

JOURNAL
OF THE
SIXTH ANNUAL SESSION
OF THE
GENERAL COUNCIL
OF THE
Indian Territory,

COMPOSED OF

DELEGATES DULY ELECTED FROM THE INDIAN TRIBES LEGALLY RESIDENT
THEREIN,

ASSEMBLED IN COUNCIL

AT OKMULGEE, INDIAN TERRITORY,

FROM THE 3D TO THE 15TH (INCLUSIVE) OF MAY, 1875.

Under the Provisions of the Twelfth Article of the Treaty made and concluded at the City of Washington in the year 1866, between the United States and the Cherokee Nation, and similar Treaties between the United States and the Choctaw and Chickasaw, Muscogee and Seminole Tribes of Indians,
of same date.

LAWRENCE, KANSAS :
REPUBLICAN JOURNAL STEAM PRINTING ESTABLISHMENT.
1875.

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OFFICERS.

ENOCH HOAG, Sup't Indian Affairs, *President*,
G. W. GRAYSON, *Secretary*,
WILLIAM ROBISON, *Sergeant-at-Arms*.

LIST OF DELEGATES.

Creeks.

J. R. Moore,
C. Micco,
N. B. Moore,
P. Porter,
D. W. McIntosh,
Frieland McIntosh,
J. M. Perryman,
James Larney,
C. McIntosh,
Joe Sells,
W. Coachman,
T. Adams.
W. F. McIntosh.
J. Haynes.

Cherokees

S. Tehee,
M. Bean,
R. Bunch,
D. M. Morris,
Jas. Ketchum,
T. Foreman,
A. Barnes,
B. H. Sixkiller,
C. Hicks,
J. W. Markham.

Choctaws.

F. Anderson,
G. S. Williams,
Jas. King,
D. Roebuck,
T. Holman,
Me-ha-tubbee,
S. Cole,
Mish-a-ma-tubbee,
Wm. Johnson,
J. White,
N. McCoy,
J. P. Folsom,
J. R. Lawrence,
Lewis Billey,
John Williams.

Seminoles.

T. Cloud,
E. J. Brown,
New King.

Pawnees.

Good Chief,
Tur se-le-con-waw-ho.
Sun Chief,
Captain Chief.

Keechies.

Ted-e-wa-hunta.

Confederated Peorias.

E. H. Black.

Eastern Shawnees.

James Choctaw.

Absentee Shawnees.

John Sparnee.

Black Bob Shawnees.

John Tomahawk.

Ottawas.

Moses Pooler.

Modocs.

Bogus Charley.

Sac and Foxes.

Big Walker.
Sah-ke-we-nah-ka-paw.

Mexican Kickapoos.

Wah-par-na-kair-na.

Wichitas.

Chesta da-dessa.

Ionies.

Joseph Ionie.

Wacos.

Buffalo Good.

Comanches.

To-sho-way.

Towoccanies.

Dave.

Caddos.

Geo. Washington.

Anadarkoes.

Warloope.

Delawares.

Black Beaver.

Kaws.

Wm. Johnson,
John Wolf.

Osages.

Racingman,
Saucy Chief,
Big Wolf,
E-pe-sun-cher.

Pottawatomies.

J. E. Clardy.

Cheyennes.

White Shield,
Little Chief,
Starving Elk,
Little Bear,
Plenty Horses,
Feathered Wolf.

Arapahoes.

Left-hand,
Bigmouth,
Yellow Bear.

Wyandotts.

J. W. Greyeyes.

Quapaws.

R. P. Lombard.

Senecas.

Joseph White Crow.

JOURNAL OF GENERAL COUNCIL.

OKMULGEE, I.T., May 3, 1875.

The Sixth Annual General Council of the Indian Territory convened to day, pursuant to adjournment of May, 1874, with Enoch Hoag, Superintendent of Indian Affairs, presiding, and Jno. R. Moore, secretary *pro tem*.

On motion of Mr. Porter of the Creeks, the chair appointed N. B. Moore, J. Ketchum, M. Bean, J. R. Lawrence and Thos. Cloud, a committee on credentials.

The chair then declared the house organized, when a large number of members presented credentials.

After appointment by the chair of interpreters on the recommendation of the various delegations, the Council adjourned, on McIntosh's motion, to 9 o'clock a. m. to morrow.

MAY 4, 9 o'clock, A.M.

Council met pursuant to adjournment. Roll called. Quorum present.

The chair then addressed the Council as follows:

Delegates of the General Council: On the organization of this your sixth annual assembly, I deem it right to recite some benefits derived from your past labor, and invite your attention to advantages you have failed to receive by neglecting legislation within your power.

Your Councils have been fruitful of great good, inasmuch as they have encouraged all branches of the confederacy to enlarge and promote your varied industries, and increase and foster the education of your youth; and especially has your reclaiming influence been felt in your several efforts to reach out to your less favored tribes of the Plains, to restrain their hostility, many of whom have thereby been induced to abandon their raiding habits and follow your peaceful examples. Your Councils have largely strengthened the bonds of friendship and brotherhood throughout the confederated tribes and nations of the Territory. All have been benefited thereby in a greater or less degree.

You have found that one common interest attaches to every nation and tribe; that in no one tribe or nation vests a special interest peculiar to itself, and foreign to any or all others. That these interests which are applicable to all nations alike, were seen and comprehended by the general government and amply secured in the treaties of 1866 providing for this Council. They were therein foreshadowed.

The five principal and more enlightened nations of the Territory and the United States were the parties to the said treaties. The general government comprehended your wants, and vested in you the necessary power to provide the remedies your country needs. These treaties plainly indicate the prime object sought therein. Legislation for the defense and security of the nations of said Territory, and the protection of individual rights, the extradition of escaping criminals, the administration of justice, and legislation on all rightful subjects, within said Territory, not inconsistent with the constitution of the United States and laws of Congress, said legislation to embrace all nations and tribes parties to the confederacy. The necessity for all this is apparent in its nature. Yet after the enactment of laws necessary to the security of these rights and interests, both national and personal, you have, under your limited organization, no power to execute or enforce the same, and therefore criminals

go unpunished, and national protection and personal security are jeopardized. As at present organized you are a body without a head, and are as powerless in securing and promoting those national and personal interests, as a head would be without a body. Both body and head are essential to effective legislation. Your suffering interests call imperiously for your action.

I invite your attention to your rising generation, who will soon occupy the places you now fill. Your educational provisions for them are ample, for which the several nations providing therefor are entitled to great praise. Your aggregate permanent school fund annually disbursed exceeds \$125,000. The number of schools sustained thereby is about 185, educating more than 5000 of your youth. Many of these are closely approaching maturity, and will soon pass out of these institutions of learning, to enter upon new duties. From the force of necessity, they must meet and grapple with the obstacles common to all people, and for which they have become prepared to a greater or less degree in these schools. This incoming and better educated generation have a large claim on your guardian care, and should receive at your hand wise legislation. They possess elements susceptible of great usefulness in your government, and it should not be unmindful of them, otherwise their aspiring minds may draw them out of the nation, where they would retrograde, or if they remain with their domestic surroundings, unprotected by proper legislation, their laudable ambition for business, or professional pursuits, will be followed by discouragement, and their energies paralyzed.

You need, also, all the energy and influence of the best minds of the nations—your men of business, of the professions and statesmen. You should labor to secure the influence of their united support and wisdom. Wherever the influence of any of these has tended to cripple the usefulness of another, it has gratified the base desires of your enemies and promoted discord and weakness in the nation.

By wise legislation for national and personal protection and security, and for the administration of justice among your constituents, and for proper legislation on all rightful subjects, confidence will be restored and promoted, your mineral wealth developed, your granaries and tables will indicate fruitful return of the husbandman's labor, and plenty and thrift will crown all your industrial pursuits. Your wealth is in and under the sod, and can relieve your wants and promote your interests *only through* the *industrial* hand.

You are warned by history that no people ever attained to these blessings, unless they are guarded well by a protective government. He who plants the seed, and successfully cultivates its growth, must feel that he will be secure in the harvest. The young husbandman, if successful, must feel an assurance that the fruits of his industry will not only inure to himself, but will descend in security to be enjoyed by his children after him. The treaties under which you hold your positions, vest in you the power to provide this security both for the present and succeeding generations of these nations and tribes, through prompt and wise legislation. The proper exercise of this power has been too lightly esteemed and too long delayed. I believe your highest interest lies in your provision for such change in the construction of your government as to secure legislative, judicial, and executive branches, and a delegate to represent all your interests on the floor of Congress—a government *of the nations*, and *for* the nations of the Indian Territory confederated.

One delegate thus representing all your interests on the floor of Congress at the expense of the United States, will at once relieve you of the great expense of annual national delegates, and open to you a channel through which you can be heard in Congress with effect.

I recommend this change in the construction of your government at this session, and that it be made operative at the earliest possible period.

On motion of P. Porter, of the Creeks, the Chair was requested to appoint the usual committees.

On motion of D. N. McIntosh the Council adjourned to 1 o'clock P. M.

1 o'clock P. M.

On motion of D. N. McIntosh, of the Creeks, the following resolution was adopted:

Resolved by the General Council of the Indian Territory, That the Chair is hereby requested to appoint a special committee to take into consideration the recommendations of the Superintendent in his address and report their action thereon to the Council.

The Chair named the following members as the special committee: D. N. McIntosh, chairman; S. Tehee, J. P. Folsom, E. J. Brown, Jno. W. Greyeyes, Black Beaver, P. Porter and David Roebuck.

Mr. Greyeyes introduced a resolution providing for re-submitting the Okmulgee Constitution to the president of the United States for his action, which, on motion of D. N. McIntosh, was referred to the special committee.

The Chair then announced the following committees:

On Relations with the United States, P. Porter, chairman J. R. Lawrence, Taylor Foreman, James Ketchum, J. R. Moore, Thos. Cloud and E. H. Black.

On International Relations, Mark Bean, chairman, Ward Coachman, F. Anderson, Warloope, C. McIntosh, Wm. Johnson and Saucy Chief.

On Industry and Education, J. M. Perryman, chairman, Nelson McCoy, E. J. Brown, D. M. Morris, N. B. Moore, Moses Pooler, and Geo. S. Williams.

Adjourned to 10 o'clock A. M., to-morrow.

May 5, 1875.

Council met pursuant to adjournment. The roll was called, showing a quorum present: Prayer was offered by C. McIntosh, chaplain of the Council, and the chair declared the House in order for the business of the day.

Thos. Adams of the Creek nation presented credentials and was admitted in place of Sam. Grayson absent.

A delegation of Osages presented credentials which were contested by sitting members from the same tribe, and were referred to the Committee on Credentials.

The Committee on Credentials submitted the following report:

TO THE GENERAL COUNCIL:

Gentlemen: Your committee to whom credentials were referred beg leave to submit this report and ask its adoption:

That the following gentlemen are entitled to seats in the General Council of the Indian Territory:

Choctaws—George S. Williams, William Johnson, Jonas White, Mish e-ma-tubbee, Me-ha-tubbee, David Roebuck, Forbes Anderson, James King, John Williams, J. R. Lawrence, Louis Billy, Nelson McCoy, J. P. Folsom.

Osages—Racing Man, Saucy Chief, Big Wolf, E-pe-sun-cher.

Cheyennes—Little Chief, White Shield, Starving Elk, Little Bear, Plenty Horses, (honorary), Feathered Wolf, (honorary).

Arapahoes—Left Hand, Yellow Bear, Big Mouth.

Kaws—William Johnson, John Wolf.

Pawnees—Sun Chief, Capt. Chief, Good Chief, Ter-se-le-con-waw-ho, Running Chief, (honorary).

Absentee Shawnees—John Sparnee, John Tomahawk.

Eastern Shawnees, James Choctaw.

Delawares—Black Beaver.

Wichitas—Chesta-da-dessa.

Mexican Kickapoos—Wah-par-na-kair-na.

Wacos—Buffalo Good

Keechies—Ted-e-wa-hunta.

Anadarkoes—Warloope.

Towocanies—Dave Chief.

Caddos—George Washington.

Ionies—Joe Ionie.

Comanches—To-sho-way Chief.

Sac and Foxes—Sah-ke-we-nah ka-paw, Kech-epern-o-sah.

Wyandotts—J. W. Greyeyes.

Ottawas—Moses Pooler.

Modocs—Bogus Charlie.

From the best information that the committee was able to get, the Absentee Shawnees are allowed only two delegates to represent them in the General Council, and by the credentials submitted to your committee, three delegates are present. Two have been sent as legal delegates, whose names appear in the above roll. And we do respectfully ask that Big Jim be invited to attend the Council, and also ask that the Council pass a resolution by which the said Big Jim may secure some consideration in order to defray his expenses while attending the Council, and the same resolution to include Spotted Horse, the Pawnee visitor.

N. B. MOORE, *Chairman*.

J. R. LAWRENCE, *Clerk*.

Chair introduced Gen. J. P. C. Shanks, of Indiana, to the Council, who in the course of a short address urged and advised the Council to look well to the interests of the red man. Speaking to the members from the plains, he told them that one of the greatest obstacles to their advancement has been the lack of peace among themselves; that if they would become united and peaceable among themselves, they could then hope for sympathy from abroad.

After this address the Council adjourned to 2 P. M.

2 O'CLOCK P. M.

Council met and called to order by the Chair.

J. P. Folsom introduced the following resolution, which was unanimously adopted, on motion of Mr. Porter:

Be it resolved by the General Council of the Indian Territory. That the thanks of this Council for themselves and in behalf of the nations represented, are hereby tendered to Gen. J. P. C. Shanks for his words of cheer and encouragement and excellent advice to this Council, and through it to the people of this Territory; and also for his valuable services rendered in defence of the rights of the Indian people; and it is hoped that his visit to this country will result in further and continued maintenance of the rights of the people thereof, and to the lasting good of the Indian race generally; and that a copy of this resolution be furnished Gen. Shanks by the Secretary of the Council as a testimonial of our high regard for the man.

Frieland McIntosh, of the Creeks, presented credentials and was admitted as a member in place of Wm. F. McIntosh absent. Jno. Haynes of the same nation was also admitted in place of S. W. Perryman absent.

The house was then addressed by members from the Shawnee, Waco, Delaware and other tribes.

On Mr. Porter's motion the Council adjourned to 9 o'clock to-morrow morning.

May 6, 1875.

Council met at the appointed hour. Prayer by the chaplain and roll called.

By request of the delegation Joshua Ross was appointed interpreter for the Cherokees in place of Stephen Tehee.

On motion of Mr. Porter, the following named members were appointed by the Chair, a committee to

prepare and report rules for the government of the present Council, viz.: J. P. Folsom, chairman, P. Porter, A. Barnes, J. W. Markham, E. J. Brown, E. H. Black, and Moses Pooler.

A. Barnes was added to the Committee on Education and Agriculture in place of D. M. Morris.

D. N. McIntosh offered the following resolution which was adopted:

Resolved by the General Council of the Indian Territory, That the delegates from the several nations and tribes represented furnish written and full information in detail to the Committee on Agriculture and Education respecting the status of said tribes and nations on those important interests, to be by them digested, and reported to this Council.

Mr. Lawrence, of the Choctaw nation offered the following resolution:

Resolved by the General Council of the Indian Territory, That Sampson Cole be and is hereby substituted as a member in place of A. Shoney of the Choctaw nation, provided Mr. Cole retires in the event of the arrival of Mr. Shoney before the adjournment of the Council.

Referred to the Committee on Credentials.

Council adjourned to 2 o'clock P. M.

2 O'CLOCK P. M.

Council convened and called to order by the Chair.

Buffalo Good of the Wacos, and Warloope, addressed the Council on the present general condition of their tribes.

J. P. Folsom, chairman of the committee on rules for the government of the House, presented the following report of the committee, which was read, interpreted and adopted:

Your committee to whom the subject of framing and submitting a draft of the rules and regulations of the General Council of the Indian Territory, &c., beg leave to submit the following and ask for its adoption:

JOSEPH P. FOLSOM, *Chairman.*

RULES AND REGULATIONS OF THE GENERAL COUNCIL OF THE INDIAN TERRITORY AT THE REGULAR SESSION IN MAY, 1875.

1. The meetings of this Council shall commence at 9 o'clock A. M. each and every day, Sundays excepted. The Council shall be called to order by the president. Roll shall be called if a quorum is present. Prayers shall be offered by the chaplain. The proceedings of the previous day shall be read, interpreted, corrected, and adopted, before proceeding to business.

2. Every member wishing to speak shall rise to his feet and address the presiding officer as, Mr. President.

3. No motion shall be entertained unless seconded.

4. When two or more members shall rise to speak at the same time, the president shall decide which of them shall have the floor.

5. No member shall go out during business hours, without permission from the president.

6. No bill or resolution pending before the Council shall be passed, unless it has been read, interpreted, and free discussion had thereon on three different days, unless this by-law is dispensed with by two thirds of the members present.

7. A motion to adjourn shall be in order at all times.

8. The president shall preserve order and decorum during business hours.

9. It shall be the duty of the president to appoint standing committees of this council, to wit: Committee on Relations with the United States, Committee on International relations, Committee on Education, Committee on Agriculture, and Committee on Credentials.

10. All amendments offered to any bill or resolution pending before the Council shall be in writing.

After reading and interpreting this report, the House adjourned to 9 o'clock A. M. to-morrow.

May 7, 1875.

Council met pursuant to adjournment, when the roll was called, and prayer offered by the chaplain.

The journal of the sessions of the Council from the 3d inst. to date were read and adopted.

Mr. Joshua Ross' report of the Indian International Fair, as its secretary, together with the following resolutions were adopted :

In order to encourage the Indian people to raise stock, and to cultivate the land with the arts of peace, in 1873 the General Council recommended the reading of farm journals, the organization of agricultural societies, and the establishment of fairs.

The chairman of the Committee on Agriculture was duly appointed, served his time as such, went home, read journals, organized the Indian Agricultural Society, and laid the foundation of the Indian International Fair.

At the last meeting of our Agricultural Society, on the 16th day of March, Pleasant Porter, S. W. Perryman, N. B. Moore, and Joshua Ross, Secretary, were appointed to notify the General Council that the Indian International Fair, in October 1874, was a success, to ask the adoption of the report of the fair, and such recognition as may meet their approval.

We read condensed report of Secretary, published in "Our Monthly," a Muskogee paper printed at Tallahassee Mission in the Muskogee Nation.

P. PORTER,
N. B. MOORE,
JOSHUA ROSS.

Resolved by the General Council of the Indian Territory, That we approve the foundation of the Indian International Fair, reported by the Secretary, as being a benefit to the agricultural, mechanical and stock-growing interests of the Indian nations, and that the same be continued, as now organized, and located at Musocgee. And we will use our influence, and recommend to our nations and tribes to encourage mechanics, farmers and stock raisers to be represented at the said Indian International Fair, on the 14th, 15th, 16th and 17th days of September, A. D. 1875.

And we further ask the Secretary of the Indian International Fair to make his annual report to the General Council.

Resolved further, That the Superintendent of Indian affairs be requested to forward the report and proceedings of the International Fair of the Indian Territory, made to this General Council, to the Board of Trustees of the Centennial, to be held at Philadelphia in 1876, and to request the encouragement and assistance of said Board to secure a proper representation at said Centennial of the Indian interests and their advancements.

Mr. Adams of the Creek nation, offered a resolution of instruction to the Committee on Relations with the United States, which was adopted, under suspension of the rules, as follows:

Resolved by the General Council of the Indian Territory, That the Committee on Relations with the United States is hereby instructed to prepare a protest against all measures which may be introduced or brought up in the next Congress of the United States having a tendency to injure or impair in any manner the treaty guarantees of the several nations in this Council represented.

J. P. Folsom was appointed a member of the Committee on Relations with the United States.

Thos. Holman presented credentials as member from the Choctaw nation, and was admitted.

Geo. Washington, Caddo, addressed the Council as follows:

BY GEO. WASHINGTON, OF THE CADDOS.

Friends and Brothers: I am glad to meet you in Council, and I now make you a talk. My band of Caddos live on the south bank of Canadian river. We came from Caddo lake on Red river. Our number is two hundred and twenty-five. We have our customs. I long held to the talk of my grand-father. I was a camper and a hunter. When I saw the Cherokee, Creek, Choctaw, working the field, I took hold of the plow handle. At one time our women tended the corn patches, and the young men caught fish and shot the deer. I knew corn was to make bread, but I did not know how to work it. I made crooked rows. I did not know there was money in corn, till I raised it and sold it to white men for two dollars. I got no money when I was a hunter. When I fixed my home, made my field, planted and worked, I then raised corn and sold it for money. I sold corn for money and bought wagon and plows. I planted two acres, and every year made my field larger. I now have sixty-eight acres of corn, one acre wheat, and two acres orchard. My young men saw me work, and they began to work. They started farms, and bought cattle and hogs. Last year we had to watch the movements of war, between soldiers and Indians of the Plains. My young men could not work. This spring they are all working, enlarging farms and planting orchards. They now have fixed homes. We live in log cabins. I have a frame house. We own plows and wagons.

We are in favor of law, and want it, to protect us in person and property. Some red, white and black men are bad, but all nations have good men. We want the Chickasaw, Seminole, Choctaw, Creek and Cherokee to help us make and enforce law. We know that our brothers are intelligent, and have their laws, but my people do not know about written laws. They will learn in coming years. Some of our children can read and write. They lived and learned

well at Ft. Sill school. They are not satisfied at the Wichita school. The treatment is not good. They are not encouraged to do well.* They manage the Caddos by custom and kindness. We want the law of our brothers and friends to protect us from other people. That is my talk.

Adjourned to 2 P. M.

2 O'CLOCK P. M.

Council met and was called to order by the Chair.

The chairman said that the rules for governing the Council, reported yesterday, were so changed as to make the Committee on Agriculture and Education distinct, and he reported them re-organized as follows:

Committee on Agriculture--J. R. Moore, James King, Jonas White, Rabbit Bunch, Six Killer, Thomas Adams, George Washington, Dave, Saucy Chief, William Johnson, E. J. Brown, Big Mouth, Moses Pooler.

Committee on Education--Albert Barnes, Mark Bean, D. M. Morris, Geo. L. Williams, Nelson McCoy, W. F. McIntosh. Thos. Cloud, Black Beaver, Sah-ke-we-nah-ka-pa, Joseph White Crow, Left Hand.

Committee on Credentials submitted their report with regard to substituting Mr. Cole in place of Mr. A. Shoney as member of the Council, and also recommended that Ker-ker-ia be appointed interpreter for the Keechies, and Mr. P. Black appointed interpreter for the Arapahoes in place of Mr. Williams, which was adopted:

TO THE GENERAL COUNCIL:

Gentlemen: The committee to whom was referred the resolution to substitute Sampson Cole in the place of A. Shoney, beg leave to submit said resolution and ask its adoption.

* The school was over-crowded, having 100 or more scholars, accounting for the above complaint, yet it is well managed and successful.

We also recommend that Ker-ker-ia be appointed interpreter for the Keechie chief.

Your committee beg leave to report furthermore that Mr. Williams is incompetent to interpret for the Arapahoes, therefore we recommend that Mr. Black be appointed to interpret for the above named tribe, as they request the same.

N. B. MOORE,

Chairman Committee.

J. R. LAWRENCE,

Clerk.

The meeting was addressed by Racing Man, Sun Chief, Big Mouth, Bogus Charley, Bill Johnson, Joseph White Crow, and Edward Black, as subjoined :

BY RACING MAN, OF THE OSAGES.

I have been two days listening to my brothers' advice, and understand perfectly well the business and transactions of the Council. I consider everything is for the benefit of our children and not for ourselves, the parents. I am studying for the welfare of my children, and wish to make a few remarks of my new settled country, where we went six years ago.

We have an agent to transact the business of our country. The condition of our old men was bad, they had no knowledge, but our agent protected them. It was the desire of the Government for them to settle down, and improve their country, and I considered myself in a critical condition, not speaking English, but it was the fault of my forefathers before me. Education is a great thing, and my people are sending about 70 children to school. A man should not get discouraged, but hold up and he will soon learn to read and write. The Government of the United States have been taking great pains in furnishing our people with farming implements, and I am quite ready to throw away my buffalo skins, quit hunting, and go into a good house and commence farming. I have on my place 50 acres under fence, and not long ago did not know how to make rails, but I persevered till I made 1000. Last year everything was discouraging through the drouth, and I did not raise any corn.

This spring we are making good preparations, and have planted various kinds of seeds, and in doing this I consider we are securing food for ourselves and families. This was the advice of the Government to us. We have wagons, plows, harness and other farming implements, and have a very good agent who supplies all our needs. I would like to make an agricultural report to the Council.

BY SUN CHIEF, OF THE PAWNEES.

I come to this Council to learn, and not to speak. I am not much informed, and hope to learn many good ways from my brothers, by hearing what they have to say. We want to learn and be doing something. I understand what is said, and want to carry it to my people.

BY BIG MOUTH, OF THE ARAPAHOES.

A great many brothers that I see now I never saw before. I have often heard of General Shanks, and am very glad to see him. I have been trying to make corn for the past four years. I wanted to quit roving the prairies for a long time, and settle in a good home. My brother Cheyennes were in trouble, and I tried to get them down here and get them out of it. I remember the President's talk while in Washington, and have held fast to what he said with both hands ever since. Myself and my people must do something very soon. Buffalo and deer are getting scarce, and myself and people did not get enough last year to pay us for hunting them. I am glad the Great Spirit above has so blessed my brothers. When the Superintendent leaves I want him to tell the President that the Arapahoes want another school. I was amongst the first to send my children to school, and some of my children can read and write. I have got so now I would sooner ride in a wagon than on horseback.

When I sleep or am awake, I am always thinking about my new farming operations, and what good corn I will raise. I have already three different farms. When I get home I will tell all the young men what Gen. Shanks has said and all the good speeches heard

while at the Council. I think this country ought to belong entirely to the Indians, and have no lines drawn. The Indians are all brothers, and I love them all. There ought to be no distinction.

My people and myself are trying to live like white men, and have thrown away our buckskin clothes. Everything I have on is white men's manufacture.

I want the President to do all he can for us, and open up the new road we so much long for.

BY BOGUS CHARLEY, OF THE MODOCS.

Mr. President and Brothers of the Council: The Government brought us here in irons about two years ago. They told me there was no game to hunt, and we had to work. I intended to do as we were told. We have worked with a good heart; send 38 children to school. We number about one hundred and fifty, and have now about four or five sections of land in this Territory, in the north-east part, purchased for us by the Government of the United States from the Eastern Shawnees, and have on these lands built our houses and appoint to commence farming or working. We have built twelve hewed log houses, made ten thousand rails, and plowed and planted this spring about seven acres. Planted corn, potatoes and other vegetables. We are advised by our Agent, H. W. Jones, in every respect, and we do as he tells us. We believe him to be a good man. Always find him in that way. The Shawnees, Wyandotts, Ottawas, Peorias, Quapaws, Senecas, are all like brothers toward us. We feel like we are amongst good friends. We feel at home. We send our children to the Quapaw Mission school constantly, and they are learning fast, and we are very glad to see our children learning, and we, the old people, have concluded to work in the way of farming, and we intend to be good to our neighbors and the people generally.

BY BILL JOHNSON, OF THE KAWS.

I have been here two days. According to the rules of our band, we have a chief who sends the delegates to the Council. I am glad to see you all united, talk-

ing about one road. My people thought this meeting would be beneficial to them, and told me to get all the information I could to bring back home. I want to travel with you on this one road you talk about. Our forefathers have taken different roads. I want this road, and want to be enlightened and understand it thoroughly. It is only lately that I came into the Territory, and I am making great use of the land. I did not make much last year on account of the drouth. All the dependence I had, last year, was the support from my land in Kansas. Out of that we got our farming implements, such as plows, drags, &c. With the start we have now, we are all progressing. We have a very good school house, and send our children; and to encourage our children, we built another big house for the white strangers to visit them and see them read and write. All my people are improving land and planting corn, and I hope soon to see them all have a sufficient quantity of good stock around them. We have a saw mill and a grist mill in our country, and all the people are going to try and raise wheat this fall.

I was very glad to hear from my brethren that they were all intent upon traveling this one road, and when I get home I shall make a general report of the proceedings of this Council to my people and children.

BY JOSEPH WHITE CROW, OF THE SENECA.

We live on the eastern border of the Territory and take pattern from the whites. We ought to be further advanced than we are, but I am sorry to say, that in some respects we are more backward than our brothers on the Plains, particularly with regard to education. We have quit hunting and don't practice the "red horse." We have quit that over forty years ago, and followed the example of the white men. We are tilling the soil and have good farms and houses. Twelve or fifteen years ago, a man that had 6 acres under fence was a big farmer; now our smallest farm is 10 acres, from that to 100 acres. I will give my people good encouragement when I get back, and try and get them to send their children to school.

BY E. H. BLACK, OF THE PEORIAS.

Mr. President, Friends and Brothers: What few words I shall say I will convey mostly to my brothers of the Plains.

I am very glad to see so many of them present at this Council, as well as so many familiar faces that I have met in previous Councils. I hope my brothers from the Plains will be greatly benefited by coming to this Council. And I hope that they will take advice imparted to them by their more civilized red brothers. And I hope also that they will take the advice given them by our worthy friend, General Shanks.

I represent a small tribe of Indians called Peorias in the northeast corner of this Territory. The Peorias used to live as you do, many years ago, but have long since abandoned that mode of living. The old men encouraged their young men to learn to work their ground, and send their children to school. Of course it was a little hard for them to work at first, but they went to work, little by little, improving every year in the arts of civilization, and to-day, are an independent people living like their white neighbors. So it will be with you, if you will only take hold and work.

My friends, education and agriculture are the two main things that will lead us to a happy life here on earth.

If it was not for the education that I have, I could not talk to you, we could not understand one another. But through the English language we can manage to understand one another. And I venture to say that you never knew that there were such Indians as Peorias in existence. But through the English language I have known of all the Indians in the United States, their customs and manners, and the situation of their respective countries. Whenever they go to war I know it, through the papers. There is where the advantage lies. But brothers do not think that I am giving you advice, as I see some grayheaded men amongst you, perhaps a great deal smarter men than myself. But I am only telling you what was, and

what is now and what may be, and what my people have experienced. I was truly glad to hear the expressions made by my brothers, the Kaw, Osage and others, in the way of progression and civilization, and I hope they will continue in that good path. And that is the only hope for the Indian race.

I wish to say a few words in regard to our brothers the Modocs. They have lately been removed from Oregon and California to our country. As you all know, they were at war with the United States a few years ago, and most generally came out victorious, but everything must have an end. They were at last defeated and taken prisoners, and conveyed to the country where they are now. And since their removal they have gone to work and are industrious, hard working people.

Our friend and brother, Bogus Charley, the head chief of the tribe is here attending the Council, a representative from his tribe.

I thank you, my brothers, for your attention to my disconnected remarks.

On motion of Mr. Moore, the Council adjourned until to-morrow at 9. A. M.

SATURDAY, May 8th, 1875.

Council met pursuant to adjournment at 9 A. M. Roll was called and prayer offered. Yesterday's proceedings read and approved.

The chairman called upon the following committees for their reports: Committee on International or Intertribal Relations; on Education; on Agriculture; on Credentials.

Mr. J. R. Moore gave notice that Mr. Joshua Ross had been appointed Secretary on Agriculture. All valuable matter in regard to the same to be received by him.

The chairman said that as there was no business on the table, Running Chief, a Pawnee delegate, would address the meeting :

BY RUNNING CHIEF OF THE PAWNEES.

Mr. President and Brothers : Permit me to address you a few remarks for myself and the Pawnees. This is the second time I have been favored with a seat in your body. At the outstart I wish to return my thanks to the General Council for its exertions in behalf of my people and myself ; especially I am grateful to those who at the last Council, fought my battles, and passed the resolutions inviting my Nation to become legally resident in the Indian Territory. They are now here.

Brothers, the good advice you gave me at your last Council, and are giving me now, fall not heedlessly upon my ears ; I hear it, and it goes all through my head and senses, knocking over old ideas and superstitions, and giving me new life and hope. Our old men teach us different from what I hear here to-day ; but I will listen to my brothers, and though the way which you point out may seem hard to the old, it presents attractions to the young and active, and opens the way for the salvation of my people. The buffalo are most all gone ; war has ceased some time ago to be an occupation with us. Right here, my brothers of the Cherokees and Choctaws and Muscogees and Seminoles, whom I see at a great distance above me, show me the way. I am glad you are not so far away but that I can hear what you say. I will carry your good advice home to those chiefs and men of my band who elected and sent me here, I will talk to them until they understand it all.

The horse I cannot eat, and I have been thinking of the advice of my friends, to trade off my surplus ones, and buy other farm stock ; cattle, hogs and fowls, will furnish subsistence, and be a new means of wealth for us. Following the plow will give me that active exercise which I used to get on the hunt.

A good education, will give our children the power and knowledge to act for our people, and make them

able to defend along with you our rights and our heritage; and I shall be proud of the day, when our Pawnee boys, educated and grown to men, shall take their places in council, and be able to talk and communicate with you, and all without the use of an interpreter.

Brothers, formerly the only way for a Pawnee chief to make his mark, was to kill a good many of his enemies. To-day the only way is to become a great farmer, a great mechanic, or perhaps a great lawyer, as I understand some of my brothers to be.

In conclusion, allow me to express my thanks for my privilege of being a member of your body, where I have learned the great lesson, that all Indians are, or should be, brothers.

The meeting was also addressed by John Haynes, a Creek delegate.

On motion, the Council adjourned until 2 P. M.

2 O'CLOCK P. M.

Council met pursuant to adjournment. and was called to order by the Chair.

As there were no reports from committees to consider, the Chairman invited the members to speak on the condition of their respective nations. Mr Coachman then offered the following resolution:

Resolved by the General Council of the Indian Territory, That the President of this body is hereby requested to invite Major G. W. Ingalls, United States Agent for the Confederate Tribes, to address the Council at his convenience.

Resolution was adopted. The Council was then addressed by Mr. Pooler, of the Ottawas.

BY MR. POOLER, OF THE OTTAWAS.

My Brothers from the Plains: We are trying to make a living by farming and we are trying to educate our children and teach them to read and write.

We have a mission farm, and the teacher learns the children how to make crops, &c. We have an ordained minister, good Sabbath schools, and preaching, and temperance meetings on some evenings. The Wyandotts and Ottawas combine together, also the Modocs and the Peorias. The Modocs at first were pretty wild, but through kindness they have become good children. Their teacher, Mr. A. C. Tuttle, of the Quappaw mission, takes a great deal of pains with them and they are learning fast. This is the reason I want you to settle down, have schools and churches like the white man. My people were like you, but buffalo gave out; they saw ahead and found out they could not make a living, so went to work.

The Chairman then informed the Council that Maj. Ingalls postponed addressing the Council on account of ill health.

Running Chief, (Pawnee), addressed the Council as follows:

RUNNING CHIEF, OF THE PAWNEES.

Mr. President and Brothers: Having heard that the St. Louis Globe of the 29th of April, 1875, contained a report very damaging in its character to the Pawnee Nation, I take this way to deny it. The report is as follows; viz., that the Pawnees, Sioux, and Cheyennes, had invaded western Kansas, and that the settlers there were in imminent danger. I wish to say that it has been over twenty years since the Pawnees have made any hostile demonstrations upon the white people. Any one acquainted with the history of the Pawnees, knows this to be a fact. Such was the confidence reposed by the United States Government in the peaceful disposition of the Pawnees that they were allowed to remove themselves to the Indian Territory, and hungry speculators were not allowed the usual fifty thousand or more dollars, generally appropriated, when the removal of an Indian tribe is to be brought about. The safe and peaceful arrival of the Pawnee Nation at the Wichita Agency, justified the confidence the Government placed in my peo-

ple. In conclusion, I pronounce the above report, in as far as it relates to the Pawnees, to be untruthful.

On motion the Council adjourned until Monday, May 10th, at 6 o'clock A. M.

May 10, 1875.

Council met pursuant to adjournment. Prayer was offered by C. McIntosh, chaplain. The roll was called, showing a quorum present. Saturday's proceedings were read and adopted.

In the absence of reports from committees, the Council was addressed by the following gentlemen, viz: George Washington, (Caddo); Chesta-da-dessa, (Wichitas); Yellow Bear, (Arapahoe); Joe Sells, colored, (Creek):

BY GEORGE WASHINGTON, OF THE CADDOS.

Friends and Brothers: I took hold of the white man's road first, and I told the Caddos to go to work and not wait on the agent, like the other Indians on the Washita, to do something for them, but to help themselves. They did so, and have a start. They do not starve. They have cows, hogs, chickens, ponies, and a few have wagons. They are making a living for their children. They do not wait for the agent to do something for them. They do not wait for the agent to plow for them. They wait for nothing. What they have to do, they do it. Young men work on the farms, and the women cook and do the house work. They have the best start of any of the Indians on the Washita. They raise gardens. I do not number the acres of cultivated farms under fence. Have hewed log houses. I do not make my agricultural report till I see my people on the Canadian. Then I can make a true report, next year. I do not like to guess. The Caddos on the Canadian cook in stoves. They sell cows, hogs, and chickens, for money

to buy such things as they need. The wife makes butter and cheese to sell with eggs. The Caddos have quit eating on the floor. They have tables and chairs. They wear citizen clothes, quit blankets. They think it best to settle and improve. We want a deed for our reservation, that our places may go to our children, when the old people are gone. We do not want the land to be taken from our children.

BY CHESTADADESSA, OF THE WICHITAS.

I am glad to meet you all in council to-day, and to hear the different tribes tell of the steady progress they are making in the new way in which we are all trying to live. I am glad to hear how well the Osages and Kaws are doing, and hope that at the next Council they may be able to tell of still greater improvements. Brothers, I am sorry that I am not able to give as cheering an account from the Wichitas. We have met with misfortunes and have suffered a great deal since the last Council. This trouble and suffering was caused by the Kiowas and Comanches camping near our village, and by their bad conduct involving themselves in a war with the United States troops. Many innocent persons were killed, and my people, fearing they would be involved in the war, fled from their homes, in their haste and excitement abandoning all their property but their horses. The Kiowas plundered our village, robbed us of all that we had, burnt our school house, destroyed our crops that we had gathered and laid by for winter use; in a few hours destroying all the results of our summer's work. We received word that the Government had forwarded provisions for our winter supply, and although we were told repeatedly they were coming, they never came. To make matters worse, the Pawnees from Nebraska, to the number of about 2000, moved into our country and settled near the Agency. Our situation was bad enough before, but with these hungry people added to our number, our situation became deplorable, and much suffering ensued. When the war commenced between the Kiowas and Comanches and the United States troops, General Davidson, the

officer in command at Fort Sill, called on my people to furnish him guides and scouts, from our young men, to assist the troops in finding and punishing the hostile Indians. After the treatment our people had received at the hands of the Kiowas, our young men were very willing to take the war path against the Kiowas. About fifty of our men were enlisted, and some of them continued to serve until the last Kiowa was forced into Fort Sill. Our young men were treated very kindly by the soldiers, and the subsistence derived from the military at Fort Sill, was a great help to us in getting through the dreary winter that has just passed.

Brothers, I am glad to say to you that all is not so dark with us as the story of our troubles and losses that I have just told you. We have a good school at the agency and send all our children that can be taken care of. There are in all nearly 100 scholars; they are improving fast, many of them can read and write and are fast learning to talk the language of the white people. We want more school houses. Our agent is building an addition to our school house, which, when completed will accommodate sixty more scholars. He has sent his wagons to the railroad for lumber to build this house. Before leaving home to attend the Council, our people had prepared and planted a great deal of ground. About fifty of our young men helped to do the plowing, and I think this year we will realize something for our labor; and we are confident that the Kiowas have learned something this time they will not forget. I thank you brothers, for the good advice and counsel I have heard here. I will carry your words to my people. It will strengthen their hearts and arms, and encourage them to still greater efforts; and I hope I will be able at the next Council to report greater progress on the part of my people.

BY YELLOW BEAR, OF THE ARAPAHOES.

Seven years ago I quit fighting. I was in Washington, and heard a good talk, and I have it in my mind. I will keep the good talk of my red brothers

who are in this Council, and talk it to all of my young men and young women.

The Superintendent and agent told me to settle and plant corn. I am going to do so. When I get back home, I am going to have my children put in the school. I will find good land, good water, and good timber, somewhere up and down the North Fork river, and there make my home. I will keep my children at school till they can read, write and understand the English language. I will buy cattle, hogs and chickens. I want to do as the Cherokee, Creek, Choctaw, Seminole, and all my wealthy and educated red brothers. Agent Miles has treated the Indians well, and very kindly, and I have made peace with all the red brothers of the plains. I want John Purcell for an interpreter, so that we can understand the agent and other men. I do not want the women to pack wood on their shoulders, so I would like to get wagons. I want to settle down. I will stop hunting. I will plant and do as my brothers of the Indian nations. I think the Indian war is over and think it no use to keep troops at the agency. The Indians would be satisfied to see the soldiers march away, in order to settle themselves. My heart feels good to see my brothers planting and building and raising stock. I will do the same, and hope to come back next spring. I am glad affairs are such that all are at peace, and can now go to work.

I will give the talk of my brothers to all of my people and children for them to remember and not to forget. If I die my children will remember the talk. I think the talk will do good. Plant corn, raise children, no more war. I want somebody to learn me to plant corn, and I will know how to do so. White men steal our horses on the Chisolm trail. They are frequently passing from Texas to Kansas along that road.

When my children can read and write, then we will be in a better condition than we are now. This Council and the talk of the members has made a deep impression on my mind, and it will do me good, and do the Arapahoes good. All the Arapahoes now know the

road. Settle on a good place, plant corn, raise cattle, hogs, and horses and do not steal, and fight no more.

I want to do what is right. I am the peacemaker between white man and red man. Government is strong, and I want to be at peace. I have no more to say.

BY JOE SELLS, OF THE CREEKS.

Mr. President and Brothers: I am very glad to be able to meet you all here in this place, and I hope it may result in a great deal of good for our rising generation. We wish to live in friendship and harmony. I hear the statements of my friends and brethren from the West, and I am indeed glad to hear that they are trying to improve so much. This is the third time I have met with you here in Council. I, myself, cannot say that I ever was allowed the privilege of attending any Council before I came here; but it is in and through the Great Spirit that all the races of the human family agree and live in concord. I am very thankful to behold your faces, and I wish to do all I can to promote friendship and brotherhood. I remember the great and good words, "Do unto all men as you would wish to be done by;" and I wish to be good to all my brethren of the Plains, and hope they may be actuated by the same feeling toward me. I hear from you the complaints of your own people; now I am one who is known by you as one of a different color, and I will proceed to state to you the condition and progress of my people. We, the colored of the Muscogee Nation, wish to abide by all the rules of the Territory. We wish, in feelings, to live near the brethren of the Plains.

The whole colored population of the Muscogee Nation is about 1300, and are trying to make for themselves houses and farms just as other brethren do. We have 14 day schools in running order. These schools are very well filled, and the scholars are progressing rapidly, most of them being able to read and write. And we are thankful indeed, that the Muscogees have been kind enough to divide with us. My people are trying to raise stock, horses, hogs, and cat-

tle, chickens, turkeys, geese and sheep. We raised a very fine crop of wheat last year, and this year we have planted much more. Many of our people were carried into other states during the late war, and it is a constant source of trouble to us that they are not allowed to come back and have their rights with us, and we wish this might be taken into consideration. When we send them back to the United States, they tell them they have no rights there. Then it is very hard for us to turn them back, when we are satisfied they do belong to the Territory. There was room enough in former times, and now may I ask is there not the same room? As for my own self, I am satisfied, and I wish that all my friends and brèthren may do well, and I will try and do the same.

A resolution offered by Coweta Micco, inviting Col. Samuel Chicote, principal chief of the Creek Nation, to address the Council, was adopted under suspension of rules. The Chair with a few able and appropriate remarks introduced Col. Chicote, Creek Chief, who spoke very encouragingly, advocating law, order, harmony, education, Christianity and progress.

The Council was then addressed by Coweta Micco, (Creek delegate), who spoke as follows:

BY COWETA MICCO, OF THE CREEKS.

The principal chief of the Muscogee Nation has spoken to you. What I urge you to do is to take it in your heart, and take it to your people, and tell them what the Creek chief has told you. Tell the talk you heard from the chief to the young men, and when they meet one another from the different portions of the Territory, they will know they are brothers and will take each other by the hand. This is my talk to you, to urge you to remember the speech of the Creek chief, and take it home with you, and tell it to your people

On motion of Ward Coachman, the Council adjourned till 2 P. M.

2 O'CLOCK P. M.

The Council met pursuant to adjournment, and was called to order by the President.

The following committees were called upon to report, viz: The Committee on Relations with the United States and the Committee on International Relations.

As no business was reported by either Committee, delegates were invited to address the House. The following gentlemen made remarks: Wm. Johnson, (Kaw) and Warloope, (Caddo).

BY WILLIAM JOHNSON, OF THE KAWS.

Mr. President and members of the Council: I wish to make a few remarks. I have been here now for a week attending this Council. I belong to the Kaw tribe, and we came down here without an interpreter. I do not think I have learned all of your proceedings yet, as I think the acting interpreter does not take as much pains with us as he does with the Osages. I am sent down here by my chiefs to get information to take back to my people, but there is something in the way here which I do not see into. All the advice you have given me in this Council, I receive and will try and profit by it, and when I go back I will tell it to the chiefs and to the people, but there is still something I do not understand, and it is not interpreted well enough to make me understand. This is the first time I ever was here attending Council, and I am naturally holding myself back, fearing I might get into something I do not understand. If I could learn all that happens here, all that is said, all the papers that are handed in at the desk, and what the Chairman says, I would be satisfied. But sometimes I see my brothers holding up their hands, and as I do not know what it is about, I have to go by guess-work. In every tribe of Indians there are three or four leading men, and the rest take examples after them. My red brothers that are more advanced in education, I am sure would do perfectly right by me, but that is not it, I want to understand what is going on.

BY WARLOOPE, OF THE ANADARKOES.

Mr. President, Friends and Brothers: Our people have started a great many houses, had a considerable number of rails made, land broken and fenced, and under cultivation; have about 68 houses up, and have made many improvements upon their farms. They have employed Seminoles, and paid them for their labor on their houses and farms, by selling them horses. We have about 500 hogs left, having lost about 2000 head during the fight last August, between the wild bands and the United States troops at the Wichita agency. We also lost some horses and a good many cattle. Our fences were destroyed and some houses were burned in that fight. We had very good corn. The drouth damaged it but little. The Indians engaged in the fight, destroyed it because we would not assist them against the United States. This caused considerable suffering from hunger. Cherokees, and our other brethren in the eastern portion of the Territory have better protection. We are more exposed to thieves and the lawless. As soon as we get a start in property, the wild Indians steal our corn and other produce, and kill our cattle and hogs. While we lived on the Brazos Reserve we had many horses, hogs, and cattle, and were living like the Creeks. We had houses and farms, raised wheat and oats, corn and vegetables. When we had a good start there, and doing well, the citizens of Palo Pinto and Earth counties, who wanted our reserve, came upon us, and made war against us, causing us to lose the greatest portion of the property we had.

Our people then moved to Fort Cobb, where they took another good start, had farms, and plenty of horses, cattle and hogs, but the United States war broke out between the North and South. Some of our people went south and some north to the Arkansas, near Fort Dodge, where we stayed four years, loosing many of our number by small pox. After returning to the False Washita again, we settled fifteen miles below Fort Cobb. We commenced a large farm, and again made a new beginning. Previous to

this when the Shawnees and Delawares, during the war, fought the Tonkaways, our people lost a considerable amount of property. They moved to their present locations, and commenced again, and for five years succeeded very well. Then General Davidson and three companies of soldiers, came upon the wild Indians at the Wichita Agency, and fired upon them when our people were among them drawing their rations, without giving us notice to get out from among them, as we would have done. In that fight, we again lost our property, but we will not give it up. This spring our people started their farms again, and if a favorable season, we expect to raise good crops. The young men are plowing; our people are purchasing a better class of hogs, Berkshire and Chester White. They prefer the Berkshire to all others. They are trying to improve their cattle also by purchasing a finer stock, and hope soon to present some at the fair at Muscogee. Our rations have been delayed, always "coming," but never reaching us. We have but one trader; it is very hard to procure sufficient food, and there being no competition, the prices are very high. We want more traders. Our people need wheat and oats for seed. Our country is drouthy; small grain requires less labor to raise it, and matures before a drouth sets in. Our present farming consists in raising corn, beans, peas, melons, and a few vegetables. We have a good school at the Agency of about one hundred pupils, including those from all the bands. The greater portion of these pupils can read and write. There are yet about sixty more, but the building is not sufficiently large to accommodate them. An addition is now in course of construction; as soon as it is completed, all our children will be sent. General Hazen, United States Army, while he was *ex officio* Superintendent of Indian Affairs, had broken for our people, a considerable quantity of land. They were doing well. He was a good man and aided us all he could. Our present agent has had some more broken for us, but not so much. The advice our red brethren have given us will not be forgotten.

Another thing I would like to say to my brothers here. We do not know how long we may be together. It was but last year, that the White Chief Micco Hut-kee, told us he would meet us here at this Council. But he has passed away from this place forever. We cannot tell what may happen. or who may be called hence before the next Council; but have to leave all to that Great Spirit above, who rules, and governs all things. We want rights secured for our children, so that they will not lose their lands, if we should die.

There is another want our people have, and ask for, a preacher of the Gospel of the Son of God; who will have Sabbath schools, and meetings. We want a live preacher, one who can instruct us, and teach us the words of the Great Spirit.

Another thing we would like to ask. Has one Indian any right to trade with another, outside of his own country? Our agents, or their clerks, say not. Our own international law gives them free trade everywhere, and wherever they are they are subject to, and under the protection of the laws, and customs of the tribe among whom they are. This should be understood.

On motion of Mr. Adams, Warloope's speech was referred to Committee on International relations.

Spotted Horse, Pipe Chief, Left Hand and Tall Bear, then addressed the House.

BY SPOTTED HORSE, OF THE PAWNEES.

Mr. President and Red Brothers: I am very glad to come in this room where I see my brothers present. Brothers, I am very ignorant on account of my forefathers. I do not know anything about this civilized business. After growing to be a man, the people told me to go to work and plant and grow corn. I am very glad to hear what my brothers say. I have suffered much because I did not know how to work, but now I hope to do something. My red brothers, you know a great deal more than I do about working. I see a great many of you do a great deal of good for your tribe, and everybody that labors, gets a good

deal to live upon. Work is what God made us for. My brothers, I used to live away up in Nebraska, not a very good country, so I thought I would come down here to my brothers. I want to say something about plows. Superintendent, won't you help us? Won't you write to Washington right away and get us implements so we can go to work? I know I am a right young man. I can work and I will work. I have four boys. I will send them to school, so they may learn to read and write. Every day I dont know what to do. Every day the children cry for something to eat, and if I go to work like my brothers, my children will always get something to eat. I never feel tired. I used to run about in every direction. I now want to work. I do not like to lie down all the time. Something always happens. It is not good. A man that works every day feels good. My brothers, you know I only followed the chief down. I am the man that caused the Pawnees to move down into this Indian Territory. I brought them down, and I used to think I was the head man. But now the chiefs have come down, and I am not head man any longer. I am glad to come in this room where my red brothers are. My brothers, I feel glad of one thing. We have plenty of timber all over the Indian Territory. We have plenty of fire wood. All my chiefs and all my tribe that came down the last time, think that this is a very nice country. When I was coming down here the chiefs did not want to come; but now they say they want to stay here forever. We have some children here, and we want to learn them something good here in this country. Now, I want you to tell in Washington, that the man named Spotted Horse wants some plows, and he wants to go to work. I don't say that I will learn to read, myself, but I will learn my children, and I will go to work. Whenever you have a Council again, and the chiefs come down, I want to come down with them, and perhaps I will say something then. Brothers, you are saying such good things, if any one in here has a bad heart and bad feelings, he ought to take his heart out and throw it away, and get a new and better one. That is all.

BY TALL BEAR, OF THE ARAPAHOES.

All the good talk I have heard here, I am going to keep until I get home to my people, and tell them all the good news. It is now four years since I began to plant corn, and for five years have my children been going to school, learning to read and write. All the Indians have been talking to me about planting corn and I am now on that road. It is now ten years since we quit going on the war path. As soon as I get back home, I will tell my people what good talk I heard.

The special committee submitted a majority report for, and a minority report against the recommendations of the Chair, as submitted to them on the 3d inst. The committee was composed of the following persons: D. N. McIntosh, (Creek), chairman; J. P. Folsom (Choctaw), E. J. Brown (Seminole), S. Tehee (Cherokee), John W. Greyeyes (Wyandott), Black Beaver (Delaware), P. Porter (Creek), David Robuck (Choctaw), A. Barnes and J. W. Markham (Cherokees).

Your special committee to whom was referred the suggestions and recommendations of the Hon. Enoch Hoag, President of this Council, made on the 3rd day of May, 1875, in writing, would beg leave to report the following, and ask for its adoption, to wit:

After mature and impartial consideration of the subject matter submitted to them, the committee are of opinion that the time has arrived when the Indian people of the Indian Territory should form and adopt a permanent government, republican in form. They have arrived at this conclusion by reason of the natural political rights of all free people to establish for themselves, and for their own benefit, a form of government best suited to promote and secure the prosperity and happiness of the whole people concerned, and also from the belief that these, our political rights are secured and encouraged by the treaties of 1866, of

the United States with the five principal nations of the Indian Territory.

And therefore your committee would respectfully recommend to your honorable body the appointment of a committee to form and present to this Council, at the present session, for their consideration and action, a draft of constitution, having executive, legislative and judicial departments, to be a purely Indian Government, and with further provision that the said constitution shall be binding only upon those nations ratifying the same. All of which is respectfully submitted.

D. N. McINTOSH, *Chairman*,
 E. J. BROWN,
 DAVID B. ROBUCK,
 JOHN W. GREYEVES,
 PLEASANT PORTER,
 JOSEPH P. FOLSOM.

TO THE GENERAL COUNCIL OF INDIAN TERRITORY :

Your special committee to whom was referred the recommendation made on the 3rd inst., by the Superintendent of Indian Affairs, and President of this Council, would most respectfully beg leave to submit the following as a minority report :

That after a patient, and as we believe, an impartial consideration of the recommendations made to this Council, beg leave to say, that in the opinion of the minority, the way to us is not clear that we can with safety to ourselves as nations, or as a people, adopt the changes suggested by the recommendations; and we refer you to the various territorial bills that are and have been agitating the United States Congress in reference to the Indian Territory for the past few years.

Then we submit that we have two railroads passing through our country, from north to south and from east to west, the entire length and breadth of the Indian Territory, along which there are extensive and valuable grants of land, contingent on the extinguishment of the Indian title. And the disregard paid to the petitions of this Council for the repeal of the acts,

by the United States Congress, and believing that our interests are not subserved as nations or Indians, and believing that the change cannot be made in our interests as Nations, we submit this as our protest.

Very respectfully submitted as a minority report.

ALBERT BARNES,
STEPHEN TEHEE,
J. W. MARKHAM,
BLACK BEAVER.

Council adjourned to 9 o'clock A. M. to-morrow.

May 11, 1875.

Council met at nine o'clock, pursuant to adjournment, and was called to order by the President. Prayer was offered by C. McIntosh, Chaplain, and the roll was called showing a quorum to be present. Yesterday's proceedings were read and adopted.

Yesterday's unfinished business was first in order. The report of the Special Committee was then read, and the house listened to speeches in favor of adopting said report, by D. N. McIntosh, J. P. Folsom and P. Porter, and against its adoption by D. M. Morris.

BY D. M. MORRIS, OF THE CHEROKEES.

One of the great reasons why I cannot approve of the report of the special committee is that that report recommends a change of some kind in our form of government.

The government that is in operation in my nation has been in successful working order for the last forty years, making laws pursuant to a constitution which clearly defines the power of the executive, legislative and judicial departments, and we feel incompetent to launch out upon any governmental order which is more complex than ours. Life and property are as secure among the Cherokees as in any nation of its size on the continent, and now to exchange for

some other form, not well defined and still less understood by us, we are not prepared to make the venture. If we should make a confederate government or league, we will necessarily have to concede some of our rights to this creation, which may prove a blessing or salvation, or what is more probable, it may prove the destruction of many of our rights, and finally sap the very foundation of our domestic government. And another thing I fear is, the many ambushed acts of Congress, that may be used as a destructive element, when once our tribal rights are validated by some such act as might grow out of the adoption of this report. In conclusion I would say—“Stand ye still, and see the salvation of the Lord.”

BY D. N. McINTOSH, OF THE CREEKS.

My Friends: I feel it incumbent on me to say something, as I was the chairman of the committee that made this report. There is a great necessity of unanimity in action in every thing we do. If we were united in our efforts I believe that the several Indian Nations represented in this Council, possess sufficient talent to enact laws for their own protection. I do think and have thought for some time, that this talent which you possess should be used for the purpose of legislating for our mutual benefit. I, too, claim to have love of nationality, and if I believed this measure would hurt my Nation, or injure the interests of any Nation represented in this Council, I would be far from advocating it. Especially would I protect the Cherokees, for their blood courses through my veins, and I am proud of it. I believe that the member who has just spoken, addressed us from the depths of his heart and that he honestly believes that this course would greatly injure our interests, yet it is my honest conviction that this is the only way in which we can be placed upon a safe footing, and our interests and rights be secured and protected at home and abroad. While I am not disposed to offer any criticism to remarks made here to-day, yet I cannot see any valid objection, in the remarks just offered,

to the committee's report. If the Council chooses to legislate according to the recommendations of its committee, it cannot hurt the rights of any nation or tribe, for to do so would be to come directly in contact with the treaty stipulations. The treaties distinctly say that we must not legislate in any way that may interfere with the tribal relations. It is true each tribe might have to concede something, but we suppose that they will look well into everything they concede and that they will reap a great reward for all such concessions. They would get a Government protecting life and property in the Indian Territory.

I have a word to say in regard to the, so-called, "ambushes of Congress." I am well aware that there is a class of white men among the Great American people, that are disposed to take advantages of the Indians. I am equally satisfied in my mind that the great majority of that large Nation have the best interests of the Indian at heart. You call attention to the acts of Congress for the past six or seven years; I declare that they will bear me out in my last assertion.

You are aware that Territorial Bills have originated and that they have been pressed in Congress since the year 1867. You know of the heated contest going on concerning them, from that year to this; so far we have been able to forestall the passage of any of those bills. These bills, understand me, had friends, friends backed by influence and wealth. From whence did the power come that enabled us to cope with them? From the interest which the members of Congress felt in the true welfare of the Indians and the cause of humanity. By the adoption of this Indian Government we do not expect to cut loose from the friendship of those men, or to lose their good will, but we suppose that we will manufacture means that they can use to make them more powerful in our defense in the Congress of the United States. It has been said that we were in the way of civilization, and that we were not able to help ourselves; if we pass this bill it will muzzle our enemies and make our friends strong in our defense.

BY D. M. MORRIS, OF THE CHEROKEES.

My Friends: Mr. McIntosh speaks very plausibly, but I judge the future by the past. The treaties and relations with the United States Government, from the first treaty made with an Indian tribe, have they ever been fulfilled to the last letter of the law? They generally lack somewhere, and some one suffers in consequence. He tries to make us believe that we are able to cope with the United States, that we are ready to cope with the laws of the United States, but when I see so many of my fellow citizens here, who are illiterate like myself, some of them not knowing "A" from "B," I feel if we try to stretch our arms with the Government of the United States, that we will not get a finger in. I believe in progression. I do not ask you to stop your progress. I am glad to see you advance; am glad that you have stopped the chase, and are trying to live by the sweat of your brow. Many are now taking their first lesson in civilization. Press on and perhaps after a season you will be able to come up to this desk, and do business as well as a citizen of the United States. You who are educated cannot pull away the veil and show us where this step would lead to. The chairman of that committee, whose report we are now deliberating on, has made us an address, but he has not opened the way for me. I admit my ignorance and incapacity. I am reminded of the fable of the fox and the crow. "Once upon a time a crow had a very nice piece of cheese, which he was preparing to eat, as he was seated near the top of a large tree; just then a fox came along, and seeing the cheese in the mouth of the crow, eagerly desired it. To get it he resorted to the following stratagem. 'Dear Mr. Crow,' said the fox, 'often have I been enchanted by your sweet melodies; may I not beg you to favor me with one of your sweetest songs?' The crow, highly flattered by the smart words of the fox, opened his mouth to comply with the fox's request, but as he opened his mouth, the cheese fell, and the fox seizing it, as it fell, ran off with it."

BY D. N. McINTOSH, OF THE CREEKS.

I do not desire to occupy so much time in the discussions of the report, but I must say that I cannot see the force of my friend's figure. I hope that he does not intend to say that I am the crow, the report the cheese, and he the fox, and that he intends to have me sing so that I may drop the report. He claims that I have not opened the way or drawn the veil from before his eyes. It is not expected that I should foresee all the consequences of this step, but if I am willing to lead, he ought to be willing to follow me.

BY J. P. FOLSOM, OF THE CHOCTAWS

Mr. President and Fellow Delegates: I propose to open my mouth, but not to sing beautifully, nor to let the cheese drop. I confess that I love good singing and cheese much better than the fox. But, brethren, let us come to the subject before us; it is simply this, to appoint a committee from this council to draft a constitution for our consideration. When this committee is appointed they will consider what we *can* and what we *cannot* do. They will express their thoughts on paper, and lay it before us. That committee will examine and discuss all the difficulties that may possibly come in our way, and also the way, if any, to overcome them. Brethren is there anything wrong in this? We have the right to alter, amend or to reject any or all that this committee may recommend. Until such a committee is appointed to write out such a report, and until that report is read, interpreted and explained, how shall we know whether it will injure or benefit us? Suppose that this committee shall draw up an instrument that shall secure our political rights, and protect our persons and property, just such a one as we want and need, would we refuse it? It seems perfectly just and right to me, to appoint this committee. Let them prepare their report and submit it to us, and then we can act intelligently upon it. If adopting that report would injure our privileges in the least, I will not only

speak, but I will vote against it. It should also be remembered in allowing this, that whatever the committee or Council do, does not bind any Nation until said action is ratified by it.

It is true and can't be denied, that we are advanced in education in different degrees, but my brethren of the Plains, is there not a great book open to you, and by its assistance, and the help of your more educated brothers, won't you advance faster than we did? A little over forty-one years ago, the Choctaws dressed like you, and had your customs, but they put a government in operation that has existed until this day. But let us go back to the business before the Council. It is, as I have said before, to have a committee appointed, who shall meet and prepare and present a draft of a constitution, for adoption or rejection. When it is presented, it will require time to discuss whether it is opposed to our treaties. And as there is now really nothing to discuss, I move that the report be adopted.

BY PLEASANT PORTER OF THE CREEKS.

The few remarks I have to make to you to-day are prompted by a true interest in your welfare. We are all one people and one race, we are surrounded by common dangers and we must pursue one destiny. Wherever you go, I will go, and where you die I will die also. I have been slow to speak to you in this Council, as I believed that there were others of more sober judgment, that were better calculated to advise with you. This restraint I can bear no longer. I feel that having the true interest of every Indian at heart, that what comes from my heart must benefit you. So much as seems to do you good I wish you to take, the rest let it pass off with the winds. My friends, we feel that there is a necessity to do something. What must we do? What does it seem necessary for us to do? When gathering storms arise, and seem in their anger to shake the earth, what do *animals* do? They congregate and go to some place for protection. We call that instinct, and we, feeling in our hearts the gigantic storm that is approaching and about to burst

over us, are gathered together by a higher power than instinct—by the *divine* gift of reason.

Both the majority and the minority report sets forth the threatening danger. The minority report, without giving us their reason, tells us to *stand still*. The majority report seeing the danger, advises us to seek shelter from the threatening storm. Looking around us, we find that we have treaties with the Government of the United States, and that in our treaty relations a place of safety can be found. Is it not natural, my friends, that we should urge you to concentrate in this place of safety? If we did not, would we not be doing you wrong? Would we not be your enemies? We think it is our duty to point to you this place of rendezvous, and invite you all to unite, that we may defend ourselves. The Government of the United States seeing the great pressure that could be brought to bear on us, standing singly, has provided for us the means to unite. The Government in its wisdom has seen that there are elements calculated to destroy us, while standing *singly*, and in order to protect us she has given us these means and from year to year she has asked us to accept of them. Now, my friends, will we accept of them? or, Will we stand separate? Will we trust each other? or, Will we look upon each other with the eye of suspicion? And if we don't trust each other, whom will we trust? If the treaties have not been carried out, what is the cause? It is because we are isolated from each other, and cannot command the moral force to cause them to be fulfilled. There are two means to compel nations to comply with their contracts; one is by brute force, and the other is by moral force. Now we cannot compel the Government to abide by her treaty stipulations, by going to war. We have tried that, and it has reduced us from large nations to mere handfuls of tribes. Now, had we not better try another means? Had we not better address ourselves to her sense of justice? How can we do that in the strongest and most forcible way? Can we not do that by uniting all the force and power of the Indian people? Undoubtedly we can. Then let us do it. We must risk

something in every transaction we undertake in life. If we stand still we risk the storms. Let us go forward and avail ourselves of the shelter, while there is yet time. It is said that an Indian fears no danger. Show that hereditary characteristic in this step. Don't let fears make us bend beneath the powers that are constantly consuming us.

Mr. J. P. Folsom then moved to adopt the report. Mr. D. M. Morris called for the ayes and nays. The Clerk called the roll, and the vote was declared 36 for and 43 against the adoption of the report.

On motion of Mr. N. B. Moore, the Council adjourned until 2 P. M.

2 O'CLOCK P. M.

Council met at 2 o'clock, and was called to order by the President. Mr. J. R. Clardy from the Pottowatomie Nation presented his credentials, which on motion of Mr. D. N. McIntosh were referred to the Committee on Credentials.

The Committee on Education asked to be excused, and were allowed to retire.

Mr. Adams moved to reconsider the vote taken this morning, on the report of the Special Committee.

Mr. J. P. Folsom explained the motion in a few short remarks, after which the vote was taken and the motion carried.

On motion of Mr. P. Porter, the final vote on the report was postponed until Wednesday, May 12, at 10 A. M.

On motion of Mr. P. Porter, the rules were suspended and the resolution concerning the pay of members was passed as follows:

Resolved by the General Council of the Indian Territory, That the members composing the same claim

their entire pay while in actual attendance, Sundays not excepted.

And further, That the Superintendent of Indian Affairs make payment to the members in accordance herewith, at the present session.

The Council was then addressed by Left Hand, of the Arapahoes, and White Shield, of the Cheyennes.

BY LEFT HAND, OF THE ARAPAHOES.

My Friends and Brothers: I wish to speak just a few words to you to-day. I have come a great ways to see you, my red brothers, and hear the good advice you might give me.

I had heard of this Council a long time ago, and I am very glad that I am able to come here and get such good encouragement to press on in the right direction. This Council will do a great deal of good to the Indians of the Plains. I promise you that as soon as I get home I will see them and tell them of all the good talk I have heard here.

We have 200 children of a suitable age to go to school, and forty are attending school at Cheyenne Agency, and 50 boys are working on the farm, going to plant corn. I want to do as my friends the Cherokees, Creeks and Choctaws are doing. I will give my talk to the young men, and tell them what I heard from them who are in Council. It is the first time I have been here. Been to Washington, talked with the President, and never done wrong since.

I am now on the road my brothers are on, and plant some corn. When the Arapahoes get more wagons, then they can begin to improve more. A few of them have ambulances. On their return home they will go up and down the North Fork, and pick out locations to settle and plant, next season.

I like my Agent, he has done me good. I allude to Agent Miles. He encouraged us to farm, and send our children to school. The Agent treats the children well. I will remember the good talk of the Indians, and I assure them that the Arapahoes will never fight again. I am for peace, with white man and red man.

My heart feels good that my red brothers live all around me. I will forever keep their good talk.

I can plant corn, till my children learn to read and write, then we will be ready to take up a new law. We want a good interpreter at the Agency, to talk Arapahoe, in order to explain to the Agent, and then we can understand each other. I want to be friendly with all my neighbors, so that our horses and cattle can range together.

I want to settle down. I have quit rambling. I want to do something for myself, children and people. I do not forget the talk of agent Miles, and the President of the United States, and all the good old brothers of the Indian nations and tribes, who are walking the good road of peace before me and my people. I feel satisfied with the good talk I have heard at this Council. I want a good white man to show me how to work on the farm, and I will learn.

BY WHITE SHIELD, OF THE CHEYENNES.

My Friends: I want to make a few remarks to you to day. My people have always lived on the Plains. The buffalo gave us all we needed. Their skins made our lodges, and their meat was our food. We were very happy in that condition.

A little over a year ago, the Great Father at Washington sent me word that he wanted me to come and see him, so with a few more of my tribe I went. The President told me that I must remain friendly with all men, both white and Indian. He told me that was the best way to live. I thought the talk was good, and when I went home I told it to my young men. Only ten days after I returned, some bad white men stole all the horses that I owned and also stole some of my friends' horses. At this juncture the agent sent and told us to move up close to the Agency, (we were staying about 150 miles away), and while going in, those men followed us up and kept taking our horses. We stayed in the Agency for a while, but as the agent had little for us to eat, and as we were most starving, we had to go back to the Plains. There we met the Kiowas and Comanches. They had

had some trouble with the whites in Texas, and were going on the war path. Lone Wolf, of the Kiowas, medicine man Swan, and a young medicine man among the Comanches, made all the trouble. When the agent heard of it he sent for us to come in. We went to the Agency and I do not know much more about the war. When I was in Washington the President told me that if we behaved ourselves, we should be protected. I am not going to be the first to break that talk. This spring the commanding officer told us to come in. Some of the young men who had been friendly carried the word to us. He gave them a white flag to take with them so that we might know that the errand was peaceable. When we saw the flag we went in. When we got in, the soldiers told us we must give up our horses and arms, which we did. Then the soldiers arrested thirty-one of our people and put them in irons. One young man thought he would rather be killed than put in irons, and when the soldiers came to arrest him he ran, and was fired upon by the soldiers and killed. This brought on the last war between the Cheyennes and the soldiers, for when the Cheyennes heard the firing they thought the soldiers were going to kill them all, so they ran away. The Cheyennes were in a very poor condition to fight, as they had given up their horses and arms. A day or two after this occurred, the agent sent me out to tell the Cheyennes to come in again, and before I came down to this Council most of them had returned. A large portion of the tribe near the Cheyenne agency have run off to join the Sioux and Cheyennes up north. A number of years ago the President gave us a good reservation north of the place where we are now located, and if the white men would keep off we would do well. Wherever we have lived heretofore, the white men have been preying upon us continually. We tell them to stop, but it does no good. Then the young men do some foolish act and get us all into trouble. Our agent told me a short time ago that our civilized brothers were going to have a grand Council and that he wanted some Cheyennes and Arapahoes to come down, and I with a few more came to repre-

sent the Cheyenne Nation. Since I have been here I have heard a good deal of good talk and advice, and when I go away I will take it with me, and will be careful not to lose it on the way, and when I get home I will tell my young men to take all their foolishness and roll it up in a roll and bury it out of sight. This is all I have to say now.

On motion of Mr. N. B. Moore, the rules were suspended and the resolution of Mr. D. N. McIntosh, concerning the Cheyenne, Kiowa and Comanche prisoners, and the white horse thieves, was passed.

Be it resolved by the General Council of the Indian Territory, representing twenty-nine nations and tribes of Indians:

First. That the President of the United States be, and is hereby, respectfully requested to deliver, or cause to be delivered to the civil authorities of the United States for trial and punishment under law, according to treaty stipulations, those Cheyennes, Arapahoes, Comanches and Kiowas, now held in military confinement at Ft. Leavenworth, Kansas, who are charged with crimes, and that he cause to be returned to their respective tribes at their agencies such of the number as are not guilty.

Second. *Resolved further,* That the President is hereby requested to cause to be arrested, tried and punished according to law, such bad white men as flee from justice and good order elsewhere, and in violation of treaty stipulations and the intercourse laws, impose themselves on unsuspecting Indian tribes, to the great detriment of their property interests as well the general morality of their people.

Resolved further, That the President of this Council is hereby directed to forward to the President of the United States a certified copy of this resolution, and also by telegram if he shall deem it necessary.

On motion of Mr. Coachman, the Council adjourned until Wednesday morning at 9 o'clock.

May 12, 1875.

The Council met at 9 A. M. and was called to order by the President. The roll was called, showing a quorum present. Yesterday's proceedings were read and adopted.

The House was then addressed by Buffalo Good, and Tshoway, declining to vote on the Special Committee's report. The House listened to speeches in favor of adopting said report, by Racing Man (Osage), and Mr. J. P. Folsom (Choctaw), and against adopting it, by Stephen Tehee (Cherokee).

BY RACING MAN, OF THE OSAGES.

When the Osages made their treaty with the United States, they obligated themselves to remain at peace with the white people, and ever since have they been friendly to the Government and to all the different tribes. My people would not try to become civilized, they had no regard for the future, they thought they never would become civilized; their whole dependence was on the wild game. At the same time we had all the stimulants and advice we could have, from the white people. We have had that advice ever since we can recollect. Now, all the game is gone, and we have tested the fact and know that the advice was good. You are all aware we used to own a very large scope of country; now we have only a very small piece of land; we want to save that land; we paid our money for it, and it is very dear to us. In order to keep it, we are going to work to cultivate it. We are sending our children to school, and we intend to give them a liberal education. Brethren of the Plains, this is the only way I can see, whereby we can save our country and secure ourselves. It is the desire of the Government that the Indians go to work, to cultivate the field and raise stock. I believe that nearly all the Indians are on that road. I believe that it is the right road; and if we keep united we will prosper as nations and individuals.

I understand that the Council is trying to do something for themselves. They are trying to make laws to govern the people. If we do this, if we make our own laws, if we make them ourselves and understand them, and will be governed by them, we will be respected by the Government of the United States. I will admit that a great many of us here are uneducated, that we never had any laws, but we need laws, and we must try and make them, and perhaps if we don't succeed the Government will have pity on us. It is just like a man taking up a stick to whittle; he wants to make it very smooth and nice. If it is the first time he ever tried, he can't do much, but if he keeps trying, bye and bye he will make it to his notion. Brothers, I am glad we are on one road. Especially am I glad to hear that we are sending our children to school, for when they are educated we can do our business intelligently and then we will know how to advance better than we do now. I would like to say more, but I am detaining you too long.

BY STEPHEN TEHEE, OF THE CHEROKEES.

My Friends: I am quite unwell this day, and fain would keep my seat, but feeling it to be my imperative duty, I rise to speak my views in regard to the adoption of the Special Committee's Report. I am not yet of an age to have gray hair. I am yet young. I am glad this Council was called to convene, that we might come together. I have a deep interest in the Indian people, and if it would improve the condition of our people, I would be willing for a change of government. I am in favor of educating our children, and of improvements in agriculture. To you who come from the Plains, I will speak a few words. At one time our forefathers owned a boundless dominion in America. All this continent belonged to them. But in the year 1492, large ships crossed the waters and came to this country, those ships belonged to the white people. It is now 383 years since they came. They brought the Word of God with them. They brought the Laws of Nations, and the history of the world with them. From that history I have gleaned

the few words I am now going to address to you. When you go back to your people tell them that the Cherokee said that they must let their children go to school and be educated, that they must learn the Word of God. You to-day, my brethren of the Plains, are beginning with the letter "A." Now think what is laid before you, see if it suits or agrees with your condition. Suppose you were to make a ship to put all the Indians in, and was to launch it on the broad ocean. There are waves on the ocean. The storm cloud rises, and there is no one to steer the ship. If there was no one to guide the vessel, and no one came to help us, all on board would be drowned. If this report is adopted that will be your condition. Some one must come to help us or the vessel will founder. I was on that committee, and after carefully examining the report, I had to decide it did not suit our present condition, and in particular the condition of those who are living on the Plains.

The treaties do not say that we must change our form of government to-day. We have the privilege to wait for the rising generation. If the report passes, and the constitution is framed, it goes to the Secretary of the Interior for his approval. In 1870, a similar Indian constitution was passed by this Council. It was referred to the President and to Congress, and amendments were offered to it, amendments that were not for the interest of the Indians. They claimed the right to make appointments over the Executive, Legislative and Judicial departments, and they still want to and will do the same thing. These are the points I dread. The same President and Secretary still hold their positions, and the same Congress men retain their seats. If you open the way in this it will widen to other things. I wish to know what danger there is in the cloud storm spoken of a few days ago. It was said let us come under the shelter, let us take shelter from the storm. I will point you to a place of shelter. Let us keep our treaties, and let them protect us as they guarantee to do. I have read the Choctaw treaty, and it tells them that the land they now occupy shall be theirs forever. I will now tell you what

the Cherokee treaty says. In the Cherokee treaty of 1828, the second article reads thus: "The Cherokee lands shall be theirs forever, no law shall be passed over them, nor shall they ever be included in any state or territorial bill." And it further promises that the United States will protect them in all their rights and privileges. In the year 1833 another treaty was made. The first clause is similar to the other. In the fifth article of the treaty of 1835 we find the same words. In the first article of the treaty of 1846 we find the same language. In the 26th article of the treaty of 1866, the same promises are given; and it further states that all articles in other treaties shall be binding, which are not contrary to the treaty of 1866. By these treaties with the United States we have a place for our feet and a shelter from all storms. I am glad we have such a protection, and as long as the Cherokees are a Nation we will not violate our treaty. We trust in the honor of the United States to carry out those promises, and we believe she will never violate them; she has too much pride and power to stoop down to violate her treaties. I will point you to one thing of which I am afraid. The treaty of 1846 said that when the Cherokees abandoned their lands, or lost their tribal relations, that their lands would revert to the United States. Now would it not be better to submit this report to your several Councils, and if it be their pleasure let them appoint a committee of their best men to draft a constitution. If the whole mass of the people do not understand it at home we can never make a constitution, and I think that neither the delegates nor the people are ready for the question. Though clouds may be dark at times, yet the sun will soon burst through them, and set in peace and quiet.

On motion of Mr. D. N. McIntosh, Council adjourned until 2 o'clock, P. M.

2 O'CLOCK P. M.

Council met and was called to order by the President.

The Committee on Credentials submitted their report recommending that Mr. J. E. Clardy be allowed to take his seat as a legal member. The report was adopted.

On motion of Mr. D. N. McIntosh, Keokuk, chief of the Sac and Fox Nation, was invited to address the House. He spoke as follows:

BY KEOKUK, CHIEF OF THE SACS AND FOXES.

My Friends: I am very glad to meet all my friends here in this room. We have been sending delegates here for a good many years. Those who send you here, expect you to do all the good you can for your respective Nations. I will tell you what I think about this Council. I think you have come here to encourage each other, and to talk and try to follow the whites in their march of improvements as nearly as you can. All of you here are common children of the Great Father at Washington and you must obey his instructions. I mean this, that we must go to work and help ourselves, and we will prosper and be honored. If we don't succeed it will be our own fault. If you adopt this constitution, it will be a grand step forward, and we will all be the gainers. Some of us do not know what the constitution is. I will try and show you. If a man or a crowd of men came to a tribe of Indians, and seriously injured them, as it is now the injured tribe could get no redress; but if we had this constitution and laws to help us, we could be protected in both our lives and our property. All the different tribes here have treaties with the United States, and these are all the laws that some of the tribes have. But it would be vastly preferable to have laws of our own. It won't do to depend entirely on these treaties. We must live up to them. It won't do to violate them. But if we don't help ourselves the Government will have to make laws for us. If

the Indians don't follow the instructions of the Great Father at Washington, they cannot expect him to do much for them. But if they obey him they can expect to reap a great reward. This is all I have to say to you now. I was just passing through the town, and I wanted to see you and tell you how much I was interested in your actions.

Mr. Jones, Sac and Fox Interpreter, having been called home by sickness, Robt. Thrift was elected in his stead.

The House was also addressed by Mr. C. McIntosh and Mr. D. N. McIntosh, in favor of adopting report of Special Committee, and Mr. Stephen Tehee against its adoption.

Mr. Folsom called for the reading of the report, after which, on motion of Mr. D. N. McIntosh, the vote was taken by ayes and nays. The clerk called the roll and the President decided that the vote stood in favor of adopting the report, there being 54 in the affirmative and 29 in the negative.

The following committee was appointed by the President, for the purpose of carrying out certain provisions of the report:

Messrs. J. P. Folsom, D. N. McIntosh, B. H. Six Killer, E. J. Brown, J. R. Moore, A. Barnes, Mish-ama-tubbee, Geo. Washington, M. Pooler, Racing Man, Sun Chief, Sah-ke-we-na-ka-paw, White Shield, Left Hand, Buffalo Good, Stephen Tehee, Geo. Williams. J. E. Clardy, P. Porter, Black Beaver, and Thomas Cloud.

On motion of Mr. N. B. Moore, the Council adjourned until Thursday, May 13, 1875.

May 13, 1875.

Council met pursuant to adjournment, and was called to order by the President. Prayer was offered by C. McIntosh, Chaplain of the Council. The roll was called and yesterday's proceedings were read and adopted.

Frank Gooden was appointed interpreter for the Creeks in place of Mr. D. N. Hodge, called home by sickness.

The Committee on Intertribal Relations submitted their report on Warloope's speech.

TO THE GENERAL COUNCIL OF INDIAN TERRITORY:

Gentlemen: The Committee to whom was referred the report of Warloope, Caddo chief, beg leave to submit the following report, and ask its adoption:

That a copy of Warloope's report be given Special Commissioner J. P. C. Shanks; striking out so much of Warloope's report as directly impeaches the honesty of the present United States Agent, who is serving at Wichita.

MARK BEAN, *Chairman.*

WARD COACHMAN, *Secretary.*

The chairman of the Committee on Agriculture intimated that some of the tribes had not sent in their reports, and asked the President to request them to send them in as soon as possible.

Geo. Washington presented a resolution concerning the reports of this Council, which was adopted under suspension of the rules.

Mr. P. Porter submitted a resolution relating to the establishment of a newspaper.

Mr. Stephen Tehee moved to lay it on the table until 2 o'clock P. M.

The Council was then addressed by the four chiefs of the Pawnee Nation, as follows:

BY GOOD CHIEF, SUN CHIEF, CAPTAIN, AND TURSELLE-CON-WAW-HO, THE FOUR CHIEFS OF THE PAWNEE NATION.

Friends and Brothers: We, the four chiefs of the Pawnee Nation, desire to speak a few words to our brethren of other tribes. Our Nation numbers about 2600, a part of them are in the Territory and a part are in Nebraska. When we first grew to be men we never thought anything about work. We let the squaws do all the work, and we sat down and sang or smoked. What the squaws cooked we ate, and when the squaws planted, we did not take any care of the crop, but went off hunting. But God has helped us, and "made rain, and sometimes we would have every thing we wanted in the fall of the year; but that way we found was not good. Bye and bye the President sent for the chiefs (three chiefs and a soldier) of each band, as he wanted to make a treaty with them. When we went to Washington, we saw how the white man worked, and how he acted, and when we went back we told our people.

The President told us to go to work, and not make the squaws work for us; that we were men and had hands and strength, and he also told us that if we would go to work, he would give us wagons, harness, plows, horses, cattle and hogs. We did not get those but we got money and goods. We got \$30,000 each year. We drew \$15,000 in goods and \$15,000 in cash. The President told us, too, that he would send a man out to us to give us the wagons and plows, and to treat between us and the United States, and this man, our agent, we have not a word to say against. About 7 or 8 years ago we commenced to take hold of the plow. We had a white farmer to help us, going right among us and telling us how to handle the plow. Sometimes the young men would just lie down with the plow, because they did not know how to use it, but they thought if they gave it up, they never would know how, so they persevered until they learned. When the young man would take care of his crop in the fall, and put it in his house and crib, he would not have to go round among the neighbors, but would

have his own food. Now when the other young men saw how nicely this one got along, and how well he lived in the winter, they would try too, and so we were all working before we left Nebraska. When the agent saw that, he was well satisfied. Then he told us to put our children to school, which we did, and now we have about 60 in school up in Nebraska, which have not yet been down to their new home. We left two chiefs, a soldier, and an interpreter up there to take care of them, and when they are educated they will all come down together. When we were up in Nebraska we did not get along very well, as the northern tribes would steal our horses, and sometimes kill some of our men. Another thing, the white men were getting too thick up there, and were taking our wood and other things. We would sometimes take and try the white men, but it did no good, so we thought we had better move down here among our brethren. Spotted Horse said that the chiefs were not willing to come down, but that he brought them down. His talk was very good, but that was not so, we wanted to come down, but would not without authority from the Government; and when they gave us permission we were very glad to come. When Spotted Horse wanted to come he asked the Superintendent and agent, and they told him he might come with Running Chief and another man. (three of them), but he started with 300 Indians to come down here, and the agent had to send us to bring the Indians back. We are glad to hear Spotted Horse talk, and we hope he will do what he says, but don't forget how this thing really was. There is no use for a man to get up and talk by guesswork, a man ought to know what he is talking about. We want the man that talks for us to talk about what our red brothers are talking about: that is—civilization, education, and the way we ought to treat each other. Brothers, we have been here nine days now, and we have been glad to hear you talk, each day seems to do us more good. When we were coming down here to the Territory, our agent promised to give us some wagons, some harness, and some plows, and we think our agent tells nothing but

the truth, and so we hope to get them this next fall. We are doing nothing now, our brethren, we are living with our friends the Wichitas, but they have nothing to divide with us. We are living on 40 head of cattle a week now. That is all we have. We don't get any provisions. But we don't blame our agent. He does the best he can for us. We are looking for our provisions and looking for our wagons and plows, and we hope to see them soon. We like our agent very much; he wants us to go right to work, and he not only tells us to do it, but he comes himself and shows us how to go at it. Now brothers we are glad to meet you here, and we hope to meet you here again. We are glad to hear you talk about civilization, education and agriculture, for we also want to be civilized, to educate our children, and to work our farms, and not roam the prairie any more. And we also want to be friends with all men, especially you, and we want to be united as brothers, thinking that together we may better face the trials that may be before us. This is our talk.

The Osage delegation submitted the following report of the outrages on their tribe, in south-western Kansas, which was, on motion of Mr. N. B. Moore, referred to the Committee on Relations with the United States :

To our Brothers of the General Council: We ask your attention to a great wrong committed by citizens of Kansas against our nation. On the 7th day of August last, twenty-eight of our tribe, men, women, and children, were taking buffalo meat and dressing robes, on our old reserve near Medicine Lodge, south-western Kansas, where the treaty was made with the Cheyennes in 1868, and where they were guaranteed the right to hunt buffalo, when about twenty-five armed men approached and took six of our men as prisoners, disarming them, and when they tried to escape, they shot and killed four men, and injured one old woman, and robbed them of sixty animals, arms and camp equipage, none of which has ever been re-

turned to us, although our agent and Superintendent have caused the outrage to be fully investigated, resulting in reports to the Indian Department, fully vindicating their innocence and loyalty.

This band of our tribe had been far out on the Plains, by the request of our agent, to procure meat, tallow and hides, and were coming in very destitute. They had not been informed that the Indians had been directed to go in to their agencies, in consequence of trouble with Plain Indians, and had no hostile intentions. We ask that our brothers of the General Council use their influence with the General Government for our redress.

Mr. N. B. Moore submitted a resolution concerning the pay of the Osage delegation who received credentials from a part of the tribe, as follows:

Resolved, That the President be requested to pay the four delegates from the Osage nation, who came here with credentials from a portion of the tribe, the amount of their expenses (five dollars each,) while here contesting their rights to a seat in the Council.

The resolution was passed under suspension of rules.

On motion of Mr. Morris, the Council adjourned until 2 o'clock, P. M.

2 O'CLOCK P. M.

Council met and was called to order by the President.

Pursuant to the motion of Mr. Tehee, the resolution relating to the establishment of a newspaper was brought before the House. The Council was addressed by P. Porter, D. N. McIntosh, Thos. Adams, and J. E. Clardy, in favor of passing, and by Stephen Tehee, C. McIntosh, and J. P. Folsom, against passing said resolution.

BY PLEASANT PORTER, OF THE CREEKS.

The paper which was read a few minutes ago explains as clearly as can be, the object of the newspaper to be established. The intention and principle on which this paper is based, we all agree is good. All here will admit that the greatest injury and the greatest wrong done our people is from want of proper information. The people of the United States hear only such reports of us as our enemies choose to communicate to the public. We have had papers located among us that have done us a great deal of good. I refer to the Cherokee Advocate, which had advocated the cause of the Indian people down to the time when it was discontinued. This useful paper was destroyed by fire, all the presses and material was destroyed by the burning of the building in which it was printed. Other papers established in the Indian Territory set out by advocating the cause of the Indians, and are ending by advocating the views of those who are enemies to us. We need a paper to counteract the influence of those bad people. This paper, the one that asks recognition, proposes to do that. It asks nothing except that this Council recognize its existence. The paper is to be gotten up by individual enterprise, to be controlled by persons who are Indians and it is to advocate the views read to you a short time ago.

BY STEPHEN TEHEE, OF THE CHEROKEES.

I wish to make a few remarks on the resolution before the House. I do not clearly understand how this paper is to be organized, and by whom conducted. I understand that conducting a newspaper is a business, just as much so as owning and selling goods in a store. If this paper is to be conducted by citizens of the United States, it is necessary to obtain permits. The treaty of 1866 says, that no permits shall be given until they are approved by our respective Councils. I think that this is not the place to present this enterprise, as we are not consolidated under one Government, and for this reason I shall not vote for it.

BY P. PORTER, OF THE CREEKS.

I am sorry that my Cherokee brother misunderstands the object of this resolution. He thinks that we have not the right to recognize the newspaper. He thinks that a number of Indians have not got the right to put their thoughts on paper and publish it to the world, or rather he thinks that a portion of the Indian people have not the right to ask that this Council recognize the fact that they are going to defend the rights of the whole Indian race. He may misunderstand how this enterprise is to be gotten up. I will endeavor to explain. A few of the leading Indians in this Territory have agreed to buy a printing press, and other materials. These individual owners of the paper will elect their own officers. They will elect a president, a secretary, and a treasurer, to manage the office business. These officers will secure some competent person to edit the newspaper, and if they decide to employ a citizen of the United States they will secure the necessary permits. I believe that if my friend perfectly understood the object and design of this paper, he would desire its recognition, even more earnestly than I.

On motion of Mr. J. R. Moore, the resolution was referred to Committee on International Relations.

Mr. Porter submitted the following report of Committee on Relations with the United States:

OKMULGEE, C. N., May 13th, 1875.

Your Committee on Relations with the United States beg leave to submit the following as their report, and ask its adoption, to wit:

Be it resolved by the General Council of the Indian Territory, That this General Council re-affirm the acts of the General Council, dated Dec. 5th, 1873, marked Appendix C, and also the resolution adopted by the General Council, May 14th, 1874, and that the General Council now in session at Okmulgee, C. N., respectfully request the President of the United States to ask of next session of Congress the repeal of so much of the acts of the United States Congress.

dated July 25th, 26th, 27th, 1866, as relates to the grants of land in the Indian Territory, and covered by patent or treaty guarantees to any tribe or nation, to certain railroad corporations; and that the Secretary of this General Council is hereby instructed to forward a certified copy of this resolution, together with copies of Appendix C, and resolution of May 14th, 1874, herein referred to, to the President of the United States, one copy of the same to the President of the Senate, one copy to the Speaker of the House of Representatives, and one copy to the Chiefs and Governors of each nation represented in this Council, to be by them officially communicated to their respective Legislatures and Councils, with a recommendation to make a like request to the President of the United States.

PLEASANT PORTER,

Chairman Committee on Relations with the United States

OKMULGEE, C. N., May 14th, 1875.

Gentlemen of the General Council: Your committee to whom the report of the Osage delegates, relative to a massacre perpetrated upon some of their people near Medicine Lodge, in State of Kansas, was referred, beg leave to report the following, and ask its adoption:

Be it resolved by the General Council of the Indian Territory, That the report of the Osage delegates made to this Council, appears to state facts not to be easily controverted or denied, which require immediate action of the general Government of the United States, to redress the wrongs done the Osages by causing their property to be returned to them, or the value thereof to be paid to them, and to punish those men who butchered them, without cause or shadow of excuse, when peaceably engaged in getting buffalo meat, within the limits of the country in which Indians had a right by treaty to hunt. And that the President of the United States is respectfully but earnestly requested to take such steps, if compatible with his authority, as shall mete out justice to these suffering Osages, and that the Kansas murderers of

said Osages be brought to condign punishment. And that the President of this Council be, and is hereby, requested to transmit an authenticated copy of this resolution, and a copy of the report of the Osages above referred to, to the President of the United States, accompanying the same with such remarks or suggestions as he shall deem proper and just.

PLEASANT PORTER.

Chairman Committee on Relations with the United States.

On motion of Mr. D. N. McIntosh, the report was adopted.

On motion of P. Porter, the Council adjourned until Friday, May 14, 9 o'clock, A. M.

May 14, 1875.

The Council met pursuant to adjournment, and was called to order by the President. Prayer was offered by the Chaplain. Yesterday's proceedings were read and adopted.

Albert Barnes offered the following resolution:

Be it resolved by the General Council of the Indian Territory, That in order to give ample time to the Committee to mature and perfect a draft of constitution, such as is required by this Council, that the General Council of the Indian Territory adjourn at 4 o'clock P. M. on the 15th day of May, 1875, to meet on Wednesday, the 1st day of September, 1875, at Okmulgee, Creek Nation, Indian Territory.

Be it resolved further, That members of said committee shall be allowed the same per diem pay, and mileage in coming to and returning from the place of the meeting of the said committee, as members of the General Council, and that the Superintendent of Indian Affairs is hereby requested to pay them, when they shall complete the draft of constitution.

Be it further resolved, That when this General Council meets at the adjourned session, it shall be to

consider and dispose of the Constitution, which may be presented to them by the Committee aforesaid.

Mr. Stephen Tehee moved to amend by inserting words "to meet at Okmulgee."

Mr. J. P. Folsom moved to amend by inserting words "to meet at Eufaula."

Messrs. S. Tehee, D. M. Morris and John Haynes spoke in favor of meeting at Okmulgee, and Messrs. J. P. Folsom, and G. S Williams in favor of meeting at Eufaula.

The ayes and nays were called for. The clerk called the roll, and the President decided the vote stood 48 to 33 in favor of meeting at Okmulgee.

On motion of Mr. Folsom, the resolution was adopted.

Mr. J. R. Moore, Chairman of the Committee on Agriculture submitted his report, (appendix A). During its reading, on motion of Ward Coachman, Council adjourned until 2 P. M.

2 O'CLOCK, P. M.

Council met and was called to order by the President.

Mr. Ross proceeded with the reading of the agricultural report.

On motion of Mr. Adams the report was adopted.

Mr. J. R. Moore offered the following resolution :

Whereas visiting Indians from the Cheyenne, Arapahoe, Pawnee and Kickapoo tribes, accompanied their delegates from said tribes, to learn more of the nature and objects of the General Council, and believing that much good will result to said tribes by their intercourse with their more civilized brethren,

Therefore, be it resolved, That the President be, and is hereby directed to pay the expense of their subsistence during the sessions of this Council.

Which resolution was adopted under suspension of the rules.

Mr. N. B. Moore offered a resolution to pay the six Cheyenne and five Pawnee delegates. On motion of Mr. J. R. Moore, it was referred to the Committee on Relations with the United States.

The Council was then addressed by To-sho-way, Tomahawk, Good Chief and Sun Chief.

BY TO-SHO-WAY, OF THE COMANCHES.

Friends and Brothers: On the part of the Pan-e-teth-ka band of Comanches that I represent, I have the honor to submit the following: Twenty years ago my people made peace with the white people, and we have never since ceased to be friendly. We made a start on the good road in Texas, but we were driven from our homes, and lost all the fruits of our labor. We made another start on the Washita near Fort Cobb, but the white man's war breaking out soon after, we were again compelled to abandon our homes and return to our own mode of life. Since the war we have tried to improve our condition, but the conduct and example of the prairie Comanches and Kiowas have prevented us from making any advancement. During the past year the Government becoming tired of the continual depredations of those bad men, sent a great many soldiers after them and compelled them to go to their reservations, and give up their arms, and took from them thousands of their horses. In addition to this the soldiers have arrested and put in irons the worst of the men among the Kiowas and Comanches. I hear these men are to be taken away and punished for wrongs they have done the white man and the Indian. While my people are sorry they were so foolish, still they have no one but themselves to blame, for I and you repeatedly warned them what would happen if they did not behave themselves. I think the punishment these people have received will have a good effect on all the bad men among the Indians.

My people have already sent a number of their children to school, and we have this spring planted about eighty acres in corn, pumpkins, melons, beans, sugar cane, muskmelons, and other things. On my return home I will visit the camps of the Kiowas and Comanches, and tell them what their brothers at the Grand Council are doing in their behalf. I think the Kiowas and Comanches will now behave themselves. This is the first time that the Kiowas ever received any punishment, and now I think we shall have no more war with these tribes. Our agent has furnished my people with three plows, two sets of harness, six hoes, one wagon with harness. We want more of all these articles.

BY TOMAHAWK, OF THE BLACK BOB SHAWNEES.

Mr. President and Brothers: As one of the representatives of the Absentee Shawnees, among whom are a portion of the Black Bob band of Shawnees, I would like to report to this Council the condition of that band. Upon the death of Black Bob I was made chief of that band. During the late war my people left their reserve and moved to the Wau-ka-loo-see in Kansas. As soon as they could, on account of jay-hawkers, they returned, but found some of their lands already settled upon by white people. But they went upon it, and encamped upon the banks of creeks where there was wood to be had. The white people continued to intrude and build their houses upon our lands in the prairie, until they became so numerous we had to leave. This we were forced to do about six years ago. Since then we have been wanderers. About seventeen are now with the Absentees, eighty-six with the Eastern Shawnees, and a few are among the Cherokees. They have no permanent homes. A part of the Reservation in Kansas although settled upon and taken from us by the whites, we have not received pay for. Others of the band not now with the Absentee Shawnees, are desirous of procuring permanent homes with or near them. They have no means of purchasing unless they can obtain pay for the lands they were dispossessed of in Kansas. If

this were done it would enable them to purchase lands for themselves and children, where, if not intruded upon, they might have homes for all future time. They have no schools nor school funds, but through the kindness of the Eastern Shawnees, the 86 of the band with them are permitted to send six children to their school, and the Absentees have kindly permitted us to send three of our children to their school. Thus we are dependent upon our brothers of other bands for homes and the education of our children. We hope that at the next session of Congress of the United States, we may obtain a settlement for the lands taken from us, and buy homes in this Territory, where we desire them. Then we would have encouragement to industry, and with renewed confidence and energy our people would in a few years be a prosperous and happy people.

On motion of Mr. David Robuck, the Council adjourned until Saturday, May 15, 1875.

May 15th, 1875.

Council met pursuant to adjournment. Roll was called, and prayer offered by the Chaplain.

N. B. Moore offered the following resolution which was adopted unanimously:

Be it resolved by the General Council of the Indian Territory, That the President thereof be, and is hereby, requested to have printed, twelve hundred copies of the proceedings of this Council, and that he furnish each member and interpreter, the President of the United States, Commissioner of Indian Affairs, Secretary of Interior, Governors of States, and each member of Congress, with a copy of the same.

Mr. Barnes presented his report on education, (Appendix B).

J. P. Folsom, chairman of the committee appointed to draft a constitution, notified the members thereof that they would meet on the 15th of June, 1875, at Okmulgee, Creek Nation.

The President made an appropriate parting address.

The Council then adjourned to the 1st of September, 1875.

ENOCH HOAG,

Sup't Indian Affairs, President.

GEO. W. GRAYSON,

Secretary.

APPENDIX.

A.

REPORT OF COMMITTEE ON AGRICULTURE.

OKMULGEE, C. N., May 12, 1875.

TO THE GENERAL COUNCIL OF THE INDIAN TERRITORY :

Gentlemen: Your committee to whom you assigned the duty of digesting and reporting the agricultural status of the several nations and tribes represented, would respectfully offer the following report and ask its adoption. It is deemed necessary, however, in this connection to state that on account of the absence of absolutely correct statistics from the nations and tribes represented, the following may not be a strictly correct report, but the committee is of the opinion that it is as near an approximation to such a report as can be made under the circumstances.

JNO. R MOORE,
Chairman Committee on Agriculture.

JOSHUA ROSS,
Secretary.

CHEROKEES.

The Cherokees came from the mountain streams of Virginia, Tennessee, Alabama, Georgia, and the Carolinas. English friendship, American protection, determined will, and the Providence of God, have led them through tribulation to their land of the Canadian, Arkansas, Illinois and Neosho rivers. The state line separates their country from Kansas, Missouri and Arkansas. The good farmers of Washington and Benton counties in the State of Arkansas,

have been friends to the Cherokees, and they continue to respect rights and exchange productions.

The best and largest farms are in the valleys, on the banks of the creeks and rivers of water that flow through the Cherokee Nation. The geography of the nine districts is a pictorial of variety in climate and production, prairie hills, and mountain forests, embracing a solitude of flint rocks and black jack trees. Tablequah, the capital, Fort Gibson, Vineta, the junction of the Atlantic and Pacific railroad with the Missouri, Kansas and Texas railway, are the market towns in the Cherokee Nation.

Thirty years ago the Cherokees held annual councils under a long camp, covered with three foot boards. Now the Senator and Councilor sit in ample chambers, and the heads of Departments pass through halls, up winding steps to rooms and library on the second floor in the brick building of the national capitol.

The log cabin, frame house, or brick mansion are built according to the means, taste and intelligence of the man. There are double cabins of hewed logs, with a passage between, stone chimneys at ends, porch in front.

The Hunter's Home at Park Hill, is a white frame house, half hidden by trees. The rose and the honeysuckle have bloomed there through the war, and left a memento of refinement and taste. The spring gave its cool waters to many a poor soldier, and he forgot its hospitality and left the Home of the Hunter in flames. The place is remembered because it was the early home of the writer.

Cherokees are farmers, and are hewers of wood, blacksmiths, stone masons, reel, wheel, and loom makers. The women are good housekeepers. They spin and weave on looms made by the man who is skilled in such work. They raise wool and cotton, which is colored with bark or imported dye stuffs. Most of the Cherokees wear pants and coats woven at home by wife, sister or mother. They can weave coverlids, one of which won a premium at the first International Fair in October, 1874.

In January and February the sap of the maple is ready to drip, on tapping the tree. The sweet water is poured in the large kettle to boil over the fire, before the camp on the mountain. The syrup thus made is better than sorgum, and the sugar cake is sold to the merchants at twenty-five cents per pound.

Once the mortar and pestle were used to pound bread, but now they are used to pound the hominy grits, which are boiled in the big pot, cooled in the cedar keel, drank with a wooden spoon. The soup and cooked grits are called "Gar-nor-hey-ner." It is said with joke and truth, "if a white man likes Gar-nor-hey-ner, and drinks, he is sure to forget his native state, find his Indian girl, and hunt his seven men to prove his moral character, and send his credentials to the Circuit Judge of the Cherokee court." Gar-nor-hey-ner is a pleasant drink, with or without the maple sugar. It is a simple diet, but it is a good diet—to make Cherokee citizens.

Among the oak, cedar, pine and walnut, which are split into rails, and sawed into planks and shingles, stands the hickory tree. The hickory nut is hulled, cracked, pounded and sifted. Being oily it is rolled into cakes, placed in jars for winter use. When desired a cake of it is dampened and strained. The fluid is like milk, put in gruel, hominy or coffee. It is called "Car-nar-che," and is much liked. There are pecan trees, and it is a violation of law to cut them down for the nut, as they fall when frosted, and are worth two dollars at home, and several dollars per bushel in city markets.

Certain men are familiar with the ancient practice of Indian medicine. They cure the toothache and bite of the rattlesnake. They find roots to cool and cure the pneumonia or winter fever, but they have graduates of medical colleges in the United States.

The pink and the rose, the maple and cedar, clover and grass are ornaments in the yards of some of the most industrious of our people.

Cherokee Nursery, seeding and grafting, is setting out young fruit trees over the Cherokee Nation. The poorest man has set his twenty-five apple trees, and

the man of means has his young orchard, numbering in variety one thousand to fifteen hundred trees. There are a few old orchards of apple and peach. Kentucky Red is the largest and finest of the apples, but the Limber Twig keeps through winter. Some seasons the peach crop fails. Frost nips the buds. There was one small peach orchard near the top of a mountain, which never failed. Its red blossoms were first to bloom in the spring, which were seen from the valley. And the boys were sure to pack the peaches down to their mother at home in summer.

The size of the farms is governed by the industry and capital of the farmer. The number of acres cultivated spreads from the garden to the patch of five acres, rises to fifty, goes to one hundred, on to one hundred and fifty, and reaches the family farms of four hundred acres. The productions are Indian corn, cotton, wheat, oats, barley, sweet and Irish potatoes, onions, pumpkins and melons. Away from the bottom lands the corn crop was a failure on account of drouth. Other crops were injured in the same sections of the nation. The Council seeing the footsteps of famine authorized the act asking the loan of \$500,000 from the Government of the United States. The late Cherokee delegates at Washington drew \$200,000 of invested funds to divide among the citizens of the Cherokee Nation. And the merchants of St. Louis sent car loads of seed potatoes for the destitute Cherokees and other Indians who live near the line of railroad. The average corn crop is twenty-five bushels per acre. The drouth of last summer led most families to plant wheat, which promises a good crop. Wheat produces about fifteen bushels per acre.

For the sake of illustrating the fact that soil, economy and industry create comfort and wealth, or plenty, we mention an incident. A young Cherokee was walking along a road, picked up one head of wheat. Five years ago he planted the seed, and this season he will reap wheat enough to make his biscuit, seed to plant ten acres, and have a surplus to sell for money to invest in more wheat or cows.

The average cotton crop is about three hundred pounds, ginned, per acre. There are pastures of blue grass, Hungarian and millet, in portions of the Nation. In those sections, oats and fodder are provided for the animals. Oats produce thirty bushels per acre. The best farmers have barns and stables.

The Indian pony is being improved by larger and better American studs. The Cherokee cattle, in market, are a grade higher than the wild steer of Texas. The cattle trade is important for it brings in money. The Durham bull is coming in with Poland and Berkshire boars. The hog crop was a failure, for want of grain, acorns, and roots. The winter was too cold for hungry hogs. Many of them died. Interest is manifested in the care of sheep. A few Cotswold and Southdown bucks have been introduced. Some families raise wool enough for home use and send the remainder to market. The people have been too poor since the war to purchase large flocks of sheep, but the desire to own them is increasing.

On the prairie native grass is excellent. The mowing machine is used. Reapers and threshers are coming in every year. The best and latest improved plows are used by the farmers. A blacksmith of the country has recently introduced a home made plow which suits bottom and unbroken prairie. A sharp colter is banded to the turning plow, the roots are cut and the plow moves with ease. Every good farmer can stock his plow.

The Cherokees in turning their attention to the cultivation of the soil have developed a mechanical talent. The spring wagon which took the first premium at the first International Fair, at Muskogee, was made by Coon Foreman of the Cherokee Nation.

Such are but sketches in the great picture of Cherokee history, which leads back beyond the traditions. Step by step they have moved forward in the road of improvement and wealth for the increasing population growing up in fixed homes. The fact that we must make our bread from the land, and exchange stock for the comforts of life, keeps us moving in work.

Schools, teaching the English language, are leading us to know new aims in life and the condition of the world. The Church points to a better world. Constitution and Law protect us. The Cherokee alphabet is a memento for history. The hands of the Creek, Choctaw, Seminole, with Delaware, help us welcome the Red Brother of the Plains to our Councils of peace. We get inspiration from the friends of our people in Washington. We want the protection of American statesmen.

CHOCTAWS.

They are one of the five large nations of the Indian Territory. They are civil, friendly, intelligent, industrious and somewhat wealthy. They cultivate about 95,000 acres of land, and they are enlarging and opening new farms. They raise corn, wheat, oats, cotton, beans, peas, pumpkins, melons, and a variety of grass, and sweet and Irish potatoes. They grow orchards of apples, peaches, pears, plums and cherries. The farmers use the axe, hoe, plough, cultivator, shovel, spade, reaper, mower and thresher. They are introducing the new and best improved farming implements. They own saw mills, grist and flouring mills, and cotton gins. There are among the people some good mechanics, such as wheelwrights, house carpenters, cabinet workmen, blacksmiths, shoemakers and stone and brick masons. They raise horses, mules, ponies, cattle, sheep, goats and hogs. They are introducing thoroughbred stock, and improving their stock greatly and rapidly, and by this means they are increasing their wealth. The women are generally employed in household affairs, and about one third of them can manage and control family affairs as good as the white women of the states. On account of the wet springs, followed by droughty summers, they have failed to raise good crops for the last two years, but they have not by any means become discouraged. They have only taken hold of the plow with more vigor than before, and it is to be hoped that they will soon have a plenty and be prosperous.

MUSCOGEE OR CREEKS.

Some forty years ago the Muscogee, or Creek, people dwelt on the east side of the great Mississippi, at which time they engaged very little in the pursuits of civilized life. To be a good hunter was an accomplishment, while few understood the use of agricultural implements, and indeed regarded it as a low calling. The Creeks therefore, did not enter fully into agricultural and stock raising pursuits until within some years before the late war between the States, wherein they became involved, and lost all they had accumulated during so many past years.

These facts are mentioned so as to give something of a just idea of our present position, and in connection with which we think it can safely be stated that the Creeks depend entirely on the civilized pursuits for a livelihood, as a people. Since making their last report, there have been additions made to their farms by many. The number of acres in cultivation is about seventy thousand. The principal crops raised are corn, oats, rice, tobacco, sweet and Irish potatoes, sorghum cane, squashes, pumpkins, beans, peas, &c., though many have turned their attention to the cultivation of wheat, and some to cotton. The various garden vegetables adapted to this climate are being cultivated to a small extent. Yearly crops will probably aggregate as follows, provided seasons are favorable:

Last year on account of drouth and grasshoppers the crops could not be considered over half in corn and cotton, and an almost entire failure in all garden vegetables, rice, sweet and Irish potatoes, beans, peas, &c. Area of acres in corn, 60,000, average yield, 25 bushels per acre, aggregate 1,500,000 bushels. The number of acres in cotton is small, it is thought it will produce an average of about 1,200 or 1,500 lbs. per acre. Wheat, 5,000 acres, average 13 bushels to the acre, aggregate 65,000 bushels. Oats 500 acres, average 30 bushels, aggregate 15,000 bushels. Sweet potatoes 500 acres, average 60 bushels per acre, aggregate 30,000 bushels. Irish potatoes 300 acres; as they do not produce well, we are not able to give the average. In orchards of apples and peaches, 500

acres; as most of the apple orchards are of young trees, we cannot give the average. The peach orchards give a fair yield. Gardens, 200 acres, in which are cultivated the various vegetables with fair yields. The most of the land in cultivation is near the water courses, and in the river bottoms, such being the most productive. The implements used for farming purposes are the plow, hoe, grubbing hoe, axe, &c. Many of the plows are of the late improvement. There are also used by some the improved reapers and mowers and corn planters.

The scarcity of flouring and grist mills has been a source of discouragement to the Creeks, in the way of farming to any great extent, more than for home consumption. But as there are now five or six erected within the limits of the Nation, two of which have cotton gins attached, and another under way of construction, we look forward to great advancement in that line of industry.

The principal stock raised by the Muscogees consists of horses, ponies, mules, cows, hogs, sheep and goats; many of which are of improved stocks. Horses, ponies and mules will aggregate about 10,400 head, cattle about 40,000 head. On account of the severity of last winter the number of hogs is greatly reduced, the aggregate is about 30,000 head. It must be remembered that there are some families that have but very few of the above mentioned stock, while few families have herds that will number hundreds. The people have not turned their attention to the raising of sheep and goats to much extent. The total number will probably aggregate 1,500. Butter and cheese are made to some extent, but mostly for home consumption. The cooking stove is used by a good many families.

There are a few mechanics among the Muscogees, such as blacksmiths, stone masons, house carpenters, and wagon makers. The boys are taught to perform the outdoor labor, and the girls the indoor labor, such as cooking, washing, sewing &c. Some few families spin and weave cloth, and all do their own cutting and sewing.

EASTERN SHAWNEES.

The Eastern Shawnees number ninety-three. Their land is on the east bank of Spring river, bordering the State of Missouri. On their ten thousand acres are timber, water and a rich soil, which is good to farm and pasture. They own forty horses, one hundred and twenty-five cattle, and two hundred hogs. They cultivate five hundred acres. Their houses are made of hewed logs, about which, are apple trees, peaches and cherries. They raise grass for hay, and plenty of vegetables for table use. There are twenty-nine houses. They have farmed enough to know its meaning, and intend to be comfortable if the coming crop is good.

ABSENTEE SHAWNEES.

Number, 668 persons; 1,016 acres of land under cultivation; 19,673 bushels of corn raised; wheat, 200 bushels; oats, 100; sweet potatoes, 1,588 bushels; Irish potatoes, 138 bushels; beans, 133 bushels; onions, 55 bushels; they cut and saved 282 tons hay last fall; number of horses and mules, 1,068 head; cattle, 2,019 head; hogs, 4,268 head; sheep, 6 head. They have also 60 wagons that they use on their farms, and 11 yoke of oxen. 190 persons have taken allotments, and about 200 others have made selections. The number of acres of land in cultivation is about double what it was last year, and there is a strong disposition evinced by the people to do more and better farming than heretofore.

WYANDOTTS.

The number of the population is about 230. Their reservation contains 20,000 acres; about one-half is suitable for cultivation, well timbered and watered and good grazing for stock. The number of acres under cultivation is about 500. They have orchards of apples, peaches, cherries, plums and pears. Their houses are built mostly of hewed logs. The principal crops raised are wheat, corn, oats, Hungarian grass and potatoes, and the various garden vegetables are ordinarily raised plentifully; but last season,

on account of the severe drouth we did not raise seed. We were furnished seeds for planting this spring by the Superintendent and our Agent. The number of horses owned by the Wyandotts is about 80 head, cattle about 150 head, and about 200 head hogs. Some of the farmers use the mowing machine, and some of the families use the sewing machine. Some butter is made for sale. The women are expert in the use of the needle. Some of the farmers are turning their attention to the raising of improved stock.

CONFEDERATED PEORIAS.

This tribe is located in the northeast corner of this Territory, on Neosho and Spring rivers, touching the States of Kansas and Missouri, having moved to that country about seven years ago. They own about 50,000 acres of land, most of which is tillable, on which any kind of seeds will grow. They number 140 persons. They cultivate about 2,000 acres, on which they grow corn, wheat, oats, potatoes, beans, onions, cabbage, and various other garden vegetables. They are also making and growing orchards of choice fruits, such as apples, peaches, pears and cherries. In cultivating their farms they use the latest improved agricultural implements generally used in farming. They rely greatly upon the cultivation of the soil and the raising of stock for their livelihood. Their stock consists of horses, mules, cattle and hogs, which they are improving by the introduction of different kinds of thorough-breds and are increasing every year. They live in frame and log houses, neatly built, and their fences around the farms are well built. They have good barns and pastures for their stock. They raise poultry of every description. They milk their cows and make butter. The stove takes the place of chimney for comfort and cooking their victuals, and furniture of fine description can be seen in some of their dwellings. They are successful farmers. Since the late survey of their lands they are making a move to improve and open new farms. They have long since found out the beneficial results of hard labor, and thereby have become an industrious people.

BLACK BOB SHAWNEES.

They number about 103 persons. They have no permanent homes. A part of them are now with the Absentee Shawnees and a part of them with the Eastern Shawnees, and a part of them with the Cherokees. Their reservation in Kansas has been settled upon by the whites. Yet they have not received pay for it. Those of the band who are not with the Absentee Shawnees are desirous of procuring permanent homes with or near them. They have no means of purchasing, unless they can obtain pay for the lands they were dispossessed of in Kansas. If this were done it would enable them to purchase lands for them and their children, where, if not intruded upon, they might have homes for all future time. They have no agricultural funds. They hope that at the next session of Congress of the United States they may obtain a settlement for the lands taken from them, and homes secured in this Territory, then they would have an encouragement to industry, and with renewed confidence and energy their people would in a few years be a prosperous and happy people.

OTTAWAS.

The Ottawa reserve lies fourteen miles south of Baxter, contains 14,800 acres. Their population is 160. They have about 1,000 acres in cultivation, one-fourth in wheat, half in corn, the remainder in oats, millet, Hungarian grass, beans, peas, potatoes, and all vegetables usually grown in the garden. They have orchards of apples, peaches, pears and grapes. They will produce well, but having lately settled on the reserve, the trees are young. Number of horses, 40 head; 305 head of cattle, and 200 hogs. In farming they use the same implements as their white neighbors, and live in framed houses. They hope in a few years to be farther advanced in civilization and wealth.

SENECAS.

They number about 210 persons; have 800 acres of land in cultivation. The principal productions are

corn, wheat, oats and potatoes, besides the usual variety of garden vegetables. They have orchards of apples, pears, plums and grapes. Farms are being enlarged, and the latest improvements of agricultural implements are used. By the introduction of improved breeds, the quality and value of their stock is increased.

SAC AND FOX.

Population about 500. Number of acres of land in cultivation about 340 acres, of which 290 is in corn, and 50 in wheat. They own about 2,000 head of cattle, 1,000 horses, and about 2,500 head of hogs. A part of the tribe live in houses, and others are building houses. They have one mill. They are making advancement to a higher state of civilization and a self-sustaining people by their industry.

SEMINOLES.

They are now located upon a reservation, running from the North Fork, upon the north, to the Canadian south, embracing an area of 200,000 acres of land. They have in cultivation about 12,000 acres, mostly in corn, raising about 200,000 bushels. They cultivate some rice—crop about 200 bushels. About 200 acres in cotton, average yield half bale to the acre; 500 acres in sweet potatoes, average yield 100 bushels per acre; 100 acres in Irish potatoes, average yield 50 bushels per acre. They cultivate all the different varieties of garden vegetables adapted to our climate. On account of the drouth last summer, the crops were about half an average yield, and gardens an entire failure. Nearly every family have their peach orchard, while a large number have apples, pears, cherry and plum trees surrounding their homes. The improved varieties of grapes have been introduced, but it is still a question of their adaptability to our soil and climate. The Seminoles use all the best improved agricultural implements. They are fast becoming owners of good herds of horses, cattle, sheep and hogs, and have introduced many of the fine breeds. They own about 3,000 head of horses,

15,000 head of cattle 30,000 head of hogs, and 2,000 head of sheep. They are using every means to encourage their people in improvement, and all that tends to make an agricultural people prosperous and happy.

OSAGES.

The eleven bands of 3,200 Osages, live in cabins and camps along the streams of Bird, Caney and Hominy creeks, north of Arkansas river, bordering the west Cherokee line. Strong rail fences enclose 1800 acres of wheat and corn lately planted.

Seventy-one wheat fields will supply grain to their steam mills, to make biscuit for the children of the one hundred and sixty-four cabins, floored and covered with plank and shingles, cut by their two saw-mills. The American stone mason is learning the Osage to build the stone chimney. On the mission farm boys are taught the use of the axe, and the plow. In their shops are two boys learning to make shoes and saddles.

On the plains are the 12,000 ponies herded by the boys. The sound of maul and axe out in the timber is the voice of peace and plenty coming for the Osage. Stopping to rest he meditates selling his ponies for cash or cattle, to supply beef in place of the disappearing buffalo.

The mission lady cuts the pattern, and the women sew the bed tick. The girls sew for the younger children, and with two sticks weave the woolen sash. The Osage chopper cuts wood for the kitchen fire, and his wife milks the two cows, bakes the bread in the skillet, and boils the meat in the brass kettle. In four more years the Osage farmer will show his large red apples at the International Fair.

KAWS.

They left lands in Kansas and came to the Territory, and have fixed homes along Beaver creek, and the north bank of the Arkansas river. The three bands number 560 souls. For two years they have been building houses, making fields and planting

corn. It burnt and wilted by the heat last summer. They failed to save seed corn.

Pledging to repay on the sale of their Walnut creek lands in Kansas, Government gave them the loan of \$20,000, to purchase supplies and seeds for planting. Boys are learning to work the school farm of 120 acres. Among the tribe, five acres are cultivated to the man. The men are building and some have finished their cabins. There are four native carpenters who can roof a house; most of them use the axe, and are learning to hew logs. One boy is learning to be a blacksmith. Every man who makes his fence, puts a rock at the corner to preserve the worm rail from decay. Those who have no plow horse borrow one to turn the soil. Their plows are good. Boys are taught to work the farm. The girls at school wash and repair for the younger children and make clothes. They own one mill, but not yet in operation. The early Indian and American corn is planted. They look to the coming fall to ripen the corn and seed.

POTTOWATOMIES.

They are living west of the Seminoles. They are that portion of the tribe formerly known in Kansas as the Mission or Citizen band. By treaty stipulations they purchased a reservation in the Indian Territory with a portion of the money arising from the sale of their surplus lands in Kansas.

Only a portion of the band have arrived in the Territory, but they are continually coming, and ere long will all be here. Those now in the Territory are industrious and thrifty, devoting their attention to agriculture and stock raising. They sowed during the past season, about 100 acres of wheat, which promises an abundant yield. They like their homes and seem contented and happy. They transact business the same as the whites, and are far advanced in civilization. They have about 1,000 acres of land in cultivation, and raise corn, potatoes, wheat, &c. They own about 1,000 head of cattle, 200 head of horses and mules, and 400 head of hogs. Owing to the drouth last season, their corn and oat crop was short.

THE AFFILIATED BANDS.

CADDOS.

They have 360 acres in cultivation, principally in corn. They cultivate beans, peas, melons, pumpkins, cucumbers, onions, radishes, beets and turnips. They own a few ponies, 121 head of cattle, and about 400 head of hogs, all of the improved bloods.

DELAWARES.

They have in cultivation 500 acres of land, mostly in corn. They raise some wheat, Hungarian grass and all kinds of garden vegetables. They own 300 head of cattle, 100 head of horses and ponies, and 300 head of hogs. They have orchards of apples, peaches, pears and cherries.

KEECHIES.

They have in cultivation 55 acres of land, consisting of corn, beans, peas, pumpkins, melons, onions, tomatoes, radishes, beets, cabbage and lettuce. They own 500 head of horses and mules; have no hogs or cattle.

WICHITAS.

Have in cultivation 60 acres of land, mostly in corn. They cultivate beans, peas, pumpkins and melons, and many of the different garden vegetables. They own about 700 head of ponies and horses. Have no cattle or hogs; owned some, but lost them all during the last summer's difficulties.

TOWACONIES.

They have about 60 acres in corn. They cultivate beans, peas, pumpkins, melons, and various garden vegetables. They own about 200 hundred head of horses and ponies; no cattle or hogs.

WACOS.

They have in cultivation about 100 acres of corn. They also cultivate beans, peas, pumpkins, melons, and many of the garden vegetables. They own about

200 head of horses and ponies. They have no other kind of stock.

IONIES.

They have about 95 acres in cultivation, the greatest part of which is in corn. They have also in cultivation some beans, peas, pumpkins, melons and many of the various garden vegetables. They own 100 horses and ponies, and have 20 cattle and 15 hogs.

QUAPAWS.

Robert P. Lumbard of the Quapaws reports population two hundred and forty. The people are satisfied and have farms. They raise enough to eat, and some to sell; plant corn, potatoes, wheat and oats, and have fruit trees. The houses are of logs, but well fixed for winter. Horses number 200, same number of cattle, and hogs 300 head. Many of them died from the cold winter. They are satisfied with their location, and will continue to improve. They know they will be rewarded for their work.

PAWNEES.

The Pawnees have come into the Indian Territory. Stopping at Wichita Agency, they have not gone to their reservation at the mouth of the Red Fork of the Arkansas. They expect soon to begin their new settlement. The Pawnee Council in Nebraska appropriated \$10,000 to expend for farm improvements. Crops of corn, wheat and potatoes were planted. Pawnees plowed with their own teams, but drouth and grasshoppers burned and ate the vegetation. The failure of crops entailed suffering. Pawnee prosperity was hindered by the neighborhood of the Sioux, who made raids on them and their stock. They were slow to make improvements exhibited by their red brothers. They are now ready to make their settlement, build their homes, and work their farms. They are ready to exchange ponies for other stock, and thus increase their comforts.

ARAPAHOES.

Big Mouth, Chief of Arapahoes, said he and Tall Bear, Cutfinger, Curley Yellow Horse, White Crow, Bear Robe, and other chiefs, had planted corn, melons, and pumpkins, four years, and four times had been discouraged. The war Indians had burnt poles of his wire fence which enclosed one hundred acres. He would rather ride in an ambulance than to travel on horseback. He owned eight plow horses and two wagons. Said that he had lost sixty-seven ponies and one hundred hogs, but he yet had a stout heart and was ready to pick a place to settle down, and raise the Indian corn and cattle. His children were in the Cheyenne Agency school. His little girl Julia came to Council with him. She can read and write.

Left Hand, Principal Chief of the Arapahoes, reports six bands of his tribe who dwell in camps and lodges made of buffalo robes scraped. They are in their reservation at and near the Cheyenne Agency, on the waters of the North Fork of the Canadian. The children are in school at the Agency. Said he was now ready to go to work. The war is over, the buffalo are disappearing. He will go home from this Council, tell his people and the tribes of the plains the talk of his elder brothers, and look out a place to fix their habitations. The noted Chisholm trail passes through the Arapahoe reservation. Their ponies are often stolen by bad men who repass from Texas and Kansas. They have asked the Agent to let them settle down to raise the Indian corn and the melon. They would exchange ponies for cattle. They have no wagons and cows. They do not need the soldiers, and would be glad to see them go away, for the war is over. They are at peace and will take the good word of the red brother.

B.

REPORT OF COMMITTEE ON EDUCATION.

TO THE GENERAL COUNCIL OF INDIAN TERRITORY :

Gentlemen: Your committee to whom was referred the resolution of the General Council, calling for a report on the subject of education among the several tribes of Indians in what is known as the Indian Territory, beg leave to submit the following as their report:

The several systems of teaching children adopted by the Nations of this Territory, have been successfully administered during the past year with some improvements. It is a common error to say that the expenses required to carry them on or any part of these expenses are paid by the Government or people of the United States. The principal Indian tribes of this Territory with a single exception, are self-supporting throughout, and that exception is in reference to their instruction in religion. In all matters pertaining to their laws, their government, their schools and their subsistence, they are self-supporting, making use of funds of their own, which were taken in exchange for lands sold to the General Government and wisely invested to furnish means to effect these general objects, which else were cast upon the people as the burden of a periodical tax. Instead of paying that tax each year, the Indians have paid it once for all, by paying and investing enough money to supply enough interest to defray all necessary annual government and school expenses. It is true that that money has been invested by the Government pursuant to treaty engagements, in productive State or United States stock; and also that that interest is annually paid into our several treasurers by the Government. It happens that the Indians of this Territory are sometimes called an excessive burden upon the Government because the Government is observed paying us our own money.

THE CHEROKEES.

The Cherokees established public schools for themselves forty years ago, with English speaking teachers and English text books, with the English speaking class constantly increasing from white intermarriages. The schools have done as much good as might have been expected. The desire to give their children an education, appeared to be originally as strong with the large majority that spoke the native language altogether. But inasmuch as it was essential to know English before anything could be taught or learned through the medium of English, it followed that the English schools could be made serviceable to the Cherokee speaking class just so far and no farther. As the schools could teach their children an understanding and use of English progress in this direction it has been to this time slow. Two generations have come, and the second is fast making way for the third, since the public schools were established, and yet a considerable majority are barred by their ignorance of the English language from acquiring the knowledge vainly offered to them through the medium of English schools. The same results may be no doubt observed in other tribes, since the same causes must more or less operate in all alike. If so, the fact suggests the presence of an obstacle to the complete success of the respective school systems of our tribes, which may well engage the most serious attention of their local statesmen for its removal.

Still with this disadvantage, the Cherokee schools have justified, in results, the expense of carrying them on, even with the clogs referred to. The following summary of the last report of the school superintendent is submitted:

Amount of school annuity	\$50,000.00
Number of common schools	70
Aggregate attendance	25
Average attendance	15
Pay of teachers per annum, 1st class . . .	\$500.00
Pay of teachers per annum, 2nd class . . .	\$400.00
Pay of teachers per annum, 3rd class . . .	\$300.00

There are two sessions in each year, one of five months and the other of four and a half months. The colored citizens are provided for separately with six of the seventy schools. At the close of the spring session the teachers are required to meet at the seat of Government, (Tahlequah), where for a few days they interchange opinion and compare plans and results for the common profit. A board of three commissioners, appointed by the chief, and confirmed by Senate, having the superintendence of a separate district, examine and assign teachers, and adjust everything of a general nature to the school, connected with the administration of the school department. It is proper to say here that the educational department at Washington have a generous and unfailing interest in the school affairs of this Nation, and much benefit has been derived from communications received from that source. The greater part of the teachers of this Nation are Cherokees. Besides the common schools of this Nation, there is an Orphan Asylum at which some eighty or ninety orphans are supported, clothed and educated, for a course of four years. The institution is designed to be self-supporting, and therefore capable of providing for all the orphans in the Nation, twenty-five hundred acres of the public domain having been granted to it by the Legislature. There is also the Cherokee female seminary, in charge of the Misses Noyes, of South Hadley, Massachusetts; also in the same building a school for the indigent Cherokees; besides these there are several schools got up and supported by the neighborhoods where they are located.

THE CHOCTAWS.

The population of the Choctaw Nation is between seventeen and eighteen thousand. They have about fifty public neighborhood schools, and one academy for the instruction of boys, with sixty pupils, and a seminary for girls, with thirty pupils. Their school fund amounts to \$32,000 annually. They have no separate orphan school fund, but have a law providing for orphans in the public schools; the average

number of pupils is about one thousand, including ten youths, one half males who are sent to high schools in the States, at the expense of the Nation. One half of the teachers in the Choctaw Nation are citizens of that Nation, and about one-fourth of the Choctaw people read and write the English language; the other three-fourths read and write the Choctaw language. They have two schools in their own language, supported at the expense of the Choctaw patrons of the schools, and have Bibles, hymn books and tracts printed in the Choctaw language. They have a Choctaw definer and grammar for the use of the public schools and the Academy. The Choctaws are making commendable general progress in the common branches of an education, as reading, spelling, arithmetic, geography, grammar, history, &c.

THE CREEKS.

The Creek Nation has a population of between fourteen and fifteen thousand. They appropriate annually \$12,300 for the support of thirty-three public schools, seven of which are exclusively for the children of their freed men. The teachers are principally Indians who have been educated in the mission schools at Tallahassee and Ashbury. The average attendance is about fifteen pupils in each school. There are also among the Creek people two mission schools, under the Presbyterian board of foreign missions, one at Tallahassee, and the other the Ashbury manual labor school, at Eufala, under the direction of the Methodist Episcopal church, south. Each of these schools accommodate with tuition and board 80 pupils, and receive an annual support from the Nation of \$4,600.00 each. The desire of the Creek people for increased educational facilities was so great the past year that notwithstanding the limited resources of the Creek Nation, the Creek Council appropriated out of their scant general funds, the sum of twenty-five hundred dollars for the support of the Muscogee Institute, which is exclusively for the education of Creek girls, and has an attendance of forty

pupils. Another feature in the advancement of education, during the past year, was the organization of a Teacher's Institute. It was organized on the 17th of last April. The first attendance was large. The organization was successful and full of promise for the future.

THE SEMINOLES.

The Seminole population, according to the last census returns, is 2,446. They have a school system, but recently adopted by their National Council, and which provides a school superintendent to take charge of their schools. The schools are supported with the interest on invested funds in the hands of the United States Government. Their permanent school fund amounts to \$2,500.00 annually. They have now in operation five district schools, with an average daily attendance of one hundred Seminole children. They have no graded schools, and their mission school has been abandoned, but there is a growing interest among the people in the cause of education. The Seminole people are making an effort to educate their children, and the children are making greater progress than ever before. They hope soon to increase the number of their public schools, and extend the privileges of acquiring an education to a greater number of their youths.

THE OTTAWAS.

The Ottawas have a mission school, where from 26 to 32 Ottawa children are boarded, and educated in the common English branches and in some kinds of labor. They have a Sabbath school, with library and child's paper, supplied by Mr. Cassell, Fort Scott Missionary, A. M. S. U. The progress of the Ottawas has been measurably satisfactory, though the suggestion that there should be a system devised of compelling attendance, coming as it does from the one actively in charge, seems to imply that its benefits are not fully appreciated by those they are intended for. This last suggestion is one of great importance and involves a subject which may well en-

gage the serious attention of all who have the control and formation of systems of general education.

QUAPAW RESERVE.

The one mission school on the Reserve is well attended, by Quapaw children, 25; Modocs, 35; Ottawas, 4; total number 64. This is, as it ought to be, a manual labor school, and under its present good management is reported to be prospering. The number of Quapaws is only two hundred and forty. They have a small reserve in the north-eastern corner of the Territory.

THE AFFILIATED BANDS.

These bands have a school at the Wichita Agency, under the supervision of Quakers. They have 95 children in attendance at the school, as follows: Caddos, 21; Anadarkoes, 24; Delawares, 1; Kechies, 2; Comanches, 15; Wichitas, 16; To-wac-con-nas, 3; Wacos, 4; Ionies, 6; Cherokees, 1; Seminoles, 1; Creeks, 1. The report from this quarter is very encouraging, and testifies to the resolute and discreet benevolence of the society of Friends, who at this remote place are carrying light to the Plain Indians.

THE PEORIAS.

This tribe has decreased until now it numbers only one hundred and forty persons. They have not much use for a separate language, and are almost all speaking English. It is probable that their single school is prosperous, though it is granted in our report from them, that some difference of opinion has arisen between those having the disbursing of their school fund, and those whom it is intended to benefit, which has operated to the disadvantage of the school. The school fund is large considering the size of the tribe, amounting to \$3,129.

THE PAWNEES.

The Pawnee delegation report a population of 2,568, the greater part of whom are now in the Indian Territory, by treaty with the United States. The Pawnees

are recently here from their old reserve in Nebraska. They are divided into four bands, and these compose the Pawnee Nation. They have on their old reservation, a fine brick structure, which cost \$30,000.00, and in this building is kept a manual labor school, and they have in attendance there now 65 scholars. The boys are taught trades in connection with their studies. The girls are taught the arts and duties of housekeeping. Beside this there is a day school, with at present 25 scholars. The Pawnees wisely agreed with their agent to allow their children to remain at their schools in Nebraska, until such time as they can get suitable buildings erected for school purposes upon their new reserve or home in the Indian Territory. The Pawnees have among them of their own people, men and women who read and write, and their future is promising in this direction. Many of them see the necessity of an education for the rising generation, and willingly deny themselves the presence of their sons and daughters that they may obtain the blessing of knowledge.

THE CHEYENNES AND ARAPAHOES.

These tribes have a flourishing school at their agency—the number of scholars forty-two. The school building is to be enlarged to accommodate more who want to go. A Sabbath school is also held. Attached to the National School is a farm of fifty acres, which the boys cultivate, and so become familiar with the most important branch of civilization. Left Hand, a chief of the Arapahoes, says: “We believe if we learn our children to labor while they are learning to read and write, a brighter future is in store for us.”

KIOWAS, COMANCHES AND APACHES.

The intercourse of these tribes through their principal men, with their more civilized Cherokee, Choctaw, Creek, and Seminole brethren, in this Council, may and no doubt has operated as a stimulus and encouragement to advance as the latter have done, and

through the same means. But whatever the immediate cause, we learn from their representatives that though a school has been in operation at the Kiowa Agency for five years, not until within the last year has any marked interest been displayed in its object, by those it has been intended to benefit. Since last January the attendance has been about fifty, and the progress commendable. The Kiowas show much interest in educating their children. The school is now in charge of the Quakers.*

THE WYANDOTTS, SENECA AND SHAWNEES.

These tribes have a mission school among them, under the care of the Friends, which as to instruction, management, and attendance, is well reported. The number of these diminutive nations is not growing, though they have been very small a long time, and if they are not growing smaller it is on account of their school, which by teaching them how to accommodate themselves to the demands of progress, will enable them to escape the fatal results of a collision with it.†

ALBERT BARNES,

Chairman Committee of Education.

OKMULGEE, C. N., May 15th, 1875.

* This school has been well attended since 1869, under the care of agents Tatum and Haworth, except a short vacation during the Indian war; but few of the scholars, however, were from the Plains until this year. E. H.

† Other mission and manual labor schools, not reported, are well attended, and are in successful operation among the Kaws, Osages, Shawnees, and Sac and Foxes, under the care of the "Friends." E. H.



CONSTITUTION

OF THE

INDIAN TERRITORY.

PREAMBLE.

We, the Indian people of the Indian Territory, having the inalienable right to ordain and establish a form of government for ourselves, in order to secure to ourselves and our posterity the right of life, liberty, property, and pursuit of happiness, and having assented to the Treaties of 1866, for that purpose, and having been invited by the action thereon of the Government of the United States and by its agents, to meet in General Council, under the forms prescribed by the said Treaties of 1866, to frame the laws, and arrange the machinery of a government for the country occupied and owned by us, in order to draw ourselves together in a closer bond of union, for the better protection of our rights, for the improvement of ourselves, and preservation of our race—being assembled at Okmulgee, Creek Nation, on the first day of September, 1875, and relying on the guidance and favor of Almighty God to carry out our said rights in a consistent and practicable form, do hereby, in the name of and for the Indian Nations lawfully resident in the Indian Territory—enact, establish, and promulgate the following Constitution and form of Government, and do mutually agree with each

other to form ourselves into a free and independent Nation, not inconsistent with the Constitution, Treaties and laws of the United States, governing trade and intercourse with Indians.

ARTICLE I.

SECTION 1. All that portion of country bounded on the east by the States of Arkansas and Missouri, on the north by the State of Kansas, on the west by the Territory of New Mexico and the State of Texas, and on the south by the State of Texas, which has been set apart and guaranteed by the treaties and laws of the United States as a permanent home for the Indians therein lawfully resident, or such as may be in like manner settled therein hereafter, for the purposes of this constitution shall be known and styled as "The Indian Territory."

SEC. 2. Each of the nations of Indians who by themselves, or through their representatives, may enter this confederacy, do agree that the citizens of each and every one of said nations shall have the same rights of transit, commerce, trade, or exchange in any of said nations as he has in his own, subject only to consistency with existing treaty stipulations with the United States, and the laws regulating trade and intercourse, and under such judicial regulations as are hereinafter provided. But no right of property or lands, or funds owned by any one nation, shall be in any manner invaded by citizens of another nation; and it is hereby distinctly affirmed that the rights of each of these nations to its lands, funds and all other property, shall remain the sole and distinct property of such nation. Any Indian nation now represented in this General Council, or which may hereafter enter in a legal manner, or be now in said Indian Territory,

may be admitted to representation and all the privileges of this joint government, by accepting and agreeing, through their proper authorities, to the provisions of this constitution.

ARTICLE II.

SEC. 1. The powers of this government shall be divided into three distinct departments, to be called the Legislative, the Executive, and the Judicial Departments of the Indian Territory.

SEC. 2. No person belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases hereinafter expressly directed or permitted.

ARTICLE III.

SEC. 1. The Legislative power shall be vested in a General Council, which shall consist of a Senate and House of Representatives; and the style of their acts shall be, "Be it enacted," or, "Be it resolved by the General Council of the Indian Territory."

SEC. 2. The Senate shall consist of one member from each nation whose population is two thousand citizens, and one member for every additional two thousand citizens or fraction greater than one thousand: Provided, nations with populations less than two thousand may unite and be represented in the same ratio; and provided further, that the Ottawas, Peorias and Quapaws shall be entitled to one Senator; and the Senecas, Wyandotts, Shawnees and Modocs to one Senator; and the Sac and Foxes and Kickapoos to one Senator; and the Pottowatomies and Absentee Shawnees to one Senator.

SEC. 3. The House of Representatives shall consist of one member from each nation, and an additional

member for each one thousand citizens, or fraction thereof greater than five hundred.

SEC. 4. No person shall be eligible to a seat in the General Council, but a bona fide citizen of the nation which he represents, and who shall have attained to the age of twenty-five years.

SEC. 5. The members of the Senate and House of Representatives shall be elected by the qualified voters of their respective nations, according to their laws or customs, and shall hold their office for the term of two years. Vacancies that may occur shall be filled in like manner.

SEC. 6. The Senate when assembled shall choose a President and its other officers, and the House of Representatives a Speaker and other officers; and each shall judge of the qualifications and returns of its own members. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as each house may provide.

SEC. 7. Each branch of the General Council shall keep a journal and determine the rules of its proceedings, punish a member for disorderly behavior, and with the concurrence of two-thirds, expel a member, but not a second time for the same offence.

SEC. 8. The General Council shall have power to legislate upon all subjects and matters pertaining to the intercourse and relations of the nations of the Indian Territory, the arrest and extradition of criminals escaping from one nation to another; the administration of justice between members of the several nations of the said Territory and persons other than Indians and members of said nations; and the common defence and safety of the nations of said Terri-

tory. But the General Council shall not legislate upon matters other than those above indicated. The General Council shall meet annually on the first Monday in December, at such place as may be fixed upon at their first regular session.

SEC. 9. Members of the General Council and other officers, both Executive and Judicial, before they enter upon the duties of their respective offices, shall take the following oath, or affirmation, to wit: "I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the Indian Territory, and that I will faithfully and impartially discharge, to the best of my ability, the duties of the office of _____, according to law. So help me God."

SEC. 10. The members of the General Council shall be paid four dollars per day while in actual attendance thereon, and four dollars mileage for every twenty miles going to and returning therefrom on the most direct traveled route, to be certified by the presiding officer of each house; provided, no member shall be allowed per diem compensation for more than thirty days at any annual session.

SEC. 11. Members of the General Council shall, in all cases except of treason, felony, or breach of the peace, be privileged from arrest during the session of the General Council, and in going to and returning from the same.

SEC. 12. No power of suspending the laws of this Territory shall be exercised unless by the General Council or its authority. No retrospective law, nor any law impairing the obligation of contracts shall be passed.

SEC. 13. Whenever the General Council shall deem it necessary to provide means to support the Government of the Indian Territory, it shall have power to

do so; but no revenue shall be raised not actually necessary and in accordance with law uniform in its operations throughout the Territory.

SEC. 14. All bills making appropriations shall originate in the House of Representatives; but the Senate may propose amendments or reject the same. All other bills may originate in either branch subject to the concurrence or rejection of the other.

SEC. 15. The House of Representatives shall have the sole power of impeaching. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be on oath or affirmation and shall be presided over by the Chief Justice, and no person shall be convicted without the concurrence of two-thirds of the members present.

SEC. 16. The Governor and all civil officers shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than removal from office and disqualification to hold any office of honor, trust or profit, under this government; but the party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial and punishment according to law, as in other cases.

SEC. 17. The salaries of all officers created under this constitution, not otherwise provided, shall be regulated by law, but no increase or diminution shall be made in the same during the term for which said officers may have been elected or appointed.

ARTICLE IV.

SEC. 1. The executive power of this Territory shall be vested in a Governor, who shall be styled the Governor of the Indian Territory, and whose term of service shall be two years, and until his successor

shall have been elected and qualified. He shall be elected by the qualified electors of each nation, on the first Wednesday in April, at the usual places of holding elections of the several nations. The returns of the election of Governor shall be sealed up and directed to the Secretary of the Territory, who shall open and publish them in the presence of the Senate and House of Representatives in joint session assembled. The person having the highest number of votes shall be declared Governor by the President of the Senate; but if two or more shall be equal and highest in votes, then one of them shall be chosen by the majority of votes by joint ballot of both houses of the General Council.

SEC. 2. The manner of conducting and determining contested elections shall be regulated by law.

SEC. 3. No person shall be eligible to the office of Governor who shall not have attained to the age of thirty years.

SEC. 4. Whenever the office of Governor shall become vacant by death, resignation, removal from office, or otherwise, the President of the Senate shall serve out the unexpired term thereof. In case of the death, resignation, removal from office, or other disqualification of the President of the Senate so exercising the office of Governor, the Speaker of the House of Representatives shall fill the office until the Governor shall have been chosen at the next regular election and qualified.

SEC. 5. The Governor shall receive at stated times, for his services, a compensation to be fixed by law, which shall be neither increased nor diminished during the period for which he shall have been elected; nor shall he receive within that period, other emolument from the Indian Territory.

SEC. 6. The Governor shall, from time to time, give to the General Council information in writing of the state of the Government, and recommend to its consideration such measures as he may deem expedient, and shall take care that the laws be faithfully executed.

SEC. 7. The Governor, on extraordinary occasions, may by proclamation, convene the General Council at the seat of Government, to legislate upon such matters only as he may recommend.

SEC. 8. When vacancies occur in offices, the appointment of which is vested in the Governor by and with the consent of the Senate or officers elected, he shall have power to fill such vacancies by commission which shall expire at the end of the next session of the General Council.

SEC. 9. The Governor may grant pardons and respites, and remit fines for offences against the laws of this Territory, and shall commission all officers who shall be appointed or elected to office under the laws of the Territory.

SEC. 10. Every bill which shall have passed both houses of the General Council shall be presented to the Governor; if he approve, he shall sign it; if not, he shall return it, with his objections, to the house in which it may have originated, which shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent with the objections to the other house, by which it shall likewise be reconsidered; if approved by two thirds of the members present of that house, it shall become a law; but in such case the votes of both houses shall be determined by yeas and nays; and the names of the members voting for

and against the bill shall be entered on the journals of each house respectively. If any bill shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the General Council, by their adjournment, prevent its return, in which case it shall be a law, unless sent back within three days after their next meeting.

SEC. 11. There shall be a Secretary of said Territory, who shall be appointed by the Governor with the advice and consent of the Senate, who shall hold his office for two years, and whose duties shall be defined by law. There shall also be appointed, in like manner, one Marshal who shall have power to appoint such deputies as may be authorized by law. And he shall give bond with sufficient sureties in such manner as may be prescribed by law. There shall be a Treasurer of the said Territory, who shall be elected by the General Council for the term of two years, and whose duties shall be prescribed by law. Before entering upon his duties as Treasurer, he shall give bond with such sureties as may be required by law. No money shall be drawn from the Treasury but by warrant from the Governor, and in consequence of appropriations made by law. There shall also be elected, by the said Council, one Attorney General, and three District Attorneys, whose duties and terms of office shall be defined by law.

SEC. 12. All commissions shall be in the name and by the authority of the Indian Territory, and be sealed with the seal and signed by the Governor and attested by the Secretary of the Territory.

ARTICLE V.

SEC. 1. The Judicial Department of the Indian Territory shall be vested in a Supreme Court, three District Courts, and such Inferior Courts as may be provided by law; but their jurisdiction shall not interfere with the civil and criminal jurisdiction retained to each separate nation by the treaties of 1866.

SEC. 2. The Supreme Court shall be composed of the three Judges, who shall be elected by joint ballot of the General Council, as District Judges. Two of said Judges shall form a quorum of the Supreme Court for the transaction of business. Their terms of office shall be six years, provided that the office of one of said Judges shall be vacated in two years, of one in four years, and one in six years, so that at the expiration of each two years, one of said Judges shall be elected as aforesaid. The Judge elected for six years shall be the first Chief Justice of the Supreme Court, and upon the expiration of his term, the senior Judge in office shall be thereafter the Chief Justice.

SEC. 3. The Supreme Court shall meet at the Capital commencing on the first Monday in June and December in each year. The Supreme Court shall be a Court of appellate jurisdiction from the District Courts, and original jurisdiction in such cases as may be prescribed by law.

SEC. 4. The Supreme and District Judge shall have power to issue writs of habeas corpus and other process necessary to the exercise of their appellate or original jurisdiction.

SEC. 5. The District Court shall have original jurisdiction of all cases, civil and criminal, arising from the trade or intercourse between the several nations, and all cases arising under the legislation of this government as may be prescribed by law.

SEC. 6. Writs of error, bills of exceptions, and appeals may be allowed from the final decisions of the District Courts in such cases as shall be prescribed by law.

SEC. 7. It shall be the duty of the General Council to divide the Indian Territory into three districts, which shall be as nearly equal in territory and population as may be practicable, assign one of the three Judges to each district, and provide for the holding of terms of the District Court in each, at such times and places as may be deemed expedient.

SEC. 8. No person shall be elected a Judge of any of the Courts, until he shall have attained to the age of thirty years, and who is a person of good character and suitable qualifications.

SEC. 9. No Judge shall sit on a trial of any cause in which he may be interested, or in which he is connected to either of the parties by affinity or consanguinity, except by consent of the parties; and in case of disqualification of any Judge, the vacancy shall be filled as may be prescribed by law.

SEC. 10. All writs and other process shall run in the name of the Indian Territory, and bear test and be signed by the clerk issuing the same.

SEC. 11. Indictments shall conclude, "Against the peace and dignity of the Indian Territory."

SEC. 12. Each Court shall appoint its own clerk, whose duty and compensation shall be fixed by law.

SEC. 13. Judges shall not charge Juries with regard to facts proved, but may state the testimony and the law.

ARTICLE VI.

SEC. 1. The General Council may propose such amendments to this constitution as three-fourths of

each branch may deem expedient; and the Governor shall issue a proclamation directing all civil officers of the Territory to promulgate the same as extensively as possible within their respective districts, at least six months previous to the annual sessions of the National Councils of nations parties hereto; and if three-fourths of such National Councils, at such next annual sessions shall ratify such proposed amendments, they shall be valid to all intents and purposes as part of this Constitution.

DECLARATION OF RIGHTS.

That the general, great, and essential principles of liberty and free government may be recognized and established, we declare:

SEC. 1. That all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit; and they shall have at all times the inalienable right to alter, reform, or abolish their form of government as may be lawfully provided for.

SEC. 2. The free exercise of religious worship, and serving God without distinction of creed, shall forever be enjoyed within the limits of this Territory: Provided, That the liberty of conscience shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace, safety and good morals of this Territory.

SEC. 3. No religious test shall ever be required as a qualification to any office of public trust in this Territory.

SEC. 4. Every citizen shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of this privilege; and no law shall ever be passed curtailing the liberty of speech or of the press.

SEC. 5. The people shall be secure in their persons, houses, papers and possessions, from all unreasonable searches, seizures, and intrusions; and no warrant to

search any place, or to seize any person or thing, shall be issued without describing the place to be searched and the person or thing to be seized, as nearly as may be, nor without good cause shown, supported by oath or affirmation.

SEC. 6. In all criminal prosecutions, the accused shall have a speedy trial by an impartial jury of the district wherein the crime shall have been committed; the right of demanding the nature and cause of the accusation; of having the witnesses to testify in his presence; of having compulsory process to procure witnesses in his favor; of having the right to be heard by himself and counsel; of not being compelled to testify against himself, nor to be held to answer to any criminal charge but on information or indictment by a grand jury.

SEC. 7. All prisoners shall be bailable before conviction by sufficient surety, except for a capital offence where the proof is evident or the presumption great.

SEC. 8. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted; and all courts shall be open, and every person, for an injury done him in person, reputation, or property, shall have remedy as the law directs.

SEC. 9. No person, for the same offence, shall be twice put in jeopardy of life or limb, and the right of trial by jury shall remain inviolate.

SEC. 10. No person shall be imprisoned for debt.

SEC. 11. The citizens shall have the right in a peaceable manner, to assemble for their common good, to instruct their representatives and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address or remonstrance.

SEC. 12. The privilege of the writ of habeas corpus shall not be suspended, unless the public safety should require it.

SEC. 13. All power not herein expressly granted by the nations parties to this Constitution, are reserved by them respectively, according to the provisions of their several treaties with the United States.

SEC. 14. No person who denies the existence of God or a future state of rewards and punishment, shall hold any office in the civil departments of this Indian Territory, nor shall be allowed his oath in any court of justice, neither shall the Bible ever be prohibited as a text book in any school in this Territory.

SCHEDULE TO THE CONSTITUTION.

SEC 1. In order to organize the Government of the Indian Territory, and secure practical operation for the same, it is hereby ordained—and the provisions of this schedule shall be of the same binding force as the Constitution, of which it is a part—that it shall be the duty of the Secretary of this General Council to transmit a duly authenticated copy of this Constitution to the executive authority of each nation represented in the General Council, and to ask the acceptance and ratification of the same by the Councils or people of the respective nations. Upon receiving from such authority, notification of its acceptance and ratification by National Councils, representing two-thirds of the population of the nations represented in the General Council, it shall be his duty to promulgate such fact and to call a session of the General Council from the nations ratifying this constitution, at such place

as the present session may designate for its next meeting. It shall be the duty of the General Council, when so assembled, to adopt such measures as may be necessary to secure the election of a Governor and members of the General Council, and to fix the time of the first meeting of the said Council, whose duty it shall be to perfect the organization of the Government of the Indian Territory, under the provisions of the foregoing constitution; Provided, That this constitution shall be obligatory and binding only upon such nations and tribes as may hereafter duly approve and adopt the same.

SEC. 2. The oath of office may be administered by any of the Judges of this Indian Territory, until the General Council shall otherwise direct.

[The foregoing draft of Constitution, prepared by a Special Committee of the General Council, is here published for the information of the delegates to said Council, who adjourned to meet in September next to act upon the same.]

E. H.