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RATIFIED TREATY NO. 299

DOCUMENTS RELATING TO THE NEGOTIATION OF THE

TREATY OF OCTOBER 17, 1855, WITH THE PIEGAN, BLOOD, AND

GROS VENTRES BANDS OF BLACKFEET INDIANS, UPPER PEND d'OREILLES,

AND KUTENAI BANDS OF FLATHEAD INDIANS, AND NEZ PERCE INDIANS

Washn Ter. 1062

Gov. of Washington
Ft. Benton Aug. 30. 55

Reports his arrival
at Fort Benton and the
arrangements made
by him for the Black-
foot Council

Rec'd September 1. 55

Fdc.

Wm

Fort Benton Aug. 30th, 1855.

Hon. Geo. W. Manypenny
Commissioner of Indian Affairs,
Washington, D.C.

Sir:

Referring to my communication from the Bitter Root valley of the 6th July, I have to report that the express despatched to Fort Benton returned the following day as I anticipated, bringing no information whatever as to the progress of the party up the Missouri, and informing me that an express was started immediately from Fort Benton to gain the desired information.

After making arrangements for sending the Flatheads, Pend d'oreilles, Kootenays and Nez Perces, in charge of Special Agent Adams and Sub Agent Tappan, slowly by several routes to a common point of assemblage in the vicinity of the "Deer Lodge", and thence up the valley of the Little Blackfoot river and over a well known trail to Buffalo on the Muscleshell and towards the Yellowstone, and for communicating with them as they issued from the mountains, I started for this place on the 18th July and arrived here on the 25th of the same month. Here I was engaged for nearly a week in intercepting and sending back war parties against the Crows, and sending word to the Gros Ventres and the Tribes of the Blackfoot nation, to keep in Buffalo, make all the meat they could, and be in readiness to attend the council. On the 4th instant I received through the express of Harvey, Primeau & Co. a letter from Col. Cumming dated the 27th of July informing me of his arrival at Fort Union and of his intended

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departure the next day for Fort Benton. My dispatches reached Fort Union the 4th day of the departure of the express giving information of Col. Cumming and I reached this place on the 8th instant with a copy of your instructions. I met Col. Cumming on Milk River and there we organized the commission. Our official report of this date will with this report connect our joint operations with the special field in relation to which I have reported from time to time.

I am, Sir; very respectfully,
Your most obedient
Isaac I. Stevens
Gov. Wash. Ter. & Commissioner.

Blackfeet — 1756-1

Gov. of Washington
Olympia Feby 23. 56

Forwards the original Records of the Blackfoot proceedings of the Council and a certified copy of their approved Record for Com. Cumming. — Calls attention to certain points of difference of opinion upon which the Chiefs were at variance &c

Rec'd April 17. 56

File

Ans

Executive Office
Olympia W. T.
July. 23d 1856.

Hon. Gen. H. Mansfield.
Commissioner of Indian Affairs
Washington
D.C.

Sir.

In accordance with the decision of the Commissioner to hold the Blackfoot Council on the last day of his session Sept. 22d 1855, I forward herewith the original records of the Official Proceedings of the Blackfoot Council, duly certified to and approved, together with the original papers recorded, and a certified copy of the approved records for Commissioner Cumming.

I must respectfully call your especial attention to the various points upon which the Commissioner differed, which, together with their views thereon are very fully set forth in the Official Journal.

They differed upon the constructions to be placed upon the instructions given Commissioner Cumming by the Department. Gov. Stevens being

of opinion that they conferred no authority upon Commissioners Cumming to warrant him in assuming to be senior Commissioner, which ground he maintained, while Comm'r Cumming was of contrary opinion.

They differed upon the boundaries of the Blackfoot County, and how far they were bound by the Treaty of Laramie, and upon the character of the County and its people.

They differed widely at variance upon the amounts to be appropriated for the Blackfoot Nation, and after much discussion a Compromise was effected, by inserting a proviso in the Treaty, that if the amount provided for should be deemed insufficient by the President and Senate, it might be increased to the amount contended for by Comm'r Stevens. The attention of the Department is called particularly to this point.

There occurring other points of difference which will appear on reference to the Records.

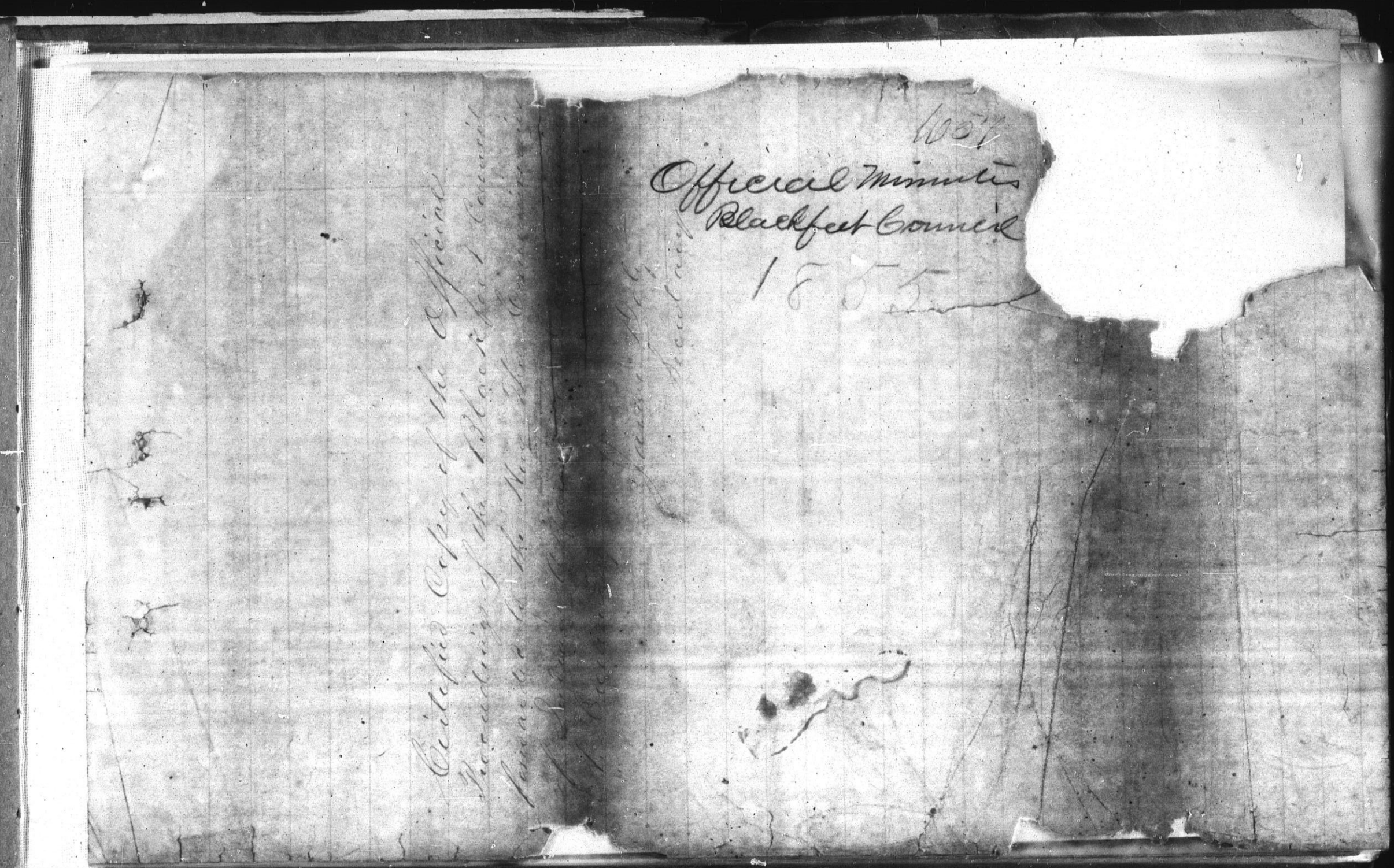
My time is so completely occupied with making necessary arrangements for carrying on the existing Indian War, and the fact that we start early tomorrow morning for the Camp of the Volunteer forces, precludes my doing more than briefly calling the attention of the Department

ment to the Official Proceedings.

I trust by the next mail to be able to forward an elaborate report upon the whole proceedings of the Council.

I am Very Respectfully
Your Obdt. Sert.

Isaac D. Stevens
Gov. & Supt. Ind. Affairs


Official Minutes
Blackfeet Council
1855

Official Proceedings of the Commission appointed to hold a council with the Blackfeet, and other Indian Tribes on the Head Waters of the Missouri River, in the year 1853. &c

On saturday morning August 11th 1853. Gov. I. I. Stevens Supt. Indian affairs and Commissioner with a small party, left his camp on the Teton River near Fort Benton, and proceeded towards the crossing of Milk River, with the view of meeting Col. A. Cumming, Supt. Indian Affairs and Commissioner, then on his way from Fort Union to Fort Benton.

On tuesday, August 14th, the Commissioners met at "the houses" on Milk River, and there encamped.

August 15th Wednesday

The Commissioners met at 7 am. and the Commission duly organized by the appointment of the following Officers.

James Doty Esq. to be Secretary from this date, and until the termination of the sessions of the Commission, at the point where the Blackfoot Council may be held, at a salary at the rate of $150. per month.

Henry Kennerly Esq. Assistant for the same period at a salary of $2.50 per day.

Gov. Stevens proposed that in view of the great length of time which must be required for the Government goods, now coming up the Missouri in boats to reach Fort Benton, one of the boats should be loaded with provisions,

tobacco, and such goods as would be needed on opening the Council, and pushed forward with a strong force to the mouth of the Judith River, at some the point to be selected for the Council Ground.

Col. Cumming would assent to this proposition, provided, Mr. Culbertson, representing the Contractors for bringing up the goods, would assent in writing, thereto and that it should not affect the contract for transportation made with P. Choteau & Co.

Mr. Culbertson being called upon, would not enter into such an agreement.

Col. Cumming then proposed that this Commission adjourn to meet again at Fort Benton, when if the Contractor would agree to deliver the Council goods at some point below Fort Benton, he would be willing to hold the Council at such point as may hereafter be agreed upon.

The Commission then adjourned to meet again at Fort Benton when the Commissioners should reach that point.

Fort Benton, August 24th Friday.

The Commission met at 10. Am. and organized. Several informal meetings had been held since the previous session.

After a very full discussion of several questions that of inviting a delegation of Crow Indian Chiefs to be present at the Blackfoot Council, provided the Blackfeet should invite them, was taken up, and it was agreed upon to despatch a messenger to the Gros Ventres camp near the Muscleshell river, to confer with them and obtain their consent, then to proceed to the Flatheads and Nez Perce camps, ascertain their views and if deemed safe, and expedient, then in company with Chiefs of those tribes, to visit the Crows, supposed to be near the Flathead, and Nez Perce camp, and invite a Delegation of their principal chiefs to be present at, and participate in the Council

to be held with the Blackfeet and other Tribes. Instructions will be furnished the messenger by the Commission.

It was also agreed upon to despatch a messenger to the boats bringing up the goods for the council, with the view of ascertaining their present position, and probable time of arrival.

It was agreed to defer despatching a messenger to the Northern Blackfeet supposed to be located at this time on Bow river, near the Cypress Mountains, until such time as Mr. James Bird, an intelligent man who has been some time in their camps, and is daily expected at this place, should arrive.

The Commission then adjourned at 12 M.

August 25th Saturday

The Commission met at 9 AM and organized. The subject of instructions to the messenger about to be despatched to the Crow Indians was taken up. Mr Thomas Adams was selected as the messenger, and the following letter of instructions agreed upon, and ordered enrolled in the journal of Office proceedings

Office of the Commission
Fort Benton, August 25th 1855

Mr Thomas Adams,

Sir,

The Commission appointed to hold a council with the Blackfeet and other tribes, are desirous, if practicable, that a Delegation of the Crow Indian Chiefs should be present at, and participate in, that Council. With the view of acquainting them with the wish of the Commissioners, and rendering their visit to the Council Ground safe to them as against any hostile acts, on the part of the Blackfeet it has been determined upon by the Commissioners to

despatch a Messenger to the Crows. You have been selected for that duty. Hugh Monroe, will accompany you as United States Interpreter to the Gros Ventres camp, and then return with despatches. Two men are assigned to you for ordinary camp duty. You will be accompanied by Mr. Wm. Craig, Benj. Kiger, Delaware Jim, and the Pend d'Oreille Indians.

You will first proceed to the Gros Ventres camp, supposed to be at this time near the Muscle Shell river, confer with their chiefs and principal men, and procure from them, if possible, an invitation to the Crows to be present at the Council, and three, or more, of their chiefs should accompany you, to give the invitation in person. The Pegan chiefs Low Horn Little Dog, Bear chief, and Big Snake, with their bands, are supposed to be with the Gros Ventres camp, and you will also endeavour to obtain an invitation from them, and induce them to accompany you.

You will next proceed to the Flathead an Nez Perce camp, supposed to be in the vicinity of the Gros Ventres, and perhaps with them, confer with them on this subject, and if it is deemed expedient, to extend an invitation to the Crows, take with you some of their chiefs.

A Delegation of the principal chiefs of the Crows, is desired, and in case they accept an invitation they should proceed at once to the Flathead and Nez Perce camp, and there await an Express from the Commissioners, informing them further as to the time and place of holding the Council, & afterwards regulate their movements by that of the camp they are with.

Upon the accomplishment of your mission, the party accompanying you will remain at the Flat Head, and Nez Percè camp, and you will yourself return to this point, or despatch a reliable Messenger with full information, in writing, as to your proceedings, and their result, as in your judgment may seem best.

The great object of your mission, is,

To communicate to the Crows the intention of the Council, which is, to establish permanent relations of amity between the Gros Ventres and Blackfeet, on the one hand and the Crows, Flat Heads and Nez Perces, on the other.

Mr Tappan the Agent of the Nez Perces, will be instructed to co-operate with you in the accomplishment of this object.

By order of the Commissioners

Very Respectfully,

Your Obt. Servt.

James Doty,

Secretary of the Commission

The Commissioners deemed it advisable to send by Mr. Adams the following letter to W. H. Tappan Esq., Agent in charge of the Nez Perces, advising him of the object of Mr Adams' Mission, and Enclosing a copy of his instructions, and ordered it on record.

Office of the Commission,

Fort Benton, Augt 25th, 1853.

W. H. Tappan Esq.

Sub. Agent, Nez Perce Tribe;

Sir;

The Commissioners to hold the Blackfoot Council have determined to invite the Crows to participate in that Council, and have selected Thomas Adams Esq. a Messenger to transact the business. You are instructed to co-operate with him Mr Adams, and you will find enclosed a copy of the instructions to him.

By order of the Commissioners

Very Respectfully,

Your Obt. Servt.

James Doty

Secretary of the Commission

The minutes of the meeting were read over, and approved, and the Commission then adjourned.

August 28th Tuesday

The Commission met at 9. am. The question of sending a Mesenger to the boats bringing up the Council goods for information as to progress &c. was taken up and it was decided to despatch an express to day. The secretary was directed to prepare letters to Major E.A. Hatch agent of the Blackfeet in charge of goods, and to Mr Kip agent of the Contractors in charge of the boats, which were read and approved, and are as follows.

Office of the Commission
Fort Benton Augt 28th 1855.

Major E.A.C. Hatch
Agent for the Blackfeet in charge of goods &c.

Sir;

The Commissioners for holding the Blackfoot Council have met at this point and organized the Commission for the transaction of business.

In view of arriving at the probable time of holding the Council, they are desirous of obtaining information as to the time the goods in your charge may be expected to arrive and have therefore despatched the bearer as an express to the boats. You will please furnish as full information as possible, of your progress up to the time this express meets you; of obstacles encountered, and de- your detentions, if any, and the causes thereof, and the probability of their continuance or not; the probable time of your reaching the Muscle Shell river, the Judith, and this point, and generally all such information as you may be able to communicate concerning the progress of the boats, and their probable time of arrival.

Gov: Stevens has kindly offered you the use of two

horses to come to this point should you wish to do so, and the Expressman will deliver them to you.

By order of the Commission
Very Respectfully
Your Obedient Servant
James Doty
Secretary of the Commission.

Office of the Commission
Fort Benton, Augt 28th 1855

Mr. Kip,

Sir;

Gov. Stevens has arrived at this point, and the Commission for holding a Council with the Blackfeet is organized.

I am anxious to learn at what time the goods for the council may reasonably be expected to reach this point. Please give me full information of your progress from point to point up to the time this reaches you; the delays you have met with, by what caused, and the probability of their recurring again or not; the time you expect to reach the Muscle Shell, the Judith, and this point, and information generally touching the progress of the boats, as to depth of water, draft of boats, &c, &c.

The river at this point is falling slowly, say four to five inches in the last week, but it has previously raised somewhat from a heavy rain.

Very Respectfully
Your Obt Servt
(Signed) A. Cumming
Superintendent of Indian Affairs
and Commissioner

August 29th Wednesday.

The Commission met in the afternoon and decided to address a letter to the Commissioner of Indian Affairs giving information up to date. The letter was prepared and will be sent by a return express, received by Gov. Stevens from Olympia, and is as follows.

Office of the Commission
Fort Benton, Augt. 29th 1855.

Sir;

The undersigned, Commissioners to hold the Blackfoot Council, met and organized on the 14th inst. at Milk river, by the appointment of James Doty Esq. Secretary, and Henry Kennerly Esq. Assistant. Information was given by Gov. Stevens to the Commission, that Supt Palmer of Oregon, would not be present at the Council.

On Col Cumming's reaching Fort Union, the necessary arrangements were made for despatching the goods in Keel boats, the water having fallen in a few days, three feet, and giving as reported by the Capt of the Steamer, a depth of less than two feet in the channel, impracticable for the steamer which has a greater draft, as declared by Mr Charles Choteau, one of the firm of P. Choteau Jr & Co, contractors, in charge. These boats left Ft Union, on the 18th July.

Gov. Stevens reaches Fort Benton on the 26th July, having previously made with the hunting tribes, west of the Mountains, the necessary arrangements to move them to good Buffalo grounds, whence they will be sent for to the Council, and on his arrival he communicated with the Gros Ventres, and the several tribes of the Blackfoot Nation to the same end.

Since the organization of the Commission, a messenger has been despatched to the Crows to invite them to be present at and participate in the council, and communications have been had with the Gros Ventres, a portion of the Piegans, and the hunting tribes west of the Mountains. On the arrival of

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an interpreter from the Northern tribes, James Bird Esq, who is daily expected, regular communications will be opened with the remaining tribes, and bands of the Blackfoot Nation.

A messenger was despatched yesterday, to get accurate information of the progress and probable arrival of the boats, and on his return, the place and time of holding the Council will be determined upon, and the necessary measures taken to bring the Indians to the Council Ground at the appointed time.

The Commissioners feel confident that success will crown their efforts in the arduous duty entrusted to them, and they beg to assure the Department that no exertions on their part will be spared to accomplish the beneficent designs of the Government. Especially will they be mindful of the injunctions of the Department that our consultations and proceedings be characterised by wise deliberations, and entire harmony.

We are Sir, Very Respectfully
Your Most Obedient Servants
(Signed) A. Cumming
Isaac I. Stevens
Commissioners

Hon Geo. W. Manypenny
Commissioner of Indian Affairs
Washington. D.C.

August 31st Friday

The Commission met at 9 am. Information was laid before the Commission, that four horses belonging to four Pend d'Oreille Indians who arrived yesterday, from the Pend d'Oreille camp, on Jocko, to the Commissioners, has been stolen by two north Piegan warriors who had for several days been loitering around Fort Benton.

[illegible] the Blackfoot camps [illegible] and to confer with the Indians and make the necessary arrangements for bringing them to the Council. Mr. Doty the secretary of this Commission was selected for this duty, and receives the following letter of instructions.

Office of the Commission
Fort Benton Augt 31st 1855.

James Doty Esq.
Secty of the Commission to hold the Blackfoot Council

Sir;

The Commissioners to hold the Blackfoot Council have selected you to go North to confer with the Tribes and Bands of the Blackfoot Nation, and make with them the necessary arrangements to secure their presence at the approaching council.

The attendance of all the Tribes and Bands who frequent the American Trading Posts, and hunt on American Soil, is desired; and you are instructed to call together the several Bands as you meet them, lay before them the great object of the Council, which is set forth in the letter of instructions to Mr Adams in the duty recently assigned to him of assembling the Crows, and have such an understanding that messengers despatched from this place, say in 15, or 20 days, from this time, shall be able to find them, and they be at once prepared to move to the Council Ground.

It is hoped that you will be able to secure the services of James Bird who is now in those camps, both as your own interpreter in the discharge of the duty assigned to you, and as an interpreter for the Commission. Employment has already been offered him, in a letter from Gov. Stevens, and he may be met on his way to Fort Benton. Another most important duty which the Commissioners deem important to assign to you, is the

recovery of the four Flat Head horses stolen last night by two men of the Northern Tribes. You will demand their delivery from the Chiefs of the Bands with which they may be found, and take the necessary steps to secure their safe delivery at Fort Benton.

Mr Jackson is assigned to you as an assistant in these duties, and if in your judgement after securing the services of the interpreter Bird, and conferring with the Bands nearest to this point, the remaining portion of the work can be discharged by him, you will place it in his hands with such instructions as in your judgement will best promote the views of the Commissioners, and return immediately to this place. The Little Dog, will accompany you as a guide, and upon his exertions and fidelity great reliance is placed.

We are, Sir, Very Respectfully
Your Most Obedient
(Signed) A. Cumming
Isaac I. Stevens
Commissioners

The Commission then adjourned.

September 22nd Saturday.

The Commission met at 12 M. Several communications addressed to the Secretary, to be laid before the Commission, were presented to the Commission and considered.

The report of Secretary Doty, upon his mission to the North camps was approved and ordered on record, and is as follows.

Office of the Commission
Fort Benton,
September 19th 1855.

The Honorable,
The Commissioners to hold the Blackfoot Council,
Gentlemen,

In compliance with your instructions of August 31st directing me to go north to confer with the Tribes and Bands of the Blackfoot Nation, and make the necessary arrangements to secure their presence at the approaching council," I left this point in the evening of that day, and have the honor to submit the following report of my operations.

Leaving Fort Benton on the evening of the 31st August, accompanied by Mr. A.C. Jackson, who had been assigned to me as an Assistant, and a Piegan Indian as guide, encamped at a late hour on the Teton river, having made 14 miles. When some eight miles from the Fort, the Piegan guide declined going any further, and I therefore directed Mr Jackson to return to the Fort, and procure another guide, in this he was successful, and reached my camp at 11 P.M.

Saturday Sept. 1st.

We leave the Teton at this point and pass over a high plain, destitute of wood, but covered with a luxuriant growth of Buffalo grass. Our course was due north, true, and in 35 miles reached Maria's river.

Travelling up 8 miles we encamped in a fine point of cottonwood timber of a tall straight growth. The valley of this stream is from one half a mile to two miles in width, well timbered with cottonwood, and having a soil of reddish, or ash coloured loam which in many places appears well adapted to agricultural purposes. Maria's river is here about 70 yards wide, and 2½ feet deep at the ford with a three mile current. The indian name of the river is Kaj-i-you-ses-sak-ti, or Bear's river.

Sunday Sept. 2d

Passed up the river to a small creek coming in from the north. Our course was then up this creek, which is now dry, except in pool of brackish water.

It has no timber after one mile above its mouth. In 50 miles reached the source of this Creek, and encamped in a fine grove of Cottonwood, Box Alder, and Willow, in which are several springs of excellent water. Our camp is at the base of the most westerly of the "Three Buttes"

The Atmosphere is so smoky or hazy, that we had been unable to discover this lofty land mark, visible in clear weather at a distance of more than 100 miles, until within 20 miles of its summit.

Monday, Sept. 3d.

Just as we were starting the Little Dog, and a Piegan warrior came to camp, bringing a note from Gov: Stevens, saying that he had furnished him with a horse, and sent him as a guide. The Little Dog, could discover no traces of the stolen Flat Head horses, and thinks they have been taken to the north camps.

We pursued our course due north, over a broken country, and in 15 miles croped the Dividing Ridge, between the Marias and Milk Rivers, and struck upon the head of a Ravine, or "Coulée", as they are called in this country, having perpendicular walls 150 feet high of white and red sandstone. Following down this Coulée we found a small stream flowing to Milk River, and considerable cotton wood of the narrow-leaved species. There were traces of old encampments, and the Little Dog said the Blood Indians were encamped here last winter. In 5 miles more we struck Milk River, (indian name Ke-nock-ses-sak-ti,) at a place called "The Writing", which I had often heard spoken of by the Indians as a locality where white men had many years ago written upon the rocks, and I determined to avail myself of this opportunity to examine into the matter carefully. "The Writing", whatever they once were, are now nothing more than a rang of sand

Stone rocks 30 to 60 feet in height, parallel to the river and distant ¼ of a mile. They are worn by the action of the weather into a thousand fantastic shapes, presenting, in places, a smooth perpendicular surface, covered with rude hieroglyphics, and representations of men, horses, guns, bows, shields, etc. in the usual Indian style. No doubt this has been done by wandering war parties who have here recounted their "coups" in feats of war, and horse stealing, and inscribed them upon these rocks, in the same manner as they are often seen painted on their "Medicine Robes", and the lining of lodges. Were there ever upon these rocks writings done by the hands of white men, time has long since obliterated them. Paking up the river one mile we encamped having made to-day only 20 miles, but our guide says there is no wood, or water, for a long day's march beyond.

Tuesday, Sept. 4th

Passed from the river valley to a high, level plain, of different character from that on the South of Milk River. The soil is a sandy loam; the grass although very short, forms a heavy turf, & the Prickly Pear has disappeared. Pursuing our course due N. true, in 20 miles came to a Lake 6 miles long by two broad. Its shores are gravelly and water clear, but I named it "Stinking Lake" because at the distance of a mile, we perceived from it an offensive odor of Carburetted Hydrogen Gas. The Indians call this Pah-kah-kee, or unlucky water, from having lost a number of horses when encamped here some year's since, and they thought the water killed them. Our Indians, and the horses, however, drank of it and experienced no bad effects. Here we saw the first Buffalo, and during the afternoon were passing through large bands.

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We rode rapidly hoping to make Belly river, where the Lodges are supposed to be, but at 7. P.M. having Travelled 55 miles, we halted at a small pool of rain water.

Wednesday, Sept. 5th

Night and morning cloudy and cold. Pushing on, at 12 miles we struck Mo-ko-un, or Belly river, about 15 miles above its junction with Bow river. The stream is here 150 yards wide, and 6 is deep, with a current of 4 miles per hour. Water clear, and cold. The shores are gravelly, & sloping. The River is subject to an ordinary rise of 10 feet, and to extraordinary freshets of 30 feet, as shown by the pine drift-wood scattered over the valley. There is no timber on the river, for some distance above, and below this point. Having breakfasted, we were again moving. Our Indians declared, from traces they could discover, that the camps were up the River and accordingly we pushed rapidly in that direction. In eight miles crossed the River at a shallow ford, and in 15 miles more came in sight of Indians, on the opposite side, moving up. Crossed and learned that it was the South Piegan camp under the lead of the Lame Bull, who was encamped some distance above. Learned also that Mr Bird, whom I relied upon as an interpreter was with the Lame Bull, and that the Flathead horses recently stolen had this day been brought to this camp. I did not stop at the first lodges, but pushed on to have an interview with the head chief. In some ten miles came in sight of the upper camp. The Lame Bull, and Mr. James Bird came out to meet me, and the chief invited us to his Lodge.

In accordance with your instructions, I immediately

secured the services of Mr Bird as Interpreter. The principal Chiefs were at once assembled, and I stated to them that the Commissioners to hold the Blackfoot Council, had sent me to confer with all the Blackfeet and invite them to be present at the council. I would give them full information concerning the council, but there was another matter to be spoken of first. It was this: Two of their young men had stolen four horses from some Flat Heads who were coming to make a treaty of peace with the Blackfeet, and who were on a visit to the Commissioners at Fort Benton, at the time the horses were stolen. They were stolen from the Soldier Chief's band of horses, where they had been placed by his direction, & he regarded them as his own. The Commissioners, or Soldier Chiefs, did not think the Blackfeet Chiefs intended to countenance such conduct on the part of their young men, but that they desired to keep good faith with the Indians who came to the Council, and therefore they had sent me for the horses, presuming that they would be delivered up without hesitation.

I then reminded the Chiefs that I had been a long time in their country; that we had always been good friends; that they had never stolen the horses left in my charge, nor those of my Indian friends who came to visit me, and I did not think that they would be left friendly now. I believed the Chiefs would set this matter right. And I now asked them to take the stolen horses now in their camp, and deliver them to me to be sent to the Fort. I did not wish them to purchase the horses from those who had them, but to seize them, and say to the young men, "you may steal, but you shall not keep what you steal, in this camp."

The Chiefs replied that the matter would be attended to, and the Council adjourned until to-morrow, when I propose talking to them concerning the Great Council.

In the evening the Lame Bull informed me that three of the horses had been given up, and were in the hands of the Little Dog. The fourth horse had been taken by the man who stole it, to the North, and he thought could not be recovered, therefore in place of it he gave the Flat Heads a good horse of his own, which would be brought to me in the morning.

I accepted invitations to the lodge of several Chiefs, among whom was the Star Robe, a great Gros Ventres Chief, who has abandoned his people to live with the Piegans.

Thursday, Sept. 6th

The Indian camp numbering some 280 lodges are scattered along the River for a distance of 12 miles. They consist of about 200 lodges of South Piegans, and 80 lodges of North Piegans, & Blackfeet.

The Lame Bull's camp of 62 lodges was about the centre, and here I invited the principal Chiefs to meet me. At 10. am they had assembled, and I stated to them fully the object of my visit. The Chiefs names are as follows, and they rank as they are placed, viz; 1st, 2d, 3d &c:

The Lame Bull Mountain Chief Middle Sitter The Iron Shirt Kitch-e-pone-istah Many Shields The White Bull	South Piegans excepting the Mountain Chief, North Pigan

The Fox (Blood Indian)
The Star Robe } Two Ventres mon joined with the Piegans.
The Iron Flag }
and there were present twenty two other Chiefs and head men.

It is presumed to be unnecessary to state in detail my remarks to the Indians. The Council, the benefits accruing to them in case they made a Peace and faithfully observed its stipulations, and the necessity that all the Blackfeet who hunt, or trade on American soil, should be present at the council, were fully explained.

The question was put to them, after stating the proposition of bringing the Crow Indians into the Council, — whether they would guarantee them safety in person and property. They were made to understand that the persons and property of all the Western Indians who visited the Council, were under the protection of the Commissioner, who looked to the chiefs of the Blackfoot Nation to prevent their young men from injuring those Indians in any manner, and, in case they should, to make full compensation therefor.

They were directed to recognize Mr Bird as United States Interpreter, and to place confidence in what he should say to them, on the part of the Commissioners.

They were requested to make arrangements to collect at the Writings on Milk River in 12 days from this time, and appoint the place they would move to within 5 days of the Fort, where a messenger could meet them with news of the time and place of holding the Council. They were recommended to continue hunting, in the meantime, and supply themselves amply with meat. In reply, the Chiefs unanimously

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expressed great satisfaction at what they had heard.

They were glad to hear these things from an old friend, because now they could believe them. Were willing to meet the Crows and by and make Peace with them; would pledge themselves for their safety, and that they should go home on as good horses as they came on. The same with regard to the Western Indians

They would collect at the "writings", as I proposed, and move slowly to Maria's River, whence they could easily reach the Fort in five days. They were glad to have Mr Bird as an Interpreter, because he spoke the language well, and they had confidence in him.

They already had a good supply of meat, but would make more so as to give some to the "Soldiers Chiefs", the Forts, and other Indians who were poor.

The Chiefs then said they wished to inquire concerning some bad stories that had been told them, and which had given them much trouble. The following appears to be the substance of the most important ones.

When the Piegans, Bloods, and Blackfeet, and Gros Ventres were encamped together near the Cypress Mountains, some time in July last, intending so to remain until the period of holding the Blackfoot Council, and attend it in a body, some Blood Indian warriors came from Forts Benton and Campbell, to the camp, and stated, that a white man at one of the Forts had told them that three boats were coming up the River loaded with goods. Two boat loads were for the purchase of all the lands of the Blackfoot Nation. Their lands and hunting grounds south of the Missouri River, would be given to the Flat Heads, Pends-Oreilles, and Nez Perces for a home, and the remaining boat load of goods as presents. All the rest of the Blackfoot country

themselves, and would urge [illegible] to
more north, beyond the buffalo range, & permitting
them to come into this country to hunt, or trade.

This story was much debated upon by the Chiefs of the combined camps, and indeed in the breaking up of the camp, the dispersing in various directions, of the Bloods, Piegans, and Blackfeet, and a determination on the part of many not to go to a council where that would be required of them which they would never assent to. The Chiefs anxiously enquired if this was true.

I assured them that there was no truth in it whatever, and reminded them that I had often told them not to believe any stories they heard from the Forts concerning Government business.

The Commissioners did not employ the people at the Forts, to tell the Indians what kind of a Treaty they wished to make; they sent messengers to speak directly to the Indians. Now all the Indians were requested to come to the Council and hear from the Commissioners themselves what the President wished the Indians to agree to, and what he was willing to do for them, provided they listened to his advice.

The Indians expressed much pleasure at hearing this explanation, and said their path was now straight to go to the council, and take the advice of the "Great Soldier Chief" – meaning the President and the council then adjourned.

Having concluded my business here, & learning that there was a large camp of Indians on Bow River – supposed to consist of all the Bloods, and 120 Lodges of North Piegans, and Blackfeet – I determined to proceed there and accordingly started from Same Bulls camp at 11 A.M. accompanied by Interpreter Bird, Mr Jackson, my Indian guide, and a Piegan

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Chief named Kitch-e-pone-istah, who had lately been at the north camps, and who volunteered his services to guide me there. The Little Dog had declined going, having had difficulty with a Blood Indian Chief, whom he expected to meet there, and not wishing to renew the quarrel among his own people. We took with us no pack animal, each carrying a blanket and some meat on his saddle.

Crossed the River and travelled 11 miles up a small creek destitute of woods. Leaving the creek, and taking a course N 10° W, true, variation 19° East, in 19 miles reached a small marshy lake and encamped, having travelled seven hours, and made by my estimate 30 miles.

Friday, Sept. 7th

Morning rainy, and cold. We started early, and in 20 miles struck Bow River at the point where we supposed the Lodges to be, but found that they had removed some days since. Took breakfast at an old encampment on the plains. After which we pushed on up the river and in 15 miles reached a point of Cotton wood, where had been another Encampment.

Following the lodge trail, in 15 miles more arrived at the Lodges. The High Bull a Blackfoot chief came out to meet us and invited us to his Lodge, where we passed the night. I at once despatched Kitch-e-pone-istah across the river – the larger portion of the camp being on that side, – to demand of the chief, the stolen Flat Head horse, supposed to be in their camp, and to inform them that I would cross the river, and hold a council with them in the morning. There are on this side of the River, 30 Lodges of the Blackfeet proper, and on the opposite side 90 [illegible] Lodges Indians, 70 North Piegans, and 20 Black [illegible] camp had

appointed to-morrow as [illegible] up camp
and moving North in c[illegible] Buffalo as there are
none here and the Indians are "starving". The main
camp of Blood Indians, - some 200 lodges, - have
not been heard from since they parted from this
camp at the Cypress Mountain, but are supposed to
be moving towards the Three Buttes to join the Lame Bull

In the evening I had a council with the Indians
on this side at which several Chiefs from the opposite
side were present. The same remarks, in substance,
were made to them as to the Piegans, and in reply
they expressed much pleasure at what they had
heard and promised to come to the Council if the
camp opposite would do so. Several invitations
were given me and among others, I visited the "Chief
Talker's" Lodge, a principal Blackfoot Chief.
This Indian had a small keg of whiskey - as he
called it - which he obtained from a party of Indians
who had been to the British Post, Edmonton House,
to trade, and had this day returned, with a supply
of rum, and many Indians in the camp opposite
were drinking to excess. He gave me a few drops of
this "whiskey" to taste, and to me it seemed like the
rinsings of a barrel in which might have been
rum at some very ancient date.

Returning to High Bull's Lodge, we found that he
had deserted it to cross the river, and get drunk.

Saturday, Sept. 8th

Borrowed a strong horse, and with Mr.
Bird, crossed Bow river. The ford is 300 yards wide,
the water very swift and so deep as to run over our
saddles for some distance. As we approached the
Lodges several Chiefs met us, and we accompanied
the "Eagle Flag", to the lodge of the "Big Painted Lodge".

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These two are the leading chiefs of this camp of Blood
Indians. Some thirty of the head men were already
assembled, and I at once laid before them the
wishes of the Commissioners. They discussed matters
at great length; some adhering to their determination
to go North, and others wishing to attend the Council.
I urged upon them earnestly the propriety and
necessity of going to the Council &c &c and they finally
agreed to move tomorrow towards Fort Benton, and
collect at "The Writings" by the 25th of September.

Next visited the "Spotted Eagle", a Blackfoot
Chief. He has with him ten lodges, and will come
to the Council. The "Morning Star", with ten lodges
will not come. "The Bull's Head", with 70 lodges,
North Piegans, goes North. He said he was very sorry
that he could not do as the "Soldier Chiefs" wished.
He would like to go to the Council; but there was an
old quarrel between himself and the "Bon Shirt",
a South Piegan, and if they met there would be
murder committed. He did not wish to be engaged
in fighting at the Council, because, if once commenced,
it might not stop with those who began it, and
therefore he would not go. He was friendly to the
Americans, and would keep Peace if the Nation made
one. The Flathead horse I had come for had been
stolen by one of his young men, and brought to his
camp. He, the Chief, had taken the horse from the
thief, and now gave him to me to take to his owner.
In the winter he should go to the American Fort to
trade, and winter near there.

I next called upon the "Man who sits by the Eagles Tail"
chief of a band of 18 lodges of Blood Indians,
called the "Robe Shirts". He said that he was
[illegible] to the whites, [illegible] like to go

cil; but himself [illegible] were [illegible]
[illegible] days to [illegible] and could
go so far. Thus of this Combined Camp there are
100 Lodges which go North, and 110 to the Council.

The Indians who came in yesterday from the North
report that there were 200 lodges of Indians, on Elk
river; viz: 30 of Cercees, and 170 of North Blackfeet,
and that to day they were to move north for Buffalo.
as they are starving. It appearing to me clearly that
these are British Indians, who neither hunt, or trade,
on American soil, I did not, in view of my instructions
deem it my duty to endeavour to bring them to the
Council, and therefore did not proceed to Elk river.

Having concluded my business here, I
determined to return to the Lame Bull's camp, and
start from there in search of the Blood Indians.

We started at 6 P.M. and travelling ten miles
encamped at a small lake. There was a heavy
storm of rain and hail all night.

Sunday, Sept. 9th

Continued raining and very cold.
Rode hard all day and in hopes that we might
reach Belly River, but our Guide became be-
wildered, and lost, and at 8 P.M. we lay down
in the Plain without wood, or wate. Travelled
to day 12 hours, and made 55 miles.

Monday, Sept. 10th

Rained all night and continues
heavily this morning. We started at 4 A.M. rode
fast, and in 18 miles reached Belly River.
Crossed, and passing up 12 miles, reached the
Lame Bull's camp, in whose hospitable lodge, we
were glad to take shelter from the storm.

The Lame Bull informed me that on parting

with the Blood Indian camp, at Cypress Mountain
he arranged with their Chiefs to meet him at the
"Writings", with their people, and join company
to the Council Grounds. Since then he had not
heard from them, but was sure they were coming
to meet him. Two days ago he had despatched
messengers to find the Blood Camp, and expected
them to return in two days from this.

On learning this and after a consideration of the
facts that these Indians were now on their way to
the Council, and therefore it was not imperatively
necessary for me to see them, that to do so would
consume eight or ten days during which, my
presence would be required at the Commissioners
Office, I determined to proceed to morrow to Fort
Benton, leaving Mr Jackson and Mr Bird to visit
the Blood Indians, and make the necessary
arrangements to secure their attendance at the Council.

Ample verbal instructions were given to Mr.
Bird, who thouroughly understands the views of
the Commissioners in relation to the assembling
the Indians for the Council, and also to Mr Jackson
to whom in addition full written instructions were
given.

Friday, Sept. 11th - Should be Tuesday Sept 11th

The Little Dog starts for the Fort this morning
and I have given him charge of the Flat Head horses.
I shall join him accompanied by my guide from the
Fort. The Lame Bull wished me to say that the
Indians had no Tobacco, and if the Commissioners
would send them a little, it would be very acceptable.

Travelled among Buffalo all day. At 8 P.M. not being
able to find water or wood, we lay down in the plain
having come to-day 40 miles.

Wednesday, Sept. 12th "

My horse and one the Little Dog rode had strayed in search of water, and at 2 P.M the Indians not having found them, I sent my guide to Lame Bulls camp to have the chief find them and bring them in, and pressing the Flat Head horses into service pushed on to Milk River; which we reached in 20 miles, at a point 5 miles above the writings, and here we encamped.

Thursday, Sept. 13th "

Rained all last night, and continues this morning: Started late as the Flat Head horses are foot-sore, and need rest. The Little Dog went to search for my horse on the trail by which we came out, and in the afternoon I was not sorry to see him coming towards us with the runaways. The horses had taken the trail for the Fort, their home-for the time being- and, as the Little Dog said, had encamped at the same place we encamped coming out. I at once put them in service and at sundown we reached our former camp, at the Island called by the Indians Ace-tokes-kit-see, or the only place of woods.

Made to day 23 miles-

Friday, Sept. 14th "

Started early and in 45 miles struck Maria's River, and encamped.

Saturday, Sept. 15th "

Made an early start and rode fast being determined to reach the Fort, and at Sundown, having travelled 52 miles, we reached the Missouri at Fort Benton, after an absence of 15 days, and having travelled 583 miles. The Flathead horses were returned to their rightful owners, at Governor Steven's Camp.

Very Respectfully, Yr. Obt. Srvt

James Doty

Secretary of Blackfoot Council

The Report of Thomas Adams Esq. received by the hand of Interpreter Monroe, on the 17th inst, was considered, and ordered on record, and is as follows.

Muscle Shell, Sept. 10th 1853

Gov. Comrs Blackfoot Treaty

Sirs,

Thursday, August 30th "

I arrived at the point where the Gros Ventres were left, but owing to a storm which overtook us, we passed their trail. Supposing that they had moved towards the Flat Heads on the Muscle Shell I moved south, about ten miles, and camping, sent out to find the trail; not finding it I moved again, north, and falling on a small trail I followed it about twenty miles, to the Gros Ventres Camp. - Here I convened the chiefs and laying my errand before them I laid by one day, to induce them to agree to my propositions. They expressed great willingness to meet the Crows, in Council, but unfortunately for a portion of my mission, a war-party had just arrived from the Crow Country, who had killed a Crow Chief, and this made the Gros Ventres afraid to go, although they said, they were only ashamed.

With all my arguments I could not induce any to accompany me. They said however that I might bring any nation into their camp, and they would be answerable for their safety against the attempts of any one. The Piegan Camp was not with them, and they only knew the general direction, in which, I might find them; So, taking two of the Gros Ventres, on Monday Sept. 3d. I started to find them.

After travelling over an almost desert country for three days, I camped with one half of the Piegan camp on the 5th. The "Low Horn" is Chief of this Band.

Although this Chief made the best promises, in regard to his band I could not induce any of them to go further than the Flat Head camp with me. On the 8th inst, I arrived at the combined camp of the Flatheads, Nez-Percés, Snakes, and Little Robes. Here I obtained definite news from the Crows; about two months ago some of the Nez Percés left the Crow country. They tell me that the Crows have the measles among them, and that they have scattered, in small bands into the mountains beyond the Yellow Stone, even as far as the Wind River Mts., and that they (the Crows,) were still dying when the Nez Percés left. Two hundred and sixty seven were already dead, among them eight chiefs and principal men. And moreover these Indians are afraid of the sickness.

Taking all these things into consideration, I have concluded that it would occupy too much time to find the detached bands, having already had some experience of the time it takes to search for Indians, while looking for the three camps which I have visited since leaving Fort Benton.

The Indians also tell me that owing to the uncommon drought, I would have to go a long way around, in order to reach the Yellow Stone, with any prospects of finding water on the route. As yet, the Indians from the other side of the Mountains, have seen but few Buffalo, scarcely enough for their daily consumption.

The Blackfeet have scattered the Buffalo, and I am afraid that the Flat Heads will not be able to make much meat before winter. The Nez Percés, and Snakes have turned back for the Yellow Stone. The Flat Heads, if they find Buffalo, will be on this river for ten or fifteen days longer. At present, I think, we are about ~~fifty~~ sixty miles from the mouth of the Muscle

Shell River. I send enclosed a rough sketch of the route pursued by me, and the probable route of the Flat Heads, and Pends Oreilles.

So far I have been enabled to subsist my party on fresh meat, although occasionally it has numbered fifteen.

A few Nez Percé lodges are with the Flat Heads. I shall accompany the Indians, so long as they approach towards Fort Benton, if they are obliges to go to the Yellow Stone to get meat. I will come to Fort Benton.

I regret exceedingly the course I have felt obliged to take, but trust that it will meet with your approval.

Respectfully
Your Obt. Servt.
(Signed) Thomas Adams
Sp. Ind. Agent

The following letter from Agent Tappan, in charge of the Nez Percés, was also received by Interpreter Monroe. The letter having been written previous to the reception of the instructions from the Commissioners of Aug. 25th will account for its informality as having been addressed to Gov. Stevens as Supt Ind Affairs, instead of to the Commission.

Nez Perce Sept. 6th 1855

Gov: I. I. Stevens,
D: Sir,

There has been difficulty between the Nez Percés, and Snakes, and most of the latter have left. The Flat Heads have also seperated from us. This seperation has been necessary in order to subsist themselves. Game is scarce. The Nez Percés will start to-morrow for the Yellow Stone River. I have thought it best

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to remain with them, unpleasant as this position is, for I cannot now leave them without rendering it absolutely certain that not one will be at the Council

I cannot take them now to your camp, for I understand there is no food there. If the Council is not held within three weeks, I do not believe there will be 12 Ner Perces present. They must have food; they must make robes, and there is no game, unless it be to the South. Moreover, many of the principal men have yet to go to the Dalles, for their winter supplies, and they are anxious to get across the Mountains.

I regret to write so discouragingly, but the truth must be told. I shall anxiously await instructions from you as to the course to be pursued, for as it now is, my position is anything but a comfortable one, and I am anxious to be relieved from this banishment from the pale faces. It will be impossible for me to forward any intelligence unless it be by some part of Blackfeet that we might fall in with.

Truly Your Obt Sert
(Signed) Wm H Tappan
Sub Agt for the Ner Perces.

On the 18th inst the Commissioners having decided to send an Express to the Flatheads and Ner Perces to call them to the Council, the following letters of instruction were forwarded to Messrs Adams and Tappan, on the morning of the 19th inst and is now ordered on record.

Office of the Commissioners
Fort Benton Sept 18th 1855

(C)

Sir:

Your report to the Commissioners was received at 2. P.M yesterday per A Monroe. The failure

reported by you in the great object of your mission is greatly to be deplored. It must be promptly met.

Accordingly the commissioners have decided to send an express to Agent Tappan, now supposed to be on the Yellow Stone River. Higgins with Legree as Voyageur has been selected for this duty. You will direct Mr Craig and Delaware Jim to proceed with Higgins to the Ner Perces camp, and report for duty to Mr Tappan

The Flatheads, Ner Perces, and Ponds Oreille, now in your charge, you will bring immediately to the vicinity of Fort Benton, should it be deemed indispensable to secure their attendance at the Council

The head waters of the Shantier, or Highwood Creeks, flowing from the High wood Mts and distant some 20 miles from here, afford favorable points for encamping the Indians; having accomplished which you will report in person to the Commissioners at this point. The Council, it is hoped, will be held on the 5th of Octo. — it may be a few days later — and if meat can possibly be procured, the Indians should not be brought in until that time. Since your departure Mr Doty has visited the northern camps; The Blackfoot Nation will be present at the Council, and their Chiefs have guaranteed the Western Indians from molestation. The main camp of the Ponds Oreille, under Alexander, is on Deep River, 60 miles from this point, and is in direct communication with the commissioners.

By order of the Commissioners
Very Respectfully
Your Obt Sert
James Doty
Secty. Blackfoot Council

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Thomas Adams Esq
Special Agent
Flat Head Camp

Office of the Commissioners
Fort Benton Sept. 18th 1855

(C)

Sir;

It is confidently hoped that the Blackfoot Council will be held on the 5th day of Octo. - it may be a few days later. You are instructed to bring the Nez Perces to the vicinity of Fort Benton at that time. The head waters of the High Wood, or Shanlier creeks, flowing from the High Wood Mts. afford favorable points for encamping the Indians, having accomplished which you will report in person to the Commissioners at this point.

Should it be practicable for you to visit the Crows camps and secure the attendance of their principal chiefs at the contemplated council - bearing in mind however that this mission must not interfere with, or in any manner delay, the arrival of the Nez Perces at this point - you are instructed as to do. You have a copy of the instructions of the Commissioners to Mr Adams. Mr Doty has recently visited the Northern Blackfoot Camps, who have all agreed to meet the Crows in Council. This will be placed in your hands by Higgins. Legree accompanies him as Voyageur, Mr Craig and Delaware Jim accompany them and will report to you for duty. Jim is a Crow Interpreter. When you are ready to move to Fort Benton send Higgins and Legree ahead with a report of your operations and time of your probable arrival.

By Order of the Commissioners
Very Respectfully
Your Obt. Servt
James Doty
Secretary pr Blackfoot Council

W. H. Tappan Esq
Sub Agt. for the Nez Perces

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A Communication from Govr. Stevens to the Commission, of the 18th inst, was considered, and is as follows;

Camp on the Missouri near Fort Benton
Sept. 18th 1855.

(D)

The undersigned, Commissioner to hold the Blackfoot Council, respectfully submits to the Commission the following views in reference to the appropriations that should be provided for in the contemplated Treaty so far as the Gros Ventres, Piegan, Blood, and Blackfoot Tribes constituting the Blackfoot Nation, are concerned.

The commissioner, in his instructions, indicates that $50.000 annually for ten years would be a proper sum to be provided for in the Treaty; and whilst he mentions a distribution of $35.000 for presents, and $15.000, for farms, schools &c &c, he instructs the commissioners to insert a general provision authorizing the President to apply any or all the annuities to aid the Tribes in Agriculture, Mechanic arts, or in any other respect promotive of their civilization, or Christianization.

The Commissioner evidently considers $50.000 a year, for ten years, a small amount, for in the paragraph next succeeding the above general instruction, he refers to a cession not being wanted, and to the benefits of the Treaty chiefly inuring to the Indians, as reasons why the appropriations annually should be small, and the duration of such appropriations limited. This paragraph was evidently inserted to guard against unnecessarily increasing the amount before indicated, but not as a direct instruction not to increase it if in the judgement of the Commissioner it was necessary.

That this is the view of the Department, is shown in its recent action in recommending for approval to the Senate, many Treaties recently made, which were

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Treaties of cession. Thus a Treaty recently made by Genl. Palmer, with the Indians of the Willammette Valley in Oregon, and confirmed by the President and Senate, provides for appropriations of over $200.000, to be expended during a period of twenty years, and for the benefit of some seven hundred Indians - or nearly three hundred dollars per man, woman, and child.

A Treaty made by Gov. Stevens with some seven hundred Indians at the head of Puget Sounds, and approved by the President and Senate, provides for appropriations for removal, and for presents of $35.750, to be expended in twenty years, and makes provisions for schools, mills, shops, medical attendance &c. equivalent to $55.000, more, amounting to about $130. per man, woman, and child. The Department evidently thought the amount too small, from the estimates, which it submitted to Congress and which were approved by Congress. $5000 was appropriated for buildings being nearly double the amount deemed necessary by Gov: Stevens. Besides the Treaty with the Indians of the Willammette Valley, Genl Palmer has made two other Treaties on the same basis, which have been approved by the President and Senate.

In subsequent Treaties, Genl. Palmer and Gov. Stevens, acting under the instructions clearly to be implied from the confirmation of their previous Treaties, have provided for appropriations of from two hundred to two hundred and fifty dollars per man, woman, and child, and to operate for a period of twenty years. On this basis, Treaties have been made with some six thousand five hundred Indians in Washington & three thousand in Oregon since June 1855, and at the last advices Genl. Palmer was progressing rapidly with his Treaties for the remaining Tribes of Oregon.

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The appointment of Genl. Palmer, as a commissioner to the Blackfoot Council, is an evidence of the confidence of the President in his judgement and experience.

The proposed provision of $500.000 to be expended in a period of ten years, gives about fifty dollars, per man, woman, and child, only from one fourth to one sixth of the amount in the Treaties of cession above referred to. Considering the cessions expected from the Indians in the way of roads &c. &c. the disproportion is as great, if not greater, in the compensation, than in the benefits which enure to the United States.

For these reasons the undersigned is of the opinion, that the amount indicated by the Commissioner should not be diminished, unless it can be shown that a less amount will carry out the views of the Government.

The great object of the Government is, in the words, of the instructions "to make such arrangements as shall "gradually reclaim the Indians from a Nomadic life, "and tend to encourage them to settle in permanent homes, "and obtain their subsistence by agricultural, & other "pursuits of civilized life".

The undersigned is of the opinion that to carry out these views $50.000 should be appropriated annually for ten years, that, $20.000 should be for goods &c. and $30.000 for schools, farms, mills &c.

There are ten thousand Indians in four Tribes. The Gros Ventres speak one language, the Piegans, Bloods, and Blackfeet, quite a different one. The Gros Ventres require a seperate establishment, and considering the number of the other Tribes, two establishments would seem to be quite indispensable to them.

For each establishment, there should be one farmer, one teacher, one carpenter, and wheelwright, one Black-Smith, and four to six laborers. There should be a

house for the farmer, a building for laborers, a building for the teacher and his wife, sufficiently commodious to furnish at least two large rooms for the school, a building for the Blacksmith, and Carpenter, which should also furnish room for a Carpenter's shop, a granary and tool house, and a barn and Corral.

The remaining buildings, as a special building for the school, a building for Indian laborers, a dairy room a root house &c &c., can be added after the establishments are in operation.

There should be a Physicians, and a Hospital for all the Tribes, one tin smith, and one gunsmith with the necessary shops.

One grist mill, one saw mill, and two millers for the Gros Ventres, and the same for the Piegans Bloods and Blackfeet.

When the establishments are fully in operation, each Teacher should have an assistant. Both the Teacher and his assistant should be married men, whose wives should instruct the Indian girls in sewing, knitting, and household work.

To show the expense of carrying out the proposed scheme of improvement, the following plan and estimate is given, according to which four years would be required to put the establishments into complete operation.

Plan

In 1856, send a small party from St. Pauls with wagons, tools, provisions, &c. to break ground in the Fall, and prepare for the buildings, and the farms at one of the Establishments.

In 1857, send up the necessary force and appliances from St Louis to put up the buildings for the first establishment, put it in operation, including one Grist Mill; to break

ground at the second establishment and commence on the buildings at the Agency.

In 1858 send up the additional force and appliances to put the second establishment in operation, to finish the buildings at the Agency, and to break ground for the third establishment.

In 1859, send up the additional force, & appliances to finish all the buildings, and put the three establishments in complete operation.

In 1860, the normal condition and cost of the establishments will be reached, except that it is believed great improvements will be made from year to year in all the arrangements, and that a marked improvement will be exhibited in the Indians themselves.

Estimate.

1856.

1 Farmer $1000; 1 Miller & Millwright (saw mill) $750; 2 House Carpenters $1500:	$ 3.250
1 Blacksmith $750; 8 Laborers $3.000; 15 Yokes of Oxen $1875; 8 Horses $800;	6.425
6 Mules $750; 20 Cows $800; 1 Set Saw Mill Irons $500; 5 Ox Wagons $600;	2.650
1 Mule Wagon & extra harness $150; 3 Breaking Ploughs & extra points $90;	240
Provisions $2000; Hardware for houses, nails, glass, &c, $250	2.250
Farming implements & seeds $250; 1 set Blacksmiths Tools $250	500
Carpenters & Mill wrights tools, saws &c $500; 2 small Crossing Ploughs $25	525
Iron and Steel $50; 1 Bull, $150;	200
	16.040

1857

1 addl. Farmer $1000; 4 addl. Carpenters $3000;	$ 4.000
1 Miller, (Grist Mill) $800; 2 sets Stones & gearing for Grist mill	2.300
1 Miller, (saw mill) $750, 1 set saw mill Irons $500;	1.250
Hardware for all the buildings $5000; 1 Blacksmith	5.750
1 Gunsmith $750; 15 Laborers $5.625; 6 Yokes Oxen $750	7.125
4 Mules $500; 8 Horses $800; 10 Cows $400; 1 Bull $150;	1.850
1 Mule wagon $100: 2 Ox wagons $240	340
Tools for Carpenters, Mill wrights &c $750; Do for farms, axes, hoes, ploughs, seeds &c $2.000	2.750
Provisions (37) Persons —	2.000
	$ 27.365

19.

		$ 27.365
Addl pay of Employees of 1856.		7.000 $ 34.365

1858

2 Teachers $ 2000; 1 Miller for Grist Mill $800; 1 set Stones & gearing for do $1.200	$ 4.000
1 Tin Smith $750; 7 Laborers $2.625; 6 Yokes Oxen $750	4.125
6 Mules $750; 10 Cows $400; 1 Bull $150;	1.300
Tools for Farms, iron & steel $1500; other tools, axes saws &c. $300.	1.800
Furniture for schools $500; 5 wagons $600. seeds $200	1.300
Provisions $2000: 1 Physician $1000. Medicines $200;	3.200
	15.725
Addl pay of Employees of 1856. $7.000	
" " " " 1857 12.675	19.675
	$ 35.400

1859.

1 Teacher $1000; 3 assistants $1800;	$ 2.800
Books, Stationery & furniture for School Rooms	1.200
Medicines $500; 2 Farmers $2.000; 2 Teachers $2.000	4.500
3 Smiths $2.250; 1 Tin Smith $750; 1 Gun Smith $750;	3.750
1 Physician $1.000; 4 Millers (saw & Grist Mills) $3000	4.000
24 Laborers $9.000; 3 Carpenters $2.250	11.250
Horses, Mules, & Cows $1.000; 5 wagons $600	1.600
Agricultural Implements $1000	1.000
other tools, iron, nails &c	1.000
Provisions $2.000; Repairs of mills &c $1.000	3.000 $ 34.100

The above estimates require for the four years the establishments are getting into operation $ 119.805, or, in round numbers $ 30.000 per year.

1860.

3 Teachers $3.000. 3 assistants $1800; 3 Farmers $3000.	$ 7.800
1 Physician $1000; 3 Blacksmiths $2.250	3.250
1 Gun smith $750; 1 Tin smith $750; 4 Millers $3000	4.500
3 Carpenters $2.250; 16 Laborers $6000. for Agency farms building houses for Indians &c &c	8.250

Stock, as Cows, Pigs, & sheep for Indians who make farms, in addition to surplus stock for Agency	$ 1.600
Hardware, iron, steel, nails, stock for the gun smiths	1.500
Seeds $100; Agricultural Implements $500	600
Wagons, & repairs of same $1.000; Provisions $1000	2.000
Books, Stationery, Furniture of school rooms &c	500
	$ 30.000

It is supposed that $ 3000. per year will be required for the remaining five years, since, although it is believed a considerable amount of Indian labor could be counted upon, in 1861, yet the various employees could be profitably employed in opening farms for the Indians and instructing them in their various trades. Any surplus of the $ 30.000 could be expended, should the President deem proper, in building additional school houses, and employing Teachers; or in providing a printing press to print books in their own and the English language, a plan which has been adopted among some Indian Tribes when sufficiently advanced to render it expedient.

Should the amounts estimated for agricultural tools and other implements be deemed insufficient, when the Indians occupy farms of their own, the insulation of the general provision referred to in the first portion of this paper, will enable the President to increase the supply by furnishing them in the annual present of goods, proposed to be made to the Indians.

Probably the increase of stock on the agency farms, will furnish at least one half of the stock required by the Indians as they open farms, and a yearly expenditure, after 1860, of at least $ 1500, will be required for the purchase of additional stock.

The foregoing plan and estimate is presented by the undersigned, simply as an analysis of the expenditures which are involved in teaching the

Indians agriculture, the Mechanic arts, and to fit them for civilised life, and not as of necessity to be adopted by the Indian Department in its administrative disposition of the matter. Thus the President may decide to establish a larger farm for the Blackfeet, (3 Tribes) instead of the two farms of the foregoing plan, or he may ultimately establish three farms, one for each of the three Tribes. In order therefore to give all proper scope to administration, the undersigned will simply propose that $50.000 shall annually be appropriated for ten years, to be applied to whatever beneficial purposes the President may think necessary, the amount to be applied to farms, mills, schools, medical attendance &c. not to be less than $25.000 per year.

The undersigned declines considering $20.000 for goods as a finality, until the whole amount is fixed by the Commission. His proposition was $20.000 for goods &c. and $30.000 for farms &c. He will agree to the modification set forth in the preceeding paragraph.

Respectfully submitted

(Signed) Isaac I. Stevens

Commissioner

James Doty Esq.

Secretary of the Commission.

The following communication from Commissioner Cumming in reply to the communication of Commissioner Stevens, marked (D.) was considered and with the consent of the Commission withdrawn by Com. Cumming for the purpose of making corrections in the phraseology, and error of copying, and on the 25th inst Com. Cumming submitted a paper which he proposed as a substitute therefor. Com. Stevens objected and requested that the original paper withdrawn should be recorded in its appropriate place.

Commissioner Cumming therefore furnished for record a copy of the original paper withdrawn, (E.) submitting the proposed substitute therefor marked (H) as an additional paper in rejoinder to the Communications of Com. Stevens, marked D & F. to be recorded under its proper date of Sept. 25th in the record of which days proceedings it is to be found.

Fort Benton 19th Sept. 1855

(E.)

A. Cumming, the undersigned Commissioner, appointed to negotiate and establish well defined and permanent relations of peace and amity with warlike Tribes of Indians in this region, and between the Tribes as among themselves, and for other purposes specified in the instructions of the Department, (May 3d 1855) respectfully submits to the Commission, his views in reference to the appropriations which should be provided for in the contemplated Treaty, for the benefit of the associated bands of Gros Ventres, Piegans, Blackfeet, and Bloods, who constitute the Blackfoot Nation.

The Department in its instructions authorises the Commission to stipulate for annual presents to the above named Tribes, for ten years in goods, provisions, &c. equal to thirty five thousand dollars in value and to expend in addition annually for their benefit in establishing ~~them~~, and instructing them in mechanical pursuits and in educating their children, the further sum of fifteen thousand dollars.

The undersigned has carefully considered the views and plans submitted to the Commission, by Commissioner Stevens, and was much surprised to perceive that after the Commission had considered the subject, and decided in reference to the amount to be

invested annually in goods, provisions &c: that Com: Stevens declined considering "twenty thousand dollars" for goods, provisions &c: a finality till the whole amount is fixed by the Commission."

Commissioner Cumming considers the limitation of the amount for educational, and agricultural purposes to fifteen thousand dollars by the Department, as a restriction beyond which the Commission cannot act without palpable violation of the letter and spirit of the instructions and is unable to perceive the propriety of making the adherence to an opinion formed after mature deliberation, depend upon the doing of an act unauthorized by the Department.

The Commission is instructed to insert in the contemplated treaty, a general provision authorizing the President to determine the proportions in which the annuities ~~payable to any~~ shall be divided among the Tribes parties to the Treaty, and to apply any or all the annuities payable to any or all the Tribes, if in his judgement it would be best for them; to aid them in agricultural, & mechanical pursuits, or in any other respect promotive of their civilization, and Christianization, the insertion of this provision was wisely ordered as it will enable the Executive to exercise a well defined control over the funds to be appropriated under the treaty for the purchase of presents and if in his judgement it would be best for the Tribes may apply the amount agreed, (twenty thousand dollars) or any part of the same to aid the Indians in any respect.

This provision neither extends nor abridges the authority of the Commission. It is hoped by the undersigned, that the Commission will after proper consideration, realize the necessity of a strict adherence to the instructions, which generously provide for the wants of the savages of this remote and sterile wilderness, and will

remember the objects for which the schools and farms, are proposed to be established which are to promote the civilization of a people not yet emerged from the darkness of primitive barbarism, and not for the purpose of tempting heartless adventurers, under the guise of pretended philanthroplay, to snatch from the Indians benefits conferred by a munificent Government. The undersigned respectfully suggests that the sum of twenty thousand dollars as agreed upon for the purchase of provisions &c: should be inserted as it is obviously the opinion of the Commission that that sum is quite ample for the purpose contemplated. The undersigned believes the Commission cannot exceed the fifteen thousand dollars specified by the Department for farming, mechanical, and educational purposes, without a violation of the letter of instructions, and that to increase the amount proposed and agreed upon to be inserted, in presents, provisions &c: beyond that which is required for the purpose, would be unbecoming the dignity of the Commission, and subject it to well deserved censure.

It is therefore respectfully proposed that the Commission adopt the amount of twenty thousand dollars, per annum for the period of ten years, for the purchase of presents &c: and ten thousand dollars annually for ten years for agricultural, educational, and mechanical purposes, as it is believed that the latter amount is ample for the hiring and provisioning three suitable mechanics, Carpenter, Mason, Blacksmith, and twenty five laborers for one year to be employed in the construction of the houses required for the above purpose in addition to the purchase of a saw mill, tools, nails, fastenings &c:

The number of Mechanics and laborers herein suggested, is deemed quite sufficient as the tenements

must be constructed of Adobes and the only wood work required will be flooring, ceiling, framing for doors, and windows &c &c, and a large number of employees would not be productive of a proportionate increase of labor, and in the event of the ratification of the Treaty, and ten thousand dollars being appropriated for the above purposes it is obvious that the first appropriation of ten thousand dollars could not be advantageously disbursed before an additional appropriation of ten thousand dollars would be made by the ensuing session of Congress.

During the construction of the buildings it is quite apparent that it would be injudicious to attempt the establishment of schools, farms or mechanical operations and therefore the expense of salaries to teachers, the hire of mechanics, farmers and laborers would not be chargeable upon the appropriation.

If the President and Senate concur in the opinion that the amounts proposed are less than those which are required for the respective purposes specified, they are competent to increase the amounts proposed.

The undersigned therefore proposes to the Commission and recommends for its adoption the sum of twenty thousand dollars for presents, provisions &c and the sum of ten thousand dollars for agricultural, mechanical and educational purposes, for the erection of buildings fences &c and the purchase of cattle, seeds, farming implements and stationery and for such other uses and purposes which may be deemed necessary to carry out the views and expectations of the Department in this branch of expenditure

Respectfully &c.

(Signed) A. Cumming
Commissioner

James Doty Esq.
Secty Commission.

The following communication from Comr Stevens was considered.

Camp on the Missouri, near Ft Benton
Sept 20th 1855

(F)

The undersigned one of the Commissioners to hold the Blackfoot Council, respectfully submits to the commission, the following observations in relation to the appropriations which should be secured in the contemplated Treaty for the benefit of the Piegan, Blood, Blackfeet and Gros Ventres Tribes of Indians constituting the Blackfoot nation, and proposes briefly to notice the review of the paper recently submitted by him, given in the paper of Commissioner Cumming of the 19th ult.

The undersigned has never submitted a proposition to the Commission to limit the amount of goods &c, to $20.000, nor has he agreed to any such proposition. His proposition was distinctly $20.000 for goods &c, and $30.000 for farms &c and therefore so far as goods were concerned it was simply a proposition of distribution. Believing that $50.000 was the least amount which should be annually appropriated, he was of the opinion that such distribution would render the most efficient aid to the Indians and best accomplish the beneficent designs of Government.

So deeply and thoroughly convinced was the undersigned of this conclusion, that his original proposition included, in addition to the above, an appropriation of ten thousand dollars annually for five years, for provisions, and an appropriation of $30.000 for buildings.

It is obvious that the appropriations for goods &c and for farms &c must be considered together, inasmuch as the amount of goods &c to be distributed will depend upon the aid which is derived from farms, and will be greatly larger should the latter be fixed at ten thousand dollars, according to the proposition of Commissioner Cumming, than if fixed at $30.000 according to the proposition of Commissioner Stevens.

Thus in his original proposition Com^r Stevens proposed limiting the appropriation for provisions to two years, believing that the farms owned then become sufficiently productive to dispense with the necessity of a special provision, and in his estimate all that was referred to in the informal conversation. A large amount of articles for Indians was to be taken from the farming fund, which, if the fund be placed at the sum proposed by Commissioner Cumming, must of necessity be taken from the funds for goods &c.

Such articles as farming and mechanical tools of all kinds, materials for guns, repairs of ds: tin ware &c. &c. And the distribution proposed by Com^r Stevens contemplated little or no application of the fund for goods &c. to furnish provisions to Indians.

Commissioner Stevens is no less mindful of the dignity of the Commission than Commissioner Cumming, and he has therefore deemed it necessary to present the foregoing statement to show that the Commission has not decided, and could not by possibility have decided the amount to be fixed for goods &c. such proposition having never come before the Commission.

The undersigned, moreover, is at a loss to conceive how the proposition of distribution submitted by him, differing from that of the Commissioner, the aggregate appropriation remaining the same, is any more, if as much, a departure from the spirit of the instructions as the proposition of Com^r Cumming which greatly reduces the compensation to be paid the Indians below the sum indicated by the Department, & changes the scale of distribution.

The undersigned has endeavored to show, both from the instructions of the Commissioner, the most recent and approved experiance in the making and confirmation of Treaties, and the well known determination of Government to take vigorous measures to Civilize and Christianize the Indians, that the amount of $50.000 indicated in the instructions was in the

judgement of the Department, a small amount, and he cannot consent to a reduction of the amount, unless reasons satisfactory to his judgement are shown therefor.

He has no fears that the actions of this Commission will inure to the benefit of speculators, as he believes the Department has an iron hand to arrest the course, and frustrate all the plans of plunderers on the Public Treasury.

The undersigned, with the benefit of a somewhat varied professional experience as an Engineer and Contractor, does not find his views changed in reference to the sums necessary to put the establishments in operation, after a thorough examination of the views submitted by Commissioner Cumming.

The buildings will not necessarily be of Adobes, that will depend upon the locality selected for the establishments, and the facility of procuring timber. Whether of wood, or Adobes, the cost of the buildings and their annual repairs will be about the same, a change simply being required in the class and not in the amount or cost of mechanical assistance.

The President and Senate are doubtless competent to increase the appropriation provided for in the "Treaty", and they are likewise competent to diminish the amount. The undersigned believes it to be the duty of the Commission in view of the instructions which have emanated from the Department, and guided by past experience, to fix the amount which in their best judgement will be sanctioned by the President and Senate. He believes that amount to be the amount indicated by the Commissioner of Indian Affairs, and he is ready in order to meet the special difficulties in the mind of Com^r Cumming, to agree to the scale of distribution indicated by the Com^r of Indian Affairs, with the adoption of the general proviso.

In this paper the undersigned has used the terms goods &c., and farms &c., in a generic sense and to represent the two modes of applying money to the benefit

of the Indians, set forth in appropriate details in his first paper.

Respectfully submitted

(Signed) Isaac I. Stevens

Commissioner

James Doty Esq.

Secty. of the Commission

A communication of this date - Sept 22d from Comr Stevens submitting to the Commission a programme prescribing rules and regulations for the government of the Commission was read and ordered to lay over until the next meeting.

Sept. 24th Monday.

(G.)

The Commission met at 10 am. The communication from Commissioner Stevens marked (F.) considered at the meeting Sept. 22d and laid over, was taken up, and after a lengthy discussion thereon and upon the appropriations, and other provisions to be inserted the Treaty. The paper was placed in the hands of the Secretary for record. The Commission adjourned.

The paper is as follows:

Camp on the Missouri

near Fort Benton

Sept. 22d. 1855

James Doty Esq.

Secretary to the Commission

for holding the Blackfoot Councils.

Sir:

The undersigned, one of the Commissioners to hold the Blackfoot Councils, respectfully submits to the Commission a programme prescribing rules for the Government of the Commission, which he recommends to be adopted.

(25) 25

Rules for the Government of the Commission.

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1. All propositions relating to the business of the Commission shall be in writing and addressed to the Secty of the Commission
2. It shall be the duty of the Secretary to enter such propositions in the official Journal when they shall be considered to be before the Commission.
3. It shall be competent at a formal meeting of the Commissioners for either Commissioner to explain his views either in remarks addressed to the Commission or in written papers addressed to it through the Secretary of the Commission.
4. Either Commissioner shall have the right of calling a meeting of the Commission in a letter to the Secretary stating the specific business which he wishes to bring before the Commission. This letter shall be entered into the Official Journal; and it shall be the duty of the Secretary to notify the other Commissioner. It shall however be competent at such meeting, or at any meeting, to introduce propositions not mentioned in the call and to transact any business which may legitimately come before the Commission.
5. Commissioner Cumming has the financial charge of the expedition, and supervises the execution of the Contract for bringing up the goods.
6. In all other matters the Commissioner act jointly, and to be official nothing can be done, without their joint approval. (This will include for instance)
7. The appointment of all persons to assist in the Council it being understood that the regular Indian Officers will be employed agreeably to the regulations.
8. The goods will on the execution of the Contract, be in the hands of the Commission, agreeably to the Indian regulations. The Commission is however competent

to take such action as it thinks proper, to forward the goods on their way to the Council grounds, to provide for their safe delivery, and such other steps as in their judgement may be necessary.

9. All accounts growing out of the operations of the Commission must be certified to by the Commissioners and the payments made by Commissioner Cumming in financial charge of the expedition.

10. The Commissioners will on conference ascertain, as nearly as practicable the balance of the appropriation for the Blackfoot Council, on hand, with a view to carry out the injunctions of the general instructions to guard against exceeding the amount appropriated for said Council.

11. All authority over the Indians now assembling for the council, will be exercised by the Commissioners until the Treaty is effected, and their duties as Commissioners cease.

To show the propriety of adopting these rules, he begs leave to submit the following observations.

The four first articles relate to the method of doing business, and are believed to be necessary, as it will remove all uncertainty, both as to the propositions which may be made by either Commissioner, the reasons therefor and the final disposition thereof. The fourth article distinctly recognises the associated character of the Commission, and places equally within the power of either Commissioner to call meetings of the Commission for the transaction of business.

The remaining articles relate more particularly to the duties of the Commissioners, and are distinctly set forth in the Regulations, as rules for the government of Commissioners.

30

Under the general instructions of the Department and the special instructions to the respective Commissioners, the following conclusions must in the judgement of the undersigned, be reached.

Commissioner Cumming is in financial charge of the expedition, and in that capacity, is responsible for the moneys, goods, and provisions in his hands. But for every official act he must show the authority and sanction of the Commission. The issues of goods and provisions must be made under the direction of the Commission, the necessary abstracts furnished by the agents, or other proper officers, and approved by the Commissioners, nor can Commissioner Cumming make any payments as regards expenditures incurred in consequence of the action of the Commission, except the accounts be certified to by the Commissioners.

The special instructions to Commissioner Cumming direct him to employ the necessary assistants to take charge of and distribute the goods. The general instructions direct that the special instructions to both Commissioners shall be observed <u>as far as applicable.</u>

The purpose of the special instructions was, it seems clearly to me, to provide for certain contingencies, as the necessity of storing the goods or distributing them before they became subject to the authority of the Commission &c. &c. The Commission having met and organized, the whole authority rests in their hands.

Had Commissioner Cumming found it necessary to employ a clerk or assistant, previous to the organization of the Commission, and notified the Commission thereof at its first meeting, such appointment would have been obligatory upon the Commission, though it would not afterwards have conferred upon Commissioner

Cumming any authority to take exclusive direction of such Clerk or assistant. On the Organization of the Commission they would have been officers of the Commission and subject to its control.

Commissioner Cumming not having found it necessary to appoint a Secretary, or assistant, both such officers were appointed by the Commission, itself at its first meeting, as shown by the Official Record.

These officers, are officers of the Commission, subject to its ~~the exclusive~~ authority, and are not subject to the exclusive authority of either Commissioner.

Such must be the rule as regards all appointments subsequent to the organization of the Commission.

Commissioner Stevens had also a large discretionary authority vested in his hands by the special instructions of the Commissioner; an authority to bring to the Council Ground the Indian Tribes from The Cascades to the Rocky Mountains; to provide for their subsistence going there and returning home. He holds, that the Commission having organized, its province is to perform the duties specially intrusted to him. When the Treaty has been effected, and the duties of the Commissioners cease, he shall then resume the exclusive charge of those Indians, under the special instructions of the Commissioner of Indian Affairs.

The great object of the special instructions was to give such authority to the respective Commissioners, as would enable them to meet, to organize, to insure the delivery of the goods, and thus enable them to act as a Commission. On the arrival of the goods, the objects of the special instructions will have been accomplished, and the Commissioners will have each the same authority in the premises, excepting that Commissioner Cumming will be fiscal Agent.

(27) 31

The general instructions are the first on which the whole matter turns. The associated character of the Commission is therein fully recognized. In the special instructions to Commissioner Stevens, Colonel Cumming is referred to as one of the Commissioners to be associated with him.

Respectfully submitted
(signed) Isaac I. Stevens
Commissioner.

September 25th Tuesday

The following communication from Comr Cumming was submitted as a substitute for the paper withdrawn by him Sept. 22d but Comr Stevens having requested that the original paper withdrawn, should be recorded, Comr Cumming submits this as an additional communication in rejoinder to the communications of Comr Stevens.

Fort Benton
Sept. 25th 1855

The undersigned Commissioner, respectfully submits for the consideration of the Commission, his views and opinions of the reasons which should influence the Commission in establishing the amounts to be stipulated in the contemplated Treaty, for the benefit of the Tribes constituting the Blackfoot Nation of Indians. The Department defines the purposes and limits the amounts which the Commission may stipulate to pay annually for ten years, for the concessions required of the Tribes. The amount which may be stipulated for the purchase of presents, of provisions, goods &c. is $35.000; the establishing schools, farms, shops, &c. &c. &c. is, $15.000. It is therefore

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obvious that the Commission cannot in conformity with the instructions exceed the amount specified for the respective purposes.

The undersigned was under the impression that Com.r Stevens has made an unconditional proposition to limit to $20.000 the amount to be invested in presents of provisions, merchandize &c. &c. under that impression, (which seems to have been erroneous) the undersigned gave his assent in form.

The undersigned is of the opinion that the present condition and future prospects of the people who are to be the recipients of the munificence of the United States, and the physical character of the country which they inhabit, should together with the requirements which will be demanded of the Tribes, enter into the considerations, which will influence the final decision of the subject. If the undersigned be right in the supposition that the Commission cannot, in conformity with instructions, exceed the amount of $15.000 for farming and educational purposes, then any argument that might be urged against this proposed expenditure for that branch of the proposed appropriation, would seem to be superfluous: so far as relates to the excess over the $15.000, to which the Commission is strictly limited.

The undersigned is under the belief that $10.000 annually is as great an amount, as can be beneficially employed in establishing farms, purchase of stock, and seed; schools, shops, and tools, as well as implements, and any thing else which may be required to carry out the views of the Department in this branch of the duties of the Commission. The undersigned will now proceed briefly to express his opinions of the Character of the Blackfoot Nation and that of the Country which they inhabit.

(28) 52

The Blackfeet, Piegans, Blood, and Gros Ventres Tribes of Indians constitute the Blackfoot Nation. These first named Tribes speak the same language, and are doubtless one people, whilst the Gros Ventres Tribe are Arapahoes, and speak a language unknown to the neighboring Tribes and of so rude a character as to defy the efforts of men who have been in the habit of dealing with them for twenty years. The whole nation may be justly characterized as absolute barbarians, who are in the daily habit of perpetrating acts which make them the bye-word of terror to this whole region. Their wants are few and simple, and can be mainly supplied by the products of the chase. Many of these Indians permanently reside in the British Dominions, only passing south occasionally for game, and the purposes of trade, or for war-parties. Whilst the Blackfeet, Piegans, and Bloods, make periodical and frequent visits to the region north of the 49th parallel, degree, where there is reason to believe they would exchange any surplus presents for intoxicating liquors, and thus be furnished with facilities for indulging in various vicious propensities, which even in their present condition, are frightful causes of disease and death, in their most loathsome form. It will be remembered that the Indians will not be called upon to cede one acre of that vast and sterile region of country extending from this point to the Yellowstone and which could not sustain the animals required for even a limited emigration, and altogether unfitted for cultivation.

Every part of this barren region must forever be closed against the introduction of all modern improvements in the means of transportation, with

The exception of the Missouri River, which must soon become the Thoroughfare for all travel and transportation from the States to the waters of the Columbia River. An allusion to the subject just mentioned may perhaps seem somewhat irrelevant but believing that Com.r Stevens entertains opposite opinions the undersigned considers it to be a duty to make the above observations lest his silence should be construed into a virtual acquiescence in a theory which if true, might give some value to concessions which the Commission are instructed to demand, as indispensable conditions to the negotiations. The undersigned will therefore propose that a sum for the purchase of Provisions, Merchandize &c. shall not exceed $20.000, and that for the purposes of establishing schools, farms &c. $10.000 shall be expended.

Respectfully Submitted

(Signed) A. Cumming
Commissioner

James Doty Esq.
Secretary.

September 26th Wednesday.

The following propositions in relation to appropriations to provide for in the Blackfoot Treaty, were submitted to the Commission at its meeting of Sept. 24th by Com.r Stevens who agree to the insertion in the proposed Treaty, of the above mentioned provisions relative to appropriations, and Commissioner Cumming reserved the paper for further Consideration; it is as follows;

"In consideration of the above stipulations and on condition of their faithful observance, the United States agree to expend annually for the Piegan, Blood, Blackfeet, and Gros Ventres Tribes of

Indians constituting the Blackfoot Nation in addition to the goods and provisions distributed to them at the time of signing this Treaty, the sum of Twenty thousand dollars annually for ten years, to be expended in such articles of goods and provisions &c. as the President at his discretion may from time to time determine. And the Superintendent, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto. Provided however that if in the judgement of the President and Senate this amount be deemed insufficient, it may be increased not to exceed the sum of thirty five thousand dollars per year.

The United States further agree to expend annually for the benefit of the aforesaid Tribes of the Blackfoot Nation, a sum not exceeding fifteen thousand annually for ten years, in establishing them in agricultural, and mechanical pursuits, in educating their children and in any other respect promotive of their civilization and Christianization. Provided, however to accomplish the ends of this article, the President may at his discretion apply any, or all the annuities provided for in this Treaty, and provided also that the President may at his discretion determine in what proportion the said annuities shall be distributed between the several Tribes.

On this day the 26th of September, Commissioner Cumming placed in the hands of the Secretary of the Commission the foregoing paper with the following indorsement thereon.

"Sir;

"A Cumming, Commissioner assents to the "Contents of the written within paper not in "substance only, but in words also".

"James Doty Esq.
"Secretary.
"Sept. 25th 1853"

As the paper having been agreed to by both Commissioners, stands upon the record for insertion in the Blackfoot Treaty.

September 26th Wednesday

The Secretary received the following Communication to the Commission, from Commissioner Cumming.

Fort Benton Sept. 25th 1853.

The undersigned cannot perceive any sufficient reason why the rules for the government of the Blackfoot Council should not be adopted without further delay, he therefore assents to the following rules submitted by Commissioner Stevens to govern the action of the Commission in all cases to which they are applicable and not opposed to instructions generally, or the special and exclusive instructions given to each one of the Commissioners by the Department.

Rules for the Government of Council.

1. All propositions relating to the business of the Commission shall be in writing & addressed to the Secretary.
2. It shall be the duty of the Secretary to enter such propositions on the official Journal, when they shall be considered to be before the Commission.
3. It shall be competent at a formal meeting of the Commissioners, for either Commissioner to explain his views either in remarks addressed to the Commission, or in written papers

to it, through the Secretary of the Commission.

(4.) Either Commissioner shall have the right of calling a meeting of the Commissioners in a letter to the Secretary, stating the specified business which he desires to bring before the Commission: This letter shall be entered upon the Official Journals, and it shall be the duty of the Secretary to notify the other Commissioner. It shall, however, be competent at such meetings, or at any meeting to introduce propositions not mentioned in the call, and to transact any business which may legitimately (come) before the Commission.

The undersigned will most respectfully submit to the Commission, the following as a substitute for the sixth (6th) article or rule, proposed by Com. Stevens.

(5.) In all matters properly before the Commission wherein the Commissioners are empowered to act jointly, as a Commission and where the authority has not been delegated by the Department to either one of the Com.rs the joint approval of both Commissioners shall be necessary to constitute an official act of the Commission.

It is also suggested to the consideration of the Commission that the 10th article, (as proposed) be so altered & amended as to read thus:

(6) The Commissioners to carry out the injunctions of the Department, contained in Special and general instructions to guard against

exceeding the amount appropriated for the Blackfoot Council, and the necessity of observing the strictest economy will in Conference ascertain, as nearly as practicable, the unexpended balance of that fund.

It is proposed to substitute the following for the 11th article as proposed.

(7.) The commission will be authorized to exercise such authority over the Indians to be assembled in Council, as may by the Council, be thought necessary — provided the exercise of such authority does not interfere with official authority of the respective superintendents and agents, or the authority vested in either Commissioner by special, or general instructions.

The special and general instructions of the Department having devolved upon Commissioner Cumming "the financial arrangements and management of the Expedition, and authorized him to employ a Clerk or Secretary for himself and Co. Commissioners to accompany him and aid him in the duties connected with or incident to holding the Council with the Blackfeet &c. &c., and also other assistants to aid in transferring, taking care of, or distributing the goods in his charge, and in such labor or service as may arise out of the peculiar circumstances in which he may be placed." renders it quite unnecessary to trouble the Commission with these details.

So rules, numbered, (5,) five, (7,) seven, (8,) eight, and (9,) nine, are rendered quite superfluous as the undersigned will endeavour to Conduct those duties in such a manner as to facilitate the operations of the Commission, promote the public interest, protect

the rights of all parties, and shall exercise the duties in person and not give rise to the suggestion that the Omission may seem to justify the claim to exercise as a right what was intended as a courtesy.

Respectfully submitted
by, A. Cumming
Commissioner

(Signed)

James Doty Esq.
Secretary
Present.

September 28th Friday.

At 11 A.M. the Secretary received the following communication to the Commission from Commissioner Stevens

(K.)

Camp on the Missouri
near Fort Benton
Sept. 27th 1855.

Sir.

The undersigned, one of the Commissioners to hold the Blackfoot Council, has carefully considered the views and grounds taken in the Communication of Commissioner Cumming of the 25th inst assenting to four of the rules, submitted by the undersigned for the government of the Commission, proposing substitutes for three others, and dissenting from the remainder on the ground that they were superfluous, and that he, (Commissioner Cumming) would discharge in person the duties of the Commission covered by those articles, and would endeavor to conduct them in such a manner as to facilitate the operations of the Commission, promote the public interest and protect the rights of all parties.

31.

The undersigned agrees to the modification suggested by Commissioner Cumming of his 10th article and numbered (6.) in the communication of said Commissioner

In regard to the substitutes proposed by Commissioner Cumming of his sixth and eleventh articles the undersigned respectfully submits to the Commission that these substitutes leave the whole question of what are the duties of the Commission under general and special instructions, and its authority over Indian Tribes now assembling for the Council, in the very state of uncertainty which it was the object of the undersigned to remove by proposing the said articles. Considering the perplexing and difficult duties attending negotiations with Indians, the undersigned hoped that the Commissioners would unqualifiedly agree that these Tribes should be exclusively in the hands of the Commission, to guard against conflicts of action which might impede, and perhaps defeat the negotiations. These substitutes leave each Commissioner to judge for himself as to what are his powers under special instructions, and as Superintendent, whereas in the opinion of the undersigned it is the duty of the Commission to limit and define them. The undersigned therefore does not agree to these substitutes.

In reference to the powers which Commissioner Cumming declares he shall exercise, the undersigned respectfully submits the following observations.

The Commissioner of Indian Affairs has made the special instructions to the respective Commissioners, "as far as applicable", obligatory upon the Commission.

The undersigned acknowledges his obligations to respect them, and on the records of the Commission has expressed his deliberate judgement of the seperate and joint powers of the Commissioners.

The official Record shows that the Secretary of the Commission, the Assistant, Mr Kennerly, the Interpreter, Mr Bird, Thomas Adams Esq. special Flat Head Agent, and Messenger to the Crows, Hugh Robie, messenger to the boats, C. P. Higgins messenger to the Flat Heads, and Nez Perces, not to mention inferior Employees, were appointed by the Commission and were amenable to its orders.

The undersigned is constrained to state to the Commission that it is not in the power of one Commissioner to repudiate his own acts in Commission as shown in the official record, and in defiance of the Commission, to assume authority which has been reposed in, and exercised by it. This can only be done by the Commission itself.

In reply to a note of inquiry which I addressed to Commissioner Cumming this morning asking him whether according to his construction of the special authority vested in him, the employment of Interpreters for the Blackfoot Council, had been devolved upon him, and that its being in his hands could only be implied. The undersigned respectfully submits to the Commission whether a power can be exercised by implication on the part of one Commissioner against the express words of the Indian Regulations, making it the duty of the Commissioners, to select the persons whose services are necessary as Commissioners. Interpreters, messengers, expresses, and in the "Baking and issuing department", and that too in defiance

of the protest of the other Commissioner. And yet in so clear a case of the right being in the Commission, the same Commissioner announces in the same note that he will under a stated case decide promptly where the power lay, instead of leaving that question to the body to which it properly belongs, viz; the Commission. Copies of any note to Commissioner Cumming and his reply thereto are enclosed and will form a part of this communication.

The undersigned will now submit a single proposition in place of the substitutes of Com.r Cumming to which he does not agree, and also in place of the protection of the rights of the undersigned and of the Commission, which the said Commissioner has magnanimously offered to vouchsafe by exercising these rights in person, but which the undersigned most respectfully declines, believing as he does that it is more becoming the dignity of a Commission to protect and exercise its own rights than to leave them in the hands of one of its own members.

The proposition is as follows; & the undersigned has numbered it 6. five articles having been agreed upon the Commission

(6) That the Commission shall take exclusive charge of the business of assembling the Indians at the Council Grounds and of their management at the Council and shall select all persons hereafter to be employed in those duties, and all other persons to be employed in the business of the Commission excepting the assistants required to transfer, take care of, and distribute the goods &c.

By the adoption of this rule, the undersigned will have conceded to Commissioner Cumming the whole

question of the charge of the goods, and the employment of the assistants required to transfer, take care of and distribute them, and will have waived the question as to the expenditures of the Commission requiring the approval in form of the Commission.

The undersigned still adheres to all the views and conclusions contained in his communication of the 22d inst. submitting his programme of rules, which he is convinced would have harmonized, the general and special instructions, and placed the business of the Commission on the proper basis.

He makes this concession, because the language of the special instructions to Commissioner Cumming will admit of the construction that he has placed upon it, both in the matter of the accounts and in relation to the goods after they come within the purview of the Commission, and become subject to its order as to their final disposition.

Respectfully submitted

(signed.) Isaac I. Stevens

Commissioner

James Doty Esq.

Secretary to the Commission.

(Copy)

Camp on the Missouri

near Fort Benton.

Sept. 27th 1855.

Sir;

The secretary has shown me your letter of the 25th inst. stating among other things your construction of the power vested in your hands by the special instructions of the Commissioner of Indian Affairs.

I will enquire if you are of opinion

that under those instructions, the appointment of the interpreters for the Blackfoot Council has been devolved upon you?

(Yours Respectfully
Isaac I. Stevens
Commissioner

Col. A. Cumming
Commissioner.

(Copy)

Fort Benton, Sept. 27th 1855

Sir:

In reply to your inquiry by note of this date "Whether I am of opinion that under the special instructions of the Commissioner of Indian Affairs the appointment of the interpreter for the Blackfoot Council has devolved upon me", I have the honor to state that the letter of the instructions referred to does not confer that authority upon me.

James Bird was appointed interpreter to the Blackfoot Council and notified of his appointment in a note written by the secretary under the authority of the Commission. But if the appointment be vacated by the death, or resignation of Mr. Bird, or he be removed by joint action of the Commissioners, for incapacity or other cause, I may be prepared to decide promptly whether the instruction which so clearly devolve upon me the duty of appointing the principal officer at the Council, does not imply the right to appoint the interpreter also.

(Yours Obt. Servt
(Signed) A. Cumming
Commissioner

Gov: Isaac I. Stevens.
Commissioner

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September 29th Saturday.

The following communication from Gov. Stevens to the Commission was received by the Secretary at 12½ P.M. this day.

Camp on the Nisqually
near Fort Benton
Sept. 28th 1855.

James Doty Esq-
Secretary with Commission for
holding the Blackfoot Council.

Sir:

The undersigned, one of the Commissioners to hold the Blackfoot Council, has carefully considered the paper submitted by Commissioner Cumming on the 25th instant urging reasons for reducing the amount indicated by the Commissioner of Indian Affairs, to be appropriated in the contemplated Treaty for the Piegans, Blood, Blackfeet, and Gros Ventres Tribes of Indians, constituting the Blackfoot Nation, founded mainly on the alleged barbarous character of that nation, their migratory disposition, leading to their following the chase north of the 49th parallel of latitude, and the utter barrenness of the country occupied by them.

And first the minor points of the paper. The Commissioner of Indian affairs has not fixed either the amount, or its distribution, but has simply indicated both, has stated reasons why the amount should be small evidently intending to put the Commissioners on their guard against increasing the amount, unless good reasons could be shown therefor, and has placed the matter in the hands of the Commissioners for them to decide according to their best judgement on the information before them at the Council. The words of the Commissioner of Indian

34 affairs are, not exceeding, say $ 35.000, for the one purpose

and $15.000 for the other. The word say is certainly very emphatic in the intention of the Commissioner not to fix the extreme limit, but simply to suggest a limit.

And again, the undersigned has never entertained or given countenance to the idea that having recommended an annual appropriation of $20.000 for goods & $30.000 for farms, and not having been met by the objection that the amount of $15.000 for farms indicated by the Commissioner of Indian affairs could not be exceeded; Therefore he was obliged to change his ground as to the quantity of goods required, and thus by raising the amount for goods to $35.000, make good his $50.000. His scheme for distribution $20.000 for goods &c. and $30.000 for farms &c., as shown in his detailed estimate, includes in that latter class many article which he has enumerated in his reply to the Commissioner Cumming's first paper which must of necessity be included under the first head of the farming funds, be reduced, and some of which were actually specified in Commissioner Cumming's own letter accepting what he supposed to be the proposition of the undersigned to limit the goods absolutely to $20.000. In other words the undersigned believes that $20.000 for goods &c. and $30.000 for farms &c. as per his detailed estimate, will afford the Indians more goods provisions, guns &c. and do very much more to instruct and establish them in agriculture & the mechanical arts, and to civilize and Christianize them, than $35.000 for goods &c. and $15.000 for farms &c. indicated by the Commissioner. Hence the plan of distribution proposed by the undersigned, of the soundness of which he was so thoroughly convinced that he was willing to reduce the total amount to be appropriated to $45.000 provided, that $25.000 was appropriated for Farms.

That it is not "superfluous" to argue from the reduction of the amounts recommended by the undersigned for farms &c. to the sum indicated by the Commissioner of Indian Affairs, that the amount for goods &c. should be correspondingly increased, is shown by the fact that the Commissioners are enjoined to insert a general proviso, giving the President authority at his discretion to apply any or all the annuities to aid the Indians in agriculture, mechanic arts, or in any other respect promotive of their civilization, & Christianization. The undersigned has not argued from this view of the case, but he conceives there is much force in the argument, and as it suits his purpose, he does not hesitate to use it.

The undersigned will now review the arguments founded on the Character of the Blackfoot Country and people.

The Blackfoot Country is pronounced a barren region, which must forever be closed against all modern improvements in the means of transportation, which could not sustain the animals required even for a limited emigration, and which is altogether unfitted for cultivation: Hence the concessions the Blackfeet are called upon to make will be of but little, or no practical utility, and the appropriation to be provided for in the Treaty should be correspondingly diminished.

And the Blackfoot Nation are characterized as absolute barbarians, whose daily acts of atrocity makes them a bye-word to this whole region, addicted to drunkenness and other vicious propensities the cause of disease and death, in their most loathsome form. Hence the appropriations, beyond the limit recommended by Commissioner C

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And the Blackfoot Nation are characterized as absolute barbarians, whose daily acts of atrocity makes them a bye-word to this whole region, addicted to drunkenness and other vicious propensities the cause of disease and death, in their most loathsome form. Hence the appropriations, beyond the limit recommended by Commissioner

result in increasing their indulgences, and giving additional terror to their name.

The undersigned now respectfully call the attention of the Commissioner to his large experience both in explorations of the Blackfoot country, and in intercourse with the Blackfoot Nation. The Blackfoot Country has been minutely explored under his direction, and much of it has come under his personal observation. The Blackfoot Nation has mainly been under his administrative charge since Sept. 1853, and the characters, habits, and most effectual method of governing and controlling the Blackfoot Indians has been made the subject of the most careful enquiry and study by himself and his agents. The undersigned has come to very different conclusions from those stated in the communication of Com.r Cumming, and he cannot refrain from expressing some degree of astonishment that opinions so utterly at variance with what the undersigned believes to be the facts of the case, should be so confidently advanced by a gentleman whose acquaintance & observation both of the country and the Indians have been so exceedingly limited.

1. The Character of the Blackfoot Country

The limits of this country will be established at the Council, so far as it relates to Territory within the jurisdiction of the United States. It is, in the main, an exceedingly fine grazing country, of great salubrity of climate, much arable land of good quality with abundant Cottonwood on the streams, & many localities abounds in pine of the finest quality; a portion of the country is scantily watered, but not seriously to affect it capabilities as a grazing country, or to interfere with Emigration. It is watered by the Missouri & its many tributaries: On its left bank it receives the tributes of Milk, Maria, Sun,

and Dearborn Rivers, all considerable streams having a course nearly East and West, and the three former having each many branches near the base of the mountains. On the right bank, the Judith, the Highwood, the Belt, & Smith's tributaries add to its volume of water and on both banks many other streams of less importance exist. Not only is the grazing on all these streams good, but the greater portion of the land is adapted to all the cereals and most of the vegetables of the Temperate Zone.

The Highwood, Maria's, Teton, Sun & Dearborn throughout their whole length afford excellent locations for farms. At the base of the mountains throughout nearly the whole length of the Blackfoot Country, the soil is good, in many places exceedingly rich, and the grasses abundant and of the finest quality. At the heads of Milk & Maria's Rivers, and at the heads of all the Southern tributaries of the South branch of the Saskatchawan between Lat. 48° 30, and 49° there are abundant forests of pine, large tracts of arable land, and lakes well stocked with fish. On the Highwood alone there are at least 15.000 acres of arable land, and in the mountain spurs in the immediate vicinity excellent pines. the River itself affording desirable Mill privileges. The whole valley of the Sun is good, extending a hundred miles, and opening out into bottoms, and slopes several miles wide. There is no good pine timber, (on this river,) but from the Missouri above, mountain pine of excellent quality, can be floated down to its mouth. Both the Sun, and the Highwood would afford admirable locations for the farming establishments, which the undersigned has so earnestly ~~sustained~~ recommended, and the undersigned has never seen a better grazing country in the month of September, than the whole country from the Sun to the mountains.

Besides these localities, the Bear paw has many fertile valleys well adapted to farming operations for the Gros-

Ventres, and the undersigned is informed by Dr. John Evans who passed in 1853 over the route between the Milk and Missouri, that it is an excellent grazing country, with an abundant supply of good water.

The Bear's Paw and the Three Buttes, lofty hills just under the 49th Parallel and standing out nearly one hundred miles from the base of the mountains have inexhaustible supplies of the finest building pine and quarries of limestone and marble.

So far from this country not being able to supply the wants of even a limited emigration, an emigration could not possibly take place which would exhaust its capabilities. It is true, to a superficial observer, the country in August and September looks uninviting on the usual route from the Yellow Stone. The grass seems parched, and the country dry, the grass is, however, the short, early, exceedingly nutricious buffalo grass, and a slight observation of the habits of animals will convince any person of its adaptation to their sustenance. Animals will be found invariably to leave the camps and apparently better grass of the bottoms, and pass to the Prairies, where this grass only is found, to get their food, a habit notorious among voyageurs, & very vexatious to the herders of a train.

The quantities of Buffalo which these plains subsist not to take into account the vast herds of Big Horn, Elk, Deer, antelope, and other game, will alone carry conviction of the truth of the position of the undersigned, that the Territory inhabited by the Blackfeet is a fine grazing Country.

The Blackfeet live almost exclusively on the Buffalo They number above ten thousand souls. They make twenty thousand, odd, robes a year. They require nearly twenty thousand skins for the renewal of their lodges annually

and other purposes. All these are the skins of cows. For several months they live entirely on Bulls, and many Bulls are killed at all seasons of the year. Making the proper allowance for the animals who die of disease, are killed by wolves, or other causes, and for the known improvidence of Indians, it is believed that one hundred and fifty thousand Buffalo of three years old and upward are required each year to subsist, clothe and house these Indians. This number must be added each year to the list of grown animals to prevent a decrease. Estimating that 3/4 of the cows bear young, and that one half of these come to maturity, 800,000 Buffalo of and above three years and one million and a half of Buffalo of all ages must be roaming on these Plains to enable the Indians to live. Yet, in a large portion of this region, the grass is hardly touched from one year's end to another.

The undersigned has seen, on Milk River, in the route passed over by Commissioner Cumming, the whole Gros Ventres tribe, with several Thousand horses in the same camp which they had occupied for ten, or twelve days, and yet, his band, of nearly three hundred animals found abundant pasturage within one mile of the lodges. The whole of the Gros Ventres Tribe, & nearly three fourths of the Piegans, Bloods, and Blackfeet, winter on the Milk, Marias, and Teton, finding sustenance for their animals in the bottoms, and food from the Buffalo which frequent the groves of Cottonwood.

As to these facts the undersigned cannot be mistaken. He has made it his business to ascertain them, and has devoted over two years to the subject, and for confirmation, besides appealing to every intelligent voyageur in the country, he will call the attention of the Commission, to the experience of Mr Doty, the Secretary, who, under the direction of the undersigned

was the Indian Agent of the Blackfeet for one entire year, and made a careful geographical exploration of the Blackfoot Country, and he proposes that Mr Doty be requested at his earliest leisure, to prepare and submit to the Indian Department, in behalf of the Commission a suitable geographical memoir; and his views and observations in reference to the Indians.

With an additional observation as to the adaptation of the country to the wants of a large emigration, the undersigned will pass on to another point. From the mouth of the Yellowstone there is at least the choice of two routes north of the Missouri; the route of Milk River, & the route between the Milk and Missouri, and from this point, to the Mountains, besides a choice of three distinct passes, there are several approaches, each having the desired facilities of wood, grass, and water.

2nd " The Character of the Blackfeet.

They are called Savages; yet their four tribes have lived together many years on terms of amity; making war only on the Neighboring Tribes. For ten years they have not killed a white man in their own Territory, and the undersigned knows of but one authenticated case of their having killed a white man in the Territory of their enemies. The experience of the undersigned in his explorations and of Mr Doty in discharge of his duties as Indian agent, shows that a small party of white men can travel any where through their country, with entire safety. Hospitality in their Lodges, Kindness to strangers, and great impressibility to good and generous motives are their marked characteristics.

They seem instinctively to put confidence in the word of a good and honest man, and to yield to disinterested authority.

The undersigned knows these Indians well. They have herded his animals for months whilst in their country; they have passes through his bands of animals in the delightful valley of the Flat Heads, their war-parties seeking for the horses of their enemies, and yet only one instance has occurred of an animal having been taken, and he was promptly restored on the undersigned first reaching Fort Benton. They have religiously respected their word in their conduct towards the undersigned, his officers, and employees.

The Chiefs, who promised the undersigned two years since to use their influence, to prevent their people from warring on the neighboring Tribes, have been true to their words, and have, in some cases, incurred the displeasure of their wild young men, for their persistency.

But events have occurred during the pendency of the proceedings of the Commission, showing that the Blackfeet are entitled to the warmest sympathy of, and the strongest encouragement of the Government. The undersigned alludes to the recovery of the four Flat Head horses, achieved by Mr Doty, who, with a single white man, entered their camps, on the tributaries of the Saskatchawan, demanded the horses in the name of the Commission and received them promptly from the hands of the Chiefs.

These Chiefs, and all the Chiefs have sent word to their hereditary enemies the Flatheads, the Nez Perces, and the Crows. "Come to the Council without fear. Your persons and your horses shall be under our protection, and if a horse be taken, by some of our wild young men, his place shall at once be made good." The undersigned looks forward to no disturbance at the Council, for he believes the Black-

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feet will keep their words.

The circumstances under which the Commission is endeavoring to establish Peace between the Blackfeet and the neighboring Tribes should forbid, in the judgement of the undersigned, the use of any argument founded on their alleged barbarous character.

Here are two Commissioners, strong, simply as representing the power, majesty and beneficence of their Government, without the aid of armed men, preparing to make a Treaty of Peace, and Friendship, between these ten thousand Indians and their hereditary enemies, not doubting their success, and the undersigned, at least, not doubting that the peace will be perpetual if proper measures of administration follow the consummation of the Treaty, feeling in perfect security and looking upon these well-disposed Indians as children to whom they are ministering and not enemies they have to meet. These considerations show the spirit, and one of the Blackfeet who as a nation have in many conferences with Mr Doty, expressed a strong desire for farms, mills, schools and shops. They are quick to learn have a great curiosity to handle tools and implements, and are excellent herders of animals. The women are proverbially industrious, many of them expert in the use of the needle, and persons of both sexes seem to fall readily into the ways of the whites. The Blackfeet women at the Forts of the Fur Companies, the wives of the Officers and Employees readily learn to make the garments, not only of themselves but of their husbands, and no traveller passes through their country, that is not under obligations to them for some useful garment of their handiwork.

Without going into further details as to the size, & comfort of their lodges, their general use of cooking utensils, purchased from the Fur Companies, their fondness for and acquaintance with most of the articles of food in common use in civilized communities, as bread, sugar, coffee; the undersigned does not hesitate to state as the result of his practical experience and observation, that he is satisfied that the Blackfeet will be found in an extraordinary degree to yield to any effort, which the Government may make to civilize and christianize them, and he cannot but admire the complacency which styles his views "a theory", on the part of a gentleman who cannot profess to have much practical experience or knowledge of the people. The Blackfoot Country, and people, are subjects in which the undersigned, feels at home, and he will put his "theories" against what may be called the "practical views" of any gentleman who has not had opportunities, or inclination to examine the subject.

It is unquestionably true that the Blackfeet range north into British Territory, as has been stated, in the Official Reports of the undersigned to the Department of the Interior, and being well known to the Commissioner of Indian Affairs, and as it is to be presumed well considered by him the fact is hardly relevant to the subject of reducing the appropriations indicated by him.

But the undersigned will give a few facts which give additional strength to his agreement to make a proper appropriation for these Indians.

The trade of the Blackfeet with the British Trading Posts is small, say about one sixth

part of their trade at the American Posts on the Missouri. Formerly the Hudson Bay Co. had a Trading Post, called Chesterfield House, on the South Branch of the Saskatchawan, but it did not pay, and was in consequence abandoned.

Their Posts are now on the North Branch of the Saskatchawan in the midst of the hereditary enemies of the Blackfeet - the Crees and North Assinitoins. To visit these Posts they are exposed to great danger, and the great attraction is the liquor which is notoriously sold there. The great fact that the British Posts are on hostile ground, that the trade is maintained by liquor, that the American Posts are in their own Territory that six sevenths of their business is done at these Posts, that more than four fifths of the whole Nation reside on American soil, repel the presumption that they are to any considerable extent British Indians, or that the rate of distribution, per Capita, should be seriously affected.

Considering the gift giving propensities of Indians, and the relations of brotherhood among numbers of the same Tribe, and between the several Tribes, the only just principle would, in the Opinion of the undersigned, be to make the aggregate appropriation on the basis of the entire number of the four Tribes, and the distribution on the entire number of the several Tribes.

The undersigned is unable to see the force of the argument drawn from the use of intoxicating liquors, as this is a propensity almost universal among Indians, to check which a provision has been generally, if not universally,

inserted, in Treaties with Indians, and cannot therefore affect by way of comparison, the amount that might be appropriated for the Blackfeet, in view of appropriations made for other Indians. But, as a practical fact, the undersigned denies, that the Blackfeet as a Nation, are addicted to liquor, or that disease in any form prevails among them to any considerable extent. They are remarkable free from diseases of a loathsome character, and what little there is, is almost exclusively to be found in a single Tribe, the Gros Ventres. And it is a rare thing for liquor to be found in their camps, especially in the winter camps of the great bulk of the Nation on American soil. The undersigned has reason to believe that for the last ten years, they have not got liquor from the American Trading Posts.

But if the argument were admitted to have any force, it would precisely serve the purpose of the undersigned, as showing the propriety of adopting his scheme of distribution $20.000 for goods &c. and $30.000 for farms &c.

The Government seems now to be alive to the necessity of taking vigorous measures to manage properly its Indian relations, and it looks to the agencies of civilization as the only practical methods of arresting bloodsheds, and of preventing the entire extermination of the Indian Tribes. The Commissioners have, moreover, a fruitful admonition on the very borders of the Tribes, the Commission is now about assembling in Council.

Tribes, parties to the Treaty of Laramie are now at open war, with the Government, and the employment of four thousand troops, and an

capenditure of, say, two millions of dollars, is the price now being paid by the Government for the management of its Indian relations, in a comparatively small portion of the jurisdiction of the western superintendency.

The undersigned is of the opinion that the commissioners should profit by this acquisition and not purchase the paltry sum of paper thousand dollars when the object is the willdoing and gradual civilization of ten thousand human beings, and the preventing of a war with its countless scenes of atrocity & suffering.

Respectfully submitted,

(Signed.) Isaac I. Stevens
Commissioner.

The secretary received the following communication from Commissioner Cumming at 3 P.M. this day.

Fort Benton September 28th, 1855.

James Doty Esq.
Secretary.

Sir: It appears to be necessary for the vindication of the official Journal that some reference should be made to an insinuation contained in the communication of Comr. Stevens 27th instant to the effect that one of the commissioners had exhibited some evidence of a disposition to repudiate his own acts (here) in connexion. The conscience of the undersigned entirely exempts him of all such intention, therefore so far as he may have been alluded to, he declares it to have been entirely unfounded and the terms of no act characterizing his official conduct which can with any show of fairness be construed to that purpose.

The undersigned waived the exercise of an undoubted authority and the personal confidential friend of Commissioner Stevens was appointed Secretary, Mr. Byrd by the recommendation of Comr. Stevens was appointed interpreter. Mr. Adams, Mr. Robie, & Mr. Higgins were intrusted with important business of the commission, and all of them known to Comr. Stevens as suitable

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persons having accompanied him over the mountains and all being in some way or another connected with him except the interpreter Byrd — to the appointment of all these people I assented waiving all right growing out of expressed and implied authority, and I am certainly at no time been desirous of modifying even that part of my official action.

Submitted by
A. Cumming
Commissioner.

The Secretary received the following communication from Comr. Stevens this 29th of Septr. at 7 P.M.

Camp on the Missouri
near fort Benton,
September 29th 1855.

James Doty Esqr.
Secretary of the commission for holding
the Blackfoot Council.

Sir:

The undersigned, one of the commissioners for holding the Blackfoot Council respectfully submits to the commission the following statement which is called for in his judgment by the "vindication" of the official journal submitted by Comr. Cumming in his communication of the 28th instant.

Statement of Commissioner Stevens.

The commissioners met at Milk river and there organized the commission, Mr. Doty being appointed secretary on the recommendation of Comr. Cumming, Mr. Kennedy clerk on the recommendation of Commissioner Stevens — the forms of a treaty having been gone through with in such case and the gentlemen having been distinctly informed, that they had by the commissioners been appointed secretary and clerk. At this time and for several days subsequently commissioner Stevens was not aware that Comr. Cumming had special instructions which gave commissioner

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Cumming authority in his commission Cumming's opinion to appoint any officer of the commission. Commissioner Stevens learned however that Comr. Cumming brought with him Mr. Rock as his secretary and that he had returned from Fort Union. The title of Mr. Kennerly was afterwards, at the request of Comr. Cumming changed to Assistant. Some days after reaching Fort Benton, Comr. Cumming sent Comr. Stevens his special instructions. Comr. Stevens examined them carefully at that time, and did not suppose that Comr. Cumming could in his own judgment, found on them the authority to appoint any other persons than those specifically mentioned and Comr. Stevens has since placed in the records of the commission his opinion, that Comr. Cumming's power under those instructions to make appointments, was entirely exhausted on the organization of the commission. The business of the commission went on; the messengers, an interpreter, and other persons required for its operations having been appointed by the commission, and their instructions having emanated from the same body. These acts were conclusive in the mind of Comr. Stevens, that Comr. Cumming's own construction of his instructions was at least in part, the same as that of Comr. Stevens, viz: that he could not appoint any except those specifically mentioned. It was not till a comparatively recent period, that Comr. Stevens learned that Comr. Cumming not only did claim such right, but that he treated the act of the commission in appointing the secretary and assistant a nullity. It grew out of Comr. Cumming's own statement to the secretary that he Comr. Cumming had appointed Mr. Doty secretary, thereby implying that the commission had not appointed him: that he Mr. Ken Comr. Cumming had appointed Mr. Kennerly assistant, thereby implying that the commission had not appointed him.

Now the commission at Mckinaw on the motion and at the ~~request~~ suggestion of Comr. Stevens, assigned Mr. Kennerly as an assistant to Mr. Doty in the business of the Records.

(42)

Yet though in previous conversations with the secretary, Comr. Cumming had alluded to it as a well settled fact, yet in the conversation above alluded to Comr. Cumming proceeded to give the secretary various directions in regard to the records, and stated that he required the services of Mr. Kennerly in other matters and that the secretary would have to attend to the whole business of the records himself. Thus Comr. Cumming asserted, on his own responsibility Mr. Kennerly from a duty for which he was elected and to which he was assigned by the commission.

These and other occurrences lead first to a correspondence with Comr. Cumming, wherein Comr. Cumming declined to recognise Mr. Kennerly as assistant in the records, though Comr. Cumming in conjunction with Comr Stevens, had appointed him in commission for that very duty, and finally to the introduction by Comr. Stevens of his programme of rules, and they are the facts in the mind of Comr. Stevens, which in connection with Comr. Stevens Cumming's declaration that he shall resume power which he had left in the hands of the commission, led to the use of the expression to which Comr Cumming objects.

It is true the gentlemen and employees referred to belong to Gov. Stevens party. They were selected, not because they belonged to Comr. Stevens party, but because they were the only men in the country who had been specially trained and prepared for those very duties of the Blackfoot Council. All trained both in the Blackfoot and Flathead country and regular employees of the Indian service for the past two years, excepting Mr. Bird who was last year prepared by Mr. Doty for his duties in Blackfoot interpreter. Comr. ~~Cumming~~ Stevens has been preparing for this council for the past two years, and he has brought with him men who can assist in this Council, and who shall be at the service of the commission. He claims simply an equal right with Comr Cumming to select employees and he trusts his last proposition will be accepted.

Respectfully submitted

Isaac I. Stevens

Commissioner.

42

October 1st, Monday.

The secretary received at 8 A.M. from Comm. Stevens the following notice for a meeting of the commission.

Camp on the Missouri,
Near Fort Benton
October 1st, 1855.

Wm. Medary Esqr.
Secretary &c.

Sir:

The undersigned one of the commissioners respectfully requests a meeting of the commissioners to day to consider the subject of the disagreement of the commissioners to the rules of the commission, and such other business as may come before it.

Yours Respectfully
(Signed) Isaac I. Stevens
Commissioner.

And the secretary immediately notified Comm. Cumming by handing him a copy of the above.

4 P.M. pursuant to the commission met.

The rules for the government of the commission were considered. The question of the substitute proposed by Comm. Stevens in his communication of Sept. 27th marked (6) in place of the substitutes of Comm. Cummings marked "5" and "7" in his communication of Sept 26th & in the place of the remaining articles of the commissioner Stevens original programme, was taken up and adopted with the following proviso, offered by Comm. Cumming: Provided that this rule shall not affect the rights of the respective superintendents to exercise their administrative authority in all matters not connected with the duties of the commission. So the rules are now adopted for the government of the

commission as follows.

1. All propositions relating to the business of the commission shall be in writing and addressed to the secretary of the Commission.

2. It shall be the duty of the secretary to enter such propositions in the official journal when they shall be considered to be before the commission.

3. It shall be competent at a formal meeting of the commissioners for either commissioner to explain his views, either in remarks addressed to the commission, or in written papers, addressed to it through the secretary of the commission.

4. Either commissioner shall have the right of calling a meeting of the commission, in a letter to the secretary stating the specific business which he wishes to bring before the commission. This letter shall be entered on the official journal, and it shall be the duty of the secretary to notify the other commissioner. It shall however be competent at such meetings to introduce propositions not mentioned in the call, and to transact any business which may legitimately come before the commission.

5. The commissioners, to carry out the instructions of the department contained in special and general instructions to guard against exceeding the amount appropriated to the treaty post council and the necessity of being the strictest economy, will endeavor ascertain as nearly as practicable the unexpended balance of that fund.

6. That the commission shall have exclusive charge of assembling the Indians at the council ground, and of the management at the council and shall select all persons

to be hereafter employed in the business of the commission, excepting the assistants required to transfer the goods, &c. Provided that this rule shall not affect the rights of the respective superintendents to exercise their administrative authority in all matters not connected with the duties of the commission.

It was decided by the commission, that in addition to the duties devolving upon Dr Kennerly, by his appointment at the first meeting of the commission, he may be also assigned to such specific duties as your Surgeon may require of him as an assistant in the duties specially devolved upon your Surgeon.

It was determined to send an express to the Blood Indian Camp to hasten their coming in to the council and A. H. Robie as messenger, and H. Munroe as interpreter and guide were selected for this duty and the following letter of instructions was given to Mr. Robie by the commission.

Office of the Commission,
Fort Benton, Oct. 1, 1855.

Mr. A. H. Robie

Sir: You have been selected by the commissioners to hold the Blackfoot council, to visit the Blood camp, reported to be on Milk river or between that river and the Cypress Mountain, and request them to move their camp to the Marias river to be in readiness to attend the council, and on their reaching the Marias to send a messenger to the commissioners to inform them of their arrival. You will proceed north to the Belly and Bow rivers, should you from the best information you can get, have reason to believe that any considerable camps of the Blackfeet are in that vicinity and urge them at once to send delegations

of their chiefs and principal men to Fort Benton to be present at the council. There should be no delay whatever either on the part of the Blood camps or those further north in moving to Marias river, and the latter should move with all possible expedition.

Mr. Maisonville accompany you as interpreter and John Lizotte as assistant. The latter on will send back from the Blood camp with information of your reception by the Bloods, and the latter to meet with the Marias.

You will be careful to create no suspicions growing out of the pending of idle reports from the Mouth of the Judith, and do everything you can to secure the attendance at the council of all the camps you meet, and you will use great expedition, as no time is to be lost.

Especially be not turned from your course by groundless rumors of the hostility of war parties.

Some tobacco is sent by you for distribution among the chiefs.

By order of the Commission,
Respectfully
Your obt
Secretary

(And the commission then adjourned).

October 2nd, Tuesday.

The secretary receives the following communication at 9 a.m. and immediately handed copies to Col. Cumming.

Camps on the Missouri,
near Fort Benton.

James Doty Esq.
Secretary of the Commission for
holding the Blackfoot Council.

Sir;

I will respectfully suggest to the Commission the propriety of sending to the boats for six hundred lbs of Tobacco for messengers and other uses in connexion with the operations of the Commission, preparatory to and at the Council. I will furnish men & animals for the service.

Respectfully Submitted
(Signed) Isaac I. Stevens
Commissioner.

Camps on the Missouri
near Fort Benton
Octo: 2d 1855.

James Doty Esq.
Secretary to the Commission
for holding the Blackfoot Council;

Sir;

I will respectfully suggest to the Commission the propriety of sending the Pend d'Oreilles, (Flat Heads,) now at Fort Benton, to the Camp of the Chief, Alexander, now on Smiths river, with directions that the Pends Oreilles remain there accumulating meat, till they receive the orders of the Commissioners to assemble at the place selected for the Council.

Respectfully submitted
(Signed) Isaac I. Stevens

The Commission met at 1. P.M. and the above propositions being taken up, were agreed to, and Commissioner Cumming gave an order for Tobacco upon the Agent in Charge of the goods at the Boats

The Tobacco to be brought to this place and delivered to Com.r Cumming

Propositions were submitted by either Commissioner, concerning the boundaries of the Black foot Country, and after a very full Consideration and discussion thereof, The Commission adjourned to meet again, at 10 a.m. to-morrow, for a further discussion of the subject

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October 3.d Wednesday.

The Commission met at 11. am and resumed the consideration of the question of the Boundaries of the Blackfoot Country, and at 1. P.M adjourned.

The following communication from Commissioner Cumming was received.

Fort Benton, Oct.o 1.st 1855.

James Doty Esq.
Secretary,
Sir;

The following statement is respectfully submitted to the Commission by the undersigned as containing substantially, what he believes to be the alleged reasons of Commissioner Stevens' insinuations in reference to repudiations by one of the Commissioners of an act done by him in Commission

The duty of appointing a clerk or secretary for the Council was conferred upon the undersigned, as well as that

of assistants for specified duties which peculiarly and exclusively devolves upon the undersigned.

At the first assembling of the Commission (the undersigned influenced by considerations of a personal character,) did not exhibit his special instructions 23.d April 1855. and Mr Doty being highly recommended by the Co. Commissioner, the undersigned made formal nomination of that gentleman, and he was appointed secretary. Mr Kennerly was nominated as clerk by Comr. Stevens, and was appointed accordingly. Subsequently, by order of the Commission, the rough drafts of the proceedings was so altered, that when recorded, the proceedings substituted in connexion with Mr Kennerly's name, the word assistant, for clerk.

In a conversation subsequently held between the Secretary, and the undersigned, the Secretary referred to the necessity of Mr Kennerly's aiding in the records, and stated the difficulty attendant upon keeping up with the several copies of the proceedings, and alluded to the impracticability of keeping so many copies up without delay, to the services of Mr Kennerly. Mr Doty was informed that Mr K, was assigned to the duties of assistant and having special duties, was not assigned to the records. During this conversation Mr Doty was referred to special instructions 23.d April 1855 and notified that he had been appointed by the undersigned, and if he could not perform the duties his successor could be found who would. To which Mr Doty replied that he was perfectly competent to perform the duties assigned to him but it was a question of time only. It may be well to state that Mr Kennerly did keep one copy of the Record, the office copy not being always of convenient access to the undersigned, as the office of the Commission was kept in a tent near a camp on the Missouri River, for reasons which are known to the Commission, whilst the undersigned occupied quarters at Fort Benton below.

Respectfully Submitted by
(Signed.) A. Cumming
Commissioner.

October 4th Thursday.

The secretary received the following communication from Com. Cumming.

James Doty Esq.
Secretary.

Sir; Commissioner Cumming proposed to the Co-Commissioner that they meet this morning to adjust the Boundaries of the Blackfoot Nation, and common Hunting Ground &c. &c.

(Signed) A. Cumming
Commissioner

Fort Benton, Octo: 4th 1855.

The commission met at 11. am. pursuant to notice and resumed the discussion of the Boundary Question.

Commissioner Cumming was authorized to employ Mr Alex. Culbertson, and Mr. J. B. DeRoche as additional Interpreters, during the Blackfoot Council, or such time as may be agreed upon, & the Council adjourned to meet again to-morrow.

October 5th Friday.

The commission met at 11. am, and resumed the consideration of the Boundary question; and the lines of the Blackfoot Country, and the Common Hunting Ground, were agreed upon, and the Secretary was directed to make a fair copy of the Articles for insertion in the Treaty.

The general provisions of the Treaty were then taken up, and the Secretary directed to make a fair copy of those agreed upon.

The question of the distribution of goods &c. to the Indians at the Council was taken up and Gov: Stevens was requested to lay before the

Commission an official statement of the population of the Tribes, parties to the Blackfoot Treaty:

Mr Doty was requested to review the census of the Blackfoot Nation, submitted by him to Gov: I. I. Stevens in 1854, with a view of obtaining a correct basis upon which to make a distribution of the goods for the Blackfoot Council.

The following communication was received from Com. Cumming.

Fort Benton, Octo. 5th 1855.

Sir; By authority of the Commission the undersigned has secured the services of Messrs. Alexander Culbertson, & J. B. DeRoche, as additional united States Interpreters at the Blackfoot Council.

Your Obt. Servt
A. Cumming
Commissioner

James Doty Esq.
Secretary

October 6th Saturday.

The Commission met at 10. am. The following report was received from Mr James Doty, formerly special agent for the Blackfeet, upon the population of the Blackfoot Nation, and it was adopted by the Commission as the official census of the nation; but in order to cover the contingencies of individuals omitted and do full justice to the Indians it was determined in the distribution of presents at the Council to adopt the basis of 11.500 for the population

Office of the Commission
October 6th 1855.

Gentlemen;

In accordance with the request of

the commission that I should review the census of the Blackfoot Nation, submitted by me to Gov. I. I. Stevens in Dec. 1854, I have respectfully to submit the following Report thereon.

There appears to be no reasons for changing the enumeration of the following Tribes, viz;

Blackfeet proper	290 Lodges,	2,610 Souls
Gros Ventres	360 " ,	2.880 "

From information gained in his recent trip to the North camps, and from other sources, the undersigned believes that the Piegans and Bloods were under-rated in his former estimate, and that they number at this time,

Piegans, (north, and South,)	340 Lodges,	3.060 Souls
Bloods	290 " ,	2.610 "
Giving a total		11.160 "

as the population of the Blackfoot Nation, which is probably as correct a census as can be obtained without an actual count of all the Indians.

Very Respectfully
Your Obt. Servt.
(Signed) James Doty
Secretary

The Honorable
The Commissioners
to hold the Blackfoot Council.

The following communication was received from Gov: Stevens, and the census of the Western Indians, parties to the Treaty, as therein given, was adopted as the basis of the distribution of presents at the Council.

Camps on the Missouri
Near Fort Benton
Octo: 6th 1855

(48.)

James Doty Esq.
Secretary of the Commission
for holding the Blackfoot Council;

Sir;

I respectfully submit the following census of the Indians west of the Mountains, parties to the approaching Council.

Flatheads Nation,

Flatheads	450	
Pends Oreilles	600	
Kootenays	350	1.400
Nez Perce Tribe		2.500
		3.900

The census of the above Tribes was taken at the Councils recently held with them in the Bitter Root and Walla-Walla Valleys, where Treaties were made providing for the extinguishment of the Indian title to the land respectively claimed by the several Tribes, and are believed to be rather under the actual numbers. The Nez Perces estimate their numbers at about 2.700, but after careful inquiry as to the locality & number of each Village and of the numbers at Buffalo; 2.500 was adopted. No considerable Council has been held with the Nez Perces till the recent one in the Walla-Walla valley, and no accurate census has ever been taken. They live very much scattered in their own Country, and the former estimates of 1800 are entirely conjectural.

At the Flathead Council 1200 persons were actually present.

One of the Fathers at the Mission, estimates the number of the Tribes at 1700, but I did not feel authorised after careful inquiry to put it higher than 1400 believing it was better to be a little below, than above the mark.

The Nez Perce tribes, and Flathead Nation have, recognized Chiefs and Sub Chiefs, and the delegations assembling for the Blackfoot Council, were selected for the purpose by the lodges of the Tribe in council. at which I or one of the Indian Agents presided.

The head Chief of the Nez Perces will not be here, but a delegation of the most prominent Chiefs, selected at the general Council of the Tribes, called by the head Chief and at which Sub Agent Lappan presided, will be present to represent the Tribe. This was in conformity with arrangements entered into between myself and the Tribe at the general council at Walla-Walla.

Victor, the head Chief of the Flathead nation, and Alexander the next most prominent Chief, and head Chief of the Pends dOreilles, will be present, but Michelle the head Chief of the Kootenays will not be present. Both he and his people in a council of these Tribes constituting the Nation at which the undersigned presided, authorized Victor and Alexander to act for himself and his Tribe. Victor is recognized as the head Chief of the three Tribes, Flatheads, Pends Oreilles, and Kootenays in the Treaty recently made in the Bitter Root Valley in which the three Tribes were made one Nation, under the denomination of the Flathead Nation.

Respectfully Submitted

(Signed) Isaac I. Stevens

Commissioner

The Commission then adjourned.

At 5 P.M. the following communication was received by the Secretary, and at once communicated to Commissioner Cumming.

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(49.)

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Camp on the Missouri

Near Fort Benton

Oct 6th 1855

James Doty Esq

Secretary of the Commission for

Holding the Blackfoot Council

Sir

I respectfully submit to the Commission the propriety of adopting the following propositions

1 That the Council to be held at the mouth of the Judith.

2 That Friday the 13th day of October be fixed for the opening of the Council.

3 That the necessary measures to be taken forthwith to execute the above and that the Commissioners repair at the earliest moment possible to the Judith in person.

The Indians can be assembled then at that time, and it will in my judgment save twenty days in the time required for the performance of the business of the Commission, a matter of consequence both as regards the getting home of the Western Indians, and of the Commissioners and there respective parties

Respectfully Submitted

(Signed) Isaac I. Stevens

Commissioner

The Commission met again at 7 P.M. and after consideration. In consequence of the lateness of the season, and the great delay to be apprehended in bringing the goods for the Council to this point, it was determined to hold the Council at the mouth of the Judith River. Comr. Stevens was requested to make necessary arrangements to notify the Indians to assemble at that point on the 13th inst. The Commission then adjourned to meet at the above point on Friday next.

49.

Council Ground near the
Mouth of the Judith River

Oct. 14th Monday.

The Secretary received the following communication from Comr. Stevens - and handed last Evening a Copy thereof.

Council Ground near the Mouth of the
Judith River Oct 14th 1855

Sir

I arrived at the Council Ground on ~~the~~ Thursday afternoon. established camp and made the necessary arrangements to receive the Indians. My Colleague not arriving on Friday, the meeting of the Commission appointed for that morning was necessarily adjourned over. I found it necessary to draw out from the Indian provisions. 8 bags of flour, 4 bags of Sugar 2 bags of Coffee. and 4 boxes of Hard bread. partly for the use of my own party and the Interpreters of the Commission, but mostly for Indians. and 4 boxes of Tobacco. for distributing among the Indians. and distributed besides to Piegans 4 ~~bags~~ boxes of Sugar. & 2 bags of Coffee. and to Gros Ventres 2 bags of Sugar. and 1 bag Coffee.

I have to request a meeting of the Commission as early this morning as will suit the convenience of any Colleague. with the view of making the necessary arrangements to bring the Indians into Council on Tuesday morning. The particular arrangements of the Council Ground. the selection of Chiefs. the final form of the Treaty &c. &c. will of necessity come up also the Quantity of provisions to be daily or otherwise issued. and some unfinished business.

Your Respectfully
Isaac I. Stevens
Commissioner.

(Signed)

James Doty Esq
Secretary.

(50.)

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Pursuant to the above call, the Commission met at 9 A.M. and Commissioner Cumming presented the following Paper.

Council Ground.
Oct. 15th 1855.

Sir.

Commissioner Cumming will be at the Office in a few minutes to meet the Commission. he requests that Commissioner Stevens has stated on the record that his colleague did not arrive to attend a meeting of the Commission the 12th inst. when it was well known to him that his Colleague arrived on the 13th inst the day to which the Commission adjourned at about 12 M.

(Signed) A. Cumming
Commissioner

James Doty Esq.
Secretary.

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(a)

The Reports of Special Agent Adams and Sub Agent Tappan were read and ordered on record.

The rough draft of the proposed Treaty was then read and being under consideration. Com. Cumming proposed the following amendment:

Commissioner Cumming proposes. that the words "Provided however "that if in the judgment of the President and Senate this amount be "deemed insufficient, it may be increased to a sum not to exceed $35.000 "per annum", be erased from the 9th Article of the proposed form of a Treaty with the Blackfeet and other Indians."

To which proposition Com. Stevens proposed the following as an amendment -

Commissioner Stevens proposes as an Amendment to Commissioner Cumming's proposition - that the word "twenty" be stricken out from the seventh line of the 9th Article and the words "thirty five" be inserted making the appropriation for goods &c. Thirty five Thousand Dollars.

Commissioner Cumming disagreed to the amendment.

Commissioner Stevens proposed as an additional article to be inserted in the Treaty the following:

Add. Article - "The Chiefs, Headmen, and Delegates "of the Several Tribes of the Blackfoot Nation whose names are appended "to this Treaty and who have been duly authorized thereto by their respective "Tribes to acknowledge as their Head Chiefs the following viz: ———
"Head Chief of the Piegan Tribe of the Blackfoot Nation. ———
"Head Chief of the Blood Tribe of the Blackfoot Nation. ———
"Head Chief of the Blackfoot Tribe of the Blackfoot Nation. ———
"Head Chief of the Grosventre Tribe of the Blackfoot Nation."

Commissioner Stevens proposes the above as an additional Article, and if adopted by the Commission, the blanks to be filled in with

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"the names of the Chiefs recognized as Head Chiefs of the respective Tribes. From all "the information he can gain, Comr. Stevens is of opinion that "The Lame Bull, "Mr. Culbertson's Brother in Law, The Three Bulls, and the Bear's Shirt are the "recognized Head Chiefs of the Piegans, Bloods, Blackfeet and Gros Ventre Tribe "of the Blackfoot Nation."

To which Commissioner Cumming submitted the following objection -.

"Commissioner Cumming believes that the insertion of the "proposed Article appointing Principal Chiefs among the several Bands "of the Blackfoot Nation would tend to create discontent and dissatisfac "tion - and therefore declines assenting to its introduction as an article of "the proposed Treaty."

Commissioner Stevens proposed that the Council open to-morrow at 12 M. and the Commission assented thereto -

The Commission then adjourned to meet at 4 P.M. this day -

The following is the Report of Agent Adams (Special) considered this day.

Camp on the Upper Missouri

Near Fort Benton - Oct. 4th 1855

Sirs.

I have the honor to report that in conformity with the instructions, rec'd from the Treaty Commissioners, dated Augt. twenty seventh 1855 - I left the Camp on the Missouri, near Fort Benton, with the party assigned to me, on the 27th of Augt. On the first of September, I found the Gros Ventres Camp consisting of One hundred and eighty Lodges. I convened the Chiefs and principal men and stated the object of my Mission - On the following morning I met them again in Council and heard what they had to say - They guaranteed the safety of any Indians who might be brought to the Council, but owing to some

recent acts of their war parties they were ashamed to accompany me, and gave the invitation in person - With all my arguments, I was obliged to be satisfied with the expression of their good feelings and willingness to listen to their White Chiefs."

Sept. third - I left the Gros Ventres to find the Piegan Camp (Low Horn's Band) taking with me two of the Gros Ventres - Sept. 5th I discovered the Piegan Camp "En route" and after moving with them a few miles, we encamped together - Conversed the Chiefs and Head men, and telling my Errand, received from them also a guarantee of the safety of any Indians who might be brought into Council - One of the Head men said he would go with me to the Crows, and a number consented to accompany me to the Camp of the Western Indians, on the Muscle Shell, some of their people being already there - and from that point probably more would accompany me to the Crows.

This band consisted of fifty four lodges - Laid by with them the following day, and on the seventh started accompanied by about twenty (men and women). Camped that night on the Muscle Shell River - Here I found the United Camps of the Flat Heads, Snakes and Nez Percés and a few Lodges of Piegans, in all about two hundred and twenty five Lodges.

The news I heard here was very discouraging, Some of the Nez Percés who had wintered with the Crows, and left them in the latter part of June, reporting that they (the Crows) had been afflicted with the measles during the past Summer that two hundred and eighty seven had already died, when they left, among them several principal men, and that the Crows, in great consternation had scattered in small bands through the Mountains of the Yellow Stone. I also understood that, owing to an unusual Drought, the Country between the Muscle Shell and the Yellow Stone was almost entirely destitute of grass and water, and

that in order to reach the Yellow Stone above the Big Horn, I would have to make a long detour. Taking these things into consideration, I considered that it would occupy too much time to accomplish the main object of my mission - even should I succeed in finding the Crows, and so reported in my communication to the Commissioners per Hugh Monroe, dated from the Muscle Shell Sept. 10th 1855.

Two days later (on the 12th) I learned that I had misunderstood as to the distance to the Yellow Stone, and on the following morning, taking with me Benj. Kiser, Ford and a Flat Head Indian (the Gros Ventres and Pieds having returned to their village) I struck across to the Yellow Stone, to a point about ten miles below the mouth of the Big Horn River, intending to follow it down to the last Year's Post of the American Fur Co. - hoping to find there established there, and a few of the Crows, at least, trading at the Post from whom I might obtain information concerning the whereabouts of their principal men. Two days I proceeded down the Yellow Stone and camped a few miles above the Post. After night, Sub Agent W. H. Tappan Esq, with several Nez Percés came into my Camp; they had been to the Post, following down the River on the right bank, from above the mouth of the Big Horn, and were on their return to the main Camp - The Post was found to be deserted and burnt, and they had seen no recent signs of Crows, since they had been in the Crow Country. On the left bank I had found no recent signs of Camps.

From information gained from A. Culbertson Esq at Fort Benton the supply of goods for the Crow Post in charge of Mr. Meldrum, should have arrived, and I concluded that same danger to be apprehended from the Sioux below, might have occasioned a delay, at least of the goods and that probably if any Crows were on the River, they had moved down a long distance in order to meet the Boats. I have since learned that my anticipations were correct: that Mr. Meldrum had actual-

=ly been driven back, down the River, and that a large band of the Crow Indians had moved to the vicinity of Fort Union.

My Animals were becoming thin and weak, and believing that the Council would be over much earlier than it is now apparent it will be, I despaired of finding any Crows in time to reach the Council, and with the forlorn hope of meeting some war party, I very reluctantly on the following morning set out to rejoin the Indians on the Muscle Shell, and reached them on the 20th Sept. about thirty miles below where I had left them - The next morning I set out for Fort Benton to communicate with the Treaty Commission - A few miles from Camp on the 22nd we met Mr. Higgins with the Express, and I returned to the Flat Heads that same night - The day I left them they had separated a portion of the Camp having determined to go on to the Yellow Stone: the main party, with Victor continuing down the River.

Hearing from the Commissioners, Victor sent an Express, and the next day the whole Camp was again united.

Here, I must express my sense of the faithfulness with which the Western Indians have remained true to their promises given in the Bitter Root Valley - Up to the date of my leaving them (Sept. 19th) they had seen no Buffaloes, and although by going to the Yellow Stone they would have been supplied, for more than six weeks they have remained on the Muscle Shell, eking out a scanty subsistence with small game, because they had promised to keep near to the Council Ground, and they were afraid that the Yellow Stone was out of reaching distance - When they promised to remain it was expected that the Council would have been held much earlier; but owing to unforseen delays it has been procrastinated far beyond the time held out to them, still, although

in addition to the want of game, the supply of grass and water was very limited, and they were obliged to fell the Cotton wood trees for the support of their animals. Victor still held on, and it was only when they had hunted the small game on the Muscle Shell to its very mouth, that on the 22d ult, I was enabled to give them definite information, that some of them determined to find Buffalo. Victor immediately began to move toward Fort Benton, and the Council Ground, and sends word by me that owing to the poor condition of his animals which still have to hunt the Buffalo this Winter, he cannot move his (camp nearer than the Judith River (distant some sixty miles) where there is small game, grass and water: there his animals will recruit, while himself, and a delegation from his Tribe will attend the Council at any moment he may be summoned.

In the course of my absence I have found the Country South and East of the Judith, as far as I have travelled, extremely destitute of Grass and Water. The portion of my party who did not accompany me to the Yellow Stone did not see running water, altho moving every day for twenty two days. The greater part of this water found was in Standing pools, and strongly impregnated with Mineral Salts, which rendered ourselves and animals extremely debilitated.

Having arrived here with my party on the 3d Oct. I respectfully submit the above report and report myself for further duty.

I am, Sirs,

Your Obt. Servt.

To the Hon. Commissioners Blackfoot Treaty. (Signed.) Thomas Adams.

Report of Sub Agent W. H. Tappan.

The Honorable Commissioners

Blackfoot Council. Sirs: In accordance with your instructions I have the honor of submitting the following report of my late trip from the Council Ground at Walla Walla, to Fort Benton.

It will be remembered that at Walla Walla, Lawyer the Head Chief of the Nez Perces promised upon his return to his Country to convene his Chiefs and appoint some of them number to go with and take charge of those of his people who were to attend the Blackfoot Council he promising to send one hundred men.

On the 14th of June he with his people left Walla Walla Valley. On the 16th I started with one man for their village arrived at Interpreter Craig's on the 19th and remained there until the morning of July 2d when accompanied Mr. Craig and two Indians to my party I again moved on to meet them at their great Camass Ground (Bye'ish.) which had been selected as their place of rendezvous. At the Crossing of Clear Water, I found Lawyer and many of his people, who had just commenced cooking their roots. At this place men, women and children with herds of horses and bands of dogs, gathered in great numbers, and on the morning of the 5th all moved up the steep mountain sides and climbed over fallen timber until they reached Bye'ish. For three days they continued to gather; at length all the bands were represented or heard from and a meeting of the Chiefs was called on the evening of the 8th.

It was expected by the Lawyer that this Council would take place a week sooner but the delay was caused from the fact that during their absence at the Walla Walla Council their fields had been much injured by weeds, these it was necessary to remove in order to save the balance of the crops. Moreover they did not reach their homes until Salmon Season

had well advanced and their traps were yet to be built, thus but a few days were left for gathering this important article of food.

At the Council all matters bearing upon the Blackfoot Treaty were fully discussed and Iris-slaw-s-tee-meny or the "Spotted Eagle" was selected by Lawyer to take charge of the Delegation and represent him at the Treaty. On the morning "Spotted Eagle", several of the Chiefs from various bands, and a few of their people bade their friends farewell and with me started for the Bitter Root Valley where the Flat Head Council was being held, and where they expected to meet some of their friends who had taken the Southern route: On the 15th I reached Your Camp at Hell Gate, and at the conclusion of the Treaty with the Flat Heads I was instructed to remain and accompany the Nez Perces to the Treaty Ground at Fort Benton, my party to consist of Interpreter Craig and two men, Special Agent Adams and Interpreter Kenzie in charge of the Flat Heads also accompanied me.

Finding the amount of Ammunition that had been left for the Nez Perces altogether insufficient I proceeded to Fort Owens and bought 25 lbs of Powder 37½ lbs of Lead and 600 caps, and a few flints and again joined the Nez Perces (who were travelling with the Flat Heads) On Hell Gate River on the 3d of August.

Along this River Deer Elk and Antelope were sufficiently abundant to supply the wants of the Indians. On the 10th when near the waters of the Missouri, Your letter by Mr Burr informing me that the Goods were progressing but slowly towards Fort Benton, that consequently, it was impossible to fix the time for holding the Treaty - and recommending that the Indians should go to Buffalo, and that we (Mr. Adams and myself) proceed with our parties to Fort Benton - In the evening I stated these things to the Chiefs, and they were unwilling that I should leave them: they would feel disappointed if I did so - Feeling convinced that I should lose much of my influence over them by pursuing that course I decided to remain with them and therefore sent on my party in charge of Mr Adams

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On the following day we crossed the Missouri, travelled up that River to the Mountain from which is dug the red ochre, which forms so important an article in the toilet of the Indians: here they remained two days and gathered a large stock for traffic.

Leaving this place, we crossed over to the Muscle Shell River into the usual Ranges of the Buffalo, but found none: Game of all kinds was scarce, and the grass became very poor as we moved down the River. On the 27th "Spotted Eagle" and the little Band who had travelled with me from Oyster, started from the Flat Head Camp in search of the Big Camp of the Nez Perces which we found about fifty miles below: they numbered 103 Lodges, and there were with them 70 Lodges of Snakes. They were desirous of being present at the Treaty and were moving slowly down the River hoping to find a sufficient supply of Buffalo until they were wanted at Fort Benton. The Snakes also expressed a desire to be present at the Treaty and I therefore invited them. As they proceeded down the River they found but few Buffalo, and small game was too scarce to supply so many people: Grass was also daily becoming worse, and the water which was found only in little pools in the River bed was so strongly impregnated with salts and pot ash as to be unfit for use. It was their intention to move slowly towards the Judith, expecting that game and grass would be more plenty in that direction. But from several parties from the North, they learned that a large village of Piegans was near the mouth of the Muscle Shell, and two or three villages of Gros Ventres were on the head waters of the Judith and that the grass was burned off in that direction.

The Chiefs and their people at once comprehended the difficulties which surrounded them. To the North was a vast waste of blackened prairies and mountains covered with ashes. Further on

were the Gros Ventres; in front of them to the East was the Piegan Village. To go to the South therefore was the only chance of their obtaining food for themselves and their bands of horses.

But this would take them from the Council where they had been instructed to conduct their people. This point was long discussed: but their only alternative was Starvation: after authorizing the Chiefs who had travelled with me to represent the whole camp in case of their absence from the Council, they left for the Yellowstone: this was on the morning of the 9th of Sept.

There too they were disappointed; they found but a very few Buffalo and small game was so scarce that in a few days, it was decided, they must divide. The larger part proposing to go up the Big Horn, but a little party of Ten lodges, in which were the Chiefs and delegated men, decided to move up the Yellowstone, thinking that they might yet hear from the Commissioners.

Previous to the separation of the latter Camp, three of the Chiefs accompanied me to Meldrum's Fort, where I had hoped to get for them some supplies and a guide to Fort Benton; we however found the Fort deserted: Here several of their Horses gave out, and they felt it their duty to hasten back to their families: accordingly they left me at Mr. Adam's Camp which we had fortunately fallen in with the night before Sept. 15. With this party I travelled towards Fort Benton until the 22d when we met Your Express in charge of Mr. Higgins bringing despatches of Sept. 18th By them I was instructed to bring the Nez Perces to the vicinity of Fort Benton, as it was confidently hoped that the Council will be opened by the 5th of October. And I was also instructed to communicate with the Crows if practicable, and bring some of their Chiefs to the Council.

On the following morning with Higgins, Craig, Legree and Delaware Jim I started in pursuit of them. Our animals were all poor and fatigued. Our only hope of overtaking them was founded upon the Indian's knowledge of the Country possessed by Jim: instead, therefore, of pursuing the usual circuitous Route travelled by the Indians, we struck across the Country in a direct line for Clarke's Fork, where we thought they might possibly fall in with Buffalo, and remain a few days hunting them. In this conclusion we were right, for upon reaching that river, which we did after travelling 182 miles, we found them in the midst of plenty, their animals heavily laden with meat and skins.

In the evening we held a talk in the Lodge of the Chief, concerning the locality of the Crows; and from one who three days before had left the big Camp of the Nez Perces, I learned that they were upon the headwaters of the Little Horn, and were going Eastward in search of the Crows, with whom they are desirous of trafficking, and who, they fear, are among the Gros Ventres of the Missouri. One Crow and his family are with that Camp. And he has thus far been unsuccessful, in his attempts to find his people. Those of the Chiefs best acquainted with them were of the opinion that it would be useless for me to attempt to find them in less than a month. I should be obliged to go a long way.

Under these circumstances and considering the condition of the animals upon which I should be obliged to rely, for I could not purchase a single horse from the Indians, I concluded that it would be useless to pursue any course but the most direct one to Fort Benton. Therefore, after resting for one day, we left on the morning of the 29th of September taking with us thirteen of the Nez Perces

and leaving only two men in charge of the Camp which was to proceed to Fort Owen and there await the arrival of those who were to accompany me to the Council.

With them I travelled as far as the Muscle Shell River, when I left with two men and hurried forward to make the necessary arrangements leaving them to follow in charge of Interpreter Craig and Dim.

The Party has this day arrived in your Camp and with them are the following Chiefs, the "Spotted Eagle" (the representative of the head Chief) "Looking Glass", "Three Feathers", "Lone Bird" and Captain Johns; "The Eagle from the Light" who is considered the fourth in rank, is with several of his band, now on his way to the Council with the Flat Heads. The above Chiefs and following Head men, Viz: Jason, Natti-Natchki, White Bird, Stabbing Man, Plenty of Bears, and Lesse, are fully authorized to act for the Nez Perce Nation, they having promised to be governed by their acts.

Had it been possible to have held the Treaty at the time first mentioned, or a few weeks later, I doubt not that the 107 Lodges that were East of the Rocky Mountains on the 10th of Septr. and North of the Yellowstone for a month after would have been pitched upon the Treaty Ground. They remained in the vicinity as long as they could support their families and keep in flesh their impoverished horses.

Respectfully
Your obedient Servant
(Signed) W. H. Tappan
Sub Agent for the Nez Perces.

Camp near Fort Benton Octr 6th 1855.

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October 16th Tuesday.

The Commission met at 10. A.M. and the following papers were received, and after considering various points relating to the Council and Treaty the Commission adjourned to 12. M.

Commissioner Stevens recommends daily the following distribution of Provisions.

Bloods - 57 Lodges - 11 in a Lodge - 627.

2 Boxes Hard Bread, 3 bags Flour - 2 Bags Sugar - 1 Bag Coffee.

Piegans - 78 Lodges — 858.

2 Boxes Hard Bread - 3 bags Flour - 2 Bags Sugar - 1 Bag Coffee -

Blackfeet 5. Lodges - 55.

1 Box Hard Bread - 1 Bag Flour, 1 Bag Sugar - 1 Bag Coffee

Gros Ventres - 7 to 13 in a Lodge - 762.

2 Boxes Hard Bread, 3 Bags of Flour, 2 Bags Sugar, 1 Bag Coffee.

Flatheads - 101 Lodges - 7 in a Lodge - 707 -

2 Boxes Hard Bread, 2 Bags Sugar - 3 Bags Flour - 1 Bag Coffee.

Nez Perces - 46 - 1 Box Hard Bread, 1 Bag Flour, 1 bag Sugar 1 bag Coffee -

Indians about Camp 40 - in all 3295.

Sir;

"Commissioner Cumming believes that it would be inexpedient to make any further partial distributions, as it necessarily tends to produce great inconvenience, in the final distribution - If however the Council be not concluded to day - he proposes that an issue be made to each band - and deducted from the distribution share in the general distribution."

57 Oct 16th 1855, Council Ground
James Doty Esq - Secretary

Council Grounds -

Oct 16 - 1855 -

Sir:

Commissioner Cumming considers it proper to state that he was under the impression that the Commission adjourned on the 6th inst. to meet at the Judith on the 13th - that being the day fixed for the assembling of the Indians at that point - and that on examining the record he finds that Friday 12th and not Saturday 13th was the time to which the Commission adjourned - As his absence at that time has been adverted to on the record - he will state for the information of the Commission that he was compelled to resort to a skiff as a means of going from Fort Benton to the Judith - the weather being boisterous on Wednesday evening, his departure was deferred till Thursday Morning - and his voyage continued throughout every hour of daylight, till his arrival at this point on Saturday 13th (he believes) about noon."

James Doty Esq.

Secretary

The following Programme of Arrangements for the Council was adopted -

Arrangements for Council.

Commissioners and attendants in front of Office Tent.

Chiefs - In front Rank 26 in number -

Braves - next behind -

Camp - In rear of braves -

Commissioners - Alfred Cumming -

Isaac I. Stevens -

Secretary - James Doty -

Assistant - A. J. Vaughan

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Agents - Major Hatch - Blackfoot Agent -

Dr. Lansdale Flatheads -

Thomas Adams Special Flat Hd Agent -

W. H. Tappan - Nez Perce Agent -

Interpreters - Blackfeet - Mr. Bird -

Mr. Culbertson

Mr. Roché

Flatheads - Ben. Kuser -

G. Johon -

Nez Perces - Wm. Craig

Delaware Jim

Reporters Thomas Adams -

A. J. Vaughan

October 16th Tuesday -

Pursuant to adjournment the Commission met at 12 M. At 1 P. M. The Indians had collected at the Council Ground, and the Council was opened -

Commissioner Stevens said: The Council is now assembled and the first thing is to have faithful Interpreters - We have selected as Interpreters for the Blackfeet, Mr Bird, Mr Culbertson, and Mr de Roché.

We have selected for the Nez Perces, Mr Craig and Delaware Jim as Interpreters - Are you satisfied with these men?

We have selected for the Flat Heads Ben Kuser and Gustavus Johon - Are you satisfied? No Objection is heard - The Interpreters will now be sworn: And the following oath was administered to them by Commissioner Stevens -

"I Solemnly swear that I will faithfully discharge

"my Duties of Interpreter at this Council, and that I will truly and to the
"best of my ability interpret the Speeches of the Commissioners on the
"one side, and of the Indians on the other. So help me God."

Commissioner Cumming said: "I wish my Children to understand
"that I have been sent here with my friend on the left, by my Great Father
"in the East.

"Your Great Father has been very much grieved to hear that
"you have had difficulties among yourselves, and has sent us up
"now to arrange them. To-day we will open a paper in which we
"will all agree to live in peace and friendship, after which we will
"give you presents, which the Great Father has sent to show he is in
"Earnest: By and bye, when you have signed this paper, the presents
"will be given.

"I am glad to see, and the other Commissioner is glad to see,
"that the hearts of the Indians are disposed for peace and to meet the
"wishes of their Great Father.

"When my Colleague has said a few words more to you, we
"will open the paper and the interpreters will explain it to you,
"clearly, so that you can understand, and if you do not you
"must ask for explanations.

"The Great Father told me to tell you that if you kept
"your promises he would send Goods to you every year, and people to show
"you how to farm. so that you can raise plenty to Eat.

"I met the Assinaboines before coming here. They
"sent by me Tobacco to be given you at this Council, saying that they
"wished to live in peace with you and all the Indians in this Country.

"I will quit by saying I hope the Great Spirit will
"put good Sense in your heads about what you have to do at this Council."

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Commissioner Stevens said.

"My Children - My heart is glad to day. I see Indians East
of the Mountains and Indians West of the Mountains sitting here as
friends. Bloods, Blackfeet, Piegans, Gros Ventres, and Nez Perces, Koot-
enays, Pend d'Oreilles, Flat Heads - And we have the Crees sitting down here
from the North and East, and Snakes further from the West.

There is Peace now between you all here present. We
want Peace also with Absent Tribes - With the Crees and Assinaboines.
With the Snakes, and yes, even with the Crows. You have all sent
your message to the Crows, telling them you would meet them in
friendship here. The Crows were far and could not be found, but we
expect you to promise to be friends with the Crows here.

I might have some doubts did I not know from experience
the hearts of these men. You have known me long. You have always found
me your friend. You have trusted me once, I know you will trust me
again - Peace, I say with the Crows!

It was Low Horn, who, two years since, said to me,
Peace with the Flat Heads and Nez Perces." The Lame Bull said "Peace
with the Flat Heads and Nez Perces." The Little Dog, Little Gray Head, and
all the Blackfoot Chiefs said "Peace with them, come and meet us
in Council." And here they are. Here you see them face to face.
I met them the same year: I told them your words: they said "Peace
also with the Blackfeet."

And both my Brother (Comm: G.) and myself have
seen the Great Father, and he has sent us among you to be witnesses of
this Peace and Friendship.

And the Great Father has said "Peace with the Crees
and Assiniboines, the Crows and all neighboring tribes."

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I shall say nothing about Peace with the Whites. No White man enters a Blackfoot or a Western Indians Lodge, without being treated to the very best. Peace already prevails. We trust such will continue to be the case forever.

My heart must express its gratitude to you, all for the kindness you have shewn to me and those connected with me, for nearly three years.

We have been travelling over your whole Country, both East and West of the Mountains: In small parties, ranging away North to Bow River, South to the Yellow Stone, and from Ocean to Ocean.

We have kept no Guard. We have not tied up our horses, all has been safe. Therefore I say Peace has been, is now, and will continue between these Indians and the White man. There is no need of more words. It is a fixed fact.

We will read the paper to you."

Commissioner Cumming. said.

"I wish you to say to the Blackfeet and the other Indians, that the Cree here present, who came up with the "Little Dog" is with him, a witness to the friendly Spirit manifested by the Assiniboines and Crees. and their sending by me some Tobacco as a token of their friendship and desire for peace. and I will now distribute it."

(The Tobacco was given to the Crees, who accompanied by the Little Dog, gave it to the principal Chiefs present.)

Commissioner Stevens. then said:

"Thus you have the message from the Assiniaboines. By and by you will have from my Brother here, a message of Peace from the Crows: but from this Ground send Tobacco

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to the Crows, through these men (pointing to the Nez Percés) who know the Crows."

The Commissioner then proceeds to explain the treaty. He said,

"Here is the paper. But before I explain what is in it, I will state what is not in it.

"A story was told among you, that your Country was to be taken from you and that you were to be driven North to the Saskatchawan, among the Crees and the Assiniaboines."

"You see Mr Doty writing at that Table. He told you it was a Lie. You know Mr Doty. and that he has never told you a lie."

"I tell you that Story is a Lie, and you have always had the truth from me."

"We want to establish you in your Country on farms. We want you to have Cattle and raise Crops. We want your children to be taught. and we want you to send word to your Great Father, through us, where you want your Farms to be, and what Schools and Mills, and Shops you want."

"This Country is your home. It will remain your home. And as I told the Western Indians we hoped through the long Winters, by and bye, the Blackfeet would not be obliged to live on poor Buffalo meat but would have domestic Cattle for food. We want them to have Cattle."

"You know the Buffalo will not continue forever. Get Farms and Cattle in time."

I will now explain this Paper to you.

The Treaty was then read and explained. Article by Article, and having reached the Third. Comm^r Stevens said,

"A few words before I explain the next point in the paper."

"The Blackfeet know that the Western Indians go

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to Buffalo on the Other side of the Missouri - They use certain Passes. The Medicine Rocks, the Big Hole, and Others further South."

"They pass over through these Passes, go to the Muscle Shell and the Yellow Stone and return home by them."

"Here the Western Indians have hunted, and there the Blackfeet have hunted. We propose that all the Indians here shall continue to hunt on that Ground, and that it shall be a Common Hunting Ground. I will explain that Ground more carefully in a moment."

"I have a word to say to the Western Indians: They have hunted at the Three Buttes - The Blackfeet complain of them. They say give up hunting here, and you may hunt in the Common Hunting Ground."

"We think that talk is good, and wish the Western Indians should not hunt there. I think, Alexander will think it good.

"I told you a few moments since that I should explain more fully the position of the Common Hunting Ground."

A Map was then shown to the Chiefs, and the Boundaries of their Country and the Hunting Ground fully explained by Comr Stevens - Who then said.

"I have now explained to the Blackfoot and Flat Head Chiefs about this Common Hunting Ground on the map - I will now explain it to the Nez Percés."

(After which he continued) - We have now explained to all the Indians their Country and the Common Hunting Ground. Now Alexander the Pend d'Oreille Chief wishes to speak:

Alexander said: "A long time ago our people, our

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ancestors, belonged in this Country - The Country around the Three Buttes. We had many people on this side of the Mountains; and now you have shown us only a narrow ridge to hunt on.

"You do not see all of our people here. There are many beyond the Mountains - It is a very small place you give us for a hunting Ground.

"A long time ago our Old people used to hunt about the Three Buttes - and the Blackfeet lived far North. When my Father was living he told me that was an old road for our people."

"We Indians were all well pleased when we came together here in friendship. Now you point us out a little piece of land to hunt our game on. When we were enemies, I always crossed over there, and why should I not now, when we are friends? Now I have two hearts about it - Why cannot I go there? What is the reason? Why do you point us out a small place?

"Which of these Chiefs" (pointing to the Blackfeet) "says we are not to go there? Which is the one?

The Little Dog, a Piegan answered - "It is I, and not because we have anything against you - We are friendly - But the North Blackfeet are bad, it might produce a quarrel if you hunted near them - do not put yourselves in their way."

Alexander continued - "Here is this White Chief who has just been talking to us - He said All your Nation was here to make peace. Why is it then that they do not?

"The Chief tells us that we are all, all us Indians, to eat out of the same plate - one plate - Now you tell me to quit crossing in the North - I wonder how this can be!"

The Little Dog said. "I went to the North with Mr.

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Doty. Those Indians would not come to the Treaty. I do not know what they intend to do."

Com^r. Stevens. said. "I will explain to Alexander, why the Commissioners think their plan about the Hunting, just and good."

Alexander said. "All these Blackfeet Chiefs spoke but one word. I was glad to have the Treaty. I was following only what they said. Now I do not know how it is. I thought they came here to make Peace. When Peace is made we should be mixed together freely. Here am I, and many of us. If they wish to come to our Country we will not tell them to go back. If is my Country. I saw you coming I would be very glad. Below here God tells us that we must all come together, all of us everybody. If I see us all come together, then I shall be very glad. I like all of you. Now we are trying to learn everything. We are only trying. Our Children will have better sense. I want you to speak. What are your minds?

Little Dog said. "Since he speaks so much of it, we will give him liberty to come out in the North."

Commissioner Cumming said. "I wish Alexander to understand that all that Country North of these lines" [and here the Com^r. points out on the map the boundaries of the Blackfoot Territory as laid down in the Treaty of Laramie] "is recognized by the Laramie Treaty as belonging to the Blackfeet; and the Blackfeet in a desire for peace and friendship, give that to them for a Common Hunting Ground. It is not so large as some Countries, but it is pretty large, and appears to be sufficient for their use."

Com^r. Stevens. said. "In making this division we looked to the Indians obtaining their living. The Blackfeet need all their Country here. The Western Indians have enough in the price given them in proportion to their numbers. Alexander does

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not want the Blackfeet to starve. The Blackfeet also want Alexander to have food. The Blackfeet agree as my Brother has said, that this shall be a Common Hunting Ground. We want Alexander to agree to it. The Western Indians are only one fourth as numerous as the Blackfeet. Let Alexander think of this. He does not get all his food from the Buffalo. He has farms and Cattle. The Blackfeet have none."

Alexander said. "I speak for this, because when I am hungry, I go in the North and hunt a few Buffalo, and return home soon."

Com^r. Stevens, said "Alexander has spoken of friendship and peace. It is right. We expect him to be good friends with the Blackfeet. Let him pause and not give a quick answer. But to listen to his Father."

The Big Canoe (Pend d'Oreille.) said. "I am glad now we are together. I thought our roads would be over all this Country. Now you tell us different. Supposing that we do stick together, and do make a peace. that is the way we talk on the other side. Now you tell me not to step over that way. I had a mind to go there."

Com^r. Cumming said. "The object is not to prevent Social intercourse between the tribes. It is only to preserve their Hunting Grounds distinctly apart. The Blackfeet will always be glad to see the Flat Heads. The Whites make these lines to show where each must hunt, so that there shall be no quarrels. The Blackfeet invite you to come and see them at all times."

The Lame Bull (principal Chief of the Piegans) said. "It is not our plan that these things are going on. I understood that what the White Chiefs told us to do, we were to do, both sides;

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It is not me that speaks, it is the White Chiefs. "Look at those Tribes" (pointing to the Western Indians) they are the first to speak, making objections this morning. We intend to do whatever the Government tells us: we shall take care to try and do it. We shall consider what the White Chiefs wish us to do, and I think we shall do it. They have done much, and intend much more for us. Let us listen. We shall abide by what the White Chiefs say. I hope these Indians will make friends with us and that it may be shown by a friendly exchange of property."

The Big Canoe said "Dont let your War parties hide from me. Let them come to our Camps as friends.

Commissioner Cumming said. "I wish to say to the Western Indians that upon this Land no permanent settlements shall be made for ninety nine years - Although it is recognized as Blackfoot Country by this Paper", (Pointing to the Treaty of Laramie) "I wish Alexander to decide upon this proposition, that I may repeat it to the Blackfeet if he agrees to it."

Alexander declined replying.

Com. Stevens then said. "I will say a few words to all the Indians present. We will try this treaty again to-morrow. Think over the matter in your Lodges to night. I will say to the Western Indians that the proposition made to them I believe to be just and good. Let them Council together and see to-morrow, if it will not suit their hearts. When you separate talk in friendship with the Blackfeet and see if your hearts cannot be one."

The Council then adjourned till to-morrow at 10. A. M.

October 17th Wednesday.

The Indians assembled and the Council was opened at 12. M.

Com. Stevens said. "My Childrens - You separated in friendship last night - You meet as friends now. The Blackfeet said last night - they say now, we will agree to what our Fathers recommended us to agree. We will give to the Western Indians the liberty to hunt on the Trail down the Muscle Shell to the Yellow Stone - Thus the Blackfeet give to you the right to hunt in their Country down the Muscle Shell."

Com. Cumming said. "Say to the Blackfeet that the Muscle Shell continues to be the boundary of their Country. Say to the Flat Heads and Nez Percés that the Muscle Shell continues to be the boundary of the Black foot Country; but the Blackfeet give them the right of hunting in their Country along the Trail passing down the Muscle Shell."

Com. Stevens said. "Here is a map and I will now explain carefully the boundaries we have spoken of." And the Commissioner then proceeded to explain them in detail by means of a map, and a rough sketch of the Country drawn on a Buffalo Skin. Having thus fully explained Articles III. IV. & V. the Commissioner said. "If no objection is made to these Articles, my brother will explain to you the next articles."

The Indians appearing fully to comprehend and assent, no objections being made;

Com. Cumming proceeded to say. "It is the wish of your Great Father that the Indians remain within their own Countries except when going to the Country of Neighboring Tribes for the purpose of visiting or trading - The arrangements we have made, will not prevent you from visiting each other as friends. The Great Father wishes to see

-courage you in this."

The Com^r having taken up and carefully explained the VI, VII & VIII. Articles, continued as follows: "I hope this will be agreeable to my Red Children. It is what the Great Father says to them. Is there any thing to which they object"?

The Indians expressed an entire comprehension and satisfaction with the agreements required of them, and the Com^r proceeded to take up Article IX relating to annuities and said:

"In consideration of the goodness of his children and the "promises which they makes, the Great Father has sent these goods to you" pointing to the goods which were piled up near the Council Ground.

"These Goods he tells us to give to the four bands of the Blackfeet, and the Indians from the West, according to their numbers. There are some of the four Bodies absent. The Great Father has sent an Agent to live at the Forts above who will be your Father. When you have any trouble go to him as you would to your Father. As soon as I can get the goods fixed I will divide them out among the Indians perhaps to morrow. it may be the next day. but I will do it as soon as I can. I know you are anxious to get away. Some of the Indians who live far off had no horses and could not come to the Council. We will give a plenty of goods to every body here. For those who are absent, my brother and myself have agreed to place them in the hands of the agent sent to them by the Great Father, till he can see them. When they come to the Forts they will find him there, and he will give them their Goods. I presume this arrangement is agreeable to the Blackfeet, let them say if it is not."

The Commissioner then explained in detail, the consideration to be paid, contained in Articles IX. and X. and

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Com^r Stevens in continuation of the subject said: "The Great Father thinks much of Farms, Schools, Mills and Shops, and he wants you to consent, if he thinks best, that no goods shall be sent you, but all be given in Farms &c. Your own wishes will be much consulted in this respect - but the Great Father does not want you to starve when the Buffalo passes away. Therefore he will do all he can to get for you farms, cattle &c. and teach your Children trades. We want, as we have said, the Indians to be the friends of each other. to be the friends of the Whites. If the White man takes your property the Great Father will make it good to you. If any of you take the property of a White man, you will make it good to him. If Indians steal from each other the same rule will apply as in case of Indians stealing from Whites."

Article XI. in relation to their dependence upon the United States was minutely explained, as also were the remaining Articles of the Treaty.

The Commissioner Continued "Now, what we have said to you is written in this Paper. If you like it, you will sign it, and from the time you sign it, you will agree to be friends with the Western Indians. This paper will be sent to your Great Father. If he thinks it good he will send it back. It is a long distance there and you cannot hear from it till next Year. It is sometimes the case, the Great Father thinks it may be changed a little. He is very wise; wiser than my Brother and myself But he will send back the alterations to see if you consent to them; if you do then it is a bargain. But I think and my Brother thinks that the Great Father will think the Paper good and will approve it. You have heard the paper. Is it good? Do you like it? Speak from your hearts and let us know if you all like it. We are now ready to sign the paper. If any Indian wishes to speak, let him do so."

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The Lame Bull wished to know what they should do in case their enemies the Assiniboines Crees or Crows came to steal their horses.

The Commissioners advised that they should follow the thieves retake their property, if possible, and on returning report the affair to their agent.

"Three Feathers" a Nez Percé Chief, said, "I came here to hear what the Blackfeet would say concerning a Peace. We on the other side have already received the laws from the Whites. We came to see the Blackfeet receive Laws and make Peace with all their neighbors. We are friendly to them. Let the Blackfeet show their hearts."

The Blackfeet expressed a desire for Peace and Friendship with all the tribes West of the mountains. They were determined to make a Peace now.

"Three Feathers" said. "It is good. the Blackfeet agree. We of course agree. We came here to make friends with these people and we are ready to sign the Treaty.

Ois-tay-say-nah-quis-sis, Head Chief of the Bloods said. "I wish to say that as far as we old men are concerned we want peace. and to cease going to War; but I am afraid that we cannot stop our young men. The Crows are not here to smoke the pipe with us and I am afraid our young men will not be persuaded that they ought not to War against the Crows. We however will try our best to keep our young men at home."

Com[r] Stevens said. "Your Great Father wishes you to be on friendly terms with all the tribes - to keep peace with the Crows as well as with all others, but he does not wish you to lie down and be killed. You have a right to defend yourself, and if the Crows come into your Country to make War and to steal your horses, drive them out and kill them, but do not go into their Country to War.

5-14

Your Father here (Col. C.) has an agent among the Crows. He will let the Crows know your wishes. That you want Peace. Send messages to them and if they come to your Country as friends treat them friendly. I trust they will not come as Enemies.

In reply to the remarks of the Blood Chief - Com[r] Cumming said - "I am alike the Father of the Crows and the Blackfeet. the words I have this day said to the Blackfeet I will also say to the Crows. I will tell them that the Blackfeet have made a Treaty of Peace, and that you will all consent to send out no more War Parties. When a Young man of the Blackfeet is lost in Battle, there is a great lamentation in your Lodges and so when a young man of the Crows loses his life. he lays down in death upon the Prairie. but in the Lodges of the Crows there is weeping and every night they cry for the dead. Tell your young men that your Great Father wishes all his Children to live in Peace; if you do not live in Peace, and continue to go to War, he will be mad with his Children, he will be ashamed of his Children - and will not send you Blankets and provisions. Coffee and Tobacco. Tell your young men to take wives and live happily in their own Lodges. then the old man will see their sons. your sons will see their Children - and you will all be happy. Remember my words. I will say the same words to the Crows."

The Commissioners then signed the Treaty, and were followed by the Chiefs, Headmen and Delegates of the various Tribes present. Great satisfaction prevailed, and every Chief of any importance signed the treaty.

At 4 P.M. The Council was declared, Concluded.

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October 18th 19th & 20th were occupied in distributing the goods, provisions &c to the Indians, who were all assembled, each Tribe being by itself.

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5-15

On Saturday the 20th, the Commissioners presented the Medals and Coats to the Principal Chiefs, and made to them suitable addresses admonishing them faithfully to keep the promises they had made to their Great Father.

The distribution of the Goods, provisions &c was made upon a basis determined upon by the Commission. The list of distribution was certified by the Commissioners and placed on file in the Office of the Commission, and will there be found. For reference it is marked [A.B.]

Monday October 22d

James Doty Esq

Secretary of the Commission for holding the Blackfoot Council:

Sir:

I have the honor to present the following account of additional expenditures over and above those contemplated in the Special Instructions of the Commissioner of Indian Affairs, and to defray which funds have been placed in my hands, incurred by me in consequence of the operations of the Commission.

1 2 months expenses of my party, as per paper marked A. My requisitions for funds were based on the Treaty being made in July and August. And the Special instructions of the Commissioner of Indian Affairs gave me reason to expect the arrival of the goods in July. The treaty was not signed till Oct 17th. I cannot start from Fort Benton, to return to my Superintendency till Oct. 26th or 27th

Say Two Months Additional Expenditures from Aug 26 to Oct 26. $2733.33

2. Additional Wear and Tear of horses and mules, due to the great amount of express work and the lateness of the season. rendering it certain that animals will be lost or rendered unfit for service in crossing the mountains - over and above any original estimate - 1417.67

3 Additional Employees including the Interpreter Bro[t] Paper B - 449.00

4 - Expenses of fitting out Express parties - Paper C. (hastily estimated) - 400.00

$5000.00

In asking for Ten Thousand Dollars, I contemplated bringing a force of men and animals sufficient for assembling the Indians on my way to Fort Benton, in order to secure the attendance of the necessary delegations, and also such force as would the Indians to be commanded in the vicinity of Fort Benton, would be adequate to communicate with and assemble all the Indians on the Council Ground - Except in the single instance of Mauvais Employment as Interpreter and Guide to Mr. Adams, I have furnished all the Animals required for this duty. The force of men brought with me has not only been fully employed, but additional Voyageurs and men have been required, and the Animals are much worn by hard service.

I propose that the settlement of the accounts specified in Papers marked B. & C. be made by me, and that the Commission recommend that an additional amount be allowed me to defray my expenses, the amount to be determined by the Commissioner of Indian Affairs, on a report to be submitted by me on my return to my Superintendency. In Conclusion I recommend that Mr. Doty be paid Ten Dollars per day from the day of the organization of the Commission to its adjournment - 5. Dollars to be paid by Com[r]. Cumming over and above his regular Salary in the service of the Blackfoot and Washington Territory Treaties.

Respectfully submitted -

Signed Isaac I. Stevens - Commissioner

A

James Doty - 2 months at $150. per month $300 - Secretary
Wm Craig - " 100 200 - Interpreter
C. P. Higgins - " 100 200 - Packmaster
E. Sohon - " $41.67 83.33 - Interpreter
15 men @ $60 - per month - each - 1800.00 - Packers & Cooks -

The provisioning and the expenses of the above will be small - Meat was mostly got from the Plains, and for nearly two thirds of the time the men lived on one third rations of flour. If the supplies drawn from the Indian provision are not charged to the funds placed in my hands by the Commissioner of Indian affairs it may be to some extent at 150.00

$2.733.33

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In the above are not included the Salaries of the Agents and remaining Interpreters which are charged to the Special Appropriations for Comr. Stevens' Superintendency - Nor the expenses of Provisioning them - Only the Salaries of ten men would under ordinary circumstances have been estimated for. but the delays have caused more than a corresponding increase in the Treaty arrangements for Washington, and will not only cause an increase in the Treaty but in the contingent expenses. An additional Express clear through to Olympia, being necessary for the proper performance of Commissioner Stevens' other duties.

Additional Employees - Paper B.

Legare - Express to Boats Camp 28th to Sept. 6th 9 days.			
" - Yellowstone Sept. 19. to Oct. 5. 17 "			
" - Milk River. Oct 7- 5. - 2 "			
	28 days at $3-		$84-
G. Wilson - Express to Boats Oct 7- 10-	4 -	at $2.	8
Duchet. " - Pends d'Oreille Camp Oct 7-	1 -	at $2	2.
do Guide to Simas at Treaty from 1st Oct 8. 22. 15 "		at $2	30.
James Bird Aug 23d to Oct 26. 65 days at $5. per Day.			325-
			$ 449-

Commissioner Stevens on reaching Fort Benton offered Mr. Bird employment as Interpreter, dasecteb him to give notice to the Indians that the Council would be held, and to advise them to accumulate meat, and be in readiness to attend the Council as soon as definite information should be sent - This letter was sent to Mr. Bird by one of his sons, who left Fort Benton, August 7th and reached his Father at the Northern Camps. On the 22d August - Mr. Bird gave notice to the Indians and the next day set out for Fort Benton - He proceeded one day on his journey when he was compelled to return in consequence of the refusal of the Indians who accompanied him to go on, they having seen in the course of the day an Assiniboine War Party. Mr. Bird from his age and infirmity cannot travel Alone.

Mr. Bird well knew from Comr. Stevens' letter and also from the word left with him by Mr Doty, whose interpreter he was a portion of the time Mr. Doty was Special Agent for the Blackfeet, that a party would soon be in the

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Blackfoot Camps, and that in the meantime, he could render essential service by intercourse with the Indians, and dissipating Groundless Alarms. Mr. Bird was constantly employed in this duty till the arrival of Mr. Doty who has specifically mentioned one of the unfounded reports, and which was referred to by Comr. Stevens in Council.

Comrs. Stevens is of opinion that Mr Bird should not only be allowed compensation for this period, but till he leaves Fort Benton for his Superintendency - He needs Mr. Bird's constant service from this time till the 26th or 27th instant, as Comr. Stevens will be in the vicinity of the Blackfeet and will be constantly referred to by the Chiefs and principal men for explanations of the Treaty.

C.

Expenses of fitting out Express Parties.

Bill of P. Chouteau Jr & Co - settled		
Cooking Utensils -		$ 42
Powder and Balls Mostly distributed to Indians -		187. 50.
Payments to Guides -		30.
Bill of Harney, Prussian & Co - not received - Estimate -		100.
Mean and Jean of Lard Ox Hides Blankets -	40.50	$ 400. 00.

The Expresses have been as follows.

1. Hugh Robei - Express to Boats. 9 days. 4 Animals Aug. 28. to Sept. 26.
2. Cannon do. to Yellowstone 1 Animal. Aug 29. to October 13th 44 days.
3. James Doty - Northern Camps. 16 days. 5 Animals Aug. 31st to Sept. 15.
4. Thomas Adams - Crows - 38 to 41 days. 12 do - Aug 27. to Oct 3. 5. 6.
5. Dr. Lansdale - Pend d'Oreille - 6. " 2 " Aug 31. to Sept. 5.
6. Higgins - Yellowstone 17 " 4 - Sept. 19. to Oct. 5.
7. Dr. Lansdale - Flathead Camp. 6. 3 - Oct. 4. to Oct 9.
8. Adams - Pend d'Oreille Camp 1 2. Oct 7. to Oct. 7.
9. James Bird - Piegans & Bloods 2 2. Oct. 7. Oct 8th.

10. B. H. Stevens	Provisions	2.	2	Oct 7.	Oct 8.
11. John Lizotte	Boats	3.	2.	Oct 7.	Oct 9.
12. George Wiper	"	4	2	Oct. 7.	Oct 10.
13. Fr. Gamette	Tobacco	5.	5.	Oct. 3d.	Oct 7th.
14. Ben Kissic	Flatheads	4.	2.	Oct. 10.	13.

This List does not give all the Labor of Men and animals required at the hands of Comr. Stevens' party for the Operations of the Commission. Their meat was got on the Plains, of which a large quantity was required, as till the 6th Sept. I and his party had only one third to one quarter rations of flour. The Expresses lived almost exclusively on dried meat and game having coffee, sugar & flour for the first few days starting out.

The following was received from Comr. Cumming.

Council Ground Oct 21st 1855.

James Doty Esq Secretary. Sir:

The Communication of Comr. Stevens accompanied by estimates A.B.C of Expenditures alleged to have been made and estimates for contingencies have been examined:

I supposed that Commissioner Stevens fully understood that I was ready to pay the wages of James Doty Esq as secretary at the rate prescribed by the Record, and the amount due Mr. James Bird as Interpreter. That there may be no further misunderstanding, I will now repeat that I am ready to pay James Doty Esq his wages on the terms agreed upon at the organization of the Council, and those of Mr. Bird Interpreter at the rate of five Dollars per diem from the fifth day of September 1855 - to the close of the Blackfoot Council.

I cannot recognize the claims of any employee of the Indian Department to additional wages, for any services rendered whilst in the employment -

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I will not consent to the payment of any amount to Mr. Bird anterior to the 5th day of September 1855, at which time, he was engaged by order of the Commission -

With respect to outlays made by Comr. Stevens, I had hoped that the appropriation of $.10,000 would have been ample to meet them - If in this however, I have been mistaken it is quite evident that I am not empowered to settle his accounts and must therefore leave them exclusively under his control for adjustment -

Respectfully Yr. Obt Serv.

"Signed" A Cumming Commissioner

The following was received at 12 M. from Comr. Stevens.

Council Ground near mouth of Judith -

October 22nd 1855.

James Doty Esq.

Secretary of the Commission for holding the Blackfoot Council

Sir: The undersigned one of the Commissioners to hold the Blackfoot Council has refrained till the conclusion of the Treaty from noticing the Paper of Comr. Cumming, exculpating himself from an "alleged insinuation" of the undersigned that he had shown a disposition to repudiate his own acts done in Commission. The undersigned has made no such insinuation - On the contrary in his two Communications of the and to the Commission he distinctly stated that Comr. Cumming had repudiated his own acts, and used every exertion to usurp the rights and Power of the Commission and reduce the undersigned to the position of a Subordinate - Fortunately for the dignity of the Commission and the success of the Treaty, this attempt was most successfully resisted, and Commissioner Cumming was compelled to surrender his claims - Claims for which he had in the opinion of the undersigned, no color of all thority from the tenor of his Special Instructions

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and which were totally at variance with the tenor and import of the Special instructions of the undersigned, and the general instructions of the Commission -

The Exculpatory Paper of Commissioner Cumming does not in the opinion of the Undersigned give a just impression of several matters, which the undersigned will now clearly set forth, in order that the course of Comr. Cumming may be seen in its proper light.

Mr. Doty did not enter upon a conversation with Commissioner Cumming in reference to the records, nor was any allusion ever made to a copy to be made by Mr Kennerly for Comr. Cumming's use at Fort Benton. Mr Doty had charge of the Records and Mr Kennerly was his assistant by order of the Commission and was actually making a copy of the Records under Mr. Doty's direction. Mr Doty was giving Mr. Kennerly the necessary direction as to the copies to be made of the Official Journal in his capacity of Secretary of the Commission when he was interrupted by Comr. Cumming and told that he would have to do all the copying himself - and that the Commissioner Cumming had other duties for Mr. Kennerly -

Commissioner Cumming has referred to the fact that the Office was kept in a tent near the Camp of Commissioner Stevens for reasons well known to the Commission. Comr. Stevens gives full permission to Comr. Cumming to state these reasons officially or otherwise, if in his judgment it will help his case or depreciate the character & conduct of the Undersigned.

The Undersigned submits in connection with this paper a statement from Mr. Doty addressed to the Commissioners, which will show that Comr. Cumming has in his attempt to defend his course given a distorted view of the question in dispute, for which Commissioner Cumming has no excuse, inasmuch as the substance of the Papers had been previously submitted in writing to Comr. Cumming, and had been stated more in detail in conversation in the presence of the undersigned, Commissioner

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Cumming admitting as the undersigned distinctly recollects the accuracy of Mr. Doty's Statement.

The undersigned trusts that his conduct and that of Comr. Cumming during the progress of the business of the Commission will be closely scrutinized by the Department of the Interior, and that such action will taken as will hereafter protect the right of Commissioners, and prevent the attempt of one Commissioner to make himself the Commission, in defiance of the rights of his Co-Commissioners. Commissioner Stevens has no grievances for which he asks redress from the Department of the Interior - He has protected his own right here.

Respectfully submitted

(signed) Isaac I. Stevens, Commissioner

The following paper is the Statement of Secretary Doty, submitted by Comr. Stevens as part of his communication of this date.

"The Secretary called upon Mr. Kennerly to ascertain what progress Mr. Kennerly had made in executing duplicate copies of the Official Journal which the Secretary had been instructed both by Comr. Cumming and Comr. Stevens to request Mr. K. to make. Mr. Kennerly said he had made but one copy, and the Secretary remarked, that two were required to be made by Mr. K. and the Secretary thought it no more than proper that he should make them, since Mr. K. had been appointed to assist him: He (the Secretary) having to report the proceedings and correct and write them in the Journal which conditioned two copies, and certainly it was no more than half the work to make two other fair copies - Comr Cumming (who was writing at a table near) then said, that Mr. K. had other duties to perform than writing on the Records. The Secretary expressed some surprise, saying

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that he had supposed Mr. K. was appointed to assist in the records. Com. C. then informed the Secretary that it was unnecessary to discuss the matter that he had appointed Mr. Doty Secretary and Mr Kennerly assistant under authority of his special instructions. That he had, or should assign Mr Kennerly to specific duty in connection with his accounts, goods &c and that he could not be assigned to the records. The Secretary said it would be difficult, if not impossible for him unassisted to keep up the triplicate copies of the Journal. Com. C. said that he had appointed Mr Doty secretary, as before remarked, and if he could not perform the duties, could appoint a successor.

Mr Doty replied that he could and would as secretary perform any duties assigned to him by the Commission. that he did not undertake to define Mr. Kennerly's position. but the point he wished to make was this: How much copying Mr Kennerly was to do, in order that he might know how much remained for him (the Secretary) to do. and Com. Cumming replied that he would determine this matter hereafter.

This is the whole conversation, and Mr. Doty repeated it the same evening to Com. Stevens, deeming it a subject upon which the Commission should decide, and not requiring any interference on the part of the Secretary, who, as an officer of the Commission would be bound to obey its orders only.

The following Communication from Com. Stevens was received.

Council Ground near mouth of Judith

James Doty Esq. October 2nd 1855.

Secretary of the Commission for holding the Blackfoot Council.

Sir:

Reference having been made both in the Treaty and in the Speeches to the Indians, to the Laramie Treaty, the undersigned desires to place upon

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the Official Record the opinion, that the Blackfoot Indians derive their rights to the "Common Hunting Ground" simply from occupancy and possession. They were not parties to the Laramie Treaty and in consequence can have no rights under it.

The only legal effect of the Laramie Treaty in the opinion of the Undersigned was to restrict the Crows and Assinaboines from claiming any Territory North and West of the limits prescribed for them in the Treaty. The Article in the Treaty defining the limits of the Blackfoot Country was beyond this a sheer Nullity, vested no rights whatever in the Blackfeet and did not affect in the slightest degree their rights of the Tribe.

The reference therefore to the Laramie Treaty in the proceedings was assented to by the Undersigned as simply a historical fact, and a proviso has been introduced at the end of the Articles, guarding against the inference that the Commissioners in treating with the Blackfeet intended to sanction the view that the Laramie Treaty does vest in them right. The Commissioners having opposite views in relation to the matter, leaves the Laramie Treaty to speak for itself. The undersigned now places upon the record his opinion that the provisions of the Laramie Treaty defining the Blackfoot Territory is a nullity. It is probably a question of no practical importance as ninety nine years must elapse before the question can come up, as to who were the original occupants.

Respectfully submitted

(Signed) Isaac I. Stevens. Commissioner.

The following Communications from Com. Stevens were received.

Council Ground near mouth of Judith.

James Doty Esq.

October 22d. 1855.

Secretary of the Commission for holding the Blackfoot Council.

70 Sir. The Undersigned one of the Commissioners to hold the Blackfoot Council

solemnly protests against the Instructions of the Commissioner of Indian affairs placing the name of Com. Cumming first on the Commission, and he appeals from said instructions to the President of the United States.

The undersigned was in his opinion entitled to be placed first on the Commission and for the following reasons.

1. He originated the Blackfoot Council, prepared the Indians on both sides of the Mountains for it, and for all practical purposes has been the Superintendent of all these Tribes since he explored the Country in 1853. He has appointed Special Agents for the Blackfeet. distributed goods and provisions among them and in other ways has by the authority of the Indian Department had the administrative Charge of these Tribes.

2. He was the Senior Officer by date and priority of Commission.

3. He was better fitted by experience and adaptation to the duties to take a prominent part in the negotiations, and he fearlessly refers to the Official Records to shew that the success of the Treaty is mainly due to his previous labors, his forecast in bringing the necessary force to the theatre of the principal Operations, and to the vigilance, [redacted] energy and force of Character which he has exhibited throughout, and that thus was redressed the wrong which otherwise, would have been done to the public service, and injury to the reputation and services of the undersigned by placing his name second on the Commission.

4. He therefore appeals from the Department of the Interior to the President of the United States, for such action as he may think proper in the premises.

5. The undersigned has refrained from embarrassing the Treaty by submitting this Protest for entry upon the Official Record, till the negotiations were completed and the business of the Commission brought to a close.

Respectfully Submitted

"Signed" Isaac I. Stevens Commissioner.

Council Ground near Mouth of the Judith.

October 22nd 1855.

James Doty Esq

Secretary of the Commission &c.

Sir:

The Undersigned has examined Com. Cumming's paper in reference to Com. Stevens' Expenditures. Com. Stevens is well aware that Com. Cumming has no authority to adjust the expenses of Com. Stevens' operations. Nor were such Expenditures submitted to the Commission. They were simply his additional Expenditures. the result of the action of the Commission, and his paper proposed, that the Commission recommend that the Expenditures specified should be adjusted by Com. Stevens, and that the Commissioner of Indian affairs be recommended to allow to Com. Stevens an additional sum from the appropriation for the Blackfoot Treaty.

Com. Stevens understands the paper of Com. Cumming to imply that it was Com. Stevens business to attend to the whole duty of collecting the Indians, and adjusting the accounts. It was not probably Com. Cumming's intention to give this impression. Com. Stevens will however adjust the accounts including those of the Secretary and the Interpreter Bird for the time for which they have not been paid by Com. Cumming.

Respectfully Submitted.

"Signed" Isaac I. Stevens. Commissioner

Council Ground, mouth of the Judith

October 18th 1855.

James Doty esq

Secretary, Blackfoot Council &c

Sir:

The Undersigned one of the Commissioners to hold the Blackfoot

Council protests against the issuing of permits made to day by Superintendent Alfred Cumming through Maj. Hatch the Blackfoot Agent, authorizing certain persons to trade in the vicinity of the Council Ground. The Indians are yet in the hands of the Commission, and the Commission only in the Opinion of the Undersigned is authorized to issue such permits - He therefore protests against such issue as derogatory to the rights of the Commission, and for the purpose of bringing the subject to the notice and revenue of the Commissioner of Indian Affairs - The Undersigned has no special objections to such permits -

Respectfully submitted

"Signed" Isaac I. Stevens, Commissioner -

The following Communication from Com^r Cumming was received -

Council Ground - Oct 22^d 1855 -

James Doty, Secretary

Sir: The Paper marked

Submitted by Com^r Stevens was placed in my hands at a moment when I thought the business of the Commission had been closed - I have therefore given them only a cursory examination, and as the only means of conveyance of which I can avail myself in descending the River will leave in a short time I will remark in relation to paper No that it is to me a matter of perfect indifference what Opinions are entertained of my official conduct by Commissioner Stevens: I am acquitted by my own Conscience and I trust by the Record also.

In relation to the Statement of Mr Doty it is quite natural that a difference of Opinion should exist between parties to an excited conversation, and wherein any discrepancy may exist I shall assume the right that he is quite as likely to have forgotten any portion of that conversation as myself -

In reference to papers marked

the contents indicate further action and I shall be prepared for

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it -

Respectfully your Obd^t Servt

"Signed" A Cumming Commissioner -

Note The following sheets have since been delivered by Mr Doty, of which it forms a part -

The following Communication from Mr Doty was received -

Mr Doty objects to the communication of Com^r Cumming wherein the conversation between himself and the Commissioner is related, because as related it does not give the impression which was made by it upon Mr Doty at the time it occurred -

1st. Mr Doty could never have applied to either Commissioner exclusively for Mr. Kennerly's services - since Mr. D. knew Mr. K. to be an Officer of the Commission and assigned to the Secretary for specific duty in connection with the Records -

2nd Mr. Doty was informed by Com^r C. that he had appointed Mr. K. Assistant, and had, or should assign him to specific duties not connected with the Records.

3d. To Com^r Cumming's statement that he had appointed the Secretary, and if Mr Doty could not perform the duties a successor would be found who could - Mr Doty replied that he was perfectly competent to perform the duties of Secretary & any duties of that Office assigned to him by the Commission -

4th - Mr Kennerly made the copy of the Record Alluded to by Com^r Cumming under the direction of the Secretary who had instructed him to make two copies, which the Secretary had been informed would be required - And the conversation spoken of occurred at the time when the Secretary was endeavoring to ascertain from Mr. K. what progress he had made in the Copying - There was never an allusion made to a copy to be made by Mr. Kennerly for Com^r C's use at Fort Benton.

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Monday Oct. 23rd 3 P.M.

The Commission met. The foregoing papers from Govr. Stevens, Govr. Cumming and Secretary Doty marked were received -

It being necessary for Commissioner Cumming to leave to day the triplicates of the Official Journal could not be made out: There were also several communications above named to be entered in the Journal, and there being matter therefor, it was determined by the Commission that the Secretary should enter in the Original Records, complete them and certify thereto -

They should be approved by Govr. Stevens and sent to the Commissioner of Indian affairs - Another copy to be certified and sent to Commissioner of Indian Affairs for Commissioner Cumming - A copy of Record up to this date, the Official Report and two Copies of the Treaty, were furnished Govr. Cumming.

A letter for the Official Report to Hon. Geo. W. Manypenny Commissioner of Indian Affairs is as follows,

Council Ground near mouth of Judith

Hon Geo. W. Manypenny October 22d. 1855 -

Commissioner of Indian Affairs.

Washington, D.C. - Sir:

The Commissioners to hold the Blackfoot Council have the honor to report to the Commissioner of Indian Affairs, the successful termination of their labors with the Blackfoot Nation and the adjoining Tribes of the Territory of Washington - The negotiations have been eminently successful, and the feelings of brotherhood and friendship which were visible throughout give an earnest that permanent good will result

from the Council.

The Official Journal is so full in relation to the views of the Commissioners who in several particulars differ somewhat widely, the method and force employed in collecting the Indians, and the circumstances and reasons leading to the holding of the Council at this point, as well as in relation to the proceedings in Council and the views and feelings of the Indians, that at this time there is no necessity, nor is it practicable to do more than present a brief review of the field occupied by the Commissioners, each of whom reserves the privilege of submitting hereafter a more detailed report -

The Commissioners in their communication to the Department of the 29th of August stated that a Messenger had been despatched to the Crows, one to the Boats, and that a Messenger would be despatched North to the Blackfeet on the arrival of Mr. Bird, who had been offered employment as an Interpreter by Govr. Stevens.

On the evening of the next day (August 30th) four young men from Alexander's Camp of the Pend d'Oreilles came to Fort Benton with information that Alexander was on this side of the Mountains and that he wanted information as to the time of holding the Council and the place of establishing his Camp of 38 Lodges -

Their horses were placed in Govr. Stevens' bounds, and were stolen the same night by two Indians of the Blackfoot Tribe. Mr. Doty was despatched the next day with Mr. Jackson as his assistant and suitable Blackfoot Guides, with instructions to visit the Northern Camps, demand from the Chiefs the delivery of the Stolen horses, secure the services of Mr. Bird as an Interpreter and make the necessary arrangements for the attendance of the Blackfeet at the Council.

Mr. Doty was completely successful in his mission. The Stolen horses were recovered. Mr. Bird's services were secured. All the Camps professed great friendship for the Western Indians, agreed to meet the Crows and promised to attend the Council or to be bound by the Treaty. The Commissioners will refer the department to the Report of Mr. Doty of the 19th of September for the full particulars of this Trip, and for information in reference to the views of the Indians he conferred with.

Dr. Lansdale the Flat Head Agent was the same day despatched to Alexander to make arrangements about establishing his Camps, and to assure him that every effort would be made to recover the Stolen horses. In the meantime the Express to the Boats had returned. The Boats were near the mouth of the Muscle Shell, and Major Hatch the Blackfoot Agent reported on the Second day of September that the Boats were expected to reach the mouth of the Judith in Twenty, and Fort Benton in thirty to thirty five days.

Turning now to the Western Indians, it may be remembered that Special Agent Thomas Adams, Messenger to the Crows was first instructed to confer with the Gros Ventres, Piegans and Western Indians, and Sub Agent Tappan on duty with the Nez Perce delegation was instructed to co-operate with him. Mr. Adams was instructed on receiving a favorable answer from the Indians as to the proposition to bring the Crows to the Council, to visit them and secure the attendance of their principal chiefs. Mr Adams found all these Indians in the vicinity of the Muscle Shell River, the Western Indians including 40 Lodges of Snakes, in one Camp of 216 Lodges and the Whole Camp of the Gros Ventres and Low Horn's Band of the Piegans of 54 Lodges in the vicinity. Their answer was uniformly favorable, but the Gros Ventres having had recent difficulties with the Crows none of their chiefs were willing to accompany him. The Western Indians had now been five weeks on the Muscle Shell waiting

for the Council and were much discouraged from the difficulty of obtaining but a scanty subsistence. There were few Buffalo. The grass was poor and much of the country burnt. It became absolutely necessary to divide the Camp to guard against starvation, and as the Commissioners had not fixed on a day certain for holding the Council, and great uncertainty existed as to the time of the arrival of the Boats. The Nez Percé Camp of One hundred and three Lodges on the 8th of September in charge of Sub Agent Tappan, started for the Yellow Stone hoping to find Buffalo for food. Four Lodges of the Nez Percés with one of the most prominent Chiefs, the Eagle from the Light remained with the Flat Head Camp of 68 Lodges on the Muscle Shell. Mr Adams concluded not to visit the Crows in consequence of the delays that had attended his finding the Indian Camps, the alleged difficult character of the intermediate Country, and the reports which prevailed that the Crows were much scattered in consequence of a great mortality among them from the measles.

Such was the information brought by Interpreter Monroe, whom Mr. Adams despatched on the 10th of September to the Commissioners with a report of his operations, and who also communicated the additional information that the Flat Heads might in 12 or 14 days be obliged to go to the Yellow Stone for food. Sub Agent Tappan also Submitted a report dated Sept. 6. Stating that unless the Council was held in three weeks, not twelve Nez Percés would be able to attend it.

The Commissioners determined to despatch C.P. Higgins the Packmaster of Comm. Stevens Train, experienced in Voyaging and intercourse with Indians, both to Mr Adams and Mr. Tappan, 74 fixing the 5th day of October or a few days later as the time of holding the

Council, and directing them to bring the Indians at that time to the vicinity of Fort Benton and place them in Camps on the Shonkee and High Wood Creeks. Mr Tappan was also instructed to make an effort to secure the attendance of the principal Crow Chiefs.

Mr Higgins, the fourth day out, met Messrs. Adams and Tappan returning to Fort Benton and delivered to them the instructions of the Commissioners. The former immediately returned to the Flat Head Camp between the Muscle Shell and Judith, and the latter with Higgins, the Interpreter Craig and Delaware Indian, and the Voyageur Legare, pushed across the Country hoping to strike the Nez Percés high up on the Yellow Stone. Both were successful in finding the camps of their respective Indians. On the 3d day of October, Mr Adams reported himself at Fort Benton with information that Victor's Whole Camp would soon be on the Judith, and that Victor proposed leaving his Camp there and repairing with his chiefs and principal men to Fort Benton to attend the Council.

Messrs Tappan and Higgins reached Fort Benton on the 5th day of October with information that the Nez Percé Delegation in charge of the Interpreter Craig would reach Fort Benton, the next day October 6th. They arrived about noon. Mr Tappan was not able to learn any thing of the Crows, and there was no time to search for them.

The Department is respectfully referred to the reports of Messrs Adams and Tappan for the efforts made to secure the attendance of the Crows. Mr. Adams after moving down the Muscle Shell with the Flat Head Camp two days, reconsidered the conclusion he had announced to the Commissioners of not visiting the Crows, and went to the Yellow Stone to find them. His efforts were unsuccessful for the reasons stated in his report.

The result however is, that the effort was made, and a valuable contribution made to the knowledge of the Country. These reports will shew the constancy of the Western Indians, and their desire to meet in good faith the Blackfeet, a desire which has been thoroughly re-appreciated as the record of the speeches in Council will show.

In the meantime according to the arrangements made by Mr. Doty with the Blackfeet, the Northern Bands had been moving down, and were all now on the Teton and Marias, or near the Marias River. The Gros Ventres were on Milk River. The Buffalo were in great numbers, between the Marias and Milk Rivers and from the Bear's Paw to the Mountains; bands of Cows coming as near as twenty miles to Fort Benton. Alexander the Pend d'Oreilles Chief's Camp was also established on the High Wood and Low Horn's and Little Gray Head's Bands of the Pegans on the Shonkee. The arrival of the Nez Perces brought all the Indians within the direct purview of the Commission; and the most remote Camps, those of the Gros Ventres and Flat Heads could be reached in a single day.

The day of the arrival of the Nez Perces, information was brought that the boats had not reached the mouth of the Judith and that they would not probably reach that point till the 8th inst. Which would make their trip thirty seven days instead of twenty days from the mouth of the Muscle Shell. It was evident that no certain estimate of their arrival at Fort Benton could be made, and it was not probable that the time would be less than twenty to twenty five days.

The Blackfeet and Western Indians had now been meeting freely together for some days, and it was important that their present favorable disposition should be availed of, to consummate

the negotiations - According ly on the evening of the 6th instant (the day of the arrival of the Nez Percé Delegation) the Commissioners determined to hold the Council at the mouth of the Judith, and the 13th was fixed as the day of Assemblage of the Indians.

Commissioner Stevens was requested by the Commission to take the necessary measures to assemble the Indians at that point. On Sunday the seventh all the Camps were notified, except the Flat Head Camp on the Judith, and most of the Chiefs conferred with by Com. Stevens, in person - They were directed to send only a portion of their people to the Judith - The Chiefs, men and animals sufficient to carry off the goods, and the main Camps with their large supplies of meat to remain in their present location on the Teton, Marias and Milk Rivers.

Com. Stevens after repeated conferences with the Chiefs on Sunday, Monday, Tuesday and Wednesday, Oct 7th 8th 9th & 10th and securing on their part a thorough understanding of the reasons for holding the Council at the mouth of the Judith, broke up his Camp at 11¼ A. M. on Wednesday and at 2½ P. M. on Thursday reached the place where the Express of the Commission from the Boats on the morning of the 8th about one mile below the mouth of the Judith, and was engaged in receiving the Indians till the arrival of Com. Cumming on Saturday. On the arrival of the Express, the Boats were stopped and the goods unloaded -

All the Indians were on the Ground on Monday. The Council was opened on Tuesday, and the negotiations were completed and the Treaty Signed on Wednesday - Thursday, Friday and Saturday were occupied in the distribution of the Goods.

The several Tribes have fraternized with each other as follows. The Flat Heads and Gros Ventres. They were in communication on the Muscle Shell for changing friendly visits for several weeks - The Piegans and Nez Percés - The Bloods and Pend d'Oreilles - Though the Crows were not present, the Indians pledged themselves not to war upon them, and they also pledged themselves not to make war upon any of the neighboring Tribes - several of whom are specifically mentioned in the Treaty.

There were about Three Thousand five hundred Indians present at the Council Ground, and in the Flat Head Camp one mile distant; about five Thousand five hundred Indians at the Camps on the Marias, Teton and Milk Rivers, left there by the Chiefs at the suggestion of the Commissioners, and about eleven hundred Nez Percés forced to the Yellow Stone for food and present through their delegated Chiefs - Thus about ten thousand Indians actually participated in the Council, for it must be remembered that the Nez Percés were in communication with the Gros Ventres and Piegans (Low Horn's and Little Gray Head's Bands) for five weeks on the Muscle Shell.

The following Table shows the Lodges and population of the several Tribes of the Blackfoot Nation present and absent at the North. It is based on the Census adopted for the distribution of the goods and provisions.

Name of Tribe -	Total no. of Lodges	Total Population	Lodges Present	Lodges at the North -	Population Present.	Population North -
Piegans	340	3,150	283.	57.	2.622	528
Bloods	290	2.690	210	80	1.948	742
Blackfeet	290	2.690	60	230	556	2, 134
Gros Ventres	360	2.970.	360.	2	2.970.	—

Of the 57 Lodges of Piegans all agreed in the Conference with Mr Doty in his trip North, to be bound by the Treaty, but did not attend the Council for the reasons mentioned in his report -

Most of the absent Bloods and Blackfeet will come to the

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American Trading Posts the ensuing Winter - All the Bloods and it is be=lieved all the Blackfeet Tribe will feel bound by the Treaty.

Of the total population of the Flat Head Nation, fourteen hun=dred souls, seven hundred and fifty three were present at the Treaty

The Commissioners have experienced much difficulty in agreeing as to the terms of the Treaty, and their views differ essentially in reference to the Governmental Policy to be carried out in relation to the Blackfeet - Com^r Cumming was of opinion that annual appro=priations of twenty thousand dollars to be expended in useful goods and provisions and ten thousand dollars for establishing them in Agricultu=ral and Mechanical pursuits and in Educating their children was a liberal provision, Whereas Com^r Stevens considered that $ 20,000 for the first purpose and $ 30,000 for the second, was the least that should be made and was the most judicious distribution of the amount to be appro=priated -

Commissioner Stevens finally adopted the distribution indica=ted by the Commissioner of Indian Affairs of $ 35,000 for the first Object and $ 15,000 for the second trusting that under the operation of the General Proviso which the Commissioners were instructed to incorporate in the Treaty, giving Authority to the President to apply any or alls of the annuities provided for to the civilization and Christian=ization of the Indians, that the administrative distribution which he believed necessary would be made hereafter. As a compromise Com^r Cumming proposes that $ 20,000 should be fixed for the first purpose, and that a proviso should be added, providing that if the amount was deemed insufficient by the President and Senate it might be increased to to an amount not exceeding $ 35,000 which Com^r Stevens accepted.

Under this arrangement the increase of the appro=

=priation from twenty to thirty five thousand dollars will come before the President and Senate for fiscal arrangement and the Department is respectfully referred to the papers of the respective Commissioners on the Official Record.

They have also differed fundamentally as to the character of the Blackfoot Country and People. Com^r Cumming being of the opinion that the Country could not supply the wants of even a limited Emigration and that the Blackfeet were utter Barbarians, and Commissioner Stevens that the Blackfeet have a fine Grazing Country whose capabilities no Emigration could exhaust, and that the Blackfeet will in an extraordinary degree yield to any agencies which the Government may put in operation to civilize and Christianize them.

They have also differed widely as to the purport of the instructions and the powers, rights and duties of the respective Commis=sioners under them, and as to the powers which can be exercised by Superintendents and Agents independent of the Commissioners. They respectfully call the attention of the Department to their views as expressed on the record.

The Commissioners do not therefore propose to dwell further on the details of the Treaty, or to attempt to make the re=port in relation to the Country and the Indians called for in the instructions - They respectfully refer the Department to the Official Record, so utterly at variance have their views been on many points, that it has only been with great difficulty that a concert of action has been effected at all - Each has acted in view of his responsibilities to the Department to which this Report is respectfully submitted -

A preliminary sketch prepared by Special

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Agent Adams accompanies this Report.

We are Sir, very respectfully

Your most Obedient

"signed" A. Cumming

Isaac I. Stevens

And then the Commission adjourned sine die.

I hereby Certify the foregoing to be a true Copy of the original record of the Official proceedings of the Blackfoot Council.

Olympia Feby 13th 1856 James Doty

Secretary

Approved

Isaac I. Stevens

Commissioner

Blackfoot Treaty

1855

Oct 17

Articles of agreement and Convention made and Concluded at the Council Ground on the Upper Missouri, near the Mouth of of the Judith River, in the Territory of Nebraska this Seventeenth day of October in the year One thousand eight hundred and fifty five, by and between A. Cumming and Isaac I. Stevens Commissioners duly appointed and authorized, on the part of the United States, and the undersigned Chiefs, Head Men and Delegates of the following Nations and Tribes of Indians, who occupy for purposes of hunting, the Territory on the Upper Missouri and Yellow Stone Rivers, and who have permanent homes as follows, East of the Rocky Mountains, The Blackfoot Confederation, consisting of the Pegans, Blood, Blackfeet and Gros Ventres Tribes of Indians - West of the Rocky Mountains, The Flat Heads Nation, consisting of the Flat Head, Upper Pend d'Oreille and Kootenay Tribes of Indians, and the Nez Percé Tribe of Indians; the said Chiefs, Head Men and Delegates in behalf of and acting for said Nations and Tribes and being duly authorized thereto by them.

Article I Peace, Friendship and Amity shall hereafter exist between the United States and the aforesaid Nations and Tribes of Indians, parties to this Treaty, and the same shall be perpetual.

Article II The aforesaid Nations and Tribes of Indians, parties to this Treaty do hereby jointly and severally Covenant that peaceful relations shall likewise be maintained among themselves in future; and that they will abstain from all hostilities whatsoever against each other, and cultivate mutual good will and friendship. And the Nations and Tribes aforesaid do furthermore jointly and severally Covenant that peaceful relations shall be maintained with and that they will abstain from all hostilities whatsoever, excepting in self defense, against the following named Nations and Tribes of Indians, to wit; the Crows, Assinaboins, Crees, Snakes, Blackfeet, Sans Arcs and Aunce ja-pas Bands of Sioux, and all other neighbouring Nations and Tribes of Indians.

Article III The Blackfoot Nation Consent and agree that all that portion of the Country recognized and defined by the Treaty of Laramie as Blackfoot Territory, lying within lines drawn from the Hell Gate or Medicine Rock Passes in the Main Range of the Rocky mountains in an Easterly direction to the nearst Source of the Muscle Shell River, thence to the mouth of Twenty five yard Creek, thence up the Yellow Stone River to its Northern Source, and thence along the main Range of the Rocky Mountains in a Northerly direction to the point of beginning, shall be a Common Hunting Ground for ninety nine years, where all the Nations Tribes and Bands of Indians, parties to this Treaty, may enjoy equal and uninterrupted privileges of hunting, fishing and gathering fruits, grazing animals, curing meat and dressing Robes. They further agree that

they will not establish villages, or in any other way exercise exclusive rights within ten miles of the Northern line of the Commond Hunting Ground, and that the parties to this Treaty may hunt on said Northern boundary line and within ten miles thereof.

Provided that the Western Indians, parties to this Treaty, may hunt on the lands leading down the Muscle Shell to the Yellow Stone, the Muscle Shell River being the boundary separating the Blackfoot from the Crow Territory.

And provided that no Nation, Tribe or Band of Indians, parties to this Treaty, nor any other Indians, shall be permitted to establish permanent settlements, or in any other way, exercise during the period above mentioned, exclusive rights or privileges within the limits of the above described Hunting Ground.

And provided further, that the rights of the Western Indians to a part or the whole of the Common Hunting Ground, derived from occupancy and possession, shall not be affected by this Article, except so far as said rights may be determined by the Treaty of Laramie.

Article IV The Parties to this Treaty agree and Consent, that the tract of Country, lying within lines drawn from the Hell Gate or Medicine Rock Passes in an Easterly direction to the nearest source of the Muscle Shell River, thence down said River to its mouth, thence down the channel of the Missouri River to the mouth of Milk River, thence due North to the forty ninth Parallel, thence due West on said Parallel to the main Range of the Rocky Mountains, and thence Southerly along said Range to the place of beginning, shall be the Territory of the Blackfoot Nation over which the said Nation shall exercise exclusive Control, excepting as may be otherwise provided in this Treaty. Subject however to the provisions of the 3d article of this Treaty, giving the right to hunt and prohibiting the establishment of permanent Villages and the exercise of any exclusive rights within ten miles of the Northern line of the Common Hunting Ground, drawn from the nearest source of the Muscle Shell River to the Medicine Rock Pass, for the period of Ninety nine years.

Provided also that the Assinaboins shall have the right of hunting in Common with the Blackfeet in the Country lying between the aforesaid Eastern Boundary line running from the mouth of Milk River to the 49th Parallel, and a line drawn from the left bank of the Missouri River opposite the Round Butte to the 49th Parallel

Article V The Parties to this Treaty, residing West of the Main Range of the Rocky Mountains, agree and Consent that they will not enter the Common Hunting Ground or any part of the Blackfoot Territory, or return horses, by any Pass in the main Range of the Rocky Mountains to the North of the Hell Gate or Medicine Rock Pass. And they further agree that they will not hunt or otherwise disturb the game, when visiting the Blackfoot Territory for trade or social intercourse

Article VI The aforesaid Nations and Tribes of Indians parties to this Treaty, agree and Consent to remain within their own respective Countries, except when going to or from, or whilst hunting upon, the "Common Hunting Ground" or when visiting each other for the purpose of trade or social intercourse

Article VII The aforesaid Nations and Tribes of Indians agree that Citizens of the United States may live in and pass unmolested through the Countries respectively occupied and claimed by them. And the United States is hereby bound to protect said Indians against depradations and other unlawful acts, which white men residing in or passing through their Country may Commit.

Article VIII For the purpose of establishing travelling thoroughfares through their Country, and the better to enable the President to execute the provisions of this Treaty, the aforesaid Nations and Tribes do hereby Consent and agree, that the United States may, within the Territories respectively occupied and claimed by them, Construct roads of every description, establish lines of Telegraph and Military Posts; use materials of every description found in the Indian Country; build Houses for Agencies, Missions, Schools, Farms, Shops, Mills, Stations, and for any other purpose for which they may be required, and permanently occupy as much land as may be necessary for the various purposes above enumerated, including the use of wood for fuel, and land for grazing, and that the navigation of all Lakes and Streams shall be forever free to Citizens of the United States.

Article IX In Consideration of the foregoing agreements, Stipulations and Cessions, and on condition of their faithful observance, the United States agree to expend annually for the Pegan, Blood, Blackfoot and Gros Ventres Tribes of Indians, Constituting the Blackfoot Nation, in addition to the goods and provisions distributed at the time of Signing this Treaty, Twenty thousand dollars annually for ten years to be expended in such useful goods and provisions, and other articles as the President at his discretion may from time to time determine; and the Superintendent or other proper officer shall each year inform the President of the wishes of the Indians in relation thereto. Provided however, that if in the judgment of the President and Senate, this amount be deemed insufficient, it may be increased not to exceed the sum of thirty five thousand dollars per year.

Article X The United States further agree to expend annually for the benefit of the aforesaid Tribes of the Blackfoot Nations, a sum not exceeding Fifteen Thousand dollars annually for ten years, in establishing and instructing them in agricultural and mechanical pursuits, and promoting their civilization and christianization. Provided however, that to accomplish

the objects of this Article, the President may, at his discretion, apply any or all the annuities provided for in this Treaty, and provided also that the President may at his discretion, determine in what proportions the said annuities shall be divided among the several Tribes.

Article XI The aforesaid Tribes acknowledge their dependence on the Government of the United States, and promise to be friendly with all Citizens thereof, and to commit no depredations or other violence upon such Citizens, And should any one or more violate this pledge, and the fact be proved to the satisfaction of the President, the property taken shall be returned, or in default thereof, or if injured or destroyed, Compensation may be made by the Government out of the annuities. The aforesaid Tribes are hereby bound to deliver such offenders to the proper authorities for trial and punishment, and are held responsible, in their Tribal Capacity, to make reparation for depredations so Committed.

Nor will they make war upon any other Tribes except in self defense, but will submit all matters of difference between themselves and other Indians to the Government of the United States, through its Agent, for adjustment and will abide thereby. And if any of the said Indians, parties to this Treaty, Commit depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article in case of depredations against Citizens. And the said Tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

Article XII It is agreed and understood by and between the Parties to this Treaty, that if any Nation or Tribes of Indians aforesaid, shall violate any of the agreements, obligations or Stipulations herein Contained the United States may withhold, for such length of Time as the President and Congress may determine, any portion or all of the annuities agreed to be paid to said Nation or Tribe under the IX^th^ and X^th^ Articles of this Treaty.

Article XIII The Nations and Tribes of Indians, parties to this Treaty, desire to exclude from their Country the use of ardent Spirits or other intoxicating liquor, and to prevent their people from drinking the same.

Therefore it is provided that any Indians belonging to said Tribes who is guilty of bringing such liquor into the Indian Country, or drink liquor, may have his or her proportion of the annuities withheld from him or her, for such time as the President may determine.

Article XIV The aforesaid Nations and Tribes of Indians West of the

Rocky Mountains, Parties to this Treaty, do agree, in consideration of the provisions already made for them in existing Treaties, to accept the guarantees of the peaceful occupation of their Hunting Grounds East of the Rocky Mountains, and remuneration for depredations Made by the other Tribes, pledged to be secured to them in this Treaty out of the annuity of said Tribes, in full Compensation for the Concessions which they, in Common with the said Tribes have made in this Treaty.

Articles XV The annuities of the aforesaid Tribes shall not be taken to pay the debts of individuals.

Articles XVI This Treaty shall be obligatory upon the aforesaid Nations and Tribes of Indians, Parties hereto, from the date hereof, and upon the United States as soon as the same shall be ratified by the President and Senate.

In testimony whereof the said A Cumming and Isaac I Stevens, Commissioners on the part of the United States, and the undersigned Chiefs Headmen and Delegates of the aforesaid Nations and Tribes of Indians, Parties to this Treaty, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Executed in presence of

James Doty
Secretary
Alfred J. Vaughan Jr.
C.A.C. Hatch Agt for Blackfeet
Thomas Adams
Special agt Flat Head Nation
R. H. Landale
Ind Agt Flat Head Nation
W. A. Tappan
Sub Agt for Nez Percés
Blackfoot Interpreters
James Bird
Benjn Deroche
Peters Flat Head Nation
Benjn (his X mark) Kiser
Wilmp James Doty
Gustavus Schon
Peters Nez Percés Tribe
W. Craig
Delaware (his X mark) Jim
Wilmp James Doty

A. Cumming LS

Isaac I. Stevens LS

Piegans

Ne-te-ni or the only Chief
now called Lame Bull his X Mark LS
Mountain Chief his X mark LS
Low Horn his X mark LS
Little Gray Head his X mark LS
Little Dog his X mark LS
Big Snake his X mark LS
The Skunk his X mark LS
The Bad Head his X mark LS
Kitch-ee-po-nis-tah his X mark LS
Middle Sitter his X mark LS
Bloods
Ones tay say nah quains his X mark LS
The Father of all Children his X mark LS
The Bulls Back Fat his X mark LS
Heavy Shield his X mark LS

A Cree Chief
Broken his X mark Arm
Witness James Doty
A. F. Hackett
James Crooks
E. S. Wilson
A. G. Jackson
Charles his X mark Shuelle
Charles E Higgins
A. A. Robie
S. S. Ford Jr.

Nah tow o nistah — his X Mark — L.S.
The Calf Shirt — his X mark — L.S.

Gros Ventres

Bear's Shirt — his X mark — L.S.
The Little Soldier — his X mark — L.S.
Star Robe — his X mark — L.S.
Sitting Squaw — his X mark — L.S.
Weasel Horse — his X mark — L.S.
The Bear — his X mark — L.S.
Eagle Chief — his X mark — L.S.
Head of Bears — his X mark — L.S.

— Blackfeet —

The Three Bulls — his X Mark — L.S.
The old Kootenais — his X Mark — L.S.
Pow-ah-gue — his X mark — L.S.
Chief Rabbit Rumur — his X mark — L.S.

Nez Percés:

Spotted Eagle — his X mark — L.S.
Looking Glass — his X mark — L.S.
The Three Feathers — his X mark — L.S.
Eagle from the Light — his X mark — L.S.
The Lone Bird — his X mark — L.S.
Ip-shaw nee wan — his X mark — L.S.
Jason — his X mark — L.S.
Wat ti wat ti we hinck — his X mark — L.S.
White Bird — his X Mark — L.S.
Slabing Man — his X Mark — L.S.
Issic — his X mark — L.S.
Plenty Bears — his X Mark — L.S.

— Flat Head Nation —

Victor — his X Mark — L.S.
Alexander — his X mark — L.S.
Moses — his X mark — L.S.
Big Canoe — his X mark — L.S.
Ambrose — his X Mark — L.S.
Koottenai — his X Mark — L.S.
Michell — his X mark — L.S.
— Francis — his X Mark — L.S.
Vincent — his X Mark — L.S.
Andrew — his X mark — L.S.
Adolphe — his X Mark — L.S.
Thunder — his X mark — L.S.

Pegan	Running Rabbit	his X mark	L.S.
"	Chief Bear	his X mark	L.S.
"	The Sitting white Buffalo	his X mark	L.S.
"	The Big Straw	his X mark	L.S.
Flat Head	Bear Truck	his X mark	L.S.
" "	Little Michelle	his X mark	L.S.
" "	Palchinah	his X mark	L.S.
Blood	The Feather	his X mark	L.S.
"	The White Eagle	his X mark	L.S.

Blackfeet 1855

Abstract of the Articles of Convention made with the Blackfeet and other Tribes of Indians, on the 17th of October 1855, by Supt Cumming and Governor Stevens, Commissioners.

Abstract of Articles of agreement and Convention made and concluded on the 17th of October 1855, with the Blackfeet, Flatheads, and other Tribes, at the Council Ground near the mouth of the Judith River in the Territory of Nebraska, by Superintendent Cumming's and Governor Stevens, Commissioners.

	The Piegan, Blood, Blackfoot and Gros Ventres, embraced in the Blackfoot Nation; and the Flathead, Upper Pend d'Oreille and Kootenay Tribes of Indians, embraced in the Flat Head Nation, parties to the Convention.
Article 1st	Peace, Friendship and Amity shall be perpetual with the United States.
Article 2d	Friendly relations shall be observed by and between the Tribes parties to said Convention, and they will refrain from the commission of

hostilities upon the Crows, Assiniboins, Crees, Snakes, Blackfeet Sans Arcs and Annee-pa-pas Bands of Sioux, and all other neighboring Indians.

Article 3rd

The Blackfoot Nation, agree that all that portion of their Territory described by certain boundaries in said article, shall be a common Hunting Ground for the Tribes parties to this Convention for the term of 99 years, and also for fishing and gathering fruits &c.

Article 4th

The parties to this Convention agree that the tract of country described in said article, shall be the Territory of the Blackfoot Nation, and said Nation shall exercise exclusive control over the same; subject only to the provisions of the 3rd article in regard to the Common Hunting ground.

provided that the Aptsiniboins shall have the right to hunt within the country described in said article.

Article 5th The parties to this Convention residing west of the main Range of the Rocky Mountains, shall not enter the Hunting ground, or disturb any game in the Blackfoot Territory.

Article 6th The parties to this Convention will remain within their respective Countries, except when taking game from the Common hunting ground, or for the purpose of trade and social intercourse.

Article 7th Citizens of the United States may live in, or pass, unmolested, through the [illegible] Country of said Tribes, and the Indians shall be protected

against depredations on the part of the Whites, and all other unlawful act which they may commit

Article 8th — The parties to this Convention agree that Roads, Telegraph Lines, and Military Posts shall be established within their country; and the materials and timber for building houses for the Agents and Militia-men and for other purposes noted shall be taken therefrom; and the Lakes and Streams shall be free to all citizens of the United States for purposes of navigation.

Article 9th — The United States agree to expend the sum of $20,000 annually for the term of ten years for the benefit of the Piegan, Blood, Blackfoot and Gros Ventres; for such objects as the President may di-

Consideration, $200,000, and it may be increased to $350,000,

rect, and if said sum should prove insufficient for their wants, the same may be increased by the President, not exceeding $35,000, per annum.

Article 10th

Consideration, $150.000,

The further sum of $15.000, per annum, for ten years, shall be expended for the benefit of the Black foot Nation; to instruct them in agricultural and mechanical pursuits, and for educating their children, and for promoting civilization and Christianity among them, to be applied as the President may direct.

Article 11th

The Indians pledge themselves, to refrain from all depredations or hostilities, and to make restitution or compensation for property stolen by any of their number, and they will surrender offenders, for trial;

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4th They will observe friendly relations among themselves and other tribes, and submit all differences to the decision of their Agent.

Article 12th Should any of the Indians parties to this Convention, violate any of its provisions, their annuities may be withheld from them for such time as the President may deem proper.

Article 13th Intoxicating liquors, shall not be used or sold by the Indians, and those who violate this provision shall have their annuities withheld from them, for such time as the President may determine.

Article 14th The Indians rest of the Rocky Mountains, parties hereto, accept the guarantees of the peaceful occupation of the Hunting ground

East of said Mountains, in common with the Eastern Indians who likewise accept the guarantees of said convention.

Article 15th — Annuities shall not be taken to pay the debts of individuals.

Article 16th — Obligatory upon the Indians from date, and upon the United States, when ratified.

Gov. Stevens
Comrs. &c. 1097 ~~Washington~~
1856.

Persons take oath
in B. Treaty

~~Wash~~ W57/56
Blackfoot Council.

Articles of Agreement and Convention made and concluded at Fort Benton on the Upper Missouri this thirteenth day of October, in the year one thousand, eight hundred and fifty five by Alfred Cumming and Isaac I. Stevens Commissioners on the part of the United States, and the undersigned Chiefs, Head Men and delegates of the following nations and Tribes of Indians, who occupy for purposes of hunting the Territory on the Upper Missouri and Yellowstone, and who have permanent homes as follows; East of the Rocky Mountains. The Blackfoot Nation, consisting of the Piegan, Blood, Blackfoot and Gros Ventre Tribes of Indians - West of the Rocky Mountains. The Flathead nation, consisting of the Flathead, Upper Pend d'Oreille, and Kootenay Tribes of Indians, and the Nez Percés, ~~Coeur d'Alene~~ ~~and Lower Pend d'Oreille Tribes~~ - the said Chiefs, Head Men and delegates in behalf of and acting for said Tribes, and being duly authorized thereto by them

Art. 1. ~~Peace, friendship and amity shall hereafter exist between the said United States and the aforesaid~~ The said nations and Tribes of Indians (who) occupy for purposes of hunting a tract of country bounded and described as follows. Commencing on the Main Ridge of the Rocky Mountains at the 49th Parallel of Latitude, thence Southerly along said main ridge to the Head Waters of the Yellowstone, thence down the main Yellowstone to the Mouth of twenty five yard Creek, thence up said Creek to the Head Waters of the Muscleshell River, thence down said river to its confluence with the Missouri River, thence down the Missouri (following the channel of the River) to the Meridian of one hundred and seven degrees West from Greenwich, thence due North on said Meridean to the forty ninth Parallel of Latitude, thence due West on said Parallel to the place of beginning. And it is agreed by the aforesaid Tribes, that all that portion of the above described Territory lying in the vicinity and South of a line running in a straight course from a point on the dividing Ridge of the Rocky Mountains 15 miles North of the Little Blackfoot or Medecine Rock passes to a point fifteen miles North of the Head waters of the Muscleshell River shall forever remain a common hunting ground to the nations and tribes parties to this Treaty, within which they may hunt, fish, and gather fruit, and that none of the aforesaid nations and tribes, shall be entitled to make permanent villages or settlements within the limits of the same

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and in visiting this "Common Hunting Ground", the Western Indians shall not make use ~~thence up the Main to the mouth of Beaulieu River, thence up Beaulieu River to its source in the main~~ ~~of any trail North of that leading from the Northern Little Blackfoot~~ ~~ridge of the Rocky Mountains, thence Easterly along said main ridge to the place of beginning~~, and that the remaining portion shall be exclusively occupied for purposes of hunting and as permanent homes by the aforesaid Tribes of the Blackfoot nation.

Art. 2. The aforesaid nations and Tribes of Indians agree and consent to remain within their own respective Countries, except when passing over to hunt or whilst hunting on the "Common Hunting Ground", or to trade, or for social intercourse.

Art. 3. The aforesaid nations and Tribes of Indians agree that citizens of the United States may live in and pass unmolested through the Countries respectively claimed and occupied by them. And the United States is hereby bound to protect Indians against depredations and other unlawful acts, which white men residing in or passing through their respective Countries may commit.

Art. 4. For the purpose of establishing ~~a~~ travelling thoroughfares ~~from the Missouri to the River to the Pacific Ocean~~, and the better to enable the President to execute the provisions of this Treaty, the aforesaid nations and Tribes do hereby consent and agree, that the United States may within the Territories respectively claimed by them construct roads of every description, establish lines of Telegraph and military posts, use materials of every description found in the Indian Country, build Houses for Agencies, missions, schools, farms, shops, Mills, Stations and for any other purpose for which they may be required, and permanently occupy as much land as may be necessary for the various purposes above enumerated, and that the navigation of all Lakes and Streams shall be forever open to citizens of the United States. And for land that ~~permanently occupied except land occupied for the benefit of the Indians~~, compensation shall be made on a valuation to be made under the direction of the President of the United States.

Art. 5. In consideration of the above stipulations and on condition of their faithful Observance the United States agree to expend annually for the Pegan, Blood, Blackfoot and Gros ventre Tribes of Indians, constituting the Blackfoot nation, in addition to the goods and provisions distributed to them at the time of Signing this Treaty, ~~twenty~~ thousand dollars annually for ten years, in such useful goods and provisions as ~~and for such beneficial objects~~ as the President at his discretion may from time to time determine. And the Superintendent of Indian Affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto. Provided however that if in the judgment of the President and Senate this amount be deemed insufficient, it may be increased, not to exceed the sum of thirty five thousand dollars per year.

Art. 6. The United States further ~~and~~ agree to expend annually for the benefit of the aforesaid Tribes of the Blackfoot nation, ~~fifteen~~ thousand dollars, for ten years, in establishing ~~farms, schools~~,

and instructing them in agricultural and mechanical pursuits and in educating their children and in any other ~~needful and proper instructing the Indians in Agriculture, the Mechanical Arts, and the best mode~~ respect ~~to any of the purposes herein mentioned~~ to promoting ~~of~~ their Christianization. Provided however that to accomplish the ends of this article the President may at his discretion ~~apply~~ any or all the annuities provided for in this treaty ~~with such and agriculture & implements and stock in proportion to the number of Indians and in~~ and provided also that the President ~~may~~ at his discretion determining in what proportion the said annuities ~~any other way which may in the judgment of the President may be for the promotion of their civilization~~ shall be distributed between the several tribes.

~~and Christianization. To which purpose the President may at his discretion apply any or all of the annuities provided for in this treaty, and determine from time to time in what proportion they shall be distributed between the several tribes.~~

Art. 7. The aforesaid Tribes acknowledge their dependence on the Government of the United States, and promise to be friendly with all citizens thereof, and promise to commit no depredations on any other violence upon such citizens. And should any one or more violate this pledge and the fact be proved to the satisfaction of the President, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of the annuities. The aforesaid Tribes are bound to deliver such offenders to the proper authorities for trial and punishment according to the laws of the United States, and are held responsible in their tribal capacity to make reparation for depredations so committed. Nor will they make war upon any other Tribe except in self defence, but will submit any matter of difference between them and other Indians to the Government of the United States, or its agent and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article in case of depredations against citizens. And the said Tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial. In the event that any nation or Tribe of Indians, parties to this treaty shall violate any of its stipulations, the President may withhold for such number of years as he may determine, or altogether the proportion of any or all annuities which may be due to said nation or Tribe.

Art. 8. The Tribes parties to this treaty desire to exclude from their country the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging to said Tribe, who is guilty of bringing liquor into the Indian country or who drinks liquor, may have his or her proportion

tion of the annuities withheld from him or her, for such time as the President may determine.

Art. 9. ~~The Tribes parties to this Treaty agree not to trade at the British Posts, and not to hunt in British Territory, except on lands already occupied by them, unless with the permission of the Indian Tribes by whom such lands are occupied, or while on their usual hunting expeditions; and they will not make Hostile expeditions against the Friends of the United States~~

Art. 10. The hunting Tribes West of the Rocky Mountains, viz. the Flathead Nation existing of the Flat-Head, Upper Pend d'Oreille & Kootenay Tribes, and the Nez Perces ~~Coeur d'Alene & Lower Pend d'Oreille Tribes~~, do agree in consideration of the provisions already made for them in existing Treaties, to accept the guarantees of the peaceful occupation of their hunting Grounds East of the Rocky Mountains, and of remuneration for depredations made of the other Tribes pledged to be secured to them in this Treaty, out of the annuities of the said Tribes, in full compensation for the concessions which they in common with the said Tribes have made in this Treaty. ~~The Blackfeet and Gros Ventre Tribes are not to be molested in their hunting grounds West of the Mountains, and for depredations committed by them in future, full compensation is to be made out of the annuities of the Tribes to which they belong.~~

Art. 11. The Chiefs, Head Men and delegates of the several Nations and Tribes whose names are appended to this Treaty, and who have been duly authorized thereto by their respective Nations and Tribes, do acknowledge as their Head Chiefs and as ~~Head~~ Chiefs, the following. Lame Bull, Head Chief of the Blackfeet Nation. ~~Lame Bull Low Horn Chief of the Blackfeet Nation~~ and Head Chief of the Pagan Tribe. ~~Chief of the Blackfeet~~ Mr. Cubbleboss ~~Nation and~~ Head Chief of the Blood Tribe. ~~Chief of the Blackfeet Nation~~ and Head Chief of the Black-feet Tribe, Bear Shirt ~~Chief of the Blackfeet Nation and~~ Head Chief of the Gros Ventre Tribe. Lawyer Head Chief of the Nez Perces Tribe, and ~~Head~~ Chief of the Nez Perces delegation being duly authorized thereto by the Head Chief Lawyer according to the usages of the said Nez Perces Tribe. Victor Head Chief of the Flat Head Nation and of the Flathead Tribe of the same. Alexander Chief of the Flat Head Nation and Head Chief of the Upper Pend d'Oreille Tribe. Michelle Chief of the Flathead Nation and Head Chief of the Kootenay Tribe.

Art. 12. and Art. 13. The annuities of the aforesaid Tribes shall not be taken to pay the debts of individuals.

This Treaty shall be obligatory upon the contracting parties, as soon as the same shall be ratified by the President and Senate.

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TREATY

BETWEEN

THE UNITED STATES

AND THE

BLACKFOOT AND OTHER TRIBES OF INDIANS.

OCTOBER 17, 1855.

FRANKLIN PIERCE,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas, a treaty was made and concluded at the council ground on the Upper Missouri, near the mouth of the Judith river, in the Territory of Nebraska, on the seventeenth day of October, in the year one thousand eight hundred and fifty-five, between A. Cumming and Isaac I. Stevens, commissioners on the part of the United States, and the Blackfoot and other tribes of Indians, which treaty is in the words and figures following, to wit:

Articles of agreement and convention made and concluded at the council ground on the Upper Missouri, near the mouth of the Judith river, in the Territory of Nebraska, this seventeenth day of October, in the year one thousand eight hundred and fifty-five, by and between A. Cumming and Isaac I. Stevens, commissioners duly appointed and authorised, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the following nations and tribes of Indians, who occupy, for the purposes of hunting, the territory on the Upper Missouri and Yellow Stone rivers, and who have permanent homes as follows: East of the Rocky mountains, the Blackfoot nation, consisting of the Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians; west of the Rocky mountains. The Flathead nation, consisting of the Flathead, Upper Pend d'Oreille, and Kootenay tribes of Indians, and the Nez Percé tribe of Indians, the said chiefs, headmen and delegates, in behalf of and acting for said nations and tribes, and being duly authorised thereto by them.

ARTICLE I.

Peace, friendship and amity shall hereafter exist between the United States and the aforesaid nations and tribes of Indians, parties to this treaty, and the same shall be perpetual.

ARTICLE II.

The aforesaid nations and tribes of Indians parties to this treaty, do hereby jointly and severally covenant that peaceful relations shall likewise be maintained among themselves in future; and that they will abstain from all hostilities whatsoever against each other, and cultivate mutual good will and friendship. And the nations and tribes aforesaid do furthermore jointly and severally covenant, that peaceful relations shall be maintained with and that they will abstain from all hostilities whatsoever, excepting in self-defence, against the following named nations and tribes of Indians, to wit: the Crows, Assineboins, Crees,

Snakes, Blackfeet, Sans Arce, and Aunce-pa-pas bands of Sioux, and all other neighboring nations and tribes of Indians.

ARTICLE III.

The Blackfoot nation consent and agree that all that portion of the country recognised and defined by the treaty of Laramie as Blackfoot territory, lying within lines drawn from the Hell Gate or Medicine Rock Passes in the main range of the Rocky mountains, in an easterly direction to the nearest source of the Muscle Shell river, thence to the mouth of Twenty-five Yard creek, thence up the Yellow Stone river to its northern source, and thence along the main range of the Rocky mountains, in a northerly direction, to the point of beginning, shall be a common hunting ground for ninety-nine years, where all the nations, tribes and bands of Indians, parties to this treaty, may enjoy equal and uninterrupted privileges of hunting, fishing and gathering fruit, grazing animals, curing meat and dressing robes. They further agree that they will not establish villages, or in any other way exercise exclusive rights within ten miles of the northern line of the common hunting ground, and that the parties to this treaty may hunt on said northern boundary line and within ten miles thereof.

Provided, That the western Indians, parties to this treaty, may hunt on the trail leading down the Muscle Shell to the Yellow Stone; the Muscle Shell river being the boundary separating the Blackfoot from the Crow territory.

And provided, That no nation, band or tribe of Indians, parties to this treaty, nor any other Indians, shall be permitted to establish permanent settlements, or in any other way exercise, during the period above mentioned, exclusive rights or privileges within the limits of the above described hunting ground.

And provided further, That the rights of the western Indians to a whole or a part of the common hunting ground, derived from occupancy and possession, shall not be affected by this article, except so far as said rights may be determined by the treaty of Laramie.

ARTICLE IV.

The parties to this treaty agree and consent, that the tract of country, lying within lines drawn from the Hell Gate or Medicine Rock Passes, in an easterly direction, to the nearest source of the Muscle Shell river, thence down said river to its mouth, thence down the channel of the Missouri river to the mouth of Milk river, thence due north to the forty-ninth parallel, thence due west on said parallel to the main range of the Rocky mountains, and thence southerly along said range to the place of beginning, shall be the territory of the Blackfoot nation, over which said nation shall exercise exclusive control, excepting as may be otherwise provided in this treaty. Subject, however, to the provisions of the third article of this treaty, giving the right to hunt, and prohibiting the establishment of permanent villages and the exercise of any exclusive rights within ten miles of the northern line of the common hunting ground, drawn from the nearest source of the Muscle Shell river to the Medicine Rock passes, for the period of ninety-nine years.

Provided, also, That the Assiniboins shall have the right of hunting, in common with the Blackfeet, in the country lying between the aforesaid eastern boundary line, running from the mouth of Milk river to the forty-ninth parallel, and a line drawn from the left bank of the Missouri river, opposite the Round Butte north, to the forty-ninth parallel.

ARTICLE V.

The parties to this treaty residing west of the main range of the Rocky mountains, agree and consent that they will not enter the common hunting ground, nor any part of the Blackfoot territory, or return home, by any pass

in the main range of the Rocky mountains to the north of the Hell Gate or Medicine Rock passes. And they further agree that they will not hunt or otherwise disturb the game, when visiting the Blackfoot territory for trade or social intercourse.

ARTICLE VI.

The aforesaid nations and tribes of Indians, parties to this treaty, agree and consent to remain within their own respective countries, except when going to or from, or whilst hunting upon, the "common hunting ground," or when visiting each other for the purpose of trade or social intercourse.

ARTICLE VII.

The aforesaid nations and tribes of Indians agree that citizens of the United States may live in and pass unmolested through the countries respectively occupied and claimed by them. And the United States is hereby bound to protect said Indians against depredations and other unlawful acts which white men residing in or passing through their country may commit.

ARTICLE VIII.

For the purpose of establishing travelling thoroughfares through ther country, and the better to enable the President to execute the provisions of this treaty, the aforesaid nations and tribes do hereby consent and agree, that the United States may, within the countries respectively occupied and claimed by them, construct roads of every description; establish lines of telegraph and military posts; use materials of every description found in the Indian country; build houses for agencies, missions, schools, farms, shops, mills, stations, and for any other purpose for which they may be required, and permanently occupy as much land as may be necessary for the various purposes above enumerated, including the use of wood for fuel and land for grazing, and that the navigation of all lakes and streams shall be forever free to citizens of the United States.

ARTICLE IX.

In consideration of the foregoing agreements, stipulations, and cessions, and on condition of their faithful observance, the United States agree to expend, annually, for the Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians, constituting the Blackfoot nation, in addition to the goods and provisions distributed at the time of signing this treaty, twenty thousand dollars, annually, for ten years, to be expended in such useful goods and provisions, and other articles, as the President, at his discretion, may, from time to time, determine; and the superintendent, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto: *Provided, however*, That if, in the judgment of the President and Senate, this amount be deemed insufficient, it may be increased not to exceed the sum of thirty-five thousand dollars per year.

ARTICLE X.

The United States further agree to expend annually, for the benefit of the aforesaid tribes of the Blackfoot nation, a sum not exceeding fifteen thousand dollars annually, for ten years, in establishing and instructing them in agricultural and mechanical pursuits, and in educating their children, and in any other respect promoting their civilization and christianization: *Provided, however*, That, to accomplish the objects of this article, the President may, at his discretion, apply any or all the annuities provided for in this treaty: *And provided, also*, That the President may, at his discretion, determine in what proportions the said annuities shall be divided among the several tribes.

ARTICLE XI.

The aforesaid tribes acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof, and to commit no depredations or other violence upon such citizens. And should any one or more violate this pledge, and the fact be proved to the satisfaction of the President, the property taken shall be returned, or, in default thereof, or if injured or destroyed, compensation may be made by the government out of the annuities. The aforesaid tribes are hereby bound to deliver such offenders to the proper authorities for trial and punishment, and are held responsible in their tribal capacity, to make reparation for depredations so committed.

Nor will they make war upon any other tribes, except in self defence, but will submit all matters of difference between themselves and other Indians to the government of the United States, through its agent, for adjustment, and will abide thereby. And if any of the said Indians, parties to this treaty, commit depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article in case of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE XII.

It is agreed and understood, by and between the parties to this treaty, that if any nation or tribe of Indians aforesaid, shall violate any of the agreements, obligations, or stipulations, herein contained, the United States may withhold, for such length of time as the President and Congress may determine, any portion or all of the annuities agreed to be paid to said nation or tribe under the ninth and tenth articles of this treaty.

ARTICLE XIII.

The nations and tribes of Indians, parties to this treaty, desire to exclude from their country the use of ardent spirits or other intoxicating liquor, and to prevent their people from drinking the same. Therefore it is provided, that any Indian belonging to said tribes who is guilty of bringing such liquor into the Indian country, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her, for such time as the President may determine.

ARTICLE XIV.

The aforesaid nations and tribes of Indians, west of the Rocky mountains, parties to this treaty, do agree, in consideration of the provisions already made for them in existing treaties, to accept the guarantees of the peaceful occupation of their hunting grounds, east of the Rocky mountains, and of remuneration for depredations made by the other tribes, pledged to be secured to them in this treaty out of the annuities of said tribes, in full compensation for the concessions which they, in common with the said tribes, have made in this treaty.

The Indians east of the mountains, parties to this treaty, likewise recognise and accept the guarantees of this treaty, in full compensation for the injuries or depredations which have been, or may be committed by the aforesaid tribes, west of the Rocky mountains.

ARTICLE XV.

The annuities of the aforesaid tribes shall not be taken to pay the debts of individuals.

ARTICLE XVI.

This treaty shall be obligatory upon the aforesaid nations and tribes of Indians, parties hereto, from the date hereof, and upon the United States as soon as the same shall be ratified by the President and Senate.

In testimony whereof the said A. Cumming and Isaac I. Stevens, commissioners on the part of the United States, and the undersigned chiefs, headmen, and delegates of the aforesaid nations and tribes of Indians, parties to this treaty, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

A. CUMMING. [L. S.]
ISAAC I. STEVENS. [L. S.]

Piegans.

Nee-ti-nee, or "the only chief," now called the Lame Bull,	his x mark.	[L. S.]
Mountain Chief,	his x mark.	[L. S.]
Low Horn,	his x mark.	[L. S.]
Little Grey Head,	his x mark.	[L. S.]
Little Dog,	his x mark.	[L. S.]
Big Snake,	his x mark.	[L. S.]
The Skunk,	his x mark.	[L. S.]
The Bad Head,	his x mark.	[L. S.]
Kitch-eepone-istah,	his x mark.	[L. S.]
Middle Sitter,	his x mark.	[L. S.]

Bloods.

Onis-tay-say-nah-que-im,	his x mark.	[L. S.]
The Father of all Children,	his x mark.	[L. S.]
The Bull's Back Fat,	his x mark.	[L. S.]
Heavy Shield,	his x mark.	[L. S.]
Nah-tose-onistah,	his x mark.	[L. S.]
The Calf Shirt,	his x mark.	[L. S.]

Gros Ventres.

Bear's Shirt,	his x mark.	[L. S.]
Little Soldier,	his x mark.	[L. S.]
Star Robe,	his x mark.	[L. S.]
Sitting Squaw,	his x mark.	[L. S.]
Weasel Horse,	his x mark.	[L. S.]
The Rider,		[L. S.]
Eagle Chief,		
Heap of Bears,		

Blackfeet.

The Three Bulls,	his	
The Old Kootomais,	his x	
Pow-ah-que,	his x	
Chief Rabbit Runner,	his x ma	

Nez Percés.

Spotted Eagle,	his x mark.	[L. S.]
Looking Glass,	his x mark.	[L. S.]

The Three Feathers,	his x mark.	[L. S.]
Eagle from the Light,	his x mark.	[L. S.]
The Lone Bird,	his x mark.	[L. S.]
Ip-shun-nee-wus,	his x mark.	[L. S.]
Jason,	his x mark.	[L. S.]
Wat-ti-wat-ti-we-hinck,	his x mark.	[L. S.]
White Bird,	his x mark.	[L. S.]
Stabbing Man,	his x mark.	[L. S.]
Jesse,	his x mark.	[L. S.]
Plenty Bears,	his x mark.	[L. S.]

Flathead Nation.

Victor,	his x mark.	[L. S.]
Alexander,	his x mark.	[L. S.]
Moses,	his x mark.	[L. S.]
Big Canoe,	his x mark.	[L. S.]
Ambrose,	his x mark.	[L. S.]
Kootle-cha,	his x mark.	[L. S.]
Michelle,	his x mark.	[L. S.]
Francis,	his x mark.	[L. S.]
Vincent,	his x mark.	[L. S.]
Andrew,	his x mark.	[L. S.]
Adolphe,	his x mark.	[L. S.]
Thunder,	his x mark.	[L. S.]

Piegans.

Running Rabbit,	his x mark.	[L. S.]
Chief Bear,	his x mark.	[L. S.]
The Little White Buffalo,	his x mark.	[L. L.]
The Big Straw,	his x mark.	[L. S.]

Flathead.

Bear Track,	his x mark.	[L. S.]
Little Michelle,	his x mark.	[L. S.]
Palchinah,	his x mark.	[L. S.]

Bloods.

The Feather,	his x mark.	[L. S.]
The White Eagle,	his x mark.	[L. S.]

Executed in presence of—

JAMES DOTY, *Secretary.*
ALFRED J. VAUGHAN, Jr.
E. ALW. HATCH, *Agent for Blackfeet.*
THOMAS ADAMS, *Special Agent Flathead Nation.*
R. H. LANSDALE, *Indian Agent Flathhead Nation.*
W. H. TAPPAN, *Sub-Agent for the Nez Percés.*

JAMES BIRD,
A. CULBERTSON, } *Blackfoot Interpreters.*
BENJ. DEROCHE,
BENJ. KISER, his x mark,
Witness, JAMES DOTY. } *Flat Head Interpreters.*
GUSTAVUS SOHON,
W. CRAIG,
DELAWARE JIM, his x mark, } *Nez Percé Interpreters.*
Witness, JAMES DOTY.
A CREE CHIEF, (broken arm,) his mark,
Witness, JAMES DOTY.
A. J. HOEEKEORSG.
JAMES CROKE.
E. S. WILSON.
A. C. JACKSON.
CHARLES SHUCETTE, his x mark.
CHRIST. P. HIGGINS.
A. H. ROBIE.
S. S. FORD, Jr.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifteenth day of April, eighteen hundred and fifty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

IN EXECUTIVE SESSION,

SENATE OF THE UNITED STATES, *April* 15, 1856.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded between the United States and the Blackfeet and other tribes of Indians, at the council ground on the Upper Missouri river, October seventeenth, eighteen hundred and fifty-five.

Attest: ASBURY DICKINS, *Secretary.*

Now, therefore, be it known, that I, Franklin Pierce, President of the United States of America, do, in pursuance of the advice and consent of the Senate as expressed in their resolution of the fifteenth day of April, one thousand eight hundred and fifty-six, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-fifth day of April, A. D. one thousand eight hundred and fifty-six, and of the Independence of the United States the eightieth.

[L. S.]

FRANKLIN PIERCE.

By the President:

W. L. MARCY, *Secretary of State.*

Copy
Treaty with Black Feet
& other Indians Blackfeet
1855

(8)

Washington Sept 1855

Gov. of Washington
Comm'l Journal Proceedings
of the Indian Affairs Oct 22. '55

States the Blackfeet
Council has closed its
labors and adjourned
- leaves for Fort Benton
and thence for his Superin.
- will make treaties, if
practicable, on his route

Rec'd Dec. 31. 55
Ack'd Jany. 12. '56
Gibbs

31 Comm.

Council Ground Mouth of Red Cedar
October 22nd 1855.

Hon. Jno. W. Manypenny,
Commissioner Indian Affairs,
Washington D.C.

Sir,

The Commission to hold the Blackfoot Council closed its labors to day and have adjourned sine die.

I shall await myself & the Privilege reserved in the report, & Submit my & your extended report hereafter.

Tomorrow I move camp, shall reach Fort Benton on the 24th and propose to start from that point on the 27th for my Superintendency.

If practicable Letters will be made on my return with the Lower Band of Bloods, Crowd Allies Piekanes, Crees & Assiniboins as per my previous report.

I am Sir very respectfully
Your Most Obdt
Isaac I. Stevens
Gov. & Supt

Blackfeet 294

Alfred Cumming
St. Louis Sept 10. 55

Submits treaty made by him
& Gov. Stevens as Commis-
sioners, with the Blackfeet
& other Tribes of Indians, the-
r with a Map of the Country
and their joint proceedings in
the premises

Rec'd January 18. 56

Dep. of Int. Jan. 18 56
Refd to Leg dat. Feb 2 56

18 Ltr

10-17-55

Sir:

Office Supt Indian Affairs
St Louis January 10 1856.

I have the honor herewith to submit the treaty made at this city on the 6th inst by myself & Gov. Stevens, as Commissioners with the Blackfeet, Flatheads & other Mountain tribes, together with a map of the country showing the hunting grounds assigned to them in Common, and one for the report you previously under our instructions.

At an early period I shall prepare & forward my special report in relation to the expedition and its results.

Very respectfully Your obt Servt
A. Cumming
Supt Ind Affs

Hon. Geo. W. Manypenny
Com'r Ind. affs
D.C.

410

Report of the Q.M.
Comm.g Capt Cummings Lt Gov. Stevens.
Oct. 22. 1855.
" — "

Copies

Copies —

Council Grounds, near mouth of Judith,
October 22d 1855.

Hon. Geo. W. Manypenny
Commissioner of Indian affairs
Washington D.C.

Sir;

The Commissioners to hold the Blackfoot Council, have the honor to report, to the Commissioner of Indian affairs, the successful termination of their labors, with the Blackfoot Nation, and the adjoining tribes of the Territory of Washington. The negotiations have been eminently successful, and the feelings of brotherhood, and friendship which were visible throughout, give an earnest that permanent good will result from the Councils.

The official journal is so full in relation to the views of the Commissioners, which in several particulars, somewhat differed widely ~~differed~~; the method and force employed in collecting the Indians, and the circumstances and reasons leading to the holding of the Council at this point, as well as in relation to the proceedings in Council and the views and feelings of the Indians, that at this time, there is no necessity, nor is it practicable, to do more than present a very brief view of the field occupied by the Commissioners, each of whom reserves the privilege of submitting hereafter a more detailed report.

The Commissioners in their communication to the Dept. of the 29th of Augt., stated that a messenger had been despatched to the Crows, and ~~one~~ to the Boats, and that a messenger would be despatched north to the Blackfeet on the arrival of Mr Bird who had been offered employment, as an Interpreter, by Com. Stevens.

On the evening of the next day, (Augt 30th.) four young men from Alexander's camp of the Pend d'Oreilles, came to Fort Benton with information that Alexander was on this side of the mountains, and that he wanted information as to the time of holding the Council, and the place of establishing his camp of 38 lodges.

Their horses were placed in Com. Stevens' band, and were stolen the same night, by two Indians of the Blackfoot Tribe.

Mr. Doty was despatched the next day with Mr Jackson as his assistant, and suitable Blackfeet guides, with instructions to visit the northern camps, demand from the Chiefs the delivery of the stolen horses, secure the services of Mr Bird, as interpreter, and make the necessary arrangements, for the attendance of the Blackfeet at the council. Mr Doty was completely successful in his mission. The stolen horses were recovered, Mr Bird's services were secured. All the camps professed great friendship for the Western Indians, agreed to meet the Crows, and promised to attend the council, or to be bound by the Treaty.

The Commissioners will refer the Dept. to the report of Mr Doty, of the 19th of Sept. for the full particulars of his trip, and for information in reference to the views of the Indians he conferred with.

Dr. Lansdale, the Flathead Agent, was the same day despatched to Alexander to make arrangements about establishing his camp, and to assure him that every effort would be made to recover the stolen horses.

In the meantime the express from the boats had returned The boats were near the mouth of the Muscleshell, & Major Hatch, the Blackfoot Agent, reported on the second day of Sept. that the boats were expected to reach the mouth of the Judith in twenty days, and Fort Benton in thirty to thirty five days.

Turning now to the Western Indians, it may be remarked that special Agent Thomas Adams, Messenger to the Crows, was first instructed to confer with the Gros Ventres, Piegans, & Western Indians, and Sub-agent Tappan on duty with the Nez Perce delegation, was instructed to co-operate with him. Mr Adams was instructed on receiving a favorable answer from the Indians, as to the proposition, to bring the Crows to the Council, to visit them and secure the attendance of their principal chiefs.

Mr Adams found all these Indians, in the vicinity of the muscleshell River, the western Indians including 40 lodges of Snakes, in one camp of 216 lodges, and the whole camp of the Gros Ventres, and Low Horns band of the Piegans of 54 lodges in the vicinity. Their answer was uniformly favorable,

but the Gros Ventres, having had recent difficulties with the Crows none of their Chiefs were willing to accompany him. The Western Indians had now been five weeks on the Muscleshell waiting for the Council, were much discouraged from the difficulty of eking out a scanty subsistence. There were few Buffalo; the grass was poor, & much of the country burnt. It became absolutely necessary to divide the camp, to guard against starvation, and as the Commissioner had not fixed on a day, certain, for holding the Council, and great uncertainty existed as to the time of the arrival of the boats, the Nez Perce camp of one hundred and three lodges, on the 8th of September in charge of Sub-Agent Tappan, started for the Yellow Stone, hoping to find Buffalo for food. Four lodges of the Nez Perce, with one of the most prominent Chiefs, the Eagle from the Light, remained with the Flathead Camp of 65 lodges, on the Muscleshell

Mr Adams concluded not to visit the Crows, in consequence of the delays that had attended his finding the Indian Camps, the alleged difficult character of the intermediate country, and the reports which prevailed, that the Crows were much scattered in consequence of a great mortality among them from the measles.

Such was the information brought by the Interpreter Monroe, whom Mr Adams despatched, on the 10th of September, to the Commissioner, with a report of his operations, and who also communicated the additional information, that the Flatheads might in 12. or 14 days, be obliged to go to the Yellowstone for food.

Sub. Agent Tappan also submitted a report, dated September 7th, stating that unless the Council was held in three weeks, not twelve Nez Perces would be able to attend it.

The Commissioner determined to despatch C. P. Higgins, the pack master of Com Stevens train, experienced in voyaging, and intercourse with the Indians, both to Mr. Adams, and Mr Tappan, fixing the 5th day of October, or a few days later,

as the time of holding the council, and directing them to bring the Indians at that time in the vicinity of Fort Benton, and place them in camps on the Shanties, & High Wood Creeks. Mr Tappan was also instructed to make an effort to secure the attendance of the principal Crow Chiefs.

Mr Higgins, the fourth day out met Messrs Adams, & Tappan returning to Fort Benton, and delivered to them the instructions of the Commissioners. The former immediately returned to the Flathead Camp, between the Musclesheel and Judith; and the latter, with Higgins, the Interpreter Craig, & Delaware Jim, and the Voyageur Legare, pushed across the country, hoping to strike the Nez Percés high up on the Yellow Stone.

Both were successful in finding the camps of their respective Indians. On the 3rd day of October, Mr Adams reported himself at Fort Benton, with information that Victors whole camp would soon be on the Judith, and that Victor proposed leaving his camp there, & repairing with his Chiefs and principal men to Fort Benton, to attend the Council.

Messrs Tappan, & Higgins reached Fort Benton on the 5th day of October, with information that the Nez Percé delegation in charge of the Interpreter Craig, would reach Fort Benton the next day; Octo: 6th; They arrived about noon. Mr Tappan was not able to learn any thing of the Crows, and there was no time to search for them.

The Department is respectfully referred to the reports of Messrs Adams, and Tappan, for the efforts made to secure the attendance of the Crows. Mr Adams after moving down the Musclesheel with the Flathead Camp, two days, reconsidered the conclusion he had announced to the Commissioners of not visiting the Crows, and went to the Yellowstone to find them. His effort was unsuccessful, for the reasons stated in his report.

The result, however is that the effort was made, and a valuable contribution made ———

to the knowledge of the geography of the Country. These reports will show the constancy of the Western Indians, and their desire to meet in good faith the Blackfeet, a desire which has been thoroughly reciprocated as the records of the Speeches in Council will show.

In the mean time according to the arrangements made by Mr. Doty with the Blackfeet, the Northern Bands had been moving down and were all now on the Teton and Marias, or near the Marias River, the Gros Ventres were on Milk River. The Buffalo were in great numbers between the Marias and Milk Rivers and from the Bears Paw and the Mountains, bands of them coming as near as twenty miles to Fort Benton. Alexander the Pend d'Oreille Chief's camp was also established on the High wood and Low Horn and Little Grey Heads band of the Piegans on the Marias

The arrival of the Nez Percés brought all the Indians within the direct purview of the Commission, and the most remote Camps of the Gros Ventres and Flatt Heads could be reached in a single day.

The day of the arrival of the Nez Percés, information was brought that the boats had not reached the mouth of the Judith and that they would not probably reach that point till the 8th instant. which would make their trip thirty seven days instead of twenty days from the mouth of the Muscle Shell. It was evident that no certain estimate of their arrival at Fort Benton could be made, and it was not probable that the time would be less than twenty to twenty five days.

The Blackfeet and Western Indians had now been mingling freely together for several days, and it was important that their present favorable disposition should be availed of to consummate the negotiations. Accordingly on the evening of the 5th instant (the day of the arrival of the Nez Percé delegation) the Commissioners determined to hold the Council at the Mouth of the Judith,—

and the 13th was fixed as the day of assembling. The Indians. Commissioner Stevens was requested by the Commissioner to take the necessary measures to assemble the Indians at that point.

On Sunday the Council, all the Camps were notified, except the Flathead Camp on the Judith. and most of the Chiefs conferred with Gov. Stevens in person. They were directed to send only a portion of their people to the Judith. The Chiefs, men and animals enough to carry off the goods, and the main Camps with their large supplys of meat to remain in their present locations on the Teton, Marias, and Milk Rivers.

Commissioner Stevens after repeated Conferences with the Chiefs on Sunday, Monday, Tuesday and Wednesday, Oct. 7. 8-9 & 10, and insuring on their part a thorough understanding of the reasons for holding the Council at the mouth of the Judith, broke up his Camp at 11¼ A.M. on Wednesday and at 2½ P.M. on Thursday reached the place, where the Express of the Commissioner joined the boats on the morning of the 8th about one mile below the mouth of the Judith, and was engaged in receiving the Indians till the arrival of boats coming on Saturday. On the arrival of the express, the boats were stopped and the goods unloaded.

All the Indians were on the ground on ~~Wednesday~~ Monday, ~~and~~ The Council was opened on Tuesday, and the negotiations were completed and the Treaty signed on Wednesday. Thursday, Friday, and Saturday were occupied in the distribution of the goods.

The several Tribes have fraternized with each other, as follows; The Flatheads, & Gros Ventres, They were in communication on the Muscleshell, exchanging friendly visits for many weeks. The Pegans and Nez Percés, The Bloods & Bends Oreille. Though the Crows were not present, the Indians pledged themselves not to war upon them, and they also pledged themselves not to make war upon any of the neighboring Tribes, several of whom, are specifically mentioned in the Treaty.

There were about three thousand four hundred Indians present in the council ground and in the Flathead camp one mile distant, about five thousand four hundred Indians at the camps on the Musselshell, Teton and Milk rivers, left there by the chiefs at the suggestion of the commissioners, and about eleven hundred Nez Percés forced to the Yellowstone for food and present through their delegated chiefs. Thus about ten thousand Indians actually participated in the council, for it must be remembered that the Nez Percés were in communication with the Gros Ventres and Piegans (Low-horns and Little Gray Heads bands,) for five weeks on the Musselshell.

The following table shows the lodges and population of the several tribes of the Blackfoot nation present, and absent at the work. It is based on the census adopted for the distribution of the goods and provisions

	Total no. of Lodges	Total population	Lodges present	Lodges absent	Population at the present	Population at the work
Piegans	340	3,150	283	57	2,622	528
Bloods	290	2,690	210	80	1,948	742
Blackfeet	290	2,690	60	230	556	2,134
Gros Ventres	360	2,970	360		2,970	
	1,280	11,500	913	367	8,096	3,404

Of the 57 lodges of Piegans absent, all agreed in the conference with Mr. Doty in his trip north to be bound by the treaty, but did not attend the council for the reasons mentioned in his report.

Most of the absent Bloods and Blackfeet will come to the American trading posts the ensuing winter; all the Bloods, and it is believed all of the Blackfeet who will feel bound by the treaty.

Of the total population of the Flathead nation, fourteen hundred souls, seven hundred and fifty three were present at the treaty.

The commissioners have experienced much difficulty in agreeing as to the terms of the treaty, and their views differ essentially in reference to the governmental policy to be carried out in relation to the Blackfeet. Commissioner Cumming was of opinion that an annual appropriation of twenty thousand dollars per year the expenditure in useful goods and provisions and ten

thousand dollars for establishing them in agricultural and mechanical pursuits and for educating their children was a liberal provision, whereas Commissioner Stevens considered that $20,000 for the first purpose and $30,000 for the second was the least that should be made and was the most judicious distribution of the whole amount to be appropriated. Commissioner Stevens finally adopted the distribution indicated by the commissioner of Indian Affairs of $35,000 for the first object and $15,000 for the second, trusting that under the operation of the general proviso what the commissioners were instructed to incorporate in the treaty giving the authority to the president to apply any or all of the annuities provided for to the civilization and christianization of the Indians, that the administrative distribution which he believed necessary would be made thereafter. As a compromise Comr. Manning proposed that $20,000 should be fixed for the first purpose, and that a proviso should be added, providing that if the amount was deemed insufficient by the president and senate, it might be increased to an amount not exceeding $35,000, which Commissioner Stevens accepted.

Under this arrangement the increase of the appropriation from twenty to thirty five thousand dollars will come before the president and senate for final arrangement, and the department is respectfully referred to the papers of the respective commissions in their official record.

They have also differed fundamentally as to the character of the Blackfoot country and people, Comr. Manning being of opinion that the country could not supply the wants of a limited emigration and that the Blackfeet are utter barbarians, and Comr. Stevens that the Blackfeet have a fine grazing country whose capabilities no emigration could exhaust, and that the Blackfeet will in an extraordinary degree yield to any agencies what the government may put in operation for their civilization and christianization there.

They have also differed widely as to the purport of the instructions, and the powers, rights and duties of the respective commissioners under them, and as to the powers which can be exercised by superintendents and agents under the Commissioners. They respectfully call the attention of the department to their views as expressed on the record.

The Commissioners do not therefore purpose to dwell further on the details of the treaty, or to attempt to make the report in relation to the country and the Indians called for in the instructions. They respectfully refer the department to the official record. So utterly at variance have their views been on many points, that it has only been with great difficulty that a concert of action has been effected at all. Each has acted in view of his responsibilities to the department to which this report is respectfully submitted.

A preliminary sketch prepared by special agent Adams accompanies this report.

We are, Sir very respectfully,
Your most obedient
W. Cumming
Isaac I. Stevens
Commissioners

49th Parallel of Latitude

Snakes Head

Marias R.

Milk River

Common Hunting Grounds of the Blackfeet & Assiniboins

N E B R A S K A

Teton or Breast River

Fort Benton

Missouri River

Little Rocky Mounts.

Round Butte.

Sunor Medicine River

Crown Butte Cr

Beaver Cr

Dearborn River

Aylow R.

Judith R.

Dog R.

Willow Cr.

Shell River

Line extending to the Mouth of Powder River.

Line drawn ten miles from the Muscle Shell River

Muscle Shell River

Hell Gate River

Hell Gate or Medicine Rock Passes

Approved
N. Cumming
Isaac I. Stevens
Commissioners

Council Ground
mouth of the Judith
October 22 1855

Range of the Rocky Mountains

Broken Passes

Wisdom River

Common Hunting Ground of the Western Indians and Blackfeet

Jefferson Fork

Jefferson Fork

Gallatin Fork

Mountainous

Mountainous

Mountainous

Twenty five yards River

Otter River

Lake

Crow Indian Territory

Yellowstone River.

WASHINGTON TERRITORY

OREGON

Map
Showing the Territory of the
Blackfeet
and the Common Hunting Ground
of the
Blackfeet and Western Indians
as established by the
Treaty at the mouth of the Judith
October 17th 1855

29

Tube E 5

Blackfeet 81
Alfred Cumming
St. Louis Feby 15. 56

Transmits Report of his expedition to the Blackfeet country

Rec'd Feby 22. 56
Off. March. 56.

22 Ans Feb.

Office Supt Indian Affs
St Louis Febry 15. 1856.

Sir:

I have the honor herewith to transmit a report of my expedition to the Blackfoot Country as one of the Commissioners under your instructions, for the purpose of holding a Council with the Blackfoot Indians and other tribes residing near the head waters of the Missouri.

Very respectfully Your
Obt Servt
A. Cumming
Supt Ind Affs

Hon. Genl. W. Bramyer
Comr Ind. Affs

Blackfeet 081

1856

Sir

Office Supt. Indian Affairs
St Louis February 14th 1856

I have the honor to report to you that, on the 24th & 28th of May last, I issued orders to Agents Whitfield and Twiss, the annuity goods for the Arkansas and Platte Agencies, and furnished those gentlemen with instructions to govern them in the performance of the delicate official duties which devolved upon them, at a time when many of the bands were suspected of disaffection, and the Army engaged in active military operations: that service was performed, I trust, to the satisfaction of the Department, and by which, no doubt, much suffering among the tribes was averted.

On the 6th of June, I embarked on the steamer "St Mary", with the annuity goods destined for the Kansas tribes & the Upper Missouri Agency, and the merchandize intended for presents to the tribes inhabiting the Country on and near the head waters of the Missouri rivers, who were expected to assemble in a general Council at Fort Benton near the falls: I was accompanied by Agents Vaughan and Hatch, & the gentlemen employed by me as assistants.

On the 14th I saw many of the Otoes & Missourias near the river, seemingly unwilling to abandon their old homes; I am grateful in being able to report that they have since gone to their reservation, where they will soon realize the advantages secured to them by the beneficent provisions of their late treaty.

The Pawnees it will be remembered, by the treaty of October 1833, ceded to the United States all their lands on the South side of the Platte — they were subsequently driven from the North side by the Sioux, and while there they have subsisted chiefly by depredations, and the contributions (not always voluntary) bestowed on them by travellers on the thoroughfares which they infest. Apart from the question of policy, justice and humanity require that some thing should be done to better the condition of this depraved and wretched people. They are willing to cede their lands, and if it shall be determined to treat with them, I would recommend that they be finally settled on the same reserve with the Otoes and Missourias, & in its immediate vicinity.

The Character of the lands selected on the Omaha reserve, at the Black Bird Hills, has not escaped observation; and efforts I fear have been made to create dissatisfaction in their minds concerning it. The location has been judiciously selected, and should not be changed. The land will be broken up on this and the Otoe & Missouria reserve as early as possible this Spring.

The Poncas, who speak the same language as the Omahas, cultivate extensively and successfully; — they formerly enjoyed a good reputation, but tempted to commit depredations and acts of violence on the Laramie route, they have recently become the most troublesome tribe on that frontier; — they claim an extensive and valuable tract of Country which will soon be required for settlements; — the valley of the Niobrara river constitutes not the least valuable part of it. If it be deemed expedient to treat with them, I would advise that they be placed at or near the Black Bird reserve; they would be re-united with the Omahas and become one people in sympathy and interest, and thereby present an effectual resistance to the incursions of the Sioux. I would recommend the appointment of an additional Agent for the Council Bluffs Agency. The present Agent should be transferred to the Otoe & Missouria reserve on the Big Blue; and the additional Agent established at the Black Bird Hills, where he might superintend not only the Omahas, but the Poncas and Yankton Sioux. At Sergeants Bluffs there are many retired Voyageurs, who have selected this Spot as a site to live and rear their families — many of whom are half breed Yanktons — they are desirous of permanently settling on the Yankton lands below the Vermilion river.

On the 21st I arrived at the Yankton village, Kearney Bluffs — and took on board the Chief and some of the principal men; the people went up to the other village by land; — the name of this Chief is "Smutty Bear". We passed the mouth of the Niobrara in the evening, and the next morning arrived at the upper village (now abandoned) whose Chief is "the Man Struck by the Ree." Both of these Chiefs are men of intelligence and singularly devoted to the interests of their respective bands, yet mutually jealous of the increase of Power by each other. The present seemed a good occasion to bring the two bands together, and to reconcile the Chiefs.

I Blackfoot, 1856 C 81

I endeavoured to impress upon them the necessity of acting in Concert &
they promised future friendship, and I placed a medal upon the breast
of each of them in the presence of their people, and all parties seemed
highly gratified. Agent Vaughan distributed their Connatys, and
the boat proceeded.

The Country claimed by the Yanctons extends from the mouth
of the Big Sioux to a point on the Missouri river opposite Fort
Pierre, with an indefinite extent northwardly. A portion of this
Country is a fertile tract 60 by 15 miles, lying on the Missouri river
between Douin's Bluffs and the mouth of the Sioux, through it run
the Vermilion and James rivers, and it is bounded by the Sioux and
the Missouri; on the margin of all these rivers is an abundant growth
of ash, oak, Cotton wood and Elm. The Yanctons have two villages
on this tract. One at Douin's Bluff, and the other, ten miles below
the Vermilion. They evince the greatest desire to learn the advantages of
instruction in farming. With very little aid from the Government, they
have made some progress in Cultivating Corn, pumpkins, beans &c
enough for their subsistence but for the pillages of the Santees, whose
depredations extend to both sides of the Sioux, stealing horses, Cattle,
Corn, and indeed every thing that they esteem of any value.
If they are not Controlled in time by the Government, I fear that an
indiscriminate punishment will be inflicted upon them by the indignant
and injured people upon whom they trespass. The Yanctons are clearly
entitled to protection, being industrious, honest, and desirous to live
by the Cultivation of the soil, and if nothing more be done for them,
I recommend that they should be again allowed the benefits provided
for in the 4th article of the treaty of 15 June 1830.

A very large proportion of all the land above the Vermillion Corn,
on both sides of the Missouri, as far up as the falls, will, in my Opinion,
be found utterly unfit for Cultivation. The Buffalo grass however
is abundant, and its nutricious qualities render it exceedingly valuable
for grazing; upon many of the tributaries there are excellent sites for
grazing farms where wood and water Can be procured in abundance
but the infrequency of rain, and the scantiness of wood, will
preclude the possibility of establishing a large population in that
region, devoted to agricultural pursuits only. The Cheyenne river
valley may be termed habitable; the head waters of this river

Cut the "Black Hills, and offer inducements to an early settlement in consequence of the fertility of their small vallies and the extensive forests of pine, oak, elm &c on the largest Sioux, which will be rafted to the Missouri river - a distance not exceeding 250 miles. Forty miles above Fort Pierre is the mouth of the Cheyenne river. After this voyager passes the region of the Lignite Coal, the character of both animal and vegetable life is changed; - he no longer sees the Raccoon, gray Fox, Possum, Squirrel, turkey, prairie grouse or quail; and the honey Bee has not extended his flights beyond the White river. The last specimen is seen near Council Bluffs; - the hickory and almost every variety of oak, except the pin oak, with many other familiar trees, are no longer to be seen. The mouth of the Sioux marks the limit of the region of Coal and ledges of rock in place. The Course of the Missouri is through several distinct tertiary basins, all of which contain wonderful Specimens of extinct animal Species hitherto undescribed, petrified and preserved in the Chalk deposites of this region. That basin which embraces the great bend near Fort Clark, contains petrifactions of trees so numerous as to be almost entitled to the name of forests. There is also found extensive deposites of lignite a brown Coal, but which is quite worthless as an article of fuel.

On the 26th the boat arrived at Fort Pierre; the Kettle band of Sioux and a band of Yanctonees were then awaiting the arrival of the Annuities, all the other Sioux bands of that region are said to be on a hunt on the head waters of the Cheyenne and other tributaries of the Missouri. The Kettle band manifested great dissatisfaction at the sale of Fort Pierre to the United States, and much trepidation, lest their acceptance of their Annuities might involve them in difficulty with other tribes. I admonished them of the necessity of pursuing an entirely neutral Course of Conduct in the event that the war should extend to their Country; I Confirmed the authority of two principal Chiefs and presented them with medals - the Agent then distributed their Annuity.

The Yanctonee band refused to give the usual receipt to the Agent for the goods, alleging that one of their men had been killed the previous year because he had Signed the papers; it was further alleged by them that the papers would be used as evidence of the

F. Blackfeet, 1855 [1855 C81]

sale of their Country. The Agent with great patience endeavoured, both in vain, to remove this false impression from their minds, but with success; ordered the Goods to be returned to the boat; before they were put on board however, they came down - opened their regret at what had occured - signed the receipts, and decend their Country.

The Annuity goods intended for the Uncpapas, Sans arcs, and Black feet Sioux, not having been delivered the former years to these bands, had been stored at Fort Pierre, they were now placed on board consigned to Fort Clarke, and the boat resumed her voyage.

The Character of the Navigation above Fort Pierre, is materially changed in Consequence of the absence of Snaggs in the bends, which are very troublesome below Sergeants' Bluffs. Wood in many places is very scarce, hence we were compelled to burn drift wood, and some small Cedar found near the Summits of lofty Bluffs. On the 1st of July we saw a Small band of Antelope for the first time on the trip - passed the Site of the old Arickara Village, rendered famous as the spot occupied by them when attacked in 1823, by the troops under Col. Leavenworth, who after Killing the principal Chiefs, permitted them to escape, when they fled to the Pawnees with whom they Sojourned until 1837. The Conduct of Col. L. was much censured at the time; but the shape of the Country plainly Shows that it was an act of mercy on his part to the poor wretches, as he could easily have occupied a position which would have entirely cut off their retreat; and they must all have perished in their dirt lodges, or been Slain, in any effort to escape by land or water: they have ever Since Continued to live at peace with the Whites. The occasional exhibition of the military strength of the Government Seems to be indispensably necessary to insure the respect of the Indians; but I believe that a magnanimous and merciful Course is more productive of permanent benefits than ostentatious and indiscriminate Chastisement.

At 10 Oclock A. M. on the 2nd we were Saluted by Several volleys from the point of a wood near the "Bundash", Soon by a body of Yanctonais who clad in their finest apparel had left their Village to greet us by the way: we were Soon at the village of the "Little Soldier"; this Chief has been placed at the head of a band who are determined not to permit any to Settle among them

1-6 11

who will not cultivate the soil. This village is not three years old—it is increasing in population—they cultivate small corn fields, and evince the greatest anxiety to be taught the art of farming;—they begged me to intreat their Great Father to send them a good white man to live with them and show them how to plough;—they are very anxious to have some cows, a yoke of Oxen and some hogs;—they believe that nearly all the tribe would cultivate the earth if their Father would help them. with manifestations of pride, they exhibited a large plow with the yokes and chains—all kept in excellent order, waiting, they said, until their Father would send them oxen & a white man to show them how to work; they have very few hoes, and have been compelled to use the shoulder blade of the Buffalo as a substitute. In the centre of this village they have erected a pole, upon which they hope at some future day to have a bell or a flag; they importuned me to tell their Great Father of all their wants. This is an exceedingly industrious settlement—their dirt lodges are well built and commodious—and if cherished, it will doubtless become a large and prosperous village. "Little Soldier" is an active, intelligent & industrious man, who says that he does not think himself disgraced by hoeing corn. If this band is properly managed, I believe that the most beneficial consequences will result from it. At the time we ascended the river, nearly all the Yanctonees had gone north on their Summer hunt. They claim all the country on the north side of the Missouri river, from Fort Pierre to Apple Creek, and to an indefinite distance northwardly. They have long complained that the Half Breeds of Red River hunt on their land and destroy their Buffaloes and with much reason object that the Half Breeds are not satisfied with killing buffalo for their own Subsistence, but carry away great quantities, which as I am told, is sold beyond the Country. These Half Breeds make two hunts annually, at which times the whole settlement is employed in killing and curing meat;—they are an industrious, brave and honest people, governed by their religious instructors, they are disposed to lead a life of peace and exemplary piety, and are as such, entitled to the protection of the Government. Yet it is a subject of regret that no arrangements have been made to define the line between them and the Yanctonees, beyond which neither party should hunt. During the past season, the

[illegible] Sept, 1857 [illegible]

Gantonies attacked the Half Bruds near Devil's Lake, and while some were engaged, others stole a large number of Oxen, mules and Horses; deprived of their horses, the Half Bruds were unable to overtake the Gantonies in their flight. Such is the Statement made to me by the Gantonies who evidently considered it an act of just retribution. This valuable Colony of Half Bruds will be preserved, and much bloodshed prevented, by negotiating a treaty with the Gantonies, by which the limits of their Country will be definitely fixed. I therefore earnestly recommend the appointment of a Commissioner to negotiate with the Gantonies a treaty which shall define their boundaries, and at the same time, secure to the Half Bruds an abundance of land for Cultivation and hunting grounds, upon which the Gantonies shall not trespass. Existing circumstances suggest the propriety of an early attention to this Subject.)

The great difficulty attendant settlers, upon the Communication between the Settlements on Red River and a Market, has rendered the agricultural products of that Country of little value, but should a treaty be made with the Gantonies as I have suggested, it might be stipulated that a permanent road should be established from the Red River Settlements to a point at or near the Big Bend of the Missouri river. The mouth of Knife River (below White earth) is believed to be within 25 miles of the 49th parrallel, where it empties into the Missouri, and the Red River Settlements lie due east about 200 miles. It will probably be found more desirable to run that road from a point near Fort Berthold, and down the Missouri in valley, for the benefit of wood and water. I believe that a good road can be established from the Missouri to the Pembina new Settlements which will not exceed 200 miles. This will enable the Colonists of the Red River to get their Surplus products to a market by travelling by land 200 instead of 600 miles.

On the 5th of July we reached Fort Clark, and was much disappointed in not finding the two messengers whom I had despatched on the 26th of June from Fort Pierre to the Camp of the Sioux Yapas, Sans arcs and Blackfeet Sioux, inviting them to meet me at Fort Clark. Some dissatisfaction existed in the minds of these bands, and I was desirous of talking with them, and learning the cause thereof; the messengers had not returned, and I could gain

no infamation in relation to these bands.

At Fort Clark is the village of the Arickeras who are a band of the Pawnees - identical in manners and language - they are a sprightly intelligent people, but have the reputation of being great thiefs; their morals, I fear, are at a very low ebb; they cultivate corn very extensively, and sell annually several thousand bushels of surplus stock; they have been very peaceable ever since their return from the Pawnees; herds of Buffalow and elk are found near their village - hence they have abundant means of subsistence. The village which they now occupy, is composed of dirt lodges and was built by the Mandans, but finding it unoccupied in 1837. they took possession, and have ever since retained it without molestation. During that year the Mandans were reduced to a number not exceeding thirty individuals, by the Small pox. That appaling disease displayed itself on board the Steam Boat Luden on the annual out fit of the American Fur Company; as the boat proceeded on her voyage, the disease was disseminated, and as the infection spread, every Indian camp from the Big Bend of the Missouri to the waters of the Columbia and Puget's Sound was a scene of utter despair. To save their families from the tortures of that loathsome disease, fathers slew their Children, and in many instances inflicted death upon themselves with the same bloody knife. Maddened by their fears, they rushed into the water for relief, and many perished by their own hands, gibbetted on the trees which surrounded their lodges.

Having finished the distribution of the Annuity goods among the Rees, we examined their Camp fields, and convened for a short time with their principal Chiefs; this done, we pushed on to the Mandan village - a few miles above. The Mandans, now an inconsiderable band, like the Rees, live in dirt lodges, and cultivate large crops of Corn; but unlike them in moral habits, they enjoy an unsullied reputation, and a character for integrity far above the ordinary Indian standard. Devoid of many of the vicious propensities so common with Savages, their employments & amusements all seem to be of a respectable character. There is no tribal affiliation between the Mandans and any of their neighbours; neither has their language any kindred dialect, and although difficult to acquire, it is said to be exceedingly copious. Their traditions

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refer to a former residence, sit down the river; and perhaps the ruins of old villages constructed like these, may mark their temporary abodes in their long journey from the Platte to Knife River; they retain a tradition of a deluge, by which the seed of Corn was lost, but which was afterwards restored to them Miraculous way.

After Conversing with the principal men, the annuities were distributed. These respectable and almost polished depositories attracted our attention, and quite won our esteem, and we departed from the village with a feeling of regret.

The Gros Ventres of the Missouri, or as they call themselves, the Minnatares — are a branch of the Crow nation, which is endeared by their habits and language; their villages are Fort Berthold; they are a fine looking, intelligent and cheerful people, and successful Corn planters. The Gros Ventres, Mandans & Minnetarees, tho' each a distinct tribe, and differing from the Sioux in almost every feature of character, yet are alike in the manner of exposing the dead upon Scaffolds, and in their construction of dirt lodges. These lodges they only occupy from the time they put in their Crops until they are harvested — they all use circular bull boats built in the same manner. After a long Conference with the Chiefs, during which, like all the other Small tribes, they complained of the encroachments of the Sioux who seem to be objects of general detestation amongst them, Agent Vaughan distributed their Annuities, and we proceeded on our voyage.

Our ascent of the river was now under lofty and dreary bluffs, without a speck of vegetation to enliven the Scene, from their base to the Summits of the Sand buttes by which they are surmounted; and we experienced the Sensation of being enclosed by the walls of Some mighty prison; but when we came to what is called the "Mauvaise Terre" we found this region to exceed in barren desolation any we had yet seen; — immense masses of lignite blacken the face of the hills, whose Summits are reddened by internal heat — fonts of petrified trees the Knowledge of whose species is only known by their ghastly remains; — hills worn by some mighty Convulsion, and crumbling to their base, present a frightful picture of loneliness and desolation.

On the 8th we passed the mouth of White Earth River — herds of deer, elk, antelope and buffaloe, now became abundant,

followed by bands of large white wolves. On the 11th we passed the mouth of the Yellowstone river, and at night landed on the right bank of the Missouri opposite Fort Union, where the "St Mary" discharged her Cargo.

There was an implied understanding with the owners of the boat that the "St Mary" should proceed the voyage as far beyond the Yellow Stone river as practicable; yet the letter of the Contract specified Fort Union as the point of delivery; availing himself of its letter, the agent of the boat discharged the Cargo to be transported to Fort Benton in Mackinaw Boats, assigning as a reason, the low stage of the water. As this was in accordance with the letter of the Contract, I had nothing to say, and made patience a virtue of necessity. My subsequent examination of the river satisfied me that the boat could easily have proceeded to the mouth of the Musselshell river, if not further. Arrangements were immediately commenced to ship the goods in board of two Mackinaw boats. At length on the 17th of July, all the necessary preparations having been made, the men were placed on the Cordells, and the Mackinaws left Fort Union for Fort Benton a distance of Seven hundred miles.

We found four hundred lodges of Assinaboins in the plain near Fort Union — they had begun to assemble on the 11th. — they are a gay and joyous people, passionately fond of music and dancing, in both of which accomplishments they far excel any other Indians we seen by me. They are a brave, intelligent good looking people, armed chiefly with bows and arrows; they have not many horses, and their Camp was supposed to contain at least five thousand dogs. These dogs are of the large Esquimaux breed, with erect and pointed ears, and are covered with long silky hair; as the Assinaboins have, as before stated, few horses, their dogs are made to perform the most essential Service as beasts of burden — hauling lodge poles, Skins, Skulls, meat and babies. The latter are usually made up into neat packages, with an envelope of wolf Skin, and Strapped on to a net work of raw hide, which answers the double purpose of uniting the Shafts of the travois, and furnishing a Convenient arrangement for the deposite of valuables. In addition to other uses, the flesh of the Esquimaux dog is esteemed the greatest luxury, and no feast is complete without it.

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Eating dogs is universal among the Sioux, and the Assenaboins are Sioux; tho' in consequence of long Separation from the body of their Nation, their language has become materially modified. They dress in elk and buffalo Skins,— the former, when worn by young women, are usually garnished with the tusks of that animal; these dresses are kept clean and white by the use of a White earth. I regret to state that the Assenaboins are not exempt from a custom which universally existed throughout the valley of the Missouri above the Leaun Cour, which consists in destroying with their teeth the victims of their delighted Scalps among their long getty tresses. In addition to those Assenaboins who hunt, and for the most part occupy a Country South of the 49th parallel, there are numerous bands who live exclusively within the British territory with the Crees on the west, and the Crees and Chippewas on the east. All of the Assenaboins make the Summons hunt on foot, and are fleet runners; they are armed with bows, arrows & lances almost exclusively. In addition to the Assenaboins assembled at the Yellow Stone, there were also two lodges of Crees (a band detached from the principal tribe) to whom I made some presents. After Counselling with the assembly, and informing them of the Objects of my mission of peace, the Agent dismissed these Indians. The weather Continued to be very hot from the 12th to the 31st of July— the thermometer averaged little less than 100 degrees; the atmosphere however, was very clear, and the Sun tho' shining brightly, was not Oppressive.

On the 26th a dense cloud of grass hoppers commenced passing over from North west to South east; as far as the eye could reach, aided by a powerful glass, there seemed to be an intermingled flight of these insects; as the bright light touched their extended wings, they presented the appearance of a Snow Storm. Their size and general appearance are similar to the Small grass hopper usually found in Meadows. Great quantities exhausted by their unaccustomed flight descended to the earth, and almost literally covered the prairies, and Soon Commenced the work of destroying the vegetation. The wolves which abound in the whole region feed upon these insects most voraciously; their insatiable appetites prompt them to eat every particle of animal food which they find; they not only devour the wounded buffalo and antelope but they frequently Seize upon the strong and vigorous, and after disabling them by repeated

attacks, they finde them an easy prey to their Combined forces. As they are the inseparable Companions of the herds of buffaloe, the old, the young and the wounded furnish their principal repasts. They may also be frequently seen waiting at the most exemplary patience at the Rame dog villages, for the appearance of the cheerful little animals, who fall easy victims to their insatiable appetites. At all the principal posts in the Missouri, the traders succeed in raising excellent cattle and fine hogs; the winters seem to be too severe for poultry, but some Chickens are reared, and feel chiefly on meat as there is neither no Corn to spare, and the grasses do not furnish suitable seed; the insects tho' often abundant for a brief season, are yet too scanty to supply them with sufficient food.

In April 1855 Some Indians sent from Fort Union to the Fur Company's Post (Piapot) on the Yellow Stone river above the mouth of the Rosebud, returned and reported that they had encountered a large War party of Sioux, one Papas &c. who stripped them all, took their guns and Ammunition, and after inflicting some blows upon them, ordered them to return - threatening their lives if they resisted. Before however, they were permitted to leave the Spot, a general fight ensued among the Indians themselves which resulted in several deaths; this fight arose from a desire on the part of some of the Indians to kill the Sioux, and the wish of another part to save them; they were at length allowed to escape - returned to the Fort and made their report. After hearing these Statements the Superintendent of the Upper Missouri Outfit determined to abandon the annual expedition to the Crows. Deprived by the circumstance of the means of transporting the annuities, the goods were stored at Fort Union to await a more prosperous State of affairs. After closing his business, and subsequent to my departure for Fort Benton, Agent Vaughan remained a short time at Fort Union for the purpose of having a Small boat built for his conveyance; a War party consisting of 25 One Papas came near Fort William on the Yellow Stone, and finding Mr. Campbell, who was in charge of the Fort, and one of the employees engaged in butchering some buffaloe, within half a mile of the Fort, the Indians stripped them and took their horses and guns; subsequently Agent Vaughan saw a party of 15 Sioux of the same bands near Fort Union, he sent his Interpreter out to them and invited them within the Fort; they came, - received some small presents, and were advised

L. Blackfeet, 1876, c 811

to return to their Chiefs and inform them that he wished to meet them at Fort Clark, which they promised to do, and departed; five days after, eight horses were stolen from Fort Union, as is supposed, by some of the same party. Prior to the occurrence just mentioned, it had been determined to send a boat to Fort Sarpy (on the Yellow Stone) but Genl V. declined to entrust the annuity goods for the Crows in board; the expedition was placed in the charge of Mr Melldrum - a partner of the American Fur Company, who has resided 30 years in the Country - chiefly among the Crows; he had proceeded but a little way up the Yellow Stone, when his hunters reported the approach of large parties of Sioux who made hostile demonstrations, and as they had told the men whom they encountered in April, that they would not permit a boat to pass to the Crows, he considered it unwise to proceed, and returned to the Fort. The party who committed the depredations near Forts Williams and Union, and the outrage upon Mr. Campbell his employee, was a detachment of the bands seen by Mr. Melldrum's hunters. Upon my return to Fort Union on the 31 October, I found Mr. Melldrum, who informed me that he believed the party whom he had encountered on the Yellow Stone Consisted of the Sioux of the Red River. Mr James Kipp who was in charge of Fort Union, informed me of the hostile feelings of the Sioux in that vicinity, and that being encamped on the South Side of the river, near the Yellow Stone, he was apprehensive that they would attack and perhaps destroy both Forts Union & Williams. It may be well to remark, that I descended the river immediately after in a Mackinac boat, but encountered no trouble from them.

On the 27th of July, after having made my arrangements for a journey to Fort Benton, I Counselled with the Assiniboins and Crees for the last time, and recommended them to move their Camps; in a few hours six hundred lodges had been struck, and the occupants were in motion towards the Buffalo, following with their dogs, loaded with their Children and household valuables. The two Forts occupied by the trading Companies, opposite the Yellow Stone River, are well located on a plateau on the left bank of said river, opposite these forts are three towering barren Bluffs, heretofore alluded to, at the bases and on the Summits of which, is to be found some good grass, and the plains beyond abound with game; whatever may be said of it by others, I confess that I consider it a very hard Country.

On the 27th I addressed a letter to Gov. J. D. Stevens, advising him of my approach, and on the 28th I commenced my overland journey to Fort Benton; the first days travel was over rolling prairie; here, as everywhere in this wild region, may be seen the effects of the wave of drift which at some distant period inundated these plains; among the alluvial deposits are piles of granite rock of every description, tossed about in endless confusion, which may become useful hereafter as materials for building.

Among the birds of this region between the 48° & 49th parallels, I was surprised to see the Buzzard, which I think rarely alights upon these plains. Ducks and geese rear their young below the 48th parallel, yet many are seen as high as the falls; geese and the large ducks take their flights to the more genial climate of the Pacific; teal ducks pass down the Missouri. The larks, warblers of the orioles, and sparrows, with the Bob o'link constitute the musical family; a few pigeons and a great many doves are seen; eagles and a variety of hawks also, pass their summer in this delightful Summer climate; but with the exception of the sage cock, Pintailed grouse, and the prairie sparrow or linnet, the owls, magpies & ravens are almost the sole permanent feathered occupants of this region in winter. Excepting grass hoppers, insects are not numerous; the rattle snake, and many other varieties of the reptile kind, unknown to me, are occasionally seen. Fish is not abundant in the Missouri or its tributaries, with the exception of the Yellow Stone, in which are found cat fish and a small white herring; - the former being good when fresh, but the latter worthless; Pickerel are sometimes found near the falls, and the mountain streams contain the Speckled trout. In addition to the wild Sage, and innumerable varieties of the Cactus, the country abounds in botanical specimens, which for beauty & rarity will hereafter, no doubt, attract the attention of the naturalists.

On the 3rd of August I arrived at Milk River whose mouth is about 130 miles by land above that of the Yellow Stone; during the succeeding 12 days, we travelled along the margin of this river, which like all the streams in this region, abounds with Beaver, which are now seldom trapped or hunted. The valley of Milk River is low flat and subject to overflows; the wood which is exclusively Cottonwood, is not very abundant; grass is scarce, and the water execrable; the earth

Z Blackfoot, 1856 [C 81]

appears as if saturated with salts. The Muddy runs and all its tributaries are turbid. On the 15th we arrived at the last crossing of this river, and on the same day, I met my associate Commissioner I. I. Stevens; having organized the Commission, we proceeded towards Fort Benton distant about Seventy miles. On the 17th we arrived at Fort Benton, where the Commissioners immediately proceeded to business, for the details of which I refer to our joint report now forwarded; and here as an act of justice, I will state that to the exertions and influence of Mr Alexander Culbertson, the Superintendent of the American Fur Company's trading post at this point, the Commission is mainly indebted for the facility with which the negotiations with the Blackfeet was conducted and terminated. On the 6th of October, all the preliminary business having been disposed of, the Commission determined to assemble the various tribes at the mouth of the Judith river, and there adjourned to meet there on the 9th same month. My Co-Commissioner having politely consented to supervise in person some minor details, I proceeded to the falls of the Missouri. After travelling about 30 miles, I descended some 300 feet to the river opposite "The Fountain" which consists of the waters of a subterranean river bursting through chasms in the ledges of sand stone. This perturbed river in its efforts to escape forms beautiful jets, & below, innumerable silvery rills gliding over the face of a dome circular table of rock into the Missouri. Two miles above the "Fountain" & the upper fall called the "Cascade"; here the ledge of sand stone has been cleft in a straight line across the river, and separates the tranquil stream above from the foaming cataract below; the river at this point is hemmed in by dark high cliffs which impart an air of gloom to the scene. From the foot of the cascade the Missouri rushes in a torrent over its stony bed for seven miles, then dashes over a precipice of 89 feet into a dark chasm 360 feet below the summit of the Cascade. Upon my return to Fort Benton I found my colleague preparing to proceed to the "Judith"; the evening being boisterous, I deferred my departure until morning, as I had determined to descend the river in a skiff for the purpose of ascertaining the depth of the water. Mr Vaughan Jr & Mr Kennedy accompanied me on my trip down the Judith; I found the navigation above, to be much better than below, that river, thousands of the Ibex or Big Horn, may be seen on its banks, and the scenery

a very interesting character. Previous to my departure from Fort Benton, I gave permission in writing to A. Culbertson and Mr. Roche, the superintendents of the two rival trading companies at this point, to go to the Indian Camps on Milk River and purchase a supply of meat for the additional laborers who were expected with the boats—limiting this trading permission to the purchase of meat only. After my arrival at the Council ground, I found that the Western Indians had considerable quantity of beaver which they were desirous of selling, as they would be loaded with Merchandize after the close of the Council, and as they were anxious to cross the mountains without delay, in consequence of the advanced season of the year. Influenced by these considerations, I assumed, as Superintendent of Ind. affairs, the responsibility of authorizing the above named Messrs Culbertson & Roche [Piegans] to trade for the beaver.

Two of the Blackfeet bands—the Bloods and Piegoods—are a sprightly people, smaller than the Sioux in person, and with lighter Complexions; they seemed both tractable and intelligent: the Blackfeet proper, are ferocious in appearance, with Countenance indicating less intelligence and of darker Complexions. The three bands speak the same language, which is musical, and said to be copious. The South bank consisting of the Gros Ventres of the Prairie, are properly Arapahoes, speaking a language little known to the neighbouring tribes as the tradeds; they appeared to me to be cunning, but of low intellect, and enjoy no enviable reputation for morality; they are said however to have ears to appreciate a desire to be instructed in the art of raising Corn, of which as an article of food they are fond.

After concluding all the business connected with the Council held at the mouth of the Judith with the Blackfeet and western Indians, I proceeded on the 22nd October in a Mackinaw boat to the Yellow Stone river. Immediately below the Judith are several rapids, the most difficult of which are the "Dauphine" and "Dyed" rapids; I estimated the current through these rapids at 6 miles per hour: the water is perfectly clear, and the bottom covered with pebbly. There are some few rocks, which if removed from the channel would improve the navigation; their removal could be easily effected by proper appliances. The water of the Missouri returns its brilliant and transparent character until it reaches a point near the Muscle Shell, where it suddenly acquires that turbid appearance

[Blackfeet, 1856]

which marks it's mouth. This change of color in the water must not be ascribed to the "Muscle Shell", as there was no water in its channel when I passed its mouth, - it having been dried up by the recent drought. When I reached the mouth of the "Big Muddy", about 30 miles above the Yellow Stone, I found a very large encampment of Assenaboins, and the entire band of the Lower Crows who inhabit the lands on the Yellow Stone below the "Big Horn", but who had come to winter on the north bank of the Missouri with their friends the Assenaboins. The principal Chiefs of both these tribes accompanied by many of their people, followed me to Fort Union, and after inquiring as to the hostile demonstrations of the Sioux, who are said to be in the neighborhood near the junction of the Yellow Stone and the Missouri, they earnestly besought me to allow the traders to visit them in their Camps, alleging that as they were compelled to come in small parties to the Fort to trade, it would invite attacks from the dissatisfied Sioux; after due consideration, (as in the event of what I deemed a sound discretion, I gave permission to the traders to send out to their Camps until otherwise ordered. I solicited and arranged, at the request of Capt Vaughan, the portion of the annuity goods due this band of Crows, and placed them in the hands of a special agent for distribution, with instructions to obtain the receipts taken in favor of Capt V.

On the 1st of November, finding the Missouri still open and the weather mild, I resumed my voyage by the Mackinaw boat Master having placed in the charge of four experienced voyageurs, six mules turned over to me by Gov. I. I. Stevens as property of the Indian Department, and two mules purchased from Alex. Culbertson, with instructions to drive them to Fort Pierre, unless I should require them at some intermediate point. The animals were driven in safety to a point below Fort Clark, when on the night of the 6th of November, seven of the eight mules, I regret to report, were stolen by some persons unknown, in the vicinity of a Gantonnee Camp; I subsequently made all the arrangements in my power to secure their recovery & delivery at Fort Pierre.

And here, I earnestly desire to urge upon the Consideration of the Department the necessity of placing restrictions upon

the Trade in Horses between the Indians and the licensed Traders, as I believe many depredations are attributable to the unrestricted Character of that Trade.

On my arrival at Fort Clark, Agent Vaughan reported to me verbally (his formal report was received) that on the 27 September 1855, a large encampment of 400 lodges of the Pagan, Sans arcs and Blackfeet Sioux, was established in the rear of the Fort. - that they refused to receive their annuities and heaped upon him grand personal indignities - and that after repeated acts of violence they demanded a Keg of powder & Ball; believing that an acquiescence with this demand was the only means by which the lives of those who were in the Fort and the property could be saved, he assumed the responsibility of complying with their wishes, thus in violation of the positive orders of the Department. Anticipating such a State of things, in his entirely unprotected position, he had solicited the Military Officer in Command at Fort Pierre to send a detachment of Soldiers to that point, but the request, I regret to say, was not complied with. I made a formal report of these circumstances to Genl Harney, whilst in the neighborhood of Fort Pierre.

Having hired some animals near Fort Pierre, I proceeded to St Louis by land, where I resumed my duties in this Office on the 5th of January after an absence of Seven months.

With great respect Your Son
(Your Mo. Ob. Svt.)
A Cumming
Supt Ind. Affrs

Hon. Geo. W. Manypenny
Comd. Indian affrs

Blackfeet &c &c

Alfred Cumming

Wash'n Feby 23. 56

Submits copy of proceedings of the Commrs with the Blackfeet & other tribes of Indians up to 3 O'Clock, 22d Oct. 55

This copy being incomplete, and two other complete copies being in office was forwarded to Genl. Hazard Stevens.

?

Rec'd Feby 23. 56

Ack'd March 5th 56.

File

Cm

No 12.

Washington City,
Feby. 23 1856.

Sir:

I have the honor to submit, herewith, a copy of the proceedings of the Council with the Blackfeet Nation of Indians, on the 30th & 22nd Oct. 1855, subsequent to which time no papers have been submitted by Gov Stevens which were not copied.

Very respectfully,
Your Ob't Servant,
A Cumming
Supt. Ind. Affrs.,
for Central Dist'y.

Geo W. Manypenny Esq,
Com'r Ind. Affrs
Washington
D. C.