

## M E S S A G E

FROM THE

# PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

*In answer to a Senate resolution of May 7, 1879, information in relation to an alleged occupation of a portion of the Indian Territory by white settlers.*

MAY 16, 1879.—Read, ordered to lie on the table and be printed.

*To the Senate of the United States :*

In response to a resolution of the Senate of the 7th instant, requesting information in reference to an alleged occupation of a portion of the Indian Territory by white settlers, &c., I transmit herewith a copy of my proclamation dated April 26, 1879, also copies of the correspondence and papers on file and of record in the Department of the Interior and the War Department, touching the subject of the resolution.

R. B. HAYES.

EXECUTIVE MANSION, *May 15, 1879.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas it has become known to me that certain evil-disposed persons have, within the territory and jurisdiction of the United States, begun and set on foot preparations for an organized and forcible possession of and settlement upon the lands of what is known as the Indian Territory, west of the State of Arkansas, which Territory is designated, recognized, and described by the treaties and laws of the United States, and by the executive authorities, as Indian country, and as such is only subject to occupation by Indian tribes, officers of the Indian Department, military posts, and such persons as may be privileged to reside and trade therein under the intercourse laws of the United States;

And whereas those laws provide for the removal of all persons residing and trading therein, without express permission of the Indian Department and agents, and also of all persons whom such agents may deem to be improper persons to reside in the Indian country:

Now, therefore, for the purpose of properly protecting the interests of the Indian nations and tribes, as well as of the United States, in said Indian Territory, and of duly enforcing the laws governing the same, I, Rutherford B. Hayes, President of the United States, do admonish and warn all such persons so intending or preparing to remove upon said

## 2 OCCUPATION OF INDIAN TERRITORY BY WHITE SETTLERS.

lands or into said Territory, without permission of the proper agent of the Indian Department, against any attempt to so remove or settle upon any of the lands of said Territory; and I do further warn and notify any and all such persons who may offend that they will be speedily and immediately removed therefrom by the agent according to the laws made and provided; and if necessary the aid and assistance of the military forces of the United States will be invoked to carry into proper execution the laws of the United States herein referred to.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-sixth day of April, in the year of our Lord one thousand eight hundred and seventy-nine, and of the Independence of the United States the one hundred and third.

[L. s.]

RUTHERFORD B. HAYES.

By the President:

WM. M. EVARTS,  
*Secretary of State.*

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DEPARTMENT OF THE INTERIOR,  
*Washington, May 13, 1879.*

SIR: I have the honor to acknowledge the receipt, by executive reference, on the 8th instant, of a resolution of the Senate of the United States, adopted May 7, 1879, as follows, namely:

*Resolved*, That the President be requested, if not incompatible with public interests, to communicate to the Senate what information he has in reference to an alleged occupation of a portion of the Indian Territory by white settlers, and what action has been taken to prevent the same.

In response to the reference, I have the honor to submit herewith copies of the correspondence and papers on file and of record in this department and the Office of Indian Affairs touching the subject of the resolution; also a copy of the letter of the Commissioner of Indian Affairs, dated 10th instant, to whom the subject was referred, in whose communication the papers inclosed are noted.

The pursuant action, in the disposal of the military forces in compliance with the request of this department and under the proclamation of the Executive, may be had from the records of the War Department.

I have the honor to be, sir, very respectfully, your obedient servant,

C. SCHURZ,  
*Secretary.*

The PRESIDENT,  
*Executive Mansion.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, May 10, 1879.*

SIR: I have the honor to acknowledge the receipt, by department reference, for report thereon, of Senate resolution dated the 7th instant (herewith returned), requesting the President to communicate to the Senate what information he has in reference to an alleged occupation of a portion of the Indian Territory by white settlers, and what action has been taken to prevent the same.

In reply I have the honor to state that on the 19th ultimo the Chero-

kee and Creek delegates addressed a communication to this office, containing certain papers (copies of letter and inclosures herewith), and calling attention to the attempts of citizens of the United States to take possession of certain lands in the Indian Territory.

Inclosed in the aforesaid communication is a copy of a letter upon this subject, addressed to E. C. Boudinot, esq., of this city, by Augustus Albert, esq., of Baltimore, dated the 25th of March last, and of Mr. Boudinot's reply thereto, dated 31st of the same month.

The above-mentioned papers were forwarded to the department with office report of the 19th ultimo (copy herewith), in which a statement is made of the various treaties and laws under which these lands were set apart for Indian purposes, and requesting that public notice be given informing all persons that the lands named are not subject to entry, and that stringent measures will be adopted to suppress any attempt to locate in the Indian Territory, and that the provisions of the intercourse laws will be enforced against any person other than an Indian found living there.

On April 21, 1879, the Cherokee and Creek delegates addressed another communication to this office (copy herewith), presenting further information upon the subject of this invasion, which communication was referred to the department for consideration, in connection with office report of April 19.

On April 22, 1879, M. P. Roberts, esq., addressed a communication to this office (copy herewith), upon this same subject, which was forwarded to the department with office letter of April 25, for consideration, with office report of April 19.

By department letter of the 25th ultimo (copy herewith), the honorable Secretary of the Interior decided that no authorized settlement could be made by any person in the Indian Territory except under the provisions of the intercourse laws, and instructed this office to direct the agents and officers of the Indian service to use their utmost vigilance in the removal of all such unauthorized persons as may attempt to appropriate by settlement any of the lands aforesaid.

On the 26th of April, the President issued a proclamation (copy herewith), admonishing and warning all persons intending or proposing to remove upon lands in the Indian Territory, without permission of the proper agent of the Indian Department, against any attempt to so remove or settle upon any of the lands of said Territory, and notifying any and all such persons who may so offend that they will speedily and immediately be removed therefrom by the agent, according to the laws made and provided, and if necessary the aid and assistance of the military forces will be invoked to carry into execution the laws of the United States.

On April 30, this office addressed communications to the several agents in the Indian Territory (copy herewith), inclosing a copy of department decision of the 25th and of the President's proclamation of the 26th ultimo, instructing them to notify all persons attempting to reside in the Indian Territory contrary to law to remove therefrom, and authorizing them to use all the force at their command, police or otherwise, to effect the removal of all such intruders, and in case they are unable to remove such persons, to make report of any and all such cases to this office, in order that the proper authorities may direct the military forces of the United States to remove such intruders.

By letter of the 30th ultimo (copy herewith), the honorable Secretary of War informed the department that there were troops at various points available for the purpose of removing these trespassers, and requested

#### 4 OCCUPATION OF INDIAN TERRITORY BY WHITE SETTLERS.

to be referred to the laws and statutes of the United States which declare the Indian Territory, under its present boundaries, to be "Indian country," so as to subject it to the intercourse laws and make it lawful to expel intruders therefrom by military force, if necessary, under section 2147 of the Revised Statutes.

By letter of the 1st instant (copy herewith), the honorable Secretary of the Interior replied to the above communication from the honorable Secretary of War, giving a full history of the various treaties and acts of Congress relative to the inquiry.

On the 7th instant this office addressed a communication to the department (copy herewith) in relation to this subject, calling attention to various facts in connection therewith, and, with letter of the same day (copy herewith), the honorable Secretary of the Interior submitted the aforesaid communication to the President, with the request that military instructions may be issued under authority of the Executive as the commander-in-chief of the Army of the United States.

I inclose herewith a copy of a letter from United States Indian Inspector John McNeil, dated Coffeyville, Kans., the 4th inst., in relation to this subject, from which it appears that the emigration into the Indian Territory has not assumed such large proportions as indicated in the various newspapers throughout the country, and in which he states that by prompt and speedy action on the part of the military authorities a stop can be put thereto.

I inclose herewith copies of the following telegrams and letters, viz :

Letter from Agent Woodard, Sac and Fox Agency, dated 30th ultimo, and office telegram in answer thereto, dated the 9th instant.

Office telegram to Inspector McNeil, dated 3d instant.

Telegram from Special Agent Haworth, dated 8th instant.

Numerous communications are being received daily from persons making inquiry in reference to this subject, in answer to which a copy of department decision of the 25th and the President's proclamation are inclosed to the correspondents, with the information that the tenor of the same will be strictly enforced, if necessary, by the military authorities.

I inclose a copy of a map of the Indian Territory, which Mr. E. C. Boudinot, clerk of the House Committee on Private Land-Claims, has had prepared for distribution, with printed copies thereon of the correspondence between himself and Augustus Albert, Esq., of Baltimore.

I inclose copy of this report.

Very respectfully, your obedient servant,

E. A. HAYT,  
*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

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VINITA, April 19, 1879.

DEAR BILL: I am here just back from Fort Smith. I went there for the purpose of getting the service of a deputy marshal to assist me out West in my tax business. My reason for wanting one is this: The presence of a deputy will enforce without trouble the collection of the tax. I anticipated no trouble when I was at Washington, but now there is likelihood of some trouble on account of McFarland and others interfering and telling these people to resist and nothing will be done. There is a circular going the rounds here and signed by C. C. Carpenter, the object of which is to take forcible possession of the country west, beginning here and at Coffeyville, Kans. I send Missouri Reduplican

with telegram from Vinita. It explains. Don't you think you had better bring the matter before Schurz? In the face of this proposed invasion I will hardly be able to do anything West. If you will get some sort of authority to act as marshal under the act of Congress 1834 (intercourse), that is, some person to act under my direction, all will be right. I believe if the matter was properly represented to the President he would feel bound to take cognizance of the matter. The fact is, the railroad crowd are going out there to get up a row, or, rather Indian war. Their followers say it. They, with Carpenter, propose to do here what was done in the Black Hills. Colonel Bell heads the expedition from this place, and they are booked to start on the 21st instant.

Now don't neglect this. The United States marshal at Fort Smith would not allow one of his deputies to go in the West Arkansas country. He says the act of 1834 (intercourse law) is so old that he could not think of enforcing it now.

Write as soon as you can learn anything about the matter as to what the department or President is likely to do. I will start my deputies next Monday. I will write other news in a day or two.

L. B. BELL.

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WASHINGTON, D. C., *April 21, 1879.*

SIR: In addition to the papers we had the honor of submitting to you on last Saturday, praying for your interposition to prevent marauding aggressors under the auspices of certain railroad corporations and "land-grabbers" from taking forcible possession of certain Indian lands in the Indian Territory, we beg leave to submit the accompanying Saint Louis paper, with a letter from Hon. L. B. Bell, of Vinita, of Ind. T., as further evidence of the danger threatening our country from the said offenders, &c.

Believing that you will readily appreciate the necessity of early action, we have the honor to be, very respectfully, your obedient servants,

G. W. STIDHAM,  
PLEASANT PORTER,  
*Creek Delegation.*

W. P. ADAIR,  
D. H. ROSS,  
*Cherokee Delegation.*

Hon. E. A. HAYT,  
*Commissioner of Indian Affairs.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, April 19, 1879.*

SIR: I have the honor to present herewith a letter, with inclosures, from the delegates of the Cherokee and Creek Nations of Indians in the Indian Territory, calling attention to what appears to be an organized attempt by citizens of the United States to enter and take possession, in violation of law, of the major portion of the Indian Territory west of the lands now occupied by the five so-called civilized tribes.

The lands in question were ceded to the Cherokee, Creek, Seminole, Chickasaw, and Choctaw Nations of Indians prior to 1836, under solemn treaty obligations that they should be protected against the encroachments of the whites. The grants to them were in fee-simple, saving only

that their lands were not to be conveyed except to the United States. By the treaties of 1866 with these tribes, they ceded the lands under consideration in trust to the government for the purpose of settling other Indians thereon, the tribes to be reimbursed from the proceeds of the sales of the lands as fast as such settlements were made.

Under these provisions the Osages, Poncas, Pawnees, and Nez Percés have been settled within the Territory, but a large area remains undisposed of, in which the United States has only a trust interest, and over a large portion of which, by the treaty of 1866, the Indians still have jurisdiction.

While the language of the Cherokee treaty of July 19, 1866, varies somewhat in form from that of the treaties with the other tribes, the purpose to be accomplished is the same in all. A certain rate per acre was to be paid for the lands ceded by each nation as fast as they were sold. Payment in full has not been made in accordance with the treaties. The lands have not all been settled by other Indians, and hence the trust has not been discharged.

Judging from the communications herewith, and the numerous letters recently received in this office, stating that it is reported that the lands in the Indian Territory are open to settlement, and asking if such is the fact, it is my opinion that the unlawful scheme presented by Mr. Boudinot in the accompanying circular has obtained wide circulation. As serious complications are likely to arise if attempts are made to carry the same into effect, with a view to the maintenance of the faith of the government, as witnessed by the various treaties with the tribes named herein, I have the honor to request that such public notice as you may consider necessary be given, informing all persons that the lands named are not subject to entry, and that stringent measures will be adopted to suppress any attempt to locate in the Indian Territory, and that the provisions of the intercourse laws will be enforced against any person, other than an Indian, found living there.

I respectfully request that the accompanying papers be returned to this office.

Very respectfully, your obedient servant,

E. A. HAYT,  
*Commissioner.*

The Hon. the SECRETARY OF THE INTERIOR.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, April 25, 1879.*

SIR: Referring to office report of the 19th instant in relation to what appears to be an organized attempt by citizens of the United States to enter and take possession, in violation of law, certain lands in the Indian Territory, I have the honor to submit, for consideration with the same, a letter from M. P. Roberts, esq., dated the 22d instant, in relation to the same subject.

I respectfully request the return of the aforesaid communication to this office.

Very respectfully, your obedient servant,

E. J. BROOKS,  
*Acting Commissioner.*

The Hon. the SECRETARY OF THE INTERIOR.

OFFICE OF THE INDIAN JOURNAL,  
M. P. ROBERTS, PUBLISHER AND PROPRIETOR,  
INDIAN TERRITORY, CREEK NATION,  
*Muskogee, April 22, 1879.*

SIR: I am reliably informed, from a trustworthy source, that a colony of 1,200 persons are being formed at different points in Kansas, notably at Kansas City and Coffeyville, to invade the Indian Territory.

They are to meet at the latter place May 5, fully armed for all emergencies, thence to proceed to the unoccupied lands west of the Creek, Pottawatomie, and Chickasaw Reservation, for the purpose of taking possession of those lands, upon which they intend to settle colonies from the States other than Indian.

They claim to be acting under an opinion of the honorable Secretary Schurz, to the effect that there are from two to two and a half millions of acres there subject to pre-emption and settlement by the citizens of the United States other than friendly Indians and freedmen, and they go in to occupy and hold, the object and purpose being to gain a foothold and bring pressure to bear on the opening of the Territory.

They claim that the United States is powerless to keep them out or to force them out after they once locate there; to try the Black Hills way, expecting the same results.

You will please inform me if these parties are acting with the knowledge and approval of the Department of the Interior, and how far their statement as to land subject to pre-emption is true. Is there any lands within the Indian Territory subject to entry; and, if so, where and by what process?

This matter has been discussed by leading Cherokees, Creeks, Choc-taws, and Chickasaws in a manner that would indicate serious complications and trouble in the event of the attempt to colonize United States citizens being carried out.

That you may know what weight to give my statement made above, I beg to refer you to the Creek or Cherokee delegates now in Wash-ington.

Very respectfully, your obedient servant,

M. P. ROBERTS,  
*Editor Indian Journal.*

Hon. A. S. HAYT,  
*Commissioner of Indian Affairs, Washington, D. C.*

P. S.—I should be pleased to receive a copy of the report of the Pat-terson committee and such other documents from the Indian Bureau as may be of general interest, and also the latest map of the Indian Ter-ritory.

BALTIMORE, *March 25, 1879,*  
*No. 4 North Howard St.*

DEAR SIR: In the Chicago Times of February 17 I noticed a com-munication of yours, in which you state there are several million acres of land in the Indian Territory which have been purchased by the gen-eral government from the Indian tribes therein, and that they are now a part of the public lands of the United States.

This article has been extensively copied and commented upon by the press East and West, causing great and growing interest on the part of thousands for fuller information, to meet which, will you please give answer to the following questions:

1. As to exact amount purchased.



2. From what tribes bought.
  3. Its situation in the Territory.
  4. As to the government's title: if free from restriction; if not, its nature; or was the land so bought purchased with the intention of its use in settling other tribes to be brought into the Territory upon it.
  5. State the nearest point reached by rail to such lands, or if they are on or near the surveyed line of the Atlantic and Pacific Road, or how far from its present terminus.
  6. Where can accurate maps of the Territory, showing location and boundaries of said purchased lands, be obtained?
- An early answer, covering above questions and such other information as in your judgment would be of help and interest, is requested.

AUGUSTUS ALBERT.

To Col. E. C. BOUDINOT.

WASHINGTON, D. C., *March 31, 1879.*

SIR: Your letter of the 25th inst., making inquiries concerning the lands belonging to the United States situated in the Indian Territory, is received.

1. In reply, I will say that the United States, by treaties made in 1866, purchased from Indian tribes in the Indian Territory about 14,000,000 acres of land.

2. These lands were bought from the Creeks, Seminoles, Choctaws, and Chickasaws. The Cherokees sold no lands by their treaty of 1866.

The Creeks, by their treaty of 1866, sold to the United States 3,250,560 acres, for the sum of \$975,168. The Seminoles, by their treaty of 1866, sold to the United States 2,169,080 acres, for the sum of \$325,362. The Choctaws and Chickasaws, by their treaty of 1866, sold to the United States the "leased lands" lying west of 96° of west longitude for the sum of \$300,000. The number of acres in this tract is not specified in the treaty, but it contains about 7,000,000 acres. (See 4th vol. Statutes at Large, pages 756, 769, and 786.)

Of these ceded lands the United States has since appropriated for the use of the Sacs and Foxes 479,667 acres, and for the Pottawatomies 575,877 acres, making a total of 1,055,544 acres. These Indians occupy these lands by virtue of treaties and acts of Congress. By an unratified agreement the Wichita Indians are now occupying 743,610 acres of these ceded lands. I presume some action will be taken by the United States Government to permanently locate the Wichitas upon the lands they now occupy. The title, however, to these lands is still in the United States.

By executive order, Kiowa, Comanche, Arapahoe, and other wild Indians have been brought upon a portion of the ceded lands, but such lands are a part of the public domain of the United States, and have all been surveyed and sectionized.

A portion of these 14,000,000 acres of land, however, has not been appropriated by the United States for the use of other Indians, and in all probability never will be.

3. These unappropriated lands are situated immediately west of the 97° of west longitude and south of the Cherokee territory. They amount to several millions of acres, and are as valuable as any in the Territory. The soil is well adapted for the production of corn, wheat, and other cereals. It is unsurpassed for grazing, and is well watered and timbered.



4. The United States have an absolute and unembarrassed title to every acre of these 14,000,000 acres, unless it be to the 1,054,544 acres now occupied by the Sac and Fox and Pottawatomie Indians. The Indian title has been extinguished.

The articles of the treaties with the Creeks and Seminoles, by which they sold their lands, begin with the statement that the lands are ceded "in compliance with the desire of the United States to locate other Indians and freedmen thereon."

By the express terms of these treaties, the lands bought by the United States were not intended for the exclusive use of "other Indians," as has been so often asserted. They were bought as much for the negroes of the country as for Indians.

The Commissioner of the General Land Office, General Williamson, in his annual report for 1878, computes the area of the Indian Territory at 44,154,240 acres, of which he says 17,150,250 acres are unsurveyed. The balance of the lands, amounting to 27,003,990 acres, he announces have been surveyed, and these lands he designates as "public lands."

The honorable Commissioner has fallen into a natural error. He has included in his computation the lands of the Cherokees west of 96° west longitude, and the Chickasaw Nation, which, though surveyed, can in no sense be deemed "public lands." The only public lands in the Territory are those marked on this map, and amount, as before stated, to about fourteen million acres.

Whatever may have been the desire or intention of the United States Government in 1866 to locate Indians and negroes upon these lands, it is certain that no such desire or intention exists in 1879. The negro, since that date, has become a citizen of the United States, and Congress has recently enacted laws which practically forbid the removal of any more Indians into the Territory. Two years ago Mr. Mills, of Texas, caused a provision to be inserted in the Indian appropriation bill prohibiting the removal of the Sioux Indians into the Indian Territory, a project at that time contemplated by the Interior Department; and by a similar provision in the Indian appropriation bill of last winter, the removal of any Indians from Arizona or New Mexico into the Indian Territory is forbidden.

These laws practically leave several millions of acres of the richest lands on the continent free from Indian title or occupancy and an integral part of the public domain.

5. The town of Wichita, in the State of Kansas, at the junction of the Big and Little Arkansas Rivers, the present terminus of a branch of the Atchison, Topeka and Santa Fé Railroad, and the town of Eldorado, the terminus of another branch, are the nearest railroad points to these lands. From Wichita to these lands is about 90 miles due south. (See map.) There are several other railroad points on the northern line of the territory more remote than Wichita or Eldorado. These points are Coffeyville, the terminus of the Leavenworth, Lawrence and Galveston Railroad; Chetopah, on the Missouri, Kansas and Texas Railroad, which is built through the Territory to Texas; and Baxter Springs, the southern terminus of the Missouri River, Fort Scott and Gulf Railroad. A glance at the map will show the location of these places. The Atlantic and Pacific, now called the Saint Louis and San Francisco Railroad, is finished to Vinita in the Cherokee Nation, where it crosses the Missouri, Kansas and Texas Railroad. The surveyed line of this railroad runs through these ceded lands.

6. To save the time which would be required to answer the many letters

## 10 OCCUPATION OF INDIAN TERRITORY BY WHITE SETTLERS.

I am constantly receiving upon this subject, I have had made a plain but accurate map which I inclose with this letter.

I shall be glad to furnish maps and such further information as may be requested.

Very respectfully, yours, &c.,

E. C. BOUDINOT.

Hon. AUGUSTUS ALBERT,  
No. 4 North Howard St., Baltimore, Md.

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### COPY OF SLIP FROM SEDALIA DAILY DEMOCRAT.

*The B. I. T.—Judge T. C. Sears, direct from Washington, interviewed. He says the Indian Territory will be opened up to white settlers at an early day. The Committees on Territories are in favor of prompt action. If Congress don't open it the people will. Fourteen million acres of public land open to settlement. A new bill in progress of preparation.*

A Democrat reporter hearing that Judge T. C. Sears, attorney-general of the M., K. & T., arrived by the evening train yesterday, direct from Washington, gave him time to take a bath and change his linen before subjecting him to an interview upon the subject of his visit to Washington—the opening up of the Indian Territory to white settlement.

The judge was found snugly ensconced in his cosy parlor at Sicher's, and, it could be seen at a glance, was in a communicative mood. The reporter made known his mission—that of learning something with regard to the status of affairs relating to the Indian Territory—and agreed to do but little cross-questioning, which assurance was received with a self-satisfied smile, and without further preliminaries the interview was under full sail.

Judge SEARS. My principal business in Washington was to look after the organization of new committees, particularly the Committees on Indian Affairs and Territories both in the House and Senate. The Senate committees, as you are aware, are appointed by the Senate itself, and not by the presiding officer of the body. Both of the political parties appointed a subcommittee to arrange for the recommendation of persons from each of the representative parties upon the different standing committees. These recommendations were reported to the Senate and adopted, and the persons suggested were appointed.

REPORTER. The committees have been published, but there are many like myself, who have forgotten who compose them.

JUDGE. The Committee on Territories of the Senate consists of Garland of Arkansas, Butler of South Carolina, Vest of Missouri, Slater of Oregon, Saunders of Nebraska, Kellogg of Louisiana, and Logan of Illinois.

REPORTER. What seems to be the sentiment of the committeemen upon the subject of opening up the Territory?

JUDGE. Every member of the committee are in favor of some immediate legislation looking to the opening of the Indian Territory for white settlement. The committee is an exceedingly able one, consisting, as will be seen, of some of the ablest men in the Senate. Garland, Kellogg, and Saunders were on the committee which reported the bill of last winter. These gentlemen are all considerably interested in the subject, and have already commenced an investigation of the matter.

REPORTER. How about the House committee?

JUDGE. The House committee, which was announced on Friday last, consists of Muldrow, of Mississippi, chairman; Cravens, of Arkansas; Bouck, Wisconsin; Muller, New York; Martin, West Virginia; Frost, Missouri; Bachman, Pennsylvania; Humphrey, Wisconsin; Aldrich, Illinois; Young, Ohio; Dick, Pennsylvania; and McGinnis, of Montana.

REPORTER. Are you aware of the sentiments of the House committee?

JUDGE. The positions of these gentlemen are not as fully known, owing to their recent appointment, as the Senate committee; but it is known that eight out of the eleven have expressed themselves decidedly in favor of such legislation as shall bring the Indian Territory out of its present anomalous condition into one of harmony with the other Territories of the United States. The question is continually growing of more interest and importance at Washington, and there is no doubt that Congress will take such action at no remote day as shall result in the opening of the Territory to settlement and development. Colonel Boudinot and myself received within the past few weeks scores of letters from all sections of the country making inquiries as to the status of the lands of the Indian Territory and the prospect of opening them for occupation. Investigation has developed the fact that there are over 14,000,000 acres of public lands that are embraced in no reservation and as free and unincumbered for occupation and settlement as lands in Kansas, Nebraska, or any other Territory.

REPORTER. In what locality do these lands lie?

JUDGE. These lands lie west of the five civilized tribes, so called, and their northern boundary is about ninety miles south of the Kansas line. These lands are among the richest in the world. Public attention is being called to them, and my opinion is that if Congress shall fail to make suitable provision for the opening of the Territory to white settlement within a very short time the people will take the matter into their own hands and go down there and occupy and cultivate those lands.

REPORTER. Has any bill been introduced this session? If so, what is the purport of it?

JUDGE. No bill has yet been introduced at this session. I have one nearly prepared, but owing to the anomalous position of the five tribes and the desire to make a provision for them that would be suitable and equitable, considerable elaboration and detail are necessary in addition to the ordinary legislation providing for the organization of Territories. No attempt will be made to precipitate matters, but to give the whole subject candid and thorough discussion.

REPORTER. What are the probabilities of anything being done at this session?

JUDGE. If Congress shall proceed to general legislation at this extra session the bill will be introduced, referred to the committee, and probably reported on by one or both of them.

This being about all of interest that the judge cared to tell of the subject-matter, the reporter bade him good evening.

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COPY OF DISPATCH IN MISSOURI REPUBLICAN.

*Indian Territory.—An expected influx of many thousands of white settlers.—  
Bitter local feeling on the subject of immigration.*

[Special to the Republican.]

VINITA, IND. T., April 11.

The Cherokees are jubilant over the news that 15,000 or 25,000 people will emigrate to this country soon.

## 12 OCCUPATION OF INDIAN TERRITORY BY WHITE SETTLERS.

A colony is now being organized at Kansas City under the superintendence of Col. C. C. Carpenter, of Black Hills notoriety, and will rendezvous, organize, and draft by-laws at Coffeyville on May 5. A similar organization will take place at this point. Captain Seayrs, of this place, started out this morning to lay out a trail to the promised land west of the 96th parallel. The lands, we are informed by Captain Seayrs, far excel those of any other portion of the Territory. Poor Lo will no doubt have to submit to the inevitable. This will close the only outlet and afford great protection to settlers along the borders of Kansas and New Mexico. To show that the kindest of feelings do not exist between the two political factions here, it is only necessary to copy a few extracts published by some knight of the assassin's knife. The following was found posted up against the storehouse of J. M. Duncan a few nights since, and is a mild specimen of epithets hurled at the adversary of the non-progressionists, and evidently shows that they have been checkmated on some very important point:

From reliable information it is reported that a certain clique of disappointed and disaffected political aspirants, who are too indolent to make an honest living, failing to extend any further their credits with merchants, failing to have their country territorialized, and failing to get authority from the Interior Department to collect taxes for the Cherokee Nation for cattle-grazing on the public domain, have at last concocted a scheme for robbing their nation and enriching themselves.

Aaron Burr in his palmiest days schemed not like one of these. They, with the colored citizens of the United States, have petitioned Congress to set aside a portion of the Indian Territory for the exclusive settlement of negroes. The movement is headed by men of some notoriety, a once eminent politician, a distinguished educator, a skillful physician, and a talented editor of a large and influential newspaper, now defunct, assisted by half a score of lesser lights. If the movement proves a success, we look for great and wonderful changes. The problem of Indian civilization, a vexed question the United States has been trying to solve for the last half century, will be readily solved by them.

The Indians will become civilized as if by magic, under the benignant influence of their more civilized African brethren, under the leadership of so much ability and patriotism. The Cherokee Nation will be benefited in several ways by this exodus. Questions of citizenship will no longer vex our courts. Lying specials to Saint Louis and Washington will be a thing of the past. Incendiarism and threats of assassination will be no more. All good citizens bid the movement God speed.

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WASHINGTON, D. C.,  
April 19, 1879.

Hon. E. A. HAYT,  
*Commissioner of Indian Affairs:*

SIR: We have the honor herewith of transmitting a circular signed by one E. C. Boudinot, a private citizen of the Cherokee Nation, and two newspapers, one containing an interview of Mr. Sears, of the Missouri, Kansas & Topeka Railroad Company, and the other having a dispatch from Vinita, Ind. T., also a letter from a reliable citizen of Vinita, Ind. T., Dr. J. T. Cunningham, all of which show that there is an attempt being made in the interests of railroad corporations and squatters to take forcible possession of certain Indian lands in the Indian Territory, set apart by treaty stipulations for the homes only of Indians, and certain freedmen that formerly belonged to the Indians of the Indian Territory. We respectfully but firmly protest against this unlawful procedure, and insist that you at once take the necessary steps to prevent it, and to have our treaty stipulations with the government carried out in good faith.

We would much regret any difficulty between our people and citizens

of the United States; but if the schemes of the railroad parties are permitted to be carried out and our country is flooded with the tide of emigration that those railroad corporations are seeking to *force* upon us, it will be perhaps beyond the power of the government to prevent a serious collision.

We have the honor to be, very respectfully, your obedient servants,

W. P. ADAIR

DAN'L H. ROSS,

*Cherokee Delegation.*

G. W. STIDHAM,

PLEASANT PORTER,

*Creek Delegation.*

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UNAUTHORIZED SETTLEMENT IN THE INDIAN TERRITORY.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., April 25, 1879.

*The Commissioner of Indian Affairs:*

SIR: I am in receipt of the papers accompanying your letter of the 19th instant, and further reference of 21st instant, respecting an anticipated attempt by citizens of the United States and others to possess themselves, under guise of settlement, of a large portion of the Indian Territory, embracing the lands acquired by the treaties of 1866 with the various Indian nations or tribes in that Territory, and held for Indian purposes, according to the common understanding of the objects of said treaties.

Among these papers are communications from the Cherokee and Creek delegations, inclosing a printed copy of a letter from Augustus Albert, of Baltimore, Md., to E. C. Bondinot, a Cherokee Indian, now in this city, and of his reply thereto, dated 31st ultimo, stating in effect that these lands are a part of the public lands of the United States, and as such subject to settlement, excepting such portions as have been actually appropriated to the use of the Indian tribes located thereon.

Certain newspaper articles are also inclosed, conveying intimations of an organized movement during the coming month for the possession of these lands upon the theory that they are, in contemplation of law, free and open to settlement as public lands of the United States.

By the intercourse act of June 30, 1834, this tract of territory, with others, was declared Indian country, and for its government the basis was created of the present intercourse laws as embodied in the Revised Statutes, sections 2111 to 2157. Since that period, although the boundary of the Indian country has been varied under the operation of numerous laws, the whole Indian Territory has been regarded as Indian country, subject to no State or Territorial laws and excepted from judicial process except under special enactments providing for a limited and restricted jurisdiction, for the purposes of which it has been, by section 533, Revised Statutes, attached to the western district of Arkansas.

None of the land or general laws of the United States have been extended to any part of the Indian Territory, except as to crimes and punishments and other provisions regulated by the intercourse acts.

This being the condition of things, it is clear that no authorized settlement could be made by any person in the Territory except under the provisions of the intercourse laws, such person having first obtained the permission provided for in those statutes.

It may be further stated that no part of said Territory remains free

## 14 OCCUPATION OF INDIAN TERRITORY BY WHITE SETTLERS.

from appropriation either to a direct trust assumed by treaty, or by reservation for tribes thereon under Executive order, except that portion still claimed by the State of Texas, and lying between Red River and the north fork of the same. [See the various treaties, agreements, and Executive orders from 1866 to the present time.]

By section 2147, Revised Statutes, authority is expressly granted to the officers of the Indian Department to remove from the Indian country all persons found therein contrary to law, and the President is authorized to direct the military force to be employed in such removal.

You are instructed to furnish a copy of this communication to the respective Cherokee and Creek delegations, and to direct the agents and officers of the Indian service to use their utmost vigilance in the removal of all such unauthorized persons as may attempt to appropriate by settlement any of the lands aforesaid, and make prompt report of any and all cases of such attempted trespass, for the information of this department.

Very respectfully,

C. SCHURZ, *Secretary.*

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

### A PROCLAMATION.

Whereas it has become known to me that certain evil-disposed persons have, within the territory and jurisdiction of the United States, begun and set on foot preparations for an organized and forcible possession of, and settlement upon, the lands of what is known as the Indian Territory, west of the State of Arkansas, which Territory is designated, recognized, and described by the treaties and laws of the United States and by the Executive authorities as Indian country, and as such is only subject to occupation by Indian tribes, officers of the Indian department, military posts, and such persons as may be privileged to reside and trade therein under the intercourse laws of the United States;

And whereas those laws provide for the removal of all persons residing and trading therein without express permission of the Indian Department and agents, and also of all persons whom such agents may deem to be improper persons to reside in the Indian country:

Now, therefore, for the purpose of properly protecting the interests of the Indian nations and tribes, as well as of the United States, in said Indian Territory, and of duly enforcing the laws governing the same, I, Rutherford B. Hayes, President of the United States, do admonish and warn all such persons so intending or preparing to remove upon said lands or into said Territory without permission of the proper agent of the Indian Department against any attempt to so remove or settle upon any of the lands of said Territory; and I do further warn and notify any and all such persons who may so offend that they will speedily and immediately be removed therefrom by the agent, according to the laws made and provided, and, if necessary, the aid and assistance of the military forces of the United States will be invoked to carry into proper execution the laws of the United States herein referred to.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.



Done at the city of Washington, this twenty-sixth day of April, in the year of our Lord one thousand eight hundred and seventy-nine, and of the Independence of the United States one hundred and third.

RUTHERFORD B. HAYES.

By the President :

WILLIAM M. EVARTS,  
*Secretary of State.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, April 30, 1879.*

\_\_\_\_\_, Esq.,  
*U. S. Indian Agent, \_\_\_\_\_ Agency, Indian Territory :*

SIR: Information having reached this office respecting an anticipated attempt by citizens of the United States and others to possess themselves, under guise of settlement, of a large portion of the Indian Territory, embracing the lands acquired by the treaties of 1866, with the various Indian nations or tribes in that Territory, the subject was reported to the department by this office on the 19th instant.

By decision of the honorable Secretary of the Interior, under date of the 25th instant (copy herewith), all such persons are declared to be intruders, and this office is directed to instruct the agents and officers of the Indian service to use their utmost vigilance in the removal of all such unauthorized persons as may attempt to appropriate by settlement any of the aforesaid lands.

I also inclose, herewith, a copy of a proclamation issued on the 26th instant by the President, warning all persons intending or preparing to remove upon said lands or into the Indian Territory without the permission of the proper agent of the Indian Department, against any attempt to so remove or settle upon any of the lands of said Territory, and that all such persons who may so offend will be speedily and immediately removed therefrom by the agent, and, if necessary, the assistance of the military forces of the United States will be invoked to effect such removal.

You are therefore instructed to notify all persons attempting to reside in the Indian Territory contrary to law to remove therefrom, and you are authorized to use all the force at your command, police or otherwise, to effect the removal of all such intruders, and in case you are unable to remove such persons, you will make prompt report of any and all cases, giving names, &c., for the information of this office, in order that the proper authorities may direct the military forces of the United States to remove such intruders.

Very respectfully,  
(Signed)

E. A. HAYT,  
*Commissioner.*

MAXWELL.

WAR DEPARTMENT,  
*Washington City, April 30, 1879.*

SIR: In compliance with your request, I have the honor to inform you that there are troops available, which can be used to support the authorities of your department in removing trespassers from the Indian Terri-

tory, and in carrying out the orders of the President contained in his recent proclamation.

At Fort Sill there are 124 men of the Fourth and 109 men of the Tenth Cavalry and 63 men of the Sixteenth Infantry. At Fort Reno there are 134 men of the Fourth Cavalry and 34 men of the Sixteenth Infantry. At Fort Supply there are 59 men of the Fourth Cavalry. At Fort Elliott there are 55 men of the Fourth Cavalry, 54 men of the Tenth Cavalry, and 91 men of the Nineteenth Infantry.

At Fort Gibson there are 41 men of the Sixteenth Infantry. There are also troops at Forts Riley, Wallace, and Hays. Orders will at once be issued to the commander of that department, General Pope, to respond to any call made upon him for assistance in pursuance of any statute authorizing the use of the troops. You are aware that under the act of June 18, 1878, no part of the Army can be used as a *posse comitatus* or otherwise for the purpose of executing the laws except in such cases as are expressly provided for by the Constitution or by act of Congress. I will thank you to point out the provisions of the statute under which you think the troops may be used in this instance. My attention has been called to sections 2147, 2149, and 2150.

The first authorizes the use of the military to remove from the Indian country all persons found therein contrary to law, and would doubtless cover the case, assuming that there is a law which forbids settlement in the Indian Territory. I will also thank you to indicate the points at which you think troops should be stationed in order to be at hand when needed for the purpose indicated.

I have the honor to be, very respectfully, &c.,

GEO. W. McCRARY,  
*Secretary of War.*

The Hon. the SECRETARY OF THE INTERIOR.

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DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., May 1, 1879.*

The Hon. the SECRETARY OF WAR :

SIR: I am in receipt of your request of the 30th ultimo, for a reference to the laws and statutes of the United States which declare the Indian Territory under its present boundaries to be "Indian country," so as to subject it to the intercourse laws, and make it lawful to expel intruders therefrom by military force if necessary, under section 2147 of the Revised Statutes.

The whole of this Territory was included in the statute of March 30, 1802, declaring what portion of the United States shall be deemed "Indian country," which was re-enacted in terms by the first section of the act of June 30, 1834. (Stats., 4, p. 729.)

The intervening act of May 28, 1830, authorized the President of the United States to cause so much of any territory west of the Mississippi, not included in any State or organized Territory, as he might judge to be necessary, to be set off and divided into districts for the reception of Indian tribes. This Territory was specially selected and reserved by the Executive for the purposes prescribed, and has ever since been known and recognized as the "Indian country," no States nor organized Territories having been created therein. In the mean time, by treaty of May 6, 1828, article 2 (Stats., 7, p. 311), which was reaffirmed by treaty of December 28, 1835 (Stats., 7, p. 479), the United States ceded to the Cherokee Nation what is now known as the Cherokee country in said Territory,

and the jurisdiction of which is still retained by said nation under treaty of July 19, 1866 (Stats., 14, p. 799, art. 16), although a large portion of said lands are located by other Indians under the provisions of the latter treaty.

The next cession, in order of time, was made to the Creek Nation by treaty of February 14, 1833 (Stats., 7, p. 417, art. 2). This tract was situated immediately south of the Cherokee lands, extending westward to the Mexican boundary.

Next came the Choctaw and Chickasaw cession of June 22, 1855 (Stats., 11, p. 611), by which the residue of what is now the Indian Territory was ceded to those tribes.

By article 4 of the Creek treaty of February 14, 1833, above cited, provision was made for the Seminoles, and by treaty with the latter of March 2, 1833 (Stats., 7, p. 423), they were settled upon that portion of the Creek lands lying between the north and south forks of the Canadian River.

By these treaties title was guaranteed to the several tribes, and it was provided that the lands should never be included within the territorial limits or jurisdiction of any State or Territory, but should remain subject to the intercourse laws, which laws have, as before stated, continued in force in all parts of the Territory to the present time.

The title acquired by the government by the treaties of 1866 was secured in pursuance and furtherance of the same purpose of Indian settlement which was the foundation of the original scheme.

That purpose was the removal of Indian tribes from the limits of the political State and Territorial organizations and their permanent location upon other lands sufficient for the needs of each tribe. These lands being ample in area for the purpose, it has become a settled policy to locate other tribes thereon as fast as arrangements can be made, and provisions have been constantly made by treaties, agreements, and acts of Congress to effect these objects.

That purpose is expressly declared in the said treaties. The cessions of the Creeks and Seminoles are stated to have been made "in compliance with the desire of the United States to locate other Indians and freedmen thereon." These words must be held to create a trust equivalent to what would have been imposed had the language been "for the purpose of locating Indians and freedmen thereon."

The lands ceded by the Choctaws and Chickasaws were by article 9 of the treaty of June 22, 1855, leased "to the United States" \* \* \* "for the permanent settlement of the Wichita and such other tribes or bands of Indians as the government may desire to locate therein."

The treaty of 1866 substituted a direct purchase for the lease, but did not extinguish or alter the trust. In 1867, the Kiowas, Comanches, and Apaches were settled upon these lands by treaty. In 1869, the Cheyennes and Arapahoes were located by executive order, the Wichitas being already upon a portion of the same prior to the purchase.

The executive order of August 10, 1869, for the Cheyennes and Arapahoes, also covers all that portion of the Creek and Seminole lands west of the 98th meridian and south of the Cimarron River.

It will thus be seen that the Indian country, as defined by statute, embraces the whole Indian Territory. No part of it has been brought under the operation of general laws, or made subject to settlement as public lands. It is attached as "Indian country," for the enforcement of the intercourse laws alone, to the western district of Arkansas, by section 533 of the Revised Statutes. It is expressly named as Indian country in the act of March 3, 1875, "to establish the boundary between the State of

Kansas and the Indian country," which recognizes the proper closing of the surveys of the public lands upon its boundaries, as originally marked.

The consolidated provisions of the intercourse laws embrace two entire chapters of the Revised Statutes, sections 2111 to 2157, inclusive.

The fact that they have not in terms re-enacted the boundaries of the Indian country should not, in my judgment, be held to destroy its previously recognized location, as the direct effect of such conclusion would render inoperative the entire legislation provided for its government. Its recognition by the revised compilation and by subsequent statutes has heretofore been noted.

The persons now attempting settlement therein allege the acquisition of these lands in 1866 as the date when they became subject to the general laws of the United States. Thirteen years have now elapsed, and Congress has made no attempt to provide for them the necessary machinery for the execution of the general laws; but on the contrary, by recent enactment, has expressly provided for the continued jurisdiction of the district court of Western Arkansas. This must be held to negative any assumption that they are released from the special Indian purposes for which they were acquired and to which they have been continuously devoted.

For the views of the judiciary department, see opinion of August 12, 1873 (14th Opinion, 290), where the whole subject is elaborately considered, and which is in entire accord with the foregoing conclusions, so far as it relates to the region of the country in question.

Respecting the location of troops for the purposes indicated, I have the honor to state that the information in hand indicates a general movement from Coffeyville, Kans., via Old Whiskey Trail and Bruner's Crossing of the Arkansas River to the Sac and Fox Agency; thence to the Cimarron River, so as to reach the lands to the southward of the stream west of the 96th meridian. Also one from Arkansas City and one from Wichita to reach the same lands. Troops should be so placed near the north line of the Indian Territory as to cover each of these routes, and also at such points near the Sac and Fox Agency as to turn back and remove any parties who may have already entered the Territory.

It is desired that such of the intruders as are inclined to retire peacefully and willingly from the Indian Territory should be conducted to the boundary of the Territory, and allowed to proceed thence without restraint; and that the leaders in the movement, Mr. Carpenter in particular, and such persons as indicate a spirit of resistance, should be arrested and turned over to the civil authorities of the United States at Fort Smith, Ark., for trial.

Very respectfully,

C. SCHURZ, *Secretary.*

DEPARTMENT OF THE INTERIOR,  
*Washington, May 7, 1879.*

SIR: I have the honor to submit herewith a letter of this date addressed to the department by the Commissioner of Indian Affairs, calling attention to the statement of facts presented therein in relation to the organized movement of large bodies of unauthorized people into the Indian Territory, which has been the subject of previous correspondence from this department.

In view of the statements contained in the letter of the Commissioner and the evident necessity for immediate and efficient action, I respectfully request that the military instructions may be issued under author-

ity of the Executive as the Commander-in-Chief of the Army of the United States.

I have the honor to be, sir, very respectfully, your obedient servant,  
C. SCHURZ,  
*Secretary.*

The PRESIDENT,  
*Executive Mansion.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, May 7, 1879.*

SIR: In connection with the movement in progress to take possession of the Indian Territory, I desire to call your attention to the following facts:

It appears from communications received at this office that parties are entering said Territory on most of the roads leading thereto from the States of Kansas and Missouri. Large numbers are reported by the agent to have entered and settled upon the Quapaw lands, in the north-eastern corner of the Territory, within the last few days. It is evident from the fact that these parties are settling upon the Quapaw Reservation, near the north line of the Territory, that it is not, as at first indicated, their intention to settle alone on the lands designated in the Boudinot circular as public lands, but to take possession of the whole Territory.

There are on or near the north line of the Territory but two Indian agencies, the Quapaw and the Osage. It is obvious that the supervision of these agents can extend but a short distance in any direction from their respective agencies. It will therefore appear that it is impossible for them to supervise so great an extent of territory if their jurisdiction extended to the same. Therefore the order issued by the military authorities, as indicated by the telegram herewith from General McNeil, that the military are to act in the removal or prevention of intruders only upon the written application of Indian agents, after notification to the intruders, is impossible of execution.

I beg leave to suggest that the attention of the President be called to this matter, with the recommendation that the commanding officer of the district be directed to station troops upon the various roads entering the Indian Territory, a short distance within the boundary of the same, with instructions to arrest and return to the States all parties who appear to be unlawfully entering the Territory for the purpose of settlement. Troops should also be stationed near the Sac and Fox agency, with similar instructions. Adequate forces should also be sent in pursuit of any parties who are known to have passed into the Territory since this movement began, with instructions to conduct those who will return willingly from the Territory, and to arrest such as make a show of resistance, and turn them over to the civil authorities at Fort Smith, Ark., for trial.

In my judgment the situation is such as to call for the most energetic action. The movement is in direct contravention of law, and the power of the government should be exercised for its immediate suppression.

Very respectfully, your obedient servant,

E. A. HAYT,  
*Commissioner.*

The Hon. The SECRETARY OF THE INTERIOR.

UNITED STATES INDIAN SERVICE,  
Coffeyville, Kansas, May 4, 1879.

SIR: I have the honor to report that I arrived here last night. I have diligently applied myself to-day in inquiry as to the nature and extent of the so-called emigration into the Indian Territory.

Although it has been diligently and systematically worked up by newspapers like the "Kansas City Times," in the interest, and we may fairly suppose in the pay, of the railroads, not much has yet been done to move emigrants. The fact that a fellow like C. C. Carpenter is allowed to put himself at the head of the enterprise, must operate against it in Missouri and Kansas where he is known. I have seen some of the most reliable people of this town, and cannot find that any considerable party has yet left it, or gone through it. On the way there, twenty wagons and two ambulances were telegraphed to have gone out from here; only one stage-load left, and that was chartered and filled by a surveying party.

At this season of the year on the frontier will be found hundreds of "movers," people who go anywhere to get from where they last lived.

Some of these have, I suppose, been induced by the specious promises of Carpenter *et al.* to join them, and they may succeed in getting crowds of the restless and discontented on the same terms, if force is not at once applied to prevent their folly.

Troops could be bivouacked at points on the northern line of the Territory that would effectually prevent the intended invasion; say south of Baxter Springs, Chetopah, Coffeyville, and Arkansas City.

I believe the War Department intends to establish posts near the Caney, north of Osage Agency, and at a point south of Caldwell. If this disposition of troops could be made at once, I am satisfied that this invasion project would fall through, so that the troops could be withdrawn before the fall months.

Carpenter is here. He was the first man I met on my arrival. He is the same bragging, lying nuisance that I knew him seventeen years ago, when he infested Fremont's quarters. He will not put his head in danger by entering the Territory. It is a pity that the law could not hold him as a conspirator against the public peace. I gave him a few words of caution about getting honest men in trouble; but a pair of handcuffs would be the only convincing argument with him. He came to Independence, some twenty miles from here, at the end of a little spur of the same railroad. The merchants agreed to give him five hundred dollars when his first party came, and a thousand dollars more when a thousand emigrants had been moved to the Territory by him. He could not satisfy the parties that he had a party at all; they refused the first installment, and he left that place for this, saying that the Independence people had gone back on him. His wife is now operating on the merchants of this place in raising funds. The appearance of a squadron of United States cavalry would at once dry up this source of revenue.

The competition between the border towns for this emigration is the fruitful source of the lies that have been told about its magnitude, and the inducements held out to entice people into it.

A party propose leaving Chetopah to-morrow. Their leader, a Mr. McFarland, who called on me, reported them as 75 families. I think he exaggerated the number, but I telegraphed General Pope, who can catch and return them. Carpenter says that twenty-five hundred have gone in below Sac and Fox country. I suppose one-tenth of this number are there, as that is as near as he could possibly come to the truth; and it is quite as many as I can account for, even though four-fifths of them went by other routes than this.



If these people are summarily ejected and set across the line, a stop will be put to the whole thing. Force is the argument in this case, and the success of the government will depend on the promptness and speed of its application. Powerful and unscrupulous influences are at work stirring up the West in this matter. Only the whole power of the government can defeat them. Humanity demands that this be quickly applied. I shall keep General Pope advised by letter or telegraph, and report each event as it occurs to you. I may require some means for the getting of secret reports and authority to use them. In case I do I'll telegraph request for same.

I have the honor to be, your obedient servant,

JOHN McNEIL,  
*Inspector.*

Hon. E. A. HAYT,

*Commissioner of Indian Affairs, Washington, D. C.*

OFFICE OF UNITED STATES INDIAN AGENT,  
*Sac and Fox Agency, Indian Territory, April 30, 1879.*

Hon. E. A. HAYT,

*Commissioner Indian Affairs, Washington, D. C. :*

I have been hearing, for some time, rumor of arrangements for settling the government lands in the Indian Territory, but have had nothing definite in regard to the matter until the 28th, when four or five wagon-loads of men, women, and children passed through this place destined to form a settlement on the head of Deep Fork, about 45 or 50 miles west of Mexican Kickapoo station, this agency; since which time, about twenty wagons have passed, generally men. In view of the fact that this subject is assuming formidable and apparently large proportions, I deem it necessary to notify you of the facts, so that such action may be taken as the merits of the case demand.

The present point for settlement of those who have passed through here is some nearer Cheyenne Agency than this place; but if the number that is now reported, and who have arranged and are arranging to come, do come, in less than one month they will be scattered over hundreds of miles, selecting the best portions for farms.

I wish to call your attention particularly to the land occupied by the Mexican Kickapoo Indians, as I have no knowledge that their reservation has been bounded, further than that they were to occupy lands immediately west of and adjoining the Sac and Fox Reservation. If they have not a reserve set apart to them by metes and bounds, it will be absolutely necessary for this to be done at once, or their lands will be occupied by these immigrants, and a removal after they have once settled will be much more difficult than to prevent their occupancy, if the reservation is so bounded as to show where the Kickapoos actually have a right.

It has been the understanding with them that they should have land bounded on the east by the Sac and Fox Reserve, north by the Deep Fork River, west by the Indian meridian, and south by the North Fork River. This constitutes a tract of about eight townships. Some have claimed that it extends north to Red Fork or Cimarron River.

I herewith inclose three slips taken from the latest papers received here, which shows more fully the status of this immigration movement. You may have been apprised of this through the press, but the matter of the Kickapoo reservation should claim immediate attention.

Very respectfully,

LEVI WOODARD, *Agent.*

22 OCCUPATION OF INDIAN TERRITORY BY WHITE SETTLERS.

[Telegram.]

OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., May 3, 1879.*

To GEN. JOHN McNEIL,  
*Coffeyville, Kansas:*

The Secretary directs me to say that the utmost vigilance and energy must be exercised to prevent the movement into the Indian Territory. The military have been instructed to use the necessary force to return all parties now in the Territory therefrom, and to prevent any further movements across the line. Any important facts coming to you should be communicated to General Pope and to this office.

E. J. BROOKS,  
*Acting Commissioner.*

[Telegram.]

QUAPAW AGENCY, I. T., VIA SENECA, MO.,  
*May 6, 1879.*

To COMMISSIONER INDIAN AFFAIRS, *Washington, D. C.:*

Large numbers of people have moved into the Quapaw land in the last few days. Will warn them off at once.

HAWORTH.

[Telegram.]

OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., May 9, 1879.*

To WOODARD, *Agent, Sac and Fox Agency,*  
*via Muskogee, Indian Territory:*

Use you police employés and any other force you can command to prevent any further movement through your agency to territory west. Notify all parties to turn back under pain of removal by the military, who have been ordered to your agency for that purpose.

E. J. BROOKS,  
*Acting Commissioner.*

[Telegram.]

SENECA, MO., *May 8, 1879.*

To COMMISSIONER INDIAN AFFAIRS,  
*Washington, D. C.:*

Most all the Quapaw lands are staked off in claims, but claimants gone from Territory; one man on Kansas border moved his house on to what appears to be the Territory; he claims that it is on a strip of land claimed by Kansas. I notified him to remove it at once from the lands of the Territory. Is there a strip of land in borders of Territory in dispute with Kansas? All the claims are marked with names of claimants, in many cases on blazed trees and stakes in ground. I believe ten police can control it as it at present stands.

HAWORTH, *Agent.*

[Telegram.]

OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., May 6, 1879.*

To General McNEIL,  
*Coffeyville, Kansas:*

It is not necessary that agents should call on intruders to leave and then notify troops of refusal. Orders have been issued from here for their movement. It is not our duty to supply transportation for the Army, and have no funds for that purpose. Give all the vigor possible to movement.

E. J. BROOKS,  
*Acting Commissioner.*

REPORT FROM THE WAR DEPARTMENT.

WAR DEPARTMENT,  
*Washington City, May 14, 1879.*

SIR: I have the honor to return, with the papers which accompanied it, under your reference of this date, Senate resolution of May 7, 1879, calling for information in regard to an alleged occupation of a portion of the Indian Territory by white settlers, and the action taken to prevent same, and to transmit copy of correspondence on the subject as far as of record in this department.

Very respectfully, your obedient servant,  
GEO. W. MCCRARY,  
*Secretary of War.*

The PRESIDENT.

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[Telegram.]

HEADQUARTERS OF THE ARMY,  
*Washington, D. C., May 1, 1879.*

To General P. H. SHERIDAN,  
*Commanding Division, Chicago, Ill.:*

Referring to the President's proclamation of April 26, 1879, this day mailed you, forbidding trespass by immigrants on the Indian Territory, you may instruct the commanding general, Department of the Missouri, to use all his available troops to execute the terms of that proclamation, using force only on the requisition of and, when practicable, under the personal supervision of the officers of the Indian Bureau or of the several agents for the Indian tribes whose reservations lay within the Indian Territory, pursuant to sections 2147, 2149, and 2150 of the Revised Statutes.

W. T. SHERMAN,  
*General.*

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WAR DEPARTMENT,  
*Washington City, May 2, 1879.*

To the GENERAL OF THE ARMY:

The President directs that you issue such further orders as may seem proper to enable the military authorities in the vicinity of the Indian Territory to aid the authorities of the Interior Department in carrying out his recent proclamation and in removing intruders from the Indian country. The whole of the Indian Territory will be regarded and treated as "Indian country" within the meaning of section 2147 of the Revised Statutes.

I am advised by the Secretary of the Interior that immigrants are moving into the Territory by way of Coffeyville, Kans., and of the trail known as the Old Whiskey trail to the Sac and Fox Agency; also by way of Arkansas City and Wichita, Kans.; also by the Missouri, Kansas and Texas Railroad. It is desirable to station troops so as to intercept and turn back persons entering the Territory by either of these routes.

The President also expresses the opinion that the execution of your orders upon this subject should be intrusted to some well-known officer of considerable rank, who should go upon the ground and direct operations, believing as he does that the presence of such an officer would alone be of great importance and render unnecessary the use of force.

GEO. W. McCRARY,  
*Secretary of War.*

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
*Washington, D. C., May 2, 1879.*

General P. H. SHERIDAN,  
*Commanding Military Division, Chicago, Ill.:*

Orders and instructions will be mailed you to-night to use force and persuasion to prevent intrusion by emigrants on the Indian Territory south of Kansas.

Order at once small detachments to Coffeyville, Wichita, and Arkansas City, with some active good officer, such as Charles H. Smith or Dodge, to command the whole, and instruct all commanding officers in the Indian Territory to use force on the requisition of the Indian agents to expel parties who attempt to make settlements south of the Kansas line.

W. T. SHERMAN,  
*General.*

HEADQUARTERS ARMY OF THE UNITED STATES,  
*Washington, D. C., May 2, 1879.*

General P. H. SHERIDAN,  
*Commanding Military Division, Chicago, Ill.:*

GENERAL: I have this moment, 4:15 p. m., received from the Hon. Secretary of War a letter of this date, copy of which is herewith inclosed, which I construe to be the result of a conference in cabinet to-day. I prefer to send it entire by mail rather than by telegraph, because of the nature of the subject, and because I understand the President attaches much importance to it. The movement to settle on the Indian Territory must be resisted by all the power of the government, civil and military, because the faith of the nation is pledged that this Territory shall be reserved to the Indians removed to that country in 1838, and to the others located there by subsequent treaties, all of which are construed as obligatory in law as well as honor.

The absence of Generals Pope and Davis at this instant of time may make it awkward for you to fulfil the orders of the War Department, but I advise you to order to the points indicated by the Hon. Secretary of War small detachments of troops to encamp near the southern border of Kansas, to notify all emigrants who pass south into the Indian Territory that they are acting in violation of law, and that they will most undoubtedly be ejected by force if they persist. Some judicious officer, say, Col. C. H. Smith, Nineteenth Infantry, or Lieut. Col. R. I. Dodge, of the Twenty-third, with two or three young officers, mounted, should be posted, say, at Coffeyville, with orders to patrol the frontier to caution all emigrants that any attempt to enter and make a settlement south of Kansas will result in a violent expulsion.

Then instruct the commanding officers at Forts Gibson, Sill, Reno, Supply, Elliott, and the cantonment recently established on the Canadian, that, on the written request of any Indian agent, they will send a detachment of troops to remove beyond the border any person who attempts to make a settlement in the Indian Territory. Let these orders be executed firmly, with due consideration to the misguided emigrants, but in such a manner as to carry conviction that the government is in earnest. I am sure these emigrants have been deceived by some parties having sinister motives, and that as soon as they are convinced that the government is bound to protect this Territory against trespass, they will move to the nearest vacant lands in Kansas or Texas which are open to entry, or are subject to the homestead laws.

As soon as Generals Pope and Davis return to their posts of duty, the execution of these orders will properly devolve on them. Please report your action as early as possible.

I am, with respect, yours, truly,

W. T. SHERMAN,  
*General.*

Orders positive to expel if across the border. Notify this side.  
W. T. S.

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[Telegram.]

CHICAGO, ILL., *May 3, 1879.*

To General W. T. SHERMAN:

Your dispatch of yesterday received. The troops will be sent to the points named and put under good officers, and every effort will be made to comply with the instructions of the government on the subject.

P. H. SHERIDAN,  
*Lieutenant-General.*

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[Telegram.]

WASHINGTON, D. C., *May 3, 1879.*

[FROM DEPARTMENT OF JUSTICE.]

To Hon. GEO. W. McCRAEY,  
*Secretary of War :*

Letter from Hallowell, Kansas, states that numbers in small parties have already entered Indian country; that a general advance is expected May 7. Managers of movement assert proclamation will not be heeded and that troops cannot stop the movement or remove after location. Leaders and press insist this is another Black Hills affair, and government will discover it is powerless and Congress will hasten to open the lands for settlement. Hallowell thinks movement is widespread, preparation extending to entire southern tier counties, and to stop it will require rigid measures.

CHAS. DEVENS,  
*Attorney-General.*



[Indorsement.]

HEADQUARTERS OF THE ARMY,  
Washington, D. C., May 3, 1879.

Respectfully returned to the Hon. Secretary of War.

I believe the movement can be stopped if all departments of government, civil and military, will persevere and act in harmony.

The inclosed map, just received, must be the prime cause, and the bad example in the case of the Black Hills when the government yielded to the emigrants.

W. T. SHERMAN, *General.*

Note in Adjutant-General's Office.—Copy of map furnished with correspondence from Interior Department, under Senate resolution of May 7, 1879.

[Telegram.]

CHICAGO, ILL., May 5, 1879.

General W. T. SHERMAN:

I am in receipt of letter of Hon. Secretary of War of May 2, and your letter of instructions of same date.

Troops have been sent to Coffeyville, Wichita, and Kansas City, and I will order a detachment to Vinita, the present terminus of the Atlantic and Pacific, all under command of Col. C. H. Smith, Nineteenth Infantry. Commanding officers at Sill, Reno, Supply, Elliott, and cantonment have been notified, and copies of your instructions to me will be furnished them.

I will take steps to send troops to all other points from which emigrants may attempt to enter the Territory.

I would suggest that an Indian agent be sent to co-operate with Colonel Smith.

P. H. SHERIDAN,  
*Lieutenant-General.*

[Telegram.]

CHICAGO, May 6, 1879.

To General E. D. TOWNSEND,  
Washington, D. C.:

The following dispatch just received would lead one to believe that accounts in the newspapers of the invasion of the Indian Territory by emigrants are exaggerated.

P. H. SHERIDAN, *Lieutenant-General.*

"FORT LEAVENWORTH, May 6.

"ASSISTANT ADJUTANT-GENERAL, Chicago:

"Commanding officer Fort Gibson has been directed to send party to Vinita, authorized to use force only on written requisition of Indian agent. Colonel Smith telegraphs to-day from Coffeyville: 'Nothing of importance to report from this place at present. There is no excitement of any kind here.'

"PLATT,  
"Assistant Adjutant-General."

EXECUTIVE MANSION,  
Washington, D. C., May 6, 1879.

GENERAL: Please instruct the officer in command in the Indian Territory by telegraph that the President considers the request already received from the authorities of the Indian Bureau as sufficient to authorize the employment of the troops in expelling intruding immigrants, and in stopping and turning back such as are entering the Territory. The President directs that the military authorities proceed without waiting for further requests to carry out the orders already issued, and that they use great diligence by employing the cavalry as far as practicable, making frequent reports.

Respectfully,

GEO. W. McCRARY,  
*Secretary of War.*

General W. T. SHERMAN,  
*Commanding Army of the United States.*

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[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
Washington, D. C., May 6, 1879.

General P. H. SHERIDAN,  
*Commanding Division Missouri, Chicago :*

The Secretary of War instructs me as follows: Please instruct the officer in command in the Indian country that the President considers the request already received from the authorities of the Indian Bureau as sufficient to authorize the employment of the troops in expelling intruding emigrants, and in stopping and turning back such as are entering the Territory.

The President directs that the military authorities proceed without waiting for further requests to carry out the orders already issued, and that they use great diligence by employing the cavalry as far as practicable. Please telegraph these orders, and report as fully and frequently as necessary by telegraph.

W. T. SHERMAN,  
*General.*

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[Telegram.]

WAR DEPARTMENT,  
Washington, D. C., May 6, 1879.

[FROM DEPARTMENT OF JUSTICE.]

To Hon. GEO. W. McCRARY :

The following telegram has been received from Topeka, Kans., May 6:

Hon. CHAS. DEVENS,  
*Attorney-General :*

I learn that a large number of citizens have crossed the State line and taken possession of the Quapaw Reservation, south of Baxter Springs. There is continued emigration into the Territory, and much excitement, which seems to be spreading rapidly.

GEO. S. PECK,  
*United States Attorney.*

CHAS. DEVENS.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
Chicago, Ill., May 7, 1879.

General W. T. SHERMAN,  
Washington, D. C.:

Your dispatch of yesterday, giving additional instructions for commanding officers in the Indian Territory, has been duly transmitted; and the cavalry and every other means will be used to accomplish the object in view. I will transmit by telegraph all reliable information which reaches me.

P. H. SHERIDAN,  
Lieutenant-General.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
Washington, D. C., May 7, 1879.

General P. H. SHERIDAN,  
Commanding Division, Chicago:

The President and Secretary of War are now in my office. They have information through other sources that emigrants have gone and are still going into the Indian country from Baxter Springs, and they are determined that this unlawful intrusion shall be absolutely and promptly stopped by the military. Therefore, I want you to bring to that border what cavalry you can possibly spare from Sill, Supply, and Elliott, and forcibly eject every emigrant who has gone over the border, or may attempt to go there. The President attaches so much importance to this that you had better send General Pope, who left New York yesterday for Leavenworth, to that border personally to direct operations or to go yourself. The troops may act under existing orders, without waiting for the interposition or requisition of Indian agents. Only be sure that no part of the Indian Territory be occupied by trespassers, and that all such trespassers be promptly ejected by military forces. Report action frequently, as the Interior Department and the Department of Justice have reports varying so widely from those which come from the military.

W. T. SHERMAN,  
General.

[Telegram.]

CHICAGO, ILL., May 7, 1879.

To General W. T. SHERMAN,  
Washington, D. C.:

Your dispatch of this date just received. I have ordered a company of infantry by rail to Baxter Springs, two companies of calvary from Reno to Vinita for use along that line of frontier, one company of cavalry to Coffeyville and one to Wichita.

I will send two staff officers there immediately, and as soon as General Pope reaches Leavenworth will send him to the frontier to stay until the trouble is over, and if you deem it best, will go myself. There is no doubt of our ability to eject these trespassers if the authority we now have remains unchanged.

P. H. SHERIDAN,  
Lieutenant-General.

30 OCCUPATION OF INDIAN TERRITORY BY WHITE SETTLERS.

[Telegram.]

CHICAGO, *May 7, 1879.*

[Received Washington, D. C., 3.50 p. m.]

To GENERAL W. T. SHERMAN,  
*Washington, D. C.:*

Unless you otherwise direct, I will, on the arrival of the four companies of the Twenty-second Infantry now at Brady and Mackinac in this division, order them for temporary duty at Fort Gibson for use along eastern frontier of the Indian Territory.

If you know when they will start please let me know.

P. H. SHERIDAN.

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[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
*Washington, D. C., May 7, 1879.*

General P. H. SHERIDAN,  
*Commanding Division, Chicago, Ill.:*

Your two dispatches of to-day are received, and seem to me to completely fulfill all the conditions. Will telegraph to General Hancock about the four companies of the Twenty-second Infantry, and instruct him to notify you by telegraph when they can be available.

The moment they reach the limits of your division they are subject to your command.

W. T. SHERMAN,  
*General.*

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[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
*Washington, D. C., May 7, 1879.*

General W. S. HANCOCK,  
*Commanding Division, Governor's Island, New York Harbor:*

General Sheridan needs on the Kansas frontier the four companies of the Twenty-second Infantry ice-bound at Mackinac and Brady. Let him know by telegraph when he may expect them to reach Kansas City. If possible, hurry them up.

W. T. SHERMAN,  
*General.*

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[Telegram.]

NEW YORK, *May 7, 1879.*

General W. T. SHERMAN,  
*Washington, D. C.:*

Your telegram received. In reply to a telegram of mine of this morning, Major Reynolds, quartermaster at Buffalo, states that it is expected that a steamer will take the troops from Brady on the tenth and those from Mackinac probably the next day, and General Sheridan can give orders to them as they pass through Chicago to stop them at Kansas City or elsewhere.

I will give orders to hasten their movements or prevent unnecessary delay; in fact have already done so. I will communicate with General Sheridan, telling him to give them his directions in accordance with the tenor of your telegram.

W. S. HANCOCK,  
*Major-General Commanding.*

[Telegram.]

NEW YORK, *May 8th.*

General SHERMAN, U. S. A.,  
*Washington, D. C.:*

Following just received from quartermaster at Buffalo:

"Arrangements are made so that steamer Peerless will take Brady troops tenth instant, those at Mackinac eleventh inst., and proceed to Chicago with both commands. She will be due there about thirteenth inst. I have informed General Sheridan."

W. S. HANCOCK,  
*Major-General Commanding.*

[Telegram.]

CHICAGO, *May 8, 1879.*

To General W. T. SHERMAN,  
*Washington, D. C.:*

The four companies of the Twenty-second will leave Mackinac on the tenth, and I will for the present at least use them along the eastern line of the Indian Territory, sending their families, &c., to Fort Gibson. The cavalry for Vinita, Coffeyville, and Arkansas City ought to be now *en route*; also a company of infantry by rail from Fort Lyon for Baxter Springs.

I will also hold two companies of the Fifth Cavalry at D. A. Russell in readiness to move by rail at a moment's notice to Baxter Springs and Chetopa. Staff officers from General Pope's headquarters have been sent along the eastern line, and Colonel Bradley from mine has gone to Baxter Springs, and to-morrow Colonel Forsyth will go to Chetopa.

Colonel Smyth, Nineteenth Infantry, sees no signs of incursion from the north.

The officer at Vinita sees little danger there, but has fears about Baxter Springs and Chetopa, both of which places have been looked after. I think the President can rest confident of our ability to manage the matter as soon as we can find out the proper place to operate.

General Pope will reach Leavenworth on Saturday morning, and has been ordered to Indian Territory to conduct the operations necessary to prevent unauthorized persons from settling in that country.

P. H. SHERIDAN,  
*Lieutenant-General.*

[Telegram.]

CHICAGO, *May 8, 1879,*

[Received Washington, D. C., 5.44 p. m.]

To General W. T. SHERMAN,  
*Washington, D. C.:*

In a letter to the General of the Army, September 30, 1876, I notified him of the existence of mineral deposits of gold and silver in

the western end of the Wichita Mountains. In view of the present excitement, I have thought it best to again renew this information and to state my belief in the existence there of these minerals, this belief being strengthened by additional information received from time to time since.

P. H. SHERIDAN,  
*Lieutenant-General.*

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[Telegram.]

HEADQUARTERS OF THE ARMY,  
*Washington, D. C., May 9, 1879.*

General P. H. SHERIDAN,  
*Commanding Division, Chicago, Ill.:*

I well recall your former opinion of minerals in the Wichita Mountains. I do not understand the present invasion of the Territory is by miners, but by farmers; yet it may be advisable to have a thorough official exploration, so that we may know the exact truth. I attach little value to gold deposits, but they create an excitement which it is almost impossible to resist.

W. T. SHERMAN,  
*General.*

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[Telegram.]

CHICAGO, *May 9, 1879.*

To ADJUTANT-GENERAL,  
*Washington, D. C.:*

The officer at Wichita telegraphs: No excitement here; no organized body. Nearly every emigrant train passing through has been visited. Some few acknowledge that they were going into Territory, but are now disposed to obey proclamation. About twenty-five teams pass here daily, but a good many intend locating in Kansas. A few emigrants were met by Lieutenant Claggett coming out of the Territory. I think the proclamation will be respected. Captain Clapp arrived to-day in charge of Cheyenne Indians. Agent Miles arrived yesterday. Both give assurances that no settlers, so far as they know, have entered or located within eighteen miles on either side of the Fort Reno trail.

P. H. SHERIDAN,  
*Lieutenant-General.*

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[Telegram.]

CHICAGO, ILL., *May 9, 1879.*  
[Received, Washington, May 9—3.54 p. m.]

To General W. T. SHERMAN,  
*Washington, D. C.:*

I have your telegram of this date. I fully understand the present attempted invasion of the Indian Territory. My telegram of yesterday was simply to give information of other disturbing interests in the Territory. A few adventurers have gone to Wichita Mountains.

P. H. SHERIDAN,  
*Lieutenant-General.*



[Telegram.]

CHICAGO, ILL., May 9, 1879.

General E. D. TOWNSEND,  
Washington, D. C.:

The following dispatch, just received from headquarters Department of the Missouri, is forwarded for information of the General of the Army.

P. H. SHERIDAN,  
*Lieutenant-General.*

“Officer at Vinita reports that Indian Agent Haworth informs him that he has spent two days on Quapaw lands; found many claims marked off, with claimants’ names on trees. Claimants all gone; most of them from Kansas and Missouri. The officer at Wichita reports quite a number of persons have passed through *en route* to the Territory, but news having reached them of the intention of the government, some have returned and others have settled in Kansas. An officer from the cantonment reports that on his way out he met several parties coming out of the Territory.

“PLATT, A. A. G.”

[Telegram.]

CHICAGO, May 10, 1879.

To ADJUTANT-GENERAL,  
Washington, D. C.:

The following dispatch from Lieutenant-Colonel Bradley, who was sent from these headquarters to Baxter Springs, is repeated for information of the General of the Army.

P. H. SHERIDAN,  
*Lieutenant-General.*

“BAXTER SPRINGS, KANS., May 10.

“ADJUTANT-GENERAL,  
“*Military Division of the Missouri, Chicago:*

“Reached here last night with Captain Hsley, of General Pope’s staff. There is no indication of any settlers going into the Indian Territory from this point. Some of the citizens of this and adjoining counties have gone into the Territory and staked out claims in a strip of country directly south of here, returning to their homes afterwards. This strip of country, about three miles by nine, is said to have been purchased of the Quapaws by the government. I am going over to this Quapaw country to-day, and will report on my return.

“BRADLEY,  
“*Lieutenant-Colonel.*”

[Telegram.]

CHICAGO, ILL., May 12, 1879.

General E. D. TOWNSEND,  
Washington:

The following dispatch is repeated for the information of the General of the Army. The four companies of the Twenty-second Infantry are not especially wanted in Texas, and I will let them remain until next fall, or longer, at Gibson.

P. H. SHERIDAN,  
*Lieutenant-General.*

"FORT LEAVENWORTH, May 11.

"Lieut. Gen. P. H. SHERIDAN,  
"Chicago, Ill.:

"Latest telegrams received last night stated that there are no parties going into the Indian Territory so far as can be learned by careful inquiry at several points along the frontier. There are some persons at Baxter Springs who talk of going into the Territory from that point, but none have yet gone, and, as the company from Fort Lyon reached Baxter Springs yesterday, it is not likely any will attempt it. The only authentic information yet received that any have entered is from Coffeyville, and that only about sixty persons have entered the Territory during the entire spring.

"The cavalry companies from Reno, Supply, and Snake Creek are on the march for Vinita, Arkansas City, and Coffeyville, and will be there some time this week, when they will be divided into detachments, and sent to scour the country and put out all persons who may have gone into the Territory, if any there be. There is no need of any more troops to be sent here, though the companies of the Twenty-second Infantry may have some moral effect if left for a few weeks at Vinita.

"I feel, however, perfectly competent, with the troops I have, to enforce the President's proclamation, and will go soon and distribute the troops as soon as the cavalry companies referred to have reached the point indicated.

"The mounted infantry company at the cantonment on Canadian will be ordered to watch the line west of Arkansas City. I consider this whole affair not only grossly exaggerated but practically a 'humbug.' It appears to be an attempt to ascertain what the government would do in case of such a movement, rather than any serious purpose to make it.

"JOHN POPE,  
"Brevet Major-General."

[Telegram.]

CHICAGO, May 13, 1879.

To General W. T. SHERMAN,  
Washington, D. C.:

Latest reports to General Pope indicate no further intentions on part of squatters to disobey the proclamation of the President of the date of April twenty-sixth.

P. H. SHERIDAN,  
Lieutenant-General.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
Washington, D. C., May 13, 1879.

General P. H. SHERIDAN,  
Commanding Division, Chicago, Ill.:

Your letter and dispatch are received. All parties, including the President and Secretary of War, are much pleased at what you report. The President wanted you to know how much he appreciated your prompt action, to which he attributes the fact that the scheme to invade the Indian Territory was totally defeated without the necessity of using violence to any emigrant.

W. T. SHERMAN,  
General.