

**A HISTORY OF THE SIOUX AGREEMENT:
SOME FACTS WHICH SHOULD NOT BE FORGOTTEN**

*(Presents a discussion of the United States Government's
attempt to reduce the size of Sioux Indian reservations...in Dakota Territory in 1888)*

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1888

Washington, D. C.

A History of the Sioux Agreement.

SOME FACTS WHICH SHOULD NOT BE FORGOTTEN.

During, three months, beginning in July, 1888, the leading journals of the country contained almost daily reports of negotiations pending between the Sioux nation of Indians and the United States Commissioners in regard to a proposed cession by the Sioux of about one-half of their reservation to the United States. As our readers know, the United States took the initiative by passing a bill through Congress to divide and reduce the Sioux reservation on certain lines and conditions. The Sioux were not consulted in the matter. The whole measure was framed in accordance with the views of parties representing the Chicago, Milwaukee, and St. Paul Railroad Company and other corporate and private persons, who expected to be financially benefited by the bill becoming a law. Fortunately for the Sioux, the treaty of 1868, between that people and the United States, provides in positive terms that *"No treaty for the cession of any portion or part of the reservation herein described which may be held in common shall be of any validity or force as against the said Indians unless ,executed and signed by at least three-fourths of all the adult males occupying and interested in the same."*

Under the treaty, of which this section is a part, the Sioux surrendered to the United States all right and title to immense tracts of land in Dakota and Wyoming, formerly belonging to them, retaining only the southwest corner of Dakota as their permanent home. Evidently the United States Commissioners who made this treaty, and the United States Senators who confirmed it, supposed that henceforth the Sioux would be left in peaceable possession of

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this remnant of their once vast estate, presuming that no further cessions from them would be asked In this they were mistaken. A few years later gold was found in the Black Hills by prospectors who went there in violation of the treaty. The news got into the papers; other gold-seekers rushed to the Black Hills. In 1874 General Custer boldly marched into that country at the head of an armed force, with the avowed purpose of protecting prospectors for gold.

The Indians were ultimately aroused to the importance of repelling the invaders of their country. Custer and his command were cut to pieces, annihilated; but the miners did not share their fate. A commission was sent to the Sioux to get them to surrender the Black Hills to the Government. This commission did not pretend to comply with the treaty of 1868 by securing the signatures of three-fourths of the Indians. They got the signatures of some of the chiefs and head-men to the agreement, and on their recommendation Congress ratified it and the President proclaimed it. There were but few of the Sioux braves who joined Sitting Bull and Gall in the war against Custer. Red Cloud, Spotted Tail, and other prominent chiefs who had signed the treaty of 1868 refused to go to war even to repel an invading army from their country, because that treaty had a clause. which read as follows:

"ARTICLE 1. From this day forward all war between the parties to this agreement shall forever cease. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to maintain it."

These noble red men of the forest and plain said:

"We have pledged our word of honor with the Government that we would never go to war with

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each other, and we will keep our word whether the white man's Government does or not."

These chiefs signed the agreement to surrender the Black Hills. They then said to the Commissioners:

"You know that we are not going to war, so we ask you to tell us where to camp that the soldiers may not disturb us."

The Commissioners assigned them a campingground and left them temporarily. Almost immediately after the departure of the Commissioners, General McKensie, acting under authority of General Crook, swooped down upon those law-abiding and peace-loving Indians with his armed force at midnight. They made no resistance, but surrendered without firing a gun. They were robbed of their horses and other property, and their wigwams were burned.

The Indians were liberated after a brief imprisonment, but their property was not restored to them. It has not yet been restored, nor have they received one dollar in lieu thereof, though year after year for five years the Secretary of the Interior, joined by the Secretary of the Treasury, has officially indorsed their claim for compensation, and asked Congress to appropriate the money to pay it.

Those Indians would be justified by every principle of right were they to refuse to consider any proposition of a business character from the United States until that claim, principal and interest, shall be paid.

THE SIOUX COMMISSION OF 1882--A FAILURE.

Agust the 7th, 1882, an amendment to the sundry civil appropriation bill passed Congress authorizing the Secretary of the Interior to negotiate with the Sioux Indians for such modifications of existing

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treaties as might be deemed desirable by said Indians and the Secretary of the Interior; but any agreement made under this act should not take effect until ratified by Congress. The Secretary appointed Newton Edmunds, Peter C. Shannon, and James H. Teller, of Dakota, a commission to visit the Sioux for the purpose of securing their consent to have separate reservations set apart for each tribe and surrender half of their lands (about eleven million acres) one large body through the center, another off the west side, and smaller strips on the eastern borders of their reservation.

The occasion for this commission arose from the fact that some time previously the Chicago, Milwaukee and St. Paul Railroad Company had secured a charter for a line across the reservation from Chamberlain, on the Missouri River, to the Black Hills, and also the consent of a few of the Indians to right of way for a very small price. The charter and questionable right of way were of but small value without a large slice of Indian land, embracing the White River Valley on the south of said contemplated railroad and the fertile region north of it, watered by the Bad River and its numerous tributaries. But if this heart of the reservation, embracing the bulk of its best lands, through which the railroad would run, could be gotten from the Indians, not only would a large number of people move into the country and make bona fide settlement, but the opportunities for speculation in town-site lands would be immense, and the railroad company and the land syndicate connected with it would have a monopoly of this.

THE COMMISSIONERS DID NOT TELL THE INDIANS

that, by signing the paper they brought to them from the Great Father, they were giving up any of their land. They were quite sure that if they told them this they would not touch the pen.

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The Commission chose for their interpreter Rev. S. D. Hinman, an Episcopal missionary, who had been among the Sioux so long as to be able to speak the language fluently. Through this missionary, who knew they were trying to deceive them the Commissioners told these Indians that if they would sign the paper agreeing to have their reservation divided between the six

tribes of the Sioux nation the Great Father would give each tribe a patent to their share, and that he would give them 25,000 cows and 1,000 bulls, and that he would also extend the time in which he would furnish them schools for their children. The Indians were anxious to get patents for their lands. They knew that the cows and the bulls offered were due them under the treaty of '68, and the agreement of '76, so a few of them signed the paper; but the great mass of them, fearing trickery, refused to sign. The Commission reported to Congress in December, '82, or January, '83.

In THE COUNCIL FIRE for June,'83, will be found a letter from Pine Ridge Agency, dated May 21,'83, and signed by twenty-three chiefs and headmen of the Sioux nation.

"THE SIOUX SUSPECT TREACHERY"

Is the headline under which we printed that letter, which reads as follows:

"It makes our hearts glad to see that you are helping us and working for our best interests. We think you can do us much good. We want to continue to live here on our own land. We want you to help us all you can to stay here, as you are our friends and want to do right by the Indians. We want to live like the whites, and if the Government will help us we will live so after awhile. But some people are trying to get our land from us, and a few of the Indians are helping them by putting their names to a paper brought to us by Mr. Hinman, who is getting all the names he can, and

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for fear he won't have enough he is getting the names of little children. Mr. Hinman tells us that the paper is about the lines of our land, and if he tells the truth it is all right. But we don't like to be represented by little children. We could say a good deal more, but think this enough to give you to understand how things are going here.

"Your friend,
"MINNIE
WANECHÉ."

We omit the names of the twenty-two others who signed this letter.

We quote the following from our comment upon that letter:

"These Indians suspect treachery. We think they have ample ground for the suspicion that Rev. Hinman is deceiving them. The Sioux Commission, when it got the signatures of Red Cloud and other chiefs, last fall, to an agreement to surrender a large portion of their reservation, deceived them. They did not tell them they were signing away any land, but that if they signed the paper each tribe of the Sioux would have their lands set off to them separate from the others. Red Cloud said he thought this a good thing, so he signed the paper. He learned afterwards that he had signed away a large part of his land without any consideration. The report of the Commission was not ratified by Congress last winter, but was left for the Forty Eighth Congress to deal with. There is good reason for believing that the paper Mr. Hinman is getting signatures to is intended to be used in Congress next winter in the interest of the unjust, not to say fraudulent, agreement now before Congress for ratification. We advise our friends the Sioux not to sign any paper unless it is presented to them by a man whom they can fully trust, and is interpreted by a man in whom they have entire confidence."

A subcommittee of the Indian Committee of the United States Senate visited the Sioux country in the summer of 1883. Senators Dawes, Logan, and Cameron constituted this committee. These Senators were charged with the duty of investigating the charges of fraud made by the Indians and their

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friends against the Sioux Commission, and report to the Senate. They did their work well. Their report made a book of 400 pages, and it contains proof positive and conclusive that the Sioux Commissioners and their pliant tools, Rev. Hinman, Agent McGillicuddy, and others, deceived the Indians in the most shameful manner, and got signatures to the agreement by means of falsehood, treachery, and threats. The charge that Hinman got the names of women and children is also shown to be true by the testimony given in this report.

"They (the committee) found that the Commission, consisting of ex-Governor Edmunds, and ex-Chief Justice Shannon, of Dakota, and James H. Teller, brother of Secretary Teller, obtained the consent of the chiefs by systematic threats and misrepresentations. By this means the Indians apparently agreed to give up 11,000,000 acres of lands for 25,000 cows and 1,000 bulls-at the highest prices an equivalent to 9 cents an acre. At every agency the Indians disclaimed this bargain, and the chiefs who made it repudiated their own action. They were told that the Commission had absolute power to take their lands without consideration, and force them to migrate; and that the whole Army could be called upon at any time to drive them away. Mr. Teller was introduced as the one who sits beside the Great Father in Washington. The agents stood in fear of the Commission, and exaggerated the influence of its members to the Indians."

The Senate committee found that out of a population of 28,000 Indians only 430 had signed the agreement, hence they recommended that the report of the Commission be rejected, and the agreement laid aside as null and void. It was so ordered.

THE DAWES SIOUX RESERVATION BILL.

Soon after securing the rejection of the report of the Sioux Commission of '82, Senator Dawes in-

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roduced a bill to divide and reduce the Sioux reservation on precisely the same lines and plan proposed by that Commission. His bill contained the same provision as to the 25,000 cows and 1,000 bulls, but, in addition to these, he proposed to put \$1,000,000 into the United States Treasury to the credit of the Sioux, the interest on which, at 5 per cent., to be used, at the discretion of the Secretary of the Interior, for educational purposes, etc. The land surrendered was to be offered for sale to settlers at 50 cents per acre, and after all cost of survey, sales, etc., had been deducted, the Government was to be reimbursed for the cows and bulls, and the million-dollar fund, out of the proceeds of the sales of the land, and should any sum be left after this, it was to be put in the Treasury to the credit of the Sioux, and the interest used in the same way as the interest on the million dollars.

The bill provided for patents to the tribes for their reduced reservations the same as the old agreement did, but this was followed in the Dawes bill by a clause, not in the old agreement, which destroyed the force and effect of the proposed tribal patents. This clause authorized the President, in his discretion, to cause these reservations to be surveyed and divided in severalty-160 acres to heads of families, 80 acres to orphans, and 40 acres to other children. And it is expressly provided 'in the bill *"that these patents, when issued, shall override the patent herein authorized to be issued to the tribe."*

This bill provides for extending the educational clause of the treaty of 1868 twenty, years. Apparently this bill would secure to the Sioux perhaps 20 cents per acre net for their land, but not more than that sum, for in the first place all cost of surveying and selling is to be deducted from 50 cents an acre on what could be sold, and for

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the worthless lands the Indians would get nothing. But even this is deceptive, for the cows and bulls offered now are due under the treaty of 1868 and the agreement of 1876. And under those the Government owes the Sioux over \$2,500,000 for schools, so reads the annual report of the Secretary of the Interior. So that in reality this bill offers the Sioux nothing not already due them. Again, the treaty of 1868 provides that any of the Sioux heads of families may-have 320 acres of the reservation set apart to them in severalty. But this is not compulsory. The Dawes bill is compulsory in this matter, but gives them only one-half that amount.

This bill passed the Senate very promptly and went to the House of Representatives April 17, 1884. Here it was amended so as to put \$3,000,000 in the Treasury at 3 per cent. interest, instead of \$1,000,000 at 5 per cent. But it did not pass the House.

The Sioux learned of this bill through THE COUNCIL FIRE. They were anxious to know all about its provisions. The council instructed Chief Red Cloud to ask Dr. Bland to visit them and explain it to them in council.

On receiving the chief's letter of invitation I promptly accepted and prepared for my journey. At my request a map of the Sioux reservation was prepared by the Commissioner of Indian Affairs, so as to show what lands the bill proposed to take from the Indians, and what was to be set apart to each tribe. With this map, a copy of the bill, and a letter from the Secretary of the Interior addressed to the Indian agents located at points I expected to visit, which letter instructed "all officers and agents of the Government to afford me opportunity to visit my friends among the Indians," I started for the Sioux country on the 13th of June, 1884. After a wait of four days at Valen-

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tine, Nebraska, for Red Cloud, who was to meet me there with his carriage and carry me to his home at Pine Ridge Agency, 130 miles further west than the railroad had yet been built, and a two days' visit at Rosebud Agency, which is only 30 miles from Valentine, I reached Pine Ridge Agency on the 28th, at 11 A. M. The chief, at my request, left me at the agency hotel and was to return at 2 o'clock, and go with me to call upon Agent McGillicuddy. The agent did not wait for my call, but sent the chief of the agency police, with a small force, to my hotel, at 1 o'clock, to arrest me and bring me before him forthwith. I submitted gracefully, and on reaching the office I presented the Secretary's letter, which amounted to an official order, but which the agent treated with contempt, refusing to obey it. He gave me no reason for his action, but simply said, in substance, that if I did not leave the reservation immediately he would have me put off by force. I declined to leave, and was at once forcibly removed across the line of the reservation, six miles south of the agency, and left at Ganow's ranch. Mr. Ganow, on learning the facts of my situation, invited me to consider his house my home while I chose to stay.

Here a party of young braves, sent by Chief Red Cloud to look for me, found me that same afternoon. And here Red Cloud and twelve subchiefs visited me the following day.

For obvious reasons, the Indians and myself agreed that it would be best not to attempt to hold a council at the agency as we had purposed doing, nor to invite the agent, McGillicuddy, to preside over our deliberations, as it had been in our programme to do. We had no thought of allowing the agent to prevent our holding a council, however. If I could not meet them in council on their

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reservation, they could meet me in council in Nebraska. July 2d was the day set, and Arlidge's Grove, near Ganow's ranch, was the place selected for the proposed council. Runners were at once sent to the different camps to notify the Indians; and on the day appointed Red Cloud and 138 subchiefs and head-men met in council. I laid the map before them, and through Louis Shangrau, an educated Indian and excellent interpreter, I explained the map and the provisions of the bill.

They were all of opinion that, according to the map, the bill proposed to take the bulk of their best lands. They were unanimous also in the opinion that they had no land to spare, as much of their reservation is worthless for any purpose, and a very small proportion of it good farming land without irrigation.

Chief Red Cloud said:

"The Government did not keep its treaty of 1851. It has not fully kept the treaty of 1868. Afterwards it promised us \$50,000 for not hunting buffalo; we got only half that money. We sold the Black Hills in 1876, but not the land around them. We sign no more papers till the Government pays what it owes us. We want our reservation surveyed, so we can know where our outside lines are, then we want a patent for it."

I told them that I could not advise them to sign the Dawes bill in its present shape, but if it should be so amended as to be just I should recommend that they accept it, as I was of opinion that they could spare a part of their reservation, and if the Government would pay them a fair price for it, in addition to all it now owes them, I thought the money would do them more good than the land. When I closed, they consulted among themselves for a few minutes, and unanimously agreed to take my advice. On my return to Rosebud Agency a large council convened in the agency council-house for the purpose of hearing my views on the Dawes bill and other matters. Agent Wright presided, and at the close of my

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speech he addressed the council briefly, indorsing my views.

I made a statement of these facts to the Indian Committee of Congress during the session of 1884'85, and said: "If you will amend this bill so as to pay the Sioux \$1 an acre for their lands, in addition to all that is due them under former treaties, and leave the matter of land in severalty to them, as the treaty of 1868 provides, I think they will sign it. But they will not sign it in its present shape. Those having the bill in charge declined to amend it as I had suggested. Failing to pass the House, it died with the Forty-eighth Congress.

THIS SAME BILL WAS INTRODUCED BY SENATOR DAWES early in the First Session of the Forty-ninth Congress.

It passed the Senate and reached the House February 4, 1886. The National Indian Defense Association appointed a committee, of which the president, General Denver, the vice-president, Rev. Dr. Sunderland, and the writer were members, to appear before the Indian Committee of the House and present the objections of the association to the bill. This committee had a hearing before a subcommittee of the House Indian Committee on the 24th, and presented the following brief of objections:

"First. It is not a just bill. It proposes to divide the Sioux reservation and take one-half of it from the Indians without giving them any right of choice, and for a price far below the value of those lands.

"Secondly. The sum to be paid is to be held by the United States, and the interest used as the Secretary of Interior may direct, except that he must buy for the Indians 25,000 cows and 1,000 bulls, and support schools among them, all of which the Government is bound, by the treaty of 1868 and the agreement of 1876 with the Sioux, to do; hence, while this bill makes a pretense of paying these Indians a pitiable price for 11,000,000 acres of their best lands, it does not, as we understand it, provide for paying them one dollar not already due them for lands sold to the Government in 1868 and

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1876. So far as we can see, this bill does not differ materially from the agreement presented to the Sioux by the Sioux Commission of 1882."

There were other reasons presented, but these were the chief ones. Some ten or a dozen prominent Dakotians were present at this hearing, as were also Bishop Hare, missionary bishop of the Episcopal Church for South Dakota, and Herbert Welsh, secretary of the Indian Rights Association of Philadelphia; Bishop Hare, Herbert Welsh, and Judge Moody, of Dakota, were put forward by their associates to reply to us in defense of the bill.

Bishop Hare said:

"I do not fully approve of the bill. I object to the section giving the Indians patents to the remaining portions of their lands as tribes; but so anxious am I for some sort of a bill that would open that reservation and no longer permit it to block the path of civilization that I am willing to accept this. I believe that some bill of the kind is a necessity; the people of Dakota will not much longer peaceably allow the Sioux reservation to stand in the way of the progress of the Territory."

Herbert Welsh, said:

"I represent the Indian Rights Association and I concur in the views presented by Bishop Hare. That reservation must not much longer be allowed to stand like a wall of adamant blocking the progress of civilization and Christianity in Dakota."

On the 9th of March the National Indian Defense Association had a hearing before the full Committee on Indian Affairs of the House on this same bill. Rev. Byron Sunderland delivered the views of the association. In the course of his speech Dr. Sunderland said:

"Gentlemen of the Committee: The business of this hour is to us and to those in whose behalf we plead no idle pastime. Influences originating here may be bound up the destiny of many human beings. The National Indian Defense Association is not satisfied with the treaty or agreement making with Indians which has prevailed heretofore. We think the time has come when that policy should be changed; Look at the title of this bill.

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It is assuming, presuming, dictatorial, and despotic. It has the air and tone of the stronger over the weaker. It suggests the idea that the Government, because it has the power, can go on other men's lands, and cut and carve to suit itself, taking for granted that the rightful owners of the land will have nothing to do but give their assent. Now if the title read, 'To form a commission to consult with the Sioux nation about their willingness to sell a part of their land, and to fulfill the Government's obligations now existing, it would sound to our ears far more pleasant. But this bill has strong indorsement. It was prepared under the immediate supervision of Senator Dawes. I am told that it has the approval of the Indian Commissioners, the Indian Rights Association, Bishop Hare, and of the gentlemen who are here asking the admission of Southern Dakota into the Union as a State. What other backing it has is left for us to conjecture. That monopolists and self-seekers should follow in a wake like this is natural.

"Gentlemen, it seems ominous of a big land grab. It is claimed that it gives the Indians four or five millions of dollars for the land to be taken, but we see no such generosity in the bill. The Indians will get very little, if anything, more than is already due them under existing treaties. It says to the Sioux, You surrender 11,000,000 acres more of your lands and we will make you one more new promise.

"What are the arguments in favor of this bill:

"First, the Indians have more land than they need, the whites want it, and Congress ought to give it to them.

"This argument has prevailed too long already. It is time to arrest it. Suppose they don't need it; whose land is it, and whose right is it to judge whether they need it or not; whether they will keep it or part with it? These questions answer themselves, and unless you mean to apply the notion of communism, enforced by the power of the stronger over the weaker, the question must be left to the owners of these lands, and not to outside landgrabbers, backed by the United States. But they are to be told, 'You must divide

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with the whites. We have got up a bill which has become a law, and you must submit. You may as well do it peaceably, and without any fuss. We are your friends, and we know a great deal better what is good for you than your yourselves; and if you don't submit, it is very likely you will fare worse.

"Now, gentlemen, how does this argument differ from that of the highwayman? He puts a pistol to your breast and says, 'Stand and deliver!' This bill is a pistol and you are asked to load and cock it for the Indian victims. Suppose a bill were introduced to take the lands away from large white landholders and open them to settlement by other parties, what a storm that would raise! You gentlemen would be deafened with the thunders of indignant protest. You would be reminded of the doctrine

of 'vested rights.' You would be told that Congress has no power to impair contracts. But it is said that these lands are blocking the way of white settlements, white civilization, white transportation, white Christianity; and, therefore, some way must be devised to force these Indians to give up so much of their land as this white civilization, white Christianity, and white railroad monopoly may desire for its present purposes.

"Blocking civilization; blocking Christianity! Such civilization! Such Christianity! It is worse than the original barbarism. It ought to be blocked and blocked forever! We have already had enough of it to cover the history of the Nation with disgrace. This bill is urged by the agents of two railroad companies, who are waiting to get the land so as to steam over to the Black Hills.

"Gentlemen, it will be good discipline for these companies to wait a while longer. When might is harnessed to the car of progress it turns, too often, to a cruel oppression upon the weak, like the pagan Juggernaut, and no Eastern idolatry was ever more merciless in its bloody rights than our modern Mammon worship.

Gentlemen, a public sentiment is forming in this country which holds that the Government should pause in its career, and we all know that public sentiment, once crystallized, is mightier than fire

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or sword, or even the devices of legislation. The Indians are gaining the knowledge of experience. It is more difficult now than in former years to get their signatures, which are to be used to secure all the advantages to the whites. We believe that you will never be able to make another agreement with the Sioux nation under the present policy. You may starve them, you may keep up an army to menace them, but they will sign no more exparte agreements like this., We know that the policy we advocate is denounced as reactionary--not in a line with progress. We are said to be disturbers of our American Israel. A similar charge was brought by Ahab against the prophet Elijah. Men often resort to tactics like this. It is a trick of those wanting in stronger arguments.

"In a speech in the Mohonk conference Senator Dawes said:

"It so happens with me that the more I have to do with the Indian the greater become my perplexities, and the more distrustful I become of myself, and, therefore, I beg in all sincerity of those interested to improve that Sioux bill if they can.

"I am ready to help him out of this perplexity, and my, remedy is to lay the bill aside.

"In that same speech Senator Dawes said:

"If you expect to accomplish anything with the Indian let him know that you regard your obligations just as much as you expect him to observe his.

"This is the pith of the whole of it. Upon that principle the National Indian Defense Association stands. Gentlemen, I can appreciate in some measure the trial of Congressmen who represent districts contiguous to these Indian lands. When the people of a Congressional district cast longing desires upon the lands of their Indian neighbors, it would be too much, perhaps, to ask their Member to ignore their wishes; but to be willing to override and trample down the rights of the Indian in order to placate the will of the people thus represented is a thing that I would never knowingly and willingly consent to do. When office overbalances a right conscience, then we have a signal of an alarming kind--we may fear the

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prostitution of the great legislative function of this Government to subserve the meanest and the basest ends. Gentlemen, expecting better things of you, we thank you for your attention."

The bill failed to pass, and died with the Fortyninth Congress.

THE INDIAN RIGHTS ASSOCIATION'S SIOUX BILL.

On the assembling of the Fiftieth Congress, December, 1887, Senator Dawes introduced his Sioux bill, and had it referred to his committee. On the 19th of March he reported it back to the Senate, and on the 21st it passed that body; but that was the end of it.

On the 9th of January, 1888, Hon. S. W. Peel, chairman of the Indian Committee of the House of Representatives, introduced a bill, which was satisfactory to the representatives of the Chicago, Milwaukee and St. Paul Railroad Company and of South Dakota.

Delegate Gifford, of Dakota, had introduced on the 4th of January a bill differing in some features from the other. Both bills were discussed by the Indian Committee and by outside parties interested in them. And on the 16th of February Chairman Peel reported to Congress a substitute for both. This substitute was known as the "Indian Rights Association" bill, and it, with amendments, finally passed both houses of Congress, and the President approved it. This is Public Document 66, the agreement which the Sioux have rejected. .

When reported to Congress, this bill was much more objectionable to the Indian Defense Association than the Dawes bill, for the reasons : First, that it did not have any provision for giving the Indian tribes patents to their reduced reservations; secondly, it did not provide for submitting it to the Sioux for their consent, but instead it "approved, ratified, and confirmed the fraudulent agreement of 1882."

It is proper that I give my reasons for styling this the "Indian Rights Association bill." I do so on the authority of Chairman Peel, who introduced it, and of Mr. King, of the Dakota delega-

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tion sent here to press the bill; and lastly, Herbert Welsh, in a conversation with President Kent, of the National Indian Defense Association, and myself, approved the bill and defended it. I first learned of this bill from Mr. Peel, who said to me: "Doctor, we have the Sioux bill before us again. This time introduced as the Indian Rights Association bill. Are you going to fight it ?"

Supposing it the same bill which had been before the Forty-eighth and Forty-ninth Congresses. I replied: "No, I think we will let you pass it this time, and then defeat it by giving the Sioux our opinion of it."

On learning, afterward, that the bill referred to by Mr. Peel differed from the Dawes bill in some important features--for instance, it did not have the section providing for patents to the tribes for their reduced reservations, and it had no provision for *submitting it to the Indians* for their acceptance or rejection--we demanded that it be amended or laid aside.

On meeting Mr. King and another member of the Dakota, lobby in the room of the Indian Committee about this time, they attempted to convince me by argument that the bill was just to the Indians. I replied, "I object to your bill." At this point Mr. King interrupted me by saying, I beg your pardon, it is not our bill. *It is the Indian Rights Association bill.*"

The attention of Senator Dawes was called to the vicious features of this bill, and he said: "It shall not pass without the section providing for submitting it to the Sioux for their approval or rejection, in accordance with the treaty of 1868."

The National Indian Defense Association were greatly rejoiced at finding themselves supported in their demands for justice by the chairman of the Indian Committee of the Senate. The combined opposition of Senator Dawes and the National Indian Defense Association were sufficiently potent to secure an amendment of the bill so as to protect the Indians in their legal right to be consulted on the subject of whether or not they would give up the best half of their reservation for a new promise to pay the old debt which the Government owes them.

This bill has a section which has attracted but small attention, but which the National Indian Defense Association regards as especially unjust.

"On the 27th of February, 1885, President Arthur issued a proclamation opening to the whites a portion of the Sioux reservation on the Missouri River, opposite Chamberlain, Dak. This order was issued on the recommendation of Secretary Teller, under the influence of attorneys representing parties at Chamberlain. On Sunday, the 26th of February, 1885, these attorneys telegraphed to their clients at Chamberlain that the opening order would be issued next day. That night a large number of them moved across the river with houses already framed, and took possession of Indian lands.

"On the 11th of March, 1885, we stated these facts in a letter to Senator Voorhees. The Senator called on Secretary Lamar in regard to the matter, and, after investigating the facts, Secretary Lamar reported to President Cleveland that the order opening these lands to whites was unjust, and President Cleveland, on the 17th of April, 1885, issued an order revoking the order of President Arthur, and ordering all white settlers to vacate said lands within sixty days, under penalty of being removed by military force. They did not obey the order. They are on the lands yet, and a section of this Sioux reservation bill provides for opening these lands to whites and gives these settlers preference over other men in entering said lands. Delegate Gifford, of Dakota, in a conversation with us, admitted that these are Indian lands, and that some of them are worth \$100 per acre."

THE SIOUX COMMISSION OF 1888.

The Sioux bill was approved April 30, 1888, and a few weeks later Captain Pratt, Judge Wright, and Rev. Mr. Cleveland were appointed a commission to visit the Sioux and get them to sign the bill. In the meantime an elaborate correspondence had been passing between the Sioux and officers of the National Indian Defense Association, the Indians asking for a full exposition of

the provisions of the bill, and the officers of the National Indian Defense Association giving the exposition asked for.

The Sioux Commissioners went first to Standing Rock Agency, where they spent some weeks in futile efforts to induce the Indians to sign the agreement. The leading journals of the country sent correspondents to Standing Rock to report the proceedings of the councils and general conduct of the Indians and Commissioners. These correspondents gave the facts as they occurred, and as the facts showed that the Indians conducted themselves in a dignified and diplomatic manner, and gave good reasons for not signing the agreement, and that the Commissioners acted in a very disrespectful and unbecoming manner and made speeches which wore disgraceful to themselves and the Government they represented, the Commissioners did not like to have the people know these facts, so Captain Pratt took possession of the telegraph and refused to permit anything sent over the wires without his supervision. The correspondents were not to be suppressed by this high-handed act of despotism. Special couriers were employed to carry their letters to Bismarck, a distance of 65 miles, and send them by telegraph from there to their papers. The reports were full, hence we can not quote them ; but a good idea of the facts can be had from the following extract from an editorial in the *New York Tribune*:

"The line of argument employed by the Commissioners is degrading and humiliating to the National honor in the last degree. They say in effect: 'We represent a great Nation, but one whose honesty can not be depended upon. It is true that Congress has decreed, that this reservation shall not be opened unless the consent of threefourths of the Indians to whom it belongs is obtained. But, you must not rely upon that pledge being kept. On the contrary, we now tell you plainly that unless you accept the treaty, even against your judgment, there is imminent danger that the United States will steal your land without more ado.'"

"Let it be understood plainly that this is practically what the United States Commissioners have said to the Indians at Standing Rock. Congress stands committed to abide by the decision of the Indians. It has expressly provided that the consent of threefourths of the Sioux shall be necessary to the opening of the reservation. Is it to be supposed the freedom of that consent was not implied in the stipulation?"

"What the Commissioners are now doing is only too apparent. They are trying to bulldoze the Indians; trying to intimidate them into consenting to the treaty; and, what is worst of all, trying to do this by alleging the dishonesty and perfidy of their own Government. The Sioux are plainly told that they must not rely upon the good faith of Congress, or believe that it will keep its engagements; and in the same breath they are chidden because they suspect the sincerity of the Government in its promises of payment for their lands. Surely cynicism can hardly go beyond the exhibition these Commissioners are now making at Standing Rock. This is their idea of negotiating a treaty, to threaten the other party with high-handed confiscation of their lands if they refuse to sell them for less than they believe them to be worth to a Government whose good faith they have already had a score or reasons for doubting.

"We are compelled to repeat what we have said before, that the most brutal and reckless seizure of Indian lands would be less discreditable than the methods at present being employed. If the country is not again to be disgraced by the immorality and baseness of its Indian policy, the Commissioners at Standing Rock must be instructed to suspend their bulldozing tactics and to tell the Indians that they are free to decide the question for themselves. In a word, the country must compel Congress to stand by its own laws, and the outrageous intimation that unless the Sioux yield to threats they will be plundered in cold blood by the people of the United States must be repudiated and rebuked emphatically."

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FROM THE NEW YORK WORLD.

"The Sioux Commission, having failed to get the Indians to sign the agreement to surrender half their reservation, are now resorting to threats, telling them that if they do not sign the agreement soldiers will be sent to drive them from their reservation to some other, and that in such a contingency they will lose their lands and get nothing.

"It is also said the Indians charge that Captain Pratt, chairman of the Commission, on their refusing to sign the agreement printed in black ink, presented another, printed in red, which they understand to mean war unless they attach their signatures, The Indians say Pratt told them they would yet be compelled to sign the paper. This they say they will never do, nor do they believe the Great Father at Washington instructed Captain Pratt to force them to sign any paper against their will." A resolution was introduced in Congress by Representative Morrill, of Kansas, as follows:

"Whereas the following statements in relation to the action of the Sioux Indian Commission have appeared in several of the leading newspapers of the country, and contain grave charges of official misconduct on the part of said commission: Therefore,

"*Be it resolved*, That the Secretary of the Interior be, and he is hereby, requested to inform this House whether there is any foundation for these statements, and to take such steps as may in his judgment be proper to ascertain whether undue influence has been used to secure the signatures of any of the Indians to the treaty."

"Statements in support of this resolution were given from the *New York Tribune*, *New York World*, *St. Louis Globe-Democrat*, and *Omaha Bee*, all of which appear in the Congressional Record for September 17th.

The bulldozing tactics of Captain Pratt and his associates utterly failed at Standing Rock, and Platt came to Washington to confer with Secretary Vilas. On his return a general council was called to meet at Lower Brule agency, to which representatives

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from all the six tribes were invited. Some refused the invitation, saying: "If the Commissioners wish to talk with us they can come to our agency, then all the tribe can hear the talk." According to the newspapers, captain Pratt delivered a message to the Indians at this council which, he said, Secretary Vilas sent to them. If the Secretary authorized Pratt to say what he did say, he is evidently in full sympathy with the methods employed by the Commissioners. He said: "The Government does not understand your reasons for refusing the bill *before you hear it*, nor why you don't take up your allotments and support yourselves. It does not understand why it has to clothe and feed you when you promised, in 1876, to do it yourselves. The Government is afraid you have been listening to men who are enemies to the Government and to you."

The Philadelphia *Ledger* says of this speech :

"It is apparently based on the notion that the Indians, who, in this regard, are treaty powers, could be at the same time dealt with as undutiful children.

"There are obvious enough answers to this scolding lecture of the Secretary, some of which were clearly and strongly made by the Indians themselves in much more business-like style than the Secretary is made to use in his message.

"To the reproach that they refused the bill *before* they heard it the response was made by the chiefs from the Cheyenne River Agency that the price for their lands had been fixed *before they were consulted*. That was a square and telling hit back.

"Those who spoke for the opposition to the bill at the Lower Brule conference conducted themselves with dignity, and spoke with good sense, eloquence, and force. This will be evidenced, by what was presented in the talks of White Swan, Charger, Swift-bird, and others of the Cheyenne River Sioux, who were fine-looking men, dressed in the garb of the white man. Here are their main objections against the bill.

"1. Fifty cents an acre is too small a price: The standard Government price for this kind of land is \$1.25 an acre.

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"2. The Flandreau Indians, who have sold all their own land, have no right to a share in the benefits of this treaty.

"3. We are not yet ready for land in severalty.

"4. We are men like you, although we are not white, and why should we not be consulted beforehand in regard to terms of sales? We do not like to be compelled to sign the paper just as it is, nor to refuse it altogether.

"5. You, say that schools were promised us for twenty years from the treaty of 1868, and that the provision expires this year. We do not think so. We have not had the promised schools for more than ten years. Let the twenty years begin with the time the schools began, and we shall have schools for ten years longer.'

"The final reproach in what the Secretary of the Interior is made to say in his message is that the Government is afraid that the Indians who opposed this transaction have been listening to men who are enemies to the Government and to themselves. When we reflect that in nearly all cases where the Indians are put under heavy pressure to part with their lands there are selfish and unscrupulous white land-grabbers somewhere in the background of the movement, these Indians might retort: 'We are afraid *the Government* has been listening to men who are enemies both to the Government and to us.'"

The Lower Brule council proved a Waterloo for the Commissioners, so a

GRAND COUNCIL IN WASHINGTON

was arranged for, and chiefs and head-men from the different tribes to the number of sixty were brought here by their agents. They arrived in the city on a late train on the night of October 12th, and immediately after breakfast, on the next morning, the

Commissioners marched them up to the Interior Department for a council with Secretary Vitas. The Secretary made a speech to them, the purport of which was that Congress had made this law, and had instructed him to present it to them for their approval. "I am told that you refuse to sign this bill. I want you to tell me what

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your objections are. When I have heard you I will consider it, and when I have decided upon an answer I will call you together again, and tell you what the Government decides."

White Ghost said "they had traveled a long distance, were tired, and had had no opportunity to rest. They therefore asked that the talk be postponed until some other day. Secretary Vilas replied that arrangements had been made to have the conference to-day and to continue on Monday, when he expected that it would be ended. He had not time for delays, and he hoped that the Indians would be willing to say what they had to say today."

This speech caused quite a buzz of conversation among the Indians. Grasse, who sat in the middle, turned in his chair and talked with Sitting Bull and Gall.

Swift Bird said "while the skins of the Indians were red, yet he knew that all men, white and red, were equal, and that they had all come together as friends. The same Creator was the father of all. Then he said the Indians had come a long way in the cars, that they were tired and it would be agreeable to them to be excused."

Swift Bear said, "I am an old man, and the wagon I came in has almost killed me. I am tired and want rest. We come here to tell you our objections to the law, but we can not do it to-day. Our heads yet seem to be swaying with the motion of the train."

The Secretary found that the Indians would not go into council then, so he adjourned to Monday. the 15th.

Rev. Alexander Kent, Rev. Simon Domer, Hon. A. J. Willard, C. B. Shaffer, Esq., and Dr. T. A. Bland were a committee from the National Indian Defense Association to attend these councils, with a view to being able to preserve a correct report of the proceedings. On adjournment, Mr. Kent and myself went to the Belvedere Hotel to call on the Indians. We had a talk with some of them through a friendly interpreter, and found them very anxious to get our views of the situation. Other Indians desired to talk with us, but their

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interpreters refused to interpret, and, being pressed for their reason, they said that they were under orders not to interpret for anybody but the Government officials. We learned afterward that this order applied only to members of the Indian Defense Association, and that people who had nothing special to say had no trouble to talk with the Indians. American Horse, chairman of the delegation from Pine Ridge, an able chief, whom I have known personally for many years, was very glad to see me, and at once sent another Indian to bring their interpreter. The interpreter, a half-breed, came, but he positively refused to interpret for American Horse to me, on the ground that his orders forbade it.

We learned from Indians of other delegations and also from letters from chiefs at Rosebud and Pine Ridge, that the Indians who came desired and purposed to talk with Dr. Bland and other friends of the National Indian Defense Association before going into council with the Secretary. They were greatly disappointed at not being able to do so, and not only disappointed, but indignant. They were all familiar with THE COUNCIL FIRE, and desired to visit the office of our paper, but this pleasure was denied them.

On the 15th, at 10 A. M., the council convened, Secretary Vilas presiding, and was opened by Sitting Bull, who said

"My friends, I do not wish to make a long speech. I have but few words to say. I call you my friends because I am one of

your people. I belong to the Government of the United States. As we have our own views of this new law, we wish to speak to you as man to man. I hope everything will be done in a quiet manner. This is all I have to say."

Chief John Grasse followed and spoke for over an hour. He covered all the points of objection to the bill. He "stood by the treaty of 1868, and urged that the Government fulfill its part of that treaty. He did not object to the new law altogether, but to some of its parts. He asked that they be paid \$1.25 per acre. He said that the treaty of 1868 promised schools and teachers for

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twenty years, but they have been furnished only ten years. He pointed out that but a small part of the reservation is fit for farming purposes. He asked that all the lands of the reservation be classed as grazing lands, thus enabling those entitled to 180 acres to get 320 acres. He said that instead of heads of families getting double the amount of land given to the women and children, the latter should have fully as much or more than their fathers. The old man, he argued, would soon die, and, therefore, he did not need so much land; but the young ones had their way to make, and would need all they could get, and then he wanted it distinctly understood that when young people married the woman should not lose her land.

Think of our fathers and grandfathers," he said, waving his hand majestically. "They used to own all of these lands which the White man now lives upon. They were ours once, but we have been driven away from them. We are a poor and ignorant people, and you are the cause of our being poor. Looking back, I say to you that whatever we ask should have due consideration. Put the key which opens our reservation in your pockets for a while. Do not be in a hurry; wait until these matters are well considered. Ascertain first whether, after our lands are gone, we will have enough left to do us."

Mad Bear said that though the Indians had red skins they were one people with the whites, and were all of one blood. He asked that their requests be given due consideration. He spoke of the failure of the Government to faithfully keep the treaties of 1868 and 1876, and asked how they could be expected to enter into still other agreements when the old ones had never been fulfilled.

"Does a man," he asked, "who sells a horse for money to be paid at a future date sell another horse to the same man if he refuses to pay for the first? "

White Swan said he had been a farmer many years, but it did not pay. He never made a dollar farming. He did not want farming lands. The Indians, he said, needed grazing lands, for cattle could be raised and sold for money.

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"Charger complained that the Government never gave the Indians a voice in the details of their treaties, but fixed everything to suit themselves, and then they asked the Indians to agree. He objected to the Santees having any share in the proceeds of the proposed sale. He complained that the lands which had been set apart for his people were not good lands. Much of it, he declared, was dry, sandy, and worthless."

White Ghost and Drifting Goose both spoke of the efforts of the Commissioners to scare the Indians into signing. They had used harsh words to them, and had even taken hold of them and tried to drag them up to the table to sign; but they had refused to be forced to sign.

Swift Bear, No Flesh, Little Chief, and others, said the Indians who have spoken have spoken for all and they indorsed what had been said.

THE GREAT FATHER OFFERS TO COMPROMISE.

On the 17th Secretary Vilas sent for the Indians and told them that he had laid their objections to the bill before the President, and he thought there was ground for some of them, and he was willing to submit better terms than they had been

offered before. First of all, he told them that "the Government wants them to have what is best for them. It spends many millions of dollars each year for them, and it does this because it desires them to improve. Bad men are sometimes in the Indian service, but they do not represent the Government, nor the President. There are men also who think they know more and can do better than the Government itself. They would, perhaps, mislead you; but what you hear from Congress and the President you can rely upon." This certificate of character for the Government did not impress the Indians very greatly in view of the present effort of the Government officers, including the Secretary, to get them to sign an agreement which is now conceded by all to be unjust.

"The most important thing," said the Secretary, "is the opening of the reservation. What you say shows that you are willing to have it opened if the terms and arrangements are satisfactory, and

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I think it should be done. It is probable that whatever might be done, the opening of the reservation can not long be postponed. You are men of sense, and you can see how white people are pressing around your reservation on every side."

The Secretary followed this warning threat with some sensible advice about their adopting the industrial ways of the whites, and then said:

"The President is willing to recommend to Congress, if you will consent to it, that all the land sold during the first three years shall be paid for at \$1 per acre; all that is sold in the next two years shall be paid for at 75 cents an acre, and all taken up after that at 50 cents an acre, all the money to go to the Indians; and, if Congress thought proper, all the land left unsold after five years might be taken by the Government at 50 cents an acre. He proposed that \$2,000,000, instead of \$1,000,000, as in the bill, be put to the credit of the Sioux at once, and \$20 per capita of this paid to them, when they have signed the agreement, if they wanted it, the Santees and Flandreaus not to have any share in their funds. For twenty-five years no taxes should be required from Indians who had allotments in the ceded part of the reservation.

The Secretary said the Indians present could make up their minds as to what they would do, and what they would advise their people to do. If they decided to assent to the act with the changes proposed, he would prepare a paper giving the consent of those present and those on the reservation, on condition that the changes mentioned are made. He would write that paper so that it would hold only on condition Congress makes those changes, and so it will have no effect unless Congress shall make those changes.

Swift Bear, Little Wound, and others said that they could not decide for their people; that they would take back the Secretary's words, which were plain, and would consult their people. The Secretary peremptorily refused to assent to this plan. "Unless," he said, "you give your assent, as far as you are concerned, not to be binding on

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your people, I shall declare the entire negotiation at an end, and so report to Congress."

As the party was dispersing, several of the chiefs approached Secretary Vales and urged the importance of their going back to their people to discuss the present phase of the matter, but he replied emphatically, "No; no; we must make some progress towards a settlement. You must either signify your assent or we will end the whole negotiation. We will have no boy's play."

The Indians returned to their rooms and held a council, and, after two days' deliberations, they decided not to commit themselves or attempt to commit their people, but they also informed the Secretary that they did not think that his proposition could be accepted. They still think that they ought to have \$1.25 an acre for their lands.

Sword, of Pine Ridge, and a few from Lower Brule and Crow Creek agencies, members of the Episcopal Church, were in

favor of accepting the Secretary's offer, but the others stood firmly by what they had said to the Commissioners before coming, and to the Secretary since.

The refusal of the Indians to accept the Secretary's proposition ended their mission here, and after a brief call upon the President they were sent home. The Sioux Commissioners were also sent home. What the next move will be the future alone can tell.

This is, we believe, the first time in the history of our dealings with Indian tribes that the Government has failed to succeed with the peculiar diplomacy it uses in treating with them, the peculiarity being in the fact that the Indians are not consulted in advance, but simply asked to sign the treaties, the terms of which the President, the Secretary of the Interior, Congress, or a commission have decided upon. Sometimes one sort of pressure and sometimes another sort was brought to bear upon the Indians, but whether the representatives of the Government bulldozed or lied to them, or both, they succeeded in getting their lands from them on very easy terms. But times have changed. Twenty years ago President Grant said in his first message that he proposed to see that "henceforth

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the Indians were treated more humanely and justly." This seed sentiment fell in good ground, and has yielded large harvests annually. Before that time the people cared very little about what the Government did, with the Indians, and the press was silent, save that it gave the news about treaties, and when the perfidy of the Government or the avarice and cruelty of its citizens forced war upon the Indians the press and the people denounced them as savages and demanded their extermination.

This was in the days of ignorance, when the press and the people knew no better. Light has come, and lo! a wondrous change. With exceptions so rare as to scarcely be worthy of notice, the newspapers of this country have stood by the Sioux and sharply criticised the representatives of the Government. The press is a good barometer of public opinion, so we know that the people stand by the right of the Sioux to have something to say about the terms and conditions on which they will sell their land, or whether they will sell it at all or not. These Indians know something of this, and it makes their hearts glad. They told Secretary Vilas that they had found out that the white people of this country are not in a big hurry to have this reservation opened to the whites.

" LET THE RED MEN HAVE FAIR PLAY,"

said the Philadelphia Ledger in a headline which formed the text of a leading editorial, which appeared in that paper recently, on the council at Lower Brule, between the Sioux and the United States Commissioners. The editor of the Ledger says that the Indians gave strong and good reasons for not signing the bill.

"Let the Indians have fair play and justice," is the sentiment that pervades the press of the country, and the reading public say, Amen.

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THE COUNCIL FIRE

Was published from January, 1878, to December, 1887'. It was a heavy burden upon us, the receipts for subscriptions not being equal to the cost during any one of the ten years.

We thought it possible that the time had come when it was not so much needed as formerly. We now think that we were mistaken.

THE COUNCIL FIRE was a medium of communication between the Indians and their friends, and the only reliable medium through which many important facts could reach Congressmen and other public men who hold the fate of the Indians

in their hands. Many Congressmen have inquired after it, and have assured us that they miss it greatly.

We therefore deem it a duty to resume its publication, and shall do so next month--December.

We hope that all our old friends will renew their subscriptions, and get as many new subscribers as they can, at \$1.00 a year.

Address- T. A. BLAND,
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Those who receive this pamphlet are kindly asked to read it carefully, and if they believe that its general circulation would promote the cause of justice, we hope that they will contribute to that end by ordering copies for personal distribution, or by contributing toward the expense of sending copies from our office to Congressmen, newspaper editors, ministers, etc. Single copies will be sent to any address for 5 cents; 25 copies for \$1.00; 100 copies for \$3.00; postage paid.

T. A. BLAND,
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