

WICHITA AND AFFILIATED BANDS OF INDIANS.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

IN RESPONSE TO RESOLUTION OF THE SENATE DATED APRIL 15, 1897, COPY OF A COMMUNICATION DATED MARCH 25, 1897, FROM CAPT. F. D. BALDWIN, U. S. A., ACTING AGENT, KIOWA AGENCY, AND ACCOMPANYING COPY OF THE PROCEEDINGS OF A COUNCIL HELD WITH THE WICHITA AND AFFILIATED BANDS OF INDIANS MARCH 23 AND 24, 1897, RELATIVE TO THE OPENING OF THEIR RESERVATION, THE ALLOTMENT, AND THE ORIGINAL TREATY.

APRIL 29, 1897.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, April 22, 1897.

SIR: I have the honor to acknowledge the receipt of the following resolution of the Senate, dated 15th instant:

Resolved, That the Secretary of the Interior is hereby directed to send to the Senate a copy of the testimony and statements of the Delaware, Caddo, and Wichita Indians at a council held with representatives of the Interior Department at Sugar Creek, Oklahoma Territory, on the 24th of March, 1897.

In response thereto, I transmit herewith copy of a communication dated 25th ultimo, from Capt. F. D. Baldwin, U. S. A., acting agent, Kiowa Agency, and accompanying copy of the proceedings of a council held with the Wichita and affiliated bands of Indians March 23 and 24, 1897, relative to the opening of their reservation, the allotment, and the original treaty.

Very respectfully,

C. N. BLISS,
Secretary.

The PRESIDENT OF THE SENATE.

UNITED STATES INDIAN SERVICE, KIOWA AGENCY,
Anadarko, Okla., March 25, 1897.

SIR: I have the honor to transmit herewith proceedings of a council held with the Wichita and affiliated bands of Indians March 23 and 24, 1897, relative to the opening of their reservation, the allotment, and

the original treaty. These people have been urging me to hold council with them for more than two years, that they might express themselves in connection with these matters. I gave them free latitude to talk, and what they have said is now in writing.

In forwarding these papers I can not but express a feeling based upon statements that I have heard from time to time that there was a great deal of undue coercion used in making what is known as the Jerome treaty. Several of these Indians have made statements, which they are willing to reiterate under oath, that they have been offered as high as \$500 if they would interpret in a certain way and sign the treaty, prevailing upon their own people to sign it, when in fact the words to be used were different from those which were interpreted to them. There has been and is still a very bitter and deep-set objection to the treaty as it now stands; not that these Indians are opposed particularly to the allotment of these lands and eventually to the opening

of the reservation to settlement, but it is the fact that they realize themselves, as well as those who are unselfish and have business motives more in sympathy with the Indians than with the white element which is hanging about them, that they are absolutely unfit and in no condition to have this country opened to settlement, and will not be until they are learned and taught what it means to gain a livelihood from a small tract of land compared with that which they have been allowed to roam over in the past.

I do not think that there is an Indian among these people who does not fully realize that his country must be surveyed off, and such lands as they do not take are to be sold to the Government or citizens eventually, and when the proper time comes to do this there will be no objection to it. While they do not like the idea of having their lands allotted at present, based upon the fear that the country will be immediately opened to settlement, still their objections are not so strongly taken that they will not be overcome entirely, and the allotments will be made without any opposition in my opinion. These Indians desire this protest as expressed to be made a matter of reference to the proper committee in the House or the Senate, with a view, if possible, to the reconsideration of the act of Congress which approved of what is known as the Jerome treaty, or at least to postpone the act of opening this country until such time as they are prepared to meet the requirements of citizenship. I trust the Department will give it that consideration which is due, and that the rights of these people will be protected through the strong arm of the Government.

The question of adopting certain people named in the body of their proceedings is submitted for the consideration of the Department without recommendation, except in cases of the Indians named therein, whom I recommend be adopted in accordance with the expressed wishes of these people.

In connection with this matter I would deem it a most desirable thing could we settle this entire reservation with Indians, bring them from among the white people who are surrounding and crowding them off of their land, making this thoroughly and simply an Indian country. There is not an instance in history where Indians and white people have affiliated to that extent but that the Indians have remained in a most unenviable condition and position, scarcely ever, and never as a people, being able to take their stand and position as people of good moral character and citizens. The people who are thoroughly acquainted with these Indians can not but realize the fact, judging from history

and their personal knowledge of them, that they can never be brought to that high standard of civilization that the English-speaking people have attained, and they will ever be a downtrodden race unless the Government locates them by themselves and then cares for them to that extent as may be necessary to protect them against the avarice of scheming whites who are constantly hanging about preying upon their credulity.

Very respectfully,

FRANK D. BALDWIN,
Captain Fifth Infantry, Acting Agent.

The COMMISSIONER OF INDIAN AFFAIRS,

Washington, D. C.

COUNCIL PROCEEDINGS.

KIOWA AGENCY, OKLA., March 23 and 24, 1897.

At the request of the Wichita and affiliated bands of Indians, a council of said Indians was held near White Bread Issue Station, on the Wichita Reservation, Okla., commencing March 23, 1897, and ending March 24, 1897, by Capt. Frank D. Baldwin, U. S. A., acting Indian agent, Kiowa Agency, Okla., and George A. H. Mills, special allotting agent, the proceedings of which are as follows:

Interpreters: Johnson Lane, Wichita; Robert Dunlap, Caddo; Joseph Pooler, Delaware.

The AGENT. Now, it is necessary in the organization of a legal council that chairmen be elected by each tribe; now who will each one of you nominate as chairman? Who will the Caddos nominate? To wac o nie Jim says that he wants Caddo Jake to be chief of this council. Now all of you that want Caddo Jake to be chairman of this council please rise up. (Unanimously elected.)

Now, tell them that the next man is a secretary. Tell them that I will nominate and appoint a man that can take down all the talk as fast as it is said, and I appoint Mr. Kelsey as secretary of this meeting.

Now, we are ready to proceed to the business that we came here for. I am going to make a very few remarks, and then I will introduce you to one of the men that has been sent here as an allotting agent. You must all understand that the allotting agent is sent here in compliance with law; in the first place, you people all of you, or a majority, signed a treaty which is known as the Jerome treaty; you agreed in that to do certain things. That treaty was confirmed by Congress; when Congress confirmed that treaty it provides that these lands should be disposed of, first, that each Indian should receive a certain number of acres of land—man, woman and child. After you have made your selection and they have been measured off—that is, surveyed off—the balance of it is to be sold and you are to receive what is paid or what is provided shall be paid for it.

The allotting agent, as soon as you become acquainted with him, will explain to you fully his orders or the orders of the allotting agents—there are two of them. There is just one more thing I want to explain, and that is this, the taking of your allotments—the selecting of them and having them marked, staked off, so that each one of you know exactly where you are—it does not mean the immediate opening of such lands as you do not select to settlement by white people; and I can assure you that those friends of yours who have kept the reservation from being opened for the past three years since the treaty was confirmed will still struggle to keep it from being opened until you are prepared to have it opened; that is, until you are perfectly able and competent to support yourselves on your allotments. I know it would make all your hearts glad if I would say that it will never be opened, but that would be a foolish thing for me to say, because this great country has got to be occupied to its fullest capacity to support her people. You all understand just as well as I do the way they have opened these other countries that belong to other Indians, and that this will some time have to be opened, the same as that, to settlement by white people. Now, my advice to you as a good friend—one who is willing to do everything in his power to protect you—is that you look on this matter in the first place as your own act, in the second place as complying with the laws of the Government as Congress has provided. The Indian must remember that he took the first step, because he signed that treaty.

Now I want—or I will advise you Indians to exercise your own minds. Do not be influenced by these white people outside unless they are sent here by the Government to do what is right by them and select the land that they want. The allotting

agents have got instructions that are liberal. They must consider the interest of the Indians first in everything, and I know that they will do it; that is, I know that they will allot the land that the Indian selects. As your friend and as your legal adviser, authorized by the Government, I think that the best thing that you can do is to get these allotments, and if I had my own way, or could judge and act, I would allot the Kiowas and Comanches the same as you are going to be done now. Now I have said a good deal more than I intended to, but I am going to stop, and I will introduce to you Mr. Mills, one of the men who has been sent here as allotting agent. Mr. Mills will read and explain his instructions as he has received them from the Government. There are two of them.

MR. MILLS. My friends, I am glad to see you here. I think you have a very good man here in charge of your business, Major Baldwin. He is your friend, and I think you are his friends. I want to be your friend and want you to be my friends. There are two agents; one hasn't come yet—Mr. Coleman. He is late. He will be here, I think, to-night or to-morrow, and he and I will be with you together. We will do the same kind of work and help you to make your selections of your allotments in accordance with the agreement made by you, the Jerome treaty. Congress confirmed this treaty, and then the Great Father at Washington appointed two agents—Mr. Coleman, who hasn't come yet, and me—to come here and carry out the provisions of the Jerome treaty in regard to your selections of land and to help you to carry out the provisions of that same treaty. After the Great Father appointed the two agents to come and help you select your lands, they prepared at Washington for those two agents instructions as to just what we should do and what the Indians should do. I have got those instructions here and will read them to you and explain them to you, and will answer any questions that you want to ask about them as they come up after I get through reading them. You must remember all the time that it was your own agreement with the Jerome commissioners and the Government that these allotments should be taken by each member of the Indians on this side of the river. Now, these instructions to the two agents I will read to you. They tell us what to do and tell us what to have the Indians do to the very best interests of the Indians, and I will read them all through.

(Here instructions are read.)

Now I have read you the instructions to the two agents. Of course there will be from time to time questions that you will want to ask; we will be glad to have you ask us questions, as we are among you and we will have these instructions with us all the time and will explain them to you, all of them, whenever you want us to. After we get started to work we are going to come over here with tents and move around from place to place and work right among you, and you will have a chance to get well acquainted with us, and we want to give the Indians every opportunity to make their selections and get good land. You must make them according to the agreement as it was ratified by Congress, which requires you to make these selections.

Adjournment until 8:30 p. m.

TO WAC O NIE JIM, Chief of the Wichitas. He says this be the first time that I ever made a talk at night; this be the first time I ever had a chance to talk at night. He says I want the chairman and the secretary and the agent must listen very carefully. He says I want to allotting agent to listen to me very carefully, because you people are sent over here to hear what we have to say. He says the first time when the Commissioners came over here—those three Commissioners—I talk the same thing that I talked before. He says the first day when the Commissioner came in here they told me that they had something for you that would be a benefit to everybody, and now he says this afternoon I heard the same thing; the same papers was read to me this afternoon. He says the first day when I met those three Commissioners—he says—there was no white man to insist for you talking, and I told him I good for that; told them to look behind me; there was no white man but myself; I am full-blooded Indian. He says this afternoon that Major Baldwin told me the same thing. He says that he told me that we must select our land—eighty acres apiece—one for grazing land and the other for farming land, and he told me that the smallest children in the whole tribe get that much. He said that the Commissioner told them that day that little children must have only eighty acres.

He says the time when he told me for that we must take allotments, and he says that papers that was read by Mr. Mills here, and I told them I don't want that, that I got something before you that you will attend to it. He says I told the Commissioners that this be the first thing must be done; that we sold the Wichita Mountains; then we sold where the Cheyenne country is now, we sold that; then I got a piece of land in Texas; that this must be done the first thing, that I must get our money for it before I take this allotment, that is what I told them. He says that is what I told the Commissioners before and since I heard that the allotting agents was coming, and I thought that he was coming to tell me that there was some money coming to you from that Wichita Mountains that was sold by the Government, and I was glad to hear that and to know how long he is going to extend my time to be paid off

from that country was sold, and to hear that how long they is going to extend my time to take allotments. He says now my agent and the chairman, and the secretary and Mr. Mills now study on this matter and study carefully, just think of it, the talk I made that day; there is nothing in this paper that has been read this afternoon; that has never been written down, but the Commissioners that went off from here, just thought I will have a good reputation.

Now, just think about agent; just study on this matter how the United States Government treated these poor Caddos and the Wichitas and the Delawares; he says now what is the reason we all see that to-day the Kiowas and the Comanches and Apaches getting their grass money, and the Cheyennes they got pay for what has been sold, and the Choctaws got their money from their country, and it is a fact what I have said to-night, that the country on the other side of the Washita River is mine, and the country that has been sold by the Cheyennes is mine, and I never got no cent for it. He says, now, to-night I would say so many times that I been here and raised here, and he will still say many times on that same question more than 500 times that that country is his; I will tell the truth; he says that to-night I got to make the same talk, and I ask you, that that country that you sold on the other side of Washita and the country that was taken away from me, that the Cheyennes was sold, I was be paid first before I have my lands surveyed off; that is all I have to say; one more; he says that because you have never paid me when I help the Government, when I assist with the soldiers and I lose many of my people, and the Government has never settled that matter yet; that's all. He wants to hear somebody else.

NI ES TOA, Wichita. He says I want you to know. Major Baldwin, I going to make a talk to-morrow, and I got nothing to say to-night; he says he never have a chance to talk in the night; he says he never want to talk in the night.

Council adjourned until 8 a.m., March 23, 1897.

Council proceeded with pursuant to adjournment at 9 a.m., March 23, 1897.

NI ES TOA, Wichita. He says you know last night I make a statement that I was going to make a talk in the morning when they give me a chance last night. So to-day I going to make a few remarks. He says that yesterday afternoon the man I was standing right here before me and I listen very carefully the paper they read yesterday, and I going to make a talk on that same thing. He says on yesterday Major Baldwin told me to don't depend on the white man to give you talk what to say, and here to-day I am standing here right before you and there is no white man standing behind me to give me his words to do the talking. He says the papers that was read yesterday when I listened that paper was read I don't see through it all, because the talk that was made before when the commissioners was here there was nothing in that paper like the talk at the time when they make that treaty.

He says that the land I got here that the Congress has never attend to it or give me anything for my land, but the first thing he done he want us to take allotments; he says the first time when I hire a lawyer to work for me and told them to look after all these things, the land that I had lost way back before and the land that was taken away from me, and I didn't tell Mr. Pike to go to work, and first thing he done is the country that ours was laid before Congress; he says yesterday afternoon when Mr. Mills read those papers to me I understood every word he said, but there is nothing in that paper that would show me that I would feel better; he says I ask the man that read the papers yesterday afternoon to look at me, and I can assure him that there is nothing in me to make him think I am fit for that business yet.

So to-day I have got the same talk yet, and I think it best for me to let me alone for awhile, and I am going to still say the same thing to-day. He is not fit to take allotment like the Choctaws yet; he don't know anything. That is all he is going to say.

STEVENSON, Wichita. He says I going to make a few remarks this morning, and I want the chairman and our agent there and Mr. Mills here to listen very careful; he says that sometimes when we have a council I always made a loud talk, and he says you might think I am mad about it, but I ain't; it has been some time ago that we hear about it that there was three men coming, and we look for them three men for some time, and I going to make the same talk that I made at that time to those three Commissioners that came that day; just what I said I going to tell it, going to talk the same thing to-day. He says when those three Commissioners came here among us, and that get us to hold a council, and they told us that there was something for us to look at, and I want you to study about it when I tell you; he says when they make a talk that day they told us that the United States Government is going to help you out in some important business, and you will come out all right. He says that those three Commissioners told me that I going to get 160 acres apiece; he says when he told me that I study about it, and I look behind at the children coming after me, and I look at them, and I thought it was a very bad thing for my children, and I thought about it; I was not fit for that.

He says I told the Commissioner that I was kind 'fraid of that talk he made. He-

says I told the Commissioners why is it the United States Government don't study how the poor Indians are, why does they not think about it, the land that is on the west here, and the land that is on the south here, and the land that I lose before, and the stock that I lose way back in Texas, and they have never showed us the money to pay for the land that he has lost before, and I would be glad about it if the United States Government would show me the money for all the land that I lost before. He says my idea is that I think it would be best thing for the Indians that the United States Government must pay the Indians here on this side of the river first for the land they sold way back before, and that will be just better thing for the Indians than to sell this thing afterwards. He says when the Commissioners told me that business he had for me, and I told the Commissioner I was not going to give up this country yet. He says to-day I got the same talk yet. It has been coming now since this morning. I have the same idea yet. I don't want my land surveyed off yet. He says the papers that been read yesterday there was nothing in the talk that they made that day in that paper the man that read yesterday. I guess that those three Commissioners since they went back when they got to Washington they must have coupled the words up with the dirt. That's all I have to say this morning.

CHE WADDE HUN TEDE, chief of the Kechis. He says, now I going to say a few words, and I want the agent and the chairman and Mr. Mills there to listen to me.

He says when I listened to the chiefs that made the talk, and I got the same idea just what they said. He says now the man that come from Washington and our agent can look at all these Indians before him; he can see that there is none of these Indians not fit to take allotments, and I say I not fit for that yet, and I ain't going to take it just now. He says when that Commissioners came over here among us, and the talk that we made, and the man that read the papers yesterday has never show me anything what we had said that day. He said it is just like this way, that grown people they scare a little child for certain things and the Commissioners when they made that talk done the same thing to me, and we see into it, the Commissioners' talk. It is just like he hiding something to cheat my people. He says that the land out from this country here, the land out west and the land out south, I have never taken anything from that country yet; I have never taken no money, and the Government of the United States has never given me anything for those countries what I mention. He says that I want the agent and the man that read the papers yesterday and the secretary to study on this matter, and I want them to see that these Indians are not fit for this thing; and I want the President of the United States to have pity on these poor Indians here; to let these Indians alone for a while; and I want the United States President to help me and my agent there and Mr. Mills and the Secretary here. That's all.

AGENT. Is that all of the Wichita?

Yes; they want to hear the Caddos what they got to say.

WHITE BREAD, second chief of Caddos. White Bread wants to say a few words in regards to the Cherokee Commission. He says as far as I am concerned that I never spoke anything to the Commissioners in regards to the treaty. He says it is a fact that those Commissioners were sent by the Government to treaty with these Indians, and I guess I can tell pretty near all of it—what they had to say to the Indians and what the Indians had to say to the Commissioners. He says I have listened to the different chiefs, and from what I have learned from each one of them that I believe they are telling nothing but the truth. He says, as I have said before, that what you have already heard from these different chiefs is all true, and that the Commissioners, what they had to say to the Indians, kindly surprised the Indians during the treaty. The Indians got excited, were forced, and didn't know what they were signing. He says that I am talking this morning; I am telling you the whole truth of it. The Commissioners had officers and soldiers guarding the door, and the Commissioners forced these Indians to sign a treaty; says I know that just as sure as I am standing here, because I heard of it myself with my own ears. He says that we told the Commissioners we may just as well adjourn this council, because you don't want to listen to me what I have to say to you and I don't want to listen to you; and he says, we have an Indian agent appointed by the Government of the United States to come out here and look after the Indians; and the agent told us Indians that the Government want us to go on our farms and improve our places and go to work like a man.

That is what we told the Commissioners, and now to-day (he means during that council, you know) you have been holding us here at this council for a month or over, and we have farms, put in our crops, and now I expect that it is all weedy and we wouldn't have no crop, and Mr. Jerome spoke up and told these Indians, you can not do that; you may just as well send the women folks home and let them tend to the farms, pull the weeds up, and he says the Government advises us not to make the women work; he says we held a council for about two months, and To wac o nie Jim told the Commissioners that we are disgusted, worn out holding council day after day, and we have accomplished nothing yet, so therefore I will move the council should adjourn and we will all go home and tend to our farms. Governor Jerome

spoke up, told these Indians very well, you can do as you please; if you all go home you can do so, but the days you will come back faster than you went; the Government soldiers will go after you and bring you back anyhow, and the Government will make you take allotments whether you want to or not. The Commissioners told the Indians, if you make an agreement with us you will receive 160 acres to the head; if you refuse to make any kind of treaty with us you will be forced by the Dawes bill, then you will have to take 80 acres to the head. He says the Commissioners never give these Indians time to study and think what they have to say, but instead of doing that the Commissioners excited the Indians, and got them so that they didn't know what they were doing; that is how it is that this treaty was signed; it was by force and tiresome; he says the reason why that these Indians signed the treaty must be the cause by the Commissioner telling these Indians that the Government would force them anyhow if they didn't make no treaty of any kind with the Dawes Commission. He says, now I have told what the Commissioners did to us, and our agent knows what condition we are in; that we are not prepared to take our land in allotments.

He says now, to-day I would say to the President of the United States to give these Indians time to let our children be educated and learn something in the ways of white people before the Government taken idea of allotting these Indians, because we are not prepared for it. He says our Indian agent or any man that would give us a talk would always say that it was our own fault by signing the treaty; yes, that might be a fact, but I will say this again, that we were not anxious, we didn't jump up and go to the Commissioners ourselves and willingly sign the treaty, and he says, as I have said before, that it was by force and bulldozing, and I would call the treaty null and void to-day; such treaty as that. He says that our Indian agent, Mr. Baldwin, and Mr. Mills, which he was appointed by the Secretary of the Interior as an allotment agent; both of them are Government employees, employed by the Government; they both have told us that our treaty is become a law; it has been confirmed by the Congress of the United States. I don't deny that, but I do deny that us Indians don't know what a law is; don't know when a treaty becomes a law. He says how I have made my talk and now I want the agent, as he has said last night that he was our friend, I want him to see that these papers which I have made a talk are sent to Congress without delay, so that the Congress of the United States will find out what I had to say, and I want the Government of the United States to investigate our treaty before we take allotments. He says, one thing he left out, says we appointed Luther H. Pike to act as our attorney at Washington in behalf of the Indians, and Luther H. Pike told these Indians that if the Government do not recognize him to be our attorney that both him and the treaty will be let aside and will be nothing done in regard to the allotting of these Indians; that's all he got to say.

BER CIN DE BER. Caddo. He says we have all listened to the chiefs of different bands of Indians, and they all have told you what the Commissioners did while they were here at the time they were here, and it is all true just what you have heard. He says you all have listened and our agent has listened to what the Commissioners done to these Indians; he says that is all facts; it is true; he says these Indians didn't sign the treaty willingly; he says you all white people know what a force is; that is the way the Commissioners done these Indians. He said these Indians talked to the Commissioners kind and slowly, but they wouldn't listen, and they told them that these Indians had farms out home that they have to look after, but still the Commissioners won't listen to the Indians; says that the Commissioners told these Indians that they were going to be allotted 160 acres. If they would treat with them, says the Commissioners, they knowed very well by looking at these Indians they were ignorant in taking such steps as allotting them. He says that the white people knows that we are not equal to the whites and are not prepared to take allotments to stand equal with the white people. We all knew that whenever the Government give us land in allotments that it won't be very many years before that we will have trouble with the white people. The white people never give us rest as long as we are Indians. He says during the time they held the council there with the Cherokee Commissioners and commenced to signing the treaty I walked out; my name is not in the treaty; says I never signed the treaty. He says I always thought that it takes a majority before it becomes a law, and I can prove to-day that there are not a majority on the treaty; those that signed—the majority of them did sign—did not agree with the treaty, and still to-day that treaty becomes a law, when it was not signed by a majority; says, for instance, take the Cheyennes and Arapahoes, these same Dawes Commission told those Indians just what they told us, that the Government would start them and give them all the help they need, and now he says go over there to-day, look at these Indians; you can hear them crying like little child and nobody takes pity on them; there is why I am afraid to take allotments. It will be same way with us. That is all he has got to say.

Recess until 1 p. m.

Resumed at 1 p. m.

AGENT. Before we commence talking on the subject for which we came here mostly, I want to ask your attention to a matter which several of the Indians have spoken to me about, and that is the adoption of one or two parties and families. The first man is Joseph Leonard, the father of Margaret Garen; I have been told by the Indians that Leonard is considered a very good man; that he has lived on the reservation a great many years; he married an Indian woman, who was a Caddo, by whom he has had children; now, you know this man a great deal better than I do; it rests with you whether he shall be adopted as one of your people, with rights and privileges the same as you have; if anyone has any objections, I would like to have them say so now. If there are no objections, all of you who are in favor of Joe Leonard—you all know him—becoming a member of your people, with the rights and privileges the same as you enjoy or expect to enjoy, will please stand up or remain standing. (Unanimous adoption.)

Now, the Delawares have asked me to mention another family that they think ought to be adopted, and I will say that at the agency a few days ago when there were probably 30 or 40 Indians from this side gathered they made up a paper signifying their desires that these people should become members of their tribes, but as there are a larger number of people present here to-day I think it proper that you should all express your wishes in the matter; this man's name is Jasper Exendine. He married a Delaware woman who was born on this reservation and lived here until she was ten years old; then she went to the Cherokee country, and there she married this man Jasper, who is a Cherokee Indian; they have now living six children; the oldest one is a man full grown and intends to live in the Cherokee country; it is the wish of the Delawares of this reservation that these people be adopted into this tribe with the same rights and privileges that you all enjoy or expect to have; they will have to surrender all of their rights in the Cherokee country upon accepting these privileges in this country; in adopting this family you are adding to your population seven people; you know whether I have told or given the exact history of these people better than I do, because I have only stated what has been told me. Now this is the man, the Cherokee; he will name his wife, and each of his children, giving their English names.

[Pointing to Jasper Exendine.] What is your wife's name?

EXENDINE. Mary Exendine.

Now name your children.

EXENDINE. Elbert Exendine, 13 years old; next one is Anna Exendine, age 12 years; Frank Exendine, 7 years old; Joseph Exendine, 2, and Don MacDonald, my nephew, is 20.

AGENT. Now, this last-named person is not a son of Jasper's, but is a full-blood Cherokee Indian; now, that is seven people in all. You know who they are; you know whether you want them as members of your people here. If you are ready to signify your wishes, I'll ask all of you who are in favor of the adoption of those people to rise. 81 voted for and 64 against. Tell them if they are not satisfied with that we will have to get them in a line and count them over. (Whereupon all signified their satisfaction.)

JIM BOB, chief of the Delawares. He says I want to make a few remarks to-day; it commenced yesterday one o'clock talking about this business; we been talking about this here treaty, how it was done, and we want justice; there is a man setting here what the Government employed to come and do this work; says the reason the Government hired that man to do justice by these people, to treat them right as near as he knows how to do; the Government wouldn't hire this man to do anything wrong; now, you had heard of the chiefs what they said about this treaty, and what those chiefs said was nothing but the truth; that is the way we was treated, what them chiefs said. Jim To wac o nie was the first man spoke the time the treaty was made, the Jerome treaty. And the next man was Ni es toa; and the next one was named Stevenson; the next one was the Kechi chief; the next one was White Bread, same old talk, and there is the next one, was Ber cin de ber, just the same; he objected to the allotment—to the treaty.

Now I am going to tell you myself what I seen with my own eyes: When Jerome commenced talking to these Indians I was right there with them and listened to all they said; Jim say I never spoke nary time; I ain't got a word in them books what they read yesterday. Now they have appointed allotting agents and come told us he was going to allot our land, and when he comes here and reads them papers there is not a word in it what these Indians say; just turned everything over and put his own, the way he wanted it himself, Jerome did; now the allotting agents been appointed and come over here and read them papers, but them papers ain't true, not the way the Indians wanted it; now I suppose they going to enforce the law to allot these Indians, and now if they could see these poor Indians how they situated they ain't able to take no allotment; don't want no allotment. Here's another thing: When the Government wants justice if anyone interprets they always swore them to make them tell the truth, but I never saw them swear interpreters to tell

the truth and nothing but the truth; says that is the reason they always, when they want to do any justice business, justice work, they always, the men what going to talk, hold up his right hand to tell nothing but the truth, then they call it by law when they pass that bill, but they can't call it justice; no law about that.

Now, Mills he just have to get up, and took the papers and never look into things, and the Government never try to see into this treaty to be justice. All they cared—the Commissioners—about their own self. They never try to do right to benefit of the Indians. They was doing this business to benefit themselves. Then, again, this: They never call our chiefs up there to see if this treaty was a true treaty. I don't see why the Government appointed this man to come to allot this land, when they knewed it was all fraud. Now, if the Government would have called these chiefs right before them—call his name. That your name? Yes. Call the interpreters and ask them, That your name? Yes. Did you hold up your right hand to tell nothing but the truth? And if he said yes, then the Government could pass the bill according of the law. But they did not do so; so I do not see how they could do this without doing this business justice. Now, the allotting agent—now, I don't believe he know exactly how many men signed that treaty, or who signed it. Now, we had this council to tell nothing but the truth and justice. Now, I want that allotting agent tell me how many men did sign that treaty. I want nothing but the truth. Even me—I was right here, and I don't know how many men sign, and that is the reason I would like to find out, and I don't know who was the witness of that treaty them days. Here is these chiefs; all of them was there that day. They never even mentioned about the witnesses who signed; so I don't know.

Now, the allotting agent is here, and yesterday stand right before us and read them papers, but I didn't hear a word what my chiefs said; that is the reason I don't understand them papers at all, because Jerome he went and fixed them papers just to suit himself, and throwed all what the Indians wanted away. Here is Mr. White Bread standing right before us; he told nothing but the truth what he told when he stand right before us and told what the Commissioners done. Jerome had promised these Indians \$80,000 if the bill was passed; they would appropriate the money right away; they would lay that money in the United States Treasury and draw five cents interest on it as long as it lay there. Then they can't allot this land if they don't do their part what they agreed. They broke the treaty themselves. That's all.

KAR NOSH TIE, Caddo. The old man says that he wishes to say a few words. He says that you all have heard what the chiefs had to say in regard to the Cherokee Commission, and said all these chiefs what they have told you. That is all true. I was present at the time of the council; I heard what the Commissioners had to say. He said the Wichita chiefs have told you just how the council was during the Commission, and what White Bread had said that is true. He says the treaty I think it is a fraud; he says you already all know what the chiefs had to say in regards to the allotments; he says that he is an old man, and especially with him he don't know how to take care of land; he is not able to take 160 acres of land to take care of it; he says what Jim Bob said a while ago, says that Governor Jerome never swored these chiefs to the treaty; he says I never did; says that is all I have to say. I am tired standing up, because I am an old man.

ENOCH HOAG, Caddo. Enoch says that he wants to speak on the same thing as these other Indians spoke, and he wants the President and the agent and the Secretary and Mr. Mills to listen closely to him; says all I have to say is just same as these other Indians did to the treaty; says that these different chiefs told you that they considered that treaty to be a fraud, and he said I was there at the time of the council, and I heard Governor Jerome, Judge Sayres, and Judge Wilson what they had to say; I know all about it; says Governor Jerome told these Indians that they were appointed by the Government to come out here and treat with these Indians for their own benefit, that was for the benefit of the Indians, and told them that the Government was willing to do all they can toward the Indians to civilize them, and that the Commissioners would help them, these Indians, all they could, and says now to-day Mr. Mills is present with us; I guess that is what the Commissioners meant to send allotment agents out here amongst us to allot our country; I guess that what the Commissioners meant by saying to the Indians that it was for their own benefit.

Says after the Cherokee Commission got through talking to these Indians, told them what they were here for, and their purpose for coming out here was to get the Indians to take their land in allotments and the balance or surplus to sell to the Government to settlers, and he says when all the chiefs heard of this they told the Commissioners that they could not agree with them; that they could not treaty with them; told them that they were not able to take allotments. Says the Commissioners kept on talking to these Indians for several weeks till finally these Indians had all got disgusted and tired and Te wac o nie Jim told the Commissioners that they have to go home and look after their farms and they told them that we can't agree to treat with you and you don't want to agree with me, so we may just as well adjourn

the council, and I got to go home and tend to my work, tend to my farms; after Jim told the Commissioners in regards to the farming, Governor Jerome, which I think he was the chairman of the Commission, told the Indians, told the men that they must not go home, but to stay there and tend to the business that was before them, and told them send all the women home; let them tend to the farm, pull the weeds up; told them that women are just as able as men are to tend to the farms, and you men tend to this business until we get through. Says Governor Jerome must took us for from what he hears from other people said that the Indian people, the men and women, are working together out in the farm; says the white people know it is very seldom that they send out white women to tend to the farms when it is necessary; says we are just the same with us Indians; it is very seldom that you will find an Indian woman working on a farm; says we have just as much respect to our women as you white people do to your womens; we don't put them to no kind of hard work; says that Commission they tried with all in their power to get these Indians to sign a treaty, to make us treat with them, and these Indians they tried all they could to prevent us from making any kind of treaty with them.

The Commissioners told the Indians that we are sent by the Government; were appointed by the Government of the United States to come out here and treat with you for your country and give you 160 acres to the head, and the balance—the surplus—the Government is going to pay you 50 cents an acre; and the Commissioners told the Indians, just think of it; the Government is paying you a big price for your country—50 cents an acre; you will never need money as long as you live; you will have something to support you. Says take the Cheyenne and Arapahoe country, for instance. The Government bought that; the Government didn't pay them as much as they are offering for your land, and your country don't compare to the country that the Government has already bought, but still the Government is willing to give you a little more for this country here of yours; says it is true what the Commissioners told us Indians, that our country did not compare with the Cheyennes and Arapahoe country, but still I think just as much for my land as the Cheyennes and Arapahoes did for theirs, and I don't want—I told the Commissioners that I didn't want to sell a foot of it, even if my country was nothing but sand; says when they told these Indians that if should treat with us that the Government was willing to do all it can for you, but the chiefs told the Commissioners that they didn't want to take their lands in allotments; that they didn't want to sell their lands, because I have learned from different parties of Indians that took allotments before, and that it won't be long before the Government will commence to taxing these Indians for their land or for their property; and just as soon as these Indians said that, Governor Jerome got up and spoke; told the Indians that the Government idea was not to tax these Indians if they should make a treaty with them for their land or for their property. Says after the Commissioners went away from here and these people that were not present at the council found out what the Commissioners and the Indians done, the majority of them did not approve the treaty, and they are the ones that are talking now.

Says that is one reason why that these Indians are opposing to take their allotments on account that the majority of them did not approve the treaty, and I hope that Mr. Mills, who was appointed by the Secretary of the Interior to be our allotment agent, understands these things, and the reason why that these Indians have these objections in regards to taking their allotments; says we have been having different agents, what I call civil agents, and now we have a military agent and he is the best agent we ever had; as far back as I can know the different agents we been having appointed by the Government to come out here and look after these Indians and look after their best interests, and whenever these Indians has something to say to tell the Government the agent always gets up papers what the Indians had to say, and tells the interests that he would send the papers off to Washington without delay, but he says these things never do happen as our agents agree; he says our present agent has said the same things on several things which it came true as what he agreed, therefore that is the reason I say this is the first best agent we ever had; I can recommend him to anybody. Says there is one more thing and I will be done, and he says it is this, as I have said that we been having civil agents before we had military agents appointed by the Government, and I don't blame myself whenever I sign a paper some kind of papers, that I don't know what I am doing; I blame the agents for it; they are the ones that gives us trouble; they don't look for the best interests of the Indians, and whenever we get up papers they never do send them off; they always keep the papers to themselves; I say that they keep the papers to themselves, because they never did return or we never did hear from them again; he says I hope that Mr. Baldwin will send these papers off without delay and notify Congress to investigate our treaty and let something be done; that is all he has got to say.

The AGENT. Tell them now that we have listened for several hours to what they had to say; they have told us all about how this treaty was made—the Jerome treaty. I wanted to listen to this and get it in writing, so that I might send it to

Washington, with a letter which I intend to write, urging that the country be not opened for the present, until these people are better prepared for it to be done. Of course, the only thing they have in Washington is the treaty itself—the original paper—which was signed, or said to have been signed, by over two-thirds of the male adults—that is, men over 21 years old—of this reservation. That treaty has been confirmed by Congress, as you know, and has become a law; under that law the Secretary of the Interior could have opened, and was authorized to do so, more than two years ago. The only reason he has not done this is because of representations which have been made to the effect that the Indians are not ready to have anything of that kind done. The allotting to each Indian 160 acres of land on the reservation is provided for in that treaty, which is now a law. The act of allotting these lands to the Indians under that law does not mean that the reservation will be thrown open to settlement at once, or within ninety days. It has been recommended by those who have your interests in view that the allotments shall be made, but that the opening of the reserved lands—that is, that what is left after you are all allotted—shall be postponed to such time when you are better able to take care of yourselves. It was with that view that the allotting agents have been sent here by the Government, that you might have your lands selected and indicated, that you might locate yourselves and try to support yourselves on your allotting before the Government takes the surplus and sells it to white people.

I have heard someone say that there was something in the treaty that the Government was to pay a certain amount of money to the Indians. Now, the treaty provides, if I remember correctly, that this money shall be paid when the Government takes the first land to be sold to white people; at that time when they take the first land to sell to white people then they will make the first payment. Now, tell them if they have got anything more to say I want them to talk about the future; they have said enough about the past; let them talk to inform the new people in Congress now. I have learned a good deal about that treaty myself to-day; I want to get your side; I can get the other side by reading the treaty. Now, you tell them that we have told them what the law is; they know it just as well as I do, and the only thing that we can possibly do is to stay this opening, push it off just as far as we can, just as long as we can. You must understand that what I mean is that you will have possession of the entire reservation just as long as we can keep it from being opened. The postponing of these allotments being made will be no benefit to you in the least; putting it off won't do you any good whatever. These allotting agents are sent here in compliance with the law and under the immediate orders of the President; the Secretary of the Interior is the immediate subordinate of the President of the United States, and it will do no good whatever to oppose the making of allotments.

Now, I have told you the truth in this matter, as I have always tried to tell you the truth when I talked to you, and I hope you will receive the advice just as I have given it. As I said before, our efforts now are to keep the country for you just as long as we can, but in the meantime you will have to select your lands or else they will be surveyed off; that is the truth and fact, and in the balance of your talk let it be confined as to how to best do this. Tell them that what they said up to the present time has been very modest and very good; they haven't been angry or ugly, and they have told me the truth and it is going to Washington just as they said it, and I must do my duty and these allotting agents must do theirs. Now, here is an article of the treaty as confirmed, article 6 and I want to read it to you to show you that you have not been cut off from every egress.

(Sixth article of treaty read.)

Now, this sixth article is just what you have done; it is your first claim against the Government, and all these papers will be sent to the Government at Washington and acted on; you can write to your attorneys there and they will take it up also.

Mr. MILLS. Your agent, Major Baldwin, and I have listened this afternoon with a great deal of interest to all that you have had to say about the treaty and about our wishes and your claims, and you have presented your views in a very strong and a very quiet manner. All that you have said in the nature of making a claim of the Jerome treaty will go to Washington and will be carefully considered, and you may be sure that your interests will be looked after there by your friends. But the law requires that the allotments must be made and the allotting agents have been directed by the President to come here as your friends and to see to it that the Indians on this reservation get the first choice, and the best lands that this country affords. You are entitled to them, and we want to help you get them and make wise selections of good lands for every Indian—man, woman, and child—here. It is the law, and we come here to help you carry out that law, and we will be here during the summer, moving from place to place among you, and will help you every way we can; answer all the questions we can, and see that the good Indians here have the very first choice of the very best lands that there are in this country on this reservation. You are all entitled to it, and after you get these allotments the reservation will remain just the same so long as your friends can delay the opening of the surplus land. It won't be

hurried; you will just have your allotments marked out; you will get acquainted with them and accustomed to them, and the country will remain just as it is for quite a while.

To WAC O NIE JIM, chief of Wichitas. He says I understand that Major Baldwin say that these Indians themselves know some of their friends has been with them a couple years, and I could mention the names. He says I can say that Mr. Shirley has been among us so many years, and he has a boy, an Indian boy—Mr. William Shirley. He says I know another man by the name of Dr. Sturm, of which he has been among us so many years, and I know him when I was a little boy, and has some children which is Caddo. He has a Caddo wife. He says that I know another man by the name of Jim Davis. He has been among these Indians for seven years; he says he has a Caddo wife. Another man named Mr. W. G. Williams, which he has been among us, and he has some children. He says that we know that Bob Curtis has been with us several years; has two children, and his own wife died a couple years ago—Caddo woman—and afterwards he married a white woman and had a child, and we promised to adopt his wife and little child and his two Indian children. He says that Bingham has a Caddo wife that is half-breed, of which we want him to be adopted, and we promised Ed Paris to be adopted into the tribe, which he has a wife—Caddo and half Mexican—and has some children, and Joe Leonard has been adopted into the tribe. He says all the names that I mentioned to you has Caddo wives, or has had, and there is only one man among us which has Wichita wife, and he is here to-day, and his name is Willis West; and another man by the name of Thad Smith has a Caddo wife and has children, and the Delawares has Pat Pruner, whose wife is a Delaware woman, daughter of Black Beaver, an old Government scout. He says that John Downing was a little boy, and he was raised here, and it is just like that the Wichitas raised John Downing here, and afterwards he was sent to school to be educated, and after he has come back from school married a white woman, of which he has three children, wife, and himself.

He says that Bill Padear has a Caddo woman and has several children, and we want him to be adopted; also Mr. Nicholas, a Mexican; he has a wife, and been here since the time when I come from Texas in 1859; he was a little fellow then, and he has been among us ever since that time. He says all the names that I mentioned to you I never had no trouble with these persons that I just now mentioned; I never go to him to strike him, and he never come to me to strike me; I always good friends with them. That's all.

The AGENT. The names of several parties have been recommended for adoption as members of the tribes on this reservation. It rests with you whether these people shall be adopted and become a part and numbered with you and have all the privileges with the rest of your people or not. The majority will rule as to whether they shall become members of your people. We will vote on them one at a time. All who are in favor of William Shirley becoming a member of your people under the conditions I just named will stand up. (Unanimously adopted.)

Dr. Sturm: 100 in favor and 15 opposed.

Jim Davis: 104 in favor and 12 opposed.

W. G. Williams: 53 in favor and 58 opposed.

Bob Curtis: Unanimously adopted.

Lyon Bingham: 16 in favor and 100 opposed.

Ed Paris: 25 in favor and 85 opposed.

Willis West: 92 in favor and 24 opposed.

Thad Smith: 83 in favor and 33 opposed.

Pat Pruner: 69 in favor and 47 opposed.

John Downing: Unanimously adopted.

Bill Padear: 69 in favor and 47 opposed.

Mr. Nicholas: 93 in favor and 23 opposed.

The above adoption of Bob Curtis includes his wife, May Curtis, and little boy, Robert Lee Curtis; age, 5 years old past.

Recess until 8.30 p.m.

Council resumed at 8.30 p.m.

To WAC O NIE JIM, chief of Wichitas. He says I had made a speech last night about this time; now I am going to make a few remarks about the same time I make a speech last night. He says because we were in the council here for the benefit of these Indians here and we are having a council here very careful; we have a chairman and our agent is here, also the secretary and Mr. Mills that has been sent from Washington here among these Indians. He says now I ask for the council, we want to get the very best ideas we got, because the secretary so he might copy the words that we have said, and the words remain for something; he says the talk I am now making I understand what I mean; I can see into it. He says now we holding a council here and the talk that we all make and it has been copied off, and now, Mr. Mills, that we may understand all the talk that we made, the letters must be sent off to Washington and there will they find out what we have to say and what the poor

Indians wanted. He says I understand the time when we made the treaty, those three Commissioners that came here for some time ago, and I understand the business and I can not go in such a way that will break the law; he says he can not do anything else; the treaty has been made and he can't break it. He says, now for myself, I think it is best for the Indians what has been said before, the Indians has asked the United States Government for something.

It has been some time ago since Captain Baldwin has been agent; he tell me about three years that the land will stay as it is, and it will be never done anything with. He says now I have said to Mr. Mills right before his face that he can look at these Indians the way they are fixed; they are not prepared to take allotments, and I would ask him that he may understand that the Indians don't want to survey the land for awhile until they are prepared for it. He says because when those three Commissioner was here before they told me—when they went off here I understand how it is to taking allotment, and I was afraid and now I still afraid of it; he says he wants all the papers what has been written down what the Indians said; wants them all sent off to Washington so that the Government can look into it; he says, so I ask Mr. Mills if I take allotment now inside of one year when the people, all the people that is around the reservation, people that live close to the reservation, as soon as they find out we have taken allotment, they would ask the United States Government that the country that is left, to let the white people have it, be settled by the white people—what is left, you know; in that way I am afraid to take allotment just now, because those three Commissioners say the same thing; they have cheated me before. And the United States Government also would tell me now the land what is left you shall not allow to cut any grass or else cut any timber, that is the place where you not claim; be about a year when he tell me that; but the United States Government ought to pity these Indians here, to let them alone and have the country as it is until they are prepared for it, but to give them a chance to lease the country for grazing for the cattlemen, and the Indians will thank for the United States Government that much.

He says there is another thing else that the Commissioners, those three that came here, told the Indians there will be so much amount of money will be put in the Treasury; they told the Indians we get about 4 per cent, but the Indians told the Commissioner they must get 5 per cent interest; it is not only about \$20 a piece in a year for every head, and every six months the Indians would get \$10 a piece; that ain't enough. He says there is nothing in that paper what we have said. He says those three Commissioners fixed that paper to suit themselves. He says now I ask you again that I must have pay what I had lost on the Wichita Mountains and the Antelope Hills. I want the United States Government pay me that for something before I let you survey th's country and before I get 160 acres a piece for every head. Then, if I get about \$1.25 an acre, it will be all right; they want to get that money first before they take allotments.

He says the reason I said this the country is my own, and the country that I claim on the other side, and I tell the truth, because God has given me this land to live upon. There is no white man, or color, or Indians that will say to me that I give you this land; no, not one. I always lived in this country before any white man came over here.

He says if there is any Indian that thinks I am telling a story he might come up here and say to me how you know it, the country is your own; he might come up here and I have a talk with him and see how long I been here, because what he said is the whole truth; but the United States Government ought to think just as the Indians are anxious for their children to be educated and to learn something, and the United States ought to hurry up and put up another school, bigger school than what we build now, and he ought to tear those tents down now and have a better schoolhouse built, because I am so anxious my children ought to be educated and learn like white people—learn his ways—and I would thank for the United States Government if he do that. That Riverside school is not big enough to hold my children here; I want to put more children in. He says the reason I say this, the country is mine, because I always been here before any white people came over this country. It is not long ago since the white people came across the ocean, when they find this country here. It is about only 405 years. He says I got something else to say; it is not a different thing, but it is on the same subject. He says now I ask the United States Government that I want him to pay me for the country that I lost and the country that was taken away from me, especially the Wichita Mountains, he sold that, and also the Antelope Hills, that was taken away from me, and I want the United States Government to hurry up and pay me that, and I take it, and afterwards if they want this country surveyed off, I am willing to do that, and therefore we have been holding a council here of about two days, and I am anxious to adjourn the council to let my people go to work and tend to my farms. I guess we have been holding the council long enough to understand each other. That's all he got to say.

The AGENT. Now, tell them that these papers will soon be ready, in a few minutes, for Caddo Jake, the chairman, to sign, and then we want To wac o nie Jim and Jim Bob, the chiefs, and the three interpreters to sign, and then we will be done.

Now, it is getting late, and, as they have requested and signified, this council will stand adjourned.

Signed by the chairman and the chiefs of the respective tribes for and in behalf of their people.

CADDO JAKE (his x mark),
Chairman, and Chief of Caddos.

Witnesses:

D. H. KELSEY.
JAMES H. HAMNON.

D. H. KELSEY.
JAMES H. HAMNON.

D. H. KELSEY.
JAMES H. HAMNON.

TO WAC O NIE JIM (his x mark),
Chief of the Wichitas.

JIM BOB (his x mark),
Chief of the Delawares.

We, Johnson Lane, Wichita, Robert Dunlap, Caddo, and Joseph Pooler, Delaware, interpreting for their tribes, respectively, do hereby certify that the foregoing is a complete, true, and correct transcript of our interpretation of the council held as heretofore stated, and that our interpretation of the same was true and correct.

JOHNSON LANE.
ROBERT WM. DUNLAP.
JOSEPH POOLER (his x mark).

Witnesses:

D. H. KELSEY.
JAMES H. HAMNON.

I, D. H. Kelsey, official agency stenographer, do hereby certify that the above and foregoing is a complete, true, and correct record of the proceedings held at a council of the Wichita and affiliated bands of Indians, commencing March 22, 1897, and ending March 23, 1897, near White Bread Issue Station, Oklahoma.

D. H. KELSEY.

I, Capt. Frank D. Baldwin, U. S. A., acting Indian agent, certify on honor that the above and foregoing is a true, correct, and complete record of the council proceedings as above set forth, and that I witnessed the signatures of the chiefs thereto for and in behalf of their people.

FRANK D. BALDWIN,
Captain, Fifth Infantry, Acting Agent.

