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Government relations with the Dakota Sioux (1851--1876)

Kenneth Burton Moore

The University of Montana

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GOVERNMENT RELATIONS WITH THE
DAKOTA SIOUX (1851-1876)

by

Kenneth Burton Moore
B. S., Montana State College, 1932.

Presented in partial fulfillment of the requirement for the degree of Master of Arts.

State University of Montana
1937

Approved:

[Signatures]

Chairman of Board of Examiners.

[Signatures]

Chairman of Committee on Graduate Study.
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This thesis concerns government relations with the Dakota Sioux Indians; being an attempt to outline the more important aspects of the government's Indian policy in connection with them. It would be possible to treat this subject extensively and without date limitations, however, the writer has selected arbitrary date limits. The earliest date recognized is 1851 and the governmental relationship is traced as far as 1876. The first chapter, however, deals with Sioux history and early relations, and in this, government policy relative to these tribes for the first half of the nineteenth century is discussed.

Before 1851 the United States Government had developed no definite policy toward the Sioux tribes residing west of the Mississippi River. They roamed free and uncontrolled over a vast domain that extended from the Mississippi River west to the Yellowstone River, and from the Saskatchewan River south to the waters of the Platte River. But many settlers and immigrants, actuated by discovery of gold in California, territorial acquisition, and land hunger, were either settling in this territory or passing through it on their way to the Pacific coast. The Indians watched this migration and as it steadily
increased they became restless and dissatisfied, therefore, the government to prevent an outbreak asked all the Plains Sioux to send their principal chiefs and warriors to a council at Fort Laramie in 1851. The treaty that followed was the first attempt to formulate a definite policy toward the Sioux beyond the Mississippi River.

That the year 1851 is a significant date for beginning the study of the relationship between the government and the Sioux is due to the separate treaties of that year. The governmental policy as written into these treaties, separated the Dakota Sioux into eastern and western groups. the Mississippi Sioux having become dependent upon the Government were restricted to reservation life and soon lost their liberty; the Plains Sioux being independent, because they were still able to hunt and roam over a broad territory, were not, as yet, confined or hindered by treaty limitations. The fate of the former depended upon governmental policy; the conduct of the latter determined that policy.

The Plains Sioux, containing the largest and most warlike tribes west of the Mississippi River, quickly became the dominate factor in western councils. The peace policy and feeding system were slowly constructed with the welfare of these people in mind; the success
of the Indian policy depending upon their reaction to it. The date 1876 is chosen as the final year in this study for the reason that by the end of that year all the Sioux tribes had lost their territorial rights, were dependent, and had been grudgingly forced to accept reservation life.

The term "government" in this thesis is used with reference to the federal departments and bureaus that dealt with the Sioux nation. It includes the Departments of Interior and War, the Indian Bureau being a subsidiary agency of the Department of the Interior. Congress and the President also contributed to the administrative control of the Indians and are recognized, therefore, as a part of the government to which the title refers. Territorial government is only referred to in connection with administration and supervision of the Indian policy in a given territory by the governor thereof.

The term "relations" for the purpose of this treatise indicates administration, guidance, supervision, or regulation of Indian conduct so as to conform to the government's Indian policy or to the transitory demands of the public.

The materials selected for the subject, government relations with the Dakota Sioux, tend to show the gradual development of Indian policy that resulted from governmental connections and association with the whites. A slowly con-
structed policy built in conformance with territorial expansion, western migration, and public opinion. As the policy developed in scope governmental authority increased so that restraints and regulations, at first casually expressed, finally developed into an established policy of governmental supervision that led to loss of liberty and confinement to a definite area.

It will be shown that by the latter part of 1876 a permanent governmental reservation policy had been established, and that the previously free-roving bands of Dakota Sioux were confined to certain limited areas along the Missouri River.
CHAPTER I

GOVERNMENTAL RELATIONS WITH THE SIOUX NATION FOR THE FIRST HALF OF THE NINETEENTH CENTURY

The Indians of the Siouan stock occupied the central portion of the North American continent at the time of the French explorations. They were preeminently plains Indians, ranging from Lake Michigan to the Rocky Mountains, and from the Arkansas to Saskatchewan, while an outlying body stretched to the shores of the Atlantic. They were typical Indian stock, headed by hunters and warriors, grouped in shifting tribes led by the chase or driven by battle from place to place over their vast and naturally rich domain, though a crude agriculture sprung up whenever a tribe tarried long in one spot.

The term Siouan is an adjective denoting the Sioux Indians and cognate tribes. The word "Sioux" has been variously and vaguely used. Originally it was a corruption of a term expressing enmity or contempt, applied to a part of the plains tribes by the forest-dwelling Algonquian Indians. It became a popular name of those tribes which call themselves Dakota, Lakota, or Nakota ("Friendly," implying confederated or allied), being an abbreviation of the Chippewa Nadoweisiw, a diminutive of nadowe, "an adder," therefore an "enemy".

The diminutive singular being applied to the Dakota by the Chippewa to distinguish them from the Iroquois proper, the true "adder" or "enemies". According to Chippewa tradition the name was first given to a body of Indians near the present Detroit.

Nakota, Dakota and Lakota were the names used by the Sioux in the Santee, Yankton, and Teton dialects respectively. These three divisions of the nation contained the following seven powerful sub-divisions: Mdewakanton, Wahpeton, Wahpekute, Sisseton, Yankton, Yanktonai and Teton, each of which was again sub-divided into bands and sub-bands. These seven main sub-divisions are often called "the seven council fires". The Isanyati, Santee or eastern division, containing the first four groups, lived in Minnesota until 1862 and spoke one dialect. The Yankton and Yanktonia, the latter subdivided into Upper and Hunkpetine or Lower, held the middle territory between Lake Traverse and Missouri River in eastern Dakotas and together spoke one dialect. The Teton division, with its sub-divisions Upper and Lower Brule, Oglala, San Arca, Sihasapa or Blackfoot, Miniconjou, Ooohenonpa or Two Kettle and Hunkpapa, and comprising together more than half the nation, held the whole tribal territory west of the Missouri and spoke one dialect.

3. Ibid., V.I., p. 376.
4. Ibid., V.I., p. 376.
In colloquial usage and in the usage of the early press, the term "Sioux" was applied sometimes to one but oftener to several of the allied tribes embraced in the first of the principal groups of which the stock is composed, that is, the group or confederacy styling themselves Dakota. Sometimes the term was employed in its simple form, but as explorers and pioneers gained an inkling of the organization of the group, it was often compounded with the tribal name as "Santee-Sioux", or "Yanktonai-Sioux", etc. As acquaintance between white men and red increased, the stock name was gradually displaced by tribe names until the colloquial appellation "Sioux" became but a memory or tradition throughout much of the territory formerly dominated by the great Siouan stock.

The Jesuits heard of the Sioux nation and referred to them in their early writings as a powerful Indian nation to the west of the Great Lakes. The first white men to visit them and to establish friendly relations with the Sioux tribe were the two famous French explorers Pierre Esprit Radisson and Medard Chouart Groseilliers. These men made a fur treaty with the Indians in the Lake Superior region in 1569 and that

6. In this thesis the Assiniboin, Mandan, Crows, Omahas, Iowa Winnebago, Hidatsa and Missouri nations will not be considered. These are minor Sioux nations and were not members the Dakota confederacy. The Blackfeet will only be considered in treaties made with the Dakota nation as a unit because the government generally treated this tribe under the tribal name and in separate treaties.
summer penetrated as far west as the villages of the Mandans.

Anthony Hendry, sent out by the Hudson Bay Company in June of 1754, was probably the first English trader to meet the Sioux. On October 14, 1754, Hendry and his party were entertained by a Sioux chief in an encampment that contained three hundred and twenty-two lodges. The location of this encampment being to the south west of the Saskatchewan River?

On April 30, 1803, Napoleon sold the Sioux Country to the United States. A country that he had never seen and had never conquered and peopled by people that had never heard of him. Probably Jefferson would have asked him for a lower sale figure if he had known how much it was going to cost to conquer the inhabitants of this vast unknown country. Thus by a treaty, that they knew nothing about, the Sioux changed masters.

On acquisition of Louisiana the attention of the Government of the United States was earnestly turned toward exploring and improving the new territory. Accordingly, in the summer of the same year, an expedition was planned by President Jefferson for the purpose of discovering the course and sources of the Missouri, and the most convenient water communications thence to the Pacific Ocean. His private secre-

tary, Captain Meriwether Lewis, and Captain William Clark, both officers of the army of the United States, were associated in the command of this enterprise. Captain Lewis left the seat of government July 5th, 1803 and, being joined by Captain Clark at Louisville, proceeded to St. Louis, where they arrived in the month of December. The expedition spent the winter on the eastern side of the Mississippi just opposite the mouth of the Missouri.

All preparations being completed Lewis and Clark left their winter camp on May 14, 1804, and headed their little fleet up the muddy course of the Missouri River. On the 27th of August, as the expedition passed the mouth of the James River, an Indian boy swam out to one of the boats and on landing they were met by two others who told them there was a large body of Yanktons camped in the vicinity. Three soldiers were then sent with the Indians to invite the camp to meet the captains in council at the next camp established by the expedition. Accordingly, on the 30th of August, a great council with the Sioux, the first ever held between that nation and the United States, was held under a big oak tree on the Nebraska shore opposite the present city of Yankton.

10. Ibid., p. 4.
11. Ibid., p. 30.
Captain Lewis delivered a speech, with the usual advice and counsel for their future conduct, but did not ask the tribe to sign a treaty. Shake-Hand, the head chief, was given a flag, a medal, and an officer's red coat; three subsidiary chiefs were given medals and general presents were given to the tribe. On September 25 a like council was held and gifts exchanged with the Teton Sioux at the mouth of the Teton River. The expedition remained among these Indians three days and then continued its journey up stream.

The year after Lewis and Clark left St. Louis on their expedition to the coast, Lieutenant Z. M. Pike was sent to explore the head-waters of the Mississippi. While on this expedition he drew up a treaty with the Santee Sioux at the mouth of the St. Peters River on September 23, 1805, this being the first treaty between the United States and the Dakota Sioux. The treaty contained the following articles:

Article One—"That the Sioux nation grants unto the United States for the purpose of establishment of military posts, nine miles square at the mouth of river St. Croix, also from below the confluence of the Mississippi and St. Peters, up the Mississippi to include the falls of St. Anthony, extending nine miles on each side of the river. That the Sioux Nation grants the United States the full sovereignty and power over said districts forever...."
Article Two—that in consideration of the above grants the United States shall prior to taking possession thereof, pay to the Sioux two thousand dollars, or deliver the value thereof in such goods and merchandise as they shall choose." 14

Article Three—'The United States promise on their part to permit the Sioux to pass, repass, hunt or make other use of the said districts as they have formerly done...." 15

This treaty was submitted by President Jefferson to the Senate on March 29, 1808. The Senate Committee reported favorably on the thirteenth of April, and on the sixteenth of April, 1808 advised and consented to its ratification by unanimous vote.

Lewis and Clark returning from the trip to the Pacific coast, in the summer of 1806, induced the Mandan chief, Shahaka, by name, known to the French as Gros Blanc and to the Americans as Big White, to return with them and visit Washington. Proceeding down river, the party, arrived at St. Louis on September 23, and the next January, arrived in Washington D.C., where Big White was entertained by Jefferson and his cabinet.

The following spring a military expedition was organized to take Big White home. This expedition left St. Louis

15. Ibid., p. 1031.
16. Ibid., p. 1031.
in May under the command of Sergeant Nathaniel Pryor, who had accompanied Lewis and Clark on their expedition. The expedition passed the lower Sioux bands in safety and in September reached the lower Arickara village on Grand River Island. Here it was learned that the Arickaras and Mandans were at war with each other and that several of the Teton Sioux bands were allied with the Arickaras and present in the village. The expedition left the lower village and proceeded to the upper village where Sergeant Pryor landed with the intention of consulting the chief of the village. The Indians immediately seized the cable of one of the boats, fired on the boats and the men that had landed, and then withdrew to a fringe of willows along the bank. Sergeant Pryor had prepared himself for such an action and immediately replied with a fire of his entire force. The contest was maintained for a quarter of an hour, but as the number of Indians was so great as to threaten destruction to his party if the fight was continued, Pryor ordered a retreat. The boats floated down the current, the Indians following and maintaining the fight for upward of an hour. It was not until sunset that the pursuit was finally abandoned, and

US. Robinson, op. cit., I, p. 72-74.
then only on account of the death of one of the Sioux chiefs.

The losses in the conflict were three men killed and ten wounded, one mortally. Because of the wounded the expedition returned to St. Louis. This was the first engagement between troops of the United States and members of the Sioux nation.

When the second war with England came on the British entrusted their interest on the Mississippi, and beyond, in the hands of Colonel Robert Dickson. Dickson, whose trading head-quarters were at Prairie des Chien, was empowered by the British Government to establish friendly relations with the American tribes and to enlist as many as possible in the British army. Wapashaw and Little Crow were the Sisseton Sioux Indian leaders in the enlistment, but Joseph Renville, a mixed blood Sisseton, was doubtless most influential in recruiting the Indians and was given a Captain's commission and pay for his effort and influence. Renville visited the Sissetons, on Big Stone Lake in present South Dakota, and recruited twenty-two Sissetons and several Yanktonias for the English service. The most famous of the western Sioux were the two Wanotans, father and son, chiefs of the Yanktonias. The young Wanotan was wounded at Sandusky and, for his bravery here and at Fort Meigs,

20. Robinson, op.cit. I, p. 74-75. Big White was returned to his tribe by Pierre Chouteau in 1809.
was made a captain of the British Army.

Manuel Lisa, Spanish trader and organizer of the St. Louis Missouri Fur Company, reported to General Clark in June of 1813 that the British were sending wampum to all river tribes and asking them to join the confederacy against the Americans. General Clark immediately commissioned the trader as agent for all the Indians who inhabited the Missouri River above the Kansas and sent him into this territory to keep the tribes loyal.

Manuel Lisa at once set about inciting the Teton against the Santee and creating such suspicion and dread of their western relatives in the minds of the latter that they would fear to leave their frontiers unprotected to follow their English masters to the seat of war. Pike in his explorations at the head of the Mississippi in 1806, had made a lasting friendship of Tamaha, a Sisseton of Wapashaw's band, and when the war came this man remained loyal to the Americans. Tamaha was made a lieutenant by Governor Clark, and became Lisa's right hand in his exercise of diplomacy on the Missouri. Disconcerting and alarming stories of Teton hostilities were circulated.

25. Katheryn, N. French, Manuel Lisa, South Dakota Historical Collections, (Sioux Falls, 1908), IV, p. 128.
through the Santee camps. Reports that the Sacs and Foxes of Iowa were about to fall upon the Sioux camps of the upper Mississippi mysteriously gained currency among the allies of the English. Thus one alarm followed another, and every time the English agents had lined up the Santee and prepared to send them against the Americans, a new scare would make them scatter away to their homes along the Mississippi, where they waited in constant fear of attack from the west.

During the war period Manuel Lisa was an indefatigable worker for the republic, counseling among the Indians here, holding others in check there, securing pledges of friendship from most of the tribes, still again sending war parties against the allies of the British. And when peace was proclaimed in 1815 he descended the river to St. Louis, accompanied by forty-three chiefs and head men of the Sioux, also chiefs of the Omaha and other tribes that had remained loyal. These chiefs as representatives of their people signed the treaty of 1815.

On July 19, 1815, William Clark, Ninian Edwards, and Auguste Chouteau drew up separate treaties of peace and friendship at Portage des Sioux between the chiefs and warriors of the Teton, "Sioux of the Lakes", Yankton, and "Sioux of the St. Peter's River". On June 1, 1816, a Like

treaty was drawn up with eight bands of the Sioux, "composing the three tribes called the Sioux of the Leaf, Sioux of the Broad Leaf, and Sioux who shoot in the Pine Tops", at St. Louis. In these five treaties the various tribes acknowledged themselves to be under the protection of the United States, and no other nation, power or sovereign, whatsoever. The first four treaties were ratified and then proclaimed by the President on December 26, 1815; the last treaty being proclaimed on December 30, 1816.

The war with England being over, and peace treaties signed with all the northwestern and western Indian nations, the young nation saw its first huge wave of migration. In six years six new border States were created: Indiana (1816), Mississippi (1817), Illinois (1818), Alabama (1819), Maine (1820), and Missouri (1821).

The frontiersman was "land hungry" and to him Indian title and treaties meant nothing. He wanted land free of charge, and looked to get it through squatting on Indian lands. The United States insisted that Indian lands must not be encroached upon save as purchases were made by governmental authorities, but the Government failed to liquidate

29. Kappler, op.cit., II, p. 128-130, "Sioux of the Leaf and Broad Leaf" were Wahpeton and the "Sioux who shoot in a Pine Tops" were Wahpekute.
31. Ibid., II, p. 112-115.
32. Ibid., II, p. 128.
the Indian title to lands fast enough to satisfy the land
hungry men of the frontier, who saw in the hunting terri-
tories reserved to the Indian for his own use land un-
reasonably being permitted to go to waste. The Indian
resented the squatter because the various treaties stated
that his hunting ground was his own property and naturally
he resented invasion of his rights.

The act of August 7, 1789, which created the Depart-
ment of War, gave to that division of administration gen-
eral supervision over Indian affairs. Therefore, the
Secretary of War was custodian of Indian rights and inter-
ests, as well as the agent for their chastisement when
things went wrong. Thus far it had been a simple matter,
when dealing with the tribes, to persuade them to surren-
der their old homes and to drift further west. At no time
had a serious effort been made to formulate a policy for
handling the Indians, but the time had come, by the early
twenties of the Nineteenth Century, when the available re-
gion of the West was narrowed down by the boundaries of the
United States, and the western boundary of several States.
If a State should be formed north of Illinois and another
north of Missouri, where was the Department of War to send
the tribes when they were dispossessed by the pressure and

34. Lawrence F. Schmeckebier, The Office of Indian Affairs,
Service Monographs of United States Government, (48 V.
demands of encroaching white populations?

John C. Calhoun, Secretary of War under James Monroe, in a report submitted to Congress on January 27, 1825, made the following statement in regard to Indian affairs:

"One of the greatest evils to which they are subject is that incessant pressure of our population, which forces them from seat to seat. To guard against this evil...there ought to be the strongest and most solemn assurance that the country given them should be theirs, as a permanent home for themselves and their posterity." 35

There was no permanent home for the tribes within any state; and none in the territories that settlers in time would not demand. But beyond Missouri lay the great area of the plains, with the Rockies, Canada, and Mexico as boundaries. The plains abounded with game, but the best scientific opinion had reported with emphasis that white men could not live there. The Rockies a barrier, the plains a desert. But here was a spot for the future Indian home; and Calhoun advised the President to "acquire a sufficient tract of country west of the State of Missouri and the Territory of Arkansas, in order to establish permanent settlements in that quarter." Monroe accepted the conclusions of Calhoun and urged Congress to adopt the policy. Congress

36. Ibid., p. 276-277.
37. Ibid., p. 277.
adopted the permanent frontier suggestion; and for the next fifteen years remained firm in the belief that the future of the United States would permit permanent Indian occupation of the territory remaining west of the organized States.

There were three steps in the fulfillment of the frontier policy advocated by Monroe and approved by his successors. First, Congress must by suitable legislation make it possible for the War Department to carry on the negotiations and give the necessary assurances to the tribes; and the Senate must approve the treaties negotiated. Second, room must be found for the eastern or emigrant tribes in a country already occupied by western or plains tribes. These must be induced to allow the emigrant Indians to settle and enjoy the new homes in peace. Third, the tribes east of the frontier must be persuaded to transfer their eastern lands to the United States and to accept western lands in exchange for them.

Negotiations in August of 1825, at Prairie des Chiens, in Michigan Territory, with the Sac, Chippewa, Fox, Iowa and Mississippi Sioux nations was the first step towards peace and condensation on the northern frontier. The treaty, signed August 19, 1825, defined the boundaries of the different nations by lines of which the most important was between the Sioux and the Sac and Foxes, which was later to be known as the Neutral Line, across northern Iowa.

The Sioux and Chippewa accepted a line that would divide their respective countries and further agreed to a firm and a perpetual peace.

On June 22, 1825, July 5, 1825 and July 16, 1825, treaties were entered into with the Teton, Yankton and Yanktonia, Oglala, and Hunkpapa, respectively, at Fort Lookout, the mouth of the Teton River and Auriicara Village. By these agreements the Plains Sioux agreed to keep peace and to recognize the sovereignty of the United States; to trade with only American traders and turn over to the nation agents that were not American citizens. They also agreed to put their injuries before an agent instead of seeking revenge or retaliation, and, in case of an outbreak, to deliver the guilty Indians to the proper government authorities on demand. The various tribes promised protection and safe conduct to all agents, traders and persons legally authorized by the United States to cross their territory. Both parties to the treaty further agreed that in the future stolen horses or property should be returned to the proper representative of the nation or tribe.

41. Ibid., II, p. 227-230.
42. Ibid., II, p. 230-232.
43. Ibid., II, p. 235-236.
44. Ibid., II, p. 227-230.
ratified these four treaties with the Dakota Sioux and they were proclaimed by President Adams on February 6, 1826.

On May 28, 1830 Congress passed the Removal Act. This legislation provided for Indian occupation of the lands west of the Mississippi which had not been organized as states or territories. The Indians were to be removed to districts where their title was to remain "forever" secured. As a result of this act a treaty was made with the Sioux at Prairie des Chein on July 15, 1830.

By this treaty the Mdewakanton, Wahpeton, Wahpekute, and Sisseton tribes gave up their claims to the land between the Missouri and Des Moines Rivers with the understanding that this would be given to eastern tribes in the formation of the permanent frontier. They also ceded and relinquished all rights to a strip of land twenty miles in width, from the Mississippi to the Des Moines, on the north side of the neutral strip. For these concessions the Sioux tribes listed received an annuity of two thousand dollars for ten years.

The office of Commissioner of Indian Affairs was created by an act of Congress July 9, 1832. The act provided

47. Ibid., p. 110.
48. Kappler, op. cit., II, p. 306-310. The Yanktons receiving a promise of $3000 annually for ten years. Ibid., p. 306-310. These were the first annuities to be received by members of the Sioux nation.
for the new commissioner, under the supervision of the
secretary of war, to have the direction and management of
all Indian affairs, and all matters arising out of Indian
relations. Two years later, June 30, 1834, Congress passed
the Non-intercourse Act organizing the Department of Indian
Affairs. The Non-intercourse Act defined the country to
which removal was to be made; provided a severe penalty for
the sale of liquor to Indians, and stated that only Indians
were to trap on Indian lands. It also outlined the duties
of the superintendent of Indian affairs and stated that the
number of agents could not exceed twelve.

In 1836, in order to complete the boundaries of the
State of Missouri, councils were held with the Upper and
Lower bands of the Minnesota Sioux for the purpose of pur­
chasing their rights to the land between the Des Moines and
Missouri Rivers. The Indians ceded this territory, which
was the reservation that had been set aside for the occupa­
tion of eastern tribes in the treaty of 1830, to the United
States for $930 worth of goods.

On September 29, 1037, the Mdewakanton Sioux, in a

49. Alban W. Hoopes, Indian Affairs and their Administration,
(Baltimore 1937), p. 104.
52. Ibid., IV., p. 735.
53. Upper bands were Wahpeton and Sisseton; lower were Mdewa­
kan ton and Wahpekute.
54. Kappler, op. cit., II., P. 466-467, 481-482.
19.

treaty at Washington D. C., ceded all their land east of the Mississippi to the Government for an annuity of $10,000 in goods over a twenty year period. The government further agreed to expend annually $8,250 for twenty years in the purchase of medicine, agriculture implements and stock, and for the support of a physician, farmers and blacksmiths; also over a period of twenty years to spend $5,500 a year for provisions. In addition the tribe was to have $300,000 invested in such stocks as the President saw fit from which they were to receive an annual income of five per cent.

The above stipulations show that an attempt was to be made to start the Mdewakanton upon an agricultural life. Annuities were welcome to them because they could no longer depend on the hunt. As long as the tribes found it easy to support themselves in the hunt, they felt independent and disinclined to look with favor upon overtures for the cession of lands. With the ratification of this treaty and its proclamation on June 15, 1838, the strong Santee Sioux nation began to decay. The Mdewankanton in time became dependent on the annual payments and gradually

55. Kappler, op. cit., II, p. 493-494. In October 1837, the Yankton nation signed a treaty at Washington, D. C., similar to the treaties that had been signed by the other Sioux tribes the previous year. Ibid., II, p. 496-497. 56. Ibid., II, p. 495.
ceased to rely upon their own efforts for support. From this it was an easy step to reservation and "farmer Indian" life.

An act of Congress on March 3, 1849, created the Department of Interior, and the Indian Office was immediately transferred from the War Department to the Interior, with the idea that the Indians would be better off under civilian than military control. The creation of the new Department led to constant wrangling between the civil and military authorities as to which organization was the best qualified to manage Indian relations. Indian supervision passed to the Interior Department, but the army remained in Indian territory to provide protection for the frontier, guard agency posts and fight Indians when hostilities broke out. These two branches of government service should have cooperated in the execution of their duties, frequently they did, but most of the time it was a cat and dog type of relation.

With the trifling exceptions the north flank of the Indian frontier had been completed by 1837. It lay beyond the farthest line of white occupation and extended unbroken from the bend of the Missouri to Green Bay. By 1840 the

Indian frontier reached from Texas to Green Bay, west of the States of Arkansas and Missouri, and the American desert and Indian frontier were expected forever to be the western boundary of the United States.

As it turned out, however, the Indian frontier had to contend with movements of population resistless and unforeseen. The territorial acquisitions of 1847 and 1848 caused a wide spread invasion of Indian country. Naturally the maintenance of the frontier depended upon the ability of the United States to keep whites out of the Indian country. But with the discovery of gold in California (1847) the Santa Fe and Oregon trails became highways over which long wagon trains of emigrants and miners crept to the Pacific. The tradition of the American desert disappeared, and the Indian policy that depended upon the desert for its continuance became obsolete. The result was inevitable because the Government could not maintain it's former policy and also meet the demands of its own citizens.

CHAPTER II
GOVERNMENT RELATIONS WITH THE MISSISSIPPI
SIOUX 1851 - 1876.

In Minnesota Territory, created in 1849, there was a loud and persistent demand for the privilege of settlement on the west side of the Mississippi; and hence for the acquisition of the lands of the Dakota. Indian Commissioner Orlando Brown, in his annual report, expressed the government's viewpoint by advocating that:

"In view of the rapid spread of our population in that direction, and of the permanent welfare of the Indians, it may be expedient, at an early period, to purchase all the remaining lands east of the Mississippi up to our northern boundary, and provide for their removal and concentration west of that river, where, confined within narrower limits, they will be compelled as the game becomes scarce, to give up the chase and their wild, unsettled mode of life, and resort to agriculture and other civilized pursuits." 59

The Minnesota legislature of 1849 petitioned Congress for the purchase, and the cession, of the lands west of the Mississippi. Governor Ramsey, less than five months

59. Report of Indian Commissioner Orlando Brown, Congres-
60. N. H. Winchell, Aborigines of Minnesota, (St. Paul, 1911),

p. 553.
after his arrival (October, 1849), summoned the Sioux to

treat for the surrender of their lands. The council fail-
ed, because the Indians failed to attend.

Two years later the Minnesota Sioux were invited by

de the government to councils at Traverse des Sioux and Mendota.

Governor Ramsey and Luke Lee, Commissioner of Indian

Affairs, thinking the upper tribes less opposed to a

treaty and a cession, decided that the Traverse des Sioux
council would be held July 1st. Upon arrival they found

that the Indians had not arrived for the council. It was

not until July 18, and only then after "...extraordinary

exertions" that"the chief and a few principal men of the

Upper Sisseton, were induced to leave the large body of

their delegation...", that negotiations got underway.

The disinclination of the Indians were not mitigated by

61. Winchell, op.cit., p. 553.

62. Robinson, op.cit., p. 122-123. In July of 1849, Washmun-
deesah caahpee, or "the war eagle that may be seen," head

chief of the Wahpekute, was killed along with seventeen

of his band by Inkpaduta, leader of a party of outlawed

and renegade Indians. Wandesapa, "the black eagle," father

of Inkpaduta, or "scarlet point," had been driven out of

the Wahpekute tribe in 1825 for killing his brother

Tasagi. Wandesapa and his followers moved into South

Dakota and in time his group was increased by other hos-
tiles from the various bands.


the rations of pork, beef and flour dispensed by the commissary, or presents to reluctant chiefs. Therefore, when promises and palaver failed, and the Indians refused to cede their lands for the payments that had been offered, and the council was about to break up without the desired results, the chiefs were informed by Governor Ramsey that immediately the issue of further food would be stopped.

Having brought their women and children with them, and knowing that there was no game in the region on which, in such an emergency, they could rely to prevent starvation, the chiefs, one after the other, made their "marks", giving their assent to the cession on July 23. At the same time they signed the trader's paper, as they had done in all past treaties.

Under the terms of the treaty of 1851 the Sisseton and Wahpeton tribes sold all their lands in Minnesota, except a reservation twenty miles wide straddling the Minnesota River and extending, from Lake Traverse to Yellow Medicine River, for $1,665,000. This sum to be expended as follows:

$30,000 "to be laid out under the direction of the President

64. A shipload of provisions, including cattle, for feasting the Indians, had been sent to Traverse des Sioux by the government.
65. Winchell, op.cit., p. 554.
for the establishment of manual-labor schools; the erection of mills and blacksmith shops, opening farms, fencing and breaking land, and for...other beneficial objects... conducive to the prosperity and happiness of said Indians;" the remainder, $1,360,000, to be held in trust by the United States and to draw an annual interest of five per cent for fifty years. This interest was to be applied thus: $12,000 to be set apart as a "general agricultural improvement and civilization fund;" $6,000 to be used for educational purpose; $10,000 to be spent in the purchase of goods and provisions; and $40,000 to be paid as a money annuity. A residue of $275,000 to be paid to the chiefs in such manner as they, hereafter, in open council request, to enable them "...to settle their affairs and comply with the present just engagements;..."; in other words, to pay the claims of the traders. The trader's paper amounted to practically an assignment in blank of this whole sum. The schedule of claims not being attached to the paper until the day after it was signed by the Indians.

The Indian Commissioner and his party left Traverse des Sioux on July 24, and went down the Minnesota River to

Governor Ramsey, in his report of the council at Mendota with the Mdewakanton and Wapakute, states that it was "...exceedingly difficult of attainment." this being due to "...their proximity to the flourishing settlements ..., whose ideas of the value of the country had been imparted to the Indians." Due to Indian indifference the treaty was not signed until August 5, and then only with the promise that $30,000, out of the $50,000 "education fund," provided for in the treaty of 1837 and never paid, but allowed to accumulate, should be distributed as soon as the treaty was signed. The Lower Sioux ceded the same land as the upper tribes and received $1,410,000 to be applied in substantially the same way; they agreeing to pay trader's claims to the amount of $90,000.

In December twenty-one chiefs went to St. Paul, where they notified Agent McLean that their signatures to the trader's paper were obtained by fraud and deceit. They declared that their bands owed no such sums of money, but

69. Ibid., p. 279.
70. Folwell, op.cit., p. 554.
71. Kappler, op.cit., II, p. 591-592. The $1,410,000 to be spent as follows: $220,000 to be paid to the chiefs to enable them to settle their affairs; $30,000 to be spent for manual-labor schools, etc.; $1,160,000 to be set apart as a trust fund, and to draw an annual interest of five per cent for fifty years, interest to be applied as follows: $12,000 to be set apart as a civilization fund; $6,000 to be used for educational purposes; $10,000 to be spent for goods and provisions; $30,000 to be paid as a money annuity.
were willing to pay what sums a fair examination of the
claims might prove to be just. McLean promised to report
this to Washington, which he did.

When the treaties were laid before the Senate in Feb-
uary, 1852, opposition to ratification at once sprung up,
and long delay ensued. The delay not being due to the In-
dian objection to the treaty, but from southern Senators
not willing to extend the area of settlement to the north.
It was not till June 25 that ratification was voted by a
slender majority, and that not until after an amendment was
made, which opponents believed the Sioux would never agree
to. The Senate struck out the provision in regard to a
reservation and added a supplemental article by which the
United States agreed to pay the said tribes ten cents per
acre for the land in the designated reservation, and also
authorized the President in the words of the treaty, to
"set apart...such tracts of country without the limits of
the cession...as may be satisfactory for their future occup-
ancy and home: provided, that the President may, by the con-
sent of these Indians, vary the conditions aforesaid if
deemed expedient."

72. Polwell, op.cit., p. 554.
73. Ibid., p. 554.
In August Governor Ramsey was authorized to obtain the consent of the Indians to the amendment. There was very little objection to the amendment, but strenuous objections in regard to the trader's paper. The Wahpekute gave little trouble, but "seven Mdewakanton chiefs would not sign till... $20,000 in equal sums, deducted from the amount of trader's claims," was distributed among them. At Traverse des Sioux, however, the Upper Sioux chiefs demanded the money "for settling their affairs" be paid to them. Governor Ramsey replied to this request by throwing Chief Red Iron in the guard house where he was kept until the next day. Troops were ordered from Fort Snelling to keep order and after much delay Ramsey was able to obtain twelve signatures to a receipt for the money to go to the traders, but "...only one being that of a signer of the treaty of 1851."

Governor Ramsey delivered $400,000, to Hugh Tyler, a citizen of Pennsylvania having power of attorney, to pay the debts of the Indians as stated in the trader's paper. This gentleman, retained by the consent of the traders

76. Folwell, op. cit., p. 55.
78. Folwell, op. cit., p. 555.
§55,250, about thirteen and half per cent., as compensation for his services, "for getting the treaties through the Senate, and for...securing the assent of the chiefs." Before the treaties had been ratified the whites who had been hovering on the borders poured into the Indian country, thus demonstrating the inefficiency of the non-intercourse laws. Inevitable confusion resulted, and for the sake of both whites and Indians it became necessary that the latter vacate; although "...there was neither the time nor the means to make requisite explorations to find a suitable location for them beyond the limits of thecession." Under these circumstances the Government decided to give them permission to remain five years on the reservation set aside for them in the 1851 treaty. The Indians moved on to the reservation, but being fully aware of its temporary character, and of the uncertainty as to their future position, naturally were disinclined and deterred from any efforts to improve their condition. They pleaded that the reservation be secured to them as a permanent home, and this was finally done in 1854.

In 1856 Indian Commissioner George W. Manypenny stated that:

"Various causes have combined to prevent the Minnesota Sioux from deriving heretofore much substantial benefit from the...treaty of 1851. Until after the reservations were permanently assured to the Indians in 1854, it would have been highly improper to have made the expenditures for permanent improvements; and, since, then, the affairs of the agency have not been 82 free from confusion in all its operations."

The treatment of the Sioux during these years showed a short sighted, wavering, and inconsistent policy on the part of the Government. The Sioux were to devote themselves to agriculture, but they received very little from the promises of the 1851 treaty. They needed instruction in the art of agriculture; they needed tools and cattle; but provision was made to apply hardly more than one-half of their interest annuity to these ends, and the money so applied was neither promptly nor entirely nor carefully spent. "The treaties say these funds shall be annually expended, whereas large amounts have been kept back, and are now in arrear....These arrears are not mere petty sums,...but large amounts, thousands and tens of thousands, and in some cases the whole fund appropriated for a special purpose." Thus the introduction to their

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new life was not favorable. They made little progress and felt keenly the difference between their former freedom and their present dependence.

When the treaty of 1851 was made, by which the Sioux of the Mississippi ceded a large territory, the remnant of Wamissapa's band were not recognized as a part of the Wahpekute Sioux and took no part in the treaty. Later, when the annuities were being paid, some of these Indians appeared at the agency and insisted upon a share, but were forced to return to the region of the Big Sioux River, without accomplishing their purpose.

Early in March, 1857, these Indians were hunting on Rock River in northern Iowa, when a settler's dog bit an Indian, and the Indian shot the dog. The owner of the dog assaulted the Indian, and beat him severely. The settlers then went in a body to the Indian camp and by force took all the guns of the band. The Indians obtained more arms and moved north towards Spirit Lake. The band attacked this settlement on March 6 and for the next three weeks kept up their depredations in the region of Spirit Lake and Springfield, killing forty-two people, and taking four.

84. See page 25, footnote 62.
As soon as the news reached the agency (March 18) efforts were made to overtake and punish the band, but these efforts were unsuccessful. The Minnesota Sioux were then called together and told that their annuities should cease until the murderers, their relatives, were brought to justice; and that they were required to send out a party in search of them. A war party of Santees organized under Little Crow, overtook part of Inkpaduta's band at Big-Dry-Wood-Lake, killing four of his warriors, but Inkpaduta escaped. The Indians feeling that they had done their duty returned to the reservation and the Government resumed the payment of annuities.

This outbreak increased the bitter feelings between the Indians and the settlers in Minnesota. But one sentiment seemed to inspire the whole white population, and this the desire to exterminate the entire Indian race. All the Indians being held in one common terror and hatred by the

86. Their names were: Mrs. Noble, Mrs. Thatcher, Mrs. Marble and Miss Gardner. Mrs. Noble and Mrs. Thatcher were later killed by the band, but Mrs. Marble and Miss Gardner were ransomed by friendly Indians and turned over to Agent Flandrau. Charles E. Flandrau, The Ink-pa-du-ta Massacre of 1857, Minnesota Historical Society Collections, (St. Paul, 1880) V. 17, V. III, p. 388.

general public; and this in spite of the fact that they took an active part in punishing the guilty band. "For the present," wrote Special Agent Pritchette, "it is equally important to protect Indians from the whites as the whites from the Indians."

By the act of July 31, 1854, the President had been authorized to 'confirm' to the Minnesota Sioux the reservation upon which they were then situated. This confirmation was never formally made, but was practically taken for granted in the treaties of 1858. The treaties made in Washington, like those of 1851, were made in duplicate, with practically identical terms, and were signed by twenty-seven chiefs of the four bands.

The important articles of the treaties of July 19, 1858, were in brief as follows:

Article I—provided that so much of the reserve upon which the Indians were then situated as lay south of the Minnesota River should constitute a reservation for the said bands; should be surveyed and allotted in severalty, eighty acres to each head of a family or single person over the age of twenty-one years; the residue to be held by the bands.

40. Treaty with Lower Sioux did not contain Article VIII.
in common; each minor, however, upon attaining majority
to be given eighty acres thereof. This same article authorized
the President at his discretion to issue patents for these
allotments and to exempt them "...from levy, taxation, sale,
or forfeiture until otherwise provided for by the Legisla-
ture of the State in which they are situated, with the
assent of Congress...." 92

Article II—provided that, if the Senate agreed, a
specific sum should be allowed these Indians for the land
north of the Minnesota River; or this land should be sold
for their benefit, they to receive the proceeds of the
sale.

Article VIII—provided that such members of the Sisset-
ton and Wahpeton bands as should desire to break their trivi-
al connections and locate outside of the reservation should
be allowed to do so, and should "...be vested with all the
rights, privileges, and immunities, and be subject to all

93. Ibid., p. 789. The Senate agreed on June 27, 1860, that
the Indians had a just title to the land and promised to
pay them at the rate of thirty cents an acre for it.
the laws, obligations, and duties, of citizens of the
United States...."

These treaties are good exponents of the national policy of these years. The reservation of the Sioux was no larger than the needs of an agricultural life justified; provision was made for the allotment of land in severalty; and the Secretary of the Interior was given "...discretionary power in regard to the manner and objects of the annual expenditure..." of the money due the bands by former treaties and to become due by this.

94. Kappler, op.cit., II, p. 781-789. There were seven other articles.

Article III-provided that if the Indians received payment for the lands north of the Minnesota River such a sum as should be found necessary, not, however, to exceed $70,000, should be set aside to pay their just debts and to provide goods for them.

Article IV-stated that only Indians, traders and government employees could reside on the reservations set aside for the Indians.

Article V-gave the United States the right to construct military posts, agencies, schools, mills, roads, etc., on the reservations.

Article VI-the Indians promised to preserve peace and friendship.

Article VII-stated that any member found guilty of drinking, or procuring intoxicating liquors for others, was to lose his annuities for a year.

Article IX-provided that the Secretary of the Interior be allowed to distribute the annuities as he saw fit.

Article X-stated that the Government would pay the expenses of the negotiations. Ibid., p. 781-789.

95. Ibid., p. 788.
The immediate causes of these treaties were two. First, the white population of Minnesota was increasing so rapidly that already the need of more land was felt. Second, there was a real desire on the part of the Government to advance the welfare of these bands who seemed now ready for an agricultural life. Of these two causes, it cannot be denied that the first was of paramount importance. To this conclusion we are forced by the fact that the Government's interest in the welfare of these Indians was not strong enough to impel it to fulfill its obligations toward them. The old trouble of annuities being in arrears continued. Regardless of this drawback the Indians progressed and by 1860 it was possible to divide them into two classes—farmer and blanket Indians. The farmers were those who were devoting themselves to agriculture and were adopting, to some extent, the habits and customs of a white community; the blanket Indians, those who still clung to the old savage life. In 1860 Agent Joseph R. Brown reported,

"One Indian after another has abandoned the chase, the dress, the feasts, even the superstitions of his fathers, and now occupies the position, recognizing the obligations and performing the duties of a law-abiding, sober industrious member of the community. During the past year there have been over one hundred Indians constantly employed in agricultural and other labor upon the reservations. They have plowed over two thousand acres of land, have inclosed their fields with good fences, have dug cellars for thirty-eight houses, and have hauled most of the brick and other material for the erection of
these houses, and have each cultivated a crop of corn, potatoes, beans, pumpkins, and garden stuff. There are now one hundred and eighteen families on the two reservations living in comfortable houses.

The Indians were dissatisfied and restless, despite the above description of reservation conditions in Minnesota. Almost from the first there had been a continual wrangling over the treaties of 1858. While they were being drawn up, the Sioux had been led to expect that they would receive a certain sum of money in cash. The treaty had also made a distinction between the lands lying south of the Minnesota River and those lying north, providing that the former should be allotted in severalty to the heads of families, and that the latter should be subject to investigation. By the act of June 27, 1860, the northern lands were sold and yielded $96,000 to the lower bands and $240,000 to the upper bands; despite the fact that these two reservations had been ordered alike by the treaty of 1851, and had identically the same history. The Lower Sioux fund and about two-thirds of the Upper Sioux fund were exhausted to pay debts of...

the Indians, although each of the treaties stipulated that not more than seventy thousand dollars should be used for this purpose. The sale of the sacred Red Pipe-stone Quarry was a fruitful source of discord among them, they insisting that they had never intended to cede it by the treaty of 1851, it always having been considered the common property of the whole nation, which no part of it had the right separately to dispose of. Moreover, the Civil War was going on, and the Indians were made restless and uneasy by all sorts of exaggerated stories of the pending fall of the Government. Their faith in the strength and dignity of the Government being shattered, they naturally felt that their support rested upon an unstable basis.

Superintendent Clark W. Thompson, during the summer of 1861, announced to the Sioux at Yellow Medicine, Upper Agency, that the Government was going to make them very glad in the autumn. When asked where the gift was coming from, he could not say. The Indians came into the agency in September, when the promised goods should have been there, but they failed to arrive until after the country was deep.
in snow. In the meantime the Indians had been fed by the agent, and the hunting season had passed. The payment amounted to only $10,000 worth of goods, or $2.50 per Indian; while they waited, many of them could have made $50 to $100, by hunting. The Lower Sioux refused to receive their ten thousand dollars worth of goods, until they knew where it came from. They then found that $20,000 of the $70,000, due them the next year, had been spent to make them agreeable to changing the annuity from money to goods. This method exasperated the Indians, and due to the loss of time, many of them suffered from lack of food during the following months. During the winter the "blanket" Indians suffered more than the "farmer" Indians, who had planted crops and in many cases had houses, which naturally led to ill feeling against those who had deserted the customs of the tribe.

In June the Indians began to gather at the agencies for their payment, which was due July 1, but no payment was made. Not having enough food to give them, most of it had been given out during the winter, Agent Galbraith, of the Upper Sioux Agency, soon had four thousand starving Indians on his hands. He asked them to leave, which they refused.

104. Ibid., p. 148.
to do, some of them having some one hundred miles for the payment. Finally on August 4 the Indians broke into the warehouse, but promised to leave for their hunting grounds if given food. Galbraith distributed food and they left for their homes.

At the Lower Agency the Indians became uneasy when the payment was not made. Stories began to circulate that the payment would never be made and that the Government armies had been badly defeated. When Agent Galbraith left the Upper Agency with a troop of half-breeds and employees to join the northern army the Indians believed that the North was badly in need of men and making a last effort to repulse the victorious southern troops. Some of the more dissatisfied chiefs believed, due to the absence of troops, that they should take this opportunity to go on the warpath and drive the whites from their former hunting grounds. Helen Hunt Jackson says, "A sense of wrong in the past and distrust for the future was ever deepening in their minds, and preparing them to be suddenly thrown by any small provocation into an antagonism and hostility grossly disproportionate to the apparent cause."

The spark which lighted this inflammable material was the murder of five whites, three men and two women, near 108
Acton, by four members of the Lower Sioux, August, 17, 1862. These Indians started an argument over whether they should steal a nest of eggs. One of them not wanting to take the eggs because they belonged to a settler was called a coward by the others. To prove his bravery he dared the other three to go with him to the house and kill the settler. This was the beginning of the most costly and disastrous Indian war in the history of the northwest.

The murderers then stole a team and drove to Chief Shakopee's camp six miles above Redwood (Lower Agency), which they reached late that night. Feeling that unless there was a general uprising they would be pursued and individually punished, they related their story and urged the band to take up arms. Chief Little Crow on being notified by Shakopee said: "War must be declared, blood has been shed, the payment will be stopped, and the whites will take a dreadful vengeance because women have been killed." A council was then called and chiefs like Wabasha, Wacouta and Big Eagle held out for a peaceful settlement of the affair, the

109. Ibid., p. 389.
110. Ibid., p. 389.
others demanded war, and soon the cry was "...kill the whites and kill all these cuthairs (farmer Indians) who will not join us."

The next morning the Indians proceeded to the Lower Agency, sending runners ahead with the message that all who did not join them should be punished with death. Many of the farmer Indians were thus practically forced to take an active part in the outbreak. Little Crow became leader and the devastation of the region began. After sacking the Agency, killing or capturing all the settlers that had not escaped, the Indians surprised and surrounded Captain Marsh's command, which had been sent from Fort Ridgely to the aid of the Agency, and killed Marsh and twenty-three of his men. The following day Little Crow could not get his warriors to stop plundering long enough to follow up his advantage, but appeared before Fort Ridgely on the twentieth with his entire force. The Sioux in their first charge penetrated the first two lines of defense and Fort Ridgely with its two hundred and fifty refugees seemed doomed. Some old cannon were brought to bear, as the warriors were preparing for another charge, and they were forced to retreat.

111. Chief Big Eagle, op. cit., p. 389.
113 with light losses. Little Crow then moved against New Ulm and on Saturday morning captured about half of that village, however, the defenders rallied and that evening by a counter charge were able to drive the Indians from the village. They then withdrew to the Lower Agency having heard that General Sibley was marching to the relief of Fort Ridgely.

General Sibley reached Fort Ridgely on August 28. Headquarters were established and the following morning Major Brown with 200 men moved toward the Lower Sioux Agency to bury the dead and reconnoiter. The Indians fell upon this company at Birch Coulee on the morning of September 2.

General Sibley, hearing the firing, went forward with a detachment that reached Birch Coulee the next morning to find that twenty-four troops had been killed and sixty-seven wounded. Sibley retreated to Fort Ridgely to care for his wounded and to drill his men; meanwhile the Indians ranged far and wide.

Finally, on September 18, with sixteen hundred men and two pieces of artillery, Sibley marched toward the hostile camp on Yellow Medicine River. He engaged the Indians at

113. Wellman, op. cit., p. 11-12.
115. Ibid., p. 17-18.
Wood Lake on September 3 and by the use of cannon was able to repulse them with a loss of sixteen warriors, including Chief Mankato. The Sioux broke their main camp and scattered all over the plains; Sibley permitted this because he believed they would kill the captives if pressed too closely. He then got in touch with the friendly chiefs, offering amnesty and pardon if they would bring the prisoners in.

On the afternoon of September 26, two hundred and sixty-nine captives were delivered, most of them women and children.

Eighteen hundred of the Sioux either surrendered to Sibley or were captured by him and placed in prison at Fort Snelling and Mankato. Three hundred and ninety-two were tried by a military commission at Mankato; three hundred and seven being sentenced to death and sixteen to prison. President Lincoln commuted the death sentences of all but thirty-eight and on December 23 they were executed. Those sentenced to prison remained at Mankato during the winter and the following spring were taken to Davenport, Iowa, where during the next three years of imprisonment one hundred and twenty died. The women and children captives re-

117. Chief Big Eagle, op.cit., p. 399.
118. Total number of settlers and troops killed in the outbreak was 737. Report of Agent Galbraith, op.cit., p.406.
119. Chief Big Eagle, op.cit., p. 399-400. This promise was broken as soon as the Indians delivered their prisoners.
120. Wellman, op.cit., p. 21.
122. Riggs, op.cit., p. 185.
123. Ibid., p. 194.
remained at Fort Snelling during the winter and in May, their numbers being increased by fifty men, thirteen hundred and eighteen were transported under great hardships to Crow Creek, in Dakota territory; sixteen died on the way and one hundred and fifty died within a few weeks after reaching their new reservation on June 1, 1863.

A small number of those who had continued faithful to the government remained in Minnesota. About seven hundred, who claimed that they had taken no part in the massacres but had fled from Minnesota to avoid indiscriminate vengeance of the whites, were in the vicinity of Fort Wadsworth, Dakota. Little Crow and the remainder, made up largely of those who had committed crimes and feared the punishment of the Government, took refuge with the tribes of the Upper Missouri or fled to Canada.

Little Crow reorganized his forces in 1863, with the help of sympathetic Upper Missouri Sioux, and it was necessary for the Government to put two expeditions in the field. General Sibley being sent overland and General Sully up the Missouri River, with the hope of catching the Indians between

the two divisions and crushing them. General Sibley defeated the Sioux, now under a son of Little Crow, (Little Crow having been killed by a settler near Hutchinson, Minnesota, on July 3,) at Big Mound on July 26 and at Stony Lake on July 28. On the 3rd of September General Sully, having failed to contact Sibley because of low water, struck the main Sioux camp at White Stone Hill. In the engagement Sully lost twenty-two men and had thirty-eight wounded; the Indians lost their camp and had one hundred and fifty of their band captured. These captives were sent to Crow Creek and Minnesota was delivered from the fear of further outbreaks.

The selection of Crow Creek reservation proved most unfortunate. It was not adapted to agriculture, the crops failing for three successive years, and if the Indians had not been able to hunt and forage many of them would have starved. In 1866 these Indians were moved to the Niobrara River reservation, where they were joined by the released prisoners from Davenport. In the fall of the same year they

126. Wellman, op.cit., p. 22-23.
removed to the mouth of Bazille Creek, and in 1868 to Breckridge, ten miles below the mouth of the Niobrara.

The condition of these Indians during these years was wretched. The act of February 16, 1863, had annulled all treaties and future obligations on the part of the United States toward the Mississippi Sioux. Their land was seized and all claims and annuities forfeited by this act.

The act of March 3, 1863, authorized the President to set apart for them a tract of unoccupied land in territory outside the limits of any State. But five years elapsed before the Indians were settled on a permanent reservation, and during this time they had moved four times. All these removals were attended with the greatest hardships and sufferings. Meanwhile these Indians, from this time on generally

130. Report of Commissioner D.N. Cooley, March 8, 1866, 39 Cong. 2 sess. V. 2, (ser 1284), H.Ex.Doc. I, p. 225. This act appropriated $210,000 of the annuities by payment of losses by the massacre; and provided that eighty acres of land be set apart for such Indians as had exerted themselves to save captive whites. Ibid., p. 225. The act of May 28, 1864 appropriated the sum of $1,170 374 to pay claims, making in all $1,380,374 appropriated for payment of losses by the outbreak. Ibid., p.225.
131. By the seventh section of an act approved July 15, 1870, The Secretary of the Interior was directed to distribute the proceeds from the sale of the reservation lands among the Mississippi Sioux. On February 24, 1883, the receipts from sales of these lands amounted to $857,972.04, all of which, excepting $83,067.71 had been expended.
132. Report of Commissioner D. N. Cooley, op. cit., p. 225. This same act provided for the survey and sale of the reservation, the proceeds to be turned over to the Interior Department for the benefit of the Indians. Ibid., p.225.
133. Manypenny, op.cit., p. 135-142.
called Santee Sioux, were wholly dependent upon the Government. Indian Commissioner Dole in his 1863 report says: "... they are left entirely destitute, and it is to be feared that our utmost endeavors will be insufficient to prevent great suffering and distress among them for want of the ordinary necessities of life." The fact that the Santee had no treaty guarantees with the United States made them feel insecure, and they asked that some form of treaty be drawn up. In February of 1867 the government invited their chiefs to Washington, no agreement was reached and they were told to move again, accordingly they moved to Breckenridge.

The Santee, along with the other Sioux tribes, signed the treaty of Laramie on April 29, 1868. This treaty provided for the Allotment of land in severalty, for distribution of certain goods, and a payment of $10 annually to all members, $20 to farming members, for the next thirty years; for the compulsory education of all children between the ages of six and sixteen, and the employment of a teacher for every thirty of such children. The Federal Government also pro-

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137. After ratification of this treaty, February 16, 1869, allotments were made to these Indians, but patents were not issued and the allottees did not become citizens of the United States. However, by an act approved July 4, 1884, the patents for the land allotted under the 1868 agreement were declared legal; and the United States promised to hold the land in trust for twenty-five years, and at the end of that time to deliver it to the Indians or their heirs. U. S. S. L. XXIII, p. 96-98.
mised to give a cow, a pair of oxen, and one hundred
dollars in machinery and seed to each family that settled
on the reservation and commenced farming.

Between 1868 and 1872 about sixty families took up home-
steads under Article VI of the 1868 treaty, withdrawing from
the Santee reservation and settling on the Big Sioux River.

will be found in the chapter dealing with the Sioux of
the Plains.

139. Kappler, op.cit., II, p. 1000, "And it is further
stipulated that any male Indians,...who now is or
who shall hereafter become a resident or occupant
of any reservation or territory not included in the
tract of country designated and described in this
treaty for the permanent home of the Indians,...
and who shall have made improvements thereon of
the value of two hundred dollars or more, and con-
tinuously occupied the same as a homestead for the
term of three years, shall be entitled to receive
from the United States a patent for one hundred and
sixty acres of land including his said improvements
.... And any Indian or Indians receiving a patent for
land under the foregoing provisions, shall thereby
and from thenceforth become and be a citizen of the
United States, and be entitled to all the privileges
and immunities of such citizens, and shall, at the
same time, retain all his rights to benefits accruing
to Indians under this treaty." Ibid., p. 1000.

140. Fourth Annual Report of Board of Indian Commissioners
1872, (Washington, 1872), p. 34.
They became citizens of the United States and by the treaty were subject to and protected by the laws of the United States. But on taking the lands the Indians had to renounce all claims for annuities, rights and benefits accruing under the treaty of 1868, which was a direct violation of Article VI by the Government. For four years these Indians suffered from drouth and hardship but in 1873 the government, due to the efforts of Dr. Williamson, a missionary, who had worked among the Santee thirty-five years, sent them oxen, cows and machinery to stock their farms.

Members of the Sisseton and Wahpeton tribes to the number of twenty-eight hundred did not take an active part in the 1862 outbreak, in fact, many of them were instrumental in saving the lives of white captives. A number of them voluntarily surrendered to General Sibley; others fled to the vicinity of Fort Wadsworth to avoid vengeance at the hands of the whites. While others, preserving their treaty relations with the United States, remained in the vicinity of their Minnesota reservation. Eventually the Government made a treaty with these two tribes at Washington, D. C. on February 19, 1867. The important articles provided,

after being amended by the Senate, for the following:

Article II—gave "...the United States the right to construct wagon roads, railroads, mail stations, telegraph lines, and...other public improvements...." over the lands claimed by these Indians, including their reservation, as afterwards designated.

Article III—provided that a certain tract of land in the central east part of Dakota be set aside for those members of the bands who had surrendered to the Government and had not been sent to Crow Creek, and for those who had been released from prison in 1866.

Article IV—provided that a reservation in the northern part of Dakota be set apart for all other members of the

144. "...said lands so claimed being bounded on the south and east by the treaty-line of 1851, and the Red River of the north to the mouth of Goose River; on the north by the Goose River and a line running from the source thereof by the most westerly point of Devil's Lake to the Chief's Bluff at the head of James River, and on the west by the James River to the mouth of Moccasin River, and thence to Kapeska Lake." Kappler, op.cit., II, p. 957.

145. "Beginning at the head of Lake Traverse, and thence along the treaty-line of the treaty of 1851 to Kapeska Lake; thence in a direct line to Reipan or the northeast point of the Coteau des Prairie, and thence passing north of Sunk Lake, on the most direct line to the foot of Lake Traverse, and thence along the treaty-line of 1851 to the place of beginning." Kappler, op.cit., II, p. 957.
said bands who had not been sent to Crow Creek, and also for the Cuthead band of Yanktonia Sioux.

Article V—provided that the two reservations "...be apportioned in tracts of (160) one hundred and sixty acres to each head of a family or single person over the age of (21) twenty-one years...."; and that every person who should receive an allotment and should "...occupy and cultivate a portion thereof for five consecutive years...be entitled to receive a patent for the same so soon as he shall have fifty acres of said tract fenced, ploughed, and in crop"; provided that such a patent should not authorize a transfer of any portion of the land except to the United States; but the lands should "...descend to the proper heirs of the person obtaining a patent."

Article VI—provided that Congress would, "...from time to time make such appropriations as may be deemed requisite to enable said Indians to return to an agricultural life...."

146. "Beginning at the most easterly point of Devil's Lake; thence along the waters of said lake to the most westerly point of the same; thence on a direct line to the nearest point on the Cheyenne River; thence down said river to a point opposite the lower end of Aspen Island, and thence on a direct line at the place of beginning."


147. Ibid., II, p. 958.

148. Ibid., II, p. 958.
Article VII—provided that an agent be immediately located at Lake Traverse and one at Devil's Lake so soon as five hundred persons be settled there.

Article VIII—provided that "...no goods, provisions, groceries, or other articles—except materials for the erection of houses and articles to facilitate the operations of agriculture—shall be issued...unless it be in payment for labor performed or for produce delivered."

Article IX—provided that "...no person be authorized to trade for furs or peltires within the limits of the land claimed by said bands...." And "...that no person, not a member of said bands,...except persons in the employ of the Government or located under its authority, shall be permitt- ed to locate upon said lands, either for hunting, trapping, or agricultural purposes."

In accordance with the provisions of the treaty these Indians were located on reservations at Devil's Lake and

150. There were two other articles.

Article I—provided for the continuation of friendly relations between the United States and the said bands.

Article X—authorized the chiefs and head men to adopt such rules as seemed best to them, "...for the security of life and property, the advancement of civilization, and the agricultural prosperity of the members of the said bands....", and to organize a force for the carry­ ing out of the same and such regulations as might be prescribed by the Interior Department, Ibid., p. 956-959.
Lake Traverse. Here they once more began an agricultural life and progressed rapidly; land being allotted them in severalty and annuities paid only for work done. The report of the Board of Indian Commissioners for 1872 states that:
"Thirteen hundred and forty-five are enrolled as property-holders. They are, to a man, turning their attention to farming and stock-raising as a means of subsistence, and are very anxious to educate their children."

On September 20, 1872, an agreement was made with the Lake Traverse and Devil's Lake Indians, by which they agreed to give up all claims to the land referred to in the second article of the treaty of 1867. The agreement, as amended by the Senate and ratified by the three Sioux groups, was ratified by the Senate on June 24, 1874. In payment of their cession the bands received eight hundred thousand dollars, to be paid in ten annual installments, and this money to be

153. Ibid., p. 1059-1063. The Senate amended the original agreement by striking out the sections numbered three to nine.
154. Ibid., p. 1059.
expendi in accordance with the provisions of the treaty of 1867.

All the Mississippi Sioux made advances in civilization and religion after the treaties of 1867 and 1868. They became interested in agriculture, applied themselves, and in most cases succeeded in bettering their former conditions. For a time the United States assisted them with liberal appropriations, but these were gradually diminished as the Indians advanced and became no longer wards of the government.

They progressed and remained peaceful, even when their western cousins went on the warpath, regardless of the many hardships that grew out of their removal from Minnesota. Much credit for their progress and treatment of whites during this period is due to the efforts of men that remained loyal to them at Davenport and Crow Creek;

155. "...for goods and provisions, for the erection of manual-labor and public schoolhouses, and in the erection of mills, blacksmith-shops, and other work shops, and to aid in opening farms, breaking lands, and fencing the same,...and such other beneficial objects as may be deemed most conducive to the prosperity and happiness of the Sisseton and Wahpeton bands...entitled thereto according to the said treaty of February 19, 1867." Kappler, op.cit., II, p. 1060.

156. A few Santee bands remained off the reservations until 1876.
men in daily contact with them and kept in the field by the American Board and the Presbyterian Board of Missions. The Indian question, so far as the Mississippi Sioux were concerned, was almost settled.
YANKTON SIOUX FROM 1851 TO 1876

The division of the Sioux Nation into the Sioux of the Mississippi and Sioux of the Upper Missouri, or Sioux of the Plains, was due to their geographical location in Indian Territory. For a time this location determined the attitude of the Indians toward the Government, and the Government toward the Indians. The Mississippi Sioux were settled upon reservations and brought under the supervision of the agent sooner than the Missouri Sioux, simply because they came in contact with our civilization and land hungry settlers at an earlier date. Not until the gold rush and the end of the "permanent" Indian frontier were the Sioux of the Plains brought into close relationship with our settlers and our Indian policy. As our frontier pushed steadily westward the Yanktons, being the most easterly tribe of the Missouri Sioux, were the first to be influenced by the government policy growing out of this westward expansion. Naturally they were the first to give up the chase and settle down on reservations. Their history from 1851 on is entirely separate from that of their plains kinsmen, therefore, they must be treated separately.

The tribe in 1851 claimed territory from the Minnesota River to the Missouri River, or the area contained in present southwestern Minnesota, and present South Dakota from the Missouri River to the Minnesota boundary and as far north as Big Stone Lake and the headwaters of the Snake River. The
head chief was Palaneapepe, Struck-by-the-REE, who had been wrapped in an American flag at birth, August 30, 1804, by Captain Lewis. During his life Struck-by-the-REE took great pride in his Americanism, and in the fact that he was first dressed in an American flag.

In the year 1851, the same year that the Yanktons signed the treaty of Laramie, the Sisseton, Wahpeton, Mdewakanton, and Wahpekute bands ceded a large territory to the United States. The Yanktons insisted that part of this territory belonged to them, and that these tribes had no right to sell the sacred Red Pipe Stone Quarry. Agent Pritchette in his 1857 report says:

"Bands or tribes who have not been parties to the treaties claim that lands in which they possessed an equal interest have been sold without their consent, and they also are entitled to a share of the annuities. That this is, in part, true is evidenced by the fact that the Yanktons annually demand from the Sisseton a share of their annuity, who frequently divide with them their distributive portion of goods." 159

Finally, April 19, 1858, a treaty was made with the Yanktons at Washington D. C., with the following stipulations:

158. Laramie Treaty of 1851 will be discussed in the chapter with the Sioux of the Plains.
Article I—provided that the Yanktons cede all their lands to the United States except four hundred thousand acres in the southeastern part of Dakota, to be set aside as a reservation for them.

Article II—defined the boundaries of the land ceded.

Article III—gave the United States the right to construct roads across the reservation, a fair equivalent to be paid for land so used.

Article IV—provided that the United States protect the Indians in the peaceable enjoyment of their reservation; and pay them annually $65,000 for the first ten years, $40,000 for the next ten years, $25,000 for the next ten years, and $15,000 for the next twenty years, the President of the United States to be given discretionary power over the expenditure of this money, and the annuities to be discontinued if the Indians should not make "...reasonable and satisfactory efforts to advance and improve their condition...."

161. "Beginning at the mouth of the Nawiwakoopah or Chouteau River and extending up the Missouri River thirty miles; thence due north to a point; thence easterly to a point on the said Chouteau River; thence down said river to place of beginning, so as to include the said quantity of four hundred thousand acres." Kappler, op.cit., II, p. 776.

162. This same article provided that the Yanktons remove to their reservation within a year from the date of the treaty.

The United States further promised to pay the Indians $25,000 to maintain them during the first year after their removal and to assist them in beginning an agricultural life; to spend $10,000 for educational purposes, the Indians to send all their children between the ages of seven and eighteen to school, and those not doing so to be deprived of a portion of their annuities; and to erect "...a mill suitable for grinding grain and sawing timber...," and make other improvements not exceeding in value $15,000.

Article V—bound the Indians not to destroy any of the improvements made by the Government, and, in case of such destruction, to pay for the same with their annuities.

Article VI—empowered the chiefs and head men in open council to authorize a certain portion of their annuities, not exceeding in the aggregate $150,000, to be paid to satisfy their just debts, and to provide for such of their half-breeds as did not live upon the reservation or draw annuities; not more than $15,000 to be used for this purpose in one year.

Article VIII—provided that the Yanktons be secured in the free use of so much of the Red Pipe Stone Quarry as they had been accustomed to frequent for the purpose of securing stone for pipes. The Government agreeing to survey the quarry

and keep it open to the Indians forever.

Article IX—gave the United States the right to establish military posts, roads, and Indian agencies upon the reservation, due compensation to be made for any injury to the property of the Yanktons.

Article X—provided for the exclusion of all but duly authorized persons from the reservation, and prohibited the Indians from disposing of any of their land except to the United States. The Secretary of the Interior was given discretionary power to cause the reservations to be surveyed and allotted, each head of a family or single person to receive a separate farm, with such rights of possession as the Secretary might deem just.

Article XII—provided that annuities be withheld from those who should drink intoxicating liquors or procure them for others, and from those who should in anyway violate the terms of the treaty.

Article XIV—provided that the United States be free

165. Jennings J. Wise, Red Man in New World Drama, (Washington, 1931), p. 428-429. This article probably had more to do with the signing of the treaty than any other because the whole Sioux Nation desired the restoration of the quarry. The Government never did fulfill the requirements as stated in this article.
from all obligations toward the Yanktons except those under this treaty and the Fort Laramie treaty of 1851.

The ceded land amounted to eleven million acres, much of which was good prairie soil adapted especially to wheat raising; the remainder was suitable for grazing. Squatters immediately flocked on to the grant in violation of the treaty, which gave the Indians one year on which to remove to the reservation. The Indians objected to this invasion and asked that these squatters be removed by the army; one group actually settled in the heart of the Yankton village and erected a crude fort for their protection. Receiving no reply from the commander at Fort Randall the Indians took matters into their own hands and destroyed the homes of three of the squatters. Therefore on October 5, the Government fearing open hostilities, groups were sent into

166. Kappler, *op. cit.*, II, p. 776-780. Article VII—provided that certain persons who had been of service to the Yanktons receive allotments upon the ceded lands.

Article XI—provided that the Yanktons commit no depredations, preserve peaceful relations with the other tribes and with the United States, and deliver to the proper Government officers "...all offenders against the treaties, laws, or regulations of the United States...."

Article XIII—provided that no part of the annuities be taken to satisfy claims except those named in this treaty, or those which might arise under it, or under the trade and intercourse laws.

Article XVI—provided that an agent be appointed for the Yanktons.

Article XVII—provided that the expenses of making this treaty and of surveying the reservation and the Red Pipe Stone Quarry be borne by the United States.


the Yankton territory with orders to destroy all squatter 169 property and remove all squatters from the ceded lands.

The upper seven tribes objected to the Yankton treaty saying that the territory belonged to the Sioux nation, and not to the Yanktons exclusively, and declared that the nation 170 would not consent to the sale of any part of their country. The Upper Yanktons joined the Upper Missouri tribes in opposition to the treaty and refused to abide by it or accept 171 any of the annuities due them by the treaty. The Yanktonia complained that the cessions of 1851 and 1858 embraced a large territory in Minnesota and Dakota that belonged to them. The Senate in July of 1858, fearing that they were going to break into hostilities, voted them $21,000 worth of goods and asked that they designate a place and time for a conference. They refused to accept the goods or to appoint 172 a time for a conference.

The next year, July 10, 1859, the Yanktons moved off 173 the ceded strip and on to the reservation. Their annuities

173. Robinson, Brief History of South Dakota, op.cit., p. 113.
were small, but for the first few years, regardless of drouth and grasshoppers, they supported themselves easily by farming and hunting. By 1362 the Upper Yankton bands had given up the chase to settle on the reservation, and during the war of that year, due to the efforts of Struck-by-the-Ree, all the Yankton bands remained loyal to the Government. In 1363 the Yanktons furnished General Sibley with mounted scouts for the Devil's Lake and Upper Missouri campaigns.

In 1365 the Government sent out a commission to investigate conditions among the Missouri tribes. This commission found that the Government had failed to keep its treaty promises and that the affairs of the Yanktons had

175. Robinson, Brief History of South Dakota, op. cit., p. 125.
176. For campaigns see p. 46-47. These scouts furnished their own horses and received no compensation but arms, ammunition, clothing, and rations until thirty years later, when, by agreement of December 31, 1392, they were awarded $225 each. Report of Commissioner of Indian Affairs for 1394, (Washington, 1394), p. 448.
been administered so badly that the entire reservation showed the appearance of neglect. Their agency buildings were in a dilapidated condition; they had no schools; little or no preparation had been made to raise a crop for that season; they had suffered from spoiliations of the soldiers in 1863, and the Government had delayed paying the ten thousand dollars which Congress had appropriated as indemnity.

The investigation of 1865 resulted in the House of Representatives passing a resolution on May 23, 1866 that requested a report from the Secretary of Interior on Indian affairs at the Yankton reservation. Special Agent Alexander

178. "I can but feel that it is but just and proper that material aid should be extended to them, in view of their pressing necessities, to keep them from suffering, if not from actual starvation." Report of Governor Newton Edmunds, October 14, 1865. 39 Cong. 1 sess. V. II, (ser 1248), H.Ex.Doc. I, p. 370.

179. "Agent Conger found the Yankton in a very unsatisfactory condition and expressing much discontentment, and complaining that the Government had not kept its promises to them....He reported that the agency buildings were in a dilapidated condition, and everything run down; no cattle or stock, farming tools few and in bad condition, and very small preparation for a crop this year....There is no school on the reservation, and none has been in existence, although the treaty provides liberally for one, and the vouchers of late Agent Burleigh are on file for the expenditure of considerable sums of money for the purpose." Report of Commissioner of Indian Affairs D. N. Cooley, October 31, 1865. 39 Cong. 1 sess. V. II, (ser 1248), H.Ex.Doc. I, p. 194.

Johnston in his investigation found that former Agent Walter A. Burleigh, then Dakota representative in Congress, had succeeded in amassing a fortune during his four years as Yankton Agent. During this period he had paid salaries to an engineer, a miller and three teachers; the agency contained no mill or school. Salaries were also paid to a blacksmith and a tinsmith; these men were employed on his own ranch. A restaurant, employing two men, was operated with Indian money; and his own son, a boy of 13, was enrolled as a laborer at $40 a month. Agent Burleigh's strongest graft consisted in securing from the head men of the tribe a receipt for all of the goods, which came into his hands, in the following form:

"We, the undersigned chiefs and head men of the tribe of Yankton Sioux Indians, hereby acknowledge to have received from W. A. Burleigh, our agent, all the goods and property hereinafter mentioned, and we authorize our said agent to retain in his possession for our use and benefit, as he may deem best for our interests, and to actually deliver to us for our use and consumption, such portions, from time to time, as he may judge proper for us."

131. During 1864 over $5000 were paid out in claims to fraudulent characters for depredations committed by the Yanktons; during the same period $300 was falsely paid out in freight charges. During the second quarter of 1863 Agent Burleigh's restaurant had been paid for 1200 meals, amounting to $500, said meals being for scholars in the school that did not exist. During his entire term he butchered once a week, and the meat was sold to the Indians; this was Indian beef bought by the Government for the Indians. Report of Alexander Johnston, July 16, 1866. 39 Cong. 2 sess. V. II, (ser 1284), H.Ex.Doc.1p. 181-185.
182. Ibid., p. 181-185.
Agent Johnston then states:

"Under these receipts all farming implements, all work-cattle, all stock, all tools for the shops and mill, all medicines, all property of every description, from the horses he drove to the pen-knife he carried in his pocket, were dropped from the agents returns as 'issued to the Indians'."

Agent Burleigh was never tried, due to political connections, but the investigations of 1865-1866 resulted in a better administration of Yankton affairs, and by the latter sixties the reservation reports show that conditions have greatly improved. Later the Government assisted the Yanktons by introducing sheep and cattle raising on their reservation. Material prosperity increased and the tribe remained at peace during the 1876 outbreak.

183. Report of Special Agent Alexander Johnston, op. cit. p. 181-85. Agent Burleigh had taken one hundred and eleven head of the cattle so receipted for to his own farm at one time.
SIoux of the Plains 1851 to 1876

In 1851 the Siouxs of the Plains comprised that part of the Siouxs nation roaming over the prairies of the Missouri and Upper Platte Rivers. They were a warlike people, wholly dependent upon the chase, and as yet not bound to the United States by treaty. But due to westward expansion the time had come when they were to become an important factor in our Indian policy. The Indian Commission estimated their number at sixteen thousand, but, of course, it was almost impossible to obtain an accurate knowledge of bands remote from our frontiers.

The Siouxs roaming free and uncontrolled over their vast domain, which extended westward to the Rockies, naturally resented the passing of so many people through it. The gold-seekers and home-seekers did not take Indian rights into consideration or offer any compensation for building their trails through the heart of the Indian country. With increasing dissatisfaction the prairie Indians watched the destruction of the buffalo and the diminishment of his chief

104. Yankton, Yanktonia, Brule, Oglala, San Artes, Miniconjou, Two Kettle, Blackfeet and Hunkpapa tribes made up the Sioux of the Plains.

resource of subsistence and trade. Under these circumstances, to prevent an outbreak because such treatment if continued would lead to war, the time had come for the Government to reach an understanding with the western tribes in regard to the two great routes of travel through their country. Accordingly, Indian Commissioner Orlando Brown, in his annual report for 1849 states the necessity for such an agreement and requests that an appropriation be made authorizing a council with western tribes. Commissioner Brown's request was approved by the Senate and on February 27, 1851 one hundred thousand dollars were appropriated for expenses in conducting such a treaty.

The Plains Sioux, along with seven prairie and mountain nations, were called to meet in council at Fort Laramie on September 1. They all sent delegates and the council was opened by D. D. Mitchell and Thomas Fitzpatrick, government Indian officers, on the last day of August. The nego-

188. The other nations were the Cheyenne, Arapahoe, Crow, Assinaboine, Mandans, Gros Ventre and Arrickaras. No treaty was made with the Shoshone, who sent delegates, because they were not in the Central Superintendency and had not been asked to attend.
tations lasted eighteen days, and on September 17, 1851, the Treaty of Laramie was signed by representatives of each of the tribes taking part. The treaty contained the following summarized articles:

Article I—provided for the establishment and maintenance of friendship and peace among the assembled tribes.

Article II—the Indians recognized the right of the United States to establish roads and military posts in their territory.

Article III—the United States promised to protect the Indians against all depredations of its own citizens.

Article IV—the signatory tribes agreed to make restitution for any wrongs committed by any band or individual against American citizens passing through their territories.

Article V—defined the territory of each group.

Article VI—each nation selected a chief to represent them in all future councils.

Article VII—provided for the distribution of $50,000 per year for fifty years, among the signatory tribes.

189. Hoopes, op.cit., p. 203-204.
190. "The territory of the Sioux, commencing at the mouth of White Earth River, on the Missouri River; thence in a southwesterly direction to the forks of the Platte River; thence up the north fork of the Platte River to a point known as Red Butte, or where the road leaves the river; thence along the range of mountains known as the Black Hills to the head-waters of Heart River; thence down Heart River to its mouth; and thence down the Missouri River to place of beginning." Kappler, op.cit., p. 594.
191. Stirring Bear was named chief of the Sioux. Vestal, op.cit., p. 203.
Article VIII—In case of treaty violation the Government was to hold back all or part of the annuities due the violator.

The Senate ratified the treaty on May 24, 1852, with an amendment which changed the annuity in Article VII from fifty to ten years. The Sioux and the other nations ratified this amendment, but the Crows did not. The treaty, therefore, was never completed by all parties, but since the United States was dealing with the tribes jointly and not severally, the failure of the Crows to sign made the ratification invalid and the amended treaty of no effect. Despite this fact, the Government in subsequent agreements considered the amended treaty in force.

The second article in the Fort Laramie Treaty gave the United States the right to establish roads through the Indian territory; a clause permitting railroads, due to the distance from white settlements, probably never entered the minds of the government agents. However, each succeeding year

193. This same amendment gave the President discretionary power to continue the annuity for five more years.
195. Ibid., p. 594.
after 1851 increased the national demand for a railroad to the Pacific, but the Indian Country acted as a barrier to a northern or central route for the proposed railroad. There was no praise now for the policy that had built up an Indian frontier to prevent our people from going to the Pacific coast. Instead there was an insistent demand that the Indian frontier be abolished and the Indian Country organized as a territory. Therefore, Congress, by the Indian Appropriation Act, passed March 3, 1853, voted $50,000 with which to carry on negotiations with the Indian tribes west of the states of Iowa and Missouri. In accordance with this act, Commissioner Manypenny was instructed in August of 1853 to make a visit to the Indian frontier and to negotiate for the removal of the tribes concerned.

Manypenny visited the Indian frontier during the fall and winter of 1853 and 1854 and requested the Indians of present Kansas and Nebraska to send delegates to Washington in the spring of 1854. This visit was made to several tribes that had moved to the border under the "permanent Indian Frontier"

197. Manypenny, op. cit., p. 117.
policy. The Commissioner found these Indians restless because some whites thinking the country open to occupation had gone into the districts to explore and locate. Regardless of the fact that these Indians had signed treaties which had set aside their territories as permanent homes, which treaties were faithfully kept by the tribes, they were compelled to cede their lands to the Government in various treaties during the year 1854.

The new Territories of Kansas and Nebraska were created May 30, 1854, and the "permanent frontier" received its death blow. The new Territories embraced the whole Indian Country except the part between Texas and the thirty-seventh parallel, which is today the State of Oklahoma. The Indian frontier was broken; the railroad barrier removed; the Indian Country open to white settlement. Settlers immediately poured into the territories and squatters put up their shacks on Indian lands in defiance of Indians, troops and Government.

The Plains Sioux, after the Treaty of Laramie, returned

199. Manypenny, op. cit., p. 117.
to their respective districts and remained at peace with the
Government and each other. During the winter of 1851-1852
they suffered severely due to the scarcity of buffalo; many
members of the bands also dying from diseases like smallpox,
measles, and cholera, which they claimed, and rightly, had
been introduced by the immigrants. A. D. Vaughn, agent on
the Upper Missouri, in his annual report for 1853, states
that tribes that have been warring against each other for
years were at peace with each other and the whites.

This state of things continued until August of 1854,
despite the fact that Lieutenant H. B. Fleming had killed
four Oglala Sioux in a raid on their camp near Fort Laramie
the summer before. On August 17 of that year a company of
Mormon emigrants passed an encampment of Brule, Oglala, and
Miniconjou Sioux waiting near Fort Laramie for their annuities.

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204. Report of Superintendent D. C. Mitchell, October 17,
1852, 32 Cong. 2 sess. V. I, (ser 673), H. Ex. Doc. I,
pt. 1, p. 673.

Also see report of Commissioner Luke Lee, 32 Cong. 2

206. This attack was made because a wandering Miniconjou
had fired across the river at a soldier in a boat. The
soldier was not hit, but the local Indians suffered
from an act to which they could not have been held respon-
sible. George Bird Grinnell, Fighting Cheyennes, (New
York), 1915 p. 100. Also see report of Agent
Thomas Fitzpatrick, November 19, 1853, 33 Cong. 1 sess.

207. Report of Trader James Bordeaux to Commissioner Manypenny,
August 29, 1854. 33 Cong. 2 sess. (ser 746), Senate
Ex. Doc. I, pt. 1, p. 301
A cow belonging to one of the emigrants wandered into the Indian village and was there killed by a Miniconjou, who then took refuge with the Brule's. Stirring Bear, chief of the Brule's, went to Fort Laramie, reported the circumstances, and asked that soldiers (according to the treaty) be sent to demand the arrest of the Miniconjou. Hearing of this the emigrant, who had abandoned the cow, returned to the fort and put in a claim for it. Accordingly, on August 19, Lieutenant Grattan, with a party of twenty-nine men and two howitzers, set out for the camp to demand the culprit. The troops planted the howitzers in the village and demanded that the Miniconjou be given up. The Indians offered to pay for the cow and make all amends possible, but would not deliver up the guilty party. Lieutenant Grattan's drunken interpreter increased the tension when he threatened the Indians by telling them that the soldiers were going to "cut their hearts out"; that they had come there for the purpose of killing Indians and intended to do so. The soldiers then fired into the lodges and Stirring Bear was the first to fall. The Indians instantly surrounded the troops and they were killed.

208. Manypenny, op.cit., p. 157
211. Report of Agent Whitfield, October 2, 1854. 33 Cong.
to a man. Immediately afterwards the Indians went to the
warehouse near by and took from it their annuity goods.

The Sioux tribes did not regard this battle as a signal
for a general uprising, but the eastern press insisted that
the Indians had treacherously massacred Lieutenant Grattan
and his men and that they should be severely punished. The
Brule and Oglala as a whole remained quiet and peaceful as
before this disturbance, but a few bands of younger braves
committed some depredations upon neighboring tribes; and
one of them, Wasagaha's band (formerly Stirring Bear's band),
murdered an United States mail party in November, 1854.

On account of the eastern demand for punishment of the Sioux,
Congress authorized an addition of three regiments to the
regular army, and General Harney left Fort Leavenworth on
August 4, 1855, to put an end to the "Sioux War."

33 Cong. 2 sess. V. I, (ser 740), Sen. Ex. Doc. 1, pt. 1,
p. 296.

214. Indian Commissioner George W. Manypenny, in commenting
upon this tragedy, says: "The Mormons should, under the
provisions of the "Intercourse act," have applied to
the agent, who was in the vicinity, for redress, and
he could, under the law, have paid, out of the annuities,
for the property taken; but no officer of the military
department was, in my opinion, authorized to arrest
or try the Indian for the offense charged against him."
33 Cong. 2 sess. V. I, (ser 746), Sen. Ex. Doc. 1, pt. 1,
p. 224.

215. Report of Thomas Twiss, August 20, 1855. 34 Cong. 1 sess.

216. J. P. Dunn, Massacres of the Mountains, (New York, 1886),
p. 234.
On August 10, 1855, a new Indian agent, Thomas S. Twiss, assumed his duties at Fort Laramie and immediately started an investigation of the Sioux outbreak. He soon discovered that many of the Brule and Oglala were at peace and desirous of maintaining their friendly relations with the United States. Knowing that General Harney was in the field he promptly notified the bands that the North Platte was the boundary between hostile and friendly Sioux. On August 19, a council was held with the Brules, and on August 29, with the Oglalas, in which Twiss told the tribes that if they continued to harbour the guilty members of their tribes and remained north of the Platte that they should all be considered hostile. The Indians on leaving the councils promised that they would cross to the South Platte.

While Twiss was trying to bring about peace, the Sioux Expedition was headed westward for the express purpose of pushing the "war" to a successful conclusion. The military

219. "I forbid these murderers and robbers from crossing to the south side of the Platte, and required the friendly Brules to drive away from amongst them all hostile Indians, on pain of being declared enemies if I should find one of these outlaws in their village," Ibid., p. 398.
220. The northern tribes were also hostile. On May 3 a band of Hunkpapa had wounded two men on the Yellowstone River; and the San Arcs made frequent raids on Fort Union for the purpose of stealing horses. Due to these hostilities the Crow annuities were not paid in 1855. Report of Agent Haughey, September 12, 1855, 34 Cong. 1 sess. V. I, (ser 840), H. Ex. Doc. 1, pt. 1, p. 394.
and civil authorities were thus pulling in opposite directions. Both hoped to establish peace; but the former desired to do it by chastisement; the latter by calling a council and asking the Indians to live up to their treaty obligations.

But fate was against a peaceful solution. For some reason Little Thunder and his band of Brule Sioux remained on the north side, encamped on Blue Water Creek. Here they were attacked by General Harney, September 3, 1855. Eighty-six Indians were killed, five wounded, seventy women and children captured, fifty mules and ponies taken, and the camp destroyed.

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221 Runners had been sent to the Sioux requesting them to meet in council the second week in September. Report of Twiss, September 3, 1855, op. cit., p. 234.
222 Grinnel, op. cit., p. 104.
223 Many of the eighty-six, least able to get away, were women and children.
224 There seems to be some question as to whether these Indians had anything to do with the Grattan massacre. General Harney says he found in their possession remnants of clothing from the Grattan engagement and letters that had been taken from the mail party. On the other hand, Agent Twiss had invited this band to cross over to the South Platte. Commissioner Manypenny made the following statement in regard to the battle: "It is the common practice of our troops, when on expeditions, to kill Indians whenever found, without care to know whether they be guilty or innocent." Manypenny seems to forget that the Indians were on the wrong side of the river in violation of orders from one of his own agents. General Harney was later called to Washington (1857) to appear before a court-martial, but was released without trial. Manypenny, op. cit., p. 159. See also Dunn, op. cit., p. 237.
The troops lost four killed and seven wounded in the Battle of the Blue Water, the only battle fought in the so-called Sioux war of 1855.

The blow struck terror to the Sioux, and when after the fight Harney moved to Fort Laramie and again demanded the "murderers" of Grattan, five Indians rode into Fort Laramie, dressed in their war clothes for burial, singing their death songs. These five who had surrendered were sent to Fort Leavenworth. But Harney was not content and runners were sent out asking all the chiefs of the Teton and Yanktons to meet in council at Fort Pierre, at the mouth of the Teton River, March 1, 1856. The council thus proposed was

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226. Dunn, op.cit., p.234-236. Two of them, Red Leaf and Long Chin, were brothers of the dead chief Stirring Bear. Two others, Red Plume and Spotted Elk, offered themselves in place of two who could not come in. The fifth was Spotted Tail. Vestal, op.cit., p.213.

227. Agent Twiss did not, however, approve of peace negotiations conducted entirely by the military, and in which the Indian Department did not have representatives. Accordingly he took steps to prevent the Brule and Oglala from attending the council. General Harney then instructed Colonel Hoffman (commander at Fort Laramie) to inform Agent Twiss that he was to leave the Sioux entirely alone. Twiss, therefore, was not present at the council, but was able to keep the Oglala from attending. Twiss went to Washington in May to plead his case before Commissioner Manypenny; he was then returned to Fort Laramie with full power as agent for the Indians on the Upper Platte. Thus the triumph of the military over the civil authorities was short lived. Harney to Secretary of War Davis, March 9, 1856. 34 Cong. 1 sess. V. XII, (ser 859), H.Ex. Doc. 130, p. 1-2. See also Hoopes, op.cit., p. 212-213.
authorized by Secretary of War Davis on December 26, 1855.

The council, held during the first five days of March, was attended by chiefs of the Two Kettle, Lower Yanktons, Blackfeet, Miniconjous, Sans Arcs, Hunkpapas, Upper and Lower Yanktonnais, and Brules of the Platte. The chiefs sincerely deprecated the wrongs which had been committed by their people, and deeply desired peace. General Harney throughout the council tried to impress the Indians with the idea that the United States was all powerful and would insist upon the strictest adherence to treaty rights; and that every infringement would be punished. Finally, he submitted to them a treaty which was signed by the nine bands present, and later by the Oglala, who were not represented in council. The Indians, on their part, promised to deliver up to the nearest military post all who had "committed murders or other outrages upon white persons" and all stolen property. The chiefs were to be responsible for the conduct of their band; and, if not able to control them, were to report the fact to the nearest military post. The Indians were not to molest, but, on the contrary, to protect travelers through
their country. Sioux war parties were not to go down to the Pawnee country, or be found anywhere near the North Platte trail. Trade in horses and mules was to be stopped because it encouraged young men to steal. The Indians were advised due to the increasing scarcity of buffalo "to raise stock and cultivate the soil...."

The United States, on its part, engaged to protect the Sioux from impositions by the whites; to restore annuities, and to set at liberty all Indian prisoners "not implicated in any murder, robbery, or other high crime against our people." These were the terms as drawn up in the treaty, but the Indians laid almost as much stress upon the suggestions and promises of General Harney, which did not receive treaty sanction. The most original proposition was a plan to appoint chiefs for every band, who should command organized companies of Indian police, with uniforms and arms issued by the Government. These police were to enforce the orders of the head chief, act as scouts for the army, and help in issuing annuities. General Harney recognized certain chiefs only as head chiefs of their respective bands because of the confusion that existed in regard to different

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232. Ibid., p. 7.
chiefs that had been appointed at different times by different interests. General Harney in his report states:

"Certain chiefs were recognized by the nation, others by the military, others again by the agents, and the traders, for their own purposes, have most unwarrantably given medals and appointed chiefs. These conflicting interests necessarily weakened the authority of all these chiefs, and to correct this evil I most respectfully request that the President will direct and order that hereafter none other chiefs of the Sioux but those selected in the late council, under the conditions there agreed upon, be recognized by either the War or Interior Departments."

The chiefs also had their grievances and stated them frequently during the council. They had tried to keep peace, in some cases killing men of their own bands for violating treaty stipulations. But complained that the treaty Indians had not been protected as promised in the Laramie Treaty; annuities had not been paid; squatters had violated boundaries and mistreated Indians. That their agents stole from them, even when they were starving, and that their traders had been taken away. Struck-by-the-REE, Yankton chief, summed up their opinion of the agents by saying:

"You pick out the poorest man you have and send him up here to give us our goods. When an agent comes here he is poor, but he gets rich; and after he gets rich he goes away, and another poor one comes."

233. General Harney to Jefferson Davis, March 9, 1856. 34 Cong. 1 sess. V. XII, (ser 859), H. Ex. Doc. 130, p. 3.
Though the treaty terms were observed by the Indians, the "Harney Treaty" was never ratified by the Senate. The plan proposed to remedy the inability of the chiefs to restrain their young braves by furnishing equipped policemen received very little encouragement, and soon died a natural death. The council gave the Sioux future complaints in regard to broken promises.

The next few years were uneventful. There were raids and depredations, and by 1858 open war against the Crow, Blackfeet and Arickara nations, but no serious disturbances with the whites. But the desire for continued peace was slowly being undermined. The treaty of Fort Laramie in 1851 had been made by only a small representation of the tribes, and not all of the Missouri Sioux felt themselves bound by it; and those who did not were the most warlike and independent of these people. They resented the encroachment of the whites upon their territory and desired to have nothing to do with the Government; their bitterness and resentment yearly increased as the buffalo disappeared and they watched members of their bands die from diseases that they could not combat. They insisted, therefore, that those who had signed

235, Smallpox caused the deaths of 65 Brule Sioux at Fort Union in one month during the summer of 1856; other groups had greater losses. Report of Agent Vaughan, 34 Cong. 3 sess. (ser 815), Senate Ex. Doc. V, pt. 1, p. 637.
this treaty should repudiate their obligations and refuse
to receive annuities.

The Yankton treaty, April 19, 1858, increased the opposi-
tion toward the Government. The northern tribes strenuously
objected to the sale of the Yankton country, claiming that
it belonged to the Sioux nation, and not to the Yanktons
exclusively. The Yanktonia, to the north of the Yanktons,
showed their contempt of the Government by refusing to at-
tend a council or accept annuities and gifts sent to them.
Dissatisfaction and discontent increased and spread due to
the Yankton purchase and to the fact that the "Harney Treaty"
wanted kept. By 1860 the Yankton reservation was being
visited by horse stealing parties and these Indians were
considered traitors and weaklings by the northern tribes.

On the other hand, those who had signed the Fort Laramie
treaty and remained faithful were at the mercy of the hostile
element. They repeatedly begged the Government to aid them,
but no attention was paid to their request. Still they con-
tinued loyal until 1862. When, in May of that year, the

237. Report of Indian Commissioner Charles E. Mix, November 6,
1858, 35 Cong. 2 sess. V. II, (ser 997), H.Ex.Doc.II,
pt. I, p. 363
238. In 1860 four hundred Sioux made an attack on Fort Union,
but were driven off with heavy losses. Report of Agent
Samuel N. Latta, August 27, 1862. 37 Cong. 3 sess. V. II,
(ser 1157), H.Ex.Doc. I, p. 337
239. Report of Agent B. Graff, October 1, 1860. 36 Cong. 2
agent arrived at Fort Pierre with their annuity goods, they held a consultation and then once more, explained their position. They said:

"That General Harney, at Pierre, in 1865, had promised them aid; that they were greatly in the minority; that the portion of their people opposed to the Government were more hostile than ever before; that they had, year after year, been promised the fulfillment of this pledge, but since none had come they must now break their friendly relations with the Government and rejoin their respective bands, as they could hold out no longer; that their lives and property were threatened in case they accepted any more goods from the government; that the small amount of annuities given them did not give satisfaction; it created discord rather than harmony, nor would it justify them to come in so far to receive them; that they had been friends to the government and to all white men; had lived up to their pledges made at Laramie in 1851, as far as was possible under the circumstances, and still desired to do so, but must henceforth be excused, unless their "Great Father" would aid them."

They asked that no more gifts under the Laramie treaty be delivered, nor would they receive those present. All the speakers expressed the same views to Agent Latta, but after a long parley "Bears Rib", long a friend of the whites, rose and said:

"...that for eleven years he had been a friend of the white man and the government; that for
years he had relied upon promises made by General Harney and former agents to send him assistance, yet none had come; yet he loved his "Great Father" and would this once more receive for his people the goods present...."

Bear Ribs then closed his speech by requesting Agent Latta to bring no more annuities unless they could have assistance. A few days later he and several of his band were killed by San Arcs for accepting the annuity—a victim to his own fidelity to treaty obligations.

From 1860 to 1862 thousands of whites passed through Indian territory, or up the Missouri, on their way to the mines in eastern Washington Territory. Many of them committed depredations, and, despite the guarantee of the United States to the Indians in the treaty of 1851, were left unpunished. It is not surprising then that the fall of 1862 found many of the Missouri Sioux restless and antagonistic. Therefore, a very large proportion of the Teton and Yanktonia were already hostile, or at least far from friendly, when joined by the Santee fugitives of Minnesota. By the summer of 1863 the Upper Missouri Sioux had joined the Santee; the

241. Ibid., p. 337
242. The third article of this treaty read as follows: "The United States bind themselves to protect the aforesaid Indian nations against the commission of all depredations by the people of the said United States, after the ratification of this treaty." Kappler, II, op. cit., p. 594.
Yankton and Two Kettle tribes being the only groups not in open revolt. There being no military posts on the Upper Missouri to protect the friendly Indians, they were, as were the friendly Santee in 1862, compelled in self-defense to take up arms.

During this year two expeditions took the field against the hostile bands. General Sibley moved towards Devil's Lake and the upper Dakota River, with the purpose of driving the Indians westward to the Missouri River, while General Sully ascended the latter stream to intercept their retreat. General Sibley defeated the Indians at Big Mound on July 26, and at Stony Lake July 28; the Indians then crossed the Missouri to escape pursuit. Sibley not contacting General Sully returned to Minnesota. General Sully met the Indians, thirty miles below where they had crossed the Missouri, at Whitestone Hill on September 3. In the engagement Sully lost twenty-two men and had thirty-eight wounded; the Indians lost their camp and had one hundred and fifty of their band.

243. A company of soldiers, looking for stolen horses, killed seven Yanktons and Two Kettles near Port Randall in August. The Indians killed were on a hunting expedition an innocent. This incident came close to throwing these tribes in with the hostile group. Report of Commissioner W. F. Dole, October 31, 1865, §3.0001, l., s., (ser 1132), H. Ex. Doc. 1, p. 140.


246. Wellman, op. cit., p. 22-23.
captured. The Indians then retired into the Bad Lands burning the prairie as they proceeded; General Sully, not being able to pursue them, turned down river and went into winter quarters at Fort Sully, four miles below present Pierre, South Dakota.

With the advent of warm weather in 1864 it was determined to send another strong expedition under General Sully into the hostile country, in an endeavor to bring the Indians to final subjection. General Sully left Fort Sully in July and, after building Fort Rice at the mouth of the Cannon Ball River, started northwest toward the Yellowstone River. The expedition encountered and defeated the Indians at Killdeer Mountain on July 28; the hostiles being from the Hunkpapa, San Arco, Blackfoot, Miniconjou, Yanktonia and Santee tribes.

249. Hanson, op. cit., p. 53.
250. Father De Smet was sent into the Upper Missouri district to visit the Indians in 1864. He found the Indians at Fort Berthold desirous of peace, but could not receive any cooperation from the War Department. General Pope, in command of Upper Missouri district, made the statement that "...he would not permit any sort of interference or interposition from Indian Agents until this campaign is over." Report of Indian Commissioner W. P. Dole, April 5, 1864. 28 Cong. 2 sess. V. V, (ser 1220) H. Ex. Doc. 1, p. 431.
Sully then marched through the Little Missouri Bad Lands, harassed by Indians all the way, and on August 12 reached the Yellowstone River; on September 8 he was back at Fort Rice.

President Lincoln, desirous of peace, appointed a commission in March of 1865 to treat with the bands of the Upper Missouri. The first council was held at Fort Sully, October 6, 1865, with the chiefs and head men of the Miniconjou, and on the tenth a treaty was made with them.

Article I—provided that the Miniconjou acknowledge the jurisdiction and authority of the United States, bind themselves to cease all hostilities against it, and use their influence to prevent other Sioux bands, or adjacent tribes, from making hostile demonstrations against the Government.

253. The members of this commission were Newton Edmunds, Governor of Dakota Territory; Edward B. Taylor, Superintendent of Indian Affairs; Major General S. R. Curtis; Brigadier General Henry Sibley; Henry Reed and Orrin Guernsey. Robinson, History of South Dakota, op. cit., V. 1., p. 227.
254. This late date was due to the fact that General Pope would not permit the Commission to enter the Indian country, or to engage in any negotiations. Finally James A. Garfield, Secretary of the Interior, was able to have the military order revoked. Ibid., p. 227.
Article II—provided that the Miniconjou "...discontinue for the future all attacks upon the persons or property of other tribes, unless first assailed by them and to use their influence to promote peace everywhere in the region occupied or frequented by them."

Article III—provided that "all controversies or differences arising between the Miniconjou band of Dakotas or Sioux, represented in council, and other tribes of Indians, involving the question of peace or war,...be submitted to the arbitrament of the President, or ... persons designated by him, and the decision or award faithfully observed by the said band represented in council." 

Article IV—provided that the Indians withdraw "...from the routes overland already established, or hereafter to be established through their country...."; and that the United States pay to them the sum of ten thousand dollars annually for twenty years, in such articles as the Secretary of the Interior might direct.

Article V—provided that any individual locating permanently on lands belonging to their band "...be protected in such location against any annoyance or molestation on the part of whites or Indians."

258. Ibid., II, p. 883.
259. Ibid., II, p. 883.
Article VI—provided that any amendment made by the
Senate in modification of the treaty be binding upon the
band without its ratification.

Treaties embracing the same articles, but differing in
the amount of annuity promised each band, were made during
the same month at Fort Sully with the Blackfeet, the Lower
Brule, the Oglala, the Hunkpapa, the San Arc, the Two Kettle,
the Yanktonai, and the Upper Yanktonai Sioux. Those with
the last six bands embraced an additional clause in Article
V—which provided, in the words of the treaty,

"...that when ever twenty lodges or families
of the band shall have located on land
for agricultural purposes,...they, as well
as other families so locating, shall receive
the sum of twenty-five dollars annually, for
five years, for each family, in agricultural
implements and improvements; and when one

260. These Indians were theoretically regarded as nations,
but a treaty with a nation would not have contained
such an article as this.
261. The Blackfeet were promised $7,000 annually for twenty
years.
The Lower Brules were promised $6,000 annually for twenty
years.
The Oglalas were promised $10,000 annually for twenty
years.
The Hunkpapas were promised $30 for each family annually
for twenty years.
The San Arcs were promised $30 for each family annually
for twenty years.
The Two Kettles were promised $6,000 annually for twenty
years.
The Yanktonai were promised $30 for each family annually
for twenty years.
The Upper Yanktonai were promised $10,000 annually for
twenty years.
262. The treaty with the Balckfeet did not contain Article V.
263. These treaties are to be found in Kappler, o.cit., II,
p. 383-387; 396-908.
hundred lodges or families shall have so engaged in agricultural pursuits they shall be entitled to a farmer and blacksmith, at the expense of the Government; as also teachers, at the option of the Secretary of the Interior, whenever deemed necessary." 264

The treaty with the Lower Brule Sioux provided for locating the band upon "...a permanent reservation at or near the mouth of the White River, ..., twenty miles in a straight line along the Missouri River, and ten miles in depth...." 265

And promised them Government assistance only when fifty families should engage in agriculture.

The Fort Sully conference, terminating in the treaties above, was distinctly unsatisfactory. Many of the San Arcs, Hunkpapa and Oglala Sioux did not come to the council. The other tribes were only partially represented, therefore, the treaty was deficient in that it did not represent all the interested bands. The Indians present agreed to withdraw from the "overland routes", but stated "repeatedly and emphatically" that they would not permit new trails through their buffalo country. It is noteworthy that with the ex-

265. Ibid., p. 885.
267. Ibid., p. 723.
ception of Hump, who signed for the Two Kettles, none of the Sioux of prominence joined in these treaties. Such names as Red Cloud, Crazy Horse, Young-Man-Afraid-of-His-Horses, American Horse, Black Moon, Rain-in-the-Face, Sitting Bull, Spotted Tail or any other man who during the next few years was going to take an important part in the Sioux councils, can be found on these treaties. Only three chiefs, all minor, signed for the Oglala; Red Cloud and many of his warriors, who had been fighting General Connor, were still on the Powder River.

These treaties are an excellent indication of the temper of the Indians at this time. Had the United States felt that its hold upon the Sioux was firm, it would have insisted, to a greater or less degree, upon the essential features

268. During the summer expeditions were sent north of the Black Hills under Colonel N. Cole; through the Black Hills under Colonel Walker; and up the Powder River under General P. E. Connor. The first two expeditions had to contest every foot of the way with the Oglala and Cheyennes. They lost all their equipment and were starving when found by Connor's scouts on September 19. Colonel Sawyer, on his way up the Niobrara to open a wagon-road to the Montana Mines, had to pay tribute to Red Cloud in the form of a wagon load of supplies. All these expeditions returned to Fort Laramie in the fall, so there was no definite results from the campaign. Grinnell, op.cit., p. 195-206.
of the civilization policy, namely: that the Indians abandon their nomadic life, settle upon permanent reservations, and apply themselves to agriculture. But the Commissioners realized that they entertained no really amicable feeling toward the Government.

"At each council complaints were preferred of ill treatment or fraudulent practices by Indian agents, traders, and other white men, and all appeared to regard a restoration of kind relations with the United States in the light of interest or profit to themselves, and not inspired by more humane or generous sentiments."

The attitude of all the Missouri Sioux was exemplified by that of the Miniconjou, of whom the Commissioners said:

"It was deemed useless, as well as impolite, to make an attempt to enforce conditions upon this wild, nomadic band, having reference to a future location for purposes of agriculture and other labor. The mere mention of a possibility that its members would be compelled eventually to conform to the wishes of the Government in that respect, was received with unmistakable tokens of dissent, and the commission therefore declined to press the point, lest it might endanger the success of the more important object, that of securing peace...."

269. General Sully took another expedition into the hostile Sioux country during the summer of 1865. The troops went from Fort Sully to Devil's Lake and back by way of Mouse River and the Canadian border, but did not find any hostile Indians. Report of General Sully, July 31, 1865. 39 Cong. 1 sess., V. II, (ser 1248), II. Ex. Doc. I.p.369-391.


271. Ibid., p. 722.
The winter of 1865-1866, being very severe, the Indian suffered intensively from cold and hunger, but kept the peace. The summer of 1866, however, found them again in arms. The reason was this: on March 10, 1866, General Pope, commanding the department of the Missouri, issued an order to establish military posts "near the base of the Big Horn mountain" and "on or near the upper Yellowstone", on the new route to Bozeman. On the 23rd of June, orders were issued from headquarters department of the Platte, directing a part of the 18th infantry to garrison Forts Reno, Phil Kearney, and C. F. Smith. The Indians notified the troops that occupation of the Powder River country would be resisted by war parties. The warning went unheeded, and preparations were made to carry out the above military orders.

In the Fort Laramie treaty of 1851 the Indians had conceded to the Government the right "...to establish roads, military and other posts, within their respective territories"; and the Sioux in their treaties of 1865 had confirmed this.

274. Ibid., p. 501.
concession when they agreed "...to withdraw from the routes overland already established, or hereafter to be established, through their country." The same treaty of 1851 had established definite boundary lines between the various tribes. The Sioux country included the Black Hills and the Powder River Valley, the latter prized by the Indians as an especially rich hunting ground. Meanwhile gold had been discovered in Montana in 1862, and, with discoveries at Alder Gulch in 1863 and Last Chance Gulch in 1864, immigrants poured into this Territory. Many of the immigrants went by the way of the Powder River valley, and the Indians seriously objected to this use of their favorite hunting ground, as being sure to result in a rapid decrease of game. Nevertheless, in April of 1865, General Connor received orders from Washington to survey the Powder River route for the purpose of constructing a new wagon road (i.e. Bozeman trail) to the Montana mines. The wilder and more independent Sioux were at once aroused, and the Powder River expeditions literally had to fight their way through to their designation.

276 Kappler, op. cit., II, p. 901.
277 Paxson, The History of the American Frontier, op. cit., p. 492. Also see Grinnell, op. cit., p. 195.
When the Sioux met in council at Fort Sully, October 1866, the tribes strongly expressed their objection by stating that they would not permit the construction of trails through their hunting territory. The spring of 1866 found them as determined as ever, and the fact that the Government had this same year stopped their annuities due under the treaty of 1851 gave them a pretext for taking up arms. They acknowledged that in the treaty of 1851 they had granted the United States the right to establish roads and military posts, but they claimed that the United States had lost this right when it ordered their annuities to be discontinued at the end of fifteen instead of fifty years. Still they would probably have taken no action if the Powder River valley had been left intact. Immigration through this country meant a loss of the means of support, and this they regarded as a sufficient justification for war.

An attempt was made, by the Interior Department, to stop the threatened war by negotiation. The Indians, in council at Fort Laramie, June 5, 1866, demanded that troops be kept out of the Powder River and that the trail be abandoned. This was not, or could not be, granted because the

military and civil departments would not cooperate. While the council was in session, General Henry Carrington and his troops rode up, they were on their way to the Powder River to erect the forts that had been ordered constructed by General Pope. Red Cloud leaped to the platform, pointed at General Carrington and "shouted that he was the 'White Eagle' who had come to steal a road through the Indian's land"; then placing his hand on his rifle he said, "In this and the Great Spirit I trust for the right." Turning, he sprang from the platform, ordered his teepees struck and left the council. This broke up the council and one by one the bands left to join Red Cloud's standard.

General Carrington left Fort Laramie and marched into the Powder River country to find suitable locations for the forts that had been ordered constructed. Fort Reno, formerly Camp Connor, established the year before by General Connor, was repaired and a garrison placed in it. On July 15 construction of Fort Phil Kearney was started and on August 3 that of Fort C. F. Smith. Less than forty-eight hours after

282. Wellman, op. cit., p. 32.
construction of Fort Phil Kearney began the Indians made their first attack and during the next twelve days six attacks were made and twenty-three men killed. The fort was in constant siege from then on. From August 1 to January 1 the Sioux killed one hundred and fifty-four persons at or near the fort, wounded twenty more and captured seven hundred head of livestock; making during this period a total of fifty-one attacks on the troops. On December 21 the Indians made an attack on the wood train and Lieutenant Fetterman with eighty-three men left the fort to relieve the train. Fetterman pursued the Indians over a ridge and disappeared from the view of those in the fort. The Indians then surrounded his command and the party was killed to a man.

The Fort Phil Kearney siege did not cease with the Fetterman disaster, therefore, Congress appointed a Commission on February 18, 1867 to visit the scene of hostilities and investigate the difficulties that existed. The Com-

286. Wellman, op. cit., p. 34.
287. The War was not confined to Fort Phil Kearney. An attack was made on Fort Rice, July 31, 1866, and Fort Buford was attacked on December 24, and 25.
288. Wellman, op. cit., p. 35.
289. Dunn, op. cit., p. 492.
290. Ibid., p. 496.
mission reported all the Sioux west of the Missouri hostile; that these bands demanded the removal of troops from their hunting territory; that the Fort Phil Kearney outbreak was due to Government occupation of the Powder River route, and that the Indians would not meet in council until this road was closed. Congress immediately, July 20, 1867, authorized the President to appoint a Commission to study the reasons for hostility and to negotiate treaties to remove these causes.

Congress in creating this commission to treat with the tribes at war had the following objectives in view:

1. "To remove, if possible, the causes of war."
2. "To secure, as far as practicable, our frontier settlements, and the safe building of our railroads to the Pacific."
3. "To suggest or inaugurate some plan for the civilization of the Indians"

Also, a policy whereby the Indians east of the Rocky Mountains would be collected on one or more reservations...

...in a district...of country having suffi-

292. Report of Acting Indian Commissioner Charles E. Mix, November 15, 1867, op.cit., p. 3.
293. Ibid., p. 4. This Commission was composed of N. G. Taylor, Indian Commissioner; I. B. Henderson, Chairman of the Committee on Indian Affairs in the Senate; John B. Sanborn; S. F. Tappan and Generals W. T. Sherman, William S. Harney, Alfred H. Terry, and C. C. Augur of the regular army. Report of Indian Peace Commission, January 7, 1868, op.cit., p. 510.
294. Ibid., p. 486.
cient area to receive all the Indian tribes... not now residing on permanent reservations under treaty stipulations...." Such "...reservations should have sufficient arable or grazing lands to enable the tribes placed on them to support themselves, and that they should be so located as not to interfere with established highways of travel and the contemplated railroads to the Pacific." 295

Two points were named for assembling the Indians, the first at Fort Laramie, September 13, and the second at Fort Larned, Kansas, October 13. The hostile Indians of western Dakota were then notified to meet at Fort Laramie; the hostile Indians below the Arkansas River were asked to meet in council at Fort Larned. The Commission held a council with various Sioux bands and Northern Cheyennes at North Platte on September 12. They endeavored to "conquer by kindness" (i.e. they gave the Indians ammunition for the fall hunt), but were not able to draw up a treaty. While at the North Platte the scouts of the Commission informed the members that the northern Sioux, who were waging war on the Powder River, would not be able to meet them at Fort Laramie at the time indicated; therefore this meeting was postponed until November 1.

296. Ibid., p. 488.
In November the Commission returned to Laramie, but the Sioux were not present. However, Red Cloud sent word to the Commission that his war against the whites was to save the valley of the Powder River for the Indians and that the war would cease just as soon as the garrisons at Fort Phil Kearney and Fort C. F. Smith were withdrawn. The Commission then sent word to Red Cloud requesting him to meet them the following spring, and returned to Washington.

During the winter there were no hostilities, and April 29, 1868, a treaty was negotiated with the Brule, Hunkpapa, Blackfoot, Oglala, Two Kettle, Miniconjou, Yanktonai, Cut Head, San Arca and Santee bands of Sioux.

Article II—provided that a certain district in the Territory of Dakota be set aside for the use of the Sioux as follows:

"...commencing on the east bank of the Missouri River where the forty-sixth parallel of north latitude crosses the same, thence along the low water mark along side east bank to a point opposite where the northern line of the state of Nebraska strikes the river; thence west across said river and along

299, Branch of Yanktonia
300, Ratification advised February 16, 1869; proclaimed February 24, 1869, Kappler, op.cit., II, p. 998-1007.
the northern line of Nebraska to the one hundred and fourth degree of longitude...thence north on said meridian to a point where the forty-sixth parallel of north latitude intercepts the same; thence due east along said parallel to the place of beginning."

Article IV—provided for the construction of a number of reservation buildings.

Article VI—gave to each head of a family the right to select three hundred and twenty acres, and each member of the tribe over eighteen years of age eighty acres, to be exclusive possession of the person occupying it so long as he should continue to cultivate it. This same article empowered the "United States to pass such laws on the subject of alienation and descent of property between the Indians and their descendants as may be thought proper." It further stipulated that any male Indian over eighteen years of age and party to this treaty, who should settle upon land outside of this reservation and open to Indian occupation, occupy the same for three consecutive years, and make improvements thereon to the value of two hundred dollars, should

301. Kappler, op. cit., II, p. 998. In this same article the Indians relinquished all claim to any territory in the United States except that to which their right was acknowledged in this treaty.

302. Such as a warehouse, storeroom, an agency building, a residence for the physician, and "five other buildings for a carpenter, farmer, blacksmith, miller, and engineer," also a schoolhouse, so soon as a sufficient number of children could be induced to attend school. Kappler, op. cit., II, p. 999.

303. Ibid., p. 999.
receive a patent for one hundred and sixty acres and become a citizen of the United States.

Article VII—provided for the compulsory education of all children between the ages of six and sixteen years, and for the erection of a schoolhouse and the employment of a teacher for every thirty of such children.

Article VIII—provided that "...seeds and agricultural implements for the first year, not exceeding in value one hundred dollars, and for each succeeding year...for a period of three years more...not exceeding in value twenty-five dollars," should be given to each head of a family who should select land and satisfy the agent that he meant to cultivate it; also that such persons should be instructed by a farmer and that a second blacksmith would be furnished when one hundred lodges should have begun the cultivation of the soil.

Article X—provided for the distribution of certain goods in lieu of annuities over a thirty year period, these being due under previously existing treaties; for the annual appropriation of ten dollars for each person who should continue to roam and hunt, and twenty dollars for each person

who should engage in farming, to be paid in goods; and for
the distribution of certain other goods.

Article XI—provided that the tribes party "to this
agreement hereby stipulate that they will relinquish all
right to occupy permanently the territory outside their re-
servation,...but yet reserve the right to hunt on lands north
of North Platte, and on the Republican Fork of Smoky Hill
River, so long as the buffalo may range thereon in such num-
bors as to justify the chase." The Indians further agreed:

305. "And it is hereby expressly stipulated that each Indian
over the age of four years, who shall have removed to
and settled permanently upon said reservation and com-
plied with the stipulations of this treaty, shall be
entitled to receive from the United States, for the
period of four years after he shall have settled upon
said reservation, one pound of meat and one pound of
flour per day, provided the Indians cannot furnish
their own subsistence at an earlier date. And it is
further stipulated that the United States will furnish
and deliver to each lodge of Indians or family of per-
sons legally incorporated with them, who shall remove
to the reservation herein described and commence farm-
ing, one good American cow, and one good well-broken
pair of American oxen within sixty days after such lodge
or family shall have so settled upon said reservation."

306. Ibid., p. 1001-1002.
(1) to "withdraw all opposition to the construction of the railroads...being built on the plains."

(2) to "permit the peaceful construction of any railroad not passing over their reservation as herein defined."

(3) not to "attack any persons at home, or traveling, nor molest or disturb any wagon-trains, coaches, mules, or cattle belonging to the people of the United States, or to persons friendly therewith."

(4) not to "capture or carry off from the settlements, white women or children."

(5) not to "kill or scalp white men, nor attempt to do them harm."

(6) to "withdraw all pretense of opposition to the construction of the railroad...being built along the Platte River and westward to the Pacific Ocean, and...not in future" to "object to the construction of railroads, wagon roads, mail stations, or other works of utility or necessity, which may be ordered or permitted by the laws of the United States," but a just indemnity must be paid for those constructed on the reservation.

307, Kappler, op. cit., II, p. 1002. "But should such roads or other works be constructed on the lands of their reservation, the Government will pay the tribe what ever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one of said commissioners to be a chief or head man of the tribe." Kappler, op. cit., II, p. 1002.
(7) to "withdraw all opposition to the military posts or roads now established south of the North Platte River, or that may be established, not in violation of the treaties heretofore made or hereafter to be made with any of the Indian tribes."

Article XII--provided that no treaty for the cession of any portion of the reservation held in common should be valid, "...unless executed and signed by three-fourths of the adult male Indians...; and no cession by the tribe...be...construed in such manner as to deprive, without his consent, any individual member of the tribe of his rights to any tract of land selected by him, as provided in Article VI of this treaty."

Article XVI--provided "...that the country north of the North Platte River and east of the summits of the Big Horn Mountains...be...considered...unceded Indian territory, and...that no white person...be permitted to...occupy any portion of the same; or without the consent of the Indians..., to pass through the same; and...that within ninety days after the conclusion of peace with all the bands of the Sioux Nation, the military posts...established in the territory in this

308. Kappler, op.cit., II, p. 1002-1003. All seven parts were contained in article XI.
309. Ibid., p. 1002.
...be abandoned, and that the road leading to them and by them to the settlements in Montana be closed."

Article XVII--provided "...that the execution of this treaty be construed as annulling all treaties and agreements heretofore entered into between the respective parties hereto, so far as such treaties and agreements obligate the United States to furnish money, clothing, or articles of property to such Indians as become parties to this treaty, but no further."


311. Ibid., p. 1003. Other articles of this treaty not mentioned above were as follows:
Article I--provided that peace be maintained, and that offenses against the Indians on the part of the whites and vice versa be punished.
Article III--provided that additional arable land be set apart in case the reservation should not contain enough to allow each authorized person one hundred and sixty acres of land.
Article V--provided that the agent reside among the Indians under his charge and investigate all causes of complaint.
Article IX--gave the United States the privilege of withdrawing the physician, farmer, blacksmith, carpenter, engineer, and miller after ten years, but bound it, in case of such withdrawal, to pay the Indians an additional sum of ten thousand dollars annually, to be devoted to educational purposes.
Article XIII--provided that physician, teachers, carpenter, miller, engineer, farmer, and blacksmiths be furnished the Indians.
Article XIV--provided that five hundred dollars annually, for three years from date, be expended in presents and distributed to the ten persons who should grow the most valuable crops.
Article XV--bound the Indians to consider the agency their home and to make no permanent settlement elsewhere.
Before signing the treaty, Red Cloud demanded evacuation by the Federal Government of all forts which had been erected in the Powder River country, and the abandonment of the Bozeman Trail. The Commission agreed and in August the soldiers at Fort Phil Kearney hauled down the flag and marched out; the Indians then destroyed the fort by fire and peace returned to the Powder River. Red Cloud, having received all that he requested, signed the Laramie treaty on November 6, 1866.

This treaty marked a decided advance on the part of the Missouri or Plains Sioux. It was their first step from a wandering to a settled life. Each individual might still elect whether he would be a nomad or a farmer, but special inducements were offered him to be the latter. The Commission had judged it impracticable to place the restraints of an agricultural life upon the nation as a whole, without consulting individual preferences. There was need of a gradual transition from barbarism to civilization. Thus even those who should choose to apply themselves to agriculture

313. Bellman, op.cit., p. 56.
314. Kappler, op.cit., II, p. 1006. The Hunkpapa signed the treaty in July at Fort Rice, in fact, the Brule were the only band to sign in April. Ibid., p. 1993-1007. See also Vestal, op.cit., p. 229.
were not wholly debarred from the pleasures of the chase. The right to hunt on the North Platte and Republican Fork was guaranteed to all, therefore, this right could be used by farmer as well as blanket Indian. On the other hand, the effort to introduce civilization was apparent in the educational and land-in-severalty clauses, as also in the provision to confer citizenship upon certain Indians who should conform to specified conditions.

The Peace Commission that had been appointed under the act approved July 20, 1867 made its report on January 7, 1868. The Commission stated that the chief causes of the wars could be laid wholly at the door of the United States, which had failed to keep its treaty stipulations and to protect the Indians from the immigrants. Also that the army had caused certain outbreaks due to its policy of war and extermination; and that the agents by their corrupt methods and treatment of the Indians had caused much dissatisfaction and were responsible for the Minnesota Sioux war. The Commission then closed its report by making the following recommendations:

1. That the non-intercourse acts be revised.

2. That the Bureau of Indian Affairs be placed in an

316. Ibid., p. 486-510.
independent department.

3. That all superintendents and agents in the Indian Bureau be removed, and only the competent be reappointed.

4. That the military authorities be given orders to remove all whites who "persist in trespassing" on Indian reservations and lands.

5. That governors of Territories be divested of their duties as ex-officio superintendents of Indian affairs.

6. That the President appoint Indian inspectors, who should report to him.

Congress appropriated $500,000 on July 20, 1868, to be expended under the direction of General Sherman for "carrying out treaty stipulations, making and preparing homes, furnishing provisions, tools, and farming utensils and furnishing food for such bands of Indians with which treaties have been made by the Indian Peace commissioners, and not yet ratified, and defraying the expenses of the commission in making such treaties and carrying their provisions into effect."

General Sherman, on August 10, 1868, divided the frontier into two military districts. The first embraced all the country within the Sioux reservation; the second roughly present


Oklahoma, west of the Arkansas River. General Harney was placed in the Sioux district with supervision over all issues and disbursements to them. General Sherman then set aside $200,000 for the use of General Harney.

General Harney set to work with zeal and between August 10 and November 23 spent $685,784.21 in feeding the Sioux and preparing agencies for them, this being $485,784.21 more than he had been allowed by General Sherman. During this time he selected three different agencies for the Sioux and furnished them with proper buildings for the agents, employees and Indians. He had eighty-seven employees working for him, and with the aid of eighteen of these had put up over one hundred buildings at the Whetstone Agency, including warehouses, church and school-house. In addition to constructing the necessary buildings on the agencies, General Harney during these three months, in which there is always low water on the Missouri, had furnished the Indians with sufficient supplies for the winter and with cattle, horses and agricultural implements.

The agencies selected were as follows:

1. Cheyenne River, eighteen miles above Fort Sully,

established for Two Kettle, San Arco, Hunkpapa and Miniconjou bands.

2. Grand River, at the mouth of that stream, established for Hunkpapa, Cut Heads, and as temporary reservation for Upper Yanktonia and Blackfeet.

3. Whetstone, thirty miles above Fort Randall, established for Brules and Oglalas.

All the reservation locations being unsuited for the purpose in view were later moved. The money expended on the three agencies was for the benefit of about 9,000 Indians, the rest of the nation, the most hostile and the ones with whom Congress wanted peace, wintering in the Powder River, Rosebud and Yellowstone regions. Harney did a great deal of work during the three months, without leaving his headquarters at Peoria Bottom, but for some reason his buildings at Whetstone failed to last through the winter. Agent De Witt C. Poole, a captain in the army, found only one building on his arrival at Whetstone on July 14, 1869, and it a warehouse; in his report he requested additional food and clothing, stating that the Brules and Oglalas were all-

Meanwhile, October 9, 1868, the Indian Peace Commission had met in Chicago and drawn up a set of resolutions repudiating much of their former work and placing them in harmony with the War Department. Senator Henderson and General Harney were not present, however, the military portion, being joined by Mr. Sanborn, passed the following resolutions:

1. That the United States should cease to treat the Indians as independent nations.

2. That the Indian Bureau should be turned over to the War Department.

3. That full provisions should be made at once to feed, clothe and protect all Indians of the Crow, Sioux, Ponca, etc., who now have located or may hereafter locate permanently on their respective reservations.

4. That the Indians should be compelled, by military force, to go on the reservations assigned to them by the treaties at Medicine Lodge Creek, in October, 1867.

324, Report of Indian Commissioner H. G. Taylor, October 9, 1868, Message and Documents 1868 to 1869, 40 Cong. 3 sess. p. 1011-1012. Commissioner Taylor and Colonel Tappan voted against the resolutions.
outside the reservations, should be at once abrogated.

The Commission's resolution which stated that the Indian Bureau should be turned over to the War Department immediately became a bone of contention between the War and Interior Departments. The Interior Department accused the army of believing in "wars of extermination", "the only good Indian is a dead Indian", and the "nits make lice" theory in regard to killing women and children; the War Department replied that the Indian Bureau was filled with political appointees who concealed their frauds with ballyhoo in regard to "progress" and "humanity". The public, after hearing the charges and counter-charges from the two departments, took the stand that if the Indian wasn't killed by the army he was bound to be robbed or starved to death by the Indian Bureau.

The contentions between the two departments and the recommendations of the Peace Commission led to the adoption of President Grant's Peace Policy. It was officially in-

325. Kappler, op.cit., II, p. 977-989. The Sioux did not take part in the Medicine Lodge council. But the last two clauses stated the military viewpoint in regard to these rights in all treaties. The next year the Brule and Oglala were forbidden to hunt on the Republican River and North of the Platte. This right had been given them by Article XI of the Fort Laramie Treaty. Report of Agent Captain De Witt C. Poole, August 20, 1869, op.cit., p. 758-759.
augurated by the Indian Appropriation Act of April 10, 1869.

Section IV of this act provided for the appropriation of two million dollars

"...to enable the President to maintain peace among and with various tribes, bands, and parties of Indians; to promote their civilization; bring them when practicable, upon reservations, and to relieve their necessities, and encourage their efforts at self-support."

This same act authorized the President to organize a board of not more than ten commissioners, to be

"...selected from men eminent for their intelligence and philanthropy, to serve without pecuniary compensation, and who, under his direction, shall exercise joint control with the Secretary of the Interior over the disbursement of this large fund."

Another feature of the peace policy, and that most characteristic of it, was the bringing of the various religious denominations of the country into active co-operation with the Government, by giving the nomination of the Indian agents. The appointments being made by the President, confirmed by the Senate, and the societies held responsible

326. Report of Indian Commissioner E. S. Parker, December 23, 1869, op. cit., p. 446.
for the conduct of the appointees. At this time all super-
intendents of Indian affairs and all Indian agents, with the
exception of those in Kansas and Nebraska, were officers of
the army, therefore, section XVIII of the Army Appropriation
Act of July 15, 1870, made it unlawful for any officer of the
army of the United States, on the active list, to hold a civil office, either by election or appointment. This com-
pelled many Indian officials to resign and their places were filled with persons nominated by the various religious
societies. This principle was adopted to promote harmony
between the agents and missionaries and to purify the Indian service, "by taking the nomination to the office of agent out of the domain of politics and placing it where no mo-
tives but those of disinterested benevolence could be pre-
sumed to prevail."

The third feature of the peace policy was the feeding system, which provided for gathering the wilder tribes of the Indians upon reservations and supporting them until the Indians could support themselves. The Government felt that it was a question of either locating and feeding the Indians or of

329. U. S. S. L. XVI. p. 319
330. For the year preceding the passage of the act of July 15, 1870, the Indian superintendents and agents in Kansas and Nebraska had been appointed by the President upon the recommendation of the two Societies of Friends. The success of the system in these districts led to its extension as above indicated. Report of Indian Commissioner F. A. Walker, November 1, 1872. 42 Cong. 3 sess. V. III, (ser 1560), H. Ex. Doc. L, pt. 5, p. 461.
fighting them. It chose the former course, because this involved a less expenditure of money, reduced "...to the minimum the loss of life and property upon our frontier", and allowed "the freest development of our settlements and railways possible under the circumstances."

The feeding system was two-fold. On the one hand it involved placing the Indians upon limited tracts of land; on the other, keeping them quiet by supporting them. The reservation gave the Government an opportunity to control the Indians, and to throw open a large portion of former Indian country to the whites. The policy of subsisting the Indians was adopted as the cheapest and easiest way of buying off their hostility. The expression "feeding system" was adopted to designate the policy toward the wilder tribes. Toward those more civilized the United States adopted a different attitude. These were to be taught to earn their own livelihood. They were to be transformed into farmers as rapidly as possible, were to receive land in severalty, and were to be furnished with agricultural implements. The Government proposed to spend as little money upon them as it could and still advance them in the arts of civilization.

The policy of the Government was this: The expenditures were to "...be proportioned not to the good but to the ill desert of the several tribes...."; hostile and potential hostile tribes were to be supported in indolence in order to keep them quiet; well-disposed tribes were to be "... only assisted to self-maintenance, since it is known they will not fight". The ultimate object, however, was permanent reservation life for both groups and the adoption of agricultural methods.

The success of this system depended upon the Indian's need of support. Hence scarcity of game furthered the national policy. This scarcity was every year becoming greater because the buffalo hunters were riding the prairies and killing the buffalo by the thousands. Naturally the abundance and scarcity of game played a large part in determining the attitude of the Indians toward the Government. As long as the tribes found it easy to support themselves by the hunt, so long they felt independent and disinclined to look with favor upon "farmer Indian" life. The wholesale slaughter of buffalo forced the Indian, who was dependent on the chase, to turn to the Government for help, and accede to its demands.

333. Willman, op. cit., p. 102-104.
The feeding system, and especially the reservation system, was, or course, a practical recognition of the dependence of the Indian tribes upon the United States Government. In theory, however, these tribes remained sovereign powers until denationalized by the act of March 3, 1871. This provided that no tribe within the territory of the United States should be recognized as an independent nation with which the United States might treat.

In the three hundred and seventy treaties which the Government had previously made with the Indians, they had been recognized as independent nations. Their tribal institutions had been left untouched, and they had been allowed to govern themselves as they chose. As a matter of fact, however, they had never been treated like sovereign powers because the United States did not abide by the terms of many treaties and altered the terms of others without Indian consent. In the making of these treaties the Government had used moral coercion, and even imprisonment to induce

335. This act further provided that "no obligation of any treaty heretofore lawfully made and ratified with any such Indian nation or tribe prior to March 3, 1871, should be invalidated or impaired." U. S. S. L. Vol. XVI, p. 556.
the tribes to yield to its terms. The relation of the Indian to the Government was in reality that of a ward under the care of a guardian. The power of the Indian agent had grown as the strength of the United States had increased and that of the Indians had decreased; finally Indian nationality had become a theory only.

The 1868 treaty with the Sioux contained provisions for insuring the policy described above. To carry it into effect the Indians signing the treaty were placed on five different reservations, and furnished one pound of meat and one pound of flour per day for every individual over four years of age. About two-thirds of the treaty Indians settled upon, or at least kept within the limits of, the reservation assigned to them. The others, under the leadership of Red Cloud and Spotted Tail, continued to roam in the region of the Powder River and Fort Laramie regions. The Government to impress these chiefs took them and a few of their head men and warriors on a tour of the eastern United States. This tour, June 1870, had the desired effect because the two parties returned to the western councils with stories about the power and magic of the white man.

337. Agencies were Cheyenne River, Grand River, Whetstone Creek, Crow Creek and Teton River. Report of Indian Commissioner E. S. Parker, December 23, 1869. op.cit., p. 469-471.
Spotted Tail, while in Washington, made an agreement whereby his band would be located on Big White Clay, to which they were moved in June of 1871. On March 3, 1871 Congress appropriated $175,000 for negotiations with Red Cloud's band, and the council was opened at Fort Laramie on June 12, 1871. Red Cloud would not agree to going on one of the established agencies at this council, but the following year, after another visit to Washington, he agreed to settle at White River, and the agency was moved to this location in August of 1873.

A few bands of Sioux were not party to the treaty of 1868. They did not wish to enter into relations with the Government because they believed that such action would force them into taking up reservation life. The bands, mostly Hunkpapa under Sitting Bull, and Santee outlaw bands from Minnesota, continued to roam in the Yellowstone, Powder River and Rosebud areas. When Red Cloud agreed to keep the peace about 800 of his lodges left him to join Sitting Bull

340. Report of Agent J. M. Washburn, September 1, 1871. Report of the Commissioner of Indian Affairs for the Year 1871, p. 527. The old Whetstone agency was moved to this location.


and the Santee. These Indians were not on the warpath, but would not recognize the rights given to the United States in the 1868 treaty. To force them to come in and ask for peace the army issued the following military order on June 29, 1869:

"All Indians then on their proper reservations are under the exclusive control and jurisdiction of their agents;...will not be interfered with in any manner by the military authority....Outside the well defined limits of the reservation they are under the original and exclusive jurisdiction of the military authority and as a rule will be considered hostile." 345

This order by General Sheridan was in direct violation of the treaty made the year before. It accomplished very little in regard to Sitting Bull's group, but created a great deal of ill feeling in the reservations.

The Sioux manifest much uneasiness during the spring and summer of 1870. They objected to the building of the Northern Pacific Railroad, and did not seem to realize that they had granted this privilege to the United States in their Laramie Treaty. They had heard also that a party was being

formed in Wyoming to visit the Big Horn Mountains. These rumors greatly excited them, but the Government forbade the expedition and the Indians quieted down.

However, they continued their objections to the Northern Pacific and in 1872 became so hostile that the surveyors were forced to leave the Yellowstone Valley. During the next year two commissions were sent from Washington to negotiate with the Sioux tribes. The first Commission, appointed March 11, 1873, met the Hunkpapa and Miniconjou at Red Cloud Agency on May 9. This council, in which the Commission tried to remove all opposition to the Northern Pacific, failed. The second Commission, appointed in May to visit the Sioux tribes that were parties to the treaty of 1868, for the purpose of getting these Indians to relinquish the rights reserved to them in the 11th and 16th articles of this treaty, also failed. They found the Indians unwilling to give up their

unceded land in Nebraska and Wyoming, and determined to keep the privilege of hunting north of the Platte River.

In February of 1874 another Sioux Commission was appointed to meet the Indians in council for the purpose of getting their consent to move the Spotted Tail Agency and to offer them $25,000 for their right to hunt north of the Platte River. The Brules, or Spotted Tail bands, agreed to move their agency to West Beaver Creek and promised to sell their right to hunt north of the Platte and on the Republican Rivers for $10,000, providing they could hunt during the winter 1874-1875, and that the $10,000 would be paid in horses and light wagons. The Oglala, or Red Cloud band, refused to sell their rights.

This same year the Government sent a military reconnoitering expedition, contrary to the 1868 treaty, into the Black Hills. This expedition led by General George A. Custer was supposed to be a military necessity, but the summer was spent by his 1200 men in an investigation of agricultural and

mineral resources of the region. The troops discovered
gold and stories of exaggerated wealth were soon circulating
through Dakota territory. Parties were organized to enter
the Hills, treaty or no treaty. One group that tried to
enter had one of its members killed and two wounded by
Brules, but regardless of Indians and troops another party
containing 28 members entered the Hills and remained all
winter. Two members of this party returned to Yankton on
May 1, 1875, with gold taken from the Black Hills, miners
then began to flock into the Hills. The army made an effort
to keep these intruders out, but as fast as troops brought
them out of the Hills the civil authorities turned them
loose, and they went back. By fall the Hills contained a
thousand miners, and Custer City had been laid out. In March,
1875 an expedition was authorized by the Secretary of Interior to make a study of the mineral and agricultural resources of the Black Hills. This expedition remained in the district five months and confirmed the statement of General Custer by stating that the gold fields covered an area of eight hundred square miles.

In the meantime, May 1875, Red Cloud and Spotted Tail, along with chiefs and warriors of both bands, had visited Washington to discuss the Black Hills situation and the rights of the Sioux to hunt north of the Platte. An understanding was reached in regard to hunting rights; the two bands signing the compact at Red Cloud and Spotted Tail agencies on June 23. The Indians gave up their hunting privileges in Nebraska, except a small portion on the Niobrara River, each band receiving a promise of twenty-five thousand dollars therefore.

In this same month of June a Commission was appointed to negotiate with the Sioux for the purchase of the Black Hills

362. Ibid., p. 180. Red Cloud demanded $25,000, therefore, Spotted Tail had to be promised an additional $15,000. Congress refused to pay the extra $25,000 as promised by the Commission.
and Big Horn country. Three months later, September 20, the Commission met the Indians in council at White River. It was found impossible, however, to come to terms. The Indians would not give up the Big Horn country and demanded more than the Commissioners felt authorized to pay for the Black Hills. The Sioux probably had an exaggerated opinion as to the value of the Hills to the Government, this being due to the excitement created by the gold discovery. But the district was also the finest part of their reservation and sacred to the entire nation. By selling this territory the Sioux would have to stop their fall hunts, cease to roam, and all settle down to a farmer life. The Commission, however, did not regard the cession in that light, and advised Congress to use force to make the Indians comply to the Government demands.

The tribes refusal to sell the Big Horn country at the White River council, was due to the fact that at this time a number of Sioux roamed over this territory under the leadership of Sitting Bull and other chiefs, including Inkpaduta, Santee chief. These Indians had no treaty relations with

365. Ibid., p. 194-5.
366. Chief of hostiles at Spirit Lake massacre, see page 31-32 this thesis.
the United States and desired none. However, they had opposed
the building of the Northern Pacific which was an infraction
of the 1868 treaty, justifying hostilities on our part.
After the failure of the Black Hills Commission the Govern-
ment suddenly resolved to make them behave. This resolve was
due to the report of E. C. Watkins, United States Indian
Inspector, which was made on November 9, 1878. He stated
their defiance to the Government and opposition to the
Northern Pacific, and said they numbered only a few hundred
lodges and advised that troops be sent against them to "whip
them into subjection." On November 27 this letter was sent
by the Commissioner of Indian Affairs to the Secretary of
the Interior, and on the 29 by the latter to the Secretary
of War. On December 3 the Secretary of the Interior sent
word to the Secretary of War that he had directed the Com-
mmissioner of Indian Affairs to notify the "...Indians that
they must remove to a reservation before the 31 of January
next,..." or be deemed hostile and turned over to a military

367. Letter of E. C. Watkins to Indian Commissioner E. P.
Smith, November 9, 1878. 44 Cong. 1 sess. V. XIV, (ser
368. Letter from Secretary of Interior Z. Chandler to Secretary
of War W. Belknap, November 29, 1874. 44 Cong. 1 sess.
369. Ibid., p. 7.
force that would compel them to obey the orders of the Indian Office.

A large number of Indians were at this time absent from the reservation by consent of the agents, insufficient appropriations having compelled many to resort to the chase for subsistence. It was mid-winter, and most of them were a long distance from the agency. The Sioux Commission of 1876, appointed to purchase the Black Hills, stated in their report that it did "not appear that any one of the messengers sent out by the agents was able to return to his agency by the time which had been fixed for the return of the Indians." It is certain that the messenger sent from Cheyenne River was unable to get back before February 11; and he reported "that the Indians received the invitation and warning in good spirit and without any exhibition of ill-feeling."

370. Letter from Secretary of Interior Z. Chandler to Secretary of War W. Belknap, December 3, 1875, 44 Cong. 1 sess. V. XIV, (ser 1691), H. Ex. Doc. 184, p. 10. This notice was sent out to the Agents on December 6, and not received at Standing Rock until December 22. Agent Burke at Standing Rock requested that the Indians be given an extension of time because of weather conditions. Letter of Indian Commissioner J. Q. Smith to Secretary of Interior Z. Chandler, Ibid., p. 18.


They answered that they were hunting buffalo and could not immediately return, but would visit the agency early in spring. Regardless of the conditions, even military operations had been suspended due to the severity of the winter, the Indians were turned over to the army on February 1.

The campaign was immediately begun, the first action of importance being the destruction of the village of Crazy Horse made up of "...Indians who had separated from Sitting Bull and were on their return to their several agencies." After this attack 30 degree below zero weather forced the troops to return to old Fort Reno, where they remained until May. With spring the troops took the field again, the

376. Battle took place on March 17. The troops had four killed and six wounded; the Indians lost one hundred and ten lodges, seventy ponies and had a squaw and two children killed. Dunn, op. cit., p. 596-98.
plan for the campaign being an advance in three columns.

General Crook was to march north from Fort Fetterman (Fort Reno) with 1300 men; Colonel Gibbon was to come east from Fort Ellis with 400 men; General Custer, later replaced by General Terry, Custer being deposed by General Grant, was to move west from Fort A. Lincoln with 1000 men.

General Crook was the first to meet the enemy. On June 17th his troops met the Sioux in the battle of Rosebud and suffered defeat with a loss of ten killed and twenty-seven wounded. A few days later General Terry met Gibbon at the mouth of Powder River and after a council, held on June 21, Terry sent Custer up Rosebud Creek with orders to contact General Gibbon at the mouth of the Little Big Horn on June 26. Custer found the hostile camp and made his attack on June 25.

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377. On July 10, 1876, Congress started an investigation of the campaign and the circumstances leading up to it. Secretary of War Cameron made the following statement: "The present military operations are not against the Sioux Nation at all, but against certain hostile parts of it which defy the Government,...undertaken at the special request of that bureau of the Government charged with their supervision...." Letter from Secretary of War J. D. Cameron to President Grant, July 8, 1876. 44 Cong. 1 sess. V. XIV, (ser 1691), H. Ex. Doc. 184, p. 3.

378. Dunn, op. cit., p. 496-98.

379. Brady, op. cit., p. 201. Crook then dropped back to take care of his wounded and bring up additional supplies.

380. Ibid., p. 225.
Custer died in the engagement and the regiment lost two hundred and sixty-five killed and fifty-two wounded. This encounter could not be called a massacre, Custer tried to surprise and destroy the Sioux village, but lost the battle.

After the Custer battle the Indians engaged in it separated and scattered in different camps. They separated because they did not have enough ammunition for another engagement and it was necessary for them to hunt in preparation for winter. On September 8 Captain Anson Mills surprised American Horse at Slim Buttes. In the battle that followed American Horse was killed and his camp destroyed. Sitting Bull was defeated by General Miles on October 23 near Glendive, Montana, and on the 27 from 400 to 600 of his lodges surrendered. In December those that remained in the band were again defeated, this time in engagements that took place on the 6th and 18th near Wolf Point, Montana. Sitting Bull, having had his camp

381. Brady, op.cit., p. 259. Indian loss was unknown.
385. Ibid., p. 412.
destroyed in the battle on the 18, retreated into Canada to prevent capture. Resistance ceased with his flight and the Sioux War of 1876 was practically over.

Meanwhile Congress had taken action upon the report of the Black Hills Sioux Commission, and on August 15, 1876, passed an act which provided that

"...hereafter there shall be no appropriations made for the subsistence of said Indians unless they shall first agree to relinquish all right and claim to any country outside the boundaries of the permanent reservation established by the treaty of 1868..., and also so much of the said permanent reservation that lies west of the one hundred and third meridian of longitude; and shall also grant the right of way over said reservation...for wagon or other roads from... points on the Missouri River, in all not more than three in number;...; and provided also that no further appropriation...be made until some stipulation, agreement, or arrangement shall have been entered into by said Indians with the President of the United States which is calculated and designed to enable said Indians to become self-supporting."  

386. Crazy Horse was defeated at Wolf Mountain by General Miles on January 3, 1877. Soon after this defeat most of his band came into the agencies; Crazy Horse surrendering at Red Cloud Agency in May. Lame Deer's band was defeated on the Rosebud in the last battle of the war, May 7, 1877, and Lame Deer killed. Wellman, op.cit., p. 172-5.

387. See page 129 in this thesis.

388. Report of Sioux Commission, December 18, 1876; Eight Annual Report Board of Indian Commissioners for 1876, p.11. The land that lay west of the one hundred and third meridian of longitude included the Black Hills.
On August 24 a Commission was appointed to treat with the Sioux. This Commission in visiting the various agencies during September and October found that hunting off the reservation had been prohibited and the Indians keenly aware of their dependence on the United States. Under these circumstances an agreement was soon reached in regard to land concession and the right to build three roads westward through their reservation. In return the United States promised to issue rations to the Sioux until they should become self-supporting, and to assist them toward civilization by furnishing them with schools as provided in the treaty of 1868.

Rations not to be issued to children between the ages of six and fourteen years who did not regularly attend school, nor to persons who did not labor, the sick and infirm excepted. Provision was made to give the head of a family patent to the land he cultivated and aid him in constructing a building thereon.

389. Report of Sioux Commission, December 18, 1876, Eight Annual Report of Board Indian Commissioners for 1876, p. 11
390. Ibid., p. 11. The Indians to receive their rations only at points along the Missouri River.
391. Ibid., p. 11. The agreement also provided that the Indians be subject to the laws of the United States and under the control of Indian police selected by the tribe. Ibid., p. 11.
392. Ibid., p. 11. Some of the tribes agreed to visit Indian Territory for the purpose of selecting a permanent agency there. Congress, however, removed this provision in ratifying the agreement on February 28, 1877. Manypenny, op. cit., p. 325.
Later the good will built up by the Commission among
the agency Indians was almost destroyed by troops under General
Crook and General Terry, who surrounded the Red Cloud agency
on October 23, Standing Rock on October 26, and Cheyenne
River agency on October 28, to disarm and dismount all the
Indians at these agencies. The troops failed to find many
arms but did confiscate at this time and later the follow-
ing number of ponies: Standing Rock 2000, Cheyenne 2200, and
Red Cloud 3000. Many of the ponies were given to the troops,
the others being driven to Yankton and St. Paul to be sold.
About half those driven to market died on the journey, the
ones that survived being sold for about $5. a piece. This
act was in direct violation of the September and October
agreements which stated that each individual should "be pro-
tected in his rights of property, person and life."

By spring all the Sioux were on reservations except
Sitting Bull and a few hostiles that had fled with him.

393. Manypenny, op. cit., p. 318-9. The Cheyenne Agency was
given 450 cows and the Standing Rock 300. The cattle
being bought from the proceeds of the ponie sale. Red
Cloud Indians received nothing and this group suffered
most because they had robes and other property taken
by the troops. Ibid., p. 360-61.
395. The Commission promised that Indians at Cheyenne River
that their "arms and ponies" would not be confiscated,
396. Grinnell, op. cit., p. 628. Sitting Bull and his band re-
turned to the United States in 1881.
The Sioux reached the height of their power in the Battle of the Little Big Horn; six months later the same nation broken and shattered had reached a stage of humble dependence. The Black Hills and Powder River country had been ceded, the privilege to hunt and roam taken away, and the Government given the right to construct roads through the heart of the remaining Sioux lands. Therefore, the once powerful Dakotas subdued, broken, stripped of their power, and reduced to poverty, turned their backs on their old hunting grounds, and trudged east to take their places along side of the detested "Farmer Indian" on the white man's reservation.
Prior to 1851 the government Indian policy was temporary in character, a policy adopted without taking the singular traits of the Indian into consideration and one that could not remain consistent in the face of advancing civilization. Treaties were signed, and whole nations were removed in some instances to the frontier, in order to meet an emergency or relieve some local condition, disturbance or evil, but the future was never contemplated because the "Indian frontier" and the "American desert" were considered as barriers to westward expansion. But the acquisition of new territory and the discovery of gold in 1848 so stimulated immigration that the barrier was broken. Whites poured into the Indian country, and with such disastrous consequences to the natives that it seemed necessary to take immediate steps to save the border tribes from extinction. It was thought that this could be done by a partial change in the relative position of the various tribes, which would make it possible to throw open a wide extent of country for the free spread of white population westward. It was for this purpose that the treaty of 1851 was made with the Sioux of the Mississippi.

With the increase in territory came an increase in number of Indian tribes to deal with. Some method of control was necessary, and the reservation system was, in part, devised to meet this need. The plan at first was simply this: to
locate the Indians as rapidly as possible upon reservations whose extent should be proportionate to their needs. If they could be induced to apply themselves to agriculture, the reservation might be small; if they must be allowed to hunt, it should be large. In either case the Indians were to be under the control of the agent who was supposed to foster civilization among them. Gradually these reservation Indians were to be restricted in their old rights and customs so that in time they would give up the chase and warpath to adopt the ways and customs of the white man. With the wild Indians of the plains little could be done, except to use every opportunity to settle them upon reservations and to restrict their hunts to a certain area.

From the year 1851 the Sioux of the Mississippi and the wilder Sioux of the Plains lived under widely different conditions. The easterly bands had then become absolutely dependent upon the Government, and their future lay in its hands; the westerly were still independent, because still in the possession of broad hunting grounds and, as yet, not demoralized by annuities or agency life.

This same year may be called a turning point in the history of the Sioux Nation. They rose from unimportance to importance in our national councils, a position that they held for the next twenty-five years. Hitherto they had been too remote from the borders either to affect public policy or to be influenced by it.

As the Mississippi Sioux adopted agricultural life, the
Indian policy became more definite. The reservations were reduced in size; the land then allotted in severalty to individual Indians, with the requirement that they live upon and cultivate their individual allotments; and the annuities instead of being money or food, became stock, agricultural implements and mechanics tools. This change first being written into the Santee treaty of 1858. In the meantime the Plains Sioux had conceded the United States the right to establish roads across their territory and had agreed to recognize the established boundaries of their domain. Otherwise, they were as wild and carefree, with the exception of the Yanktons, as they had been before the Treaty of Laramie. They were, however, receiving annuities; these annuities and the scarcity of game in time leading to their downfall.

Steadily the white frontier advanced toward the mountains and the Indian watched with growing concern the gradual extinction of the buffalo on which he depended for food and clothing. The Upper Missouri Sioux saw this advance engulf their more eastern cousins, and in some instances they welcomed individuals or bands that refused to adopt the restrictions or confinement of agency life. But little by little they also relinquished their former mode of life, camping near the agency or fort in the winter time, and gradually becoming dependent on the Government as the buffalo decreased. Occasionally they made a stand to challenge the right of the white man, but soon found that resistance, costly campaigns,
and even defeat could not stop or alter the resistless westward advance of federal and territorial authority.

Finally the entire Teton tribe made one last stand in order to retain the sacred Black Hills and the right to continue to hunt and roam in the Powder River and Rosebud areas. For time they were successful, but defeat soon followed victory, and they were forced to adopt the reservation life that they had so long resisted.

Probably no one would maintain that the United States intentionally wronged the Sioux from the period when they first met Lewis and Clark down to the Battle of the Little Big Horn, but this period is not considered with pride by the Indian Bureau. The honest intentions of the United States can hardly be questioned, however, these intentions were not always consistently carried out. That the Indians sometimes suffered injustice was due largely to the inability of the Central Government to control the conduct of individuals, organizations and States. The most fruitful sources of discord being the trespass of whites upon Indian lands, frauds practiced by agents and traders, indefinite boundary lines, and the attempt on the part of States to increase their territory. On the other hand the Indians themselves were ready to rise at the least provocation and in many instances became hostile due to a fancied wrong, love of combat, or because they had been spurred on by some "renegade white" who profited from such hostilities.
Civilization, regardless of the Plains Indians persistent struggle to maintain supremacy and independence, won over barbarism. This is as it should have been and has been since the days of Ancient Greece, but civilization in this case destroyed a proud, spirited and haughty people to leave in their stead a dejected, listless and degraded race.
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