlet of Rice Lake to a point due west from the place of beginning; thence to the place of beginning. (Art. 2.) Annuities extended ten years. Twenty thousand dollars for depredations committed by said Indians; in 1862, \$10,000 to chiefs of Chippewas of Mississippi; \$5,000 for depredations committed on Hole-in-the-day in 1862. (Art. 3.) Clearing, etc., as agreed in articles 4 and 14 of treaty of March 1, 1863, reiterated. One thousand five hundred dollars in oxen and agricultural implements. Also mechanics and physician provided. (Art. 5.) One thousand dollars annually for support of saw-mill for bands, \$7,500 for roads and bridges, and \$25,000 to establish agency. (Art. 6.) Sections 7, 8, 9, 10, 12, and 13 of treaty of March 11, 1863, repeated. Laborers as far as possible to be selected from full or mixed bloods. (Art. 11.)

Residents on Sandy Lake not to be removed until President shall so direct. (Amendment to Art. 12.)

Amended February 9, 1865; assented to February 14, 1865; proclaimed March 20, 1865.³

¹United States Statutes at Large, Vol. XIII, p. 667. ²*Ibid.*, p. 689. ³*Ibid.*, p. 693.

Treaty with Saginaw, Swan Creek, and Black River Bands of Chippewa at Isabella, Michigan, October 18, 1864.

Indians cede to United States townships upon Saginaw Bay and the right to purchase unselected land on the Isabella Reservation as provided in article 1 of the treaty of August 2, 1855. (Art. 1.) All unsold land within Isabella Reservation set apart for the exclusive use, ownership, and occupancy of said band. (Art. 2.) Persons relinquishing land within townships on Saginaw Bay to make, in lieu thereof, selections on Isabella Reservation. Each chief to have 80 acres in addition to present selections, and patents to issue in fee-simple. To one head-man in each band, 40 acres in fee-simple; each head of family, 80 acres; single person over twenty-one, 40 acres; orphan child under twenty-one, 40 acres; each unallotted female married, 40 acres; each other person now living, or who may be hereafter born, when of age, 40 acres so long as any lands in said reserve remain unselected. Certain named individuals granted patents for 80-acre tracts. Certain Ottawa, Chippewa, and Pottawatomie bands to be permitted to hold land on the reservation. Agent to make lists of those holding or entitled to land, dividing them into two classes, "competent" and "incompetent." "Competent" are those having an education and qualified to manage their own affairs. "Incompetent" those uneducated or wandering and idle persons. All orphans come under this class. Patents to competents to be issued in fee-simple. To the second class patents containing a provision that the land can not be sold or alienated without consent of Secretary of Interior. (Art. 3.) Sum of \$20,000 for maintenance of manual labor schools. Methodist Episcopal Society to erect building within three years, at a value of not less than \$3,000, upon southeast quarter of section 9, township 14 north, range 4 west, which is hereby set apart. Board of visitors to examine and report on schools, composed of superintendent of public instruction, lieutenant-governor of State of Michigan, and person designated by missionary board. These report to Indian Commissioner. Society to have full control of school and farm. Upon approval of board of visitors, United States to pay \$2,000 annually until the \$20,000 is expended. In case of neglect, the society to forfeit all rights to land and buildings. These may then be sold by Secretary of Interior and proceeds expended for education of Indians. At expiration of ten years, if conduct of school is acceptable to board of visitors, land may be conveyed in fee-simple. If missionary society fails to accept trust within one year after ratification of treaty, said \$20,000 to be expended by Secretary of Interior. Society allowed to use or move present school-houses. (Art. 4.) Out of the last two payments of \$18,800 provided by the treaty of August 2, 1855, \$17,600 to be withheld and placed as an agricultural fund to be expended for stock, shop, and agricultural implements. (Art. 5.) Commissioner may sell a mill and land belonging to Isabella City, and apply proceeds as the Secretary of Interior deems best. (Art. 6.) Mill site belonging to an allottee, he to have land elsewhere. (Art. 7.) Article 8 of treaty of August 2, 1855, not to affect terms of this treaty.

Amended and assented to May 22, 1866; proclaimed August 16, 1866.¹

Treaty with the Bois  Fort Band of Chippewas, made at Washington, April 7, 1866.

Peace and friendship to continue. (Art. 1.) Bois  Fort Indians relinquish their claims on the land east of the line of cession of treaty of September 30, 1854, especially their reservation at or near Lake Vermillion, and also all lands westward of the line, or elsewhere in the United States. (Art. 2.) The following reservation of 100,000 acres, set apart within one year after ratification of this treaty, for perpetual use and occupancy of Indians; tract to include the lake of Netor Assabacona, if possible, and also one township of land on Grand Fork River at mouth of Deer Creek. (Art. 2.) United States to expend \$5,700 for agency buildings, blacksmith-shop, and houses for chiefs. Also \$500 for one school-house, and annually for twenty-three years \$2,300 for shops, farmer, agricultural implements, etc., \$3,500 in cash, \$1,000 in ammu-

¹ United States Statutes at Large, Vol. XIV, p. 657.

dition, provisions, etc., and \$6,500 in goods. Also \$800 for a teacher and books (Art. 3); \$30,000 to enable the people to establish themselves on the new reservation. (Art. 4.) Grants of land to specified individuals for services. (Art. 5.) Annuities provided and paid upon the reservation. (Art. 6.) All provisions of former treaties inconsistent with this treaty abrogated, except that of article 12, treaty of September 30, 1854, for shops and instruction in farming. Benefits thereof transferred to Chippewas of Lake Superior. (Art. 7.) Expenses of treaty not exceeding \$10,000 to be borne by United States. (Art. 8.)

Amended April 26, 1866; assented to April 28, 1866; proclaimed May 5, 1866.¹

Treaty with the Chippewas of the Mississippi, made at Washington, March 19, 1867.

Whereas the land set apart in the treaty of May 7, 1864, is not adapted for agricultural purposes for such Indians as desire to so devote themselves; while a portion desire to remain on a part of the aforementioned reservation and sell the remainder, they therefore cede all land set apart for them in Minnesota, except the following tract: Commencing at a point on the Mississippi River opposite the mouth of Wanoman River, as laid down in Sewall's map of Minnesota, due north to a point two miles further north than the north point of Lake Winnibigoshish; thence west to a point two miles west of Cass Lake; thence south to Kebekona River; thence down said river to Leech Lake; thence to outlet of the lake in Leech River; thence down said river to the Mississippi and to the place of beginning. (Art. 1.) There is further reserved for a farming region a square reservation which shall include White Earth Lake and Rice Lake, and contain thirty-six townships of land; and such portions of the tract herein provided as shall actually be found outside the reservation set apart in the second article of the treaty of March 20, 1865, shall be received by said bands in part consideration for cessions of land made in this treaty. (Art. 2.) For payment for the 2,000,000 acres ceded; \$10,000 for saw and grist mill; \$5,000 toward the erection of houses for Indians who remove to reservation; \$5,000 for stock and agricultural implements, opening farms, etc.; \$6,000 for ten years, and as long thereafter as President may deem proper in promoting agriculture; \$1,200 for ten years' support of physician; \$300 for same term for medicine; \$5,000 for erection of school buildings on reservation set apart in second article; \$4,000 for ten years, or so long as President may think proper, for support of school; \$10,000 for provisions and clothing to be paid on removal. (Art. 3.) No part of annuities provided in this or former treaties to be paid to mixed bloods, except those who actually live with their people upon the reservation. (Art. 4.) Annuities provided for Hole-in-the-Day by treaty of August 2, 1847, to be paid to him or to his heirs. Grants to two designated persons. (Art. 5.) Reservation in article 2 to be located by designated persons, including chiefs, and improvements provided in article 4 of the treaty of May 7, 1864, to be made thereon. (Art. 6.) Reservation to be surveyed, and when any Indian, male or female, shall have 10 acres under cultivation he shall be entitled to a certificate for 40 acres, and for further additional 10 acres an additional 40, until 160 acres have been certified to any one Indian. Said land to be exempt from taxation or sale. (Art. 7.) Any Indian committing a crime against life or property may, upon demand of agent, be arrested, tried, and punished as though he were white. (Art. 8.) Amended and assented to April 8, 1867; proclaimed April 18, 1867.²

*Ontonagon Reserve.*³

GENERAL LAND OFFICE,

September 24, 1855.

SIR: I have the honor to submit herewith a communication from the Commissioner of Indian Affairs, of the 20th instant, requesting that the following-described tracts be withdrawn from market and reserved for the Ontonagon band of Chippewa In-

¹United States Statutes at Large, Vol. XIV, p. 765.

²*Ibid.*, Vol. XVI, p. 719.

³Report of Indian Commissioner, 1886, p. 333.

dians under the sixth clause of the first article of the treaty of La Pointe of July 30, 1854, viz: Lots Nos. 1, 2, 3, and 4 of section 14, township 53 north, range 38 west, Michigan meridian; lots Nos. 1, 2, 3 and 4 of section 15, township 53 north, range 38 west, Michigan meridian; southwest quarter, and southwest quarter of southeast quarter of section 15, township 53 north, range 38 west, Michigan meridian; the whole of sections 22 and 23, township 53 north, range 38 west, Michigan meridian; north half of section 26, township 53 north, range 38 west, Michigan meridian; north half section 27, township 53 north, range 38 west, Michigan meridian; all situated in the northern peninsula of Michigan.

On examination of the plats and tract-books in this office it appears that the above lands are all vacant, and there exists no objection to their reservation; for which I respectfully recommend that the order of the President be obtained previous to instructing the land officers.

I am, very respectfully, your obedient servant,

THOS. A. HENDRICKS,
Commissioner.

Hon. ROBERT McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
September 25, 1855.

Respectfully submitted to the President for his approval as recommended.

R. McCLELLAND,
Secretary.

SEPTEMBER 25, 1855.

Let the reservation be made.

FRANKLIN PIERCE.

Ottawa and Chippewa reserves.¹

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
August 4, 1855.

SIR: I inclose herewith a copy of a communication from the Commissioner of Indian Affairs dated at Detroit, the 1st instant, received here this morning, in which he requests that several townships, sections, and parts of sections of land within the State of Michigan, in addition to those heretofore withdrawn from sale, be also withdrawn, in order to enable the Ottawa and Chippewa Indians to select the quantity guaranteed to them by a treaty concluded with them on the 31st ultimo.

I have, therefore, respectfully to recommend that, in addition to the tracts heretofore withdrawn from sale with a view to accommodate the Indians of Michigan, the following designated tracts be also withdrawn from sale, and that the usual measures be taken by the Commissioner of the General Land Office to give proper publicity to the fact, viz:

- Sections 13, 14, 23, 24, 25, 26, 27, and 28, in township 47 north, range 5 west.
- Sections 18, 19, and 30, in township 47 north, range 4 west.
- Sections 11, 12, 13, 14, 15, 22, 23, 25, and 26, in township 47 north, range 3 west.
- Section 29, in township 47 north, range 2 west.
- Sections 2, 3, 4, 11, 14, and 15, in township 47 north, range 2 east.
- Section 34, in township 48 north, range 2 east.
- Sections 6, 7, 18, 19, 20, 28, 29, and 33, in township 45 north, range 2 east.
- Sections 1, 12, and 13, in township 45 north, range 1 east.
- Section 4, in township 44 north, range 2 east.
- Township 42 north, of ranges 1 and 2 west.
- Township 43 north, of range 1 west.
- Township 44 north, of range 12 west.

¹ Report of Indian Commissioner, 1886, p. 333.

High Island and Garden Island, in Lake Michigan, being fractional townships 38 and 39 north, of range 11 west, 40 north, of range 10 west, and in part 39 north, of ranges 9 and 10 west, township 32¹ north, of range 10 west.

Townships 29, 30, 31 and 32 north, of range 11 west.

Townships 29, 30 and 31 north, of range 12 west.

Township 29 north, of range 13 west.

East half of township 29 north, of range 9 west.

Sections 25 and 36 in township 30 north, of range 7 east, and section 22 in township 30 north, of range 8 east.

Very respectfully, etc.,

CHAS. E. MIX,
Acting Commissioner.

Hon. R. McCLELLAND,
Secretary of the Interior.

AUGUST 9, 1855.

Let the lands referred to in letter of the Acting Commissioner of Indian Affairs of the 4th instant, with the exceptions noted in letter of the Acting Commissioner of the General Land Office of the 8th instant, be temporarily withdrawn from sale, for the purposes indicated in above letter from Indian Office, and as recommended by Secretary of the Interior in letter of 8th instant.

FRANKLIN PIERCE.

(See last clause of article 1, treaty of July 31, 1855, 11 Stats., 623.)

Little Traverse Reserve.²

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
April 12, 1864.

SIR: I have the honor to transmit herewith, for your consideration, a copy of a letter from Agent Leach, in which he recommends that townships 34, 35, 36, 37, 38, and 39 north, range 4 west, and townships 34, 37, 38, and 39 north, range 3 west, be withdrawn from sale, with a view to an enlargement of the Little Traverse Reservation.

In his annual report for 1863 (see Annual Report of this Office for 1863, pages 377 and 378) Agent Leach gives his reasons at length in favor of an enlargement of the Little Traverse Reservation, with a view to the removal of the Indians from Mackinac, Beaver Island, Thunder Bay, and those east of the Grand Traverse Bay, and locating them all upon the Little Traverse Reservation, thereby greatly reducing the expenses of the agency, and, as hoped, much improving the condition of the Indians.

Concurring in the views expressed by Agent Leach in his report above referred to, I respectfully recommend that the townships named in his letter be withdrawn from sale, with a view to the proposed enlargement of the Little Traverse Reservation.

Very respectfully, your obedient servant,

W. P. DOLE,
Commissioner.

Hon. J. P. USHER,
Secretary of the Interior.

¹ Although this township (32 north, range 10 west) is referred to in the Commissioner's letter as already withdrawn from sale, it is believed to be a mistake in transcribing the dispatch through the telegraph offices, informing him what tracts have been so withdrawn. It should, therefore, be included in the list of those to be withdrawn. ² Report of Indian Commissioner, 1886, p. 332.

INDIAN EDUCATION AND CIVILIZATION.

[First indorsement.]

DEPARTMENT OF THE INTERIOR, *April 15, 1864.*

Respectfully submitted to the President with the recommendation that the lands within described be withdrawn from sale for the purpose indicated.

J. P. USHER,
Secretary.

[Second indorsement.]

Let the lands be withheld from sale as recommended.

A. LINCOLN.

APRIL 16, 1864.

EXECUTIVE MANSION, *February 4, 1874.*

Referring to Executive order dated April 16, 1864, withdrawing from public sale, for Indian purposes, the undisposed-of lands embraced in townships 34, 37, 38, and 39 north, of range 3, and townships, 34, 35, 36, 37, 38, and 39 north, of range 4 west, in the State of Michigan, I hereby revoke, rescind, cancel, and declare said order to be void and of no effect from and after the date hereof, and the lands above described are hereby restored to the public domain.

U. S. GRANT.

CHAPTER XV.

INDIAN RESERVATIONS OF MINNESOTA AND MONTANA.

MINNESOTA.

For early history of the Territory from which Minnesota was formed, see Dakota. Organized as a Territory March 3, 1849,¹ and admitted as a State February 26, 1857.²

Of the Indians residing within the limits of this State, the Winnebagoes, Sioux, Sacs, and Foxes, and Otoes have been removed; only the Chippewa tribes remaining in the reservations given below.

The Indian population is 7,039. There are ten reservations, having an aggregate area of 4,755,716 acres. There is one agency, the White Earth Agency, having in charge Leech Lake, Mille Lac, Red Lake, White Earth, and Winnebagoshish Reservations. The Bois  Fort, the Deer Creek, the Fond du Lac, the Grand Portage, and Vermillion Lake Reservations are under the charge of the La Pointe Agency in Wisconsin.

WHITE EARTH AGENCY.

[Post-office address, White Earth, Becker County, Minn.]

WHITE EARTH RESERVATION.

How established.—By treaty of March 19, 1867; Executive orders, March 19, 1879, and July 13, 1883.

Area and survey.—Contains 796,672 acres. Tillable acres, 552,960.³ Surveyed.⁴

Acres cultivated.—Five thousand six hundred and eighteen acres cultivated.⁵

Tribes and population.—The tribes living here are the Chippewas of the Mississippi, Gull Lake, Pembina, Otter Tail, and Pillager Chippewas. Population, 2,684.⁶

Location.—This reservation is well supplied with wood and timber, and has also an abundance of prairie land finely adapted for stock-raising as well as raising cereals.⁷

Government rations.—Forty per cent. of these Indians subsisted by Government rations as reported in 1886.⁸

Mills and Indian employ s.—One mill. No Indian employ s reported.

Indian police.—Established.

Indian court of offences.—Established.

¹ United States Statutes at Large, Vol. IX, p. 403. ² *Ibid.*, Vol. XI, p. 166. ³ Report of Indian Commissioner, 1886, p. 430. ⁴ *Ibid.*, p. 386. ⁵ *Ibid.*, p. 430. ⁶ *Ibid.*, p. 400. ⁷ *Ibid.*, 1885, pp. 114-115. ⁸ *Ibid.*, 1886, p. 418.

*School population, attendance, and support.*¹

Aggregate school population of reservations under this agency, 1,373.

School.	Accommodation.	Average attendance.	Sessions.	Cost.
			<i>Months.</i>	
Agency boarding and day	110	89	10	\$7,016.57
Leech Lake boarding and day	70	47	10	3,032.09
Red Lake boarding and day	70	79	10	5,076.37
St. Benedict's Orphan	100	10	12	1,080.00
Rice River day	60	27	9	494.93
St. Benedict's Academy, St. Joseph	125	53	12	7,099.50
St. Francis Xavier's Academy, Avoca	50	48	12	5,167.80
St. John's Institute, Colledgeville	150	47	12	5,361.22
St. Paul's Industrial, Clontarf	180	91	12	9,561.00

Missionary work.—Protestant Episcopalians and Roman Catholics have missions among these Indians.

By authority of the act of March 3, 1873, \$35,000 were appropriated to purchase from the Mississippi Chippewas township 144, range 42, in the White Earth Reservation, for the use and benefit of the Pembina band of Chippewa Indians.²

By act of April 18, 1874, the Secretary of the Interior was directed, by and with the consent of the Mississippi Chippewas, to patent 80 acres to the Domestic and Foreign Missionary Society of the Protestant Episcopal Church, provided that said estate shall cease and be determined when the land and the erections thereon are no longer used by said society for missionary and school purposes.³

By act of June 22, 1874, the Otter Tail Pillager band of Chippewas were settled upon White Earth Reservation and appropriation made for their subsistence.⁴

These Indians were given equal rights with the Mississippi band of Chippewas by the Indians, July 4, 1872 in accordance with the provision of section 3, act of May 29, 1872.⁵

*White Earth Reserve.*⁶

EXECUTIVE MANSION, March 18, 1879.

It is hereby ordered that the following-described lands, situated in the State of Minnesota, viz: Beginning at the northwest corner of the White Earth Indian Reservation, being the northwest corner of township 146 north, range 42 west, and running thence north to the northwest corner of township 148 north, range 42 west; thence west to the southwest corner of township 149 north, range 42 west; thence north to the northwest corner of township 149 north, range 42 west; thence east on the line between township 149 north and township 150 north to the intersection of said line with the southwestern boundary of the Red Lake Indian Reservation;

¹ Report of Indian Commissioner, 1886, p. xciv. ² United States Statutes at Large, Vol. XVII, p. 539. ³ *Ibid.*, Vol. XVIII, p. 31. ⁴ *Ibid.*, p. 173. ⁵ *Ibid.*, Vol. XVII, p. 189; also Indian Laws 1883, p. 139. ⁶ Report of Indian Commissioner, 1886, p. 335.

thence southeasterly to the most southerly point of the Red Lake Indian Reservation; thence in a northeasterly direction and along the line of the Red Lake Indian Reservation to a point due north from the northeast corner of the White Earth Indian Reservation; thence south to the northeast corner of White Earth Indian Reservation, and thence west along the northern boundary line of White Earth Indian Reservation to the point of beginning, be, and the same is hereby, withdrawn from sale and settlement and set apart as a reservation for Indian purposes: *Provided, however,* That any tract or tracts of land included within the foregoing-described boundaries, the title to which has passed out of the United States Government, or to which valid homestead or pre-emption rights have attached under the laws of the United States, are hereby excluded from the reservation hereby made.

R. B. HAYES.

EXECUTIVE MANSION, July 13, 1883.

It is hereby ordered that the Executive order dated March 18, 1879, withdrawing from sale and settlement and setting apart certain described lands north of and adjoining the White Earth Reservation, in the State of Minnesota, as a reservation for Indian purposes, be, and the same is hereby, cancelled, the lands embraced within said reservation not being required for the purposes for which they were set apart.

CHESTER A. ARTHUR.

For treaties in which these Indians took part, see Chippewa treaties—Michigan.

LEECH LAKE RESERVATION.

How established.—By treaty of February 22, 1855; Executive orders November 4, 1873, and May 26, 1874.

Area and survey.—Contains 94,440 acres.¹ Tillable acres not reported separately. Partly surveyed.¹

Acres cultivated.—Not reported separately.

Tribes and population.—The tribes living here are the Pillager and Lake Winnebagoish bands of Chippewas. Total population, 1,174.²

Location.—This reservation is to be abandoned, and the Indians incorporated with those at White Earth and Red Lake Reservation.³

School population and accommodation given under general report of White Earth Agency.⁴

*Leech Lake Reserve.*⁵

EXECUTIVE MANSION, November 4, 1873.

It is hereby ordered that the description of the first-named tract of country reserved for the use of the Pillager and Lake Winnebagoish bands, and provided for in the second clause of the second article of the treaty with the Mississippi bands of Chippewa Indians, concluded February 22, 1855 (Statutes at Large, Vol. X, p. 1166), be amended so as to read as follows:

Beginning at the mouth of Little Boy River; thence up said river through the first lake to the southern extremity of the second lake on said river; thence in a direct line to the most southern point of Leech Lake, and thence through said lake, so as to include all the islands therein, to the place of beginning; and that the additional land therein embraced be withdrawn from sale, entry, or other disposition, and that the same be set apart for the use of said Indians.

U. S. GRANT.

¹ Report of Indian Commissioner, 1886, p. 385.

² *Ibid.*, p. 400.

³ *Ibid.*, p. 170.

⁴ *Ibid.*, p. xciv.

⁵ *Ibid.*, p. 334.

EXECUTIVE MANSION, *May 26, 1874.*

It is hereby ordered that there be withdrawn from sale, entry, or other disposition, so much of the following tracts of country as are not already covered by treaty with the Chippewas, concluded February 22, 1855, and set apart for the use of the Pillager and Lake Winnebagoish bands of said Indians, viz:

Commencing at the point where the Mississippi River leaves Lake Winnebagoish, it being the beginning-point of the second tract of land reserved for said bands (Stats. at Large, Vol. X, p. 1166); thence northeasterly to the point where the range line between ranges 25 and 26 west intersects the township line between townships 146 and 147 north; thence north on said range line to the twelfth standard parallel; thence west on said parallel to range line between ranges 28 and 29; thence south on said range line till it intersects the third river; thence down said river to its mouth; thence in a direct line to the place of beginning. Also, all the land embraced in township 143 north, range 29 west. in the State of Minnesota.

U. S. GRANT.

For treaties in which these Indians took part, see Chippewa treaties—Michigan.

By Indian appropriation act approved May 15, 1886, \$15,000 was appropriated—

To enable the Secretary of the Interior to negotiate with the several tribes and bands of the Chippewa Indians in the State of Minnesota, for such modification of existing treaties with said Indians and such change of their reservation as may be deemed desirable by said Indians and the Secretary of the Interior, and as to what sum shall be a just and equitable liquidation of all claims which any of said tribes now have upon the Government, * * * but no agreement made shall take effect until ratified by Congress.¹

For a report of the commission acting under the above act, see Senate Executive Document No. 115, Forty-ninth Congress, second session.

MILLE LAC RESERVATION.

How established.—By treaties of February 22, 1855, and article 12 of May 7, 1864.

Area and survey.—Contains 61,014 acres.² Surveyed.²

Acres cultivated.—Not reported separately.

Tribes and population.—The tribes living here are the Mille Lac and Snake River bands of Chippewas. Total population, 942.³

Location.—This reservation to be abandoned and the Indians consolidated with those living on the White Earth and Red Lake Reservation.⁴

School population and accommodation given under general report of White Earth Agency.⁵

For treaties in which the tribes took part, see Chippewa treaties—Michigan.

RED LAKE RESERVATION.

How established.—By treaty of October 2, 1863.

Area and survey.—Contains 3,200,000 acres.⁶ Tillable acres, 1,000,000.⁷ Outboundaries surveyed.⁸

¹ United States Statutes at Large, Vol. XXIV, p. 44. ² Report of Indian Commissioner, 1886, p. 385. ³ *Ibid.*, p. 400. ⁴ *Ibid.*, p. 170. ⁵ *Ibid.*, p. xciv. ⁶ *Ibid.*, 1884, p. 310. ⁷ *Ibid.*, 1886, p. 340. ⁸ *Ibid.*, 1881, p. 265.

Acres cultivated.—The Indians have under cultivation 1,000 acres.¹

Tribes and population.—The tribes living here are the Red Lake and Pembina bands of Chippewas. Total population, 1,199.²

Location.—The soil of this reservation is more sandy than that of White Earth, and consequently quicker to respond in agriculture. The western portion possesses much rich prairie land which will make excellent farms. The eastern portion has a more dense growth of wood and pine timber; the latter abounds in large quantity.³

Government rations.—None issued.

Mills and Indian employés.—One mill. No Indian employés reported.

Indian police.—Established.

Indian court of offences.—Established.

School population, attendance, and support.—School population, etc., reported with White Earth Reservation.

Missionary work.—Episcopal and Roman Catholic Churches in charge of missions.

For treaties in which these Indians took part, see Chippewa treaties—Michigan.

WINNEBAGOSHISH RESERVATION.

How established.—By treaties of February 22, 1855, and of March 19, 1867; Executive orders, October 29, 1873, and May 26, 1874.

Area and survey.—Contains 320,000 acres. Partly surveyed.

Tribes and population.—The tribes living here are the Winnebagoish and Pillager bands of Chippewas and White Oak Point band of Mississippi Chippewas. Total population, 470.⁴

Location.—This reservation to be abandoned and the Indians consolidated with those living on the White Earth and Red Lake Reservation.⁵

School population and accommodation given under general report of White Earth Agency.⁶

*Winnebagoish Reserve.*⁷

EXECUTIVE MANSION, October 29, 1873.

It is hereby ordered that there be withdrawn from sale, entry, or other disposition, as an addition to the reservation provided for by the first article of the treaty with the Chippewas of the Mississippi, concluded March 19, 1867 (Stats. at Large, Vol. XVI, p. 719), for the use of the said Indians, a tract of country in the State of Minnesota, described and bounded as follows, viz:

Commencing at a point on the present eastern boundary of said Leech Lake Indian Reserve, where the section line between sections 11 and 14, and 10 and 15, of township 55 north, range 27 west of the fourth principal meridian, if extended west, would intersect the same; thence east on said extended section line to section corner between sections 11, 12, 13, and 14; thence north on the section line between sections 11 and 12 and 1 and 2, all of the same township and range above mentioned, to the township line between townships 55 and 56 north; thence continuing north to a point 2 miles north

¹ Report of Indian Commissioner, 1886, p. 340. ² *Ibid.*, p. 400. ³ *Ibid.*, 1885, p. 115. ⁴ *Ibid.*, 1886, p. 400. ⁵ *Ibid.*, p. 170. ⁶ *Ibid.*, p. xciv. ⁷ *Ibid.*, 1886, p. 335.

of said township line; thence west to present eastern boundary of said Leech Lake Reserve; thence south on said boundary line, and with the same, to the place of beginning.

U. S. GRANT.

EXECUTIVE MANSION, *May 26, 1874.*

It is hereby ordered that there be withdrawn from sale, entry, or other disposition, so much of the following tracts of country as are not already covered by treaty with the Chippewas, concluded February 22, 1855, and set apart for the use of the Pillager and Lake Winnebagoshish bands of said Indians, viz:

Commencing at the point where the Mississippi River leaves Lake Winnebagoshish, it being the beginning point of the second tract of land reserved for said bands (Stats. at Large, Vol. X, p. 1166); thence northeasterly to the point where the range line between ranges 25 and 26 west intersects the township line between townships 146 and 147 north; thence north on said range line to the twelfth standard parallel; thence west on said parallel to range line between ranges 28 and 29; thence south on said range line till it intersects the third river; thence down said river to its mouth; thence in a direct line to the place of beginning. Also, all the land embraced in township 143 north, range 29 west, in the State of Minnesota.

U. S. GRANT.

For treaties in which these Indians took part, see Chippewa treaties—Michigan.

The following reservations are in charge of the La Pointe Agency, Wis.:

BOISÉ FORT RESERVATION.

How established.—By treaty of April 7, 1866.

Area and survey.—Contains 107,509 acres,¹ of which 25 acres are tillable.² Outboundaries surveyed.³

Acres cultivated.—Twenty-five acres under cultivation.²

Tribes and population.—The tribes living are the Boisé Fort band of Chippewas. Population, 702.⁴

Location.—Situated in St. Louis and Itasca Counties. The Indians subsist principally by hunting and fishing, and are reported as not far advanced in civilization.⁵

Government rations.—Twenty-five per cent. of these Indians subsisted by Government rations as reported in 1886.⁶

Mills and Indian employés.—A white blacksmith and farmer.⁷

Indian police.—Not reported.

Indian court of offences.—Not reported.

School population, attendances, and support.—School population estimated in 1886, 150.⁸ No Government school reported.

Missionary work.—None reported.

For treaty see Chippewa treaties—Michigan, Mackinac Agency.

DEER CREEK RESERVATION.

How established.—By Executive order, June 30, 1883.

Area and survey.—Contains 23,040 acres.⁹ Tillable acres not reported separately. Not surveyed.

¹ Report of Indian Commissioner, 1886, p. 385. ² *Ibid.*, p. 436. ³ *Ibid.*, 1884, p. 260. ⁴ *Ibid.*, 1886, p. 408. ⁵ *Ibid.*, 1885, p. 209. ⁶ *Ibid.*, 1886, p. 424. ⁷ *Ibid.*, 1885, p. 209. ⁸ *Ibid.*, 1886, p. 255. ⁹ *Ibid.*, p. 385.

Acres cultivated.—Not reported separately.

Tribes and population.—The tribes living here are the same as on Boisé Fort Reservation. Population not given separately.

Location.—It is located in Itasca County, Minn. Nothing concerning these Indians reported separately from the Boisé Fort Reservation.

*Deer Creek Reserve.*¹

EXECUTIVE MANSION, June 30, 1883.

Agreeably to the provision contained in the closing sentence of the first clause of article 3 of the treaty of April 7, 1866, with the Boisé Fort band of Chippewa Indians (14 Stat. at L., p. 765) it is hereby ordered that a township of land in the State of Minnesota, to wit, township 62 north, range 25 west of the fourth principal meridian, be, and the same is hereby, set apart for the perpetual use and occupancy of said Indians: *Provided, however,* That any tract or tracts embraced within said township to which valid rights have attached under the laws of the United States governing the disposition of the public lands, are hereby excluded from the reservation hereby made.

CHESTER A. ARTHUR.

For treaties in which these Indians took part see Chippewa treaties—Michigan.

FOND DU LAC RESERVATION.

How established.—By treaty of September 30, 1854; act of Congress approved May 29, 1872.

Area and survey.—Contains 100,121 acres.² Tillable acres, 564.³ Surveyed.

Acres cultivated.—One hundred and twenty acres cultivated.³

Tribes and population.—The tribes living here are the Fond du Lac band of Chippewas of Lake Superior. Population, 820.⁴

Location.—Situated in Carlton County. There is considerable valuable pine timber on this reservation, and also some valuable farming land.⁵

Government rations.—Five per cent. of these Indians subsisted by Government rations as reported in 1886.⁶

Mills and Indian employés.—None reported.

Indian police.—Not reported.

Indian court of offences.—Not reported.

*School population, attendance, and support.*⁷

School population, estimated, 1886.....	143
Government day school:	
Accommodation.....	35
Average attendance.....	19
Cost.....	\$551.00
Session (months).....	9

Missionary work.—None reported.

For treaty, see Chippewa treaties—Michigan, Mackinac Agency.

¹ Report of Indian Commissioner, 1886, p. 334.

² *Ibid.*, p. 385.

³ *Ibid.*, p. 436.

⁴ *Ibid.*, p. 408.

⁵ *Ibid.*, 1885, p. 209.

⁶ *Ibid.*, 1886, p. 424.

⁷ *Ibid.*, p. xcviil.

*Act of Congress, May 29, 1872.*¹

With the consent and concurrence of those bands of the Chippewa Indians of Lake Superior, located on Lac de Flambeau and on Lac Court Oreilles, and also of the Fond du Lac bands of said Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and hereby is, authorized to remove the said bands of Indians from the tracts of lands which were set apart for them respectively and withheld from sale for their use, in accordance with the third and fourth clauses of the second article of the treaty between the United States and the Chippewa Indians of Lake Superior and the Mississippi, concluded September thirtieth, eighteen hundred and fifty-four, and to locate said bands of Indians upon the tract of land set apart by the second clause of said article for the La Pointe band of said Chippewa Indians.

The lands rendered vacant under the preceding section of this act shall be appraised by three competent commissioners, one of whom shall be the United States agent for the said Chippewa Indians, and the other two shall be appointed by the Secretary of the Interior, with the approval of the President. Should there be upon any of the lands to be thus appraised any improvements made by or for the Indians, or for Government purposes, the said commissioners shall appraise the said improvements separately. After the said lands shall have been appraised, as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same at public sale to the highest bidder, in tracts not exceeding one hundred and sixty acres each; * * * and if not sold at public sale, it may be sold in tracts not exceeding one hundred and sixty acres to one person, at not less than the appraised value; * * * *Provided*, That no bid for separate tracts shall be accepted which may be less than the appraised value of such tract including the improvements, if any, thereon: *And provided further*, That bids for tracts having improvements upon them shall state the price for both the land and the improvements. The proceeds of such sale shall be invested or expended for the benefit of the Indians interested, in such manner as the Secretary of the Interior, subject to the approval of the President, may direct.

The sum of seventy-five thousand dollars, * * * hereby is appropriated * * * for the appraisement and sale of the said reservations and for the removal and establishment of said Indians, as hereinbefore provided, the sum so expended to be reimbursed from the proceeds of the sales of the lands of said Indians authorized by this act. (Sec. 8.)

GRAND PORTAGE RESERVATION.

How established.—By treaty of September 30, 1854.

Area and survey.—Contains 51,840 acres.² Outboundaries surveyed.² Twenty-five acres tillable.³

Acres cultivated.—Twenty-five acres cultivated.³

Tribes and population.—The tribes living here are the Grand Portage band of Chippewas of Lake Superior. Population, 363.⁴

Location.—Situated in Cork County.

Government rations.—Twenty-five per cent. of these Indians subsisted by Government rations, as reported in 1886.⁵

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

¹ United States Statutes at Large, Vol. XVII, p. 190. ² Report of Indian Commissioner, 1884, p. 260. ³ *Ibid.*, 1886, p. 436. ⁴ *Ibid.*, p. 408. ⁵ *Ibid.*, p. 424.

School population, attendance, and support.¹

School population, estimated in 1886	63
Government day school:	
Accommodation	25
Average attendance	12
Cost	\$480
In session (months)	12

Missionary work.—None reported.

For treaty, see Chippewa treaties—Michigan, Mackinac Agency.

VERMILLION LAKE RESERVATION.

How established.—By Executive order, December 20, 1881.

Area and survey.—Contains 1,080 acres.² Tillable acres not given separately. Surveyed.²

Acres cultivated.—Not reported separately.

Tribes and population.—The tribes living here are the Boisé Fort band of Chippewas. Population not given separately.

Location.—See Executive order.

Nothing concerning these Indians reported separately from those at Boisé Fort Reservation.

School population, attendance, and support.³

School population, estimated in 1886	163
Government day school:	
Accommodation	50
Average attendance	25
Cost	\$1,050
In session (months)	12

Missionary work.—None reported.

Vermillion Lake Reserve.⁴

EXECUTIVE MANSION, December 20, 1881.

It is hereby ordered that the following-described land in Minnesota, viz, that portion of the south-east quarter of section 23 lying east of Sucker Bay; the south-west quarter, and lot —, being the most southerly lot in the south-east quarter of section 24, and fractional sections 25, 26, and that portion of section 35 north of Vermillion Lake, all in township 62 north, range 16 west, fourth principal meridian, Minnesota, be, and the same are hereby, withdrawn from sale or settlement and set apart as a reservation for Indian purposes, for the use of the Boisé Fort Band of Chippewa Indians, to be known as the "Vermillion Lake Indian Reservation."

CHESTER A. ARTHUR.

For treaties in which these Indians took part, see Chippewa treaties—Michigan.

MONTANA TERRITORY.

For account of the Territory from which Montana was formed see Dakota. It was organized as a Territory May 26, 1864.⁵

¹ Report of Indian Commissioner, 1886, p. xcvi. ²*Ibid.*, p. 386. ³*Ibid.*, p. xcvi. ⁴*Ibid.*, p. 335. ⁵ United States Statutes at Large, Vol. XIII, p. 85.

The Indians gathered upon the existing reservations represent those living there when the country was first known. Some of the western, southern, as well as the eastern Indians formerly sent hunting and war parties hither, but this region was not their habitat.

There are four reservations containing an aggregate area of 28,168,960 acres.¹ Total Indian population, 13,485.²

The following are the agencies: Blackfeet Agency, having charge of a part of the great Blackfeet Reservation; Crow Agency, having the Crow Reservation; Flathead Agency, having the Jocko Reservation; Fort Belknap Agency, having part of the Blackfeet Reservation; Fort Peck Agency, having part of the Blackfeet Reservation; Tongue River Agency, having Northern Cheyenne Reservation.

BLACKFEET RESERVATION.³

How established.—By treaty of October 17, 1855; unratified treaties of July 18, 1866; July 13 and 15, and September 1, 1868; Executive orders of July 5, 1873, August 19, 1874; act of Congress April 15, 1874; Executive orders April 13, 1875, and July 13, 1880.

Area and survey.—Contains 21,651,200 acres. Amount of tillable acres unknown.⁴ Unsurveyed.⁵

Agencies.—Three agencies are on this reservation: The Blackfeet Agency on the western portion; the Fort Belknap Agency, on the middle portion; the Fort Peck Agency, on the eastern part.

BLACKFEET AGENCY.

[Post-office address, Piegan, Choteau County, Mont.]

Acres cultivated.—Twelve acres cultivated by the Indians in 1886.⁶

Tribes and population.—The tribes living here are the Blackfeet, Blood, and Piegan. Total population, 2,026.⁷

Location.—This agency is situated on Badger Creek, one of the tributaries of the Marias River,⁸ and is the farthest west of the three agencies established upon the reservation. Irrigation is indispensable to agriculture; portions of the region are adapted to grazing; the soil is poor and the climate severe.

Government rations.—Sixty-seven per cent. subsisted by rations during 1886.⁹

Mills and Indian employés.—A saw and grist mill erected. No Indian employés reported.

Indian police.—Established in 1879.¹⁰

Indian court of offences.—Not reported.

¹ Report of Indian Commissioner, 1886, p. 386. ² *Ibid.*, p. 400. ³ For boundaries of Blackfeet, Assinaboine, and Gros Ventre Territories see unratified treaty of Fort Laramie, made in 1851. ⁴ Report of Indian Commissioner, 1886, p. 340. ⁵ *Ibid.*, p. 386. ⁶ *Ibid.*, p. 430. ⁷ *Ibid.*, 1879, p. 89. ⁸ *Ibid.*, 1886, p. 418. ⁹ *Ibid.*, 1879, p. 91.

*School population, attendance, and support.*¹

School population, estimated in 1886	500
Boarding and day school:	
Accommodation	100
Average attendance	45
Session (months)	12
Cost to Government	\$3,426.47

Missionary work.—None.

FORT BELKNAP AGENCY.

[Post-office address: Fort Belknap, Choteau County, Mont.]

This agency was first a distributing trading post,² and was established as a special agency in November, 1873.

Acres cultivated.—Five hundred and fifty acres cultivated by the Indians.³

Tribes and population.—The tribes living here are the Gros Ventre, Assinaboine, and River Crow. Total population, 1,987.⁴

Location.—Bounded on the north by British America, east by the one hundred and eighth parallel, south by the Missouri; western boundary has never been defined. This agency is the central one of the three which divide the great Blackfeet Reservation into three parallel parts: Within the limits of the agency 1,200 square miles are appropriated by the War Department as the site of Fort Assinaboine. The Milk River runs from west to east through the middle of the reservation, and on the south bank the agency proper is situated. Irrigation is necessary to crops, and parts of the reservation are adapted to stock-raising.

Government rations.—Thirty-eight per cent. of the Indians were subsisted by Government rations in 1886.⁵

Mills and Indian employes.—No mills nor Indian employes are reported.

Indian police.—Established in 1880.

Indian court of offences.—None reported.

*School population, attendance and support.*⁶

School population, estimated in 1886	251
Day school:	
Accommodation	60
Average attendance	34
Session (months)	10
Cost to Government	\$1,462.50

Missionary work.—Roman Catholic Church about to establish a mission.⁷

FORT PECK AGENCY.

[Post-office address: Poplar Creek, Mont.]

Established in 1868.

Acres cultivated.—Five hundred and forty acres cultivated by the Indians.⁸

¹ Report of Indian Commissioner, 1886, p. xciv. ² *Ibid.*, 1874, p. 50. ³ *Ibid.*, 1886, p. 432. ⁴ *Ibid.*, p. 400. ⁵ *Ibid.*, p. 418. ⁶ *Ibid.*, p. xciv. ⁷ *Ibid.*, p. 182. ⁸ *Ibid.*, 1884, p. 312.

Tribes and population.—The tribes living here are the Assinaboine, Brulé, Santee, Teton, Unkpapa, and Yanktonai Sioux. Total population, 5,365.¹

Location.—Bounded on the north by British America, east by Dakota and the military reservation of Fort Buford, south by Missouri River, west by the one hundred and ninth parallel, and watered by the Milk, Poplar, and Bad Muddy Rivers and small tributaries to the Missouri. The agency called "Poplar Creek" is situated on the north side of the Missouri, 60 miles west of the mouth of the Yellowstone, and 2 miles east of the junction of Poplar Creek. The branch agency called Wolf Creek is 24 miles west of Poplar Creek on table-land one-half mile north of the Missouri.

Government rations.—One hundred per cent. of the Indians were subsisted by Government rations in 1886.²

Mills and Indian employés.—A saw and grist mill was established in 1875. No Indian employés reported.

Indian police.—The Indian police force was established in 1875.³

Indian court of offences.—The court of Indian offences established in 1883 is doing good service.⁴

School population, attendance, and support.

The school population, estimated in 1886 ⁵	959
Poplar Creek boarding school:	
Accommodation	75
Average attendance	77
Session (months)	10
Cost	\$8,387.78
Wolf Point day school:	
Accommodation	30
Average attendance	29
Session (months)	10
Cost	\$720.00

There are also in this agency three mission schools, under the care of the Presbyterian Church.

Missionary work.—Presbyterian Board of Home Missions in charge.

SYNOPSIS OF BLACKFEET TREATIES.

Unratified treaty between the United States and the Indians residing south of the Missouri River, east of the Rocky Mountains, and north of the lines of Texas and New Mexico, viz: The Sioux or Dakotas, Cheyennes, Arapahoes, Crows, Assinaboines, Gros Ventres, Mandans, and Arickarees, made at Fort Laramie, Wyoming, September 17, 1851.

The parties agree to abstain from hostilities against each other. (Art. 1.) Right granted to Government to establish roads within their reservations. (Art. 2.) The United States to protect these Indians against depredations by white citizens. (Art. 3.) Indians to make restitution for wrongs committed on citizens. (Art. 4.) The following tracts are designated as their respective territories:

Sioux.—The territory of the Sioux or Dakota Nation, commencing at the mouth of

¹ Report of Indian Commissioner, 1884, p. 292. ² *Ibid.*, 1886, p. 418. ³ *Ibid.*, 1875, p. 308. ⁴ *Ibid.*, 1884, p. 116. ⁵ *Ibid.*, 1886, p. xciv.

White Earth River, on the Missouri River; thence in a south-westerly direction to the forks of the Platte River; thence up the north fork of the Platte River to a point known as the Red Butte, or where the road leaves the river; thence along the range of mountains known as the Black Hills to the headwaters of the Heart River; thence down Heart River to its mouth; and thence down the Missouri River to the place of beginning.

Gros Ventre, Mandan, and Arickaree.—The territory of the Gros Ventre, Mandan, Arickaree Nations, commencing at the mouth of Heart River; thence up the Missouri River to the mouth of the Yellowstone River; thence up the Yellowstone River to the mouth of Powder River; thence from the mouth of Powder River, in a south-easterly direction to the headwaters of the Little Missouri River; thence along the Black Hills to the head of Heart River; and thence down Heart River to the place of beginning.

Assinaboine.—The territory of the Assinaboine Nation, commencing at the mouth of the Yellowstone River; thence up the Missouri River to the mouth of the Muscle Shell River; thence from the mouth of the Muscle Shell River in a south-easterly direction until it strikes the headwaters of Big Dry Creek; thence down that creek to where it empties into the Yellowstone River, nearly opposite to the mouth of Powder River, and thence down the Yellowstone River to the place of beginning.

Blackfoot.—The territory of the Blackfoot Nation, commencing at the mouth of the Muscle Shell River; thence up the Missouri River to its source; thence along the main ridge of the Rocky Mountains in a southerly direction to the headwaters of the northern source of the Yellowstone River; thence down the Yellowstone River to the mouth of Twenty-Five Yard Creek; thence across to the headwaters of the Muscle Shell River, and thence down the Muscle Shell River to the place of beginning.

Crow.—The territory of the Crow Nation, commencing at the mouth of Powder River on the Yellowstone; thence up Powder River to its source; thence along the main range of the Black Hills and Wind River Mountains to the headwaters of the Yellowstone River; thence down the Yellowstone River to the mouth of Twenty-Five Yard Creek; thence to the headwaters of the Muscle Shell River; thence down the Muscle Shell River to its mouth; thence to the headwaters of Big Dry Creek, and thence to its mouth.

Cheyenne and Arapahoe.—The territory of the Cheyennes and Arapahoes, commencing at the Red Butte or the place where the road leaves the north fork of the Platte River; thence up the north fork of the Platte River to its source; thence along the main range of the Rocky Mountains to the head waters of the Arkansas River; thence down the Arkansas River to the crossing of the Santa Fé Road; thence in a north-westerly direction to the forks of the Platte River, and thence up the Platte River to the place of beginning. (Art. 5.)

Respective Indian tribes agree to recognize and support their head chiefs. (Art. 6.) United States to pay \$50,000 per annum for fifty years in provisions, merchandise, stock, agricultural implements, to be distributed in proportion by the President. (Art. 7.) For any violation of this treaty, United States may withhold the whole or a portion of the annuities. (Art. 8.)

NOTE.—“Fifty years,” in Article 7, amended by Senate to “ten years, to be continued five years after, at the discretion of the President.” (See “Indian Laws,” p. 317.)

NOTE.—Treaty recognized in the first article of the treaty with the Yankton Sioux of April 19, 1858. (See page 288.)

Treaty with the Blackfoot Nation, consisting of the Piegan, Blood, Blackfoot, and Gros Ventres tribes, the Flatheads, Upper Pend d'Orielle and Kootenay tribes, and the Nez Percé tribe of Indians, made on Upper Missouri, near mouth of Judith River, October 17, 1855.

PEACE.

Peace with the United States (Art. 1), and between the tribes and their neighbors established. (Art. 2.)

Hunting ground.—The Blackfoot Nation agrees that the land lying between Hell-Gate Pass, the source of the Muscle Shell River, thence to the mouth of Twenty-Five Yard Creek, up the Yellowstone to its northern source and along the main ridge of the Rocky Mountains to the pass, shall be a common hunting ground for ninety-nine years to the bands and tribes represented in this treaty.

All parties agree not to establish villages or exercise exclusive rights within 10 miles of the northern line of the hunting ground. The Western Indians shall not lose any rights to the hunting ground, and they may hunt along the trail of the Muscle Shell to the Yellowstone. (Art. 3.) All Indians residing west of the main ridge of the Rocky Mountains not to enter the common hunting ground by any pass north of Hell Gate Pass and not hunt in the territory set apart for the Blackfeet. (Art. 5.) Citizens of the United States may live in and pass unmolested through the country occupied and claimed by the Indians of this treaty, and United States agrees to protect Indians against depredations and unlawful acts of white men. (Art. 7.) The Assinaboines shall hunt in common with the Blackfeet on the territory lying between the eastern boundary of the reservation and a line running north from Round Butte, on the Missouri, to the forty-ninth parallel. (Art. 11.)

Reservation for Blackfoot Indians.—The land lying between Hell-Gate Pass east to the source of the Muscle Shell and down to its mouth, thence down the Missouri to the mouth of Milk River, thence due north to the forty-ninth parallel and west along that line to the main ridge of the Rocky Mountains, and thence south to the pass, subject to provisions of article 3. (Art. 4.)

Roads and agency buildings.—United States may construct roads, establish telegraphs or military posts on reservation. (Art. 8.) United States to erect agency buildings, missions, schools, farms, shops, mills, stations, and for this purpose may use material of every description found on reservation.

Navigation of all lakes and streams to be forever free to citizens of the United States. (Art. 8.)

Payments.—United States to expend for the Blackfoot, Piegan, Blood, and Gros Ventre Indians \$200,000, in annual payments of \$20,000 each, in goods and provisions, for ten years, exclusive of goods distributed at signing of treaty. If deemed insufficient, amount may be increased to \$35,000 per annum. (Art. 9.) President to determine expenditure of money and proportion for each tribe. (Art. 10.) Annuities not to be taken for individual debts. (Art. 15.)

Education.—United States agrees to expend for the Blackfoot Nation a sum not to exceed \$15,000 annually for ten years, to establish and instruct them in agriculture and mechanics, and for the education of their children. President may so apply annuities provided. (Art. 10.)

Dependence upon Government.—Tribes acknowledge their dependence upon the Government and pledge themselves not to commit depredations or make war upon other tribes except in self-defense, and to surrender all offenders. (Art. 11.) Violation of this pledge punishable by forfeiture of property or payment of amount out of annuities. (Art. 12.) The several tribes agree to accept the guaranties for peace and the remuneration for depredations by other tribes made in this treaty in full, for past and future depredations of tribes west of the Rocky Mountains. (Art. 14.)

Intoxicating liquors.—Several tribes agree not to drink intoxicating liquor and to exclude the same from reservation. Violation punishable by withholding annuities. (Art. 13.)

Treaty binding when ratified. (Art. 16.)

Proclaimed April, 1856.¹

For statement concerning unratified treaties of July 18, 1866, and July 13, 15, and September 1, 1868, see Report of Indian Commissioner for 1867, pp. 16, 253; also report for 1869, pp. 26, 290.

*An act to establish a reservation for certain Indians in the Territory of Montana.*²

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tract of country in the Territory of Montana be, and the same is hereby, set apart for the use and occupation of the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and such other Indians as the President may, from time to time, see fit to locate thereon, viz: Commencing at the north-west corner of the Territory of Dakota, being the intersection of the forty-ninth parallel of north latitude and the one hundred and fourth meridian of west longitude; thence south to the south bank of the Missouri River; thence up and along the south bank of said river to a point opposite the mouth of the Marias River; thence along the main channel of the Marias River to Birch Creek; thence up the main channel of Birch Creek to its source; thence west to the summit of the main chain of the Rocky Mountains; thence along the summit of the Rocky Mountains to the northern boundary of Montana; thence along said northern boundary to the place of beginning.

Approved April 15, 1874.

*Blackfoot Reserve.*³

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS, July 2, 1873.

The above diagram is intended to show a proposed reservation for the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and other Indians in the Territory of Montana. Said proposed reservation is indicated on the diagram by yellow colors, and is described as follows, viz:

Commencing at the north-west corner of the Territory of Dakota, being the intersection of the forty-ninth parallel of north latitude and the one hundred and fourth meridian of west longitude; thence south to the south bank of the Missouri River; thence up and along the south bank of said river to a point opposite the mouth of Medicine or Sun River; thence in a westerly direction, following the south bank of said Medicine or Sun River as far as practicable to the summit of the main chain of the Rocky Mountains; thence along said summit in a northerly direction to the north boundary of Montana; thence along said north boundary to the place of beginning; excepting and reserving therefrom existing military reservations.

I respectfully recommend that the President be requested to order that the lands comprised within the above-described limits be withheld from entry and settlement as public lands, and that the same be set apart as an Indian reservation, as indicated in my report to the Department of this date.

EDWARD P. SMITH,
Commissioner.

DEPARTMENT OF THE INTERIOR, July 3, 1873.

Respectfully presented to the President, with the recommendation that he make the order above proposed by the Commissioner of Indian Affairs.

W. H. SMITH,
Acting Secretary.

¹United States Statutes at Large, Vol. XI, p. 657.

²*Ibid.*, Vol. XVIII, p. 28.

³Report of Indian Commissioner, 1866, p. 336.

EXECUTIVE MANSION, *July 5, 1873.*

It is hereby ordered that the tract of country above described be withheld from entry and settlement as public lands, and that the same be set apart as a reservation for the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and other Indians, as recommended by the Secretary of the Interior and Commissioner of Indian Affairs.

U. S. GRANT.

EXECUTIVE MANSION, *August 19, 1874.*

It is hereby ordered that all that tract of country in Montana Territory set apart by Executive order dated July 5, 1873, and not embraced within the tract set apart by act of Congress approved April 15, 1874, for the use and occupation of the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and other Indians, comprised within the following boundaries, viz: Commencing at a point on the south bank of the Missouri River, opposite the mouth of the Marias River; thence along the main channel of the Marias River to Birch Creek; thence up the main channel of Birch Creek to its source; thence west to the summit of the main chain of the Rocky Mountains; thence along said summit in a southerly direction to a point opposite the source of the Medicine or Sun River; thence easterly to said source and down the south bank of said Medicine or Sun River to the south bank of the Missouri River; thence down the south bank of the Missouri River to the place of beginning, be, and the same is hereby, restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *April 13, 1875.*

It is hereby ordered that the tract of country in the Territory of Montana lying within the following-described boundaries, viz: Commencing at a point on the Musselshell River where the same is intersected by the forty-second parallel of north latitude; thence east with said parallel to the south bank of the Yellowstone River; thence down and with the south bank of said river to the south boundary of the military reservation at Fort Buford; thence west along the south boundary of said military reservation to its western boundary; thence north along said western boundary to the south bank of the Missouri River; thence up and with the south bank of said river to the mouth of the Musselshell River; thence up the middle of the main channel of said Musselshell River to the place of beginning, be, and the same hereby is, withdrawn from sale, and set apart as an addition to the present reservation for the Gros Ventre, Piegan, Blood, Blackfoot, and Crow Indians.

U. S. GRANT.

EXECUTIVE MANSION, *July 13, 1880.*

It is hereby ordered that the tract of country in the Territory of Montana, being a portion of the tract of country which was set aside by Executive order of the 13th April, 1875, as an addition to the then existing reservation for the Gros Ventre, Piegan, Blood, Blackfoot, and Crow Indians, known as the Blackfoot Reservation, and lying within the following-described boundaries, viz: Beginning at a point where the south boundary of the Fort Buford military reserve intersects the right bank of the Yellowstone River; thence according to the true meridian west along the south boundary of said military reserve to its western boundary; thence continuing west to the right bank of the Missouri River; thence up and along said right bank, with the meanders thereof, to the middle of the main channel of the Musselshell River; thence up and along the middle of the main channel of the Musselshell River, with the meanders thereof, to its intersection with the forty-seventh parallel of north latitude; thence east along said parallel to its intersection with the right bank of the Yellowstone River; thence down and along said right bank, with the meanders thereof, to the place of beginning, be, and the same hereby is, restored to the public domain.

R. B. HAYES.

CROW AGENCY.

[Post-office address: Crow Agency, Mont.]

CROW RESERVATION.

How established.—By treaty of May 7, 1868, agreement made June 12, 1880, approved by act of Congress April 11, 1882; agreement made August 22, 1881, approved by Congress July 10, 1882.

Area and survey.—Four million seven hundred and thirteen thousand acres, of which 1,000,000 are classed as tillable.¹ Not surveyed.

Acres cultivated.—Nine hundred and twenty-six acres cultivated by Indians.²

Tribes and population.—The tribes living here are the Mountain and River Crow. Total population, 3,226.³

Location.—“The reservation extends from the one hundred and seventh nearly to the one hundred and eleventh meridian, and from the Yellowstone to the Wyoming line. The Yellowstone Range of the Rocky Mountains lie along nearly the entire southern boundary of the reservation. Between the mountains and the river the country is hilly and broken, but covered with excellent grass; this and the numerous streams make it a desirable grazing region.”⁴

Government rations.—Sixty-three per cent. of the Indians were subsisted by Government rations in 1886.⁵

Mills and Indian employés.—There was a mill in 1869, burnt in 1876, but rebuilt in 1878. No Indian employés reported.

Indian police.—None reported.

Indian court of offences.—None reported.

*School population, attendance, and support.*⁶

School population as estimated in 1886.....	700
Boarding and day school:	
Accommodation.....	65
Average attendance.....	40
Session (months).....	10
Cost.....	\$4,695.62

One mission day school.⁷

Missionary work.—Unitarian Church has a mission here.

SYNOPSIS OF TREATIES.

*Treaty between the United States and the Crow Indians, made at the Mandan Village, August 4, 1825.*⁸

The Crows acknowledge allegiance to United States and agree that all trade shall be regulated by the President. (Art. 1.) Also agree to respect and protect the life and property of citizens of the United States and to assist in the recovering of stolen properties. The United States agrees to indemnify in full the Indians for any losses

¹ Report of Indian Commissioner, 1884, p. 310. ² *Ibid.*, 1886, p. 430. ³ *Ibid.*, 1884, p. 292. ⁴ *Ibid.*, 1881, p. 114. ⁵ *Ibid.*, 1886, p. 418. ⁶ *Ibid.*, p. xciv. ⁷ *Ibid.*, p. lxxvii. ⁸ United States Statutes at Large, Vol. VII, p. 266.

they may sustain from citizens. (Art. 5.) The Indians promise not to furnish arms or ammunition to tribes at war with the Government. (Art. 6.)

For boundary of Crow Territory see unratified treaty Fort Laramie, page 454.

Treaty between the United States and the Crow Indians, made at Fort Laramie, Dak., May 7, 1868.

The tribe agrees to maintain peace, and the United States promises to protect the Indians. Offenders to be punished by law; Indians to be re-imbursed for any losses or injury sustained, and the United States to pass such laws as are deemed best for the regulation of Indians. (Art. 1.) The Indians cede all their lands to the United States except that portion lying between the Yellowstone River on the north and west, the one hundred and seventh meridian on the east, and the forty-fifth degree of north latitude in the south, and the United States agrees that none but Government officials in the discharge of duties required by law shall ever be permitted to pass over, settle upon, or reside in the territory set apart for the Crow Indians. (Art. 3.) For thirty years each man, woman, and child to receive one suit of clothes, in accordance with the yearly census. For ten years, each roaming Indian to receive \$10 annually, and to each Indian engaged in agriculture, \$20 annually. (Art. 9.) Government to erect agency buildings and saw and grist mill, and to maintain an agent, physician, carpenter, miller, engineer, farmer, and blacksmith. (Arts. 3 and 10.) Government to erect a school as soon as a sufficient number of children can be induced to attend school. Indians pledge themselves to compel their children between ages of six and sixteen to attend school, and for every thirty children Government to provide a house and teacher for twenty years. (Art. 7.) Indians agree to make the reservation their permanent home. Any Indian, head of a family, may select a tract of land not exceeding 320 acres; single persons over eighteen, not exceeding 80 acres; a certificate shall be given for the same and the tract recorded in the "Crow land book." (Art. 6.) When any one has selected land and received his certificate and the agent shall be satisfied that the Indian intends to cultivate the soil for a living, he shall be entitled to receive seed and implements to the value of \$100, and for three years following to the value of \$25. When over one hundred Indians shall be thus established in farming, an extra blacksmith shall be provided. When any Indian shall move on the reservation and begin to farm, he shall be given one good American cow, and one good pair of American oxen within sixty days. (Art. 9.) For three years a prize of \$50 shall be given to the best farmers. (Art. 12.) The President may order a survey of the reservation, and when so surveyed Congress shall provide for protecting the rights of Indians to their improvements and fix the character of the title to be held, and regulate the descent of property. (Art. 6.) The consent of a majority of male adults needful for any treaty involving cession of land, and no Indian living on an allotment lying in the tract proposed to be sold shall be deprived of his allotment without his consent. (Art. 11.)

Treaty proclaimed August, 1868.¹

*Crow Reserves.*²

EXECUTIVE MANSION, October 20, 1875.

It is hereby ordered that the tract of country, 20 miles in width, in the Territory of Montana, lying within the following-described boundaries, viz: Commencing at a point in the mid-channel of the Yellowstone River, where the one hundred and seventh degree of west longitude crosses the said river; thence up said mid-channel of the Yellowstone to the mouth of Big Timber Creek; thence up said creek 20 miles,

¹ United States Statutes at Large, Vol. XV, p. 649.

² Report of Indian Commissioner, 1886, p. 338.

if the said creek can be followed that distance; if not, then in the same direction continued from the source thereof to a point 20 miles from the mouth of said creek; thence eastwardly along a line parallel to the Yellowstone—no point of which shall be less than 20 miles from the river—to the one hundred and seventh degree west longitude; thence south to the place of beginning, be, and the same hereby is, withdrawn from sale and set apart for the use of the Crow tribe of Indians as an addition to their present reservation in said Territory, set apart in the second article of treaty of May 7, 1868 (Statutes at Large, Vol. XV, p. 650); provided that the same shall not interfere with the rights of any bona fide settlers who may have located on the tract of country herein described.

U. S. GRANT.

EXECUTIVE MANSION, *March 8, 1876.*

By an Executive order dated October 20, 1875, the following-described tract of country, situated in Montana Territory, was withdrawn from public sale and set apart for the use of the Crow tribe of Indians in said Territory to be added to their reservation, viz:

“Commencing at a point in the mid-channel of the Yellowstone River, where the one hundred and seventh degree of west longitude crosses the said river; thence up said mid-channel of the Yellowstone to the mouth of Big Timber Creek; thence up said creek 20 miles, if the said creek can be followed that distance; if not, then in the same direction continued from the source thereof to a point 20 miles from the mouth of said creek; thence eastwardly along a line parallel to the Yellowstone—no point of which shall be less than 20 miles from the river—to the one hundred and seventh degree west longitude; thence south to the place of beginning.”

The said Executive order of October 20, 1875, above noted, is hereby revoked, and the tract of land therein described is again restored to the public domain.

U. S. GRANT.

Judith Basin Reserve (Crow).¹

EXECUTIVE MANSION, *January 31, 1874,*

It is hereby ordered that the following-described tract of country in the Territory of Montana, set apart as a reservation for the Crow tribe of Indians by the first article of an agreement concluded with the said Indians, August 16, 1873, subject to the action of Congress, be, and the same is hereby, withdrawn from sale and settlement, viz:

“Commencing at a point on the Missouri River opposite to the mouth of Shankin Creek; thence up the said creek to its head, and thence along the summit of the divide between the waters of Arrow and Judith Rivers and the waters entering the Missouri River, to a point opposite to the divide between the headwaters of the Judith River and the waters of the Muscle Shell River; thence along said divide to the Snowy Mountains, and along the summit of said Snowy Mountains, in a north-easterly direction, to a point nearest to the divide between the waters which run easterly to the Muscle Shell River and the waters running to the Judith River; thence northwardly along said divide to the divide between the headwaters of Armell's Creek and the headwaters of Dog River, and along said divide to the Missouri River; thence up the middle of said river to the place of beginning (the said boundaries being intended to include all the country drained by the Judith River, Arrow River, and Dog River).”

U. S. GRANT.

EXECUTIVE MANSION, *March 25, 1875.*

By the first article of an agreement made by and between Felix R. Brunot, E. Whittlesey, and James Wright, commissioners on behalf of the United States, and the chiefs, headmen, and men representing the tribe of Crow Indians, under date of August 16, 1873, the following-described tract of country was set apart, subject to

¹ Report of Indian Commissioner, 1886, p. 336.

ratification by Congress, as a reservation for the absolute and undisturbed use and occupation of the Indians herein named, viz: "Commencing at a point on the Missouri River opposite to the mouth of Shankin Creek, thence up the said creek to its head, and thence along the summit of the divide between the waters of Arrow and Judith Rivers and the waters entering the Missouri River to a point opposite to the divide between the headwaters of the Judith River and the waters of the Muscle Shell River; thence along said divide to the Snowy Mountains, and along the summit of said Snowy Mountains in a north-easterly direction to a point nearest to the divide between the waters which run easterly to the Muscle Shell River and the waters running to the Judith River; thence northwardly along said divide to the divide between the headwaters of Armell's Creek and the headwaters of Dog River, and along said divide to the Missouri River; thence up the middle of said river to the place of beginning (the said boundaries being intended to include all the country drained by the Judith River, Arrow River, and Dog River)."

Pending its ratification by Congress, an order was issued January 31, 1874, withdrawing said tract of country from sale or settlement.

Inasmuch as these Indians have not removed to this country, and it is not probable that they will ever make it their home, and as Congress has not taken any decisive action on said agreement, it is ordered that the order of January 31, 1874, be, and hereby is, cancelled, and said tract of country restored to the public domain.

U. S. GRANT.

*Act of Congress, April 11, 1882, ratifying the agreement made at the Crow Agency, Montana, June 12, 1880.*¹

The south-west corner of the reservation was ceded to the United States. This included the land lying between the Boulder and Clark Creeks, the Yellowstone River, the forty-fifth parallel, and the line between townships 6 and 7 south, being an area of about 1,559,000 acres. (Sec. 1.) The United States to pay, in addition to annuities and sums for provisions and clothing already provided for, the sum of \$30,000 for twenty-five years. The annuity to be paid in cash, or expended for houses, seeds, implements, and stock, as the President may direct. (Sec. 1.) The agricultural lands on the reservation to be surveyed, and allotted in severalty, the title not to be subject to alienation, lease, incumbrance, or taxation for twenty-five years, or until such time as the President shall see fit to remove the restriction. Each head of a family to receive 160 acres of farming and 160 acres grazing land. Each single person over eighteen years and each orphan to receive 80 acres farming and 80 acres grazing land. All under eighteen or born prior to allotments to receive 40 acres of each kind of land. (Sec. 1.) If the tribe shall consent to allow cattle to be driven across the reservation or grazed upon it, the Secretary of the Interior shall fix the amount paid for the use of the land and also regulate the payments of the same to the tribe. (Sec. 1.) The Secretary of the Interior is authorized to survey and allot the land, and cause patents to be issued in accordance with the above agreement, and the sum of \$15,000 is appropriated for the survey of the reservation. (Secs. 2 and 3.)

*Act of Congress, July 10, 1882, approving agreement made with Crow Indians August 22, 1881.*²

The Crows, by a majority of male adults, ceded to the United States, for the Northern Pacific Railroad, a strip of land 400 feet in width along the line of the Northern Pacific Railroad, 200 feet on each side of the track, passing through their reservation, making 5,384 acres, more or less, and also eleven tracts for station-houses, depots, switches, etc., aggregating 266 acres, more or less; total 5,650 acres. (Sec. 1.) The United States to pay \$25,000, to be expended for the benefit of the Crow Indians in such manner as the Secretary of the Interior may direct. (Sec. 1.) The United States agrees not to permit said railroad, its employés or agents, to trespass on the unceded lands, or to cut from them timber, wood, or hay. The Indians agree to permit the construction of

¹ United States Statutes at Large, Vol. XXII, p. 42. ² *Ibid.*, p. 157.

three wagon roads, to be under the control of the United States, in addition to their road in use on the reservation, said roads to connect with the line of railroad at such points as the Secretary of the Interior may direct. The Northern Pacific Railroad Company agrees to pay all damages sustained by Indians lawfully residing on the reservation, on account of acts of said company, its employés or agent, or fires originating in the construction or operation of said railroad. Damages to be recorded in any court in Montana having jurisdiction, or the United States attorney may accept such sums of money as in his discretion may be just, without suit or action. All moneys accepted or recovered shall be covered into the Treasury of the United States, and placed to the credit of the tribe or of an individual Indian sustaining losses, and expended by the Secretary of Interior for the benefit of the tribe or the individual Indian, as the case may be. (Secs. 1, 2, 3.)

FLATHEAD AGENCY.

[Post-office address: Flathead Agency, Missoula County, Mont.]

JOCKO RESERVATION.

How established.—By treaty July 16, 1855.

Area and survey.—Contains 1,433,600 acres, of which 400,000 are classed as tillable.¹ Not surveyed.

**Acres cultivated.*—The Indians have under cultivation 6,860 acres.²

Tribes and population.—The tribes living here are the Carlos band, Flathead, 133; Kutenay, 615; and Pend d'Oreille, 986. Total population, 2,280.³

Location.—The reservation is located in the north-western part of Montana. The country is mountainous, well wooded and watered. The valleys of the Jocko and other streams flowing into Flathead Lake are fertile, and adapted to farming and grazing. Irrigation, except in favored localities, is needed to secure steady crops. The agency is situated on a small tributary to the Jocko, about 2 miles from that river.

Government rations.—Eight per cent. of the Indians subsisted on Government rations in 1886.⁴

Mills and Indian employés.—A saw and grist mill, built in 1862-63, destroyed by fire in 1869. Rebuilt in 1872. No Indian employés reported.

Indian police.—In 1877 a police organization, under the charge of Audré, second chief of the Pend d'Oreilles, having its headquarters at the mission, where a jail had been erected. The force was at the disposal of the agent, and did good service during the Nez Percés' troubles. For present police, see Report of 1886, page 180.

Indian court of offences.—See Report 1886, page 180.

*School population, attendance, and support.*⁵

School population (estimated) in 1886.....	705
St. Ignatius boarding and day school (contract):	
Accommodation.....	300
Average attendance.....	164
Session (months).....	12
Cost.....	\$22,500

¹ Report of Indian Commissioner, 1884, p. 310. ² *Ibid.*, 1886, p. 432. ³ *Ibid.*, p. 400. ⁴ *Ibid.*, p. 418. ⁵ *Ibid.*, p. xciv.

Missionary work.—Roman Catholic missionaries in charge. One church and two missionaries reported in 1886.¹

SYNOPSIS OF TREATIES.

Treaty between the confederated tribes of the Flatheads, Kutenay, and Upper Pend d'Oreilles Indians, made at Hell Gate, in the Bitter Root Mountains, July 16, 1855.

The above tribes ceded the land lying between the divide of the Flat Bow and Clark's Fork Rivers, and the sources of the St. Regis Borgia and the Cœur d'Alene Rivers, the Bitter Root Mountains, the divide between the tributaries of the Bitter Root and Salmon and Snake Rivers, the main ridge of the Rocky Mountains, and the forty-ninth parallel. (Art 1.)

A tract of land embracing the water-shed of the Jocko River and its tributaries and extending north to a line running half way in latitude between the northern and southern extension of the Flathead Lake was set apart for the exclusive use and benefit of the confederated tribes, who agree to reside thereon. If any substantial improvements have been made by any Indian upon the lands ceded, they shall be valued by the President and payment made in money or improvements of equal value made for the Indian upon the reservation. No Indian required to abandon his improvements until such value shall have been furnished him. (Art. 2.)

Exclusive right to fish in all streams running through or bordering the reservation secured to the Indians. Also the right to fish in accustomed places in common with citizens of Territory and of erecting buildings for curing. (Art. 3.)

In addition to the goods and provisions distributed at the signing of the treaty, the Indians shall receive the sum of \$120,000. During the first year \$36,000 to be expended under the direction of the President for removal to reservation, breaking up and fencing farms and building houses, etc., for the Indians. (Art. 4.) Remainder to be paid, in diminishing sums, for nineteen years. Five hundred dollars a year for twenty years to be paid as salary to the head chiefs of these confederated tribes. Also a furnished house to be built for them and ten acres of land plowed and fenced. (Art. 5.)

United States to erect a blacksmith shop, tin and gun shop, carpenter shop, wagon and plow-maker shop, one saw and flouring mill and hospital, to furnish the same and keep them in repair. Two farmers, a blacksmith, tinner, gunsmith, carpenter, wagon and plow-maker, two millers and a physician to be furnished for the instruction of the Indians in the trades, these employés to be kept in service for twenty years. (Art. 5.)

Within one year after the ratification of this treaty an agricultural and industrial school with necessary buildings is to be erected, and the Government is to furnish and maintain the same for the term of twenty years for the children of the tribes. (Art. 5.)

United States may run roads through the reservation.

Indians to have right of way and free access to nearest public highway, and to travel thereon in common with citizens of the United States. (Art. 3.)

President may cause the whole or portions of the reservation to be surveyed into lots and assigned to individuals or families on the same terms as provided in article 6 of the treaty with the Omahas. (Art. 6.)

Indians acknowledge their dependence on the Government, and pledge themselves to commit no depredations. If this pledge be violated, the Government shall make compensation to the injured party out of annuities. Indians agree to make no war upon any tribe except in self-defense. Also, to submit all matters of disagreement to United States authorities. They agree not to shelter offenders against the laws of the United States, and to deliver them up for trial. (Art. 8.) United States to defray transportation expenses. (Art. 5.) Annuities shall not be taken to pay debts of individuals. (Art. 7.) United States agrees to guarantee exclusive use of reservation against any claims of the Hudson Bay Company in consequence of a trading-post on the Pru-in River. (Art. 10.)

¹ Report of Indian Commissioner, 1886, p. 419.

Any Indian bringing liquor upon the reservation or who drinks liquor, may have his portion of the annuities withheld for such time as the President may determine. (Art. 9.)

It is, moreover, provided that the Bitter Root Valley, above the Loo-lo Fork, shall be carefully surveyed and examined, and if it shall prove, in the judgment of the President, to be better adapted to the wants of the Flathead tribe than the general reservation provided for in this treaty, then such portions of it as may be necessary shall be set apart as a separate reservation for the said tribe. No portion of the Bitter Root Valley, above the Loo-lo Fork, shall be opened to settlement until such examination is had and the decision of the President made known. (Art. 11.)

*Treaty proclaimed, 1859.*¹

*Bitter Root Valley.*²

EXECUTIVE MANSION, *November 14, 1871.*

The Bitter Root Valley, above the Loo-lo fork, in the Territory of Montana, having been carefully surveyed and examined in accordance with the eleventh article of the treaty of July 16, 1855, concluded at Hell Gate, in the Bitter Root Valley, between the United States and the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, which was ratified by the Senate, March 8, 1859, has proved, in the judgment of the President, not to be better adapted to the wants of the Flathead tribe than the general reservation provided for in said treaty, it is therefore deemed unnecessary to set apart any portion of said Bitter Root Valley as a separate reservation for Indians referred to in said treaty. It is therefore ordered and directed that all Indians residing in said Bitter Root Valley be removed as soon as practicable to the reservation provided for in the second article of said treaty, and that a just and impartial appraisal be made of any substantial improvements made by said Indians upon any lands of the Bitter Root Valley, such as fields inclosed and cultivated, and houses erected; that such appraisal shall distinguish between improvements made before the date of said treaty and such as have been subsequently made.

It is further ordered that, after the removal herein directed shall have been made, the Bitter Root Valley aforesaid shall be open to settlement.

It is further ordered that if any of said Indians residing in the Bitter Root Valley desire to become citizens and reside upon the lands which they now occupy, not exceeding in quantity what is allowed under the homestead and pre-emption laws to all citizens, such persons shall be permitted to remain in said valley, upon making known to the superintendent of Indian affairs for Montana Territory, by the first day of January, 1873, their intention to comply with these conditions.

U. S. GRANT.

*Act of Congress, June 5, 1872.*³

It shall be the duty of the President, as soon as practicable, to remove the Flathead Indians, whether of full or mixed bloods, and all other Indians connected with said tribe and recognized as members thereof, from Bitter Root Valley to the Jocko Reservation. (Sec. 1.)

The lands of the valley to be surveyed and open for citizens on the reservation for settlement. Accounts to be kept of the proceeds from all lands sold above the Loo-lo Fork, and out of the first moneys arising therefrom there shall be reserved and set apart for the use of said Indians \$50,000, to be expended by the President in such manner as in his judgment shall be for the best good of the Indians, but no more than \$5,000 shall be expended in one year. (Sec. 2.)

¹United States Statutes at Large, Vol. XII, p. 975; also, *Ibid.*, Vol. XI, p. 657.

²Report of Indian Commissioner, 1886, p. 336. ³United States Statutes at Large, Vol. XVII, p. 226.

That any of said Indians, being the head of a family, or twenty-one years of age, who shall, at the passage of this act, be actually residing upon and cultivating any portion of said lands, shall be permitted to remain in said valley and pre-empt without cost the land so occupied and cultivated, not exceeding in amount 160 acres for each of such Indians, for which he shall receive a patent without power of alienation: *Provided*, That such Indian shall, prior to August 1, 1872, notify the superintendent of Indian affairs for Montana Territory that he abandons his tribal relations with said tribe, and intends to remain in said valley: *And provided further*, That said superintendent shall have given such Indian at least one month's notice prior to the date last above mentioned of the provisions of this act, and of his right so to remain as provided in this section of this act. (Sec. 3.)

Agreement.

Agreement made between James A. Garfield, special commissioner, and the Flatheads in reference to their removal from the Bitter Root Valley and signed by but two of the chiefs—the first chief refusing.

(1) The United States to erect sixty good substantial houses 12 by 16 feet each, three to be double in size for the three chiefs, the location in the reservation of all the houses to be selected by chiefs.

(2) The first year after their removal 600 bushels of wheat to be delivered to the Indians and ground into flour without cost to the Indians, and delivered in good condition together with such potatoes and vegetables as can be spared from agency farm.

(3) Suitable portions of land inclosed and broken for said Indians and a sufficient number of agricultural implements provided.

(4) Agency employés to do the work and some of the labor—material or provisions charged as money.

(5) The \$5,000 now in hand for the removal of Indians to be paid in such form as the chiefs determine, except such portion as is necessarily expended in carrying out preceding provisions of this agreement.

(6) The further sum of \$50,000 to be paid in ten annual instalments as the President may direct, the payments not to modify any treaty payments.

(7) This agreement not to affect any Indians taking land in the valley in accordance with section 3 of act of Congress.

(8) When the houses are built the Flathead tribe agree to remove to the reservation. Nothing in this agreement to deprive them from fishing and hunting in bands when they are entitled under existing treaties, or from selling their improvements in Bitter Root Valley.¹

Agreement.

The Hon. Jos. K. Cannon effected, on the second day of September, 1882, an agreement with the Flathead Indians to sell a right of way to the Northern Pacific Railroad through the Jocko Reservation, 53 miles, 200 feet wide; also tracts for station purposes, aggregating in all about 1,430 acres, were ceded to the United States for the sum of \$1,600, and that certain specified Indians be paid for their improvements upon the ceded lands, amounting in all to \$7,500. This agreement subject to the approval of Congress.

On July 4, 1884, Congress appropriated \$16,000 for the purchase of the lands agreed to as above.²

¹ Report of Indian Commissioner, 1872, pp. 114, 115. ² United States Statutes at Large, Vol. XXIII, p. 89.

TONGUE RIVER AGENCY.

[Post-office address: Muddy P. O., Mont.]

NORTHERN CHEYENNE RESERVATION.

How established.—By Executive order, November 26, 1884.*Area and survey.*—Contains 371,200 acres.¹ Not surveyed.*Acres cultivated.*—The Indians have 75 acres under cultivation in 1886.²*Tribes and population.*—The tribes living here are the Northern Cheyenne. Total population, 818.³*Location.*—The agency is located on Lame Deer Creek, a tributary of the Rose Bud about 4 miles from the mouth of the Lame Deer.⁴*Government rations.*—Seventy-five per cent. of these Indians subsisted by Government rations in 1886.⁵*Mills and Indian employés.*—None reported.*Indian police.*—Organized in 1886.⁶*Indian court of offences.*—None reported.*School population and attendance.*

School population as estimated in 1886 ⁷	171
St. Labre's Mission (contract) Custer County :	
Accommodation	70
Average attendance	36
Session (months)	12
Cost to Government ⁸	\$3,420 69

Missionary work.—Roman Catholic Church has charge.*Treaty with Northern Cheyenne and Northern Arapahoes, made at Fort Laramie, Wyo., May 10, 1868.*

Peace established. White offenders against Indians to be punished. Indian offenders to be delivered up to punishment by law. Loss of property to be examined as prescribed. (Art. 1.)

Reservations and cessions.—Indians agree to make their home on reservation designated for southern Arapahoes and Cheyennes by treaty of October 28, 1867, or else to live on reservation set apart for Sioux Indians by treaty April 29, 1868, or to attach themselves to Crow Agency as established by treaty of May 7, 1868. Northern Cheyenne and Arapahoe cede to the United States all claim to territory outside said reservation, "except the right to roam and hunt while game shall be found in sufficient quantities to justify the chase." (Art. 2.)*Land in severalty.*—Any head of a family authorized to select 320 acres, or person over eighteen 80 acres, on any of said reservations, selections to be recorded in "Land Book," and certificates issued. President may order survey, protect settlers on their improvements, and fix character of title. United States to regulate alienation under descent of property. (Art. 3.) Provisions for seed, implements, and prizes, same as in articles 8 and 14 of preceding treaty.

Educational provisions same as article 7 of preceding treaty.

In lieu of annuities under other treaties, clothing provided as stipulated for thirty years, also \$10 for each Indian roaming and \$20 for each Indian engaged in agricult-

¹Report of Indian Commissioner, 1886, p. 336. ²*Ibid.*, p. 432. ³*Ibid.*, p. 402.
⁴*Ibid.*, p. 185. ⁵*Ibid.*, p. 418. ⁶*Ibid.*, p. 186. ⁷*Ibid.*, p. 402. ⁸*Ibid.*, p. xciv.

ure for ten years, to be expended by the Secretary of the Interior. If deemed best Congress may change appropriation for clothing to be used for other purposes beneficial to said Indians. Army officer to be present at distribution. Any Indian over four years of age, settling permanently on a reservation and complying with this treaty, to receive for four years 1 pound of meat, 1 pound of flour per day, if he can not sooner furnish his own subsistence. Any family beginning farming to receive one pair of oxen, one cow. (Art. 6.) United States to furnish employés. (Art. 7.) Future treaties for cessions not valid unless signed by a majority of adult male Indians interested in the same. No one to be deprived of his selected lands. (Art. 8.)

Proclaimed August 25, 1868.¹

Agreement with Northern Cheyenne and Arapahoe and Sioux Nations, made at Sioux agencies from September 26 to October 27, 1876.

Ratified February 28, 1877.²

See Sioux treaty same date, page 276.

ARAPAHOE TREATIES.

Unratified treaty made with Northern Arapahoe, Cheyenne, and other tribes, at Fort Laramie, Wyo., September 17, 1851.³

See Blackfoot treaties same date—Montana.

Treaty with the Arapahoes and Cheyennes of Upper Arkansas River, made at Fort Wise, Kans., February 18, 1861.⁴

See Cheyenne and Arapahoe treaty, same date—Indian Territory.

Treaty with the Arapahoes and Cheyennes of the Upper Arkansas, made at Little Arkansas River, October 14, 1865.⁵

See Cheyenne and Arapahoe treaty, same date—Indian Territory.

Treaty with the Arapahoes, Cheyennes, and Apaches, made at Little Arkansas River, October 17, 1865.⁶

See Apache treaty same date—Indian Territory.

Treaty with the Arapahoes and Cheyennes, made at Medicine Lodge Creek, Kans., October 28, 1867.⁷

See Cheyenne and Arapahoe treaty, same date—Indian Territory.

Treaty between the Northern Arapahoes, Northern Cheyennes, and Sioux, made at Red Cloud, Spotted Tail, Standing Rock, Cheyenne River, Crow Creek, Lower Brulé, and Santee Agencies from September 26 to October 27, 1876.⁸

See Northern Cheyenne and Arapahoe treaty same date, page 276.

Unratified treaty made with Arickaree and other tribes at Fort Laramie, Wyo., September 17, 1851.⁹

See Blackfoot treaty, same date—Montana.

Unratified agreement with Arickaree, Gros Ventre, Mandan, and other tribes, made at Fort Berthold, Dak., July 27, 1866.¹⁰

See Mandan treaty same date—Dakota.

¹ United States Statutes at Large, Vol. XV, p. 655.

² *Ibid.*, Vol. XIX, p. 254.

³ Indian Laws, p. 317. ⁴ United States Statutes at Large, Vol. XII, p. 1163. ⁵ *Ibid.*, Vol. XIV, p. 703.

⁶ *Ibid.*, p. 713.

⁷ *Ibid.*, Vol. XV, p. 593.

⁸ *Ibid.*, Vol. XIX,

p. 254. ⁹ Indian Laws, p. 317. ¹⁰ *Ibid.*, p. 322.

*Treaty with Bannock and Eastern bands of Shoshones, made at Fort Bridger, Utah, July 3, 1868.*¹

See Shoshone treaty same date—Wyoming.

*Executive order, November 26, 1884.*²

It is hereby ordered that the following-described country, lying within the boundaries of the Territory of Montana, viz: Beginning at the point on the one hundred and seventh meridian of west longitude (said meridian being the eastern boundary of the Crow Indian Reservation) where the southern 40-mile limits of the grant to the Northern Pacific Railroad Company intersect said one hundred and seventh meridian; thence south along said meridian to a point 30 miles south of the point where the Montana base line, when extended, will intersect said meridian; thence due east to a point 12 miles east of the Rosebud River; thence in a northerly and north-easterly direction, along a line parallel with said Rosebud River, and 12 miles distant therefrom, to a point on the southern 40-mile limits of the grant to the Northern Pacific Railroad Company, 12 miles distant from said Rosebud River; thence westwardly along the said southern limits and across the said Rosebud River to the place of beginning, be, and the same is hereby, withheld from sale and settlement, and set apart as a reservation for the use and occupation of the Northern Cheyenne Indians, now residing in the southern portion of Montana Territory, and such other Indians as the Secretary of the Interior may see fit to locate thereon: *Provided, however,* That any tract or tracts of land included within the foregoing described boundaries which have been located, resided upon, and improved by bona-fide settlers, prior to the 1st day of October, 1884, to the amount to which such settlers might be entitled under the laws regulating the disposition of the public lands of the United States, or to which valid rights have attached under said laws, are hereby excluded from the reservation hereby made.

CHESTER A. ARTHUR.

¹ United States Statutes at Large, Vol. XV, p. 673.

² Report of Indian Commissioner, 1886, p. 339.

CHAPTER XVI.

INDIAN RESERVATIONS OF NEBRASKA, NEVADA, AND NEW MEXICO.

NEBRASKA.

For the early history of the Territory from which Nebraska was formed, see Dakota. It was organized as a Territory May 30, 1854,¹ and admitted as a State February 9, 1867.²

Of the Indians originally residing here, the Pawnees, Otoes, Cheyennes, and Arapahoes have been removed to the Indian Territory. The Omahas are the only original inhabitants left, the other Indians having been placed on their present reservations by the United States.

There are six reservations, containing an aggregate area of 372,394.97 acres, and an Indian population of 4,425. There are two agencies, the Santee and Flandreau Agency, having charge of Niobrara Reservation, Ponca Reservation in Dakota, and the Sioux residing at Flandreau, Dakota; the Omaha and Winnebago Agency, having in charge the Omaha and the Winnebago Reservations; an Executive order reservation consisting of a small strip adjoining the Pine Ridge Agency on the Sioux Reservation. The Iowa and Sac and Fox Reservations lie partly in Nebraska and partly in Kansas, and are under the Pottawatomie and great Nemaha Agency, Kansas.

SANTEE AND FLANDREAU AGENCY.

[Post-office address: Santee Agency, Knox County, Nebr.]

NIOBRARA RESERVATION.

How established.—By act of Congress approved March 3, 1863; treaty of April 29, 1868; Executive orders, February 27, July 20, 1866, November 16, 1867, August 31, 1869, December 31, 1873, February 9, 1885.

Area and survey.—There have been 32,875.75 acres selected as homesteads, 38,908.91 acres selected as allotments, and 1,130.70 acres selected for agency, school, and mission purposes.³

Acres cultivated.—Number of acres cultivated by Indians, 3,860.⁴

Tribes and population.—The tribe living here is the Santee Sioux. Population, 1,010.⁵

¹ United States Statutes at Large, Vol. X, p. 277. ² *Ibid.*, Vol. XIV, p. 391.
³ Report of Indian Commissioner, 1886, p. 386. ⁴ *Ibid.*, p. 432. ⁵ *Ibid.*, p. 402.

Location.—The reservation is located on the west bank of the Missouri River, in townships 31, 32, and 33, ranges 4 and 5 west, in Knox County, Nebr., occupying about two-thirds of the land of the six townships named, or 69,099.46 acres allotted to Indians, 492.60 acres retained for agency and Government industrial school, 480 acres for American Missionary Association, and 158.10 acres to Protestant Episcopal Mission, making a total of 70,230.16 acres allotted to and held by Indians and retained for agency, school, and missionary purposes. Sometimes a quarter or whole section would be left, which was taken by white people when a portion (44,770 acres) of the Santee reservation was restored to the public domain by Executive order of President Arthur dated February 9, 1885. So that white people own land and are living adjoining the Indians. Sometimes a white man will have an Indian adjoining him on either side, and the same with an Indian, and again there are many places where the land is occupied by Indians solidly.

One hundred and thirty-two patents for 160 acres, more or less, have been issued to these Indians under sixth article of treaty concluded April 29, 1868, one hundred and twenty-three of them having twenty-five years' restrictive clause as per "An act making appropriation for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1884, and for other purposes." So that the title to the same can not be transferred for a period of twenty-five years, or the land held for any debt contracted by the Indians, and no contract or incumbrance or liability of said land for payment thereof shall be valid.¹ By the severalty act of February 8, 1887, these Indians are made citizens of the United States.

Government rations.—Two per cent. of these Indians subsisted by Government rations as reported in 1886.²

Mills and Indian employes.—Mill established and Indian employes reported.

• *Indian police.*—Established.

Indian court of offences.—Established.

*School population, attendance, and support.*³

School population as estimated in 1886, 205.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Boarding school	50	49	10	\$8,801.94
Hope boarding (contract)	32	32	10	1,082.87
Normal training (contract)	170	111	12	12,900.00
Flandreau, day	50	27	9	700.00

Outside settlement ; population 73.

¹ Report of Indian Commissioner, 1886, p. 189.

² *Ibid.*, p. 418.

³ *Ibid.*, p. xciv.

Missionary work.—American Mission Association, under the care of Rev. A. L. Riggs, and the Protestant Episcopal, under the Rev. W. W. Fowler, have missions among these Indians.

*Treaty with the Santees made by Lieut. Z. M. Pike, September 23, 1805.*¹

See Sioux treaty same date, p. 262.

*Treaty with the Santees made at Portage des Sioux, July 19, 1815.*²

See Sioux treaty same date, p. 262.

*Treaty with the Santees made at Prairie des Chiens, Michigan, August 19, 1825.*³

See Sioux treaty same date, p. 263.

*Treaty with the Santees made at Prairie du Chien, Michigan, July 15, 1830.*⁴

See Sioux treaty same date, p. 265.

*Treaty with the Santees made at Prairie du Chien, Michigan, September 10, 1836.*⁵

See Sioux treaty same date, p. 266.

*Treaty with the Santees made at Bellevue, Upper Missouri, October 15, 1836.*⁶

See Sioux treaty same date, p. 266.

*Treaty with the Santees made at Washington, September 29, 1837.*⁷

See Sioux treaty same date, p. 266.

*Treaty with the Santees made at Traverse des Sioux, Minnesota, July 23, 1851.*⁸

See Sioux treaty same date, p. 267.

*Treaty with the Santees made at Mendota, Minn., August 5, 1851.*⁹

See Sioux treaty same date, p. 267.

*Treaty with the Santees made at Washington, June 19, 1858.*¹⁰

See Sioux treaty same date, p. 268.

*By act of Congress, June 27, 1860.*¹¹

See act of Congress for Sioux same date, p. 269.

*By act of Congress, February 16, 1863.*¹²

See act of Congress for Sioux same date, p. 269.

*By act of Congress, March 3, 1863.*¹³

See act of Congress for Sioux, same date, page 270.

*Treaty with the Santees made at Fort Laramie, Dakota, April 29, 1868.*¹⁴

See Sioux treaty, same date, page 272.

¹ Indian Laws, p. 316. ² United States Statutes at Large, Vol. VII, p. 126. ³ *Ibid.*, p. 272. ⁴ *Ibid.*, pp. 328-332. ⁵ *Ibid.*, p. 510. ⁶ *Ibid.*, pp. 524-526. ⁷ *Ibid.*, p. 538. ⁸ *Ibid.*, Vol. X, pp. 949-953. ⁹ *Ibid.*, pp. 954-959. ¹⁰ *Ibid.*, Vol. XII, p. 1031. ¹¹ *Ibid.*, p. 1042. ¹² *Ibid.*, p. 652. ¹³ *Ibid.*, p. 803. ¹⁴ *Ibid.*, Vol. XV, p. 635.

*Treaty with the Santees, made at Red Cloud, Spotted Tail, Standing Rock, Cheyenne River, Crow Creek, Lower Brulé, and Santee Agencies, from September 26 to October 27, 1876.*¹

See Sioux treaty, same date, page 276.

*Niobrara Reserve.*²

DEPARTMENT OF THE INTERIOR,

Washington, D.C., February 26, 1866.

SIR: I have the honor to submit herewith a letter addressed to this Department by the Commissioner of Indian Affairs, requesting the reservation from pre-emption or sale of townships 31 and 32 north, range 5 west, and townships 31 and 32 north, range 6 west of the principal sixth meridian, in Nebraska Territory, until the action of Congress be had, with a view to the setting apart of these townships as a reservation for the Santee Sioux Indians now at Crow Creek, Dakota; and recommend that you direct those lands to be withdrawn from market and held in reserve for the purpose indicated.

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN,
Secretary.

THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE MANSION, *February 27, 1866.*

Let the lands within named be withdrawn from market and reserved for the purposes indicated.

ANDREW JOHNSON,
President of the United States.

EXECUTIVE MANSION, *July 20, 1866.*

Let the townships embraced within the lines shaded *red* on the within diagram be, in addition to those heretofore withdrawn from sale by my order of 27th February last, reserved from sale and set apart as an Indian reservation for the use of Sioux Indians, as recommended by the Secretary of the Interior, in letter of July 19, 1866.

ANDREW JOHNSON,
President.

The above order embraces township 31 north, range 8 west; township 31 north, range 7 west; that portion of township 32 north, range 8 west, and of township 32 north, range 7 west, lying south of the Niobrara River, and that portion of township 35 north, range 5 west, lying south of the Missouri River in Nebraska.

[For diagram, see letter from the Commissioner of the General Land Office, dated November 23, 1878.]

(For Executive order of March 20, 1867, see "Dakota.")

DEPARTMENT OF THE INTERIOR,

Washington, D. C., November 15, 1867.

SIR: For the reasons mentioned in the accompanying copies of reports from the Acting Commissioner of Indian Affairs and the Commissioner of the General Land Office, dated, respectively, the 7th and 13th instant, I have the honor to recommend that you order the withdrawal from sale, and the setting apart for the use of the Santee Sioux Indians, the following described tracts of land lying adjacent to the present Sioux Indian Reservation on the Niobrara and Missouri Rivers in Nebraska, viz: Township 32 north, of range 4 west of the sixth principal meridian and fractional section 7, fractional section 16, fractional section 17, and sections 18, 19, 20, 21, 23, 29,

¹ United States Statutes at Large, Vol. XIV, p. 254. ² Report of Indian Commissioner, 1886, p. 340.

30, 31, 32, and 33, of fractional township No. 33 north, of range 4 west of the sixth principal meridian, be withdrawn from market, and that fractional township No. 32 north, of range 6 west of the sixth principal meridian, now a portion of the reservation, be restored to market.

I am, sir, very respectfully, your obedient servant,

O. H. BROWNING,
Secretary.

The PRESIDENT.

NOVEMBER 16, 1867.

Let the within recommendations of the Secretary of the Interior be carried into effect.

ANDREW JOHNSON.

*Santee Sioux Reserve.*¹

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,
Washington, D. C., March 19, 1867.

As special commissioner I have concluded a preliminary arrangement with the Santee Sioux, now at the mouth of the Niobrara, by which they consent to go into a reservation in the territory of Dakota, and lying between the Big Sioux on the east and the James River on the west, and between the forty-fourth and forty-fifth parallels of latitude. This reservation is selected with the approbation of the Governor of the Territory and the Delegate in Congress, as also the surveyor-general of the said Territory. I am informed that there are no white settlements within its limits, and no part of it has yet been surveyed by the United States.

I would, therefore, request that an order be issued by the President to withdraw from market the lands embraced within the limits of the said reservation, so as to keep the whites from attempting any settlement within it. This, I am informed, has been the practice in many similar cases.

As it is important that the Indians should be removed as soon as possible, I would request that this order be issued immediately.

I am, with great respect, your obedient servant,

LEWIS V. BOGY,
Special Commissioner.

To the SECRETARY OF THE INTERIOR,
Washington City.

P. S.—I hand you a letter from General Tripp, surveyor-general of Dakota, recommending the withdrawal of this land from market.

DEPARTMENT OF THE INTERIOR,
March 20, 1867.

I respectfully lay before the President the proposition of Special Commissioner Bogy, as herein contained, and recommend that the lands described be withdrawn from market.

O. H. BROWNING,
Secretary.

Let the lands be withdrawn as recommended.

ANDREW JOHNSON.

MARCH 20, 1867.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., July 6, 1869.

SIR: I have the honor to transmit herewith a letter from the Commissioner of the General Land Office, dated the 2d ultimo, asking information relative to the Santee

¹Report of Indian Commissioner, 1886, pp. 320-321.

Sioux Indian Reservation, situated between the Big Sioux and James Rivers, and between the forty-fourth and forty-fifth parallels of north latitude, in Dakota Territory, and suggesting that if those lands are no longer occupied by Indians, necessary steps should be taken to restore them to the public domain.

This office has informally obtained from the General Land Office the inclosed copy of a letter and indorsements, by which it appears that Lewis V. Bogy, as a special commissioner, selected the above-described reservation, and that upon the recommendation of Hon. O. H. Browning, then Secretary of the Interior, the said lands were withdrawn from market by order of the President, dated March 20, 1867.

The Santee Sioux Indians have never occupied this reservation. They have a reservation on the Niobrara River, in Nebraska, where I deem it proper they should remain. It is not practicable for them to be located upon the reserve above described.

I, therefore, respectfully recommend that the order of the President withdrawing the above-described lands from market may be rescinded.

Please return the accompanying papers.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. J. D. COX,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
July 10, 1869.

The proposition of the Commissioner of Indian Affairs is approved, and I respectfully recommend that the lands withheld be restored to market.

J. D. COX,
Secretary.

EXECUTIVE MANSION, *July 13, 1869.*

I hereby rescind the Executive order of March 20, 1867, referred to, and direct the restoration of the lands withheld to market.

U. S. GRANT.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 28, 1869.

SIR: I have the honor to call your attention to the inclosed copy of a letter from Superintendent Samuel M. Janney, dated the 20th instant, relative to the reservation of the Santee Sioux Indians in Nebraska.

The lands at present withdrawn from sale for the purpose of this reservation are as follows:

	Acres.
Township 32 north, range 4 west of sixth principal meridian	23,397.96
So much of the west half of the fractional township 33 north, range 4 west, as lies south of the Missouri River	7,571.40
Township 31 north, range 5 west	22,968.64
Fractional township 32 north, range 5 west	21,601.41
So much of fractional township 33 north, range 5 west, as lies south of Missouri River	8,983.20
Fractional township 31 north, range 6 west	22,568.10
Fractional township 31 north, range 7 west	21,592.29
Fractional township 32 north, range 7 west	1,460.42
Fractional township 31 north, range 8 west	22,999.69
Fractional township 32 north, range 8 west	12,051.92

Making the total area of present reservation

165,195.03

The recommendation of Superintendent Janney, contained in his above-mentioned letter, is that the boundaries of the present reservation be changed as follows: That—

	Acres.
Township 31 north, range 4 west.....	22,968.61
So much of the east half of fractional township 33 north, range 4 west, as lies south of the Missouri River; viz, fractional sections 2, 3, 10, 11, 14, 15, section 22, fractional sections 23, 24, sections 25, 26, 27, 34, 35, 36..	7,584.70
Total.....	30,553.31
be added to the present reservation; and that—	
	Acres.
Fractional township 31 north, range 6 west.....	22,568.10
Fractional township 31 north, range 7 west.....	21,592.29
Fractional township 32 north, range 7 west.....	1,460.42
Fractional township 31 north, range 8 west.....	22,999.69
Fractional township 32 north, range 8 west.....	12,051.92
Total.....	80,672.42

be restored to market.

The additional lands which Superintendent Janney recommends to be added to the present reservation contain an area of 30,553.31 acres, and the lands which he recommends to be restored to market contain an area of 80,672.42 acres. The reservation, therefore, if re-adjusted in this manner, will contain a total area of 115,075.92 acres.

I am of opinion that this change should be made, and respectfully recommend, should you approve, that the President be requested to direct that township 31 north, range 4 west of the sixth principal meridian, and so much of the east half of fractional township 33 north, range 4 west, as lies south of the Missouri River, viz, fractional sections 2, 3, 10, 11, 14, 15, section 22, fractional sections 23, 24, sections 25, 26, 27, 34, 35, and 36 be withdrawn from market and added to the present reservation; and that fractional township 31 north, range 6 west of the sixth principal meridian; fractional township 31 north, range 7 west of the sixth principal meridian; fractional township 32 north, range 7 west of the sixth principal meridian; fractional township 31 north, range 8 west of the sixth principal meridian; fractional township 32 north, range 8 west of the sixth principal meridian, which is a portion of the land previously withdrawn from sale by the President's order of July 20, 1866, be restored to market, this being in accordance with the recommendation of Superintendent Janney, as above stated.

I transmit herewith a plat showing the boundaries of the present reservation and the proposed changes of the same, which you will please to have returned to this office.¹

Very respectfully, your obedient servant,

Hon. W. T. OTTO,
Acting Secretary of the Interior.

E. S. PARKER,
Commissioner.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., August 31, 1869.

SIR: I have the honor to transmit herewith a report of the Commissioner of Indian Affairs of the 23th instant, and accompanying papers, in relation to proposed changes in the Santee Sioux Indian Reservation, as therein suggested, and respectfully recommend that the President order the restoration to market of certain lands designated in the Commissioner's report, and the withdrawal from sale of the lands therein described.

With great respect, your obedient servant,

J. D. COX, *Secretary.*

WASHINGTON, *August 31, 1869.*

The within recommendation of the Secretary of the Interior is hereby approved, and the necessary action will be taken to carry it into effect.

U. S. GRANT.

¹From Report of Indian Commissioner, 1886, p. 341.

EXECUTIVE MANSION, *December 31, 1873.*

It is hereby ordered that Executive order dated August 31, 1869, adding certain lands to the Santee Sioux Indian Reservation in Nebraska, be, and the same is hereby, amended so as to exempt from its operation lots 1, 2, 3, and 4, of section 3, township 33, range 4, previously patented to Thomas J. Quinn, on Sioux half-breed script No. 349 D.¹

U. S. GRANT.

EXECUTIVE MANSION, *January 24, 1882.*

It is hereby ordered that the following-described tract of country in the State of Nebraska, viz: Beginning at a point on the boundary line between the State of Nebraska and the Territory of Dakota, where the range line between ranges 44 and 45 west of the sixth principal meridian, in the Territory of Dakota, intersects said boundary line; thence east along said boundary line 5 miles; thence due south 5 miles; thence due west 10 miles; thence due north to said boundary line; thence due east along said boundary line to the place of beginning, be, and the same is hereby, withdrawn from sale, and set aside as an addition to the present Sioux Indian Reservation in the Territory of Dakota.

This order of reservation to continue during the pleasure of the President.²

CHESTER A. ARTHUR.

The following act provided for restricted patents to be issued to the Santee Sioux Indians:

“* * * *Provided*, That the patents authorized to be issued to certain individual Indians by the concluding paragraph of article six of the treaty with the Sioux Indians [April 29, 1868], proclaimed the twenty-fourth day of February, eighteen hundred and sixty-nine, shall be of the legal effect and declare that the United States does and will hold the land thus allotted for the period of twenty-five years in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or in case of his decease, of his heirs, according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever, and no contract by any such Indian creating any charge or incumbrance thereon, or liability of said land for payment thereof, shall be valid.”³

EXECUTIVE MANSION, *February 9, 1885.*

It is hereby ordered that all the lands within the Niobrara or Santee Sioux Indian Reservation, in the State of Nebraska, remaining unallotted to, and unselected by, the Indians of said reservation under the act of March 3, 1863, and the Sioux treaty of April 29, 1868, respectively, on the 15th day of April, 1885, except such as are occupied for agency, school, and missionary purposes, be, and the same are hereby, restored to the public domain from and after that date and made subject to settlement and entry on and after May 15, 1885.⁴

CHESTER A. ARTHUR.

¹ From Report of Indian Commissioner, 1886, p. 342. ² *Ibid.*, p. 322. ³ United States Statutes at Large, Vol. XXII, p. 444. ⁴ From Report of Indian Commissioner, 1886, p. 342.

POTTAWATOMIE AND GREAT NEMAHA AGENCY, KANSAS.

IOWA RESERVATION.

How established.—By treaties of May 17, 1854, and of March 6, 1861.

Area and survey.—Contains 16,000 acres, of which 14,500 are classed as tillable.¹ Out boundaries surveyed.²

Acres cultivated.—Contains 4,399 acres cultivated by Indians,³ as reported in 1886.

Tribes and population.—The tribes living here are the Iowa, and Sac and Fox, of Missouri. Population, 342⁴ in 1886.

Location.—The reservation is in the south-eastern part of Nebraska, and extends over the border into Kansas. A portion of the land is excellent for grazing and farming, interspersed with streams and well timbered.⁵

No statistics of agency officials given. The Indians maintain shops.⁶

*School population, attendance, and support.*⁷

School population of Iowa and Sac and Fox, as estimated in 1886.....	50
Iowa and Sac and Fox boarding school:	
Accommodation.....	50
Average attendance.....	26
Session (months).....	11
Cost to Government.....	\$3,697.02

Missionary work.—Not reported.

SYNOPSIS OF IOWA TREATIES.

Treaty with the Iowas, made at Portage des Sioux September 16, 1815.

(United States Statutes at Large, Vol. VII, p. 136.)

See similar Sioux treaty, page 262.

Treaty with the Iowas, made at Washington August 4, 1824.

Indians cede to United States all land east of a line running from the mouth of the Kansas River north 100 miles to the north-west boundary of Missouri, and thence to the Mississippi. (Art. 1.)⁸ Five hundred dollars paid in cash or merchandise and \$500 annually for ten years. (Art. 2.) Indians not to settle or hunt upon ceded land. (Art. 3.) Protection of the United States acknowledged. (Art. 4.) Blacksmith provided; also farming implements and cattle as President may determine to be expedient. (Art. 5.) Annuities stipulated to be paid in cash, merchandise, or stock. (Art. 6.) Treaty binding when ratified. (Art. 7.) Proclaimed January 18, 1825. (United States Statutes at Large, Vol. VII, p. 231.)

See treaty of August 19, 1825, page 263.

Treaty with the Iowa and other tribes, made at Prairie du Chien, Michigan Territory, August 19, 1825.

See Sioux treaty same date, p. 263.

(United States Statutes at Large, Vol. VII, p. 272.)

¹ Report of Indian Commissioner, 1884, p. 310. ² *Ibid.*, p. 261. ³ *Ibid.*, 1886, p. 430. ⁴ *Ibid.*, p. 400. ⁵ *Ibid.*, 1882, p. 93. ⁶ *Ibid.*, 1886, p. 162. ⁷ *Ibid.*, p. xcii.

⁸ See similar cession by Sac and Fox treaty, August 4, 1824.

Treaty with the Iowa and other tribes, made at Prairie du Chien, Michigan Territory, July 15, 1830.

See Sioux treaty same date, page 265.¹

Treaty with the Iowas and Sac and Fox Indians, made at Fort Leavenworth September 17, 1836.

Indians cede to the United States their land lying between the State of Missouri and the Missouri River; \$7,500 paid. (Art. 1.) Four hundred sections of land lying north of the Kickapoo land and between the Grand Nemaha and Missouri Rivers set apart for said tribes. Upper half for Iowas, lower half to Sac and Fox. (Art. 2.) United States to assist in removing, to build houses, and break ground, and to furnish stock, farmer, blacksmith, school master, and interpreter as long as President may deem proper. Also mill and agricultural implements for five years. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed February 15, 1837.²

Treaty with the Iowas, made at St. Louis November 23, 1837.

Indians cede all rights in land ceded by treaty of July 15, 1830. (Art. 1.) Two thousand five hundred dollars in horses and goods: (Art. 2.) United States to pay expenses of treaty. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed February 21, 1838.³

Treaty with the Iowa Indians, made at the Great Nemaha October 19, 1838.

Iowas cede all land between the Missouri and Mississippi as claimed in treaty of August 19, 1825. All claims under treaty of August 4, 1824; July 15, 1830; and September 17, 1836, except the securing of two hundred sections of land, the erection of five houses, breaking 200 acres, ferry boat, 100 cows, 205 head of stock, and mill and interpreter, ceded. (Art. 1.) Sum of \$157,500 invested at 5 per cent. Portion of income to be applied for blacksmith, and \$50 annually out of tribal funds to interpreter for life. Education under direction of President. (Art. 2.) Ten additional houses to be erected. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed March 2, 1839.⁴

Treaty with the Iowas, made at Washington May 17, 1854.

Iowas cede all the territory set apart by the treaty of September 17, 1836, except the following tract: From the mouth of the Great Nemaha, down the Missouri to the mouth of No-land's Creek, thence due south 1 mile, thence due west to south fork of Nemaha, down said fork with its meanders to Great Nemaha, thence with the meanders of said river to the place of beginning. This country to be the permanent home of the Iowa Indians. (Art. 1.) United States to survey and sell the ceded territory, as described. (Arts. 2 and 3.) Any territory belonging to the Sac and Fox included within the Iowa Reservation, an equal amount to be set apart for them. (Art. 4.) Proceeds from sale, exclusive of expenses, to be invested and applied to civilization and education and religious culture of the Iowas. (Art. 5.) Iowa Reservation to be surveyed and allotted. Congress to provide for issuing patents with restrictions. (Art. 6.) The Iowas grant 320 acres to the Board of Foreign Missions of the Presbyterian Church, and 160 acres to be of timber. President to issue patents. Also grant of 320 acres to their interpreter. (Art. 7.) Private debts not to be paid out of general fund. (Art. 8.) Sum of \$100,000 of amount provided in article 2, treaty of October 19, 1838, to be expended in two payments for agricultural improvements. Remainder to remain as trust fund. Interest to be used for education. (Art. 9.) Right to con-

¹ United States Statutes at Large, Vol. VII, p. 328.
p. 547. ⁴ *Ibid.*, p. 568.

² *Ibid.*, p. 511. ³ *Ibid.*

struct roads on usual terms. Railroads to compensate in money. (Art. 10.) Introduction of ardent spirits to be suppressed. Indians to live at peace. (Art. 11.) United States released from all claims under former treaties. Indians to remove within six months. In consideration, United States to pay \$5,000. (Art. 12.) President and Congress to make provisions for managing tribe. (Art. 13.) Treaty binding when ratified. (Art. 14.)

Proclaimed July 17, 1854.¹

Treaty with the Iowas and Sac and Fox Indians, made at the Great Nemaha Agency, Nebr., March 6, 1861.

Sac and Fox cede a tract of their reservation, estimated to contain 32,098 and fraction acres. (Art. 1.) Land to be surveyed and sold and improvements appraised. Of the proceeds, after deducting expenses, one-half to be held in trust, interest at 5 per cent., for the benefit of Sac and Fox, of Missouri. (Art. 2.) The Iowa tribe cede for the benefit of the Sac and Fox a reservation as follows:

Beginning where No-Heart's Creek crosses the southern line of the Iowa Reservation; thence with said line to the South Fork of the Nemaha; down the middle of said river to its mouth and to the middle of the Great Nemaha; down the middle of said river to a point opposite the mouth of No-Heart's Creek; and thence down the middle of No-Heart's Creek to the place of beginning. In consideration of said cession, Iowas to receive the other half of interest on proceeds of sale of land ceded in article 1. (Art. 3.) Grants to individuals. (Art. 4.) United States to expend for Sac and Fox \$1,000 for erection of school-house and house for teacher, and \$200 per annum, as long as the President deems advisable; and for Iowa tribe \$300 per annum for school purposes, to be paid out of funds appropriated for civilization of Indians. (Art. 5.) One section set apart for agency, council-house, school-house, and shops and farms. (Art. 6.) No person not a member of either tribe shall sojourn on reservation without written permit from agent. (Art. 7.) Former treaties not inconsistent with this to remain in force. (Art. 8.) Treaty binding when ratified. (Art. 9.) Secretary to expend \$3,500 out of proceeds of sale, and to build bridge across Great Nemaha River, near Roy's Ferry, for Iowa Indians. Same amount for similar bridge across same river near Wolf's village for Sac and Fox. Tolls to be used for repairs and for Indians respectively. (Art. 10.) Annuities may be paid in such articles as Congress directs. (Art. 11.)

Amended February 6, 1863; assented to March 4, 1863; proclaimed March 26, 1863.²

*An act to provide for the sale of the Sac and Fox and Iowa Indian Reservations, in the States of Kansas and Nebraska, and for other purposes, March 3, 1885.*³

An act of March 3, 1885, provides, that with the consent of a majority of the chiefs, headmen, and male adults of the Sac and Fox of the Missouri and the Iowa tribes of Indians, expressed in open council, the Secretary of the Interior may cause to be surveyed and sold the reservation of these Indians. The lands to be appraised by three commissioners, one of whom shall be selected by the two tribes of Indians, the other two appointed by the Secretary. (Sec. 1.)

Lands to be sold to the highest bidder, at not less than the appraised value, or less than \$8 per acre, to actual settlers. The improvements made by the Indians or United States to be appraised separately. All purchases limited to 160 acres except in case of fractional excess. Manner of payment also provided for. (Sec. 2.)

Any Indian electing to remain upon lands occupied by him at the passage of this act may have 160 acres, if the head of a family; 80 acres if a single man; the land to include his improvements, and "to be accepted in full satisfaction of his interest in and to said reservation and of the money or funds realized from the sale thereof,"

¹ United States Statutes at Large, Vol. X, p. 1069.

² *Ibid.*, Vol. XII, p. 1171.

³ *Ibid.*, Vol. XXIII, p. 351.

such person to receive a certificate that the United States will hold the said land in trust for twenty-five years, and at the end of that period convey the land "in fee, discharged of said tract and free of all charge or incumbrance whatsoever." Any conveyance or contract made touching the land during the period of trust to be null and void. Such lands during trust period not to be subject to taxation, alienation, or forced sale, under execution or otherwise. (Sec. 3.)

The proceeds of the sale of Indian improvements to be paid to the Indians to whom such belonged. Proceeds of the United States improvements to be paid into the Treasury of the United States. Proceeds of the lands to be deposited in the United States Treasury, and to bear interest at 4 per cent.; the income to be annually expended for the benefit of said Indians, under the direction of the Secretary of the Interior. (Sec. 4.)

With the consent of the Indians the Secretary may secure other reservation lands, and "expend such sum as may be necessary for their comfort and advancement in civilization." (Sec. 5.)

Patent for the reservation to be selected may be issued to said tribes. (Sec. 6.) Said patents to be held in trust by the United States "for the sole use and benefit" of said tribes. (Sec. 7.) Whenever Indians residing on the reservation provided for by sections 6 and 7 shall so desire, they may have their land allotted in severalty, 160 acres to each head of a family; each single person over twenty-one years, 80 acres; each minor, 40 acres. (Sec. 8.) Certificates to be issued for such allotments to be of the same character as provided in section 3. (Sec. 9.)

The Secretary may, "with the consent of the Indians, expressed in open council," remove said tribes to the reservation or reservations secured for them, and expend such sums as necessary. Sums of \$10,000, or as much of said amount as necessary, appropriated for the payment of such expenses, and for the expenses of survey, appraisement, and sale. The amount expended to be reimbursed to the United States out of the first proceeds of sales of said lands. (Sec. 10.)¹

SAC AND FOX RESERVATIONS.

How established.—By treaties of May 18, 1854,² and of March 6, 1861;³ acts of Congress approved June 10, 1872;⁴ and August 15, 1876.⁵

Area and survey.—Contains 8,003 acres (includes 2,682.03 acres in Kansas). Surveyed.⁶

Acres cultivated.—Eighteen hundred acres cultivated by the Indians.⁷

Tribes and population.—Sac and Fox of the Missouri. Total population, 94.⁸

Location.—Situated in the south-eastern part of Nebraska and crossing the border into Kansas. The land adapted to agriculture and grazing.

No statistics given of these Indians; they are in about the same condition as their neighbors, the Iowa tribe. The school population, accommodation, attendance, and support statistics for this reservation given with the Iowa Reservation.

Missionary work not reported.

Act of Congress of June 10, 1872, authorizes the Secretary of the Interior, with the consent and concurrence of the Sac and Fox of the Missouri tribe of Indians, ex-

¹United States Statutes, Vol. XXIII, p. 351. ²Sac and Fox treaty, same date, Sac and Fox treaties, Indian Territory; United States Statutes, Vol. X, p. 1074. ³Iowa treaty same date; Iowa treaties, Nebraska; United States Statutes, Vol. XII, p. 1171. ⁴United States Statutes, Vol. XVII, p. 391. ⁵*Ibid.*, Vol. XIX, p. 208. ⁶Report of Indian Commissioner, 1866, p. 387. ⁷*Ibid.*, p. 416. ⁸*Ibid.*, p. 400.

pressed in open council, to cause to be surveyed a portion or the whole of their reservation in the State of Nebraska, containing about 16,000 acres. Lands to be appraised by three commissioners, one to be selected by said Sac and Fox of the Missouri tribe of Indians, in open council, and the other two appointed by the Secretary of the Interior. After survey and appraisement lands shall be offered for sale for cash in hand, proceeds to be placed to credit of said Indians, at 5 per cent., payable semi-annually, except such portion the Secretary of the Interior, with the approval of the President, shall deem necessary to expend for their immediate use, or for their removal to the Indian Territory, or elsewhere, in case they desire to remove.¹

For act of August 15, 1876, see Otoe treaty, same date, Indian Territory.

*An act to provide for the sale of the Sac and Fox and Iowa Indian Reservations, in the States of Nebraska and Kansas, and for other purposes, March 3, 1885.*²

With the consent of a majority of the chiefs, headmen, and adults, expressed in open council by each tribe, the Secretary of the Interior may caused to be surveyed, appraised, and sold the reservations of said tribes. (Sec. 1.)

Manner of sale and payment stipulated. (Sec. 2.) Any Indian desiring to remain upon his lands, and has improvements thereon, may receive trust patent for twenty-five years; at the expiration of said period United States to convey same and fee, free of all charge and incumbrance. Any conveyance or contract during period of trust null and void, and lands during said time free from taxation and alienation. Heads of family, 160 acres, single men 80 acres, such selection to be in full satisfaction for his interest in said reservation or fund realized from the sale thereof. (Sec. 3.) Proceeds of sales of improvements belonging to individual Indians to be paid to the same. Proceeds of sale of lands after deducting expenses to be placed at 4 per cent. interest, income to be expended for benefit of Indians, under direction of the Secretary of the Interior. (Sec. 4.) Secretary, with consent of Indians in open council, to secure other lands and remove Indians thereto, and expend necessary sum for their comfort and advancement in civilization (Sec. 5.), and to issue patents for said reservations selected for the use of Sac and Fox of Missouri and Iowa tribes. (Sec. 6.) Said patents to declare United States holds the land in trust. (Sec. 7.) Indians may be allotted in severalty on new reservations; 160 acres to head of family; 80 acres to single person over twenty-one; 40 acres to each minor. (Sec. 8.) Upon approval of said allotments President to issue trust patents similar to those described in section 3. (Sec. 9.) Ten thousand dollars appropriated to carry out this act, said sum to be refunded from sale of land. (Sec. 10.)

OMAHA AND WINNEBAGO AGENCY.

[Post-office address: Winnebago, Dakota County, Nebr.]

OMAHA RESERVATION.

How established.—By treaty of March 16, 1854;³ selections by Indians, with President's approval, May 11, 1855; treaty of March 6, 1865;⁴ acts of Congress approved June 10, 1872;⁵ and of June 22, 1874;⁶ deed to Winnebago Indians, dated July 31, 1874, and act of Congress approved August 7, 1882.⁷

¹ United States Statutes, Vol. XVII, p. 392. ² *Ibid.*, Vol. XXIII, p. 351. ³ *Ibid.*, Vol. X, p. 1043. ⁴ *Ibid.*, Vol. XIV, p. 667. ⁵ *Ibid.*, Vol. XVII, p. 391. ⁶ *Ibid.*, Vol. XVIII, p. 170. ⁷ *Ibid.*, Vol. XXII, p. 341.

Area and survey.—Contains 142,345 acres.¹ One hundred thousand acres classed as tillable.²

Acres cultivated.—Four thousand acres reported cultivated.³

Tribes and population.—The tribe living here is the Omaha. Total population, 1,210.⁴

Location.—It is bounded on the north by Winnebago Reservation, on the east by the Missouri, south by Burt County, on the west by Cumming and Wayne Counties. Land is rolling prairie, well adapted to culture and grazing.

These Indians, owning their land in severalty, were by the severalty act of February 8, 1837, made citizens of the United States. There is no agency government among them. They are organized into precincts lying in three counties which cover the former reservation.

*School population, attendance, and support.*⁵

School population as estimated in 1886.....	278
Boarding and day school:	
Accommodation.....	75
Average attendance.....	57
Session (months).....	9
Cost.....	\$6,290.51
Mission boarding and day school (contract):	
Accommodation.....	70
Average attendance.....	49
Session (months).....	12
Cost.....	\$3,789.22

About 100 children are at schools off the reservation.

Missionary work.—In charge of the Presbyterian Board of Foreign Missions.

SYNOPSIS OF OMAHA TREATIES.

Treaty with the Mahas, made at Portage des Sioux, July 20, 1815.

Ratified December 26, 1815. (United States Statutes at Large, Vol. VII, p. 129.)

A similar treaty to the Sioux treaty of July 19, 1815. See page 265.

Treaty with the Mahas, made at Fort Atkinson, Council Bluffs, October 6, 1825.

Supremacy of the United States acknowledged. (Art. 1.) Protection extended to tribe. (Art. 2.) President to designate places for trade. (Art. 3.) Mahas to protect traders, deliver up offenders, grant safe-conduct through their country, protect agents, and not to molest travellers to and from New Mexico. (Art. 4.) Offenders, white and Indian, to be punished according to the laws of the United States. Chiefs to assist in recovery of stolen property. United States to indemnify Indians upon proof for property stolen. Indians upon requisition to deliver up white residents. (Art. 5.) No ammunition to be furnished hostile Indians by Mahas. (Art. 6.)

Proclaimed February 6, 1826.⁶

¹ Report of Indian Commissioner 1886, p. 432. ² *Ibid.*, p. 387. ³ *Ibid.*, 1885, p. 336. ⁴ *Ibid.*, 1886, p. 402. ⁵ *Ibid.*, p. xciv. ⁶ United States Statutes at Large, Vol. VII, p. 282.

Treaty with the Omahas and other tribes, made at Prairie des Chiens, July 15, 1830.

(United States Statutes at Large, Vol. VII, p. 328.)
See Sioux treaty July 15, 1830, page 268.

Treaty with the Omahas, Otoes, Missouriias, and Yankton and Santee Sioux, made at Bellevue, Missouri, October 15, 1836.

(United States Statutes at Large, Vol. VII, p. 524.)
See Sioux treaty October 15, 1836, page 269.

Treaty with the Omahas, made at Washington, March 16, 1854.

Cessions and reservation.—Indians relinquish all land east of the Missouri River. (Art. 3.) Cede all their lands west of the Missouri and south of a line east of the mouth of the Ayoway River to the western boundary of the Omaha Territory. Three hundred thousand acres reserved north of the line if satisfactory to delegation of Indians, otherwise to be located within ceded territory. In that event all Omaha country north of the line to be included in cession. (Art. 1.) Indians to remove to reservation within one year. (Art. 2.)

Payments.—Omahas relinquish all claims under previous treaties, but are to receive the unpaid balance of the \$25,000 appropriated by act of August 30, 1852. (Art. 3.) Payments extending over forty years as follows: \$40,000 for three years, beginning in 1855; \$30,000 in the next ten years; \$20,000 for the fifteen years following; and \$10,000 the succeeding twelve years, to be paid or expended under the direction of the President. (Art. 4.) For removal and subsistence one year, expenses of exploring delegation, and to break and fence 200 acres of land on new reservation, \$41,000. (Art 5.)

Land in severalty.—President may cause portion of reservation to be surveyed into lots and assign certain quantities to persons desiring a permanent home and may issue a patent to such persons conditioned that the tract shall not be leased for a longer term than two years and shall be exempt from levy, sale, or forfeiture until a State constitution shall be formed and restrictions removed by the Legislature. Any person having a patent and neglecting or being absent from his allotment, the President may cancel the assignment. After all persons or families have been assigned, the residue of the land may be sold for their benefit under such rules and regulations as Congress or the President may prescribe. (Art. 6.)

Protection.—Protection from hostile tribes guaranteed. (Art. 7.) Omahas not to make war except in self-defense, and submit all controversies to the United States. (Art. 10.) Annuities not to be taken for private debts. (Art. 9.)

Employés.—Saw and grist mill to be erected and maintained for ten years. Blacksmith and farmer for the same term. (Art. 8.)

Liquor.—Any Indian using or introducing liquor to forfeit annuities. (Art. 12.) One section donated to Presbyterian Church, contiguous to their manual labor boarding school. (Art. 13.)

Roads.—Right to construct roads, highways, and railroads. (Art. 14.)

Treaty binding when ratified. (Art 15.)

Proclaimed June 21, 1854.¹

Selections by Indians, with President's approval, May 11, 1855. (See letter from Secretary of the Interior to Indian Office, May 11, 1855. File mark, Council Bluffs, I, 989—1855.)

Treaty with the Omahas, made at Washington, March 6, 1865.

Cessions.—Indians cede and sell a strip from the northern part of their reservation 4 miles wide on the Missouri, extending west 10 miles, then running south 4 miles, making a strip 8 miles wide to the western boundary. No lands improved by the Omahas or school to be included. (Art. 1.)

¹ United States Statutes at Large, Vol. X, p. 1043.

Payments.—Payment of \$50,000 to be expended for stock, implements, and breaking lands. (Art. 1.) Provision of article 8 for employes in preceding treaty extended ten years. Seven thousand dollars for damages to timber by Winnebagoes. (Art. 3.)

Land in severalty.—Land to be assigned to the Indians in severalty, as herein provided, including their mixed-blood relatives then residing with them. Six hundred and forty acres set apart for the agency. No white person except one in the employ of the Government to reside upon the reservation without written permission. Certificates of allotment to be issued. (Art. 4.) Land purchased to be occupied by Winnebagoes. Should they prove detrimental to peace, the Omahas to have the privilege of repurchasing upon same terms as they now sell. (Art. 5.)

Proclaimed February 13, 1866.¹

Act of June 10, 1872, authorizes the Secretary of the Interior, with the consent and concurrence of Omahas expressed in open council, to cause to be surveyed a portion of their reservation in the State of Nebraska not exceeding 50,000 acres, to be taken from the western part thereof; to be separated from the remaining portion of their reservation by a line running along the section lines from north to south; lands so separated to be appraised by three competent commissioners, one to be selected by the Omahas in open council and the other two appointed by the Secretary of the Interior. After survey and appraisement, Secretary of the Interior shall offer the same for sale for cash in hand. Proceeds of sale to be placed to credit of the Omahas, bear interest at rate of 5 per cent. per annum, payable semi-annually, except such portion thereof as Secretary of the Interior, with the approval of the President of the United States, may deem necessary to be expended for their immediate use in improving and fencing farms, building houses, purchasing implements of agriculture and live stock, and in establishing and supporting schools; not more than 25 per cent. of the principal of the aggregate amount of sales of said lands to be expended in any one year; no sales to be approved unless the average sales of each of said parcels of land shall be at least \$2.50 per acre.²

Under appropriation act June 22, 1874. Sold 20 sections for use of Winnebagoes for \$82,000, to be expended under direction of the Secretary of the Interior.³

*Act of Congress, August 7, 1882.*⁴

All that portion of the reservation west of the Sioux City and Nebraska Railroad, and after June, 1885, all unallotted land in township 24, range 7 east to be appraised and sold as herein provided, except tracts to which the Indians had acquired a right in severalty. (Secs. 1, 2, 3, 4, 9, and 10.)

Payments.—Settlers to pay amount of appraisement in three payments, the first due one year from date of entry; second, in two years; third, in three years. (Sec. 2.) (See note.) Proceeds of sale, after deducting expenses, to bear interest at 5 per cent.; income to be expended under the direction of the Secretary of the Interior for the Indians. (Sec. 3.)

Allotments and patents.—Each head of a family to have 160 acres; single person over eighteen years, or orphan, 80 acres; under eighteen, 40 acres. (Sec. 5.) Patents to be issued for these several tracts to the individuals allotted thereon, and to declare that the United States shall hold the land for twenty-five years in trust, during which time any contract touching the same shall be null and void. At the expiration of this period the United States to convey to the patentee or his heirs the same in fee-simple, discharged of said trust, and free of all charges or incumbrances whatsoever. Law of descent and partition in force in Nebraska to apply after patents have been executed and delivered. (Sec. 6.) Residue of land after all allotments have been

¹ United States Statutes at Large, Vol. XIV, p. 667.

² *Ibid.*, Vol. XVII, p. 391.

³ *Ibid.*, Vol. XVIII, p. 170.

⁴ *Ibid.*, Vol. XXII, p. 341.

made to be patented in the same manner to the tribe. Each child born during the period of trust to receive his due allotment out of the tribal land, and a patent in fee-simple at the expiration of said period. (Sec. 8.)

Law.—"That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of said tribe of Indians shall have the benefit of and be subject to the laws, both civil and criminal, of the State of Nebraska; and said State shall not pass or enforce any law denying any Indian of said tribe the equal protection of the law." (Sec. 7.)

NOTE.—By act of March 3, 1885, the time of the first payment was extended one year.¹

WINNEBAGO RESERVATION.

How established.—By act of Congress approved February 21, 1863;² treaty of March 8, 1865;³ act of Congress approved June 22, 1874;⁴ deed from Omaha Indians, dated July 31, 1874.

Area and survey.—Contains 108,924 acres. Eighty-five thousand tillable acres.⁵

Acres cultivated.—Two thousand nine hundred and forty-five, cultivated by Indians.⁶

Tribes and population.—The tribe living here is the Winnebago. Total population, 1,572.⁷

Government rations.—None issued.

Mills and Indian employés.—A mill and Indian employés reported.

Indian police.—Established.

Indian court of offences.—Established.

School population, attendance, and support.

School population, as estimated in 1886.....	200
Boarding school:	
Accommodation.....	80
Average attendance.....	61
Cost.....	\$7,588.53
Session (months).....	10

Missionary work.—Under the charge of the Board of Presbyterian Foreign Missions.

SYNOPSIS OF WINNEBAGO TREATIES.

Treaty with the Winnebagoes residing on the Wisconsin River, made at St. Louis, June 3, 1816.

Injuries mutually forgiven. (Art. 1.) Former cessions to British, French, and Spanish Governments confirmed to United States. Also any previous treaty, contract, or agreement with the latter. (Art. 2.) Protection of the United States acknowledged. This band of Indians to remain distinct from the rest of the tribe until peace

¹ United States Statutes, Vol. XXIII, p. 370. ² *Ibid.*, Vol. XII, p. 658. ³ *Ibid.*, Vol. XIV, p. 671. ⁴ *Ibid.*, Vol. XVIII, p. 170. ⁵ Report of Indian Commissioner, 1886, p. 432. ⁶ *Ibid.*, 1885, p. 376. ⁷ *Ibid.*, 1886, p. 402.

shall be established between them and the United States. Prisoners to be mutually given up. (Art. 3.)

Proclaimed December 13, 1816.¹

Treaty with the Winnebagoes and other tribes, made at Prairie des Chiens, August, 19, 1825.

See Sioux treaty of same date.²

Treaty with the Winnebagoes and other tribes, made at Buttes des Morts, Fox River, Wisconsin, August 11, 1827.

See treaty with the Chippewas of same date.³

Treaty with the Winnebago and other tribes, at Green Bay, Wis., August 25, 1828.

See Chippewa treaty of same date.⁴

Treaty with the Winnebagoes, made at Prairie des Chiens, August 1, 1829.

Indians cede the tract of land lying between the Rock River, portage between the Fox and Wisconsin Rivers, and the Mississippi. (Art. 1.) Annually for thirty years \$18,000 in specie, 3,000 pounds of tobacco, and 50 barrels of salt. Also present of \$30,000 in goods. (Art. 2.) A blacksmith shop for thirty years at Prairie des Chiens, Fort Winnebago, and on Rock River. Also two yoke of oxen and cart, and services of man at portage of the Wisconsin and Fox Rivers at pleasure of agent, not to exceed thirty years. (Art. 3.) Claims of individuals named in schedule to be paid to the amount of \$23,532.28. (Art. 4.) Tracts of land outside of mineral country granted to certain individuals named; said tracts not to be leased or sold without permission of President. (Art. 5.) Treaty binding when ratified. (Art. 7.)

Proclaimed January 2, 1830.⁵

Treaty with the Winnebagoes, made at Fort Armstrong, Rock Island, Ill., September 15, 1832.

Indians cede their land lying south and east of the Wisconsin River, Fox River, and Green Bay. (Art. 1.) United States cede to Winnebagoes a tract west of the Mississippi, lying 20 miles north of the Upper Iowa, as herein described: "Beginning on the west bank of the Mississippi River, 20 miles above the mouth of the Upper Iowa River, where the line of the lands purchased of the Sioux Indians, as described in the third article of the treaty of Prairie du Chien of the 15th day of July, 1830, begins; thence, with said line as surveyed and marked, to the eastern branch of the Red Cedar Creek; thence down said creek 40 miles in a straight line, but following its windings, to the line of a purchase made of the Sac and Fox tribes of Indians, as designated in the second article of the before-recited treaty, and thence along the southern line of said last-mentioned purchase to the Mississippi, at the point marked by the surveyor appointed by the President of the United States, on the margin of said river; and thence up said river to the place of beginning." Winnebagoes residing in ceded territory shall leave said country, when and not before they shall be allowed to enter upon the country granted by the United States in exchange. (Art. 2.) Country ceded being more extensive and valuable than that granted, United States to pay \$10,000 annually in specie for twenty-seven years. (Art. 3.) Boarding-school, with garden and field attached, to be established and maintained for twenty-seven years near Fort Crawford or Prairie des Chiens. Two or more teachers. Chil-

¹ United States Statutes at Large, Vol. VII, p. 144. ² *Ibid.*, p. 272. ³ *Ibid.*, p. 303. ⁴ *Ibid.*, p. 315. ⁵ *Ibid.*, 323.

dren to be taught reading, writing, arithmetic, gardening, agriculture, carding, spinning, weaving, and sewing. Cost not to exceed \$3,000. School to be inspected by Governor of Illinois, general superintendents of Indian affairs, agents, army officers of or above the rank of major, also the commanding officer at Fort Crawford. (Art. 4.) Twenty-five hundred dollars to be expended for twenty-seven years for six agriculturalists, oxen, agricultural implements, etc. Rock River Winnebagoes, 1,500 pounds of tobacco. Physician at Prairie des Chiens and Fort Winnebago, \$200 per annum. (Art. 5.) Blacksmith shop at Rock River to be removed to reservation. (Art. 6.) Sixty thousand rations to be issued in thirty days to aid in removal. (Art. 7.) Sum of \$1,082.50 in debts of individuals paid. (Art. 8.) Payment of annuity suspended until certain Indians accused of murder are delivered up. (Art. 9.) Grants to be patented to certain Winnebagoes. (Art. 10.) No Winnebago to reside, hunt, fish, or plant on ceded territory after eight months. (Art. 11.) Treaty obligatory when ratified. (Art. 12.)

Proclaimed February 13, 1833.¹

Treaty with the Winnebagoes, made at Washington, November 1, 1837.

Indians cede all land east of Mississippi. (Art. 1.) Agree to relinquish the right to occupy, except to hunt, on that portion of the land held by them lying east of a line drawn 20 miles west of the Mississippi. Their title to said tract not invalidated thereby. (Art. 2.) Indians agree to remove west of the Mississippi within eight months. (Art. 3.) Sum of \$200,000 to be paid for debts; \$100,000 paid to relatives of said Indians not having less than one-quarter Indian blood; \$7,000 for removal; \$3,000 in gifts to chiefs and delegates; \$47,000 in goods on ratification of treaty; \$10,000 in provisions, and same amount in horses; \$3,000 to erect a grist-mill; \$10,000 for breaking, fencing ground, and \$10,000 for expenses of treaty and exploring party to country south-west of Missouri. Proceeds from land, to amount of \$1,100,000, invested at 5 per cent. Of interest, \$2,800 for education, \$500 for interpreter, \$600 for miller, \$500 for agricultural implements, \$600 for medical supplies; above sums to be expended for twenty-two years and longer, at the discretion of President. President may discontinue above allowances and pay money to Winnebagoes. Remaining \$50,000 paid as follows: \$10,000 in provisions, \$20,000 in goods, \$20,000 in money. (Art. 4.) Services, supplies, and payments required by existing treaties to be henceforth null and void. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed June 15, 1838.²

Treaty with the Winnebagoes, made at Washington, October 13, 1846.

Peace to be maintained. (Art. 1.) Indians cede all right to lands wherever situated in the United States, including tract assigned by treaty of September 15, 1832. (Art. 2.) United States to purchase and give to said Indians a tract north of St. Peters and west of Mississippi River, of not less than 800,000 acres, suitable to their habits, wants, and wishes, provided such land can be obtained on just and reasonable terms. (Art. 3.) United States to pay \$190,000, as follows: \$40,000 to enable them to comply with their present just engagements, and to explore and select their new home; \$40,000 for removal and subsistence first year; \$10,000 for breaking and fencing land under the direction of the President; \$10,000 for one or more manual labor schools; \$5,000 for saw and grist mill. The balance, \$85,000, to remain in trust, 5 per cent. interest to be paid for thirty years, which shall be in full payment of said balance. No part of moneys to be paid until after arrival of Indians at their new home and appropriations shall have been made by Congress. (Art. 4.) Indians to remove to new home one year after ratification of treaty. (Art. 5.) President may, at his discretion, direct \$10,000 per annum to be applied to provisions or other purposes. (Art. 6.)

Proclaimed February 4, 1847.³

¹ United States Statutes at Large, Vol. VII, p. 370. ² *Ibid.*, p. 544. ³ *Ibid.*, Vol. IX, p. 878.

Treaty with the Winnebagoes, made at Washington, February 27, 1855.

Indians cede their right to the tract of 897,900 acres lying north of St. Peter's River, and west of the Mississippi River. Mill and improvements made by or for Indians to be appraised and sold at public sale for not less than appraised value. (Art. 1.) Sum of \$70,000 paid and a tract of 18 miles square on Blue Earth River granted as their permanent home, to be selected by agent and delegation of Winnebagoes when necessary appropriations have been made. Said tract not to approach nearer the Minnesota River than La Serrer fork of the Blue Earth River. (Art. 2.) Moneys received from sale of improvements and sums stipulated in article 2, to be expended, under direction of President, in removing Indians to their new home, including those severed from the tribe living in Kansas and Wisconsin, and in breaking, fencing, building houses, purchase of stock, etc. Winnebagoes to remove to their home immediately after selection is made. (Art. 3.) Reservation to be surveyed and allotted; 80 acres to head of family or single person over twenty-one years. As Indians become capable of managing their own affairs patents to be issued and tract exempt from taxation or forfeiture until otherwise provided by Legislature of the State with the consent of Congress. Lands not to be alienated within fifteen years after date of patent, and then not without consent of President. President to make rules regulating descent of property. Should tracts be abandoned the President may take such action as he deems proper. (Art. 4.) All unexpended balances under former treaties for schools, interpreter, blacksmiths, etc., also \$10,000 set apart by treaty of October 13, 1846, for manual school, to be expended in opening farms, building houses, and purchase of stock. Stipulations in former treaties concerning expenditures of money for specific purposes so modified as to give President power to expend such sums as he deems best calculated for improvement of Indians. (Art. 5.) Annuities not to be taken for private debts. (Art. 6.) Missionaries and other authorized persons residing on ceded lands to have privilege of entering 160 acres, including improvements, at \$1.25 per acre. Mixed-bloods, heads of families, having residences and improvements on ceded lands to be granted 80 acres in fee, including improvements, but not to include the Government or other Indian improvements. (Art. 7.) Laws regulating trade and intercourse and prohibiting sale of ardent spirits to apply to the new reservation. (Art. 8.) Right of way for roads authorized by law. Just compensation to be made to Indians. (Art. 9.) Winnebagoes not to commit depredations on any person, to maintain order, become industrious, educate their children, and abstain from intoxicating drinks. Those violating these stipulations, the President may refuse benefits provided in this treaty. (Art. 10.) This treaty to be in lieu of unratified treaty made August 6, 1853, to the Senate amendments of which the Indians refused to give their assent. (Art. 11.) Expense of delegation paid by the United States. (Art. 12.) Treaty binding upon ratification. (Art. 13.)

Proclaimed March 23, 1855.¹

Treaty with the Winnebagoes, made at Washington, April 15, 1859.

Eastern portion of reservation set apart and assigned in severalty; head of family 80 acres; 40 acres to each male eighteen years old and over; 160 acres for use of agency. Allotments to be compact, to admit of a well-defined exterior boundary. Intermediate parcels to be owned in common. The whole within the boundary to be known as the Winnebago Reservation. No white person to reside thereon without written permission of superintendent or agent. Certificates of allotment to be issued. (Art. 1.) Lands not included within said reservation to be surveyed and sold in tracts not exceeding 160 acres. Any improvements on tracts sold to be paid for. Any surplus lands remaining after the division in severalty, Secretary of Interior may authorize their sale. Proceeds to be applied to purchase of stock, implements, etc., for the Indians. (Art. 2.) Debts of the tribe found valid by Secretary of the Interior

¹United States Statutes at Large, Vol. X, p. 1172.

to be paid from proceeds of sales. (Art. 3.) Should proceeds be insufficient to enable the Indians to sustain themselves by agricultural and industrial pursuits, additional means may be taken from moneys due under former treaties, to be expended under direction of Secretary of Interior. President, with assent of Congress, has power to modify provisions of former treaties, as he may judge necessary for the welfare of the Indians. (Art. 4.) All Winnebagoes to be notified and induced to rejoin the tribe and have the benefits of provisions of this treaty. Those who do not unite themselves within one year not entitled to benefit of any of these stipulations. (Art. 5.) Expenses of treaty defrayed out of funds of Winnebagoes. (Art. 6.)
Proclaimed March 23, 1861.¹

*Act of Congress, February 21, 1863.*²

President authorized to assign to Winnebagoes tract of land beyond the limits of any State equal to their diminished reservation, which shall be adapted for agricultural purposes. President to take steps for the peaceful removal of said Indians from Minnesota and settle them upon the lands to be assigned. (Sec. 1.) Upon removal of Indians, Secretary of the Interior to cause lands to be appraised and the improvements separately appraised. No one to settle upon lands without paying the value of improvements. (Sec. 2.) Land to be purchased as prescribed. (Sec. 3.) Lands set apart for the payment of debts of said Indians to be sold as prescribed. Proceeds after payment of debts to be expended under the direction of the Secretary of the Interior in improvement on new reservation. Secretary to allot the Indians in severalty 80 acres to heads of families other than chiefs, who shall receive larger allotments when made. Land to be patented forever without the right of alienation. (Sec. 4.) Annuities to be expended at the discretion of the President as may best advance the Indians in agricultural pursuits. Reasonable discrimination to be made in favor the chiefs faithful to the United States. Indians to be subject to the laws of the United States and criminal laws of State in which they reside, and subject to rules prescribed by the Secretary of the Interior. Shall be deemed incapable of making any valid civil contract with any person other than native member of the tribe without consent of President. Secretary to make provision for education. (Sec. 5.)

Old Winnebago Reserve.

USHER'S LANDING, DAK., July 1, 1863.

SIR: With this report I transmit a plat and field-notes of the surveys made for the Sioux and Winnebago Reservations by Mr. Powers, and to which I desire to call your attention.

* * * * *

The reservation for the Winnebago Indians is bounded as follows, to wit: Beginning at a point in the middle channel of the Missouri River where the western boundary of the Sioux of the Mississippi Reserve intersects the same; thence north and through the centre of the stockade surrounding the agency buildings of the Sioux of the Mississippi and Winnebago Indians, and along said boundary line to the north-west corner of said Sioux Reserve; thence along the northern boundary of said Sioux Reserve 10 miles; thence due north 20 miles; thence due west to the middle channel of Medicine Knoll River; thence down said river to the middle channel of the Missouri River; thence down the said channel to the place of beginning.

* * * * *

Very respectfully, your obedient servant,

CLARK W. THOMPSON,
Superintendent of Indian Affairs.

Hon. WILLIAM P. DOLE,
Commissioner of Indian Affairs.

¹ United States Statutes at Large, Vol. XII, p. 1101. ² *Ibid.*, p. 658.

(See Annual Report of Indian Office for 1863, p. 318, and also Statutes at Large, Vol. XV, p. 636, Art. 2.)

Treaty with the Winnebagoes, made at Washington, March 8, 1865.

Winnebagoes cede and sell all their right in their reservation at Usher's Landing, Dakota. Metes and bounds on file in the Indian Department. (Art. 1.) In consideration of cession and valuable improvements thereon the United States sets apart for the occupation and future home of Winnebagoes forever, the lands ceded by Omahas March 6, 1865. (Art. 2.) In further consideration of the cession, and in order that the Winnebagoes may be as well settled as when they removed from Minnesota, United States to erect steam saw and grist mill, break and fence 100 acres for each band, and supply seed to plant the same. Also \$2,000 worth of guns, 400 horses, 100 cows, 20 yoke of oxen and wagons, two chains each, \$500 in agricultural implements in addition to those on the reservation hereby ceded. (Art. 3.) Also agency buildings, school-house, warehouse, buildings for physician, interpreter, miller, engineer, carpenter, and blacksmith, and house, 18 by 24 feet and one and one-half stories high, substantially finished, for each chief. (Art. 4.) United States to remove Winnebagoes and subsist them for one year after arrival. (Art. 5.)

Amended February 13, 1866; amendment accepted February 20, 1866; proclaimed March 28, 1866.¹

Act of Congress, July 15, 1870.²

Secretary of the Interior to investigate claims of Winnebagoes lawfully residing in Minnesota. To issue patents without the right of alienation to those allotted under provision of treaty of April 15, 1859; also such lands which may not have been disposed of by the United States under the act of February 21, 1863. In case of such sale such lands may hereafter be designated by them for allotment as aforesaid out of any unsold lands within the limits of said Winnebago Reservation in Minnesota, and should it be impracticable to make such allotments within the limits of said reservation on good agricultural lands, then they may be made on any public lands of the United States subject to sale at private entry within the State of Minnesota. And the said Winnebago Indians, and all other members of said tribe lawfully residing in the State shall hereafter be entitled to receive their pro rata distributive proportion of all annuities in goods or money, and any other moneys to which said tribe is or may be entitled under any law or treaty now in force at their homes in Minnesota the same as though they had moved west and settled with the western Winnebagoes. (Sec. 9.) Any of said Indians desiring to become citizens shall make application to the judge of the United States district court for the district of Minnesota, and in open court make proof and take the same oath of allegiance as required by law for the naturalization of aliens, and also make proof to the satisfaction of the court that they are sufficiently intelligent and prudent to control their affairs and interests, that they have adopted the habits of civilized life, and have for five years past supported themselves and their families, whereupon they shall be declared to be citizens of the United States, which declaration shall be entered of record and a certificate thereof given to each party. On presentation of the certificate with satisfactory proof of identity, the Secretary of the Interior may at the request of such person or persons cause their land to be conveyed to them by patent in fee-simple with power of alienation, and cause to be paid to them their proportion of all moneys and effects of said tribe held in trust by or under the provision of the treaty or law of the United States. Such patents being issued and payment ordered, such persons shall cease to be members of said tribe, and the lands so patented shall be subject to lawful taxation and sale in like manner with property of other citizens. (Sec. 10.)

¹ United States Statutes at Large, Vol. XIV, p. 671.

² *Ibid.*, Vol. XVI, p. 361.

By act of April 3, 1874,¹ the Secretary of the Interior was authorized to remove the Wisconsin Winnebagoes from their present homes in that State to the irreservation in Nebraska, and the unexpended balance of \$36,000 appropriated by act of May 29, 1872, section 6, to be used for their removal and subsistence.

An act of Congress, June 22, 1874, authorized the purchase "from the Omaha Indians in Nebraska of such quantity of land, not exceeding 20 sections, as may be required for the use of the Winnebagoes in Wisconsin, and for improvements on their reservation, to be appropriated from the residue of the \$1,100,000, provided to be set apart for the Winnebagoes by the fourth article of the treaty with those Indians, November 1, 1837." The Winnebagoes to consent to said purchase.²

*An act for the relief of the Winnebago Indians in Wisconsin, and to aid them to obtain subsistence by agricultural pursuits, and to promote their civilization, January 18, 1881.*³

Whereas a large number of Winnebago Indians of Wisconsin have selected and settled in good faith upon homestead claims under section 15, act of March 3, 1875, and said Indians having signified their desire and purpose to abandon their tribal relations and adopt the habits and customs of civilized people, but are unable to do so from poverty;

Whereas a portion of the fund belonging to said Indians and accruing under act of June 25, 1864, amounting to \$90,689.93, is now in the Treasury of the United States to their credit;

Whereas the major portion of the said fund, together with the \$100,000 of the principal fund of the tribe has been expended for the benefit of the Winnebago Indians residing in Nebraska;

Whereas the location of the Winnebago Indians of Wisconsin has under the act of March 3, 1875, become permanent;

Therefore, the Secretary of the Interior is authorized to enroll on separate lists, first, all Winnebago Indians drawing annuities, on the reservation in Nebraska; second, all Winnebago Indians now residing in Wisconsin. (Sec. 1.)

Upon completion of the census of the Winnebago Indians in Wisconsin, the Secretary is authorized and directed to expend for their benefit the proportion of the tribal annuities due to and set apart for said Indians under the act of June 25, 1864, of the appropriations for the tribe of Winnebago Indians for the fiscal years 1874, 1875, 1876, 1877, 1878, 1879, and 1880, amounting to \$90,689.93. And Secretary also to expend for said Winnebagoes out of \$41,012,75, now to their credit, and accruing under treaty appropriations for the year 1873 and prior years, such sum as may, upon the completion of said census, be found necessary to equalize the payments between the two bands on account of the payment of \$100,000 in 1872 from the principal fund of the tribe to the Winnebagoes in Nebraska; and all the said sums shall be paid pro rata to those persons whose names appear upon the census-roll of the Winnebagoes of Wisconsin. Heads of families permitted to receive for the family: *Provided*, That only those shall be entitled to the above benefit who shall show that they have taken up homesteads under act of March 3, 1875, and that the money applied for will be used to enter and improve the land. (Sec. 2.)

In the future amounts to be distributed pro rata between the Nebraska and Wisconsin Winnebagoes, according to the census, the moneys to be distributed according to the act of February 21, 1863, section 3. (Sec. 3.)

For the equitable adjustment of the amount due the Winnebagoes of Wisconsin from those of the same tribe residing in Nebraska, who have received since the act of June 25, 1864, the share due the Wisconsin Winnebagoes, until 1876, the Secretary of the Interior is directed to have an account made between the two divisions of the tribe, based

¹ United States Statutes at Large, Vol. XVIII, part 3, p. 27. ² *Ibid.*, p. 170.
³ *Ibid.*, Vol. XXI, p. 315.

upon the census, charging the Nebraska Winnebagoes "with the full amount found to be due to the Wisconsin Winnebagoes, under said act, for the period named, and crediting them with the amount actually expended in the removal and subsistence of the Wisconsin Winnebagoes at the date of their removal to Nebraska, in 1873, and the balance found in favor of the Winnebagoes of Wisconsin, whatever the amount may be, shall hereafter be held and considered as a debt due to them from" the Nebraska Winnebagoes. Until said debt shall be paid an amount to be deducted from the Nebraska Winnebagoes' annuities and paid to the Wisconsin Winnebagoes, such sum not to be less than \$7,000. (Sec. 4.)

Titles acquired by Wisconsin Winnebagoes under act of March 3, 1875, to be inalienable for twenty years from date of patent issued, during which period they shall not be subject to taxation or incumbrance. (Sec. 5.)

NEVADA.¹

Organized as a Territory March 2, 1861.² Admitted as a State March 21, 1864.³

The Indian tribes residing here are about the same as when the country came into the possession of the United States.

There are four reservations in the State, containing an aggregate area of 954,135 acres. Indian population upon reservations, 2,679; Indians off reservations, 8,150; total population, 10,829.

There are two agencies: Nevada Agency, having charge of the Moapa River Reservation, Pyramid Lake Reservation, and Walker River Reservation; the Western Shoshone Agency, having in charge the Duck Valley Reservation.

NEVADA AGENCY.

[Post-office address: Wadsworth, Washoe County, Nev.]

PYRAMID LAKE RESERVATION.

How established.—By Executive order, March 23, 1874.

Area and survey.—Contains 322,000 acres, 5,000 of which are classed as tillable.⁴ Out-boundaries surveyed.⁵

Acres cultivated.—Not reported separately. Fifteen hundred acres given for Pyramid Lake and Walker River Reservations.⁶

Tribes and population.—The tribe living here is the Pah-Ute (Paviotso).⁷ Population about 2,084.⁸

Location.—The Pyramid Lake Reservation is situated in Washoe and Roop Counties, in the north-western part of the State, 16 miles north of Wadsworth, on the Central Pacific Railroad, and contains an area of 320,000 acres, including lake, mountain, and desert. Not to exceed 5,000 acres are of any value for reservation purposes. The fishing upon this reserve is one of the most important sources of supply to the Indians.⁹

¹ For earlier history, see Colorado. ² United States Statutes at Large, Vol. XII, p. 209. ³ *Ibid.*, Vol. XIII, p. 30. ⁴ Report of Indian Commissioner, 1884, p. 312. ⁵ *Ibid.*, p. 261. ⁶ *Ibid.*, 1886, p. 432. ⁷ *Ibid.*, 1884, p. 261. ⁸ *Ibid.*, p. 402. ⁹ *Ibid.*, 1877, p. 150.

Government rations.—Twenty per cent. of the Indians at this agency (which includes this reservation and Walker River) subsisted by Government rations in 1886.¹

Mills and Indian employés.—In 1878 a mill was built. No Indian employés reported.²

Indian police.—Established in 1881.³

Indian court of offences.—Reported as established.⁴

*School population, attendance, and support.*⁵

School population estimated in 1886	850
Boarding-school accommodation	50
Boarding-school average attendance	57
In session (months)	10
Cost to Government	\$6,954.66

Missionary work.—No missionary work reported among these Indians.

Pyramid Lake or Truckee Reserve.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
November 29, 1859.

SIR: My attention has been called, by a letter of the 25th instant from F. Dodge, Esq., agent for the Indians in Utah Territory, now in this city, to the consideration of the propriety and necessity of reserving from sale and settlement, for Indian use, a tract of land in the northern portion of the valley of the Truckee River, including Pyramid Lake, and a tract in the north-eastern part of the valley of Walker's River, including Walker's Lake, as indicated by the red coloring upon the inclosed map, and, fully concurring in the suggestion of Agent Dodge respecting this subject, I have to request that you will direct the surveyor-general of Utah Territory to respect said reservations upon the plats of survey when the public surveys shall have been extended over that part of the Territory, and in the mean time that the proper local land officers may be instructed to respect the reservations upon the books of their offices when such offices shall have been established.

Very respectfully, your obedient servant,

A. B. GREENWOOD,
Commissioner.

Hon. SAMUEL A. SMITH,
Commissioner of General Land Office.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 21, 1874.

SIR: I have the honor to present herewith a communication, dated the 20th instant, from the Commissioner of Indian Affairs, together with the accompanying map, showing the survey made by Eugene Monroe, in January, 1865, of the Pyramid Lake Indian Reservation in Nevada, and respectfully recommend that the President issue an order, withdrawing from sale or other disposition, and setting apart said reservation or tract of country for the use and occupation of Pah-Ute and other Indians now occupying the same.

The form of order necessary in the premises is engrossed in the inclosed map.

I have the honor to be, very respectfully, your obedient servant,

C. DELANO,
Secretary.

The PRESIDENT.

¹ Report of Indian Commissioner, 1886, p. 420. ² *Ibid.*, 1878, p. 102. ³ *Ibid.*, 1881, p. 119. ⁴ *Ibid.*, 1886, p. 197. ⁵ *Ibid.*, p. xcvi.

*Executive order.*¹

MARCH 23, 1874.

It is hereby ordered that the tract of country known and occupied as the Pyramid Lake Indian Reservation in Nevada, as surveyed by Eugene Monroe, in January, 1865, and indicated by red lines, according to the courses and distances given in tabular form on accompanying diagram, be withdrawn from sale or other disposition, and set apart for the Pah-Ute and other Indians residing thereon.

U. S. GRANT.

WALKER RIVER RESERVATION.

How established.—By Executive order, March 19, 1874.

Area and survey.—Contains 318,815 acres, of which 1,000 are classed as tillable.² Out-boundaries surveyed.³

Acres cultivated.—See Pyramid Lake Reservation, page 493.

Tribes and population.—The tribe living here is the Pi-Ute. Population, 3,411.⁴

Location.—The Walker River Reservation is situated in Esmeralda County, south-western Nevada, 80 miles from Pyramid Lake Agency and 64 miles from the Central Pacific Railroad.⁵

Government rations.—Twenty per cent. of the Indians at this agency subsisted by Government rations in 1886.⁶

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

*School population, attendance, and support.*⁷

School population as estimated in 1886.....	100
Day school accommodation	35
Day school average attendance	29
In session (months)	210
Cost to Government	\$908

Missionary work.—None reported among these Indians.

*Walker River Reserve.*⁸

DEPARTMENT OF THE INTERIOR,

Washington, March 18, 1874.

SIR: I have the honor to present herewith a communication dated the 17th instant from the Commissioner of Indian Affairs, together with the accompanying map showing the survey made by Eugene Monroe in December, 1864, of the Walker River Reservation in Nevada, and respectfully recommend that the President issue an order withdrawing from sale or other disposition and setting apart said reservation or tract of country for the use and occupation of the Pah-Ute Indians located thereon.

The form of order necessary in the premises is engrossed on the inclosed map.

Very respectfully, your obedient servant,

C. DELANO,

Secretary.

The PRESIDENT.

¹ Report of Commissioner of Indian Affairs, 1886, p. 345.² *Ibid.*, 1884, p. 312.³ *Ibid.*, p. 261.⁴ *Ibid.*, 1886, p. 195.⁵ *Ibid.*, 1877, p. 150.⁶ *Ibid.*, 1886, p. 420.⁷ *Ibid.*, p. xcvi.⁸ *Ibid.*, p. 345.

EXECUTIVE MANSION, *March 19, 1874.*

It is hereby ordered that the reservation situated on Walker River, Nevada, as surveyed by Eugene Monroe, December, 1864, and indicated by red lines on the above diagram in accordance with the fifteen courses and distances thereon given, be withdrawn from public sale or other disposition and set apart for the use of the Pah-Ute Indians residing thereon.

U. S. GRANT.

MOAPA RIVER RESERVATION.

How established.—By Executive orders, March 12, 1873, and February 12, 1874; act of Congress approved March 3, 1875;¹ selection approved by Secretary of the Interior, July 3, 1875.

Area and survey.—Contains 1,000 acres, of which 1,000 are classed as tillable.² Out-boundaries surveyed.³

Acres cultivated.—Fifteen hundred acres reported in 1886.⁴

Tribes and population.—The tribes living here are the Kai-bab-bit, Ke-mahwivi (Tantawait), Pawipit, Pi-Ute, and Shi-wits. Population, 24.⁵

Location.—The Moapa River Reservation is located in the extreme south-eastern part of the State, 600 miles from Pyramid Lake Reserve, and 125 miles from Pioche, end of stage route.⁶

Government rations.—None reported.

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—School population not reported. No school provided.

Missionary work.—In 1875 the Mormons baptized a large number of the Indians.⁷ No missionary work reported among these Indians.

*Moapa River Reserve.*⁸

[Formerly called Muddy Valley Reserve.]

EXECUTIVE MANSION, *March 12, 1873.*

Agreeably to the recommendation contained in the foregoing letter of the Secretary of the Interior of this day the following-described lands in the south-eastern part of Nevada are hereby set apart for the use of the Indians in that locality: Commencing at a point on the north bank of the Colorado River where the eastern line of Nevada strikes the same; running thence due north with said eastern line to a point far enough north from which a line running due west will pass one mile north of Muddy Springs; running due west from said point to the one hundred and fifteenth meridian of west longitude; thence south with said meridian to a point due west from the place of beginning; thence due east to the west bank of the Colorado River; thence following the west and north bank of the same to the place of beginning.

U. S. GRANT.

¹ United States Statutes at Large, Vol. XVIII, p. 445. ² Report of Indian Commissioner, 1884, p. 312. ³ *Ibid.*, p. 261. ⁴ *Ibid.*, 1886, p. 432. ⁵ *Ibid.*, p. 195. ⁶ *Ibid.*, 1877, p. 150. ⁷ *Ibid.*, 1875, p. 338. ⁸ *Ibid.*, 1886, pp. 343, 344.

EXECUTIVE MANSION, *February 12, 1874.*

In lieu of an Executive order dated the 12th of March last setting apart certain lands in Nevada as a reservation for the Indians of that locality, which order is hereby canceled, it is hereby ordered that there be withdrawn from sale or other disposition, and set apart for the use of the Pah-Ute and such other Indians as the Department may see fit to locate thereon, the tract of country bounded and described as follows, viz:

Beginning at a point in the middle of the main channel of the Colorado River of the West, 8 miles east of the one hundred and fourteenth degree of west longitude; thence due north to the thirty-seventh degree of north latitude; thence west with said parallel to a point 20 miles west of the one hundred and fifteenth degree of west longitude; thence due south 35 miles; thence due east 36 miles; thence due south to the middle of the main channel of the Colorado River of the West; thence up the middle of the main channel of said river to the place of beginning.

U. S. GRANT.

By act of Congress of March 3, 1875, the Pai-Ute Reservation in south-eastern Nevada was reduced to 1,000 acres, to be selected by the Secretary of the Interior in such manner as not to include the claim of any settler or miner. This tract was as follows:

Commencing at a stone set in the ground, extending three feet above, whereon is cut "U. S. No. 1," which stone marks the north-east corner of the reservation, standing on a small hill known as West Point, and set 18 feet in a north-easterly direction from the corner of a building designated as the office and medical depository located on said reservation, and running thence north 60 degrees west 80 chains to a stone upon which is cut "U. S. No. 2;" thence north 70 degrees west 97 chains to a stone upon which is cut "U. S. No. 3;" thence south 56 chains and 50 links to a monument of stones on the top of a hill; thence south 70 degrees east 97 chains to a monument of stones at the base of a hill; thence south 60 degrees east 80 chains to a stone set in the ground rising 2 feet above, upon which is cut "U. S. SE. corner;" thence north 56 chains and 50 links to the place of beginning.

From Report of Indian Commissioner, 1882, pp. 280-281. (United States Statutes at Large, Vol. XVIII, p. 4.)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., June 28, 1875.

SIR: By the terms of an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1876, and for other purposes," approved March 3, 1875, the Pai-Ute Reservation in south-eastern Nevada is reduced to "1,000 acres, to be selected by the Secretary of the Interior, in such manner as not to include the claim of any settler or miner."

I have the honor to submit herewith a report from William Vandever, United States Indian inspector, dated San Francisco, Cal., June 12, 1875, under office instructions of 26th of March last, submitting a report of the selection of the 1,000 acres (to which the Pai-Ute Reservation in south-east Nevada was reduced) made by Messrs. Bateman and Barnes, United States Indian agents in Nevada, under his instructions of April 12, 1875, which selection having met his approval, he forwards, with the recommendation that the following metes and bounds be established and proclaimed by Executive order as the boundaries of the Pai-Ute Reservation in south-eastern Nevada, as contemplated by said act of Congress, viz:

Commencing at a stone set in the ground, extending 3 feet above, whereon is cut "U. S. No. 1," which stone marks the north-east corner of the reservation, standing on a small hill known as West Point, and set 18 feet in a north-easterly direction from the corner of a building designated as the office and medical depository located on

said reservation and running thence north 60 degrees west 80 chains to a stone upon which is cut "U. S. No. 2;" thence north 70 degrees west 97 chains to a stone upon which is cut "U. S. No. 3;" thence south 56 chains and 50 links to a monument of stones on the top of a hill; thence south 70 degrees east 97 chains to a monument of stones at the base of a hill; thence south 60 degrees east 80 chains to a stone set in the ground rising 2 feet above, upon which is cut "U. S., S. E. corner;" thence north 56 chains and 50 links to place of beginning.

The act in question provides that the reservations shall not include any claim of settler or miner, yet the lands described above includes the claim of Volney Rector. Inasmuch, however, as Inspector Vandever reports the improvements of Mr. Rector to be just what are required for the agency, and that Mr. Rector has relinquished the possession thereof to the United States for \$1,800, the appraised value of two years ago, made by Commissioners Ingalls and Powell, I deem the law to have been complied with, and therefore submit the selection herein made for your approval, with the suggestion, if approved by you, that the lands herein selected be set apart for the Pai-Ute Indians.

The return of the letter of Inspector Vandever is herewith requested, with your directions in the premises.¹

Very respectfully, your obedient servant,

H. R. CLUM,
Acting Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 3, 1875.

SIR: I return the report of William Vandever, United States Indian inspector, which accompanied your communication of the 28th ultimo, in which are defined the boundaries of the Pai-Ute Reservation in south-eastern Nevada, embracing 1,000 acres, to which area said reserve was by act of March 3, 1875, declared to be reduced; the land to be selected by the Secretary of the Interior.

The selection of the tract of country described in the report of Inspector Vandever is approved, and hereby set apart as a reservation for the Pai-Ute Indians.

Very respectfully,

C. DELANO, *Secretary.*

The COMMISSIONER OF INDIAN AFFAIRS.

WESTERN SHOSHONE AGENCY.

[Post-office address: White Rock, Elko County, Nev.]

DUCK VALLEY RESERVATION.

How established.—By Executive orders, April 16, 1877, and May 4, 1886.

Area and survey.—Contains 243,200 acres.² Tillable acres not reported. Not surveyed.

Acres cultivated.—The Indians had under cultivation 366 acres³ in 1886.

Tribes and population.—The tribes living here are the Western Shoshone, and Indians wandering in Nevada. Total population, 3,680.⁴

Location.—"The Western Shoshone Reservation is situated partly in the county of Elko, State of Nevada, and partly in the county of Owyhee, Idaho, and is about 100 miles nearly due north from the town of Elko,

¹ Report of Indian Commissioner, 1886, p. 343. ² *Ibid.*, 1884, p. 261. ³ *Ibid.*, 1886, p. 432. ⁴ *Ibid.*, p. 402.

on the line of the Central Pacific Railroad. Its altitude is given as 5,800 feet above the level of the sea."¹

Duck Valley proper is from 15 to 16 miles long, and about 1½ to 3 miles wide; that is, that portion fit for cultivation, hay, or pasture purposes. It is bounded on the east by a barren, basaltic mountain; on the west by a vast desert, open plain, or low plateau, composed chiefly of lava rock, cut up by deep gorges and cañons; on the south by mineralized spurs that make down from the main Bull Run of mountains, which affords splendid pasture during the summer and fall; and on the north by a chain of small, unimportant valleys, except for pasture, until you reach the Bruneau Valley.¹

Government rations.—Fifty per cent. of these Indians subsisted by Government rations as reported in 1886.²

Mills and Indian employés.—No mills; Indian employés reported.³

Indian police.—Established in 1879.⁴

Indian court of offences.—Established in 1883.⁵

*School population, attendance, and support.*⁶

School population, as estimated in 1886.....	48
Day school accommodation.....	40
Day school average attendance.....	19
Session (months).....	11
Cost to Government.....	\$720

Missionary work.—No missionary work reported.

SYNOPSIS OF TREATIES.

Treaty made at Ruby Valley, Nevada Territory, between the United States and the western band of Shoshone Indians, October 1, 1863.

The following country is claimed by the said band: "On the north by Wonggogada Mountains and Shoshone River Valley; on the west by Sunontoyah Mountains or Smith Creek Mountains; on the south by Wicobah and the Colorado Desert; on the east by Pohonobe Valley or Steptoe Valley and Great Salt Lake Valley." (Art. 5.) The President shall, when he deems it expedient, set apart a reservation within the country described. The Indians agree to remove to such reservation and reside therein. (Art. 6.) Travel now or hereafter through the Shoshone country shall be free. The President may establish military posts and houses for the comfort of travellers, and for mail and telegraph companies. (Art. 2.) Telegraph and overland stage lines shall not be molested and the Pacific Railroad and its branches shall be located, constructed, and operated through the country. (Art. 3.) Offenders are to be delivered up to the United States authorities. (Art. 2.) Compensation for the loss of game incident to settlement and travel shall be for twenty years the sum of \$5,000, to be paid by the United States annually in such articles, including cattle, as the President may deem best. (Art. 7.) Five thousand dollars' worth of presents acknowledged as received at the conclusion of this treaty. (Art. 8.)

Amended June 26, 1866; proclaimed October 21, 1869.⁷

¹ Report of Indian Commissioner, 1882, p. 120. ² *Ibid.*, 1886, p. 420. ³ *Ibid.*, 1884, p. 128. ⁴ *Ibid.*, 1879, p. 112. ⁵ *Ibid.*, 1884, p. 129. ⁶ *Ibid.*, 1886, p. xovi.

⁷ United States Statutes at Large, Vol. XVIII, p. 689.

Treaty made at Tuilla Valley, Utah Territory, between the United States and the Shoshonee-Goship bands of Indians, October 12, 1863.

The country claimed is as follows: "On the north by the middle of the Great Desert; on the west by Steptoe Valley; on the south by Toedoe or Green Mountains; and on the east by Great Salt Lake, Tuilla, and Rush Valleys." (Art. 5.) The treaty agreements are the same as those of the treaty of October 1, 1863, except article 4, (see page 499), which permits prospecting for gold and silver and other metals, and the working of mines when discovered, the forming of mining and agricultural settlements, the erecting of mills, and the use of timber for building and other purposes. The United States agrees to pay annually, for the term of twenty years, \$1,000, including cattle for herding.

Amended by the Senate, March 7, 1864; proclaimed January 17, 1865.¹

*Executive order.*²

APRIL 16, 1877.

It is hereby ordered that the following described tract of country, situated partly in the Territory of Idaho and partly in the State of Nevada, be, and the same hereby is, withdrawn from the public domain, to wit: Commencing at the one hundredth mile-post of the survey of the north boundary of Nevada; thence due north to the intersection of the north boundary of township 16 south of Bois  base-line in Idaho; thence due west to a point due north of the one hundred and twentieth mile-post of said survey of the north boundary of Nevada; thence due south to the ninth standard parallel north of the Mount Diablo base-line in Nevada; thence due east to a point due south of the place of beginning. And the above-named tract of land is hereby set apart as a reservation for the western Shoshone Indians, subject to such modifications of boundary as a location of limits shall determine.

R. B. HAYES.

*Executive order.*³

MAY 4, 1886.

It is hereby ordered that the following described lands in the Territory of Idaho, viz: Township 15 south, ranges 1, 2, and 3 east of the Bois  meridian, be, and the same are hereby, withdrawn from sale and settlement and set apart as an addition to the Duck Valley Reservation, for the use and occupation of Paddy Caps band of Pi-Utes and such other Indians as the Secretary of the Interior may see fit to settle thereon: *Provided, however,* That any tract or tracts of land within said townships, the title to which has passed out of the United States, or to which valid homestead or pre-emption rights have attached under the laws of the United States, prior to this date, are hereby excluded from the operations of this order.

GROVER CLEVELAND.

*Carlin Farms Reserve.*⁴

EXECUTIVE MANSION, May 10, 1877.

It is hereby ordered that all that tract of country in the State of Nevada (known as the Carlin farms), lying within the following boundaries, viz: Beginning at the quarter-section corner post on the west boundary of section 6, township 35 north, range 52 east, Mount Diablo meridian; thence south 62° 56' east 4,229½ feet, to a post marked "U. S. I. R. station B;" thence north 2° 4' east 1,928 feet to a post marked "U. S. I. R. station C;" thence north 3° 9' west 2,122 feet to a post marked "U. S. I. R. station D;" thence south 85° 8' west 3,000 feet to a post marked "U. S. I. R. station E;" thence north 52° 32' west 4,046 feet to a post marked "U. S. I. R. station

¹ United States Statutes at Large, Vol. XIII, p. 681. ² Report of Commissioner of Indian Affairs, 1886, p. 343. ³ *Ibid.*, p. 343. ⁴ *Ibid.*, p. 342.

F;" thence north $39^{\circ} 25'$ west 1,200 feet to a post marked "U. S. I. R. station G;" thence south $44^{\circ} 10'$ west 2,200 feet to a post marked "U. S. I. R. station H;" thence south $44^{\circ} 29'$ east 2,663 feet to a post marked "U. S. I. R. station I;" thence south $58^{\circ} 57'$ east 2,535 feet to a post marked "U. S. I. R. station K;" thence south $59^{\circ} 29'$ east 878 feet to a post marked "U. S. I. R. station A," the place of beginning, containing 521.61 acres, be, and the same hereby is, withdrawn from sale or settlement and set apart as a reservation for the north-western Shoshone Indians.

R. B. HAYES.

EXECUTIVE MANSION, *January 16, 1879.*

It is hereby ordered that the order of May 10, 1877, setting apart as a reservation for the north-western Shoshone Indians of Nevada, the following described lands (known as the Carlin farms), viz: Beginning at the quarter-section corner post on the west boundary of section 6, township 35 north, range 52 east, Mount Diablo meridian; thence south $62^{\circ} 56'$ east 4,229½ feet to a post marked "U. S. I. R. station B;" thence north $2^{\circ} 4'$ east 1,928 feet to a post marked "U. S. I. R. station C;" thence north $3^{\circ} 9'$ west 2,122 feet to a post marked "U. S. I. R. station D;" thence south $85^{\circ} 8'$ west 3,000 feet to a post marked "U. S. I. R. station E;" thence north $52^{\circ} 32'$ west 4,046 feet to a post marked "U. S. I. R. station F;" thence north $39^{\circ} 25'$ west 1,200 feet to a post marked "U. S. I. R. station G;" thence south $44^{\circ} 10'$ west 21,200 feet to a post marked "U. S. I. R. station H;" thence south $44^{\circ} 29'$ east 2,663 feet to a post marked "U. S. I. R. station I;" thence south $58^{\circ} 57'$ east 2,535 feet to a post marked "U. S. I. R. station K;" thence south $59^{\circ} 29'$ east 878 feet to a post marked "U. S. I. R. station A," the place of beginning, be, and the same is hereby, cancelled and said lands are hereby restored to their original status.¹

R. B. HAYES.

NEW MEXICO.

Organized as a Territory, September 9, 1850.²

The Indian tribes residing here are about the same as when the country became a part of the United States, with the exception of some of the Apache tribes which have been removed.

There are twenty-two reservations containing an aggregate area of 9,586,525 acres. Of this amount 691,805 acres are confirmed by Spanish grants to nineteen Pueblos. Total population, 28,259.

There are three agencies: The Mescalero Agency having charge of the Mescalero Apache Reservation; the Navajo Agency having charge of the Navajo Reservation; the Pueblo Agency having charge of the twenty Pueblos as follows: Jemez, Acoma, San Juan, Picuris, San Felipe, Pecos, Cochiti, Santo Domingo, Taos, Santa Clara, Tesuque, San Ildefonso, Pojoaque, Zia, Sandia, Isleta, Nambe, Laguna, Santa Ana, and Zuñi.

*Pueblo Industrial School Reserve.*³

EXECUTIVE MANSION, *October 3, 1884.*

It is hereby ordered that the following described tract of land in the county of Bernalillo and Territory of New Mexico, viz, all that certain piece, parcel, or tract of land situate, lying, and being in the county of Bernalillo and Territory of New Mexico, bounded on the north by lands of J. K. Basye, on the east by lands of Diego Garcia and Miguel Antonio Martin and others, on the south by lands of the Jesuit fathers, and on the west by lands of the Jesuit fathers, said tract being more particularly bounded

¹ Report of Indian Commissioner, 1886, p. 243. ² United States Statutes at Large, Vol. IX, p. 446. ³ Report of Indian Commissioner, 1886, p. 351.

and described as follows, to wit: Beginning at a stake at the north-west corner of the lands formerly owned by John H. McMinn and running thence north $4^{\circ} 53'$ west 731.7 feet to a stake at the north-west corner of the land hereby conveyed; thence north $84^{\circ} 52'$ east 2,320.7 feet to a stake at the north-east corner of the land hereby conveyed; thence south $3^{\circ} 45'$ east 720.4 feet to a stake; thence south $7^{\circ} 30'$ west 793 feet to a stake at the south-east corner of the land hereby conveyed; thence north $85^{\circ} 50'$ west 184.6 feet to a stake; thence north $87^{\circ} 42'$ west 615 feet to a stake; thence north $81^{\circ} 52'$ west 203 feet to a stake; thence north $78^{\circ} 44'$ west 224 feet to a stake; thence north $73^{\circ} 19'$ west 176.4 feet to a stake; thence north $70^{\circ} 14'$ west 234 feet to a stake; thence north $78^{\circ} 38'$ west 567.7 feet to a stake at the south-west corner of the land hereby conveyed; and thence north $6^{\circ} 8'$ west 234.4 feet to the point and place of beginning, containing 65.79 acres, more or less; which said tract of land was conveyed to the United States of America by a certain deed of conveyance bearing date the 7th day of June, A. D. 1882, from Elias S. Clark, of the town of Albuquerque, in the county and Territory aforesaid, as a site for an industrial school for Pueblo and other Indians, and the erection thereon of suitable buildings and other improvements for such purposes, be, and the same hereby is, reserved and set apart for Indian purposes.

CHESTER A. ARTHUR.

MESCALERO AND JICARILLA AGENCY.

[Post-office address, South Fork, Lincoln County, N. Mex.]

MESCALERO APACHE RESERVATION.

How established.—By Executive orders, May 29, 1873; February of 1874; October 20, 1875; May 19, 1882, and March 24, 1883.

Area and survey.—Contains 474,240 acres. Number of acres tillable, 300.¹

Acres cultivated.—Two hundred and ninety-five acres under cultivation by the Indians.¹

Tribes and population.—The tribes living here are the Mescalero, Jicarilla, and Mimbres Apache. Total population, 1,205.²

Location.—The Mescalero Agency is in Lincoln County, N. Mex., and is somewhat romantically located in the Tularosa Cañon, Sacramento Mountains. The cañon is narrow, but well watered. The mountains on each side rise to something like 1,500 feet above the agency, and about 7,500 feet above the sea-level. They are rugged and covered with a pretty dense growth of piñon and cedar, interspersed with firs on the north sides.³

Government rations.—Eighty-five per cent. of these Indians subsisted by Government rations, as reported in 1886.⁴

Mills and Government employés.—Not reported.

Indian police.—Organized.

Indian court of offences.—Organized.

¹ Report of Indian Commissioner, 1886, p. 432. ² *Ibid.*, p. 402. ³ *Ibid.*, p. 196.
⁴ *Ibid.*, p. 420.

School population, attendance, and support.

School population, as estimated in 1886.....	312
Boarding school:	
Accommodation.....	36
Average attendance.....	31
Session (months).....	12
Cost.....	\$4,590.99
Day school:	
Accommodation.....	12
Average attendance.....	9
Session (months).....	10
Cost.....	¹ \$412.91

Missionary work.—Not any reported.

*Bosque Redondo Reserve.*²

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
January 14, 1864.

SIR: My attention has been called by Superintendent Steck, of New Mexico, to the necessity of designating a tract of land in New Mexico 40 miles square, with Bosque Redondo as the centre, as a reservation for the Apache Indians.

In a former letter to this office, a copy of which was transmitted to you with report thereon, under date of December 16, 1863, Superintendent Steck speaks of the proposed reservation as well adapted to Indian purposes, for a limited number. Mr. Steck estimates the number of Apaches to be about 3,000, and the quantity of arable land within the boundaries of the proposed reservation at not exceeding 6,000 acres. Surveyor-General Clark, of New Mexico, in a letter to Mr. Steck, a copy of which was transmitted to you with the report before mentioned, makes the same estimate as to the quantity of arable land within 40 miles square, with Bosque Redondo as a centre.

Owing to the fact that the arable land lies along the water-courses, it seems to be necessary that the area of the reservation should be as large as that proposed by Mr. Steck, in order to suitably accommodate the estimated number of Apaches, and isolate them as far as possible from the whites.

For the reasons given by Mr. Steck in his letter before referred to, as well as for those given in his annual report for 1863, to both of which reference is had, should you concur in the propriety of reserving the tract of land mentioned for the use of the Apaches, I would respectfully recommend that the subject be laid before the President, with the recommendation that the same may be withheld from pre-emption and settlement, and under his proclamation be set apart for Indian purposes.

Very respectfully, your obedient servant,

WILLIAM P. DOLE,
Commissioner.

HON. JOHN P. USHER,
Secretary of the Interior.

[First indorsement.]

DEPARTMENT OF THE INTERIOR,
January 15, 1864.

Respectfully laid before the President, with the recommendation that the reservation be set apart for the purposes herein indicated.

J. P. USHER,
Secretary.

¹ Report of Indian Commissioner, 1886, p. xciv.

² *Ibid.*, p. 346.

[Second indorsement.]

Approved January 15, 1864.

A. LINCOLN.

(See Report of General Land Office for 1873, p. 103.)

Fort Stanton Indian Reserve (Mescalero Apache).¹

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
May 23, 1873.

The above diagram is intended to show a proposed reservation for the Mescalero band of Apache Indians in New Mexico; said proposed reservation is indicated on the diagram by the red lines bordered with yellow, and is described as follows, viz:

Commencing at the south-west corner of the Fort Stanton reduced military reservation, and running thence due south to a point on the hills near the north bank of the Rio Rindoso; thence along said hills to a point above the settlements; thence across said river to a point on the opposite hills, and thence to the same line upon which we start from Fort Stanton; and thence due south to the thirty-third degree north latitude; thence to the top of the Sacramento Mountains, and along the top of said mountains to the top of the White Mountains; thence along the top of said mountains to the headwaters of the Rio Nogal to a point opposite the starting point, and thence to the starting point.

I respectfully recommend that the President be requested to order that the land comprised within the above-described limits be withheld from entry and settlement as public lands, and that the same be set apart as an Indian reservation, as indicated in my report to the Department of this date.

EDW. P. SMITH,
Commissioner.

DEPARTMENT OF THE INTERIOR,
May 26, 1873.

Respectfully presented to the President with the recommendation that he make the order above proposed by the Commissioner of Indian Affairs.

C. DELANO,
Secretary.

EXECUTIVE MANSION, May 29, 1873.

It is hereby ordered that the tract of country above described be withheld from entry and settlement as public lands, and that the same be set apart as a reservation for the Mescalero Apache Indians, as recommended by the Secretary of the Interior and Commissioner of Indian Affairs.

U. S. GRANT.

EXECUTIVE MANSION, February 2, 1874.

In lieu of an Executive order dated the 29th of May last, setting apart certain lands in New Mexico as a reservation for the Mescalero Apaches, which order is hereby cancelled, it is hereby ordered that there be withdrawn from sale or other disposition, and set apart for the use of said Mescalero Apaches and such other Indians as the Department may see fit to locate thereon, the tract of country in New Mexico (except so much thereof as is embraced in the Fort Stanton reduced military reservation) bounded as follows, viz:

Beginning at the most northerly point of the Fort Stanton reduced military reservation; thence due west to the summit of the Sierra Blanca Mountains; thence due south to the thirty-third degree north latitude; thence due east to a point due south

¹ Report of Indian Commissioner, 1886, p. 347.

of the most easterly point of the said Fort Stanton reduced military reservation; thence due north to the southern boundary of township 11; thence due west to the south-west corner of township 11, in range 13; thence due north to the second correction line south; thence due east along said line to a point opposite the line running north from the thirty-third degree north latitude; thence due north to the most easterly point of said Fort Stanton reduced military reservation; thence along the north-eastern boundary of said military reservation to the place of beginning.¹

U. S. GRANT.

EXECUTIVE MANSION, *October 20, 1875.*

In lieu of Executive order dated February 2, 1874, setting apart certain lands in New Mexico as a reservation for the Mescalero Apaches, which order is hereby cancelled, it is hereby ordered that there be withdrawn from sale or other disposition, and set apart for the use of said Mescalero Apaches, and such other Indians as the Department may see fit to locate thereon, the tract of country in New Mexico (except so much thereof as is embraced in the Fort Stanton reduced military reservation) bounded as follows:

Beginning at the most northerly point of the Fort Stanton reduced military reservation; running thence due west to a point due north of the north-east corner of township 14 south, range 10 east; thence due south along the eastern boundary of said township to the thirty-third degree north latitude; thence due east on said parallel to a point due south of the most easterly point of the said Fort Stanton reduced military reservation; thence due north to the southern boundary of township 11; thence due west to the south-west corner of township 11, in range 13; thence due north to the second correction line south; thence due east along said line to a point opposite the line running north from the thirty-third degree north latitude; thence due north to the most easterly point of said Fort Stanton reduced military reservation; thence along the north-eastern boundary of said military reservation to the place of beginning.

U. S. GRANT.

EXECUTIVE MANSION, *May 19, 1882.*

In lieu of Executive order dated October 20, 1875, setting apart certain lands in New Mexico as a reservation for the Mescalero Apaches, which order is hereby cancelled, it is hereby ordered that there be withdrawn from sale or other disposition, and set apart for the use of the said Mescalero Apaches and such other Indians as the Department may see fit to locate thereon, the tract of country in New Mexico bounded as follows:

Beginning at the north-east corner of township 12 south, range 16 east of the principal meridian in New Mexico; thence west along the north boundary of township 12 south, ranges 16, 15, 14, and 13 east, to the south-east corner of township 11 south, range 12 east; thence north along the east boundary of said township to the second correction line south; thence west along said correction line to the north-west corner of township 11 south, range 11 east; thence south along the range line between ranges 10 and 11 east to the south-west corner of township 12 south, range 11 east; thence east along the south boundary of said township to the south-east corner thereof; thence south along the range line between ranges 11 and 12 east to the thirty-third degree of north latitude as established and marked on the ground by First Lieut. L. H. Walker, Fifteenth Infantry, United States Army, in compliance with Special Orders No. 100, series of 1875, Headquarters District of New Mexico; thence east along said thirty-third degree of north latitude to its intersection with the range line between ranges 16 and 17 east; thence north along said range line to the place of beginning.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 24, 1883.*

In lieu of Executive order dated May 19, 1882, setting apart certain lands in New Mexico as a reservation for the Mescalero Apaches, which order is hereby cancelled, it

¹ Report of Indian Commissioner, 1886, pp. 347, 348.

is hereby ordered that there be withdrawn from sale or other disposition and set apart for the use of the said Mescalero Apaches and such other Indians as the Secretary of the Interior may see fit to locate thereon, the tract of country in New Mexico bounded as follows:

Beginning at the north-east corner of township 12 south, range 16 east of the principal meridian in New Mexico; thence west along the north boundary of township 12 south, ranges 16, 15, 14, and 13 east to the south-east corner of township 11 south, range 12 east; thence north along the east boundary of said township to the second correction line south; thence west along said correction line 12 miles; thence south 12 miles; thence east 6 miles; thence south to the thirty-third degree of north latitude, as established and marked on the ground by First Lieut. L. H. Walker, Fifteenth Infantry, U. S. A., in compliance with Special Orders No. 100, series of 1875, Headquarters District of New Mexico; thence east along said thirty-third degree of north latitude to its intersection with the range line between ranges 16 and 17 east; thence north along said range line to place of beginning.

CHESTER A. ARTHUR.

*Gila Reserve.*¹

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

May 14, 1860.

SIR: This office having signified to Agent Steck its approbation of the establishment of a reservation in New Mexico for the Gila Apaches, including the Miembres, Mogolton, and Chilicayia bands of that tribe, he suggests the following boundaries for the same, viz: "Commencing at Santa Lucia Spring and running north 15 miles, thence west 15 miles, thence south 15 miles, thence east 15 miles to the place of beginning."

Agent Steck has been directed to have the boundaries of the reserve, as indicated by him, run out and marked, and to give notice thereof to the surveyor-general of New Mexico.

I have, therefore, to request that you will give instructions to that officer to respect the said reserve when in the progress of the public surveys he comes to connect them with the external boundaries of said reserve.

Very respectfully, your obedient servant,

A. B. GREENWOOD,
Commissioner.

Hon. JOSEPH S. WILSON,
Commissioner General Land Office.

(Occupied for a short time only, and then abandoned. See Land Office Report for 1872, p. 128.)

*Hot Springs Reserve.*¹

EXECUTIVE MANSION, April 9, 1874.

It is hereby ordered that the following described tract of country in the Territory of New Mexico be, and the same is hereby, withdrawn from sale and reserved for the use and occupation of such Indians as the Secretary of the Interior may see fit to locate thereon, as indicated in this diagram, viz:

Beginning at the ruins of an ancient pueblo in the valley of the Cañada Alamosa River, about 7 miles above the present town of Cañada Alamosa, and running thence due east 10 miles; thence due north 25 miles; thence due west 30 miles; thence due south 25 miles; thence due east 20 miles to the place of beginning.

U. S. GRANT.

EXECUTIVE MANSION, December 21, 1875.

It is hereby ordered that the tract of country in the Territory of New Mexico, lying within the following described boundaries, viz, beginning at a point on the east side

¹ Report of Indian Commissioner, 1886, p. 348.

of the Cañada about 1,000 yards directly east of the ruins of an ancient pueblo in the valley of Cañada Alamosa River, about 7 miles above the town of Cañada Alamosa, and running thence due north 20 miles to a point; thence due west 20 miles to a point; thence due south 35 miles to a point; thence due east 20 miles to a point due south of the place of beginning; thence due north to the place of beginning, be, and the same is hereby, withdrawn from sale and set apart for the use and occupancy of the Southern Apache and such other Indians as it may be determined to place thereon, to be known as the "Hot Springs Indian Reservation;" and all that portion of country set apart by Executive order of April 9, 1874, not embraced within the limits of the above described tract of country, is hereby restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *August 25, 1877.*

It is hereby ordered that the order of December 21, 1875, setting apart the following lands in New Mexico as the Hot Springs Indian Reservation, viz, beginning at a point on the east side of the Cañada, about 1,000 yards directly east of the ruins of an ancient pueblo in the valley of Cañada Alamosa River, about 7 miles above the town of Cañada Alamosa, and running thence due north 20 miles to a point; thence due west 20 miles to a point; thence due south 35 miles to a point; thence due east 20 miles to a point due south of the place of beginning; thence due north to the place of beginning, be, and the same is hereby, cancelled, and said lands are restored to the public domain.

R. B. HAYEE.

Jicarilla Apache Reserve.

EXECUTIVE MANSION, *March 25, 1874.*

It is hereby ordered that the following described tract of country in the Territory of New Mexico, set apart as a reservation for the Jicarilla Apache Indians by the first article of an agreement concluded with the said Indians December 10, 1873, subject to the action of Congress, be, and the same is hereby, withdrawn from sale and settlement, viz: Commencing at a point where the headwaters of the San Juan River crosses the southern boundary of the Territory of Colorado, following the course of said river until it intersects the eastern boundary of the Navajo Reservation; thence due north along said eastern boundary of the Navajo Reservation to where it intersects the southern boundary line of the Territory of Colorado; thence due east along the said southern boundary of the Territory of Colorado to the place of beginning.

U. S. GRANT.

EXECUTIVE MANSION, *July 18, 1876.*

It is hereby ordered that the order of March 25, 1874, setting apart the following described lands in the Territory of New Mexico, as a reservation for the Jicarilla Apache Indians, viz, commencing at a point where the headwaters of San Juan River crosses the southern boundary of the Territory of Colorado, following the course of said river until it intersects the eastern boundary of the Navajo Reservation; thence due north along said eastern boundary of the Navajo Reservation to where it intersects the southern boundary line of the Territory of Colorado; thence due east along the said southern boundary of the Territory of Colorado, to the place of beginning, be, and the same is hereby, cancelled, and said lands are restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *September 21, 1880.*

It is hereby ordered that the tract of country in the Territory of New Mexico, lying within the following described boundaries, viz, beginning at the south-west corner of the Mexican grant known as the "Tierra Amarilla grant," as surveyed by Sawyer and

¹Report of Indian Commissioner, 1886, p. 349.

McBroom in July, 1876; and extending thence north with the western boundary of said survey of the Tierra Amarilla grant to the boundary line between New Mexico and Colorado; thence west along said boundary line 16 miles; thence south to a point due west from the aforesaid south-west corner of the Tierra Amarilla grant; and thence east to the place of beginning, be, and the same is hereby, withheld from entry and settlement as public lands, and that the same be set apart as a reservation for the Jicarilla Apache Indians.

R. B. HAYES.

EXECUTIVE MANSION, *May 15, 1884.*

It is hereby ordered that the tract of country in the Territory of New Mexico set apart as a reservation for the Jicarilla Apache Indians by Executive order dated September 21, 1880, be, and the same hereby is, restored to the public domain.

CHESTER A. ARTHUR.

NAVAJO AGENCY.

[Post-office address, Fort Defiance, Ariz.]

NAVAJO RESERVATION.

How established.—By treaty of June 1, 1863,¹ and Executive orders October 29, 1878, January 6, 1880, and two of May 17, 1884 (1,769,600 acres in Arizona and 967,680 acres in Utah were added to this reservation by Executive order of May 17, 1884, and 46,080 acres in New Mexico restored to public domain); Executive order April 24, 1886.

Area and survey.—Contains 8,205,440 acres,² of which 25,000 are classed as tillable.³ Out-boundaries surveyed.⁴

Acres cultivated.—The Indians have 13,235 acres under cultivation.³

Tribes and population.—The tribe living here is the Navajo. Total population, 17,358.⁵

Location.—There is little tillable land, and as there are no running streams, it can only be irrigated with buckets. Nearly all the water is alkaline. The valleys are composed of sand, formed by wash and erosion, having no soil worthy of the name; about three-fourths of the entire tract is covered by rock and barren mesas. Where springs exist, the water usually finds a channel through the débris and is lost beneath the surface of the ground.⁶

Government rations.—None of these Indians subsisted by Government rations, as reported in 1886.⁷

Mills and Indian employés.—None reported.

Indian police.—Established.

Indian court of offences.—Not reported.

*School population, attendance, and support.*⁸

School population, as estimated in 1886	800
Boarding and day school:	
Accommodation	100
Average attendance	39
Session (months)	10
Cost	\$6,650.29

Missionary work.—No missionary work reported.

¹ United States Statutes at Large, Vol XV, p. 667. ² Report of Indian Commissioner, 1886, p. 387. ³ *Ibid.*, p. 432. ⁴ *Ibid.*, p. 387. ⁵ *Ibid.*, p. 402. ⁶ *Ibid.*, 1884, pp. 133, 134. ⁷ *Ibid.*, p. 420. ⁸ *Ibid.*, p. xciv.

TREATIES WITH THE NAVAJO INDIANS.

Treaty with the Navajoes, made at Valley Cheille, New Mexico, September 9, 1849.

Navajoes acknowledge themselves under the jurisdiction of the United States. (Art. 1.) Peace to be maintained with the United States, and no aid given to Indians at enmity with the Government. Aggressions against Navajoes by citizens or others to be referred to Government for settlement. (Art. 2.) Laws regulating trade and intercourse extended over the Navajoes, and the government of New Mexico recognized and acknowledged by said Indians. (Art. 3.) Navajoes to deliver persons guilty of murder at Santa Fé. (Art. 4.) All American or Mexican captives and all property stolen from Americans or Mexicans to be delivered to the military authorities at Jemez within a month. All Indian captives and members of tribes entering into similar treaties to be likewise turned over by Navajoes. (Art. 5.) Any person molesting or committing outrages upon Navajoes to be subject to the penalty of the law, if convicted upon trial. (Art. 6.) Free passage granted through the country of said Indians. (Art. 7.) Government to establish military posts and agencies and authorize trading-houses at such places as it may designate. (Art. 8.) United States to adjust Navajo boundaries and pass and execute such laws as may be conducive to their prosperity. (Art. 9.) United States to donate presents and implements as it may deem proper. (Art. 10.) Treaty to be binding after the signing, subject to such modifications as may be adopted by the Government, and to receive liberal construction, and Navajoes not to be held responsible for the conduct of others.

Proclaimed February 24, 1850.¹

Treaty with the Navajoes, made at Fort Sumner, N. Mex., July 1, 1863.

War to cease. White offenders upon person or property of Indians, upon proof, to be punished according to law. United States to reimburse the injured persons for loss sustained. Indians committing wrong upon person or property of any one, white, Indian, or black, to be delivered up to the United States to be tried and punished according to law. President to prescribe rules and regulations for estimating damages as he may deem proper. Said damages to be passed upon by the Commissioner of Indian Affairs, and no one violating these treaties to have compensation for loss. (Art. 1.) The following country set apart: Bounded on the north by the thirty-seventh degree of north latitude; south by an east and west line passing through the site of the old Fort Defiance, in Cañon Bonito; east by the parallel of longitude passing through Fort Lyon or the Ojodesose' Bear Spring; west by parallel of longitude one hundred and nine degrees thirty minutes, provided it embraces the outlet of Cañon de Chilly, said cañon to be all included in this reservation. Said tract set apart for the Navajo and such other friendly tribes as they may be willing, with the consent of the United States, to admit among them. United States agrees that no unauthorized person shall be permitted to pass over, settle upon, or reside in said territory. (Art. 2.) United States to build, where water and timber may be convenient, a warehouse, cost not exceeding \$2,500; agency building, at \$3,000; carpenter and blacksmith shop, at \$1,000 each; school-house and chapel, not to exceed \$5,000. (Art. 3.) Agent to make his home at agency buildings. (Art. 4.) Any head of a family desiring to farm may select, with the assistance of agent, 160 acres. Said tract to cease to be held in common and to be the exclusive possession of the person so long as he cultivates. Single person over eighteen may select 80 acres in same manner. For each tract a certificate of allotment shall be issued and recorded in the land book. President may order survey, and Congress to fix character of title and protect Indians on improvements. United States to pass laws on the subject of alienation and descent of property. (Art. 5.) Indians pledged to compel their children between the ages of six and sixteen to attend school. Agent to see

¹United States Statutes at Large, Vol. IX, p. 974.

stipulation complied with. United States to provide school and teacher for every thirty children. Provision to continue for not less than ten years. (Art. 6.) Person cultivating soil in good faith to be entitled to receive seed and agricultural implements the first year not to exceed \$100, and for two succeeding years to value of \$25. (Art. 7.) In lieu of all other annuities provided for said Indians, United States to deliver for ten years clothing, goods, or material in lieu thereof, not exceeding in value \$5 per Indian. Ten dollars for each person engaged in farming or mechanical pursuits for the purchase of necessary articles. If the money appropriated for clothing can be appropriated for better uses, the Commissioner may change the appropriation to other purposes. Army officer to attend the delivery of goods. Agent to take census each year. (Art. 8.) Indians to relinquish all right to occupy any territory outside of their reservation herein defined, but may hunt on land contiguous thereto so long as game may justify the chase. Indians withdraw all opposition to railroads not passing over their reservation; not to molest travellers or property or capture and kill any white person. Not to oppose military posts, roads, etc. Any damages arising from the same, tribe to be compensated. (Art. 9.) Any treaty involving cession of land not valid unless executed by three-fourths of all adult male Indians interested in the same. No member of tribe to be deprived of his land without his consent. (Art. 10.) Navajoes to remove to said reservation, United States paying their subsistence and providing transportation for the sick and feeble. (Art. 11.) Sum of \$150,000 to be disbursed as follows: Fifty thousand dollars when they remove, \$30,000 for the purchase of 15,000 sheep and goats, 500 cattle, and 1,000,000 pounds of corn, to be held at the nearest military post, subject to orders of agent for relief during the winter. Balance to be invested for the maintenance of Indians in such manner as agent may determine. Removal to be under control of military commander of New Mexico. (Art. 12.) Tribe not to settle outside of reservation herein set apart, and to induce other members of their tribe to join them. Any Navajo leaving reservation to forfeit rights, privileges, and immunities conferred by this treaty. (Art. 13.)

Proclaimed August 12, 1868.¹

*Navajo Reserve.*²

EXECUTIVE MANSION, *October 29, 1878.*

It is hereby ordered that the tract of country in the Territory of Arizona lying within the following described boundaries, viz, commencing at the north-west corner of the Navajo Indian Reservation, on the boundary line between the Territories of Arizona and Utah; thence west along said boundary line to the one hundred and tenth degree of longitude west; thence south along said degree to the thirty-sixth parallel of latitude north; thence east along said parallel to the west boundary of the Navajo Reservation; thence north along said west boundary to the place of beginning, be, and the same hereby is, withdrawn from sale and settlement and set apart as an addition to the present reservation for the Navajo Indians.

R. B. HAYES.

EXECUTIVE MANSION, *January 6, 1880.*

It is hereby ordered that the following described country lying within the boundaries of the Territories of New Mexico and Arizona, viz, commencing in the middle of the channel of the San Juan River, where the east line of the Navajo Reservation in the Territory of New Mexico, as established by the treaty of June 1, 1868 (15 Stat., 667), crosses said river; thence up and along the middle channel of said river to a point 15 miles due east of the eastern boundary line of said reservation; thence due south to a point due east of the present south-east corner of said reservation; thence due south 6 miles; thence due west to the one hundred and tenth degree of west lon-

¹United States Statutes at Large, Vol. XV, p. 667. ²Report of Indian Commissioner, 1886, p. 350.

gitude; thence north along said degree to the south-west corner of said reservation in the Territory of Arizona, as defined by Executive order dated October 29, 1878, be, and the same is hereby, withdrawn from sale and settlement and set apart as an addition to the present Navajo Reservation in said Territories.

R. B. HAYES.

EXECUTIVE MANSION, *Washington, May 17, 1884.*

It is hereby ordered that the Executive order dated January 6, 1880, adding certain lands to the Navajo Reservation, in New Mexico and Arizona Territories, be, and the same is hereby, amended so as to exempt from its operation and exclude from said reservation all those portions of townships 29 north, ranges 14, 15, and 16 west of the New Mexico principal meridian, south of the San Juan River, in the Territory of New Mexico.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *Washington, D. C., May 17, 1884.*

It is hereby ordered that the following described lands in the Territories of Arizona and Utah be, and the same are, withheld from sale and settlement and set apart as a reservation for Indian purposes, viz:

Beginning on the one hundred and tenth degree of west longitude at thirty-six degrees and thirty minutes north latitude (the same being the north-east corner of the Moqui Indian Reservation); thence due west to the one hundred and eleventh degree thirty minutes west longitude; thence due north to the middle of the channel of the Colorado River; thence up and along the middle of the channel of said river to its intersection with the San Juan River; thence up and along the middle channel of San Juan River to west boundary of Colorado (thirty-two degrees west longitude Washington meridian); thence due south to the thirty-seventh parallel north latitude; thence west along said parallel to the one hundred and tenth degree of west longitude; thence due south to place of beginning: *Provided*, That any tract or tracts within the region of country described as aforesaid which are settled upon or occupied, or to which valid rights have attached under existing laws of the United States prior to date of this order, are hereby excluded from this reservation.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April 24, 1886.*

It is hereby ordered that the following described tract of country in the Territory of New Mexico, viz, all those portions of townships 29 north, ranges 14, 15, and 16 west of the New Mexico principal meridian, south of the San Juan River, be, and the same is hereby, withdrawn from sale and settlement and set apart as an addition to the Navajo Indian Reservation.

GROVER CLEVELAND.

PUEBLO AGENCY.

[Post-office address, Santa Fé, N. Mex.]

How established.—By Mexican grants. Nineteen have been confirmed by patents.

Area and survey.—Contain 906,845 acres, of which 132,205 are classed as tillable.

Acres cultivated.—30,000 reported in 1886.¹

Tribes and population.—The tribe living here is the Pueblo. Population, 7,762.²

¹ Report of Indian Commissioner, 1886, p. 432.

² *Ibid.*, p. 402.

There are no agency statistics. The people reside in their pueblos, are self-supporting, and citizens of the United States.

*School population, attendance, and support.*¹

School population, as estimated in 1886, 2,200.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Albuquerque, boarding (contract)	200	108	12	\$11,877.75
Bernalillo, boys', boarding (contract).....	30	23	3	208.58
Bernalillo, girls', boarding (contract).....	30	18	5	1,299.05
University of New Mexico	50	35	12	5,250.00
Acoma, day (Government).....	30	17	6	500.00
Isleta, day (contract) ²	50	25	10	599.00
Jemez, day (contract) ²	75	23	10	575.00
Laguna, day (contract) ²	60	27	8	480.00
San Felipe, day (Government).....	50	40	6	500.00
San Juan, day (contract) ³	50	34	8	683.69
Santo Domingo, day (contract) ³	50	34	8	708.81
Taos, day (contract) ³	50	33	6	398.18
Zuñi, day (contract) ²	70	45	9	900.00

¹ Report of Indian Commissioner, 1886, p. xciv.

² Under charge of Presbyterian Home Missions.

³ Roman Catholic Church in charge.

Missionary work.—Roman Catholic Church and Presbyterian Board of Home Missions are engaged among these Indians.

*An act to confirm the land claim of certain pueblos and towns in the Territory of New Mexico.*¹

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pueblo land claims in the Territory of New Mexico, designated in the corrected list as—

- A. Pueblo of Jemez, in the county of Santa Ana,
- B. Pueblo of Acoma, in the county of Valencia,
- C. Pueblo of San Juan, in the county of Rio Arriba,
- D. Pueblo of Picuris, in the county of Taos,
- E. Pueblo of San Felipe, in the county of Bernalillo,
- F. Pueblo of Pecos, in the county of San Miguel,
- G. Pueblo of Cochiti, in the county of Santa Ana,
- H. Pueblo of Santo Domingo, in the county of Santa Ana,
- I. Pueblo of Taos, in the county of Taos,
- K. Pueblo of Santa Clara, in the county of Rio Arriba,
- L. Pueblo of Tesuque, in the county of Santa Fé,
- M. Pueblo of San Ildefonso, in the county of Santa Fé,
- N. Pueblo of Pojuaque, in the county of Santa Fé,

reported upon favorably by the surveyor-general of New Mexico in his report of the 30th of September, 1856, to the Department of the Interior, and ⁴the claim designated as—

- O. Pueblo of Zia, in the county of Santa Ana,
- P. Pueblo of Sandia, in the county of Bernalillo,
- Q. Pueblo of Isleta, in the county of Bernalillo,
- R. (Supposed) Pueblo of Nambe,

reported upon favorably by the said surveyor-general on the 30th of November, 1856, * * * to the Department of the Interior be, and they are hereby, confirmed; and

¹ United States Statutes at Large, Vol. XI, p. 374.

the Commissioner of the Land Office shall issue the necessary instructions for the survey of all of said claims, as recommended for confirmation by the said surveyor-general, and shall cause a patent to issue therefor as in ordinary cases to private individuals: *Provided*, That this confirmation shall only be construed as a relinquishment of all title and claim of the United States to any of said lands, and shall not affect any adverse valid rights, should such exist.

Approved December 22, 1858.

Confirmed by United States patents in 1864 under old Spanish grants. See also act of Congress June 21, 1860 (United States Statutes at Large, Vol. XII, p. 71; also see General Land Office Report 1876, p. 242, and 1880, p. 253).

♦ *Zuñi public reserve.—Area of original Spanish grant 17,581.25 acres.¹*

EXECUTIVE MANSION, *March 16, 1877.*

It is hereby ordered that the following-described tract of country in the Territory of New Mexico, viz: beginning at the one hundred and thirty-sixth mile-stone, on the western boundary line of the Territory of New Mexico, and running thence north 61° 45' east, 31.8 miles to the crest of the mountain a short distance above Nutria Springs; thence due south 12 miles to a point in the hills a short distance south-east of the Ojo Pescado; thence south 61° 45' west to the one hundred and forty-eighth mile-stone on the western boundary line of said Territory; thence north with said boundary line to the place of beginning, be, and the same hereby is, withdrawn from sale and set apart as a reservation for the use and occupancy of the Zuñi Pueblo Indians.

R. B. HAYES.

EXECUTIVE MANSION, *May 1, 1883.*

Whereas it is found that certain descriptions as to boundaries given in an Executive order issued March 16, 1877, setting apart a reservation in the Territory of New Mexico for the Zuñi Pueblo Indians, are not stated with sufficient definiteness to include within said reservation all the lands specified in and intended to be covered by said Executive order, especially the Nutria Springs and the Ojo Pescado, said Executive order is hereby so amended that the description of the tract of land thereby set apart for the purposes therein named shall read as follows:

Beginning at the one hundred and thirty-sixth mile-post on the west boundary line of the Territory of New Mexico, thence in a direct line to the south-west corner of township 11 north, range 18 west; thence east and north, following section lines, so as to include sections 1, 12, 13, 14, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, and 36, in said township; thence from the north-east corner of said township on the range line between ranges 17 and 18 west, to the third correction line north; thence east on said correction line to the nearest section line in range 16, from whence a line due south would include the Zuñi settlements in the region of Nutria and Nutria Springs and the Pescado Springs; thence south following section lines to the township line between townships 9 and 10 north, range 16 west; thence west on said township line to the range line between ranges 16 and 17 west; thence in a direct line to the one hundred and forty-eighth mile-post on the western boundary line of said Territory; thence north along said boundary line to place of beginning.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *March 3, 1885.*

It is hereby ordered that the Executive order dated May 1, 1883, explaining, defining, and extending the boundaries of the Zuñi Indian Reservation, in the Territory of New Mexico, be, and the same is hereby, amended so as to except and exclude from the addition made to said reservation by the said Executive order of May 1, 1883, any and all lands which were at the date of said order settled upon and occupied in good faith under the public-land laws of the United States.

CHESTER A. ARTHUR.

¹ Report of Indian Commissioner, 1886, p. 353.

CHAPTER XVII.

INDIAN RESERVATIONS OF NEW YORK.

A portion of the Indians formerly residing here are in Wisconsin (Oneidas), and Indian Territory (Senecas).

There are eight reservations, containing an aggregate area of 87,677 acres. Total Indian population, 5,261.

There is one agency: The New York Agency, having charge of the Allegany, Cattaraugus, Oil Spring, Oneida, Onondaga, St. Regis, Tonawanda, and Tuscarora Reservations.¹

NEW YORK AGENCY.

[Post-office address: Gowanda, Cattaraugus County, N. Y.]

ALLEGANY RESERVATION.

How established.—By treaties of September 15, 1797 (United States Statutes at Large, Vol. VII, p. 601), and of May 20, 1842 (Vol. VII, p. 587).

Area and survey.—Contains 30,469 acres,² of which 15,000 are classed as tillable.³ Out-boundaries surveyed.⁴

Acres cultivated.—The Indians have 4,000 acres under cultivation.⁵

Tribes and population. The tribes living here are the Onondaga, Seneca, Tonawanda, and Tuscarora. Total population, 935.⁵

Location.—This reservation is located on both sides of the Allegany River, in the county of Cattaraugus. It is about 35 miles long, and its width varies from one to two and a half miles. The larger portion of the Allegany Reservation, immediately adjoining the river, is level and fertile; the balance broken and hilly. It was formerly covered with heavy pine timber. The Erie Railway, the Atlantic and Great Western Railroad, the Rochester and State Line Railroad, pass through this reservation. The most of the Indians reside on the south-west part of the reserve, which is more isolated than the rest from railroad towns. The Senecas of Allegany, Cornplanter, and Cattaraugus Reservations, numbering 2,341, own the Allegany and Cattaraugus Reservations, subject

¹ According to the superintendent's report of New York, for 1887 (p. 780), the children of school age among the New York Indians number 7,111; average attendance, 493; 31 teachers employed, cost to the State, \$9,122.33. ² Report of Indian Commissioner, 1886, p. 388. ³ *Ibid.*, p. 432. ⁴ *Ibid.*, p. 389. ⁵ *Ibid.*, p. 402.

to what is known as the pre-emption right of the Ogden Land Company, and subject also to whatever right of occupancy the two hundred and ninety nine Onondagas and Cayugas residing with them may have therein. This pre-emption right is derived from the prior discovery of the territory by civilized man, and restricts the Senecas from selling to others than the Ogden Land Company or its assigns. The Ogden Company claims that this right embraces the fee of the land, and that the Indians have the right of occupancy only so long as their tribal relation continues. The Senecas claim the absolute ownership of these reservations in fee, subject only to the right of the Ogden Company or its assigns to purchase whenever they shall elect to sell.¹

*School population, attendance, and support.*²

School population as estimated in 1884, 275.

School.	Accommodation.	Average attendance.	Session.	Cost.
Allegany, district No. 1, day.....	25	16	<i>Months.</i> 8	\$275. 00
Allegany, district No. 2, day.....	50	29	8	350. 00
Allegany, district No. 3, day.....	50	22	.....	370. 00
Allegany, district No. 5, day.....	45	20	8	370. 00
Allegany, district No. 6, day.....	35	18	8	340. 00
Allegany, district No. 7, day.....	35	20	8	375. 00
Allegany, Tunesassa, boarding.....	30	30	10	1, 100. 00

The Society of Friends at Philadelphia have for many years maintained a boarding and manual labor school adjoining this part of the reserve.

OIL SPRING RESERVATION.

How established.—By arrangement with the State of New York. (See Annual Report, 1877, p. 166.)

Area and survey.—Contains 640 acres.³ Tillable acres not reported.

Acres cultivated.—Not reported.

Tribes and population.—The tribe living here is the Seneca. Population not reported.

Location.—The reservation located in the townships of Ischua and Cuba, in the counties of Cattaraugus and Allegany. There is an oil spring near the centre of the reservation, being in appearance a deep, muddy pool of water, 20 feet in diameter, without outlet. The Indians have from time immemorial gathered petroleum oil, in small quantities, from the surface of the spring, which they formerly used for medicinal purposes. Several years since, the Seneca Nation of Indians leased

¹ Report of Indian Commissioner, 1877, pp. 163, 164. ² *Ibid.*, 1884, p. 274. ³ *Ibid.*, 1886, p. 388.

the oil privileges on the reservation for a portion of the oil and a bonus of \$10,000, which was paid down; and a few wells were put down and several hundred barrels of oil obtained, but not in paying quantities.

By the treaty held at Big Tree, on Genesee River, in the State of New York, between the Seneca Nation of Indians and Robert Morris, of Philadelphia, concluded September 15, 1797, the legal title of this reservation, with about 3,500,000 acres of other lands in the western part of New York, passed to Morris, who conveyed it to the Holland Land Company. The Holland Land Company conveyed it, with other lands, to the Farmers' Loan and Trust Company, from which company the title passed to David E. Evans, whose heirs conveyed the north-west quarter of the reservation, containing the oil spring, to Chamberlain, Clark, and Gallager, by deed, dated February 9, 1852; the last-named persons conveyed the same to Philoneus Pattison, by deed, dated November 20, 1855, who went into possession under his lease and cleared off a portion of the land, and built a house and barn thereon. The Seneca Nation of Indians, always claiming title to this reservation, in 1856, by authority contained in chapter 150 of the laws of New York, passed in 1845, commenced an action of ejectment against Pattison to recover that portion of the reservation covered by his deed. This action was stoutly defended, but the Indians recovered a verdict. The defendant appealed the case to the general term of the supreme court, and from thence to the court of appeals, both courts affirming the decision of the circuit and the title of the Indians to the reservation. The Seneca Nation recovered in the action mainly on the evidence of the veteran Seneca war-chief of the Six Nations, Governor Black Snake, whose Indian name was To-wa-a-u, meaning chain-breaker, and who was of the age of 107 years at time of the trial, in 1856. The name of Governor Black Snake was given him by President Washington, on the occasion of his visit at the seat of Government with Cornplanter. He testified that he was present at the treaty of Big Tree, in 1797; that it was agreed upon, "all around," that the oil spring should be reserved one mile square; that when the treaty was read over, it was observed and mentioned that the oil spring had been left out of the treaty, and that then Thomas Morris, who was the attorney of Robert Morris and signed the treaty for him, drew up a small paper, said to contain the oil spring, and delivered it to Pleasant Lake, a leading Seneca sachem of the Six Nations. It did not appear that the paper was afterwards seen by any one. Black Snake also presented in evidence a map, being the first map of the Holland land purchase, made about the year 1801, which he testified was afterward presented to him by Joseph Ellicott, the surveyor and general land agent of the Holland Company, at a general council of the Senecas at Tonawanda, N. Y., and who was also a witness to the treaty; that Ellicott made a speech to the Senecas in council when he presented the map, saying that the places marked in red on the map belonged to the red man, and among them so marked was the oil spring reservation.

There were other acts proved, showing that the Holland Land Company and its grantees had at different times recognized the Seneca Indians as owners of the reservation. The Senecas founded their claim upon possession, and the presumption of a grant by Morris to them after the treaty at Big Tree was signed. The other three-quarters of the reservation was conveyed by David E. Evans or his heirs to different persons. The Senecas have, however, since the termination of the trial, held the exclusive possession of the entire reservation, leasing it to white men for oil and farming purposes, and no further efforts have been made to dispossess them.¹

CATTARAUGUS RESERVATION.

How established.—By treaties of September 15, 1797 (United States Statutes at Large, Vol. VII, p. 601), June 30, 1802 (United States Statutes at Large, Vol. VII, p. 70), and of May 20, 1842 (United States Statutes at Large, Vol. VII, p. 587). (See Annual Report, 1877, p. 164.)

Area and survey.—Contains 21,680 acres,² of which 12,000 are classed as tillable.³ Out-boundaries surveyed.⁴

Acres cultivated.—The Indians have 5,000 acres under cultivation.⁵

Tribes and population.—The tribes living here are the Cayuga, Onondaga, Seneca, Tonawanda, and Tuscarora. Total population, 1,515.⁶

Location.—Situated in Cattaraugus County; the reservation is 12 miles long, and averages about 3 miles in width. The land is very rich and fertile, mostly under cultivation, on both sides of the Cattaraugus Creek, in the counties of Cattaraugus, Chautauqua, and Erie. The pre-emption right was reserved in the treaty, and is now owned by the Ogden Land Company. This pre-emption right is a source of great uneasiness to the Indians of Cattaraugus and Allegany Reservations, resting as a cloud upon the title of their lands. It stifles industry by withholding the best incentive to it, growing out of the natural desire to acquire property and the attachments of home and family. They have heretofore resisted every effort made by the State of New York to induce them to allot their lands in severalty, under the apprehension that such allotment might eventually result in the breaking up of their tribal relations, and so forfeit their reservations to the Ogden Land Company.

The Senecas of the Allegany and Cattaraugus Reservations are incorporated by the laws of New York under the name of the Seneca Nation of Indians, with the right to bring actions in the courts of the State in all cases relating to their common property by an attorney appointed by the Governor. They have maintained for about thirty years a republican form of government, with a president, council, treasurer, and clerk elected annually by ballot, also a peacemaker's court on each reservation having jurisdiction in actions between Indians and authority to administer upon estates of deceased persons.⁷

¹ Report of Indian Commissioner, 1877, p. 166. ² *Ibid.*, 1886, p. 388. ³ *Ibid.*, p. 432. ⁴ *Ibid.*, p. 389. ⁵ *Ibid.*, p. 432. ⁶ *Ibid.*, p. 402. ⁷ *Ibid.*, 1877, pp. 164, 165.

Cornplanter Reservation.—This reservation on the Alleghany River in Warren County, Pennsylvania, contains choice land on the river bottom. The Commonwealth of Pennsylvania granted the reservation in fee to the famous war-chief, Gy-ant-wa-hia, or Cornplanter, March 16, 1796, for his many valuable services to the white people, and especially that most important one, in preventing the Six Nations of New York from joining the confederacy of western Indians in 1790-91, in the war which terminated in the victory of General Wayne in 1794. His descendants, numbering eighty-one Senecas, reside on the reservation which was allotted to them in 1871 by commissioners appointed for the purpose by the State of Pennsylvania, with power to sell only to the descendants of Cornplanter and to other Seneca Indians. These Senecas at Cornplanter are recognized by the Senecas on Allegany and Cattaraugus Reservations, in the State of New York, as owning equal rights with them in those reservations, and share with them in the annuities payable under treaties with the United States. They are a thrifty and temperate people, are good farmers, and are increasing yearly in population. The allotment of their lands in severalty and in fee has greatly contributed to their prosperity by affording new incentives to industry.¹

The Cayugas, by treaty made February 25, 1789, sold to the State of New York for \$2,125, paid down, and an annuity of \$500, all their extensive territory in such State, reserving 100 square miles on both sides of Cayuga Lake, a few acres on Seneca River, and 1 mile square at Cayuga Ferry.

On July 27, 1795, they sold to New York all their reservations except 3 square miles, for \$1,800, paid down, and an annuity of \$1,800; and on May 13, 1803, they released to the State their remaining lands for \$4,800. They now own no lands in this agency. A portion of the tribe resides on the Quapaw Reservation in the Indian Territory. There are one hundred and eighty-four Cayugas residing with the Senecas in this State, of which one hundred and fifty-one reside on Cattaraugus Reservation, and thirty-three at Tonawanda. The one hundred and eighty-four Cayugas in this State receive their share of the \$2,300 annuity due the tribe from the State of New York, amounting this year to \$1,441.67. They also receive annuity goods from the United States under the treaty between the United States and the Six Nations, concluded November 11, 1794, as do also the other five tribes in the agency, except the St. Regis.²

¹ Report of Indian Commissioner, 1877, p. 165.

² *Ibid.*, p. 168.

School population, attendance, and support.¹

School population as estimated in 1884, 328.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Cattaraugus, district No. 1, day	40	28	8	\$290.00
Cattaraugus, district No. 2, day	40	16	8	290.00
Cattaraugus, district No. 3, day	40	25	8	290.00
Cattaraugus, district No. 5, day	40	23	8	275.00
Cattaraugus, district No. 6, day	40	15	8	275.00
Cattaraugus, district No. 7, day	35	18	8	275.00
Cattaraugus, district No. 8, day	35	18	8	275.00
Cattaraugus, district No. 9, day	40	15	8	275.00
Cattaraugus, district No. 10, day	40	20	8	275.00
Thomas Orphan Asylum	100	100	12	10,000.00

TONAWANDA RESERVATION.

How established.—By treaties of September 15, 1797 (United States Statutes at Large, Vol. VII, p. 601), and November 5, 1857 (United States Statutes at Large, Vol. XII, p. 991); purchased by the Indians and held in trust by the comptroller of New York; deed dated February 14, 1862. (See also Annual Report, 1877, p. 162.)

Area and survey.—Contains 7,549 acres,² of which 6,000 acres are classed as tillable.³ Out-boundaries surveyed.⁴

Acres cultivated.—The Indians have 3,000 acres under cultivation.³

Tribes and population.—The tribes living here are the Cattaraugus, Cayuga, and Tonawanda band of Senecas. Total population, 551.⁵

Location.—This reservation is located in the present counties of Erie, Genesee, and Niagara, the title of which is held in trust and in fee by the comptroller of the State of New York, "for the exclusive use, occupation, and enjoyment of the Senecas of the Tonawanda band." The reservation is very fertile and well adapted to the raising of fruit, wheat, and other grain. The band is governed by chiefs.⁶

School population, attendance, and support.⁷

School population as estimated in 1884, 139.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Tonawanda, district No. 1, day	28	16	10	\$278.00
Tonawanda, district No. 2, day	30	16	10	278.00
Tonawanda, district No. 3, day	30	14	10	278.00

¹ Report of Indian Commissioner, 1884, p. 276. ² *Ibid.*, 1886, p. 338. ³ *Ibid.*, p. 432. ⁴ *Ibid.*, p. 389. ⁵ *Ibid.*, p. 404. ⁶ *Ibid.*, 1877, p. 165. ⁷ *Ibid.*, 1884, p. 276.

TUSCARORA RESERVATION.

How established.—By treaty of January 15, 1838 (United States Statutes at Large, Vol. VII, p. 551), and arrangement (grant and purchase) between the Indians and the Holland Land Company. (See Annual Report of Indian Commissioner, 1877, p. 167.)

Area and survey.—Contains 6,249 acres,¹ of which 6,000 are classed as tillable.²

Acres cultivated.—The Indians have 5,000 acres under cultivation.²

Tribes and population.—The tribes living here are the Onondaga and Tuscarora. Total population, 454.³

Location.—Situated in Niagara County. The Tuscaroras originally resided on lands upon the waters of the Tar and Neuse Rivers, in North Carolina, where they had, in 1708, fifteen towns and twelve hundred warriors. Being a warlike tribe, jealous of their rights, they bravely resisted the efforts of the white people to drive them from their lands, and in the battle at their Forte Na-ha-ru-ke, on the Neuse, against the combined forces of North and South Carolina, with the Cherokees, Creeks, Catawbias, Yamases, and Ashley Indians, three hundred of their warriors were slain and eight hundred taken prisoners and sold into slavery. Their power being broken by this severe defeat, they entered into a treaty of peace with the Governor of North Carolina, who granted them lands on the Roanoke, in the present county of Bertie, to which the remnant of the tribe removed. Owing to continued encroachments by the white settlers upon their territory, they soon after migrated to the vicinity of Oneida Lake, and in 1722 formally united with their kinsmen, thus making the sixth number of the Six Nations of New York, in all then numbering about twenty-eight hundred warriors, and whose possessions extended from Vermont to the headwaters of the Ohio, and from the St. Lawrence and the lakes to the sources of the Delaware and Susquehanna.

The Tuscaroras removed from Oneida, and camped in 1780 on the site of an old Indian fort and mounds on elevated and fertile lands seven miles from Suspension Bridge, overlooking Lake Ontario, and about the same distance therefrom, in the present town of Lewiston, in the county of Niagara. There they planted corn and made a permanent settlement. The Senecas afterwards gave them at this place one square mile of land, called the Seneca grant. This is alleged to have been reserved in the treaty between the Senecas and Robert Morris in 1797, but I do not find it mentioned in the treaty. The Holland Land Company, grantees of Morris, however, recognized and confirmed the grant and generously donated to them two other square miles adjoining. About the year 1804 the Tuscaroras sent a delegation of chiefs to North Carolina, who sold their lands in that State for about the sum of \$15,000, and with \$13,722, realized from this sale, purchased of the Holland Land Company 4,329

¹ Report of Indian Commissioner, 1886, p. 389. ² *Ibid.*, p. 434. ³ *Ibid.*, p. 404.

acres adjoining their other lands, making their present tract 6,249 acres, securing the absolute title thereof in fee-simple.¹

*School population, attendance, and support.*²

School population as estimated in 1884, 110.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Coraplanter, district No. 1, day.....	40	12	8	\$290
Tuscarora, district No. 1, day.....	70	25	8	263
Tuscarora, district No. 2, day.....	65	22	8	263

ONONDAGA RESERVATION.

How established.—By treaty of November 11, 1794 (United States Statutes at Large, Vol. VII, p. 44), and arrangement with the State of New York. (See Annual Report, 1877, p. 168.)

Area and survey.—Contains 6,100 acres,³ of which 6,000 are classed as tillable.²

Acres cultivated.—The Indians have under cultivation 120 acres.⁴

Tribes and population.—The tribes living here are the Oneida, Onondaga, and Tonawanda. Total population, 390.⁵

Location.—The Onondaga Reservation is situated in the towns of Fayette and Onondaga, in Onondaga County.

Prior to 1793 the Onondaga Reservation contained over 100 square miles, and covered the site of the city of Syracuse and several towns in that locality. By the treaty dated March 11, 1793, they sold to the State of New York over three-fourths of their reservation for the consideration of \$638, paid down, and a stipulated perpetual annuity of \$410, payable on the 1st day of June in each year. By the treaty between the Onondagas and the State of New York, dated July 28, 1795, they sold their interest in the Salt Lake and lands 1 mile around the same, and other lands, to the State for the sum of \$700, paid down, and a perpetual annuity of \$700 and 100 bushels of salt, payable on the 1st day of June in each year. The Onondagas, by treaty dated February 25, 1817, sold to New York State 4,320 acres more of their reserve for \$1,000, paid down, and a perpetual annuity of \$430 and 50 bushels of salt, payable on the 1st day of June in each year. On February 11, 1822, they sold to the same State 800 acres more of their reservation for \$1,700, paid down. It is located about 7 miles from the city of Syracuse. The land is fertile, but over three-fourths of the same is leased to, and worked

¹ Report of Indian Commissioner, 1877, pp. 166-167. ² *Ibid.*, 1884, p. 276. ³ *Ibid.*, 1886, p. 388. ⁴ *Ibid.*, 434. ⁵ *Ibid.*, 404.

by, white men. The few who cultivate their own lands are generally temperate and thrifty as compared with those who lease their lands and live in comparative idleness.¹

*School population, attendance, and support.*²

School population as estimated in 1884, 120.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Onondaga, district No. 1, day.....	55	30	8	\$245
Onondaga, Episcopal, day.....	40	18	8	160

ST. REGIS RESERVATION.

How established.—By treaty of May 31, 1796 (United States Statutes at Large, Vol. VII, p. 55). (See Annual Report, 1877, p. 168.) They hold about 24,250 acres in Canada.

Area and survey.—Contains 14,640 acres.³ Tillable acres not reported.

Acres cultivated.—Not reported.

Tribes and population.—The tribe living here is the St. Regis. Total population, 944.⁴

Location.—Situated in Franklin County. The St. Regis Indians are descendants of the Mohawks of New York, whose language they speak. Under the influence of the French Roman Catholic missionaries their ancestors migrated from the valley of the Mohawk in 1677, and settled at Cagnawaga, near Montreal, in Canada. A colony from the latter place in 1760 migrated to St. Regis, on the St. Lawrence. They are named from Jean Francis St. Regis, a French ecclesiastic, who died in 1690. They are mostly Roman Catholics. There are about 1,701 St. Regis Indians, of whom 751 are denominated American Indians, and about 950 British Indians. The American portion of this tribe is paid \$2,131.66 annuity by the State of New York, for land sold, and receives no annuity from the United States. The British portion of the tribe is paid an annuity of about \$1,911. Twenty-four thousand two hundred and fifty acres of its reservation are in Canada, including the township of Dundee, and about 14,030 acres adjoining the Canada line are in Franklin County, State of New York. The boundary line between the United States and Canada divides the Indian village of St. Regis, which contains about one hundred houses, mostly constructed of hewn logs.

The St. Regis Indians engaged in the war of the Revolution, part with the British and part with the Americans. One of their number,

¹ Report of Indian Commissioner. 1877, p. 167. ² *Ibid.*, 1884, p. 276. ³ *Ibid.*, 1886, p. 388. ⁴ *Ibid.*, p. 404.

Lewis Cook, held a colonel's commission from General Washington. They were divided again into two parties, British and American, in the War of 1812. Such division still continues, the lines being kept distinct, following in hereditary descent by the father's side.

The Methodists have a mission-house on the reserve, in which regular services are held by their minister, Rev. Thomas La Forte, an Indian of the Onondaga tribe.¹

*School population, attendance, and support.*²

School population as estimated in 1884, 100.

School.	Accommodation.	Average attendance.	Session.	Cost.
St. Regis, district No. 1, day.....	45	30	<i>Months.</i> 8	\$255
St. Regis, district No. 2, day.....	45	25	8	255
St. Regis, district No. 3, day.....	55	30	8	305

ONEIDA RESERVATION.

How established.—By treaty of November 11, 1794 (United States Statutes at Large, Vol. VII, p. 44), and arrangement with the State of New York. (See Annual Report, 1877, p. 168.)

Area and survey.—Contains 350 acres,³ of which 175 are classed as tillable.⁴

Acres cultivated.—The Indians have under cultivation 120 acres.⁴

Tribes and population.—The tribe living here is the Oneida. Total population 174.⁵

Location.—The Oneidas reside with the Senecas of Tonawanda band at Tonawanda Reservation, and the Onondagas on the Onondaga Reserve, nearly two hundred residing on detached farms, containing in all about 350 acres, which have been partitioned into small parcels to heads of families, under the laws of New York, from their former reservations in the counties of Oneida and Madison, only a portion of their own lands. They are divided into two settlements, about 6 miles apart, one called the "Winfall" party, residing in the town of Lenox, Madison County, and the other called the "Porchard" party, in the town of Vernon, Oneida County. Under regulations provided by chapter 185 of the laws of New York, passed April 13, 1843, any Oneida Indian owning lands may sell same to any person upon terms to be approved by a superintendent and a majority of the chiefs. But few sales have been made under the act.⁶

¹ Report of Indian Commissioner, 1877, p. 168. ² *Ibid.*, 1884, p. 276. ³ *Ibid.*, 1886, p. 388. ⁴ *Ibid.*, p. 434. ⁵ *Ibid.*, p. 404. ⁶ *Ibid.*, 1877, p. 168.

School population, attendance, and support.¹

School population as estimated in 1884, 62.

School.	Accommo- dation.	Average attend- ance.	Session.	Cost.
Oneida, district No. 1, day	36	16	<i>Months.</i> 7½	\$190
Oneida, district No. 2, day	35	12	7½	188

The first negotiations with the Indians by the United Colonies was a treaty with the Six Nations held in the Dutch Church, in Albany, August 25, 1775. Seven hundred Indians were present together with General Philip Schuyler, Col. Oliver Wolcott, Col. Francis Turbutt, and Volkert P. Douw, who represented Congress as commissioners.

THURSDAY, *September 14, 1775.*

The Commissioners for Indian Affairs in the Northern Department having transmitted to Congress the Minutes of a Treaty held with the Six Nations, at Albany, in August, the same were read.²

THURSDAY, *November 23, 1775.*

The Committee to whom it was referred to take into consideration the letter from Volkert P. Douw, Esq. and the Minutes of the Treaty held with the Indians at Albany, by the Commissioners for Indian Affairs in the Northern Department, have examined the same and come to the following Resolutions thereupon :

That it is the opinion of this Committee that the Indians be assured that this Congress are pleased with their desire that the trade should be opened, as formerly, at Albany and Schenectaday; that the Congress will exert their strenuous endeavors to procure the goods the Indians may want, and put the trade under such wise regulations as that mutual justice may be effected; and that they hope those endeavors will be successful.

That General Schuyler be desired to furnish the Commissioners at Albany with some Powder, if he can spare it, to be distributed among the Indians, who, in the present circumstances are much distressed by the want of that article.

That the Commissioners for transacting Indian Affairs in the Northern Department be desired to obtain from the Mohawk Indians and the Corporation of Albany a state of the controversy between them concerning the land desired by the former in the late treaty at Albany, to be restored to them and report the matter as it shall appear to them to the Congress.

That the Commissioners be desired, at the expense of the United Colonies, to provide for and entertain the Sachems or Warriors of the Six Nations, and other Indians friendly to these Colonies, their attendants and messengers, with the accustomed hospitality, when they come to Albany and Schenectaday, to treat or give intelligence of publick affairs, or upon a visit; and for this purpose that seven hundred and fifty Dollars be lodged in the hands of the said Commissioners, subject to account.

That the said Commissioners be directed to employ two Blacksmiths, for reasonable salaries, to reside among and work for the Indians of the Six Nations.

That the said Commissioners be empowered to employ an Interpreter, with a salary of 222 1-5 Dollars, by the year, commencing the 12th day of this month, who shall also be allowed his travelling expenses, to be settled by the Commissioners; and James Deane, if they judge him well qualified, is recommended to execute this Office.

That twenty three Dollars be paid to James Deane, over and above the seventy five Dollars advanced him by the Commissioners for his past services.

¹ Report of Indian Commissioner, 1884, p. 276. ² American Archives, 4th series, Vol. III, Column 1881.

On motion made, Resolved, that three members be added to the Committee on the Albany Treaty, and that they be directed to consider of a plan for carrying on a Trade with the Indians, and to devise ways and means for procuring goods proper for that Trade.

The members added as follows: Mr. Wilson, Mr. Deane, and Mr. Lewis.¹

SATURDAY, November 11, 1775.

Whereas, Mr. Kirkland has been put to a considerable expense, and has undergone much fatigue and hardship, in procuring the Indians to meet the Commissioners at Albany, and enter into the treaty concluded there in August last; and that he hath been very active and successful in endeavoring to conciliate the good will of those people towards the inhabitants of the United Colonies and hath in some measure defeated the machinations of the emissaries and agents of the British Ministry to increase the number of our enemies:

Resolved, that 113 Dollars be paid to the Rev. Samuel Kirkland, for his past services, out of the Continental Treasury.

Resolved, that for the propagation of the Gospel amongst the Indians, and conciliating their affections to the United Colonies, and thereby preserving their friendship and neutrality, Mr. Kirkland be continued in his mission amongst them; and that for those important purposes he be allowed and paid, out of the Continental Treasury, for the support of himself and family the ensuing year, sixty-five pounds sterling, or 288 8-9 Dollars; and that sixty Pounds sterling, or two hundred and sixty-six and two-thirds Dollars be advanced to him, to be by him disposed of in such manner as may best promote the happiness of the Indians and attach them to these Colonies.²

SYNOPSIS OF TREATIES WITH THE SIX NATIONS.

Treaty with the Six Nations, made at Fort Stanwix, October 22, 1782.

United States gives peace to Senecas, Mohawks, Onondagas, and Cayugas. Six hostages to be delivered and to remain until all prisoners black and white taken by said tribes shall be delivered up. (Art. 1.) Oneida and Tuscarora Nation to be secure in possession of the lands on which they are settled. (Art. 2.) A line shall be drawn beginning at the mouth of the creek 4 miles east of Niagara; thence southerly to the mouth of Buffalo Creek on Lake Erie; thence south to north boundary of the State of Pennsylvania; thence west to the end of said north boundary; thence south along the west boundary of the said State to the river Ohio; said line to be the western boundary of the Six Nations, who hereby yield all claims to country west. Indians to be secure in peaceful possession of lands east and north of same except 6 miles square at Fort Oswego, which is reserved to United States. (Art. 3.) Goods to be delivered to Indians. (Art. 4.)³

Treaty with the Six Nations, made at Fort Harmar, N. Y., January 9, 1789.

Treaty made at Fort Stanwix, October 22, 1784, at which the Six Nations were present, except the Mohawks, reiterated and confirmed by the United States. (Arts. 1-2-3.) Mohawks can within six months assent to the same, they to be included. (Art. 4.)

Separate article. Criminals to be punished according to the law of the State or Territory. Indians to deliver up offenders.⁴

Treaty with the Six Nations, made at Canandaigua, N. Y., November 11, 1794.

Peace and friendship established. (Art. 1.) United States acknowledges the lands reserved to the Oneida, Onondaga, Cayuga Nations in their treaties with the State of

¹American Archives, 4th series, Vol. III, Column 1924. ²*Ibid.*, Column 1918.
³United States Statutes at Large, Vol. VII, p. 15. ⁴*Ibid.*, p. 33.

New York to be their property, and will never claim the same nor disturb the Six Nations nor their Indian friends residing thereon. The same to remain theirs until they sell to the United States. (Art. 2.) The land for the Seneca Nation shall be bounded as follows: Beginning on Lake Ontario at the north-west corner of the land they sold to Oliver Phelps, westerly along the lake as far as O-yong-wong-yeh Creek, at Johnson's Landing Place, about 4 miles eastward from the fort of Niagara; then southerly up that creek to its main fork; then straight to the main fork of Stedman's Creek, which empties into the River Niagara above Fort Schlosser, and then onward, from that fork continuing the same straight course to that river; then the line runs along the river Niagara to Lake Erie, then along Lake Erie to the north-east corner of a triangular piece of land which the United States conveyed to the State of Pennsylvania; then due south to the northern boundary of that State; then due east to the south-west corner of the land sold by the Seneca Nation to Oliver Phelps, and then north to the place of beginning. United States acknowledges said land as the property of the Seneca Nation, and will never claim the same or disturb them thereon. Land to remain theirs until they shall sell it to the United States. (Art. 3.) Six Nations acknowledge that they will never claim any other lands within the boundaries of the United States or disturb the people in the free use and enjoyment thereof. (Art. 4.) Six Nations cede to the United States the right for a road from Fort Schlosser to Lake Erie as far south as Buffalo Creek. Free and undisturbed use of this road granted. Also free passage through lands and free use of harbors and rivers adjoining their respective tracts. (Art. 5.) Ten thousand dollars worth of goods given, and \$3,000 added to the \$1,500 allowed them by an article ratified by the President on the 23d of April, 1792, making \$4,500 to be expended annually forever in clothing, domestic animals, agricultural implements, and compensating useful artificers employed for their benefit. Application to be made by superintendent appointed by the President. (Art. 6.) For injuries received on either side no retaliation to take place, but complaint to be made by Six Nations to superintendent or President, and by superintendent to principal chiefs of Six Nations, and such measures taken as may be deemed necessary. (Art. 7.) Provisions of article 6 to apply to the Six Nations residing within boundaries of United States.

Proclaimed January 21, 1795.¹

Treaty with the Six Nations, the Stockbridge and Munsee, Brothertown and St. Regis tribes, made at the Agency House, Green Bay, Wis., October 27, 1832.

Whereas a perplexing dispute has long existed between said Indians and the Menominees, the former hereby assent to the treaty completed this day with the Menominee Nation. (See Menominee treaty February 8, 1831, and agreement of October 27, 1832.—Wisconsin.)

Proclaimed March 13, 1833.²

Treaty with the Six Nations of New York Nations, made at Buffalo Creek, New York, January 15, 1838.

Whereas in accordance with a council held in 1810 relative to removing to a new home in the west, the New York Indians purchased from the Menominees and Winnebagoes certain lands at Green Bay, Territory of Wisconsin, by treaty concluded February 8, 1831, and assented to October 27, 1832, wherein 500,000 acres of land were secured to the Six Nations and St. Regis tribe for their future home, on the condition that all remove within three years, or such reasonable time as the President should prescribe.

Whereas various conditions have prevented their removal, and some being favorable to a permanent removal to the Indian country, application is made to the Presi-

¹ United States Statutes at Large, Vol. VII, p. 44. ² *Ibid.*, p. 409.

dent to take their Green Bay lands and provide a new home in the Indian Territory.

Therefore the following treaty is entered into :

The Indians cede to the United States all their right to lands at Green Bay, excepting the following tract :

Beginning at the south-westerly corner of the French grants at Green Bay and running thence southwardly to a point on a line to be run from the Little Cocacilin, parallel to a line of the French grants and 6 miles from Fox River, from thence on said parallel line northwardly 6 miles, from thence eastwardly to a point on the north-east line of the Indian lands and being at right angles to the same. (Art. 1.)

In consideration of above cession the United States sets apart as a permanent home for all New York Indians residing in New York, Wisconsin, or elsewhere, the following tract of 1,824,000 acres, being 320 acres for each individual as their numbers are at present computed :

Beginning on the west line of the State of Missouri, at the north-east corner of the Cherokee tract, and running thence north along the west line of the State of Missouri 27 miles to the southern line of the Miami lands; thence west so far as shall be necessary, by running a line at right angles and parallel to the west line aforesaid, to the Osage lands, and thence easterly along the Osage and Cherokee lands to the place of beginning.

The same to be held in fee simple by patent issued in conformity with the third section of the act of May 28, 1830. Indians to have full power to divide said lands among tribes, bands, or in severalty, with right to sell to each other under such laws and regulations adopted by their tribes or by general council of New York Indians. Said lands to be the future home of the Senecas, Onondagas, Cayugas, Tuscaroras, Oneidas, St. Regis, Stockbridge, Munsee, and Brothertown Indians, and to be divided among said tribes according to their respective numbers as in schedule annexed. (Art. 2.)

Such tribes as do not accept and remove to their new home within five years, or such time as President shall direct, to forfeit all interest in lands so set apart. (Art. 3.) Peace to continue. United States to protect Indians in their new home and secure them the right to establish their own form of government, appoint their officers and administer their laws, subject to the laws regulating trade and intercourse. Lands secured to them under this treaty never to be included in any State or Territory. Said Indians to be entitled to same political and civil rights and privileges granted by the United States to the several tribes settled in the Indian Territory. (Art. 4.) Oneida lands to adjoin Osage tract and the Senecas lands and to have sufficient timber for their use. Those tribes whose lands are not specially designated in this treaty to have such as shall be set apart by President. (Art. 5.) To such as remove, annuities to be paid in new home. (Art. 6.) Treaty binding when ratified, and any rejection of provisions applicable to one tribe not to invalidate treaty as regards others. (Art. 7.) Expenses of council and of treaties in 1836 and of exploring party in 1837 to be allowed and settled according to former precedents. (Art. 8.)

The American party of St. Regis Indians to receive \$5,000 for services of chiefs and agents and moneys paid in securing title to Green Bay lands and removal thereto. Tract patented to Rev. Eleazar Williams. (Art. 9.)

Senecas and Cayugas and Oneidas residing with them, on eastern part of the tract, their land to extend so far west as to give 320 acres to each individual among them. If not sufficient timber land, President to add thereto. Indians to remove within five years. Thomas L. Ogden and Joseph Fellows, assignees of the State of Massachusetts, having purchased of the Senecas with the approbation of the United States commissioner all right, title, and interest in certain lands described in a deed hereunto annexed (see United States Statutes at Large, Vol. VII, p. 557), the consideration money \$202,000 belonging to the Senecas is to be paid to the United States and disposed of as follows: One hundred thousand dollars invested in stocks, income to be paid to them in their new homes annually, and the balance, \$102,000, to be paid to the

owners of improvements on deeded land according to appraisement to be made by appraisers hereafter to be appointed by the Seneca Nation, in the presence of a United States commissioner, hereafter to be appointed. The United States to pay the individuals the amounts to which they are entitled according to appraisal and award, on their severally relinquishing their several possessions to said Ogden and Fellows. (Art. 10.)

United States to invest \$2,000 for Cayugas. Income to be paid annually. On their removal west to pay \$2,500, to be disposed of by the chiefs. (Art. 11.) Two thousand five hundred dollars to be invested in stock for Onondagas, income to be paid annually, and \$2,000 on their removal west, to be disposed of by chiefs. (Art. 12.)

Four thousand dollars to be paid to chiefs of first Christian party of Oneidas, \$2,000 to chiefs of Orchard party for expenses incurred and services rendered in securing Green Bay country and settlement of a portion thereof. Oneidas to remove to Indian Territory as soon as they can make satisfactory arrangements with the Governor of New York for the purchase of their land at Oneida. (Art. 13.)

Tuscaroras to accept country in Indian Territory and to remove within five years and reside there, their land to be at the forks of the Neasha River and to have a sufficient quantity of timber. On their removal \$3,000 to be paid to chiefs, to be disposed of by them. The Tuscaroras owning in fee simple 5,000 acres of land in Niagara County, New York, wish to sell the same before they remove west, and therefore convey said lands to the United States to be held in trust, and authorize its sale. The money derived from the lands, exclusive of improvements, to be invested in stocks and income paid to Indians in their new home. Moneys for improvements to be paid owners. Land to be surveyed and improvements appraised by persons selected by Indians. Lands also appraised not to be sold for less price than appraisal without consent of certain Indians or their survivors herein named. Aforementioned Ogden and Fellows, assignees, having purchased, with the approval of the commissioner of the United States, certain lands described in deed hereunto annexed (see Vol. VII, p. 559) and the consideration money having been secured to the nation to their satisfaction, the United States hereby assents to said sale and conveyance. (Art. 14.) Sum of \$400,000 appropriated, to be applied under the direction of the President from time to time in such proportions as may be for the interest of the parties to this treaty to aid them in removing and supporting themselves the first year, assist in their education, erect mills and other necessary houses, and purchase of stock and farming implements, etc. (Art. 15.)

St. Regis tribe assent to this treaty. Indians may remove at any time within the time specified in treaty, but under it the Government shall not compel them to remove. United States to pay within one year \$1,000 as part of the \$5,000 mentioned in article 9. (Supplementary article.)

Amended June 11, 1838; assented to by Senecas September 28, 1838, by Oneidas August 9, by Tuscaroras August 14, Cayugas August 30, St. Regis October 9, Onondagas August 31, 1838; proclaimed April 4, 1840.¹

SYNOPSIS OF TREATIES WITH THE ST. REGIS INDIANS.

Treaty with the Seven Nations of Canada, made at city of New York, May 31, 1796.

The Seven Nations cede and release to the State of New York all claim to lands within said State, except the tract 6 miles square, reserved in the sale made by the commissioner of the land office of New York to Alexander McComb for the St. Regis Indians. People of New York to pay £1,446 13s. 8d., and on the third Monday in August annually forever thereafter £213 6s. 8d. One square mile at the mill on Salmon River and the mill on Grass River, and from the mill to the St. Lawrence River, and the meadows on both sides of the Grass River, reserved.

Proclaimed January 31, 1797.²

¹ United States Statutes at Large, Vol. VII, p. 550. ² *Ibid.*, p. 55.

*Treaty with the St. Regis Indians, made at Green Bay, October 27, 1832.*¹

See Menominee treaty of same date—Wisconsin.

*Treaty with the St. Regis Indians, made at Buffalo Creek, New York, February 30, 1833.*²

See treaty with Six Nations of New York, January 15, 1838.

Treaty with the Mohawk Nation, residing in Upper Canada, made at Albany, N. Y., March 29, 1797.

The Mohawks cede all right to their lands in the State of New York. The agents of that State agree to pay \$1,000, to be distributed among said Nation—\$500 for expenses of Indian deputies attending to this treaty, \$100 for their expenses in returning and conveying said sum of \$1,000 to the Nation.³

SYNOPSIS OF TREATIES WITH THE SENECA INDIANS.

*Treaty with the Senecas, made at Fort Stanwix, October 22, 1784.*⁴

See treaty with Six Nations of same date.

*Treaty with the Senecas, made at Fort Harmar, January 9, 1789.*⁵

See treaty with Six Nations of same date.

*Treaty with the Senecas, November 11, 1794.*⁶

See treaty with Six Nations of same date.

Contract between Robert Morris, of Philadelphia, and the Seneca Indians, sanctioned by the United States, and made at Genesee, N. Y., September 15, 1797.

Whereas the Commonwealth of Massachusetts have sold to Robert Morris, his heirs and assigns forever, the pre-emptive right and all other right which the Commonwealth had to a tract of land herein described, being part of a tract lying in the State of New York, the right of pre-emption of which from the Indians was ceded and granted by the State of New York to said Commonwealth;

Whereas at a treaty held under the authority of the United States with the Senecas, it was agreed by the Indians to sell to Robert Morris their right to the said tract for the sum of \$100,000, to be invested in stock in the Bank of the United States, held in the name of the President for the use of said Indians, said sale being also in the presence of William Shepherd, appointed by the general court of Massachusetts by a resolution passed March 11, 1791.

Therefore, the following tract, as herein described, is hereby sold to Robert Morris, excepting eleven tracts, herein described, which are reserved and retained by the Senecas, and also the privilege of fishing and hunting on the tract hereby intended to be conveyed, it being understood between the parties that the tract reserved shall be laid off in such manner as shall be determined by the chiefs residing near them.

Tribes cede the following land: All that certain tract of land, except as is hereinafter excepted, lying within the country of Ontario and State of New York, being part of a tract of land the right of pre-emption whereof was ceded by the State of New York to the Commonwealth of Massachusetts, by deed of cession executed at Hartford, on the sixteenth day of December, in the year of our Lord one thousand seven hundred and eighty-six, being all such part thereof as is not included in the Indian purchase made by Oliver Phelps and Nathaniel Gorham, and bounded as follows, to wit: Easterly by the land confirmed to Oliver Phelps and Nathaniel Gorham

¹ United States Statutes at Large, Vol. VII, p. 409.

² *Ibid.*, p. 561.

³ *Ibid.*, p.

61. ⁴ *Ibid.*, p. 15. ⁵ *Ibid.*, p. 33. ⁶ *Ibid.*, p. 44.

by the Legislature of the Commonwealth of Massachusetts, by an act passed the twenty-first day of November, in the year of our Lord one thousand seven hundred and eighty-eight; southerly by the north boundary line of the State of Pennsylvania; westerly, partly by a tract of land, part of the land ceded by the State of Massachusetts to the United States, and by them sold to Pennsylvania, being a right-angled triangle, whose hypotenuse is in or along the shore of Lake Erie; partly by Lake Erie, from the northern point of that triangle to the southern bounds of a tract of land one mile in width, lying on and along the east side of the strait of Niagara, and partly by the said tract to Lake Ontario; and on the north by the boundary line between the United States and the Kingdom of Great Britain; excepting nevertheless, and always reserving out of this grant and conveyance, all such pieces or parcels of the aforesaid tract, and such privileges thereunto belonging, as are next hereinafter particularly mentioned, which said pieces or parcels of land so-excepted are, by the parties to these presents, clearly and fully understood to remain the property of the said parties of the first part in as full and ample manner as if these presents had not been executed; that is to say, excepting and reserving to them, the said parties of the first part, and their nation, one piece or parcel of the aforesaid tract at Canawagus, of two square miles, to be laid out in such manner as to include the village, extending in breadth one mile along the river; one other piece or parcel at Big Tree, of two square miles, to be laid out in such manner as to include the village, extending in breadth along the river one mile; one other piece or parcel of two square miles at Little Beard's town, extending one mile along the river, to be laid off in such manner as to include the village; one other tract of two square miles at Squawky Hill, to be laid off as follows, to wit: One square mile to be laid off along the river, in such manner as to include the village, the other directly west thereof and contiguous thereto; one other piece or parcel at Gardeau, beginning at the mouth of Steep Hill Creek; thence due east until it strikes the old path; thence south until a due west line will intersect with certain steep rocks on the west side of Genesee River; then extending due west, due north, and due east, until it strikes the first-mentioned bound, enclosing as much land on the west as on the east side of the river. One other piece or parcel at Kaounadeau, extending in length eight miles along the river and two miles in breadth. One other piece or parcel at Cataraugos, beginning at the mouth of the Eighteen Mile or Koghquaugu Creek; thence a line or lines to be drawn parallel to Lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos Creek; thence a line or lines extending twelve miles up the north side of said creek at the distance of one mile therefrom; thence a direct line to the said creek; thence down the said creek to Lake Erie; thence along the lake to the first-mentioned creek, and thence to the place of beginning. Also, one other piece at Cataraugos, beginning at the shore of Lake Erie on the south side of Cataraugos Creek, at the distance of one mile from the mouth thereof; thence running one mile from the lake; thence on a line parallel thereto to a point within one mile from the Connondauweya Creek; thence up the said creek one mile, on a line parallel thereto; thence on a direct line to the said creek; thence down the same to Lake Erie; thence along the lake to the place of beginning. Also, one other piece or parcel of forty-two square miles, at or near the Allegenny River. Also, two hundred square miles, to be laid off partly at the Buffalo and partly at the Tannawanta Creeks. Also, excepting and reserving to them, the said parties of the first part and their heirs, the privilege of fishing and hunting on the said tract of land hereby intended to be conveyed¹.

Treaty with the Senecas, made at Buffalo Creek, New York, June 30, 1802.

Whereas a treaty was held by authority of the United States between the Seneca Nation of Indians and Wilhelm Willink, Pieter Van Eeghen, Hendrik Vollenhoven, W. Willink the younger, I. Willink the younger (son of Jan), Jan Gabriel Van Stap-

¹ United States Statutes at Large, Appendix I, Vol. VII, p. 601.

horst, Roelof Van Staphorst the younger, Cornelis Vollenhoven, and Hendrik Seye, by Joseph Ellicott, their agent and attorney, lawfully constituted and appointed for that purpose,

The following indenture witnesseth, that the parties of the first part hereby exchange, cede, and forever quit claim to the parties of the second part, their heirs or assigns, those lands lying in the county of Ontario, New York, being part of the lands reserved by the treaty of September 15, 1797, made on the Genesee River: "Beginning at the mouth of the eighteen-mile or Kogh-quaw-gu Creek; thence a line or lines to be drawn parallel to Lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos Creek; thence a line or lines extending twelve miles up the north side of said creek, at the distance of one mile therefrom; thence a direct line to the said creek; thence down the said creek to Lake Erie; thence along the lake to the first-mentioned creek, and thence to the place of beginning. Also one other piece at Cataraugos, beginning at the shore of Lake Erie, on the south side of Cataraugos Creek, at a distance of one mile from the mouth thereof; thence running one mile from the lake; thence on a line parallel thereto, to a point within one mile from the Con-non-dau-we-gea Creek; thence up the said creek one mile on a line parallel thereto; thence on a direct line to the said creek; thence down the same to Lake Erie; thence along the lake to the place of beginning." In consideration of said lands described as aforesaid, the parties of the second part hereby exchange, cede, release, and quit claim to the parties of the first part a certain tract herein described, the said parties of the second part reserving the right of pre-emption: Beginning at a post marked No. 0, standing on the bank of Lake Erie, at the mouth of Cataraugos Creek, and on the north bank thereof; thence along the shore of said lake N. 11°, E. 21 chains; N. 13°, E. 45 chains; N. 19°, E. 14 chains 65 links to a post; thence east 119 chains to a post; thence south 14 chains 27 links to a post; thence east 640 chains to a post standing in the meridian between the eighth and ninth ranges; thence along said meridian south 617 chains 75 links to a post standing on the south bank of Cataraugos Creek; thence west 160 chains to a post; thence north 290 chains 25 links to a post; thence west 482 chains 31 links to a post; thence north 219 chains 50 links to a post standing on the north bank of Cataraugos Creek; thence down the same and along the several meanders thereof to the place of beginning. Said lands to be held by the party of the first part by the same tenure as the lands reserved by them by the treaty of September 15, 1797.

Proclaimed January 12, 1803.¹

Treaty with the Senecas, made at Buffalo Creek, New York, June 30, 1802.

At a treaty held by authority of the United States, Oliver Phelps and Horatio Jones, of Ontario, and Isaac Bronson, of New York City, purchased a tract 2 miles square in Ontario County, known as Little Beard's Reservation, of the Seneca Indians, for the sum of \$1,200 paid unto them in hand, receipt whereof is hereby acknowledged.

Proclaimed February 7, 1803.²

Treaty with the Senecas and other tribes, made at Greenville, Ohio, July 22, 1814.³

See Shawnee treaty of same date—Indian Territory.

Treaty with the Senecas and other tribes, made at Spring Wells, September 18, 1815.⁴

See Chippewa treaty of same date—Michigan.

Treaty with the Senecas and other tribes, made on the Miami of the Lake, September 29, 1817.⁵

See Chippewa treaty of the same date—Michigan.

¹ United States Statutes at Large, Vol. VII, p. 70. ² *Ibid.*, p. 72. ³ *Ibid.*, p. 18. ⁴ *Ibid.*, p. 13. ⁵ *Ibid.*, p. 160.

*Supplementary treaty with the Senecas, made at St. Mary's, Ohio, September 17, 1818.*¹

See treaty with Chippewas of same date—Michigan.

Treaty with the Senecas of Sandusky River, Ohio, made at Washington, February 28, 1831.

Indians cede to the United States the land granted them by patent in fee-simple by section 6 of treaty made at Miami of the Lake, on September 29, 1817, containing 30,000 acres, as follows:

Tribes cede the following lands: "Beginning on the Sandusky River at the lower corner of the section granted to William Spicer; thence down the river on the east side, with the meanders thereof at high-water mark, to a point east of the mouth of Wolf Creek; thence, and from the beginning, east so far that a north line will include the quantity of 30,000 acres."

Also cede another tract reserved by article 2, treaty of St. Mary's, September 17, 1818, as follows: "Ten thousand acres of land, to be laid off on the east side of the Sandusky River, adjoining the south side of their reservation of 30,000 acres, which begins on the Sandusky River, at the lower corner of William Spicer's section, and excluding therefrom the said William Spicer's section;" making, in the whole of this cession, 40,000 acres. (Art. 1.)

In consideration, United States to cause the Senecas, consisting of four hundred souls, to be removed west of the Mississippi, and to grant by patent in fee-simple, as long as they shall exist as a nation and remain on the same, a tract 15 miles east and west and 7 miles north and south, containing 67,000 acres more or less, adjoining the boundary of the State of Missouri and adjacent to the northern boundary of the lands heretofore granted to the Cherokees. (Art. 2.) United States to bear cost of removal and support tribe one year. (Art. 3.) Out of first sales of land ceded, saw and grist mills and blacksmith shop to be erected on lands granted, and kept in operation at the expense of the United States for such term as the President may think proper. (Art. 4.) Sum of \$6,000 advanced in lieu of improvements abandoned, said sum to be reimbursed from sales of land. Equitable distribution among owners of improvements of this sum to be made by chiefs with consent of tribe. (Art. 5.) Stock, utensils, and other chattel property owned by Senecas, and which they will not be able to take with them may be sold by agent appointed by the President, and proceeds paid to owners respectively. (Art. 6.) Expenses of delegation to make this treaty to be paid by United States. (Art. 7.) Ceded land to be sold to highest bidder, minimum price of land to be deducted from costs of sale, together with cost of survey of land, and the \$6,000 advanced, and any balance which may remain to constitute a fund on which 5 per cent. interest shall be paid annually as annuity. President may, with the consent of tribe, dissolve said fund and give it over in such manner as he may deem best. (Art. 8.) Annuities accruing under former treaties to be paid at new home. (Art. 9.) United States to present 100 rifles, 400 blankets, 50 plows, 50 hoes, and 50 axes as soon as practicable. (Art. 10.) One hundred and sixty acres out of ceded land granted to sub-agent in consideration of services. (Art. 11.) Land granted to the Seneca tribe not to be sold or ceded except to the United States. (Art. 12.) Five hundred dollars advanced to chiefs, the same to be reimbursed from sales. (Art. 13.) Proclaimed March 24, 1831.²

*Treaty with Senecas and Shawnees, made at Lewiston, Ohio, July 20, 1831.*³

See Shawnee treaty of same date—Indian Territory.

*Treaty with Senecas and Shawnees, made at Seneca Agency, December 29, 1832.*⁴

See Shawnee treaty, same date—Indian Territory.

¹ United States Statutes at Large, Vol. VII, p. 178. ² *Ibid.*, p. 348. ³ *Ibid.*, p. 351. ⁴ *Ibid.*, p. 411.

*Treaty with the Senecas and other tribes, made at Buffalo Creek, New York, January 15, 1838.*¹

See treaty with Six Nations of New York of same date—New York.

Treaty with the Senecas, made at Buffalo Creek, New York, May 20, 1842.

An indenture made and concluded between Thomas Ludlow Ogden and Joseph Fellows, of Geneva, and the Seneca Nation in the presence of Samuel Hoare appointed by Massachusetts and Ambrose Spencer by the United States.

Whereas on January 15, 1838, an indenture was made with these parties whereby the Seneca Nation for \$202,000 did bargain and confirm to the said Ogden and Fellows four tracts in New York then occupied by said Nation and described as the Buffalo Creek Reservation containing 49,920 acres, the Cattaragus Reservation, 21,680 acres, the Alleghaney Reservation, 30,469 acres, and the Tonawanda Reservation, 12,800 acres.

Whereas difficulties having arisen and the said indenture being still unexecuted, the parties hereby mutually agree as follows:

Ogden and Fellows agree that the Senecas may continue the occupation of the whole of the Cattaragus and Alleghaney Reservations, with the same right and title in all things as they had prior to the said indenture, saving and reserving to Ogden and Fellows the right of pre-emption and all other right and title which they have had or held in or to the said tracts of land. (Art. 1.) Senecas grant and confirm to Ogden and Fellows, their heirs and assigns, in joint tenancy the Buffalo Creek and Tonawanda Reservations. (Art. 2.) The value of the Indian title to the four tracts shall be deemed \$100,000 and the improvements thereon at \$102,000. Ogden and Fellows shall pay the Seneca Nation such proportion as to the value of the land in the Buffalo and Tonawanda Reservations shall bear to the value of all the lands in said tract, and the same proportion as to the value of the improvements on the two tracts as these bear to the value of the improvements on the four tracts. (Art. 3.) The amount of consideration to be paid in pursuance of the preceding article for title and improvements shall be determined as herein provided by two arbitrators, one named by the Secretary of War, the other by Ogden and Fellows. (Art. 4.) Forest or unimproved lands on said tracts to be delivered up within one month after report filed in Department of War; improved lands within two years. Amounts awarded for improvements to be paid to the United States to be distributed by them among the owners of said improvements and moneys awarded for the land to be paid by the United States to Seneca Nation annually. Indians may surrender their improved lands prior to expiration of two years. (Art. 5.) Senecas removing from the State of New York to be entitled to their portion of the fund to be paid them at their homes, and whenever the tracts of the Alleghaney and Cattaragus Reservations shall be sold, Indians removing shall have their share of the proceeds. Any Indians desiring to remove from the said reservation may be entitled to a like benefit as stipulated in articles 3 and 4. (Art. 6.) This indenture to override previous indenture relative to these lands. (Art. 7.) Expenses of treaty to be borne by Ogden and Fellows, except as may be provided by United States. (Art. 8.) Government solicited to protect remaining lands of Senecas from taxes, assessments for roads, highways, and other purposes until sold. United States agrees with the Seneca Indians first, to consent to the foregoing articles; second, any Senecas removing under treaty of January 15, 1838, to be entitled to their portion of the benefits of this treaty; third, the tenth article of the treaty of January 15, 1838, modified in conformity with provisions of the above indenture relative to receiving and paying consideration money. (Art. 9.)

Proclaimed August 26, 1842.²

¹United States Statutes at Large, Vol. VII, p. 550. ²*Ibid.*, p. 586.

Treaty between the Tonawanda Band of Senecas, made on the Tonawanda Reservation, Genesee County, N. Y.; November 5, 1857.

Whereas by a treaty with the Six Nations, January 15, 1838, and an agreement with Ogden and Fellows May 20, 1842; and

Whereas by said treaties there were relinquished to the United States 500,000 acres of land in Wisconsin; and

Whereas the United States agrees to set apart for said Indians in the territory west of the Missouri a tract of 320 acres to each soul of said Indians; and

Whereas the United States agrees to pay \$400,000 for the removal and subsistence during the first year in the said territory; and

Whereas Ogden and Fellows agree to pay certain moneys to those residing on the Tonawanda Reservation, being \$15,018.36, which still remains in the Treasury of the United States; and

Whereas said treaties remain unexecuted as to the Tonawanda Reservation; and

Whereas the Tonawanda band number six hundred and fifty souls, the Senecas relinquish to the United States all claims to lands west of the State of Missouri and right to be removed thither and supported, and all other claims against the United States under the treaties of 1838 and 1842, except such moneys as they may be entitled to under said treaties payable by Ogden and Fellows. (Art. 1.) The United States to invest \$256,000 for Tonawanda Indians. (Art. 2.) The Senecas to purchase of Ogden and Fellows the entire Tonawanda Reservation, or such portion as they may be willing to sell on an average of \$20 per acre. Rate exceeding \$20 may be paid provided the contract be approved by the President. United States to pay for the same out of the sum set apart in article 2. Land so purchased to be held in trust in Secretary of Interior until the State of New York shall designate an officer to have charge of the same. (Art. 3.) If the Senecas should not purchase the whole reservation, the unimproved lands not purchased within thirty days to be relinquished to Ogden and Fellows. (Art. 4.) Tonawandas to appoint one or more attorneys to transact the purchase who shall be approved by the Secretary of the Interior. (Art. 5.) That portion of the \$256,000 remaining after the purchase of land, shall be invested by the Secretary of Interior in stocks of the United States or some of the States. Increase from such to be paid to the Tonawandas in the same manner as their annuities. (Art. 6.) The \$15,018.36 improvement money, to be proportioned by an agent appointed by the Senecas and approved by the Secretary of the Interior. (Art. 7.)

Amended November 5, 1857; proclaimed March 31, 1859.¹

Treaty with the Senecas, Mixed Senecas, Shawnees, Quapaws, Confederated Peorias, Kaskaskias, Weas and Piankeshaws, Ottawas of Blanchard's Fork and Roche de Bœuf, and certain Wyandottes, made at Washington, February 23, 1867.²

See Kaskaskia treaty, same date—Indian Territory.

¹ United States Statutes at Large, Vol. XI, p. 735. ² *Ibid.*, Vol. XV, p. 513.

CHAPTER XVIII.

INDIAN TRIBES OF NEW YORK.

[The following monograph on the New York Indians was prepared by the late Dr. Franklin B. Hough, of Lowville, N. Y. His work upon the census of New York State afforded him unusual opportunities to note the condition of these tribes and their relations to the civil authorities.]

The condition of the Indian tribes of New York will be better understood if we first notice their number and condition near the end of the colonial period, from which we may judge of the progress they have since made in civilization.

The several minor tribes that dwelt upon Long Island and along the Hudson had mostly parted with their lands before the Revolution, with the exception of a few near the eastern end of Long Island. They had been gathered with other remnants of the native race from New Jersey and southern New England into a band known as "Brothertown Indians," which we shall hereafter notice.

The country along the Mohawk, and westward to Lake Erie and beyond, was held by the Six Nations¹ of the Iroquois, who spoke a language radically the same, and who had been united for a long period for their common welfare. The council fire of this league was at Onondaga. Through the influence of Catholic missionaries a part of the Mohawk tribe had been induced to remove, about a hundred years before our Revolution, and settle near Montreal in Canada, under the protection of the French. They, with other domiciliated Indians from other tribes of the North, became known as the "Seven Nations of Canada," and their descendants still dwell at Caughnawaga and Oka [Lake of Two Mountains] in Canada, and on both sides of the national boundary at St. Regis.

In 1779 and the following years, a part of the Onondagas removed to the mouth of the Oswegatchie and formed an agricultural settlement, under the Abbe Picquet, at a mission and fortified post known as La Presentation, now the city of Ogdensburg. These people remained in this vicinity until about 1806, when, having no recognized title to their lands, they dispersed among other tribes.

In their primitive state these native tribes had few wants beyond those of subsistence, which was derived from the cultivation of small

¹Originally the Five Nations, but increased about 1712 by the immigration of the Tuscaroras from North Carolina, who were received as the guests of the Oneidas, and settled near that tribe.

patches of land in favored localities, where corn and a few vegetables were raised by woman's labor. The rest was derived from hunting in the forest and fishing in the waters along which they dwelt. Their ambition was limited to the conquest of rival nations, and they had no thought of accumulation beyond the wants of the immediate future. Upon being brought in contact with Europeans they learned the use of fire-arms and of a few of the manufactured articles of civilized life. These they could purchase in exchange for furs, and this demand led to the rapid exhaustion of the supplies near them, and compelled them every year to make longer journeys, and to encounter greater fatigues. Being made thus dependent upon a race superior in the arts for the implements and articles that had become necessary for their existence, they had for a long period the choice between the English and French trade. But this rivalry between the English and French colonies often involved the two parties in hostile invasion, in which the Indians, from their fondness for war, became ready allies, and from their natural cruelty and frequent opportunities for its exercise, they became experts in torture and equally the terror of the frontier settlements of both of the rival nationalities.

As to the number of Indians within the limits of New York in early times, we have few data beyond estimates. In 1698 Governor Bellamont stated that the Five Nations and river Indians had been reduced by war in nine years from 2,800 to 1,320 fighting men. In 1763 Sir William Johnson estimated the whole number within the colony of New York as 2,300 men, or about 10,000 in all,¹ and a careful writer places the total number in the days of their greatest prosperity, and before white men had gone among them (about 1650), as not far from 25,000.² In 1774 it was estimated that there were among the nations of New York about 2,000 fighting men, of whom nearly half were Senecas.³

As to their condition, there can scarcely arise a doubt but that they had suffered more from the vices than they had gained from the arts and civilization of the white race. The warlike habits so much encouraged by both French and English had made their warriors cunning in the art of killing, and so ferocious that they did not scruple to taste of human flesh in the exultation of victory."⁴

¹ These were distributed as follows: Mohawks, 160; Oneidas, 250; Senecas, 1,050; Onondagas, 150; Cayugas, 200; Oswegatchies, 80; Tuscaroras, 140, and emigrants from the southward on the Susquehanna, 200. Of the latter some may have lived in Pennsylvania.

² Hon. Lewis H. Morgan, in his *League of the Iroquois*. The estimate he makes of the different tribes is: Senecas, 10,000; Cayugas, 3,000; Onondagas, 4,000; Oneidas, 3,000, and Mohawks, 5,000, at the meridian of their strength. A century later these people had wasted to less than half these numbers, the Mohawks suffering the most from their nearer contact with the vices of the whites.

³ This estimate assigned to the River Indians 300; Mohawks, 406; Oneidas, 500; and to all the other nations of New York about 800 men.

⁴ The cannibal habits of the native tribes of the North, when pressed with hunger, or in moments of triumph, are mentioned by M. Pouchot, a French officer in the war

We ought not to leave the colonial period without, however, noticing the fact that missionary effort had been expended with interesting results among the scattered remnants of the river tribes and among the Mohawks and Oneidas, but the influences of religion had scarcely begun to be felt beyond the immediate circle of the missions, and every effort in this direction was suspended during the war.

The Revolution. Early cessions of land.—The Six Nations (except the Oneidas and a few persons of other tribes) became active partisans of Great Britain in the Revolution, and in 1779 an army under General Sullivan laid waste the country of the Cayugas and Senecas in western New York, in retaliation for injuries done by hostile parties in the frontier settlements of Pennsylvania and New York. The invading army found cultivated fields, a considerable amount of grain, orchards of fruit trees, and comfortable homes, all of which were effectually destroyed. The Indians fled to the protection of the British garrison at Niagara, and those who returned after the war began to renew their improvements in extreme poverty. No provision was made in their behalf in the treaty of peace in 1783, and they were left to make such terms as they could with their late enemies, who became the acknowledged masters of the country as the result of the war.

The native Indian had no idea of individual right to the soil which he regarded as the common property of the tribe, to use as he found vacant and suited to his wants. The tribal possession was held with jealous care, and intrusion upon their hunting grounds by other tribes was promptly resented and often made a cause of war. The Dutch, and afterwards the English, professed to respect this right of soil, and generally acquired the Indian title by purchase before grants for settlement were made by the Government. These treaties for purchase were made in the presence of the Governors or of agents duly appointed, and were witnessed and confirmed under forms of justice, which sometimes in fact were but agencies of fraud.

of 1756-60, whose memoirs of personal observation were published in 1781. After noticing the custom of torturing prisoners, he says: "*Chez les autres nations les prisonniers sont plus à plaindre, parce qu'ils sont regardés comme leurs chiens; elles les tuent sans conséquence dans leurs momens d'ivresse, et en tems de disette on ne se fait pas plus de scrupule de les manger qu'une bête.*" [With other nations the prisoners have more to complain of, because they are treated as their dogs, and they kill them without consequences in their drunken moments, and in times of scarcity, when they have no more scruple at eating them than they would a beast.] Again, in speaking of their treatment of prisoners, when they had lost a considerable number of their own people in an attack, he says: "*C'est alors que pour satisfaire leurs mânes, ils mangent un prisonnier en cérémonie. On doit cependant assurer qu'ils ne goûtent de viande humaine qu'avec répugnance. On a vu plus d'une fois des jeunes gens la vomir; c'est uniquement par bravade et pour s'endurcir le cœur qu'ils se repaissent quelquefois d'une semblable nourriture.*" [It is then, when to appease the departed spirits, they eat a prisoner for ceremony. We ought, however, to feel assured, that they only taste human flesh with repugnance. We have seen young people vomit more than once, and it is only by hardening the heart, that they are sometimes able to take such a diet.]—*Mémoires sur la Dernière Guerre, etc.*, III, 357-359.

By these means the native title was gradually acquired throughout the settled portions of the colony, and in 1763, by a treaty at Fort Stanwix; between Sir William Johnson, commissioner of Indian affairs, and the Six Nations, a *line of property* was agreed upon, as a limit beyond which whites should not settle, and where the Indians should have quiet possession.¹ Strict prohibitions against the purchase of land from the Indians had existed under the colonial government, and upon the formation of a State government in 1777, an article was included in the Constitution, which has ever since continued in full force, declaring void all purchases of land since the 17th of October, 1774, and forbidding purchases in the future without permission of the Legislature in manner provided by law.² In 1783 a commission was created to negotiate with the Indians for the sale of their lands, and in 1784 the Governor was joined, with power to add others as the public interests might require. This law was revived January 28, 1790, and under this authority extensive cessions were secured.³

Upon the expiration of these laws special acts were passed from time to time for the holding of Indian treaties, as occasion arose, until 1841, when the commissioners of the Land Office (consisting of the lieutenant-governor, secretary of state, comptroller, treasurer, attorney-general, State engineer and surveyor, and speaker of assembly, *ex officio*) were made a permanent commission for the transaction of this business.

Livingston's fraudulent leases.—The first scheme devised for seizing the title of the native tribes of New York and driving them from the State was contrived in 1787 by an association chiefly residing in Columbia County, among whom were John Livingston, Maj. Peter Schuyler, Dr. Caleb Benton, and Ezekiel Gilbert. They proposed to evade the constitutional prohibition against the sale of Indian lands by leasing them for nine hundred and ninety-nine years. Their project was promptly suppressed and no permanent injury resulted from it.⁴

¹ This line of property extended in the State of New York from the north line of Pennsylvania, along the present eastern border of Broome County, and up the Unadilla and its west branch to its source, and from thence to a point on Wood Creek, where the Canada Creek empties, about 7 miles west of Rome.

² Article 37, Constitution of 1777: Article 6, section 12, Constitution of 1821, Article 1, section 16, Constitution of 1846, still in force so far as concerns this section. The law further made it a crime to deal with the Indians for the sale of lands on private account, such bargains being void, and the guilty parties being punishable by fine and imprisonment. Such purchases are also forbidden by an act of Congress approved July 22, 1790, and again in 1793, and 1834. The latter is still in force. (See Statutes at Large, IV, p. 730.)

³ The Journal of the Commissioners under the act of 1784 was deposited many years afterwards by one of the members in the library of the Albany Institute, where it still remains. It was edited by F. B. Hough and published by J. Munsell, in 1861, in two small quarto volumes.

⁴ These conspirators were known as "The New York Genesee Company of Adventurers," and they were associated with a branch in Canada called "The Niagara Genesee Land Company," with the design of securing the favor of the Indians of the Six Nations residing in both countries, and, as there was reason to believe, with an

First dealings with the United States.—At a treaty held at Fort Stanwix (Rome, N. Y.), October 22, 1784, the United States gave peace, and the Six Nations agreed to surrender all prisoners among them. The lands already secured to the Oneidas and Tuscaroras were confirmed, and a boundary agreed upon as a western limit of the claims of these Indians.¹

By the treaty of Fort Harmar, January 9, 1789, this agreement was renewed, the Mohawks who had not attended the former treaty, now uniting with other tribes of the Six Nations.

By a treaty with the Senecas, Oneidas, and Stockbridges, the Tuscaroras, Cayugas, and Oneidas, ratified April 23, 1792, the United States agreed to expend \$1,500 per annum in the purchase of clothing, domestic animals, and implements of husbandry, and for the encouragement of useful artisans to reside in their villages.

The aspect of affairs in the West, in 1793–94, greatly alarmed the inhabitants of this State, and led the New York Legislature to pass laws appointing commissioners to provide means for defence. Under this feeling of insecurity block-houses were built in many explored settlements on the frontiers, and arms deposited at convenient places, where they might be of use. But better councils prevailed and no active hostilities or real cause of complaint occurred within the limits of the State of New York.

On the 11th of November, 1794, a treaty was held at Canandaigua, at which the various contracts lately made with the State of New York were confirmed. Besides a gift of goods, an annuity of \$3,000 in implements, etc., was added to former pledges, making the amount \$4,500 per annum, and this has been since continued. A new line was fixed as the western limit of claims of the Six Nations, it being the same one agreed upon with Sir William Johnson, about thirty years before. In this treaty the Seneca lands were defined as embracing the lands between this western line and the purchase to be presently noticed. A delegation of Friends attended at this treaty, to assist the Indians by their

ultimate intention of the secession of the western counties of New York and the formation of a separate State. Two leases were obtained for the period above mentioned—the first, November 13, 1787, from the Six Nations, and the other from the Oneidas, January 8, 1788. The rent was to be \$1,000 a year for ten years, when it was to increase gradually to \$1,500 per annum. With infinite assurance these leases were submitted to the Legislature in 1788 and their confirmation was asked, but although the parties had one of their number in the senate and three in the assembly, the petition was instantly rejected, and the Governor was empowered to use the force of the State, if needed, to prevent their execution. In 1793 a tract of very poor land on the northern border of the State was given to eighty persons named for the relinquishment of advantages supposed to have been secured to the State in connection with this affair. (Hough: *Indian Treaties of New York*, I, 119.)

¹ This line was drawn from Lake Ontario to Lake Erie, 4 miles from the Niagara River, and from the mouth of Buffalo Creek due south to Pennsylvania. A tract 6 miles square round Fort Oswego was released to the United States.

advice. A treaty was held on the 2d of December of this year, with the Oneidas, Tuscaroras, and Stockbridges, who had adhered to the cause of the colonies, and had been driven from their homes, and houses burnt. The United States agreed to pay \$5,000 for personal losses and services among the Oneidas, and one Coughnawaga.¹ A few deserving Stockbridges were to be remembered. The United States agreed to build a saw-mill and grist-mill, or more, if needed, and to provide persons to manage them till they could be cared for by Indians. They were also to furnish teams and tools, and to pay \$1,000 for a church at Oneida, which had been burnt in the war.

Settlement of Massachusetts claims.—In the early years of the State governments, various controversies arose between the States, from conflicting colonial grants. In one of these the State of Massachusetts claimed the right of soil in a large part of New York. The difference was submitted to the Continental Congress, but was finally settled by commissioners, at Hartford, Conn., December 16, 1786, by giving the right of jurisdiction to New York, but to Massachusetts the right of pre-emption of the Indian title to the soil west of a meridian drawn through Great Sodus Bay, and a part of Seneca Lake, from Lake Ontario to the Pennsylvania line, excepting a strip a mile wide along the Niagara River, and the islands in that stream. This tract was estimated to embrace about 6,144,000 acres. Besides this there was granted to Massachusetts a tract of 230,400 acres, now in Broome and Tioga Counties, known as the "Boston Ten Towns."²

In 1788 the whole of the larger tract was sold to Oliver Phelps and Nathaniel Gorham, but failing to pay for the whole, a part was re-sold in 1791, to Robert Morris.

The only Indians claiming rights within the great purchase were the Senecas, and the only persons having a right to purchase were Messrs. Phelps and Gorham, and Robert Morris, and such as might derive their title from them.

The Phelps and Gorham Purchase.—A deed of cession was executed at Buffalo Creek, July 8, 1788, by which the Senecas sold to Oliver Phelps and Nathaniel Gorham a large tract of land, extending across the State, from Lake Ontario to the Pennsylvania line. It was bounded east by the Massachusetts pre-emption line, and west by a line described as running north from Pennsylvania to the confluence of Canaseraga Creek and Genesee River; thence down the river to a point 2 miles north of Canawagus village; thence west 12 miles; and thence north ward on a line that should pass 12 miles west of its most westerly point, to the lake. This tract embraced the present counties of Ontario, Yates, and Stenben, and parts of Allegany, Livingston, Monroe, Wayne, and

¹Not named in the treaty, but designed to favor Col. Louis Cook, who had joined the American Army from Canada. His descendants now live at St. Regis.

²The pre-emption right to this tract was sold to John Brown for \$3,300 and the Indian title bought June 22, 1787.

Schuyler, or about 2,600,000 acres, and had no reservations. It was confirmed by an act of Massachusetts, November 21, 1788.¹

The Robert Morris Purchase.—On the 15th of September, 1797, a treaty was held at Genesee, before a commissioner of the United States, at which Robert Morris bought the Senecas' right to all their remaining lands in western New York, with the following reservations:²

(1) At *Canawagus*, a tract of 2 square miles, including the village, and extending 1 mile along the river. On the west bank of the Genesee, near Avon, Livingston County.

(2) At *Big Tree*, 2 square miles, including the village, and extending a mile along the river. On the west side of the Genesee, opposite Geneseo, Livingston County, north of and adjoining the tract next mentioned.

(3) At *Little Beard's Town*, 2 square miles to include the village, and extending a mile along the river. On the west bank of the Genesee opposite Geneseo, Livingston County. [Ceded to Oliver Phelps, Isaac Bronson, and Horatio Jones, for \$1,200 by a treaty proclaimed February 7, 1803.]

(4) At *Squawky Hill*, 2 square miles, of which one was to be laid off along the river, so as to include the village and the other directly west of this, and adjacent thereto, on the west bank of the Genesee, north of Mount Morris, Livingston County.

(5) At *Gardeau*, within bounds described, and including equal quantities on both sides of the Genesee River, embracing 17,927 acres in Wyoming County and Livingston County. It was reserved for Mary Jemison, the "white woman," and sold September 3, 1823, except 2

¹ There was subsequently much complaint as to the terms of this agreement, the Indians insisting that an annuity of \$1,000 and a payment of \$10,000 had been promised. They received a part only of the latter, and Red Jacket, in a speech before Timothy Pickering, two years after, complained bitterly of what he regarded as a fraud. "When we took the money," said he, "and shared it, every one here knows that we had but about a dollar apiece for all that country. You very well know that all our lands came to was but the price of a few hogsheads of tobacco! Gentlemen who stand by [looking around and addressing himself to the white people who were present], do not think hard of what has been said. At the time of the treaty twenty broaches would not buy half a loaf of bread, so that when we returned home there was not a bright spot of silver about us." In December, 1790, a large deputation of Senecas waited upon President Washington, and Cornplanter and other chiefs laid their complaints before him in words of singular eloquence and force. The reply gave assurances for the future, but there was no redress for the past, except through the courts, and this was never sought. The reader will find numerous documents relating to this great injustice in American State Papers, Indian Affairs, I.

² These reservations at first embraced about 337 square miles. The sale of the Genesee reservations and of parts of those at Cattaraugus, Buffalo Creek, and Tonawanda left less than 190 square miles. The *Oil Spring Reservation*, of a square mile in the town of Cuba, Allegany County, is mentioned by Turner in his "Holland Purchase," (p 539) as one of the reservations of the Robert Morris treaty. There is an error in this statement. The tract is now owned and leased by the Senecas, and was probably returned to them by exchange, at a later period.

miles square. In 1826 the remainder was also sold. (See Seaver's *Life of Mary Jemison*, 4th edition, p. 176.)

(6) *Kaounadeau* (Canadaea), extending 8 miles along the river and 2 miles in breadth, or 16 square miles.

(7) At *Cattaraugos*, at the mouth of the creek and adjoining Lake Erie, within bounds described. This and the tract next described were exchanged with the Holland Land Company in a treaty held at Buffalo Creek, June 30, 1802, for a tract on the creek constituting the present Cattaraugus Reservation, of about 21,680 acres, in the towns of Perrysburg, Cattaraugus County, Collins, Erie County, and Hanover, Chautauqua County.

(8) Another piece, between *Cattaraugos* and *Connonduweyea Creeks*, exchanged in 1802, as above mentioned.

(9) A tract of 42 square miles at or near Allegany River, constituting the present *Allegany Reservation*, and now comprising 30,462 acres of land in Cattaraugus County.

(10) A tract of 200 square miles, partly at *Buffalo*, and partly at the *Tonawanta Creeks*. These comprised the *Buffalo Creek* and the *Tonawanda Reservations*, elsewhere more fully noticed. The release of several of these tracts will be presently noticed.

The Ogden Land Company.—The Holland Land Company, which had acquired its rights from Robert Morris, on the 12th of September, 1810, sold and conveyed by deed to David A. Ogden its right of pre-emption to certain reservations, in all 197,835 acres, for 50 cents per acre. Mr. Ogden sold shares of this right to various persons, and subsequently the legal title became vested in Thomas Ludlow Ogden, of New York, and Joseph Fellows, of Geneva, on behalf of the associates.¹

As no advantage could result to the purchasers until they could induce the Indians to sell, it became an object to effect this end, and from an early period motives were presented, and propositions made from time to time to induce the Senecas to sell and emigrate. In 1817, memorials were addressed by these people to the President strongly remonstrating against any plan of removal.

In 1818 a great council was held in Buffalo, the result of which was a positive refusal to sell. A treaty was, however, held at Buffalo Creek, August 31, 1826, in the presence of Oliver Forward, United States commissioner, at which the Senecas sold to Robert Troup, Thomas L. Ogden, and Benjamin W. Rogers, for the sum of \$48,216, the following lands:

Caneadea Reservation, Allegany County, 16 square miles.

Canawagus Reservation, Livingston County, 2 square miles.

Big Tree Reservation, Livingston County, 2 square miles.

Squawky Hill Reservation, Livingston County, 2 square miles.

¹ The capital of this company in 1872 was represented by twenty shares, of which fifteen belonged to estates, three to individuals, and two were held in trust. (Brief Statement of the Rights of the Seneca Indians, etc., p. 11.)

Gardeau Reservation, 2 square miles, not previously sold to John Greig and Henry B. Gibson in 1823.

Of the *Buffalo Creek Reservation* (originally 83,557 acres), all but 78 square miles, or 49,920 acres.

Of the *Tonawanda Reservation* (originally 46,209 acres), all but 20 square miles, or 12,801 acres.

Of the *Cattaraugus Reservation*, a mile square.

At length, after persistent efforts, a small party was formed among the Senecas willing to listen to terms for purchase, and a treaty was held at Buffalo Creek January 15, 1838, at which it was agreed that the Indians should cede all their reservations in New York and emigrate to the regions beyond the Mississippi.

After reciting that the New York Indians had in 1831, bought from the Indians at Green Bay, Wisconsin, 500,000 acres of land, upon which some of them had settled, while others from sufficient reasons had not removed, or preferred to go beyond the Mississippi, the treaty proceeded to stipulate that the New York Indians should release to the United States their Wisconsin lands (except a part actually occupied), in exchange for a tract of 1,824,000 acres west of the State of Missouri, it being 320 acres to each soul of the New York Indians then living in New York and Wisconsin, or elsewhere, as a permanent home.¹ Those who failed to accept, and agree to remove, within five years, were to forfeit their claim to these lands. The annuities were to continue as they had been before, and if the treaty were disapproved by the President and Senate, as to a portion of the tribes, this was not to impair the agreement with the remainder.

Special terms were made with the tribes as follows:

To the St. Regis, \$5,000, and a tract of about 4,800 acres to the Rev. Eleazar Williams, on Fox River, Wisconsin.²

To the Senecas, \$100,000, as a permanent fund to be paid to the United States as a basis of annuities, and \$102,000 for improvements that they would be obliged to leave. For their claim to the Buffalo Creek Reservation (49,920 acres); Cattaraugus (21,680 acres); Allegany (30,462 acres); and Tonawanda (12,800 acres) they were to be paid \$114,862.

To the Cayugas, \$2,000 for investment, and \$2,500 to be disposed of as the chiefs might deem equitable.

¹A census appended to the treaty showed that there were at this time 5,482 of these Indians, distributed as follows: On the Seneca Reservations of New York, Senecas, 2,309; Onondagas, 194; Cayugas, 130; total 2,630; Onondagas at Onondaga, 300; Tuscaroras, 273; St. Regis, 350; Oneidas at Green Bay, 600 in New York, and 600 in Wisconsin; Stockbridges, 217, Munsees, 132, and Brottotonus, 360, the last three bands living in Wisconsin.

²So far as the record shows, Williams was the only one representing the St. Regis Indians who participated in this sale; nor is there any proof that he was authorized to act for these people in this transaction. His motive may be inferred from the terms of the treaty. He lived many years in Wisconsin, but returned to St. Regis towards the close of his life, and died at Hogansburg, N. Y., August 12, 1858.

To the Onondagas, with the Senecas, \$2,500 for permanent investment, and \$2,000 to be paid as the chiefs might deem proper.

To the Oneidas, \$6,000 for uses specified.

To the Tuscaroras, \$3,000, to be disposed of as the chiefs might direct. They were to convey to the United States 5,000 acres now owned in fee in the State of New York, to be sold by the President at not less than an appraised value, and the worth of improvements to be paid to the owners. The moneys arising from the sale of lands were to be invested and the income to be divided annually. Provision was also made to pay expenses of removal, and support the first year afterwards, and for educational purposes, the erection of mills, and other necessary uses. Messrs. Ogden and Fellows were to pay \$9,600 for 1,920 acres, being a part to which they held the pre-emption right, and which was known as the "Seneca grant."

This treaty was held before Ransom H. Gillet, formerly a member of Congress from St. Lawrence County, as United States commissioner, and was signed by eighty-two Indians of various tribes. It was, however, violently opposed by a large majority in all the reservations, and it is said that only 126 out of 2,505 of the Senecas were willing to emigrate. As to the motives presented, it is declared in a memorial to the Governor that the most unscrupulous means had been adopted.¹ The

¹ Assembly Document No. 2, 1842. Appendix J., p. 186. In this memorial the Indians say: "For years they have been tampering with individual chiefs. To gain their purpose, they have flattered some, bribed some, frightened some, deceived some, and intoxicated some, and thus induced them to go contrary to the will of fourteen-fifteenths of our Nation. * * * In the progress of their operations they even went to such extremes that when a majority could not be obtained to sign these instruments in public council, they took signatures in a clandestine manner in private houses and in taverns, and wherever they could find an opportunity of getting a chief under their secret influence. Moreover, there are appended to these instruments the signatures of individuals who solemnly declare under oath that they never affixed them there nor ever gave permission to others to do it for them. And when by all these means they still failed to obtain a majority, they sought to impose alike upon the United States and upon the Indians by a pretended election of as many chiefs as they thought necessary to bring a balance of one in their favor, at a private room in Buffalo City without the knowledge of our people, and contrary to all law and usage among the Indians. In consequence of this trick, three men who had no more claim to the office of chief than any boys in our streets, signed the treaty without the knowledge of our people, and were reported as chiefs at Washington."

The committee on Indian affairs in the New York senate, in a report made April 8, 1842, in speaking of the treaty of 1838, say:

"It is true it was conducted in the name of the United States and by a commissioner appointed by the Government, but, if the memorials and affidavits, backed by common report, are to be at all regarded, much of his conduct was of such an extraordinary character as to be accounted for only upon the hypothesis that he had lent himself to the accomplishment of the object which the company had in view—the expulsion of the Indians, without much regard to the nature of the means by which it was to be effected. It is charged by affidavits that he threatened the reluctant chiefs, and told them that unless they signed the treaty the President would punish them and that they would be driven from their lands without the compensation which he offered them: that after all the appliances which he could use in council he obtained the

treaty went to the Senate, where some amendments were made, and it was finally ratified by the casting vote of the Vice-President on the 11th of June, 1838, and proclaimed by the President on the 4th of April, 1840. The amendments of the Senate required the assent of the majority of the Senecas, and changed the mode of expending moneys for improvements after their removal.

The Indians thus threatened with the loss of their homes sought the aid of those who had formerly shown an interest in their welfare, and especially the Friends by whom committees were appointed by the yearly meetings of Genesee, New York, Philadelphia, and Baltimore, who undertook to visit and advise with them, and to represent their case to the Government. Memorials numerous signed by inhabitants of Buffalo and Niagara County and appeals were printed and distributed widely throughout the country, with the view of engaging the public interest in favor of the large majority who were threatened with the loss of their homes should the treaty be carried into effect.

The friendly aid secured in their behalf memorials to both houses of Congress and to the executive of Massachusetts, but a careful study of the question led to the conclusion that there could be no settlement but by compromise. Mr. John C. Spencer, then Secretary of War (the Indian Department being then under his charge), upon learning the facts of

names of sixteen only out of eighty or ninety chiefs; that sixty-four chiefs offered to him a written dissent, and refused to sign the treaty, which they desired him to take and certify and dismiss the council, both of which he refused to do. These petitions further represent that after the chiefs had dispersed this commissioner, with other agents of the company, pursued them to their homes, followed them into their fields and into grog-shops and taverns, and plied them individually with promises and threats, bribes and rum, during the whole summer of 1838. In this manner they at length collected individually names enough to constitute a majority of the chiefs, as they supposed, wanting three or four. That as a last resort to make up this deficiency they collected in a grocery in Buffalo a few of the tribe whom they had already corrupted, made up a sham election, manufactured three or four new chiefs, took their signatures to the treaty, and called it perfect.

“The memorialists say that more than nine-tenths of their Nation are now, and always have been, opposed to this treaty. They offer to prove the truth of all these charges before a committee of the Legislature or in any manner deemed more proper.”—(Senate Document No. 95, 1842, pp. 6-7.)

The literature of this transaction is quite voluminous, and we here present the titles of the principal publications that have come under our notice. They refer to both sides of the question, and will enable the reader to follow the subject through all its details.

Memorial and remonstrance of the committees appointed by the yearly meetings of Friends of Genesee, New York, Philadelphia, and Baltimore, to the President of the United States in relation to the Indians in the State of New York. New York, 1840. Pp. 19.

The case of the Seneca Indians in the State of New York, illustrated by facts. Printed for the information of the Society of Friends, by direction of the joint committees on Indian affairs of the four yearly meetings of Friends of Genesee, New York, Philadelphia, and Baltimore. Philadelphia, 1840. Pp. 256.

Appeal to the Christian community on the condition and prospects of the New York Indians, in answer to a book entitled, “The Case of the New York Indians,” and

the case, therefore opened a correspondence with the leading council and agent of the Ogden Company, suggesting to him this course. A conference ensued, in which the company proposed to relinquish present claims to the Allegany and Cattaraugus Reservations, and were to receive the Buffalo Creek and Tonawanda Reservations. A treaty was held on this basis, May 20, 1842, a proportional amount to be paid for land and improvements on the Allegany and Cattaraugus Reservations, if a part of these Indians should desire to emigrate. The right of pre-emption remained as before.

other publications of the Society of Friends. By Nathaniel T. Strong, a chief of the Seneca Tribe. New York, 1841. Pp. 65.

A further illustration of the case of the Seneca Indians in the State of New York, in a review of a pamphlet entitled "An Appeal to the Christian Community, etc. By Nathaniel T. Strong, a chief of the Seneca Tribe." Printed by the direction of the joint committees on Indian affairs of the four yearly meetings of Friends of Genesee, New York, Philadelphia and Baltimore. Philadelphia, 1841. Pp. 84.

Report on the memorials of the Seneca Indians and others accepted November 21, 1840, in the council of Massachusetts. Boston, 1840. Pp. 28.

Proceedings of an Indian council held at the Buffalo Creek Reservation, State of New York, fourth month, 1842. Baltimore, 1842. Pp. 83.

Petition of the Six Nations of Indians, New York Assembly Document No. 2, 1842; appendix J, pp. 185-188.

Report of the committee on Indian affairs on the bill from the Assembly entitled "An act to amend an act entitled 'An act in relation to certain tribes of Indians.'" Pp. 3. New York Senate Document No. 92, 1842.

Report of the committee on Indian affairs on so much of the Governor's message as relates to that subject. Pp. 12. New York Senate Document No. 95, 1842.

Report of the standing committee on Indian affairs, relative to the Seneca tribe of Indians. Pp. 7. Senate Document No. 84, 1843.

Report of the proceedings of the Indian council at Cattaraugus, in the State of New York, held sixth month, 1843. Baltimore, 1843. Pp. 31.

Report of the committee on Indian affairs on the Assembly bill in relation to the Seneca Indians. Pp. 12. New York Senate Document No. 93, 1845.

Tillotson: Remonstrance of R. L. Tillotson, one of the grantees of Massachusetts, against the passage of the Indian bill from the Assembly. Pp. 8. New York Senate Document No. 94, 1845.

Declaration of the Seneca Nation of Indians in general council assembled, with the accompanying documents, also an address to the chiefs and people of that Nation. Baltimore, 1845. Pp. 53.

Remonstrance of George Jennison [Jimmeson] and others, warriors of the Seneca Nation, against the bill now pending before the senate, for the protection and improvement of the Seneca Nation of Indians. Pp. 3. New York Senate Document No. 104, 1845.

Report of the proceedings of an Indian council held at Cattaraugus, in the State of New York, seventh month, 1845. Baltimore, 1845. Pp. 34.

Communication from the Secretary of State, transmitting the report of Mr. Schoolcraft, one of the agents appointed to take the census or enumeration of the Indians, etc. Pp. 187. New York Senate Document No. 24, 1846.

Communication from the Governor, in answer to a resolution of the senate, relating to the Indians on the Cattaraugus and Allegany Reservations. Pp. 27. New York Senate Document No. 57, 1846.

Message from the Governor transmitting a memorial of the Seneca Indians. Pp. 5.

Under this treaty the Buffalo Creek Reservation was given up,¹ but the Tonawandas were violently and almost unanimously opposed to emigration, and finally secured a part of their tract by repurchase in 1857, as elsewhere noticed.

The Indians of New York in the War of 1812.—In the troubled times that preceded the last war with Great Britain the discontent which in the Western country resulted in active hostilities was felt in western New York, and the prospects then before these people apparently justified the prediction made in 1811 by De Witt Clinton, in an address before the New York Historical Society, in which he said of the native tribes: "The minister of destruction is hovering over them, and before the passing away of the present generation not a single Iroquois will be seen in the State."

Although advised by their friends to remain neutral, many preferred active service in the field, and much that had been gained in the way of their improvement was lost during this period.

New York Assembly Document No. 197, 1846. (The above relates especially to the Tonawandas.)

Report of the proceedings at an Indian council held at Cattaraugus, in the State of New York, sixth month, 1846. Baltimore, 1846. Pp. 37.

Proceedings of the joint committee appointed by the Society of Friends, constituting the yearly meetings of Genesee, New York, Philadelphia, and Baltimore, for promoting the civilization and improving the condition of the Seneca Nation of Indians. Baltimore, 1847. Pp. 191.

Further proceedings of the joint committee appointed by the Society of Friends, constituting the yearly meetings of Genesee, N. Y., Philadelphia; and Baltimore, for promoting the civilization and improving the condition of the Seneca Nation of Indians, from the year 1847 to the year 1850. Baltimore, 1850. Pp. 119.

Report of a delegation of Friends appointed to attend an Indian council of the Seneca Indians at Cattaraugus, in the ninth month, 1855. Baltimore, 1855. 12mo., pp. 18.

Documents and official reports, illustrating the causes which led to the revolution in the government of the Seneca Indians, in the year 1848, and to the recognition of their representative republican constitution by the authorities of the United States, and of the State of New York. Baltimore, 1857.

Communication from his excellency the Governor, transmitting a communication from the agent of the Tonawanda band of Seneca Indians. Pp. 4. New York Assembly Document, No. 28, 1860.

A brief sketch of the efforts of Philadelphia Yearly Meeting of the Religious Society of Friends to promote the civilization and improvement of the Indians; also of the present condition of the tribes in the State of New York, published by direction of the Indian committee of Philadelphia Yearly Meeting of Friends. Philadelphia, 1866. Pp. 56.

Stone: Life and Times of Red Jacket, pp. 478-484. New York, 1841.

¹ This reservation lay in the towns of Aurora and Lancaster, Erie County, and consisted of 49,920 acres of rich level land; but it was altogether too near the city of Buffalo to expect benefits to result to either side from living in the same neighborhood. The surrender of this reservation gave to the Senecas a claim to a part of the lands promised by the United States lying west of Missouri in the treaties of 1838 and 1842. This claim remained unadjusted many years, and afforded repeated occasion for memorial and complaint. They were finally released by the Indians in the treaty of 1857.

Before proceeding to notice the condition of these people at the present time, it may be proper to state, separately, the principal facts concerning the several tribes and reservations of the New York Indians.

Mohawks.—These people, having earnestly espoused the royal cause in the Revolution, withdrew wholly to Canada, where their descendants still reside. By a treaty held at Albany March 29, 1797, they released for \$1,000, and \$600 for expenses, all their claims to land in New York. In a previous treaty of peace, at Fort Harmar (January 21, 1795), the Mohawks joined with the other Iroquois tribes.

Oneidas.—There are two settlements of these people, one in Vernon, Oneida County, and the other in Lenox, Madison County. These people having mostly favored the cause of independence in the Revolution, were treated with special favor by the State, being secured an ample reservation at the first treaty, and annuities from time to time, as they afterwards ceded, successively, portions of their lands.¹ In 1822 and 1833, there were considerable emigrations of the Oneidas to Green Bay, Wis., and in that vicinity a large number still reside.² Those who remained, having made commendable progress in civilization, the State has, from time to time, granted possessions in severalty to families as they appear proper subjects for this favor. Finally, in 1842, a treaty was held, by which a survey and partition of the remainder (except a mission and a church lot) was agreed upon. This transaction was confirmed by law at the next session,³ and these people have since enjoyed their lands as private owners, with full liberty to sell and convey the same as citizens. The office of attorney for the Oneidas was abolished after two years, and they have since enjoyed their separate estates, with increased motives for permanent improvements. The State continues to maintain two separate schools for their use. They are mostly Methodists, and have a good church. Their settlements present ample evidences of plenty and prosperity, with well improved farms, good buildings, and an abundance of farm stock and improved agricultural implements. As a class they are an industrious, frugal, and worthy people, most of them speaking the English language, and in their dress and habits showing little that a stranger would

¹The first treaty with these people under State authority was held June 28, 1785, by which the Oneidas and Tuscaroras ceded the southern part of their lands, between the Unadilla and Chenango Rivers. In 1788 (September 22) they ceded all but certain reservations. Since then they have held about 30 treaties, under State laws, and by these the various parties into which they became divided from time to time sold portions of their lands. A summary of these treaties will be found in the New York State Census of 1855, pp. 513-517. Some account of these people will also be found in Jones's History of Oneida County, pp. 836-882.

²In 1867 about 800 were living in Brown County, Wis., where they owned a fine body of land, and were making good progress as farmers. The official report of 1884 gives the number of Oneidas in Wisconsin as 1,500, and the number living in New York State on their reservation, as 172.

³Chapter 185, Laws of 1843.

notice, beyond their dusky features, as differing from the generality of people among whom they dwell.

Brothertown Indians.—Towards the close of the colonial period several remnants of tribes from New Jersey, Long Island, and the southern part of New England were gathered, and in 1786 the Rev. Samson Occum, an educated Mohegan, led a party of one hundred and ninety-two emigrants to a place near Oriskany. In 1788 they were secured by treaty in the possession of a tract 2 miles in length by 3 in breadth, in the present town of Marshall, Oneida County, New York. Having no language in common, they adopted the English, and they received the appellation of the "Brothertown Indians." Their affairs were managed by superintendents appointed by the Governor and council.¹ In 1796 they consisted of fifty-six families and owned a saw-mill, cattle, etc. In 1818 they numbered three hundred and two persons.² In the treaty of 1838 they are said to number three hundred and sixty.

Having become quite assimilated with the whites in civilization and habits, an act was passed by Congress for their benefit March 3, 1839, and under this they soon passed under the laws of the State. These people live mostly on the east side of Winnebago Lake, in Calumet County, Wis., and several of their number have been members of the State Legislature.³

Stockbridge Indians.—A remnant of the Muhhekanock tribes settled in Oneida County, N. Y., in 1783–88 under the pastoral care of the Rev. John Sargent, who remained with them till his death in 1824. In 1788 the Oneidas reserved for them a tract 6 miles square in the present towns of Augusta, Oneida County, and Stockbridge, Madison County. In 1785 they numbered four hundred and twenty souls.⁴ In 1818 about a fourth part went to Indiana, where the Miamis had given them lands, but before they arrived it had been sold by the native owners.⁵ In

¹ Act of April 4, 1801; chap. 147, 24th sess., sec. 18 to sec. 36, inclusive; act of April 10, 1813, Revised Laws of New York, II, p. 160.

² They had at this time about 2,000 acres under cultivation, were considerably advanced in agricultural knowledge, and had 90 cows, 16 yoke of oxen, 93 young cattle, 88 sheep, and a great number of swine. They had a grist-mill, 2 saw-mills, 16 framed houses, and 18 framed barns, 21 plows, 17 sleds, 3 carts, and 3 wagons. They had among their number 4 carpenters, 2 blacksmiths, 4 shoe-makers, 2 tailors, and 5 weavers, and had made the last year 320 yards of woollen and 600 of linen cloth, and had produced about 11,300 bushels of grain and 3,400 bushels of potatoes. (Memorial of Friends; Assembly Papers, Indian Affairs, XLI, p. 89. Secretary's office, Albany.)

³ Wisconsin Hist. Coll., IV, 291.

⁴ In 1796 the Stockbridges are said to have numbered 60 families and 300 persons, and that they owned 23,000 acres of land, a saw-mill, 3 carts, and 3 pair of oxen, and a few other things in common; but that their property was mostly owned by individuals. In 1813 they are said to have numbered 475, and they then had a grist-mill and 2 saw-mills, 8 framed houses, 7 framed barns, 26 horses, 26 pair of oxen, 54 milch cows, 44 young cattle, 56 sheep, and 100 swine, and they raised 2,500 bushels of grain.

⁵ See Assembly Journal, 1819, p. 57.

1821, with other New York Indians, they bought a tract of land on the Wisconsin and Fox Rivers, and the next year they removed west, having sold their lands in New York to the State.¹ These people are said to be successful farmers in Wisconsin, where, in 1884, they were reported as numbering one hundred and thirty-six persons still having a tribal relation. Under an act of Congress approved February 6, 1871, one hundred and thirty-four received their share of tribal funds and became citizens.²

Cayugas.—This tribe has no separate reservation in the State, a few only being scattered among the Senecas of Allegany and Cattaraugus. By a treaty with the State held February 25, 1789, they ceded all their lands, except 100 square miles at the outlet of Cayuga Lake, and a mile square on Seneca River, near the present village of Waterloo. On the 27th of June, 1795, they made further cessions, and on the 13th of May, 1807, finally yielded the last of their lands in the State of New York.

Many years since there was a large emigration of Cayugas to the country west of the Mississippi, but of five hundred and fifty Sandusky Cayugas who thus removed nearly all died. In 1845 twenty-five returned to this State, and in 1847 the State gave \$600 to bring back the few survivors who wished to return. In 1855 there were living of the Cayugas in the State of New York forty-eight heads of families and one hundred and forty-three persons, and west of the Mississippi ten heads of families and fifty-eight persons.³ In 1884 there were living on the Cattaraugus Reservation, in New York, one hundred and sixty-six Cayugas.

Onondaga Reservation.—The Onondagas ceded (September 12, 1788), in a treaty held at Fort Schuyler, all their lands, except a reservation at the south end of Onondaga Lake, and the right of making salt in common with the State. For this they received 1,000 French crowns, \$500 in clothing, and an annuity of \$500. This treaty was confirmed June 6, 1790, for a further sum of \$500. On the 18th of November, 1793, they released a part of the former reservation for \$628 and an annuity of \$410. This was confirmed at Cayuga Ferry, July 28, 1795, and the annuity increased to \$800. They also then released their common right to the salt springs and a strip of land half a mile on each side of the creek for \$700 and 100 bushels of salt annually. Further

¹ The sales of land by Stockbridges to the State of New York have been as follows: July 14, 1818, 4,500 acres, excepting 50 acres leased for the benefit of their poor, and two tracts of 890 and 250 acres; price \$5,380 and \$282.40 in annuities; at eleven times, in 1822, '23, '25, '26, '27, '29, and 1830, portions of their land. In 1842 and 1847 agreements were executed relative to certain lots in New Stockbridge.

² See Report of Commissioner of Indian Affairs, 1875, p. 96. The fourth volume of the Wisconsin Hist. Collections has several articles relating to these people.

³ In 1853 claims were presented by Indians in Canada for rights which they declared had not been satisfied in the treaties held with this tribe. The details may be found in New York Senate Documents Nos. 56 and 81, 1853.

cessions were made February 25, 1817, and February 11, 1822, reducing the reservation to its present limits, which extend about 4 miles north and south, by a little less than $2\frac{1}{2}$ miles east and west, in the towns of Lafayette and Onondaga, and embrace about 6,100 acres. The Onondaga Creek runs through the tract, which is hilly in the south, but the soil is everywhere good, and it is abundantly supplied with water-power. There are valuable stone quarries upon the reservation. Some two-thirds of the land is leased to whites. Many of these people live in good houses, and some of these homes are neatly painted, and supplied with window blinds. Their principal industries besides agriculture are the making of baskets and bead work.¹

It can not be denied that the Onondagas have suffered from too near contact with the vices of a city near their borders. A considerable number of those entitled to the annuities of this tribe reside upon the different Seneca reservations, and a large number can speak the English language readily. On a subsequent page we shall have occasion to notice the State schools upon this reservation, and an agricultural society in successful operation among them. In 1884 there were 471 Onondagas living in New York upon four reservations as follows: Allegany Reservation, 86; Cattaraugus Reservation, 45; Onondaga Reservation, 298; Tuscarora Reservation, 42.

Tonawanda Reservation.—This reservation lies on the Tonawanda Creek, mostly in the town of Alabama, Genesee County.² The land is level and quite fertile, and well adapted for wheat. This was one of the reservations sold in the treaty of 1838 to the Ogden Company, and agreed to be given up in 1842. But the Indians living here insisted that not one of their number had assented to either treaty,³ and resolutely refused to consent to any project for the removal. These difficulties almost entirely arrested improvements, and to add to their troubles their reservation was taxed upon the theory that it was now

¹The school report of 1864 gives a history of the educational efforts that have been made with these people. About 1828 Aden Corey, a Hicksite Quaker, raised funds in Philadelphia and elsewhere to purchase blacksmiths' and shoe-makers' tools, spinning-wheels, etc., and, in concert with an old chief, built shops and opened an industrial school. He remained six or seven years, but all traces of his labors have long since disappeared. In 1841 an effort was made, without success, to start a school, by using part of the annuities, but this was strongly opposed, and soon abandoned. A State school was begun in 1845 and since continued. The Rev. Samuel J. May, of Syracuse, and other friends of the Indians gave much attention to their welfare, and for several years a number of boys and girls were provided with homes in families where they could learn the English language and the customs of civilized life. The attempt was not successful, as several of these young people died, probably from diseases induced by too great a change in their mode of life. The Episcopalians support a day school on this reservation at an annual cost of about \$600.

²A part lies in Neustead, Erie County, and Royalton, Niagara County.

³Memorial of Tonawanda band, transmitted by the Governor to the Assembly, January 23, 1860. (Assembly Document, No. 28, 1860.)

owned by whites, and finally sold for taxes, and bid in by the State.¹ Their claims were submitted to the courts of the State, and to the Supreme Court, and at length, in January, 1857, and again in March, 1859, it was distinctly adjudged that their reservation had never lost its character of Indian territory, and the Federal court affirmed a judgment of the court of appeals of New York, in which it was decided that it was the duty of the county judge of Genesee County to entertain summary proceedings for the removal of such whites as had entered and settled under the Ogden Land Company.²

Pending these difficulties, the jealousies of these people were excited by any inquiries from an official source having reference to their condition, so that the State censuses of 1845 and 1855 were taken with great difficulty, and it was thought advisable by those who had for years

¹This sale was annulled by an act passed April 17, 1860, and moneys paid were to be refunded with interest. No tax was thereafter to be imposed on any part of the reservation, so long as it remained the property of the band, and all acts to the contrary were repealed.

²The following decisions have been had in State and Federal courts, respecting the rights of the Senecas to lands occupied by them in western New York:

In *Ogden v. Lee*, New York Reports, 6 Hill, 546 (1844), the supreme court of New York held, in a case relating to the sale of timber, that "the Seneca Nation of Indians have never parted with the title to the lands on which the timber was cut. Their right is as perfect now as it was when the first Europeans landed on this continent, with the single exception that they can not sell without the consent of the Government. The right of occupancy to them and their heirs forever remains wholly unimpaired. They are not tenants of the State nor of its grantees. They hold under their own original title. The plaintiffs have acquired nothing but the right to purchase whenever the owners may choose to sell. In the meantime, or until the tribe shall become extinct, the Seneca Indians will remain the rightful lords of the soil. They have cut and sold their own timber, and I see no principle upon which the plaintiffs can have any action either against them or their vendees."

In *Fellows v. Lee*, 5 Denis, 628 (1846), the court of errors unanimously confirmed the decision in the above case.

Strong and Gordon, chiefs of the Seneca Nation of Indians, *v. Waterman*, 11 Paige, 607 (1845). This was a suit in equity to dissolve an injunction restraining defendant from committing trespass on waste, in which the chancellor said: "The rights of the Indians in this State to the use, possession, and occupancy of the lands of their respective reservations, which have not been by them voluntarily ceded to the people of the State or granted to individuals with the assent of the State, do not at this time admit of a doubt."

Wadsworth v. Buffalo Hydraulic Association, 15 Barlow, 83 (1853). This case affirms the right of the State to take Indian lands for public uses, notwithstanding claims under Massachusetts title.

In the case of the New York Indians, 5 Wallace, 761, the United States Supreme Court held that the original rights of the Indians were unquestionable so long as they chose to hold them. A similar decision was made in the case of *Fellows v. Blacksmith*, 19 Howard, 366.

An act of New York passed March 31, 1821, respecting intrusion upon Indian lands, and declaring leases made by Indians void unless duly confirmed by law, was sustained by the Supreme Court of the United States in the case of *State of New York v. Dibble*, 21 Howard, 366.

been engaged in benevolent efforts among them to suspend their labors for a season.¹

A treaty was at length concluded November 5, 1857,² by which they relinquished all claim to 500,000 acres in Wisconsin and to lands west of the Mississippi, and to payment for improvements promised from Ogden and Fellows, representing the Ogden Company. The United States agreed to pay \$256,000.

The Tonawandas were allowed to purchase from Ogden and Fellows such part of their reservation as they might be willing to sell, at an average of \$20 per acre, out of the sum above mentioned, the deed being held by the Secretary of the Interior in trust for their use until an officer of the State should be allowed to receive and hold. The land not repurchased was to belong to Ogden and Fellows and quiet possession given. The "improvement money" apportioned on a former occasion was to be divided on a new estimate, and paid to those who might relinquish lands under this treaty.

Under this treaty the Tonawandas repurchased 7,599 acres and released about 5,000, and were at last quieted by the most effectual guarantees against further troubles on account of title to their lands. The United States Government now holds the sum of \$86,950 in trust for this band, on which \$4,347.50, or 5 per cent., is paid annually.

From the treaty of 1857 we may date the beginning of a steady improvement in civilization.

There is at Tonawanda a Methodist church. The State supports the schools.

The Tonawanda Manual Labor School was incorporated May 6, 1869, upon condition that whenever the Indians should appropriate \$3,000 and give 80 acres of land the State would give a further sum of \$3,000 towards the establishment of a manual labor school, in the town of Alabama, for the exclusive benefit of this band. Three trustees were named in the act, and their successors were to be appointed, one annually, by the county judge. They are vested with the powers of school district trustees, and the school was to be subject to the visitation of the superintendent of public instruction, to whom a report was to be made annually.

Amendments to this act were passed March 20, 1870, April 20, 1871, and June 13, 1873, and the first grant, having expired by limitation of time, was renewed in the latter year, but as yet the good intentions of this enterprise have not been realized.

The Tonawandas elect three peace-makers, a clerk, a treasurer, and a marshal, at an election held annually on the first Tuesday of June. Their powers are defined by an act passed in 1863.

¹ The Baptists had two schools here before the Ogden difficulties arose, but these were discontinued. In this period of uncertainty and distrust that darkened the future and discouraged industries, these people appeared to retrograde in civilization and lapse towards the primitive type of their wild condition.

² Ratified by the Senate June 4, 1858, and proclaimed March 31, 1859.

In 1884 these 585 Tonawanda Indians were living in New York upon four reservations, as follows:

Allegheny Reservation, 11; Cattaraugus Reservation, 14; Onondaga Reservation, 3; Tonawanda Reservation, 557.

Cattaraugus Reservation.—This tract embraces 21,680 acres in the towns of Perrysburg, Cattaraugus County; Collins, Erie County, and Hanover, Chautauqua County; and from its lying in a compact and nearly square body, is more favorable for concentrated measures for improvement than that on the Allegheny. It therefore shows greater improvement, and we find from time to time, in reports, a favorable notice of the progress in civilization¹ of the 1,539 Indians who, in 1884, were residing thereon.

On this reservation they have a council-house, built some years ago by Indian mechanics,² the Thomas Orphan Asylum, a Presbyterian and a Methodist Church, and ten school-houses. For several years a teachers' institute has been held at the council-house, for the benefit of the teachers of Indian schools, several of whom are themselves of the native race. The effect of these institutes, and of the evening lectures given at the time they are held, has been highly favorable. The official report, made in November 1874, says of the schools on this reservation: "I found many of the children in these schools as far advanced as children of a corresponding age in our own schools. The one thing of which teachers complain most is their inability to obtain a regular attendance."³

The Friends, in 1808, bought land adjoining the Cattaraugus Reservation, and stationed a family for their improvement near Clear Creek, about 5 miles from the Indian settlement. They have since, as opportunities allowed, continued to take an interest in their welfare, especially in the troubled times that followed the treaty of 1838.

The Thomas Asylum for Orphan and Destitute Indian Children (near Versailles, in the south border of Erie County, N. Y.)—This institution owes its existence largely to the efforts of the Society of Friends, and was founded with the view of affording a home and practical instruction for orphan and abandoned Indian children of both sexes, and from all of the reservations in the State.⁴ It was incorporated April

¹"Their farms are tolerably well cultivated, their dwellings begin to assume an air of comfort, and industry and thrift are everywhere apparent. * * * On the Cattaraugus Creek, for several miles, buildings, fences, crops, and stock, as also the comfortable appearance of their houses and well-ordered interior arrangements, indicate that the inhabitants are rapidly becoming a prosperous farming community. Indolence and old Indian habits retreat to the borders of the reservation, as formerly the whole race retreated before the advancing whites." (Report of an Assembly committee, Assembly Document, No. 43, 1885, pp. 15, 16.)

²Reported in 1866 as having cost \$2,500.

³Annual Report of Superintendent of Public Instruction, 1875, p. 116.

⁴In the summer of 1854, an Indian died on the Cattaraugus Reservation leaving a large family in extreme want. The sympathy which this event occasioned led to inquiries, which showed that on that reservation alone there were not less than

10, 1855, and placed in charge of ten trustees, five of whom were whites, of as many different denominations, and five Indians. They had power to appoint their own successors, and might hold real and personal estate the annual income of which did not exceed \$5,000. The asylum was subject to the visitation of the superintendent of public instruction, to whom a report was to be made annually. The inmates were to be received from the different reservations on the basis of population so far as practicable.

The State continued to appropriate yearly for the support of this asylum, which was further aided by a grant, usually of \$1,000 a year, from the United States Indian Bureau, and by much less sums from the American Board of Foreign Missions, and from concerts, gifts, and contributions from various sources. But still, at least three-fourths of all its income was derived from the State, and the demands of the institution were steadily increasing with the population and enhanced prices of some articles of essential need.

By an amendment of the State Constitution,¹ in 1874, it was provided that "neither the credit nor the money of the State shall be given or loaned to or in aid of any association, corporation, or private undertaking." This appeared to present the alternative of abandonment or of conveyance to the State, and the latter alternative was decided upon. By an act passed April 24, 1875, the trustees of the Thomas Asylum were allowed, within ninety days, to transfer their property to the State of New York, by a sufficient deed to the comptroller, and it was then to be under the control of ten trustees named in the act, holding office six years, and their successors to be appointed by the Governor. They were to be subject to the visitations and control of the State board of charities, and the sum of \$8,500 was to be granted annually for support, at the rate of \$85 per capita for each child maintained and educated at the asylum. This transfer has been made, and the asylum may now be regarded as on a most substantial basis, no material change in the management having occurred under the recent act.

fifty children in great need of support. The facts coming to the knowledge of Philip E. Thomas, of Baltimore, a Friend who had in many ways already done much for the Indians, he caused the more destitute to be gathered and kept through the winter at his own expense. This suggested the idea of a permanent asylum. The Seneca Nation gave lands, and two Seneca brass bands with a choir of singers volunteered to give a concert in the city of Buffalo, and from these and other sources a beginning was made. The act of incorporation was accompanied by a grant of \$2,000 for building, and \$10 a year for two years, for any number of children, not over fifty in all, that might be maintained, besides a pro rata allowance from the general appropriations to asylums.

¹Section 10, article 8, confirmed by vote of the people, November 3, 1874.

The statistics of this asylum have been reported annually to the superintendent of public instruction, and published with his report. The following condensed table shows the leading items of its statistics through a series of years :

Statistics of Thomas Orphan Asylum during eleven years.

Year.	Children in asylum.								Financial result.		
	Remained through year.	Received.	Total in asylum during the year.			Died.	Discharged.	Remaining at end of year.	Average during the year.	Receipts from all sources.	Expenditures.
			M.	F.	Total.						
1865.....	30	35			71	1	18	52	53	\$6,943.98	
1866.....	40	13	32	26	58	1	4	53	51	\$5,053.65	6,515.63
1867.....	45	38	50	37	87	1	7	79	58	8,833.97	9,777.43
1868.....	77	22	57	43	100	2		98	87	6,343.21	9,051.82
1869.....	80	11	51	41	92	1		91	84	12,114.51	12,376.51
1870.....	72	27	60	51	111	3	9	99	86	7,693.21	7,693.21
1871.....	65	26	61	51	112	1	22	89	84	9,141.03	8,559.47
1872.....	71	27	64	46	110		14	96	92	9,992.25	10,731.55
1873.....	84	20	61	57	118	1	15	103		9,444.83	9,744.83
1874.....	82	26	69	48	117		13	104	103	10,652.52 79,269.28	10,652.52
1875.....	80		71	47	118	9				12,557.40	12,047.11

Details of receipts; sum from 1865 to 1874, inclusive :

Annuities of Indian children.....	\$2,588.37
Board of teachers and others.....	437.68
Articles sold and labor performed.....	622.39
From State of New York.....	56,270.30
From United States Indian Bureau.....	10,000.00
From donations.....	6,089.28
Share of general appropriation to asylums.....	1,974.87
Other sources.....	1,070.00

During the same period the aggregate expenses have been as follows :

For meats.....	\$4,633.80	Insurance.....	\$795.91
Breadstuff.....	17,825.18	Travelling expenses.....	569.65
Groceries and other provisions.....	7,049.92	Medicines and funeral expenses.....	1,152.69
Clothing.....	9,225.60	Stationery and postage.....	70.89
Labor and salaries.....	18,473.61	Exchange.....	7.90
House furnishing and repairs.....	6,964.23	Buildings and permanent im-	
Fuel and lights.....	2,124.57	provements.....	6,295.12
Tools, blacksmithing, farm im-		Unclassified items.....	238.13
plements, etc.....	2,754.52		
Stock and feed.....	1,283.74	Total disbursements....	80,336.41
Seeds and manure.....	869.98		

In 1875 the asylum received \$8,337.82, from the State for support, and \$2,500 for building and repairs, and from the United States Indian Department, \$1,000; from annuities of Indian children, \$292.46; from

board of teachers and others, \$236, and from articles sold, \$1,191.11. This last-mentioned item is chiefly from the sale of brooms, the materials of which are nearly all raised by the orphan boys, and wholly manufactured by them. There is a broom shop 26 feet square, fitted up with machines for thirteen boys, and the trustees look forward to a time when they will be able to lessen materially their expenses for maintenance from this industry.

The value of real estate and buildings of this asylum is now \$20,000, and of personal property \$3,000. Among recent improvements is a hospital, the severe sickness of the last year, resulting in the deaths of nine children and an assistant matron, having shown the need of special accommodations in such unfrequent but still possible calamities.

In 1854-56 sums amounting to \$6,352.19 were received for the asylum, including \$3,715.45 from the State, \$1,000 from the United States Indian Bureau, \$780 from Mr. Thomas and other Friends, and various smaller sums, among which were about \$300 contributed by the Indians themselves.

Lewis Seneca, president; trustees, an equal number of whites and Indians belonging to five or more religious denominations.

Since it was opened the asylum has been a home for four hundred and twenty-four destitute children and orphans belonging to the Indian tribes of the State of New York.

Mr. W. Peacock, Indian agent for the Indian tribe, in New York State, writes in his annual report, dated September 22, 1881: "The Thomas Asylum, Mr. Van Walkenburg, superintendent, and his wife, matron, is doing a great work in civilizing the Indians of New York. The girls from the institution find homes, and are in great demand as domestics in the adjoining villages. The boys are instructed in farming and in the rudiments of some mechanical occupation."

Allegheny Reservation.—This reservation contains 30,469 acres, and extends along the Allegheny River about half a mile each way from its banks, for a distance of about 40 miles, in the towns of South Valley, Cold Spring, Buck Tooth, Great Valley, Carrolton, Red House, and Salamanca, Cattaraugus County. The Erie Railway follows the bottomlands of the valley the whole distance, and at Salamanca the Atlantic and Great Western Railway forms a junction. The leases made to accommodate these railways must, in effect, be permanent, because the valley affords the only possible thoroughfare along the southern border of the State.¹

The soil on this reservation is mostly good, especially in the intervals, but these are liable to floods, which often do much damage to crops and

¹ Under an act of the New York Legislature, passed May 12, 1836, any railroad company may contract with the chiefs of any nation of Indians for right of way, but for no other uses. Such contracts are not valid until ratified by the court of common pleas of the county where the road is located. (Chap. 316, Laws of 1836.) In the case of the Erie Railway, the present lease is understood to be for the term of one hundred years.

fences. The hills that border the valley are less fertile, and are best adapted to grazing.

Powerful interests are concerned in the establishment of business at railway junctions, and at points favorable for manufactures, and without the protection of law these people would scarcely be able to sustain themselves against the pressure of an advanced civilization.

The lumbering interest afforded for many years the basis of a precarious and decaying industry, but since this has declined, attention has been turned to agriculture, and the condition of these Indians has greatly improved. The reservation, from its great length and narrow breadth, and from its being divided by a river sometimes not easily crossed, is unfavorable for the maintenance of separate schools, and for these reasons the people on the Allegany Reservation have not made so great advancement in civilization as those at Cattaraugus. Missionary effort was begun here by the American Board of Missions, in 1834, and there is one Congregational and one Methodist Episcopal church upon the reservation.

Friends' boarding-school at Tunesassa.—About 1803 the Friends bought a tract of some 700 acres of land adjoining the Allegany Reservation, on Tunesassa Creek, on the south-east side of the Allegany River, in the present town of South Valley, Cattaraugus County. In the course of a few years after, they built a grist-mill and saw-mill, and have since continued to hold this station as an industrial school and farm. The estate now embraces about 400 acres, of which 100 are cleared. The report last published (April, 1876) shows that the boarding-school had been attended by an average of twenty-one children in summer and twenty-seven in the winter term, and that applications had been declined from want of room. The pupils (mostly girls) are taught the elements of literature, and are trained to the duties of housework and habits of industry, order, and cleanliness, under the belief that woman's home influence, when these pupils shall have become heads of families, will prove most effectual as an agency of civilization. This quiet influence, through many years of patient effort, has worked a pleasant result, and a writer who revisited the place after some years' absence "was pleased with the appearance of many of their houses, and saw an improvement in the neatness of their dress. There are many young women who have married since leaving the boarding-school, and it was encouraging to see how clean and comfortable their homes looked, showing that the labor bestowed on them had not been lost."

The expenditures of the establishment for the last year were \$2,262.91, it being \$534.12 more than the income. A portion of land had been sold, and a contract made for the sale of a part of the oak then standing and ripe for cutting.

Besides this effort for imparting a knowledge of the English language and the arts of civilization, the Friends have, at various times, sent

young Indian lads to live in farmers' families in the vicinity of Philadelphia. Thus instructed in agriculture and the care of stock, they have returned to the reservations. The establishment at Tunesassa is under the control of orthodox Friends, and in charge of a committee of the Philadelphia Yearly Meeting.

Allegany, Tunesassa Boarding School.¹

School population	30
Number attending	30
Average attendance	30
Largest average monthly attendance	30
Number of months school was in session	10
Cost of maintaining school to religious societies	\$1,100
Number of teachers and employés	5
Number of acres cultivated by school	160
Number of bushels of corn	200
Number of bushels of oats and barley	150 to 400
Number of bushels of vegetables	390
Number of melons and pumpkins	500
Number of tons of hay	50
Number of horses and mules owned	3
Number of cattle	16
Number of swine	8
Number of domestic fowls	50
Number of pounds of butter made	1,200
Industries taught: Farming, sewing, and housework.	

Commissioners for surveying lands near villages on the Allegany Reservation.—Under an act of Congress approved February, 1875, the President was directed to appoint three commissioners to settle some of the embarrassments between whites and Indians on the Allegany Reservation, by surveying the land leased in the villages and their vicinity, and assigning boundaries within which leases might hereafter be deemed legal. The persons appointed to this trust were Messrs. John Manley, — Shankland, and Joseph Scattergood. In a report recently published with the minutes of the Yearly Meeting in Philadelphia, it is stated that the Indians, from want of a proper understanding of the act, were disposed at first to object to having it carried into effect. They say: "In the opportunity thus afforded of ascertaining the extent to which the practice of leasing their land had been carried by the Indians, it was cause of regret to observe that leases had been granted to white settlers, not only in the immediate neighborhood of the villages referred to, but also for a considerable distance around them, and that thus the greater part of the upper portion of this reservation had passed into the occupancy of the whites; and also that numerous leases had been made on the Cattaraugus Reservation." The greater part of these leases had been made by individual Indians, who had thus derived profit from the rights of others. The committee urge the importance of giving a separate allotment to each one in severalty, to be

¹ Report of Indian Commissioner, 1884, p. 275.

held without power of alienation, except to Indians, and under other suitable restrictions. Although this course is favored by a considerable number on both reservations, there was not found a majority, nor had the time yet come when application might be made for a law to carry this into effect.

Sale of Indian lands for taxes on the Allegany and Cattaraugus Reservations.—The transactions of 1838 and 1842 with the Ogden Land Company having apparently vested the title in the purchasers, these lands were taxed for highways, and this tax not being paid, 28,400 acres of the Allegany and 3,400 acres of the Cattaraugus Reservations were sold in 1853, and the parts of the former lying in Carrolton and Cold Spring were bid in by the State, while the remainder was bought by speculators,¹ and the time for redemption having passed, deeds were duly executed to the latter by the Comptroller. These taxes were laid under an act of April 24, 1835, allowing the lands of non-residents to be assessed for highway purposes.² Attention having been called to the facts, it was readily shown that the treaty of 1842 had restored both of these reservations to the Indians, and that the tax was unlawful and the sale of course void. An act was accordingly passed February 19, 1857, for refunding the purchase money, and forbidding future taxation, so long as these lands should remain the property of the Seneca Nation.

The committee that examined this question at this time reported that the Senecas do not hold under the State of New York, nor under the United States, but that their title is original, absolute, and exclusive. The Senecas are not citizens of New York, nor are they represented in the State Legislature.

Timber on the Seneca Reservations.—The Seneca Reservations were, in a state of nature, covered with a fine growth of timber, especially pine, oak, and hemlock, the largest and best of which has long since been removed. For many years it was the custom of the Senecas to allow cutting by their own people without limitation as to place or amount, but in later years this has been regulated to a great degree by their laws.³

¹ The number of acres in each town, and the prices at which sold, were as follows:

Allegany Reservation: Carrolton, 6,000 acres, \$438.14; Cold Spring, 8,600 acres, \$306.07; Little Valley, 9,000 acres, \$762.37; Randolph, 2,400 acres, \$101.70; South Valley, 2,400 acres, \$48.81.

Cattaraugus Reservation: Two tracts of 2,200 and 1,200 acres sold for \$108.69 and \$61.30. Total, 31,800 acres, for \$2,327.08, or a little over 7 cents per acre. (New York Assembly Document No. 12, 1857.)

² Assembly Document 17, 1857.

³ This timber question was discussed at length in a report made by a State commission in 1868. (Senate Document No. 12, 1868.)

An act passed April 7, 1863, and amended May 2, 1873, restricted the Tonawanda Indians in the cutting of timber on their lands. Restrictions were imposed upon the removal of timber and stone from the Onondaga Reservation by an act passed March 19, 1873. The written permission of a majority of the chiefs must be first obtained, in which the quantity and kind of these materials to be taken must be specified.

Cornplanter.—This distinguished Seneca chief, although he finally settled within the limits of Pennsylvania, should be mentioned on account of the influence he had among his people, whom he often served in the holding of treaties and by his sagacious counsels. It was largely through his advice that the Senecas were restrained from engaging with the western Indians in a war against the whites in 1790–91. He died February 18, 1836, on a reservation given to him in 1791 by the State of Pennsylvania, aged about 100 years.¹

Tuscaroras.—These people were emigrants from North Carolina and came to live with the Iroquois about 1712. In 1797 the Senecas gave them a mile square on the "mountain ridge," in the present town of Lewiston, and the Holland Land Company 1,280 more. In 1804 they bought, with funds coming from North Carolina, for \$13,722, an adjoining tract of 4,329 acres, making their possessions in all 6,249 acres. A remnant of the Delawares and several from the Onondaga tribe live among them.

The treaty of 1838, in the interest of the Ogden Company, contemplated the emigration of these people, as well as the Senecas, to the West, and at that time they agreed to sell and emigrate within five years, the money received for lands being invested for their benefit, and that received for improvements being paid the owners; but this project was never carried into effect. The Tuscaroras have two school-houses, two meeting-houses, and a council-house, a library, and a mutual improvement society for debates and literary improvement. They are for the most part thrifty farmers, with well-improved lands and good buildings. In 1884 there were 423 Tuscaroras living upon two reservations, as follows: Tuscaroras Reservation, 419; Cattaraugus Reservation, 4.²

St. Regis Reservation.—The St. Regis Indians live on the south bank of the St. Lawrence, and own two large islands on the Canadian side in

¹Cornplanter's Town (Jennedasaga) is in Elk township, Warren County, Pa., 15 miles above Warren. The State, by an act passed January 25, 1866, gave \$500 for a monument to the memory of this distinguished chief, and it was dedicated, with appropriate services, October 18, 1866. Commissioners were appointed by the county orphan's court June 10, 1871, by authority of an act approved May 16, 1871, to make partition and allotment of the real estate of Cornplanter's heirs. The property, consisting of a tract known as "Planter's Field" and two islands in the Allegany River, was divided among twenty-three heirs, with full power to hold in severalty and to sell to Seneca Indians, but not otherwise without first obtaining the consent of the Legislature. (Report of Commissioners, etc. Philadelphia, 1871. Pp. 16.)

²An account of the early history of these people, by William Mount Pleasant, one of their number, is given in the New York State census of 1855, p. 510. The New York Missionary Society established a mission here in 1801, which was transferred to the American Board of Foreign Missions in 1826. The number of missionaries from 1826 to 1860 was ten, and the membership, first and last, about two hundred. This society supported for some years a girls' boarding-school. In 1833 a Baptist church of thirty members was established here. The first frame school-house was built in 1831, and in this year a temperance society was organized of about one hundred members, and this influence is still apparent.

that river,¹ where it is intersected by the line of 45° north latitude. The national boundary passes through their village, of which the greater part, as well as a majority of the Indian population of St. Regis, are in Canada. On the north side of this line these Indians own, besides the islands, a tract of land in the township of Dundee, county of Huntingdon, province of Quebec. Their reservation in New York lies in the town of Bombay, Franklin County, extending from the river eastward along the boundary about 7 miles, with a breadth of about 3 miles. After various cessions,² there remains a tract of about 14,000 acres of land, the most of which is level and very fertile.

The St. Regis Indians are divided into British and American parties, the distinction not depending upon present residence or preference, but upon the differences that sprang up in the War of 1812-15, and which have been transmitted by hereditary descent, on the mother's side. By the consent of the chiefs of the British and the trustees of the American party, a person may be transferred; and a woman, upon marrying, loses her former rights and acquires for herself and children the rights of the party to which her husband belonged. A white man can gain no right in either party by marriage with an Indian woman, but his children acquire the rights of their mother. But a white woman is allowed to gain the rights to which an Indian husband is entitled.

The British party receives rents from lands leased for a long period, and interest from invested funds. They formerly received from the English Government small presents of blankets, etc., but these have been discontinued. The American party receives by families and per capita an annuity of \$2,131.67 from the State of New York. The United States has never had any direct dealings with these people or care over them, except in being represented by a commissioner at the first treaty (1796).

The St. Regis Indians are descendants of a party of the Mohawk tribe, who were induced to emigrate to Canada by French missionaries about a hundred years before our Revolution. They first settled at La Prairie, opposite Montreal, but a few years later removed 9 miles up the river, and settled the village of Caughnawaga, where a large number still reside. One branch from this colony removed to Oka (Lake of Two Mountains), on the Ottawa River, some 40 miles from Montreal, and in

¹ Cornwall and St. Regis Islands.

² The following treaties have been held with this tribe for the cession of land:

1796. May 31. At New York City, when they ceded all their lands, except a tract equal to 6 miles square at their village, a mile square on Salmon River (now Fort Covington village), a mile square at the lower mills on Grass River, and the natural meadows along the same.

1816. March 15. Sold the mile square on Salmon River and 5,000 acres from the east end of the reservation.

1818. Feb. 20. Sold another tract of 2,000 acres.

1824. March 16. Sold the mile square on Grass River.

1824. June 29 to Dec. 14. Sold land at and near Hogansburg, 1,144 acres.

1825. September 23. Sold 840 acres east of St. Regis River.

1845. February 21. Sold the natural meadows, found to contain 210 acres.

1760 another party emigrated under the lead of Father Anthony Gordon, a Jesuit priest, and settled at Ak-wis-sas-ne,¹ on the St. Lawrence, between St. Regis and Racket Rivers, and arriving on the 16th of June, they named their new establishment after the patron saint of that day, St. Regis.²

Being from the first a Catholic mission, by much the greater number of these people have remained in this faith. The Methodist Episcopal denomination built a church just off the reservation, near the village of Hogansburg, some thirty years since, and at a later period a neat Episcopal chapel and rectory were erected in the village, under the charge of the Rev. Eleazar Williams,³ a member of this tribe. There were in 1875 ninety-seven members and about two hundred usual attendants in the Methodist Episcopal Church near Hogansburg. There were but few, if any, of Mr. Williams's former charge, and since his death the premises have passed into the hands of an Episcopal society of whites. The Methodists have as a pastor a native Onondaga,⁴ and services with them, as in the old Catholic church, are conducted in the native language, the Mohawk dialect of the Iroquois. Several devotional books

¹This term signifies "where the partridge drums." This was not from any unusual abundance of these birds in this region, but from the circumstance that in winter the river here forms solid ice, while from the rapids above, which are never frozen, great masses of ice will come down, and passing under the solid ice, produce the noise that has suggested the name. In intensely cold weather the floating ice will sometimes pack so as to raise the water and overflow the village. The river has been known to rise 15 feet in as many minutes, and the current, setting back up the Racket River, has swept bridges and dams away *up-stream*. This calamity, coming in the depth of winter, has occasioned much misery and loss of property, but is fortunately not of frequent occurrence. It usually lasts several days at a time. These overflows of January 24, 1854, January, 1859, and January 24, 1867, were memorable. The latter continued a fortnight and destroyed fifteen buildings.

²The incidents which led to this emigration are related in Hough's Hist. of St. Lawrence and Franklin Counties, pp. 110-124. Gordon died in 1777, and the station was some years without a missionary. The present incumbent (Rev. Francis X. Marcoux) has been stationed here since 1832.

³Much was said a few years ago about the identity of this man with Louis XVII of France. The story is generally regarded on the reservation and in the country adjacent as a fiction of his own invention.

⁴Most of the Methodists reside in a neighborhood together around Hogansburg and on the road to Massena. They are thrifty farmers, with good buildings and well-fenced fields, and a stranger passing their premises would scarcely notice a difference between their farms and those of their white neighbors. In other parts of the reservation are farms of people not of this sect that show abundant evidence of good management and ample means. As they pay no taxes they enjoy an advantage over the whites, and at the same time are fully under the protection of the law. They can scarcely be called a burden upon the county, as they support their own poor, and it is very seldom that an Indian finds his way to the county poor-house, or that he receives temporary aid from the town. The question of charity is disposed of in a very primitive way at St. Regis. A widow or orphan children left homeless by the death of the head of a family go to live with some relative or acquaintance without any attempt at assessment for their support. It was pleasant to notice how kindly they were received, as if an original member of the family.

(some with music printed with the text) and a spelling-book have been printed at Montreal in this language under the direction of Catholic clergymen.

The St. Regis Indians depend chiefly upon agriculture for their support, and a notable improvement in this regard has occurred within a very few years from this fortunate circumstance:

In 1841 an act was passed allowing lands to be leased on the St. Regis Reservation for a term not exceeding twenty-one years. Under this privilege numerous leases were made of small tracts to white persons, who cleared lands, built houses, and made permanent improvements. As these leases expired the tenants were obliged to remove, and these farms came into the hands of Indians, who moved out from their village and took possession of the vacant premises. The very remarkable increase of population noticed within the last ten years (from 424 to 737) may be fairly attributed to the improved hygienic conditions and the abundance of wholesome provisions and pure air which this change occasioned.¹ There has been within this period no emigration of note, either to or from St. Regis, and a notable increase has been observed as well among those living on the Canada side as with those in New York.

Besides the ordinary pursuit of agriculture, in which most are engaged, the men find employment in cutting wood and in peeling bark for the tanneries of northern New York. The inducement for engaging in the latter industry was largely increased during the War by conscription and enlistments, which had rendered labor scarce. These people are good wood-cutters and lumbermen, and many of them accounted faithful and industrious. In harvest and hop-picking time some seek employment with the farmers, and this tendency of mingling with the whites in various business affairs is notably increasing as the English language becomes better known.

In summer the business of rafting on the St. Lawrence was formerly an important industry. The hewn timber from the region around the upper lakes was brought in vessels to Clayton, N. Y., or to Garden Island, near Kingston, and there unloaded and made into rafts, which were conducted down the rapids of the St. Lawrence with great skill and success, and almost entirely by Indian pilots. With diminishing supplies, this industry has declined of late years. Fishing with nets is followed in its season by farmers owning the privilege in waters bordering their lands, and in 1875, fish were thus caught by farmers along the Raquette to the value of about \$700.

¹The number that shared in the State annuities was 666 in 1869, 671 in 1870, 695 in 1871, 709 in 1872, 718 in 1873, and 711 in 1874. The number of families on the American side in 1875 was 156, of whom 39 were of the British and 117 of the American party. Owners of land, 133; adults, 157 males and 139 females; unable to read and write, 98 males, 100 females; read more or less easily, and some only in Iroquois, 58 males, 39 females. The number of St. Regis Indians under charge of New York agent in 1884 makes 937.

In the summer of 1875, the writer of these pages had occasion for the second time to visit every house on the reservation, for the purpose of obtaining statistics for the State census, and a period of twenty years had brought into use an industry which in 1855 was quite unimportant. In almost every house, the women were found engaged with much skill and industry in the manufacture of bead work, often as an incidental work to fill up the leisure moments of the day, but in several instances as a regular business and with hired labor. Fancy articles in great variety, made of bright colored cloth, on which designs were wrought by needle work with clear glass beads, are produced in considerable quantities, and in some cases a sewing machine was used to unite the cloth that forms the ground-work of the bead-embroidery. These articles are sold by Indian peddlers throughout the country, and especially in places of fashionable resort.¹

Basket work of considerable value is made and sold by the men, chiefly in winter, and in temporary camps among the white settlements, and remote from home, as the bulk of these goods is such that they can not be carried in quantities.² The trades of blacksmith, wagon-maker, carpenter, and shoemaker are found among these people, and a few athletic young men give exhibitions of their skill in running, and in playing the ball game of "La Crosse" at agricultural fairs and other gatherings.³

The lapse of twenty years brought many notable changes into notice, but none of these perhaps more striking than that seen on attending their church. On the former occasion the greater part of the worshipers sat on the floor, the men on one side, wrapped in white woolen blankets that covered their heads, and the women on the side opposite, wearing blue broadcloth blankets in like manner. The latter wore much bead-work and other rude ornaments of their own contrivance. The church is now (1875) provided with seats,⁴ and the dress and deportment of either sex would scarcely be noticed as differing from that of a well-behaved congregation in a country church. The styles of fashion are imitated according to the means or taste of the wearer quite as fully as among the white population.

These people evince a fondness for vocal music, which is taught from

¹ Bead work was reported in 1875 as made in forty-five families, and to the value of \$3,792. The greatest amount in one family was \$300, in two cases; in two instances it was \$250, in one \$200, in two \$150, in one \$110, in seven \$100, in one \$90, in two \$80, in three \$60, in one \$54, in twelve \$50, in two \$40, in one \$35, in two \$30, in one \$20, in three \$15, in one \$10, and in one \$8.

² In nineteen families basket work to the value of \$1,954 was reported.

³ One young man had made twenty dozen sets of bats for playing "La Crosse," worth in all \$160. Two farmers reported made, for sale, one 30 and the other 200 bushels of lime.

⁴ The wood-work of the stone Catholic church was burned April 1, 1866, and the interior, since rebuilding, is still in an unfinished state. Three interesting paintings, representing St. Regis, St. Louis, and St. Francis Xavier, which had been given to the church by Charles X, King of France, were lost in this fire.

books printed in their language, and portions of the Catholic service are sung alternately by male and female voices with great harmony and pleasing effect.

The English is, however, the only language taught in the schools, of which one is supported by the Canadian Government, and two by the State of New York. Those who live upon the islands are practically deprived of opportunities for education, and there is but little care taken by parents to secure punctual attendance where opportunities are near. This indifference to learning appeared partly due to careless teachers, who took little interest in their charge. It can scarcely be doubted but that an earnest teacher would succeed by visiting families, offering little premiums, and otherwise seeking to enlist an interest in the school. A scale of wages which, from a minimum barely sufficient for support, should rise in proportion to actual attendance to a full and ample allowance for a full school would, we believe, under competent supervision, begin before long to yield the best result. The schools upon this reservation appear to have had little encouragement from the missionary who has been so long in charge, and this influence may have led to the indifference too plainly evident.

Another difference was observable in their traditional regard for ancient customs. In 1855 they gave with willingness answers to the voluntary question as to the particular band (Wolf, Bear, Turtle, etc.) to which the family belonged. In 1875 it was soon apparent that the inquiry would offend some and would be ridiculed by others as concerning events that had passed away. There is still, however, a trace of these distinctions in the form given to loaves and cakes prepared for church-day festivals, and there is probable no one among them whose "band" is not still known among the old people.

The greatest hindrance to prosperity at St. Regis is the want of certain boundaries to their lands and the assurance of individual right in their possession. No regular surveys have been made except in running the boundary line and in laying out roads, and although custom has given right of possession, which is generally respected, and may be bought and sold among themselves,¹ not one among them has an acre of land for which he could show a written title, and but very few a corner fixed by recorded survey. The State of New York owes it as a duty to these people to cause a just apportionment and survey to be made, and separate recorded titles to be given. If it is deemed best to forbid for a time the sale of these lands except to Indians, let this be done; but the time is not distant when the principal of their annuities might be paid, and their lands given, as has long since been done at Oneida, in full and absolute free-hold, to individual owners.

There would be active opposition to this from many of the more wealthy and intelligent, who already hold more than their just share,

¹ The usual price of land, when sold among themselves, is about \$10 per acre. If offered free of incumbrance, most of it would sell readily at \$50.

and would vehemently denounce any plan of apportionment. But this should not deter the State from dealing justly with all, and if any are deprived of improvements which they may have made, there would be no difficulty in equalizing the value by requiring payment from those who received them.¹

The British party are still governed by chiefs. The American party, at an election held annually on the first Tuesday of May, choose one clerk and three trustees, whose powers are defined by law. None but males of the age of twenty-one, and living in this State, are allowed to vote; and besides this, the voter must have the qualifications recognized by custom, which excludes from voting any member of the British party, although he may be permanently living on the American side. Parties spring up among them at these elections founded entirely upon local issues, such as the policy of leasing land, etc.

A record is kept by the clerk, showing who are entitled to annuities, and this practically amounts to a registration of births, marriages, and deaths. The population is scarcely affected by migrations to or from other Indian settlements, although a friendly acquaintance is maintained with their kindred at Oka and Caughnawaga.

Shinnecock Indians.—These people reside in the town of Southampton, Suffolk County, near the eastern end of Long Island, upon a tract of land held in common. Their affairs have been for sixty years managed by three trustees, chosen annually, on town-meeting day, and distinct tracts of land are assigned by them for the separate use of families, but not exceeding 125 acres in a year. The trustees may also lease lands for a term not exceeding three years, with the consent of three justices of the peace of the town where they reside. They have long since lost all traces of their native language, and are generally industrious, temperate, and worthy people. Their buildings and improvements are good, and excepting in complexion (in many cases showing a mixture of African blood) they would scarcely be noticed as differing from the humbler class of their neighbors.² These people draw much of their

¹ An act passed April 19, 1858, and amended April 15, 1859, made provision for a survey and division of the lands, but from causes unknown nothing was accomplished by the commissioner appointed, nor was any report published. A clause in this act leaving it optional with any person to accept or not the land allotted to him, would probably defeat any effort that might be made tending to a settlement of rights, as nothing short of entire unanimity would ever close the business, and this could never be expected. Under the present law, land may be leased for ten years to Indians, by the trustees, with the consent of the State agent, and the farms formerly cleared by whites are thus held. No wood or timber can be sold without the written consent of the trustees, but the supply has already been reduced to below that needed for their own wants.

² In 1703 the chiefs of this tribe in a drunken moment conveyed all their lands to the whites. So much discontent was excited by this, when they came to realize the act, that the purchasers leased back a considerable amount, for a thousand years, at a merely nominal rent. The owners in fee perpetuated their right by annual elections, until recent times, but difficulties often arose, which led to the passage of an

support from the bay, in taking clams, oysters, and fish; quite a number of the men follow whaling as a business, in which they evince skill and ability. Many of the young women seek employment as house servants. The condition of these people was greatly benefited by a temperance reform begun in 1828-29, when most of them "signed the pledge," and afterwards remained consistent members of a temperance society.¹ In 1866 all but ten could read and write. They are mostly Congregationalists, but a few hold to the tenets of the Adventists, and have separate worship.

A few individuals of the Montauk tribe still live upon the point of that name. They have no separate recognition by the State or National Government, and no school. The same may be said of the Poospatuck tribe in Brookhaven, Suffolk County.²

The Seneca constitution.—The affairs of the Senecas were formerly managed among themselves by chiefs, who were about a hundred in number, and held office for life.³ By chapter 150, Laws of 1845, the Senecas became an incorporated body, capable of suing and being sued, an attorney being appointed to represent them in legal transactions, and this act has been declared valid by the courts.⁴ The general policy of the State before this, and still has been, to regard these people not as citizens, but as distinct tribes or nations living under the protection of the Government.⁵

By chapter 365, Laws of 1847, all the officers among the Senecas were made elective annually. On the 4th of December, 1848, a written constitution was adopted, and at the next session of the Legislature this was sanctioned by law.⁶ It was also recognized by the authorities at act March 16, 1859, allowing the Indians and the proprietors to release to each other their rights on either side of a well-defined line. Under this act a portion known as the "Shinnecock Hills," and north of a line described, is released to the whites, and "Shinnecock Neck" is now again owned in fee by the native race. The amount released was about 3,000 acres, and the amount retained 640, of which 100 is marsh.

¹Their condition before this reform is described as extremely degraded. Those interested in their history will find details in the Report of the Superintendent of Public Instruction, 1864, p. 101, and in the histories of Long Island, by Thompson and Prime.

²*Shinnecock and Poospatuck Reservation.*—From the report of the Hon. William B. Ruggles, superintendent of public instruction, will be seen the condition and prospects of the Indian schools on the Shinnecock and Poospatuck Reservations. "The children on these reservations make commendable progress until they are old enough to go to service, and then, with very few exceptions, they drop out altogether or attend so irregularly that the advantages of school are lost to them. This is shown in the enrolment at Poospatuck, which for the present term has been 90 per cent. of all those of school age, with an average daily attendance nearly three times that of last year." Expenditures, \$868.42.

³New York Assembly Document 63, 1865.

⁴Case of Seneca Nation v. Tyler, 14 Howard's Practice, 109.

⁵Case of Goodell v. Smith, 20 Johnson, 693; reversing S. C., *ibid.*, 183.

⁶Act of April 11, 1849, resting all the powers formerly enjoyed by the chiefs in the president and council under the new government (chap. 378, Laws of 1849). This revolution did not pass without the most active effort at resistance by way of memo-

Washington, and with some changes it is continued till the present time.

Under this constitution, an election for all officers was to be held annually, upon the Cattaraugus and Allegany Reservations, each male Indian of the age of twenty-one, and resident or owning lands taxed for roads or other purposes, being allowed to vote, or to hold office if chosen. There was established a legislative, an executive, and a judicial department. The first of these consisted of a council of eighteen members (afterwards changed as to number), apportioned among the reservations in proportion to population. They were to meet annually on the first Tuesday of June, and two-thirds present were to form a quorum. Each member was to be paid \$1 a day for attendance, but not more than twenty-six days in a year, and they might pass any laws not inconsistent with the Constitution and laws of the State or the United States, and might regulate the admission of other Indians to their citizenship.

A president was to be chosen annually, who presided in the council with a casting vote, and was required to report annually a statement of affairs, with such recommendations as he thought proper.

The judicial power was vested in three peace-makers on each reservation, with powers similar to those of justices of the peace, but their criminal jurisdiction did not extend to cases within cognizance of State or Federal courts. In some instances the council might act in a judicial capacity.

The treaty-making power was vested in the council, but their treaties must be approved by three-fourths of all the legal voters, and also by three-fourths of all the mothers of the nation, before they were valid. A clerk and treasurer, a superintendent of schools, overseers of the poor, assessors and overseers of highways were to be elected in each reservation; receivers of public moneys were required to give security, and a marshal and two deputies were chosen for the execution of the laws, and of the processes of their courts in each reservation. The constitution might be amended by a vote of two-thirds, three months' notice of intention being first given. Several amendments have been since made, and one adopted March 18, 1862, was confirmed by law in 1865¹.

Under the constitution adopted in 1848, the saw-mills then on the reservations were declared national property, but this was not to hinder and remonstrances. (See Assembly Docs. 108, 189, 190, 1849, and Senate Doc. No. 59, 1850.) The chiefs represented that great confusion had followed the change; that timber, lumber, and bark were now stolen without hindrance, and that many disorders had arisen unknown before. These charges were in turn denied, and great benefits were anticipated from the change. Among these, it was years afterwards alleged that polygamy had been abolished, and great progress had been made in agriculture and the domestic arts. (Assembly Doc. 63, 1865.)

¹Act of March 16, 1865, chap. 24. See also, Assembly Document No. 63, 1865, in which statements of the operation of the constitution are given. Taxes have long been raised among the Senecas for the support of their poor, as well as for highways and other public purposes.

der the erection of others by private owners upon their own lands, if done without injury to the rights of others. In 1847 a change was made, under an order of the Secretary of War, in the mode of paying annuities, by providing that these moneys should be paid directly to the heads of families, instead of to the chiefs as formerly.

Schools among the New York Indians.—The first schools among the Iroquois of New York, were established by missionaries and through the efforts of Friends, as briefly noticed in our account of the several reservations. The American Board of Foreign Missions had schools in the Allegany, Cattaraugus, and Tuscarora Reservations, but there were pagan neighborhoods in which the idea prevailed that "education coming from whatever source" would destroy the traditional religion and custom of their ancestors, and in these the schools received little favor.

The State did nothing in a systematic way towards education among these people until 1846, when it gave the sum of \$300 for a school-house at Onondaga, like sums for Allegany and Cattaraugus, and \$250 for St. Regis. It also gave for five years, the annual allowance of \$200 to St. Regis, \$250 to Onondaga, \$300 to Allegany, and \$350 to Cattaraugus for teachers' wages. These grants were continued in the main until in 1855 they had amounted to \$12,100. From 1849 to 1853 the sum of \$1,000 a year was allowed for maintaining Indian youths at the normal school in Albany.¹ In 1853 this sum was given to academies at which pupils might be sent from the reservations, but in 1854, this policy was again changed to that of placing Indian youths among farmers, in aid of which the sum of \$1,000 was given. Under this plan four girls and one boy were provided with places.

In 1853 a school was established by the State at Tonawanda. These desultory and unstable plans were without efficient system, but in 1855, the subject of education among the native tribes came before the Legislature, and a committee, of which the Hon. T. V. H. Clark, the historian of Onondaga County, was chairman, made a very able report, setting forth the duties of the State in a clear and convincing light. The committee reported a bill, which passed the assembly, but was not reached during the session in the senate.²

The committee state in their report that the St. Regis, Tonawanda, and Onondaga Indians were behind the rest in all that goes to swell the sum of human comfort. The Cattaraugus Reservation was far in advance of that on the Allegany, their farms being tolerably well cultivated, and their dwellings beginning to assume an air of comfort, industry, and

¹ Several of these pupils sickened, and some died of consumption, apparently from too great a change in their diet and mode of life.

²Assembly Document No. 43, 1855. The plan recommended was the appointment of a board of commissioners for Indian affairs, consisting of the Governor, secretary of state, and superintendent of public instruction, with power to appoint a suitable person to make examination into the condition of the Indians of the State. The board was to report annually to the Legislature, with such recommendations as they might deem proper.

thrift. Of these two reservations, the committee say there are two popular and prevalent errors :

“ One is that they are fast decreasing in population; the other, that all effort for their improvement is hopeless. Notwithstanding the ravages of disease and death in their most aggravated forms, and the emigration of a portion to the West, the Senecas have so increased since 1832 that the annuities which then gave them \$3 a piece, now give but \$2.46, *i. e.*, they are about 18 per cent. more numerous than they were twenty-three years ago, and are steadily increasing.”

At that period about two-thirds of the Cattaraugus people attended divine worship, while open profession was made by less than an eighth. One-third were openly and avowedly pagans, and declined all proffers of aid to civilization.

This report having awakened public attention to the importance of education among the Indian tribes, an act was passed at the following session (April 1, 1856), substantially the same as that now in force. It charged the superintendent of public instruction with the duty of providing the means of education for all the Indian children of the State. He was to cause to be ascertained the condition of the various bands in the State in respect to education, establish schools, employ superintendents, and, with the concurrence of the comptroller and secretary of state, cause buildings to be erected, where necessary, for school purposes. The children of Indians between the ages of four and twenty-one were now first entitled to share in the school fund, and the sum of \$5,000 was granted from the income of the United States deposit fund for carrying the law into effect.

It may be of interest to notice the condition of the Indian schools at the time their care was assumed by the State.

The report made in 1855, shows that there then were seven schools at Cattaraugus, five at Allegany, two each at Tonawanda, Tuscarora, Onondaga, and St. Regis, and one at Onondaga. Of the Cattaraugus schools, two were aided by the American Board of Missions, one wholly by the State, and of the other four the patronage was not stated. Six of these schools had in all two hundred and fifty-five names on the lists, and an average attendance of one hundred and sixty-three. Of the Allegany schools, four were mission schools (one a girls' boarding school), and there were on the rolls of the five schools one hundred and forty-six names. The average attendance was one hundred and six. Besides these there was, just off the reservation, a Friend's boarding school, with fifteen pupils. The two schools at St. Regis were supported by the State, with one hundred and ten names on the rolls and an average attendance of about thirty.

The Tonawanda schools had formerly been under the Baptist Missionary Society, but since the Ogden controversy, that society had withdrawn its support, and they had been kept up by the State. Attendance, eighty; average, fifty-five.

One of the Tuscarora schools was a girls' boarding school of over forty pupils, from four to fifteen years of age, supported by the American Board of Missions. The other was under the common school system, with about twenty-five pupils.

At Onondaga, the school had about fifty-five names on the list, but not more than ten showed an interest in learning. The Oneida schools were aided by the State, and their missionaries were supported by charitable enterprise.

Only two good school-houses were found, but in 1856 new ones were built at St. Regis, Oneida, and Tonawanda, and the year following at Shinnecock. Measures were begun for dividing reservations into school districts.

It was presently found that the prejudice which had existed against mission schools, was not felt in pagan neighborhoods with respect to schools supported by the State, and in the report for 1858, it is stated "that where the erection of houses became necessary, the national council has in each case contributed \$50 to \$80 towards the expense, whilst the Indian population has voluntarily furnished the timber and no inconsiderable quantity of the lumber used for this purpose. In this manner the expense for this object has been materially lessened, whilst the alacrity displayed in meeting the requirements of the superintendent, shows a gratifying appreciation of the benevolent designs of the State."

Again, in the report for 1859, testimony is borne of the Seneca council that it "has always manifested a deep interest in the progress of the schools and a willingness to contribute, as far as the limited national resources would permit, towards the erection of school-houses." So much had been given in labor, lumber, stone, rough timber, and other materials, that in every instance but one the building had cost less than \$300, including suitable accommodations for the residence of a teacher.¹

Hitherto the greatest obstacle to success in the Indian schools has been found in the fact that the services were conducted in the English language, while to the pupils this was often an unknown tongue. The practice has prevailed to a very limited extent of allowing white and Indian children to attend the same school. This resulted from accident rather than design, as from location it might be the more convenient if not the only chance of sending to any school. A decided benefit has resulted from this, because children learn language in play more readily than from books.

For many years it has been customary to employ Indian teachers; but

¹The Report of the Superintendent of the Seneca schools for 1859 says: "In the new districts, where the people are mostly pagans, the teachers had to encounter great opposition; but by kind deportment and persevering attention, they have induced the mothers to visit the schools, where, seeing the order of the school and the progress made by their children, they are often seen shedding tears of joy for their children, and grief on account of their own ignorance, and the opposition has nearly passed away."

as a general rule, they are not as successful in this office as those of the white race.

In 1856 the number of Indian children from four to twenty-one was 1,658.

A census of Indian children in 1864 showed that the number between the ages of five and twenty-one was 1,693, distributed as follows: Allegany, 356; Cattaraugus, 577; Oneida, 45; Onondaga, 85; St. Regis, 265; Shinnecock, 57; Tonawanda, 192; and Tuscarora, 121.

Total number of teachers employed in Indian schools, specifying by sex and race.

Years.	Male.	Female.	White.	Indian.	Total.
1869	9	30	22	17	39
1870	8	28	23	13	36
1871	7	30	24	13	37
1872	8	29	20	17	37
1873	5	28	23	10	33
1874	4	27	19	12	31

At St. Regis and Tuscarora none but female teachers were employed during the above period. At Oneida and Tonawanda a male teacher was employed one year. At Oneida and St. Regis none but whites were employed.

The attendance upon these schools was not regularly reported before 1866. For a part of the time it was as follows:

Allegany: 1857, 172 (average 85); 1858, 140 (average 83); 1859, 135 (average 78); 1862, 123; 1863, 162; 1864, 173; 1865, 156.

Cattaraugus: 1857, 262 (average 150); 1858, 294 (average 183); 1859, 291 (average 186); 1862, 300; 1863, 355; 1864, 348; 1865, 350.

Oneida: Average, 1864, 19; 1865, 6.

Onondaga: 1864 (average), 16; 1865 (total), 53.

St. Regis: 1864 (total), 103.

Shinnecock: 1864 (average), 26.

Tonawanda: 1864, 97 (average), 44.

Tuscarora: 1864 (total) 113; (average), 53.

The total number of children, and total average attendance yearly since 1865, are shown in the following tables.

Number of Indians between five and twenty-one years of age.

Years.	Allegany and Cattaraugus.	Oneida.	Onondaga.	St. Regis.	Shinnecock.	Tonawanda.	Tuscarora.	Total.
1866	1,148	35	92	290	35	221	149	1,970
1867	1,121	45	108	255	60	220	170	1,970
1868	1,311	46	112	340	68	210	186	2,243
1869	1,002	48	107	280	54	214	166	1,871
1870	979	52	127	241	54	163	169	1,785
1871	890	47	113	293	50	180	172	1,754
1872	950	47	118	274	43	173	169	1,774
1873	970	44	120	273	45	112	182	1,746
1874	982	44	106	250	41	110,	186	1,728

Number of children registered in the schools.

Year.	Allegheny and Cattaraugus.	Oneida.	Onondaga.	St. Regis.	Shinnecock.	Tonawanda.	Tuscarora.	Total.
1866	525	32	46	151	31	121	136	1,042
1867	568	30	53	91	31	100	113	986
1868	602	35	58	131	42	79	115	1,062
1869	571	33	63	70	40	105	120	1,002
1870	582	40	64	70	32	53	116	957
1871	694	36	71	61	40	60	111	1,073
1872	800	39	58	63	35	79	118	1,192
1873	820	35	70	61	37	97	119	1,229
1874	631	38	65	45	41	90	108	1,018

Average daily attendance.

1866	318	11	24	29	19	43	45	488
1867	329	17	17	20	19	46	20	468
1868	343	18	14	44	17	33	47	516
1869	350	8	19	18	15	43	29	487
1870	404	8	20	30	25	36	26	549
1871	410	7	18	27	15	25	23	525
1872	590	8	17	18	19	32	22	706
1873	620	7	24	27	17	46	23	764
1874	372	9	22	11	16	48	20	498

The expenses incurred by the State for Indian schools were reported only in aggregates before 1869. The following table embraces the totals of expenditures during the first thirteen years after the care of these schools was assumed by the State. The last column exceeds the sum of the preceding, in several years, because it includes items for general expenses.

Total expenditure for Indian schools.

Years.	Allegheny and Cattaraugus.	Oneida.	Onondaga.	St. Regis.	Shinnecock.	Tonawanda.	Tuscarora.	Total.
1856.....								\$1,869.85
1857.....								6,627.45
1858.....								5,401.18
1859.....								4,742.88
1860.....								4,396.06
1861.....								4,193.96
1862.....	\$2,343.32	\$324.53	\$242.62	\$460.87	\$96.00	\$306.71	\$368.00	4,142.05
1863.....	2,748.94	347.08	195.66	445.00	104.00	328.52	907.99	5,077.19
1864.....	2,927.88	245.18	274.58	273.50	86.00	289.70	502.89	4,072.23
1865.....	4,172.45	332.02	199.77	435.00	113.00	219.01	510.03	5,981.28
1866.....	2,779.80	359.68	260.02	655.01	158.00	247.50	435.75	4,896.76
1867.....	2,783.74	350.68	217.26	560.14	149.00	253.40	480.00	4,880.59
1868.....	5,182.95	394.25	255.35	675.85	194.00	372.39	770.49	7,922.24

The receipts and payments for schools, since 1868, are shown by items for the several reservations in the following tables.

Payments on account of Indian schools.

ALLEGANY AND CATTARAUGUS.

Years.	For teachers' wages.	For building and repairing school-houses.	For furniture, books, and school apparatus.	For incidental expenses.	Total payments.
1869.....	\$3,356.00	\$981.84	\$473.38	\$754.04	\$5,565.26
1870.....	3,370.50	81.74	326.98	714.85	4,530.07
1871.....	4,000.00	610.00	200.00	899.84	5,709.84
1872.....	4,038.92	529.62	455.98	1,150.88	6,775.40
1873.....	4,258.00	510.00	328.63	698.10	5,794.73
1874.....	4,052.00	450.00	683.23	400.00	5,585.23

ONEIDA.

1869.....	\$370.00	.....	\$16.67	\$70.00	\$456.67
1870.....	356.00	\$1.40	30.05	73.50	460.95
1871.....	320.00	10.00	19.59	69.35	418.94
1872.....	330.00	27.30	12.87	106.45	476.64
1873.....	335.00	.....	11.04	92.00	438.04
1874.....	325.00	15.00	26.48	64.50	430.98

ONONDAGA.

1869.....	\$216.00	\$28.75	\$21.16	\$91.79	\$357.70
1870.....	110.00	45.00	.....	114.00	269.00
1871.....	210.00	95.40	19.00	165.64	490.04
1872.....	204.00	26.90	33.78	157.72	422.40
1873.....	147.20	14.25	29.75	115.00	306.20
1874.....	252.00	14.19	36.58	119.76	412.53

ST. REGIS.

1869.....	\$500.00	\$20.00	\$39.00	\$16.00	\$515.00
1870.....	500.00	.....	.....	.....	500.00
1871.....	500.00	12.00	.....	94.05	606.05
1872.....	500.00	7.00	.....	25.09	532.09
1873.....	750.00	15.00	9.00	29.55	803.55
1874.....	250.00	.....	7.93	18.22	276.15

SHINNECOCK.

1869.....	\$221.00	.....	.....	\$105.00	\$326.00
1870.....	263.50	.....	\$55.00	50.00	368.50
1871.....	168.00	\$95.00	.....	204.50	467.50
1872.....	350.00	10.00	.....	70.50	430.50
1873.....	209.00	25.00	.....	.....	234.00
1874.....	304.00	10.10	.....	56.71	370.81

INDIAN EDUCATION AND CIVILIZATION.

Payments on account of Indian schools—Continued.

TONAWANDA.

Years.	For teachers' wages.	For building and repairing school-houses.	For furniture, books, and school apparatus.	For incidental expenses.	Total payments.
1869.....	\$300.00	\$5.60	\$72.25	\$51.69	\$429.53
1870.....	312.00	6.29	34.14	95.53	447.96
1871.....	204.00	5.00	18.77	92.41	320.19
1872.....	504.00	123.23	.....	40.60	667.83
1873.....	348.00	504.00	69.82	151.14	1,072.96
1874.....	529.32	212.00	.....	180.00	921.32

TUSCARORA.

1869.....	\$442.00	.....	\$36.92	\$111.32	\$590.22
1870.....	454.31	.....	22.91	112.00	589.22
1871.....	426.00	\$2.00	29.66	207.25	664.91
1872.....	320.25	2.00	42.41	107.00	471.66
1873.....	505.00	3.00	30.30	109.11	647.41
1874.....	346.00	5.00	23.17	95.13	469.30

TOTAL OF ALL RESERVATIONS.

1869.....	\$5,405.00	\$1,036.19	\$659.38	\$1,199.81	\$8,300.38
1870.....	5,366.31	134.43	505.08	1,159.88	7,165.70
1871.....	5,828.00	829.40	287.02	1,733.04	8,677.46
1872.....	6,247.17	726.05	545.06	1,658.24	9,176.52
1873.....	6,552.20	1,071.25	478.54	1,194.90	9,296.89
1874.....	6,058.32	706.29	777.39	924.32	8,466.32

Receipts for support of Indian schools.

ALLEGANY AND CATTARAUGUS.

Year.	Value of school-houses.	Received from State.	Received from other sources.	Total receipts.
1869.....	\$8,350	\$4,228.26	\$887.00	\$5,115.26
1870.....	8,415	4,080.07	450.00	4,530.07
1871.....	8,800	5,029.84	680.00	5,709.84
1872.....	9,300	4,875.40	1,300.00	6,175.40
1873.....	8,500	4,944.73	850.00	5,794.73
1874.....	8,500	4,735.23	850.00	5,585.23

ONEIDA.

1869.....	\$800	\$146.67	\$19.00	\$465.77
1870.....	800	448.95	12.00	460.95
1871.....	800	408.94	10.00	418.94
1872.....	800	441.64	35.00	476.64
1873.....	800	418.04	20.00	438.04
1874.....	800	398.48	32.50	430.98

RECEIPTS FOR SCHOOLS.

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Receipts for support of Indian schools—Continued.

ONONDAGA.

Year.	Value of school-houses.	Received from State.	Received from other sources.	Total receipts.
1869.....	\$950	\$220.70	\$135.00	\$355.70
1870.....	900	110.00	159.00	269.00
1871.....	925	383.04	107.00	490.04
1872.....	900	332.40	90.00	422.40
1873.....	700	220.70	85.50	306.20
1874.....	1,000	327.53	85.50	413.53

ST. REGIS.

1869.....	\$600	\$575.00	.....	\$575.00
1870.....	800	500.00	.....	500.00
1871.....	500	606.05	.....	606.05
1872.....	500	532.09	.....	532.09
1873.....	400	803.35	.....	803.35
1874.....	450	276.15	.....	276.15

SHINNECOCK.

1869.....	\$1,500	\$205.00	\$121.00	\$326.00
1870.....	800	278.50	90.00	368.50
1871.....	800	382.50	85.00	467.50
1872.....	800	418.50	12.00	430.50
1873.....	800	234.00	.....	234.00
1874.....	800	350.81	20.00	370.81

TONAWANDA.

1869.....	.....	\$371.53	\$58.00	\$429.53
1870.....	.....	418.96	29.00	447.96
1871.....	.....	287.18	33.00	320.18
1872.....	.....	544.60	123.23	667.83
1873.....	.....	887.96	185.00	1,072.96
1874.....	\$1,100	691.32	230.00	921.32

TUSCARORA.

1869.....	\$1,700	\$441.18	\$60.00	\$501.18
1870.....	1,600	524.22	65.00	589.22
1871.....	1,600	681.91	83.00	664.91
1872.....	1,600	409.66	62.00	471.66
1873.....	1,500	694.41	53.00	647.41
1874.....	1,500	424.30	45.00	469.30

TOTAL OF ALL RESERVATIONS.

1869.....	\$13,925	\$6,548.24	\$1,271.00	\$7,819.24
1870.....	13,135	6,360.70	805.00	7,165.70
1871.....	13,445	5,029.84	680.00	5,709.84
1872.....	14,000	7,554.29	1,622.23	9,176.52
1873.....	13,450	8,103.39	1,193.50	9,296.89
1874.....	14,150	7,203.82	1,262.50	8,466.32

*Missions.*¹—Without attempting a history of missions, among the Indians of New York, we may simply remark that there are at present twelve church buildings for the exclusive use of these people, valued at \$22,400, and capable of seating 2,500. Of these, four are Methodist Episcopal, four Baptist, three Presbyterian, and one Protestant Episcopal. At St. Regis is a Catholic church, on the Canada side of the line, but attended by all of that faith on the reservation. The number of Indian church members within the State is 1,034, and of the clergymen in charge of these churches six are Indians.

Indian agricultural societies.—The “Iroquois Agricultural Society” was formed in 1859, and held its first fair on grounds fitted up for the purpose on the Cattaraugus Reservation, near the village of Versailles, in 1860. These fairs have since been held annually and the State has usually granted \$250 per annum to encourage the enterprise. The society was incorporated by special act May 5, 1863, and the charter has been since repeatedly amended.²

In 1865 the number of entries of horses, cattle, and sheep was 107, and the whole number of entries was 674.

The sum received from all sources was \$1,226.41 and premiums were awarded to the amount of \$321.25. Measures were taken this year for the purchase of permanent grounds. About 17½ acres were secured and improvements have been made from time to time, so that the premises are now very convenient.

The State report of 1871, in speaking of the fair of the Iroquois Agricultural Society held on its grounds in September of that year, says: “The Indians have manifested more interest to excel in competition, therefore a better display of stock than in former years. It is quite noticeable that the common stock is giving way to blooded grades. * * * Grain and vegetables displayed at this fair can not be excelled in this country, as the remark was made by many competent to judge who were visitors from abroad. The entries in the domestic department far excelled those of former years, showing a decided improvement. In mechanical arts a deficiency was manifested, although several entries were made. The display in fruit was quite large, especially canned fruits. The number of entries was about 1,000 in all the departments.”

The receipts at this fair were \$1,561.28, and the sum of \$862 was distributed as premiums and purses, \$807.49 paid for improvement of

¹The American Board of Foreign Missions had stations among the Senecas from 1826 to 1870, at which, at different times, forty-seven missionaries labored, and in all about six hundred church members were received. Their missions were transferred in 1870 to the Presbyterian Board of Missions. From 1811 to 1826 the New York Missionary Society had charge of Seneca missions.

²March 12, 1864, May 9, 1873, and May 8, 1874. It was originally intended that this society should be represented in its trustees by election from the different reservations, but this idea is abandoned, and the elections are now held at Cattaraugus, each male of twenty-one years of age who has cultivated 10 acres of land on that reservation and who is a resident therein having a right to vote for trustees.

grounds and other expenses, and \$184.79 to reduce a debt. At the sixteenth fair, held in 1875, the number of entries was 900 and the number of members 180. Their receipts amounted to \$1,395.90, being \$12.93 over expenses.

A branch of this society was formed on the Tonawanda Reservation in 1865, and separate fairs held since that year. They are practically distinct from those at Cattaraugus, and are increasing annually in interest. The seventh fair (1871) reported \$911.50 received, chiefly from tickets sold, \$588.75 paid for premiums and purses, \$40 for printing, \$42.75 for police, \$150 for improvements, and \$90 for payment of debts. Their eleventh report shows the receipt of \$585.75.

The "Onondaga Indian Agricultural Society" was incorporated by special act May 18, 1870, and the powers usually enjoyed by agricultural societies were granted. It is managed by fifteen trustees named in the act, who appoint their own successors and elect officers from their number. The State report for 1871 says of their second fair: "Notwithstanding the very inclement weather during the first three days, there was a creditable exhibition of live-stock, grains, vegetables, and in the horticultural department. In each of the departments a very commendable emulation was apparent, and in the departments of grains and vegetables the display would compare favorably with any like exhibition among the white people." Addresses were delivered by the Hon. Horatio Seymour and by Bishop Huntington, and these being a new feature with these people served greatly to awaken an interest in the society.

The sum of \$200 from the State, with other items, chiefly from admission tickets, carried up the receipts of that year to \$484.80, and the sum of \$161 was paid in premiums.

The more recent fairs of this society show an increasing interest in the enterprise and an improving condition among these people.

In 1875 the number of entries was 752 and the receipts amounted to \$411.51.

State annuities.—The Indian annuities now paid by the State of New York amount to \$7,361.67, of which sum the Onondagas receive \$2,430, the Cayugas \$2,300, the Senecas \$500, and the St. Regis \$2,131.67.

United States annuities.—Under an act approved June 27, 1846, the sum of \$75,000, paid under the treaty of 1842 to the New York Senecas, and the stock in which the same had been invested were ordered to be turned into the Treasury to the credit of these Indians, and 5 per cent. to be paid annually. The same act authorized the President to receive from the Ontario Bank (Canadaigua) the money held in trust for these people, and cause the stock to be cancelled and credit given. Under this authority \$43,050 of purchase money was placed to the credit of the New York Senecas. These sums, amounting to \$118,050, produce at 5 per cent. \$5,902.50, and \$6,000 a year pledged by treaty makes the total annuity \$11,902.50 in money.

The Six Nations of New York are also entitled to \$4,500 under treaties. This is payable in goods, etc., and a part of it goes to the Oneidas and Stockbridges of Wisconsin and the Indian Territory.¹

Condition and numbers at some given periods.—A legislative report made in March, 1819, a short time before the emigration of large parties of Indians from central New York, gave the following as the extent and population of the several reservations:

Reservation.	Acres.	Population.
Buffalo Creek	83, 557	686
Tonawanda	46, 209	365
Cattaraugus	26, 880	389
Allegany	30, 469	597
On Genesee River.....	31, 648	456
Oil Spring.....	640	.....
Tuscarora.....	1, 950	314
Oneida	20, 000	1, 031
Onondaga	7, 000	300
Stockbridge.....	13, 000	438
St. Regis.....	10, 000	400
Total.....	271, 323	4, 976

At \$6 per acre their lands were worth at that time nearly \$1,628,000. (Assembly Journal, 1819, p. 587.) The Brothertown Indians appear to be omitted from the enumeration.

In 1857, the distribution by tribes and reservations, in New York, was as follows: Senecas, 741 at Allegany, 1,204 at Cattaraugus, and 650 at Tonawanda; total Senecas, 2,595. Tuscaroras, 269 on their own lands in Lewiston. Cayugas, 157 with Senecas. Onondagas, 132 with Senecas, 322 on their own reservation, and 27 with Tuscaroras; total Onondagas, 472. Oneidas, 176 at Oneida, 7 with Senecas, and 72 with Onondagas; total Oneidas, 255. Total of all New York Indians in 1857, 3,748.

Wealth of the New York Indians in 1861.—In 1861 the personal wealth of the Indians of central and western New York was estimated at \$465,700, distributed as follows:

Cayugas (with Senecas)	\$13, 200
Onondagas (with Senecas).....	14, 500
Senecas (Allegany Reservation).....	60, 000
Senecas (Cattaraugus Reservation)	125, 000
Senecas (Tonawanda Reservation)	85, 000
Oneidas of Madison and Oneida Counties	17, 000
Onondagas of Onondaga County.....	44, 000
Tuscaroras of Niagara County.....	97, 000

¹ In 1856 the share coming to the Stockbridges of Green Bay was \$214, and in the West \$56; to the Oneidas of Green Bay, \$882; to the Six Nations in New York, \$3,697.50.

STATISTICS AS RETURNED BY THE STATE CENSUS.

Population.

Reservation.	1845.	1855.	1865.	1875.	1885.	Increase or decrease within decennial periods.			
						1845-55.	1855-65.	1865-75.	1875.
Allegany	783	754	825	866	890	29	71	41	24
Buffalo	446								
Cattaraugus	922	1,179	1,347	1,417	1,539	257	168	70	122
Oneida	157	161	155	139	172	4	6	16	23
Onondaga	368	349	360	401	371	19	11	41	30
St. Regis	260	413	426	1,737	937	153	13	311	200
Shinnecock		160	147	185			13	38	
Tonawanda	505	602	509	559	557	97	93	50	2
Tuscarora	312	316	370	404	461	4	54	34	57
Total	3,753	3,934	4,139	4,708		181	195	569	

¹ Of 1,685 Indian youths in New York in 1875, between the ages of five and twenty-one years, about 1,000 can read and speak the English language, and of adults about 500.

Acres cultivated in different crops in 1875-1884.

Reservations.	1875.							1884.					
	Wheat.	Oats.	Rye.	Barley.	Buckwheat.	Indian corn.	Potatoes.	Peas.	Wheat.	Oats and barley.	Beans.	Corn.	Vegetables.
Allegany	284				196	379	109	11	800	1,500	500	1,500	8,250
Cattaraugus	401	860			1	922	322		3,500	3,000	1,000	4,000	16,650
Oneida	12	22				21	9	2	250	150	50	450	1,075
Onondaga	47	148				216	68	4	2,500	1,500	400	6,000	5,675
St. Regis	170	357		8	25	198	135	83					
Shinnecock	2	18			4	36	8						
Tonawanda	151	198	9	18	11	238	107		2,500	2,500	500	7,500	8,925
Tuscarora	404	373	25	8	5	227	32		3,000	2,500	250	6,000	5,675

Acres of improved land.

Reservations.	1845.	1855.	1865.	1875.	1884.
Allegany	2,163½	1,714	2,436	2,971	5,200
Buffalo Creek	1,914				
Cattaraugus	2,439	3,032½	4,962½	6,851	5,500
Oneida	421	354½	225½	220	200
Onondaga	2,043	2,063½	1569	943	4,000
St. Regis	591½	1,425½	1,826½	26,206	
Shinnecock				158	
Tonawanda	2,216	2,515	2,006	2,562	25
Tuscarora	2,079½	3,092	3,372½	3,199	3,500
Total	13,867½	14,197½	15,398½	23,110	

¹ Not including lands leased to whites.

² Including lands formerly leased, but now cultivated by Indians.

Agricultural products.

Reservation.	Wheat (bushels).					Oats (bushels).				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany	503	142	50	.....	800	4,366	1,951	3,364	5,768	.....
Cattaraugus	2,032	3,603	3,082	4,263	3,500	10,544½	5,147	11,266	24,613	.....
Oneida	325	417	264	243	250	720	707	381	886	.....
Onondaga	1,156	221	1,107	302	2,500	2,110	2,076½	1,655	2,170	.....
St. Regis	195	938	831	2,081	.....	291	642	2,534½	6,700	.....
Shinnecock .....	.....	71	.....	45	.....	.....	150	.....	380	.....
Tonawanda	2,400	1,715	200	975	2,500	2,500	2,811	3,086	4,326	.....
Tuscarora	4,897	8,041	3,471½	4,654	3,000	4,085	5,216	3,654	5,752	.....
Total	11,508	15,148	9,005½	12,653	.....	28,866½	18,700½	25,960½	50,595	.....

Reservation.	Rye (bushels).					Barley (bushels).				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany	90	329	.....	.....	35	.....	.....	.....
Cattaraugus	40	.....	.....	1,300	690	82	.....	.....
Oneida	200	419	725	.....	.....
Onondaga	70	.....	.....	.....	.....
St. Regis	280	98	.....
Shinnecock
Tonawanda	60	.....	50	150	.....	550	.....	.....	409
Tuscarora	145	.....	430	60	.....	22
Total	60	130	379	325	.....	2,585	1,169	1,087	529

Reservation.	Buckwheat (bushels).					Corn (bushels). ¹				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany .....	.....	1,706	2,031½	2,230	.....	8,565	5,534	6,260	8,461	1,500
Cattaraugus	647	358	623	732	.....	9,936	16,272	12,363	26,485	4,000
Oneida .....	.....	.....	.....	148	.....	1,458	1,160	100	487	450
Onondaga	50	.....	.....	.....	.....	4,492	3,473	3,219	6,253	6,000
St. Regis .....	.....	30	596	316	.....	658½	902	1,528½	1,728	.....
Shinnecock .....	.....	.....	.....	50	.....	.....	1,530	.....	1,070	.....
Tonawanda	112	.....	.....	67	.....	3,950	3,725	8,145	7,777	7,500
Tuscarora	245	128	391	27	.....	3,515	7,225	4,184	4,616	6,000
Total	1,054	2,222	3,671½	3,570	.....	35,499½	39,821	35,821	56,877	.....

¹ The total of 1845 includes 2,925 bushels raised on Buffalo Creek Reservation.

Agricultural products—Continued.

Reservation.	Potatoes (bushels). ¹					Peas (bushels).				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany	3,638	3,966	4,770	7,184	.....	90	26	178	189	.....
Cattaraugus	7,192	7,355	11,104	26,720	.....	324	43	61½	.....	.....
Oneida.....	841	126	40	662	.....	35	60	.....	96	.....
Onondaga.....	840	8,684	1,217	4,665	.....	91	29½	.....	34	.....
St. Regis.....	410	2,094	3,760	7,752	.....	105	336½	486	1,247	.....
Shinnecock .....	.....	888	.....	622	.....	.....	.....	.....	.....	.....
Tonawanda.....	1,150	1,179	3,161	4,711	.....	200	44	40	.....	.....
Tuscarora	1,160	2,665	1,468	3,286	.....	65	.....	5	.....	.....
Total	16,881	18,641	25,520	55,602	.....	910	538½	770½	1,566	.....

¹The total of 1845 includes 1,444 bushels raised on the Buffalo Creek Reservation.

Reservation.	Beans (bushels).					Turnips (bushels).				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany .....	.....	209	132½	.....	.....	29	120	47	.....	.....
Cattaraugus .....	.....	528	190½	.....	.....	179	110	.....	.....	.....
Oneida.....	11	8½	.....	.....	.....	.....	.....	.....	.....	.....
Onondaga.....	.....	.....	69	.....	.....	30	.....	.....	.....	.....
St. Regis.....	18	11	104	.....	.....	.....	2	.....	.....	.....
Shinnecock .....	.....	13	.....	.....	.....	.....	30	.....	.....	.....
Tonawanda.....	15	11	20	.....	.....	60	15	.....	.....	.....
Tuscarora .....	.....	123	59½	.....	.....	55	.....	4	.....	.....
Total	44	979½	574½	.....	.....	353	277	51	.....	.....

Hay.

Reservation.	Acres mowed the year previous.					Tons of hay cut the year previous.			
	1845.	1855.	1865.	1875.	1884.	1855.	1865.	1875.	1884.
Allegany	416½	144	443	.....	.....	210	434½	.....	900
Cattaraugus	251	4	647½	.....	.....	246	759	.....	1,200
Oneida.....	17	42	22	.....	.....	40½	55½	.....	50
Onondaga.....	116½	84½	80½	.....	.....	93½	96½	.....	750
St. Regis.....	.....	414½	1,660	1,298	.....	357	773½	1,151½	.....
Shinnecock .....	.....	.....	.....	.....	.....	.....	1	.....	.....
Tonawanda.....	180	145½	179½	.....	.....	248½	261½	.....	900
Tuscarora	195	283	581½	.....	.....	238	591	.....	1,000
Total	1,350½	1,118½	3,614½	.....	.....	1,504½	2,921½	.....	.....

Pasturage and tillage.

Reservation.	Acres pastured the year previous.				Acres plowed the year previous.			
	1855.	1865.	1875.	1884.	1855.	1865.	1875.	1884.
Allegany	(¹)	252½			(¹)	828½		
Cattaraugus	(¹)	1, 252½			17	1, 400½		
Oneida	16	22				107½		
Onondaga	126½				578½	443		
St. Regis	(¹)	385	763		68	627½	815	
Shinnecock					57½	(¹)		
Tonawanda	14	263			76	578		
Tuscarora	578	518			388	849½		
Total	734½	2, 693			1, 184½	4, 834½		

¹ Returns incomplete.*Orchards.*

Reservation.	Number of trees.				Bushels of fruit.			
	1845.	1855.	1865.	1875.	1845.	1855.	1865.	1875.
Allegany.....			1, 382	2, 032		3, 570	3, 462½	4, 202
Cattaraugus			1, 994	4, 508		860	3, 405	9, 317
Oneida.....			1, 302	320		40	2, 857	570
Onondaga.....			221			1, 798	265	
St. Regis.....				¹ 1, 517				179
Shinnecock				20				10
Tonawanda.....			635	1, 903		2, 071	1, 162	1, 434
Tuscarora			3, 695	5, 511		636	1, 237	4, 172
Total			9, 229	16, 006		8, 975	12, 388½	19, 884

¹ Mostly young trees, planted since the occupation by the Indians of lands formerly leased to whites.*Maple sugar and honey.*

Reservation.	Pounds of maple sugar made.			Pounds of honey the previous year.		
	1855.	1865.	¹ 1875.	1855.	1865.	¹ 1875.
Allegany	806	635				75
Cattaraugus	1, 770	972		280	393	
Oneida.....	60				180	
Onondaga.....	431					
St. Regis.....	340					
Shinnecock						
Tonawanda.....	7, 555	575				
Tuscarora	1, 702	1, 276		170	50	
Total	12, 664	3, 458		450	698	

¹ Returns not prepared for publication.

Domestic animals owned.

Reservation.	Working oxen and steers.					Milch cows.				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany		84	54	74	.....	169	119	108	.....	.....
Cattaraugus		154	136	213	.....	209	235	206	39	.....
Oneida	28	20	276	88	.....
Onondaga		9	22	12	.....	82	40	44	.....	.....
St. Regis		29	2	3	.....	42	66	71	28	.....
Shinnecock		4		5	.....		10		148	.....
Tonawanda		49	7	24	.....	88	95	64	55	.....
Tuscarora		68	17		.....	98	112	91	13	.....
Total		397	238	331	.....	803	697	860	371	.....

Reservation	Horses.					Sheep.				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany	149	96	84	.....	150	79	9	55	.....	.....
Cattaraugus	262	97	285	.....	250	405	91	24	.....	.....
Oneida	17	18	60	.....	15			304	.....	.....
Onondaga	64	42	59	.....	120	49	44	7	.....	.....
St. Regis	50	108	119	187	.....					.....
Shinnecock		6			.....					.....
Tonawanda	130	97	95	.....	145	50		152	.....	.....
Tuscarora	156	109	122	.....	65	215	92	54	.....	.....
Total	948	673	824	.....	839	236	596		.....	.....

Reservation.	Swine.					Hogs killed.		Pounds of pork.		
	1845.	1855.	1865.	1875.	1884.	1865.	1875.	1865.	1870.	1884.
Allegany	627	526	289	.....	600	97	.....	15,422	.....	.....
Cattaraugus	991	1,054	424	.....	1,200	206	.....	21,745	.....	.....
Oneida	46	36	73	.....	75	65	.....	14,492	.....	.....
Onondaga	327	142	246	.....	600	57	.....	11,440	.....	.....
St. Regis	112	142	181	131	.....	75	111	14,460	22,170	.....
Shinnecock		32			.....					.....
Tonawanda	390	409	295	.....	350	104	.....	23,040	.....	.....
Tuscarora	596	464	317	.....	175	125	.....	15,020	.....	.....
Total	3,458	2,805	1,825	.....	.....	729	.....	115,619	.....	.....

¹ In 1845, 369 on Buffalo Creek Reservation included in total.

Domestic animals owned—Continued.

Reservation.	Pounds of wool.					Pounds of butter made.				
	1845.	1855.	1865.	1875.	1884.	1845.	1855.	1865.	1875.	1884.
Allegany			62				1,740	8,525		500
Cattaraugus			48			2,426	2,271	1,855		600
Oneida			841			1,140		5,400		150
Onondaga			57			1,150		4,465		600
St. Regis							3,540	5,141	7,310	
Shinnecock							410			
Tonawanda			349			3,200	9,540	2,175		1,000
Tuscarora			125			7,537	6,988	9,080		800
Total			1,482			20,341	24,489	36,641		

Value of poultry owned in 1865	\$2,448.92
Value of poultry sold	456.00
Value of eggs sold	764.05

Market gardens, 1865, 5½ acres; products sold, \$78.

Unenumerated product of farms 1865, \$810.

At Oneida, in 1865, 75,056 pounds of cheese were reported.

CHAPTER XIX.

INDIAN RESERVATIONS OF NORTH CAROLINA, OREGON, AND UTAH TERRITORY.

NORTH CAROLINA.

All the Indians formerly residing in the State have been removed to the west of the Mississippi with the exception of a few scattering Catawbas.

There is one reservation containing an aggregate area of 65,211 acres. This tract is held by deed. Total population, 4,000.

There is one agency, called the Eastern Cherokee, having charge of the reservation known as Qualla Boundary and other lands.

EASTERN CHEROKEE AGENCY.

[Post-office address: Charleston, Swain County, N. C.]

QUALLA BOUNDARY AND OTHER LANDS.

How established.—Held by deed to Indians under decision of United States circuit court for western district of North Carolina, entered at November term, 1874, confirming the award of Rufus Barringer and others, dated October 23, 1874, and act of Congress approved August 14, 1876,¹ and deeds to Indians from Johnston and others, dated October 9, 1876, and August 14, 1880. (See also House Executive Document No. 196, Forty-seventh Congress, first session.)

Area and survey.—Contains 65,211 acres,² of which 4,500 are classed as tillable.³ Out-boundaries surveyed.²

Acres cultivated.—Two thousand acres cultivated by the Indians.

Tribes and population.—The tribe living here is the Eastern band of North Carolina Cherokee. Total population, 4,000.

Location.—The reservation is situated in Swain, Jackson, Cherokee, and Graham Counties.

No agency statistics reported for these Indians.

¹ United States Statutes at Large, Vol. XIX, p. 139. ² Report of Indian Commissioner, 1886, p. 389. ³ *Ibid.*, p. 434.

School population, attendance, and support.¹

School population, as estimated in 1886, 600.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Big Cove day (contract).....	40	36	7	} \$1,960.00
Bird Town day (contract).....	30	19	7	
Cherokee day (contract).....	40	27	10	
Macedonia day (contract).....	30	16	10	
Robbinsville day (contract).....	35	19	10	
Cherokee boarding-school, Swain County (contract)....	80	40	12	5,920.89
Judson College, Henderson County (contract).....	150	17	12	2,480.62
Trinity College, Randolph County (contract).....	40	2	6	150.00

Missionary work.—Baptists, Methodists, and Friends have the missionary work in charge.²

For treaties in which these Indians took part, see Cherokee treaties, Indian Territory.

OREGON.

Organized as a Territory August 14, 1848,³ and admitted as a State February 14, 1859.⁴

The Indians residing here are the same as formerly, but the wars have been instrumental in changing their location as well as greatly reducing their numbers. The long contest between the British Trading Companies and the American settlers involved the Indians, and caused many of the disturbances incident to the early history of the State.

There are six reservations, containing an aggregate area of 2,075,560 acres. Indian population on reservation, 4,285; not on reservation, 200. Total Indian population, 5,085.

There are five agencies: The Grande Ronde Agency, having in charge Grande Ronde Reservation; the Klamath Agency, having in charge Klamath Reservation; the Siletz Agency, having in charge Siletz Reservation; the Umatilla Agency, having in charge Umatilla Reservation; and the Warm Springs Agency, having in charge Warm Springs Reservation.

Oregon donation act.—The donation act was passed for Oregon Territory September 27, 1850. The act provided for making surveys and donations of public lands in Oregon, and related to two classes of settlers. It granted to the first class of actual settlers of the public lands there, who were such prior to September 1, 1850, a donation of the quantity of a half section, or 320 acres, if a single man; and if married, the quantity of an entire section, or 640 acres, one half to the husband, and the other to the wife in her own right.

The first class of beneficiaries embraced white settlers or occupants, American half-breed Indians included, above the age of eighteen years, who were citizens of the United States residing in that Territory, and those not being citizens who should make their declaration of intention to become such on or before December 1, 1851.⁵

¹ Report of Indian Commissioner, 1886, p. xevi. ² *Ibid.*, 1885, p. 161. ³ United States Statutes at Large, Vol. IX, p. 323. ⁴ *Ibid.*, Vol. XI, p. 383. ⁵ The Public Domain, 1883, p. 296.

GRANDE RONDE AGENCY.

[Post-office address : Grand Ronde, Polk County, Oregon.]

GRANDE RONDE RESERVATION.

How established.—By treaty of January 22, 1855, and December 21, 1855, and Executive order of June 30, 1857.

Area and survey.—Contains 61,440 acres, of which 10,000 are classed as tillable.¹ Surveyed.

Acres cultivated.—The Indians have under cultivation 1,430 acres.²

Tribes and population.—The tribes living here are the Kalapuaya, Klakama, Luckiamute, Molele, Neztucca, Rogue River, Santiam, Shasta, Tumwater, and Umpqua. Total population, 596.³

Location.—Situated in Polk County, in the western part of the State, at the headwaters of the Yam Hill River, and almost surrounded by the Coast Range. The soil is a heavy clay and requires much labor and care, but is adapted to cereals; vegetables are raised with difficulty. The elevation, being near the summit of the Coast Range, renders the climate cold.⁴

Government rations.—Five per cent. of these Indians subsisted by Government rations, as reported in 1886.⁵

Mills and Indian employés.—Saw and grist mill. Indian apprentices.⁶

Indian police.—Established.

Indian court of offences.—Established in 1882.

School population, attendance, and support.

School population, as estimated in 1886.....	109
Boarding and day schools:	
Accommodation.....	100
Average attendance.....	45
Session (months).....	12
Cost.....	\$5,166.25

Missionary work.—Roman Catholics in charge.

SYNOPSIS OF TREATY.⁷

Treaty with the Rogue River Indians, made at Table Rock, near Rogue River, Oregon, September 10, 1853.

The tribe cedes the following tract :

Commencing at a point one mile below the mouth of Applegate Creek, on the south side of Rogue River ; running thence southerly to the highlands dividing the waters

¹ Report of Indian Commissioner, 1884, p. 314. ² *Ibid.*, 1886, p. 434. ³ *Ibid.*, p. 404. ⁴ *Ibid.*, 1863, p. 51. ⁵ *Ibid.*, 1886, p. 420. ⁶ *Ibid.*, 1869, p. 166.

⁷ The ratified treaties entered into by the tribes, portions of which are living on the Grande Ronde and Siletz Reservations, are here given, that the cessions of the Indians and the agreements by the Government may be clearly understood. Other tribes, remnants of which are on these reservations, have made important cessions by treaty, but their treaties have not been ratified ; therefore no compensation has been rendered the people for the loss of their lands.

of Applegate Creek from those of Althouse Creek; thence along said highlands to the summit of the Siskiyou range of mountains; thence easterly to Pilot Rock; thence north-easterly to the summit of the Cascade Range; thence northerly along the Cascade Range to Pitt's Peak, continuing northerly to Rogue River; thence westerly to the headwaters of Jump-off-Jo Creek; thence down said creek to the intersection of the same with a line due north from the place of beginning; thence to the place of beginning.

Indians to occupy a portion of the ceded land, bounded as follows: Commencing on the north side of Rogue River at the mouth of Evan's Creek; thence up said creek to the upper end of a small prairie bearing in north-westerly direction from Table Mountain, or Upper Table Rock; thence through the gap to the south side of the cliff of the said mountain; thence in a line to Rogue River, striking the southern base of Lower Table Rock; thence down said river to the place of beginning. It being understood that this described tract of land shall be deemed and considered an Indian reserve, until a suitable selection shall be made by the direction of the President of the United States for their permanent residence, and buildings erected thereon and provision made for their removal. (Art. 2.)

The United States agrees to pay \$60,000, \$15,000 of which shall be retained by the Superintendent of Indian Affairs to pay for property of the whites destroyed by these Indians during the late war; \$5,000 to be expended in the purchase of agricultural implements, blankets, etc., and for the payment of such permanent improvements as may have been made upon the ceded lands. The remaining \$40,000 to be paid in sixteen annual instalments of \$2,500 each, the money to be expended in blankets, clothing, farming implements, stock, etc. (Art. 3.)

The United States shall erect one dwelling-house for each of the three principal chiefs of the aforesaid tribe at a cost of \$500 each. When the tribe is removed to another reservation, buildings and improvements shall be made by the Government equal in value to those which may be relinquished. Upon such removal the United States will pay the further sum of \$15,000 in five equal instalments, commencing at the expiration of the aforementioned instalments. (Art. 4.)

Indians agree that all offenders shall be tried and punished agreeably to the laws of the United States, and the chiefs will exert themselves to recover stolen property, and deliver the same to the Indian agent to be restored to the proper owner. United States agrees to give the Indians full indemnification for horses or other property stolen by citizens of the United States. (Art. 6.)

Indians agree to give safe conduct to all persons passing through their reservation, and to protect the persons and property of Government officers among them, and also not to molest or interrupt persons so passing through the reservation. (Art. 5.)

The President may at his discretion, with the advice of the Senate, change the annuities into a fund for establishing farms. (Art. 7.)

Treaty binding when ratified.

Treaty proclaimed August, 1854.¹

Treaty with the Cow Creek band of Umpqua Indians, made at Cow Creek, Oregon, on September 19, 1853.

A treaty made on Cow Creek, Umpqua Valley, in the Territory of Oregon, this 19th day of September, A. D. 1853, by and between Joel Palmer, Superintendent of Indian Affairs, on the part of the United States, and Quin-ti-oo-san, or Big head, principal chief, and My-n-e-letta, or Jackson, and Tom, son of Quin-ti-oo-san, subordinate chiefs, on the part of the Cow Creek band of Umpqua tribe of Indians.

The Cow Creek band of Indians do hereby cede and relinquish, for the consideration hereinafter specified, to the United States, all their right, title, interest, and claim to all the lands lying in that part of the Territory of Oregon bounded by lines designated as follows, to wit:

¹United States Statutes at Large, Vol. X, p. 1015.

Commencing on the north bank of the south fork of Umpqua River, at the termination of the highlands dividing the waters of Myrtle Creek from those of Day's Creek; thence running easterly along the summit of said range to the headwaters of Day's Creek; thence southerly, crossing the Umpqua River, to the headwaters of Cow Creek; thence to the dividing ridge between Cow Creek and Grave Creek; thence south-westerly along the said divide to its junction with the ridge dividing the waters of Cow Creek from those of Rogue River; thence westerly and northerly around on said ridge to its connection with the spur terminating opposite the mouth of Myrtle Creek; thence along said spur to a point on the same north-west of the eastern line of Isaac Baily's land claim; thence south-east to Umpqua River; thence up said river to place of beginning. (Art. 1.)

It is agreed on the part of the United States that the aforesaid tribe shall be allowed to occupy temporarily that portion of the above-described tract of territory bounded as follows, to-wit: Commencing on the south side of Cow Creek, at the mouth of Council Creek, opposite William H. Riddle's land claim; thence up said creek to the summit of Cañon Mountain; thence westerly along said summit two miles; thence northerly to Cow Creek, at a point one the same one mile above the falls; thence down said creek to place of beginning. It being understood that this last-described tract of land shall be deemed and considered an Indian reserve, until a suitable selection shall be made by the direction of the President of the United States for their permanent residence, and buildings erected thereon and other improvements made of equal value of those upon the above reserve at the time of removal. (Art. 2.)

The sum of \$12,000 as follows: One thousand dollars to be expended in goods and provisions, and the remainder in twenty annual instalments of \$550 each, in goods, clothing, provisions, stock, and farming implements, as the President may deem best. (Art. 3.)

United States to erect "for the use of said tribe" two dwelling-houses at a cost not to exceed \$200 each, fence and plow five acres of land, and furnish seed for the same. (Art. 4.)

Indians to give safe conduct to all persons passing through their reservation, and to protect personal property and agents of the United States and other officers. (Art. 5.)

Indians not to take private revenge. Injured party to report to agent. Duty of chiefs to deliver up offenders to be punished according to laws of United States, and any person committing robbery or murder or other violence on any Indian belonging to said band shall be tried, and if guilty punished according to law. Chiefs to endeavor to restore property stolen from citizens, delivering the same to authorized persons. United States guarantees full indemnification for any property stolen or taken by citizens of the United States upon sufficient proof. Chiefs agree upon requisition of President, superintendent, or Indian agent to deliver up any person resident among them. (Art. 6.)

Should it at any time hereafter be considered a proper policy to establish farms among said Indians, the President may with the consent of the Senate change the annuities herein provided into a fund for that purpose. (Art. 7.)

Treaty binding when ratified. (Art. 8.)

Amended April 12, 1850; assented to October 31, 1854; proclaimed February 5, 1855.¹

Treaty between the United States and the Rogue River Indians, made at Evan's Creek, Table Rock Reserve, Oregon, November 15, 1854.

By the treaty of November 15, 1854, the Rogue River Indians agreed to permit other tribes to occupy their reservation with them at Table Rock, but their annuities are not to be diminished or impaired thereby. The United States shall have the right to make such roads, highways, and railroads through the reservation as the public good requires, just compensation being made therefor. (Art. 1.)

¹ United States Statutes at Large, Vol. X, p. 1027.

The United States agrees to pay \$2,150 in horses, oxen, etc., and that when other tribes or bands shall be located upon the reservation, provision shall be made for two blacksmiths' shops, and two blacksmiths provided for the same. Provision also to be made for opening farms, employing farmers, for a hospital, medicine, and physician. United States is also to provide one or more schools of which the Rogue River Indians shall have the use and benefit. (Art. 2.)

When at any time the Indians residing on this reservation shall be removed, or shall be elsewhere provided for, the \$15,000 specified in the treaty of 1853 shall be shared alike by the members of all the tribes that are or hereafter shall be located on this reservation. (Art. 3.)

If treaty not ratified, nor any Indians settled on said reserve, Rogue River tribe to have \$2,150 deducted from their annuities. (Art. 4.)

Proclaimed April 7, 1855.¹

Treaty with certain Chasta, Scoton, and Umpqua bands and tribes, made at the mouth of Applegate Creek, on Rogue River, Oregon, November 18, 1854.

The Indians cede the following tract: Commencing at a point in the middle of Rogue River, one mile below the mouth of Applegate Creek; thence northerly on the western boundary of the country heretofore purchased of the Rogue River tribe by United States, to the headwaters of Jump-Off-Jo Creek; thence westerly to the extreme north-eastern limit of the country purchased of the Cow Creek band of Umpquas; thence along that boundary to its extreme south-western limit; thence due west to a point from which a line running due south would cross Rogue River midway between the mouth of Grave Creek and the great bend of Rogue River; thence south to the southern boundary of Oregon; thence east along said boundary to the summit of the main ridge of the Siskiyou Mountains, or until this line reaches the boundary of the country purchased of the Rogue River tribe; thence northerly along the western boundary of said purchase to the place of beginning. (Art. 1.) The Indians agree to remove to such part of the reservation at Table Rock as may be assigned to them. (Art. 2.)

United States agrees to pay to said Indians \$30,000, to be expended in provisions, clothing, merchandise, buildings, opening farms, stock, agricultural implements, etc. Also an additional sum of \$5,000 for payment of claims of persons whose property had been stolen or destroyed by the Indians since January 1, 1849. (Art. 3.)

A further sum of \$6,500, when the Indians shall remove to a permanent reservation, is to be expended for provisions to aid in subsistence for the first year, erecting buildings, breaking and fencing land, and providing seed for the same. (Art. 4.)

United States agrees to provide two blacksmiths' shops with tools and smiths for five years, a farmer for fifteen years, a hospital and medical provisions for ten years. The United States to provide school-houses and qualified teachers for fifteen years. (Art. 5.)

The President may direct the survey of a part of all agricultural lands, and divide the same into farms of from 20 to 80 acres, according to the number of persons in a family, and grant a patent upon such lands under such laws and regulations as may hereinafter be enacted or prescribed. (Art. 6.)

Annuities not to be taken for debt of individuals. (Art. 7.)

Indians acknowledge their dependence on the United States, and agree to abstain from making war, and submit all matters of difference between themselves and other Indians to the decision of the United States, and abide thereby. Annuities to be withheld from any one drinking or bringing liquor upon the reservation. (Art. 8.)

Treaty binding when ratified. (Art. 9.)

Proclaimed April 10, 1855.²

¹ United States Statutes at Large, Vol. X, p. 1119. ² *Ibid.*, Vol. X, p. 1122.

Treaty between the United States and the Umpqua and Calapooia Indians, made at Calapooia Creek, Douglas County, Oregon, November 29, 1854.

The confederate bands of Umpqua and Calapooia Indians cede to the United States all their country included within the following limits, to wit: Commencing at the north-west corner of the country purchased of the Galeese Creek and Illinois River Indians, on the 18th day of November, 1854, and running thence east to the boundary of the Cow Creek purchase; thence northerly along said boundary to its north-eastern extremity; thence east to the main ridge of the Cascade Mountains; thence northerly to the main falls of the North Umpqua River; thence to Scott's Peak, bearing easterly from the headwaters of Calapooia Creek; thence northerly to the connection of the Calapooia Mountains with the Cascade Range; thence westerly along the summit of the Calapooia Mountains to a point whence a due south line would cross Umpqua River at the head of tide-water; thence on that line to the dividing ridge between the waters of Umpqua and Coose Rivers; thence along that ridge and the divide between Coquille and Umpqua Rivers, to the western boundary of the country purchased of the Galeese Creek Indians, as the case may be, and thence to the place of beginning.

Indians to vacate ceded territory and remove to reservation within one year. (Art 2.)

United States agrees to pay the Indians \$40,000 in diminishing sums during twenty years. The money to be expended for farm stock, agricultural implements, clothing, food, arms and ammunition, mechanics' tools, and medical purposes. (Art. 3.) To enable the Indians to remove and subsist one year thereafter, for the breaking up of fifty acres of land, the erection of buildings, the purchase of tools, etc., the sum of \$10,000 is to be expended under the direction of the President. (Art. 4.) Merchandise distributed in the negotiation of this treaty to be considered as part payment of the annuities herein provided. (Art. 11.)

President may cause the whole or a portion of the land to be surveyed into lots and assigned to Indians who locate thereon as permanent homes: to single persons over twenty-one years of age, 20 acres; families of two, 40 acres; families of three and not exceeding five, 60 acres; families over six and not exceeding ten, 80 acres; and for each family over ten, 40 acres for each additional five persons. The President may, at his discretion, issue to families living upon assigned land, a patent conditioned that the land shall not be aliened or leased for a longer term than two years, and shall be exempt from levy, sale, or forfeiture until a State constitution embracing such land in its boundaries shall have been formed and the legislature of such State shall have removed the restrictions. If any family receiving a patent shall neglect to occupy or till the land, the patent may be revoked, or if it has not been issued, the assignment cancelled, and may withhold from such persons or family their portion of the annuities or other money until after they shall have returned to their permanent home and resumed the pursuits of industry. In default of their return the tract may be assigned to some other person or family residing upon the reservation. No State legislature shall remove the restrictions herein provided for without the consent of Congress. (Art. 5.)

United States to provide a blacksmith's shop, tools, and blacksmith for ten years; hospital buildings, medical supplies and physician to be provided for fifteen years, and a competent farmer for ten years. United States to erect school-house, furnish it, and provide a qualified teacher for twenty years. (Art. 6.) Annuities not to be taken for debts of individuals. (Art. 7.)

Tribes acknowledge their dependence, and agree not to make war on other tribes, except in self-defence, and to deliver all offenders to the United States. (Art. 8.) Any Indian drinking liquor, or bringing it upon the reservation, shall have his or her portion of annuity withheld for such time as President may determine. (Art. 9.)

The necessary roads, highways, and railroads which may be constructed shall have the right of way, a just compensation being paid therefor. (Art. 10.)

Treaty binding when ratified. (Art. 12.)

Proclaimed March 30, 1855.¹

Treaty with the confederated bands of Calapooia Indians residing in the Willamette Valley, composed of the Calapooia, Molalla, Wahllalla, Clackamas, Clowwevalla, and Santiam bands, made at Dayton, Oregon, January 22, 1855.

Cede the following tract of land: Beginning at the mouth of the first creek emptying into the Columbia River below Oak Point, thence south along the Coast Range to the Calapooia Mountains, east to the Cascade Mountains, north to the Cascade Falls, and down the Columbia to the place of beginning. Said bands to remain on temporary reservation within ceded country until suitable district shall be designated for their permanent home and proper improvements made thereon. United States to provide security for their persons and property from hostile Indians. Said confederated bands engage to remove peaceably from ceded country to district to be provided for them. (Art. 1.)

The sum of \$150,000 to be paid as follows: \$10,000 for five years, commencing September 1, 1855; \$3,000 for five succeeding years; \$6,500 for the next five years; \$5,500 for the next five years. Said moneys to be expended under the direction of the President for moral improvement and education, buildings, opening farms, stock, agricultural implements, etc., providing mechanics, farmers, physician, arms, and ammunition. Also, additional sum of \$50,000 for articles at signing of treaty, providing stock, implements, and clothing on temporary reserve, and erecting on permanent reservation mills, shops, school-houses, hospital, and other necessary buildings, making improvements, paying for permanent homes of settlers on ceded tract, and expenses of removal of Indians and subsistence for one year. If any band or bands claiming portions of the land herein ceded shall not agree to this treaty, then the bands becoming party thereto shall receive such part of the payments herein provided as shall be in the proportion that their aggregate number may bear to the whole number of Indians claiming the ceded country, and any bands, parties to this treaty, having a legitimate claim to country north of the Columbia, the amount they may be entitled to as a consideration for such country shall be added to the annuities herein provided for. (Art. 2.) United States agrees to provide for the employment of a physician, school-teacher, blacksmith, and farmer, for five years after removal of Indians to permanent reserve. (Art. 3.)

President may cause the permanent reserve to be surveyed into lots and assigned: to each single person over twenty-one years, 20 acres; family of two, 40 acres; three or five, 50 acres; six to ten, 80 acres; over ten, 20 acres for each additional three persons. Rules of descent to be provided by President and patent may be issued; land shall not be alienated, or be leased for longer than two years, and shall be exempt from levy, sale, or forfeiture. Said conditions to continue until a State constitution embracing said lands shall be formed and the legislature remove the restrictions with the consent of Congress. Any family neglecting to improve assigned lands, or roving from place to place, the patent shall be revoked and annuities withheld until they permanently locate. (Art. 4.) Annuities not to be taken for debts of individuals. (Art. 5.)

Indians acknowledge dependence on Government. Agree to deliver offenders for punishment according to law; not to make war, but to refer disputes to United States officials, and to submit to laws and rules prescribed by United States. (Art. 6.) Any one using or procuring intoxicating liquors to have annuities withheld at discretion of President. (Art. 7.) Roads and railroads to have right of way upon compensation made therefor. (Art. 8.)

Treaty binding when ratified. (Art. 9.)

Proclaimed April 10, 1855.²

¹ United States Statutes at Large, Vol. X, p. 1125.

² *Ibid.*, p. 1143.

Treaty with Molel Indians, made at Dayton, Oregon, December 21, 1855.

Cede the following tract: Beginning at Scott's Peak, being the north-eastern termination of purchase from Umpaquah and Calapooias on November 29, 1854; thence southerly on eastern boundary line of said purchase, and purchase from Cow Creek Indians, on September 19, 1853; and the tract purchased of the Scotens, Chestas, on November 18, 1854, to the boundary of the Rogue River purchase of September 10, 1853; thence along northern boundary of said purchase to summit of Cascade Mountains; thence northerly along summit of said mountains to a point due east of Scott's Peak; thence west to place of beginning. (Art. 1.) In compensation, Indians to have the rights and privileges guaranteed to Umpaquah and other tribes by treaty of November 29, 1854, the Molels agreeing to confederate with those bands; saw and grist mills erected and maintained for ten years; smith and tin shop maintained for five years additional to the term of said treaty; manual labor school established and maintained; carpenter and joiner for ten years; additional farmer for five years. (Art. 2.) Indians to remove immediately to tract selected on Yamhill River adjoining Coast Reservation, until proper improvements are made on the latter, then to remove there, or to such point as the President may designate. (Art. 3.) Expenses of removal to be borne by the United States. (Art. 4.) Rations to be furnished for six months after arrival on reservation. (Art. 5.)

Twelve thousand dollars appropriated to extinguish title of white settlers and pay for their improvements in Grande Ronde Valley, these improvements to be used for the benefit of Indians; also for the erection of buildings, opening farms, buying teams, tools, stock. This expenditure and the provisions of this treaty to be in accord with treaty of November 29, 1854. (Art. 6.)

Proclaimed April 27, 1859.¹

*Grande Ronde Reserve.*²

DEPARTMENT OF THE INTERIOR,

Washington, June 30, 1857.

SIR: I have the honor to submit to you herewith a report of the Commissioner of Indian Affairs recommending, and a report of the Commissioner of the General Land Office concurring in the recommendation, that the lands embraced in townships 5 and 6 south, of range 8 west, and parts of townships 5 and 6 south, of range 7 west, Willamette district, Oregon, as indicated in the accompanying plat, be withdrawn from sale and entry, and established as an Indian reservation for the colonization of Indian tribes in Oregon, and particularly for the Willamette tribes, parties to treaty of January, 1855.

I respectfully recommend that the proposed reservation be established, and have accordingly prepared a form of indorsement on the plat of the same for your signature in case the recommendation is approved.

The "Coast Reservation" alluded to in some of the accompanying papers was established by order of your predecessor, November, 1855.

I am, very respectfully, your obedient servant,

J. THOMPSON,
Secretary.

The PRESIDENT.

EXECUTIVE OFFICE,
Washington City, June 30, 1857.

Townships 5 and 6 south, of range 8 west, and parts of townships 5 and 6 south, of range 7 west, as indicated hereon by red lines, are hereby withdrawn from sale and entry and set apart as a reservation for Indian purposes till otherwise ordered.

JAMES BUCHANAN.

¹ United States Statutes, Vol XII, p. 981.
p. 353.

² Report of Indian Commissioner, 1886,

KLAMATH AGENCY.

KLAMATH RESERVATION.

[Post-office address: Klamath Agency, Klamath County, Oregon.]

How established.—By treaty of October 14, 1864.

Area and survey.—One million fifty-sixty thousand acres, of which 20,000 are classed as tillable.¹ Partly surveyed.²

Acres cultivated.—Two hundred and seventy-five acres are under cultivation.³

Tribes and population.—The tribes living here are the Klamath, Modoc, Pai-Ute, Walpape, and Yahuskin band of Snake (Shoshoni). Total population, 993.⁴

Location.—The reservation is in Lake County, Oregon. A large portion is composed of mountainous ridges. The uplands are well timbered, and parts of the reservations are adapted to stock-raising. The reservation is well watered.⁵

Government rations.—None of the Indians on this reservation were supplied with Government rations during the year 1886.

Mills and employes.—There is a lumber and grist mill on the reservation and Indian apprentices at work.

Indian police.—Established in 1880.

Indian court of offences.—Established in 1883.

*School population, attendance, and support.*⁶

School population, as estimated in 1886	215
Klamath boarding-school:	
Accommodation	105
Average attendance	93
Session (months)	9
Cost	\$8,933.23
Yaimax boarding-school:	
Accommodation	62
Average attendance	60
Session (months)	9
Cost	\$6,127.56

Missionary work.—The Methodist Church has had a mission. No missionary work reported in 1886.

SYNOPSIS OF TREATIES.

Treaty with the Klamath and Moadoc tribes and the Yahooskin band of Snake Indians at Klamath Lake, Oregon, October 14, 1864.

Indians cede following lands: Beginning at the point where the forty-fourth parallel of north latitude crosses the summit of the Cascade Mountains; thence following the main dividing ridge of said mountains in a southerly direction to the ridge which separates the waters of Pitt and McCloud Rivers from the waters on the north; thence

¹ Report of Indian Commissioner, 1884, p. 314. ² *Ibid.*, p. 263. ³ *Ibid.*, 1886, p. 434. ⁴ *Ibid.*, p. 404. ⁵ *Ibid.*, 1881, p. 144. ⁶ *Ibid.*, 1886, p. xciv.

along said dividing ridge in an easterly direction to the southern end of Goose Lake; thence north-easterly to the northern end of Harney Lake; thence due north to the forty-fourth parallel of north latitude; thence west to the place of beginning.

The following tract within the ceded country set apart as a reservation for said Indians: Beginning on the eastern shore of the Middle Klamath Lake, at the point of the rocks, about 12 miles below the mouth of Williamson's River; thence following of said eastern shore to the mouth of Wood River; thence up said river to a point 1 mile north of the bridge at Fort Klamath; thence due east to the summit of the ridge which divides the Upper and Middle Klamath Lakes; thence along said ridge to a point due east of the north end of the upper lake; thence due east, passing the said end of upper lake, to the summit of the mountains on the east side of the lake; thence along said mountains to the point where Sprague's River is intersected by the Ish-tish-ea-wax Creek; thence in a southerly direction to the summit of the mountain, the extremity of which forms the point of rocks; thence along said mountain to the place of beginning.

Indians to remove immediately after ratification of treaty; white persons not permitted, except those specified; right to fish secured; right of way for public roads and railroads reserved to citizens of United States. (Art. 1.) United States to pay \$8,000 per annum for five years, commencing on October 1, 1865; \$5,000 annually for five years next succeeding first period of five years; \$3,000 per annum for term of five years next succeeding the second period. Annuities to be expended under direction of President. (Art. 2.)

United States agrees to pay \$35,000 additional for the purchase of farming implements, tools, clothing, provisions, and for the payment of necessary employés. (Art. 3.)

United States agrees to erect mills and shops, the necessary buildings for one manual labor school, and such hospital buildings as may be necessary; buildings to be kept in repair by United States for twenty years; necessary tools, books, and stationery to be furnished by United States for twenty years. (Art. 4.)

United States agrees to furnish and pay for services, for fifteen years, of farmer, mechanics, and teachers. (Art. 5.)

United States to survey reservation into tracts to be assigned to heads of families, not less than 40 or more than 120 acres, and single persons over twenty-one years 40 acres, perpetual possession guaranteed. Indians not to convey such tracts to any person whatever; lands not subject to levy, sale, or forfeiture. (Art. 6.)

United States empowered to regulate successions of property. (Art. 7.) Annuities not to be taken for debts of individuals. (Art. 8.) Indians to be friendly to citizens, and to refrain from war. (Art. 9.) Benefits of treaty withheld from those using ardent spirits. (Art. 10.) Other tribes may be located on this reservation. (Art. 11.)

Treaty binding when ratified. (Art. 12.)

Proclaimed February 17, 1870.¹

Treaty with the Woll-pah-pe tribe of Snake Indians, made at Sprague River Valley, Oregon, August 12, 1865.

Peace declared. Prisoners and slaves held by Indians and citizens to be given up. (Art. 1.) The tribe cedes the following tract: Beginning at Snow Peak, in the summit of the Blue Mountain range, near the heads of the Grande Ronde River and the north fork of John Day's River; thence down the latter to its junction with the south fork; thence due south to Crooked River; thence up said river and the south fork thereof to its source; thence south-easterly to Harney Lake; thence northerly to the heads of Malheur and Burnt Rivers; thence continuing northerly to the place of beginning. (Art. 2.) The tribe to agree to remove to the reservation designated by treaty of October 14, 1864, and not to leave the same without a pass from agent. (Art. 3.) Agrees to commit no depredations, to give up offenders. Not to retaliate, but submit difficulties to agent, and the United States guarantees such acts to be punished as if

¹ United States Statutes, Vol. XVI, p. 707.

committed against white persons. (Art. 4.) Tribe to seek to induce cessation of hostilities, and not to sell arms to hostile Indians. (Art. 5.) The sum of \$5,000 to be expended for breaking and fencing land, supplying implements, seed, animals, and subsistence. (Art. 6.) Also \$2,000 per annum for five years, and \$1,200 for the next ten following, to be expended under the direction of the President. (Art. 7.) Tribe to have use of employés provided by treaty October 14, 1864. Snake interpreter provided. President may allot these Indians land in severalty. (Art. 8.)

Use of ardent spirits to involve loss of annuities, beside legal penalties. (Art. 9.) Treaty binding when ratified. (Art. 10.)

Proclaimed July 10, 1866.¹

MALHEUR RESERVATION.

How established.—By Executive orders, March 14, 1871; September 12, 1872; May 15, 1875; January 28, 1876; July 23, 1880; September 13, 1882; and May 21, 1883.

Area and survey.—Contains 320 acres.

Nothing reported from this reservation.

*Malheur Reserve.*²

WASHINGTON, *March 8, 1871.*

Hon. E. S. PARKER,
Commissioner of Indian Affairs:

I would respectfully ask that the President withdraw for eighteen months all that portion of the country in the State of Oregon, situated between the forty-second and forty-fourth parallels of latitude, and from one hundred and seventeen to one hundred and twenty degrees of longitude, excepting so much as may have been or may be granted for military or wagon road purposes, with a view of selecting an Indian reservation, on which to consolidate Indians east of the Cascade Mountains in said State, excepting those who may select lands in severalty from the reservation or reservations on which they are now located, and the President instruct me to proceed at the earliest practical time to select such reservation.

A. B. MEACHAM,
Superintendent of Indian Affairs, Oregon.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., March 10, 1871.

SIR: I have the honor to report that I am in receipt of a letter bearing date the 8th instant, from A. B. Meacham, Esq., superintendent of Indian affairs in the State of Oregon, asking that the portion of that State lying between the forty-second and forty-fourth parallels of north latitude and the one hundred and seventeenth and the one hundred and twentieth degrees of west longitude (excepting so much thereof as may have been or may hereafter be granted for military or wagon road purposes) be withdrawn from the market as public lands, for the space of eighteen months, with a view to the selection of a reservation upon which to collect all the Indians in that State east of the Cascade Mountains, except those who may select lands in severalty upon the reservation on which they are now located.

The suggestion of Superintendent Meacham is concurred in, and I respectfully recommend that the President be requested to issue an Executive order withdrawing the tract of country described from market as public lands, for the period and purpose

¹ United States Statutes, Vol. XIV, p. 683. ² Report of Indian Commissioner, 1886, p. 354.

above indicated, and that this office be authorized to instruct the superintendent to proceed to select such reservation without unnecessary delay.

A copy of Superintendent Meacham's letter is herewith transmitted.

Very respectfully, your obedient servant,

H. R. CLUM,
Acting Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
March 14, 1871.

The recommendation of the Commissioner of Indian Affairs, contained in his accompanying report, has my approval, and it is respectfully submitted to the President, with the request that he direct the temporary withdrawal from market of the lands in Oregon, as therein designated, with the exceptions stated, for the purpose of establishing a reservation for the Indians in that State.

C. DELANO,
Secretary.

EXECUTIVE MANSION, March 14, 1871.

I hereby direct the withdrawal of the lands referred to from market as public lands for the period of time and for the purpose indicated, as recommended by the Secretary of the Interior.

U. S. GRANT.

OFFICE INDIAN AFFAIRS,
Washington, September 4, 1872.

SIR: I have the honor to inclose herewith a report, dated the 22d ultimo (and accompanying map), received from T. B. Odeneal, Esq., superintendent of Indian affairs for Oregon, reciting the action taken by him relative to the establishment of a proposed reservation on the headwaters of Malheur River, in that State, for the Snake or Piute Indians, under instructions contained in letter to him from this office, dated the 6th of July last.

Superintendent Odeneal defines the boundaries of the tract of country selected by him for the proposed reservation as follows:

"Beginning at the mouth of the North Fork of the Malheur River; thence up said North Fork, including the waters thereof, to Castle Rock; thence in a north-westerly direction to Strawberry Butte; thence to Soda Spring, on the Canyon City and Camp Harney road; thence down Silvies River to Malheur Lake; thence east to the South Fork of the Malheur River; thence down said South Fork, including the waters thereof, to the place of beginning (to be known as Malheur Reservation), including all lands within said boundaries, excepting so much thereof as may have been granted for military or wagon-road purposes."

I respectfully recommend that the tract of country embraced within the foregoing limits be set apart and reserved as an Indian reservation, and that the President be requested to issue an Executive order accordingly.

It is also requested that the papers inclosed be returned to this office.

Very respectfully, your obedient servant,

F. A. WALKER,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., September 12, 1872.

SIR: I have the honor to transmit herewith a communication, dated the 4th instant, from the Commissioner of Indian Affairs, inclosing a report (with map) of T. B. Ode-

neal, superintendent of Indian affairs for Oregon, and recommending that a reservation on the headwaters of the Malheur River, in the State of Oregon, the boundaries of which are set forth in the Commissioner's letter, be established for the Snake or Piute Indians.

The recommendation of the Commissioner meets with the approval of this Department, and I respectfully request that the President direct the same to be carried into effect.

I have the honor to be, your obedient servant,

W. H. SMITH,
Acting Secretary.

EXECUTIVE MANSION, *September 12, 1872.*

Let the lands, which are fully described in the accompanying letter of the Commissioner of Indian Affairs, be set apart as a reservation for the Snake or Piute Indians, as recommended in the letter of the Secretary of the Interior of this date.

U. S. GRANT.

EXECUTIVE MANSION, *May 15, 1875.*

It is hereby ordered that the tract of country in Oregon, embraced within the following-described boundaries, viz, commencing at a point on the Malheur River where the range-line between ranges 39 and 40 east of the Willamette meridian intersects the same; thence north, on said range-line, to a point due east of Strawberry Butte; thence west to Strawberry Butte; thence south-eastwardly to Castle Rock; thence to the west bank of the North Fork of the Malheur River; thence down and with the said west bank to the Malheur River; thence along and with the Malheur River to the place of beginning, be, and the same hereby is, withdrawn from sale or settlement, except such lands within said boundaries as have passed or may pass to The Dalles Military Road Company, under act of Congress approved February 27, 1867 (Vol. XIV, p. 409), and to the Willamette Valley and Cascade Mountain Military Road Company, under act of Congress approved July 5, 1866 (Vol. XIV, p. 89), and the same set apart as an addition to the Malheur Indian Reservation, set apart by Executive order of September 12, 1872.

U. S. GRANT.

EXECUTIVE MANSION, *January 28, 1876.*

It is hereby ordered that the tract of country in Oregon lying within the following-described boundaries, viz, beginning at a point on the right bank of the Malheur River where the range-line between ranges 38 and 39 east of the Willamette meridian intersects the same; thence north on said range-line to a point due east of the summit of Castle Rock; thence due west to the summit of Castle Rock; thence in a north-westerly direction to Strawberry Butte; thence to Soda Spring, on the Canyon City and Camp Harney road; thence down Silvies Creek to Malheur Lake; thence due east to the right bank of the South Fork of Malheur River; thence down said right bank of the South Fork to the Malheur River; thence down the right bank of the Malheur River to the place of beginning, except such lands within these limits as have passed or may pass to The Dalles military road on the north, and Willamette Valley and Cascade Mountain military road on the south, be, and the same is hereby, withdrawn from sale and set apart for the use and occupancy of the Piute and Snake Indians, to be known as the Malheur Indian Reservation; and that portion of the country set apart by Executive order of May 15, 1875, not embraced in the limits of the above-described tract of country, is hereby restored to the public domain.

U. S. GRANT.

EXECUTIVE MANSION, *Washington, July 23, 1880.*

The Executive order dated December 5, 1872, creating the "Fort Harner Military Reservation," in Oregon, is hereby cancelled, and the lands embraced therein and as

shown on the accompanying plat are hereby made subject to the Executive order dated September 12, 1872, establishing the Malheur Indian Reservation. The Secretary of the Interior will cause the same to be noted in the General Land Office.

R. B. HAYES.

EXECUTIVE MANSION, *September 13, 1882.*

It is hereby ordered that all that part of the Malheur Indian Reservation, in the State of Oregon (set apart by Executive orders, dated March 14, 1871, September 12, 1872, May 15, 1875, and January 28, 1876), lying and being south of the fourth standard parallel south, except a tract of 320 acres, being the north half of the late military post reserve of Camp Harney, as established by Executive order of December 5, 1872 (which order was cancelled by Executive order, dated July 23, 1880, whereby the lands embraced within said reserve were made and proclaimed subject to Executive order dated September 12, 1872, establishing the boundaries of Malheur Indian Reservation), and all that part thereof lying and being north of said fourth standard parallel and west of the range-line (when extended) between ranges 33 and 34 east of the Willamette meridian, be, and the same is hereby, restored to the public domain.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *May 21, 1883.*

It is hereby ordered that the Malheur Indian Reservation, in the State of Oregon, except a tract of 320 acres described in an Executive order dated September 13, 1882, as "the north half of the late military post reserve of Camp Harney, as established by Executive order of December 5, 1872," be, and the same is hereby, restored to the public domain, the same being no longer required for the purposes for which it was set apart.

CHESTER A. ARTHUR.]

SILETZ AGENCY.

[Post-office address: Toledo, Benton County, Oregon.]

SILETZ RESERVATION.

How established.—By unratified treaty of August 11, 1855; Executive orders of November 9, 1855, and December 21, 1865; and act of Congress of March 3, 1875.

Area and survey.—It contains 225,000 acres, of which 2,000 are classed as tillable.¹ Partly surveyed.²

Acres cultivated.—The Indians have under cultivation 1,050 acres.³

Tribes and population.—The tribes living here are the Alscya, 98; Coquell, 114; Kusa, 73; Rogue River, 53; Skoton-Shasta, 55; Saiustkta, Sinlaw, 85; Tootootna, 83; Umpqua, 20; and 13 others. Total population, 997.⁴

Location.—"The Siletz Reserve is located within the counties of Benton and Tillamook; bounded on the north by the Salmon River, running south along the Pacific Coast 24 miles, having an inland width of 15 miles."⁵

Most of the country is rugged and mountainous; but a small portion, 2,000 acres, is tillable.

¹ Report of Indian Commissioner, 1884, p. 314. ² *Ibid.*, p. 263. ³ *Ibid.*, 1886, p. 434. ⁴ *Ibid.*, p. 296. In 1886 population was 612. (See p. 404.) ⁵ *Ibid.*, 1879, p. 132.

Government rations.—Twenty-five per cent. of the Indians were subsisted by Government rations in 1884.¹

Mill and Indian employés.—After long waiting the much needed saw and grist mill was started in 1876,² and has been kept running except, as when in 1882, it was stopped for lack of funds. The assistant engineer is an Indian, and there are other Indian employés at the agency.

Indian police.—Established in 1878.

Indian court of offences.—None reported.

*School population, attendance, and support.*³

School population, as estimated in 1886	149
Boarding-school:	
Accommodation	86
Average attendance	64
Session (months)	10
Cost	\$5,777.16

Missionary work.—The Methodist Church has had a mission. No missionary work⁴ reported for 1886. A Roman Catholic priest visits the agency once a year.⁴

*Siletz (originally known as Coast) Reserve.*⁵

DEPARTMENT OF THE INTERIOR, *November 8, 1855.*

SIR: I herewith submit for your approval a proposed reservation for Indians on the coast of Oregon Territory, recommended by the Commissioner of Indian Affairs and submitted to the Department by the Commissioner of the General Land Office, for the procurement of your order on the subject, in letter of the 10th September last.

Before submitting the matter to you, I desired to have a more full report of the subject from the Indian Office, and the letter of the head of that bureau of the 29th ultimo (Report Book 9, page 54), having been received and considered, I see no objection to the conditional reservation asked for, "subject to future curtailment, if found proper," or entire release thereof should Congress not sanction the object rendering this withdrawal of the land from white settlement at this time advisable.

A plat marked A, and indicating the boundaries of the reservation, accompanies the papers, and has prepared thereon the necessary order for your signature should you think fit to sanction the recommendation.

I have the honor to be, very respectfully, your obedient servant,

R. MCCLELLAND,
Secretary.

The PRESIDENT.

November 9, 1855.

The reservation of the land within denoted by blue-shaded lines is hereby made for the purposes indicated in letter of the Commissioner of the General Land Office of the 10th September last, and letter of the Secretary of the Interior of the 8th November, 1855.

FRANK'N PIERCE.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., December 20, 1865.

SIR: Pursuant to a recommendation of the Secretary of the Interior of the 8th of November, 1855, the President of the United States, by an Executive order dated the

¹ Report of Indian Commissioner, 1886, p. 422. ² *Ibid.*, p. xciv. ³ *Ibid.* ⁴ *Ibid.*, p. 216. ⁵ *Ibid.*, p. 357.

9th of that month, set apart, conditionally, the tract of country on the coast of Oregon, extending from Cape Lookout on the north to a point below Cape Perpetua on the south, as exhibited in blue on the accompanying map, for an Indian reservation.

It is represented by the Oregon delegation in Congress that this reservation is unnecessarily large, and that by reason of its access to the harbor of Aquina Bay by the numerous settlers in the fertile and productive valley of the Willamette is prevented. They ask for a curtailment of this reservation, so as to secure to the inhabitants of the Willamette Valley the much needed access to the coast, and for this purpose propose that a small and rugged portion of the reservation in the vicinity of Aquina Bay, not occupied or desired by the Indians, shall be released and thrown open to occupation and use by the whites.

The Commissioner of Indian Affairs is of the opinion that the interests of the citizens of Oregon will be promoted by the opening of a port of entry at Aquina Bay, and that their interest is paramount in importance to that of the Indians located in that vicinity. Concurring in the views expressed by the Hon. Messrs. Nesmith, Williams, and Henderson, and the Commissioner of Indian Affairs, I respectfully recommend that an order be made by you releasing from reservation for Indian purposes and restoring to public use the portion of the said reservation bounded on the accompanying map by double red lines, and described in the communication of the Oregon delegation as follows, viz: Commencing at a point two miles south of the Siletz Agency, thence west to the Pacific Ocean; thence south along said ocean to the mouth of the Alsea River; thence up said river to the eastern boundary of the reservation; thence north along said eastern boundary to a point due east of the place of beginning; thence west to the place of beginning.

I have the honor to be, very respectfully, your obedient servant,

JAS. HARLAN,
Secretary.

The PRESIDENT.

EXECUTIVE MANSION, *December 21, 1865.*

The recommendation of the Secretary of the Interior is approved, and the tract of land within described will be released from reservation and thrown open to occupancy and use by the citizens as other public land.

ANDREW JOHNSON,
President.

*Act of Congress, March 3, 1875.*¹

The Secretary of the Interior be, and hereby is, authorized to remove all bands of Indians now located upon the Alsea and Siletz Indian Reservation, set apart for them by Executive order dated November 9, 1855, and restored to the public domain by Executive order of December 21, 1865, and to locate said Indians upon the following described tract of country, namely: Beginning at a point 2 miles south of the Siletz Agency; thence west to the Pacific Ocean; thence north, along said ocean, to the mouth of Salmon River; thence due east to the western boundary of the eighth range of townships west of the Willamette meridian; thence south with said boundary to a point due east of the place of beginning; thence west to the place of beginning; which is hereby set apart as a permanent reservation for the Indians now occupying the same and to be hereafter located thereon; and all the balance of said Alsea and Siletz Reservation is hereby thrown open to settlement under the land laws of the United States. *Provided*, That these Indians shall not be removed from their present reservation without their consent previously had.

¹ United States Statutes, Vol. XVIII, Part 3, p. 446.

UMATILLA AGENCY.

[Post-office address: Pendleton, Umatilla County, Oregon.]

UMATILLA RESERVATION.

How established.—By treaty of June 9, 1855, and act of Congress August 5, 1882.

Area.—Contains 268,800 acres, of which 150,000 are classed as tillable.

Acres cultivated.—The Indians have 15,000 acres under cultivation.¹

Tribes.—The tribes living here are the Cayuse, Walla Walla, and Umatilla. Total population, 1,065.²

Location.—Located at the headwaters of the Umatilla River in Umatilla County. One-fourth of it is mountainous and covered with timber; the balance is prairie and rolling hills, and well watered and adapted for agricultural and grazing purposes.³

Government rations.—None reported.

Mills and employés.—A grist-mill.

Indian police.—Established in 1881.

Indian court of offences.—Organized in 1883.

*School population, attendance, and support.*⁴

School population, as estimated in 1886, 196.

Boarding school:

Accommodation	95
Average attendance	55
In session (months)	10
Cost	\$9, 181. 58

Missionary work.—Roman Catholic Church has a mission.

SYNOPSIS OF TREATIES.

Treaty with Walla Walla, Cayuse, and Umatilla bands of Indians, made at Camp Stevens, Walla Walla Valley, Washington Territory, June 9, 1855.

The following tract ceded: Beginning at the mouth of the Tocannon River, in Washington Territory, running thence up said river to its source; thence easterly along the summit of the Blue Mountains, and on the southern boundaries of the purchase made of the Nez Percés Indians, and easterly along that boundary to the western limits of the country claimed by the Shoshonees or Snake Indians; thence southerly along that boundary (being the waters of Powder River) to the source of Powder River, thence to the headwaters of Willow Creek, thence down Willow Creek to the Columbia River, thence up the channel of the Columbia River to the lower end of a large island below the mouth of Umatilla River; thence northerly to a point on the Yakama River, called Tohmah-luke; thence to Le Lac, thence to the White Banks on the Columbia below Priest's Rapids; thence down the Columbia River to the junction of the Columbia and Snake Rivers; thence up the Snake River to the place of beginning: *Provided, however,* That so much of the country described above as is contained in the following boundaries shall be set apart as a residence for said Indians, which tract for the purposes contemplated shall be held and regarded as an Indian reserva-

¹ Report of Indian Commissioner, 1886, p. 434. ² *Ibid.*, p. 404. ³ *Ibid.*, 1881, p. 149. ⁴ *Ibid.*, 1886, p. xciv.

tion, to wit: Commencing in the middle of the channel of Umatilla River, opposite the mouth of Wild Horse Creek; thence up the middle of the channel of said creek to its source; thence southerly to a point in the Blue Mountains known as Lee's Encampment; thence in a line to the headwaters of Howtome Creek; thence west to the divide between Howtome and Birch Creeks; thence northerly along said divide to a point due west of the south-west corner of William C. McKay's land claim, thence east along his line to his south-east corner; thence in a line to the place of beginning: *Provided, also*, That the exclusive right of taking fish in the streams running through and bordering said reservation is hereby secured to said Indians, and at all other usual and accustomed stations in common with citizens of the United States, and of erecting suitable buildings for curing the same; the privilege of hunting, gathering roots and berries, and pasturing their stock on unclaimed lands in common with citizens is also secured to them: *And provided, also*, That if any band or bands of Indians, residing in and claiming any portion or portions of the country described in this article, shall not accede to the terms of this treaty, then the bands becoming parties hereunto agree to reserve such part of the several and other payments herein named, as a consideration for the entire country described as aforesaid, as shall be in the proportion that their aggregate number may have to the whole number of Indians residing in and claiming the entire country aforesaid, as consideration and payment in full for the tracts in said country claimed by them: *And provided, also*, That when substantial improvements have been made by any member of the bands being parties to this treaty, who are compelled to abandon them in consequence of said treaty (they), shall be valued under the direction of the President of the United States, and payment made therefor. (Art. 1.)

United States agrees to pay \$8,000 per annum for five years, commencing September 1, 1856; \$6,000 per annum for the term of five years next succeeding the first five; \$4,000 per annum for the term of five years next succeeding the second five, and \$2,000 per annum for the term of five years next succeeding the third five, to be expended under the direction of the President for their moral improvement and education, buildings, farming implements, seeds, clothing, for medical purposes, providing farmers, mechanics, and for arms and ammunition. (Art. 2.)

To expend the sum of \$50,000 during first and second years after its ratification for the erection of buildings, purchase of teams, clothing, farming implements, tools, payment of employes, and for subsisting the Indians the first year after their removal. (Art. 3.)

Agrees to erect mills, schools, shops, and to purchase and keep in repair for the term of twenty years all necessary mill fixtures, tools, medicines and hospital stores, books and stationery, and furniture for employes. Agrees to employ for twenty years farmer, blacksmith, physician, mechanics, and two school-teachers. (Art. 4.)

Agrees to build for the head chiefs of the Walla Walla, Cayuse, and Umatilla bands each one dwelling-house and to plough and fence 10 acres of land for each, and to pay each \$500 per annum in cash for the term of twenty years. To give to the Walla Walla chief three yoke of oxen, farm implements, tools, harness, etc. To build for the son of Pio-pio-mox-mox, one dwelling-house, farm implements, a salary for twenty years, \$100 in cash per annum. Pio-pio-mox-mox secured for the term of five years the right to build and occupy house at or near mouth of Yakama River, to be used as a trading post in sale of bands of wild cattle. Sum of \$10,000 to be expended for a wagon road from Powder River or Grand Round to the plain at the western base of the Blue Mountains. (Art. 5.)

Land may be assigned to individuals and patents issued therefor, to be exempt from levy, sale, or forfeiture; no State to remove restriction; patent may be cancelled on removal of Indians; certain headmen to have 160 acres of land. (Art. 6.)

Annuities not to be taken for debts of individuals. (Art. 7.)

Bands agree to be friendly, pay for depredations, not to make war, and to observe all laws. (Art. 8.)

Annuities to be withheld from those drinking liquor. (Art. 9.)

Right of way for highways and railroads through reservation reserved. (Art. 10.)

Treaty binding when ratified. (Art. 11.)

Proclaimed April 11, 1859.¹

Act of Congress, August 5, 1882.²

The Secretary of the Interior * * * is authorized to cause to be surveyed and laid out into lots and blocks so much of the Umatilla Indian Reservation in the State of Oregon, lying and being contiguous to or in the vicinity of the town of Pendleton, as may be necessary to allow said town proper and needful extension and growth, not exceeding 640 acres. * * *

The Secretary of the Interior shall cause the said lots and blocks to be appraised by three disinterested persons, to be appointed by him (Sec. 1), * * * and to be offered for sale at public auction * * * to the highest bidder. * * * Payment shall be made as follows: One-third at the time of sale, one-third in one year, and one-third in two years; but no patent shall issue until full payment shall have been made. All * * * lands not sold at said public sale shall thereafter be subject to private entry at the appraised value thereof. * * *

Any right heretofore acquired by the Oregon Railway and Navigation Company for right of way for a line of railway, and to lands for use and occupancy by said company for station or depot purposes, shall not be affected by this act. (Sec. 2.)

The funds arising from the sale of said lands, after deducting the expenses of the survey, appraisalment, and sale of the same, shall be deposited in the Treasury of the United States to the credit of the Indians belonging on said reservation, and shall bear 5 per cent. per annum interest; and the Secretary of the Interior shall expend from time to time, for the benefit and support of an industrial school for said Indians on said reservation, so much of the principal and accrued interest thereon as he shall see fit. (Sec. 3.)

The Secretary of the Interior shall make all needful rules to carry this act into effect, and shall determine the compensation to be allowed the appraisers and surveyor for their services. (Sec. 4.)

Before the Secretary of the Interior shall execute any part of the provisions of this act he shall obtain the full and free consent of the Indians upon the said reservation to the sale and disposition of the said lands in the manner and for the purpose in this act provided. (Sec. 5.)

The sum of \$1,500 is hereby appropriated * * * for the purpose of carrying this act into effect. (Sec. 6.)

The interior lines of the land by this act authorized to be laid out in town lots and separating the same from the lands of said reservation shall, from the date of the approval of said survey by the Secretary of the Interior, be and constitute the line of said reservation between the same and the town of Pendleton. (Sec. 7.)

Approved August 5, 1882.

An act for allotting lands in severalty upon the Umatilla Reservation, etc., March 3, 1885.³

Allotments to be: Head of a family, 160 acres; single person over eighteen years, 80 acres; orphan child, 80 acres; each child under eighteen years, 40 acres. In addition a reasonable amount of pasture and timber land to be reserved and used in common, and 640 acres agricultural land for school and farm.

A commission of three persons to ascertain number of Indians who will remain and who are entitled to take land on reservation. Also the requisite amount of land needed as above provided, not to exceed an aggregate of 120,000 acres, the same to be in as compact a form as possible. Said commission to report said tract selected to Secretary of the Interior, who, upon approval, shall survey and allot the same. Patents

¹ United States Statutes, Vol. XII, p. 945.

² *Ibid.*, Vol. XXII, p. 297.

³ *Ibid.*,

to be issued, declaring the United States to hold the land in trust for twenty-five years, and at the end of said period convey the land in fee free of all charge or incumbrance whatsoever. The law of alienation and descent in Oregon to apply after delivery of patents. Any Indian who may desire to remove to any other reservation may do so, and not lose his right to share in the funds arising from the sale of the surplus lands on the Umatilla Reservation, and in addition the equitable value of the right to take land in severalty on said reservation, to be determined by the Secretary of the Interior and taken out of said fund; and the same shall be expended from time to time for their benefit in establishing them in their new homes in such manner as the Department shall direct. (Sec. 1.)

Lands not included in the new reservation to be resurveyed, appraised, and classified; improvements to be separately appraised, and no appraisal to be less than \$1.25 per acre. Land to be sold at public auction, upon specified conditions. State of Oregon to select from United States public lands in said State lands in lieu of the 16 and 36 sections contained in Umatilla Reservation herein set apart. Water right granted July 17, 1870, continued, but no additional rights to water granted. (Sec. 2.) Funds from sale of lands after deducting expenses of survey, appraisal, and sale to be deposited in United States Treasury to credit of said Indians. Amount of interest to be provided by law. Twenty per cent. of the principal to be used in establishing said Indians upon their allotments; \$20,000 applied toward an industrial school. Indians pledge to compel their children between seven and fifteen years of age to attend school. (Sec. 3.)

Appropriation made to carry this act into execution and also \$10,000 toward establishing said school. The United States to be reimbursed from sale of lands. (Sec. 4.) Consent of a majority of male adults assembled in counsel, made by signature, needful to the execution of this act. (Sec. 5.)

Secretary to carry out provisions, settle disputes concerning allotments, and compensation to commissioners. (Sec. 6.)

WARM SPRINGS AGENCY.

[Post-office address: Warm Springs, Crook County, Oregon.]

WARM SPRINGS RESERVATION.

How established.—By treaty, June 25, 1855.

Area.—Contains 464,000 acres, of which 3,600 are classed as tillable.

Acres cultivated.—The Indians have 2,500 acres under cultivation.¹

Tribes.—The tribes living here are the Tenino, Warm Springs, Wasco, John Day, and Pi-Ute. Total population, 869.²

Location.—This agency is situated in Wasco County, 8 miles south of the Warm Springs River. The river and agency take their name from some warm or hot springs that rise near the river and run into the same. The largest is quite a stream, and a few rods below its source it is much used as a bathing place. It would no doubt soon become a great resort for invalids were it outside of the reservation. The waters possess valuable medicinal properties, and would no doubt prove beneficial in many cases. The agency buildings stand on a level bench of land near the Shetike River, a beautiful, clear, cold stream of water that rises in the Cascade Mountains, just north of Mount Jefferson.³ The land is mountainous and rugged. Where irrigation is practicable gardens look well.

¹ Report of Indian Commissioner, 1886, p. 434. ² *Ibid.*, p. 406. ³ *Ibid.*, 1880, p. 147.

The summers are hot and dry, with only occasional showers, thus burning up the grain crop in many places.¹

Government rations.—None of these Indians subsisted by Government rations in 1886.²

Indian police.—Organized in 1878; consists of three men.

Indian court of offences.—Organized in 1884.

*School population, attendance, and support.*³

School population, as estimated in 1886	193
Boarding and day school:	
Accommodation	60
Average attendance	42
Session (months)	11
Cost	\$4,791.16
Sinemasho boarding and day school:	
Accommodation	40
Average attendance	30
Session (months)	11
Cost	\$4,742.50

Missionary work.—The United Presbyterian Church has charge of the missionary work.

SYNOPSIS OF TREATIES.

Treaty with the confederated bands of Walla Wallas and Wascoes of middle Oregon, made at Wasco, Oregon, June 25, 1855.

Tribes cede the following tract: Beginning at the Cascade Falls, Columbia River; thence southerly to the Cascade Mountains; along their summit to the forty-fourth parallel of north latitude; east on that line to the Blue Mountains, or the western boundary of the Shoshone country; north along that boundary to a point due east from the headwaters of Willow Creek; thence west to the waters of said creek, and down the said stream to the Columbia, and thence to the place of beginning.

The following tract within the ceded country to be set apart as a reservation until otherwise directed by the President: Beginning at the Deschutes, opposite the Mutton Mountains; thence west to the summit; along the divide to its connection with the Cascade Mountains; thence to the summit; southerly to Mount Jefferson; thence down the main branch of the Deschutes River to its junction with the Deschutes River; thence down the middle channel to the place of beginning. Said bands agree to remove and settle on said reservation within one year. Should the three principal bands of Walla Wallas desire some other reservation they may select one person from each band who, with the Superintendent of Indian Affairs, may choose other selections, which shall be declared a reservation for said Indians. No white person to reside thereon. Exclusive right to fish in streams running through and bordering reservations secured to Indians, and at all other accustomed stations in connection with citizens of the United States. Also erecting houses for curing the fish. Also privilege of hunting, gathering roots and berries, and pasturing stock on unclaimed land in common with citizens.

If any band claiming portions of the land herein ceded shall not agree to this treaty, then the bands being party thereto shall receive such part of payments herein provided as shall be in the proportion that their aggregate number may bear to the whole number of Indians claiming the said country. Any Indian compelled to aban-

¹ Report of Indian Commissioner, 1882, p. 146.

² *Ibid.*, 1886, p. 422.

³ *Ibid.*, p.

don substantial improvements in consequence of this treaty, said improvements shall be valued and payment made therefor, or improvements of equal value made on tracts herein provided. (Art. 1.)

The sum of \$100,000 paid as follows: Eight thousand dollars per annum for five years, beginning September 1, 1856; \$6,000 per annum for the five following years; \$4,000 for the next five years; \$2,000 per annum for the next five years. Said money to be expended under the direction of the President for the education, opening farms, agricultural implements, clothing, provisions, etc. (Art. 2.)

An additional sum of \$50,000 for the erection of buildings, opening farms, purchase of teams, implements, and subsisting the Indians the first year after removal. (Art. 3.) United States also agrees to erect saw-mill, flouring-mill, hospital, school-house, blacksmith shop, with tin and gunsmith shop, wagon and plow maker shop, and furnish the same, and also erect dwelling for employés. Also to pay for the services for fifteen years of farmer, blacksmith, wagon and plow maker, and for twenty years for physician, sawyer, miller, superintendent, and school teacher. Also to erect four dwelling-houses for the chiefs of the confederated bands; to fence and break for each chief 10 acres; and to pay head chief \$500 per annum for twenty years. The person succeeding to this office during the period named to have the benefit of the provisions herein made for the head chief. (Art. 4.)

President may cause whole or part of reservation to be surveyed and assign to single person over twenty-one 40 acres; family of two, 60 acres; family of three, 80 acres; family of six to ten, 120 acres; over ten, 20 acres for each three additional members. President to provide rules and regulations for descent of property; may issue a patent conditioned that the tract shall not be aliened or leased for a longer term than two years, to be exempt from levy, sale, or forfeiture until the restriction shall be removed with the consent of Congress when a State legislature shall have been formed. Any one neglecting his land, the President may revoke patent for the same. (Art. 5.) Annuities not to be taken for private debts. (Art. 6.)

Bands acknowledge their dependence and promise to commit no depredations or make war on other Indians, except in self-defence, and to submit all difficulties to the United States. (Art. 7.) Any one introducing or using intoxicating liquors his annuities to be withheld at option of President. (Art. 8.) Roads and railroads to have right of way whensoever, in the opinion of the President, the public interest may require it. Treaty binding when ratified. (Art. 9.)

Proclaimed April 18, 1859.¹

Supplementary treaty with the confederated tribes and bands of middle Oregon, made at Warm Springs Agency, Oregon, November 15, 1865.

The rights secured under article 1 of the treaty of June 25, 1855, to fish, erect houses, hunt game, gather roots and berries upon lands without the reservation hereby relinquished, it having become evident that it is detrimental to the interests of the Indians and the whites. (Art. 1.) The tribes covenant and agree to remain upon the reservation subject to the laws of the United States and regulations of the Indian Department and control of the officers thereof, and to pursue and return any members who shall attempt to leave the reservation. (Art. 2.) When necessary for any Indian to go beyond the borders of the reservation, the agent at his discretion to give such Indian a written pass, always for a short period and expiration definitely fixed on said paper. Any Indian having a pass who shall remain for a longer period than the time named in said pass shall be deemed to have violated this treaty the same as if he or she had gone without a pass. (Art. 3.) Any infraction of this treaty shall subject the Indian to a deprivation of his or her share of annuities and such other punishment as the President may direct. (Art. 4.) In consideration of the relinquishment of rights herein enumerated, \$3,500 to be expended in teams, agricultural

¹United States Statutes at Large, Vol. XII, p. 963.

implements, seed, and other articles for the advancement of the tribe in agriculture and civilization. (Art. 5.) United States to allot to each head of family in said tribe or band a tract of land sufficient for his or her use. Possession guaranteed and secured to said family and heirs forever. (Art. 6.) Any Indian known to drink or possess ardent spirits to be reported to the agent, with the name of the person of whom the liquor was obtained, that they may be lawfully punished. (Art. 7.)

Proclaimed March 28, 1867.¹

UTAH TERRITORY.

For earlier history, see Colorado. Organized as a Territory September 9, 1850.²

The Indians residing here are about the same as when the country came into the possession of the United States.

There are two reservations, containing an aggregate area of 3,972,480 acres. Indian population on reservation, 2,216; not on reservations, 585; total Indian population, 2,801.

There are two agencies, the Ouray Agency, having the Uncompahgre Reservation in charge, and the Uintah Agency, having in charge the Uintah Reservation.

UINTAH AGENCY.

[Post-office address: White Rocks, Utah, via Green River City, Wyo.]

UINTAH VALLEY RESERVATION.

How established.—By Executive order, October 3, 1861; act of Congress approved May 5, 1864.³

Area and survey.—Contains 2,039,040 acres, of which 320,000 are classed as tillable.⁴ Out-boundaries surveyed; interior partly surveyed.⁵

Acres cultivated.—The Indians have under cultivation 200 acres.⁶

Tribes and population.—The tribes living here are the Gosi Ute, Pavant Uintah, Yampa, and Grand River Ute. Total population, 1,064.⁷

Location.—“This reservation consists of a table-land 6,300 feet above sea level, sloping gradually towards the south. The cañons on the outskirts of the reservation produce plenty of wood and timber for the use of the agency and for the Indians.⁸

Government rations.—Sixty per cent. of these Indians subsisted by Government rations in 1884.⁹

Mills and Indian employés.—Mills established in 1872. No employés reported.

Indian police.—Established in 1878.

Indian court of offences.—None reported.

¹ United States Statutes at Large, Vol. XIV, p. 751. ² *Ibid.*, Vol. IX, p. 453.
³ Report of Indian Commissioner, 1882, p. 289, and United States Statutes at Large, Vol. XIII, p. 63. ⁴ Report of Indian Commissioner, 1884, p. 316. ⁵ *Ibid.*, p. 264.
⁶ *Ibid.*, 1886, p. 434. ⁷ *Ibid.*, p. 406. ⁸ *Ibid.*, 1883, p. 139. ⁹ *Ibid.*, 1886, p. 422.

School population, attendance, and support.

School population, as estimated in 1886	125
Agency boarding-school:	
Accommodation	20
Average attendance	10
Agency day-school, accommodation	30
Session (months)	8
Cost to Government ¹	\$1,651.70

Missionary work.—No missionary work reported.

*Uintah Valley Reserve.*²

DEPARTMENT OF THE INTERIOR,
Washington, October 3, 1861.

SIR: I have the honor herewith to submit for your consideration the recommendation of the Acting Commissioner of Indian Affairs, that the Uintah Valley, in the Territory of Utah, be set apart and reserved for the use and occupancy of Indian tribes.

In the absence of an authorized survey (the valley and surrounding country being as yet unoccupied by settlements of our citizens), I respectfully recommend that you order the entire valley of the Uintah River within Utah Territory, extending on both sides of said river to the crest of the first range of contiguous mountains on each side, to be reserved to the United States and set apart as an Indian reservation.

Very respectfully, your obedient servant,

CALEB B. SMITH,
Secretary.

The PRESIDENT.

EXECUTIVE OFFICE, *October 3, 1861.*

Let the reservation be established, as recommended by the Secretary of the Interior.
A. LINCOLN.

(See acts of Congress, approved May 5, 1864, 13 Stats. 63, and June 18, 1878, 20 Stats. 165.)

SYNOPSIS OF ACT OF CONGRESS.³

An act to vacate and sell the present Indian reservations in Utah Territory, and to settle the Indians of said Territory in the Uinta Valley, May 5, 1864.

SEC. 1. The Secretary of the Interior is authorized and required to cause to be surveyed and sold the several Indian reservations hitherto made and occupied as such in the Territory, excepting Uinta Valley, the avails of the sales to be devoted to the Indian service in Utah.

SEC. 2. The superintendent of Indian affairs for Utah is authorized and required to collect and settle all or so many of the Indians of Utah as may be found practicable in the Uinta Valley, which is hereby set apart for the permanent settlement and exclusive occupation of such different tribes of said Territory as may be induced to inhabit the same.

SEC. 3. For the purpose of making agricultural improvements for the comfort of the Indians and to enable them to become self-supporting by agriculture, the sum of \$30,000 is appropriated, to be expended under the direction of the Secretary of the Interior.

¹ Report of Indian Commissioner, 1886, p. xcvi. ² *Ibid.*, p. 358. ³ United States Statutes at Large, Vol. XIII, p. 63.

OURAY AGENCY.

[Post-office address: Same as Uintah Agency.]

UNCOMPAHGRE RESERVATION.

How established.—By Executive order, January 5, 1882.

Area and survey.—Contains 1,933,440 acres.¹ Tillable acres not reported.

Acres cultivated.—The Indians have under cultivation 90 acres.²

Tribes and population.—The tribe living here is the Tabeguache Ute. Population, 1,250.³

Location.—“This agency is located at the junction of Green and White Rivers, near the western line of the reservation, 33 miles south-east of Fort Thornburg, and 160 miles from the nearest railroad or telegraph station.”⁴

Government rations.—Sixty per cent. of these Indians subsisted by Government rations, as reported, in 1886.⁵

Mills and employes.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

School population, attendance, and support.—School population as estimated in 1884 was 250. No school provided.

Missionary work.—There has been no missionary work done here except by the Mormons. The Unitarians are very anxious.

Uncompahgre Reserve.

EXECUTIVE MANSION, January 5, 1882.

It is hereby ordered that the following tract of country in the Territory of Utah, be, and the same is hereby, withheld from sale and set apart as a reservation for the Uncompahgre Utes, viz: “Beginning at the south-east corner of township 6 south, range 25 east, Salt Lake meridian; thence west to the south-west corner of township 6 south, range 24 east; thence north along the range line to the north-west corner of said township 6 south, range 24 east; thence west along the first standard parallel south of the Salt Lake base-line to a point where said standard parallel will, when extended, intersect the eastern boundary of the Uintah Indian Reservation, as established by C. L. Du Bois, deputy surveyor, under his contract dated August 30, 1875; thence along said boundary south-easterly to the Green River; thence down the west bank of Green River to the point where the southern boundary of the said Uintah Reservation, as surveyed by Du Bois, intersects said river; thence north-westerly with the southern boundary of said reservation to the point where the line between ranges 16 and 17 east of Salt Lake meridian will, when surveyed, intersect said southern boundary; thence south between said ranges 16 and 17 east Salt Lake meridian to the third standard parallel south; thence east along said third standard parallel to the eastern boundary of Utah Territory; thence north along said boundary to a point due east of the place of beginning; thence due west to the place of beginning.”⁶

¹ Report of Indian Commissioner, 1884, p. 264. ² *Ibid.*, 1886, p. 434. ³ *Ibid.*, p. 298. ⁴ *Ibid.*, 1882, p. 148. ⁵ *Ibid.*, 1886, p. 422. For treaties in which these Indians took part see synopsis of Ute treaties—Colorado. ⁶ Report of Indian Commissioner, 1882, p. 289.

CHAPTER XX.

INDIAN RESERVATIONS OF WASHINGTON TERRITORY.

Organized as a Territory March 2, 1853.¹

The act establishing the Territory provided that the Government right to regulate Indian laws, property, and rights by treaty, law, or otherwise should remain competent. Also provided "that the title to land not exceeding 640 acres, now occupied as missionary stations among the Indian tribes in said Territory, or that may have been so occupied as missionary stations prior to the passage of the act establishing the Territorial government of Oregon, together with the improvements thereon, be, and is hereby, confirmed and established to the several religious societies to which said missionary stations respectively belong."

The same conditions which affected Oregon were potent in this Territory. The disputed boundary line between the United States and Great Britain retarded the progress of the Indians for a time. Few changes have taken place in the Indian population, although many tribes have suffered from wars and difficulties incident to the settling up the country with white people.

There are seventeen reservations, containing an aggregate area of 4,107,558 acres. The Indian population on reservations is 7,688; not on reservations, 2,210; total Indian population, 9,888.

There are six agencies: The Colville Agency, having in charge the Colville, the Spokane, and the Cœur d'Alêne Reservations, the latter being in Idaho; the Neah Bay Agency, having in charge the Makah Reservation; Quinaielt Agency, having in charge the Quinaielt and the Shoalwater Reservations; the Nisqually and S'Kokomish Agency, having in charge the Chehalis, Nisqually, Puyallup, S'Kokomish, and Squaxin Island Reservations; the Tulalip Agency, having in charge the Lummi, Muckleshoot, Port Madison, Tulalip, and Swinomish Reservations; and the Yakama Agency, having in charge the Yakama Reservation.

COLVILLE AGENCY.

[Post-office address: Chewelah, Stevens County, Wash. Ter.]

COLVILLE RESERVATION.

How established.—By Executive orders April 9 and July 2, 1872.

Area and survey.—Contains 2,800,000 acres.² Acres not reported separately.

¹ United States Statutes, Vol. X, p. 172.
p. 264.

² Report of Indian Commissioner, 1884,

Acres cultivated.—The Indians have 14,000 acres under cultivation.¹

Tribes and population.—The tribes living here are the Cœur d'Aléne, 487; Colville, 670; Calispel, 400; Kinckane, —; Lake, 333; Methow, 315; Nespelims, —; Pend d'Oreille, —; San Poel, 400; and Spokane, 685. Total population is 3,290.²

Location.—This reservation proper, including the Colville Valley, was set apart by Executive order of April 9, 1872, and with the reservation the majority of the non-treaty Indians east of The Cascades in this Territory were much pleased. But without consulting their interests, and even without their knowledge, the Government, being deceived as to the true state of affairs, was induced to change the reservation by Executive order of July 6, 1872, to the west and north of the Columbia, east of the Chenagan, and bounded on the north by British Columbia as now constituted. The lands of this reservation are mostly a conglomeration of barren, rocky mountains. It contains much agricultural land, necessitating irrigation for the raising of wheat and other grains.³ The reservation is situated on the east side of the Columbia River, between Kettle Falls and the mouth of the Spokane River.⁴

Government rations.—No Government rations reported for the subsistence of these Indians.

Mills and employés.—Established.

Indian police.—Not reported.

Indian court of offences.—Not reported.

*School population, attendance, and support.*⁵

School population of the agency, including all reservations, 900.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Colville, boys' boarding (contract).....	50	32	12	\$3,414.91
Colville, girls' boarding (contract).....	90	44	12	4,582.26
Cœur d'Aléne, boys' boarding (contract).....	200	54	12	5,902.92
Cœur d'Aléne, girls' boarding (contract).....	100	51	12	5,629.77

Missionary work.—In charge of the Roman Catholics.

*Colville Reserve.*⁶

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., April 8, 1872.

SIR: I have the honor to invite your attention to the necessity for setting apart by Executive order of a tract of country hereinafter described, as a reservation for the following bands of Indians in Washington Territory, not parties to any treaty, viz:

The Methow Indians, numbering.....	316
The Okanagan Indians, numbering.....	340
The San Poel Indians, numbering.....	538

¹ Report of Indian Commissioner, 1884, p. 316. ² *Ibid.*, p. 298. ³ *Ibid.*, 1876, p. 132. ⁴ *Ibid.*, 1882, p. 152. ⁵ *Ibid.*, 1886, p. xcvi. ⁶ *Ibid.*, p. 369.

The Lake Indians, numbering	230
The Colville Indians, numbering.....	631
The Calispel Indians, numbering.....	420
The Spokane Indians, numbering.....	725
The Cœur d'Alène Indians, numbering.....	700
And scattering bands	300
Total.....	4,200

* * * Excluding that portion of the tract of country referred to found to be in the British possessions, the following are the natural boundaries of the proposed reservation, which I have the honor to recommend to be set apart by the President for the Indians in question, and such others as the Department may see fit to settle thereon, viz: Commencing at a point on the Columbia where the Spokane River empties in the same; thence up the Columbia River to where it crosses the forty-ninth parallel north latitude; thence east with said forty-ninth parallel to where the Pend d'Oreille, or Clark, River crosses the same; thence up the Pend d'Oreille, or Clark, River to where it crosses the western boundary of Idaho Territory, the one hundred and seventeenth meridian west longitude; thence south, along said one hundred and seventeenth meridian, to where the Little Spokane River crosses the same; thence southwesterly with said river to its junction with the Big Spokane River; thence down the Big Spokane River to the place of beginning.

The papers hereinbefore referred to are respectfully submitted herewith.

Very respectfully, your obedient servant,

F. A. WALKER,
Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., April 9, 1872.

SIR: I have the honor to submit herewith a communication, dated the 8th instant, from the Commissioner of Indian Affairs, and accompanying papers, representing the necessity for the setting apart, by Executive order, of a tract of country therein described for certain bands of Indians in Washington Territory not parties to any treaty.

The recommendation of the Commissioner in the premises is approved, and I respectfully request that the President direct that the tract of country designated upon the inclosed map be set apart for the Indians referred to, and such others as this Department may see fit to settle thereon.

I am, sir, very respectfully, your obedient servant,

B. R. COWEN,
Acting Secretary.

EXECUTIVE MANSION, *Washington, April 9, 1872.*

It is hereby ordered that the tract of country referred to in the within letter of the Acting Secretary of the Interior, and designated upon the accompanying map, be set apart for the bands of Indians in Washington Territory named in communication of the Commissioner of Indian Affairs, dated the 8th instant, and for such other Indians as the Department of the Interior may see fit to locate thereon.

U. S. GRANT.

EXECUTIVE MANSION, *Washington, July 2, 1872.*

It is hereby ordered that the tract of country referred to in the within letter of the Commissioner of Indian Affairs as having been set apart for the Indians therein named by Executive order of April 9, 1872, be restored to the public domain, and that in lieu

thereof the country bounded on the east and south by the Columbia River, on the west by the Okanagan River, and on the north by the British possessions, be, and the same is hereby, set apart as a reservation for said Indians, and for such other Indians as the Department of the Interior may see fit to locate thereon.

U. S. GRANT.

SPOKANE RESERVATION.

How established.—By Executive order, January 18, 1881.

Area and survey.—Contains 153,600 acres;¹ tillable acres not reported.

Acres cultivated.—Acres cultivated, not reported separately.

Tribes and population.—The tribe living here is the Spokane. Total population, 324.²

Location.—This reservation lies near the mouth of the Spokane River, and is a piece of land some 20 miles long and 8 wide. "It consists of good grazing land, but poor farming land, owing to the early frosts, which have nearly every year destroyed part, if not all, of their crops, which made it necessary for me last winter (1885-86) to purchase supplies to keep them from starving."

Nothing reported concerning these Indians separately from Colville Agency (see Colville Reservation).

[Special Field Orders No. 8.³]

HEADQUARTERS DEPARTMENT OF THE COLUMBIA,
IN THE FIELD, SPOKANE FALLS, WASH.,
September 3, 1880.

Whereas in consequence of a promise made in August, 1877, by E. C. Watkins, inspector of the Interior Department, to set apart, or have set apart, for the use of the Spokane Indians the following described territory, to wit: Commencing at the mouth of Cham-a-kane Creek, thence north 8 miles in direction of said creek, thence due west to the Columbia River, thence along the Columbia and Spokane Rivers to the point of beginning—the Indians are still expecting the Executive order in their case, and are much disturbed by the attempts of squatters to locate land within said limits: It is hereby directed that the above described territory, being still unsurveyed, be protected against settlement by other than said Indians until the survey shall be made, or until further instructions. This order is based upon plain necessity to preserve the peace until the pledge of the Government shall be fulfilled, or other arrangements accomplished.

The commanding officers of Forts Cœur d'Alène and Colville and Camp Chelan are charged with the proper execution of this order.

By command of Brigadier-General Howard.

H. H. PIERCE,
First Lieutenant Twenty-first Infantry, Acting Aid-de-Camp.

EXECUTIVE MANSION, January 18, 1881.

It is hereby ordered that the following tract of land, situated in Washington Territory, be, and the same is hereby, set aside and reserved for the use and occupancy of the Spokane Indians, namely: Commencing at a point where Chemekane Creek crosses the forty-eighth parallel of latitude; thence down the east bank of said creek to where it enters the Spokane River; thence across said Spokane River westwardly

¹ Report of Indian Commissioner, 1886, p. 390. ² *Ibid.*, p. 406. ³ *Ibid.*, p. 370.

along the southern bank thereof, to a point where it enters the Columbia River; thence across the Columbia River, northwardly along its western bank to a point where said river crosses the said forty-eighth parallel of latitude, thence east along said parallel to the place of beginning.

R. B. HAYES.

COLUMBIA RESERVATION.

How established.—By Executive orders, April 19, 1879, March 6, 1880, and February 23, 1883. (See Indian appropriation act of July 4, 1884, United States Statutes, 23, p. 79.) Executive order May 1, 1886.

Area and survey.—See Executive order, May 1, 1886.¹

Acres cultivated.—During the past year 400 acres have been fenced in and fully one-half cultivated.²

Tribes and population.—Chief Moses and his people. Population about 200.³

Location.—This reservation lies in the Nespelim, which is a beautiful valley situated in the southern part of the Colville Reserve. The people are industrious, and will in time, if care and attention are shown them, grow to be a prosperous and self-supporting tribe.⁴

The mills and school-house, erected according to agreement for Moses and his band, do credit to the contractors. The saw-mill contains the latest improved machinery, and when full force of water is used will cut out 8,000 feet of lumber per day. The grist-mill, at the time of inspection, made some very fine flour.

Tonasket's mills, situated on Prairies Creek, are built upon the same plan as Moses's, and when finished will also be very fine mills. The Indians have to-day as good mills as can be found in the country.

The school-house now being erected is a very fine building, and will accommodate one hundred children.

No school statistics given, and no missionary work reported.⁵

*Columbia, or Moses, Reserve.*⁶

EXECUTIVE MANSION, April 19, 1879.

It is hereby ordered that the tract of country in Washington Territory lying within the following-described boundaries, viz: Commencing at the intersection of the forty-mile limits of the branch line of the Northern Pacific Railroad with the Okinakane River; thence up said river to the boundary line between the United States and British Columbia; thence west on said boundary line to the forty-fourth degree of longitude west from Washington; thence south on said degree of longitude to its intersection with the 40-mile limits of the branch line of the Northern Pacific Railroad; and thence with the line of said 40-mile limits to the place of beginning, be, and the same is hereby, withdrawn from sale and set apart as a reservation for the permanent use and occupancy of Chief Moses and his people, and such other friendly Indians as may elect to settle thereon with his consent and that of the Secretary of the Interior.

R. B. HAYES.

¹ Report of Indian Commissioner, 1886, p. 231.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*, p. 234. ⁶ *Ibid.*, p. 361.

EXECUTIVE MANSION, *March 6, 1880.*

It is hereby ordered that the tract of country in Washington Territory lying within the following-described boundaries, viz: Commencing at a point where the south boundary line of the reservation created for Chief Moses and his people by Executive order dated April 19, 1879, intersects the Okinakane River; thence down said river to its confluence with the Columbia River; thence across and down the east bank of said Columbia River to a point opposite the river forming the outlet to Lake Chelan; thence across said Columbia River and along the south shore of said outlet to Lake Chelan; thence following the meanderings of the south bank of said lake to the mouth of Shehekin Creek; thence up and along the south bank of said creek to its source; thence due west to the forty-fourth degree of longitude west from Washington; thence north along said degree to the south boundary of the reservation created by Executive order of April 19, 1879; thence along the south boundary of said reservation to the place of beginning, be, and the same is hereby, withdrawn from sale and settlement and set apart for the permanent use and occupancy of Chief Moses and his people, and such other friendly Indians as may elect to settle thereon with his consent and that of the Secretary of the Interior, as an addition to the reservation set apart for said Chief Moses and his people by Executive order dated April 19, 1879.

R. B. HAYES.

EXECUTIVE MANSION, *February 23, 1883.*

It is hereby ordered that the tract of country in Washington Territory lying within the following-described boundaries, viz: Commencing at the intersection of the forty-fourth degree of longitude west from Washington, with the boundary line between the United States and British Columbia; thence due south 15 miles; thence due east to the Okinakane River; thence up said river to the boundary line between the United States and British Columbia; thence west along said boundary-line to the place of beginning, being a portion of the country set apart for the use of Chief Moses and his people by Executive orders of April 19, 1879, and March 6, 1880, be, and the same is hereby, restored to the public domain.

CHESTER A. ARTHUR.

Agreement of July 7, 1883.—In the conference with Chief Moses and Sar-sarp-kin, of the Columbia Reservation, and Tonasket and Lot, of the Colville Reservation, had this day, the following was substantially what was asked for by the Indians:

Tonasket asked for a saw and grist-mill, a boarding-school to be established at Buonaparte Creek to accommodate one hundred pupils, and a physician to reside with them, and \$100 to himself each year.

Sar-sarp-kin asked to be allowed to remain on the Columbia Reservation with his people, where they now live, and to be protected in their rights as settlers, and in addition to the ground they now have under cultivation within the limit of the 15-mile strip cut off from the northern portion of the Columbia Reservation, to be allowed to select enough more unoccupied land in severalty to make a total to Sar-sarp-kin of 4 square miles, being 2,560 acres of land, and each head of a family or male adult 1 square mile; or to move on to the Colville Reservation, if they so desire, and in case they so remove and relinquish all their claims on the Columbia Reservation, he is to receive one hundred head of cows for himself and people, and such farming implements as may be necessary.

All of which the Secretary agrees they should have, and that he will ask Congress to make an appropriation to enable him to perform.

The Secretary also agrees to ask Congress to make an appropriation to enable him to purchase for Chief Moses a sufficient number of cows to furnish each one of his band with two cows; also to give Moses \$1,000 for the purpose of erecting a dwelling-house for himself; also to erect a building and maintain a school therein; also to construct a saw-mill and grist-mill as soon as the same shall be required for use; also that each head of a family or male adult person shall be furnished with one wagon,

one double set of harness, one grain cradle, one plow, one harrow, one scythe, one hoe, and such other agricultural implements as may be necessary.

And on condition that Chief Moses and his people keep this agreement faithfully, he is to be paid in cash, in addition to all of the above, \$1,000 per annum during his life.

All this on condition that Chief Moses shall remove to the Colville Reservation, and relinquish all claim upon the Government for any land situate elsewhere.

Further, that the Government will secure to Chief Moses and his people, as well as to all other Indians who may go upon the Colville Reservation and engage in farming, equal rights and protection alike with all other Indians now on the Colville Reservation, and will afford him any assistance necessary to enable him to carry out the terms of this agreement on the part of himself and his people. That until he and his people are located permanently on the Colville Reservation his status shall remain as now, and the police over his people shall be vested in the military, and all money or other articles to be furnished him and his people shall be sent to some point in the locality of his people, there to be distributed as provided.

All other Indians now living on the Columbia Reservation shall be entitled to 640 acres, or 1 square mile of land, to each head of family or male adult, in the possession and ownership of which they shall be guaranteed and protected. Or should they move upon the Colville Reservation within two years, they will be provided with such farming implements as may be required, provided they surrender all rights to the Columbia Reservation.

All of the foregoing is upon the condition that Congress will make an appropriation of funds necessary to accomplish the foregoing and confirm this agreement; and also with the understanding that Chief Moses or any of the Indians heretofore mentioned shall not be required to remove to the Colville Reservation until Congress does make such appropriation, etc.

H. M. TELLER,
Secretary of the Interior.

H. PRICE,
Commissioner of Indian Affairs.

MOSES, his X mark.

TONASKET, his X mark.

SAR-SARP-KIN, his X mark.

his
GEORGE X HERRING,
mark.

Interpreter for the Indians.

J. F. SHERWOOD,

Interpreter for the Government.

FRANK D. BALDWIN,

Captain Fifth Infantry.

[From Report of Indian Commissioner, 1883, p. 70.]

Act of Congress of July 4, 1884.—For the purpose of carrying into effect the agreement entered into at the city of Washington on the seventh day of July, eighteen hundred and eighty-three, between the Secretary of the Interior and the Commissioner of Indian Affairs and Chief Moses and other Indians of the Columbia and Colville Reservations, in Washington Territory, which agreement is hereby accepted, ratified, and confirmed, including all expenses incident thereto, eighty-five thousand dollars, or so much thereof as may be required therefor, to be immediately available: *Provided*, That Sarsopkin and the Indians now residing on said Columbia Reservation shall elect within one year from the passage of this act whether they will remain upon said reservation on the terms therein stipulated or remove to the Colville Reservation: *And provided further*, That in case said Indians so elect to remain on said

Columbia Reservation the Secretary of the Interior shall cause the quantity of land therein stipulated to be allowed them to be selected in as compact form as possible, the same when so selected to be held for the exclusive use and occupation of said Indians, and the remainder of said reservation to be thereupon restored to the public domain, and shall be disposed of to actual settlers under the homestead laws only, except such portion thereof as may properly be subject to sale under the laws relating to the entry of timber lands and of mineral lands, the entry of which shall be governed by the laws now in force concerning the entry of such lands.¹

[From Report of Indian Commissioner, 1886, pp. 362-369.]

EXECUTIVE MANSION, *May 1, 1886.*

It is hereby ordered that all that portion of country in Washington Territory withdrawn from sale and settlement, and set apart for the permanent use and occupation of Chief Moses and his people and such other friendly Indians as might elect to settle thereon with his consent and that of the Secretary of the Interior, by the Executive orders dated April 19, 1879, and March 6, 1880, respectively, and not restored to the public domain by the Executive order dated February 23, 1883, be, and the same is hereby, restored to the public domain, subject to the limitations as to disposition imposed by the act of Congress, approved July 4, 1884 (23 Stats., pp. 79-80), ratifying and confirming the agreement entered into July 7, 1883, between the Secretary of the Interior and the Commissioner of Indian Affairs and Chief Moses and other Indians of the Columbia and Colville Reservations in Washington Territory.

And it is hereby further ordered that the tracts of land in Washington Territory surveyed for and allotted to Sar-sarp-kin and other Indians in accordance with the provisions of said act of July 4, 1884, which allotments were approved by the Acting Secretary of the Interior April 12, 1886, be, and the same are hereby, set apart for the exclusive use and occupation of said Indians, the field-notes of the survey of said allotments being as follows:

[Allotments Nos. 1, 2, 3, and 4, in favor of Sar-sarp-kin, Cum-sloct-poose, Showder, and Jack, respectively.]

Set stone on N. bank of Sar-sarp-kin Lake for centre of S. line of claim No. 1. Run line N. 78° W. and S. 78° E. and blazed trees to show course of S. line of claim. Then run N. 12° E. (var. 22° E.) in centre of claim. At 80 chains set temporary stake and continued course. At 20 chains came to brush on right bank of Waring Creek and offset to the right 9.25 chains. Thence continued course to 65 chains and offset to right 13.25 chains to avoid creek bottom and continued course. At 80 chains set temporary stake and continued course. At 37.50 offset 4.50 chains to right to avoid creek bottom and continued course. At 55.50 chains offset to right 4.77 chains to avoid creek bottom and continued course. At 80 chains set temporary stake and continued course to 32.60 chains. Thence run S. 78° E. 8.23 chains and set stone 10 by 10 by 24 inches, for NE. corner of claim. Then retraced line N. 75° W. 12 chains and set stone 6 by 6 by 18 inches to course of N. line of claim No. 1, and S. line of claim No. 2, and for centre point in S. line of claim No. 2 (claim No. 1, Sar-sarp-kin's, contains 2,180.8 acres). Thence run N. 12° E. 80 chains. Blazed pine 20 inches diameter on 3 sides on right bank of Waring Creek for centre of N. line of claim No. 2, and centre of S. line of claim No. 3. Set small stones N. 78° W. and S. 78° E. to show course of said line. Thence run N. 12° E. in centre of claim No. 3. At 10.50 chains offset to right 3 chains to avoid creek bottom and continued course. At 71 chains offset to left 4.23 chains to avoid creek bottom and continued course. At 76.25 chains crossed Waring Creek, 20 links wide. At 80 chains offset to right 1.23 chains and set stone 8 by 8 by 16 inches for centre of N. line of claim No. 3, and centre of S. line of claim No. 4. Run N. 78° W. and S. 78° E. and set stake to show course of said line. Then from centre

¹ United States Statutes, Vol. XXIII, p. 79.

stone offset to left 1.23 chains and run thence N. 12° E. At 28 chains offset to left 2 chains to avoid creek bottom and continued course. At 80 chains offset to right 3.23 chains and set stone 10 by 10 by 16 inches on left bank of creek for centre of N. line of claim, and set stones N. 78° W. and S. 78° E. to show course of line.

[Allotment No. 5, in favor of Ka-la-witch-ka.]

From large stone, with two small stones on top, as centre of N. line of claim near left bank of Waring Creek, about 1½ miles down stream from claim No. 4, and about 1 mile up stream from Mr. Waring's house, run line N. 80½° W. and S. 80½° E., and set small stones to show course of N. line of claim. Then run S. 9½° W. (var. 23° E.), at 79.20 chains crossed Cecil Creek 15 links wide. At 80 chains blazed pine 24 inches diameter on four sides, in clump of four pines for centre of S. line of claim. Thence run N. 80½° W. and S. 80½° E., and blazed trees to show course of S. line of claim.

[Allotment No. 6, in favor of Sar-sarp-kin.]

From stone on ridge between Toad Coulee and Waring Creeks run N. 88° E. (var. 22° E.). At 18.50 chains enter field. At 24.50 chains enter brush. At 30.10 chains cross Waring Creek 25 links wide. At 47.60 chains cross Waring's fence. At 65 chains set stone for corner 12 by 12 by 12 inches, from which a pine 24 inches diameter bears N. 88° E. 300 links distant. Thence N. 4° W. 10.50 chains set stone for corner 8 by 8 by 18 inches. Thence N. 16° W. At 29.20 chains pine tree 30 inches diameter in line. At 55 chains set stone for corner. Thence S. 66½° W. to junction of Toad Coulee and Waring Creeks, and continue same course up Toad Coulee Creek to 81 chains, blazed fir, 18 inches diameter on four sides for corner, standing on right bank of Toad Coulee Creek on small island. Thence S. 38° E. At 52 links cross small creek—branch of Toad Coulee Creek—and continued course. At 42 chains point of beginning. The above-described tract of land contains 379 acres.

[Allotment No. 7, in favor of Quo-lock-ons, on the headwaters of Johnson Creek.]

From pile of stone on south side of Johnson Creek Cañon—dry at this point—125 feet deep, about 1 chain from the west end of cañon, from which a fir 10 inches diameter bears N. 25° W. 75 links distant, run S. 55° W. (var. 22° E.). At 80 chains made stone mound for corner, from which a large limestone rock 10 by 10 by 10 bears on same course S. 55° W. 8.80 chains distant. From monument run N. 35° W. At 72.50 chains crossed Johnson brook 4 links wide, and continued course E. 80 chains. Made mound of stone, and run thence N. 55° E. 80 chains. Made stone monument and run thence S. 35° E. 80 chains to beginning.

[Allotment No. 8, in favor of Nek-quel-e-kin, or Wa-pa-to John.]

From stone monument on shore of Lake Chelan, near houses of Wa-pa-to John' and Us-tah, run north (var. 22° E.)—

10.00 chains, Wa-pa-to John's house bears west 10 links distant.

12.50 chains, Catholic chapel bears west 10 links distant.

32.50 chains, fence, course E. and W. .

80.00 chains, set stake 4 inches square, 4 feet long, in stone mound for NE. corner of claim. Thence run W.

30.00 chains, cross trail, course NW. and SE.

80.00 chains, made stone monument for NW. corner of claim. Thence run S.

35.60 chains, crossed fence, course E. and W.

77.00 chains, blazed cottonwood tree 12 inches in diameter on 4 sides for corner on shore of Lake Chelan, marked W. T. on side facing lake.

Lake Chelan forms the southern boundary of claim, which contains about 640 acres.

[Allotment No. 9, in favor of Us-tah.]

This claim is bounded on the west by Wa-pa-to John's claim, and on the south by Lake Chelan. From Wa-pa-to John's NE. corner, which is a stake in stone mound, run south $64\frac{1}{2}^{\circ}$ east (var. 22° E.)—

88.56 chains, set stake in stone mound for corner of claim. Thence run S.

55.50 chains, trail, course NW. and SE.

80.00 chains, shore of Lake Chelan; set stake in stone mound for corner of claim, which contains about 640 acres.

[Allotment No. 10, in favor of Que-til-qua-soon, or Peter.]

This claim is bounded on the E. by Wa-pa-to John's claim, and on the S. and W. by Lake Chelan. The field-notes of N. boundary are as follows: From NW. corner of Wa-pa-to John's claim, which is a stone monument, run W. (var. 22° E.)—

113.00 chains, shore of Lake Chelan. Blazed pine tree at the point 20 inches diameter on four sides for NW. corner of claim.

This claim contains about 540 acres.

[Allotment No. 11, in favor of Tan-te-ak-o, or Johnny Isadore.]

From Wa-pa-to John's NE. corner, which is a stake in stone mound, run W. (var. 22° E.) with Wa-pa-to John's N. boundary line to stone monument—

80.00 chains, which is also a corner to Wa-pa-to John's and Peter's land. Thence on same course with Peter's N. line.

33.00 chains, made stone monument in said line for SW. corner of claim, and run thence N. (var. $22\frac{1}{2}^{\circ}$ E.).

80.00 chains, made stone monument on W. side of shallow lake of about 40 acres and continued course to

113.35 chains, made stone monument for N. corner of claim, and run thence S. 45° E.

160.00 chains, point of beginning.

This claim contains 640 acres.

[Allotment No. 12, in favor of Ke-up-kin, or Celesta.]

This claim is bounded on the south by Peter's and on the east by Johnny's claim. From Peter's NW. corner, which is a pine, 20 inches diameter, blazed on four sides, on shore of Lake Chelan, run E. with Peter's N. line—

80.00 chains, stone monument, previously established, which is also a corner to Johnny's land. Thence N. with Johnny's land.

80.00 chains, stone monument, previously established on W. shore of shallow lake. Thence run W. (var. $22\frac{1}{2}^{\circ}$ E.).

80.00 chains. Set stake in stone mound for NW. corner of claim, from which a blazed pine 24 inches in diameter bears S. 50° W. 93 links distant. A blazed pine 20 inches diameter bears N. 45° E. 110 links distant. Thence north through open pine timber.

80.00 chains, point of beginning.

[Allotment No. 13, in favor of Ta-we-na-po, or Ameno.]

From Johnny's NW. corner, which is a stone monument, run S. with Johnny's line.

33.35 chains, stone monument previously established, the same being Celesta's NE. corner. Thence W. with Celesta's line—

80.00 chains, stone monument previously established, the same being the NW. corner of Celesta's claim. Thence N. (var. 22° E.).

85.50 chains, small creek 4 links wide, course E. and W.

126.70 chains, made stone monument for NW. corner of claim, from which a blazed pine 12 inches in diameter bears S. 10° W. 59 links distant. Thence run S. $40\frac{1}{2}^{\circ}$ E.

123.00 chains, point of beginning.

This claim contains 640 acres.

[Allotment No. 14, in favor of Pa-a-na-wa, or Pedoi.]

From NW. corner of Ameno's claim, which is a stone monument, from which a blazed pine 12 inches in diameter bears S. 10° W. 59 links distant, run N. 75° W.—

43.50 chains, shore of Lake Chelan, blazed pine tree 6 inches in diameter on 4 sides for NW. corner of claim, from which a blazed pine 14 inches in diameter bears N. 45° E. 13 links distant. Thence returned to point of beginning and run S. with Ameno's line.

46.70 chains offset on right, 70.00 chains to Lake Chelan.

86.70 chains offset on right, 62.00 chains to Lake Chelan.

101.20 chains, made stone monument from which a blazed pine 30 inches in diameter bears N. 40° W. 95 links distant, a blazed pine 30 inches in diameter bears 40° W. 72 links distant. Thence run W.

62.00 chains shore of Lake Chelan. Made stone monument for SW. corner of claim, from which a blazed pine 10 inches in diameter bears N. 30 links distant.

Lake Chelan forms the western boundary of claim, which contains 640 acres.

[Allotment No. 15, in favor of Yo-ke-sil.]

From SW. corner of Pedoi's claim, which is a stone monument, from which a blazed pine 10 inches in diameter bears N. 30 links distant, run east with Pedoi's line—

62.00 chains, stone monument, previously established, from which a blazed pine 30 inches diameter bears N. 40° W. 95 links distant. A blazed pine 30 inches diameter bears S. 40° W. 72 links distant, the same being Pedoi's SE. corner. Thence run south with Ameno's W. line.

25.50 chains, stake in stone mound, previously established for corner to Ameno's and Celesta's claims. Thence continued course S. with Celesta's W. line to 105.50 chains, pine tree 20 inches in diameter, on shore of Lake Chelan, previously blazed on four sides for corner to Peter and Celesta's claims. Thence with the shore of lake in a north-westerly direction to point of beginning.

This claim contains about 350 acres.

[Allotment No. 16, in favor of La-kay-use, or Peter.]

From stone monument, on bunch-grass bench, about $1\frac{1}{2}$ miles in a north-easterly direction from Wa-pa-to John's house, run N. $61\frac{1}{2}^{\circ}$ E. (var. 22° E.)—

51.00 chains, enter small brushy marsh.

52.50 chains, leave marsh.

56.00 chains, made stone monument for corner of claim and run thence S. $23\frac{1}{2}^{\circ}$ E.

11.60 chains, cross small irrigating ditch—small field and garden lie on right.

114.30 chains, made stone monument for corner and run thence S. $61\frac{1}{2}^{\circ}$ W.

56.00 chains, made stone monument for corner of claim and run thence N. $23\frac{1}{2}^{\circ}$ W.

114.30 chains, stone monument—point of beginning.

This claim contains 640 acres.

[Allotment No. 17, in favor of Ma-Kai.]

Field-notes of Makai's allotment on the Columbia Reservation. It is bounded on the west by Ustah's allotment, and on the south by Lake Chelan. From Ustah's NE. corner, which is a stake in stone mound, run S. $64\frac{1}{2}^{\circ}$ E. (var. 22°)—

80.00 chains, built monument of stone, running thence S.

80.00 chains, to the bank of Lake Chelan, built monument of stone; thence N. $64\frac{1}{2}^{\circ}$ W. along Lake Chelan.

80.00 chains, to the S. E. corner of Ustah's allotment.

The above-described figure contains 507.50 acres.

[ANTWINE SETTLEMENT.]

This settlement, consisting of three claims in the same vicinity, though not adjoining, is located on or near the Columbia River, about 7 miles above Lake Chelan, and about 8 miles below the mouth of the Methow River, on the Columbia Reservation.

[Allotment No. 18, in favor of Scum-me-cha, or Antoine.]

- From stone monument about 2 miles north from the Columbia, from which a blazed fir 20 inches in diameter bears S. 80° W. 60 links distant, run S. 35½° E. (var. 22° E.)—
 30.00 chains, summit of mountain spur, about 50 feet high. Antwine's house N. 35° E. about 20 chains distant.
 80.00 chains, made stone monument for corner, from which a blazed pine 8 inches in diameter bears S. 45° W. 32 links distant. Thence run N. 55½° E. (var. 22½°).
 58.00 chains, bottom of dry cañon 100 feet deep, course NW. and SE.
 80.00 chains, made stone monument for corner about one-quarter mile from Columbia River, and run thence N. 34½° W.
 80.00 chains, made stone monument for corner and run thence S. 55½° W.
 80.00 chains, stone monument, point of beginning.

[Allotment No. 19, in favor of Jos-is-kon, or San Pierre.]

- This claim lies about 3 miles in a north-westerly direction from Antoine's claim, and consists of a body of hay land of about 100 acres, surrounded by heavy timber. From stone monument on hillside, facing S. E., from which a blazed pine 8 inches diameter bears S. 60° E. 56 links distant, from which a blazed pine 8 inches diameter bears west 76 links distant, run S. 23½° E. (var. 22° E.)—
 6.50 chains, enter grass lands.
 25.00 chains, leave grass lands.
 80.00 chains, made stone monument for corner, from which a blazed pine 20 inches diameter bears N. 85° E. 20 links distant. A blazed pine 20 inches diameter bears N. 15° E. 27 links distant. Thence run N. 66¾° E.
 80.00 chains, made stone monument on steep little hillside for corner. Thence run N. 23½° W.
 80.00 chains, made stone monument on mountain side for corner, from which a blazed pine 18 inches diameter bears N. 40° E. 105 links distant, from which a blazed pine 20 inches diameter bears S. 10° E. 127 links distant. Thence run S. 66¾° W. along mountain side.
 80.00 chains, to point of beginning.

[Allotment No. 20, in favor of Charles Iswald.]

- This claim lies about 2 miles in a north-easterly direction from Antoine's claim. It contains no timber, but is mostly fair grazing land, with about 100 acres susceptible of cultivation. No improvements. From pine tree on right bank of Columbia River, blazed on four sides, where rocky spur 200 feet high comes down to near bank, forming a narrow pass, from which a blazed pine 36 inches in diameter bears north 177 links distant, run S. 13° W. (var. 22° E.)—
 102.25 chains, made stone monument for corner on hillside in view of main trail. Thence run S. 5¼° W.
 78.00 chains, made stone monument for corner. Thence S. ¼° W.
 25.65 chains, made stone monument on bank of Columbia River for corner. Thence with said river to point of beginning, containing 640 acres of land.

The three following claims are all adjoining. They are located on or near the Columbia River, about 12 miles above Lake Chelan, and about 3 miles below the mouth of the Methow River.

[Allotment No. 21, in favor of In-perk-skin, or Peter No. 3.]

From pine 12 inches diameter blazed on four sides on right bank of Columbia River, from which a blazed pine 10 inches diameter bears S. 40° E. 46 links distant, run N. 69½° W. (var. 22° E.)—

- 3.50 chains, enter corner of small field.
- 7.50 chains, leave field,
- 8.00 chains, cross trail.
- 80.00 chains, made stone monument for cor. on mountain side about 500 feet above river. Thence run N. 20½° E.
- 24.00 chains, summit of rugged little mountain 700 feet high.
- 80.00 chains, made stone monument for corner on top of small rocky hill about 40 feet high. Thence S. 69½° E.
- 80.00 chains, erected stone monument for corner about 15 chains from river bank. Thence S. 20½° W.
- 80.00 chains, point of beginning.

[Allotment No. 22, in favor of Tew-wew-wa-ten-eek, or Aeneas.]

From NW. corner of Peter's claim, which is a stone monument on summit of small hill, run N. 20½° E. (var. 22½° E.)—

- 80.00 chains, made stone monument for corner, and run thence N. 69½° W. (var. 23° E.).
- 80.00 chains, made stone monument for corner, and run thence S. 20½° W. (var. 22½° E.).
- 39.00 chains, summit of steep hill 100 feet high.
- 80.00 chains, made stone monument for corner of claim on rolling hillside facing west. Thence S. 69½° E. (var. 23½° E.).
- 80.00 chains, point of beginning.

[Allotment No. 23, in favor of Stem-na-lux, or Elizabeth.]

From NW. corner of Peter's claim, the same being the SE. corner of Aeneas's claim, which is a stone monument on top of small hill, run N. 69½° W. with Aeneas's S. line (var. 22½° E.)—

- 80.00 chains, stone monument, previously established for SW. corner of Aeneas's claim. Thence N. 20½° W. (var. 23½° E.).
- 65.00 chains, summit of hill.
- 80.00 chains, made stone monument for corner, from which a blazed pine 24 inches diameter bears south 70 links distant. A blazed pine 24 inches diameter bears S. 20° W. 84 links distant. Thence S. 69½° E.
- 80.00 chains, monument previously established for SW. corner of Peter's claim. Thence S. 20½° E. with Peter's west line.
- 80.00 chains, point of beginning.

The five following claims are all adjoining. They are located along the southern bank of the Methow and the western bank of the Columbia, on the Columbia Reservation.

[Allotment No. 24, in favor of Neek-kow-it, or Captain Joe.]

From stone monument on right bank of Methow River, about three-fourth mile from its mouth, from which a pine 24 inches in diameter bears N. 37° W. on opposite bank of Methow, for witness corner to true corner, which is in centre of Methow River, opposite monument 1.50 chains distant. Run S. 37° W. (var. 22° E.) (distances given are from true corner)—

- 7.00 chains, enter garden.
- 12.00 chains, leave garden.
- 39.00 chains, top of bench 400 feet high.

116.50 chains, Cañon Mouth Lake, containing about 80 acres. Set stake in stone mound on shore of lake for witness corner to true corner, which falls on side of impassable mountain beyond lake, 160 chains from point of beginning. Returned to witness corner previously set on bank of Methow, and run thence N. 53° W.

40.00 chains, offset on right 2 chains to bank of Methow, and made stone monument for witness to true corner, which falls in centre of Methow, opposite monument 1 chain distant. Thence run S. 37° W. (Distances given are from true corner.)

42.00 chains, top of bench 400 feet high.

113.00 chains, marked tree with two notches fore and aft, and blazed one tree on each side to show course of line.

115.00 chains, impassable mountain. True corner falls in course on mountain side 160 chains distant from true corner at other end of line in the Methow River.

General description of boundary.—From point first described in centre of Methow River S. 37° W. 160 chains; thence N. 52° 39' W. 40.20 chains; thence N. 37° E. 160 chains to point previously described in middle of Methow; thence with middle of Methow River to point of beginning. Claim contains 640 acres.

[Allotment No. 25, in favor of Hay-tal-i-cum, or Narcisse.]

From stone monument on right bank of Methow River, previously described as witness corner to point of beginning to survey of Captain Joe's claim, said monument being a true corner to this claim, run S. 37° W. with Captain Joe's line (var. 22° E.)—

45.60 chains, set stake in stone mound for corner, and run thence S. 53° E.

80.00 chains, set stake 8 inches square for corner; thence run N. 37° E.

73.10 chains, made stone monument for corner on right bank of Columbia. Near opposite bank of river a black rock protrudes from water. Thence with right bank of Columbia River to mouth of Methow River. Thence with right bank of Methow River to point of beginning.

This claim contains 640 acres of land.

[Allotment No. 26, in favor of Kleck-hum-tecks.]

From stake in stone mound previously set in Captain Joe's SE. line, the same being the SW. corner to Narcisse's claim, run S. 50° E. (var. 22° E.), with Narcisse's line—

80.00 chains, corner previously established, thence run S. 37° W.

80.00 chains, set stake for corner, and run thence N. 53° W.

73.80 chains, set stake marked W. C., on shore of Cañon Mouth Lake, from which a blazed aspen, 6 inches in diameter, bears N. 5° W. 94 links distant for witness corner to true corner, which falls on line 6.50 chains further in lake, in Captain Joe's SE. line. Thence with said line N. 37° E. 80 chains to point of beginning.

This claim contains 640 acres.

[Allotment No. 27, in favor of Ki-at-kwa, or Mary.]

From witness corner previously established on Methow, in Captain Joe's NW. line, the same being taken as a true corner to this claim, run S. 37° W. (var. 22° E.) with Captain Joe's line—

80.00 chains, made stone monument for corner; then returned on line, and from point 1.50 chains from corner run N. 53° W.

64.00 chains, offset to left 22 chains to avoid bend in river and continued course.

80.00 chains, bank of Methow River. Made stone monument for corner, and run thence S. 37° W.

12.00 chains, top of bench 400 feet high.

24.00 chains, foot of perpendicular basaltic cliff offset to right 2 chains.

31.50 chains, offset to left 2 chains and continued course.

40.00 chains, made stone monument and continued course.

45.00 chains, impassable mountain. True corner falls 11.50 chains further on line on side of mountain.

General description by boundary.—From point of beginning S. 37° W. 80 chains; thence N. 53° W. 80 chains; thence N. 37° E. 56.50 chains to corner on Methow; thence with right bank of Methow to point of beginning, containing about 640 acres.

[Allotment No. 28, in favor of Ta-tat-kein, or Tom.]

From NW. corner of Mary's claim, which is a stone monument on the right bank of the Methow, run S. 27° W. (var. 22° E.) with Mary's line—

40.00 chains, corner previously established, stone monument; thence N. 53° W.

80.00 chains, made stone monument in aspen thicket for corner; thence N. 27° E.

106.50 chains, right bank of Methow River; made stone monument for corner; thence with right bank of Methow River to point of beginning. This claim contains about 640 acres.

DOWNING CREEK SETTLEMENT.

This settlement consists of two adjoining claims on Downing Creek, on the right bank of the Columbia River, on the Columbia Reservation, about 7 miles below the mouth of the Okinakane River, and about 3 miles above the mouth of the Methow River.

[Allotment No. 29, in favor of La-la-elque.]

From stone monument on right bank of Columbia River, about one-half mile above mouth of Downing Creek, run N. 25° W. (var. 22° E.)—

42.75 chains, point on hill about 500 feet high, 30 links to right of old stone mound on top of hill.

79.30 chains, large flat-top stone 5 links to right.

80.00 chains, made stone monument for corner and run thence S. 65° W.

80.00 chains, made stone monument for corner on hillside near top of hill and run thence S. 25° E.

78.00 chains, bank of Columbia River. Made stone monument for corner. Thence with Columbia River to point of beginning. This claim contains about 640 acres.

[Allotment No. 30, in favor of Snain-chucks.]

From NE. corner of La-la-elque's claim, which is a stone monument, run N. 25° W.—

80.00 chains, made stone monument for corner and run thence S. 65° W.

80.00 chains, made stone monument for corner and run thence S. 25° E.

80.00 chains, stone monument previously established, the same being La-la-elque's NW. corner; thence N. 65° E.

80.00 chains, point of beginning.

This claim-contains 640 acres of land.

[Allotment No. 31, in favor of Edward, near Palmer Lake, Toad Coulee.]

Commencing at a prominent rock 7 feet by 3 feet by 4 inches and unknown length, the above dimensions projecting above the surface. Running thence (var. 22° 15') N. 82° E. 80 chains. At 57.70 Thorn Creek, 80 links wide, NE. At 80 set willow stake 5 inches square and 5 feet long, marked sta. 1, N. 8° W. 80 chains. A lime-juice tree 18 inches diameter at 80, set basaltic stone 2 feet by 8 inches by 6 inches with monument of stone on the side of bluff on the east side of the valley, sta. 2, S. 82° W. 80 chains. At 6 chains Thorn Creek 80 links wide bears NE.; at 8 chains the Smilkameen (Similka-

meen) River, 100 links wide, bears NE. At 39, on the same river, bears SW. At 80 set quaking aspen stake 4 inches square, 4 feet long, marked sta. 3. S. 8° E. 80 chains to the place of beginning. The terminus. 640 acres.

[Allotment No. 32, in favor of Dominec.]

Commencing on a slough of the Smilkameen (Similkameen) River, on the forty-ninth parallel (the British line) set quaking aspen stake 4 inches square and 4 feet long, 18 inches in the earth, marked C. C., from which a pine tree 42 inches in diameter bears N. 79° 45' W. 2 chains, marked C. C. B. T., facing post; thence (var. 22° 15' E.) W. 31 chains to a point from which the parallel monument bears W. 4.77 chains; built monument of granite stone. S. 134 chains. At 42.50 chains a spring branch, 5 links wide, bears E. At 134 chains built monument of stone at foot of bluff. E. 61.53 chains to a balm tree, 30 inches in diameter, marked sta. 3, facing W., from which the Smilkameen (Similkameen) River bears W. 2.43 chains. N. 12° 30' W. 137.43 chains. At 10 chains the Smilkameen (Similkameen) River bears SE.; at 120 the same river W. of S. At 137.43 intersect the place of beginning. Terminus. 620.26 acres.

[Allotment No. 33, in favor of Ko-mo-dal-kiah.]

Commencing on the west bank of the Okanagan (Okinakane) River at the north end of an island, set stake 4 inches square, 4 feet long, marked C. C., with mound. Running thence (var. 22° 15') S. 86° 45' W. 150 chains, set balm stake 4 inches square, 4 feet long, and 18 inches in the earth, with monument of washed boulders covered with mound of earth, 4 pits, and marked sta. 1. S. 3° 15' E. 42.66 chains, set balm stake 4 inches square, 4 feet long, marked sta. 2, with monument of granite stones. N. 86° 45' E. 138.21 chains. A balm tree on the west bank of the Okanagan (Okinakane) River, marked sta. 3, facing west, the true corner falling in the Okanagan (Okinakane) River, 11.79 chains further on in the same line at the east bank of an island, N. 3° 15' W. 42.66 chains, intersect the north line from which the place of beginning bears N. 86° 45' E. 11.79 the terminus. Area, 639.90 acres.

[Allotment No. 34, in favor of Paul.]

Commencing at the SW. cor. (sta. 3) of Ko-mo-dal-kiah's allotment. Running thence (var. 22° 15') S. 3° 15' E. 42.66 chains; built monument of basaltic stone, sta. 1. N. 86° 45' E. 142.87 chains intersect the Okanagan (Okinakane) River. Set balm stake 4 inches square, 4 feet long, and 18 inches in the ground, marked sta. 2. N. 9° 45' W. 42.70 chains, Ko-mo-dal-kiah's bearing corner a balm tree 12 inches in diameter, marked sta. C. C. on the S. side. The terminus. Area, 599.55.

[Allotment No. 35, in favor of Que-lock-us-soma.]

Commencing at the SE. corner of Paul's allotment, running thence (var. 22° 15') S. 86° 45' W. 43.87 chains; built monument of washed granite boulders (sta. 1). S. 3° 15' E. 80 chains; built monument of washed granite boulders (sta. 2). N. 86° 45' E. 96.42 chains; intersect the Okanagan (Okinakane) River, set balm stake 4 inches square, 4 feet long, and 18 inches in the ground, marked sta. 3; thence up the Okanagan (Okinakane) River, N. 45° 30' W. 76 chains to a curve in the river. N. 3° 15' W. 25 chains intersect the place of beginning. The terminus. Area, 495.47 acres.

[Allotment No. 36, in favor of Se-cum-ka-nallux.]

Commencing on the west bank of Okanagan (Okinakane) River at a little pine tree 4 inches in diameter; running thence down the river (var. 22° 15') S. 3° W. 45.65 chains to a pine tree on the bank of the Okanagan (Okinakane); thence down the river N. 57° 45' W. 22 chains, intersect the old Indian trail, built monument of stone. S. 15° W. 124.50 chains, to a pine tree 25 inches in diameter, marked sta. 3; thence N. 51° 45' W. 82.75 chains; at 22 chains a small lake 5 chains wide; at 82.75 built monu-

ment of stone, N. 50° E. 167.55 chains to the place of beginning. The terminus. Area, 637.44 acres.

[Allotment No. 37, in favor of John Salla-Salla.]

Commencing at the junction of Johnston Creek and the Okanagan (Okinakane) River; thence by Johnston Creek (var. 22° 15') S. 69° 45' W. 40 chains; built monument of stone on the S. bank of Johnston Creek, sta. — 8° 15' W. 91.54 chains; built monument of basaltic stone, sta. ; N. 69° 45' E. 117.50 chains to the Okanagan (Okinakane) River; set balm stake 4 inches square, 4 feet long, marked sta. 3; N. 45° 30' W. 86.53 chains to the place of beginning, the mouth of Johnston Creek. Area, 630 acres.

GROVER CLEVELAND.

NEAH BAY AGENCY.

[Post-office address: Neah Bay, Clallam County, Wash. Ter.]

MAKAH RESERVATION.

How established.—By treaty of Neah Bay, January 31, 1855,¹ and Executive orders, October 26, 1872, and January 2 and October 21, 1873.

Area and survey.—Contains 23,040 acres,² of which 150 are classed as tillable.³ Not surveyed.

Acres cultivated.—The Indians had 35 acres under cultivation in 1886.³

Tribes and population.—The tribes living here are the Quillehute, 523; Makah, 258; total population, 781.⁴

Location.—This reservation embraces Cape Flattery, at the extreme north-western corner of Washington Territory, and is a wild, bleak, stormy locality.⁵ The soil is thin and sandy, almost worthless for agriculture, requiring to be fertilized every year in order to produce a crop.

Government rations.—Seven per cent. of these Indians subsisted by Government rations in 1886.⁶

Mills and Indian employés.—None reported.

Indian police.—Established.

Indian court of offences.—None reported.

School population, attendance, and support.⁷

School population, as estimated in 1886, Neah Bay.....	94
School population, as estimated in 1886, Quillehute	68
Neah Bay boarding-school:	
Accommodation.....	50
Average attendance.....	46
Session (months).....	10
Cost.....	\$5,856.73
Quillehute day school:	
Accommodation.....	50
Average attendance.....	40
Session (months).....	11
Cost.....	\$961.58

Missionary work.—Protestant Episcopal Church has had a mission.

¹ United States Statutes, Vol. XII, p. 939. ² Report of Indian Commissioner, 1886, p. 390. ³*Ibid.*, p. 434. ⁴*Ibid.*, p. 406. ⁵*Ibid.*, 1873, p. 301. ⁶*Ibid.*, 1886, p. 422. ⁷*Ibid.*, p. xcvi.

SYNOPSIS OF TREATY.

Treaty with the Makah tribe, made at Neah Bay, Washington Territory, January 31, 1855.

The tribes cede the following land: Commencing at the mouth of the Oke-ho River, on the Straits of Fuca; thence running westwardly with said straits to Cape Classet, or Flattery; thence southwardly along the coast to Osett, or the lower Cape Flattery; thence eastwardly along the line of lands occupied by the Kive-déhtut or Kwill-eh-yute tribe of Indians, to the summit of the Coast Range of mountains, and thence northwardly along the line of lands lately ceded to the United States by the S'Klallam tribe to the place of beginning, including all the islands lying off the same on the straits and coast. (Art. 1.)

The following tract reserved: Commencing on the beach at the mouth of a small brook running into Neah Bay next to the site of the old Spanish fort; thence along the shore around Cape Classet, or Flattery, to the mouth of another small stream running into the bay on the south side of said cape, a little above the Waatch village; thence following said brook to its source; thence in a straight line to the source of the first-mentioned brook, and thence following the same down to the place of beginning.

White men not permitted to reside on reservation without permission of superintendent or agent. Roads may be run upon compensation for any damage done by them, and President may place other friendly Indians on reservation. (Art. 2.) Indians to settle on reservation within a year. (Art. 3.) Right of whaling, sealing, or fishing on accustomed grounds secured; no shell-fish to be taken from beds staked by citizens. (Art. 4.) United States to pay the sum of \$30,000 in instalments of the principal in diminishing amounts, covering twenty years. Annuities to be expended under direction of the President. (Art. 5.)

For removal of Indians to reservation and improvements to be made thereon, \$3,000. (Art. 6.)

The President reserves the right to remove these Indians, whenever their own or the interests of the Territory require it, to other suitable localities within the Territory, on remunerating them for their improvements and defraying expense of removal, or to consolidate them with friendly Indians, in which case the annuities of all the tribes to be consolidated. At the discretion of the President the reservation may be surveyed and allotted in severalty, in manner similar to article 6, Omaha treaty of 1855. (Art. 7.) Annuities not to be taken to pay individual debts. (Art. 8.) Dependence on Government acknowledged, and agree to be friendly. (Art. 9.) Drunkenness to be punished by withholding annuities. (Art. 10.) Agricultural and industrial school sustained for twenty years, and agency established for Puget Sound; and carpenter, blacksmith, and farmer, and shops for twenty years; also physicians and medicine; expenses defrayed by United States. (Art. 11.)

Tribes to free slaves and not acquire others. (Art. 12.) Not to trade outside United States, or permit foreign Indians to reside on reservation. (Art. 13.) Treaty binding when ratified. (Art. 14.)

Proclaimed April 18, 1859.¹

*Makah Reserve.*²

EXECUTIVE MANSION, *October 26, 1872.*

In addition to the reservation provided for by the second article of the treaty concluded January 31, 1855, with the Makah Indians of Washington Territory, it is hereby ordered that there be withdrawn from sale and set apart for the use of the said Makah and other Indians a tract of country in the said Territory of Washington, described and bounded as follows, viz: Commencing on the beach at the mouth of a small brook running into Neah Bay next to the site of the old Spanish fort; thence along the shore of said bay in a north-easterly direction to Baadah Point (being a

¹ United States Statutes, Vol. XII, p. 939.)

1886, p. 371.

² Report of Indian Commissioner,

point about 4 miles from the beginning); thence in a direct line south 6 miles; thence in a direct line west to the Pacific shore; thence northwardly along the shore of the Pacific to the mouth of a small stream running into the bay on the south side of Cape Flattery, a little above the Waatch village; thence following said brook to its source; thence in a straight line to the place of beginning; the boundary line from the mouth of the brook last mentioned to the place of beginning being identical with the south-eastern boundary of the reservation set apart for the Makah tribe of Indians by the treaty concluded with said Indians January 31, 1855, before referred to.

U. S. GRANT.

EXECUTIVE MANSION, *January 2, 1873.*

In lieu of the addition made by Executive order dated October 26, 1872, to the reservation provided for by the second article of the treaty concluded January 31, 1855, with the Makah Indians of Washington Territory, it is hereby ordered that there be withdrawn from sale and set apart as such addition, for the use of the said Makah and other Indians, the tract of country in said Territory of Washington bounded as follows, viz: Commencing on the beach at the mouth of a small brook running into Neah Bay next to the site of the old Spanish fort; thence along the shore of said bay in a north-easterly direction 4 miles; thence in a direct line south 6 miles; thence in a direct line west to the Pacific shore; thence northwardly along the shore of the Pacific to the mouth of a small stream running into the bay on the south side of Cape Flattery a little above the Waatch village; thence following said brook to its source; thence in a straight line to the place of beginning; the boundary line from the mouth of the brook last mentioned to the place of beginning being identical with the south-eastern boundary of the reservation set apart for the Makah and other Indians by the treaty above referred to.

U. S. GRANT.

EXECUTIVE MANSION, *October 21, 1873.*

In lieu of the addition made by Executive order dated October 26, 1872, and amended by Executive order of January 2, 1873, to the reservation provided for by the second article of the treaty concluded January 31, 1855, with the Makah tribe of Indians of Washington Territory (Statutes at Large, Vol. XII, p. 939), which orders are hereby revoked, it is hereby ordered that there be withdrawn from sale and set apart as such addition for the use of said Makah and other tribes of Indians the tract of country in said Territory bounded as follows, viz: Commencing on the beach at the mouth of a small brook running into Neah Bay next to the site of the old Spanish fort; thence along the shore of said bay in a north-easterly direction 4 miles; thence in a direct line south 6 miles; thence in a direct line west to the Pacific shore; thence northwardly along the shore of the Pacific to the mouth of another small stream running into the bay on the south side of Cape Flattery, a little above the Waatch village; thence following said brook to its source; thence in a straight line to the source of the first-mentioned brook, and thence following the same down to the place of beginning.

U. S. GRANT.

NISQUALLY AND S'KOKOMISH AGENCY.

[Post-office address: Tacoma, Wash. Ter.]

The following reservations are under this agency: Puyallup, Chehalis, Nisqually, Squaxin Island, and S'Kokomish.

PUYALLUP RESERVATION.

How established.—By treaty of Medicine Creek, December 26, 1854,¹ and Executive orders, January 20, 1857, and September 6, 1873.

¹ United States Statutes, Vol. X, p. 1132.

Area and survey.—Contains 18,062 acres,¹ of which 6,500 are classed as tillable.² Surveyed.²

Acres cultivated.—One thousand five hundred acres cultivated by the Indians.²

Tribes.—The tribes living here are the Muckleshoot, Niskwalli, Puyallup, Shwawksnamish, Steilacoom, and five others.

Location.—This reservation is situated on Commencement Bay, Puget Sound, 40 miles north of Olympia, and 2 miles east of New Tacoma, on the Northern Pacific Railroad.³ At least two-thirds of the land is very rich, suitable for agricultural use, but is all heavily timbered, except what has been cleared, and between 200 and 300 acres of tide-flats.³

Government rations.—No Indian on this reservation subsisted by Government rations.

Mills and employés.—Established.

Indian police.—Established.

Indian court of offences.—Established.

School population, attendance, and support.—School population not estimated separately from agency in 1886. Agency school population given as 331; Puyallup boarding accommodations, 75; average attendance, 80; twelve months' session, and cost \$10,130.53.⁴

Missionary work.—The Presbyterian and Roman Catholic Churches in charge.

Treaty with Nisqually, Puyallup, Steilacoom, Squawksin, S'Homamish, Steh-chass, T'Peeksin, Squi-aitl, and Sa-heh-wamish tribes, made at Medicine Creek, Washington Territory, December 26, 1854.

The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at the point on the eastern side of Admiralty Inlet known as Point Pully, about midway between Commencement and Elliott Bays; thence running in a south-easterly direction, following the divide between the waters of the Puyallup and Dwamish, or White, Rivers, to the summit of the Cascade Mountains; thence southerly, along the summit of said range, to a point opposite the main source of the Skookum Chuck Creek; thence to and down said creek to the coal mine; thence north-westerly to the summit of the Black Hills; thence northerly to the upper forks of the Satsop River; thence north-easterly, through the portage known as Wilkes's Portage, to Point Southworth, on the western side of Admiralty Inlet; thence around the foot of Vashon's Island, easterly and south-easterly, to the place of beginning. (Art. 1.)

There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: The small island called Klah-che-min, situated opposite the mouths of Hammersley's and Totten's Inlets, and separated from Hartstene Island by Peale's Passage, containing about two sections of land by estimation; a square tract containing two sections, or 1,280 acres, on Puget's Sound, near the mouth of the She-nah-nam Creek, one mile west of the meridian line of the United States land survey, and a square tract containing two sections, or 1,280 acres, lying on the south side of Commencement Bay. (Art. 2.)

¹ Report of Indian Commissioner, 1886, p. 390. ² *Ibid.*, p. 436. ³ *Ibid.*, 1880, p. 157; and 1877, p. 190. ⁴ *Ibid.*, 1886, p. xviii.

The right to take fish at all usual and accustomed grounds and stations is secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses on open unclaimed land, but not to take shell-fish from beds cultivated by citizens. (Art. 3.)

The United States agrees to pay \$32,500 in diminishing instalments of the principal for twenty years, these sums to be expended by the President for the benefit of the Indians. (Art. 4.) A further sum of \$3,250 to be paid to enable the Indians to remove upon their reservation, and to clear, fence, and break a sufficient quantity of land. (Art. 5.)

The President reserves the right to remove the Indians whenever their own or the interests of the Territory may require it, to such other suitable place or places within said Territory as he may see fit, on remunerating them for all expenses and improvements abandoned. They may also be consolidated with other tribes. At his discretion the whole or a portion of the lands may be surveyed and allotted in severalty. (Art. 6.)

Annuities not to be taken for individual debts. (Art. 7.)

The Indians agree to commit no depredations on citizens, and not to make war on other tribes except in self-defence, and to submit the punishment of all offenders to the United States. (Art. 8.)

Any Indian using or bringing liquor on the reservation may have his or her proportion of the annuities withheld for such time as the President may determine. (Art. 9.)

For twenty years the Government agrees to maintain a carpenter, blacksmith, and the necessary shops, and employ a physician, who shall furnish medicine.

Agricultural and industrial school to be furnished and maintained by the Government for twenty years, expense not to be deducted from annuities. (Art. 10.)

Tribes agree to free all slaves and not to purchase or acquire others (Art. 11), and not to trade outside of the United States (Art. 12), nor foreign Indians permitted to reside on reservation. Treaty binding when ratified. (Art. 13.)

Proclaimed April 10, 1855.¹

*Nisqually, Puyallup, and Muckleshoot Reserves.*²

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

January 19, 1857.

SIR: The treaty negotiated on the 29th of December, 1854, with certain bands of Nisqually, Puyallup, and other Indians of Puget's Sound, Washington Territory (article 2), provided for the establishment of reservations for the colonization of Indians, as follows: First. The small island called Klah-chemin. Second. A square tract containing two sections near the mouth of the She-nah-nam Creek. Third. Two sections on the south side of Commencement Bay.

The sixth article of the treaty gives the President authority to remove the Indians from those locations to other suitable places within Washington Territory, or to consolidate them with friendly bands.

So far as this office is advised a permanent settlement of the Indians has not yet been effected under the treaty. Governor Stevens has formed the opinion that the locations named in the first article of the treaty were not altogether suitable for the purpose of establishing Indian colonies. One objection was that they are not sufficiently extensive. He reported that seven hundred and fifty Indians had been collected from the various bands for settlement.

I have the honor now to submit for your consideration and action of the President, should you deem it necessary and proper, a report recently received from Governor Stevens, dated December 5, 1856, with the reports and maps therewith, and as therein

¹ United States Statutes, Vol. X, p. 1132. ² Report of Indian Commissioner, 1886, p. 372.

stated, from which it will be observed that he has arranged a plan of colonization which involves the assignment of a much greater quantity of land to the Indians, under the sixth article of the treaty, than was named in the first article. He proposes the enlargement of the Puyallup Reserve at the south end of Commencement Bay to accommodate five hundred Indians; the change in the location, and the enlargement of the Nisqually Reserve, and the establishment of a new location, Muckleshoot Prairie, where there is a military station that is about to be abandoned.

The quantity of land he proposes to assign is not, in my opinion, too great for the settlement of the number of Indians he reports for colonization; and as the Governor recommends the approval of these locations, and reports that the Indians assent thereto, I would respectfully suggest that they be approved by the President, my opinion being that, should it be found practicable hereafter to consolidate the bands for whom these reserves are intended, or to unite other bands of Indians on the same reserves, the authority to effect such objects will still remain with the President under the sixth article of the treaty.

Within the Puyallup Reserve there have been private locations, and the value of the claims and improvements has been appraised by a board appointed for that purpose at an aggregate of \$4,917.

In the same connection I submit the Governor's report of August 28, 1856, which he refers to, premising that the proceedings of his conference with the Indians therein mentioned were not received here with the report.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,
Commissioner.

HON. R. McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, January 20, 1857.

SIR: I have the honor to transmit a communication of the 19th instant, from the Commissioner of Indian Affairs to this Department, indicating the reservations selected for the Nisqually, Puyallup, and other bands of Indians in Washington Territory, and to request your approval of the same.

With great respect, your obedient servant,

R. McCLELLAND,
Secretary.

The PRESIDENT.
Approved.

FRANKLIN PIERCE.

JANUARY 20, 1857.

Puyallup Reserve.

(For Executive order of January 20, 1857, see "Nisqually Reserve.")

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,
August 26, 1873.

SIR: By the second article of the treaty concluded with the Nisqually and other Indians, December 26, 1854 (Statutes at Large, Vol. X, p. 1132), "a square tract containing two sections, or 1,280 acres, lying on the south side of Commencement Bay," was set apart as a reservation for said Indians, and is known as the Puyallup Reserve.

It appears from the records of this office that Governor Stevens, finding the Indians dissatisfied with the size and location of the reserve as indicated by said treaty, agreed, at a conference held with them August, 1856, to a re-adjustment of said reservation, the exterior boundaries of which were surveyed and established by his order. This was done prior to the extension of the lines of the public surveys over the surrounding and adjacent lands. A map of the survey was transmitted by Governor Stevens to

¹ Report of Indian Commissioner, 1886, p. 374.

this office, under date of December 5, 1856, giving a description of the courses and distances of said exterior boundaries of the reserve, as taken from the field-notes of the survey on file in the office of superintendent Indian affairs, Washington Territory.

This reservation, as re-adjusted and indicated on said map, was set apart for these Indians by Executive order dated January 20, 1857. It was intended to have this reservation bounded on its western side by the waters of Commencement Bay, from the south-easterly extremity of said bay, around northwardly to the north-west corner of the reservation on the southerly shore of Admiralty Inlet. The survey was thought to be made so as to give to the Indians this frontage upon the bay, with free access to the waters thereof. More recent surveys, however, develop the fact that there is land along this shore and outside the reservation, arising from an error of the surveyor in leaving the line of low-water mark, along the shore of said bay, and running a direct line to the place of beginning.

In a report dated March 20, last, Superintendent Milroy calls attention to this inadvertence; and for the adjustment of the western boundary of said reservation, so that it may conform to the intentions of those agreeing to the same, as well as for the comfort and wants of the Indians, he recommends the following change, viz: Instead of the direct line to the place of beginning, to follow the shore line, at low-water mark, to the place of beginning.

Inasmuch as the lands proposed to be covered by this change are in part already covered by the grant to the Northern Pacific Railroad Company and by donation claims, I would respectfully recommend that the President be requested to make an order setting apart for the use of these Indians an addition to said Puyallup Reservation as follows, viz: All that portion of section 34, township 21 north, range 3 east, in Washington Territory, not already included within the limits of the reservation. This would give them a mile of water frontage directly north of Puyallup River, and free access to the waters of Commencement Bay at that point.

Very respectfully, your obedient servant,

H. R. CLUM,
Acting Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., August 28, 1873.

SIR: I have the honor to transmit herewith a copy of a communication addressed to this Department on the 26th instant, by the Acting Commissioner of Indian Affairs, relative to the extension by Executive order of the reservation in Washington Territory known as the Puyallup Reservation, described as follows, to wit: All that portion of section 34, township 21 north, range 3 east, in Washington Territory, not already included within the limits of the reservation.

I agree with the Acting Commissioner in his views, and respectfully request that in accordance with his recommendation an Executive order be issued setting apart the tract of land described for the purpose indicated.

I have the honor to be, etc.,

W. H. SMITH,
Acting Secretary.

The PRESIDENT.

EXECUTIVE MANSION, *September 6, 1873.*

Agreeable to the recommendation of the Acting Secretary of the Interior, it is hereby ordered that the Puyallup Reservation in Washington Territory be so extended as to include within its limits all that portion of section 34, township 21 north, range 3 east, not already included within the reservation.

U. S. GRANT.

NISQUALLY RESERVATION.

How established.—By treaty of Medicine Creek, December 26, 1854,¹ and Executive order January 20, 1857.

Area and survey.—Contains 4,717 acres,² of which 800 are classed as tillable.³ Surveyed.²

Acres cultivated.—The Indians have under cultivation 250 acres.³

Tribes and population.—The tribes living here are the Muckleshoot, Niskwalli, Puyallup, Shwawksnamish, Stailakoom, and five others. Total population, 111.⁴

Location.—This reservation is situated on the Nisqually River, about 5 miles from its confluence with the waters of the sound, and 15 miles east of Olympia.⁵

No agency statistics of these Indians; no white employés; the tribe manages its own affairs, has its own tribunals, and executes its own laws. It is self-supporting, and agent visits it several times a year, giving it advice. The children of the tribe attend the Chehalis and Puyallup school. The Presbyterian and Roman Catholic Churches have missions among these people.

For treaty of December 26, 1854, and Executive order of January 20, 1857, see Puyallup Reservation.

SQUAXIN ISLAND RESERVATION.

How established.—By treaty of Medicine Creek, December 26, 1854.¹

Area.—Contains 1,494 acres,² of which 100 are classed as tillable.³

Acres cultivated.—The Indians have under cultivation 50 acres.³

Tribes and population.—The tribes living here are the Niskwalli, Puyallup, Skwawksnamish, Stailakoom, and five others. Total population, 72.⁴

Location.—This reservation is an island in Puget Sound, 10 miles north of Olympia. It is mostly heavily timbered and not very good land.⁶

There are no agency statistics among these Indians, and no white employés; the tribe manages its own affairs, has its own tribunals, and executes its laws. Members are self-supporting, agent visits them several times a year, giving them advice, and their children attend the S'Kokomish and Chehalis school. No missionary work reported.

For treaty of December 26, 1854, see Puyallup Reservation.

CHEHALIS RESERVATION.

How established.—By order of the Secretary of the Interior, July 8, 1864, and Executive order, October 1, 1886.

¹ United States Statutes, Vol. X, p. 1132. ² Report of Indian Commissioner, 1886, p. 390. ³ *Ibid.*, p. 436. ⁴ *Ibid.*, p. 408. ⁵ *Ibid.*, 1881, p. 166; 1885, p. 193. ⁶ *Ibid.*, 1881, p. 166.

Area.—Contains 4,225 acres,¹ 1,000 of which are classed as tillable.² Surveyed.¹

Acres cultivated.—The Indians have 80² acres under cultivation.

Tribes.—The tribes living here are the Klatsop, Tsihalis, and Tsinuk. Total population, 158.³

Location.—The reservation is located on the north side of and is bounded by the Chehalis River, and includes the mouth of Black River. The lands of this reservation are mostly rich bottom, and well adapted to agricultural purposes, but are heavily timbered except where they have been cleared for farming purposes.⁴

Government rations.—No Indians subsisted by Government rations in 1886.

Mills and employés.—No mills and no Indian employés.

Indian police.—Established in 1880.

Indian court of offences.—None reported.

*School population, attendance, and support.*⁵

Boarding school:	
Accommodation.....	60
Average attendance.....	40
Session (months).....	12
Cost to Government.....	\$5,453.56

Missionary work.—Under charge of Presbyterian Church.

*Chehalis Reserve.*⁶

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

May 17, 1864.

SIR: I have the honor to submit for your direction in the premises sundry communications and papers from Superintendent Hale in reference to a proposed reservation for the Chehalis Indians in Washington Territory.

The condition of these Indians has been the subject of correspondence between this office and the superintendent of Indian affairs in Washington Territory for several years. It will be seen by Superintendent Hale's letter of July 3, 1862, that the country claimed by these Indians is large, comprising some 1,500 square miles; that they have never been treated with, but that the Government has surveyed the greater part of it without their consent and in the face of their remonstrances, and the choicest portions of their lands have been occupied by the whites without any remuneration to them, and without their consent, or having relinquished their claim or right to it. They have been thus crowded out and excluded from the use of the lands claimed by them, and those which they have heretofore cultivated for their support. This has caused much dissatisfaction, and threatens serious trouble, and they manifest a determination not to be forced from what they claim as their own country. After various propositions made to them by Superintendent Hale, looking to their removal and joint occupation of other Indian reservations, to all which they strenuously objected, they expressed a willingness to relinquish all the lands hitherto claimed by them, provided they shall not be removed, and provided that a sufficient quantity of land shall be retained by them at the mouth of the Black River as a reservation.

¹ Report of Indian Commissioner, 1886, p. 390. ² *Ibid.*, p. 436. ³ *Ibid.*, p. 408.

⁴ *Ibid.*, 1881, p. 166. ⁵ *Ibid.*, 1886, p. xcvi. The school population not estimated separately from agency in 1886. ⁶ Report of Indian Commissioner, 1886, p. 359.

The selection herein made in accordance with their wishes, and approved by Superintendent Hale, reduces the dimensions of their former claim to about six sections of land, with which they are satisfied, and which selection has been submitted to this office for its approval. There seems one drawback only to this selection, and that is one private land claim—that of D. Mounts—which it is proposed to purchase. The price asked is \$3,500, which he considers not unreasonable. (See his communication of March 30, 1863, and accompanying papers.)

There is remaining on hand of the appropriation for "intercourse with various Indian tribes having no treaties with the United States" the sum of \$3,980.12, a sufficient amount of which I have no doubt might appropriately be applied for the purpose indicated. (See United States Statutes at Large, Vol. XII, page 792.)

I am of the opinion that the proposition is a fair one for the Government, and as it is satisfactory to the Indians interested, I see no objection to its approval by the Department, especially so when it is considered that it will peaceably avert impending trouble.

As recommended in the letters herewith submitted, it will also be necessary, doubtless, to make some provision for them after they shall have been assured of the quiet and permanent possession of the proposed reservation for a future home. But this may subsequently receive the attention of the Department. These Indians are represented to be in a very hopeful condition. They wish to abandon a roving life; to establish themselves in houses, and cultivate their lands; to educate their children, and live peaceably with all.

These papers are submitted for your information in considering the subject, and, if it shall commend itself to your judgment, for the approval of the proposed selection as a reservation for these Indians and the purchase of the private land claim of D. Mounts thereon.

Very respectfully, your obedient servant,

WM. P. DOLE,
Commissioner.

HON. J. P. USHER,
Secretary of the Interior.

[Inclosures.]

Boundaries of the Chehalis Indian Reservation, as compiled from the field-notes of the public surveys in the office of the surveyor-general of Washington Territory: Beginning at the post-corner to sections 1 and 2, 35 and 36, on the township line between townships No. 15 and 16 north, of range 4 west of the Willamette meridian, being the north-east corner of the reservation; thence west along the township line 240 chains to the post-corner to sections 4, 5, 32, and 33; thence north on the line between sections 32 and 33, 26.64 chains, to the southeast corner of James H. Roundtree's donation claim; thence west along the south boundary of said claim 71.50 chains to its southwest corner; thence north on west boundary of the claim 13.10 chains; thence west 8.50 chains to the quarter-section post on line of sections 31 and 32; thence north along said section line 40.00 chains to the post-corner to sections 29, 30, 31, and 32; thence west on line between sections 30 and 31, 25 and 36, 101.24 chains to the Chehalis River; thence up the Chehalis River with its meanderings, keeping to the south of Sand Island, to the post on the right bank of the river, being the corner to fractional sections 1 and 2; thence north on the line between sections 1 and 2, 73.94 chains to the place of beginning.

The copy of the field-notes in full, as taken from the record of the public surveys now on file in this office, and from which the above is compiled, is duly certified as being correct by the surveyor-general of the Territory.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Olympia, Wash., December 10, 1863.

The within and foregoing boundaries, as described in the notes and accompanying diagram of the proposed Chehalis Indian Reservation, are approved by me as correct,

and being in accordance with instructions given by me, the same being subject to the approval of the Commissioner of Indian Affairs.

C. H. HALE,
Superintendent of Indian Affairs, Washington Territory.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 8, 1864.

SIR: I return herewith the papers submitted with your report of the 17th May last in relation to a proposed reservation for the Chehalis Indians in Washington Territory.

I approve the suggestion made in relation to the subject, and you are hereby authorized and instructed to purchase the improvements of D. Mounts, which are on the lands selected for the reservation, if it can now be done for the price named for them, viz, \$3,500, including the crops grown or growing this season upon the premises.

Very respectfully, your obedient servant,

J. P. USHER,
Secretary.

WILLIAM P. DOLE, Esq.,
Commissioner of Indian Affairs.

NOTE.—D. Mounts was paid for his improvements by Superintendent Waterman, January 6, 1865.

EXECUTIVE MANSION, *October 1, 1886.*

It is hereby ordered that the following tract of country in Washington Territory, reserved for the use and occupation of the Chehalis Indians, by order of the Secretary of the Interior, dated July 8, 1864, be, and the same is hereby, restored to the public domain:

Beginning at the post-corner to sections 1 and 2, 35 and 36, on the township line between townships Nos. 15 and 16 north, of range 4 west of the Willamette meridian, being the north-east corner of the reservation; thence west along the township line 240 chains to the post-corner to sections 4, 5, 32, and 33; thence north on line between sections 32 and 33, 26.64 chains, to the south-east corner of James H. Roundtree's donation claim; thence west along the south boundary of said claim 71.50 chains to its south-west corner; thence north on west boundary of the claim 13.10 chains; thence west 8.50 chains to the quarter-section post on line of sections 31 and 32; thence north along said section line 40.00 chains to the post-corner to sections 29, 30, 31, and 32; thence west on line between sections 30 and 31, 25 and 36, 101.24 chains to the Chehalis River; thence up the Chehalis River with its meanderings, keeping to the south of Sand Island, to the post on the right bank of the river, being the corner to fractional sections 1 and 2; thence north on the line between sections 1 and 2, 73.94 chains to the place of beginning.

It is further ordered that the south half of section 3 and the north-west quarter of section 10, township No. 15 north, of range 4 west of the Willamette meridian, Washington Territory, be, and the same is hereby, withdrawn from sale or other disposition, and set apart for the use and occupation of the Chehalis Indians.

GROVER CLEVELAND.

S'KOKOMISH, OR TWANA, RESERVATION.

How established.—By treaty of Point-no-Point, January 26, 1855,¹ and Executive order, February 25, 1874.

¹ United States Statutes, Vol. XII, p. 933.

Area and survey.—Contains 4,987 acres,¹ of which 800 are classed as tillable.² Surveyed.¹

Acres cultivated.—The Indians have under cultivation 267 acres.²

Tribes and population.—The tribes living here are the Klallam, S'Kokomish, and Twana. Total population, 248.³

Location.—This reservation is situated near the mouth of the S'Kokomish River, and borders on it and the waters of Hood's Canal. It is a small reservation, and contains much waste land.⁴

No agency statistics. The people are self-supporting. The school population is included in that given for the agency.

School attendance and support.

Boarding school: ⁵	
Accommodation.....	40
Average attendance.....	40
Session (months).....	10
Cost.....	\$6,067.38
Jamestown day school: ⁵	
Accommodation.....	30
Average attendance.....	14
Session (months).....	11
Cost.....	\$660.00

Missionary work.—The Congregational Church has charge of the missionary work.

Treaty with the S'Klallams, containing the following bands or villages: Kah-tai, Squahquaihil, Tch-queen, Stetchlum, Tsokkw, Yennis, El-hwa, Pishtst, Hun-nint, Klat-lawash, Oke-no, and also of the Sko-ko-mish, Too-an-hooch, and Chem-a-kum, made at Point-no-Point, Washington Territory, January 26, 1855.

The tribe cedes the following land: Commencing at the mouth of the Okeho River, on the Straits of Fuca; thence south-eastwardly along the westerly line of territory claimed by the Makah tribe of Indians to the summit of the Cascade Range; thence still south-eastwardly and southerly along said summit to the head of the west branch of the Satsop River; down that branch to the main fork; thence eastwardly and following the line of lands heretofore ceded to the the United States by the Nisqually and other tribes and bands of Indians, to the summit of the Black Hills, and northeastwardly to the portage known as Wilkes's Portage; thence north-eastwardly, and following the line of lands heretofore ceded to the United States by the Dwamish, Suquamish, and other tribes and bands of Indians to Suquamish Head; thence northerly through Admiralty Inlet to the Straits of Fuca; thence westwardly through said straits to the place of beginning. (Art. 1.) Six sections or 3,840 acres situated at the head of Hood's Canal were reserved; no whites permitted to reside on same; if necessary roads may be run through; compensation made for damage done; United States can place other friendly tribe or band upon the reservation. (Art. 2.) Tribes agree to remove and settle on reservation within one year. (Art. 3.) The right to fish at usual and accustomed grounds and stations is secured to said Indians in common with all citizens of the United States and of erecting temporary houses for curing. Also the privilege to hunt, gather roots and berries on open unclaimed lands, nor shall

¹ Report of Indian Commissioner, 1886, p. 390.

² *Ibid.*, p. 436.

³ *Ibid.*, p. 408.

⁴ *Ibid.*, 1885, p. 194.

⁵ *Ibid.*, 1886, p. xcviii.

fish be taken from beds staked or cultivated by citizens. (Art. 4.) United States to pay said bands and tribes \$60,000 in twenty annual payments in diminishing instalments of the capital, the money to be applied for the use and benefit of the Indians under the direction of the President. (Art. 5.) The sum of \$6,000 to be expended under the direction of the President for the removal and the settlement of the Indians on the reservation. (Art. 6.) The President may when in his opinion the interest of the Territory shall require and the welfare of the Indian be promoted, remove them to such other suitable places within the Territory as he may see fit on remunerating them for their improvements and the expense of their removal. The President at his discretion may cause the whole or any portion of the reservation, or of such other lands as may be selected in lieu thereof, to be surveyed into lots and assign the same to individuals or families subject to the same regulations as provided in article 6, treaty with Omahas of 1885. (Art. 7.)

Annuities not to be taken to pay the debts of individuals. (Art. 8.)

Indians acknowledge their dependence on the Government and pledge themselves to friendliness, and not to make war on other Indians but in self-defence; and to pay for any depredation committed by their number, and to surrender offenders to the United States for punishment. (Art. 9.)

Annuities to be withheld from those drinking ardent spirits. (Art. 10.)

United States to establish a general agency for Puget Sound within one year, and provide a blacksmith and carpenter shop, and a blacksmith, carpenter, and farmer for twenty years to instruct the Indians, and also a physician; also the United States agree to support for twenty years an agricultural and industrial school free to all children of said Indian tribes and bands. (Art. 11.)

The said Indians agree to free their slaves and not obtain others. (Art. 12.) Not to trade outside the dominion of the United States nor permit foreign Indians to reside in their midst without consent of the superintendent or agent. (Art. 13.) Treaty binding when ratified. (Art. 14.)

Proclaimed April 29, 1859.¹

*Skokomish Reserve.*²

EXECUTIVE MANSION, *February 25, 1874.*

It is hereby ordered that there be withdrawn from sale or other disposition and set apart for the use of the S'Klallam Indians the following tract of country on Hood's Canal, in Washington Territory, inclusive of the six sections situated at the head of Hood's Canal, reserved by treaty with said Indians January 26, 1855 (Stats. at Large, Vol. XII, p. 934), described and bounded as follows: Beginning at the mouth of the Skokomish River; thence up said river to a point intersected by the section line between sections 15 and 16 of township 21 north, in range 4 west; thence north on said line to a corner common to sections 27, 28, 33, and 34 of township 22 north, range 4 west; thence due east to the south-west corner of the south-east quarter of the south-east quarter of section 27, the same being the south-west corner of A. D. Fisher's claim; thence with said claim north to the north-west corner of the north-east quarter of the south-east quarter of said section 27; thence east to the section line between sections 26 and 27; thence north on said line to corner common to sections 22, 23, 26, and 27; thence east to Hood's Canal; thence southerly and easterly along said Hood's Canal to the place of beginning.

U. S. GRANT.

¹ United States Statutes, Vol. XII, p. 933. p. 376.

² Report of Indian Commissioner, 1886,

QUINAIELT AGENCY.

[Post-office address: Damon, Chehalis County, Wash. Ter.]

QUINAIELT RESERVATION.

How established.—By treaty of Olympia, July 1, 1855, and January 25, 1856,¹ and Executive order, November 4, 1873.

Area and survey.—Contains 224,000 acres, of which 1,000 are classed as tillable.² Not surveyed.

Acres cultivated.—The Indians had 42 acres under cultivation in 1886.³

Tribes and population.—The tribes living here are the Hob, 61; Queet, 85; and Quinaielt, 107. Total population, 253.⁴

Location.—The reservation lies on the Pacific Coast, about 90 miles south of Cape Flattery. The agency is 30 miles north of Gray's Harbor, at the mouth of Quinaielt River, where a landing can be effected in smooth water.⁵ The land is mostly drift, composed of sand, gravel, and bowlders, and only scattering small strips along the streams can be used for agricultural purposes.⁶

Government rations.—Five per cent. of these Indians subsisted by Government rations in 1886.⁷

Mills and Indian employés.—No mills; no Indian employés.

Indian police.—Established.

Indian court of offences.—Not established.

*School population, attendance, and support.*⁸

School population, as estimated in 1886	97
Boarding school :	
Accommodation	30
Average attendance	27
Session (months)	10
Cost	\$2,716.82
Queet's day school :	
accommodation	40
Average attendance	19
Session (months)	12
Cost	\$536.84

Missionary work.—No mission work.

SYNOPSIS OF TREATY.

Treaty with the Quinaielt and Quillehute Indians, made on the Quinaielt River, Washington Territory, July 1, 1855, and at the city of Olympia, January 25, 1856.

The tribes cede the following lands: Commencing at a point on the Pacific Coast, which is the south-west corner of the lands lately ceded by the Makah tribe of Indians

¹ United States Statutes, Vol. XII, p. 971. ² Report of Indian Commissioner, 1886, p. 390. ³ *Ibid.*, p. 434. ⁴ *Ibid.*, p. 408. ⁵ *Ibid.*, 1860, p. 196. ⁶ *Ibid.*, 1873, p. 302. ⁷ *Ibid.*, 1886, p. 422. ⁸ *Ibid.*, p. xcviij.

to the United States, and running easterly with and along the southern boundary of the said Makah tribe to the middle of the Coast Range of mountains; thence southerly with said range of mountains to their intersection with the dividing ridge between the Chehalis and Quinaiatl Rivers; thence westerly with said ridge to the Pacific Coast; thence northerly along said coast to the place of beginning. (Art. 1.) President to reserve tracts for use of these Indians in the Territory of Washington, and hereafter surveyed; no whites allowed to reside thereon without permission of the tribe or of the Indian agent. Indians agree to remove to reservation within one year. Roads may be run through reservation; compensation to be made for damage sustained thereby. (Art. 2.) Right to take fish in accustomed grounds secured, and to erect temporary houses for curing the same; together with privilege of hunting, gathering roots and berries, etc., on unclaimed lands, and not to take shell-fish from beds staked by citizens. (Art. 3.) United States to pay \$25,000 in following manner: First year after ratification, \$2,500; next two years, \$2,000 each; next three years, \$1,600 each; next four years, \$1,300 each; next five years, \$1,000 each, and for next five years, \$700 each year. (Art. 4.) United States to pay \$2,500 for removal. (Art. 5.) The President reserves the right to remove these Indians, whenever their own or the interests of the Territory require it, to other suitable localities within the Territory, on remunerating them for their improvements and defraying expense of removal, or to consolidate them with friendly Indians, in which case the annuities of all the tribes to be consolidated. (Art. 6.) Annuities not to be taken for individual debts. (Art. 7.) Indians agree to be friendly with citizens of United States, to pay for depredations, not to make war, and to surrender offenders against United States laws to proper authorities. (Art. 8.) Annuities to be withheld from any Indian bringing liquor into reservation, or any one drinking ardent spirits. (Art. 9.) United States agrees to establish the general agency for district of Puget Sound, within one year from ratification, and to support for twenty years an agricultural and industrial school for Indians, and to provide suitable instructors, also to provide a smithy and carpenter's shop, furnished with necessary tools, and to employ blacksmith, carpenter, and farmer for twenty years to instruct the Indians; to furnish, also, a physician, who shall furnish medicine and advice free; expenses of said school, shops, employes, and medical attendance to be defrayed by the United States and not deducted from their annuities. (Art. 10.) Tribes to free all slaves and not purchase others. (Art. 11.) Indians not to trade outside of the United States, nor allow foreign Indians to reside on their reservation without consent of agent. (Art. 12.) Treaty binding when ratified. (Art. 13.)

Proclaimed April 11, 1859.¹

*Executive order.*²

EXECUTIVE MANSION, November 4, 1873.

In accordance with the provisions of the treaty with the Quinaielt and Quillehute Indians, concluded July 1, 1855, and January 25, 1856 (Stats. at Large, Vol. XII, p. 971), and to provide for other Indians in that locality, it is hereby ordered that the following tract of country in Washington Territory (which tract includes the reserve selected by W. W. Miller, superintendent of Indian affairs for Washington Territory, and surveyed by A. C. Smith, under contract of September 16, 1861) be withdrawn from sale and set apart for the use of the Quinaielt, Quillehute, Hoh, Quit, and other tribes of fish-eating Indians on the Pacific Coast, viz: Commencing on the Pacific Coast at the south-west corner of the present reservation, as established by Mr. Smith in his survey under contract with Superintendent Miller, dated September 16, 1861; thence due east, and with the line of said survey, 5 miles to the south-east corner of said reserve thus established; thence in a direct line to the most southerly end of Quinaielt Lake; thence northerly around the east shore of said lake to the north-west

¹ United States Statutes, Vol. XII, p. 971. ² Report of Indian Commissioner, 1886, p. 375.

point thereof; thence in a direct line to a point a half mile north of the Queetshee River and 3 miles above its mouth; thence with the course of said river to a point on the Pacific Coast, at low-water mark, a half mile above the mouth of said river; thence southerly, at low-water mark, along the Pacific to the place of beginning.

U. S. GRANT.

SHOALWATER RESERVATION.

How established.—By Executive order, September 22, 1866.

Area and survey.—Contains 335 acres. Surveyed.¹

Acres cultivated.—Not reported.

Tribes and population.—The tribes living here are the Shoalwater and Tshialis. Total population not reported.

Location.—This reservation is situated on the Shoalwater Bay. The people find plenty of work during the oyster season on the bay, and in the fishing season on the Columbia River, and command as good wages as the whites engaged in the same occupations.²

*Executive order.*³

EXECUTIVE MANSION, September 22, 1866.

Let the tract of land as indicated on the within diagram be reserved from sale and set apart for Indian purposes, as recommended by the Secretary of the Interior in his letter of the 18th instant, said tract embracing portions of sections 2 and 3 in township 14 north, range 11 west, Washington Territory.

ANDREW JOHNSON.

TULALIP AGENCY.

[Post-office address: Tulalip, Snohomish County, Wash. Ter.]

SNOHOMISH (OR TULALIP) RESERVATION.

How established.—By treaty of Point Elliott, January 22, 1855,⁴ and Executive order, December 23, 1873.

Area and survey.—Contains 22,490 acres,⁵ 2,000 of which are classed as tillable.⁶ Surveyed.⁵

Acres cultivated.—Two hundred and twenty-five acres cultivated by the Indians.⁶

Tribes and population.—Dwamish, Etakmur, Lummi, Snohomish, Sukwamish, and Swiwamish. Total population, 475.⁷

Location.—The Tulalip Reservation is situated on the north-eastern shore of Port Gardner and north of the mouth of the Snohomish River.

Including Tulalip Bay and Quiltsehda Creek, nine-tenths of the lands thus described are covered with a heavy growth of fir and cedar timber, except where it has been logged in former years. The remaining one-tenth is mostly under cultivation.⁸

¹ Report of Indian Commissioner, 1886, p. 390.

² *Ibid.*, 1880, p. 162; 1882, p. 160.

³ *Ibid.*, 1886, p. 376.

⁴ United States Statutes, Vol. XII, p. 927.

⁵ Report of Indian Commissioner, 1886, p. 390.

⁶ *Ibid.*, p. 436.

⁷ *Ibid.*, p. 408.

⁸ *Ibid.*, 1884, p. 169.

Government rations.—Five per cent. of these Indians subsisted by Government rations in 1886.¹

Mills and Indian employés.—A mill reported, with Indian employés.

Indian police.—Established.

Indian court of offences.—Established.

*School population, attendance, and support.*²

School population, as estimated in 1886.....	228
Boarding school (contract):	
Accommodation	112
Average attendance.....	112
Session (months).....	10
Cost.....	\$10,395

Missionary work.—The Roman Catholic Church is in charge.

SYNOPSIS OF TREATY.

Treaty with Dwámish, Suquámish, Sk-táhl-mish, Sam-áhmish, Smalh-kahmish, Skope-áhmish, St-káh-mish, Snoquálmoo, Skai-wa-mish, N' Quentl-má-mish, Sk-táh-le-jum, Stoluck-wa-mish, Sno-ho-mish, Skágít, Kík-i-állus, Swin-á-mish, Squin-áh-mish, Sah-ku-méhu, Nook-wa-cháh-mish, Mee-see-qua-guilch, Cho-bah-áh-bish, and other allied and subordinate tribes of Indians in Washington Territory, made at Point Elliott, Washington Territory, January 22, 1855.

Indians cede following lands, commencing at a point on the eastern side of Admiralty Inlet, known as Point Pulley, about midway between Commencement and Elliott Bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence, northwardly, following the summit of said range to the forty-ninth parallel of north latitude; thence west, along said parallel to the middle of the Gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the Straits of Fuca, and crossing the same through the middle of Admiralty Inlet to Suquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's Canal and Admiralty Inlet to the portage know as Wilkes Portage; thence north-eastwardly, and following the line of lands heretofore ceded as aforesaid, to Point Southworth, on the western side of Admiralty Inlet, and thence round the foot of Vashon's Island eastwardly and south-eastwardly to the place of beginning. (Art. 1.)

Indians reserved the following tract: Two sections, or 1,280 acres, surrounding the small bight at the head of Port Madison; the amount of two sections, or 1,280 acres on the north side of Hwhomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the south-eastern end of Perry's Island called Shais-quihl, and the island Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. Said tract to be surveyed; no whites allowed to reside upon the same without permission of the said tribes; roads may be run through; Indians to be compensated for any damage done thereby. (Art. 2.) One township of land on north-eastern shore of Port Gardner, and north of the mouth of Snohomish River, including Tulalip Bay and Kwilt-seh-da Creek, reserved for an agricultural and industrial school. (Art. 3.) Tribes agree to move to reservation within one year. (Art. 4.) Rights to take fish at accustomed grounds secured, and to erect temporary houses for curing fish; also privilege to hunt, gather berries on unclaimed lands. (Art. 5.) United States agrees to pay \$150,000; first year after ratification, \$15,000; next two years, \$12,000

each; next three years, \$10,000 each; next four years, \$7,500 each; next five years, \$6,000 each; and for last five years \$4,250 each year. (Art. 6.) President may remove Indians, pay expenses of removal, remunerate them for improvements made; cause lands to be surveyed and assign them to individuals according to article 6 of Omaha treaty of 1855. (Art. 7.) Annuities not to be taken for debts of individuals. (Art. 8.) Tribes to preserve friendly relations; pay for depredations, not to make war except in self-defence, agree not to conceal offenders against laws of United States. (Art. 9.) Annuities to be withheld from those using ardent spirits. (Art. 10.) Agree to free slaves and purchase none in future. (Art. 11.) Agree not to trade outside the dominions of the United States, nor permit foreign Indians to reside on their reservation. (Art. 12.) United States to pay \$15,000 for expenses of removal and settlement. (Art. 13.) United States to establish and maintain for twenty years at general agency for district of Puget Sound an agricultural and industrial school, and provide instructors; also smithy and carpenter's shop, furnish necessary tools, employ blacksmith, carpenter, and farmer for twenty years; also to employ physician, furnish medicines and advice free; expenses of school, shops, persons employed, and medical attendance to be furnished by United States. (Art. 14.) Treaty binding when ratified. (Art. 15.)

Proclaimed April 11, 1859.¹

*Executive order.*²

EXECUTIVE MANSION, December 23, 1873.

It is hereby ordered that the boundaries of the Snohomish or Tulalip Indian Reservation, in the Territory of Washington, provided for in the third article of the treaty with the Dwamish and other allied tribes of Indians, concluded at Point Elliott, January 22, 1855 (Stats. at Large, Vol. XII, p. 928), shall be as follows, to wit: Beginning at low-water mark on the north shore of Steamboat Slough at a point where the section line between sections 32 and 33 of township 30 north, range 5 east, intersects the same; thence north on the line between sections 32 and 33, 28 and 29, 20 and 21, 16 and 17, 8 and 9, and 4 and 5, to the township line between townships 30 and 31; thence west on said township line to low-water mark on the shore of Port Susan; thence south-easterly with the line of low-water mark along said shore and the shores of Tulalip Bay and Port Gardner, with all the meanders thereof, and across the mouth of Ebey's Slough to the place of beginning.

U. S. GRANT.

LUMMI (CHAH-CHOO-SEN) RESERVATION.

How established.—By treaty of Point Elliott, January 22, 1855,³ and Executive order, November 22, 1873.

Area and survey.—Contains 12,312 acres,³ 7,000 of which are classed as tillable.⁴

Acres cultivated.—Three hundred acres cultivated by the Indians.⁵

Tribes.—The tribes living here are the Dwamish, Etakmur, Lummi, Snohomish, Sukwamish, and Swiwamish.⁶

Location.—This reservation is situated 75 miles north of Tulalip. Three-fourths of it is excellent agricultural land, and the people give their attention entirely to farming.⁷

Government rations.—Five per cent. of these Indians subsisted by Government rations in 1886.⁸ No separate agency statistics given for these Indians.

¹ United States Statutes, Vol. XII, p. 927.

² Report of Indian Commissioner,

1886, p. 376. ³ United States Statutes, Vol. XII, p. 927.

⁴ Report of Indian

Commissioner, 1886, p. 390.

⁵ *Ibid.*, p. 436.

⁶ *Ibid.*, p. 408.

⁷ *Ibid.*, 1884, p.

169. ⁸ *Ibid.*, 1886, p. 424.

School population.—No school population, nor accommodation, nor any special mission work reported for this reservation in 1886.

*Executive order.*¹

EXECUTIVE MANSION, November 22, 1873.

It is hereby ordered that the following tract of country in Washington Territory be withdrawn from sale and set apart for the use and occupation of the Dwamish and other allied tribes of Indians, viz: Commencing at the eastern mouth of Lummi River; thence up said river to the point where it is intersected by the line between sections 7 and 8 of township 38 north, range 2 east of the Willamette meridian; thence due north on said section line to the township line between townships 38 and 39; thence west along said township line to low-water mark on the shore of the Gulf of Georgia; thence southerly and easterly along the said shore, with the meanders thereof, across the western mouth of Lummi River, and around Point Francis; thence north-easterly to the place of beginning; so much thereof as lies south of the west fork of the Lummi River being a part of the island already set apart by the second article of the treaty with the Dwamish and other allied tribes of Indians, made and concluded January 22, 1857. (Stats. at Large, Vol. XII, p. 928.)

U. S. GRANT.

For treaty see Snohomish, or Tulalip, Reservation.

MUCKLESHOOT RESERVATION.

How established.—By Executive orders, January 20, 1857, and April 9, 1874.

Area and survey.—Contains 3,367 acres² of which 2,000 are classed as tillable. Surveyed.³

Acres cultivated.—Two hundred and twenty-five acres cultivated by the Indians.³

Tribes and population.—The tribes living here are the Muckleshoot.

Location.—This reservation, situated on White River, 70 miles south of Tulalip, contains very good farming and grazing land. The Muckleshoot Indians are well advanced in civilization, and many speak English understandingly; they all wear citizen's dress, and several of them have good homes and plenty of stock.⁴

Government rations.—Five per cent. of these Indians subsisted by Government rations in 1886.⁵ No separate agency statistics given for these Indians.

School population.—No school population, nor accommodation, nor any special mission work reported for this reservation in 1886.

*Executive order.*⁶

(For Executive order of January 20, 1857, relative to Muckleshoot Reserve, see Nisqually Reserve.)

EXECUTIVE MANSION, April 9, 1874.

It is hereby ordered that the following tracts of land in Washington Territory, viz: sections 2 and 12 of township 20 north, range 5 east, and sections 20, 28, and 34 of

¹ Report of Indian Commissioner, 1886, p. 371. ² *Ibid.*, p. 390. ³ *Ibid.*, p. 436.
⁴ *Ibid.*, 1884, p. 169. ⁵ *Ibid.*, 1886, p. 424. ⁶ *Ibid.*, p. 372.

township 21 north, range 5 east, Willamette meridian, be withdrawn from sale or other disposition, and set apart as the Muckleshoot Indian Reservation, for the exclusive use of the Indians in that locality, the same being supplemental to the action of the Department approved by the President January 20, 1857.

U. S. GRANT.

PORT MADISON RESERVATION.

How established.—By treaty of Point Elliott, January 22, 1855,¹ and order of the Secretary of the Interior, October 21, 1864.

Area and survey.—Contains 7,284 acres,² of which 135 are classed as tillable.³ Surveyed.⁴

Acres cultivated.—Twenty-five acres cultivated by the Indians.³

Tribes and population.—The tribes living here are the Dwamish, Etakmur, Lummi, Snohomish, Sukwamish, and Swiwamish. Total population, 156.⁴

Location.—This reservation, situated 50 miles south of Tulalip, at Madison Head, is covered with a heavy growth of fir and cedar timber, which makes it very difficult to clear for agricultural purposes. The people support themselves by working in the mills and logging camps; also by fishing, hunting, and gathering berries, which they dry for winter use.⁵

Government rations.—Five per cent. of these Indians subsisted by Government rations in 1886.⁶ No separate agency statistics given for these Indians.

School population.—No school population, nor accommodations, nor any special mission work reported for this reservation in 1886.

For treaty see Snohomish, or Tulalip, Reservation.

*Executive order.*⁷

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,

Olympia, Wash., July 13, 1864.

SIR: In the absence of the superintendent of Indian affairs, who is now at Fort Colville, or in that neighborhood, in the discharge of his official duty, at the request of Hon. A. A. Denny, register of the land office in this place, I would respectfully call your attention to the condition of the Indian reservation near Port Madison, concerning the enlargement of which the superintendent addressed you about a year ago, forwarding at the same time a plat of the proposed reserve.

By reference to the treaty of Point Elliott made with the Dwamish and other allied tribes of Indians January 22, 1855, it will be seen that article 2 provides for them a reservation at this point. This was soon found to be too limited, and whilst Governor Stevens was yet superintendent of Indian affairs the Indians were promised an enlargement. That promise seems to have been renewed subsequently, but nothing definite agreed upon.

Last July Seattle, the principal chief of the Seattle band, with a number of sub-chiefs and others directly interested, visited the superintendency upon this subject. At their request a thorough examination was had, the result of which was in favor of submitting their request to you, and recommending that it be granted. By refer-

¹ United States Statutes, Vol. XII, p 927. ² Report of Indian Commissioner, 1886, p. 390. ³ *Ibid.*, p. 436. ⁴ *Ibid.*, p. 408. ⁵ *Ibid.*, 1884, p. 169. ⁶ *Ibid.*, 1886, p. 424. ⁷ *Ibid.*, p. 373.

ence to report of Agent Howe, which accompanies the last annual report of the superintendent for the year ending June 30, 1863, it will be seen that he is well satisfied of the absolute necessity of its enlargement.

The accompanying plat shows what is proposed to be reserved, which is satisfactory to the Indians. As there were no instructions from the Commissioner of the General Land Office, these lands could not be reserved, but were necessarily offered for sale. There being no bidders the lands are still vacant.

Immediately after the public sale the superintendent gave notice of the intention of the Department to retain these lands for the Indian reservation, and the public have so far acquiesced as not to disturb these proposed boundaries. Still, as the lands were offered at public sale under the proclamation of the President, they are now, agreeably to law, subject to private entry. Should, therefore, application be made to the register for the entry of any of these lands, he would, as matters now stand, be powerless to prevent it.

The register has just addressed the Commissioner of the General Land Office on this subject. Hence the reason of my addressing you without awaiting the return of the superintendent, who may be absent for a month, and respectfully asking that such steps may at once be taken as to prevent any lands within the proposed boundaries being sold by the register until he be further advised.

Very respectfully, your obedient servant,

GEO. F. WHITWORTH,
Chief Clerk.

Hon. WILLIAM P. DOLE,
Commissioner of Indian Affairs, Washington.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
September 12, 1864.

SIR: I have the honor to inclose herewith for your consideration a letter from C. H. Hale, late superintendent of Indian affairs for Washington Territory, by his clerk, calling attention to the necessity for immediate action in order to secure certain lands to the Indians therein mentioned, near Port Madison for an enlargement of their reservation.

It appears from the report of Agent Howe, made to this office last year, that the proposed enlargement of the reservation is deemed to be advisable, and I have to request that you will direct that the tracts of land described in the plat inclosed in the letter of Mr. Whitworth may be reserved from sale, so that they may be set apart for the Indians for whom they are intended.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

Hon. W. T. OTTO,
Acting Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., October 21, 1864.

SIR: I transmit herewith a letter of the Commissioner of Indian Affairs, of the 12th ultimo, covering a communication from the chief clerk of the office of superintendent of Indian affairs for Washington Territory, respecting the enlargement of the Port Madison Indian Reservation.

Concurring with the Commissioner in his recommendation that the reserve be increased for the benefit of the Indians referred to in the papers inclosed, you are requested to have reserved from sale the tracts of land indicated upon the plat herein inclosed.

Very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

JAMES M. EDMUNDS, Esq.,
Commissioner General Land Office.

SWINOMISH (PERRY'S ISLAND) RESERVATION.

How established.—By treaty of Point Elliott, January 22, 1855,¹ and Executive order, September 9, 1873.

Area and survey.—Contains 7,170 acres,² of which 2,000 are classed as tillable. Surveyed.³

Acres cultivated.—Two hundred and twenty-five acres cultivated by the Indians.³

Tribes.—The tribes living here are the Dwamish, Etakmur, Lummi, Snohomish, Sukwamish, and Swiwamish.³

Location.—This reservation is situated about 25 miles north of Tulalip Reservation, and occupies the peninsula on the northeast of Fidalgo Island. This reservation is about two-thirds timber-land; the remaining one-third is excellent farming land, especially the tide land on Swinomish Slough; 300 acres of this is diked.

Government rations.—Five per cent. of these Indians subsisted by Government rations in 1886.⁴ No separate agency statistics given for these Indians.

School population.—No school population, nor accommodation, nor any special mission work reported for this reservation in 1886.

*Executive order.*⁵

EXECUTIVE MANSION, September 9, 1873.

Agreeable to the within request of the Acting Secretary of the Interior, it is hereby ordered that the northern boundary of the Swinomish Reservation, in the Territory of Washington, shall be as follows, to wit: Beginning at low-water mark on the shore of Similk Bay at a point where the same is intersected by the north and south line bounding the east side of the surveyed fraction of 9.30 acres, or lot No. 1, in the north-west corner of section 10 in township 34 north, range 2 east; thence north on said line to a point where the same intersects the section line between sections 3 and 10 in said township and range; thence east on said section line to the south-east corner of said section 3; thence north on east line of said section 3 to a point where the same intersects low-water mark on the western shore of Padilla Bay.

U. S. GRANT.

For treaty see Snohomish, or Tulalip, Reservation.

YAKAMA AGENCY.

[Post-office address: Fort Simcoe, Yakima County, Wash. Ter.]

YAKAMA RESERVATION.

How established.—By treaty of Walla Walla, June 9, 1855.⁶

Area and survey.—Eight hundred thousand acres,⁷ of which 250,000 are classed as tillable. Partly surveyed.⁸

Acres cultivated.—Eleven thousand eight hundred acres under cultivation.⁸

¹ United States Statutes, Vol. XII, p. 927. ² Report of Indian Commissioner, 1886, p. 390. ³ *Ibid.*, p. 436. ⁴ *Ibid.*, p. 424. ⁵ *Ibid.*, p. 376. ⁶ United States Statutes at Large, Vol. XII, p. 951. ⁷ Report of Indian Commissioner, 1886, p. 390.

⁸ *Ibid.*, 1885, p. 378.

Tribes and population.—The tribes living here are the Bannack, Kam-ilbpah, Klikatat, Klinquit, Kowassayee, Ochechole, Palouse, Pi-utes, Seap-cat, Si-aywa, Shyick, Skin-pah, Wenatspham, and Yakama. Total population, 3,312.¹

Location.—The reservation lies in the southern part of the Territory, the mountains forming a half circle on the west and south, their sides covered with timber. The Ahtanum, Simcoe, Topnish, Sattas, and other streams unite in the main valley. All the valleys of the streams are fertile, and the hills, covered with grass, converge towards Yakama River to the north-east, and form the lower Topnish range. From the junction of the Simcoe and Topnish the land stretches east and north for more than 25 miles. The reservation is adapted to farming and grazing, and irrigation is needful to successful crops.²

Government rations.—None of these Indians subsisted by Government rations, as reported in 1885.³

Mills and Indian employés.—Mills burned in 1885.

Indian police.—Established.

Indian court of offences.—Established.

*School population, attendance and support.*⁴

School population, as estimated in 1886	250
Boarding school:	
Accommodation	150
Average attendance	110
Session (months)	10
Cost	\$11,343.44

Missionary work.—Methodist Episcopal Church is in charge.

SYNOPSIS OF TREATY.

Treaty with the Yakama Nation, made at Camp Stevens, Walla Walla Valley, Washington Territory, June 9, 1855.

The following tribes and bands of Indians, the Yakama, Palouse, Pisuouse, Wenatshapan, Klikatat, Klinquit, Kow-was-say-ee, Li-ay-was, Skin-pah, Wish-ham, Shyiks, Oche-chotes, Kah-milt-pah, and Se-ap-cat, occupying lands lying in Washington Territory, are to be considered as one nation, under the name of the Yakama Nation. They cede the following tract: Commencing at Mount Ranier, thence northerly along the main ridge of the Cascade Mountains to the point where the northern tributaries of Lake Che-lan and the southern tributaries of the Methow River have their rise; thence south-easterly on the divide between the waters of Lake Che-lan and the Methow River to the Columbia River; thence, crossing the Columbia on a true east course, to a point whose longitude is 119° 10', which two latter lines separate the above confederated tribes and bands from the Oakinakane tribe of Indians; thence, in a true south course to the forty-seventh parallel of latitude; thence east on said parallel to the main Palouse River, which two latter lines of boundary separate the above confederated tribes and bands from the Spokanes; thence down the Palouse River to its junction with the Moh-hah-ne-she, or southern tributary of the same; thence, in a southeasterly direction, to the Snake River, at the mouth of the Tucannon River, separating the above confederated tribes from the Nez Percé tribe of Indians; thence down the Snake River to its junction with the Columbia River; thence up the Columbia River to the "White Banks," below the Priest's Rapids; thence westerly to a

¹ Report of Indian Commissioner, 1886, p. 408. ² *Ibid.*, 1882, p. 168. ³ *Ibid.*, 1885, p. 366. ⁴ *Ibid.*, 1886, p. xcvi.

lake called "La Lac"; thence southerly to a point on the Yakama River called Tohmah-luke; thence, in a south-westerly direction, to the Columbia River, at the western extremity of the "Big Island," between the mouths of the Umatilla River and Butler Creek; all which latter boundaries separate the above confederated tribes and bands from the Walla Walla, Cayuse, and Umatilla tribes and bands of Indians; thence down the Columbia River to midway between the mouths of White Salmon and Wind Rivers; thence along the divide between said rivers to the main ridge of the Cascade Mountains; and thence along said ridge to the place of beginning. (Art. 1.)

They reserve the following tract of land: Commencing on the Yakama River, at the mouth of the Attah-nam River; thence westerly along said Attah-nam River to the forks; thence along the southern tributary to the Cascade Mountains; thence southerly along the main ridge of said mountains, passing south and east of Mount Adams, to the spur whence flows the waters of the Klickitat and Pisco Rivers; thence down said spur to the divide between the waters of said rivers; thence along said divide to the divide separating the waters of the Satass River from those flowing into the Columbia River; thence along said divide to the main Yakama, 8 miles below the mouth of the Satass River; and thence up the Yakama River to the place of beginning. No white men to be permitted to reside upon the reservation. Indian houses and lands which may have been erected and improved and which may have to be abandoned in consequence of treaty shall be paid for by the United States, or equal improvements made upon the reservation for the persons who relinquish them. No Indian to be compelled to vacate lands until such payment or improvements have been made. (Art. 2.)

The right of way granted for public roads through the reservation and travel thereon and other highways secured to the Indians in common with citizens of the United States. Right to fish at all accustomed places and to erect temporary buildings for curing the same, and to hunt, gather berries, roots, etc., and pasture horses on unclaimed land, reserved to Indians. (Art. 3.)

United States agrees to pay \$200,000 in diminishing payments of the capital for twenty years; the first \$60,000 to be expended for their removal to the reservation and improvements thereon. President to determine expenditure of the money. (Art. 4.) All expenses of transporting goods for the annuity payments shall be defrayed by the United States. Agency buildings, shops, and mills to be erected and furnished, and United States to keep the same in necessary repair, and to provide persons to instruct the Indians in the trades; also to furnish a hospital, keep the same in repair and provide the necessary physician, medicines, etc., for twenty years. United States also agrees to establish within a year after the ratification of this treaty two schools with necessary buildings, books, etc., one to be an agricultural and industrial school, to keep the same in repair, and to employ three teachers for the same term of years. Kamaiakun, the head chief, to receive \$500 per year for twenty years, for services to the United States and to furnish him a house and prepare 10 acres of land for a farm. (Art. 5.)

President may cause reservation to be surveyed and assigned to individuals in accordance with the sixth article of the treaty with the Omahas. (Art. 6.)

Tribes pledge themselves to be friendly to United States; not to commit depredations, or to make war upon other tribes except in self-defence. To deliver up offenders for trial by United States. Should this pledge be violated by any one the property taken shall be returned, or compensation for depredations may be made out of the annuities. (Art. 8.) No Indian to drink liquor or to bring the same upon reservation under penalty of suspension of treaty benefits. (Art. 9.)

A tract of land 6 miles square, known as Wenatshapam Fishery, shall be reserved when the President shall so direct. (Art. 10.)

Treaty binding when ratified.

Proclaimed April 18, 1859.¹

¹ See United States Statutes at Large, Vol. III, p. 951.

CHAPTER XXI.

INDIAN RESERVATIONS—WISCONSIN AND WYOMING.

WISCONSIN.

Organized as a Territory April 20, 1836,¹ and admitted as a State May 29, 1848.² The Sac and Fox, Sioux, and a portion of the Winnebago tribe that formerly inhabited this region, have been removed to Indian Territory, Dakota, and Nebraska, respectively. Only the Chipewa and Menomonee Indians represent the former Indian population. The Stockbridge tribe came from western New England and the Oneidas from New York.

There are seven reservations, containing an aggregate area of 586,309 acres. The Indian population on reservations is 8,069; not on reservations, 1,110; total population, 9,179.

There are two agencies: The Green Bay Agency, having in charge the Menomonee, the Oneida, and the Stockbridge Reservations; the La Pointe Agency, having in charge Lac Court d'Oreilles and Lac du Flambeau Reservations; La Pointe and Red Cliff Reservations; also Boisé Fort, Deer Creek, Fond du Lac, Grand Portage, and Vermillion Lake Reservations, in Minnesota.

GREEN BAY AGENCY.

[Post-office address: Keshena, Shawano County, Wis.]

MENOMONEE RESERVATION.

How established.—By treaties of October 18, 1848,³ of May 12, 1854,⁴ and February 11, 1856.⁵

Area and survey.—Contains 231,680 acres;⁶ 1,025 acres classed as tillable;⁷ surveyed.⁶

Acres cultivated.—Six hundred and eighty-five acres reported as cultivated in 1886.⁷

Tribe and population.—The tribe living here is the Menomonee. Total population, 1,981.⁸

Location.—Is situated on the Menomonee Reservation, in Shawano County, Wisconsin, 7½ miles north of the city of Shawano, and 46½ miles north-west of the city of Green Bay. The most of the reservation

¹ United States Statutes, Vol. V, p. 10. ² *Ibid.*, Vol. IX, p. 233. ³ *Ibid.*, p. 952.
⁴ *Ibid.*, Vol. X, p. 1064. ⁵ *Ibid.*, Vol. XI, p. 679. ⁶ Report of Indian Commissioner, 1886, p. 391. ⁷ *Ibid.*, p. 436. ⁸ *Ibid.*, p. 408.

is covered with a dense forest of pine, hemlock, maple, basswood, elm, oak, and other timber indigenous to this latitude. The soil, with the exception of two townships, which are sandy, is fertile, and well watered by numerous branches of the Wolf and Oconto Rivers, both of which streams flow through the reservation. The soil is capable of producing, when properly cultivated, large crops of wheat, rye, oats, barley, corn, potatoes, and other crops grown in this latitude.¹

Mills and Indian employés.—Mills reported; Indian employés not reported.

Indian police.—Not reported.

Indian court of offences.—Not reported.

*School population, attendance, and support.*²

School population, as estimated in 1886.....	353
Agency boarding school:	
Accommodation.....	100
Average attendance.....	82
Session (months).....	10
Cost.....	\$7,974.82
St. Joseph boarding school (contract):	
Accommodation.....	150
Average attendance.....	126
Session (months).....	12
Cost.....	\$10,800.00

Missionary work.—The Roman Catholic Church is in charge.

SYNOPSIS OF TREATIES WITH THE MEMOMONEE INDIANS.

Treaty with the Menomonee Indians, made at St. Louis, March 30, 1817.

Injuries forgiven. (Art. 1.) Friendship established. (Art. 2.) Cessions and treaties with British, French, and Spanish confirmed. (Art. 3.) Prisoners delivered up. (Art. 4.) Protection of United States acknowledged. (Art. 5.)
Proclaimed December 26, 1817.³

Treaty with the Menomonee, Sioux, Chippewa, Sac and Fox, Iowa, Winnebago, Ottawa, Chippewa, and Pottawatomie Indians, made at Prairie des Chiens, August 19, 1825.

See Sioux treaty of same date—Dakota Territory.⁴

Treaty with the Menomonee, Chippewa, and Winnebago Indians, made at Buttes des Morts, August 11, 1827.

See Chippewa treaty of same date—Michigan.⁵

Treaty with the Menomonee Indians, made at Washington, February 8, 1831.

Boundary of Menomonee country east of Green Bay as follows: Beginning at the south end of Winnebago Lake, south-easterly to Milwaukee River, down to its mouth; thence along the shore of Lake Michigan to the mouth of Green Bay; thence up Green Bay, Fox River, and Winnebago Lake to place of beginning.

Boundary west of Fox River as follows: Beginning at the mouth of Fox River, down the east shore of Green Bay across its mouth, including all the islands of Grand

¹ Report of Indian Commissioner, 1886, p. 249. ² *Ibid.*, p. xeviii. ³ United States Statutes at Large, Vol. VII, p. 153. ⁴ *Ibid.*, p. 272. ⁵ *Ibid.*, p. 303.

Traverse, westerly on the highlands between Lake Superior and Green Bay to the Upper Forks of the Menomonee; thence to Plover Portage, on the Wisconsin River; thence up the Wisconsin River to Soft Maple River and up to its source; thence west to Plum River and down to its mouth; thence down the Chippewa River 30 miles; thence easterly to the forks of the Manoy River, down to its mouth; thence down the Wisconsin River to the Portage; thence across to the Fox River, down said river to its mouth at Green Bay. Said tract to be exclusively the property of this tribe.

The following tract ceded to the United States for the benefit of the New York Indians, who may remove within three years: Beginning on the west side of Fox River at the Old Mill Dam, thence north-west 40 miles; thence north-east to Oconto Creek, down said creek to Green Bay; thence up and along said bay and Fox River to the place of beginning, excluding therefrom all private land claims confirmed and military reservations. Tract contains in all about 500,000 acres, and includes all improvements made by New York Indians on the west side of Fox River. This reservation to be for the home of all those New York Indians residing on the land at the expiration of three years from this date and for none others.

President to apportion the lands so as to assign equally 100 acres for each soul. Unoccupied lands to revert to the United States. Land to be held by New York Indians by same tenure as the Menomonee Indians. (Art. 1.) Sum of \$20,000 paid, \$5,000 annually. (Art. 2.) Menomonees cede their tract on the south-east side Winnebago Lake, Fox River, and Green Bay as described (Art. 1), comprising about 2,500,000 acres. (Art. 3.) The following tract at present occupied by Menomonee Indians set apart for their future home: Beginning on the west of Fox River at the Old Mill Dam and running up to Lake Winnebago; thence along the lake to the mouth of Fox River, up to Wolf River; thence up said river to a point south-west of the west corner of the tract designated for the New York Indians, north-east to said west corner; thence south-east to place of beginning. Five farmers at \$500 each, for ten years; five women at \$300 each, to teach useful housewifery; \$10,000 for the erection of houses; \$3,000 for houses of farmers. When Menomonees settle they shall be supplied with stock, farming implements, and other articles to value of \$6,000, to be under control of farmers; \$6,000 for grist and saw mill on Fox River and house of miller; millers \$600 salary for ten years; \$8,000 worth of clothing; \$1,000 in provisions; \$1,000 in specie paid down; \$6,000 for twelve years; blacksmith's shop at discretion of the President, and house for interpreter. (Art. 4.) Sum of \$500 added to the appropriation of \$1,500 by treaty of August 11, 1827, for the support of schools for ten years. (Art. 5.) Privilege of hunting and fishing on ceded lands, until surveyed and sold. New York Indians to immediately remove from the Menomonee country to the land set apart for them. Tract west of Fox River belonging to Menomonees to remain as a hunting ground until the United States exchanges title. Right to establish roads and military posts granted. Expenses of delegation paid and suit of clothes for each provided. Also \$4,000 for guns and ammunition; \$1,000 in goods and provisions for four years. (Art. 6.)¹

Amendment of February 17, 1831.

Time of removal of New York Indians upon lands left to the discretion of the President. For the establishing of the rights of New York Indians on a permanent and just footing, it is expressly understood that two townships on the east side of Winnebago Lake, equal to 46,080 acres, shall be laid off for the use of the Stockbridge and Munsee tribes; and their improvements on lands on the east side of Fox River, which lands are to be relinquished, shall be valued by a commissioner and paid for by the United States, said valuation not to exceed \$25,000. One township adjoining the foregoing, equal to 23,040 acres, to be laid off and granted for the use of the Brothertown Indians; \$1,600 paid by the United States for their improvements on the east

¹ United States Statutes, Vol. VII, p. 342.

side of Fox River, which lands they are to relinquish. Also that a new line shall be run parallel to the south-west boundary of the tract of 500,000 acres described in article 1, and set apart for the New York Indians, to commence on the west side of Fox River, 1 mile above the Grand Shute, at a sufficient distance from said boundary line as shall comprehend the additional quantity of 200,000 acres on and along the west side of Fox River without including private land claims. Said tract to be a part of the 500,000 acres intended to be set apart for the Six Nations of New York and the St. Regis tribe, and an equal quantity to that which is added on the south-western side to be taken off from the north-eastern side of said tract on the Oconto Creek, to be determined by the commissioner appointed by the President; the whole number of acres granted to the Six Nations and St. Regis shall not exceed the quantity originally stipulated by the treaty.

Proclaimed July 9, 1832.¹

Treaty with the Menomonees, made at Washington, October 27, 1832.

The Menomonee Indians, failing to agree to the treaty and amendments of February 8 and 17, 1831, make the following agreement: They grant three townships of land on the east side of Winnebago Lake to Stockbridge, Munsee, and Brothertown tribes, and accede to the payment and valuation of improvements as provided in previous treaties. (Art. 1.) Cede for New York Indians the following tract: Beginning on the said treaty line at the Old Mill Dam on Fox River, and thence extending up along Fox River to the Little Rapid Croche; from thence running a north-west course 3 miles; thence on a line running parallel with the several courses of Fox River, and 3 miles distant from the river, until it will intersect a line running on a north-west course, commencing at a point 1 mile above the Grand Shute; thence on a line running north-west so far as will be necessary to include between the said last line and the line described as the south-western boundary line of the 500,000 acres in the treaty aforesaid, the quantity of 200,000 acres; and thence running north-east until it will intersect the line forming the south-western boundary line aforesaid, and from thence along the said line to the Old Mill Dam or place of beginning, containing 200,000 acres, preserving therefrom certain mill on Apple Creek and private land claims on Fox River. Lines of said tract of land to be run without delay, and, in exchange for the above, a quantity of land equal to that which is added to the south-western side to be taken off from north-eastern side on the Oconto Creek, lines to be run by a commissioner appointed by the President, so that the whole number of acres for the Six Nations and St. Regis tribe shall not exceed 500,000 acres. (Art. 2.) Treaty to be binding when ratified, and Menomonees to receive \$1,000 in clothing and provisions paid down. (Art. 3.)

Appendix October 27, 1832, made at agency house, Green Bay, Wis. The Stockbridge, Munsee, Brothertown, and Six Nations, and St. Regis tribe of New York Indians at Green Bay accept, on their part, this agreement with the Menomonee Indians.

Proclaimed March 13, 1833.²

Treaty with the Menomonees, made at Cedar Point, Fox River, Wisconsin, September 3, 1836.

Menomonees cede land on Wolf and Menomonee Rivers, the west side of Green Bay, Fox River, and Winnebago Lake, being estimated at 4,000,000 acres; also land on the Wisconsin River containing 184,320 acres (Art. 1); \$23,750 annually, besides \$3,000 worth of provisions, 2,000 pounds of tobacco, 30 barrels of salt, and \$500 for stock and implements, to be expended by the agent; also two blacksmiths, and maintain shops for twenty years. Upon approval of superintendent of Indian affairs, United States to pay \$99,710.50 for debts; also \$80,000 to be divided among mixed-blood relatives. Only such members of tribe as reside on reservation entitled to said fund.

¹ United States Statutes at Large, Vol. VII, p. 346.

² *Ibid.*, pp. 405, 409.

(Art. 2.) The Menomonees release the United States from provisions of treaties of 1831 and 1832 for blacksmiths, farmers, millers, for education, and for improvements on reservations, stock, and implements. (Art. 3.) In consideration of release, United States to pay \$76,000, said sum to be invested and interest applied by President for benefit of the tribe. (Art. 3.) Annuities to be paid yearly; Menomonees to remove from ceded country within one year. (Art. 4.) Treaty binding when ratified.

Proclaimed February 15, 1837.¹

Treaty with the Menomonee tribe, made at Lake Pow-aw-hay-kon-nay, Wisconsin, October 18, 1848.

Friendship established. (Art. 1.) Menomonee tribe cede all their lands in Wisconsin. (Art. 2.) United States, in consideration, gives said Indians as a home, to be held as all Indian lands are held, the tract ceded by Chippewa Indians by treaties of August 2, 1847, and August 21, 1847, not assigned to Winnebago Indians by treaty of October 13, 1846. Tract to contain not less than 600,000 acres (Art. 3), and United States to pay \$350,000; to the chiefs to prepare for removal, \$30,000; to mixed-bloods designated by chiefs and special commissioner, \$40,000. As Indians remove without expense to United States, President, at his discretion, to pay \$20,000, also for one year's subsistence after removal, \$20,000; for a manual labor school, erection of grist and saw mill, \$15,000; miller for fifteen years, \$9,000; for blacksmith and shop for twelve years, \$11,000; for individual improvements on ceded land, \$5,000; balance of \$200,000 to be paid in ten equal annual instalments, beginning with the year 1857, when annuities under treaty of 1836 shall have ceased. (Art. 4.) Such portion of the interest on sum now invested under treaty of 1836 to be applied as President and chiefs may direct to manual labor school, and the balance to be paid annually with the regular annuities. (Art. 5.) United States to pay delegates to explore the new country herein ceded to the tribe. (Art. 6.) Deficiency in annuity of 1837 to be investigated and any loss made good. (Art. 7.) Indians to remain on land ceded by them for two years. (Art. 8.) Owner of saw-mill on Wolf River to have 160 acres, covering his improvements. (Art. 9.) Treaty binding when ratified. (Art. 10.)

Proclaimed January 23, 1849.²

Treaty with the Menomonee tribe, made at the Falls of Wolf River, Wisconsin, May 12, 1854.

Tribe cedes all land assigned it under treaty of October 18, 1848. (Art. 1.) United States gives said tribe the following tract: Beginning at the south-east corner of township 28 north, range 16 east, of fourth principal meridian, running west 24 miles; thence north 18 miles; thence east 24 miles; thence south 18 miles to place of beginning, the same being townships 28, 29, and 30 of ranges 13, 14, 15, and 16, according to the public survey. (Art. 2.) United States to establish a manual labor school and erect a saw and grist mill at cost of \$15,000; for a miller, fifteen years, \$9,000; blacksmith shop, maintained twelve years, beginning 1857, \$11,000; also \$40,000, stipulated in former treaty, to assist their removal west of Mississippi, and all other beneficial stipulations of treaty of 1848 to be fulfilled as therein provided. (Art. 3.) As payment for the land herein ceded, \$242,686 in fifteen annual instalments, beginning 1867. Each instalment expended under direction of the President. (Art. 4.) United States to pay expenses of this treaty. (Art. 5.) Treaty binding when ratified and assented to by chiefs. (Art. 6.)

Amended August 2, 1854; assented to August 22, 1854; proclaimed August 2, 1854.³

Treaty with the Menomonee tribe, made at Keshena, Wis., February 11, 1856.

Tribe cedes to the United States a tract not exceeding two townships in extent on the south line and western part of its reservation and not containing any permanent

¹ United States Statutes at Large, Vol. VII, p. 506.

² *Ibid.*, Vol. IX, p. 952.

³ *Ibid.*, Vol. X, p. 1064.

settlements made by any of the tribe, for the Stockbridge and Munsee Indians and such other New York Indians as the United States may remove within two years. (Art. 1.) If the New York Indians locate on said land, United States to pay at the rate of 60 cents per acre; said money to be expended as stipulated for expenditure of \$40,000, in article 3, treaty May 12, 1854. (Art. 2.) President, with the Senate, may provide laws to manage the affairs of the Menomonees. Use of ardent spirits to be suppressed. President may cause annuity to be paid in semi-annual or quarterly instalments. Right to construct roads granted on same terms as provided for citizens. (Art. 3.) Treaty binding when ratified. (Art. 4.)

Proclaimed April 24, 1856.¹

ONEIDA RESERVATION.

How established.—By treaty of February 3, 1838.²

Area and survey.—Contains 65,540 acres;³ 45,000 acres classed as tillable.⁴ Out-boundaries surveyed.³

Acres cultivated.—Three thousand eight hundred and thirty-three acres cultivated by the Indians in 1886.⁴

Tribes and population.—The tribe living here is the Oneida. Total population, 2,000.⁵

Location.—Is located in Brown County, 46 miles from the agency. The land is susceptible of being cultivated. The tribe now numbers about 16,000 persons, and is well advanced in civilization. As a general thing the members have good houses, and obtain their living by farming, cutting stave-butts, hoop-poles, cord-wood, etc., which they dispose of in neighboring towns. Many of them have large and well-tilled farms, and are as well off as the average farmer among their white neighbors. This tribe receives an annuity of \$1,000 from the Government.⁶

There are no agency statistics for these Indians.

*School population, attendance, and support.*⁷

School population estimated in 1886 at 445.

School.	Accommodation.	Average attendance.	Session.	Cost.
			<i>Months.</i>	
Hovert day school	60	33	10	\$400.00
Oneida east day school	40	17	10	299.99
Oneida west day school, No. 1	45	12	10	358.69
Oneida west day school, No. 2	30	8	10	299.99
Oneida west day school, No. 3	40	10	10	299.99
Cornelius day school	56	7	10	300.00

Many children are sent to schools off the reservation.⁸

Missionary work.—The Protestant Episcopal and the Methodist Churches have charge.⁸

¹ United States Statutes at Large, Vol. XI, p. 679.

² *Ibid.*, Vol. VII, p. 566.

³ Report of Indian Commissioner, 1886, p. 391.

⁴ *Ibid.*, p. 436.

⁵ *Ibid.*, p. 408.

⁶ *Ibid.*, p. 251.

⁷ *Ibid.*, p. xviii.

⁸ *Ibid.*, 1835, p. 20.

For treaty of December 2, 1794, see Stockbridge treaty of same date—Wisconsin.

Treaty with the First Christian and Orchard bands of Oneida Indians, made at Washington, D. C., February 3, 1838.

Said bands cede the lands set apart for them in article 1, treaty with the Menomonees, February 8, 1831, and article 2 of treaty with same tribe, October 27, 1832. (Art. 1.) From foregoing cession, a tract reserved, to be held as other Indian lands, to contain 100 acres for each individual of said bands; lines to be run so as to include all their settlements and improvements in vicinity of Green Bay. (Art. 2.) United States to pay to Orchard band, \$3,000; to First Christian band, \$30,500; of this last sum \$3,000 to be used for the erection of a church and parsonage; the residue to be apportioned by the President among persons having just claims thereto. The said sum of \$33,500 is to reimburse said bands for the purchase and securing of title to land ceded in article 1. United States to survey tract reserved in article 2. (Art. 3.) Interpreter relinquishes his title and interest in reserve tract for sum of \$500. (Art. 4.) Expenses of treaty paid by United States. (Art. 5.) Treaty binding when ratified. (Art. 6.)

Proclaimed May 17, 1833.¹

STOCKBRIDGE RESERVATION.

How established.—By treaties of November 24, 1848;² February 5, 1856;³ and of February 11, 1856;⁴ act of Congress approved February 6, 1871.⁵ For area see act of Congress approved June 22, 1874.⁶

Area and survey.—Contains 11,803 acres;⁷ 307 classed as tillable;⁸ surveyed.⁷

Acres cultivated.—Two hundred acres reported cultivated by the Indians in 1886.⁸

Tribes and population.—The tribe living here is the Stockbridge. Total population, 268.⁹

Location.—This reservation contains a little over a half township of land, and joins the Menomonee Reservation on the west and south, about 7 miles from the agency. The Indians are all civilized, read and write the English language, are fully capable of becoming citizens, in fact, under the Constitution of the State of Wisconsin, are voters, and exercise that privilege at all general elections. They are engaged in farming, lumbering, and working for the white settlers of Shawano County. This tribe receives an annuity of about \$3,500 a year, derived principally from the interest on the amount received from the sale of their pine in 1872. The heads of families have been allotted lands in severalty, and some of the allotments are occupied. This tribe governs itself, and requires but little attention from the agent.¹⁰

There are no agency statistics connected with these Indians.

School population, attendance, and support.—School population estimated in 1886 at 54. One day school supported out of the tribal annuity,

¹ United States Statutes at Large, Vol. VII, p. 566. ² *Ibid.*, Vol. IX, p. 955.

³ *Ibid.*, Vol. XI, p. 663.

⁴ *Ibid.*, p. 679.

⁵ *Ibid.*, Vol. XVI, p. 404.

⁶ *Ibid.*, Vol.

XVIII, p. 174.

⁷ Report of Indian Commissioner, 1886, p. 391.

⁸ *Ibid.*, p. 436.

⁹ *Ibid.*, p. 408.

¹⁰ *Ibid.*, p. 250.

at a cost of \$400.¹ Accommodation, 30; average attendance, 13; and ten months' session.²

Mission work.—A native church belonging to the Presbyterian denomination.¹

SYNOPSIS OF TREATIES WITH THE STOCKBRIDGE INDIANS.

Treaty with the Stockbridge, Oneida, and Tuscarora Indians, made at Oneida, New York, December 2, 1794.

Whereas in the late war between Great Britain and the United States a body of the Oneida and Tuscarora and Stockbridge Indians adhered faithfully to the United States and suffered in consequence, being driven from home, their houses burned and property destroyed, the United States acknowledges its obligations to these faithful friends. Sum of \$5,000 to be distributed to individuals among the three tribes. (Art. 1.) Grist and saw mill to be erected; two, if necessary. (Art. 2.) Two persons employed for three years to instruct in the arts of the miller and sawer, and to provide utensils for the work of the mills. (Art. 3.) Sum of \$1,000 to rebuild church burned in the war. (Art. 4.) Nations relinquish all claims against the United States, except arrears due commissioned officers. (Art. 5.)

Proclaimed January 21, 1795.³

Treaty with the Stockbridge Indians, made at Washington February 8, 1831.

See Menomonee treaty of same date. (United States Statutes at Large, Vol. VII, p. 342.)

Treaty with the Stockbridge Indians, made at Washington October 27, 1832.

See Menomonee treaty of same date. (United States Statutes at Large, Vol. VII, p. 405.)

Treaty with the Stockbridge and Munsee Indians who reside on Lake Winnebago, Wis., made at Stockbridge, Wis., September 3, 1839.

These tribes, formerly of New York, cede the east half of the tract set apart for them by the treaty of October 27, 1832, cession to contain 23,040 acres in compact body. United States to pay \$1 per acre. (Art. 1.) According to the census the proportion of land belonging to those members of the tribe about to move west is 8,767 $\frac{3}{4}$ acres. United States to pay said emigrating Indians \$8,767.75 for their lands. (Art. 2.) Their improvements being on the part reserved by those tribes who remain in Wisconsin are valued at \$3,879.30, which the United States agrees to distribute among the heads of families according to schedule annexed, the whole amount to be paid to the emigrating party being \$12,647.05. (Art. 3.) Deducting the consideration money in articles 2 and 3, the remainder of purchase money, \$10,392.95, to be invested for the benefit of members of the Stockbridge and Munsee tribes, numbering three hundred and forty-two souls, who remain in Wisconsin; \$6,000 at 5 per cent. as a permanent school fund to be paid to persons appointed by the tribe, and the balance of \$4,392.95 to be paid the sachem and counsellors. (Art. 4.) Money to be paid as soon as practicable. (Art. 5.) Exploring party of three to visit country west of the Mississippi, and the United States to defray expenses of those moving west and subsist them for one year. (Art. 6.) Certain claims to be submitted to agent appointed to make payments under this treaty. (Art. 7.)

Proclaimed May 16, 1840.⁴

¹ Report of Indian Commissioner, 1885, p. 205. ² *Ibid.*, 1886, p. xviii. ³ United States Statutes at Large, Vol. VII, p. 47. ⁴ *Ibid.*, p. 580.

*Act for the relief of the Stockbridge tribe of Indians in the Territory of Wisconsin, March 3, 1843.*¹

The township east of Lake Winnebago, containing 23,040 acres, which by the treaty of February 17, 1831, was reserved to the Stockbridge Indians, and further secured by the treaty of October 27, 1832, may be divided among the individuals of said tribe and held in fee-simple. (Sec. 1.) Commission of five, composed of the headmen of said tribe, to make a just and fair partition and division of said lands among members, in accordance with the laws, customs, and usages of said tribe. (Sec. 2.) Commissioners to be elected. All male members of tribe over twenty-one to vote for said commissioners on the first Monday in April, 1843. The judge of district, the registrar of the land office at Green Bay, or the commander at Fort Howard to superintend said election and certify thereto. (Sec. 3.) In the division of land no person to be dispossessed of his own improvements. (Sec. 4.) Commissioners to make full report of division of land with map, and provisions made for adjusting unsatisfactory divisions. (Art. 5.) Three copies to be made; one to the Secretary of the Interior, one to the clerk of the county, and one sent to President of the United States, whereupon patents in fee-simple to be issued. (Sec. 6.) Report to be filed before January 1, 1844, after which the Stockbridge Indians shall be citizens, entitled to all rights, privileges, and immunities of such, and subject to the laws of the United States and of Wisconsin. Jurisdiction of the United States and of Wisconsin to be extended over land held by them, and their rights as a tribe, executing their own laws, usages, and customs, shall cease. Nothing in this act to deprive them of annuities now due from State of New York or the United States. (Sec. 7.)

*An act to repeal the act of March 3, 1843.*²

Stockbridge tribe restored to their ancient form of government, with all powers, rights, and privileges held and exercised by them under their customs and usages. (Sec. 1.) Subagent at Green Bay, under the direction of Governor of Wisconsin, to enroll the names of such members as desire to become and remain citizens. Application to be made within three months after passage of law. At the expiration of said time the township held by the Stockbridges divided into two districts; one to be Indian district, the other citizen district, according to numbers of the respective parties. Indian district to be held in common, citizen district to be divided by metes and bounds, each person receiving his ratable proportion. Three copies of said division to be made out and filed in land office at Green Bay, with clerk of district court and Secretary of War. Patents to be issued in fee-simple. Upon the receipt Indians to become citizens. Citizen Indians to forfeit their share of annuities due. (Sec. 2.) Sum of \$5,000 to be paid from the Treasury to the Stockbridge Indians in lieu of claims and moneys paid by them to Winnebagoes and Menomonees in 1821 and 1822. Any claim upon the Delaware Indians to a share of lands west of the Missouri River not affected by this act. (Sec. 3.)

Treaty with the Stockbridge Indians, made at Stockbridge, Wis., November 24, 1848.

Whereas it has been found impracticable to carry out the provisions of the act of August, 1846, without infringing upon private rights acquired in good faith under the act of 1843, the following agreement and compromise is entered into:

The tribe renounces all participation in the benefits of the act of March 3, 1843, and acknowledges itself under the guardianship of the United States as other Indian tribes. (Art. 1.) Census of tribe to be taken annually. Any one separating from the tribe and abandoning the country shall forfeit membership. (Art. 2.) Tribes cede to the United States the township on east side of Lake Winnebago secured by Menomonce treaty of February 8, 1831. (Art. 3.) Township to be surveyed into lots

¹ United States Statutes at Large, Vol. V, p. 645. ² *Ibid.*, Vol. IX, p. 55.

by commissioners selected under the act of March 3, 1843, and lands allotted to members who have become citizens to be confirmed to them respectively by patents. Residue to be appraised and sold. (Art. 4.) Sum of \$16,500 to be paid said tribe to enable it to settle its affairs and make provision and establish itself in its new home. (Art. 5.) Said sum to be invested at 5 per cent. interest, paid annually. (Art. 9.) Also within six months \$14,504.85 appraised value of improvements on ceded land to be paid to individuals claiming the same. (Art. 6.) Tribe to remain one year after ratification of agreement and then remove west of Mississippi. (Art. 7.) United States to defray expenses and subsist it for one year. (Art. 8.) Nothing to prevent the survey of land ceded. (Art. 10.) Sum of \$3,000 paid to sachem and headmen for attending to business since 1843. (Art. 11.) Agreement binding when ratified. (Art. 12.) Census and classification of Indians annexed.

Amendment: Whereas the Stockbridge and Munsee Indians have a claim against the United States for lands in Indiana and Wisconsin, said lands being ceded without their consent under treaties made with the Miamis and Delawares of Indiana and the Menomonees and Winnebagoes of Wisconsin, and said Stockbridge and Munsee Indians have prosecuted said claims for thirty years at their own expense, except \$3,000 paid in 1821: in order to remove discontent the United States agrees to pay them for relinquishing said claims, \$5,000 down and \$20,000 in ten annual instalments on their arrival at their new home. President to secure within two years from the ratification of this treaty seventy-two sections for the use of said Stockbridge Indians west of the Mississippi River to be held by the same tenure as other Indian lands.

Amended and proclaimed March 1, 1849.¹

Treaty with the Stockbridge Indians, made at Stockbridge, February 5, 1856.

Whereas many of the tribes refuse to remove to the location selected in Minnesota according to the treaty of 1848, and the majority prefer a new location in Wisconsin, and others desire to sever their tribal relations and receive patents for their lands, the following agreement was made:

The Stockbridge and Munsee Indians cede all their lands in the town of Stockbridge, Wis., and the seventy-two sections in Minnesota, and discharge the United States from the \$20,000 stipulated to be paid them, and the \$16,500 invested by the United States in stock, and all claims set up by and for them, together or singly, or by individuals deprived of annuities. (Art. 1.) In consideration thereof the United States to give them a tract of land south of the Menomonee Reservation sufficient to provide heads of families and others with 80 or 40 acres as hereafter provided, every lot to contain one-half arable land, sum of \$41,100 for improvements, and \$20,550 to enable them to remove. (Art. 2.) Of these moneys, one-fourth to be applied to building roads leading to and through said lands, to erection of school-houses, and improvements of a public character. The residue to be expended for improvements to be made by different members and families under direction of superintendent of northern superintendency and Commissioner of Indian Affairs. (Art. 4.) Land to be surveyed; head of family, 80 acres; if exceeding four members, 80 acres additional. Single male over eighteen and orphan children, 40 acres. Certificates of allotment to be issued. After ten years, if it shall appear prudent, the President may issue patents. In case of death without heirs, land may be re-assigned upon the surrender of certificate. (Art. 3.) Only actual members of tribe enrolled as entitled to land and money. (Art. 5.) Absent members of tribes to have benefit of land if they return within two years. (Art. 6.) Stockbridge and Munsee Indians set aside their portion of annuities under treaty of November 11, 1794, August 11, 1827, and September 3, 1839, for education. (Art. 7.) One hundred and fifty dollars valuation of school-house at Stockbridge to be expended in the erection of a school-house. (Art. 8.) Seven and two-fifths acres herein described set apart for a ceme-

¹ United States Statutes at Large, Vol. IX, p. 955.

tery. (Art. 9.) Authorized roads to have right of way on usual terms. (Art. 10.) President and Senate to adopt policy beneficial to said Indians. (Art. 11.) Use of intoxicating liquors to be suppressed. (Art. 12.) Sales of allotments made under act of 1843 to be examined. (Art. 13.) Sale of sundry lots provided for. (Art. 14.) Payments by United States not to exceed an aggregate of \$5,000, to be made for ceded improvements within one year. (Art. 15.) Persons herein named to have patents in fee of certain lands in full of all claims. (Art. 16.) So much of treaties of September 3, 1839, and November 24, 1848, as in conflict with stipulation of this treaty hereby abrogated and annulled. (Art. 17.) Agreement binding when ratified. (Art. 18.) The further sum of \$12,000 for Stockbridge, and \$6,000 for Munsee, Indians, to be expended by Secretary of the Interior for stock, if necessary, and to discharge tribal debts.

Amended April 18, 1856; proclaimed September 8, 1856.¹

For treaty of February 11, 1856, see Menomonee treaty of same date—Wisconsin.

*An act for the relief of the Stockbridge and Munsee tribes of Indians in Wisconsin, February 6, 1871.*²

The two townships situated in the Shawanaw County, Wis., set apart for the Stockbridge and Munsee Indians, to be examined and appraised by three appraisers selected by the Secretary of the Interior. Lands to be subject to public inspection thirty days. Copy of appraisement returned to land office of district and Secretary of the Interior within six months. (Sec. 1.) The land advertised by sale at public auction, and to be sold for cash only. Secretary of the Interior authorized to reserve from sale a tract not exceeding eighteen contiguous sections embracing such as are now actually occupied and improved and best adapted to agriculture, subject to allotment to members of the Indian party of said tribe. (Sec. 2.) From proceeds of sale the expenses of the same to be paid; amount due individuals for appraiser improvements; debts contracted by sachem and counsellors amounting to \$11,000, according to certified schedule. (Sec. 3.) After these payments a statement to be made up of the whole amount due from the United States to the Stockbridge and Munsee Indians. (Sec. 4.) This amount to be divided among the citizen and Indian parties of said tribe according to the rolls. Citizen party to receive their share per capita. Indian party to have their claim held by the United States at 5 per cent. interest, the interest to be expended for them under direction of the President. Sum of \$30,000 of their money may be expended in securing a new location and moving thereto. If said Indian party so remove, the eighteen sections herein reserved to be sold and proceeds placed to their credit. (Sec. 5.) Two rolls to be prepared, one to contain names of all who desire to become citizens, the other to embrace all who desire to retain their tribal relations. No one of full age to be placed on citizen roll without his or her full consent personally given to superintendent of enrolment. Nor shall any person, or his or her descendants, be entered upon either of said rolls who may have heretofore separated from said tribe and received allotments of land under the acts of Congress of March 3, 1843, and August 6, 1846, or the treaty of February 5, 1856, or who shall not be of Stockbridge or Munsee descent. Said rolls to be signed by sachem and counsellors of said tribe, certified to by the person superintending the same and returned to Commissioner of Indian Affairs. After said rolls shall be made and returned, the same shall be held as a full surrender and relinquishment on the part of the citizen party, each and every one of them, of all claims to be thereafter known or considered as members of said tribe, or in any manner interested in any treaty or law made for its benefit, and said persons shall thenceforth be admitted to all the rights and privileges of citizens of the United States. (Sec. 6.) The Indian party to be known as the "Stockbridge tribe of Indians," to be located

¹ United States Statutes at Large, Vol. XI, pp. 663-678. ² *Ibid.*, Vol. XVI, p. 404.

on reservation set apart in section 2 of this act, or other lands with the consent of their counsel; their adoption of any one not of Indian descent null and void. (Sec. 7.) Reservation to be surveyed and allotted. Family of four persons, 80 acres; if numbering more, counsel may permit 80 additional acres to be allotted; each male over eighteen, not member of a family, 80 acres; orphans, 40 acres; land to be inalienable; heirs to inherit; in case of no heirs land to revert to tribe; 40 acres held in common for church, parsonage, and school; a woman marrying out of tribe to forfeit right to land. (Sec. 8.) Allotments to be made within one year, title to be in the United States in trust. Surplus land to be sold for benefit of tribe. No change in allotments unless approved by Secretary of the Interior. (Sec. 9.)

*Indian appropriation act, June 22, 1874.*¹

To enable the Secretary of the Interior to carry out the provisions of section 4 of act of February 6, 1871, by causing to be credited to said tribe (Stockbridge and Munsee) the estimated value at 60 cents an acre of 11,803 acres of land remaining unsold of the two townships referred to in said act, the expenses of enrolment, and payment of expenses required by the provisions of said act, shall be defrayed from the amount herein appropriated, \$7,081.80.

LA POINTE AGENCY.

[Post-office address: Ashland, Ashland County, Wis.]

There are nine reservations under the care of this agency, as follows:
Lac Court Oreilles, Lac du Flambeau, La Pointe, Red Cliff, in Wisconsin; Boisé Fort, Deer Creek, Fond du Lac, Grand Portage, Vermillion Lake, in Minnesota.

LA POINTE AGENCY.

LAC COURT OREILLES RESERVATION.

How established.—By treaty of September 30, 1854;² lands withdrawn by General Land Office, November 22, 1860; April 4, 1869.³

Area and survey.—Contains 69,136 acres. Surveyed.⁴

Acres cultivated.—Five hundred acres cultivated by the Indians.⁵

Tribes and population.—The tribes living here are the Lac Court d'Oreille band of Chippewas of Lake Superior. Population, 1,170.⁶

Location.—It is situated in Sawyer County, and is heavily timbered with hard wood.⁷

Government rations.—Five per cent. of these Indians subsisted by Government rations, as reported in 1886.⁸

Mills and Indian employés.—Not reported. A white farmer reported.

Indian police.—Not reported.

Indian court of offences.—Not reported.

¹ United States Statutes at Large, Vol. XVIII, p. 174. ² *Ibid.*, Vol. X, p. 1109.

³ See report by Secretary of the Interior, March 1, 1873; act of Congress approved May 29, 1872, Vol. XVII, p. 190. ⁴ Report of Indian Commissioner, 1886, p. 390.

⁵ *Ibid.*, p. 436. ⁶ *Ibid.*, p. 255. ⁷ *Ibid.*, 1885, p. 209. ⁸ *Ibid.*, 1886, p. 424.

School population, attendance, and support.

School population, as estimated in 1886	125
Day school:	
Accommodation	24
Average attendance	31
Session (months)	12
Cost ¹	\$750

Missionary work.—The Presbyterians and Roman Catholics have missions among these Indians.¹

For treaties see Chippewa treaties—Michigan. For act of May 29, 1872, see Fond du Lac Reservation—Minnesota.

*Lac Court d'Oreilles Reserve.*²

WASHINGTON, D. C., February 17, 1873.

SIR: I have the honor to inclose herewith, in accordance with your instructions dated December 18, 1872, a list of the lands selected as a permanent reservation for the Lac Court Oreille bands, Chippewas of Lake Superior, after consultation with the chiefs and head-men.

It is believed that the above-mentioned selection, while satisfactory to the Indians and fulfilling the spirit of the treaty under which it is made, fully secures the interests of the General Government, as well as those of the State of Wisconsin.

It is of the greatest importance that a survey of the exterior boundaries of the reservation be made at the earliest practicable period. The boundary marks of the first survey are generally indistinct, and, besides, do not conform to the boundaries as now proposed.

Persons may trespass with little danger of discovery or hindrance now, but would be prevented if the boundaries of the reservation were distinctly defined and marked so that the Indians themselves could understand them.

Very respectfully, your obedient servant,

S. N. CLARK,
United States Indian Agent.

Hon. H. R. CLUM,
Acting Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
February 24, 1873.

SIR: I have the honor to submit herewith the following selections of land for a permanent reservation for the Lac Court Oreilles bands of Chippewas, of Lake Superior, as recommended in a report to this office from Agent S. N. Clark, under date of the 17th instant, pursuant to instructions of December 18, 1872, amounting in the aggregate to 69,136.41 acres. * * *

I now respectfully recommend that the remainder of lands withdrawn from market by orders from the General Land Office, of November 22, 1859, and April 4, 1865, from which to select a permanent reservation for said Indians, be restored to market.

Very respectfully, your obedient servant,

H. R. CLUM,
Acting Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, March 1, 1873.

SIR: I transmit herewith copy of a letter from the Acting Commissioner of Indian Affairs, dated the 24th ultimo, submitting selections of land for a permanent reserva-

¹ Report of Indian Commissioner, 1886, p. xeviii. ² *Ibid.*, p. 378.

tion for the Lac Court Oreilles bands of Chippewa Indians of Lake Superior, amounting in the aggregate to 69,136.41 acres.

The recommendation of the Acting Commissioner that the remainder of lands withdrawn from market by orders from the General Land Office of November 22, 1859, and April 4, 1865, from which to select a permanent reservation for said Indians, be restored to market, is hereby approved, and you will be pleased to carry the same into effect.

Very respectfully, your obedient servant,

C. DELANO, *Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

LAC DE FLAMBEAU RESERVATION.

How established.—By treaty of September 30, 1854;¹ lands selected by Indians;² and act of Congress approved May 29, 1872.³

Area and survey.—Contains 69,824 acres,⁴ of which 30 acres are tillable.⁵ Surveyed.⁴

Acres cultivated.—Twenty acres under cultivation by these Indians.⁵

Tribes and population.—The tribes living here are the Lac de Flambeau band of Chippewas of Lake Superior. Total population, 484.⁶

Location.—At the end waters of the Flambeau River and Flambeau Lake, Lincoln County, and is heavily timbered with pine.⁷

Government rations.—Five per cent. of these Indians subsisted by Government rations, as reported in 1886.⁸

Mills and Indian employés.—None reported.

Indian police.—None reported.

Indian court of offences.—None reported.

*School population, attendance, and support.*⁹

School population, as estimated in 1886	137
Day school:	
Accommodation	25
Average attendance	9
Session (months)	8
Cost	\$800

Missionary work.—No missionary work reported.

For treaties, see Chippewa treaties—Michigan, Mackinac Agency. For act of Congress May 29, 1872, see Fond du Lac Reservation, Minnesota.

¹ United States Statutes at Large, Vol. X, p. 1109. ² See report of Superintendent Thompson, November 14, 1863, and report to Secretary of the Interior, June 22, 1866.
³ United States Statutes, Vol. XVII, p. 190. ⁴ Report of Indian Commissioner, 1886, p. 391. ⁵ *Ibid.*, p. 436. ⁶ *Ibid.*, p. 408. ⁷ *Ibid.*, 1885, p. 209. ⁸ *Ibid.*, 1886, p. 424. ⁹ *Ibid.*, p. xcvi.

LA POINTE (BAD RIVER) RESERVATION.

How established.—By treaty of September 30, 1854.¹

Area and survey.—Contains 124,333 acres,² of which 1,000 are classed as tillable.³ Surveyed.⁴

Acres cultivated.—One thousand acres under cultivation by the Indians.³

Tribes and population.—Tribes living here are the La Pointe band of Chippewas of Lake Superior. Total population, 693.⁵

Location.—Situated on Lake Superior, and is watered by three rivers—the Bad, White, and Kakagon. It is heavily timbered, and the soil is very rich.⁶

Government rations.—Three per cent. of these Indians subsisted by Government rations as reported in 1886.⁷

Mills and Indian employés.—Not reported.

Indian police.—Not reported.

Indian court of offences.—Not reported.

School population, attendance, and support.—School population as estimated in 1886, 118.⁸ No Government school reported, but there are mission day schools of the Presbyterian and Roman Catholic Churches. Accommodation, attendance, etc., not reported.⁹

Missionary work.—Mission work under Presbyterian and Roman Catholic Churches.

For treaties, see Chippewa treaties—Michigan, Mackinac Agency.

*Bad River Reserve (Fishery).*¹⁰

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

October 26, 1857.

SIR: I inclose herewith a diagram of Madeline Island, as the same is laid down in plats of townships 50 and 51 north, range 2 west, fourth principal meridian, lately received at the General Land Office from the surveyor-general, in order that you may indicate thereon by legal subdivision the 200 acres of land reserved for the La Point band and other Indians on the northern extremity of Madeline Island for a fishing-ground, under the second clause of the treaty (second article) of September 30, 1854.

You will be particular to specify the quantity embraced in each legal subdivision selected, whether by lots or otherwise, to make up this quantity; and, also, to transmit a description of each tract to accompany the diagram. When so marked, you are requested to return the diagram and the required description to this office at as early a day as possible.

Very respectfully, your obedient servant,

J. W. DENVER,
Commissioner.

A. M. FITCH, Esq.,
Indian Agent, Detroit, Mich.

In respect to the above, I have the honor to report that I have visited Madeline Island and there held a council with the head chief of the La Point bands of Indians,

¹ United States Statutes, Vol. X, p. 1109. ² Report of Indian Commissioner, 1886, p. 391. ³ *Ibid.*, p. 436. ⁴ *Ibid.*, p. 391. ⁵ *Ibid.*, p. 408. ⁶ *Ibid.*, 1885, p. 208.
⁷ *Ibid.*, 1886, p. 424. ⁸ *Ibid.*, p. 255. ⁹ *Ibid.*, 1885, p. 208. ¹⁰ *Ibid.*, 1886, p. 377.

Chay-che-que-oh (Little Buffalo), who, in concert with others of his band, have selected the following-described land, to be used by them as a fishing-ground under the second clause of the second article of the treaty of the 30th September, 1854, reference being had to the diagrams accompanying the report and to the minutes of the proceedings in council as certified by me:

	Acres.
Lot No. 1, section 36, containing.....	1.28
Lot No. 1, section 35, containing.....	35.15
Lot No. 2, section 35, containing.....	42.48
Lot No. 3, section 35, containing.....	57.10
Lot No. 5, section 35, containing.....	52.68
Lot No. 1, section 26, containing.....	7.02
<hr/>	
Total.....	195.71

The diagram referred to in the letter of instructions I return herewith, and also one that I had made when the lots were selected.

I am, very respectfully, your obedient servant,

C. K. DREW,
United States Indian Agent.

Hon. W. J. CULLEN,
Superintendent of Indian Affairs, St. Paul, Minn.

OFFICE OF THE NORTHERN SUPERINTENDENCY,
St. Paul, August 16, 1859.

SIR: I herewith inclose the accompanying report of Agent Drew, upon the instructions of J. W. Denver, Commissioner of Indian Affairs, to Agent Fitch, dated October 26, 1857, in regard to the selection of the 200 acres reserved for the La Pointe bands for a fishing-ground on Madeline Island, together with a diagram and a schedule signed by the chiefs and headmen of the lots selected by them.

Respectfully, your obedient servant,

W. J. CULLEN,
Superintendent of Indian Affairs.

Hon. A. B. GREENWOOD,
Commissioner of Indian Affairs, Washington, D. C.

(Selections reported to General Land Office September 17, 1859.)

RED CLIFF RESERVATION.

How established.—By treaty of September 30, 1854,¹ and Executive order, February 21, 1856.² Lands withdrawn by General Land Office May 8 and June 3, 1863.

Area and survey.—Contains 13,993 acres;³ 300 acres classed as tillable.⁴ Surveyed.³

Acres cultivated.—Two hundred acres cultivated by the Indians in 1886.⁴

Tribes and population.—The tribes living here are the La Pointe band (Buffalo, chief) of Chippewas of Lake Superior. Total population, 337.⁵

¹ United States Statutes, Vol. X, p. 1109. ² Report of Superintendent Thompson, May 7, 1863. ³ Report of Indian Commissioner, 1836, p. 391. ⁴ *Ibid.*, p. 436
⁵ *Ibid.*, p. 408.

Location.—Situated upon the shores of Lake Superior, in Bayfield County. The lands of these Indians have been patented to them in severalty. The people support themselves by fishing and cultivating the soil.¹

There are no Government employés upon this reservation.¹

School population, attendance, and support.—School population estimated in 1886 at 68. A mission day school; attendance reported at 20.²

Missionary work.—The Roman Catholic Church has charge.

For treaties, see Chippewa treaties—Michigan, Mackinac Agency.

*Red Cliff Reserve.*³

GENERAL LAND OFFICE,
September 6, 1855.

SIR: Inclosed I have the honor to submit an abstract from the Acting Commissioner of Indian Affairs' letter of the 5th instant, requesting the withdrawal of certain lands for the Chippewa Indians in Wisconsin, under the treaty of September 30, 1854, referred by the Department to this office on the 5th instant, with orders to take immediate steps for the withdrawal of the lands from sale.

In obedience to the above order, I herewith inclose a map, marked A, showing by the blue shades thereon the townships and parts of townships desiring to be reserved, no portion of which are yet in market, to wit: Township 51 north, of range 3 west, fourth principal meridian, Wisconsin; north-east quarter of township 51 north, of range 4 west, fourth principal meridian, Wisconsin; township 52 north, of ranges 3 and 4 west, fourth principal meridian, Wisconsin. For the preservation of which, until the contemplated selections under the sixth clause of the Chippewa treaty of 30th September, 1854, can be made, I respectfully recommend that the order of the President may be obtained.

The requisite reports on the subject of the new surveys, and respecting pre-emption claims, referred to in the same order, will be prepared and communicated at an early day.

I am, respectfully, your obedient servant,

THOMAS A. HENDRICKS,
Commissioner.

Hon. R. McCLELLAND,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
February 20, 1856.

This plat represents by the blue shade certain land to be withdrawn with a view to a reservation under Chippewa treaty of 30th September, 1854, and as more particularly described in Commissioner of the General Land Office's letter of 6th September, 1855. The subject was referred to the President for his sanction of the recommendation made in Secretary's letter of 8th September, 1855, and the original papers can not now be found. This plat is a duplicate of the original received in letter of Commissioner of the General Land Office of this date, and is recommended to the President for his sanction of the withdrawal desired.

R. McCLELLAND,
Secretary.

FEBRUARY 21, 1856.

Let the withdrawal be made as recommended.

FRANKLIN PIERCE.

¹ Report of Indian Commissioner, 1885, p. 209.

² *Ibid.*, 1886, p. 257.

³ *Ibid.*,

1886, p. 378.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

September 3, 1858.

SIR: My attention has just been called to the subject of your communication of the 31st of May last, together with the papers inclosed therewith, pertaining to the selection of the four sections of land reserved for that subdivision of the La Pointe band of which Buffalo was chief, under the sixth clause of the second article of the Chippewa treaty of September 30, 1854.

This matter formed the subject of a communication from this office to the Secretary of the Interior on the 5th of September, 1855, a copy of which is herewith inclosed, in which it was recommended that the necessary means should be taken to cause township 51 north, range 3 west, the north-east quarter of township 51 north, range 4 west, and township 52 north, range 3 and 4 west, to be reserved from sale until the selections were made, under the provisions of the aforesaid treaty, for the bands of Indians of which Buffalo was then chief.

Agreeably to the suggestions of this Bureau, your office was directed by the Secretary of the Interior, some time in the month of September, 1855, to adopt appropriate steps to have said tracts reserved from pre-emption and sale until the selections for the Indians had been made.

I find by an examination of a letter from Col. G. W. Manypenny, dated at La Pointe, Wis., August 24, 1855, that he (by mistake) designated the north-east quarter of township 51 north, of range 4 west, to be withheld from sale; whereas it should have been the south-east quarter of the same township and range; and I have now to request that you will direct the register and receiver of the proper local land office to withhold from pre-emption or sale sections 25 and 36 in the south-east quarter of the aforesaid township, the same being a portion of the lands selected by the chief Ge-gi-qui-on, and that said sections should be respected upon the records of their office.

In view of these facts, I am of the opinion that no pre-emption claims presented subsequent to the selection of the land for Indian purposes in 1855 should be admitted to the prejudice of the rights of the Indians under the treaty.

The treaty evidently contemplated the selection of the land on or near the lake shore, and therefore it is not deemed requisite that the location should embrace four full sections, as such a construction, in view of the meanders of the lake, would prevent the location at that point; and as the legal subdivisions selected by Ge-gi-qui-on are in as compact a form as practicable, although the aggregate exceeds by 32.61 acres the area of four full sections of one square mile each, yet as the selections conform to the requirements of the treaty as nearly as possible, I hereby approve the location of the following tracts, and have to request that the same may be respected upon the books of your office, and that the proper local land office be notified of the same, to wit:

In T. 51, R. 3 west of the fourth meridian:

	Acres.
Lot No. 3 in the north-west fractional quarter of section 20, containing...	55.35
Lot No. 4 in the south-west fractional quarter of section 20, containing...	56.70
Lot No. 5 in the south-west fractional quarter of section 20, containing...	60.72
Lot No. 1 in the north-west fractional quarter of section 29, containing...	54.38
Lot No. 2 in the north-west fractional quarter of section 29, containing...	39.43
Lot No. 3 in the south-west fractional quarter of section 29, containing...	22.88
Lot No. 1 in the south-east fractional quarter of section 30, containing...	37.62
The north-east quarter of the south-east fractional quarter of section 30, containing	40.00
The west half of the south-east fractional quarter of section 30, containing.	80.00
The north-east quarter of section 30, containing	160.00
The west half of section 30, containing	320.00

Lot No. 1 in the north-east fractional quarter of section 31, containing....	37.70
Lot No. 2 in the north-east fractional quarter north-west fractional quarter of section 31, containing	61.58
The north-east quarter of the north-west quarter of section 31, containing..	40.00
The west half of the northwest quarter of section 31, containing.....	80.00
Lot No. 3 in the south-west fractional quarter of section 31, containing ..	42.15
Lot No. 4 in the south-west fractional quarter of section 31, containing...	44.10
The west half of the south-west fractional quarter of section 31, containing	80.00

In T. 51, R. 4 west of the fourth meridian :

The whole of section 25, containing	640.00
The whole of section 36, containing	640.00

Total 2,592.61

Very respectfully, your obedient servant,

CHARLES E. MIX,
Commissioner.

JOSEPH S. WILSON, Esq.,
Acting Commissioner of the General Land Office.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
May 25, 1863.

SIR: I herewith transmit a plat showing a proposed enlargement of the Red Cliff Indian Reservation, in Wisconsin, it being that portion bounded by Lake Superior and the yellow lines upon the plat, and would respectfully ask that you cause the lands embraced therein to be withheld from sale until definite action can be had upon the proposed enlargement.

Very respectfully, your obedient servant,

W. P. DOLE,
Commissioner.

Hon. JOSEPH S. WILSON,
Acting Commissioner of the General Land Office.

NOTE.—By letter of the General Land Office, dated May 27, 1863, to the local land officers at Bayfield, Wis., said officers were instructed to “withhold from sale or location until further orders all the lands in townships 51 and 52, 3 west, sections 2 and 6, in township 51, 4 west, and township 52, 4 west, sections 1, 2, 3, and 4, township 51, 5 west, and township 52, 5 west.”

Subsequently, by letter of September 11, 1863, the General Land Office advised said local officers at Bayfield, Wis., that the islands in the above-named sections and townships were excluded from the operations of said order of withdrawal.

The plats in the General Land Office show the following lots and parcels of land to have been withheld from sale in consequence of said order :

Sections 6, 7, 8, 16, 17, 18, 19, 20, 21, 29, 30, and 31, township 51, range 3 west.

Lot 1, section 31, township 52, range 3 west.

Sections 1, 2, and 6, township 51, range 4 west.

Lot 1, section 21, lot 1, section 22, and sections 26, 27, 28, 31, 32, 33, 34, 35, and 36, township 52, range 4 west.

Sections 1, 2, 3, and 4, township 51, range 5 west.

Sections 34, 35, and 36, township 52, range 5 west.

WYOMING.

Organized as a Territory July 25, 1868.¹

No changes have been made with the Indians residing here, except to limit their roving over the country, and to place other Indians from the east, west, and south upon reservation, and prevent their war and hunting parties traversing this region.

There is one reservation, containing an aggregate area of 2,342,400 acres. Total Indian population, 1,816.

There is one agency, the Shoshone Agency, having in charge the Wind River Reservation.

SHOSHONE AGENCY.

[Post-office address : Shoshone Agency, Fremont County, Wyoming.]

WIND RIVER RESERVATION.

How established.—By treaty of July 3, 1868,² and acts of Congress approved June 22, 1874,³ and December 15, 1874.⁴

Area and survey.—Contains 2,342,400 acres. Partly surveyed.⁵

Acres cultivated.—The Indians have 114 acres under cultivation.⁶

Tribes.—The tribes living here are the Northern Arapaho and Eastern band of Shoshone. Total population, 1,816.⁷

Location.—The reservation lies between latitude 43° and 44° north, and longitude 108° and 109° west. A considerable portion is mountainous and well timbered. The Wind River valleys are level and from one-half to 5 miles wide; irrigation can here be easily applied. The principal obstacles to successful farming are the short season, owing to both late and early frosts, and the ravages of the locusts. Portions of the reservation are well adapted to grazing.⁸ The agency is located on Trout Creek, within 10 miles of the southern line of the reservation.⁹

Government rations.—Fifty per cent. of these Indians subsisted by Government rations in 1886.¹⁰

Mills and Indian employés.—Mill erected in 1872. No Indian employés reported.

Indian police.—Established in 1878.¹¹

Indian court of offences.—None. Supplemented by council.¹²

*School population, attendance, and support.*¹³

School population, as estimated in 1886.....	391
Boarding school:	
Accommodation.....	80
Average attendance.....	86
Session (months).....	10
Cost.....	\$13,042.10

¹ United States Statutes at Large, Vol. XV, p. 178. ² *Ibid.*, p. 673. ³ *Ibid.*, Vol. XVIII, p. 166. ⁴ *Ibid.*, p. 291. ⁵ Report of Indian Commissioner, 1884, p. 264.

⁶ *Ibid.*, 1886, p. 436. ⁷ *Ibid.*, 1883, p. 300. ⁸ *Ibid.*, 1878, p. 148. ⁹ *Ibid.*, p. 150.

¹⁰ *Ibid.*, 1886, p. 424. ¹¹ *Ibid.*, 1878, p. 152. ¹² *Ibid.*, 1886, p. 260. ¹³ *Ibid.*,

Missionary work.—The Protestant Episcopal and Roman Catholic Churches have missions among these Indians.¹

SYNOPSIS OF TREATIES.

Treaty between the United States and the Eastern band of Shoshonee Indians, made at Fort Bridger, Utah, July 2, 1863.

The Shoshonees agree to a perpetual peace. (Art. 1.) Routes of travel through the Shoshonee country shall be and remain forever free and safe. Military posts and settlements may be established along said routes, ferries maintained, houses erected, and settlements formed at such points as may be necessary for the convenience of travel. Any Indians committing depredations shall be delivered up to the United States authorities. (Art. 2.) Telegraph and overland stage lines shall be conducted without molestation or injury. The railroad to the Pacific, or its branches may be located, constructed, and operated without molestation through the Shoshonee country. (Art. 3.)

The following is the boundary of the Shoshonee country: "On the north by the mountains on the north side of the valley of the Shoshonee, or Snake, River; on the east by the Wind River Mountains, Peenapah River, the north fork of Platte, or Koochinagah, and the north park or Buffalo House; and on the south by Yampah River and the Uintah Mountains. The western boundary is left undefined, there being no Shoshonees from that district of country present; but the bands now present claim that their own country is bounded on the west by Salt Lake." (Art. 4.)

In consequence of the destruction and driving away of game along the routes of travel and settlements, the United States agrees to pay to the Shoshonees annually for twenty years, \$10,000 in such articles as the President shall deem proper. (Art. 5.)

"Nothing herein contained shall be construed or taken to admit any other or greater title or interest in the lands embraced within territories described in said treaty in said tribes or bands of Indians than existed in them upon the acquisition of said territories from Mexico by the laws thereof." (Amendment to Art. 5.)

Sum of \$6,000 in presents acknowledged to have been received at the conclusion of this treaty. (Art. 6.)

Amended March 7, 1864; ratified June 7, 1869.²

Treaty between the United States and the North-western bands of Shoshonee Indians, made at Box Elder, Utah Territory, July 30, 1863.

Peace and friendship re-established. (Art. 1.)

The Indians agree to the treaty concluded on July 2, 1863, and give their full assent to all its provisions. (Art. 2.)

The United States is to increase their annuity by \$5,000 to be paid in the manner provided for in the treaty, and the bands acknowledge the receipt of \$2,000 in presents. (Art. 3.)

The country claimed by the North-western Shoshonee Indians is bounded on the west by Raft River and on the Porte-neuf Mountains. (Art. 4.)

Amended in the same manner as Art. 5 in the treaty of July 2, 1863, with the Eastern Shoshonees.

Proclaimed January 17, 1865.³

Treaty between the United States and the Eastern Shoshonee and Bannack Indians, made at Fort Bridger, Utah Territory, July 3, 1868.

Indians agree to a continued peace. Cases of wrong or injury committed towards the Indians the United States agrees, upon suitable proof, to punish the offender and

¹ Report of Indian Commissioner, 1886, p. 261. ² United States Statutes at Large, Vol. XVIII, p. 685. ³ *Ibid.*; Vol. XIII, p. 663.

reimburse the injured person. Indians to deliver up all offenders to Government authority for punishment. (Art. 1.)

For the Bannaeks the President shall select a suitable reservation in their present country which shall embrace reasonable portions of the Port Neuf and "Kausas Prairie" countries, and they shall have the same rights and privileges and same expenditures in proportion to numbers, excepting agency house and residence, as provided for Shoshones. The following reservation set apart for the Shoshones: Commencing at the mouth of Owl Creek and running due south to the crest of the divide between the Sweetwater and Papoagie Rivers; thence along the crest of said divide and the summit of Wind River Mountains to the longitude of North Fork of Wind River; thence due north to mouth of said North Fork and up its channel to a point 20 miles above its mouth; thence in a straight line to headwaters of Owl Creek and along middle of channel of Owl Creek to place of beginning. Other Indians may be admitted if Shoshones are willing, and Government agrees that no persons except Government officers shall be permitted to pass over or settle upon said territory, and relinquishes all claim or title to said lands. (Art. 2.) United States agrees to construct agency buildings, shops, mill, and school-house. (Art. 3.) Indians agree to make the reservation their permanent home. (Art. 4.)

Agent to reside on reservation. Evidence in deprecation cases to be taken in writing and transmitted to the Indian Commissioner, whose decision shall be binding. (Art. 5.)

An Indian head of a family desiring to farm may choose within the reservation not more than 320 acres, which selection shall be recorded, and land shall belong to him and his heirs forever. Any person over eighteen years old, not the head of a family, may select 80 acres, which shall be recorded, and remain in his exclusive possession. President may order a survey and Congress to fix title. (Art. 6.)

Indians are to compel their children of both sexes between the ages of six and sixteen to attend school, and the Government agrees that for every thirty children between said ages, a school-house and teacher shall be provided. This provision to run twenty years. (Art. 7.)

After the head of a family shall have selected land he shall be entitled to \$100 worth of seeds and implements for the first year, and for the next three years succeeding, which he shall continue to farm, \$25 per year. All persons to receive instruction, and when one hundred persons have begun to farm, a second blacksmith shall be provided, together with iron, steel, etc. (Art. 8.)

In lieu of all other moneys or annuities provided for under any or all treaties hitherto made, the United States agrees, on the 1st of September of each year, for thirty years, to furnish to each man, woman, and child clothes as herein described in accordance with the census taken by the agent each year. Also \$10 to each roaming Indian, and \$20 to each Indian engaged in agriculture, to be expended as the Secretary of the Interior may deem proper for a term of ten years. Congress may by law permit money used for clothing to be expended for other purposes. President to detail an army officer to be present at delivery of goods. (Art. 9.) United States to furnish teacher, physician, and employés. (Art. 10.)

To the validity of any treaty ceding lands the consent of a majority of adult males shall be necessary. No cession by the tribe shall deprive any individual member, without his consent, of the tract of land selected by him. (Art. 11.) For three years a prize of \$50 shall be expended for the benefit of ten persons growing the best crops each year. (Art. 12.) Until agency established agent to reside at Fort Bridger. (Art. 13.)

Treaty ratified in 1869.

By act of June 1, 1882, the President was authorized to negotiate with the Shoshone and Bannock tribes for the relinquishment of a portion of their reservation.²

¹ United States Statutes at Large, Vol. XV, p. 673. ² *Ibid.*, Vol. XVII, p. 214.

*Agreement with Eastern Band of Shoshones, made at Shoshone and Bannock Agency September 26, 1872.*¹

Whereas previous to and since the treaty of July 3, 1868, mines have been discovered and citizens of the United States have made improvements within the limits of the reservation set apart by act, and it is deemed advisable for the settlement of all difficulties between the parties arising in consequence of said occupancy to change the southern limit of said reservation.

The Indians cede the land lying south of a line beginning at a point on the eastern boundary of the Shoshone and Bannock Reservation due east of the mouth of the Little Popoagie at its junction with the Popoagie, and running from said point west to the mouth of the Little Popoagie; thence up the Popoagie to the North Fork, and up the North Fork to the mouth of the cañon; thence west to the western boundary of the reservation. (Art. 1.)

United States to pay \$25,000, to be expended by the President as follows on or before August 10 each year for five years: \$5,000 worth of stock cattle; \$500 for five years as salary to Chief Wash-a-kie. (Art. 2.)

Southern line of reservation to be surveyed by United States. Until then no white person to intrude on ceded country. (Art. 3.) Treaty binding when ratified.

By act of Congress, June 22, 1874, the agreement of September 26, 1872, ratified and the money appropriated to purchase stock and pay the salary of chief, as agreed.²

By act of December 15, 1874, the agreement of September 26, 1872, confirmed by special act. The cattle to be furnished under this agreement "shall be good, young American cattle suitable for breeding purposes."³

The Northern Cheyennes and Northern Arapahoes entered into a treaty at Fort Laramie, Dakota, May 10, 1868. The tribes agree to peace. Offenders to be delivered over to the United States for punishment, the Government to reimburse the injured person on the event of refusing to deliver the offender, the reimbursement to be made from the moneys due the tribe. (Art. 1.)

The two tribes relinquished all rights, claim, and interest to all territory outside that set apart as a reservation for the Southern Cheyenne and Arapahoe Indians by treaty of October, 1867, or some portion of the country and reservation set apart and designated as a permanent home for the Broulé and other bands of Sioux by treaty of 1868, except the right to roam and hunt while game shall be in sufficient quantities to justify the chase. The tribes agree not to build any permanent houses outside of said reservation, and that within one year they will attach themselves permanently to the agency provided near the mouth of Medicine Lodge Creek, or to the agency near Fort Randall, Missouri River, or to the Crow Agency. (Art. 2.)

A head of a family desiring to begin farming shall be allotted not more than 320 acres; single persons over eighteen years, not exceeding 80 acres. President may order a survey of the reservation, and Congress shall provide for protecting the rights of settlers in their improvements and fix the character of the title held. United States to pass such laws concerning property and government of Indians as may be thought proper. (Art. 3.) The United States agrees to provide a school-house and teacher for every thirty children who will attend school, the Indian agent to compel all children between six and sixteen years to attend school. This provision to continue for twenty years. (Art. 4.) When the head of a family shall have selected lands and the agent shall be satisfied that the Indian intends in good faith to cultivate the soil for a living, he shall receive seeds and agricultural implements for the first year in value \$100, and for three succeeding years in value of \$25 per annum. When more than one hundred persons shall enter upon cultivation of the soil a second blacksmith and material shall be provided. (Art. 5.) In lieu of all money payments hitherto provided by treaties, each man, woman, and child to receive clothes, as herein described, for thirty years,

¹ Report of Indian Commissioner, 1872, p. 127. ² United States Statutes, Vol. XVIII, p. 166. ³ *Ibid.*, p. 291.

\$10 to each roaming Indian, and \$20 to each engaged in agriculture, for ten years, the sum to be expended by the Secretary of the Interior, for such articles as deemed needful. All Indians who shall move on the reservation and are unable to subsist themselves, the United States shall issue to them for four years 1 pound of meat, 1 pound of flour per diem; and to each family coming on the reservation and beginning to farm, one cow and one pair of oxen. (Art. 6.) A physician, carpenter, miller, engineer, farmer, and blacksmith shall be provided. (Art. 7.) No cession of any portion of the reservation herein described will be valid unless executed and signed by all adult male Indians occupying or interested in the same, and no individual member shall be deprived, without his consent, of the land selected by him, as herein provided for. (Art. 8.) Five hundred dollars shall be expended annually for five years in presents to be given to the ten best farmers. (Art. 9.)

Proclaimed August 25, 1868.¹

¹ United States Statutes at Large, Vol. XV, p. 655.

CHAPTER XXII.

MISSIONARY WORK DURING THE NINETEENTH CENTURY.

The following is but a brief and imperfect summary of a great and important work.¹ To fully set forth all that has been undertaken and accomplished for the Indians by the various religious bodies during the present century would require a volume in itself. The facts given below are taken from letters furnished by the secretaries of the boards connected with the different churches and their published reports. The difficulty of obtaining details and condensed statistics will be readily appreciated, as these require time and laborious research among the archives of the societies, and this additional labor was impossible in the midst of the pressing duties of the hour. The missionary labors among the Indians have been as largely educational as strictly pertaining to the church work. It should be borne in mind that until within a score or so of years all Government aid to Indian education passed through the hands of the various missionaries. To these workers, many of whom represent more than one generation, the children succeeding the fathers in the labor of humanity, the Indians owe much of their present ameliorated condition. The Christian sentiment of the country has now all that has been gained in the slow process of uplifting a race.

AMERICAN BOARD OF COMMISSIONERS FOR FOREIGN MISSIONS.

This board, the oldest missionary society in the United States, was organized June 29, 1810, at Bradford, Mass. The first annual meeting was held at Farmington, Conn., on the 5th of September, in the same year, at which five persons were present. The receipts for the first year were \$999.52.

From these small beginnings the board has increased till its annual receipts have risen in some years to over \$500,000. It has had under its care 48 different missions, with which have been connected over 1,600 missionaries, of whom 512 have gone to the North American Indians. The board was originated by the Congregational Church, but soon became the organ of the Presbyterian and Reformed Dutch Churches, who shared in its management.

In 1837, upon the division of the Presbyterian Church, the Old School branch formed a separate organization for missionary labor. The Re-

¹ The churches omitted could not be heard from, although application was made by letter for a statement of their work.

formed Dutch withdrew, to act through a separate board, in 1857. From this time the board represented mainly the Congregational and New School Presbyterian Churches of the United States until 1870, when, upon the union of the two branches of the Presbyterian Church the New School Churches withdrew, leaving the board to the Congregational Church having in charge foreign missions.

The following missions among the Indians, which were founded under the auspices of this board, have been closed or transferred to other societies:

To the *Cherokees* (1816-60), 113 missionaries. In 1860, 12 churches and 248 members.

To the *Choctaws* (1818-59), 153 missionaries. In 1859, 12 churches and 1,362 members.

To the *Osages* (1826-37), 26 missionaries, 2 churches of 48 members. Large schools of 354 scholars.

To the *Maumees* (1826-35), 6 missionaries. A church of 35 members.

To the *Mackinaws* (1826-36), 17 missionaries. A church of 35 members.

To the *Chickasaws* (1827-35), 10 missionaries. A church of 100 members and school of 300 pupils.

To the *Stockbridges* (1828-48), 8 missionaries. A church of 50 members.

To the *Creeks* (1832-37), 6 missionaries and 80 church members.

To the *Pawnees* (1834-44), 10 missionaries.

To the *Oregons* (1835-47), 13 missionaries. Broken up by the massacre of 1847.

To the *Senecas* (1826-70), 47 missionaries and 600 church members transferred to the Presbyterian Board in 1870.

To the *Tuscaroras* (1826-60), 10 missionaries.

To the *Ojibways* (1831-70), 28 missionaries. Transferred to Presbyterian Board in 1870.

To the *Dakotas* (1835-70), 40 missionaries and 1,000 church members. Transferred in part to Presbyterian Board in 1870.

To the *Abenakis* (1835-56), 1 Indian missionary and 75 church members.

Summary of Indian missions.

Twelve missions closed; 2½ in part transferred; 498 missionaries; 45 churches; 3,700 members. The whole number of Indians reached by these missions was not far from 100,000.

In 1873 the Choctaw mission resumed. Missionaries, 2; churches, 3; members, 123.¹

¹ Brief sketch and statistics of the American Board of Commissioners for Foreign Missions, 1876.

AMERICAN MISSIONARY ASSOCIATION (CONGREGATIONAL).

This association was formed in September, 1846, by the consolidation of the Union Missionary Society, the West India Missionary Committee, and the Western Evangelical Missionary Society. The principal mission work among the Indians was at Red Lake and Leech Lake, established in 1843. The Chippewa bands have had the care of this association from that time until the present day.

Upon the inauguration of President Grant's peace policy in 1869, the Green Bay and La Pointe Agencies in Wisconsin, the Sisseton and Fort Berthold Agencies in Dakota, and S'Kokomish Agency in Washington Territory were assigned to this association.

The aggregate amount expended by this society for missions among the Indians, from the year 1847 to 1875, was \$64,959.56.

In 1877 the church at Red Lake was transferred to the Protestant Episcopal Church. At the other agencies the association had 3 missionaries, 2 churches, 37 church members, 7 teachers, 5 schools, and 287 pupils.

In 1879 the association contributed \$1,500 toward the Indian department recently established at the Hampton Institute, Hampton, Va., and has been interested there ever since.

In 1880 the church at S'Kokomish numbered 36 members. These Christian Indians contributed for benevolent purposes \$265.62, and for their pastor's support and the Sunday-school \$230.25, making a total of \$495.77.

In 1882 a boarding-school was opened at Leech Lake, and the mission at Spokane Falls, Washington Territory, assisted.

In 1883 the Indian missions formerly under the American Board of Foreign Missions were transferred to the American Missionary Association. This threw upon the society the work at Fort Berthold, at Fort Sully with its out-stations, and the normal school at Santee Agency. The school work at Sisseton Agency was soon transferred to the Presbyterian body under whose care the church work had been conducted. Thus there passed directly to the association 5 stations, and the work at Devil's Lake, 4 ordained missionaries, 21 assistant missionaries, 2 churches, 3 native preachers, 5 native teachers, and 194 church members.

The Normal Training School at Santee, under the management of Mr. Alfred L. Riggs, has recently been enlarged. At this school industries are taught, technical training given, and teachers prepared. The school is the centre of a wide influence and work. In 1886 there were 210 pupils, 20 of them students in theology. The report of the association for 1886 gives as under its charge 5 churches, 348 church members, 15 schools, 685 pupils, 56 missionaries and teachers, and an expenditure of about \$40,000.¹

¹Statement given by Rev. Dr. Strieby, and the Fortieth Annual Report of the American Missionary Association, 1886.

AMERICAN UNITARIAN ASSOCIATION.

The Ouray Agency was assigned to this denomination during the peace policy of President Grant.

The mission work of this association was entered upon January 1, 1886. Rev. Henry F. Bond, who had been agent of the Ouray Utes in 1874, accepted the appointment of the association to take charge of the proposed school among the Utes. He, with his wife, left Boston April 9, 1886. Finding it impossible to begin a school among these Indians, they proceeded at once to the Crow Reservation, in Montana, where a more hopeful state of affairs was found. A site was chosen on Big Horn River, and 202 acres assigned to the school. A substantial building has been erected, and the school opened with promises of success. The expenses of maintaining the school, above the contract with the Government, will be about \$5,000 per annum.

BAPTIST CHURCH MISSIONS.

The Baptist Church began its work for the Indians by establishing in 1807 a mission among the Tuscaroras and other tribes in north-western New York. In 1818 a missionary was sent to the Indians of Indiana and Michigan and to the Cherokees in North Carolina. The Hamilton (N. Y.) Baptist Missionary Society sent delegates in 1819 to inquire into the needs of the Oneida and Stockbridge Indians. A mission was established at Fort Wayne in 1820, and a school was maintained for over two years. Then the mission was permanently located on the St. Joseph's River, in Michigan, 25 miles from its mouth, where a school was begun and buildings erected in 1822.

A mission was supported among the Creeks from 1823 until 1839; from 1824 to 1850 among the Oneida, Tuscarora, and Tonawanda Indians of New York; from 1826 to 1844 among the Choctaws; from 1828 to 1857 among the Chippewas at Sault Ste. Marie, Michigan; from 1833 to 1843 among the Otoes and Omahas; and from 1833 to 1864 among the Delawares and Stockbridges.

The missions of this church were almost obliterated by the hostilities of the border contests during the Civil War, but after the war missionaries resumed their labors. The Home Mission Society sent its first missionary in 1865. Others followed until in 1877 there were thirteen in the field.

The Union Agency, comprising the five civilized tribes of the Indian Territory and the Nevada Agency, Nevada, were assigned to this denomination under the peace policy of 1869. The Report of 1882 states that nine native and three other missionaries engaged in Indian mission work, a church membership of 896, and a Sunday-school attendance of 1,148.

The Baptist denomination has aided Indian education by establishing not only day schools, but also boarding and manual labor schools. These

include the Levering Mission School at Wetumka, and the Indian University at Tahlequah, Indian Territory. The number of pupils at the university in 1882-83 was 95, of whom 75 were Cherokees.¹

In 1885 this church had among the Indians fourteen missionaries, and expended \$3,010.42.²

EPISCOPAL CHURCH MISSIONS.

Schoolcraft, in his History of the Indian Tribes in the United States, gives 1815 as the date of the organization of Protestant Episcopal missions among the Indians. This mission was among the Oneidas of New York. In 1825 a mission was established at Green Bay, Wis., for the Menomonees, and later, among the Oneidas at Duck Creek, Wis., the Ojibwas in Minnesota, and the Indians in Michigan.

The following agencies were assigned in 1869 to this denomination: White Earth, in Minnesota; Crow Creek, Lower Brulé, Cheyenne River, Yankton, Rose Bud, and Pine Ridge, in Dakota Territory; Shoshone, in Wyoming.

The annual report for 1886 of the Foreign and Domestic Missionary Society of this church contains the following statement:

Twelve Indian clergymen and more than 1,000 communicants. There is no report of the important work at the White Earth Reservation, in charge of the Rev. J. A. Gilfilian, under Bishop Whipple. The mission to the Oneidas, under Bishop Brown, that at the Shoshone Agency in Wyoming, that in the Indian Territory, and that in Washington Territory ought each to be reported as being conducted under appropriations from the Board. Bishop Hare's painstaking report of his large work in the Niobrara deanery must suffice for an account of Indian missions.

Bishop Hare, in his report for 1885-86, gives an account of the work in the Niobrara deanery, which includes all the Indian reservations within the jurisdiction of South Dakota. The growth of this mission will appear when it is remembered that in 1872 none of the missions had any existence except those under the Santee and Yankton missions.

There are now (1886) four churches in the Santee mission, four in the Yankton mission, three in the Yanktonnai mission, three in the Lower Brulé mission, six in the Cheyenne River mission, ten in the Rosebud mission, one in Standing Rock mission, seven in the Ogalala mission, four in the Sisseton mission; there are also four boarding-schools in successful operation. At St. Paul's boarding school (boys), Yankton Reserve, the average attendance is 36; at St. Mary's (boys and girls), Rosebud Reserve, 35; at St. John's (girls), Cheyenne River Reserve, 30; at the Hope School (girls and boys), Springfield, Dak., 30. There are in the vast and once desolate region twenty-five churches and chapels and eighteen mission residences. All this has been done without Government aid. Thirty-six congregations have been gathered; seven faithful Indians are serving in the ministry; the offerings of the native Christians amount to about \$2,000 per annum.

¹ From Report of Baptist Home Missions, and Catalogue of Tahlequah University, p. 21. ² Fifty-third Annual Report of A. B. H. M. Society.

All of these churches and chapels are *free from debt or encumbrance of any kind*, except one of the Santee chapels.¹

FRIENDS (HICKSITE).

The missionary labors of the Society of Friends among the Indians, through commissioned officers of the United States, were founded upon the invitation contained in the following letter addressed to the secretary of Friends' committee on Indian affairs and read at its meeting in the spring of 1869 :

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, D. C., February 15, 1869.

SIR: General Grant, the President elect, desirous of inaugurating some policy to protect the Indians in their just rights and enforce integrity in the administration of their affairs, as well as to improve their general condition, and appreciating fully the friendship and interest which your society has ever maintained in their behalf, directs me to request that you will send him a list of names, members of your society, whom your society will indorse as suitable persons for Indian agents.

Also, to assure you that any attempt which may or can be made by your society for the improvement, education, and Christianization of the Indians under such agencies will receive from him, as President, all the encouragement and protection which the laws of the United States will warrant him in giving.

Very respectfully, your obedient servant,

E. S. PARKER,
Brev. Brig. Gen., U. S. A. and A. D. C.

BENJAMIN HALLOWELL,
Sandy Spring, Md.

After due deliberation and consultation Friends concluded to accept the important trust, and in a circular addressed to members of the Society the qualifications desired and needed in Indian agents were thus described :

First. A prayerful heart and a firm trust in the power and wisdom of God, and not in man or military force, for guidance and protection.

Second. Industry, economy, firmness, vigilance, mildness, and practical kindness and love.

Third. A knowledge of farming and gardening, ability to superintend the construction of buildings, and see that schools are properly conducted.

Fourth. Tact in managing or influencing persons, so as gradually to induce the Indians of his agency voluntarily to join in the various employments of farming and gardening and in mechanical operations.

Fifth. And high in the scale of qualifications, to be possessed of strict integrity, and to be perfectly reliable in financial matters, and know how to employ with economy and to the best advantage the funds entrusted to him by the Government for the use of the agency.

The Northern Superintendency was assigned to Friends, comprising six agencies in the State of Nebraska, namely : The Santee Sioux, the Winnebago, the Omaha, the Pawnee, the Otoe, and the Great Nemaha ; the latter agency comprised the Iowa and Sac and Fox of Missouri tribes.

¹ From the report of Bishop Hare, 1886.

Friends nominated a superintendent and six agents, who were promptly appointed by the President and confirmed by the United States Senate. They proceeded to their several fields of labor in the spring and summer of 1869. The superintendent's home and office were in the city of Omaha. Each agent was required to reside upon the tribal reservation over which he had charge.

The first visiting committee of Friends went to all of the agencies in the summer of 1869, and reported the condition of the Indians.

The following measures were adopted by Friends to promote civilization:

(1) Care to recommend for appointment in all grades of agency service such persons only as seemed to be properly qualified for the position and whose moral influence would promote the growth of virtue, giving preference to married persons who were willing to remove their families to the reservations; each agency employé was appointed for practical missionary work, and expected to be a missionary for good, in precept and example.

(2) The establishment of schools and improvement of those already existing, with the intent of placing as soon as possible all children of suitable ages in schools taught by Christian teachers. Sabbath schools were held at all the agencies in which Scripture lessons, blended with religious instruction, were given to the children and such of the adults as were willing to attend.

(3) The allotment of lands in severalty to members of the tribes willing to accept them, and urging the passage by Congress of such statute laws as would secure title in homestead farms to heads of families and educated Indians.

(4) The instruction of Indians in agriculture, raising and care of domesticated animals, in mechanical employments, and household pursuits.

(5) The distribution of agricultural implements, live-stock, and seeds.

(6) The building of dwelling-houses and planting of fruit trees on their allotments of land.

(7) The employment of matrons to instruct the Indian women in household duties and care of the sick.

(8) The use of all proper means at command to speedily advance the condition of the Indians under their care to the status of Christian, educated, self-supporting American citizens, living in comfortable houses on lands held by them in fee-simple.

The office of superintendent in the Northern Superintendency was closed sixth month 30, 1876, under an act of Congress. Friends have since withdrawn from their Government services at Indian agencies, as follows: the Pawnee, 1878; the Omaha and Winnebago (consolidated), 1880; the Otoe, 1880; the Great Nehama, 1882; and the Santee Sioux, 1885.

The Society has returned to the Government, upon retirement from its official service in the care and management of Indians, four tribes, namely, the Santee Sioux, the Winnebago, the Omaha, and the Iowa, in such a status of civilization, education, and self-support as qualified them for the duties and responsibilities of American citizenship.

FRIENDS (ORTHODOX).

Systematic labors did not begin until 1795, when a standing committee was appointed by the Yearly Meeting of Friends of Philadelphia. The

committee entered upon its duties and has continued to the present time to labor for the civilization and education of the Indians.

As soon as the formation of the committee became known, contributions were received from Friends residing in England and America. Measures were taken to ascertain the condition of different tribes. From information received it became evident that gifts of tools and seeds would be of little benefit to the Indians, "for the want of instruction in their use from some skilled hands, who should reside among them."

Efforts were promptly made to obtain such persons, and the consent of the United States Government for their residing among the Indians applied for and cheerfully granted; and Timothy Pickering, then Secretary of State, addressed a letter of introduction to the natives in which he says:

Brothers! I have the great pleasure to inform you that your good friends, the Quakers, have formed a wise plan to show your young men and boys the most useful practices of the white people. They will choose some prudent good men to instruct them. These good men will do this only from the love they bear to you, their fellow-men and children of the Great Spirit, whom they desire to please, and who will be pleased with the good they do to you.

The Quakers and the good men they employ will ask nothing from you; neither land, nor money, nor skins, nor furs, for all the good they will render you. They will request only your consent and the attention of the young men and boys to learn what will be so useful.

Brothers! If this attempt succeed, the way will be open in which your young people may learn other useful practices of the white people, so as to enable them to supply all their own wants, and such as choose it may learn to read and write.

Having thus explained to you the plan of your friends, the Quakers, I conclude with heartily recommending it to your adoption, as better calculated to procure lasting and essential benefits to your nation than any plan ever before attempted.

In 1796 three young men from the Philadelphia Yearly Meeting began work among the Stockbridge and Oneida Indians. The work was transferred to the New York Yearly Meeting three years later.

In 1798 three young Friends went to Cornplanter's Reservation and began farming, the Indians gradually following the example of industry set them. "Believing it not best to occupy the land of the Indians," a tract was purchased near the Allegheny Reservation, a mill erected, and a school established, which continues to the present time.

The following account of work among the Shawnees was written by Esther Pugh:

Less than twenty years from the close of the Revolutionary War a deputation of Friends from Baltimore visited the Ohio settlements of Indians to investigate their situation and institute measures for their benefit. In 1806 Friends of England sent above £11,000 for the use of Friends in this country in their missionary efforts among the aborigines. I have not been able to learn just how it was that the Shawnee tribe was the one selected as the object of special attention. They had been as far back as 1676 a singularly restless tribe, even among the nomads of America. They had wandered from Georgia into Pennsylvania and taking up their abode on the Schuylkill, were present at the famous Shackamaxon treaty. In the next century we find them in Ohio, on the lands of the Wyandottes, in what is now Auglaize County; and

to these villages the efforts of Friends were permanently directed. With others, Friends came on the westward wave, and the care of the Indians, which had devolved on Baltimore Yearly Meeting, became that of eastern Ohio, and in 1821 that of the far western Yearly Meeting of Indiana, Friends of Baltimore acting as treasurers of the English funds, and Ohio and Indiana Friends performing the labor. At the first Indiana Yearly Meeting, held at Richmond in 1821, and composed of members in western Ohio and eastern Indiana, the work was fairly assumed by that body, and has ever since been under its management in a mission among the Shawnees, till President Grant's "Indian policy" somewhat modified the line of operations.

The pioneers of that day did not regard wind or weather, storm, and the absence of roads, and we can scarcely appreciate the sacrifice of comfort, time, and money at which the work at Wapakonetta was carried forward. The first report in 1822 states that a deputation of Friends had an interview with the chiefs, which resulted in the purchase by them of a tract adjoining the Indian reserve, the erection of a dwelling and school-house, and all the concomitants of pioneer clearing. Four Friends in charge gave the infant enterprise its first impulse, and the little school resulted satisfactorily to all parties. The first year was full of encouragement; many Indians opened farms, made considerable progress in agriculture, and improved decidedly in habits of sobriety. The boys in the school were instructed in farming, and surpassed expectation in their readiness to perform the required duties. Mills were erected very early, and the Indians taught to grind their grain, thus relieving the women of pounding hominy, in lieu whereof they were taught to bake bread. At the risk of his life, one of the Friends, employed as miller, interfered to save an Indian woman who was condemned to be executed as a witch; his firmness, presence of mind, and earnest appeals and teaching not only saved her life, but effectually obliterated their heathenish practice of burning witches. Said Colonel Johnston (Indian agent): "If you never did any other good, this one incident would repay you for all your care here." The school continued with short intermissions, and very satisfactorily, and the Indians steadily improved in farm and household arts, in steady habits and morality till 1826, when began a long period of unsettlement and unhappiness, consequent upon the removal of part of the tribe to the west of the Mississippi, and the uncertainty of the fate of the remainder, designing white men constantly infusing into their minds the idea that so soon as their lands were improved, the Government would remove them and the Quakers would take the farms.

Spite of all these discouragements the work went bravely on, with improvements suggested by experience. Thus far only boys had been instructed in manual labor, but wheels and wool rolls were sent for the girls, and they became quite proficient in spinning. Boys were sent into Friends' families at a distance, to have the full benefit of Christian homes apart from the association of their own people. The school farm was now in a measure self-sustaining, and it was well, for, owing to a secession in Baltimore Yearly Meeting the person to whom the English fund had been intrusted declined to pay anything more, and the whole charge was left upon the new colonies of Ohio and Indiana. Neither disheartened nor dismayed, they fell back on their own resources; the work might be crippled by the sudden loss of income, but it must be prosecuted, and so it was, under all the adverse circumstances. In 1831 the treaty was concluded, ceding the Wapakonetta lands, and it is but one more in the long chain of those obtained by fraud and misrepresentation. The Indians soon discovered they had been duped, and a deputation of chiefs, accompanied by Friends, prepared to substantiate their claims, went to Washington to seek redress. None could be obtained from the Executive, but owing to the extreme efforts of General Vance, member of Congress from Ohio, who became apprised of the true state of affairs, Congress gave some relief.

After the visit of Friends to Washington the chiefs delivered an address expressive of their thanks and appreciation for their many services, and especially for this, and were very determined to have a school west of the Mississippi. But much suffering

remained before them; they had been deceived as to the time of the removal, had no supplies, and were reduced to the verge of starvation. Finally under this cloud they bid tearful farewell to the happy hunting ground of Ohio, more like the galled slave than the cheerful, willing emigrant. Friends applied to the Secretary of War for permission to visit them, presenting their plan; it was fully indorsed and permission granted for them to carry it out.

Every effort was to be made to bring them under Christian influences, and to this end it was proposed that the mechanics required to be kept at the agency by the Government be Friends. Year by year the scope of religious instruction had extended with the Bible as the foundation, but there had been no effort to proselyte them, although the public worship to which they were invited and which they frequently attended was in unison with their own crude views of the Great Spirit. At this time Friends of England sent £300, as the whole previous endowment of £11,000 had been turned from its original channel by the defection of the treasurer from Friends. In sending it they were most zealous and careful in impressing upon those in charge the importance of religious training paramount to everything else. The Indians gave the use of a farm and consent for Friends to build thereon for their benefit. They were building good houses for themselves, had procured some hogs and cattle, and were in a fair way to comfort. The school was not re-opened till 1837, but the time was not lost. They were improving in agriculture and becoming more fixed and steady in their habits. They were much gratified at the resumption of the school in a good school-house and now bid fair to surpass their white neighbors. The school was sustained till 1861 with but short intermissions, through many vicissitudes, but the whole progress was cheering, and the gains steady and in the aggregate large. The whole tribe showed its influence, and the homes of the women who had been educated there bore its impress in an unmistakable manner. Both boys and girls were occasionally sent to Ohio to be educated away from their own home influences and in Christian homes, remaining till they attained their majority. The most careful approximation will average the school from 1821 to 1854 at twenty-five scholars, taught all the ordinary English branches, and with an annual expenditure of \$1,000, exclusive of the farm products and large amounts of clothing and supplies donated, the children being clothed as well as fed, and specially instructed in the Scriptures daily and also in Sabbath schools.

In 1854, in consequence of changing their relations to the Government in some particulars, and the Kansas troubles of border ruffianism, affairs were again unsettled and the school suspended for a short time. There was much effort to sow dissension and disaffection between the Friends and the Indians, but it was only in a small degree successful. With doubled expenditure the school, being resumed, continued till 1861, having gradually assumed the character of a home for orphans without regard to tribe. It was then discontinued for a year or more, and re-opened at the request of the chiefs, they agreeing to pay the expense from their ample school fund. It was thus sustained till nearly the time of General Grant's change in the administration of Indian affairs, with an average attendance of fifty pupils and an average expenditure of \$100 per capita.

The forty-eight years of the care of Indiana Yearly Meeting may be summed up as having cost in cash \$55,000, beside clothing, produce, and supplies, of which there is no means of ascertaining the value.

The following account of the mission of the Society of Friends of Western Yearly Meeting among the East Cherokees in North Carolina, is by B. C. Hobbs, educational agent:

During Jackson's administration the Cherokee lands in North Carolina, South Carolina, Georgia, Alabama, and Tennessee were coveted by the whites. The Cherokees were organized into two distinct bands, since known as the East and the West Cherokees. The West band was much the more numerous. It may have numbered six

times the East band, and was the more powerful. Each band had distinct possessions. The lands of the East band were in south-west North Carolina, extending west into Tennessee and south into South Carolina and Georgia, containing about 10,000,000 acres of mountainous lands, with fertile valleys, rich copper, iron, lead, and mica mines, and abounding in beautiful streams and rich forests.

In 1835 the West Cherokees were induced to enter into treaty with the United States by which all their lands were sold for possessions in the Indian Territory and obligations for commutation and subsistence, for education, etc.

The East Cherokees declined to unite their fortunes with their brethren in the sale, but the Government accepted the consent of the Western band and the signatures of their chiefs and head-men as sufficient evidence of sale to convey the title to both domains. In this way the East Cherokees lost their entire possessions, and their fatherland was made the home of the white man.

The West Cherokees were forced west by an army, virtually driven to their new homes. Many perished by the way. The East Cherokees refused to go, and seeking impenetrable hiding-places among the mountains, their capture was abandoned. A supplementary treaty was entered into, and they were permitted to remain. About \$100,000 was assured them for commutation and subsistence. They purchased about 60,000 acres of their lost lands, and eked out a support from the soil, under humiliating disadvantages. Their land purchase, agricultural implements, and attorneys in time reduced their funds more than one-half, and about the year 1878 the remainder was converted by Congress into a trust fund, drawing 5 per cent., for educational purposes; \$6,000 could be expended annually for this purpose, which would make an annual reduction of the principal of \$4,000.

The Society of Friends of Western Yearly Meeting in Indiana, in conjunction with the Friends in North Carolina, seeing that in ten years the Cherokees would be impoverished by expenditures made under the law, offered their services to conduct at least four schools seven months in the year with the interest of their funds, they supplementing the Government appropriation by an annual payment of \$600.

Five schools have been kept up since the year 1881, averaging each about twenty scholars. Five school-houses have been furnished with good desks and other furniture. Four school-houses have been built, a boarding-house, and teacher's residence, and a system of instruction inaugurated creditable to the band and the State.

The Commissioner of Indian Affairs has given aid in building when the necessities of the case have required a greater expenditure than we could well make.

Application was made, in 1883, to the Secretary of the Interior for twenty girls as boarders, under the provision for educating Indian children in schools within the States, and he made the assignment desired. For two years these children, ranging from an age of six to eighteen years, have had a cheerful and happy home under warm-hearted Christian instructors, and have been carefully trained in needle-work and domestic arts, in which they have shown much skill and proficiency.

One year ago twenty boys were added to this number, who, in addition to a careful training in the English language and the elementary branches of a common school course, have been practically taught gardening and field work. They are ready and cheerful in all forms of labor assigned them. They are easily controlled and kind and affectionate towards each other and their instructors. * * *

An appropriation was made during last Congress of \$4,000 for additional buildings. A large building is now completed and used as a training school home, and a carpenter and smith shop, a shoe shop, and farming, gardening, smith, carpenter, and other tools will equip the training home for girls and boys and enable us to instruct them in industrial pursuits and the use of tools.

It is our expectation to add a nursery to our line of work during another year. Their country is well adapted to fruits—much better than the low-lands of the South—and this may yet be a source of much profit to them.

These people have had a hard life-struggle, and as a new railroad has wound its way down the mountain valleys to the south-west, from Asheville to a well-watered,

well-timbered country and to the rich mines of iron, copper, lead, mica, and even silver and gold, their future success must depend on their culture and their ability to command the English language. While a majority of them within their boundaries have an imperfect acquaintance with English, they are intensely anxious for their children to learn it. They advance in writing and speaking it rapidly; they spell and write with surprising excellence in a twelvemonth.

Their young hearts easily yield to Christian influences when lovingly taught. During the first year in our training school work nineteen out of the twenty girls were evidently brought into a satisfactory Christian experience, and the boys, during the past year, have indicated, by their attentive and cheerful obedience, hopeful indications for the future. The adults have a representation equal to that of the whites in the Methodist and Baptist Churches. * * *

The agencies assigned in 1869 to this branch of the Friends' Society were the Cheyenne and Arapahoe, Kiowa, Comanche and Wichita, Osage, and Sac and Fox, Indian Territory.

In 1883, these Friends had missions at Cheyenne and Arapahoe, Osage, Quapaw, and Sac and Fox agencies; had charge of Tunesassa boarding-school, Allegany Reservation, New York; paid the expenses of pupils at White's manual labor school (Indian) in excess of the amount paid by the Government, and also the schools among the East Cherokees.

METHODIST EPISCOPAL CHURCH (NORTH) MISSIONS.

As early as 1816 this church began missionary work among the Delawares and Wyandottes in Ohio. In 1822 it inaugurated missions among the Creeks and Cherokees of Georgia and Alabama.

The missions suffered considerably from the enforced removal of these tribes to the Indian Territory in 1826, 1827, and 1830. In 1822 the society started missions among the Chippewas of Michigan and Wyandottes on the Huron River, in the Canadas, and also among the Pottawatomies of Illinois.

In 1828 work was begun among the Choctaws between the Tombigbee and Mississippi Rivers. In 1830 they had schools and used the English language. The work was interrupted by their removal beyond the Mississippi.

At a very early period this society established missions among the Oneidas and Onondagas, in New York State. The great body of the former were removed later to Green Bay, Wis. The mission was continued and still exists at Green Bay.

In 1830 a very successful work was started among the Shawnees. In 1832 among the Hurons at Sault Ste. Marie. In 1834 a mission was established among the Indians of Oregon in the Willamette Valley.

In 1869 the following agencies were assigned this denomination: Hoopa Valley, Round Valley, Tule River in California; Yakama, Neah Bay, Quinalt in Washington Territory; Klamath, Siletz in Oregon; Blackfeet, Crow, Fort Peck in Montana; Fort Hall, Lemhi in Idaho; and Mackinac in Michigan.

This society had in 1878 missions in California, central New York, northern New York, Columbia River, Michigan, and south Kansas, Wisconsin.¹

In 1884 there were four missions in New York, fourteen in Michigan, one in Montana, one in Wisconsin, one in Oregon, and two in Washington Territory. These missions report chiefly to the conferences, so that their condition and statistics must of necessity be imperfectly represented here.²

METHODIST EPISCOPAL CHURCH (SOUTH) MISSIONS.

At the division of the Methodist Episcopal Church in 1844 arrangements were made to place the Indian tribes in the South-west in the charge of the southern branch. Missionary operations were undertaken by it among the Pottawatomies, Chippewas; Peorias, Weas, Wyandottes, Shawnees, Delawares, Kickapoos, Quapaws, Cherokees, Chickasaws, Choctaws, and Creeks. The church employed, when its work was fully established, thirty-one missionaries, white and Indian, in this field. The following schools were under the control of the denomination, viz: Indian Mission Manual Labor School in Kansas Territory; Fort Coffee Academy and New Hope Seminary among the Choctaws; and Chickasaw Academy and Morris Seminary among the Chickasaws. Missionary enterprises were stopped by the War, but were resumed as soon after its close as practicable.

Two schools were revived by 1870, the Asbury Manual Labor School for males in the Creek Nation,³ and the New Hope for girls in the Choctaw Nation.⁴ The female academy, Seminole Nation, Indian Territory, had in 1883 an attendance of thirty pupils.⁵

MORAVIAN CHURCH MISSIONS.

The remarkable labors of this church among the Indians during the eighteenth century are too well known to need more than mention. The work then begun has never ceased. A remnant of the Christian Indians who were driven to Canada are still under the care of this society upon a reservation there. The following shows the present missionary work:

Among the Delawares we have one mission station in Kansas, at New Westfield, Ottawa post-office, Franklin County, begun in the year 1866. It is in charge of the Rev. C. Steinford, and numbers about seventy-five members, I believe. (We have no recent statistics.) Among the Cherokees in Indian Territory we have two stations, Spring Place and Woodmount, in charge of the Rev. T. M. Rights, whose address is New Spring Place, Tahlequah post-office, Indian Territory, and the Rev. J. B. Lineback, Oaks, Cherokee Nation, Indian Territory. The memberships of these two sta-

¹From the Sixtieth Annual Report of the Methodist Episcopal Church for 1878.

²From Sixty-sixth Annual Report, 1884.

³School-house burnt and school suspended for a year; re-opened October 15, 1883.

⁴Dr. McFerrin's report.

⁵Report of

Commissioner of Indian Affairs, 1883, p. 244.

tions is probably from one hundred and fifty to two hundred. Sunday schools are at all these stations. Our Cherokee mission dates from the year 1801.¹

PRESBYTERIAN CHURCH (NORTH) MISSION.

The first organized effort to establish Presbyterian missions among the North American Indians was made in November, 1833, by the Western Foreign Missionary Society. The annual report of 1834 of this society mentioned the fact that a "mission to the western Indians" had been established; that the Rev. William D. Smith had passed the previous summer in conferring with the Shawnees, Delawares, Kickapoos, Kansas, Ottawas, Weas, Iowas, and Omahas, and that his investigations had been approved by the executive committee. In 1833 two missionaries, accompanied by their wives and several other ladies, were sent to the Weas. The annual report of May, 1835, mentions the fact that the Weas exhibited a disposition to receive the missionaries with respect; that a school was in successful operation, and the Indians had built themselves log dwellings. In 1837 a mission was established among the Iowas and Sacs. In the winter of 1838-39 two missionaries began their labors at Mackinac in behalf of the Chippewas and Ottawas. In 1841 Rev. Robert M. Loughridge was sent to the Creek Indians west of Arkansas, and finally succeeded in establishing a mission among them. Early in 1845 a boarding-school was opened at the Creek Station, which was well attended. In 1844 the Spencer Academy in the Choctaw Nation, which had been transferred to the care of the board, was opened with sixty pupils. A boarding-school was opened among the Iowas in the summer of 1846. This same year a mission was established among the Omaha and Otoe Indians at the forks of the Missouri and Papiou Rivers.

In December, 1848, the Indian Department offered to place under the directions of the board, a boarding-school for girls in the Chickasaw Nation, to contain eighty or one hundred pupils. The offer was accepted, and the Rev. Mr. Ramsey was sent out to select a site.

In June, 1848, a school was begun at the Creek Agency. In July, 1848, a boarding-school house was erected for the Otoes and Omahas.

In 1851 a female boarding-school among the Chickasaws was built. At this time there were two missionaries among the Creeks, one at Tallahassee and the other at Kowetah. The boarding-school at Tallahassee had eighty pupils. There were, beside, three other boarding-schools; temperance societies had been formed, churches organized, the law against the Christian religion had been abolished, and the desire for schools was almost universal.

In December, 1856, a mission was established among the Kickapoos, a school with twenty boys was opened, and buildings for the accommodation of fifty pupils had been erected.

¹Letter from J. Taylor Hamilton, secretary of the Society for the Propagation of the Gospel.

MISSIONS OF THE PRESBYTERIAN CHURCH (SOUTH) AMONG THE CHOCTAWS, CHICKASAWS, AND CHEROKEES.

The Indian Presbytery of the Presbyterian Church, South, reports 12 churches, beside 24 stations which are visited by missionaries. There are 29 elders and 9 deacons; 85 persons were added to the church during the year.

The total number of communicants is 639. In the Sunday schools there are 25 teachers and 334 scholars. In the orphan school there are 46 pupils.¹

This work is chiefly among the Choctaws, of whom there are 18,000, and Cherokees, of whom there are 22,000.²

In 1857 the Rev. E. D. Mackey was sent out to investigate the condition of the Blackfeet Indians, at the headwaters of the Missouri. He recommended the establishment of a permanent mission among them, and the board appealed to the Government to aid in the establishment of such a mission.

The agencies assigned this denomination in 1869 were: Navajo; Mescalero Apache; Pueblo in New Mexico; Nez Percés in Idaho; Uintah in Utah.

In 1875 the Presbyterian Church had schools and missions among the following tribes: The Chippewas, Omahas, Creeks, Seminoles, Senecas, Dakotas, Nez Percés, and Indians in New Mexico. The Forty-eighth Annual Report of the Board of the Presbyterian Church states that there are prosperous missions among the Senecas, Chippewas, Dakotas, Omahas, Winnebagoes, Iowas, and Sacs, Creeks, Seminoles, Choctaws, and Nez Percés.

THE WOMAN'S EXECUTIVE COMMITTEE OF HOME MISSIONS.

The Board of Home Missions some years since came to the conclusion that the progress of its work in Indian countries would be facilitated by the establishment of schools prior to the planting of churches. It was not within the province of the board to do this, and the General Assembly called upon the women of the church to undertake this school work. Their response was prompt and the work was begun. The Woman's Executive Committee of Home Missions was formally organized December 12, 1878.

The work among the Indians in New Mexico and Alaska was begun a short time previous. Schools were started among the Jemez Indians in 1878. Albuquerque, a central industrial boarding-school for all the Pueblos, was opened in 1880; the Choctaw orphan school in 1882; and also a school at Muscogee among the Creeks. A school at Fort Gibson for the Cherokees was opened in 1883. In 1883 the boarding-school among the Sioux at Sisseton Agency came under the care of the

¹ Annual Report of Executive Committee of Foreign Missions of the Presbyterian Church, April 1, 1887. ² The Missionary for July, 1887.

committee; since that time buildings costing over \$4,000 have been erected. In Alaska the mission at Fort Wrangell was begun in July, 1877, and at Sitka in 1878. In the summer of 1880 a school was established among the Chilcat Indians. Both a day-school and a refuge for girls have been opened, and two good buildings erected, together with a branch school 30 miles up the Chilcat River. Shortly after, a mission was started at Hoonyah.

On the Prince of Wales Island, in the southern part of Alaska, a school was opened in August, 1881.¹

In 1886 the Woman's Executive Committee had in the field seventy-seven teachers and twenty-seven schools in successful operation.

ROMAN CATHOLIC CHURCH MISSIONS.

The Roman Catholic missions within the limits of the United States closed, for the most part, before the Revolutionary War; a few stations were kept up until far into the present century. Three missions have been inaugurated since the present form of government; the first mission was established in Michigan, the second in Kansas and the Indian Territory, and the third in Oregon Territory.

The work among the Ottawas of Michigan resulted from the visit of Gabriel Richard to the principal town of the Ottawas of Mackinaw in 1799, and again in 1821, but a priest was not permanently located among these Indians until 1829. Within a year a prayer book had been compiled and printed, and schools for boys and girls established.² Other missionaries were located among neighboring tribes. A permanent mission among the Menomonees and Pottawatomies was begun about 1843.

The scattered missionaries among the tribes of Kansas and the Indian Territory were at first dependent on the diocese of St. Louis, but later a vicariate was established with headquarters at the Pottawatomie mission.

The purchase of Louisiana enabled the Jesuits to resume their labors in the Territory.

The missions in Oregon were begun in 1837 and 1838, by two Canadian priests, Blanchet and Demers, and in the present limits of Montana in 1840, by De Smet.

In 1869 the following agencies were assigned this denomination: Tulalip and Colville, in Washington Territory; Grand Ronde and Umatilla, in Oregon; Flathead, in Montana; Standing Rock and Devil's Lake, in Dakota.

The existing missions are given by the Bureau of Catholic Indian Missions, in its statistics of July 1, 1884, to June 30, 1885, as follows:

They have schools at Turtle Mountain Indian Reservation, Dakota; Devil's Lake Indian Agency, Dakota; Yankton, Dakota; Standing

¹ Statement of Mr. Oscar E. Boyd, recording secretary of the Board of Home Missions. ² Shea: American Catholic Missions, p. 388.

Rock Agency, Dakota; Flathead Indian Agency, Montana; Umatilla Indian Agency, Oregon; Grand Ronde Agency, Oregon; Colville Indian Agency, Washington Territory; Tulalip Indian Agency, Washington Territory; also at Cœur d'Aléne Indian Reservation, Idaho; Menomonee Indian Reservation, Wisconsin; Feehanville, Illinois; Clontarf, Minnesota; Avoca, Minnesota; Collegeville, Minnesota; White Earth Indian Agency, Minnesota.

UNITED PRESBYTERIAN CHURCH MISSION.

In 1869 the Warm Springs Agency, Oregon, was assigned to this denomination.

The following statement is furnished by their board of home missions:¹

Our work is among the Warm Springs and other tribes, or parts of tribes, collected upon the Warm Springs Reservation in eastern Oregon. The Rev. R. W. McBride and wife are the missionaries. Our church has erected a home for them at the agency, where we have a congregation of seventy-seven members, made up almost entirely of Indian Christians. At Sinemasho, 20 miles north of the agency, a Sabbath-school is regularly maintained, with the help of white people, on or near the reservation, and Mr. McBride frequently visits and preaches to the Indians in that vicinity, but as yet we have no regular church organized. The progress made, though slow, is encouraging. The Indians generally show an earnest desire to be taught the Gospel, attending services well, and sending their children to the Sabbath-schools. Besides the building of the home for our missionary, which cost over \$1,600, we have spent upon the mission work in the last seven years \$6,450.

¹ Furnished June 23, 1887, by William S. Owens, D. D., corresponding secretary.