Flight of the Nez Perce

Background to a campaign: 1795-1877

Headquarters, Department of the Columbia
Vancouver Barracks, Washington Territory
General O.O. Howard, commanding
June 17, 1877

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TIME LINE

1805- First official US contact with the Nez Perce by Lewis & Clark
1835- Whitmans come to Oregon Territory
1836- Spaldings arrive
1845- Old Joseph is baptized
1846-Boundary between the US and Canada is set at the 49th north parallel
1853- Washington becomes a territory
1855- Gov. Issac Stevens dictates various treaties to the Indians, including the Nez Perce
1855-1858- Yakima Wars
1858-Palouse Indians kill 2 miners headed for Colville; Start of the Mullan Road through Indian territory; Coeur d’ Alene wars begin; Gen. William Harney takes command of the Department of Oregon
1860- Gen. Harney is relieved of command; Col. George Wright assumes command of the Department of Oregon
1861-1865-American Civil War
1863- New treaty with Nez Perce
1865- Gen. George Wright drowns on his way to assume command of the new Department of the Columbia; Gen. Edward Canby assumes command of the Department (Canby is the first and only General to die [1873] during the Indian Wars)
1868-Amendatory Treaty with Nez Perce
1871- The US is prohibited by using treaties to take action against Native Americans. However, treaties before this date are still in effect. Spaldings return to the Northwest
1874-Gen. Oliver Howard takes command of the Department of the Columbia
1877-Nez Perce Campaign
NOTABLE PEOPLE

Gov. Issac Stevens

● 1818-1862
● Graduated from West Point in 1839. Fought in the Mexican War
● Governor and Indian Agent of Washington Territory in 1853
● During the Civil War he offered his services to the military and held various commands during the war. He was promoted to general in September 1861
● September 1862 he was killed at the Battle of Chantilly which was the last fight of the Second Bull Run Campaign

Joel Palmer

● 1810-1881
● Born in Canada and family moved to the New York in 1812; later he moved to Pennsylvania
● Married in 1836 and moved to Indiana to work on the canals; served in the state legislature
● Moved to Oregon in 1845 and wrote a book that served as a guide for future immigrations
● Went to California for the gold rush; upon his returned founded the city of Dayton, OR
● Became Superintendent of Indian Affairs for Oregon Territory in 1853; removed from post, in 1857, after being criticized as being to lenient with Indian policies
● Served in the Oregon legislature
● Died June 9 in Dayton, OR

Col. George Wright

● 1801-1865
● Graduated from West Point in 1822
● Fought in the Seminole and Mexican wars
● Fought in both the Yakima and Coeur d’ Alene Wars
● Became commander of the Department of Oregon in 1860
● During the Civil War it was his job to keep the Indians in check and to keep Southern sympathizers from joining the Confederate forces in the east; commanded the Department of the Pacific
● Died in 1865 when the ship Brother Jonathan sank

Calvin Hale

● 1818-1887
● Born in Maine; served in the state legislature; married
● Moved family to Washington Territory via a sea trip around Cape Horn- 1851 where he obtained a 320-acre land donation around present day Olympia
● Served in the first territorial legislature
Appointed Superintendent of Indian Affairs for Washington and Idaho Territories during the Lincoln Administration
- Given the job to reduce the size of Nez Perce lands due to the discovery of gold in 1860
- After leaving the job of Superintendent he held a variety of jobs including school board member, county coroner and city councilman.
- He helped create the Puget Sound Wesleyan Institute and served on the first Board of Regents for the University of Washington
- He also formed the franchise called the Washington Water Pipe Manufacturing Company which laid down wooden pipes for the first water system in Olympia.
- Died in Olympia; “Hale Residence” is listed on the National Registry of Historic Places in Olympia

**Gen. Benjamin Alvord**
- 1818-1884
- Entered West Point at the age of 16
- Served in the Seminole and Mexican Wars; appointed Paymaster for the District of Oregon in 1854
- Promoted to general of the US volunteers for the District 1862-65
- Served as Paymaster for other areas and retired in 1880
- Wrote several books including many dealing with mathematics

**Gen. Oliver Howard**
- 1830-1908
- Served in the Civil War; Described by a junior officer as “more adapted to the church than to the army”
- After the war was first commissioner of the Freedmen’s Bureau; founded Howard University and was president from 1869-1874
- Took command of the Dept. of the Columbia in 1874
- Was superintendent of West Point; retired in 1894
- Wrote many books, including one on Chief Joseph but nothing about the Civil War

**Col. Nelson Miles**
- 1834-1925
- Received no formal military training but rose to be commander in chief of the Army during the Spanish-American War
- Started career in the Civil War and rose in the officer ranks. Served as jailer of Jefferson Davis
- After the war commanded a black regiment; commanded the 5th Infantry during Nez Perce campaign; Took part in the surrender of Geronimo-1886
- Retired in 1903 after conflicts with President T. Roosevelt
Col. Samuel Sturgis

● 1822-1889
● West Point graduate; fought in the Mexican War and the Civil War
● In 1869 was made commander of the 7th Cavalry with George Custer as the second-in-command; was on recruiting duty when the 7th fought at Little Big Horn in 1876
● Retired in 1886

Chief Joseph

● c. 1840-1904
● True name is Hin-mut-too-yah-lat-kekht which means "thunder rolling in the mountains"
● In 1871 Old Joseph died and young Joseph becomes leader of the Wallowa Band
● Took part in War Councils but always wanted a peaceful solution to the campaign
● After the campaign tribe was moved to North Dakota and Kansas
● Tribe moved to Colville Reservation in 1885
● In 1897 went to Washington, DC to complain about the encroachments of the white settlers
● Died September 21 wanting only to have the same rights as the whites
After General Anthony Wayne's decisive defeat of the Ohio Indian tribes at the Battle of Fallen Timbers, leaders of the Indian nations joined with Wayne on August 3, 1795 in signing A Peace Treaty. This was an important event in the life of the infant nation since the Treaty established a definite boundary between Indian lands and those lands open to white settlement. For the first time in its young history the U.S. was able to govern all its territories.

It was no secret that President Washington was eager to clear the Ohio Valley of Native Americans. By opening up the Northwest Territory to immigration the country would be able to expand its borders, with the resulting increase in trade and commerce.

On three occasions Washington had sent an army to do battle with the Miamis and Shawnees. The first two—led by Josiah Harmer and then by Arthur St. Clair—met the same disastrous fate, almost total decimation of the American forces. The Miami and Shawnee tribes reigned supreme in the Northwest Territory until August of 1794, when Washington dispatched Gen. "Mad Anthony" Wayne with an expedition numbering more than 2500 men. Where his predecessors had failed, Wayne emerged victorious at the Battle of Fallen Timbers near Toledo.

The Treaty was signed by Wayne and representatives from a dozen Indian nations and tribes at Greeneville (sic), northwest of the Ohio River on August 3, 1795. Specifically: "A Treaty of Peace Between the United States of America and the Tribes of Indians called Wyandots, Delawares, Shawanoes, Ottawas, Chipewas, Putawatimes, Miamis, Eel-River, Weeas, Kickapoos, Piankashaws and Kaskaskias."

**TREATY OF GREENVILLE**

A TREATY OF PEACE BETWEEN THE UNITED STATES OF AMERICA AND THE TRIBES OF INDIANS CALLED THE WYANDOTS, DELAWARES, SHAWANOES, OTTAWAS, CHIPEWAS, PUTAWATIMES, MIAMIS, EEL-RIVER, WEEAS, KICKAPOOS, PIANKASHAWS AND KASKASKIAS.

To put an end to a destructive war, to settle all controversies, and to restore harmony and friendly intercourse between the said United States and Indian tribes, Anthony Wayne, major general commanding the army of the United States, and sole commissioner for the good purposes above mentioned, and the said tribes of Indians, by their sachems, chiefs, and warriors, met together at Greenville, the head quarters of the said army, have agreed on the following articles, which, when ratified by the President, with the advice and consent of the Senate of the United States, shall be binding on them and the said Indian tribes.
ARTICLE I
Henceforth all hostilities shall cease; peace is hereby established, and shall be perpetual; and a friendly intercourse shall take place between the said United States and Indian tribes.

ARTICLE II
All prisoners shall, on both sides, be restored. The Indians, prisoners to the United States, shall be immediately set at liberty. The people of the United States, still remaining prisoners among the Indians, shall be delivered up in ninety days from the date hereof, to the general or commanding officer at Greeneville, Fort Wayne, or Fort Defiance; and ten chiefs of the said tribes shall remain at Greeneville as hostages, until the delivery of the prisoners shall be effected.

ARTICLE III
The general boundary line between the lands of the United States and the lands of the said Indian tribes, shall begin at the mouth of Cayahoga river, and run thence up the same to the portage, between that and the Tuscarawas branch of the Muskingum, thence down that branch to the crossing place above Fort Lawrence, thence westerly to a fork of that branch of the Great Miami river, running into the Ohio, at or near which fork stood Loromie's store, and where commences the portage between the Miami of the Ohio, and St. Mary's river, which is a branch of the Miami which runs into lake Erie; thence a westerly course to Fort Recovery, which stands on a branch of the Wabash; thence southwesterly in a direct line to the Ohio, so as to intersect that river opposite the mouth of Kentucke or Cattawa river. And in consideration of the peace now established; of the goods formerly received from the United States; of those now to be delivered; and of the yearly delivery of goods now stipulated to be made hereafter; and to indemnify the United States for the injuries and expenses they have sustained during the war, the said Indian tribes do hereby cede and relinquish forever, all their claims to the lands lying eastwardly and southwardly of the general boundary line now described: and these lands, or any part of them, shall never hereafter be made a cause or pretence, on the part of the said tribes, or any of them, of war or injury to the United States, or any of the people thereof. And for the same considerations, and as an evidence of the returning friendship of the said Indian tribes, of their confidence in the United States, and desire to provide for their accommodations, and for that convenient intercourse which will be beneficial to both parties, the said Indian tribes do also cede to the United States the following pieces of land, to wit: (1) One piece of land six miles square, at or near Loromie's store, before mentioned. (2) One piece two miles square, at the head of the navigable water or landing, on the St. Mary's river, near Girty's town. (3) One piece six miles square, at the head of the navigable water of the Auglaize river. (4) One piece six miles square, at the confluence of the Auglaize and Miami rivers, where Fort Defiance now stands. (5) One piece six miles square, at or near the confluence of the rivers St. Mary's and St. Joseph's, where Fort Wayne now stands, or near it. (6) One piece two miles square, on the Wabash river, at the end of the portage from the Miami of the lake, and about eight miles westward from Fort Wayne. (7) One piece six miles square, at the Ouatanon, or Old Wea towns, on the Wabash river. (8) One piece twelve miles square, at the British fort on the Miami of the lake, at the foot of the rapids. (9) One piece six miles square, at the mouth
of the said river, where it empties into the lake. (10) One piece six miles square, upon Sandusky lake, where a fort formerly stood. (11) One piece two miles square, at the lower rapids of Sandusky river. (12) The post of Detroit, and all the land to the north, the west and the south of it, of which the Indian title has been extinguished by gifts or grants to the French or English governments: and so much more land to be annexed to the district of Detroit, as shall be comprehended between the river Rosine, on the south, Lake St. Clair on the north, and a line, the general course whereof shall be six miles distant from the west end of lake Erie and Detroit river. (13) The post of Michilimackinac, and all the land on the island on which that post stands, and the main land adjacent, of which the Indian title has been extinguished by gifts or grants to the French or English governments; and a piece of land on the main to the north of the island, to measure six miles, on Lake Huron, or the strait between lakes Huron and Michigan, and to extend three miles back from the water of the lake or strait; and also, the Island De Bois Blane, being an extra and voluntary gift of the Chippewa nation. (14) One piece of land six miles square, at the mouth of Chikago river, emptying into the southwest end of Lake Michigan, where a fort formerly stood. (15) One piece twelve miles square, at or near the mouth of the Illinois river, emptying into the Mississippi. (16) One piece six miles square, at the old Piorias fort and village near the south end of the Illinois lake, on said Illinois river. And whenever the United States shall think proper to survey and mark the boundaries of the lands hereby ceded to them, they shall give timely notice thereof to the said tribes of Indians, that they may appoint some of their wise chiefs to attend and see that the lines are run according to the terms of this treaty. And the said Indian tribes will allow to the people of the United States a free passage by land and by water, as one and the other shall be found convenient, through their country, along the chain of posts herein-before mentioned; that is to say, from the commencement of the portage aforesaid, at or near Loromie's store, thence along said portage to the St. Mary's, and down the same to fort Wayne, and then down the Miami, to lake Erie; again, from the commencement of the portage at or near Loromie's store along the portage from thence to the river Auglaize, and down the same to its junction with the Miami at fort Defiance; again, from the commencement of the portage aforesaid, to Sandusky river, and down the same to Sandusky bay and lake Erie, and from Sandusky to the post which shall be taken at or near the foot of the Rapids of the Miami of the lake; and from thence to Detroit. Again, from the mouth of Chikago, to the commencement of the portage, between that river and the Illinois, and down the Illinois river to the Mississippi; also, from Fort Wayne, along the portage aforesaid, which leads to the Wabash, and then down the Wabash to the Ohio. And the said Indian tribes will also allow to the people of the United States, the free use of the harbors and mouths of rivers along the lakes adjoining the Indian lands, for sheltering vessels and boats, and liberty to land their cargoes where necessary for their safety.

ARTICLE IV
In consideration of the peace now established, and of the cessions and relinquishment of lands made in the preceding article by the said tribes of Indians, and to manifest the liberality of the United States, as the great means of rendering this peace strong and perpetual, the United States relinquish their claims to all other Indian lands northward of the river Ohio, eastward of the Mississippi, and westward and southward of the Great
Lakes and the waters, uniting them, according to the boundary line agreed on by the
United States and the King of Great Britain, in the treaty of peace made between them in
the year 1783. But from this relinquishment by the United States, the following tracts of
land are explicitly excepted: 1st. The tract on one hundred and fifty thousand acres near
the rapids of the river Ohio, which has been assigned to General Clark, for the use of
himself and his warriors. 2nd. The post of St. Vincennes, on the River Wabash, and the
lands adjacent, of which the Indian title has been extinguished. 3rd. The lands at all other
places in possession of the French people and other white settlers among them, of which
the Indian title has been extinguished as mentioned in the 3d article; and 4th. The post of
fort Massac towards the mouth of the Ohio. To which several parcels of land so excepted,
the said tribes relinquish all the title and claim which they or any of them may have. And
for the same considerations and with the same views as above mentioned, the United
States now deliver to the said Indian tribes a quantity of goods to the value of twenty
thousand dollars, the receipt whereof they do hereby acknowledge; and henceforward
every year, forever, the United States will deliver, at some convenient place northward of
the river Ohio, like useful goods, suited to the circumstances of the Indians, of the value
of nine thousand five hundred dollars; reckoning that value at the first cost of the goods
in the city or place in the United States where they shall be procured. The tribes to which
those goods are to be annually delivered, and the proportions in which they are to be
delivered, are the following: 1st. To the Wyandots, the amount of one thousand dollars.
2nd. To the Delawares, the amount of one thousand dollars. 3rd. To the Shawanees, the
amount of one thousand dollars. 4th. To the Miamis, the amount of one thousand dollars.
5th. To the Ottawas, the amount of one thousand dollars. 6th. To the Chippewas, the
amount of one thousand dollars. 7th. To the Pattawatimas, the amount of one thousand
dollars, and 8th. To the Kickapoo, Wea, Eel River, Piankeshaw, and Kaskaskia tribes, the
amount of five hundred dollars each. Provided, that if either of the said tribes shall
hereafter, at an annual delivery of their share of the goods aforesaid, desire that a part of
their annuity should be furnished in domestic animals, implements of husbandry, and
other utensils convenient for them, and in compensation to useful artificers who may
reside with or near them, and be employed for their benefit, the same shall, at the
subsequent annual deliveries, be furnished accordingly.

ARTICLE V
To prevent any misunderstanding about the Indian lands relinquished by the United
States in the fourth article, it is now explicitly declared, that the meaning of that
relinquishment is this: the Indian tribes who have a right to those lands, are quietly to
enjoy them, hunting, planting, and dwelling thereon, so long as they please, without any
molestation from the United States; but when those tribes, or any of them, shall be
disposed to sell their lands, or any part of them, they are to be sold only to the United
States; and until such sale, the United States will protect all the said Indian tribes in the
quiet enjoyment of their lands against all citizens of the United States, and against all
other white persons who intrude upon the same. And the said Indian tribes again
acknowledge themselves to be under the protection of the said United States, and no
other power whatever.
ARTICLE VI
If any citizen of the United States, or any other white person or persons, shall presume to settle upon the lands now relinquished by the United States, such citizen or other person shall be out of the protection of the United States; and the Indian tribe, on whose land the settlement shall be made, may drive off the settler, or punish him in such manner as they shall think fit; and because such settlements, made without the consent of the United States, will be injurious to them as well as to the Indians, the United States shall be at liberty to break them up, and remove and punish the settlers as they shall think proper, and so effect that protection of the Indian lands herein before stipulated.

ARTICLE VII
The said tribes of Indians, parties to this treaty, shall be at liberty to hunt within the territory and lands which they have now ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury to the people of the United States.

ARTICLE VIII
Trade shall be opened with the said Indian tribes; and they do hereby respectively engage to afford protection to such persons, with their property, as shall be duly licensed to reside among them for the purpose of trade; and to their agents and servants; but no person shall be permitted to reside among them for the purpose of trade; and to their agents and servants; but no person shall be permitted to reside at any of their towns or hunting camps, as a trader, who is not furnished with a license for that purpose, under the hand and seal of the superintendent of the department northwest of the Ohio, or such other person as the President of the United States shall authorize to grant such licenses; to the end, that the said Indians may not be imposed on in their trade. And if any licensed trader shall abuse his privilege by unfair dealing, upon complaint and proof thereof, his license shall be taken from him, and he shall be further punished according to the laws of the United States. And if any person shall intrude himself as a trader, without such license, the said Indians shall take and bring him before the superintendent, or his deputy, to be dealt with according to law. And to prevent impositions by forged licenses, the said Indians shall, at least once a year, give information to the superintendent, or his deputies, on the names of the traders residing among them.

ARTICLE IX
Lest the firm peace and friendship now established, should be interrupted by the misconduct of individuals, the United States, and the said Indian tribes agree, that for injuries done by individuals on either side, no private revenge or retaliation shall take place; but instead thereof, complaint shall be made by the party injured, to the other: by the said Indian tribes or any of them, to the President of the United States, or the superintendent by him appointed; and by the superintendent or other person appointed by the President, to the principal chiefs of the said Indian tribes, or of the tribe to which the offender belongs; and such prudent measures shall then be taken as shall be necessary to preserve the said peace and friendship unbroken, until the legislature (or great council) of the United States, shall make other equitable provision in the case, to the satisfaction of both parties. Should any Indian tribes meditate a war against the United States, or either
of them, and the same shall come to the knowledge of the before-mentioned tribes, or
either of them, they do hereby engage to give immediate notice thereof to the general, or
officer commanding the troops of the United States, at the nearest post.
And should any tribe, with hostile intentions against the United States, or either of them,
try to pass through their country, they will endeavor to prevent the same, and in like
manner give information of such attempt, to the general, or officer commanding, as soon
as possible, that all causes of mistrust and suspicion may be avoided between them and
the United States. In like manner, the United States shall give notice to the said Indian
tribes of any harm that maybe meditated against them, or either of them, that shall come
to their knowledge; and do all in their power to hinder and prevent the same, that the
friendship between them may be uninterrupted.

ARTICLE X
All other treaties heretofore made between the United States, and the said Indian tribes,
or any of them, since the treaty of 1783, between the United States and Great Britain, that
come within the purview of this treaty, shall henceforth cease and become void.
In testimony whereof, the said Anthony Wayne, and the sachems and war chiefs of the
before-mentioned nations and tribes of Indians, have hereunto set their hands and affixed
their Seals.

Done at Greeneville, in the territory of the United States north-west of the river Ohio, on
the third Day of August, one thousand seven hundred and ninety-five.

WYANDOTS.
Tarhe, or Crane, his x mark L.S.
J. Williams, jun. his x mark, L.S.
Teyyaghtaw, his x mark, L.S.
Haroenyou, (or half king's son), his x mark, L.S.
Tehaawtorens, his x mark, L.S.
Awmeyeeray, his x mark, L.S.
Stayetah, his x mark L.S.
Shateyaryoniyah, or (Leather Lips), his x mark, L.S.
Daughshuttayah, his x mark L.S.
Shaawrunthe, his x mark L.S.

DELAWARES.
Tetabokshke, (or Grand Glaize King), his x mark L.S.
Lemantanquis, (or Black King), his x mark, L.S.
Wabatthoe, his x mark, L.S.
Maghiway, (or Red Feather), his x mark, L.S.
Kikthawenund, (or Anderson), his x mark, L.S.
Bukongehelas, his x mark, L.S.
Peekeelund, his x mark, L.S.
Peekeetelemund, (or Thomas Adams), his x mark, L.S.
Kishkopekund, (or Captain Buffalo), his x mark, L.S.
Amenahehan, (or Captain Crow), his x mark, L.S.
Queshawksey, (or George Washington), his x mark, L.S.
Weywinquis, (or Billy Siscomb), his x mark, L.S.
Moses, his x mark, L.S.

SHAWANOES.
Misquacoonacaw, (or Red Pole), his x mark, L.S.
Cutthewekasaw, (or Black Hoof), his x mark, L.S.
Kaysewaesekah, his x mark, L.S.
Weythapamattha, his x mark, L.S.
Nianysmeka, his x mark, L.S.
Waytheah, (or Long Shanks), his x mark, L.S.
Weyapiersenwaw, (or Blue Jacket), his x mark, L.S.
Nequetaughaw, his x mark, L.S.
Hahgoosekaw, (or Captain Reed), his x mark, L.S.

OTAWAS.
Augooshaway, his x mark, L.S.
Keenoshameek, his x mark, L.S.
La Malice, his x mark, L.S.
Machiwetah, his x mark, L.S.
Thowonawa, his x mark, L.S.
Secaw, his x mark, L.S.

CHIPPEWAS.
Mashipinashiwish, (or Bad Bird), his x mark, L.S.
Nahshogashe, (from Lake Superior), his x mark, L.S.
Kathawasung, his x mark, L.S.
Masass, his x mark, L.S.
Nemekass, (or Little Thunder), his x mark, L.S.
Peshawkay, (or Young Ox), his x mark, L.S.
Nanguey, his x mark, L.S.
Meenedohgeesogh, his x mark, L.S.
Peewanshemenogh, his x mark, L.S.
Weymegwas, his x mark, L.S.
Gobmaatick, his x mark, L.S.

OTAWA.
Chegonicksk, an Ottawa from Sandusky, his x mark, L.S.

PUTAWATIMES OF THE RIVER ST. JOSEPH.
Thupenebu, his x mark, L.S.
Nawac, for himself and brother Etsimethe, his x mark, L.S.
Nenanseka, his x mark, L.S.
Keesass, or Run, his x mark, L.S.
Kabamasaw, for himself and brother Chisaugan, his x mark, L.S.
Sugganunk, his x mark, L.S.
Wapmeme, (or White Pigeon), his x mark, L.S.
Wacheness, for himself and brother Pedagoshok, his x mark, L.S.
Wabshicawnaw, his x mark, L.S.
La Chasse, his x mark, L.S.
Meshegetenough, for himself and brother, Wawasek, his x mark, L.S.
Hingoswash, his x mark, L.S.
Anewasaw, his x mark, L.S.
Nawbudgh, his x mark, L.S.
Missenogomaw, his x mark, L.S.
Waweegshe, his x mark, L.S.
Thawme, or Le Blanc, his x mark, L.S.
Geeque, for himself and brother Shewinse, his x mark, L.S.

PATAWATAMES OF HURON.
Okia, his x mark, L.S.
Chamung, his x mark, L.S.
Segagewan, his x mark, L.S.
Nanawme, for himself and brother A. Gin, his x mark, L.S.
Marchand, his x mark, L.S.
Wenameac, his x mark, L.S.

MIAMIES.
Nagohquangogh, (or Le Gris), his x mark, L.S.
Meshekunnoghquoh, (or Little Turtle), his x mark, L.S.

MIAMIS AND EEL RIVER.
Peejeewa, (or Richard Ville), his x mark, L.S.
Cochkepoghtogh, his x mark, L.S.

EEL RIVER TRIBE.
Shamekunnesa, (or Soldier), his x mark, L.S.

MIAMIS.
Wapamangwa, (or the White Loon), his x mark, L.S.

WEAS, FOR THEMSELVES AND THE PIANKASHAWS.
Amacunsa, (or Little Beaver), his x mark, L.S.
Acoolatha, (or Little Fox), his x mark, L.S.
Francis, his x mark, L.S.

KICKAPOOS AND KASKASKIAS.
Keeawhah, his x mark, L.S.
Nemighka, (or Josey Renard), his x mark, L.S.
Paikeekanogh, his x mark, L.S.
TREATY WITH THE WYANDOT, ETC.

The Treaty with the Wyandots is similar in style to the Treaty of Peace and Friendship given to the Nez Perce during the Coeur d’Alene War of 1858.

July 22, 1814
Ratified December 13, 1814

A treaty of peace and friendship between the United States of America, and the tribes of Indians called the Wyandots, Delawares, Shawanoese, Senecas, and Miamies.

The said United States of America, by William Henry Harrison, late a major general in the army of the United States, and Lewis Cass, governor of the Michigan territory, duly authorized and appointed commissioners for the purpose, and the said tribes, by their head men, chiefs, and warriors, assembled at Greenville, in the state of Ohio, have agreed to the following articles, which, when ratified by the president of the United States, by
and with the advice and consent of the Senate thereof, shall be binding upon them and the said tribes.

ARTICLE I.
The United States and the Wyandots, Delawares, Shawanoese, and Senecas, give peace to the Miamie nation of Indians, formerly designated as the Miamie Eel River and Weea tribes; they extend this indulgence also to the bands of the Putawatimies, which adhere to the Grand Sachem Topinipee, and to the chief Onexa, to the Ottawas of Blanchard's creek, who have attached themselves to the Shawanoese tribe, and to such of the said tribe as adhere to the chief called the Wing, in the neighborhood of Detroit, and to the Kickapoos, under the direction of their chiefs who sign this treaty.

ARTICLE II.
The tribes and bands abovementioned, engage to give their aid to the United States in prosecuting the war against Great Britain, and such of the Indian tribes as still continue hostile; and to make no peace with either without the consent of the United States. The assistance herein stipulated for, is to consist of such a number of their warriors from each tribe, as the president of the United States, or any officer having his authority therefor, may require.

ARTICLE III.
The Wyandot tribe, and the Senecas of Sandusky and Stony Creek, the Delaware and Shawanoes tribes, who have preserved their fidelity to the United States throughout the war, again acknowledge themselves under the protection of the said states, and of no other power whatever; and agree to aid the United States, in the manner stipulated for in the former article, and to make no peace but with the consent of the said states.

ARTICLE IV.
In the event of a faithful performance of the conditions of this treaty, the United States will confirm and establish all the boundaries between their lands and those of the Wyandots, Delawares, Shawanoese and Miamies, as they existed previously to the commencement of the war.
In testimony whereof, the said commissioners, and the said head men, chiefs, and warriors, of the beforementioned tribes of Indians, have hereunto set their hands and affixed their seals.
Done at Greenville, in the State of Ohio, this twenty-second day of July, in the year of our Lord one thousand eight hundred and fourteen, and of the independence of the United States the thirty-ninth.

William Henry Harrison, [L.S.]
Lewis Cass, [L.S.]
Wyandots:
Tarhe, or Crane, his x mark, [L.S.]
Harroneyough, or Cherokee Boy, his x mark, [L.S.]
Tearroneauou, or between the Legs, his x mark, [L.S.]
Menoucou, his x mark, [L.S.]
Rusharra, or Stookey, his x mark, [L.S.]
Senoshus, his x mark, [L.S.]
Zashuona, or Big Arm, his x mark, [L.S.]
Teanduttasoooh, or Punch, his x mark, [L.S.]
Tapuksough, or John Hicks, his x mark, [L.S.]
Ronoinness, or Sky come down, his x mark, [L.S.]
Teenodo, his x mark, [L.S.]
Ronaiis, his x mark, [L.S.]
Omaintsianah, or Bowyers, his x mark, [L.S.]
Delawares:
Tainunshrah, or Charles, his x mark, [L.S.]
Tiundraka, or John Bolesle, his x mark, [L.S.]
Eroneniarah, or Shroneseh, his x mark, [L.S.]
Kicktohenina, or Captain Anderson, his x mark, [L.S.]
Lemottenuckques, or James Nanticoke, his x mark, [L.S.]
Laoponnichle, or Baube, his x mark, [L.S.]
Joon Queake, or John Queake, his x mark, [L.S.]
Kill Buck, his x mark, [L.S.]
Neachcomingd, his x mark, [L.S.]
Montgomery Montawe, his x mark, [L.S.]
Capt. Buck, his x mark, [L.S.]
Hooque, or Mole, his x mark, [L.S.]
Captain White Eyes, his x mark, [L.S.]
Captain Pipe, his x mark, [L.S.]
McDaniel, his x mark, [L.S.]
Captain Snap, his x mark, [L.S.]

Shawanees:
Cutewecusa, or Black Hoof, his x mark, [L.S.]
Tamenetha, or Butter, his x mark, [L.S.]
Piaseka, or Wolf, his x mark, [L.S.]
Pomtha, or Walker, his x mark, [L.S.]
Shammonetho, or Snake, his x mark, [L.S.]
Pemthata, or Turkey flying by, his x mark, [L.S.]
Wethawakasika, or Yellow Water, his x mark, [L.S.]
Quetawah, Sinking, his x mark, [L.S.]
Sokutchemah, or Frozen, his x mark, [L.S.]
Wynepuechsika, or Corn Stalk, his x mark, [L.S.]
Chiachska, or captain Tom, his x mark, [L.S.]
Quitawepeh, or captain Lewis, his x mark, [L.S.]
Teawascoota, or Blue Jacket, his x mark, [L.S.]
Tacomtequah, or Cross the water, his x mark, [L.S.]

Ottawas:
Watashnewa, or Bear's Legs, his x mark, [L.S.]
Wapachek, or White Fisher, his x mark, [L.S.]
Tootagen, or Bell, his x mark, [L.S.]
Aughquanahquose, or Stumptail Bear, his x mark, [L.S.]
Mcokenuh, or Bear King, his x mark, [L.S.]

Senekas:
Coontindnau, or Coffee Houn, his x mark, [L.S.]
Togwon, his x mark, [L.S.]
Endosquierunt, or John Harris, his x mark, [L.S.]
Cantareteroo, his x mark, [L.S.]
Cuntahtentuhwa, or Big Turtle, his x mark, [L.S.]
Renonnesa, or Wiping Stick, his x mark, [L.S.]
Corachcoonke, or Reflection, or Civil John, his x mark, [L.S.]
Coonautanahtoo, his x mark, [L.S.]
Seeistahe, Black, his x mark, [L.S.]
Tooteeandee, Thomas Brand, his x mark, [L.S.]
Haneusewa, his x mark, [L.S.]
Uttawuntus, his x mark, [L.S.]
Lutauqueson, his x mark, [L.S.]

Miamis:
Pecon, his x mark, [L.S.]
Lapassine, or Ashenonquah, his x mark, [L.S.]
Osage, his x mark, [L.S.]
Natoweesa, his x mark, [L.S.]
Meshekeleata, or the Big man, his x mark, [L.S.]
Sanamahhonga, or Stone Eater, his x mark, [L.S.]
Neshepehtah, or Double Tooth, his x mark, [L.S.]
Metosania, or Indian, his x mark, [L.S.]
Chequia, or Poor Racoon, his x mark, [L.S.]
Wapepecheka, his x mark, [L.S.]

Chingomega Eboo, or Owl, his x mark, [L.S.]
Kewesekeong, or Circular Travelling, his x mark, [L.S.]
Wapasabanah, or White Racoon, his x mark, [L.S.]
Chekemetine, or Turtle's Brother, his x mark, [L.S.]
Pocondoqua, or Crooked, his x mark, [L.S.]
Chequeah, or Poor Racoon, a Wea, or Little Eyes, his x mark, [L.S.]
Showilingeshua, or Open Hand, his x mark, [L.S.]
Okawea, or Porcupine, his x mark, [L.S.]
Shawanoe, his x mark, [L.S.]
Mavansa, or Young Wolf, his x mark, [L.S.]
Meshwawa, or Wounded, his x mark, [L.S.]
Sangwecomya, or Buffaloe, his x mark, [L.S.]
Pequia, or George, his x mark, [L.S.]
Keelswa, or sun, his x mark, [L.S.]
Wabsea, or White Skin, his x mark, [L.S.]
Wansepea, or Sunrise, his x mark, [L.S.]
Angatoka, or Pile of Wood, his x mark, [L.S.]

Pattawatimas:
Toopinnepe, his x mark, [L.S.]
Onoza, or Five Medals, his x mark, [L.S.]
Metea, his x mark, [L.S.]
Conge, or Bear's foot, his x mark, [L.S.]
Nanownseca, his x mark, [L.S.]
Chagobbe, or One who sees all over, his x mark, [L.S.]
Meshon, his x mark, [L.S.]
Penosh, his x mark, [L.S.]
Checanoe, his x mark, [L.S.]
Nesheootawa, his x mark, [L.S.]
Tonguish, his x mark, [L.S.]
Nebaughkau, his x mark, [L.S.]
Wesnanesa, his x mark, [L.S.]
Chechock, or Crane, his x mark, [L.S.]
Kepoota, his x mark, [L.S.]
Mackoota, or Crow, his x mark, [L.S.]
Papeketcha, or Flat Belly, his x mark, [L.S.]

Kickapoos:
Ketoote, or Otter, his x mark, [L.S.]
Makotanecote, or Black Tree, his x mark, [L.S.]
Sheshepa, or Duck, his x mark, [L.S.]
Wapekonnia, or White Blanket, his x mark, [L.S.]
Acooche, or the Man Hun, his x mark, [L.S.]
Checkaskagalon, his x mark, [L.S.]

In presence of (the words "and the Wyandots, Delawares, Shawanees, and Senekas," interlined in the first article before signing).

James Dill, secretary to the commissioners,
Jno. Johnston, Indian agent,
B. F. Stickney, Indian agent,
James J. Nisbet, associate judge of court of common pleas, Preble County,
Thos. G. Gibson.

Antoine Boindi,
Wm. Walker,
William Connor,
J. Bts. Chandonnai,
Stephen Ruddleed,
James Pelteir
Joseph Bertrand,

sworn interpreters,

Thos. Ramsey, captain First Rifle Regiment,
John Conner,
John Riddle, colonel First Regiment Ohio Militia.
NEZ PERCE TREATIES

The Treaty of 1855 is the treaty first dictated by Gov. Stevens and is the most common one known of all the treaties signed between the Nez Perce and the US Government.

TREATY OF 1855


August, 1856. - Read the first time and referred, with the message of the President and the accompanying documents, to the Committee on Indian Affairs, and ordered to be printed in confidence for the use of the Senate.

Articles of agreement and convention made and concluded at the treaty ground, Camp Stevens, in the Walla-Walla valley, this eleventh day of June, in the year one thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and Joel Palmer, superintendent of Indian affairs for Oregon Territory, on the part of the United States, and the undersigned, chiefs, headmen, and delegates of the Nez Perce tribe of Indians, occupying lands lying partly in Oregon and partly in Washington Territories, between the Cascade and Bitter Root mountains, on behalf of, and acting for, said tribe, and being duly authorized thereto by them; it being understood that Superintendent Isaac I. Stevens assumes to treat only with those of the above named tribe of Indians residing within the Territory of Washington, and Superintendent Palmer with those residing exclusively in Oregon Territory.

ARTICLE I.

The said Nez Perce tribe of Indians hereby cede, relinquish and convey to the United States all their right, title and interest in and to the country occupied or claimed by them, bounded and described as follows, to wit: commencing at the source of the Wo-na-ne-she or southern tributary of the Palouse river; thence down that river to the main Palouse; thence in a southerly direction to the Snake river at the mouth of the Tucanon river; thence up the Tucanon to its source in the Blue mountains; thence southerly along the ridge of the Blue mountains; thence to a point on Grand Ronde river, midway between Grand Ronde and the mouth of the Woll-low-how river; thence along the divide between the waters of the Woll-low-how and Powder river; thence to the crossing of Snake river at the mouth of Powder river; thence to the Salmon river, fifty miles above the place known as the "crossing of the Salmon river;" thence due north to the summit of the Bitter Root mountains; thence along the crest of the Bitter Root mountains to the place of beginning.
ARTICLE II.

There is, however, reserved from the lands above ceded for the use and occupation of the said tribe, and as a general reservation for other friendly tribes and bands of Indians in Washington Territory, not to exceed the present numbers of the Spokane, Walla-Walla, Cayuse and Umatilla tribes and bands of Indians, the tract of land included within the following boundaries, to wit: commencing where the Moh-ha-na-she or southern tributary of the Palouse river flows from the spurs of the Bitter Root mountains; thence down said tributary to the mouth of the Ti-nat-pan-up creek, thence southerly to the crossing of the Snake river ten miles below the mouth of the Al-po-wa-wi river; thence to the source of the Al-po-wa-wi river in the Blue mountains; thence along the crest of the Blue mountains; thence to the crossing of the Grand Ronde river, midway between the Grand Ronde and the mouth of the Woll-low-how river; thence along the divide between the waters of the Woll-low-how and Powder rivers; thence to the crossing of the Snake river fifteen miles below the mouth of the Powder river; thence to the Salmon river above the crossing; thence by the spurs of the Bitter Root mountains to the place of beginning.

All which tract shall be set apart, and, so far as necessary, surveyed and marked out for the exclusive use and benefit of said tribe as an Indian reservation; nor shall any white man, excepting those in the employment of the Indian department, be permitted to reside upon the said reservation without permission of the tribe and the superintendent and agent; and the said tribe agrees to remove to and settle upon the same within one year after the ratification of this treaty. In the meantime it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States, and upon any ground claimed or occupied, if with the permission of the owner or claimant, guarantying, however, the right to all citizens of the United States to enter upon and occupy as settlers any lands not actually occupied and cultivated by said Indians at this time, and not included in the reservation above named. And provided that any substantial improvement heretofore made by any Indian, such as fields enclosed and cultivated, and houses erected upon the lands hereby ceded, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President of the United States, and payment made therefor in money, or improvements of an equal value be made for said Indian upon the reservation, and no Indian will be required to abandon the improvements aforesaid, now occupied by him, until their value in money or improvements of equal value shall be furnished him as aforesaid.

ARTICLE III.

And provided that, if necessary for the public convenience, roads may be run through the said reservation, and, on the other hand, the right of free way with free access from the same to the nearest public highway is secured to them, as also the right, in common with citizens of the United States, to travel upon all public highways. The use of the clear water and other streams flowing through the reservation is also secured to citizens of the United States for rafting purposes, and as public highways.

The exclusive right of taking fish in all the streams where running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places in common with citizens of the Territory; and of erecting temporary buildings for curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land.
ARTICLE IV.

In consideration of the above cession, the United States agree to pay to the said tribe, in addition to the goods and provisions distributed to them at the time of signing this treaty, the sum of two hundred thousand dollars, in the following manner, that is to say: sixty thousand dollars, to be expended under the direction of the President of the United States, the first year after the ratification of this treaty, in providing for their removal to the reserve, breaking up and fencing farms, building houses, supplying them with provisions and a suitable outfit, and for such other objects as he may deem necessary, and the remainder in annuities, as follows: for the first five years after the ratification of this treaty, ten thousand dollars each year, commencing September 1, 1856; for the next five years, eight thousand dollars each year; for the next five years, six thousand dollars each year, and for the next five years, four thousand dollars each year.

All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may from time to time determine, at his discretion, upon what beneficial objects to expend the same for them. And the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto.

ARTICLE V.

The United States further agree to establish, at suitable points within said reservation, within one year after the ratification hereof, two schools, erecting the necessary buildings, keeping the same in repair, and providing them with furniture, books, and stationery, one of which shall be an agricultural and industrial school, to be located at the agency, and to be free to the children of said tribe, and to employ one superintendent of teaching and two teachers; to build two blacksmith's shops, to one of which shall be attached a tin shop, and to the other a gunsmith's shop; one carpenter's shop, one wagon and ploughmaker's shop, and to keep the same in repair, and furnished with the necessary tools; to employ one superintendent of farming and two farmers, two blacksmiths, one tinner, one gunsmith, one carpenter, one waggon and ploughmaker, for the instruction of the Indians in trades, and to assist them in the same; to erect one saw mill and one flouting mill, keeping the same in repair, and furnished with the necessary tools and fixtures, and to employ two millers; to erect a hospital, keeping the same in repair, and provided with the necessary medicines and furniture, and to employ a physician; and to erect, keep in repair, and provide with the necessary furniture the buildings required for the accommodation of the said employes. The said buildings and establishments to be maintained and kept in repair as aforesaid, and the employes to be kept in service for the period of twenty years.

And in view of the fact that the head chief of the tribe is expected, and will be called upon, to perform many services of a public character, occupying much of his time, the United States further agree to pay to the Nez Perce tribe five hundred dollars per year for the term of twenty years, after the ratification hereof, as a salary for such person as the tribe may select to be its head chief. To build for him, at a suitable point on the reservation, a comfortable house, and properly furnish the same, and to plough and fence for his use ten acres of land. The said salary to be paid to, and the said house to be occupied by, such head chief so long as he may be elected to that position by his tribe, and no longer.

And all the expenditures and expenses contemplated in this fifth article of this treaty shall be
defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to said tribe, nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

ARTICLE VI.
The President may from time to time, at his discretion, cause the whole, or such portions of such reservation as he may think proper, to be surveyed into lots, and assign the same to such individuals or families of said tribe as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas in the year 1854, so far as the same may be applicable.

ARTICLE VII.
The annuities of the aforesaid tribe shall not be taken to pay the debts of individuals.

ARTICLE VIII.
The aforesaid tribe acknowledge their dependence upon the government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations on the property of such citizens; and should any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of the annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and other Indians to the government of the United States, or its agent, for decision, and abide thereby; and if any of the said Indians commit any depredations on any other Indians within the Territory of Washington, the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribe agrees not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE IX.
The Nez Perces desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same; and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE X.
The Nez Perce Indians having expressed in council a desire that William Craig should continue to live with them, he having uniformly shown himself their friend, it is further agreed that the tract of land now occupied by him, and described in his notice to the register and receiver of the land office of the Territory of Washington on the fourth day of June last, shall not be considered a part of the reservation provided for in this treaty, except that it shall be subject in common with the lands of the reservation to the operations of the intercourse act.
ARTICLE XI.

This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and Joel Palmer, superintendent of Indian affairs for Oregon Territory, and the chiefs, headmen, and delegates of the aforesaid Nez Perce tribe of Indians, have hereunto set their hands and seals at the place, and on the day and year hereinbefore written.

- ISAAC I. STEVENS, [l. s.] - Governor and Superintendent for Washington Territory.
- JOEL PALMER, [l. s.] - Superintendent Indian Affairs for Oregon Territory.
- Aleiya, or Lawyer, [l. s.] Head-chief of the Nez Perces.
- Appushwah-hite, or Looking Glass, his x mark, [l. s.]
- Joseph, his x mark, [l. s.]
- James, his x mark, [l. s.]
- Red Wolf, his x mark, [l. s.]
- Timothy, his x mark, [l. s.]
- Wate-sin-male-cun, his x mark, [l. s.]
- Spotted Eage, his x mark, [l. s.]
- Stoop-toop-nin or Cut-Hair, his x mark, [l. s.]
- Tah-moh-moh-kin, his x mark, [l. s.]
- Tippelanecbupooh, his x mark, [l. s.]
- Hah-hah-stilpilp, his x mark, [l. s.]
- Cool-cool-shua-nin, his x mark, [l. s.]
- Silish, his x mark, [l. s.]
- Toh-toh-molewit, his x mark, [l. s.]
- Tuky-in-lik-it, his x mark, [l. s.]
- Te-hole-hole-soot, his x mark, [l. s.]
- Ish-coh-tim, his x mark, [l. s.]
- Wee-as-cus, his x mark, [l. s.]
- Hah-hah-stooore-tee, his x mark, [l. s.]
- Eee-maht-sin-pooh, his x mark, [l. s.]
- Tow-wish-au-il-pilp, his x mark, [l. s.]
- Kay-kay-mass, his x mark, [l. s.]
- Speaking Eagle, his x mark, [l. s.]
- Wat-ti-wat-ti-wah-hi, his x mark, [l. s.]
- Howh-no-tah-kun, his x mark, [l. s.]
- Tow-wish-wane, his x mark, [l. s.]
- Wahpt-tah-shooshe, his x mark, [l. s.]
- Bead Necklace, his x mark, [l. s.]
- Koos-koos-tas-kut, his x mark, [l. s.]
- Levi, his x mark, [l. s.]
- Pee-oo-pe-whi-hi, his x mark, [l. s.]
- Pee-oo-pee-iecteim, his x mark, [l. s.]
- Pee-poome-kah, his x mark, [l. s.]
• Hah-hah-stil-at-me, his x mark, [l. s.]
• Wee-yoke-sin-ate, his x mark, [l. s.]
• Wee-ah-ki, his x mark, [l. s.]
• Neenalahtsin, his x mark, [l. s.]
• Suck-on-tie, his x mark, [l. s.]
• Ip-nat-tam-moose, his x mark, [l. s.]
• Jason, his x mark, [l. s.]
• Kole-kole-till-ky, his x mark, [l. s.]
• In-mat-tute-kah-ky, his x mark, [l. s.]
• Moh-see-chee, his x mark, [l. s.]
• George, his x mark, [l. s.]
• Nicke-el-it-may-ho, his x mark, [l. s.]
• Say-i-ee-ouse, his x mark, [l. s.]
• Wis-tasse-cut, his x mark, [l. s.]
• Ky-ky-soo-te-lum, his x mark, [l. s.]
• Ko-ko-whay-nee, his x mark, [l. s.]
• Kwin-to-kow, his x mark, [l. s.]
• Pee- wee-au-ap-tah, his x mark, [l. s.]
• Wee-at-tenat-ill-pilp, his x mark, [l. s.]
• Pee-oo-pee-u-il-pilp, his x mark, [l. s.]
• Wah-tass-tum-mannee, his x mark, [l. s.]
• Tu-wee-si-ce, his x mark, [l. s.]
• Lu-ee-sin-kah-koose-sin, his x mark, [l. s.]
• Hah-tal-ee-kin, his x mark, [l. s.]

Signed and sealed in presence of us:
• James Doty, Sec. of Treaties, W. T.
• Wm. C. McKay, Sec. of Treaties, O.T.
• W. H. Tappan, Indian Sub-Agent.
• William Craig, Interpreter.
• A. D. Pamburn, Interpreter.
• Wm. McBean,
• Geo. C. Bomford,
• C. Chirouse, O. M. T.
• Mie. Cles. Pandosy,
• Lawrence Kip,
• W. H. Pearson.
TREATY OF 1863

The Treaty of 1855 is renegotiated in 1863 due to the increase of white settlers on Nez Perce land

TREATY between
THE UNITED STATES OF AMERICA
AND THE NEZ PERCE INDIANS,

concluded

AT THE COUNCIL GROUND IN THE VALLEY OF THE LAPWAI, JUNE 9, 1863.

Articles of agreement made and concluded at the council ground, in the valley of the Lapwai, Washington Territory, on the ninth day of June, one thousand eight hundred and Sixty-three, between the United State of America, by C. H. Hale, superintendent of Indian affairs, and Charles Hutchins and S. D. Howe, United States Indian agents for the Territory of Washington, acting on the part and in behalf of the United States, and the Nez Perce Indians; by the chiefs, headmen, and delegates of said tribe, such articles being supplementary and amendatory to the treaty made between the United States and said tribe on the 11th day of June, 1855.

ARTICLE I.

The said Nez Perce tribe agree to relinquish, and do hereby relinquish to the United States, the lands heretofore reserved for the use and occupation of the said tribe, saving and excepting so much thereof as is described in article 2d, for a new reservation.

ARTICLE II.

The United States agree to reserve for a home, and for the sole use and occupation of said tribe, the tract of land included within the following boundaries to wit: commencing at the northeast corner of Lake Wa-ha, and running thence northerly to a point on the north bank of the Clearwater river, three miles below the mouth of the Lapwai; thence down the north bank of the Clearwater to the mouth of the Hat-wai creek; thence due north to a point seven miles distant; thence eastwardly to a point on the north fork of the Clearwater, seven miles distant, from its mouth; thence to a point on Ore Fino creek five miles above its mouth; thence to a point on the north fork of the south fork of the Clearwater five miles above its mouth; thence to a point on the south fork of the Clearwater one mile above the bridge on the road leading to Elk City, (so as to include all the Indian farms now within the forks;) thence in a straight line westwardly to the place of the beginning.

All of which tract shall be set apart, and the above described boundaries shall be surveyed and marked out for the exclusive use and benefit of said tribe as an Indian reservation; nor shall any white man, excepting those in the employment of the Indian department, be permitted to reside upon the said reservation, without the permission of the tribe and the superintendent and agent; and the said tribe agrees that so soon after the United States shall make the necessary provision for fulfilling the stipulations of this instrument, as they can conveniently arrange their affairs, and not to exceed one year from its ratification, they will vacate the country hereby relinquished, and remove to and settle upon the lands herein reserved for them, (except as may be hereinafter provided.) In the mean time it shall
be lawful for them to reside upon any ground now occupied, or under cultivation by said
Indians at this time, and not included in the reservation above named. [And it is provided
that any substantial improvement heretofore made by any Indian, such as fields enclosed
and cultivated, or houses erected upon the lands hereby relinquished, and which he may be
compelled to abandon in consequence of this treaty, shall be valued under the direction of
the President of the United States, and payment therefor shall be made in stock, or in
improvements of an equal value, for said Indian, upon the lot which may be assigned to him
within the bounds of the reservation, as he may choose, and no Indian will be required to
abandon the improvements aforesaid, now occupied by him, until said payment or
improvement shall have been made. And it is further provided, that if any Indian, living on
any of the land hereby relinquished, should prefer to sell his improvements to any white
man being a loyal citizen of the United States, prior to the same being valued as aforesaid,
he shall be allowed so to do, but the sale or transfer of said improvements shall be made in
the presence of, and with the consent and approval of the agent or superintendent, by whom
a certificate of sale shall be issued to the party purchasing, which shall set forth the amount
of the consideration in kind. Before the issue of said certificate, the agent or superintendent
shall be satisfied that a valuable consideration is paid, and that the party purchasing is of
undoubted loyalty to the United States government. No settlement or claim made upon the
improved lands of any Indian will be permitted, except as herein provided, prior to the time
specified for their removal. Any sale or transfer thus made shall be in the stead of payment
for improvements from the United States.]

And it is provided that all of the lands relinquished in article first, with the exception of
the mines, the springs, and fountains, and the reservation for Robert Newell, as hereinafter
provided, shall be surveyed and appraised under the direction of the President of the United
States. The appraisement to be at the fair cash value of said lands; and such of said lands as
shall have improvements thereon, made by said Indians, such land and improvements shall
be separately appraised; and all said lands, under like direction, shall be offered for sale to
the highest bidder for cash, and all tracts remaining unsold shall, thereafter, be subject to
private sale or entry for cash, provided that no sale shall be at a less price than the appraised
value of said lands and improvements. The proceeds of such sales, after payment of the
expense of survey, appraisement, and sale, shall be applied to the benefit of said Indians as
hereinafter directed. No settlement, improvement, or claim upon said ceded land, which may
hereafter be made by the whites, before purchase and payment therefore, shall be recognized
as valid; but all improvements made in derogation of this article will be held for the benefit
of the Indians, and whenever a tract of land shall be sold, the value of any improvements
thereon belonging to any Indian shall first be deducted from the proceeds of sale for the
benefit of the Indian entitled, and shall be applied by the President in preparing a new home
for such person, upon the diminished reservation, or, if he be dead, for his family; or the
proceeds of such improvements may be invested in the purchase of stock or farm
implements for him or them, as shall appear to be most for his or their interest.

Upon payment for the lands, according to the provisions of this article, patents vesting
the fee simple title in the purchaser shall be issued.
ARTICLE III.

[The President shall, immediately after the ratification of this treaty, cause the boundary lines to be surveyed, and properly marked and established; after which, so much of the lands, hereby reserved, as may be suitable for cultivation, shall be surveyed, into lots of twenty acres each, and every male person of the tribe who shall have attained the age of twenty-one years, or is the head of a family shall have the privilege of locating upon one one lot as a permanent home for such person, and the lands so surveyed shall be allotted under such rules and regulations as the President shall prescribe, having such reference to their settlement as may secure, adjoining each other, the location of the different families pertaining to each band, so far as the same may be practicable. Such rules and regulations shall be prescribed by the President, or under his direction, as will insure to the family, in case of the death of the head thereof, the possession and enjoyment of such permanent home, and the improvements thereon. When the assignments as above shall have been completed, certificates shall be issued by the Commissioner of Indian Affairs, or under his direction, for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned respectively, and that said tracts are set apart for the perpetual and exclusive use and benefit of such assignees and their heirs. Until otherwise provided by law, such tracts shall be exempt from levy, taxation or sale, and shall be alienable in fee, or leased or otherwise disposed of only to the United States, or to persons then being members of the Nez Perce tribe, and of Indian blood, with the permission of the President, and under such regulations as the Secretary of the Interior or the Commissioner of Indian Affairs shall prescribe. And if any such person or family shall at any time neglect or refuse to occupy and till a portion of the land so assigned, and on which they have located, or shall rove from place to place, the President may cancel the assignment; and may also withhold from such person or family their proportion of the annuities or other payments due them, until they shall have returned to such permanent home, and resumed the pursuits of industry; and in default of their return, the tract may be declared abandoned, and thereafter assigned to some other person or family of such tribe. The residue of the land hereby reserved shall be held in common for pasturage for the sole use and benefit of the Indians: Provided, however, That from time to time, as members of the tribe may come upon the reservation, or may become of proper age, after the expiration of the time of one year after the ratification of this treaty, as aforesaid, and claim the privileges granted under this article, lots may be assigned from the lands thus held in common, whenever the same may be suitable for cultivation. No State or Territorial legislature shall remove the restriction herein provided for, without the consent of Congress, and no State or Territorial law to that end shall be deemed valid until the same has been specially submitted to Congress for its approval.]

The President shall, immediately after the ratification of this treaty, cause the boundary lines of the diminished reserve to be properly marked and established, after which the Indians may, under the direction of their chiefs and the agent, divide and apportion the same among the members or their tribe and bands, in such manner as will, in their judgment, be most for their benefit and advantage, which allotments made, the Indians and their families shall severally possess and enjoy forever, if they will quietly and peaceably reside thereon. Land not apportioned shall be held in common by the Indians, and may be apportioned and set apart from time to time as the necessities and increase of the Indians may require. The lands hereby set apart for the Indians shall not be taxed or seized upon execution by virtue
of any authority or power, or under any pretext whatever, nor shall the same be disposed of by the Indians to the whites. The United States will prevent all white persons from settling or remaining upon said lands, other than those in the employment of the United States in and about the care and business of the Indians, as required by this and former treaties with them. The contracts of the Indians with the whites shall not be binding on the Indians, nor shall any contract made by them be enforced against them in a court of justice, but the criminal laws of the Territory and State when admitted shall operate on such diminished reserve.

ARTICLE IV.

[In consideration of the relinquishment herein made, the United States agree to pay to the said tribe, in addition to the annuities provided by the treaty of June 11, 1855, and the goods and provisions distributed to them at the time of signing this treaty, the sum of two hundred and sixty-two thousand and five hundred dollars, in manner following, to wit:] In consideration of the relinquishment herein made, the United States agree to pay to the said Indians, out of the proceeds of the sales of the lands herein provided to be sold, if the same shall be adequate therefor, exclusive of the money to be realized for improvements, and of all other annuities, the sum of $262,500, in manner following, to wit:

First. One hundred and fifty thousand dollars, to enable the Indians to remove and locate upon the reservation, to be expended in the ploughing of land, and the fencing of the several lots, which may be assigned to those individual members of the tribe who will accept the same, in accordance with the provisions of the preceding article, which said sum shall be divided into four annual installments as follows: For the first year after the ratification of this treaty, seventy thousand dollars; for the second year, forty thousand dollars; for the third year, twenty-five thousand dollars; and for the fourth year, fifteen thousand dollars.

Second. Fifty thousand dollars to be paid the first year after the ratification of this treaty in agricultural implements, to include wagons or carts, harness, and cattle, sheep, or other stock, as may be deemed most beneficial by the superintendent of Indian affairs or agent, after ascertaining the wishes of the Indians in relation thereto.

Third. Ten thousand dollars for the erection of a saw and flouring mill, to be located at Kamia; the same to be erected within one year after the ratification hereof.

Fourth. Fifty thousand dollars for the boarding and clothing of the children who shall attend the schools, in accordance with such rules or regulations as the Commissioner of Indian Affairs may prescribe, providing the schools and boarding-houses with necessary furniture, the purchase of necessary wagons, teams, agricultural implements, tools, &c., for their use, and for the fencing of such lands as may be needed for gardening and farming purposes for the use and benefit of the schools; to be expended as follows: The first year after the ratification of this treaty, six thousand dollars; for the next fourteen years, three thousand dollars each year; and for the succeeding year, being the sixteenth and last instalment, two thousand dollars.

Fifth. A further sum of two thousand five hundred dollars shall be paid within one year after the ratification hereof, to enable the Indians to build two churches, one of which is to be located at some suitable point on the Kamia, and the other on the Lapwai. And until the United States shall, from the proceeds of the sales of said lands hereby ceded, or by appropriations provided for the payment of the aforesaid sums of money in this article specified; the said Indians residing upon the ceded lands shall not be required to remove
from the same to their diminished reserve.

ARTICLE V.

The United States further agree that, in addition to a head chief, the tribe shall elect two subordinate chiefs, who shall assist him in the performance of his public services, and each subordinate chief shall have the same amount of land, ploughed and fenced, with comfortable house and necessary furniture, and to whom the same salary shall be paid as is already provided for the head chief in article 5th of the treaty of June 11, 1855, the salary to be paid, and the houses and land to be occupied, during the same period, and under like restrictions, as therein mentioned.

And for the purpose of enabling the agent to erect said buildings, and to plough and fence the land, as well as to procure the necessary furniture, and to complete and furnish the house, &c., of the head chief, as heretofore provided, there shall be appropriated, to be expended within the first year after the ratification hereof, the sum of two thousand five hundred dollars.

And inasmuch as several of the provisions of said article 5th of the treaty of June 11, 1855, pertaining to the erection of school-houses, hospital, shops, necessary buildings for employes, and for the agency, as well as providing the same with necessary furniture, tools, &c., have not yet been complied with, it is hereby stipulated that there shall be appropriated, to be expended for the purposes herein specified during the first year after the ratification hereof, the following sums, to wit:

First. Ten thousand dollars for the erection of the two schools, including boarding-houses and the necessary out-buildings, said schools to be conducted on the manual-labor system as far as practicable.

Second. Twelve hundred dollars for the erection of the hospital, and providing the necessary furniture for the same.

Third. Two thousand dollars for the erection of a blacksmith shop, to be located at Kamia, to aid in the completion of the smith's shop at the agency; and to purchase the necessary tools, iron, steel, &c.; and to keep the same in repair and properly stocked with necessary tools and materials, there shall be appropriated thereafter, for the fifteen years next succeeding, the sum of five hundred dollars each year.

Fourth. Three thousand dollars for erection of houses for employes, repairs of mills, shops, &c., and providing necessary furniture, tools and materials. For the same purpose, and to procure from year to year the necessary articles --- that is to say, saw-logs, nails, glass, hardware, &c. --- there shall be appropriated thereafter, for the twelve years next succeeding, the sum of two thousand dollars each year; and for the next three years one thousand dollars each year.

And it is further agreed, that the United States shall employ, in addition to those already mentioned in article 5 of the treaty of June 11, 1855, two matrons to take charge of the boarding schools, two assistant teachers, one farmer, one carpenter, and two millers.

All the expenditures and expenses contemplated in this treaty, and not otherwise provided for, shall be defrayed by the United States.
ARTICLE VI.
In consideration of the past services and faithfulness of the Indian chief Timothy, it is agreed that the United States shall appropriate the sum of six hundred dollars, to aid him in the erection of a house upon the lot of land which may be assigned to him in accordance with the provisions of the third article of this treaty.

ARTICLE VII.
The United States further agree that the claims of certain members of the Nez Perce tribe against the government for services rendered, and for horses furnished by them to the Oregon mounted volunteers, as appears by certificates issued by W. H. Fauntleroy, acting regimental quartermaster and commissary Oregon volunteers, on the 6th of March, 1856, at Camp Cornelius, and amounting to the sum of [four thousand six hundred and sixty-five dollars, shall be paid to them in full, in gold coin] four thousand eight hundred and fifty-five dollar in full, in gold coins, to be paid out of the proceeds of the sale of their lands.

ARTICLE VIII.
It is also understood that the aforesaid tribes do hereby renew their acknowledgments of dependence upon the government of the United States, their promises of friendship and other pledges, as set forth in the eighth article of the treaty of June 11, 1855; and further, that all the provisions of said treaty, which are not abrogated or specifically changed by any article herein contained, shall remain the same, to all intents and purposes, as formerly, the same obligations resting upon the United States, the same privileges continued to the Indians outside of the reservation, and the same rights secured to citizens of the United States as to right of way upon the streams and over the roads which may run through said reservation, as are therein set forth.

But it in further provided that the United States is the only competent authority to declare and establish such necessary roads and highways, and that no other right is intended to be hereby granted to citizens of the United States than the right of way upon or over such roads as may thus be legally established: Provided, however, That the roads now usually travelled shall, in the mean time, be taken and deemed as within the meaning of this article, until otherwise enacted by act of Congress, or by the authority of the Indian department. And the said tribe hereby consent that upon the public roads which may run across the reservation there may be established, at such points as shall be necessary for public convenience, hotels, or stage stands, [of the number and necessity of which the agent or superintendent shall be the sole judge, who shall be competent to license the same, with the privilege of using such amount of land, for pasturage and other purposes connected with such establishment, as the agent or superintendent shall deem necessary, it being understood that such lands for pasturage are to be enclosed, and the boundaries thereof described in the license,] with a reasonable quantity of land adjacent thereto for pasturage and agricultural purposes, as shall be recommended by the Commissioner of Indian Affairs, and approved by the Secretary of the Interior.

And it is further understood and agreed that all ferries and bridges within the reservation shall be held and managed for the benefit of said tribe.

Such rules and regulations shall be made by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, as shall regulate the travel on the highways, the management of the ferries and bridges, the licensing of public houses, and the leasing of
lands, as herein provided, so that the rents, profits, and issues thereof, shall inure to the benefit of said tribe, and so that the persons thus licensed, or necessarily employed in any of the above relations, shall be subject to the control of the Indian department, and to the provisions of the act of Congress, "to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers."

All timber within the bounds of the reservation is exclusively the property of the tribe, excepting that the United States government shall be permitted to use thereof for any purpose connected with its affairs, either in carrying out any of the provisions of this treaty, or in the maintaining of its necessary forts or garrisons, or constructing highways and bridges.

The United States also agree to reserve all springs or fountains not adjacent to or directly connected with the streams or rivers within the lands hereby relinquished, and to keep back from settlement or entry so much of the surrounding land as may be necessary to prevent the said springs or fountains being enclosed; and further, to preserve a perpetual right of way to and from the same, as watering places, for the use in common of both whites and Indians: \`\`Provided, That there shall first be surveyed and laid off, under the direction of the President, six hundred and forty acres for the site of the town of Lewiston, and if the site, when surveyed and laid off, shall embrace the lands, or any portion of the same, described in the conveyance to said Newell, then said Newell shall be authorized to select six hundred and forty acres of other unimproved land, not mineral lands, ceded herein, and which is not in the occupancy of another; and when so selected the same shall be confirmed to him, and a patent shall issue as in other cases."

ARTICLE IX.

Inasmuch as the Indians in counsel have expressed their desire that Robert Newell should have confirmed to him a piece of land, lying between Snake and Clearwater rivers, the same having been given to him on the 9th day of June, 1861, and described in an instrument of writing bearing that date, and signed by several chiefs of the tribe, it is hereby agreed that the said Robert Newell shall receive from the United States a patent for the said tract of land.

ARTICLE X.

This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said C. H. Hale, superintendent of Indian affairs, and Charles Hutchins and S. D. Howe, United States Indian agents in the Territory of Washington, and the chiefs, headmen, and delegates of the aforesaid Nez Perce tribe of Indians, have hereunto set their hands and seals, at the place, and on the day and year hereinbefore written.
IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.

April 17, 1867.

Resolved, (two-thirds of the Senators present concurring,) That the Senate recede from its amendments to the treaty between the United States and the Nez Percé Indians, concluded at the Council Ground, in the valley of the Lapwai, June 9, 1863, which amendments were agreed to by the Senate, June 26, 1866; and that the Senate do advise and consent to the ratification of the said treaty as concluded June 9, 1863.

Attest: J. W. FORNEY,
Secretary

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the seventeenth of April, one thousand eight hundred and sixty-seven, accept, ratify, and confirm the said Treaty.

In testimony whereof I have hereto signed my name, and caused the seal of the United States to be affixed.

Done at the city of Washington this twentieth day of April, in the year of our Lord one thousand eight hundred and sixty-seven, and of the Independence of the United States of America the ninety-first.

[SEAL.]
ANDREW JOHNSON

By the President:
WILLIAM H. SEWARD,
Secretary of State.

TREATY OF 1868

Those who did not sign this treaty are considered the Non-treaty Nez Perce.

Whereas to the treaty of the ninth of June, one thousand eight hundred and sixty-three, between the United States and the Nez Perce tribe of Indians, an amendatory treaty was concluded at the city of Washington, in the District of Columbia, on the thirteenth day of August, in the year of our Lord one thousand eight hundred and sixty-eight, by and between Nathaniel G. Taylor, commissioner, on the part of the United States, and Lawyer, head chief, and Timothy and Jason, chiefs, of the Nez Perce tribe of Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which amendatory treaty is in the words and figures following, to wit:

Whereas certain amendments are desired by the Nez Perce tribe of Indians to their treaty concluded at the Council Ground in the valley of the Lapwai, in the Territory of Washington, on the ninth day of June, in the year of our Lord one thousand eight hundred and sixty-three; and whereas the United States are willing to assent to said amendments;
it is therefore agreed by and between Nathaniel G. Taylor, commissioner, on the part of
the United States, thereunto duly authorized, and Lawyer, Timothy, and Jason, chiefs of
said tribe, also being thereunto duly authorized, in manner and form following, that is to
say:

ARTICLE I.
That all lands embraced within the limits of the tract set apart for the exclusive use and
benefit of said Indians by the 2d article of said treaty of June 9th, 1863, which are
susceptible of cultivation and suitable for Indian farms, which are not now occupied by
the United States for military purposes, or which are not required for agency or other
buildings and purposes provided for by existing treaty stipulations, shall be surveyed as
provided in the 3d article of said treaty of June 9th, 1863, and as soon as the allotments
shall be plowed and fenced, and as soon as schools shall be established as provided by
existing treaty stipulations, such Indians now residing outside the reservation as may be
decided upon by the agent of the tribe and the Indians themselves, shall be removed to
and located upon allotments within the reservation: Provided, however, That in case there
should not be a sufficient quantity of suitable land within the boundaries of the
reservation to provide allotments for those now there and those residing outside the
boundaries of the same, then those residing outside, or as many thereof as allotments can
not be provided for, may remain upon the lands now occupied and improved by them,
provided, that the land so occupied does not exceed twenty acres for each and every male
person who shall have attained the age of twenty-one years or is the head of a family, and
the tenure of those remaining upon lands outside the reservation shall be the same as is
provided in said 3d article of said treaty of June 9th, 1863, for those receiving allotments
within the reservation; and it is further agreed that those now residing outside of the
boundaries of the reservation and who may continue to so reside shall be protected by the
military authorities in their rights upon the allotments occupied by them, and also in the
privilege of grazing their animals upon surrounding unoccupied lands.

ARTICLE II.
It is further agreed between the parties hereto that the stipulations contained in the 8th
article of the treaty of June 9th, 1863, relative to timber, are hereby annulled as far as the
same provides that the United States shall be permitted to use thereof in the maintaining
of forts or garrisons, and that the said Indians shall have the aid of the military authorities
to protect the timber upon their reservation, and that none of the same shall be cut or
removed without the consent of the head chief of the tribe, together with the consent of
the agent and Superintendent of Indian Affairs, first being given in writing, which written
consent shall state the part of the reservation upon which the timber is to be cut, and also
the quantity, and the price to be paid therefor.

ARTICLE III.
It is further hereby stipulated and agreed that the amount due said tribe for school
purposes and for the support of teachers that has not been expended for that purpose since
the year 1864, but has been used for other purposes, shall be ascertained and the same
shall be reimbursed to said tribe by appropriation by Congress, and shall be set apart and
invested in United States bonds and shall be held in trust by the United States, the interest on the same to be paid to said tribe annually for the support of teachers.

In testimony whereof the said Commissioner on the part of United States and the said chiefs representing said Nez Perce tribe of Indians have hereunto set their hands and seals this 13th day of August, in the year of our Lord one thousand eight hundred and sixty-eight, at the city of Washington, D.C.

N. G. TAYLOR, [l. s.]
Commissioner Ind'n Affr's.

LAWYER, Head Chief Nez Perces. [l. s.]
TIMOTHY, his x mark. Chief. [l. s.]
JASON, his x mark. Chief. [l. s.]

In presence of ---

Charles E. Mix.
W. R. Irwin.

And whereas, the said amendatory treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the sixteenth day of February, one thousand eight hundred and sixty-nine, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

In Executive Session, Senate of the United States.

February 16, 1869.

Resolved, (two thirds of the senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Nez Perce tribe of Indians, concluded at Washington, D.C., August 13, 1868.

Attest: GEO. C. GORHAM,

Secretary.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the sixteenth of February, one thousand eight hundred and sixty-nine, accept, ratify, and confirm the said amendatory treaty.

In testimony whereof I have hereto signed my name, and caused the seal of the United States to be affixed.
Done at the city of Washington this twenty-fourth day of February, in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States of America the ninety-third.

ANDREW JOHNSON.

By the President:

William H. Seward,
Secretary of State.
Salem, Oregon, November 18, 1857

Sir: I have the honor to acknowledge the receipt of your letter of the 3d instant enclosing a copy of Colonel Steptoe’s letter or October 19, in which he refers to a conversation had between Mr. J. Ross Brown and “Lawyer,” chief of the Nez Perces.

In relation to the opinion entertained by Brigadier General Clark that I had not changed my policy relative to those Indians since our interview, I have to say that the general’s conclusions on that subject are correct. I have on all occasions directed the agents who have communicated with those people to impress upon their minds the fact that the treaties negotiated with them were like all other treaties in a similar condition, void and inoperative, and must remain so until they receive the constitutional ratification of the President and Senate; and I further entertain the opinion that no officer of the government, including the President himself, can give those treaties validity or make them binding while they lack such ratification.

I knew that Mr. Brown had visited the Dalles, and had there some conversation with “Lawyer.” The character of that conversation was never reported to me. If he stated that the “treaties would certainly be ratified and enforced,” I can only say that he possessed knowledge upon that subject which has been withheld from myself. In order to explain to the general my views upon the subject of those treaties I herewith enclose you an extract from my annual report to the Commissioner of Indian Affairs, bearing date September 1, 1857.

I am, sir, respectfully, yours,

J.W. NESMITH
Superintendent Indian Affairs, O. and W.T.

Extract from the annual report of J.W. Nesmith

“The region of country east of the Cascade mountains is daily becoming of more importance to the whites by reason of the discovery of gold in its northern limits, and its being traversed by the great thoroughfares leading to the States. Our people are being continually brought in contact with its Indian occupants, which compose several numerous and warlike tribes. In order to maintain friendly relations with the, and prevent constant difficulties, requires the presence of several reliable agents.

“The treaties negotiated with those interior tribes, never having been ratified, they are averse to the occupation of their country by white settlers, and every endeavor has been made to prevent intrusion upon their lands, until such time as the government shall decide upon the disposition of the treaties. In order to relieve and quiet their apprehensions in relation to the occupation of their country by our people, I directed Agent Landsdale, on his trip to Flathead country, to explain to them the failure of the government to comply with its promises by reason of non-ratification of the treaties, and to assure them that their lands should not be taken from them without receiving a fair compensation; they were also informed that until these treaties were ratified they could expect nothing from the government in the shape of annuities or subsistence. I would recommend that
steps be taken to throw open the Walla-Walla valley to settlement; it is an advanced point in the interior, which if occupied would protect and increase the facilities for an overland communication with the States. The Walla-Walla is a rich valley, unsurpassed in its qualities as a grazing country, and a desirable locality for a white settlement. It has already been purchased by the treaties made by Governor Stevens and late Superintendent Palmer with the Cayuses and Nez Perces; as the treaties have never been ratified, the country is not considered open to settlement. I understand that the Indians express some dissatisfaction at those treaties, which may render their modification necessary. The only portion of the country east of the Cascade mountains now occupied by our citizens is that in the immediate vicinity of the Dalles, on the south side of the Columbia river. This country belongs to the Indians who were parties to the treaty of June 25, 1855, be immediately ratified and funds appropriated for its execution. The treaty referred to is liberal in its provisions; the Indians who are parties to it have exhibited good faith towards our government; they have been deprived of their lands, and the United States have received all the benefits of the treaty. I think that justice, as well as good policy, should induce the government to comply with their part of the contract. I would also earnestly recommend that the treaties negotiated by Governor Stevens with the Indians in Washington Territory west of the Cascade mountains, be ratified as speedily as possible, as it will be difficult to restrain the Indians, who are parties to those treaties, much longer by mere promises.”

FORT WALLA-WALLA
May 23, 1858

Major: I take the liberty to recommend, as the very first step in prosecuting the war with the northern tribes, the establishment of a post on Snake river, near the mouth of the Pelouse- a temporary work, from which the garrison can fall back to this point upon the approach of winter. The road to Colville crosses there, but the great advantage of having such an advance post will be in thus obtaining a [word not readable] ferry. I had vast difficulty in getting the dragoon horses over Snake river, which is everywhere wide, deep, and strong, and without the assistance of Timothy’s Nez Perces it would have been utterly impossible for us to cross, either going or returning. Besides this, the Pelouse tribe ought to be the first one struck at, as it is the most hostile, as was guilty, a few weeks since, of murdering two white men on the Colville road.

A few companies of infantry could construct a kind of entrenchment there in a few days, which one company could easily defend and at the same time guard the ferry-boat. There is absolutely no other way of crossing the stream with certainty.

I hope the general will send us as strong as force as possible, and with all the dispatch possible. The tribes around this post are watching eagerly to see what they can gain by joining the hostile party. One of my keenest regrets growing out of the late affair is the consciousness that our defeat must, until something is done to check it, encourage the wavering to active hostilities.

All the companies here are now busily drilling as skirmishers, in which branch of instruction the dragoons, although very gallant, showed themselves not at all proficient the other day, and there will soon be ready to take the field again; but I hope the force
here will not, for manifest reasons, be reduced before the arrival of other troops from below.

There is a band of Nez Perces, perhaps fifty or seventy-five, at present here, who took their arms as soon as they heard of my difficulty, but met me on my return. Their services can easily be secured, I think, if the general desires it, and no doubt they would be valuable auxiliaries - if in no other way, certainly as instructors to our soldiers in the mode of Indian warfare.

Very respectfully, your obedient servant,

E.J. STEPTOE
Brevet Lieut. Colonel U.S. Army, Commanding Post

HEADQUARTERS DEPARTMENT OF THE PACIFIC
Fort Vancouver, W.T., August 12, 1858

Sir: I have the honor to inform the General-in-Chief that the advance of Colonel Wright’s column moved from Fort Walla-Walla against the Coeur d’ Alenes and Spokanes on the morning of August 7.

Before leaving he succeeded in carrying into effect my instructions in relation to the Nez Perces, and this powerful tribe has now formed a treaty with us and promised its active assistance against the hostile Indians, as allies; a portion of the tribe will accompany the troops.

A copy of the treaty will be forwarded by the next mail.

Major Garnet has not yet reports, but doubtless is now prepared to march against the Yakimas with a sufficient force.

I am, sir, very respectfully, your obedient servant,

N.S. CLARKE
Brevet Brigadier General, commanding

HEADQUARTERS DEPARTMENT OF THE PACIFIC
Fort Vancouver, W.T., August 13, 1858

Sir: I enclose herewith a treaty made with the Nez Perces.

The negotiation, based upon the formula transmitted with my letter of July 23, was intrusted to Lieutenant Colonel Steptoe, “apprehending,” however, “from certain remarks of the Nez Perces” to use Colonel Steptoe’s language in his report, “that they might suppose Colonel Wright’s and myself (himself) to entertain different settlements” the lieutenant colonel suggested to the colonel to conduct the negotiation.

The treaty is more amplified and special than I would have sought to make it; but, however, as it embodies the spirit suggested by my formula, I have approved it and hope it will be sanctioned by my superiors.

I am, sir, very respectfully, your obedient servant,

N.S. CLARKE
Colonel 6th Infantry, Brevet Brigadier General, commanding
Treaty of Peace and friendship between the United States and the Nez Perces Tribe

ARTICLE 1-It is agreed that there shall be perpetual peace between the United States and the Nez Perces tribe.

ARTICLE 2-In the event of war between the United States and other people whatever, the Nez Perces agree to aid the United States with men to the extent of their ability.

ARTICLE 3-In the event of war between the Nez Perces and any other tribe the United States agree to aid the Nez Perces with troops.

ARTICLE 4-When the Nez Perces take part with the United States in war, they shall be furnished with such arms, ammunition, provisions &c., as may be necessary.

ARTICLE 5-When the United States take part with the Nez Perces in war they (the United States) will not require the Nez Perces to furnish anything to the troops unless paid for at a fair price.

ARTICLE 6-Should any misunderstanding arise hereafter between the troops and the Nez Perces, it shall be settled by their respective chiefs in friendly council.

HEADQUARTERS UNITED STATES TROOPS
Camp in the Walla-Walla valley, August 6, 1858

Alayana
Hates-e-mahli-kan his x mark
Te-pe-lat-tee-me-nay his x mark
Toseple his x mark
Quie-Quie-Nee-Mat his x mark
Hat-hat-hise-e-sat his x mark
Alat-lat-lim-e-tah-han his x mark
Three Feathers his x mark
Speaking Eagle his x mark
Ick-he-hat-ite-e-mee-ham his x mark
We-ast-kat-shuck his x mark
Captain Jack his x mark
Sim-le-huste his x mark
Kosh-le-nuck-hat his x mark
Tooke-tah-le-mat-ham his x mark
Nuste-nuke-ne-wat-ne-han his x mark
Wat-tah-ye-hat-hi-at-kim his x mark
Ke-lay-i-at-kim his x mark
Keyo-at-mat-ah-ham-skin his x mark
Se-no-mat-ah-t-ne-pan his x mark
Richard his x mark
Jamie his x mark
Orders No. 5
I. The residue of the troops for the northern expedition will march from Fort Walla-Walla to-morrow, and unite with the advance at the Snake river.
II. Marching from Snake river the order will be as follows:
   1. The dragoons
   2. The mountain howitzer company
   3. The battalion of artillery serving as infantry
   4. The rifle battalion of 9th infantry
   5. Pack train of corps and headquarters
   6. One company of infantry as rear guard
   7. General trains of quartermaster and commissary
8. One troop of dragoons as rear guard  
III. The mounted troops will not precede the howitzer company more than four hundred yards, and on approaching canons or defiles where dragoons cannot operate on the flanks, they will be halted and the rifles advance.  
IV. No firearms of any description will be discharged, with on the march or in the camp, except in the line of duty, without the special authority of the commanding officer.  
V. No person except the employees of the staff departments and officers’ servants will be allowed to accompany the troops or to encamp with them with the written authority of the commanding officer.  
VI. Habitually the guard will consist of one company, and mount at retreat.  
VII. It is announced for general information that a body of friendly Nez Perces Indians have been engaged to serve with the troops. These Indians have been equipped in soldier’s clothing in order to distinguish them from the hostiles. Company commanders will caution their men particularly in regard to these friendly Indians.  
VIII. Whether in camp or on the march, the companies will parade with arms; at retreat and reveille roll calls the arms and ammunition will be inspected, The men will habitually wear and sleep in their belts.

By order of Colonel Wright

P.A. OWEN  
First Lieutenant 9\textsuperscript{th} Infantry, A.A.A.G

Extract from HEADQUARTERS EXPEDITION AGAINST NORTHERN INDIANS  
Camp at the “Four Lakes” W.T., lat. 47\degree 32’N. long. 117\degree 39’, September 2, 1858

Sir: I have the honor to submit the following report of the battle of the “Four Lakes” fought and won by the troops under my command on the 1\textsuperscript{st} instant. Our enemies were the Spokane, Coeur d’ Alenes and Pelouse Indians.

4. Lieutenant John Mullan, second artillery, topographical engineers, and commanding the friendly Nez Perces Indians, moved gallantly forward in advance, and to the right of the foot troops, in the early part of the action, giving and receiving from the enemy a volley as he skirted the brush to the east of the main hill. Lieutenant Mullan speaks in glowing terms of the conduct of the Nez Perces throughout the action: at one time charging the enemy lurking in the brush and timber on the Spokane plain, driving him out and pursuing him beyond view; and again a small party under the chief Hutes-e-mah-li-kan and Captain John met and engaged the enemy that were endeavoring to attack our rear, recapturing a horse left by an officer while moving over the rocks and ravines. Lieutenant Mullan expresses his approbation of the good conduct generally of this band of friendly Nez Perces, and mentions Hutes-e-mah-li-kan, Captain John, Edward and We-ash-kot at worthy of special notice for their bravery.

G. WRIGHT  
Colonel 9\textsuperscript{th} Infantry, Commanding

FORT VANCOUVER, W.T.  
October 28, 1858
Sir: I have this moment received your communication of this date.

With regard to the present disposition and feeling of the various Indians with whom I have been brought in contact during the late campaign, I can assure the general that we have nothing to apprehend. The Nez Perces, Spokanes, Coeur d’ Alenes, Pelouses, Walla-Walla, and other tribes residing on both banks of the Columbia river and its tributaries, are now regarded as entirely friendly. Written treaties have been made with the Nez Perces, Spokanes, and Coeur d’ Alenes, and verbal treaties with the smaller bands. The Pelouses were severely punished. Ten of the worst of them were executed, and a chief with four men, with their families, carried to Walla-Walla as hostages. I have also taken hostages from the Spokanes and Coeur d’ Alenes, and retain them at Fort Walla-Walla.

With regard to the Indians in the neighborhood of Colville, there are doubtless some bad men among them who should be punished. Their acts are confined to robbing and stealing, but I have no information that any murders have been recently committed. A gentleman residing in Colville valley wrote to me a few days since. He says nothing of the miners having been driving off, or the Indians having committed any hostilities. I would recommend that an expedition be sent through that country next spring, and such Indians as deserve it severely punished, and then I think that we shall have no more trouble in that quarter.

I am not in favor of establishing permanent posts in advance of Walla-Wall. Annual expeditions, at little expense, can be made through the Indian country north, east and south of Fort Walla-Wall and in this way I think that tranquility and peace can easily be maintained.

Should it be desired to establish a post in the Colville valley, it would be well to defer it until another season, after an expedition has been made, and the localities well examined. It is too late now; the ground will be covered with snow before the troops could reach that country.

Very respectfully, your most obedient servant,
G. WRIGHT
Colonel 9th Infantry
HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., October 6, 1863.

GENERAL: I have the honor to report for the information of the War Department the operations of the troops in the District of Oregon since I assumed command on the 7th of July, 1862. The boundaries of the district are the same known on military maps as those of the old Department of Oregon, including all of the former Territory of Oregon as organized in 1848, excepting the valleys of the Umpqua and Rogue Rivers. It now includes part of the State of Oregon, all of Washington Territory, and the portion of Idaho Territory west of the Rocky Mountains. Three companies of First Oregon Cavalry, under command of Lieut. Col. R. F. Maury, were ordered to leave Fort Walla Walla on the 25th of July, 1862, to proceed upon the emigrant road as far as Salmon Falls, on Snake River, for the protection of the expected emigration, the command not to return to Fort Walla Walla until the 1st of November. The duty was faithfully and efficiently discharged by Colonel Maury. The movement in connection with Captain Crawford’s emigrant escort party from Omaha, Nebr., afforded effectual protection to the emigration, which amounted to 2,000 wagons, or about 10,000 souls that autumn. I also ordered in July, 1862, a company of cavalry to encamp in the Nez Percé country, near the agency, for the protection of that tribe so far as practicable from the intrusion of the whites, who in search of gold had (previously to my being placed in command) invaded the Nez Percé Indian Reservation without authority to the number of some 10,000 or 15,000 people in violation of the provisions of the treaty, and in contempt of the rights of the Indians. Hearing of threatened collision in that region between the Indians and the whites, I left on the 16th of October for the Nez Percé country. Before I reached there, two murders of white men by the Indians occurred, almost the very first ever attributed to that tribe, who have been proverbial for their persistent friendship for the whites. Finding among the chiefs (who surrendered the murderers) a great desire for the continuance of the soldiers among them, I ordered another company there and established a post at Fort Lapwai. The reasons which impelled me to do so were fully reported in a dispatch to headquarters Department of the Pacific dated 4th of November, 1862, which I have been informed was forwarded to the War Department. The effect of the establishment of the post was very salutary, and paved the way for the successful negotiations of a treaty with that tribe on the 9th of June last, by which they have surrendered the greater portion of their reservation, including all of the gold-mining regions.

On the 9th of May last I assembled six companies of troops, under command of Col. J. Steinberger, First Washington Territory Infantry, at Fort Lapwai, preliminary to said negotiations. I have no doubt that the concentration of those troops had a salutary effect on all the surrounding tribes, as well as furthering the success of the council. All those Indian tribes have remained at peace with whom the Indian wars of 1855, 1856, and 1858 were carried on, and the only Indians who have committed assaults upon the frontier have been the Snakes. The Snakes speak the Comanche language, have the same habits, and are in fact a branch of the Comanche tribes of the region east of the Rocky Mountains. On the 14th of October, 1862, I sent to department headquarters a letter (forwarded afterward to the Adjutant-General of the
Army) recommending the establishment of a military post at or near Fort Boisé for the protection of emigrants and settlers in that country. On the 29th of January I received instructions from department headquarters, pursuant to the authority of the Secretary of War, to make the necessary arrangements for the establishment of a post at Fort Boisé. Said arrangements were made with the assistance of Bvt. Maj. P. Lugenbeel, Ninth Infantry, to whom the command of the troops destined for that post was given. After a careful reconnaissance he established it on the 4th of July at a point about forty-three miles east of old Fort Boisé and 275 miles from Wallula (the depot on the Columbia River better known as old Fort Walla Walla). He has found a good site for a saw-mill on a creek ten miles from the post. He has commenced, agreeably to instructions, the erection of temporary quarters for a five-company post, three of infantry and two of cavalry. I have no doubt he has located the post judiciously and that he has practiced the utmost economy, which was strictly enjoined upon him. During this winter for want of forage the cavalry, with the exception of twenty-five men, will withdraw to Fort Walla Walla. A population of 10,000 or 15,000 people have gone into those mines and that whole region is fast increasing in importance.

Colonel Maury, with three companies of First Oregon Cavalry and two of infantry, was ordered to proceed in July last from Fort Boisé to a point on Snake River above Fort Hall for the protection of the emigration. He has at last dates successfully carried out the plan, and on the 17th of August, 1863, met Capt. M. Crawford, assistant quartermaster, in charge of the emigrant escort, at the ferry on Snake River, as had been arranged by me early in the spring when Captain Crawford left here for Washington City. Owing to the pacification effected by General Connor and Governor Dory, of Utah, the Snake Indians upon that route have been very quiet this summer. Colonel Maury is now on his return to Fort Walla Walla, and has crossed Snake River at Salmon Falls and intended thence to proceed to the headwaters of the Owyhee and Malheur Rivers, southwest of Fort Boisé, in which quarters it was reported that the Snake Indians had fired upon some of the miners prospecting for gold. Colonel Maury was directed this year, as also a year ago, not to return to Fort Walla Walla until the 1st of November, thereby insuring the most efficient protection which could be rendered before the commencement of winter. The experience of former expeditions, as in the unfortunate massacre of September, 1860, had admonished me that the troops should not return to the military posts until the approach of winter rendered it necessary. I thus claim that during the summer and fall of 1862 and 1863 the emigrant road has been protected in a well-planned and systematic manner and that Oregon can felicitate itself that the emigrants have not been subjected to the heartrending massacres which have sometimes carried so much pain to all on this frontier. South of Auburn and near Canyon City the Snakes have killed some miners and committed some depredations. It will no doubt be necessary next spring to send if possible an efficient expedition against these Indians into the region southeast of Fort Dalles and west of Fort Boisé. The mineral wealth of that country will be explored by the hardy and adventurous miners, and it will be our duty doubtless to give them all possible protection in the undertaking. I am pleased to say that at last during the last two months a commencement has been made in the erection of batteries for the fortifications at the mouth of the Columbia, and the chief of ordnance has promised to send heavy ordnance for them. In a letter dated the 5th of
May last to the Governor of Oregon I learn that Brig. Gen. J. G. Totten, chief of the Engineer Department, has recommended that an iron-clad vessel be sent to this river. His words are: “It is recommended by the Engineer Department that a strong, heavily-armored steam floating battery and ram be provided for the defense of the Columbia River.” I do most respectfully urge that this recommendation be complied with. Absorbed by the stirring events of the war, few in the Atlantic States are conscious of the limitless gold fields recently found in Oregon and in Washington and Idaho Territories, covering an extent of country as large as those of California. Thus the rapid increase in population and commerce of this region gives it now fresh claims on the care and attention of the Government.

I am, with high respect, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U.S. Volunteers, Commanding District.

HEADQUARTERS,
Fort Walla Walla, Wash. Ter., April 16, 1861.

Maj. W. ‘W’. MACKALL.

MAJOR: Superintendent Geary has just returned from the Nez Percé Reservation, where he has succeeded in making a very satisfactory arrangement with the Indians in reference to the mining region. The Nez Percés agree to yield to the miners the country north of Clear Water, and allow them the right of travel on the trail to the ferry near Red Wolf’s Crossing of Snake River, the only stipulation of the Indians being that the remainder of their country shall be protected from the encroachments of the whites. This is but fair, seeing that they have been promised no compensation, and therefore, upon the request of Mr. Geary, who urges the necessity of the movement, I shall send Captain Smith’s company to the reservation probably by the 22d of the month. The distance is not greater than 100 miles, and the company can be recalled in a few days if their services are needed elsewhere. The horses will thrive on the rich bunch grass which abounds in that region, and, moreover, the presence of troops will give confidence to the Indians, who have always placed great reliance upon the military. I think that if Company H, First Dragoons, now at Fort Dalles, could be sent to re-enforce Captain Smith, that the presence of the squadron in that country during the summer would effectually prevent any disturbance. The Nez Percés have always been, and are now, disposed to yield a great deal and remain friendly, provided the Government shows a disposition to uphold them in their rights; but if this is not done I fear there will be trouble. I would beg leave to offer a suggestion with regard to the summer’s operations on the emigrant road. The subjugation of the Snakes, so effectually as to bring them to sue for peace, would require a large and expensive force, perhaps ten or twelve companies, necessarily requiring a large number of citizen employees as packers, herders, guides, &c., and the result would not be certain, as their country affords great facilities for concealment and escape. The remaining
squadron of dragoons, with a company of infantry from this post, would keep the
Indians from their fisheries all summer and afford ample protection to whatever
emigrants may come across; besides, the expense would be almost nothing. For a
force of that size nearly all the packing and work could be done by soldiers.

I am, sir, very respectfully, your obedient servant,

E. STEEN,
Major, First Dragoons, Commanding.

FORT WALLA WALLA, WASH. TER., June 14, 1861.

Col. L. THOMAS,
Assistant Adjutant-General, Washington, D.C.:

SIR: I would beg leave very respectfully to submit for the consideration of the
Honorable Secretary of War a few facts in relation to this Fort Benton
wagon road and its influence upon military operations in this portion of the country.
We have this summer, in addition to the disturbed state of the country at home, which
has withdrawn a portion of the troops from Oregon, a mining excitement which is
pouring all the restless and loose portion of the community into the Nez Perce
country, and upon the very land which was promised them as their own exclusive soil,
to be exempt from all encroachments of the whites. The Indians are naturally
dissatisfied, and to keep peace troops will be needed in their very midst. This takes
one company of dragoons from this post, who are now on the reservation, and there
should be another out. There is a prospect also of a large emigration this summer via
Fort Hall, and unless troops be on the road from this post to keep it clear of the Snakes
there will be a repetition of last year’s massacre at Salmon Falls, an occurrence too
horrible almost to contemplate. It is also advisable to keep our posts sufficiently
garrisoned for the protection of the public property. To meet all these requirements,
with the drain upon us by Lieutenant Mullan’s expedition for men and supplies, is too
much. His escort of 100 men requires transportation and employes to be paid for out
of the quartermaster’s appropriation for this post to the amount of more than
$100,004) a year, thereby embarrassing the regular and legitimate operations of the
post—and to what purpose? His road has already cost $300,000, and now he can’t
travel the portion between this and the Bitter Root Mountains, a distance of 200 or
300 miles, but he is making a new road farther to the north, and when that is
completed it will only be practicable a very few months in each year on account of the
water, which renders the country a perfect lake. The road will never be a suitable
emigrant or military road corn-pared with the other, for the reasons which I have
already given in my report to the Quartermaster-General, dated January 8, 1861. The
distance from the usual starting point in the States, as can easily be seen by referring
to the map, is 400 miles greater by this route, if he ever completes it, compared with
the old road, and not half so good a road, and the danger will be more than double in
the Sioux and Blackfoot country. These are plain facts. Now, if the object be to
expend so large an amount of money for the benefit of this portion of the country, it
can still be done, and some real benefit also derived by those who are nominally the
objects of the enterprise by expending it on the old road in the manner recommended
by me in my report referred to above. Mullan’s escort and the $50,000 appropriated
for this summer’s emigration, if applied toward building a ferry or bridge at Fort Hall, to be protected by the Utah troops, and a ferry at Boise under protection of this post, would be all that is necessary to make a splendid road from the Rocky Mountains to this country. Emigrants and troops could then reach this valley in three or four months from the States, and their animals not much the worse for the journey. They could cross Snake River at Fort Hall and travel on the north side of Boise through plenty of grass, water, and all that is necessary for a good road. Mr. Craigie, an intelligent and trusty man, for many years in charge of the Hudson Bay Fort at Boise, would be a very suitable person to take charge of the ferry at Boise. He has a Snake wife and speaks the language perfectly, and if he were allowed a certain amount of beef cattle and provisions to give away occasionally to such Indians as come about him, it must have a very beneficial effect on reconciling them to the whites. Lieutenant Mullan’s road can never be of any real benefit to any one, on account of the enormous expense in traveling up the Missouri by steam-boat, or the enormous distance and time required compared with the other, if they come by had all the way. The road by South Pass is the most direct, and the one cut out by nature for coming to this country, and you can never regard this Fort Benton scheme as anything else than a grand political humbug, and it is time it was stopped. I therefore most respectfully and earnestly suggest that the expedition be broken up before any more money is wasted on it. The troops will return to their legitimate duties and where their services are really needed, and Lieutenant Mullan ordered to his company.

I am, sir, very respectfully, your obedient servant,

E. STEEN,
Major, First Dragoons, Commanding.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., August 9, 1861.

Maj. D.C. BUELL,

MAJOR: At the request of the superintendent of Indian affairs, I have ordered a small detachment, under the command of Lieutenant Emory, of the Ninth Infantry, to proceed to Camp Chehalis, Gray’s Harbor, and temporarily to establish his camp a few miles north of that place, at the reservation where the agent is erecting buildings. I have provisioned Lieutenant Emory’s party until the 20th of September, after which time it is supposed now that the presence of the troops in that quarter may be dispensed with. There is much uneasiness in the community on the subject of our Indian affairs in the Colville and Nez Percé country. In the Nez Percé country there are several thousand miners, and the number is daily increasing. It is impossible to confine them to the region north of the Clearwater. An arrangement was made early in the spring by the superintendent with the Nez Percés. They agreed that the miners should be allowed in the country north of the Clearwater, but since then prospecting and rich mines have been discovered south of that river, hence the whole country will inevitably be overrun. The Nez Percé nation is large and powerful; they have always been our friends. On my campaign in 1858 they raised a mounted company, went with
me, and rendered the most important services. Neither the commander of Colville nor Walla Walla have intimated to me that they apprehend any immediate outbreak, but it is necessary to be on our guard. I cannot spare any of the troops west of the Cascades, but the dragoon company at The Dalles might be concentrated and sent to Walla Walla, and a small infantry detachment sent from The Dalles to the Warm Springs Reservation, if necessary. I should be very glad to have the company of my regiment now at San Francisco sent up here, if the general can spare it. I have permitted Captain Gregg, Third Cavalry, to obey the orders he has received from the War Department. A reliable sergeant is left in charge of the detachment at the Warm Springs. Captain Sheridan, Thirteenth Infantry, will be relieved from his duties at Yamhill in a few days, as soon as an officer is available.

Very respectfully, your obedient servant,

G. WRIGHT,
Colonel Ninth Infantry, Commanding.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., September 12, 1861.

Capt. R. C. DRUM,

CAPTAIN: I have just returned from Fort Dalles. Much alarm existing in the border settlements in consequence of the threatening aspect of our Indian affairs, I have deemed it proper to call on the Governor of Oregon for a company of volunteer cavalry. A copy of my communication to the Governor is herewith inclosed. Not having received any of the recent laws relating to the organization of volunteer forces, I have adhered to the old organization authorized for this country. I have called for the company for three years, unless sooner discharged. My latest advices from Fort Colville, and also from the Nez Percé country, represent everything as quiet. I keep Captain Whittlesey at Fort Dalles. His services are important there to muster in and take charge of the company I have called for. With the company I have called for I think we shall get along very well. It is barely possible that I may have to call on the Governor of Washington Territory for a company for service north of the Columbia River. All is quiet at the Cascades. Captain Van Voast is at that point with his company, occupying both sides of the river.

Very respectfully, your obedient servant,

G. WRIGHT,
Colonel Ninth Infantry, Commanding.

THE DALLES, OREG., October 8, 1861.

Col. B. L. BEALL, U.S. Army,
Commanding Military District, Fort Vancouver, Wash. Ter.:
COLONEL: On my way to this place I learned with regret that orders had been received by you to remove all the regular troops from Washington Territory and the State of Oregon. While I fully appreciate the unfortunate necessity which calls for all the available force of the Government in the Eastern States to quell the rebels who are endeavoring to overthrow our institutions, at the same time I cannot be unmindful of the peculiar condition of our own people. Since the close of the Indian outbreak in this country in 1856 the Indians have not been left without the moral effect of quite a large body of troops scattered through various portions of the country. Within the last year discoveries of important mines, almost wholly within the reservation of one of the most powerful tribes of Indians, has induced an influx of miners to that region, thereby rendering outbreaks possible, if not probable. The Government is now in arrears in the fulfillment of treaty stipulations with the Indians, and not unfrequent murmurs have been heard from them on that account, and I firmly believe that the moral effect of the presence of troops is necessary to the maintenance of peace. Difficulties have lately arisen at Colville with the Indians in which one white man was killed, and murders have been reported in or near the Bitter Root Valley by the Snake Indians, and I understand serious apprehensions are felt by the inhabitants of the upper country during the winter when the miners shall have left for the season. Another important consideration which ought to be taken into account is the fact that among the recent influx of miners to the region of Walla Walla and the Nez Percé country are many persons entertaining sentiments of hostility to the Government in the present crisis. They, in fact, compose fully one-half of those who will remain in that region during the winter, and threats of taking the military post in Walla Walla have been made, as I have learned, and I am free to say I myself entertain fears that if the troops are withdrawn from that region we shall witness symptoms of rebellion there. The universal public sentiment here is against the withdrawal of the troops. Occupying the position of superintendent of Indian affairs in Washington Territory, I can only enter my protest against this withdrawal of the last vestige of protection at a time we most need it. In the name of the feeble settlements which have long struggled, and are still struggling, to establish themselves here, and to keep this portion of our country loyal to the Union, I would respectfully protest against this withdrawal of the troops as an act which would not be committed if our condition was fully understood at home. I trust that you may make known the necessity of keeping these troops here, and it’ possible cause the order of removal to be countermanded.

I am, your obedient servant,

B. F. KENDALL,
Superintendent of Indian Affairs, Washington Territory.

[First indorsement.]

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, October 17, 1861.

Respectfully referred to the headquarters Department of the Pacific, for the consideration of the commanding general.

B. L. BEALL,
Colonel of Cavalry, Commanding.

[Second indorsement.]
SAN FRANCISCO, October 26, 1861.

I regret the necessity, but the orders from Washington are positive and must be obeyed.

G. WRIGHT,
Colonel, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, March 27, 1862.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D.C.:

GENERAL: Inclosed herewith is a copy of a telegraphic dispatch which I had the honor to transmit to you yesterday in reply to yours of the 21st instant.(*) The propriety of my making arrangements for the protection of the emigrants as they approach my department had already received my careful consideration. The organization of the six companies of Oregon cavalry, under the command of Colonel Cornelius, it is expected, will be completed early in April. Two of those companies have been raised in the northern section of that State and four in the southern. The latter I have directed the colonel to order north as soon as the roads are passable, and then to prepare his whole command to march to Fort Walla Walla. The presence of troops in the mining districts of the Nez Percé and Salmon River countries will be absolutely necessary to preserve peace between our people and the Indians. The extravagant reports of the richness of those mines has created the wildest enthusiasm, and already a large number of men have gone from here to the Columbia River to be in readiness to move to the mines as soon as the route is practicable. As the emigrants approach this department it is certain that a large portion of them will be attracted to the mines in Oregon and Territory of Washington, and I propose, as the summer advances, to throw forward to the vicinity of Fort Hall, or farther, if necessary, a squadron or two of cavalry to afford them protection through the Snake River country. I have conferred with Mr. Crawford, the gentleman appointed to conduct the overland emigration. He is well acquainted with the route and fully understands the arrangements to be made for his safe passage through the Indian country. The protection of the Overland Mail Route will be provided for at the earliest moment practicable. At this moment neither troops nor supplies can cross the mountains without subjecting the Government to an enormous expense, which I do not deem it proper to incur unless an emergency should arise making it necessary. I have conferred with Mr. Louis McLane on this subject, and copy of a note he addressed me yesterday, and herewith inclosed,(+) will show you that no immediate danger is apprehended. The instructions of the Secretary of War will be carried out as soon as practicable. I believe that ample protection can be given to the overland mail as far east as Salt Lake by the force I have reported as available at once for that purpose, viz, five companies of cavalry and six of infantry; should it, however, <ar105_957> be found insufficient, it can be increased. In the present aspect of our foreign relations, prudential considerations require that a strong force should be kept at or near this city. I have now three companies of artillery and one of the Ninth Infantry in the two
permanent forts. I have seven companies of the Ninth Infantry at the Presidio, but they are very much reduced, one of them having just returned from the East, with only its non-commissioned officers, and 100 of our best men being on the escort of Lieutenant Mullan’s wagon-road expedition. The three companies of cavalry near this city and the six companies of the Third Infantry California Volunteers, now at Benicia Barracks, I design for the overland mail protection. I have the headquarters and five companies of the Fourth Infantry California Volunteers, encamped at Sacramento. I shall soon move them down to Benicia or in the neighborhood of this city, according to circumstances. In the southern district Colonel Carleton is advancing on Fort Yuma with his own regiment (First Infantry) and First Cavalry (five companies), and the Light Battery Company A, Third Artillery. The roads are still in a bad condition, and loaded wagons cannot move. I have also now in the southern district the Fifth Infantry California Volunteers, Colonel Bowie, and four companies of the Second Cavalry. Colonel Bowie will be left in command of that district after the advance of Carleton.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U.S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., April 28, 1862.

Col. JUSTUS STEINBERGER,  
First Infantry Washington Territory Volunteers,  
under orders for Fort Vancouver, Wash. Ter.:  

COLONEL: After assuming command of the District of Oregon, I desire that early measures be taken to concentrate the Oregon regiment of cavalry and move it to the east of the Cascades. The headquarters of that regiment will be established at Fort Walla Walla, from which place a company should be sent to the Nez Perce country, to remain, probably, during the whole summer. But the principal object in having a large cavalry force in the Walla Walla country is to move over the mining district of the Salmon River in the spring and early summer, and as the season advances to be thrown forward to meet the emigrants as they approach from the Eastern States. Let the staff officers of the different departments in your district prepare their estimates and requisitions for everything necessary during the next fiscal year as soon as practicable. I commit to your hands the District of Oregon, with full powers to dispose of the troops as you may deem best to preserve the peace of the country, and to maintain the honor of our flag and respect for our Government.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U.S. Army, Commanding  

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, April 30, 1862.
Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D.C.:

GENERAL: Colonel Steinberger sailed today for Fort Vancouver with the headquarters and four full companies of the First Infantry Washington Territory Volunteers, leaving in this city his lieutenant-colonel to complete the enrollment of three more companies. The remaining three companies are being raised in the District of Oregon. On arriving at Fort Vancouver Colonel Steinberger, as the senior officer, will assume command of the District of Oregon; and as soon as practicable I have directed that the battalions of five companies each, of the Second and Fourth Infantry California Volunteers, shall be relieved by the troops of Colonel Steinberger’s regiment. The Oregon cavalry regiment of six companies will be concentrated at Fort Walla Walla as soon as the route is open for service in the mining districts, and later in the season to be thrown forward toward Fort Hall to meet the emigrants, as I have previously advised you. On the 26th instant a company of the Second Cavalry California Volunteers commanded by Capt. George F. Price, left this city to proceed via Sacramento and Placerville to Carson City, and thence north to the vicinity of Honey and Pyramid Lakes, for the purpose of quelling a difficulty in that quarter between the whites and Indians. This company will afterward join the troops designated for the protection of the Overland Mail Route. Colonel Lippitt, commanding the District of Humboldt, is exerting himself to the utmost to maintain peace in that region. I have reinforced him with the two companies of his regiment lately at Santa Barbara, and two other companies of his regiment now at Fort Vancouver will come down to Fort Humboldt on the return of the steamer now conveying Colonel Steinberger and his troops up the coast. South of Fort Churchill about 200 miles, on the Mono River, there has been a difficulty between our people and the Indians, and I had to send a detachment of cavalry from Fort Churchill and also a detachment from Los Angeles to the same point. I have no official report as yet from that quarter. I am under the impression, however, that it will be necessary to maintain a small command there during the summer. The excitement about the mines of the north is unabated; vast numbers are rushing to that region; every steamer and sail vessel is crowded, and it will require great energy and prudence on the part of the commander of our troops to preserve peace in the Nez Perce and Salmon River countries during the summer.

Very respectfully, your obedient servant,

G. WRIGHT,
Brigadier-General, U. S. Army, Commanding

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., May 19, 1862.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of the Pacific, San Francisco, Cal.:

SIR: I have the honor to acknowledge by the steamship Pacific, arrived at Portland on the 17th instant, your communication of the 6th referring to the disposition of the regiment of cavalry under Colonel Cornelius. Before the reception of your letter the two companies of this regiment referred to in my communication of the 14th instant
had arrived here in pursuance of directions for that purpose. Believing that the commanding general was not informed of the supply of cavalry equipment available at the depot here, and that under the advisement of my letter of the 14th instant approval will be given to the movement of the troops as indicated therein, Colonel Cornelius with his staff and Companies B and E, of his regiment, will leave tomorrow morning for Fort Dalles by water, en route for Fort Walla Walla. I have much confidence that the general commanding will agree with me as to the urgent necessity of this movement, from the reasons mentioned in the letter referred to, and will sanction this departure from his instructions in your letter of the 6th instant.

Information is given me by Colonel Cornelius that Lieutenant-Colonel Maury with four companies of the Oregon cavalry will be at Camp Barlow, two miles north of Oregon City. It is the place selected by him for encampment in conformity to instructions to him from department headquarters, “to concentrate his force in the Willamette Valley preparatory to his proceeding east of the mountains.” Until further directions are received for the movement of these four companies no arrangements will be made for their march. The past winter has been an unusually severe and prolonged one, and since the reception of your letter Colonel Cornelius reports to me that it would be unsafe to attempt to cross the Cascade Mountains until the 1st of August. Other well-informed persons agree in this opinion. The march in that direction will even then be a hard one and attended with some risk. For any operations this summer as a cavalry force, I respectfully submit that it is important that the regiment should be at Walla Walla at the earliest practicable moment. The presence of one company at the Nez Percé Reservation is already urged by the Indian superintendent as of great necessity for the preservation, of our friendly relations with that tribe of Indians. For operations in the Salmon River country and along the emigrant trail I am fearful the object would be defeated if we were compelled to wait for the snow to melt on the Cascade Mountains before marching these troops. Forage of every description is selling at very high rates in the valley and in this neighborhood, and the difference in the cost of supporting these four companies at Camp Barlow and east of the mountains would go far toward paying the transportation by water to Fort Dalles. At Camp Barlow and, indeed, throughout the Willamette Valley, grazing must be hired and short forage purchased, while east of the Cascade Mountains the season is further advanced and forage of all kinds to be procured at less cost to the Government. As some time will of necessity elapse before they can be equipped to move in either direction, the commanding general will have full opportunity to become informed of the proper route to take for these companies. I am well impressed that to promote the successful employment of these troops in the movements indicated in the letter of instructions to myself on leaving San Francisco, that it would be eminently advisable to send them by water to Fort Dalles, and thence to Fort Walla Walla by land as soon as they are in readiness to move.

Trusting that my action in the case of Colonel Cornelius, his staff, and Companies B and E will be approved, and awaiting further directions as to the balance of the regiment, I am, very respectfully, your obedient servant,

JUSTUS STEINBERGER,
Colonel First Washington Territory Infantry, Comdg. District.
HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash. Ter., June 23, 1862.

Col. T. R. CORNELIUS,  
First Oregon Cavalry, Comdg. Fort Walla Walla, Wash. Ter. :

SIR: It is designed to send one company of your regiment from Fort Walla Walla to a point on or near the Indian reservation of the Nez Percés, and at least two companies on the emigrant road toward Fort Hall. The object of these movements is to preserve quiet and order in our relations with the Nez Percé Indians and adjacent tribes, and give protection to the emigration coming this season from the Atlantic States. You have heretofore been advised to have these headquarters furnished with all the information you can collect that may involve the disposition of troops eastward from your post, and your report is looked for daily. It is now directed, in view of the movements herein referred to, that an accurate and detailed report be transmitted at the earliest practicable moment of the amount of available transportation on hand at your post and belonging to it, and if it will meet the demands these expeditions will make, as well as provide for the current requirements of the garrison. The wagons and mules taking Major Rumrill’s command to Fort Colville will bring back Major Curtis’, and will be directed to return at once to Fort Walla Walla. They should be back about the 20th of July. The greater part of the transportation carrying Lieutenant-Colonel Maury’s command to your post will be retained by you. It is presumed that the company dispatched to the Nez Percé country will leave during the month of July; yet upon this subject much will depend upon your own report of its necessity and opinion of the proper time. The experience of former expeditions has proven that protection has been most required for the latter part of the overland emigration, and that the 1st of August is early enough to start troops eastward. Of this, however, your report is expected with your views in full. This expedition will in all probability require transportation for two months’ subsistence. If upon a careful examination of the resources of your post it is ascertained that you cannot supply transportation for these expeditions and provide for the post, direct your quartermaster to make estimates for the supply of fuel and forage by contract, and, if positively necessary, for the hauling of supplies from the steam-boat landing on Columbia River to the post. Let these estimates be sent to the proper staff officer at department headquarters for approval, with full and explicit reports of the necessities asistenc. In your own reports to these headquarters on this subject it is to be borne in mind that all estimates for transportation should be based upon the most rigid economy and strictly in accordance with regulations. You will institute immediately the necessary preparations for the march and support of of these troops in the field, looking forward to their departure from Fort Walla Walla not later than the 1st of August, and it is required that full and frequent information be sent to these headquarters of the progress made and your wants.

Very respectfully, your obedient servant,

JUSTUS STEINBERGER,  
Colonel First Washington Territory Infantry, Comdg. District.
HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., October 6, 1863.

GENERAL: I have the honor to report for the information of the War Department the operations of the troops in the District of Oregon since I assumed command on the 7th of July, 1862. The boundaries of the district are the same known on military maps as those of the old Department of Oregon, including all of the former Territory of Oregon as organized in 1848, excepting the valleys of the Umpqua and Rogue Rivers. It now includes part of the State of Oregon, all of Washington Territory, and the portion of Idaho Territory west of the Rocky Mountains. Three companies of First Oregon Cavalry, under command of Lieut. Col. R. F. Maury, were ordered to leave Fort Walla Walla on the 25th of July, 1862, to proceed upon the emigrant road as far as Salmon Falls, on Snake River, for the protection of the expected emigration, the command not to return to Fort Walla Walla until the 1st of November. The duty was faithfully and efficiently discharged by Colonel Maury. The movement in connection with Captain Crawford’s emigrant escort party from Omaha, Nebr., afforded effectual protection to the emigration, which amounted to 2,000 wagons, or about 10,000 souls that autumn. I also ordered in July, 1862, a company of cavalry to encamp in the Nez Percé country, near the agency, for the protection of that tribe so far as practicable from the intrusion of the whites, who in search of gold had (previously to my being placed in command) invaded the Nez Percé Indian Reservation without authority to the number of some 10,000 or 15,000 people in violation of the provisions of the treaty, and in contempt of the rights of the Indians. Hearing of threatened collision in that region between the Indians and the whites, I left on the 16th of October for the Nez Percé country. Before I reached there two murders of white men by the Indians occurred, almost the very first ever attributed to that tribe, who have been proverbial for their persistent friendship for the whites. Finding among the chiefs (who surrendered the murderers) a great desire for the continuance of the soldiers among them, I ordered another company there and established a post at Fort Lapwai. The reasons which impelled me to do so were fully reported in a dispatch to headquarters Department of the Pacific dated 4th of November, 1862, which I have been informed was forwarded to the War Department. The effect of the establishment of the post was very salutary, and paved the way for the successful negotiations of a treaty with that tribe on the 9th of June last, by which they have surrendered the greater portion of their reservation, including all of the gold-mining regions.

On the 9th of May last I assembled six companies of troops, under command of Col. J. Steinberger, First Washington Territory Infantry, at Fort Lapwai, preliminary to said negotiations. I have no doubt that the concentration of those troops had a salutary effect on all the surrounding tribes, as well as furthering the success of the council. All those Indian tribes have remained at peace with whom the Indian wars of 1855, 1856, and 1858 were carried on, and the only Indians who have committed assaults upon the frontier have been the Snakes. The Snakes speak the Comanche language, have the same habits, and are in fact a branch of the Comanche tribes of the region east of the Rocky Mountains. On the 14th of October, 1862, I sent to department headquarters a letter (forwarded afterward to the Adjutant-General of the Army) recommending the establishment of a military post at or near Fort Boisé for the protection of emigrants and settlers in that country. On the 29th of January I received
instructions from department headquarters, pursuant to the authority of the Secretary of War, to make the necessary arrangements for the establishment of a post at Fort Boise. Said arrangements were made with the assistance of Bvt. Maj. P. Lugenbeel, Ninth Infantry, to whom the command of the troops destined for that post was given. After a careful reconnaissance he established it on the 4th of July at a point about forty-three miles east of old Fort Boise and 275 miles from Wallula (the depot on the Columbia River better known as old Fort Walla Walla). He has found a good site for a saw-mill on a creek ten miles from the post. He has commenced, agreeably to instructions, the erection of temporary quarters for a five-company post, three of infantry and two of cavalry. I have no doubt he has located the post judiciously and that he has practiced the utmost economy, which was strictly enjoined upon him. During this winter for want of forage the cavalry, with the exception of twenty-five men, will withdraw to Fort Walla Walla. A population of 10,000 or 15,000 people have gone into those mines and that whole region is fast increasing in importance. Colonel Maury, with three companies of First Oregon Cavalry and two of infantry, was ordered to proceed in July last from Fort Boise to a point on Snake River above Fort Hall for the protection of the emigration. He has at last dates successfully carried out the plan, and on the 17th of August, 1863, met Capt. M. Crawford, assistant quartermaster, in charge of the emigrant escort, at the ferry on Snake River, as had been arranged by me early in the spring when Captain Crawford left here for Washington City. Owing to the pacification effected by General Connor and Governor Dory, of Utah, the Snake Indians upon that route have been very quiet this summer. Colonel Maury is now on his return to Fort Walla Walla, and has crossed Snake River at Salmon Falls and intended thence to proceed to the headwaters of the Owyhee and Malheur Rivers, southwest of Fort Boise, in which quarters it was reported that the Snake Indians had fired upon some of the miners prospecting for gold. Colonel Maury was directed this year, as also a year ago, not to return to Fort Walla Walla until the 1st of November, thereby insuring the most efficient protection which could be rendered before the commencement of winter. The experience of former expeditions, as in the unfortunate massacre of September, 1860, had admonished me that the troops should not return to the military posts until the approach of winter rendered it necessary. I thus claim that during the summer and fall of 1862 and 1863 the emigrant road has been protected in a well-planned and systematic manner and that Oregon can felicitate itself that the emigrants have not been subjected to the heartrending massacres which have sometimes carried so much pain to all on this frontier. South of Auburn and near Canyon City the Snakes have killed some miners and committed some depredations. It will no doubt be necessary next spring to send if possible an efficient expedition against these Indians into the region southeast of Fort Dalles and west of Fort Boise. The mineral wealth of that country will be explored by the hardy and adventurous miners, and it will be our duty doubtless to give them all possible protection in the undertaking. I am pleased to say that at last during the last two months a commencement has been made in the erection of batteries for the fortifications at the mouth of the Columbia, and the chief of ordnance has promised to send heavy ordnance for them. In a letter dated the 5th of May last to the Governor of Oregon I learn that Brig. Gen. J. G. Totten, chief of the Engineer Department, has recommended that an iron-clad vessel be sent to this river.
His words are: “It is recommended by the Engineer Department that a strong, heavily-armed steam floating battery and ram be provided for the defense of the Columbia River.” I do most respectfully urge that this recommendation be complied with. Absorbed by the stirring events of the war, few in the Atlantic States are conscious of the limitless gold fields recently found in Oregon and in Washington and Idaho Territories, covering an extent of country as large as those of California. Thus the rapid increase in population and commerce of this region gives it now fresh claims on the care and attention of the Government.

I am, with high respect, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U.S. Volunteers, Commanding District.

ADJUTANT-GENERAL U.S. ARMY,
Washington, D.C.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., July 18, 1862.

Maj. J. S. RINEARSON,
First Cavalry Oregon Volunteers, Comdg. Expedition to Nez Percé Reservation, Fort Walla Walla, Wash. Ter.:

SIR: Having repaired with your command to Lewiston, as directed in Special Orders, To. 35, from these headquarters, you will select some eligible point for a permanent encampment, but returning to Fort Walla Walla by the 1st of November. The position chosen by Capt. A. J. Smith, First Dragoons, in the spring of 1861, may be a good one, but there is in this office no definite information on the subject. You may find it desirable to choose a point nearer to Lewiston, in order more effectually to carry out the following instructions: The general commanding desires that you use every exertion to preserve order and quiet between the whites and the Indians; to protect the whites from hostile Indians in that region, and especially to prevent the sale of ardent spirits or wine to the Indians. A copy of the act of Congress of the 13th of February, 1862, on that subject, is herewith inclosed. (*) Besides the other penalties therein named, you will notice that it is competent for you to take and destroy any ardent spirits or wine found in the possession of those who sell liquor to Indians. The sale of liquor to whites, and the introduction of it for their use, cannot under the circumstances be interfered with, but its sale to Indians is in flagrant violation of the laws. A measure is now before Congress, which has passed the Senate, which, if it passes both Houses, will enable the superintendent of Indian affairs to negotiate for the purchase of a portion of the land from the Nez Percé Indians. A town site at or near Lewis-ton seems essential for the supply of the large mining population which has for several months been gathering in the Salmon River and other mining regions. It will thus be idle to attempt the removal of the whites from the Indian reservation. But it is incumbent upon the Government to protect the Indians of both sexes from all violence and outrage on the part of the whites, and the general commanding desires that you exert the utmost of your power for their protection, and to assist the Indian agent on that reservation in the discharge of that duty. Say to their chiefs that the Nez Percé Indians have long been the faithful friends and allies of our people and our
Government. They have been perseveringly so amid every temptation arising during the last fourteen years from the revolt on several occasions of neighboring tribes. The faith of several branches of the Government stands pledged for their protection. Therefore General Alvord, who nine years ago was a witness of their fidelity and their praiseworthy desire for advances in education and civilization, is much concerned to find the tribe thus dispossessed of their lands; also subjected to so much maltreatment from the whites. He enjoins upon you that every effort should be made vigilantly to protect all peaceable Indians from injury and violence from all whites, whether soldiers or citizens. The preservation of order and discipline among your own men will be very important, and an essential preliminary to the preservation of order among others. It will be advisable for you to give notice to all dealers in ardent spirits and wine that the law empowers you to take and destroy any liquor found in the possession of those who sell it to Indians.

I am, sir, very respectfully: your obedient servant,

WM. B. HUGHES,
First Lieut., Ninth Infantry, Acting Assistant Adjutant-General.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Olympia, Wash. Ter., September 3, 1862.

General ALVORD, Fort Vancouver, Wash. Ter.:

SIR: I am in receipt of information from Charles Hutchins, esq., Indian agent, lately in charge of the Nez Percé Indians, that the officer in command of the troops now stationed on the reservation has declined repeatedly to furnish the agent with the aid required by him to protect the Indians under his charge, according to treaty stipulations and to preserve the faith of the Government. The present agent, J. W. Anderson, esq., has also written to me on the same subject, and informs me that he has had an interview with Major Rinearson on this subject, who informs him, as he had previously informed the former agent, that under the instructions which he had received from you he did not consider himself authorized to interfere with any parties who might be either trespassing upon the agricultural or grazing lauds of the Indians or engaged in introducing intoxicating drinks at numerous points along the various streams, roads, and by-ways within the bounds of the reservation. I feel satisfied that your instructions in these respects must have been misunderstood, and I have respectfully to ask that you will without delay issue such orders and give such instructions as will secure the speedy removal of every trespasser upon the agricultural and grazing lands of these Indians, and the enforcement of the intercourse act outside of Lewiston and the mining towns, these having been excepted from the strict provisions of the treaty by consent of the Indians themselves. Inclosed is a copy of amendment(*) to the intercourse act, passed at the late session of Congress, to which your attention is respectfully asked. I have also inclosed a copy of notice which has been posted at various points on the reservation besides being published in nearly all the papers of the Territory. The importance of energetic and speedy action in the premises I doubt not will be apparent to you in view of the proposal to make a new treaty with these Indians. If the Government does not keep faith under the present treaty, but permits them to be robbed and murdered with impunity, what inducement
is there for them to trust in the future? What evidence can we furnish of our intention to comply with our solemn engagements? I am so thoroughly Convinced of the necessity and importance of immediate and energetic action that I have further to ask that you would consider the propriety of strengthening the command by the addition of another company. Without some positive and speedy action in the premises there is reason to fear the enactment of a similar tragedy to that which has just occurred in Minnesota. There are traitors to the Government in that region who are only waiting a fit opportunity to create insurrection and raise the rebel standard. If your views in regard to duty do not correspond with those which I have herein expressed, or a sufficient force to carry out the intentions of the treaty and the law cannot be furnished, I have to ask of you the speedy removal of the troops now there from the bounds of the reservation, feeling assured that their continuance as at present will have a most demoralizing effect. I have forwarded copies of the correspondence of Agents Hutchins and Anderson to the Department at Washington, that it may be seen upon whose shoulders these continued and outrageous violations rest.

I remain, sir, your obedient servant,

C. H. HALE,
Superintendent of Indian Affairs, Washington Territory.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., September 7, 1862.

Maj. J. S. RINEARSON,
Commanding Officer Camp Lapwai, near Lewiston, Idaho Ter.:

SIR: The object of this communication is again to enforce upon you the necessity of protecting the Indians from the aggressions of the whites. I am to-day informed by C. H. Hale, esq., superintendent of Indian affairs for Washington Territory, that the Nez Percé Indians have given their consent to the occupation of Lewiston and the other mining towns by the whites, but outside those towns it is especially desirable to enforce the provisions of the treaties and the United States laws intended for the protection of Indians in the Indian country. I desire you to afford to the Indian Department every assistance in your power for that purpose. In cases in which white men have squatted on the agricultural and grazing lands belonging to the reservation, contrary to the wishes of the Indians and the express prohibition of the agent, they should be removed. I desire you not to hesitate to break up any grogshops established in places which are evidently an encroach-merit upon the Indians and intended for the sale of liquor to the Indians. When the letter was sent to you from these headquarters on the 30th ultimo, in answer to your letter of the 10th ultimo, I was not aware that the grogshops spoken of were in places regarded as an encroachment on the Indians. I am satisfied that the military authorities, upon the request of the Indian agent, will be justified in removing or destroying any fences, houses, or improvements which constitute aggressions upon the Indians. You may also be asked to assist the civil authorities or the Indian Department in the arrest of men who have committed crimes and offenses against the Indians. You will, of course, be expected to exercise a sound discretion in such cases, as I do not wish the military power used for any purpose of oppression. In any offense against the Indian intercourse act the military forces may in
all practicable cases be employed to assist the Indian Department. See section 23 of
the act of 30th of June, 1834. They can be removed by your orders to Walla Walla,
where they can be committed for trial before the civil authority. If a U.S.
commissioner resides on the reservation who has authority to commit, your action
should be, so far as possible, in obedience to his mandate, or of the marshal or acting
marshal of the Territory. As stated in my instructions of the 18th of July, I have a
personal interest in the Nez Percé Indians, whose friendship for the whites has for
years been so conspicuous, and I shall therefore be much gratified if you can give
them efficient aid and protection. Pray omit no fair opportunity of showing your
wishes and intentions toward them. In any event which may possibly occur rendering
a re-enforcement desirable, you must apply to Col. J. Steinberger, commanding
officer at Fort Walla Walla, for such aid, who has been instructed to furnish it. If he
should himself at any time repair to your camp you will exhibit to him all your
instructions and be governed by his orders. You may exhibit this letter, and also my
instructions of 18th of July, to the Indian agent if you choose to do so.

I am, sir, very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding District.

P. S.—Please send me from time to time reports in detail of your proceedings.

B.A.

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,
Olympia, Wash. Ter., October 3, 1862.

General B. ALVORD,
Commandant of Oregon Mil. Dist., Port Vancouver, Wash. Ter.:

SIR: I have the honor to inform you that on my return home at the first of the
present week I immediately advised the Commissioner of your having issued more
explicit orders to the officers in command east of the mountains to prevent trespass on
the lands of the Indians and to suppress the traffic in liquor. I find much uneasiness
and dissatisfaction among the Nez Percé Indians, which is spreading amongst the
adjoining tribes, and am well satisfied that there is good reason to fear a serious
outbreak there before the winter sets in unless great watchfulness and care shall be
exercised. The removal of trespassers from their grazing and agricultural lands and
the breaking up of the whisky shops scattered through the reservation, if done thoroughly,
judiciously, and speedily, will have much to do with allaying the excitement and
restoring the confidence of the Indians. I have therefore respectfully to ask that you
will not at present diminish the force now placed there or permit them to relax any of
their efforts to secure the faithful observance of treaty stipulations until I can see you
again, as it is my purpose to return to that region in the course of a week or two that I
may satisfy mysef more fully as to the indications. I trust also that you will instruct
Major Rumrill, at Fort Colville, to use every means in his power to secure the faithful
observance of the amendment of last session to the intercourse act, as it refers
particularly to the introduction or attempting to introduce spirituous liquors, &c., into
an Indian country. The whole of that upper region comes under that denomination,
and the introduction of ardent spirits for the purpose of traffic in any shape is expressly forbidden, and the provisions of the law for its exclusion should be enforced to the very letter where parties are knowingly and willfully persisting in these violations.

Very respectfully, yours,

C. H. HALE,
Superintendent of Indian Affairs Washington Territory.

HEADQUARTERS DISTRICT OF OREGON,
Port Vancouver, Wash. Ter., October 4, 1862.

ASSISTANT ADJUTANT-GENERAL,
Hdqrs. Department of the Pacific, San Francisco, Cal.:

SIR: By your letter of instructions of the 11th of July quarters at Fort Walla Walla for four companies of Oregon cavalry and two companies of infantry were directed to be placed in readiness. There are five companies of Oregon cavalry in that vicinity. Unless I receive orders from your office to the contrary I propose to order one of those companies after they reach Fort Walla Walla on the 1st of November to take post at Fort Dalles. Preparations for it have been made at that post. I shall probably order Major Rinearson, of First Oregon Volunteer Cavalry, to command at that post, the company under his command at Camp Lapwai, near Lewiston, accompanying him thither. The Nez Percé Indians near his camp are very restive under the occupation of their reservation by the whites. There are many dissatisfied spirits among them, under Eagle of the Light. Congress having appropriated $40,000 to enable the Indian Department to extinguish the Indian title to a portion or to the whole of the reservation, the hope is entertained that some satisfactory arrangement may eventually be made with that tribe. Major Rinearson appears to have made strenuous efforts, but with little success, to break up the sale of liquor to the Indians. The chiefs have a very creditable desire to prevent the traffic.

I am, sir, very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding District.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., October 15, 1862.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of the Pacific, San Francisco, Cal.:

SIR: I start to-morrow morning for Fort Walla Walla and Camp Lapwai, Wash. Ter., on the Nez Percé Reservation. Agreeably to the wishes of the general commanding, verbally expressed to me in San Francisco, I had arranged (as my special orders set forth) for the return of all the parties in the field to Fort Walla Walla by the 1st of November, including the command at Camp Lapwai, Captain Matthews’ company of Oregon cavalry. Congress has appropriated $40,000 to pay the expense of instituting negotiations with the Nez Percés for a part or the whole of their
reservation. C. H. Hale, esq., superintendent of Indian affairs for Washington
Territory, writes me on the 3d and 10th instant that he contemplates going to Lapwai
Agency in a few days. W. H. Rector, superintendent of Indian affairs for Oregon,
accompanies him. They are appointed commissioners to discharge this duty.

They are now to hold, I learn, a preparatory talk with the chiefs; but the final
council for a treaty will not be convened until next spring or summer. On reaching
Fort Walla Walla, I will have to arrange for a command to stay at or near Camp
Lapwai until the commissioners leave. As cavalry ought not to be on the march after
the 11th of November, I shall probably order Captain Matthews’ company at once to
Fort Dalles, as contemplated in my letter to you of the 4th instant, and I shall probably
order an infantry company to Camp Lapwai to remain there temporarily. Unless the
winter is one of extraordinary severity, an infantry company can well remain
encamped there until the 30th of November. Mr. Hale in his letter expresses the
apprehension that there will be a "serious outbreak of the Indians before winter.’’

There is too much reason for dissatisfaction among the Nez Percés, but I cannot
believe from all the intelligence I can gather from that quarter that they will rise. Evil-
disposed and abandoned white men may, as is rumored, have endeavored to incite
them to revolt. Fortunately, the main body of the Nez Percés have more principle,
more intelligence, and more loyalty than those men have. Secession sympathizers,
fiendish enough to wish to see re-enacted the scenes in Minnesota, may exist there.
But there is reason to hope that they would fail of their purpose. I have instructed the
commanding officers in that quarter to arrest and hold subject to my orders any white
man found guilty of such an atrocity. The Snakes may attack the outer mining camps
south of Salmon River, but that must be expected. They are perpetually at war. Eagle
of the Light, a Nez Percé chief who married a Snake woman, may have a small band
of his people with him. It is rumored he is in affiliation with the Snakes. It may be so.
He never assented to the treaty of 1855. On my return I hope to be able to report to
you more satisfactorily on these subjects. I expect that no step will more conduce to
quiet and satisfy the Nez Percés than the establishment next spring of a permanent
military post. They have been habituated to look for protection from the military.
Major Rinearson has, agreeably to my instructions, removed recently a good many
intruders from their farming and grazing lands and broken up various grogshops,
much to their satisfaction. I do not see how I can, unless there is a stern necessity,
have a company there all winter, as no quarters have been erected. If I shall venture to
promise to the Nez Percés the establishment of a military post next spring, I hope my
course will meet the approval of the general commanding.

I am, very respectfully, your obedient servant,

BENJAMIN ALVORD,
Brigadier-General, U.S. Vols., Commanding District.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., November 1, 1862.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of the Pacific, San Francisco, Cal.:

SIR: I have the honor to report my return to this post, having, as I proposed in my
letter to you of the 15th ultimo, made a visit to the Nez Percé Reservation. On my way,
at the Des Chutes, I heard of two murders of white men in that country having occurred, supposed to be the act of Indians, and was thus, besides the reasons assigned in my dispatch of the 15th ultimo, gratified to find myself en route to the scene of trouble. I have been compelled to establish a military post on the Lapwai, three miles above its mouth, where the Nez Percé Agency is established, and twelve miles from Lewiston, Wash. Ter., which is at the confluence of Clearwater and Snake Rivers. I have left there Maj. J. S. Rinearson in command, with two companies---one, Captain Matthews’ company (F), of First Oregon Cavalry, and the other, Captain Knox’s (E), of First Washington Territory Infantry. You have seen by Special Orders, Nos. 76, 77, and 78, heretofore inclosed to you (duplicates sent herewith), that I have enjoined the strictest economy in the execution of this duty, and have ordered First Lieut. D. W. Porter, regimental quartermaster First Oregon Cavalry (daily expecting his commission as captain and assistant quartermaster), to be stationed there as acting assistant quartermaster and acting commissary of subsistence.

For taking this step, I hope to be able to assign reasons satisfactory to the general commanding the department. I have to throw myself on his indulgence, as he verbally expressed a wish before we separated at San Francisco that no new post should be established without his authority being previously obtained. I found that the motives alluded to in my letter of the 15th ultimo, which would demand its establishment next spring, imperatively demanded it now. When I assumed command of the District of Oregon on the 7th of July last, there were about 15,000 people, mostly gold miners, on the Nez Percé Reservation, in defiance of the express provisions of the treaty with that tribe which was ratified by the Senate 29th of April, 1859. The treaty was made 11th of June, 1855, and not ratified until the above date on account of the revolt of other Indian tribes, with whom treaties had been made at the same time. As the Nez Percés never shared in said revolt, but on the contrary opposed it, and assisted our troops to suppress it, it was very hard that they had to wait four years before their treaty was ratified. Even now, at the end of seven years, I can find but few evidences of a fulfillment of the treaty. Lawyer has never received but six months of his salary as head chief, and the house with which he was to be provided has but just been commenced. Few of their annuities have ever reached them. I met some now on the way to Lewiston, and I am happy to say that I think the new superintendent of Indian affairs for Washington Territory, C. H. Hale, esq., is a man of integrity, who will take an interest in securing so far as practicable the rights of those Indians. Their whole history, from their earliest contact with the Americans, has been signalized by their fidelity to the whole white race, especially to us, the other tribes having rather called themselves “King George Indians” before the boundary line was run.

In every war they have indignantly refused to join those tribes, and sometimes fighting on our side, as in 1858, when we promised in return to aid them in future against their enemies. Two years ago the stream of gold-seekers began to invade their country. I shall not attempt to portray the number and nature of the outrages to which this faithful tribe has accordingly been subjected. With no evidence of any adequate fulfillment of the old treaty, the tribe is agitated with the prospect of being invited to form a new treaty, provision for making one being made at the recent session of Congress. They learn that the whites are clamorous to get possession as well of their farming and grazing as of the gold-mining regions. Vile rebel sympathizers, of the
lowest class of gamblers, outlaws, and land pirates, such as always haunt an Indian frontier, have infested the reservation and instilled poisonous words into their ears, such as representing that the power of our Government was gone, &c. I doubt not that a few such vagabonds have sought to hatch a revolt. The signal was to have been any great reverse at the East, as the capture of Washington or Baltimore. The object was nothing but plunder, pillage, and robbery in the midst of the disorder. On the 30th of September I sent the instructions, a copy of which is herewith inclosed, (*) to Major Rinearson, but he has been unable to obtain sufficient testimony upon which to found any action.

As the Nez Percés had in their own recent experience too much reach to regard the power of our Government a myth, the fiendish plotters might have supposed that they had ready prepared for them a congenial soil upon which to operate. Fortunately the Nez Percés’ fidelity has been able to withstand even all this unwonted array of temptation; the two murders had occurred, one on the 10th and the other on the 11th of October. These the whites attributed to an intention to make war. The imputation, even if untrue, was calculated to excite and irritate. To crown all, the military force which has been at Camp Lapwai this summer was about to be withdrawn for the winter. As they afforded the Nez Percés their only protection against trespasses, outrages, and whisky-selling, you can readily imagine the disturbed and dissatisfied condition of the tribe on my arrival. I reached Fort Walla Walla on the 19th and met there the letter of the Indian agent, herewith inclosed, and the proceedings of the mass-meeting of citizens of Lewiston, both on the subject of additional force being ordered to the reservation.

I immediately ordered forward Captain Knox’s company to Fort Lapwai, and directed also Captain Thompson’s company (A) of Washington Territory volunteers to go thither on the arrival of Lieutenant-Colonel Maury’s command. But I subsequently (on the 28th) countermanded the order for the last-named company. I placed all the troops (as see in accompanying General Orders, No. 15) upon the Nez Percé Reservation and at Fort Walla Walla under the command of Colonel Steinberger, with authority to move them to and fro, according to the demands of the public service. This is eminently proper, as the winter may soon cut off all communication with these headquarters for a long period of time. On reaching Camp Lapwai, on the 23d, I found that in anticipation of my arrival and that of the Indian superintendents (for whom I had not waited), a large gathering of the Indians of the tribe had occurred, in part also occasioned by the reported murders, which were evidently a cause of as much concern to the Nez Percés as to the whites.

On that day one of the accused, named Wet-too-law-in, an illegitimate son of Pepe-mox-mox by a Nez Percé woman, was surrendered by Lawyer to Major Rinearson. He is accused of the murder of Mr. Titus, a citizen of Oro Fino. On the 24th I met the Indian chiefs, thirty in number, in a grand council composed of Lawyer, Joseph, Big Thunder, and all the principal chiefs except Eagle of the Light, who has never participated in any of the treaties. A brother of Looking Glass was there. They were assembled to see me, and expected from me a talk. I gave them the talk, a copy of which is herewith inclosed, (*) I have every reason to believe that it had a happy effect upon them. I dwelt upon their past fidelity, and promised them protection to the extent of our ability, stating that the military whom I should leave in their country would
protect them so far as possible under the old treaty, and also under any new treaty which might be formed. Under the operation of the confidence inspired by the establishment of a military post among them, they may by spring be prepared to form a new treaty, surrendering their gold mines to the whites. It appears that all factions of the tribe are pleased with the establishment of a military post, which is to this faithful tribe a harbinger of good. Major Rinearson appears to have discharged his duty with fidelity and discretion, and obtained the good will of the Indians, as Capt. A. J. Smith, First Dragoons, did a year ago last summer. The company of Oregon cavalry there is composed of excellent material, who have behaved well and have not been ruined by the temptations of a mining town. The infantry company sent there is composed of the best behaved men in the garrison at Fort Walla Walla. I was desirous, with a view to economy, to leave only an infantry company there this winter; but I am satisfied that it would not answer. The Indians would see no token of good faith or efficiency in such a command. A mounted force inspires their respect, as they rate the consequence of any man by the number and value of the horses he owns, and it is only a mounted force which can promptly move for their protection. Their chiefs, to their credit be it said, persistently insist on the removal of whisky-sellers from points outside the mining towns and the lines of transit.

I inclose herewith a copy of my instructions of the 7th of September, to Major Rinearson, in reference to the removal of intruders on their farming and grazing lands. You were furnished at the time with a copy of my instructions of the 18th of July, to which the other is only supplemental. I found on leaving that I had no further instructions to give. One of the Indians accused of murder belonged to the band of Big Thunder, who is a leader of the party in opposition to Lawyer, and a rival candidate for the head chieftainship. He and the chiefs in his interest sought an interview with me at Camp Lapwai on the 27th ultimo. He said that he wanted more time to investigate the question of the guilt of the accused. When satisfied of his guilt he would surrender him, as required in the treaty. Doctor Newell, Mr. Craig, and Mr. W. H. Rector (the latter superintendent of Indian affairs for Oregon) concurred in advising me to give him more time as he asked. He went on to profess that he was for peace, that this murder, if it was committed, was the act of a mere boy and no indication or presage of war. The above-named gentlemen agreed in thinking that he was sincere, and that he and his adherents, notwithstanding the causes of irritation, have evinced no warlike intentions or preparations. Thus I am pleased to say that I think the murders were exceptional cases, and not the precursors of revolt. One of the accused, a half Walla Walla, can find sufficient cause for his deed in the killing of his father, Pe-pe-mox-mox, by the whites in 1856. The other, if guilty, remains the only full-blooded Nez Percé who ever killed a white man. This is averted as true of them by Doctor Newell and Mr. Craig, who have known them for thirty years. It is a miracle, with all the causes of conflict existing on that reservation for the last two years and all the outrages from bad whites to which they have been subjected, that some white man has not before been killed. It is an exception which proves the general rule. It is truly wonderful to find such persistent loyalty, and such a want of crime in a tribe subjected to such trials and temptations.

I have reason to hope that under existing circumstances no general outbreak will occur, but we may from time to time hear of more murders, as it can hardly be
anticipated that even the virtues of this tribe and the establishment of the military post will prevent the natural consequences of such provocation, of whisky and of contact with bad white men. The military post will act as a check both to the whites and to the Indians, and I trust that my course in establishing it will be approved. As the roads are now painfully infested by robbers and cutthroats, the presence of the military will materially aid the civil authority. Still I declined the entreaties of some of the citizens of Lewiston to establish martial law for the preservation of order among the whites. I conceived that the troops had full as much on their hands as they could accomplish in attending to their legitimate duties. No such step would, of course, be justifiable, unless it was entirely practicable and absolutely necessary for the preservation of the peace of the frontiers. Of the interest centering in Lewiston you can form some idea when I state that half a million dollars for freights have been paid at that place during the last year. I have called the new post Fort Lapwai. Letters for that post should be directed to Fort Lapwai, near Lewiston, Wash. Ter.

I am, sir, very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding District.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,
San Francisco, November 17, 1862.

Brig. Gen. L. THOMAS,
Adjutant-General U.S. Army, Washington, D.C.:

GENERAL: I have the honor to inclose herewith a communication addressed to these headquarters by Brig. Gen. B. Alvord, commanding the District of Oregon, dated the 4th instant, (*) with nine inclosures. The report of General Alvord, with accompanying documents, will fully inform the General-in-Chief of the state of affairs in the district, especially in relation to the Nez Percé Indians and the reservation set apart for them by treaty stipulations. I have fully approved of all that General Alvord has done and proposes to do to maintain the peace and quiet of that country. The large and constantly increasing number of miners in the Nez Percé country can only be held under proper restraint by the strong arm of military power. The Nez Percés have been our steadfast friends for more than half a century; they rendered me essential aid in my campaign against the northern Indians in 1858, and still later they have yielded to the encroachments of a multitude of miners, who have overrun nearly their entire reservation, asking only that they may receive protection from the Government in their just rights, and that the white intruders may be held under proper restraint. This must be done; and other means failing, I shall not hesitate to declare martial law over the entire reservation, and strictly enforce the laws of Congress regarding Indian country, and take such other steps as may be deemed necessary to suppress the disloyal practices of those sympathizers with the rebellion, who have sought an asylum in the country with a view of encouraging those Indians to revolt against the authority of the United States.

Very respectfully, your most obedient servant,
G. WRIGHT,
Brigadier-General, U. S. Army, Commanding

HEADQUARTERS DISTRICT OF OREGON,

Capt. JOHN MULLAN,
Second U.S. Arty., late in Charge of Walla Walla and
Fort Benton Mil. Road Expedition, Washington City, D.C.:

SIR: It is represented to me that there is great danger of Indian difficulties in the
Bitter Root Valley. A large number of whites are settling in that country and on each
side of the Rocky Mountains at Deer Lodge, Big Hole, Beaver Head, &c. The gold
mines found there are the attraction, and large tracts of arable land. Four hundred
emigrant wagons came to Walla Walla last fall, which, after traveling through the
South Pass, turned north above Fort Hall, recrossed the Rocky Mountains to Big Hole
Prairie, thence crossed them again to Deer Lodge Prairie, and getting on your road
proceeded by that route to Walla Walla. They commend the route highly. Chief
Justice Hewitt, of Washington Territory, whom I saw, was of the number. Some of
those emigrants stopped in that region. It is evident the whites are determined to mine
and settle there. I met Mr. Q. C. A. Brooks, from the Bitter Root Valley, who strongly
urges the necessity of troops in that country. I inclose herewith an extract(*) from a
Walla Walla Statesman, which gives his statement in full. By the eleventh article of
the Flathead treaty, ratified 18th of April, 1859, it is provided that there shall be no
settlements in the Bitter Root Valley above Le-La Fork until the President decides
whether he will set apart that region as a reservation for the Flatheads. Some
emigrants are settling there: causing much discontent among the Flatheads. You are,
no doubt, well informed as to the merits of that question. I suppose that the
reservation should be assigned by proclamation of the President to those Indians who
have been so friendly and so faithful. If it is so set apart, the duty of removing the
intruders will be still more urgent and may possibly require the aid of the military.
Finally, a recent letter from the Indian agent at Jocko, the Flathead Indian Agency,
uses similar language. He says the rush of whites to the gold mines must inevitably
lead to collisions. He states (which is new to me) that he is afraid that the mountains
of the Jocko Indian Reservation will be overrun with gold-seekers, causing a
repetition of scenes in the Nez Percé country. From your long service in that country
you are best able to judge of its necessities, and if you were here I should request your
report on the subject; but as you are not accessible I can do is to write
you this letter and request you to take the matter into mature consideration, and if you
deem a military post essential to preserve the peace on that frontier, it will be well for
you to make known to the War Department your views. You have my permission to
exhibit this letter as inviting you thus to submit your views. But troops for this
purpose should be sent next spring from Missouri or Iowa, and should be supplied
from Fort Benton. I shall have as much as I can do to get troops for the establishment
of a military post at or near Fort Boisé, the importance of which I have urged in the
strongest terms upon the War Department through General George Wright,
commanding the department, who indorsed in a favorable manner my recommendations.

Settlements have been made all the way to Boisé and rich mines discovered on that river. The Snake Indians should be soundly punished and the emigration of that route protected. I have established a military post at Fort Lapwai, near the Nez Percé Agency. Great disaffection exists in a portion of that tribe, requiring serious attention in the spring. In May the commissioners meet there to form a treaty with the Nez Percé asking them to yield the gold mining region of their reservation to the whites. A body of troops should attend that treaty. Thus you will perceive that it seems quite out of my power to get troops on this coast to do these things and also occupy the Bitter Root country. The post should probably be composed of four or five companies, part of infantry and part of cavalry. I suppose it should be located in Deer Lodge Prairie, that point being central, but you are the best judge as to its location. It should, I suppose, march from Fort Leavenworth by way of Fort Laramie to Deer Lodge Prairie, the route examined by Lieutenant Raynolds, of Topographical Engineers. It should be supplied from Fort Benton. To that post abundant and liberal supplies for one year should be shipped from Saint Louis by the steamers which go to Fort Benton every spring. The troops should not be in my district, but should belong to the same department as the troops at Forts Laramie and Benton, and this should be explicitly set forth in orders. Deer Lodge, being west of the Rocky Mountains, is in my district. Two or more companies of infantry should probably be stationed also at Fort Benton, the base of this line. They should go by steamer. It would be improper to separate the troops in that country from their base, and therefore they should be in the same department, Saint Louis being the ultimate base. An assistant quartermaster should leave Saint Louis with the supplies for Fort Benton. The most careful and elaborate estimates of all kinds of supplies—quartermaster’s stores, tools, and clothing—should be made, securing enough to last for one year. Such is my programme. I do not know whether it would suit you to be a candidate to command such an expedition. If you wish it I am certain from the energy you have heretofore shown that you would do the work well. If you should obtain it you will have my best wishes and, so far as practicable, my hearty cooperation. I am aware that these expeditions will be expensive, and knowing what a heavy load the war imposes upon our finances I have hesitated. I have waited long before sending this letter, but the time has come for the Government to take this step which will aid in placing a chain of posts and settlements across the continent and must essentially assist in protecting this coast in case of foreign war. The homestead act, the gold mines, and the completion of your road all serve the way and lead to a fulfillment of the sagacious views of Thomas Jefferson in 1804. The Government must do this or it will be far behind the people. If any act of Congress is necessary I have no doubt Colonel Wallace, Delegate from Washington Territory, will aid you in procuring it. This step will conform to the policy of the President as announced in his annual message, in which he says:

The immense mineral resources of these Territories ought to be developed as rapidly as possible. Every step in that direction would have a tendency to improve the resources of Government and to diminish the burdens of the people. It is worthy of your serious consideration whether some extraordinary measure to promote that end cannot be adopted.
I am, with high respect, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding District

HEADQUARTERS DISTRICT OF OREGON,

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of the Pacific, San Francisco, Cal.:

COLONEL: I have the honor to submit, for the information of the general commanding the department, a report on the subject of the establishment of a post at Fort Boisé and an expedition against the Snake Indians agreeably to your instructions of the 16th ultimo. Those instructions say that I am authorized to make arrangements for the establishment of that post if I deem it necessary. My views, as set forth in full in my dispatch of the 14th of October, as to the importance of such a post, remain unchanged. Everything I predicted as to the rush of miners to the gold fields in that quarter has been more than fulfilled. Being lower than the mountainous region around Florence, many have left the latter for the Boisé region, where it is estimated 2,000 persons are now wintering. I recommend, as before, that the post should consist of five companies—three of infantry and two of cavalry, the latter, perhaps, returning to Fort Walla Walla for the next winter. The best site, it is said, will be some forty miles east of the old fort up the Boisé River, where wood, water, grass, and cultivable land can be found. The season this winter is so mild (three weeks or a month earlier, perhaps, than a year ago) that grass will permit the starting of the command from The Dalles in all probability by the 8th of April. If other arrangements permit I shall recommend that date. The state of the transportation will decide. But I deem it also important that an expedition against the Snake Indians shall be made to strike them in their haunts 120 miles east of Fort Boisé, near the Camas Prairie, north of Salmon Falls. All accounts agree that they made that a stronghold last summer, having in their possession large bands of mules and horses (mostly the former) stolen from the Overland Stage Company and other parties. The capture of these animals I would make an object, and it would form one of the signal punishments of these robbers. I should hope they might fight and give some opportunity to inflict a severe chastisement. I would therefore like to send to Fort Boisé seven companies, four of infantry and three of cavalry. Two companies of infantry to be left behind to commence the building of the post and the remaining five to take the field. The expedition should keep on to Fort Hall to the north side of Snake River and leave word with the ferryman, eight miles above that place, that the emigration had better keep over that road to Fort Boisé, it being the shortest, with least sand, best wood, grass, and water.

It is expected Capt. Medorem Crawford, assistant quartermaster, will be ordered to return east to bring out another escort to emigrants. If so, I would arrange for him to come over that road. I should also hope (as I said in my letter of the 14th of October) that you will instruct the commanding officer at Camp Douglas, near Salt Lake City, to send an expedition to a point beyond the South Pass to protect the emigrants as far at least as Fort Hall, or until it meets the command from Fort Boisé. The troops I send
out against the Snakes, after finishing that undertaking, for which they will have time before the emigration reaches them, should remain on the emigrant road until the other troops shall meet them. Those intended to return to Fort Walla Walla should reach there about the 31st of October. Some Nez Percé allies can in all probability be induced to accompany the expedition, who would materially assist in finding the enemy, and especially in finding their bands of stolen mules. This programme would protect the emigration, chastise the Indians (if fortunate enough to meet them), and protect the miners also, who are all within forty miles of the above-mentioned site for the fort. To get the troops is the trouble. The seven companies would be obtained as follows: Leaving one company at each of the posts of Forts Vancouver, Steilacoom, Dalles, and Walla Walla, Captain Seidenstriker’s company (D) of First Washington Territory Infantry, from Fort Hoskins (evacuated as proposed in my letter to you of the 6th instant); Captain Barry’s (G), from Fort Steilacoom; Captain O’Regan’s (I), from Fort Vancouver; Captain Dowling’s (H), now at Fort Walla Walla. All these belong to the First Washington Territory Infantry; also Captain Harris’ company (A), First Oregon Cavalry, now at Fort Dalles, and two companies of same regiment from Fort Walla Walla. On the 10th of May the commissioners to negotiate the treaty with the Nez Percés meet them at a grand council of that tribe to assemble at the Lapwai Agency. The above programme will leave but one company of cavalry to re-enforce Fort Lapwai during that council, whereas I should wish to send at least two companies. It would leave but one company of infantry at Fort Walla Walla. In other words, there would be no reserve, as at least one company should remain as a guard at that post. The commanding officer at Fort Colville makes urgent requests for a company of cavalry, and I would furnish it if possible. It is possible the disaffection in the Nez Percé country may result in war. The old men may not be able to control the young men, and if that tribe, heretofore so faithful, should revolt, all the surrounding tribes, always unfriendly, would no doubt be infected, and war starting among the Nez Percés would possibly be but the signal torch for a large conflagration for a general uprising of all the Indians. Under the recent call of the Governor of Oregon, issued on the 6th of January, only twenty-three men have as yet been recruited. This slowness is mainly due to the attraction of the gold mines and the depressing prospect of being paid in legal-tender notes, now depreciated to 68 per cent. Therefore I shall be surprised if we get more than one company by May, and doubtful if we have it then; therefore I will respectfully recommend that the general commanding the department will send me two companies of California infantry volunteers, to leave San Francisco about the middle or latter part of March. If, however, he shall not be able to send them, I will probably send six companies to Fort Boisé, four taking the field against the Snakes. I am not yet able to designate the commanders or the acting assistant quartermasters for these movements. On those points I will report at a future date.

Very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U.S. Volunteers, Commanding District.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., March 9, 1863.
Maj. A. W. BOWMAN,  
Ninth Infantry, U.S. Army, Commanding Fort Lapwai

MAJOR: The general commanding, in directing you to assume command at Fort Lapwai, is especially desirous that you shall use every exertion to protect the Indians (so far as practicable) in all their rights under the treaty. You will find at the post instructions originally addressed to Major Rinearson, dated the 18th of July, 7th of September, 30th of September, 1862, and the 31st of January, 1863. These convey fully his wishes. The act of Congress of 13th of February, 1862, gives ample power to punish the offense of selling liquor to the Indians. It is hoped that the anomalous state of things on the Nez Percé Reservation (invaded by thousands of whites in defiance of treaty stipulations) will soon cease, and that by the council which will be held at Lapwai Agency on the 10th of May some amicable understanding with the Nez Percés will be arrived at. As you will notice in those instructions, on the applications of the Indian Department all whites trespassing upon their farming or grazing lands must be removed and their fences and improvements pulled down. The uniform and persevering friendship of the Nez Percés for our people and Government gives them special claims to our protection. No opportunity of exhibiting our friendship for them should be omitted. Herewith is inclosed a copy of order of 30th of December which has not yet been executed, which the general desires you to take the earliest opportunity to execute after a conference with Dr. Robert Newell, U.S. commissioner. By the copy of instructions of 6th instant, herewith inclosed, to Col. J. Steinberger, First Washington Territory Infantry, commanding officer at Fort Walla Walla, you will find that he is instructed to send a re-enforcement to your post at any time that you shall report its necessity. The General desires that you will endeavor to procure reliable information from time to time of the success in getting through roads from Fort Lapwai to Fort Boisé, whether pack trails or wagon roads. Please communicate freely to this office all matters of interest to the public service, especially your views on the state of Indian affairs.

I am, major, very respectfully, your obedient servant,

FREDERICK MEARS,  

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash. Ter., March 19, 1863.

Maj. J. S. RINEARSON,  
First Oregon Cavalry, Comdg. Officer Fort Lapwai, Idaho Ter.:  

SIR: The general commanding the district directs you to forward immediately to Mr. J. W. Anderson, Indian agent, the inclosed communication of this date, and to afford to him your cordial co-operation in carrying out the policy there referred to of preventing the occupation and cultivation of the soil on the Nez Percé Reservation in contempt of the treaty.

Very respectfully, your obedient servant,

FREDERICK MEARS,  
HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., March 19, 1863.

J. W. ANDERSON, Esq.,
Indian Agent Nez Percé Reservation:
(Through Commanding Officer Fort Lapwai, Idaho Ter.)

SIR: Herewith I inclose a slip(*) from the newspaper, The Golden Age, published in your vicinity, calling in the most incendiary manner upon the whites to settle, occupy, plow up, and cultivate the lands upon the reservation without regard to the Indian title, and in contempt of any treaty which may be made with them. If there was time to communicate with your superintendent of Indian affairs, Mr. Hale, I should direct this letter to him instead of to yourself; but I think the case does not admit of that delay. I write to say that I hope you will vigorously checkmate any such scheme. Major Rinearson, the commanding officer at Fort Lapwai, has been instructed to aid you efficiently in preventing any such attempts. Vigilance is especially necessary this spring, and it has been my constant desire, as I have repeatedly stated to you, that cordial co-operation with the Indian Department should be exhibited by the military in the protection of the Indians, so far as practicable, in all their rights. It is perfectly practicable to remove those who would attempt to make such improvements and to tear down their improvements. Such acts on the part of the whites could only have the effect to excite and aggravate the minds of the Indians. Besides the duty of protecting the Indians I especially desire to aid in the preservation of the peace of the frontiers. One <ar106_359> or more additional mounted companies will go to Fort Lapwai before the council is held.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding District

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,
Salem, Oreg., April 20, 1863.

General BENJAMIN ALVORD,
Commanding District of Oregon, Fort Vancouver, Wash. Ter.:

SIR: Since the reception of your letter of the 16th instant I have given its contents careful consideration, and after thoroughly reviewing the whole subject see no sufficient reason to change the opinion which I expressed in our interview of the 13th instant as to my authority to act as commissioner to treat with the Nez Percés. By examining the copies herewith transmitted of letters on file in this office you will observe that the Secretary of the Interior, July 19, 1862, directs that William H. Rector, superintendent of Indian affairs in Oregon, Calvin H. Hale, superintendent of Indian affairs, Washington Territory, and Charles Hutchins, agent for the Nez Percés, be appointed commissioners to negotiate the treaty, and that the Commissioner of Indian Affairs July 24, 1862, notifies Mr. Rector that he, in connection with the other gentlemen named, has been appointed to negotiate a treaty with those Indians. The authority thus conferred upon Mr. Rector was to perform certain duties outside of his
superintendency, duties which he could not have assumed unless specifically appointed a commissioner, and which it appears to me he might have refused to perform without resigning his office. In relieving Mr. Rector and assuming the duties of this office, I of course assumed all the duties which devolved on him in the capacity of superintendent, but not those extra-official powers which were conferred on him as commissioner. If Mr. Rector chose to appear at the council ground next month, and under his appointment as commissioner proceed to assist at the treaty, could any one gainsay his authority? I think not. And if that authority is yet vested in him, it certainly has not devolved on any one else. I am fully aware of the importance of the proposed council and how much the peace of our eastern frontier depends on the prompt action of the commissioners on the part of the United States. I would willingly make any personal sacrifice to accomplish the objects proposed, and to avert the evil consequences which must inevitably follow another postponement, but I do not feel justified, however great the necessity, in assuming powers upon so doubtful authority. To remove all uncertainty upon the subject I communicated with the Commissioner of Indian Affairs by telegraph asking for explicit instructions. I have learned that my dispatch was forwarded by the operator at Yreka on the 6th instant, and trust that the Commissioner may yet reply.

I remain, with high respect, your obedient servant,

J. W. PERIT HUNTINGTON,
Superintendent Indian Affairs.

[Inclosure.]

DEPT. OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
July 24, 1862.

WILLIAM H. RECTOR, Esq.,
Superintendent of Indian Affairs, Salem, Oreg.:

SIR: I herewith send you a copy of a letter from the Secretary of the Interior, from which you will learn that you, in connection with Calvin H. Hale, superintendent Indian affairs, Olympia, Wash. Ter., and Charles Hutchins, U.S. Indian agent for the Nez Percé Indians, of the same address, have been appointed to negotiate a treaty with those Indians.

Very respectfully, your obedient servant.

WM. P. DOLE,
Commissioner.

[Sub-inclosure.]

DEPARTMENT OF THE INTERIOR,
July 19, 1862.

WILLIAM P. DOLE, Esq.,
Commissioner of Indian Affairs:

SIR: Under the act of Congress appropriating $40,000 to negotiate a treaty with the Nez Percé Indians, in Washington Territory, William H. Rector, superintendent of Indian affairs in Oregon, Calvin H. Hale, superintendent of Indian affairs in
Washington Territory, and Charles Hutchins, agent for the Nez Percés, will be appointed commissioners to negotiate the treaty. The commissioners will be authorized to employ the services of Robert Newell, who resides on the Nez Percé Reservation, &c.

* * * * * * * *

Very respectfully, your obedient servant,

CALEB B. SMITH,
Secretary.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., May 9, 1863.

Brig. Gen. P. EDWARD CONNOR, U. S. Volunteers,
Commanding District of Utah, near Salt Lake City, Utah:

GENERAL: It will be proper for you to know what movements of troops are contemplated by me in the Snake country the coming summer. I shall at all events establish a post at Fort Boisé. Col. R. F. Maury, First Oregon Cavalry, with three companies of that regiment, is now encamped at Fort Lapwai, on the Nez Percé Reservation. That reservation having for the past two years been overrun by the gold diggers, in contempt of the treaty securing to the Nez Percés said reservation, a council has been invited to assemble there to make a new treaty and indemnify that tribe (which has always heretofore been so friendly to the whites) for its losses. But there is a disaffected party in the tribe. The movements of Col. R. F. Maury depend on events in that quarter. If matters work favorably (as I trust they will) Colonel Maury in June will proceed to Fort Boisé, and two companies of infantry being added to his command, he will proceed eastward from that post and endeavor to meet the head of the emigration from the States at the crossing of the Snake River above Fort Hall. Captain Crawford with an emigrant escort party of 100 men from Omaha, Nebr., promised to bring the head of the emigration there item the 10th to the 20th of August. I expect by that movement Colonel Maury will be able to strike an efficient blow at the Snakes, and protect the emigration which should return on his trail by the road north of Snake River. Private letters say that parties from Denver, Pike’s Peak, and Salt Lake are going across to Boisé now in early spring. I fear they will have to fight their way. If you are able to protect the emigrants or others who take the road south of Snake River by an escort to proceed as far as Salmon Falls, it will be a very desirable thing. As the main emigration and Colonel Maury will take the north road above described, which crosses Snake River above Fort Hall, small parties on the old road on the south side of Snake River will stand in greater danger than ever. All these facts I bring to your attention for your information. I know nothing of your orders or plans. I appreciate highly the signal blow your gallant troops gave last winter to the Indians on Bear River, in Washington Territory, and know that to the extent of your force you will take good care of the Snakes in your vicinity.

I have the honor to be, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding Distric
HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., May 29, 1863.

Col. R. F. MAURY,
First Oregon Cavalry, Commanding Expedition
against the Snake Indians, Fort Lapwai, Idaho Ter.:

   COLONEL: You have received Special Orders, No. 56, from these headquarters, and will proceed by such route as you may select to the vicinity of the point likely to be chosen as the site of new Fort Boisé. I suppose you will reach there about the same date as Major Lugenbeel, perhaps before. As soon as your expedition can be fitted out and joined by the two companies (H and I), of First Washington Territory Infantry, you will proceed in the direction of Fort Hall by the road north of Snake River. The Snake Indians, by their numerous attacks for several years upon the whites, killing small parties of emigrants, men, women, and children, and stealing horses and cattle, deserve a severe castigation at our hands, and so far as your time, means, and opportunity extend, I desire you to administer to them such punishment. They merit it richly, and have begun to think they can commit their outrages with comparative impunity. Besides a whipping in battle, the recapture of the horses, mules, and stock they have stolen will be one of the severest lessons which can be given them. The Nez Percé scouts you have with you will assist in the latter. I am satisfied that a thorough chastisement and persevering pursuit of armed and hostile Indians in that country will be the best security for the peace of that frontier in future. If Indians come into your possession, known and acknowledged to have been guilty of murdering the whites, you are hereby authorized to have them tried by a military commission, and also to have them summarily punished if found guilty of such offenses. Capt. Medorem Crawford, assistant quartermaster, who has charge of the emigrant escort party which leaves Omaha, Nebr., this spring to protect the emigration to Oregon, informed me that he expects to be at the crossing of Snake River above Fort Hall with the head of the emigration from the 10th to the 20th of August next. He expected that the ferry across Snake River would be established at the mouth of Blackfoot Creek. I desire you to endeavor to meet him there or in that vicinity. It is anticipated that the emigration will desire to make their way to Fort Boisé over the route north of Snake River. I suppose before the emigrants will arrive you can have cleared the road of all Snake Indians. You are authorized to order the issue (or sale) of rations in small quantities to suffering emigrants in cases only of extreme destitution, instituting a thorough investigation in each case of the reality of the destitution. In such cases your assistant commissary can sell to those able to pay. In prosecuting your operations against the Indians you are not expected to keep to any particular road, but will use your own discretion. Your command will not, as per Special Orders, No. 58, return to Fort Boisé before the 1st of October, and the cavalry with Company H, First Washington Territory Infantry, will return to Fort Walla Walla by about the 26th of October next. The vicinity of Camas Prairie north of Salmon Falls is supposed to be the stronghold of the Snakes. On your return I advise that you should encamp at some suitable point in that region best calculated to keep the Indians in check, and from which you can throw out small parties for the protection of the rear of the emigration.
Of course great vigilance in guarding your animals will at all times be necessary, not only from Indians, but also from white thieves and robbers who may infest your path. I have suggested to General Connor, at Salt Lake City, the propriety of his sending, if he has them to spare, some troops on the road south of Snake River, at least as far as Salmon Falls.

Very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding District.

NEZ PERCÉ, AGENCY,
Lapwai, Wash. Ter., June 8, 1863.

General B. ALVORD,
Commanding Fort Vancouver, Wash. Ter.:

GENERAL: I have the honor to inform you that there will be no further need of retaining the troops at Lapwai after your reception of this. I am also happy to inform you that the great object of our mission here is accomplished. A treaty has been concluded with the Lawyer party more advantageous to the Government than had been expected. It will be signed to-day or to-morrow. The Big Thunder party have not yet decided as to their course, but I think they will yet come into the arrangement.

Very respectfully, yours,

C. H. HALE,
Superintendent of Indian Affairs, Washington Territory.

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,
Olympia, Wash. Ter., June 29, 1863.

General B. ALVORD,
Commanding Fort Vancouver, Wash. Ter.:

GENERAL: Yours of the 15th instant was duly received. In answer to the inquiry therein made I submit that the latter part of the second article of the treaty contemplates the permission to occupy up to the new boundaries. I have respectfully to ask that you will issue such orders to the officer in command at Fort Lapwai as will secure the enforcement of the provisions of the intercourse act within the boundaries of the new reservation. As to anything further it is not now my province to ask, inasmuch as I have turned over all matters pertaining to the Nez Percé Agency to Governor Wallace, who is ex officio superintendent of Indian affairs for the new Territory of Idaho.

Respectfully, yours,

C. H. HALE,
Superintendent of Indian Affairs, Washington Territory.

P. S.—The copy of the treaty published in the Daily Oregonian is correct, with the exception of three verbal mistakes, which are unimportant.
HEADQUARTERS DISTRICT OF OREGON,
Port Vancouver, Wash., Ter., July 16, 1863.

C. H. HALE,
Superintendent of Indian Affairs, Olympia, Wash. Ter.:

SIR: I am informed that at the recent council of the Nez Percé Indians on the 28th of May, when reference was made to my talk to those Indians on the 24th of October last, you said to the Indians that “General Alvord spoke without authority and had nothing to do with this business.” I have always perseveringly endeavored to aid you in effecting a treaty with said Indians; I sent you a copy of the talk above mentioned. In it I said, aiming to prepare the way for a successful negotiation—

The new superintendent, Mr. Hale, is an honorable gentleman who I am sure wishes to do you justice. * * * But the making this treaty is not given to me; it is in other hands. It will be my duty after a new treaty is made to aid the Indian agent in enforcing it.

I was thus studiously careful to say nothing relating to the terms of the new treaty, or which could in any way embarrass you. On the contrary, by the establishment of the military post, by that friendly talk to the assembled chiefs (assembled expecting to meet you), by persevering efforts to show by deeds as well as by words our friendly feelings and intentions, by assembling six companies to attend your recent council, I claim that I have materially aided in paving the way for the successful conclusion of the treaty. If, sir, the language above referred to was an inadvertence, if you admit that I have in this letter given a true account of my actions, I desire that you will please indicate the same in your reply.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U.S. Volunteers, Commanding District

HEADQUARTERS DISTRICT OF OREGON,
Port Vancouver, Wash. Ter., August 19, 1863.

ASSISTANT ADJUTANT-GENERAL,
Hdqrs. Department of the Pacific, San Francisco, Cal.:

COLONEL: I have the honor to report, for the information of the general commanding the Department of the Pacific, that I have not forwarded Captain Caldwell with his company of cavalry to Canyon City as reported in my letter of the 1st of July. The reasons for this change are that at the time I contemplated the movement promises were made to forward freight to Canyon City on pack-mules for 10 to 14 cents per pound, but in preparing the expedition it was found that parties for whose protection (partly) it was being organized controlled the packing interest at The Dalles, and would not forward Government stores for less than 22 cents per pound in coin. At the same time rumors reached this office that there was great danger that the Nez Perce Indians would become troublesome in consequence of the misinterpretation of the late treaty, the whites claiming that they were entitled to settle up the boundary of the new reservation before the ratification of the treaty by the Senate, and as Captain Caldwell’s was the only disposable company, I deemed it prudent to hold it in
reserve. I am happy to inform the general commanding that this disaffection among the Nez Perces is for the present removed. The Indians have been assured, at my insistence, by His Excellency W. H. Wallace, Governor of Idaho Territory and ex officio superintendent of Indian affairs, that the relations existing between them and the whites shall remain in statu quo until the ratification of the treaty by the Senate. This assurance appears to have quieted them. They were naturally sensitive as to the treaty not going into effect until the date of ratification, as after the old treaty they waited four years before it was confirmed. Captain Caldwell’s company is encamped six miles from Fort Dalles, the horses finding good grazing, and I intend to keep the company there in reserve for any duty which may arise, and shall in the fall bring it to this post. It would seem that the depredations and incursions of the Snake Indians have not been very hostile of late. Next season no doubt it will become important to organize an efficient expedition against the Snake Indians throughout Southeastern Oregon from The Dalles to the California line.

Very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U.S. Volunteers, Commanding District.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., November 16, 1863.

His Excellency WILLIAM PICKERING,  
Governor of Washington Territory, Olympia, Wash. Ter.:  

GOVERNOR: I have the honor to report, as I promised, the measures taken by me for the protection of the frontier and the overland emigrant route during the past season. In May six companies of troops, under command of Colonel Steinberger, were placed at Fort Lapwai, Idaho Ter., to attend the council with the Nez Perce Indians. Their presence materially contributed to the success of the negotiations with that tribe for the surrender of the gold-bearing regions of their reservation, and was calculated favorably to impress all the surrounding tribes. From Fort Lapwai Colonel Maury proceeded in June with three companies of First Oregon Cavalry to Fort Boise, where he was joined by two companies of First Washington Territory Infantry. With the five companies he proceeded upon the emigrant road to a point on Snake River above Fort Hall. When Captain Crawford left here in February for the East to bring an emigrant escort across from Omaha, Nebr., I had promised him that Colonel Maury should meet him at that ferry above Fort Hall between the 15th and 20th of August. By a rare coincidence Captain Crawford and Colonel Maury met at the same moment on the 17th of August. I am happy to say that from the reports of Captain Crawford and Colonel Maury I am satisfied that the emigration of this year has met with no disturbance whatever from the Indians throughout their whole journey to the Columbia River. Colonel Maury returned to Fort Walla Walla by the route south of the Snake River, examining the regions of the upper Bruneau and Owyhee Rivers. On the 4th of July Major Lugenbeel, with three companies of infantry and a detachment of cavalry, established a new military post at new Fort Boise, forty-three miles above the old fort on Boise River. It will have an important influence in controlling the
surrounding tribes. I claim that during the time I have been in command the past two seasons there have been executed the first systematic plans to protect the overland emigration. Each season I have directed the troops not to return to Fort Walla Walla until the end of October. Next spring I shall endeavor to send troops against the Snakes, who have given some trouble in the region south of Auburn and Canyon City. I am happy to announce the commencement of the erection of defenses at the mouth of the Columbia River. I have urged in the strongest terms upon the Government the importance of sending ironclad vessels for the Columbia River and Puget Sound. We are entitled to receive our share of naval defenses. I am, with high respect, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U.S. Volunteers, Commanding District.

HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., February 10, 1864.

His Excellency A. C. GIBBS,
Governor of Oregon, Portland, Oreg.:

GOVERNOR: A letter from a recruiting officer in Oregon to Col. R. F. Maury, of the First Oregon Cavalry, says that the idea prevails that there is “no necessity for more troops; indeed, that to keep troops in this district is a useless expense,” &c. Every person acquainted with the wants of the frontier understands how idle such remarks are. But I desire to say distinctly that more troops are necessary, and that we have next spring and summer important work for the Oregon cavalry to perform. I shall recommend to the general commanding the department that troops be sent to traverse thoroughly the whole region between Auburn and Canyon City and the California line. I hope to put two expeditions in the field the whole season for that purpose against the Snake Indians—one from Fort Dalles southeasterly and one from Fort Boisé westerly and southwesterly. I shall also recommend a movement from Fort Klamath easterly; but as that post is not in my district I cannot speak so definitely in reference to it.

Thus you will perceive that it is hoped that the troops will be able to assist the mining population in prospecting, occupying, and exploring that portion of Oregon east of the Cascade Mountains, which is now a center of great attraction to the public on this coast. It contains no doubt immensely valuable mineral deposits. It is doubtless the intention of the brave and hardy miners to explore it; in any event it is my earnest wish to give them all the assistance and protection in my power. To aid in such an interesting development should be the aim and policy of the Government. Besides the ordinary wants of the Indian frontier we shall require troops for the fortifications now building at the mouth of the river. I am just advised from department headquarters that a small expedition will probably be sent from Lapwai next summer to explore the route from Lemhi (the Mormon fort) to the mouth of the Big Horn on the Yellowstone. Until the 1st of March next large bounties are given for recruits--$302 for those who enlist and $402 to those who re-enlist. This is by recent legislation of Congress, of the 12th ultimo. Thus now is the time for adventurous spirits to join the First Oregon Cavalry. Except from the Snakes no Indian troubles are now anticipated.
Those who may lightly say that troops are not wanted are little aware how much the profound peace and security which now reigns on our whole Indian frontier is due to the movements of the troops, and especially of the Oregon cavalry, during the last two summers.

For two summers Colonel Maury, with the gallant and efficient regiment under his command, has taken the field upon the emigrant road. He was also ordered to remain out until the end of October. He did not come in prematurely only to hear of a massacre of emigrants in his rear. In May last six companies of troops were assembled at Fort Lapwai, on the Nez Percé Reservations, to attend the great council convened to effect a new treaty with that tribe. These troops were not needed for influence over that tribe, although it was well to hold in salutary check the warlike minority of the Nez Percés. But the council was attended by runners from all the surrounding tribes; most of them had (as the Palouse, Yakimas, Coeur d’Alenes, Cayuses, &c.) been once at war with us, while the Nez Percés had remained friendly. They were eagerly waiting the hour when the Nez Percés would strike, as, if they would only say the word, many allies, full of ancient grudges, would cluster around them from those tribes, hugely delighted at the prospect of getting the Nez Percés into a fight.

The establishment of the military post at Fort Lapwai in October, 1862, and this assemblage of troops at Lapwai had thus a most salutary effect, evincing that the power of the Government was not gone, as the rebel sympathizers had endeavored to instill. An ounce of prevention is worth a pound of cure, and those movements may have anticipated and frustrated hostile combinations. Colonel Maury proceeded from Fort Lapwai through the Salmon River country and thence on the emigrant road. In October, 1862, the moment I knew of the first discoveries of gold near Boisé, I wrote to the War Department recommending the establishment of Fort Boisé. In January the orders of the Secretary of War were received for the establishment of Fort Boisé. In June it was established, and it will always be an important and central point in reference to the defense of that frontier. In February, 1863, it was arranged with Captain Crawford when he started for Washington City that Colonel Maury with his command should meet him at the crossing of Snake River, above Fort Hall, between the 15th and 20th of August. All the arrangements were made accordingly and they met at the ferry on the 17th of August last, at the same moment of time. Colonel Maury returned on the south side of Snake River, sent expeditions up the Bruneau and Malheur and reached Fort Walla Walla on the 26th of October.

I am happy to say that thus the most efficient protection has been given to the incoming emigrations of 1862 and 1863. The gallant spirits of the First Oregon Cavalry, who have borne like good soldiers the hardships of the campaigns, are entitled to my thanks for the efficient and cheerful manner in which they have discharged the duty, although they had not the good fortune to meet an enemy. Well do I know that the ardent desire of many of them would be to join in the war in the East, where it would rejoice them to battle in the glorious cause of unity, freedom, and nationality for which the armies of the Republic are now contending.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U. S. Volunteers, Commanding District
HEADQUARTERS DISTRICT OF OREGON,
Fort Vancouver, Wash. Ter., April 13, 1864.

Hon. J. W. NESMITH,
Senate of United States, on Committee on Indian Affairs,
Washington City, D.C.:

SIR: I desire to urge through you upon the Committee on Indian Affairs in the Senate the propriety of a ratification in the main of the Nez Percé treaty recently obtained. If a modification or partial ratification is made, or ratification conditional on acceptance of modification, there are plenty of precedents, I think, for the course. From recent rumors I have been apprehensive that it was in danger of not being ratified. Not having given it special study in its minute parts, I was not posted up as to the objections, and wrote you urging its complete ratification. That tribe waited four years for a ratification of the first treaty of 1855, and why? Not because they revolted. On the contrary, they adhered faithfully to their duty and fealty. Were they rewarded by being made an exception and their treaty ratified by itself? No; they were punished like the hostiles, and their treaty was not ratified until 1859. By mismanagement they have never seen but little fulfillment of it by agents of the Government, and to crown all, their reservation two years ago was invaded by 15,000 miners in contempt of the treaty and of their sacred rights most solemnly guaranteed to them. Thus everything has been done which the fates could invent to tempt and kick these faithful allies into revolt. In October, 1862, I visited them and made them a speech in a grand council of their chiefs, in which I showed them that I noted and appreciated their past history and their present forbearance. In May, 1863, I assembled six companies at Fort Lapwai at the council which formed the new treaty. In the minority opposed to the treaty are many young men of spirit, pride, and warlike feelings. If the tribe is aggravated by a non-ratification of this treaty, I shall look with concern to the result, for the young men of the whole tribe may yet act together.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,
Brigadier-General, U.S. Volunteers, Commanding District

OFFICE NEZ PERCE INDIAN AGENCY,
Lapwai, July 13, 1865.

Col. R. F. MAURY,
Comdg. District of Oregon, Fort Vancouver, Wash. Ter.:

SIR: It was with regret I heard of your order for the removal of the most of Captain Matthews’ company from Fort Lapwai. The condition of affairs on this reservation are such as to render it necessary that we have soldiers here at all times. There is not a week passes by but that a detachment is called for to go to different points on the reservation to check the selling of whisky to the Indians, and the arrest of the Indians who are robbing pack trains. As we are now placed we have but eighteen men to guard public buildings with many thousand dollars; an Indian reservation 100 miles in length by 70 in breadth, with 3,000 Indians and 4,000 or 5,000 whites, mining upon and taking their farms in direct violation of the U.S. intercourse laws governing Indian Territory, with two bands of Indians on our right (the Spokanes and Coeur d’Alenes)
where thousands of whites are now going and taking the lands of those Indians, and whose nearest assistance is this point. On the morning of the receipt of your order I had gone to the fort with Spotted Eagle and Captain John, the two subchiefs of this nation, intending with Lieutenant Bowen and ten or twelve men to go to Oro Fino to arrest some whites who were selling whisky to the Indians, and also arrest some four or five Indians who had several times this spring and summer robbed pack trains of horses and cargo. When I told Spotted Eagle that no men could be spared to go with us, and that forty of them were to leave, he said they (the chiefs) might as well give up in despair and let their people go, as it was the presence of the soldiers here only that restrained the whites from selling their people whisky, and preventing their young men from making raids upon pack-trains. I do not fear the chiefs of this nation. I know they are well disposed, and will do all they can to assist us. They have always been our friends, and if encouragement is given them they will always remain such; but the influence and example of these bad white men are followed by their young men, and very soon we may have as many difficulties to contend with as the people in the vicinity of where these soldiers are now ordered. A company, or part of a company, of infantry to do garrison duty, so as to enable, the eighteen or twenty cavalrymen now here to go out when wanted, may do more good than a regiment will in two months from now.

        Trusting you may be enabled to grant our desires, I remain, very respectfully,
        your obedient servant,

        JAMES O’NEIL,
        U.S. Indian Agent, Idaho Territory