REPORT

of

THE COMMISSIONERS

APPOINTED BY THE

SECRETARY OF THE INTERIOR

to examine the

RED CLOUD AND WHETSTONE INDIAN AGENCIES.

THE COMMISSION CONSISTED OF RIGHT REVEREND BISHOP W. H. HARE, MISSIONARY BISHOP OF NIPIGRARA; REVEREND SAMUEL D. HINMAN, MISSIONARY TO THE Santee SIOUX; DOCTOR J. D. BEVIER, ONE OF THE FIVE INDIAN INSPECTORS; AND FRANCIS H. SMITH, MEMBER OF THE BOARD OF INDIAN COMMISSIONERS.

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Department of the Interior,
Office of Indian Affairs,
Washington, D. C., April 23, 1874.

This report, in addition to the results of its investigation of certain charges against the agents at Red Cloud and Whetstone agencies, made by one Samuel Walker, contains a full account of the affairs of these agencies and of the general condition of the Sioux Indians, including the Upper Brulé and Ogallalla Sioux, who have settled at these places, as well as the condition of the wild tribes, consisting of Sans Ares, Minneconjous, Uncpapas, &c., who still refuse to accept treaty relations with the Government.

It is replete with information in regard to the whole subject, and is accompanied with important suggestions and recommendations in behalf of the Indian service, and in support of what is generally called the peace policy of the Government.

E. P. Smith,
Commissioner.
REPORT.

To the Honorable C. Delano,
Secretary of the Interior:

Sir: The commission appointed to investigate into the administration of the Red Cloud and Whetstone (Spotted Tail) agencies, and to inquire into the temper and condition of the Indians connected with these agencies, and to make such recommendations as upon examination should seem to them judicious as to the line of policy to be pursued toward them, beg leave respectfully to report that they met at the Red Cloud agency, Dakota, March 16, 1874, all the commissioners being present, as follows: F. H. Smith, one of the board of Indian commissioners; J. D. Bevier, United States Indian inspector; Rev. S. D. Hinman, for fifteen years missionary among the Santee Sioux; and W. H. Hare, missionary bishop to the Indians.

On motion, it was resolved that the commissioners organize and conduct their proceedings as a single body. Thereupon, William H. Hare was chosen chairman of the commission, and F. H. Smith secretary.

CONDITION OF THE INDIANS.

Before reporting the results of their mission, it may be well to state that the Indians properly connected with the Red Cloud and the Whetstone agencies are the Ogallallas and the Upper Brulés, respectively. They are among the most distant of the Sioux from civilizing influences, and the last who have accepted a position of dependence upon the Government, and their agencies are the resort during the winter of multitudes of northern Indians, (Minneconjous, Sans Ares, Ucnapapas, &c.,) variously estimated at from 10,000 to 15,000 in number, who range over districts still further removed from civilization and the power of the Government, and who, when driven in from their roving life upon the plains farther north by the rigors of the winter, come to the Red Cloud and Spotted Tail agencies, attracted by the rations which the Government dispenses there.

The wilder spirits among the Ogallallas and Upper Brulés find in these sojourners congenial company. Combined, they constitute a turbulent party, which for the time rules the agencies with a high hand. The better-disposed Indians have not yet reached strength enough, either in number or character, to resist these impetuous hordes from the north and their abettors. Those who sincerely desire to learn a better way dare not raise their heads; and those who favor progress in quiet times, because it seems the winning side, are politic enough to float with the tide when its tumultuous waters run the other way. From the time of the arrival of these outside bands, white men living on the reservation are careful not to expose themselves after nightfall, and those who for months have been accustomed to travel through the country alone without fear of molestation, seek an escort of friendly Indians. The agents are subjected to intimidation and to the most violent and unreasonable demands, while now and then small war-parties dash off
into the adjacent country in the hope of happening upon a stray soldier or finding an opportunity of running off stock.

This turbulence usually continues and increases until it reaches its climax about the time when the severity of the winter is relaxing and the visitors from the north are beginning to make their preparations for a return to their wild northern retreats.

Your commissioners found that the past winter had been no exception to the general rule. Comparative quiet prevailed at both agencies during all last summer and early fall, but upon the incoming of the northern Indians trouble at once began. The most extravagant demands were made for rations, and enforced by intimidation. The efforts of the agents to make a census of the people (which was essential to the proper regulation of the issue of rations) were thwarted and defied. When registration was notwithstanding attempted, the agents were forcibly restrained, and their lives were threatened, and they were informed that should they dare pass beyond certain limits, which were marked out for them, they would do it at their peril.

Early in February, a war-party, one or two hundred strong, was organized—perhaps there were several of them—and started on a marauding expedition for the settlements farther south.

Your commissioners have no exact information as to the amount of stock which was run off by these parties; but within ten days, a man named King, a hunter, was shot on Laramie Fork; Edgar Gray, a teamster, was killed on the Running Water; Lieutenant Robinson and Corporal Coleman, while absent from their train, were pursued and killed near Laramie Peak; and Frank D. Appleton, clerk, was shot dead (as is supposed, by one of the above-mentioned war-party on its return) within the stockade at the Red Cloud agency.

There is sufficient evidence to satisfy the commission that the better spirits discountenanced these lawless proceedings; that the murder of Appleton moved one of the chiefs to tears; that the agents were able to form a number of the Indians into a guard to protect themselves and their agencies; that one Indian, and he a northern man, demanded the return of stolen horses from a war-party of which his nephew was a leader, and, when it was refused, shot him and rescued the stolen property by force; and that another defended his agent at the peril of his own life. But, notwithstanding, turbulence seems to have reigned for some time almost supreme.

**IS WAR THE NEEDED REMEDY?**

Lamentable as has been the condition of affairs, your commissioners have not discovered any proof that the Indians have been preparing for, or intending to provoke, a war with the United States. While it cannot be affirmed that these Indians are generally friendly in their feelings to the whites, their loyalty to the Great Father is evidently both general and deep-seated. It is, moreover, plain that there have been no common councils against the whites, and that there has been no concentrated action. Confirmatory of this opinion is the fact that when the troops appeared at the agencies the great body of Indians who belonged there remained, leaving their visitors to go their way. The exhibitions of violence in which the turbulence has culminated have been, the commissioners are convinced, simply those of Indian rowdyism.

Whether the northern Indians intend war, the commissioners cannot say. They have not been able to find any indications of it, other than those which have caused uneasiness in former years. If these northern
tribes can be brought under the influence of the present feeding policy of the Government, a few years will witness the entire removal of all fears on this score.

The advance which has been made toward the solution of the Sioux problem, in the case of all those tribes which have been brought under the operation of the present policy, is manifest. It was but six years ago that the Indians now gathered about the Red Cloud and Spotted Tail agencies were constantly upon the war-path, and were among the most dangerous foes of the Government. Under the present policy their wild, fierce spirit has been taming down and their proud sense of power and the defiant temper which resulted from it have been decreasing, while their dependence upon the Government has been increasing every month, so that a general war movement on their part, except under extraordinary provocation, is almost out of the question. Your commissioners have failed to discover any symptoms calculated to weaken their faith in the practical wisdom of the present policy of the Government and of its desire to avoid a war with the Sioux if it be possible. The history of our past Indian wars is humiliating. It is folly to drive to desperation, except under the pressure of absolute duty, a wild and ferocious people who could bring into the field from six thousand to seven thousand warriors, with whom war is a passion, who range over a wild country of vast extent which is a terra incognita to the white man, but every inch of which is familiar to the Indian, and whose warfare would be characterized by all the peculiar difficulties with which guerilla war confronts the army of a civilized people.

Only two methods of carrying on such a war can be conceived of; it is believed, which would give any assurance of success. The first is to descend to the level of the Indian and fight him with wild frontiers-men, after his own savage mode, a course which a civilized people cannot adopt without self-degradation.

The other method is to inaugurate war on a scale gigantic enough to surround or occupy the whole Indian country, a plan which would call for an expenditure of money and the raising of an army which our people are not likely to authorize and sustain unless under a sense of duty or of wounded national honor, which there is no likelihood the present or future attitude of the Indians will create.

War, then, the commissioners consider out of the question, but not support of the agents by the employment of military force.

The Government owes it to its agents to save them from the necessity of being the toys or tools of lawless savages, and thus becoming a hinderance rather than a help to their real progress, and to put at their command sufficient power to enable them to discharge their duties and to make their reasonable demands respected.

It owes it to the better-disposed Indians to secure them another resource than falling in with the proceedings of the wild and riotous, or else becoming their victims, and to see that brute violence shall no longer keep at a distance those missionary and educational instrumentalities which the better Indians desire and their friends are ready to provide.

The commissioners know of no way in which this protection can be secured but by the posting of a military force in the neighborhood of all agencies among the wilder Sioux. They believe that the mere presence of troops would ordinarily accomplish all that is desired; that the use of a military force for proper purposes would command the approval of the better-disposed Indians; that familiarity with the presence of troops would tend greatly toward taming the wilder Sioux by
accustoming them to the sight and tolerance of white men; that the support of troops would enable the agents to be a power “for the punishment of evil-doers and for the praise of those that do well,” and to drive away from among the Indians the white desperadoes and fugitives from justice who have hitherto frequently been able, not only to make the agencies their refuge, but to exert a very sensible influence there. The corrupting influence of private soldiers, which will at once occur to many minds as an objection to this plan, is not to be feared among the wilder Sioux as much as elsewhere, as the women are generally virtuous, and these bad influences might be reduced to a minimum by the placing of the post at a short distance from the agencies and by the exclusion of Indians from their precincts.

In confirmation of some of the points just made it may be well to state the interesting fact that your commissioners found on arriving at the agencies that, although there had been the greatest opposition on the part of the Indians to the coming of the troops, they did not attack them, and became reconciled to their presence when the commission assured them that the soldiers were not sent to make war but to protect good men and their agency, and that during their whole stay of some weeks, and their many conferences with the Indians, but few urgent words of dislike to the presence of the troops were uttered, however much the Indian young men may have bantered the soldiers with alarming stories and threats.

Should the continued occupation of these agencies by troops be determined on, your commissioners recommend that the relations of the agents and the military commanders should receive careful consideration and be definitely determined.

NORTHERN TRIBES.

From the above narrative it is apparent, your commissioners think, that the agents at Red Cloud and Spotted Tail agencies have as many Indians in those now properly connected with their agencies (say about 5,000 or 6,000 each) as they can possibly manage; that the northern tribes who make it a habit to come into their agencies in the fall are a disturbing element, strengthening the evil-disposed and enfeebling the good; and that they are a part of the Sioux Nation numerous enough and important enough to call for a distinct effort of the Government for their conciliation and eventual civilization. To this end, your commissioners respectfully recommend that a delegation be induced to visit Washington the coming summer, a mode of treatment of tested efficacy; that they be informed that no Indians will hereafter be fed at either Red Cloud or Spotted Tail agency without being first enrolled; that they be discouraged from going to those agencies; and that they be offered an agency of their own. The question at once arises, where should the agency be located? The hive of the hostile Sioux, their retreat in times of danger, their place of council when marauding parties are being organized, is the Black Hills. All agencies, all military forts yet established by the Government, being upon the fringe only of an immense country, have left the vast power which circles about this spot, the pride of the nation, untouched.

An agency and a garrison planted somewhere near these hills would put the whole Sioux country and people under the control of the Government as they have never been before, and open up this at present impenetrable heart of the nation to the rays of civilizing influences; and if the bottom lands of the forks of the Cheyenne and of the streams
which flow into them from the Black Hills should prove upon examination good for agricultural purposes, as many represent that they are, the commission believe that the planting of an agency in the Black Hills country worth all the expense which its establishment would involve.

COUNCILS WITH THE INDIANS.

The commission held a number of councils with the Indians at both the agencies. The northern Indians had gone off upon hearing of the approach of the troops, and the efforts of the commission to secure a hearing from them were not successful. The attendance of chiefs and head-men of the Ogallallas, however, at their agency, and of the Upper Brules at theirs, was very general. The following points were urged upon them at both agencies in an address delivered on behalf of the commission by their chairman, a copy of which accompanies this report:

1st. That they should submit immediately to the registration of their people.

2d. That they should deliver up Indians who murdered white men or committed depredations upon their property; or that if, for any reason, they were unable to do this, they should countenance their agent in calling in the military force to arrest the offender.

3d. That, as the occasion of most murders and depredations was the absence of Indians from their reservation, in the exercise of the privilege accorded them by the treaty of 1868 to hunt buffalo on the Republican Fork, and to roam in the country south of their reservation as far as the North Platte, they had better consent, for a proper consideration, to surrender this right.

4th. That the Government proposed to send a party of surveyors to run the northern line of Nebraska, and that the Indians should put no obstacle in their way.

5th. That the Indians should consent to the removal of their agencies to such localities as might be fixed upon by the commission, after a careful exploration by the commissioners accompanied by a large representation of Indians.*

The people were evidently much disappointed that the commission had no attractive promises to make nor presents to distribute, and the state of mind was exhibited on all sides which is to be expected when the Government, having pursued with some success the commendable policy of drawing savages in from their native defiance by conciliation and presents, arrives at the point when it must teach them their duties. Discussions with them revealed most unreasonable expectations, pitiable want of appreciation of the benefits already conferred, and gross misconception of the requirements of the treaty of 1868. Indeed, it became more and more apparent every day that neither the people, nor their chiefs who signed the treaty, now understand, nor indeed ever understood, its terms. This opinion was confirmed by conversation held afterward with persons familiar with the Indians. He who would have looked for anything else has not learned human nature well, nor his first lesson in dealing with the wild children of the plain. It was delightful, however, to notice the universal reverence and love which exists for their Great Father, as they term the President, and the self-control with which, with some exceptions, their speeches and their conduct were distinguished. The only violations of this modera-

* Upon further consideration the last point was given up so far as Red Cloud agency was concerned, for reasons that appear further on.
tion were on two occasions, when, to cut off remarks on either side, the Indians were on a sudden dispersed by a signal given by their chiefs, and the commission were left, the first time a little to their consterna-

The registration, which was the first point urged by the commission, was assented to at the Red Cloud agency without much opposition, and was made (for a first essay, somewhat satisfactorily) by the agent within a week after our first council. At the Whetstone agency it met with more opposition.

The second point urged by the commission would have confronted them with a much less difficult task had the Indians not been able to array before them a counterbalancing record of depredations upon the persons and property of Indians committed by white men.

The reply to this second point was the same in substance at both agencies. The Indians said that a chief, Whistler, well known as a friendly Indian, and two of his men, had been murdered in the summer of 1872, and that within a few weeks a large number of horses had been run off by white men from the neighborhood of the Red Cloud agency.

They represented that these murderers and depredators had never yet been punished, and that if the Government of the United States could not succeed in capturing white men who murdered Indians, it was hardly fair that it should expect Indians to capture Indians who murdered white men. They urged further that the Indians had no instrumentalities for arresting criminals, and that the attempt to do it would only involve them in criminations and recriminations and broils among themselves. They said, however, that if their agents called upon the military to aid them in arresting evil-doers, the Indians would not object. This reply is not unreasonable.

The commissioners are glad to be able to report as the result of their councils with the Indians of Red Cloud agency on this point, that they resolved to make up a list of all depredations which they know to have been made by their people upon the whites, which list they propose to forward to their Great Father, with the request that damages be paid out of the money belonging to them. The commission advise that their agents be instructed to follow up all cases of murder and other depredations by the Indians, but that in the use of the troops they should be governed by the greatest possible caution, and that they shall carry out the provisions of Article I of the treaty of 1868. This reads as follows:

*Treaty with Sioux Indians, 29th April, 1868.*

**ARTICLE I.**

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

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs, at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also re-imburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, upon proof made to their agent and notice by him, deliver up the wrong-doer to the United States, to be tried and punished according to its laws; and in case they willfully refuse so to do, the person injured shall be re-imburse for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States.
And the President, on advising with the Commissioner of Indian Affairs, shall pre-
scribe such rules and regulations for ascertaining damages under the provisions of this
article as, in his judgment, may be proper.

But no one sustaining loss while violating the provisions of this treaty or the laws
of the United States shall be re-imbursed therefor.

It became apparent in our councils and informal conversations with the
Indians that they considered that their liberty to kill is restrained only
so far as white men are concerned, and that they have no adequate con-
ception of the fact that marauding expeditions against Pawnees, Poncas,
&c., are displeasing to the Great Father. They affected great surprise
when told that the massacre of the Pawnees last summer horrified their
friends at the East.

Your commissioners suggest that their agents be specially instructed
to inform them that these and all other Indians are the Great Father’s
children.

The third proposal of the commission touches a right which the
Indians hold very dear, and it was hardly expected that it would meet
with a favorable reply, and it did not.

But the privilege of hunting upon the Republican Fork and of roam-
ing in the unceded land north of the Platte, is fraught with evil. It
keeps active in the Indians their wild and roving habits. It removes
them for a considerable time from the good influences with which the Gov-
ernment is seeking to surround them on their reservation. It is the
only just pretext which they have for crossing their boundary-line into
the territory of the whites, and is every year the occasion of murders
perpetrated either by Indians upon white men or by white men upon
Indians. The shocking massacre of Pawnees about nine months ago
would never have occurred but from the fact that the perpetrators were off for a hunt on the Republican Fork. The commission believe the
right in question to be the source of a large proportion of the alarms
from Indians, which periodically run over parts of our western country,
and of a great part of the irritation which exists to so lamentable an
extent between the Indians and the border whites. The United States,
as the guardian of these Indians, should deny them hereafter this harm-
ful right, and could afford to make its surrender less unpalatable by
making them a handsome present of blankets, Indian cloth, ticking,
and blue drilling.

The fourth proposition of the commission, viz: that the Indians
should assent to the running of the Nebraska line, was not very accept-
able to them, but no warm opposition was offered to it. The com-
misssion are of the opinion that, if the Indians are informed through
their agents, before the appearance of the surveyors, of their object, the
survey may be undertaken this summer without increasing the danger
of hostilities. The party should be accompanied either by an escort of
soldiers, or, better, by a paid escort of friendly Indians. A survey will
probably make it apparent, however, that the Nebraska line runs far
north of what the Indians suppose to be the southern boundary of their
reservation. It is unfortunate that the treaty of 1868 determined the
southern limits of the reservation by an imaginary line. An Indian
cannot understand what this is. Extravagant claims, or, at the best,
misconception, are the natural and certain result.

The fifth point brought up by the commission, the location of agen-
cies, is perhaps the most important and far-reaching in its influences of
them all. It seems to your commission that the time has come when a
general plan for the location of agencies should be adopted, which shall
embrace the whole Sioux Nation, and that the location of agencies shall
no longer be governed as it has been, of necessity, often in the past by merely special, temporary; or local considerations. The commission were in hopes that the Indians at both agencies could be induced to consent to the removal of their agencies to any points which your commissioners should desire, and that thus they would be at liberty not only to map out, but to put into effect a general plan for the location of the agencies for all the Indians who are not now upon the Missoni, or cannot be advantageously located there. There seemed sufficient reason for removal in the fact that the Whetstone agency is situated in a region of country where agriculture, to which it is the policy of the Government to turn the attention of the people, is simply out of the question; and that the Red Cloud agency is located very near to, and perhaps even south of, the southern line of the Sioux reservation. The commission, however, found the Indians very much opposed to removal, and this opposition in the case of Red Cloud's people seemed so reasonable that the commission did not feel that they were justified in insisting on their removal. It is only eight months since these people were removed, much against their will, from a locality still farther south. The present site of their agency was chosen by an authorized commission who judged, upon the best information then to be had, that the selected location was north of the southern line of the reservation. This site is a beautiful one, and offers more advantages in the way of timber, water, and arable land than any which can be found within fifty miles. And, finally, considerable expense has been incurred in erecting a large stockade and a number of agency-buildings.

The case is far different, however, with the Whetstone agency, forty miles northeast of Red Cloud agency, on the White Earth River. It is situated in the midst of an utterly barren and repulsive region. It was placed there without authority. Wood is scarce. The water is inferior. The land is either covered by a very shallow soil, or utterly denuded of it. The bottom-lands of the White Earth River, and the bottom-lands of all the creeks in the neighborhood of the agency, are so contracted that their practical value amounts to nothing. And finally, the agency is at a great distance (from 225 to 280 miles) from any point of supply, existing or possible, on any route of river or railroad transportation. The site is thus as devoid of any practical advantages as it is of any feature that can attract the eye.

If it were the policy of the Government to let Indian life drift along as it may, until it accomplishes by its own blindness and folly its final extinction; or, if the policy were based upon the principle that all efforts to turn the energies of the Indians toward self-support are futile, and that, therefore, one place is as good for them as another, the agency might well remain where it is. But if it is desired to place these Indians where agricultural effort may reasonably be required of them, where the large number of whites and half-breeds, who are incorporated with them, (numbering perhaps five hundred souls,) will have an opportunity to improve their condition, and where respectable men with respectable families will be willing to come as employés and teachers, change is essential. It should be made with expedition, too. A large population of half-breeds is growing up among them in utter ignorance of the simplest elements of education, intellectual, moral, and religious. Educational and missionary efforts, which they earnestly desire and for which they have subscribed some hundreds of dollars, have been delayed year after year, and are practically impossible as long as the present unsatisfactory condition of affairs continues. Moreover, the Government can hardly erect suitable winter-quarters for the military
force stationed for the protection of this agency until a permanent location has been selected. The commission found little difficulty in persuading two of the three bands of which the Lower Brules are composed to take their view of the case, and to consent to accompany them in search of a suitable location. Indeed, many of them were quite ardent in representing that those of the Indians who were desirous of beginning to plant were held in a part of their country where this course was an impossibility, and where they were removed some four or five miles from wood by the selfish opposition of one of the chiefs (Spotted Tail) and his band. The claims and conceit of this chief know no bounds, and being himself settled, with his band, upon Bordeaux Creek, where, having wood and water and receiving rations from the Government, he lives at ease, he persistently opposed all the efforts of your commissioners toward the selection of a site for the agency. As his influence towers above that of all others, the commission did not dare travel through the country against his will, and there was no course left to them and those who were ready to accompany them in seeking a site for the agency, but to succumb.

He pursued a similar course in reference to several of the other propositions of the commission. It was in vain that they urged upon him, day after day, that the Great Father was resolved that the people should be counted. The Corn band and the Loafer band, constituting about half the people, consented immediately; but Spotted Tail first refused and then prevaricated, and the commission were obliged to leave without accomplishing this object of their errand. They are of the opinion that the time has come for decisive measures, and that one man and his band should no longer be permitted to breed a spirit of resistance among the people and retard their progress. They recommend that the agent be instructed to desist immediately from issuing rations to any band which has not permitted itself to be registered, and to refuse them rations until they submit, and that measures be taken to insure that the military force at the agency is sufficient to support him in carrying out these instructions.

They also recommend that this same commission be sent out again, and be provided with a sufficient cavalry force to protect them in searching for a suitable site for an agency. They have reason to think that such a course would exert a most wholesome influence by showing these people that they must acquiesce in the demands of the Government, and that it would not lead to war.

The commission have reason to believe that a suitable site for an agency may be found farther down the White Earth River, either at the mouth of Big White Clay, about two hundred miles from the Missouri, at the mouth of Wounded Knee Creek, one hundred and eighty-five miles from that river, or near the south fork of the White Earth, about one hundred and twenty miles from the Missouri.

The commission are not prepared, with their present information, to recommend the removal of the agency to the banks of the Missouri. Such a site would be desirable were economy in furnishing supplies and ease of military occupation the only desiderata; but the good of the Indians the commission holds to be a matter of supreme concern. So far as the commission could learn, the only land on the Missouri available for the occupancy of the Brules is that formerly occupied by them at the mouth of Whetstone Creek. Its extent is represented as very limited and entirely unequal to the wants of a large body of Indians whose energies are to be directed to farming. The supply of timber is very insufficient. The land lies opposite to a strip occupied by ranch-
men, who live largely by traffic in whisky, and who, when the Indians were located at the mouth of Whetstone Creek, some years ago, flooded their camp with whisky, and made it such a scene of riot and bloodshed that the people even yet speak of it with horror. Even the presence of the military failed, it is represented, to suppress this traffic. It is an evil, it is to be feared, which no precautions could prevent at that spot among a body of Indians in which the white and half-breed element is as largely represented as it is among these Brules.

PERMANENT HOME FOR THE SIOUX.

A great part of the Sioux reservation is an utterly barren district. The arable land embraced within it will not be sufficient for the wants of half the population when they have given themselves to agriculture. Even where the soil is good, a crop cannot be raised more than one year out of three on account of ravages of grasshoppers and hail-storms, and the extreme dryness of the climate. Their reservation is thus a discouraging place for beginners in agriculture. Some of those of the Sioux who are making efforts in farming (for example, some of the Santees) are anxious to move to the Indian Territory. If good land is at the disposal of the Government in that Territory, the commission recommend that measures be taken for the gradual removal thither of all Sioux Indians who may be willing to emigrate. The Great Sioux reservation should be used as a place for taming the Sioux and training them for the occupation of the Indian Territory as their home.

PROMISE OF GUNS.

The commission found that the Indians of Red Cloud agency had been laboring under the impression that Commissioners Brunot and Kemble had, last year, made them, on behalf of the Government, a definite promise of guns. Indians base firm hopes on any semblance of a foundation. The evidence shows that those commissioners made no such promise, but merely expressed themselves in favor of giving the Indians a certain number of guns and promised to use their influence in favor of it. Your commissioners are led to this conclusion by the testimony of military officers who were present, as well as by that of one at least of the interpreters.

HOARDING OF AMMUNITION.

It appears from the statements of the traders at Red Cloud and Whetstone agencies, herewith sent, that the whole amount of trade during the three months beginning December 1, a time when the largest number of Indians was present at these agencies, was $37,224.59. The amount of ammunition sold to whites and Indians during the same time was $1,416.90, or less than one-thirteenth of the entire trade. During these months the number of Indians present was variously estimated from 20,000 to 25,000. If we take the less number as most likely to be correct, there would have been less than five thousand men, old enough to bear arms, present at both agencies. Deducting the old and the sick and those not owning arms, three thousand is probably the number actually buying ammunition. The amount purchased by each individual, therefore, was less than one-half dollar in value. The small quantity the purchasers would receive for that sum, owing to the high rates charged by the traders, would seem to show conclu-
sively that no large quantity could have been hoarded. And if any individual belonging to hostile bands has purchased more largely, it has been probably for distribution when he should arrive at his own camp. This would make the quantity so small, that another use than the killing of game could hardly have been intended. It does not appear that the demands made by Indians for permission to purchase ammunition have been larger than in previous years or than is usual.

ADMINISTRATION OF RED CLOUD AND WHETSTONE AGENCIES.

The commissioners arrived at Red Cloud agency Sunday morning, March 15, and on Monday began their investigations into the condition of affairs there, and continued them daily until March 18, when they drove to Whetstone agency and began a similar examination there. They returned to Red Cloud agency Friday, March 27, and resumed their investigations, concluding them the following Tuesday, when they resumed their examination at the Whetstone agency. They judged that the best basis for conducting their inquiry into the administration of the agents was the allegations made against them in a report presented to the Board of Indian Commissioners by Mr. Samuel Walker, who visited the agencies last November, which report was referred by the Department to this commission. Copies of this report were placed in the hands of J. J. Saville and E. A. Howard, agents, and they were severally called upon to respond to its statements, and the charges against their administration of their offices to be inferred therefrom. Their responses were subjected to a searching examination by the commission, and the truth of their statements ascertained. Wherever witnesses were referred to in proof of their assertions, they all (or a sufficient number of them) were summoned, and their testimony taken under oath. Wherever books or papers were quoted or appealed to, they were examined by the commissioners personally. The responses of the agents are submitted as part of this report. Testimony taken in this connection is filed herewith. It became apparent to the commission in the course of their inquiries that some of the affidavits which seemed to reflect most upon the character of the agents were such partial statements that they amounted to a culpable *suppressio veri;* and that some of the testimony on which were based the most damaging attacks upon their administration, was the testimony of a well-known deserter and thief.

Facts cited to the discredit of the agents which were gleaned at the agencies during their absence, and which they then had no opportunity to account for, were, when brought to their notice, satisfactorily explained. Practices which were irregular were shown to have been unavoidable in the peculiar circumstances in which these agents were placed. And transactions which at first sight seemed suspicious and to which a criminal intent had been imputed, were shown to have been characterized by entire good faith, to have been carried on in broad daylight, and, where not justifiable, to have been not wrong-doing, but the mistakes of men new in an office where, peculiarly, the incumbent can learn only from experience.

In regard to one transaction, which is not, perhaps, sufficiently explained in the reply of Agent Saville, viz, the enrollment and pay of F. D. Appleton, clerk, during a period when he was not actually discharging the duties of his office, the conclusion reached by the commission was as follows:

The appointment of F. D. Appleton was made in good faith, and from
the date on which his name appears on the pay-roll. The same was in
good faith accepted by him by telegraph. He was to have started im¬
mediately for the agency to assume the duties of his office, and was only
detained by an accident, (broken leg.) The agent daily expecting his
arrival, retained his name on the pay-roll. The duties of his position
were discharged by the agent and employés of the agency, and no other
person received compensation as clerk up to the time of his assuming
the duties of his office in person. The transaction involved irregulari¬
ties, but the commission do not find that any fraud was intended by the
agent.

The commission indorse the replies of the agents in all their material
points, and give as the result of their prolonged investigation into the
points touched upon in Mr. Walker's report, and the result also of their
intercourse with the agents, and their personal observations of men and
things at the agencies, the entire relief of Agents Saville and Howard
from the suspicions cast upon their characters and their administrations,
and the earnest conviction that these gentlemen have performed their
duties during a time of great trial and in the midst of great embarrass¬
ments with energy, honesty, and entire fidelity to the interests of the
Government and the Indians, and that they deserve the confidence and
commendation of the Department.

The commission are of opinion that the service of the Department
would be improved if the following instructions were issued, viz :

That all beef and other provisions shall be issued by orders upon an
issue clerk, and that these orders should pass through the agent's office
in order to their appearance upon the books of the agency.

That agents shall keep all their original orders upon their issue-clerks,
in order that they may have at hand the means of satisfying the inqui¬
ries of inspectors and other authorized inquirers.

That the present custom, by which departing agents carry all the
papers of the agency away with them, and thus leave their offices
without a history, and their successors destitute of any guides in their
new duties, shall be henceforth forbidden, and that these papers shall
be the property of the Department.

OVER-ISSUE OF BEEF.

In regard to one matter, which has come before the commission in
several papers and which has been the occasion of a good deal of public
animadversion, viz, the over-issue of beef, the commission reports, that
it is unquestionable that there has been over-issue. It is freely admitted
by both the agents; they have reported it to the Department from time
to time. The commission believes it to have been unavoidable. In the
first place, the Red Cloud and Spotted Tail agencies are but forty miles
apart, and there is no doubt that the same Indians frequently drew
rations at both agencies, an evil which was remediless, as long as regis¬
tration was impossible. In the second place, it appears that at Red
Cloud agency the supply of other provisions was short, and extra beef
was consequently issued, as reported in Agent Saville's letter to the
Department, of December 29, 1873. In the third place, the testimony
is abundant and unanimous to the point that these agencies, always
the refuge in winter of northern Indians who have connected themselves
with no agency in particular, were last winter the resort of a larger
number than usual; that they united with the Indians belonging to the
agencies in making the grossest misrepresentations as to their numbers,
and basing on them extravagant demands for rations; that they thwarted
all attempts of the agents to arrive at a true estimate of the amount of food they were entitled to; that a census could not have been made except at the peril of the agents' lives; and that the agents, failing in their efforts to number the people, always strove to cut down the issue to the lowest amount possible, and that their issues were generally far less than the Indians would have received had their exorbitant demands been fully complied with.

There is, however, no evidence whatsoever that more beef was issued than was actually used, either by immediate consumption, or by being dried and laid by in store; and rumors to the effect that the issue of beef was so excessive last winter that large quantities were left to rot, the Indians taking only the hides, are, the commissioners believe, entirely without foundation in fact.

**WASTE OF FLOUR.**

The commission saw many evidences that there has been more or less waste of flour. This has not arisen, so far as the commission was able to discover, from an issue exceeding that authorized by the Department, but partly from the fact that wild Indians are not fond of flour, and are apt to neglect its use, especially when the supply of beef is as abundant as it has necessarily been at these agencies; partly from the fact that some of the flour issued had been long on hand and had become musty, and partly from the fact that large quantities of flour, which the present agent found on hand when he entered upon his office last June, being utterly unfit for use, were dealt out to the Indians to be fed to their ponies. The substitution of corn for a part of the flour supply is very acceptable to the Indians, and meets with the approval of the commission.

**VISIT OF SPOTTED TAIL TO CHEYENNE.**

Such a visit is likely to be suggested and to be made under the influence of designing white men, and is always more or less to be suspected.

As appears from the report of the commission, under the head of "supplies," their quality is not such as to justify the complaints of Spotted Tail. Those familiar with wild Indians know that complaint is always the burden of their talk in an interview with those who are supposed to be in communication with the Great Father.

As to which of the two routes should be used in transporting freight overland to the Whetstone agency, whether that from Cheyenne or that from Fort Randall, the commission gained no information which enables it to express a decided preference for one route over the other. If the cost via Fort Randall is less than via Cheyenne, the commission knows of no disadvantages under which the former labors which should give the preference to the other.

They think that the proposition that Spotted Tail's people, or those legally incorporated with them, should have the privilege of doing their own freighting, worthy of attention. If their agent is prepared to superintend it, and to make proper arrangements for the faithful discharge of the service, the plan has manifest advantages, and the commission recommend that it be tried.

**SUPPLIES, THEIR INSPECTION, QUALITY, ETC.**

Your commission are of opinion that a due regard to the interests of the Government and the Indians demands that all packages consigned to agents for the Indians in fulfillment of contracts should, without ex-
ception, bear the brand which marks them as the property of the Indian Department, and also the brand of the inspector, indicating that they have passed his inspection.

Their examination of flour in an unloaded car at the Cheyenne storehouse, and of supplies in that storehouse and at the agencies, revealed the fact that this branding is frequently omitted. Many packages bore neither brand.

They noticed that barreled pork is supplied, to a degree, at Whetstone agency instead of bacon. The supply of the latter article at both Red Cloud and Whetstone agencies was exhausted, so that the commission was unable to judge of its quality. They examined the pork, however, and found it sweet and good.

The commission were not furnished with samples, and, therefore, could not determine whether the supplies were up to the standard required by the contract. They examined, however, the flour, sugar, coffee, and other supplies on hand at both agencies and in the storehouse at Cheyenne. They were all of fair quality. Both the agents agreed that it would be better to provide baking-powders instead of saleratus, as the Indians do not know how to use the latter properly.

The commission took particular pains to inquire into the quality and weight of the beef furnished by the contractor during the current fiscal year. The testimony of many witnesses, and the personal observation of the members of the commission, convinced them that the cattle have been remarkably excellent in quality, size, and condition, and that their average weight has been, on the whole, considerably above that required by the contract. The average weight required by the terms of the contract for the six months beginning July 1, 1873, was eight hundred pounds, while the cattle actually delivered at Red Cloud agency during the time regarding which the incumbency of the present agent enabled him to testify, weighed on an average as follows:

FIRST SIX MONTHS.

<table>
<thead>
<tr>
<th>Date</th>
<th>No. of head</th>
<th>Average weight</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 9</td>
<td>20</td>
<td>1,050</td>
<td>21,000</td>
</tr>
<tr>
<td>August 15</td>
<td>3-3</td>
<td>1,010</td>
<td>3,030</td>
</tr>
<tr>
<td>September 1</td>
<td>4-3</td>
<td>1,040</td>
<td>4,120</td>
</tr>
<tr>
<td>September 15</td>
<td>561</td>
<td>1,056</td>
<td>589,056</td>
</tr>
<tr>
<td>October 1</td>
<td>647</td>
<td>1,063</td>
<td>687,761</td>
</tr>
<tr>
<td>October 15</td>
<td>633</td>
<td>1,043</td>
<td>660,319</td>
</tr>
<tr>
<td>November 1</td>
<td>2-0</td>
<td>993</td>
<td>2,979</td>
</tr>
<tr>
<td>November 15</td>
<td>410</td>
<td>963</td>
<td>396,470</td>
</tr>
<tr>
<td>December 1</td>
<td>507</td>
<td>975</td>
<td>494,497</td>
</tr>
<tr>
<td>December 15</td>
<td>508</td>
<td>946</td>
<td>480,568</td>
</tr>
</tbody>
</table>

The average weight required by contract during the six months beginning January 1, 1874, was one thousand and sixty pounds, while the average weight delivered was as follows, viz:

SECOND SIX MONTHS, UP TO DATE.

<table>
<thead>
<tr>
<th>Date</th>
<th>No. of head</th>
<th>Average weight</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1</td>
<td>312</td>
<td>904</td>
<td>282,310</td>
</tr>
<tr>
<td>January 11</td>
<td>359</td>
<td>984</td>
<td>352,890</td>
</tr>
<tr>
<td>January 21</td>
<td>340</td>
<td>1,002</td>
<td>340,905</td>
</tr>
<tr>
<td>February 2</td>
<td>356</td>
<td>903</td>
<td>322,508</td>
</tr>
<tr>
<td>February 15</td>
<td>300</td>
<td>1,016</td>
<td>304,961</td>
</tr>
<tr>
<td>March 7</td>
<td>350</td>
<td>1,063</td>
<td>372,095</td>
</tr>
<tr>
<td>March 23</td>
<td>371</td>
<td>1,053</td>
<td>385,423</td>
</tr>
</tbody>
</table>
These latter figures are below those required by the contract, but not as much below as those for the first six months are above. The whole average has been in advance of that which the contract demanded.

The terms of the contract for the Whetstone agency are the same as those for the Red Cloud, viz, an average of eight hundred pounds for the six months beginning July 1, and an average of one thousand and fifty pounds for the succeeding six months. The average weights actually delivered have been as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>No. of head</th>
<th>Average weight</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 12</td>
<td>322</td>
<td>942</td>
<td>303,324</td>
</tr>
<tr>
<td>July 25</td>
<td>735</td>
<td>1,048</td>
<td>760,800</td>
</tr>
<tr>
<td>August 15</td>
<td>444</td>
<td>1,052</td>
<td>467,088</td>
</tr>
<tr>
<td>September 1</td>
<td>460</td>
<td>1,050</td>
<td>483,000</td>
</tr>
<tr>
<td>September 15</td>
<td>330</td>
<td>1,065</td>
<td>335,650</td>
</tr>
<tr>
<td>October 15</td>
<td>1,656</td>
<td>1,047</td>
<td>1,693,632</td>
</tr>
<tr>
<td>November 25</td>
<td>655</td>
<td>950</td>
<td>622,250</td>
</tr>
<tr>
<td>December 12</td>
<td>355</td>
<td>915</td>
<td>324,825</td>
</tr>
</tbody>
</table>

SECOND SIX MONTHS, UP TO DATE.

- January 20: 401, 940.38, 371,092
- February 4: 186, 929, 180,678
- February 13: 1,012.30, 254,207
- March 19: 270, 1,038.70, 277,749

The letter of the contract has not, as thus appears, been complied with at either agency, and the commission supposes that the contractor is liable for damages for non-compliance.

The mind of the commission, under these circumstances, is expressed in a letter of Agent Howard of March 26, and their indorsement of it given herewith as follows:

Whether the contractor will accept this compromise, the commission are not informed.

Whetstone Agency, Dakota Territory,
March 26, 1874.

Sir: I had the honor in my letter of the 16th instant to refer to the question of the future supply of beef for this agency.

I desire herein further to state, that in consequence of the unsettled state of the country hereabout, it is difficult to get beef cattle here of the proper description to accord with the original terms of the contract for this season.

Since receiving Department letter of February 13, I have received one lot for issue which does not weigh up to the requirements of that letter.

The contractor states that they were driven here from a distance of 80 miles with only one night's rest, thereby losing much of their weight, and that his herds having of late been frequently disturbed they have materially fallen off in weight.

He has delivered at this agency, from July 1, 1873, to February 13, 1874, inclusive, 5,397 head, weighing 5,419,746 pounds, averaging 1,004.21 pounds, and therefore he has exceeded the average weight actually required by the contract.

I respectfully ask permission to receive and receipt for cattle weighing a less average than 1,050 pounds, which I think he should be allowed to deliver.

On 19th March, he delivered here 270 head, weighing 277,749 pounds, averaging 1,029 pounds; which I request permission to receipt for at that weight.

Very respectfully, your obedient servant.

E. A. HOWARD,
United States Indian Agent.

Hon. Commissioner Indian Affairs,
Washington, D. C.
Whetstone Agency, Dakota Territory.
March 26, 1874.

Sir: By the contract the average weight of cattle, during the first six months of the fiscal year, was to be at least 800 pounds. Evidence is abundant that the average was far in excess of this, say 1,000.

We think this fact a justification of leniency to the contractor if he is not able to furnish cattle quite up to the average required during the last six months of the fiscal year.

The evidence is sufficient that during the disturbances the contractor, by advice of General Ord, removed his cattle to the Platte, and in consequence had to drive his cattle, at the time of the last issue, 80 miles without sufficient food and water. Their loss in weight under these circumstances must have been very considerable. We believe that, but for the late disturbance, the cattle furnished March 19 would have averaged 1,050 pounds.

We indorse the statement of the foregoing letter of Agent Howard, and recommend that the shortness of average weight during January, February, and March be overlooked, provided the contractor will furnish beef required for Whetstone and Red Cloud agencies, and above the amount required by contract, at contract prices. We also recommend that the average weight of cattle to be furnished after this date shall be not less than 900 pounds.

Very respectfully,

WILLIAM H. HARE.
FRANCIS H. SMITH.
J. D. BEYER.
SAMUEL D. HINMAN.

Hon. Commissioner Indian Affairs.

Your commissioners beg respectfully to close their report with the following digest of their recommendations and conclusions:

RECOMMENDATIONS.

That the agents at the Red Cloud and Spotted Tail agencies, and at any agencies hereafter established among the wilder Sioux, be supported by a military force, which should, however, except under extraordinary circumstances, be at a short distance from the agency and not immediately adjoining. The relation of the agent and the commanding military officer should be definitely determined.—(See pages 5-8.)

That an agency be provided for the Northern Sioux, and that, to this end, they be refused rations at the existing agencies, and a delegation of them be induced to visit Washington, and that the location of the agency be the neighborhood of the Black Hills.—(See pages 8-9.

That agents be instructed to carry out the provisions of article I of the treaty of 1868.—(See pages 10-11.)

That the northern line of Nebraska be run this summer.—(See page 11.)

That a liberal present of blankets, Indian cloth, ticking, and blue dril­ling be made the Upper Brules and Ogallallas for the surrender of their right to hunt on the Republican, and to roam over the neutral ground south of the Reservation, and they be informed that this right is withdrawn.—(See page 11.)

That the agent at Whetstone agency be instructed not to issue rations to any band which refuses to be counted, and that your commissioners be requested to find a suitable place for the agency, and that both have military protection.—(See pages 12-14.)

That all beef and other provisions be issued by orders on the issue clerk, which orders should pass through the office in order to their appearance on the books; that these orders be filed away for safe-keeping, and the books and papers of the agency be the property of the Government and not of the agent.—(See page 16.)
That the Indians of Whetstone agency may be permitted to take the contract for freighting. —(See page 17.)

That brands of United States Indian Department and of inspector be placed upon all packages consigned to agents under contract. —(See page 17.)

Recommendation as to beef for balance of the current year. —(See pages 18–20.)

That, Indians being their own worst enemies, being bent on a mode of life which is fatal to their own good, and, moreover, rarely understanding the meaning of treaties, and more rarely still remembering the obligations therein laid upon them, a just and generous declaration by the United States Government of what they must do is a better mode of dealing with them than negotiation or treaty-making, wherever the Government is in a position to pursue the former course. —(See page 9.)

That a system should be inaugurated for the removal of the Sioux, as soon as practicable, to a climate and soil less discouraging to the efforts of beginners in husbandry. —(See page 12.)

That the Sioux be informed that depredations on other Indians displease the President. —(See page 11.)

CONCLUSIONS.

The late disturbances are not indicative of preparations for war. —(See page 6.)

The present policy is accomplishing the results desired. —(See page 7.)

Commissioners Brunot and Kemble did not promise these Indians guns. —(See page 14.)

Removal of the Upper Brulés to the Missouri is of doubtful wisdom. —(See page 13.)

Ammunition has not been hoarded for war. —(See page 14.)

Agents Saville and Howard are exonerated, and deserve confidence and commendation. —(See page 15.)

Beef has been overissued, but the agents were helpless to avoid it. —(See page 16.)

Beef has not been issued in such quantities that it has been left to rot. —(See page 17.)

Flour has been wasted; causes given. —(See page 17.)

Spotted Tail's complaints at Cheyenne were not justifiable. —(See page 17.)

Supplies of all kinds are wholesome and of at least fair quality. —(See page 18.)

Submitted on behalf of all the commissioners.

I am, very respectfully, your obedient servant,

WILLIAM H. HARE,
Chairman.

F. H. SMITH,
J. D. BEVIER,
SAMUEL D. HINMAN,
WILLIAM H. HARE,
Commissioners.

WASHINGTON, D. C. April 22, 1874.
APPENDIX.

No. 1.

Reply of J. J. Saville, agent, to Samuel Walker's report.

To the honorable Board of Indian Commissioners:

In answer to the charges preferred against me by Mr. Samuel Walker, under date of December 6, or so much thereof as I am advised by your honorable body it is your wish I should make answer to, I would most respectfully state and represented as follows, to wit:

1st. To charge marked number one I answer: That of the flour received by me as United States Indian agent, all of it was not marked or branded. What proportion I cannot say with any certainty. Since I have been agent I have never been advised what particular brands were necessary except the inspector's brand, and when in Washington I informed the commissioners that such brand was wanting on some of the flour delivered at this agency.

With reference to any of the flour being in single sacks, I am satisfied such was not the case.

In regard to the character or quality of the flour I have to say, I have never been advised what particular grade was required under the contract, though the flour received and used by me was sweet, must have been made of good wheat, and was sufficiently good to give entire satisfaction for my own and the consumption of the employes about the agency. In support of the foregoing I would refer to B. F. Walters, William Stokes, and Benjamin Tibbetts.

2d. In regard to charge number two I can only say, I have no means of knowing the exact distances referred to in such charge. There are two roads, the shortest of which I have traveled over, and should estimate the distance by such route from Cheyenne to Old Red Cloud to be from 95 to 100 miles, and from Cheyenne to the New Red Cloud from 180 to 190 miles. Though the other is a much longer road, it is necessary at some seasons to travel it.

3d. In answer to charge three I would say, the same is wholly untrue; that I am informed, and believe the same to be true, that the clerk who receives the stores never told Mr. Samuel Walker or other party that nothing is weighed or receipted from the freight contractor, nor is it true that such is the case; everything so received is weighed on delivery. I never said I would not weigh, nor did the party named by Mr. Walker tell him that I made such a remark. In support of this I suggest the names of my receiving clerks, B. F. Walters, Benjamin Tibbetts, and Joseph Bissonette.

4th. In answer to charge four I would say, the same is wholly untrue, and to negative the same I refer to my books; the testimony of J. H. Bosler, to disprove that he ever made such statement as is by Mr. Walker claimed to have been made; also evidence of George M. Bosler.

5th. Answering charge five I say, it is true that until November 7 the beeves were received by an average weight, as up to that date
it was the only way I had of ascertaining the weight of such beeves, but it is wholly untrue that the weight of the cattle received by me was ascertained by weighing some of the largest cattle; but the truth is that a fair and just average of cattle was selected for the purpose of ascertaining the weight of the number received.

This averaging was the practice until the scales were put up, which was done as soon as practicable. In fact I urged forward the putting up of the large scales with all dispatch. In support of the foregoing please call the butchers, Benjamin Tibbetts, B. F. Walters, and Joseph Bissonette.

6th. In answer to charge six I would say, it is true the issues of supplies are made to chiefs and head-men; it is also true that as to some articles the issues were made with reference to the amount on hand. The reason of this was that since October I have never had a supply of articles on hand sufficient to make a full issue of all; and to satisfy the Indians for such deficiency I have been compelled to be more liberal in my issues of beef, of which I could command a supply at all times; nor is it true that no record is kept of what is issued, and in regard to the foregoing I would refer to B. F. Walters, Joseph Bissonette, Thomas Monohan, and my monthly reports for September and October.

7th. In answer to charge, or rather argument, seven it is difficult to respond, as no specific charge is made, and my answer to charge six disposes of the facts upon which the conclusions in number seven are based, though it may be proper for me to state that all employes should be, and are, fed from the supplies as is allowed, and such rations accounted for. In support of this I refer to the records of the agency, my clerk, and many others.

8th. In answer to charge eight I deny that no records are kept of the number of beeves issued; full and complete records are kept of all issues, in evidence of which I refer to the books of the agency and the testimony of my clerk, B. F. Walters.

9th. In answer to charge nine I would say, that the papers of the agency do not show that there was on the 1st of October on hand 17,914 pounds of beef, but did show on hand 11,068 pounds; that during that month there were received on the first day of October 647 head, averaging 1,063 pounds each; and on the 15th October 633 head, averaging 1,043 pounds each. That on the first day of October I did not have on hand 60 head of beeves, but only 11, for which receipts were given, which 11 added to 1,280 would amount to 1,291, of which I issued 1,212 head during the month of October, leaving 79 head which I had on hand on the 31st day of October, less 67 lost and killed by Indians out of my herd without authority, which loss was duly reported to the Department by me. My receipts were never false or fraudulent. I did receive the number of beeves in October as above stated. There was an issue made on the 1st day of October, and the herd of the contractor never, to my knowledge, stampeded. No issues were omitted in October, as there were four issues during that month, to wit, on the 1st, 8th, 21st, and 23d, only that the issue of the 15th was postponed until the 21st, my reasons for which postponement appear in my report for that month, to which I respectfully refer.

In regard to the stampede of cattle I shall be pleased to explain: On the 1st of October there were issued 267 head, and on the 8th there were issued 300 head; after this last issue a part of the agency herd stampeded, and I then decided not to keep an agency herd, but requested Mr. Bosler to retain the cattle in his custody until I needed them for issuing, which he kindly consented to do, and also assisted me in getting up the cattle which had stampeded. This Mr. Bosler was not com-
polled to do, as his contract permitted him to make all his deliveries for a month in two installments. I directed the chief herder to turn over to Mr. Bosler's herd all the cattle recovered, and in compliance with this order the herder did turn over to Mr. Bosler's herd 242 head, and Mr. Bosler collected 355 head, making in all 597 head, for which Mr. Bosler acknowledged the receipt of, and accounted to me for the same. There were no cattle issued on the 18th, but on the 21st of October there were issued 186 head, and on the 23d of October 399 head. The 23d was the regular issue-day, and the issue was then made for that reason, and not on the solicitation of any one. After this I decided to make the issue every ten instead of, as formerly, every seven days, with a view of diminishing the gross amount of the issue, if possible; hence the next issue was deferred until the 8th of November, when 390 head were issued, averaging 993 pounds each, all of which were weighed; and on the 18th of November 410 beeves were issued, averaging 967 pounds, which, though a fine herd, were not so large or so heavy as many former issues.

As to what Mr. George M. Bosler told Mr. Walker I know nothing. I did give receipts dated on the 1st of October for 647 head, and the receipt dated 15th of October for 633 head, all of which cattle were weighed as certified to and averaged the full amount allowed. My custom was, up to the middle of October, to send an order to the contractor for a certain number of cattle. When the order was filled and the cattle turned over to my herder he so reported to me; then I sent an order to my herder for enough to supply an issue, when the cattle were brought to the corral, and sometimes 10 and sometimes 20 were selected as an average, killed, and weighed. This was done out of every lot received until I got my scale set up, since when all have been weighed.

10th. In answer to charge ten I deny that receipts were given for any cattle not delivered to the agency by the contractor, or for cattle which I never saw, unless at some time when I was absent from the agency. I further state that there is a record of all cattle received during the month of October, as well as every other month. On this charge I would refer to the records and the clerk, B. F. Walters.

11th. In answer to charge eleven I deny each averment in the same, and further answer that the lot of cattle weighed by Mr. Appleton actually weighed 993 pounds on the scales, and that nothing was allowed the contractor for overdriving. As evidence on this point I refer to the records and George M. Bosler.

12th. In answer to charge twelve I would say, that it has always been impossible for me to make any personal estimate of the number of lodges, though I have, on several occasions, attempted to count them, but the Indians were so much opposed to any proceeding of the kind, that my life was endangered in the attempt. I was therefore compelled to rely upon the best information I could gather in regard to the matter, and almost always allowed a much less amount than was returned by the Indians. (In regard to this I would refer to Joseph Bissonette, T. W. Reed, and every other man on the agency without respect to age or color. Also to my report for the month of October, and special report.)

13th. In answer to charge thirteen I can simply say, no issues were omitted in the month of October. There were four issues in that month. (In regard to this, see records; also call the clerk, B. F. Walters.)

14th. In answer to charge fourteen I would say, I kept the Department fully advised of all my proceedings, and particularly, that I was compelled to make over-issues of beef, and the reasons why, viz, that I
was short of other rations, and the hostile attitude of the Indians. (See my report.)

15th. In answer to charge fifteen I would say, that I did purchase ten horses—that I paid $70 apiece for them—and in regard to the matter I make the following explanation. The horses were needed, the Commissioner authorized the purchase of them. I went into the market and attempted to buy, and found but one man I could purchase from, and I bought of him. The price I paid was reasonable and as low as I could buy. After the purchase I advised the Commissioner of what I had done and he approved the act, as I needed the ambulance mules to draw lumber, &c., and for a while used four of such horses on the ambulance in place of the mules. (In regard to this, see my correspondence with the Commissioner and call Jos. Kauer.)

16th. In answer to charge sixteen I would say, when I came to the agency I found Edward McEvena acting as clerk, and being advised that he was a good one I requested him to remain in that capacity, but he informed me that he could not and should be compelled to leave; whereupon I telegraphed to Frank D. Appleton, at Sioux City, Iowa, that I would give him the situation if he would come out immediately; he answered by telegraph that he would be here on the 17th of August, when I placed his name on the pay-rolls. After waiting until that time and needing a clerk, I employed one temporarily, daily expecting Mr. Appleton. After some weeks, the mails being much delayed, I received a letter informing me that the day before he was to start for the agency he had broken his leg, but would come as soon as he could travel; as so long a time had elapsed since the date of the letter and its receipt I concluded he must then be on the road, so I continued the temporary incumbent in the position until Appleton arrived, when he assumed the position and paid the man who had acted for him and in his place. (In regard to this I refer to Otis W. Johnson.)

17th. In answer to charge seventeen I would say, I did deliver to Joseph Bissonette two half bolts of cloth, one red and the other blue. I delivered this cloth to him to be distributed among the Indians on occasions of death, it being a custom of theirs that they must have something of the kind to modify their grief and make their hearts glad. Though a costume of this color may appear somewhat unusual as a badge of mourning, I am informed the cloth was disposed of as directed. (In regard to this I would refer to Joseph Bissonette.)

The foregoing is most respectfully submitted to the consideration of your honorable body by

Your most obedient servant,

J. J. Saville,
United States Indian Agent.

Red Cloud Agency, Dakota Territory,
March 17, 1874.

Testimony in regard to Red Cloud Agency and in relation to Agent J. J. Saville’s reply to Samuel Walker’s report.—(See appendix No. 1.)

Affidavit of George M. Bosler in regard to beef accounts and allowance for shrinkage.

I, George M. Bosler, on oath depose and say that I never told Samuel Walker that I made out the receipts for cattle delivered at the Red Cloud agency. I took no receipts for cattle; and all I told Mr. Walker
was that I could only estimate the number of beeves Government owed
the contractor for by the orders I had on hand, and that one of the
herders had two of such orders.

I further depose and say that I delivered in person the cattle referred
to in Mr. Walker's report, which cattle he says did not weigh the amount
allowed the contractor, but that an allowance was made for over-driving.
And I further say that Mr. Walker's statement in regard to such allow¬
ance for over-driving is wholly incorrect; that, on the occasion referred
to as well as on all others, the contractor was only allowed and paid for
the actual weight of the cattle delivered.

I further depose and say that I was frequently present when the selec¬
tions were made for the purpose of ascertaining the average weight of
the cattle delivered, and that on all such occasions a fair selection was
made and not one that would tend to make the average weight more
than it actually was.

GEORGE M. BOSLER.

Subscribed and sworn to before me and in my presence by the above¬
named George M. Bosler, this 28th day of March, A. D. 1874.

J. D. BEVIER,
United States Indian Inspector.

Testimony of Agent J. J. Saville in regard to accounts of receipt and issue
of beef.

Doctor Saville produces books in evidence. Books were made from
original private accounts of the agent; book produced. The agent
made his private book from orders given Mr. Bosler for beef and from
the issue-list after issues of August 8 and 15. We took up the issue-
tickets from these two issues, but tickets are now lost. This book
was at the agency at the time of Mr. Walker's visit. Book also has
account of cattle issued to individual Indians. It was not true that we
had not account in the office to answer all Mr. Walker's questions.
Mr. Appleton may not have known it. I had all my beef-orders to Mr.
Bosler and all the receipts to Mr. Wilder. My chief herder counted the
cattle; he is not here now, he was inefficient and was discharged in
November. The herd was so far away that I could not count them my¬
self; but when the same were issued to the Indians I received and issued
them and so knew the exact number received and issued. Anderson
was discharged November 9; he was discharged by my order on
account of not telling the truth in regard to cattle lost. Cattle are re¬
ceived by me by number and weight; before I had scales the herder
reported to me before each issue; his account was corrected by my rec¬
ord; the accounts agreed until the time of his discharge; he was dis¬
charged on account of not keeping a correct account in that instance.
Herder reported to me also the number Mr. Bosler delivered to me; I
gave him an order on Mr. Bosler for a certain number of cattle; Mr.
George Bosler and the herder reported the number received at the first
issue I made.

MARCH 28, 1874.

Testimony of Agent J. J. Saville in regard to accounts kept of issue of beef.

Dr. SAVILLE. Irregular issues were made from orders given the Indians
on the herder. Original orders are lost, but my memorandum is com¬
plete. These beeves were issued to Indians coming in not on issue
days. Once I issued to Sundancers. These orders were copied on my
books when the herder handed them in. The only issue lately so made
was to Pawnee Killer on the Platte. Our books are now regularly kept. My books are now made up from items and have been so from the begin-
ing; they are correct. I make up my list from the number of Indians. I issue to the Indians at the corral. They take the cattle as they are called off and the clerk checks the name on the list. No issue is made to Indians not present. I now make no irregular issues. Since October a record is kept of beef issued at headquarters for employees, widows, &c. The herder's account and ours tally. Freighters feed themselves. No outside persons are fed at agency. I have a list of widows and half-breeds fed at headquarters; the whole number is over 200. I know of no whites living here not married to Indian women and living with them.

_MARCH 30, 1874._

**Testimony of Agent J. J. Saville in regard to beefes issued to X. Janis.**

Dr. Saville. I did issue 10 beeves to Nick. Janis. He has received rations under the treaty. At the time he had four Indian families liv-
ing with him. He and they were entitled to two beeves each month. At the time of stampede, Janis picked up 10 head and reported them to Mr. Bosler as received by him, and so retained: since, he has received no beef, and since November 1st he has received no rations from here. The Indians have left him, and we are short of rations.

_MARCH 30, 1874._

**Testimony of J. H. Bosler in regard to statement that he, Mr. Bosler, kept the only account of beef received and issued.**

Mr. J. H. Bosler sworn. I represent Mr. Wilder in filling the beef contract. I never made such statements as these referred to. I saw Mr. Walker at Cheyenne. Mr. Walters makes out the receipts. They read as follows: Received of A. H. Wilder, 300 cattle weighing (so much,) averaging (so many pounds,) signed J. J. Saville, United States Indian agent. I was in the country when the stampede occurred. We turned over to Dr. Saville on the 1st of October 647 head and received a receipt for them. The latter part of October I was going away and asked Dr. Saville for the receipt for the 15th of October. He consented and received and receipted for them on the 8th. On the 8th I turned over 633 head. Very soon after the stampede occurred, the 8th or 9th. A portion of the cattle were left on his range. He asked me for permission to turn them back into the herd, as he wanted to send his men to hunt the cattle lost. I think he had 140 head on his range at that time. They were turned back into my herd and my herder received and receipted for them. We sent our men out at his request to assist his men to hunt the cattle. We found some of them, say 70 at first, on their way to the Platte. We then gathered in, in addition to that, 265 head. This made 355 head that we receipted for. Then his herders brought in 40, and then, I think, 15 head brought in by Mr. Anderson. I remember this, because he claimed more. He got in in the evening. In the morning the boys went out to bring them in. The doctor gave me orders to give Nick. Janis 10 head. He had found 10 head he thought were mine. I told him to take the ten head and I would account for them. Then Mr. Anderson and one of the men went to the Platte, and there he was taken sick. He had got up a bunch of cattle and lost them. I told them they were not there. He afterward trailed them into the sand-hills and he got 37. I think we got in all from the doctor's men 240; he claims 242. This occurred in October, and the doc-
tor went to Washington. He had made an issue for the October 8th out of this stampeded herd. He then abandoned his herd. On the 20th October he ordered 200. Until Christmas he got cattle from my herd; he then owed me, December 23, for 200; October 25, 399; November 6, 390; November 17, 410; November 28, 200; December 9, 401; December 29, 300; and 10 to Nick. Jannis—total 2,310 head. I accounted to him for 355 head my men had found, and 240 that his own men had found—total 355 from 2,310, leaving my due December 23, for 1,715 head. He gave a receipt dated November 1, 280 head; November 15, 410 head; December 1, 507 head; December 15, 508 head, which balances. He made an issue on the 17th for 410. Receipts are given for the 1st and 15th of each month. On the 1st an average was cut out and weighed; on the 8th we weighed an average for the 15th. The butcher and Mr. Tibbetts and Mr. Appleton selected averages. The cattle weighed more than the average; Dr Saville took off 23 pounds; he also took off 26 pounds from September 16, and he did it once after because he thought I got too good an average. The cattle returned were as good cattle as I received from him. I have no knowledge, direct or indirect, that the stampede was made in order to get the cattle back into my herd. The cattle were stamped by Indians. The 67 head did not come back into my herd. Jannis, then interpreter, said the Indians killed 15 head on the head of White River. I suppose that these were agency cattle. Some also went over White River. I don't know how many. I think the Indians got them all. The agent kept a memorandum-book of the cattle received, and I brought in his orders and he compared them with his books, and I saw him do it. The agent's orders to me were always in ink.

March 28, 1874.

Testimony of Mr. Walters, in regard to average of beef and scales.

Mr. Walters. I saw flour mentioned by Bissonette. I don't know where it came from. It is from State mills, from Green, of Omaha. Mr. Tibbetts attends to the averaging of beef. I believe he acted fairly. I never saw bulls and stags in the herd. Scales were put up as soon as they could be, but delays were occasioned by press of work. I never knew butcher to be approached by Mr. Bosler or others. I have done no weighing. Mr. Appleton and son did the weighing. I don't know how the weights compare before and after the scales were up. I never knew of any allowance for shrinkage. I think the agent has looked out for the interest of the Government, but I know nothing about it. I take always the actual weights. I make up lists for order of cattle with the doctor. I never knew the contractor to urge a larger issue. I never knew or heard of the Indians selling cattle back to the contractor. I never knew of the Indians leaving cattle on the prairies and only taking their hides. We always cut down the number of lodges as reported by the Indians. We thought the Indians, even then, overestimated, but we could not help it. Mr. Walker talked to Indians when they came in, but made no promises. Mr. Walker talked with me, but Mr. Johnson was always present. I thought Mr. Walker wanted to find out that the agent was wrong. I thought Mr. Walker seemed anxious to find out that. He said he had damned good ground for an examination. This is what he said; he was very profane. I never heard him question employés. I said to him, "Mr. Walker, you swear by note?" He said, "Yes, I am a professional swearer; I have been at it a long time." I thought Mr. Walker seemed to like to see employés privately. Mr. Appleton did not oppose Mr. W.'s examination, but told me to give
him all the information in my power. I thought at first he came to find out the truth, but I afterward thought from his talk that he was not quite right. I thought his examination not fair. The doctor has a young man who assists Mr. Bissonette in interpreting. He is reported as a laborer.

March 30, 1874.

Testimony of Mr. Walters, in regard to issue of beef.

Mr. Walters. Beeves are issued on lists made up from number of Indians to each band. They are issued at corral, interpreter calling out names of Indians and clerk checking names as the beeves are turned out. Books are made up from lists. All Indians have been present except at the last issue, when part of the Indians did not come till morning and the cattle were kept over for them. Books are kept as in any business, and show all transactions correctly, both of receipts and issue of provisions.

March 30, 1874.

Testimony of Benjamin Tibbetts in regard to mode of averaging beef.

Benjamin Tibbetts. Was present at issue of beef; was present when beef was averaged, and selected average myself. I used to shoot those I chose. Sometimes the butcher selected. We selected what we thought a good average. I used to judge myself. Once I referred to the chief herder and he thought my average was too light. The contractor sometimes present. The doctor gave me instructions and the contractor did not. In October and November cattle averaged over 300 pounds net as weighed in commissary, ½ allowed for shrinkage. Cattle were then in good condition; better than now. Cattle are now in fine order. This year cattle have been good; better than ever before. They were driven late before, but this year they winter here and are fat. The contractor never gave me instructions; the agent gave me instructions to select light ones. Anderson sometimes selected an average. I never heard why he was discharged. I think he was a good herder. Scales were put up in November. Agent was anxious for scales to be put up. Average is no less since the scales are up. Cattle are all weighed if possible. I am paid $75 and board. I have always been paid this. I received presents from the beef contractor, and he never paid me anything.

March 30, 1874.

Number and weight of cattle received from August 8, 1873, to March 31, 1874, at Red Cloud agency, Dakota Territory.

<table>
<thead>
<tr>
<th>Date</th>
<th>Number of head.</th>
<th>Average.</th>
<th>Total.</th>
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<td>August 15, 1873</td>
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<td>993</td>
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<td>March 29, 1874</td>
<td>271</td>
<td>1,053</td>
<td>287,471</td>
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Number of cattle received at Red Cloud agency.

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<th>Date</th>
<th>Action</th>
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<tbody>
<tr>
<td>Aug. 15, 1873</td>
<td>Issued from corral</td>
<td>163</td>
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<tr>
<td></td>
<td>Killed for headquarters' issue</td>
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<tr>
<td>23, 1873</td>
<td>Killed for headquarters' issue</td>
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<td>23, 1873</td>
<td>Issued from corral</td>
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<td>Sept. 1, 1873</td>
<td>Issued from corral</td>
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<td>7, 1873</td>
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<td>8, 1873</td>
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<td>8, 1873</td>
<td>Issued from corral</td>
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<td>15, 1873</td>
<td>Issued from corral</td>
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<tr>
<td>23, 1873</td>
<td>Issued from corral</td>
<td>253</td>
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<tr>
<td>23, 1873</td>
<td>Killed for headquarters</td>
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<tr>
<td>23, 1873</td>
<td>Little Wound on Platte</td>
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<td>28, 1873</td>
<td>Scraper, Face, Smoke Maker, and other Indians</td>
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<td>Sun Dance</td>
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<tr>
<td></td>
<td>Old Eagle, Red Dog, Red Leaf, and White Cow Walking</td>
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</tr>
<tr>
<td></td>
<td>Standing Soldier</td>
<td>4</td>
</tr>
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<td>Pretty Crow, Racer, and Hoska</td>
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<td></td>
<td>Arapahoes</td>
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<td>Horse Road</td>
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<td></td>
<td>Cheyenne</td>
<td>7</td>
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<tr>
<td></td>
<td>N. Jannis</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Dull Knife</td>
<td>14</td>
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<tr>
<td></td>
<td>Little Wound on Platte</td>
<td>32</td>
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</table>

Received up to date ........................................ 1,435

On hand .................................................. 1,447

Testimony of Agent J. J. Saville in regard to marking of flour.

Dr. Saville. All the flour did not have T. S. Clarkson's, inspector's, brand. I think the larger proportion did not. I think all did not have on them the brand United States Indian Department. I know that many did not have it. I think most of the bags had marks that showed the flour to be the property of the United States. There was no mark on many sacks that would prevent them being exchanged for other flour. The millers' brands are usually on.

MARCH 30, 1874.

Testimony of Agent J. J. Saville in regard to flour.

J. J. Saville sworn. I am United States Indian agent for Red Cloud agency. I came here to relieve Dr. Daniels, on the 8th of August. I arrived at the agency on the 13th of August. I can testify as to flour from personal examination. I can't say what per cent. of the flour was not branded; I think very few sacks were not branded. My attention was not especially called to that point. A good many did not bear the inspector's mark. I have not observed any particular difference in quality of flour between now and last September. Some of the flour was of the old contract. The flour seemed of equal quality since the new contract. I do not think any bad flour has been issued or received. I have never been instructed to examine whether the flour was branded or not. I would not receive a load not branded. I think the inspector's brand should appear. I so reported at Washington. They thought it not right. I never received samples of flour, corn, &c., to be furnished. If I had found, or should find flour unhealthy or bad, I would reject it. I consider the flour fair and good flour. I know nothing about the
flour's being wasted, by observation. I have been told that traders have bought flour lately, and I have forbidden it. I issued an order as soon as I heard of it.

March 28, 1874.

Testimony of B. F. Walters in regard to flour.

Benjamin F. Walters sworn. At time of Mr. Walker's visit I was store-keeper at Red Cloud agency. I am now clerk at same place. I received and issued provisions. I received flour. It was branded United States Indian Department flour. Some sacks were not branded; I do not know how many. Some loads were all branded. I did not open sacks. It was issued by Mr. Nolan and others. Many sacks were torn, and I could see the double sacks. I refer to the time I was clerk. I think the flour in February was better than before; we used it in our mess. The Martin brand was the best. There is a difference in the color of the flour. All of it is sweet. I had no instructions as to receiving no sacks not branded. We have no copy of the flour contract in the office, and have never seen it. The inspector's brand is only on a few sacks. I noticed a difference in the flour. I had no means of knowing whether the flour was up to contract or not. We had no samples furnished. I came to the agency in July last, before Dr. Daniels left.

March 28, 1874.

Testimony of W. Stokes in regard to flour.

W. Stokes sworn. I am assisting the commissary clerk. In October and November I was a laborer. When Mr. Walker was here I think I was in the commissary. On reflection I think I was not in the commissary. I don't know when I began work in the commissary. I think I began between the 1st and middle of December. I handled flour when in the commissary. I think all the sacks were branded; possibly some were not branded. All the sacks were double—all that I opened were double sacks. I am not a judge of flour. The flour used by employes is the same as issued to Indians. I don't think the flour is extra flour. I never heard the employes complain, but they frequently desired better. I think some of the flour is musty. I began to work here on the 13th of last August. I think the flour now is the same as was issued last fall. I don't know anything about the flour contract.

March 28, 1874.

Testimony of B. F. Walters in the matter of weighing supplies.

B. F. Walters, clerk at agency. Was receiving clerk at the time of Mr. Walker's visit. I examined bills of lading, and received goods. Packages were weighed as far as possible. Sometimes we could not weigh all on account of want of time before issue. Once a whole issue was made without weighing. We always counted all the packages. When we did not count on one occasion, it was on account of pressure of the Indians, who threatened to take the goods if not issued immediately. I think the emergency such that it was justifiable. Dr. Saville never told me not to weigh. Once the scales were broken, but were fixed before next issue. At the time of the issue without weighing Dr. Saville was not here. I never told Mr. Walker that the agent instructed
me to receive without weighing. Mr. ——— ——— (young man) was clerk at the time. I never knew a case where freighter was allowed a difference on weight on account of a claim of his. Once on comparing bills with receipts it was short, and freighter paid difference. Goods were weighed in nine cases out of ten. We never weighed flour, but only the sacks. We weighed sugar, and I have items. Coffee all weighed. Mr. Walker may have meant the acting clerk. He means me; and I never told him that, and could not have told him so truly. Mr. Walker seemed anxious to obtain information against the agent. The agent and I have always been on intimate terms. I think Mr. Walker was anxious to pick flaws and find fault, and overlook the good things. Packages broken open, sugar and bacon, were so weighed and noted, and I know that the deficiency was made up. I know the doctor intimately, and we have been on good terms. From personal knowledge, I don't think Dr. Saville entered into collusion with contractors or others; if so, I should have known it. I never was approached by Dr. Saville and invited into relations that would forbid the disclosure of any business of the agency. Official business is, of course, confidential, and not to be communicated to persons not lawfully interested in it. (Books shown.)

MARCH 28, 1874.

Testimony of Joseph Bissonette in regard to weight of provisions.

JOSEPH BISSONETTE, JR., sworn. Interpreter; been at this agency three years. Have been present when freight has been received from contractors. Freight is always weighed. Corn, sugar, coffee, tobacco, are weighed. Some of the flour is weighed. Sometimes all the sugar is not weighed. Mr. Walters takes account of the weights. I do not know whether teamsters use the provisions en route or not. I think the Indians had formerly too much flour, but not now. They used to keep it. They fed it to their horses and sold some to traders. They prefer part corn. There was some bad flour here; some of the flour is always bad. The last is the best we have had. The flour is dark, some of it. I have a bad sack, issued to me two weeks ago. I do not know whether it has the inspector's mark or not. I get $83.33 per month and rations. There is also a boy here who interprets. I have heard Dr. Saville speak to the Indians about guns. He never told them he would get them guns. He and Dr. Daniels told the Indians they would try to get the guns, if they could. I never made affidavit contrary to this. Mr. Walker came to my room, and he asked me if Dr. Saville or Dr. Daniels ever promised the Indians guns; and I answered no, and told him they told the Indians they would get the guns if they could, as they thought the commission had promised them.

MARCH 30, 1874.

Testimony of Benjamin Tibbetts in regard to weight of provisions, &c.

BENJAMIN TIBBETTS sworn: Butcher; was butcher last fall. I came when the agency was first established, with Dr. Daniels; don't remember the month. Saw something of the receipt of freight, though not always, as it was not my business. When I saw it things were weighed; I think always. I do not think flour was weighed. Sugar was weighed, but not always; it was always weighed when the barrels were broken.

MARCH 28, 1874.
Testimony of Mr. Walters in regard to account of issue of provisions.

Mr. Walters. We issued according to amounts on hand when amounts would not warrant a full issue. We issued in proportion to what we had, and took the number of lodges into account. Accounts were kept, but we sometimes were obliged to give Indians more than they were entitled to receive. We also lost something for over-weight. We divide the amount issued by the whole number of lodges. We often were obliged to issue more sugar than they ought to have. We were also obliged to give to them and make presents. So we were obliged to make up our account from provisions on hand. We never gave freighters provisions. I once gave some bacon to a man who was delayed by a storm. The agent ordered it. I never made any over-issues to whites. We keep an account of rations issued to employés, and the account is reported to Washington. Employés eat at the mess-house. We sometimes fed Indians at the mess-house. Some employés eat at our mess and also draw rations for their Indian families.

March 30, 1874.

Testimony of Agent J. J. Saville in regard to matter of Frank D. Appleton

Dr. Saville. Vouchers were given to Mr. Appleton, sr., for his son to sign. The pay-roll is signed by Appleton, sr., for his son, and whether by his authority or not I do not know. I do not know who signed the voucher. I told Mr. Appleton he should either send the voucher to Frank or get his authority to sign it. Mr. Appleton never saw the check that was paid to Frank. It was given to Frank in person. Mr. Otis W. Johnson acted for Frank D. Appleton until he came. Mr. Johnson worked during the making-up of the rolls. I paid F. D. Appleton by check. [Check-book stubs shown.] Checks were all drawn on October 6, and paid out when called for. My desire to have Frank here with me induced me to wait for him longer than I otherwise would have done.

March 30, 1874.

Testimony of Otis W. Johnson in regard to the matter of the pay of Frank D. Appleton.

Otis W. Johnson sworn: I was employed on the agency from the time Dr. Saville took charge until December, except about a month. I was on the rolls as laborer, and was also at old agency as watchman. I was acting as clerk here part of the time; from middle of September until I was relieved. I was in the office during this time. I was not in the office before that. I was left at Red Cloud as watchman when Dr. Daniels left. I expected to be employed as issue-clerk. While I was suspended I performed no duty for the agency. When I was re-instated in September I acted as clerk. I was carried on the rolls, when I first went as clerk in place of Mr. Appleton, as laborer. I received $40 per month. Mr. Frank Appleton came in the middle of November, about the time the scales were put up. I always went on the rolls as Otis Johnson; I was formerly enrolled rightly, under Major Wham. I was put on the rolls as Otis Johnson by mistake. I understood that when F. D. Appleton came, I was no longer to act as clerk, but be discharged. I made out this pay-roll, [roll shown,] for portion of quarter beginning October 1. I was paid by pay-roll, by check, by Dr. Saville, at rate of $40 per month; paid till time of my discharge. From October to December I was carried as laborer.

March 30, 1874.
Testimony of Agent J. J. Saville in regard to the discharge of George Anderson.

Dr. Saville. I never saw affidavit drawn up by Mr. Appleton. Mr. Appleton told me he had drawn up a paper, and that Anderson did not sign it. The facts as stated in the paper prepared by Mr. Appleton are true, except that they were to be returned to the herd and not to the agency; and also the number claimed by Mr. Bosler differed. The difference was fifteen head. Mr. Heck gave evidence that Mr. Bosler's statement was correct, and I then allowed Mr. Bosler's account. Mr. Anderson was alone at the time of the difference with Mr. Bosler. Mr. Heck is a freighter. Anderson drove the cattle into Mr. Heck's camp, and he camped with him; Mr. Heck thus saw the cattle and they numbered only ten. Mr. Bosler gave me credit for ten. One hundred and forty head were returned to Mr. Bosler, and afterward one hundred and two were returned to Mr. Bosler. Mr. Bosler's herders gathered three hundred and fifty-five head. Total loss to the herd was sixty-seven. The whole herd numbers six hundred and fifty-nine. I think this number correct. I do not remember exactly; my books will show; books show it. I find out the number of cattle delivered to me by the statement of my herder, but now we have scales by the number and weight by me received. The report of herder was made to me before each issue. I compared his report with my own records. I found the accounts agreed until the time of the stampede, and then his account was not correct, and I discovered him in attempt to deceive and so discharged him.

March 28, 1874.

Testimony of Agent J. J. Saville in regard to the purchase of horses.

Dr. Saville. I bought the best horses I could find. Others were offered, but were of too high a price. Herding-horses should be mustangs, and not American horses. The horses were used for herding. I bought them of Mr. Shirley, of Idaho, in Cheyenne. I think the price high, but could not do so well on the Platte. Refers to letter-book as to consent of Commissioner of Indian Affairs.

March 30, 1874.

Testimony of Thomas Reed in regard to affidavit made for Mr. Walker.

Thomas Reed sworn. In October and November I was sub-agent for Cheyenne and Arapahoe Indians. Have been here ever since the agency was established. Was out all last summer with the Cheyennes and Arapahoes. I returned here in November. I left here for the East the last of November. I went to Washington. I don't think it has been possible to count the Indians here. The Indians forbade it and would not let the whites cross the river. I understand the Indians could not be counted; at the old agency they were counted frequently, but here they have objected to it. I don't know why they refused to be counted. I have only been here since the troops came here. I saw Mr. Walker in Washington in the Washington House, and in Ecoffey's room. I had a conversation with him in regard to issue of beef. I made an affidavit that the Indians had been counted, and probably could be counted again. But I did not know the condition of affairs here, and I now see that it was impossible. I told him I had been through Mr. Bosler's herd with Mr. Freel, and that I thought it the finest herd I had seen. I told him that I had drawn 75 head for the Cheyennes and Arapahoes, and that
I thought them a small average of the herd, and that I thought they would average at least 800 pounds. I considered that Mr. Bosier had picked out small cattle for me. I told him I had seen Mr. Bosier's herd on the Platte, and thought them fine and that they would go over 1,000 pounds. Mr. Walker did not take my whole statement, but only part of it, and said that was all he wanted. I saw 5,000 or 6,000 of Bosier's herd on both sides of the Platte. I was with Mr. Frele. I saw them culling out the small cattle 2 and 3 years old to sell to some person on Deer Creek. I don't know to whom they were sold. I can't say that Mr. Walker told me he did not want all my statement. He did not take it all. I do not know Mr. Walker's motive in questioning me. I told Mr. Walker that the herd was a fine one, and also Mr. Welsh in Philadelphia. I also told him about the 75 head weighing 800 pounds. Mr. Welsh came to the La Pierre House, in Philadelphia, to see me. Mr. Walker took part of my testimony, but not all. He did not take the part where I spoke of the herd being a fine herd. I told him he had not taken all and he said he had all he wanted. I did not know his object.

March 30, 1874.

Testimony of J. Bissonette in regard to cloth given him.

JOSEPH BISSONETTE. The doctor gave me two bolts of cloth after the issue, to be given to Indians for their dead and other purposes. It was so used by me, and by my woman after I went to Washington. I was not required to account for it. Some of it was used for messengers and to wrap tobacco in for peace embassies. I told Mr. Walker in Washington what it was given to me for. I made an affidavit to that effect. I told him part of it was for me and part for the Indians. I drew my share with the chiefs; the chiefs receive 8 yards of each kind. A bolt contains 40 yards, and some only 30 yards.

March 30, 1874.

Affidavit of Todd Randall.

In regard to the statement of Mr. Walker of attempted collusion by Mr. Todd Randall with Moore, freight agent at Cheyenne, in regard to fraud in the delivery of flour at Red Cloud agency, the said Todd Randall, being duly sworn, says that he made no such collusive proposal, but, having a quantity of flour on hand, in his store, at the agency, supposing the flour contractor delivered his goods at the agency, he, Randall, inquired of Moore whether he could not sell such flour to the contractor at the agency, and, receiving a negative reply, no further inquiry and no proposition was made in the matter.

TODD RANDALL.

Sworn to and subscribed before me, at Red Cloud agency, the 17th day of March, 1874.

J. D. BEVIER, United States Indian Inspector.

Value of hides and robes bought by Todd Randall, trader, at Red Cloud agency.

<table>
<thead>
<tr>
<th>Number of hides received and shipped from December 1, 1873, to March 16, 1874</th>
<th>$7,191.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>On hand 200, at $3</td>
<td>600.00</td>
</tr>
</tbody>
</table>
Skins shipped:
368 buffalo-robos, at $6.25.......................... $2,300.00
33 packs skins, at $22.......................... 726.00

Amount of goods traded by Todd Randall at Red Cloud agency from December 1, 1873, to March 16, 1874, showing amount of ammunition traded during same time:
Goods bought at wholesale.......................... $11,694.34
Ammunition, wholesale.......................... 530.25

Part of ammunition is still on hand.

Amount of ammunition and merchandise bought and sold by J. W. Dear, trader, at Red Cloud agency, from December 1, 1873, to March 30, 1874.

RED CLOUD AGENCY, WYOMING,
March 30, 1874.

Gentlemen: In reply to yours requesting statement of merchandise sales, sales of ammunition, and ammunition on hand, total number of hides traded, and number of robes bought since 1st December to date, respectfully state the amount of merchandise sold is about $9,000. The amount of ammunition sold is $186.65. Amount ammunition on hand, 700 rounds of pistol-cartridges. Have traded, in the time, 1,060 beef-hides and 490 buffalo-robos, with a large lot of small fur and skins.

Very respectfully, yours,

J. W. DEAR.

No. 2.

Reply of E. A. Howard, agent, to Walker’s report.

WHETSTONE AGENCY, DAKOTA TERRITORY
March 22, 1874.

To the Hon. Board of Indian Commissioners:

In answer to the charges preferred against me by Mr. Samuel Walker, under date of December 8, 1873, or so much of such charges as I am advised it is the wish of your honorable body I should make answer unto, I would most respectfully answer and represent as follows, to wit:

1. In answer to charge marked one, I would say that the issues are calculated from the number of lodges, and an amount issued based on such calculations, and a full record is kept of this amount so actually issued; and the clerk never, as I am informed and verily believe, told any one that the stated number for which an issue was made did not equal the actual number. All the issues calculated were fully expended, though the number of lodges given in, because believed to be excessive, was often cut down, but in such case a record was only made of the amount of the issue actually made. (See records; call Clerk E. Willard and Dominick Bray.)

2. In answer to charge number two I would say I never gave or issued anything to supply more than the quantity actually needed, and neither beef or anything else was charged in excess of what was actually expended. (See records; call Willard and Bray.)
3. In answer to charge three, I would say I did not have on hand, the 30th day of September, 950 head of beeves, but 775 head; I did receive in October 1,056 head, making a total of 1,831 head; of this number I expended in October 883 head, in November 749 head; there was lost and stolen during this quarter 66 head, and after the issue on the 10th of November I had on hand 133 head. The work-cattle were not among the beeves, except one, which was pointed out to Mr. Walker by the herder as one of the work-cattle. (See record; Willard, John Atkinson and Simon Lunderman and John Whalen.)

4. In answer to charge four, I would say that it is true the weight of the cattle, up to November, was determined by selecting from 10 to 20 as an average; that I often participated in the selecting; that when this was done there were no scales, but scales were put up as soon as practicable, and then all the cattle were weighed, the end-gate of a wagon was never counted as a part of the weight of the beeves, nor was one half cut or weighed as stated. I either attended to the weighing in person or had some reliable person to act for me in that capacity. (Call C. Benard and J. Atkinson.)

5. In answer to charge five, I say the work-cattle were not introduced into the herd, and the acting agent did not say what is claimed in regard to the matter. (Call E. Willard, J. Atkinson, and S. Lunderman.)

6. In answer to charge six, I would say that the inferences in the same, drawn from the statements of acting agent and George M. Bosler, are wholly without foundation; that the acting agent told Mr. Walker that he should try and avoid an issue of beeves on the 20th of November. (Call E. Willard, George M. Bosler, and George H. Jewett.)

7. In answer to charge seven, I would say: October 1 I issued to 1,076 lodges, and that on the 15th of November there was no issue at all. The estimate of number of Indians to whom issues should be made was based upon the best information I could gain. The clerk at the agency did not tell Mr. Walker that he calculated the number present to be about as many more as properly belonged to the agency. There have been far more than 720 lodges present at the agency. I have always endeavored to cut down the amount of issues demanded. (Call E. Willard, Louis Bordeaux, and see records.)

8. In answer to charge eight, I would say that it was necessary there should be an agent at Fort Randall to receive and care for supplies at that point. C. Ferris acted as such agent there, and when so acting as receiving agent at Fort Randall he was the junior member of the firm of Pratt & Ferris. Neither member of the firm was at Whetstone at all. I was a stranger in the country and acquainted with Mr. Ferris. I knew of no other person to appoint at Fort Randall except Ferris. (Call E. Willard.)

9. In answer to charge nine, I would say that, in regard to the oats, I met the Commissioner of Indian Affairs in Sioux City, and he asked me if I could not buy the oats. I replied that I thought I could, and immediately applied to Mr. Charles and Mr. Pratt to buy the oats as low as they could. Mr. Pratt delivered the oats, and I had no information upon which I could decide that the price was unreasonable. I do not believe any lots were delivered here at the price stated by Mr. Walker. (Call E. W. Raymond and George H. Jewett.)

10. In answer to charge ten, I would say, respectfully, that I never at any time employed more herders than were necessary, and even with the number I had there was a great deal of trouble in protecting the cattle. As soon as I ceased to keep an agency-herd the herders were discharged. (Call Atkinson, Lunderman, and C. Benard.)
11. In answer to charge eleven, I would say that when I first took charge of the agency I cut the prices all down to $40. The men had been receiving $50 and $60 per month before. After I cut the prices down the men refused to work at that price, and, as I could not supply their places, I was compelled to put them up to $50. I have but one butcher, C. Benard, and he has as an assistant, a man who is only paid $30 per month. It would be out of the question to dispense with the services of C. Benard, unless I could do without a butcher. (Call E. Willard and any employés.)

12. In answer to charge twelve, I would say that the superintendent, E. W. Raymond, has never been away from the agency or worked a day for himself during all the time he has been in my employment, and I regard him as one of the most reliable and necessary men on the agency. He may own some teams that are employed by other parties, but his ownership of such teams never in any manner prevents him from faithfully discharging all his duties as superintendent.—(Call Raymond, D. Bray, E. Willard, and Louis Bordeaux.)

13. In regard to charge thirteen, I would say that at the time of Mr. Walker's visit to this agency two of the horses referred to by him were at the herd-camp, and the other was at Fort Randall for the use of the herders there, and the horses are still in my possession. (In support of this, call J. Atkinson and Paul Dorion.)

The foregoing is most respectfully submitted to the attention of your honorable body.

Very respectfully, your obedient servant,

E. A. HOWARD,
United States Indian Agent.

Dated at Whetstone agency this 22d day of March, 1874.

TESTIMONY IN REGARD TO THE WHETSTONE AGENCY AND IN RELATION TO AGENT E. A. HOWARD'S REPLY TO SAMUEL WALKER'S REPORT. (See Appendix No. 2.)

Testimony of Hubert Rouleau in regard to weighing beef

HUBERT ROULEAU. Store-keeper; been here six years; been store-keeper 18 months. Have been often present at weighing of beef. Beef was weighed by quarter, and all the quarters were weighed. Sometimes we weighed two quarters together, and sometimes one. We weighed the whole of the beef. Never knew it to be weighed otherwise; sometimes we put on boards for the quarters to lay on, but we deducted the weight of boards. I am paid $75 per month, and have no other business. My woman has left me. I draw rations as an employè; I get 1 1/2 pounds beef per day, and 1/2 pound flour; 7/2 pounds sugar, 3/4 pounds coffee to (100) rations. I have children, three, and keep house; I have two at school in the States.

Testimony of Edward Willard in regard to issue of beef, &c.

In the matter of investigation of affairs at Whetstone agency, Dakota Territory, on report of Samuel Walker, clerk of board of Indian commissioners.

EDWARD WILLARD sworn. Clerk at Whetstone agency. Indians are
cut down as to number of lodges, and are charged accordingly. (See records of agency and form of return to Department.) The number of Indians is estimated, not from their statement alone, but from the best information the agent can obtain. In regard to charge, Indians claimed 42 lodges, and were allowed 28 for provision-issue, but only one beef was issued or charged.

Edward Willard, clerk, proves his reply by agency books and records. March 23d, at the time of Mr. Walker's visit, agent was absent and my returns were not made up, nor in a condition to give correct information. No work-cattle were in the herd to my knowledge; 66 were lost by stampede as per affidavit of herder.

Mr. Willard. I did not tell Mr. Walker that I expected a herd here by the 20th or 21st of November; I did not know it, and did not want to make an issue at that date unless compelled to do so. I so told Mr. Walker. I did not tell Mr. Bosler that I wanted cattle at that date; did not tell Mr. Walker I had enough cattle for an issue; Mr. Walker did wish to see an issue: I did not omit the issue on account of Mr. Walker's presence; I did not try to hide anything from him; I told Mr. Walker we had issued so much beef that I wanted to omit an issue if possible, and that I might be compelled to send for those cattle, and so I would inform him; I did not tell Mr. Bosler I had cattle enough to issue for the next time; I did not tell Mr. Bosler (he was here the day before Mr. Walker came) that I did not want to make that issue; I wanted to skip it; I told him I would only send for cattle if compelled to do so. Was no issue on the 25th. November 1, 1,413 lodges, 341 beeves. November 10, 1,551 lodges, 403 beeves. We can't tell number of Indians; we never issued to Indians not estimated to the best of our ability; the numbers are supposed to be larger than are really present, but we can't always know; we are often deceived. Mr. Walker was told this.

Testimony of Spotted Tail in regard to selling his beef back to contractor.

In matter of charge of Mr. Wm. Welsh, Spotted Tail says if they sold their beef they would starve; that after the cattle are issued they are so wild they cannot drive them, but have to kill them immediately to secure them.

Testimony of John Whalen and John Atkinson in regard to beef and stampede.

John Whalen sworn: I work at the mill; the work-cattle are kept at the mill, eighteen in all. The mill is three miles from the herd. The work-cattle were never taken to the herd; the herd was never at the mill. The work-cattle were never taken from the mill; not in November, or at any other time. I was not away during November. Walker never came to the mill; was driving cattle that day.

John Atkinson (herder) sworn: We formerly held our own herd. I was here in November. Remember Mr. Walker; he looked at the herd in presence of Willard and herder; cattle numbered 133. Never knew cattle to get with the work-oxen. One steer was in the herd when Walker was there. Ox ran away from the mill. Never knew any of the oxen to be in the herd. No work-cattle were in the herd when Walker was there, except one that I called his attention to. I set trap for wolf, and the wolf stampeded the herd; 300 ran off; 59 not recovered. I made up, as to number, since the beginning of this year; was asked to make it when cattle are low; I report it; I reported this to
agent six or seven days after. Cattle in November were good, and averaged 1,000 pounds. Cattle improved by being in the herd; sometimes see yearlings; saw two last summer; I never saw two-year olds. I get no aid except my salary. I had eight herders. I have now three since January 1. My assistants are Mexicans and half-breeds. Cattle are smaller since last fall. Spotted Tail never received smaller cattle than the rest. I have nothing to do with cattle until they are weighed; Major weighs the cattle. Have been familiar with cattle for several years on the Platte. Cattle are better this year than last year. Cattle lose flesh by driving. A steer would lose forty pounds from the Niobrara here. A steer would lose between seventy and eighty pounds from the Platte. Cattle are better in summer. Cattle are selected without regard to size. I thought the average was right.

Testimony of Simon Lunderman in regard to cattle and stampede.

Simon Lunderman: Teamster and herder, and at stable for four months; been in country three years. Testifies as above as to kind of cattle and the stampede, and as to loss. He receives his pay from agent, and none from any other person.

Testimony of George H. Jewett in regard to beef hides and Walker's report, &c.

George H. Jewett: Trader at agency; here ten months; three months as clerk. J. H. Pratt, of Randall, has license. Mr. Ferris and I are partners also. I was clerk to Major Howard to August 31. I gave my testimony as to Bonsor on information furnished by William Houston, of Yankton reserve. Mr. John Wright (colored) saw Bonsor drummed out from United States Army, and fed him. He is reported as a deserter from the Regular Army; was here when Mr. Walker was here; saw much of him; said he came to investigate affairs of Agent Risley; said he was sent by Indian commission; talked with no one but Mr. Bonsor. The hides received Friday were good hides, but no better than November and December hides. Dry hides weigh 28 pounds. Last sold weighed 27 pounds; got 180 hides last issue. Had 16, and got 6 from military; have 200 now; I think I will get no more. Mr. Moran trades, and Bushe. They have no license, but trade as Indians. I think northern Indians are hoarding ammunition. They always do it, as they do not come in in the summer. Ammunition is for hunt, and not for war necessarily. I was engaged in no other business while I was clerk here. I knew of none employed by the agency to have other occupation. I never knew of the agent making money outside of his salary. I was not clerk for Risley. Weight of beef was determined by killing certain beeves selected by the agent. Net weight is one-half of gross weight. I weighed one lot in absence of agent; we weighed the entire beef—we weighed the four quarters; we weighed on the end-board of the wagon to hold the beef off the ground; we deducted the weight of the end-board. I have been here ever since Major Howard was here. The cattle have been good. Major Howard's employes do their duty; some of the men are sometimes disposed to shirk. Major Howard is strict with them. Government hours are observed. Major Howard has been a good and economical agent for Government. He has sometimes obeyed orders against his judgment. He has not men and teams enough to do his own work in hay, &c. There is no hay within fifteen or twenty miles. It is hauled from Big White Clay, twenty or twenty-five miles.
Testimony of Charles Benard in regard to weighing beef.

Charles Benard: Butcher for six years; salary, $75 per month; have an Indian assistant; scales were put up in November; before that beeves were selected and weighed; weighed beef quarter by quarter; we put on a platform to hold the beef; usually used end-board of wagon; this weighs twelve pounds, and is deducted. I once weighed half a beef and Major Howard told me to weigh the whole beef. I gave weight to Major Howard. Beef is of different weights, from 180 to 210 pounds per quarter. I once weighed half a beef; Major Howard forbade it to be done so; this was in June. I did not weigh the beef the other day, as they were weighed on the large scales. I heard about a stampede, but do not know about it; cattle often stampede in a storm in summer. The beef has been good for this winter and for the summer; last year it was not quite so good. This winter cattle are good. Cattle are never weighed on the scales by Major Howard; some of us help him. Cattle this winter have been good average.

Statement of beef issued at Whetstone agency March 18, 1874.

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<th>No.</th>
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<th>No.</th>
<th>Pounds</th>
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<th>Pounds</th>
<th>No.</th>
<th>Pounds</th>
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Testimony of J. W. Barngrove and Jeff. Yount, herders, in employ of Mr. Bosler, in regard to cattle.

The cattle brought here yesterday came from the Platte; one day and one night on the way from the Running Water, about three and a half days from the Platte. Started the 15th, about 10 or 11 o’clock, from the Platte. Remained one night at the Running Water. Pretty good pasture about the Running Water; grass very good on the way, but they will not eat on the way unless there is water. Herd driven, 892. Order to bring 250 head. Intended to start with 254, but others got into the herd, making 272 altogether brought here. The cattle were very gaunt. They had not really ate or drank anything. They were very wild, and most of them would not stop to eat or drink. They were very full and plump when they started. Distance from Platte, from 90 to 100 miles. Could not say how much they would fall away. Cattle during the winter kept very well as a general thing. Those on the Platte had a rather better chance, because they were not disturbed. Those just delivered were worse off than average delivered here, they were driven so far day and night. These, on the whole, were about the average of those on the Platte—some larger and some smaller. The large herd always kept on Platte, and smaller herd for issue on the Running Water. After Appleton was killed, all taken back to
the Platte. Those delivered yesterday would have averaged when left the Platte 1,100. Think they would lose from 80 to 100 pounds each on the way. Have had experience in butchering and calculating weight. Can make pretty good guess of the weight of a steer. A small animal stands the winter best; they are younger and more quiet. The value of a steer per pound depends upon the build very much. A smaller, low, round-built steer is the best. We select such, and particularly cows, for our own use. This herd was the best of 1,000 head of Texas cattle I ever saw on the Platte. These are Texas cattle, as I understand, most of them, which had been raised in Kansas. Was present when these were weighed; 26 or 27 were not weighed. They became so wild we could not get them in. They were, if anything, better than the average, because the larger, older cattle were the wildest. In driving, the largest and strongest will take the lead. Was with the herd on the Platte when Walker was here last fall. Have been several times with herd to Red Cloud and to Shoshone Indians at Wind River Mountains. Here and at Red Cloud cattle always weighed. At Shoshone they had no scales, and cattle were selected average in size, butchered, and weighed net, net weight, about half gross weight, sometimes a little less, and sometimes a little more.

Have been herding now about nine months for Mr. Bosler. Cattle herded from three years old upward. None put in herd less than three, unless in a large herd two or three would get in. I killed sometimes yearlings and two-year-olds for use of camp when Indians came to camp. Bosler always told us to have no trouble with them. Sometimes would give them one to avoid trouble. Sometimes they would demand more. We have had no trouble with them until within a short time. Cattle sent to Shoshone Indians cut out of same herd; should call them less than average quality. Butcher selected one, herder one, and agent one, which were killed as average; weight was about 990 pounds. This winter Indians have annoyed us on Platte; have run off cattle and taken horses. Very few days that there were not Indians in camp, eating with us; men of pretty much all the bands; not many northern Indians. After Appleton was killed a Minneconjou came there, ate his breakfast, and then went out and shot in the herd fourteen or fifteen times, killing and maiming several. Only two yoke of oxen in the herd which had been worked; but they were all as fat and wild as if they had never been worked. Was with herd on Platte in November and December last; knew of every herd cut out for this agency; sometimes more and sometimes less; once as many as four hundred; once none were cut out for this agency for thirty days. They were cut out for Red Cloud three times a month, from three hundred to three hundred and thirty each time; same one always came over from the agency with an order for so many cattle, which was handed to the chief herder; we all went out and assisted in cutting out the number; the messenger went back with the herd; the order was left in camp with man in charge. Bosler would sometimes come round and get the orders to get his receipts from agents. The orders were simply, "Please send to this agency (so many) cattle of such an average weight."

In January two issues cut out for this agency; first, about the 15th, about four hundred; the other about two hundred and fifty. Have not seen Bosler since about time Appleton was killed. Has never given any instructions as to selecting lots to be cut out; we round up the first lot we come to and cut out the number wanted. Have been handling cattle in Kansas several years; with native cattle the shrinking is considered
to be forty pounds for the first twenty miles; after that they don’t shrink so much. I came through from Kansas with one of these herds; a portion were Texas cattle and portion wintered in Kansas.

[Most of above testimony given by Yount.]

Testimony of John Atkinson in regard to stampede of cattle.

JOHN ATKINSON, chief herder for four years, testifies as to loss by stampede by wolf, as to kind of cattle received, and as to manner of weighing, and as to absolute loss of cattle stampeded. Cattle have been good, and he has not received pay from any one but the agent.

Testimony of John Whalen in regard to the work-cattle at the mill.

JOHN WHEALE. I ran the engine for seven years; work-cattle are kept at mill, three miles from the herd; they were never away from the mill. Walker came to the herd but not to the mill.

Testimony of Major Howard in regard to flour.

I never have reported the amount of issue above the amount actually issued. I know that the Indians deceive us. The actual number of rations issued are charged to the Government and no more. I do not affirm that the Indian count is correct.

I came here June 1, 1873. The flour turned over to me was most of it stored in a corral at the end of warehouse, exposed to the weather. Some of it was inside of the warehouse. Some time after I arrived I received a Department letter saying that they had unofficial information that a large portion of the flour here was unfit for issue, having been exposed to the weather. I replied that it was true, and suggested that it be dropped from the papers and given to the Indians to feed their ponies on in cases of necessity. They replied granting my request. I did not know where it came from or how long it had been there. Don’t know who furnished it. Don’t remember the brand. Some of it (200 sacks) is here now. I hold it to give away. It will be dropped this quarter. Present contractor began furnishing flour August, 1873. I don’t know who had contract before. Flour has been good since I have been agent, and I have used it on my table.

J. H. Pratt received his license in June and opened his store in September. Mr. Ferris ceased to be sub-agent at Randall December 1. His duty was to receive and ship freight, and to store it in the warehouse. I do not know how he kept his books. He resigned. His reason was that he could not attend to his own business and that of the agency. No part of Indian supplies were purchased by him. I don’t know that Indian goods were changed by him. Don’t know whether he sold pork, &c., or not. His books were straight when he turned over. His accounts were always straight. I do not know to whom Mr. Walker refers as having bought oats cheaper than I. Mr. Pratt and Mr. Charles promised to buy them for me. Mr. Pratt bought them.

I do not know how many herders were employed when I took charge. When I arrived here my predecessor had chief herder at $100 per month and one at $60. On the 12th of June I discharged the whole number, and re-employed a chief herder at $60 and six herders at $40 per month. This is found upon the pay-rolls of the agency.
Testimony of James Leighton in regard to Mr. Raymond, head farmer.

James Leighton. I drive team; I have driven two years last September. Have been here five or six years. I never knew Mr. Raymond to be away from his duty during working hours. I never knew him to be away at noon looking for his teams. He has a man in charge and herds his horses on the White Clay.

Testimony of George H. Jewett in regard to building of corral.

Mr. Jewett. In the matter of the corral, I put up 1,200 and some feet; I don't remember; in this corral 140 feet, as near as I remember; on the other end I put up the corral and paid for same. The other corrals were the cattle corral and the stable corral. It was measured by Mr. Willard and the carpenter. I think they deducted too much for gates, &c. Several men hauled the logs for this corral. Mr. Butler was one of them; he is not here now. I put up the end west myself. I think Mr. Walker did me injustice, he did not ask me about it. I built here for mutual protection. In the matter of issue of beef I never knew any Indian selling or proposing to sell cattle after the issue had been made, and never heard of it. I never knew the contractor to influence Indians to keep up their numbers or talk with them at all. They sell flour. I think for Indians they have too much; they prefer corn. I was offered a sack of corn for sale; also two pairs of socks, and had a pair of pants. I mess with the agent and pay for my board every month. The agent has no interest in the store. The whites about here—some of them are insubordinate, some are well behaved and mean to do right, and some don't wish to do right; some of them instigate a bad spirit among the Indians. When the agent cut down their wages they were angry at it. Large wages have always been paid on account of isolation and larger expenses. Indian women use up clothing and are expensive. I am not in the habit of seeing the cattle. I buy hides; they are uniform in size. A Chicago firm wrote for hides for reason that they were better.

Testimony of Louis Bordeaux in regard to counting Indians.

Louis Bordeaux sworn, interpreter at Whetstone agency. Testimony same as above as to charge No. 1. As to charge No. 2, thinks number of lodges claimed was 72, and the number allowed was 40, and only one beef was issued.

Louis Bordeaux, (2.) interpreter for two years, $100 per month. When an Indian claims ten lodges we give him five or more; we try to find out how many lodges they have; I do not know that we are always right. I can't go into camp. Many northern Indians came in; they come in day after day; 700 lodges came in. They began to come in last of October. They were all in by November; all have not gone off yet. They have been going for six weeks. Northern Indians are insolent and demand rations. They are not like Indians here. Agent always gives ticket and Indian takes it to store-keeper or corral.

I know of men freighting, but not employés. The Indians are generally satisfied with beef; sometimes they complain, say cattle are poor. They have plenty, but say they don't get enough. They always want more. I have family and draw rations. I am the only interpreter. I get information from Indians as to numbers, and cut it down and try to get it right. The agent tries to count Indians, but they won't allow it. I don't know that they are angry at it. The Indians object to being
counted. I do not know why. Major wanted to go in village and count lodges, but the Indians forbade it; said they would soldier us. I was here with Major Risley. Agent Howard has, as far as I know, done his duty to Government and Indians, and has been kind to them.

Testimony of Dominick Bray in regard to flour, etc.

DOMINICK BRAY sworn. Issue-clerk at above agency. Have been so employed since the fall of 1868. He issues rations to the Indians upon orders from the agent, and according to a table prepared in the agent's office.

March 24, 1874.

Dominick Bray, store-keeper and issue-clerk since 1868. Colonel Kemble was here in June, 1873. Mr. Samuel Walker was here in November, 1873; was present when they selected samples of flour. Colonel Kemble took samples of the flour, having Major Washburne's brand first. This flour had been delayed at Old Red Cloud agency, from the summer previous, as I was told by some of the teamsters. Mr. Walker got his samples from old flour outside, with no brand on it. It had been exposed for some time to the weather. Some of that flour came from Old Whetstone. I do not know that he took any samples from that. I do not know in what year this flour was delivered. Some of this flour had been housed. I don't know whether this was housed at Red Cloud or not. Mr. Walker took samples of other flour, such as we are issuing now, also. Colonel Kemble took samples simply of the bad flour, but not of the good.

Testimony of Frank D. Yates in regard to flour.

FRANK D. YATES, former store-keeper at Red Cloud agency, and afterward trader at Whetstone. I know about flour delivered at Old Red Cloud, and afterward transferred to this agency. I received a large portion of it for Major Wham. It was delivered under contract of J. H. Martin. Understood that Martin had contract. A portion of this flour came from Fort Laramie, having been received by the commissary there and then sent to Red Cloud. We received flour there for both agencies, and it was brought here a year ago this spring. It was brought first to the upper place, then here. The flour was not sheltered or protected except by tarpaulins, at Red Cloud. It was piled on boards out doors. At Old Whetstone a large portion of it was out doors a long time, and another in an open building. I do not know that Kemble or Walker took any samples. Don't know who received it here; Cox or Bray, probably. I hauled some down from the old place and piled it out here. I don't know what disposition was subsequently made of this flour. I never examined it closely, but I have understood it was not first-rate flour. I have eaten some of it. It was sometimes very bad. In our mess we had to get flour from Laramie. I don't think it equal to the flour now delivered. I never used any of this. It was exposed for a long time before use. The bad flour spoken of was delivered by Martin under the Martin contract.

WHETSTONE AGENCY, DAKOTA TERRITORY.

List of employees.

Sub-agent, A. A. Howard ........................................ $1,200
Clerk, Edward Willard ........................................ 1,500
Farmer, E. W. Raymond .......................................... 1,000
Chief carpenter, Frazee Packard ............................. 1,200
Blacksmith, Michael Regau .................................................. $1,000
Interpreter, Louis Bordeaux .................................................. 1,200
Butcher, Charles Benard, per month ....................................... 75
Assistant butcher, "Red Nose," Indian, per month ...................... 30
Issue-clerk, Dominick Bray, per month .................................... 75
Store-keeper, Hubert Rouleau, per month ................................. 75
Chief herder, John Atkinson, per month .................................... 75
Herder, Paul Dorion, per month ............................................. 50
Herder, Whan Munso, per month ............................................. 50
Laborer, Charles DeSersa, per month ...................................... 50
Laborer, David Gallineaux, per month ..................................... 50
Laborer, John Marshall, per month ......................................... 50
Laborer, Joseph Schweizman, per month .................................. 50
Laborer, Simon Landerman, per month .................................... 50
Laborer, James Demerean, per month ...................................... 50
Watchman, Battise Clairmont, per month ................................ 50
Watchman, Louis Dorion, per month ........................................ 50
Watchman, Louis Rubideau, per month ..................................... 50
Teamster, James Leighton, per month ...................................... 50
Teamster, Peter Pino, per month ............................................. 50
Teamster, Benjamin Bovia, per month ..................................... 50
Teamster, George Stead, per month ......................................... 50
Teamster, Simon R. Frazer, per month .................................... 50
Herder, Turban Vroolston, per month ..................................... 50
Herder, Eugene Beugier, per month ........................................ 50

Statement of trader in regard to the amount of ammunition received, sold, and remaining on hand March 20, 1874.

Whetstone Agency, Dakota Territory. March 20, 1874.

To the honorable Board of Indian Commissioners:

Gentlemen: In compliance with your request, I have the honor to transmit herewith statement of ammunition received, sold, and remaining on hand at this date, with money-value of same.

I would also respectfully report that the amount of all business transacted as trader at the agency by me amounts to $16,000 during the last four months. This includes some peltry, now en route to market, the value of which was estimated.

The number of beef-hides received in trade since September 15, 1873, is 3,622. This is without the issue of March 18, or last issue.

Very respectfully, your obedient servant,

J. H. PRATT,
Per G. H. J.

Amount of ammunition received, sold, and remaining on hand at Whetstone agency, by J. H. Pratt, licensed trader, from December 1*, 1873, to March 20, 1874.

Amount on hand December 1, 1873: 100 pounds powder, 200 pounds lead, 4,000 rounds of fixed ammunition.

Amount received during that time: 250 pounds powder, 1,500 pounds lead, 12,000 rounds of fixed ammunition.

Amount on hand at present time, March 20: 150 pounds powder, 1,000 pounds lead, 9,500 rounds of fixed ammunition.

Money-value of amount sold, $700.

Respectfully submitted.

J. H. PRATT, Trader,
Per G. H. J.
Speech of Bishop Hare, in behalf of commissioners at the Red Cloud Indian agency, which was repeated at the Whetstone Indian agency.*

BISHOP HARE. We are here to-day with different-colored faces, but the same Lord made us. Let us first pray to Him to give us wise heads and good hearts.

Let us pray. Direct us, O Lord, in all our doings, &c. * * *

BISHOP HARE. The Great Father has heard a great many things regarding the behavior of the people here, which have made his heart very sad, and he has sent us here to inquire the cause of the trouble. He has told us to say to the people here that the troops have been sent, not to make war, but to protect good men and to protect the agency. Our business, therefore, is chiefly to ask questions, to ascertain what has been the cause of the trouble, and we now wish to hear what you have to say.

[Here followed speeches of Indians.]

BISHOP HARE. My friends, we shake hands with you all. We have come here to-day, not to discuss any questions, but to hear what you have to say; and we now propose to tell you some things we think it would be wise for you to consider, and let you put them into your hearts; for we are going away to Spotted Tail agency for a few days, and we shall come back here, if God spares us, and will then have further counsel with you.

We feel very sad, very much disappointed, in the speeches we have heard made to-day, that you have not had more to say about the bad things done at the agency. We do not think you understand, in your hearts, in what a bad position you have placed yourselves in the minds of your good friends at the East. I have gone into churches with a thousand people present, and when I have asked "How many here are the friends of the Indians?" they have held up their hands and said they were your friends. If they had been Dakotas they would have cried, "How! How!"

Now, these people have heard that here at Red Cloud agency, and in this neighborhood, their own brothers have been murdered. They lift up their hands in horror. They say, "Is it possible that at Red Cloud agency, among these Indians whom we thought good men, man after man is killed in cold blood, and the people do not stand up to punish the murderers?" As we have traveled along and have been told these things, we have felt like covering our heads in shame. We knew in our hearts that we loved these people, and when we have heard these things we have felt like a dog when he is kicked, like running off, even if we did love you.

Now, my friends, what do you tell us to say? Shall we go back and tell those who sent us that your answer is that some Northern Indians came down here, ate your food, killed white men, and made your agency like a den of wild beasts, and you could not help it? Your friends at the East will ask us, "Are there no strong men at the Red Cloud agency?" They will ask, "Where is Red Cloud and all the brave men we have heard of? Was there no one to see that these Northern Indians were driven off? To say to them, "You are eating our food and you are getting us into trouble—go about your business?" They will say to us,

* The substance of the reply of the Indians is given in the report of the commission to the honorable Secretary of the Interior.
“There is a certain treaty, made with Red Cloud and other Indians, in which it was agreed that if any Indian murdered a white man the Indians should go after him and give him up. Why do not our friends, the Indians, whom we love, do it? Now, what we want to put into your hearts to think about while we are away is, will you go after Indians who have murdered white men and deliver them up? When Indians steal horses and other property will you go after the robbers and give them up? If you say, “No, we will not;” or, “No, we cannot,” then we have another question: Shall the Great Father send soldiers after the murderer or marauder and take him and punish him? And when the soldiers come, will you say: “The man who murders and the man who steals is a bad man, and we will help the soldiers to take him and punish him?” Will you do that?

The next thing we wish to speak to you about is this: It sometimes happens that a white man is killed right here. It happened the other day. It made us all shudder, and you ought to shudder when a white man is killed at your Father’s very door. You have said kind words about your Father, and yet his friend was killed at his door. It often happens that a white man is not killed here, but is killed a little way off. A little while ago two soldiers, fine young men, men whom we loved, were killed out toward Laramie Peak, and as we traveled along in coming here people looked at us and asked us, “Are you going to be the friends of Indians who have killed two of our brothers?” There has been a great many other cases of those who have been murdered. I could count them over on my fingers, if I had fingers enough. I would count them over on my fingers if I did not think I would put my brother’s blood on my fingers as I counted the murderers. Your friends at the East will say, “How does it happen that Indians kill white men outside of their own reservation?” “How does it happen that Indians were there?” “What business had they there?” “Well,” you will answer, “our young men like to go off and hunt, and while they are away, before they know it, they begin to fight. They go to hunt buffalo, and it ends in hunting down white men.” Your white friends will say, “If the Indians when they go to hunt end in killing white men, had they not better give up the privilege of hunting outside their reservation?” They will ask, “How much do Indians get by going to hunt?” and then, “How much do they lose?” The answer will be that the Indians gain a few buffalo and lose their friends. The buffalo, when they catch them, give them their meat and their skins. Their friends give them not only corn, flour, meat, and other food, but also give them their hearts. Is it better for the Indians to catch buffalo, who give them only meat and food for a few days, if the consequence is to lose their friends, who give them food all the year round? I know that I am not speaking very pleasant words to some who are present, but the Great Father sent us here to speak these words. We have them deep in our own hearts, and we put them down on paper that we might not forget them. They are not my words alone. They are the words of all the commissioners here, and, as I said, they are deep down in our hearts and in our heads.

We have been made very happy by hearing some of our good friends speak to us about farming. If the Great Father had ears sharp enough to hear you talk, it would have made his face smile and his heart very glad. You are very wise men to think about it, because unless you learn how to farm, you will never know how to live. When a man has to live by hunting he is very apt to get into trouble. But when
a man lives by working in the ground, by raising corn and other articles of food, he does not get into trouble. Now, the white man used to be just as wild as the Northern Indian. What has made him wise? What has brought him out of darkness and into light? One thing is, because he learned to work in the ground. When a man wants to farm, the first thing he has to do is not to ask for plows; the first thing is to find a place to till the ground; and as we have traveled along we have been seeking a good place for the Indians to begin planting—for good ground on which the agency may be located. We have not found the soil about this agency very good ground in which to plant, and we want to ask the people whether they are willing to look out for a better place—whether they will be willing to go themselves and begin work. We do not mean in some strange country. We mean some better place within your own land here.

There are many white people living in what is known as the State of Nebraska, down here to the south. Your Great Father wants very much to know exactly how far the white men who live in that State may go; where the line is which separates that land from your land. He cannot find out where the line is now, and we ask the question here. One says, "The line is here," and when we ask somebody else he says, "It is there." The Great Father wants to send out a party of wise men to fix precisely where the line is. He says, "I am a friend to the red man. I do not want to take his land, but I want to know where the dividing line is between the red man's land and the white man's land." And we want you to consider while we are gone away whether you will help the people whom the Great Father sends out to fix that line, and whether you will be their friends.

The Great Father sends out here all these rations, and if there had not been trouble about this agency there would have been more rations here than I see to-day. The Great Father wants to know when he sends rations how many people there are living at the place to which he sends them. He knows very well when he sends rations to the Yankton Indians just how many there are to receive them, for the father at the Yankton agency counts the people, and tells him there are so many there. The Great Father wants to know how many people there are here, and says he wants his agent to count them. The Great Father, because he is a father, knows how many soldiers there are in every fort, he knows how many white men there are in every town; and he now asks, "How many red children have I at Red Cloud agency? I want my agent to count them." He says, "Why should I send rations to a people who do not trust me enough to let me count them?"

Now, my friends, I do not want to talk about these things to-day. We have noticed that Indians are very wise; they wait a good while before they speak. We want to do that. When you think about these things remember that a great many of your good friends are sitting very sad. Remember that the Great Father is thinking in his heart, "What does it mean that I hear such bad things from the Red Cloud agency?" The Great Father hears that you want to lift yourselves up and be like white men, to plant the ground and be wise. He has heard that you Indians said you were like men lying flat upon the ground. The Great Father wishes to lift you up; but he finds that, instead of trying to lift yourselves up, you still remain flat and dead upon your backs. This makes him sad.

Now, my dear friends, I said to you that we came here feeling very sad. We do not want to go away feeling sad. When we go back and men ask
us, "Are you going to be the friends of the people who killed our brothers?" we want to be able to say to them, "You do not know these Indians; they will stand up like men, and they will fight like men to bring to justice Indians who murdered white men."

To-morrow morning we shall go to the Spotted Tail agency. While we are gone you will have time to think over these matters, and when we return again we shall want to hear you talk. This is all that we shall say to-day.