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Article Summary: Despite the efforts of many to formulate agreements with the Native Americans, the Northwest Treaty Commission and the Army both failed to bring about a lasting peace on the Northern Plains. Their efforts to change the Indian way of life were unreasonable by today's standards, seeking to force them onto agricultural reservations. The tumultuous story is told here along with a comparison of the various treaties.

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Names: Alfred Sully, Little Crow, Henry Hastings Sibley, Moses K Armstrong, William Jayne, James G Blunt, J B Hoffman, Charles E Galpin, Samuel N Latta, Bear's Rib (Hunkpapa), William S Harney, Charles Primeau, Pierre Chouteau, William P Dole, John Pope, Robert W Furnas, Newton Edmunds, D N Cooley, E B Taylor, Thaddeus Stevens, Walter A Burleigh, Edwin M Stanton, William T Sherman, E B Taylor, Samuel R Curtis, Henry W Reed, Orrin Guernsey, W G Rankin, White Shield, Crow's Breast, Rec Cow, J R Hanson, N G Taylor, John B Henderson, J B Sanborn, Samuel F Tappan, Alfred Terry, Charles E Mix, Man-Afraid-of-his-Horses, Pawnee Killer, Swift Bear, Father Pierre De Smet, Sitting Bull, Grass, Running Antelope, Gall,

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Photographs / Images: General Alfred H Sully; General William Selby Harney; Sioux Chief Gall, one of the leaders in the Battle of the Little Big Horn; Sioux Chief Young-Man-Afraid-of-His-Horses and his family; the Sioux delegation to Washington, D.C. in 1891

WESTWARD BY INDIAN TREATY: THE UPPER MISSOURI EXAMPLE

By MICHAEL A. SIEVERS

As Sioux ponies nibbled the lush spring grass of Dakota in 1865, General Alfred Sully prepared to launch his third Northwest Indian Expedition. For two summers he had pursued the elusive Sioux across the northern Great Plains, while settlers scoffed at his efforts.

Three years previously in August, 1862, smoldering resentment of the Santee Sioux had burst into flames with the unpremeditated killing of several white settlers at Acton, Minnesota. Attacks on New Ulm and Fort Ridgely, Minnesota, followed in rapid succession, and fear of a general Indian war spread like a grassfire. But Little Crow's Santees were soon subdued by General Henry Hastings Sibley, while more hostile elements escaped westward into Dakota. Settlers there were confronted with what they believed to be the alternatives of either abandoning the territory or fighting for their lives.¹

Desperate pleas for protection soon flooded Washington. While Moses K. Armstrong, a prominent Dakota politician, warned the whole territory would be abandoned by November, 1862, without military aid, Dakota Governor William Jayne notified General James G. Blunt that "family after family are leaving our Territory. . . . We must have immediate aid and assistance . . . or else our Territory will be depopulated."² From the Upper Missouri River country reports began to filter into Washington of a Santee-Teton Sioux alliance. Ponca Agent J. B. Hoffman, for example, wrote that information in his hands indicated the Minnesota Sioux had sent runners to all the tribes of the Upper Missouri Agency proposing a simultaneous attack on whites and "treaty Indians." The noted Upper Missouri

trader and interpreter Charles E. Galpin also warned a Santee, Hunkpapa, and Blackfoot Sioux alliance was in the offing—a prediction concurred in by Upper Missouri Agent Samuel N. Latta.³

The possibility of an alliance should not have come as a surprise to bureau officials, for premonitions were in the air during the spring of 1862. Disembarking at new Fort Pierre in May, Latta detected even friendly Bear's Rib of the Hunkpapas entertained doubts about accepting annuities. Bear's Rib, who had been appointed chief by General William S. Harney in 1856, had been driven from his tribe on account of his friendliness to whites. This year the chief lamented that if he accepted the annuities "he not only endangered his own life but the lives of all present." In the end with Latta's coaxing, he accepted the goods on the condition none would be sent in 1863. Bear's Rib soon paid the ultimate price. Latta recounted that after he left the post, Sans Arc warriors came in from the plains and killed the chief. Nine Sioux chiefs later bragged to the agent that they had forewarned Bear's Rib, but the chief had "no ears" so they had given ears.⁴ In the wake of this tragedy, official relations with many of the Sioux bands were for all practical purposes severed until 1865.

Prominent fur merchants Charles Primeau and Pierre Chouteau also complained in 1862 of increased depredations.⁵ Governor Jayne had requested in May of 1862 a company of cavalry lest settlement be "greatly retarded & many settlements broken up."⁶ Such open attacks on traders indicated the Sioux in the face of growing numbers of whites in their country were becoming decidedly hostile. Indeed, in the spring of 1862, the government was challenged to send men "not women dressed in soldiers clothes."⁷

It was clear by spring of 1863 the bureau's influence over the Upper Missouri Agency tribes was on the wane. "The failure to establish military posts upon the Upper Missouri," charged Indian Commissioner William P. Dole, "together with the severe and almost unexampled drought, have resulted in an almost complete loss of controlling influence we have heretofore held upon the Indians of that country." Thus, the bureau sought to shift blame to acts of God and the War Department. Dole's assertion that all Indians had been friendly before 1862 because

of bureau influence was, however, questionable. More probably, the tribesmen had not felt threatened by the white advance. Analyzing policy alternatives, Dole considered "the danger of hostilities with this Nation as imminent"—danger which could not be "averted by any means other than immediate and ample military preparations to meet and suppress the outbreak." Yet, treaty negotiations were an "additional precaution" and he recommended \$50,000 for the purpose. Thus, even before the Northwest Military Expedition took the field, peace treaties were being discussed.⁸ But perhaps in the face of mounting hostility, bureau officials gratefully relinquished jurisdiction to the military.

Planning to end hostilities in one swift decisive stroke, General John Pope commanding the Department of the Northwest set out in 1863 to trap the fleeing Santee. General Sibley advancing west from Minnesota was directed to link up with Sully whose column was moving north from Fort Randall. Sully, however, depending on the unpredictable Missouri River for supplies, was delayed due to low water. Late in the summer long after Sibley had completed his campaign and turned east, Sully encountered the enemy at White Stone Hill. Under the command of Colonel Robert W. Furnas of Brownville, the 2nd Nebraska Cavalry advanced upon the village and destroyed enormous quantities of winter stores.⁹

Another expedition was decided upon in 1864 to halt continued Santee raids into Minnesota.¹⁰ Dakota Governor Newton Edmunds, complaining the 1863 campaign had been too large a concentration of troops and was not organized with an eye to speed, urged a second campaign.¹¹ But his suggestions were largely ignored and Sully massed his forces for another assault. The Missouri had proved more of an enemy in 1863 than the Sioux, consequently Sully elected to move overland from Fort Rice (which a detachment of his troops was constructing) toward the Little Missouri River. At the Battle of Killdeer Mountain, he engaged an estimated 5,000-6,000 warriors and again destroyed large amounts of Indian stores with only minor casualties. But the unfamiliar terrain of the Badlands negated possibilities of a total victory.¹²

In the spring of 1865, as Sully's third Indian campaign got under way, the battle lines had shifted to another front. Reeling

from the Army's failure to fill contracts in Yankton and Sully's questionable success in 1864, Edmunds protested the past campaigns were exceedingly expensive and had been conducted too far beyond Dakota settlements. Indeed, the Army's failure to subdue the tribesmen, in his estimation, had caused emigrants to settle elsewhere. Dakota settlements had in fact become nothing more than a "picket guard." Another campaign, Edmunds asserted before the territorial Legislature, would accomplish little. All that was needed was a line of posts and five hundred cavalrymen. Even while the 1864 campaign was under way, the territory's Republican and Union party had passed a resolution requesting a line of posts "between the hostile Indians and our frontier population, and not beyond the unfriendly Indians as is at present the case."¹³ Such factors as the Army's failure to sufficiently chastize the warring Indians, a drought and grasshopper plague, and the failure of the territory to attract emigrants, probably caused the Dakota peace faction led by Edmunds to conclude that peace by treaty offered greater possibilities than peace by war.

Thus, in the spring of 1865 as Sully made final preparations, Edmunds sought to reestablish Interior Department control over Indian affairs and regain federal subsidies for Indian needs and road construction to the Montana mines. Concerned about the territory's Indian affairs, Edmunds envisioned the establishment of an annuity system, reservations, and agricultural aid.¹⁴

Meanwhile priding himself on his knowledge of Indian affairs, General Pope stood squarely in the way of Edmunds' plan. Pope, as Edmunds sought to organize a treaty commission for which an appropriation had been made, fired verbal barrages at the treaty system and civilian control, apparently hoping to delay Edmunds' proposal until after Sully's campaign. Submitting his own plan, Pope recommended the Indians be located near military posts where they could farm in peace and be protected from unscrupulous whites. But in no case, he asserted, should hostile Indians be paid "regular annuities of money and goods for outrages they have committed. This practice seems to be to reward the hostile Indians but not the peaceful." In effect declaring a ban on civilian treaties, Pope issued orders forbidding all whites except army officers from negotiating treaties on the premise that hostile and recently

hostile Indians were "prisoners of war" and thus under the control of the Army. He further instructed the officers that Army agreements were to contain no annuity provisions and should stipulate payment only after peace had been restored and tribesmen were under government protection. The whole concept of appropriations for treaties with hostiles was in his estimation "simply a waste of money," which would only lead to "renewed breaches of the peace in order that new treaties . . . be made and more money expended."¹⁵

In defense of his ban, Pope advised Edmunds there were no Sioux in Dakota with whom it would be judicious to conclude a treaty such as he proposed. "The hostile Sioux," wrote Pope, "still in arms against the Government are public enemies [and] are not now in such condition of mind as would justify the making of a treaty such as you suggest with them." In fact, the Sioux were at war and "therefore under the jurisdiction of military authorities and not the civil officers of the Indian Department." Pope informed Edmunds that his orders prohibiting annuity treaties and civilian negotiations would stand unless rescinded by "superior military authority."¹⁶ For the moment the Interior Department chose not to force the issue and decided "not to interfere with the Military operations." Besides, Dole foresaw a successful campaign would place the Indians "in a mood for negotiations."¹⁷

Events, as it turned out, played into the hands of Edmunds and the peace faction. As Sully suspected and soon discovered, the hostiles were not in the Missouri River vicinity but were actually closer to the Black Hills. But on account of pressure from frontier residents, he was forced to abandon his Black Hills plan and advance north toward Fort Berthold. As a result, Sully failed to engage any concentration of hostile tribesmen.¹⁸ Clearly the only alternative in the minds of Interior officials and President Andrew Johnson was Edmunds' plan. Commissioner D. N. Cooley later observed that Sully's campaign had failed to impress the Indians with the government's power and restore peace, but the treaty commission chaired by Edmunds had, according to Cooley, reestablished peace in the region.¹⁹

The destruction of large quantities of Indian stores in 1863 and 1864 had aided treaty efforts by keeping the tribes constantly on the move, thereby allowing little time for the



General Alfred H. Sully, after serving in the Army of the Potomac early in the Civil War, was transferred to the District of the Dakotas in 1863.

hunt.²⁰ Treaty Commissioner E. B. Taylor, who clearly saw the impact of starvation upon the Indian, asserted that for the roving bands it had become a "question of *bread and meat*." He foresaw that any treaty offer from the government promising "immunity from further pursuit by the military and . . . a reasonable guaranty of subsistence" would no doubt be accepted.²¹ But the question of how many of the starving Indians had been openly hostile remained unanswered.

When the Northwest Treaty Commission, which President Andrew Johnson appointed in August, 1865, again went up the river in the spring of 1866, they discovered that the winter of 1865-1866 had been unusually severe. Officers at Crow Creek, Fort Thompson, Fort Sully, and Fort Rice all forwarded complaints of starvation and demands for subsistence.²² It was also reported by Sully that posts throughout the Upper Missouri had been compelled to issue an unusually large quantity of stores to starving Indians.²³ Certainly starvation did induce some Indians, who had been unwilling to meet with the commissioners in the fall of 1865, to come in and sign treaties in 1866. The "severity of the present winter," observed Edmunds, "would cause even the hostile 'Sioux of the



General William Selby Harney, a Mexican War veteran, attacked the Sioux at Blue Water (near Ash Hollow), Nebraska, in 1855. He retired in 1865.

Mississippi' [Santee] to come in & try to make terms with the government."²⁴

In the fall of 1865, an unsuccessful and depressed Sully concluded his campaign as Edmunds gleefully anticipated the resumption of civilian control. Well aware that Union and Confederate veterans would soon clog the roads west, Congress in the spring of 1865 appropriated \$20,000 for treaty negotiations with the Sioux and their allies.²⁵ Much of Edmunds' success in obtaining control of the fund resulted from the backing of President Abraham Lincoln, Representative Thaddeus Stevens, and Dakota Territorial Delegate Walter A. Burleigh.

Emigration into a region once viewed as the "Great American Desert" clearly necessitated cession treaties in the opinion of Secretary of the Interior James Harlan. Directing the commission to impress upon the Indians "that the advancing tide of immigration is rapidly spreading over the country, and that the government has no power or inclination to check it," he advised them to insist upon the cession "of all lands contiguous to the great lines of traffic and travel." The displaced tribes were to be located in "a district of country as remote as practicable from

any of the leading routes across the plains [for the] . . . ultimate adoption of pastoral and agricultural pursuits." Amplifying these instructions Commissioner Dole recommended that the British border, the Missouri and Teton Rivers, and the Rockies mark the bounds of the reserve. Upper Missouri Agent Latta's recommendation that such treaties should lead to the creation of an Indian state eligible for admission into the Union was ignored. In return for the cession, agricultural aid was to be provided, but "should not be so large as to appear prodigal, nor so meager as to amount to a mockery of justice." Dole further cautioned Edmunds that "the financial condition of the country no less demands that the expected advantage of peace be not purchased at too high a price."²⁶ Thus, most of the Upper Missouri was to be obtained as inexpensively as possible, especially in view of congressional reluctance to fund affairs.

Generals Pope and Sully certainly did not applaud the organization of the Northwest Treaty Commission in August 1865. Sully protested that he had already concluded an acceptable peace with an estimated 3,000 lodges of Indians, and the only cost of the peace was that of subjugation. In closing Sully questioned the propriety of Edmunds' plan as all the Indians who desired peace had arrived at an agreement with the military, which would be just as "well kept by the Indians, as if the Government had spent large sums of money in the way of annuities &c." But "of course you can get in the whole nation," observed Sully, "if you will hold inducement enough, in the way of money, goods, provisions &c. but what would such a treaty be worth?"²⁷ From St. Louis, Pope warned Edmunds that Indians considered annuities "evidences of fear on the part of the Government." Thus, the commission could either negotiate simple peace treaties or "bribe them to keep the peace." On Edmunds' decision rested "the stability of peaceful relations."²⁸

Military opposition continued even after councils were held in the fall of 1865 and preparations were under way to complete the treaties in 1866. Subsistence purchased by the commission in 1865 had been supplemented by post rations. Desirous of continuing the arrangement, Interior Department officials requested War Department stores and transportation in 1866.²⁹ General Pope, learning of the demand, advised General Ulysses

S. Grant that the Army could not meet such extraordinary demands. "If the Indians are under the charge of the Interior Dept.," he asserted, "that Dept. should take care of such matters and not depend on the military." Secretary of War Edwin M. Stanton concurred and informed Harlan that compliance would be detrimental to the Army. Besides, the department did not have the legal authority to provide such supplies.³⁰ The commander of the Division of the Mississippi, General William T. Sherman, also opposed providing rations, but he did instruct his commanders that if denial would cause trouble among the Indians, food should be furnished. "The Interior people could have a loan," he advised, "no handouts would be available."³¹ Thus, Edmunds was instructed to charter a steamer and purchase supplies "in view of the disappointment of this Department in its expectations of obtaining the co-operation as was expected of the War Department."³²

Despite military opposition civilian officials and peace advocates had their way. In August, 1865, President Johnson appointed Governor Edmunds, Northern Indian Superintendent E. B. Taylor, General Samuel R. Curtis, General Henry Hastings Sibley, Henry W. Reed, and Orrin Guernsey to the Northwest Treaty Commission.³³ Hurried preparations were made, the Steamboat *Calypso* chartered and messengers sent to announce councils slated for Forts Sully and Rice. The low stage of the Missouri River and the approach of fall, however, complicated matters. It was not until September 25 that the *Calypso* arrived in Yankton. By then the river was so low the commissioners had to go overland. As a consequence, when the commission reached Fort Sully in late September, it was decided to abandon the Fort Rice council and direct the commander to convey a delegation to Fort Sully. In addition the chances of influential chiefs and headmen attending talks were limited during the height of the fall hunt.³⁴ Blaming Sully's 1865 campaign for the late start, Edmunds thought it would have been better to postpone efforts until spring. He cautioned that failure to meet with a majority of the tribesmen would be detrimental to peace efforts, but a "permanent and lasting peace" could be obtained in the spring.³⁵

Winter was in the air when talks finally commenced at Fort Sully in early October. At the conclusion of the hurried council,

treaties had been concluded with 130 delegates representing 2,670 lodges or about 16,020 Mininconjou, Blackfoot Sioux, Lower Brule, Two Kettle, Yanktonai, Sans Arc, and Hunkpapa bands. "We have thus arranged with what we think are the leading tribes," reported Curtis.³⁶ The commissioners fully realized, however, that another commission was necessary if peace was to be restored. Taylor reported to the *Nebraska Republican* that if the 1865 treaties were "judiciously followed up next spring, [they would] result in a speedy reestablishment of peace upon the plains."³⁷

Following the extremely hard winter of 1865-1866, the Northwest Treaty Commission once again made ready for a "lasting peace." Congress appropriated, as the result of military refusal to furnish subsistence, the liberal sum of \$121,785.³⁸ In an attempt to counsel with all of the Sioux bands and their allies, the commission was divided. Commissioners Edmunds, Curtis, Reed, and Guernsey were sent up the Missouri to secure additional signatures as well as treat with the tribes above Fort Sully. Taylor and Sibley traveled west to treat with the Brule, Oglala, Arapaho, and Cheyenne at Fort Laramie.³⁹ Transportation for the Upper Missouri division was provided by the *Ben Johnson* at \$300 a day, and councils were called for Forts Sully, Rice, Berthold and Union.⁴⁰

At Fort Sully the commissioners met with 537 out of 1,315 lodges of Lower Brule, Yanktonai, Hunkpapa, Two Kettle, Blackfoot Sioux, Sans Arc, and Mininconjou tribes. Upriver at Fort Rice, nearly seven hundred lodges of Yanktonai, Blackfoot Sioux, Hunkpapa, Upper Brule, Sans Arc, and Oglala ratified the 1865 treaties. Also in attendance was a Santee delegation from Fort Wadsworth, but talks with them broke down.⁴¹ In early July, the Crow, Gros Ventre of the Prairie (Blackfoot) and Assiniboin counseled with the commissioners at Fort Union. Finally in late July, almost a month behind schedule, the commissioners arrived at Fort Berthold and concluded a treaty with the Mandan, Arikara, Gros Ventre or Three Tribes, and the Crow.⁴²

Criticism of the commission continued, however. Colonel W. G. Rankin, in the process of constructing Fort Buford, asserted that the commission had actually caused more disturbances and dissatisfaction than all the emigrants since 1865. As expected,



Sioux Chief Gall, one of the leaders in the Battle of the Little Big Horn.

Sully condemned their efforts as an attempt to bribe the Indians and for failure to comprehend that treaties concluded with a certain number of a tribe were considered by the Indians binding only on that number. The treaties, predicted Sully, would "only lead to trouble and confusion."⁴³ From the perspective of a lifetime on the upper Missouri, trader Charles Larpenteur labeled the "great Peace Commission" a "complete failure."⁴⁴

Historians too have chosen to view the Northwest Treaty Commission as a failure, since the delegates were primarily the peaceful "stay around the fort people." They also point to hostile actions in the Powder River country, while the commissioners were holding talks, as indicative of the failure to establish a real peace. Richard N. Ellis, for example, concluded, in view of the Powder River War, that the 1865 treaties as peace agreements "were of little value . . . [and] that only a partial and elusive peace had been made with the Sioux."⁴⁵

Less pessimistic were the commissioners who maintained that their efforts had brought peace to the frontier. Probably concerned with both the economic development of the territory and the well being of the tribesmen, Edmunds declared that the negotiations were a "decided success" and predicted "that for a long time the tribes treated with will regard their Treaty stipulations." The treaties in his opinion had provided the impetus for peace, which would be lasting "with proper management on the part of the Military Authorities, their Agents, and the people who pass through the Country occupied by them."⁴⁶ Commissioner Taylor's organ, the *Nebraska Republican*, also rejoiced over the "humane effort to stay—by peaceful means if possible— the further effusion of blood on our frontier."⁴⁷

One could endlessly debate Edmunds' motives, the representativeness of the delegates, and whether the treaties resulted in peace on the frontier. There is a difference between ideal policy and policy execution, but it is significant from the perspective of Indian policy that the treaties were indeed negotiated. As such, they foretold of the demise of the existing system and the rise of another. For years, the Upper Missouri agent had spent fully half of his time away from the agency, usually without a leave of absence. Agents had grown accus-

tomed to making annual trips upriver to distribute presents and annuities and then returning home for the winter. But for the first time in the Upper Missouri country, the government in effect had required resident agents who could assist Indians in becoming agriculturalists.⁴⁸ It is interesting to note that the treaties did offer an opportunity to the "stay around the fort people," who in some instances had been exiled on account of their amity to whites and who were often at the mercy of more hostile kinsmen. Now, instead of being drawn into conflict in which they had no desire to participate or being dependent on agents or post commanders for token "hand-outs," the peaceful Indians were offered protection and an opportunity to provide their own foodstuffs.

Although the treaties did not generally establish specific reservations, their provisions clearly attempted to persuade the tribesmen to adopt the agricultural life. With the exception of the Blackfoot Sioux and Miniconjou, the Sioux tribes were to receive \$25 per lodge in the form of farm tools and other improvements for five years, but only when twenty-five or more lodges had permanently located and taken up farming. In addition it was stipulated that when one hundred lodges or families had begun farming operations, a government farmer and blacksmith would be furnished. The secretary of the interior was also authorized to employ teachers. The Upper Missouri Indians were also required to withdraw from present and future emigrant routes. In return they were promised a twenty-year annuity ranging from \$6,000 a year for the Two Kettle and Lower Brule to \$10,000 for the Oglala, and \$30 per lodge for the Yanktonai and Hunkpapa. No agricultural assistance was allowed the wide ranging Blackfoot Sioux, and Miniconjou, except protection to those who might desire to take up farming.⁴⁹

The Lower Brule were, however, assigned a specific reserve, probably because bureau officials believed they had demonstrated their advanced state by remaining neutral during the war on the Northern Plains. Moreover, they were one of the smaller Sioux tribes and nearest to settlements. By treaty they were to remove to a reserve located near the mouth of the White River; after fifty lodges had done so, the government would pay the annuity of \$25 per lodge for five years. This money was to be

expended for the purchase of stock, agricultural implements, and general improvements. At the option of the secretary of the interior, a government teacher could be sent among the tribe. The government was also required to furnish a farmer and blacksmith. Foreseeing the Two Kettle might wish to engage in farming near the Lower Brule, the agreement stipulated employees were to be shared when the Two Kettle turned to the soil.⁵⁰

From the broader perspective it is apparent that the Sioux were allowed to continue their nomadic habits.⁵¹ Yet, the commissioners had clearly stressed the importance of a more settled life. On the other hand, the Montana gold rush had occurred with such irresistible speed and force that the bureau was unprepared for rapidly changing conditions. Thus, after the miners had located their glory holes and erected makeshift towns, the commission was obligated to negotiate Crow, Gros Ventre, Mandan, and Arikara cessions and the right to construct communication facilities.

The Crow, for example, were asked to cede a number of ten-mile-square tracts along the Yellowstone towards Virginia City and Helena for the construction of stage depots. The Three Tribes were also requested to cede their lands in the Fort Berthold vicinity to facilitate land and water travel to the mines. In return the Three Tribes were promised \$20,000 for twenty years. The Crow were allotted an agency at the mouth of the Milk River supervised by a resident agent and provided a \$25,000 annuity for twenty years. Part of the annuity was reserved to the chiefs and some of the more influential half-breeds. The remainder of the money was set aside for agricultural tools, stock, mechanics, and teachers.⁵²

Some whites, however, counted their profits too soon. The Crow and Three Tribe treaties were never ratified and were apparently killed by the Senate Committee on Indian Affairs. Economy was probably a paramount consideration in that action. The fact that a substantial number of treaties were negotiated in 1865-1866 may have necessitated the rejection of some of them in the interest of austerity. Moreover, congressional questioning of the whole treaty system probably played a part. The majority of warriors of these tribes had remained at peace, and perhaps it was decided that federal monies could be

better spent on more hostile Indians. Besides, any committee member who read the commission proceedings could not help but be impressed by the opposition of chiefs to any land cession whatsoever. White Shield, the Arikara head chief, opposed cessions, as did Crow's Breast of the Gros Ventre and Red Cow of the Mandan. Yet, they eventually signed treaties, which incidentally paid each chief a \$200 annuity.⁵³ Perhaps the committee was justified in suspecting bribery, especially since only these treaties contained the provision on such a wide scale. Two hundred dollars was indeed an enormous sum compared to the 11¢ per capita annuity under the Laramie Treaty of 1851.⁵⁴

Negotiations were also undertaken with the Assiniboin. At Fort Union the commission met the tribal delegation, but Smiling Face, for example, was clearly opposed to surrender of any of the tribal domain. "If the *Great Father* wished you to have this land," he declared, "you would have been born here. . . . My wish is that you keep your money and let me keep my land."⁵⁵ So ended the bureau's attempt to "civilize" the Assiniboin at that time.

Ultimately, the Northwest Treaty Commission failed as decisively as the Army to bring about a lasting peace on the Northern Plains. Some Sioux tribesmen did undertake farming at Crow Creek and in the vicinity of Fort Sully, but Crow Creek proved a poor site upon which to launch an agricultural experiment. In fact, the Santee and Winnebago, who had been removed to the reserve following the Minnesota Outbreak, had failed to make Crow Creek a going agricultural concern. Yet, when Upper Missouri Agent J. R. Hanson protested the continued use of Crow Creek, Commissioner Cooley informed him the Dakota governor favored the location, and in view of the bureau's agricultural policy and treaty stipulations, the site would have to be utilized. Hanson was instructed to reconsider his views. The majority of the Sioux did not attempt farming and remained unfriendly or openly hostile.

Sioux raids along the Bozeman Trail under the leadership of Red Cloud went unchecked. On the Platte route a few stage coaches, wagon trains and railroad construction crews fell victim to attacks. Farther south in Kansas the Cheyenne war raged. From the frontier came the inevitable pleas for protec-



Sioux Chief Young-Man-Afraid-of-His-Horses and his family. In the doorway of the tipi is his mother; the women sitting down are his wives. Shorn hair indicates that they are in mourning. His daughter stands at left and his granddaughter beside him.

tion and punishment of the hostiles, while humanitarians throughout the nation pressed for continuation of the "Peace Policy." Congress as a compromise solution created in 1867 another peace commission. But hanging over the heads of the body was the threat that if they failed, the Army was authorized to pursue a more militant policy. To the commission Congress named the "generalissimo of the Peace Policy," Indian Commissioner N. G. Taylor, the bill's key congressional sponsor, and Senator John B. Henderson, J. B. Sanborn, and Samuel F. Tappan. As required by the act, President Johnson appointed Generals William T. Sherman, Alfred Terry, and William S. Harney as the military representatives.⁵⁶

Perhaps, as has been suggested, government officials decided to offer the hostiles a generous treaty accompanied by an impressive array of presents in hopes that they could not resist the temptation to "touch the pen."⁵⁷ Yet, sponsors of the bill were concerned with what appeared to them to be the eventual extinction of the Indian. Expressing his concern Acting Commissioner Charles E. Mix advocated the creation of a large reservation north of Nebraska and west of the Rocky Mountains, for the "exclusive occupation and ultimate home" of the Indians north of the Platte.⁵⁸

A year later Taylor posed the question: "How can the Indian problem be solved so as best to protect and secure the right of the Indian, and at the same time promote the highest interest of both races?" Citing the progress of the "five civilized tribes," Taylor prescribed the "civilizing" process. The Indians' domain, he urged, should be circumscribed, which in turn would result in the localization of the tribesmen and compel them to turn to agricultural and pastoral pursuits. After this had been accomplished the concept of private property would be introduced, along with efforts to modify the Indians' habits, customs, and ideals. Finally, the Christian teacher and missionary would be sent among them.⁵⁹

Sherman also advocated a reservation plan. The Sioux should be placed on a reserve north of the Platte and west of the Missouri River, while the Comanche, Cheyenne, Kiowa, Apache, and other southern tribes were confined south of the Arkansas and east of Fort Union, New Mexico. In this manner Sherman hoped to open a wide belt of territory between the Platte and

Arkansas Rivers, through which would pass large numbers of emigrants and two railroads. The difference between Sherman and the peace faction was largely one of method, for Commissioner Taylor hoped the treaty provisions would induce the Indians to submit peacefully. Sherman was not so optimistic. Congress also suggested that the Indians east of the Rockies and north of the Platte be placed on reservations. And, of course, the commissioners were to "inaugurate some plan for the civilization of the Indians."⁶⁰

Ironically, on August 7, 1867, while certain Cheyenne warriors were wrecking a Union Pacific train near Plum Creek, Nebraska, the commission met in St. Louis to formulate plans. Westerners predicated failure and jeered. "The dignified commissioners are off for another council," mocked one editor, "while the painted chiefs are in quest of more stock and scalps."⁶¹ Amid these circumstances the commission boarded the *St. John* at Leavenworth, Kansas, for the trip up the Missouri. Owing to the low stage of the river, they failed to reach Fort Rice and returned downriver to Fort Sully, where talks were held with peaceful Sioux. Although they were technically beyond the commission's scope, it was hoped to learn from them whether the country was suitable for the contemplated reservations. They also hoped to inquire into the condition of those Indians who were endeavoring to live by agriculture. The facts obtained, however, probably made little difference, since the commission and the bureau were clearly determined to clear the Platte route. Taking into consideration white settlement patterns, Dakota or Indian Territory were the only logical sites.

By mid-September the commissioners had returned to Omaha, where they boarded a train for Fort Laramie. At North Platte talks were held with Oglala, Brule, and Northern Cheyenne chiefs, including Man-Afraid-of-His-Horses, Pawnee Killer, and Swift Bear. No treaty was signed, and the tribesmen were requested to gather at Fort Laramie, where hopefully all the Sioux would be waiting. As the commission approached Fort Laramie, it learned the Indians in the Powder River country were unwilling to talk peace. As a result, the meeting was postponed until the first of November. The commissioners then proceeded to southern Kansas in October, where the

Kiowa, Comanche, Southern Cheyenne, Arapaho, and Apache signed the Medicine Lodge Treaty. Returning to Fort Laramie by way of Omaha and North Platte, the commission found only a few friendly Crow waiting. Red Cloud sent word that only when the Bozeman forts were abandoned would he be willing to come in. Thus, the commissioner's efforts in 1867 to conclude a treaty with the hostile Sioux and their allies came to naught.⁶²

In the spring of 1868, the commissioners (who had agreed to abandon the Bozeman forts) entrained for Fort Laramie. The impeachment of President Johnson detained Henderson and Sherman in Washington, and they were not present to witness all the tribes sign the Fort Laramie Treaty of 1868. On April 29 the Brule delegation signed, while an Oglala delegation came in and "touched the pen" on May 25. But Red Cloud did not sign until later, after setting fire to the surrendered Bozeman forts. On May 26 the Miniconjou delegates affixed their marks. Also signing the treaty were Yanktonai, Hunkpapa, Blackfoot Sioux, Two Kettle, Sans Arc, Santee, and Cuthead. A separate treaty was also concluded with the Crow. The provisions of their treaty were substantially the same as those of the Sioux and similar to the unratified agreement of 1866.⁶³

Following the Fort Laramie council some members of the commission again went up the Missouri to Fort Rice to meet delegations apparently gathered by Father Pierre De Smet. In the spring of 1868, he had gone into the heart of the Powder River country and counseled with Sitting Bull, Four Horns, Black Moon, and No Neck, finally inducing them to send a delegation to Fort Rice. On July 2 the council at the post got under way. Among the representatives, who allegedly represented 50,000 Indians, were the influential chiefs Man-Afraid-of-His-Horses, Grass, Running Antelope, and Gall. But Sitting Bull and other important leaders were apparently not present. Representatives of these Sioux bands affixed their marks to the Laramie Treaty.⁶⁴

Considering treaties a prime manifestation of Indian policy, a comparison of the 1868 Fort Laramie Treaty with the Laramie Treaty of 1851 and the treaties of 1865-1866 is particularly revealing. The Laramie Treaty of 1868, unlike the earlier ones, was predicated on the premise that the Plains Indian had to be

settled on reservations—there was no other alternative short of continued conflict. As a consequence, an area comprising the modern state of South Dakota west of the Missouri plus the Crow Creek reserve was set aside. The Peace Commission suggested that in addition to the signers other smaller groups totalling approximately 54,000 Indians might also be removed to the reserve.⁶⁵ The 1851 and 1865 treaties generally did not require the government to provide all the Indians with teachers, schools, resident agents, or an agency facility. Quite to the contrary, the 1868 Fort Laramie Treaty stipulated teachers and schools were to be furnished and, in effect, a resident agent supplied who would extend the government's control over the tribesmen from a centrally located facility.

Another distinguishing feature of the 1868 treaty was the requirement that annuities be paid in clothing, meat, flour, cattle, oxen, rather than cash. Part of the reason for this provision was probably the "Grimes Amendment." Perhaps naively, Senator James W. Grimes of Iowa believed unrestricted Indian trade would enable the tribesmen to obtain goods at the lowest price. Consequently, he attached an amendment to the 1866-1867 Indian appropriation bill permitting "any loyal person . . . of good moral character . . . to trade with any tribe upon giving bond," provided the 1834 Trade and Intercourse Act was not violated.⁶⁶ As a result, the agents, who formerly had granted trade licenses, lost what little control they had exercised over the Indian trade and cash annuities became fair game. Urging officials to "prescribe anew the conditions upon which persons may be authorized to trade," the Peace Commission warned that as a result of the amendment "corrupt and dangerous men . . . find their way among the Indians . . . cheat them in trade, and sow the seeds of dissension and trouble."⁶⁷ Thus, the commissioners were probably fearful the provisions of the "Grimes Amendment" combined with the large sums received under the Laramie Treaty would be detrimental to the Indian.

One of the most significant and fundamental changes incorporated into the 1868 treaty was the provision concerning agricultural assistance. By the terms of the 1851 Laramie Treaty, a portion of the annuity fund could be expended for farm implements, but this was not mandatory, nor were

promises made to provide personnel to assist in farming. The 1865 treaties marked a transitional point in this regard. The government actually agreed to pay \$25 per lodge in agricultural implements in addition to furnishing government farmers and blacksmiths; but annuities could still be paid in cash.⁶⁸

Perhaps concerned with extinction of the Plains Indian, the commissioners wrote into the 1868 treaty a kind of Indian homestead bill. The treaty actually promised any male over 18 title to 160 acres of land outside the Sioux reserve, provided he made improvements amounting to \$200 and lived on the tract for three years. Title, however, was retained only as long as the Indian resided on the plot. Indeed, the treaty significantly provided that once a patent had been granted, the tribesman would become "a citizen of the United States, and be entitled to all the privileges and immunities of such citizens." Westerners probably saw the clause as a way to obtain reservation land, while reformers recognized it as an important vehicle with which to break down the Indian's concept of communal land. Moreover, the clause signaled a serious attempt to connect severalty and citizenship.

By terms of the treaty, any male or family head over 18 was allowed to select a farm plot from the reserve, which would (unlike the 1865 treaties) cease to be held in common. Clearly, policy was beginning to move towards assimilation rather than strictly civilization. To further encourage the Indian to take up agriculture, \$500 was to be awarded for three years to ten Indians, who grew the "most valuable" crop of the year. The government also promised to furnish seed and tools for three years to each family head engaged in farming. Trying to bridge the old and new socio-economic life styles, tribesmen were permitted to hunt outside the reserve north of the North Platte and also on the Republican Fork of the Smoky Hill River. But this right could be exercised only as long as buffalo were of "such numbers to justify the chase," which as it turned out was not long.⁶⁹

Other interesting differences between the three treaties were provisions concerning the construction of thoroughfares across Indian country. As stipulated in the 1851 treaty, the government was granted only the privilege of constructing roads and posts within Indian country. Moving one step further, it

was agreed in 1865-1866 to pay the tribes varying amounts of money if they would withdraw from established and projected overland routes. By 1868 the flood of western emigrants forced the signers to withdraw all opposition to the construction of railroads as well as wagon roads and communication facilities both within and without the reservation.⁷⁰

It almost goes without saying the terms of the 1865 and 1868 treaties were probably misunderstood by Indians and whites alike, and both parties soon violated their provisions. Larger questions, however, should be posed. Just as a good biography may be suggestive of the times in which a person lived, a study of a series of treaties should reveal some significant aspects of federal Indian policy. Whether or not implementation was consistent with treaty provisions must, however, be the subject of other studies. What, then, was the general policy expressed in the treaties? What factors were responsible for that policy?

As to the first question, it is clear the government was reacting to the advance of white "civilization" into one of the last strongholds of the Plains Indian. From the beginning the outcome was, according to contemporaries, inevitable. As one historian phrased it, the Indians' traditional way of life was "doomed as soon as Columbus landed."⁷¹ Yet, something had to be done with and for the Indian. Comprising an incipient assimilation policy, the answer of the Northwest Treaty Commission and the Peace Commission was two-fold—agriculture and reservations.

Reservations were chosen as a middle ground between granting the Indians full citizenship or declaring them enemy nations. It was a compromise solution and a vehicle by which the Indian might be assimilated. The reduced Upper Missouri Agency as well as the gradual diminishing of the 1851 Laramie Treaty boundaries further attests to the movement toward concentrated reservations. By 1869 a series of agencies had been established within the Sioux reserve. Grand River was established for the Yanktonai, Hunkpapa, Cuthead, and Blackfoot Sioux; and the Cheyenne River for the Miniconjou, Sans Arc, Two Kettle, and Blackfoot Sioux. In fact, the Upper Missouri Agency by 1870 had been cut down to the Crow Creek site. This was indeed a far cry for the agency which little more than

a decade before had extended north from the Niobrara to Canada and west from the Missouri to the Rockies.

Believing that agriculture was the Indians' "door to civilization," the 1865 treaties encouraged tribesmen to abandon the nomadic way of life. Three years later that objective was considered a necessity and given legal form by the Fort Laramie Treaty. In a nation of farmers, it seemed the best way to "civilize" the Indian, for private property was the road to dignity, status, wealth, and self-respect. It was this concept of property which the commissions endeavored to force upon the Indian. Upper Missouri tribes generally took the opposite view. They had little experience with individual ownership of land. Indeed, their life style had not required it. The plow meant a loss of honor to the male. Yet, a successful Indian farmer was obligated by tribal custom to share the products of his labor. Thus, in the end reservations and agriculture meant destruction and confusion of the tribal life without a socially acceptable substitute—a fact which neither commission fully appreciated, or understood.⁷²

The establishment of reservations and furnishing agricultural assistance were, however, a means to an end. Long range goals of Indian policy had evolved from one of segregation during the first two-thirds of the century to one of assimilation after 1865. The conduct of Indian affairs within the Upper Missouri Agency clearly demonstrates such an evolution. Two facts—that resident agents were not required before 1865, and the agency's meager operating funds—were indicative of the segregation concept. As long as the tribes remained peaceful, little attention was given to the agency's affairs. The outbreak of hostilities combined with the Montana gold rush, and the influx of settlers in Nebraska and southern Dakota gave affairs a new complexion. Consequently, bureau officials were beginning to realize (if they hadn't already) the "permanent Indian frontier" was on the verge of collapse, and removal and segregation were rapidly becoming unfeasible. Thus, assimilation as manifested in the Laramie Treaty of 1868 was in the process of becoming the bureau's long range goal.

Returning to the question of factors responsible for policy, the prevailing attitudes of Americans undoubtedly played a large role. Unlike Canadian officials, whose apparent under-



Sioux Delegation to Washington, D.C., in 1891: (Top row) Zaphier, Hump, High Pipe, Fast Thunder, the Reverend Charles S. Cook, P. T. Johnson. (Middle row) F. D. Lewis, He Dog, Spotted Horse, American Horse, Major George Sword, Louis Shangrau, Baptiste (Big Bat) Pourier. (Bottom row) High Hawk, Fire Lightning, Little Wound, Two Strike, Young-Man-Afraid-of-His-Horses, Spotted Elk, Big Road.

standing of racial traits encouraged them to enforce reasonable laws concerning Indian culture, American officials sought ways to change the Indian way of life.⁷³ Preoccupied with proving the workability of the American democratic experiment, bureau officers wove into policy their concept of necessary progress. The Indian was, then, an image of the "savage" past, which the "civilized imagination had . . . created just for destroying."⁷⁴

The essence of the American concept of the "savage" Indian was his life style as a nomadic hunter. To most Americans it was clear that as a hunter the Indian could not exist within the structured American society. As a solution, government officials were determined to force upon the Indian the concept of "agrarian idealism." This attempt to make him a farmer was, however, equally doomed to failure as the Indian "would not be anything, but what he was—roaming, unreliable, savage. So they [whites] concluded that they were destined to try to civilize him, and, in trying, to destroy him, because he could not and would not be civilized." The only practical answer was to try to assimilate the Indian into the mainstream of American society by the mechanism of the treaty process. But, as Loring Priest has emphasized, the Indian "could not be expected to accept passively a civilization which demanded surrender of its dearest traditions."⁷⁵

Central to understanding the evolution of policy on the Upper Missouri is the knowledge that adequate time to investigate problems and formulate solutions was crucial. But time was running out. By 1865 the tribes of the region were caught in a gigantic squeeze play. To the south the Union Pacific's twin rails of steel were crossing Nebraska. To the north and east steamboat traffic had increased at a fantastic rate on the Missouri River as military expeditions and hordes of emigrants made use of this natural route to the northwest. To the west the Rocky Mountains, hostile Blackfeet, Montana settlements, and rising forts of the Bozeman Trail blocked the escape. Finally, through the heart of the northern Great Plains, the Niobrara and Big Cheyenne wagon roads were being projected. Thus, the Indian soon found his traditional hunting grounds void of game and whites seemingly everywhere. The nomadic plainsmen had two main alternatives left—subjugation or war—both of which ultimately meant abandonment of

traditional ways of life. The semi-sedentary Three Tribes found their choices equally limited. Consequently, some fought while others accepted what white civilization had to offer, but not with great dedication.

Moreover, some Dakota officials' and citizens' views of the Indian problem as a road to profit further complicated matters. The whole territory seemingly pressed its demands on the national government for economic assistance. The personnel of the military posts would subjugate the tribesmen, place them on reservations, and "civilize" them. Dakotans—with the assistance of the Office of Indian Affairs—advanced their settlements into the former tribal lands. More important to many Dakotans than the welfare of the Indian were federal annuity subsidies and reservation expenditures. Therefore, government-supported Indians were essential for the settlement of the territory, especially if the "Great American Desert" proved more than a legend.⁷⁶

Searching for an easy explanation for Indian policy, one might also point to the heavy hand of tradition. It clearly played a role in the writing of treaties, which sought to implement the agriculture-reservation policy. The only difference in the post-Civil War years was that this policy was better defined on the Upper Missouri. During the 1858-1868 period, no alternatives of policy were offered by Upper Missouri agents. Part of the blame can also be placed on Congress, which consistently deferred Indian appropriation bills in favor of what it considered more important measures. Indeed, due to the lack of information and perhaps interest, congressmen were generally indifferent to the special problems of the peaceful Indian and overly concerned with short-term policy. After the war, however, Reconstruction generally overshadowed Indian affairs. Severely criticizing Congress for its inattentiveness, the Peace Commission lamented:

Nobody pays any attention to Indian matters. . . . Members of Congress understand the Negro question, and talk learnedly of finance, and other problems of national economy, but when the progress of settlement reaches the Indian's home, the only question considered is, "how to get his lands." When they are obtained the Indian is lost sight of.⁷⁷

Certainly, it was a matter of priorities that caused Treaty Commissioner John Henderson's delay in Washington and

General William T. Sherman's trip from Omaha to testify in the impeachment proceedings of President Johnson.⁷⁸ Moreover, the watchword of most aspiring politicians after 1865 was economy and conformity, not genuine innovation.

The attention of government officers was further distracted by the impact of the transfer question. The issue had been reopened by the creation of the Northwest Treaty Commission, as Interior and War Department officials fought verbal battles for administrative control of Indian affairs. As the debate became more heated, bureau officers were distracted from a reappraisal of policy by the fight to survive and retain the power to decide policy. Many a politician, discovering the issue was a useful tool as he "jockeyed for political profit," also did not contribute to a meaningful analysis.⁷⁹ Thus, the question of policy and objectives was sometimes lost in the ensuing struggle for power.

In the immediate post-war period reformers simply sought means of perfecting the agriculture-reservation policy, while they bickered over army or civilian control. As a result alternatives were never really considered. A congressional committee appointed in 1865, for example, concluded that once the Indian's traditional hunting grounds had disappeared "the reservation system, [which] was . . . the only alternative to their extermination, must be adopted."⁸⁰ Aside from suggesting the destruction of tribal distinctions, the recommendations of the Peace Commission of 1868 amounted to little more than perpetuation and modification of the agriculture-reservation concept. This group of notables also concluded that given the proposition that protracted conflict was out of the question, reservations were "the only alternative left."⁸¹ As to the question of how Indian rights could be protected, Indian Commissioner Taylor simply advocated obliteration of tribal boundaries, the implementation of reservation policy, and the supplying of missionary teachers.⁸²

As deep winter snows again blanketed the Upper Missouri countryside in the winter of 1868, Indian policy had been more clearly defined than ever before. More than twenty years would pass before the last shots of the Plains Indian conflict would be heard, but the Northwest Treaty Commission and the Peace Commission had prescribed the first steps in the government's

"civilizing" policy. Reevaluation of policy and attitudes had been pushed aside as concerned citizens and officials plotted the "civilizing" of the Indian and the restoration of peace. The Indians were to be removed, reservationized, agriculturalized, and assimilated at the altar of progress.

NOTES

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5. *COIA Report, 1862, 373-376.*

6. Jayne to Major General H. W. Hallack, May 2, 1862, Dakota Territorial Records (R. 77).

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30. Copy, Telegram of Pope to Grant, March 24, 1866; Stanton to Harlan, March 25, 1866, LRUMA.

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34. Guernsey to Cooley, October 6, 1865, LRUMA. John Pattee, "Dakota Campaign," *South Dakota Historical Collections*, Vol. V (1910), 345-347.
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36. Taylor to Harlan, October 21, 1865, LRUMA. Curtis and Guernsey to Harlan, December 20, 1865, Ratified Treaty No. 339, DRT.
37. *Nebraska Republican*, October 27, 1865, 2.
38. *Statutes at Large*, Vol XIV, 358. Cooley to Harlan, April 12, 1866, Records of the House Committee on Appropriations, 39 Cong., National Archives.
39. Taylor, H. H. Sibley and Henry W. Reed to Harlan, February 20, 1866, LRUMA. Cooley to Edmunds, Curtis, Guernsey, Taylor, Sibley and Reed, April 25, 1866, LS, Vol. 80, 87-88.
40. Guernsey and P. K. Graves to Cooley, May 5, 1866; Copy, Edmunds notice to agents and commanders, March 17, 1866, enclosed in Edmunds to Cooley, March 21, 1866, LRUMA.
41. J. R. Brown was appointed by the commission to select and, if he so desired, convey a Santee delegation. Some of the tribesmen objected to Brown's choice and travelled themselves to Fort Rice. The commission suspected that Brown's group did not include the more hostile bands and was also not representative of the peaceful Santees. Since the Brown faction demanded additional pay as scouts and the ownership of the land around Fort Wadsworth, the commission broke off negotiations. Sibley to Brown, March 24, 1866; John G. Clark to Curtis, June 4, 1866; Edmunds and Reed to Commissioner of Indian Affairs, September 4, 1866; Edmunds, Curtis, Guernsey, and Reed to Cooley, June 25, 1866, LRUMA.
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47. *Nebraska Republican*, November 10, 1865, 2.
48. Michael A. Sievers, "The Administration of Indian Affairs on the Upper Missouri, 1858-1865," *North Dakota History: Journal of the Northern Plains*, Vol. 38, No. 3 (Summer 1971), 385-392.
49. Charles J. Kappler, (Comp.), *Indian Affairs Laws and Treaties*. (S.S. 4624) (Washington, D.C.: Government Printing Office, 1904), 883, 885-886, 896, 898-907.
50. *Ibid.*, 885-886.
51. The term "nomadic" is used throughout as a general term. In this case it does not mean the Indian did not have a fixed abode, rather that their movements

were more wide ranging than most white contemporaries considered as settled.

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53. Kappler, *Indian Affairs* (S.S. 4624), 1056. Proceedings of a Board of Commissioners, July 23-27, 1866, DURT.

54. Sievers, "Administration of Indian Affairs on the Upper Missouri," 384.

55. Proceedings of a Board of Commissioners, July 18, 1866, DURT.

56. *Statutes at Large*, Vol. XV, p. 17. Athearn, *William Tecumseh Sherman*, 172. Cooley to Hanson, August 31, 1866, LS, Vol. 81, 289.

57. Hyde, *Red Cloud's Folk*, 162.

58. *COIA Report, 1867, HED No. 1*, 40 Cong., 2 Sess., (S.S. 1326), 5.

59. *COIA Report, 1868, HED No. 1*, 40 Cong., 3 Sess., (S.S. 1366), 16-18.

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