

3-17-1875

Message on the Black Hills Country

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M E S S A G E

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING,

In answer to a Senate resolution of March 15, 1875, information in relation to the Black Hills country in the Sioux Indian reservation.

MARCH 17, 1875.—Read and ordered to lie on the table and be printed.

To the Senate of the United States :

I have the honor to transmit herewith communications from the Secretaries of War and the Interior in answer to the resolution of the Senate of the 15th instant, requesting "any information in my possession in regard to the proposed emigration to the Black Hills country, in the Sioux Indian reservation; whether such emigration is with the consent of the Indian tribes holding said country under the treaty of February 24, 1869; and, if not, what measures will be taken in relation to the same."

U. S. GRANT.

EXECUTIVE MANSION, *March 17, 1875.*

WAR DEPARTMENT,
Washington City, March 17, 1875.

SIR: I have the honor to inclose copies of correspondence from the files of the Department relating to the proposed emigration to the Black Hills country, and the measures taken by the military authorities in the matter, prepared in compliance with Senate resolution of the 15th instant.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

The PRESIDENT.

Copies of papers relating to proposed emigration to the Black Hills country, in the Sioux Indian reservation, and measures taken by the military authorities in the matter. Prepared in compliance with Senate resolution of March 15, 1875.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, March 17, 1875.

Official.

E. D. TOWNSEND,
Adjutant-General.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., August 27, 1874.

Brig. Gen. A. H. TERRY,
Saint Paul, Minn.:

The Lieutenant-General commanding directs me to say that unofficial information has reached these headquarters of the organization of parties at Sioux City, Yankton, and Bismarck, to invade the Sioux Indian reservation, with the view of visiting the country known as the Black Hills.

Should such information be correct, you will please notify such parties that they will not be permitted to go, unless under authority from the honorable Secretary of the Interior, or Congress.

R. C. DRUM,
Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., September 3, 1874.

Brig. Gen. ALFRED H. TERRY,
Saint Paul, Minn.:

Should the companies now organizing at Sioux City and Yankton trespass on the Sioux Indian reservation, you are hereby directed to use the force at your command to burn the wagon-trains, destroy the outfit, and arrest the leaders, confining them at the nearest military post in the Indian country. Should they succeed in reaching the interior, you are directed to send such force of cavalry in pursuit as will accomplish the purposes above named.

Should Congress open up the country for settlement, by extinguishing the treaty rights of the Indians, the undersigned will give a cordial support to the settlement of the Black Hills.

A duplicate of these instructions will be sent to General Ord, commanding Department of the Platte.

P. H. SHERIDAN,
Lieutenant-General.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., September 4, 1874.

Brig. Gen. A. H. TERRY,
Saint Paul, Minn.:

I will be glad if you will publish my instructions, or any you may have given yourself. The gold-fever was running so high here that I found it necessary to publish my instructions in the morning papers.

P. H. SHERIDAN,
Lieutenant-General.

WAR DEPARTMENT,
Washington, September 15, 1874.

SIR: I have the honor, in the absence of the Secretary of War, to inclose for your information copy of the instructions given by General Sheridan to General Terry on the 3d instant, to prevent trespassing on the Sioux Indian reservation, (Black Hills country.)

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Clerk.

The Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., September 16, 1874.

SIR: I have the honor to transmit herewith, for the information of the War Department, a copy of a communication addressed to Governor Pennington, of Dakota, upon the subject of granting permission to parties to prospect in the Black Hills country.

Very respectfully, your obedient servant,

B. R. COWEN,
Acting Secretary.

The Hon. SECRETARY OF WAR.

[Inclosure.]

DEPARTMENT OF THE INTERIOR,
Washington, September 8, 1874.

SIR: I acknowledge the receipt of your letter of the 27th ultimo, referring to associations that are forming for the invasion of that part of the Territory embracing the Black Hills, notwithstanding existing treaties with the Sioux Indians, and requesting such suggestions for the guidance and benefit of citizens of the Territory as may be considered appropriate by the Department, and in reply would say: by the second article of the treaty between the United States and different tribes of Sioux Indians, concluded April 29, 1868, (Statutes, vol. 15, p. 636,) "the United States agrees that the following district of county, to wit, viz: commencing on the east bank of the Missouri River where the forty-sixth parallel of north latitude crosses the same; thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska strikes the river; thence west across said river and along the northern line of Nebraska to the one hundred and fourth degree of longitude west from Greenwich; thence north on said meridian to a point where the forty-sixth parallel of north latitude intercepts the same; thence due east along said parallel to the place of beginning; and in addition thereto, all existing reservations on the east bank of said river, shall be, and the same is, set apart from the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons except those herein designated and authorized so to do, and except such offi-

cers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in the discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the Territory described in this article, or in such territory as may be added to this reservation for the use of said Indians, and henceforth they will and do hereby relinquish all claims or right in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and except as hereinafter provided."

The foregoing section prescribes who shall be allowed to enter this Territory so set apart for the Indians, and expressly states that none others shall be permitted to pass over, settle upon, or reside therein. The only power to alter this provision is that which made the treaty, and then it must be done with the consent of the Indians. What is known as the late "exploring expedition" of General Custer was merely a military reconnaissance of the country for the purpose of ascertaining the best location, if in the future it should become necessary to establish there a military post.

On the 22d of June last, in a letter to this Department, the honorable the Secretary of War wrote on this subject as follows:

"It is well known to the Department, that at various times the settlers in the adjacent country have contemplated explorations to the Black Hills, and the Department has uniformly discountenanced such movements; but it has now almost become a military necessity that accurate knowledge should be possessed by the Army as to this portion of our territory, and for that purpose only is the present expedition undertaken."

The question of opening up this country to settlement rests with Congress, and, until action has been taken by that body, this Department has no discretion in the matter, but is required and will endeavor to prevent any violation of the provisions of the treaty before mentioned.

For the reasons herein set forth, all applications for permission to visit the Black Hills country will be denied.

Very respectfully, your obedient servant,

B. R. COWEN,
Acting Secretary.

Gov. J. L. PENNINGTON,
Yankton, Dakota.

[Indorsement.]

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, September 21, 1874.

Respectfully referred to the General of the Army.
By order of the Secretary of War.

E. D. TOWNSEND,
Adjutant-General.

MILITARY STATION, LOWER BRULÉ AGENCY, DAK.,
September 16, 1874.

SIR: I have the honor to report that on the 9th instant I directed Lieutenant Dougherty, First Infantry, to proceed to Brulé City with a detachment of six mounted men to ascertain whether there were any parties organizing there for the purpose of invading the territory of the

Sioux Indians in the direction of the Black Hills. On the 10th, Lieutenant Dougherty returned and reported that there were no men about the place except the permanent settlers, nor could he discover any indications of supplies or material necessary for use on an expedition.

About two weeks ago a party of four or five, under a man named Somers, did actually cross the river with a view of pioneering a route to the Black Hills, but the party did not go farther than the Sand Hill region, some ten or twelve miles; the party have recrossed the river. Should another attempt be made, information of the fact will be given immediately, and can from this point be easily intercepted.

Very respectfully, your obedient servant,

J. D. DE RUSSY,

Captain First Infantry, Commanding.

The ACTING ASSISTANT ADJUTANT-GENERAL,
Southern District, Department of Dakota.

[Indorsement.]

HEADQUARTERS SOUTHERN DISTRICT,
DEPARTMENT OF DAKOTA,
Fort Randall, Dak., September 23, 1874.

Respectfully forwarded to headquarters Department of Dakota. The party referred to by Captain De Russy proceeded farther than he thought; but I think, however, that this route is entirely closed to any unauthorized trip to the Black Hills country, as the Lower Brulé Indians are watching it with great vigilance. The other route, leading along the Niobrara River, does not seem to have been attempted, and I think Lieutenant-General Sheridan's order has effectually checked inroads into the Sioux Indian reservation for the present. Parties of whites and half-breeds who reside at the Spotted-Tail agency, about sixty-five miles from Harney's Rock, report to me that for many years past they have been in the habit of visiting the Black Hills country for the purpose of hunting, and they have never yet been able to ascertain that any paying dirt or quartz, either gold or silver, exist in that country. Many of these men are practical miners. Some of them have visited the Harney Peak country since Lieutenant-Colonel Custer was there last month. These men also report that the Black Hills country is too cold for agricultural purposes, and only fitted for hunting and grazing. It is well wooded and the water is also good.

PINKNEY LUGENBEEL,

Lieut.-Colonel First Infantry, Commanding Southern District.

WAR DEPARTMENT,
Washington City, October 13, 1874.

SIR: I have the honor, in the absence of the Secretary of War, to transmit, for your information, copy of report of J. D. De-Russy, commanding Lower Brulé agency, Dak., dated September 16, relative to investigation of rumored attempts to organize expedition to the Black Hills.

Very respectfully, your obedient servant,

H. T. CROSBY,

Chief Clerk.

The Hon. SECRETARY OF THE INTERIOR.

BLACK HILLS.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., November 23, 1874.

SIR: I have the honor to transmit herewith, for your information and consideration, a copy of a letter from the Commissioner of Indian Affairs, dated the 20th instant, and inclosure therein noted, letter of Agent Bingham, dated 31st ultimo, to the effect that about sixty white men, miners, are working on the reservation of the Indians, in the Black Hills, and, unless they are driven off by the Government, the Indians will make war upon them.

I have the honor to request that the War Department instruct the proper military officers to remove any persons who may be found thus trespassing, in order that trouble with the Indians may be avoided.

I have the honor to be your obedient servant,

C. DELANO,
Secretary.

The Hon. SECRETARY OF WAR.

[Inclosures.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., November 20, 1874.

SIR: I have the honor to transmit, herewith inclosed, a copy of a letter dated the 31st ultimo, from H. H. Bingham, United States Indian agent at Cheyenne, Dak., stating that about sixty white men (miners) are working on the reservation of the Indians in the Black Hills, and unless they are driven off by the Government the Indians will make war upon them.

This statement of the agent is based on an Indian rumor, and is forwarded for your information, with the suggestion that, if deemed of sufficient importance, the same be forwarded for the information and action of the War Department.

Very respectfully, your obedient servant,

EDW. P. SMITH,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

CHEYENNE RIVER INDIAN AGENCY, DAK.,
Cheyenne Agency, Dak., October 31, 1874.

SIR: I am advised by the Indians that there are about sixty white men in the Black Hills, on their reservation, working the ground.

The Indians do not want to make war upon those white people, and request that white soldiers be sent out to drive the miners out of their country. Unless the Government take some measures to get these people out of the country, the Indians will certainly make war upon them. Please advise me of your views in this matter, that I may be able to keep the Indians quiet.

Very respectfully, your obedient servant,

H. W. BINGHAM,
United States Indian Agent.

Hon. EDWARD P. SMITH,
Commissioner of Indian Affairs, Washington, D. C.

[First indorsement.]

WAR DEPARTMENT,
 ADJUTANT-GENERAL'S OFFICE,
 Washington, November 28, 1874.

Official copy respectfully referred to the General of the Army for proper action.

Herewith is also copy of telegram on this subject from Lieutenant-General Sheridan.

By order of the Secretary of War:

E. D. TOWNSEND,
Adjutant-General.

[Inclosure.]

[Telegram dated Chicago, Ill., November 27, 1874.—Received 12.40 p. m., November 27.]

To Brig. Gen. E. D. TOWNSEND,
 Washington, D. C.:

I wish to relieve the honorable Secretary of War from any apprehension coming from the false statement going the rounds of some of the eastern papers, reporting miners at work in the Black Hills. The article is a falsehood. There are no parties in the Black Hills. It is possible the report may have originated from the recent discovery of gold forty miles north of Laramie City, on the Union Pacific Railroad, where many miners have gone. This place is at least two hundred miles southwest of the Black Hills.

P. H. SHERIDAN,
Lieutenant-General.

[Second indorsement.]

HEADQUARTERS OF THE ARMY,
 Saint Louis, November 20, 1874.

Respectfully sent to General Sheridan. I have no orders to make in the premises. Even if there be trespassers in the district known as the Black Hills, I would not order troops there at this season of the year.

W. T. SHERMAN,
General.

[Third indorsement.]

HEADQUARTERS MILITARY DIVISION, MISSOURI,
 Chicago, December 2, 1874.

Respectfully returned to the Headquarters of the Army.

The statement made to Agent Bingham, that miners have gone on the Indian reservation, is not true.

It would be well to inform the Interior Department and the War Department that the miners referred to are known to be in what is called the Black Hills of the Laramie, south of Laramie Peak, and are not in the Indian country, but at least two hundred miles south of the Black Hills of the Cheyenne, where Lieutenant-Colonel Custer made his reconnaissance last summer.

The whole of that country is designated by the Indians as the Black Hills, and the agents are not unfrequently ignorant of the country in which they are living or over which they have supervision.

P. H. SHERIDAN,
Lieutenant-General Commanding.

WAR DEPARTMENT,
Washington City, December 10, 1874.

SIR: I have the honor to state that copies of your letter of the 23d ultimo, and of its inclosures, communications from the Commissioner of Indian Affairs, and Indian Agent Bingham, reporting the existence of miners on the Indian reservation in the Black Hills, were referred to the General of the Army, and by him to General Sheridan, indorsed to the effect that, even if these trespassers did exist in the district known as the Black Hills, he would not order troops there at this season of the year. General Sheridan, however, denies the statement made to Agent Bingham, and says the miners referred to are known to be in what is called the Black Hills of the Laramie, south of Laramie Peak, and are not in the Indian country, but at least two hundred miles south of the Black Hills of the Cheyenne, where Lieutenant-Colonel Custer made his reconnaissance last summer.

The whole of that country is designated by the Indians as the "Black Hills," "and the agents are not unfrequently ignorant of the country over which they have supervision."

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

The Hon. SECRETARY OF THE INTERIOR.

HEADQUARTERS POST ON NORTH LOUP, NEBR.,
November 24, 1874.

SIR: I have the honor to report my return to this post on Saturday, the 21st instant.

During the trip I saw nothing of the party mentioned in your telegram of the 31st ultimo. In my opinion, the lateness of the season will prevent any expedition from going to the Black Hills by way of the Niobrara River. No body of men had passed up at the time I left; and Wentworth is now of the opinion that the party reported by him had gone into camp to winter somewhere on the Niobrara River between Long Pine Creek and Yankton.

I will send a report of my trip by next mail.

Men and animals returned in good condition.

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

S. MUNSON,
Captain Ninth Infantry, Commanding.

The ASSISTANT ADJUTANT-GENERAL,
Department of the Platte, Omaha, Nebr.

WAR DEPARTMENT,
Washington City, December 10, 1874.

SIR: I have the honor to inclose, for your information, copy of letter of 28th ultimo, from the commanding officer, post on North Loup, relative to parties supposed to have gone to the Black Hills via the Niobrara River.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

The Hon. SECRETARY OF THE INTERIOR.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,
Saint Louis, Mo., December 24, 1874.

General E. D. TOWNSEND,
Washington, D. C. :

General Sheridan telegraphs that a small party of twenty-one miners stole in from the Missouri River into the Black Hills. They were followed by Captain Tollman, First Infantry, with a small party, but were not overtaken.

General Ord will send a company from Spotted Tail's agency to overhaul them, under the provisions of telegraphic instructions of September 3 from division headquarters.

WM. D. WHIPPLE,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, December 28, 1874.

SIR: I have the honor to transmit, for your information, copy of telegram from headquarters of the Army, dated the 24th instant, stating that a party of miners had invaded the Black Hills, and that General Sheridan had given instructions to overhaul them.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

The Hon. SECRETARY OF THE INTERIOR.

Transcript of 5,505, Adjutant-General's Office, 1874.

WASHINGTON, December 23, 1874.

The Interior Department submits copy of report from Commissioner of Indian Affairs, and copy of telegram and letter from Agent H. W. Bingham, of Cheyenne River agency, relative to intrusion of white men into the Black Hills country, and requests that measures be adopted by War Department toward all persons to effect their expulsion from said territory.

Referred to the General of the Army December 31, 1874.

CAMP SHERIDAN, NEBR.,
December 27, 1874.

SIR: I have the honor to report my arrival at this post *en route* to the Black Hills, for the purpose of following the trail and expelling a party of miners. Shall leave my company in the morning with a guide, interpreter, and an Indian. The impression of the guide is that the party, after reaching Elk Creek, have followed Custer's trail to the north and west of hills. If the snow does not prevent can follow. The weather so far pleasant; the only difficulty is watering animals, holes

having to be cut in the ice for that purpose. Have thirty days' rations, and will draw five days' more, the most I can carry.

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

GUY V. HENRY,
Captain Third Cavalry.

ASSISTANT ADJUTANT-GENERAL,
Department of the Platte, Omaha, Nebr.

WAR DEPARTMENT,
Washington City, January 19, 1875.

SIR: I have the honor to transmit, for your information, copy of report of the arrival at Camp Sheridan, Nebr., of Capt. Guy V. Henry, Third Cavalry, *en route* to the Black Hills, with the object to expel miners, &c.

Very respectfully, your obedient servant,

WM. W. BELKNAP,
Secretary of War.

The Hon. SECRETARY OF THE INTERIOR.

[Telegram, dated Saint Louis, Mo., January 12, 1875 ; received January 13.]

Gen. E. D. TOWNSEND,
Adjutant-General, Washington, D. C. :

Colonel Bradley telegraphs General Ord, this date, from Fort Laramie, that he has report there through a half-breed that Captain Henry has returned to Sheridan, himself and men badly frozen. No official information. Such reports are doubtful, but this may be true ; it has been forty-five below zero within a week, and twenty-seven below this morning ; too cold for men to be on the road.

WM. D. WHIPPLE,
Assistant Adjutant-General.

HEADQUARTERS ARMY OF THE UNITED STATES,
Saint Louis, Mo., January 11, 1875.

ADJUTANT-GENERAL U. S. A.,
Washington, D. C. :

The following dispatch just received from General E. O. C. Ord :

Colonel Bradley telegraphs from Fort Laramie, January 8, all quiet at agencies. Twenty-seven degrees below zero. Lieutenant Winters telegraphs from Fort Laramie, January 10, that he has been driven in by severity of the weather, after getting as far as old Red Cloud's agency ; that snow is drifted very badly, and thermometer ranging from twenty to forty below zero in the day-time. I think it probable that Captain Henry's company, now in pursuit of miners in the Black Hills, will suffer severely from the weather, and will lose a number of horses. I request that any directions given during the winter to move troops into the Black Hills may be made conditional on the state of the weather ; such movements, up to April next, being extremely hazardous.

E. O. C. ORD,
Brigadier-General.

WM. D. WHIPPLE,
Assistant Adjutant-General.

[Telegram dated Saint Louis, Mo., January 16, 1875. Received at 2.10 p. m., January 16, 1875.]

General E. D. TOWNSEND,

Washington :

General Ord telegraphed yesterday that Captain Henry and three men, Company D, Third Cavalry, badly frosted, reached Camp Robinson on the evening of January 8; Lieutenant Carpenter and remainder of command, thirty cavalry and twelve infantry-men, reached there next day. The company experienced great suffering during whole trip, going and returning. Mercury at one time forty degrees below zero. No trace of miners could be discovered. Dispatch from commanding officer, Camp Robinson, covering this information by mail.

WM. D. WHIPPLE,

Assistant Adjutant-General.

WAR DEPARTMENT,

Washington City, January 19, 1875.

SIR: I have the honor to transmit, for your information, copy of telegram from Army headquarters, giving an account of the return to Camp Robinson of Captain Henry and his command, having discovered no trace of miners.

Very respectfully, your obedient servant,

WM. W. BELKNAP,

Secretary of War.

The Hon. SECRETARY OF THE INTERIOR.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,

Saint Louis, Mo., January 9, 1875.

General E. D. TOWNSEND,

Washington, D. C.:

I herewith report the following dispatch, with General Sherman's request that it be laid before the Secretary of War:

OMAHA, NEBR., *January 9, 1875.*

Red Cloud and Spotted Tail have sent word to Colonel Bradley that they desire to visit Washington with some young and influential Ogallala and Brulé chiefs to negotiate sale of Black Hills country, if possible. Red Cloud states he sends to Bradley, as he thinks his agent unfriendly, and fears he cannot get hearing through him.

The chiefs state they don't want an escort to Washington, but prefer to go with two or three white men on whose friendship and aid they can rely. Bradley thinks Red Cloud and Spotted Tail are exerting their influence for best advantage of their tribes, and in interest of peace. I earnestly recommend that these and other principal chiefs be permitted to go to Washington. Unless something be done for them we shall be almost certain, between the gold-hunters and dissatisfied Indians, to have serious difficulties in that country in the coming spring.

E. O. C. ORD,

Brigadier-General.

WM. D. WHIPPLE,

Assistant Adjutant-General.

[Copy made and sent to the honorable Secretary of War, for Interior Department, January 11, 1875.]

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 28, 1875.

SIR: On the 12th instant I had the honor to receive a letter from the War Department, dated the 11th, inclosing copy of a telegram from General Ord recommending favorable consideration of the request of Red Cloud and Spotted Tail for permission to visit Washington.

I transmit herewith a copy of a letter, dated the 27th instant, from the Commissioner of Indian Affairs, to whom the subject was referred, who reports that there are no funds at the disposal of the Department that can be applied to the payment of the expenses incident to the visit of a delegation of the Sioux to this city.

It is the intention of this Department to make application to Congress at the present session for an appropriation to meet the expenses of such a delegation, the importance of which, in view of the present situation of Indian affairs in connection with the Sioux, is fully appreciated.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

The Hon. SECRETARY OF WAR.

[Inclosure.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 27, 1875.

SIR: I have the honor to acknowledge the receipt, by reference from you, of a communication from the honorable Secretary of War dated January 11, 1875, inclosing copy of a telegram from General Ord, repeated from headquarters of the Army, recommending the favorable consideration of the request of Red Cloud and Spotted Tail for permission to visit Washington.

In reply I would respectfully report that this Office fully appreciates the importance of having Red Cloud and Spotted Tail, with some young and influential Ogallala and Brulé chiefs, visit this city with a view to procure on the part of the Sioux a better understanding of the wishes of the Government respecting them, and if possible an appreciation of the important changes in their tribal condition which are inevitable at no very distant date; but there are no funds at the disposal of this Office which can be used to defray the expenses of such a visit, and, therefore, their request will have to be denied.

Very respectfully, your obedient servant,

EDW. P. SMITH,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

[Copy furnished commanding general Department of the Platte, through headquarters of the Army, February 4, 1875.]

HEADQUARTERS OF THE PLATTE,
Omaha, Nebr., January 13, 1875.

SIR: Previous to the removal of the Pawnees from the reserve near the mouth of Loup Fork, Nebraska, the Sioux from Red Cloud and Spotted Tail were in the habit of making frequent raids upon the Pawnees, and the Pawnees were in the habit of pursuing or retaliating, so that the North Loup and Calamus Rivers had become a sort of war-path, both parties occasionally plundering or killing white settlers, and thus making the post of Fort Hartsuff on the North Loup necessary for the protection of settlements on the several Loup and Calamus Rivers; but the Pawnees having moved into the Indian Territory, it is presumed cavalry will not be needed at all at Fort Hartsuff, and the infantry now there can be removed within a year, so that, in view of the immediate necessity of troops occupying the Black Hills at some point north of Fort Laramie, to keep miners and others from encroaching upon the Sioux Indian reserve, and the fact that only about \$25,000 will be needed (of the appropriation of \$50,000) for the completion of a single infantry post at Fort Hartsuff, I recommend that Congress be asked to appropriate the remaining \$25,000, unexpended of the \$50,000, for Fort Hartsuff, with \$115,000 in addition, to build an eight-company post on the western border of the Black Hills, at such point as the division commander may designate.

It is very important that prompt action should be taken in this matter, as the troops will be needed in the Black Hills as soon as spring opens, and the need will continue as long as the Black Hills are in Indian country, so that the troops, to keep this country free from intruders, must winter there, which they cannot do under canvass, for the reports show that the temperature ranges from 25° to 45° below zero during cold weather.

I am, sir, very respectfully, your obedient servant,
E. O. C. ORD,
Brigadier-General.

Col. R. C. DRUM,
Assistant Adjutant-General United States Army,
Headquarters Military Division of the Missouri, Chicago, Ill.

[First indorsement.]

HEADQUARTERS, &C.,
New Orleans, La., January 20, 1875.

Respectfully forwarded through Army headquarters to the Secretary of War. We have so much work on hand, and so many things engaging our attention at present, that I think it would be best to postpone any action looking to the establishment of a post in the Black Hills to another year.

P. H. SHERIDAN,
Lieutenant-General.

[Second indorsement.]

HEADQUARTERS OF THE ARMY,
Saint Louis, January 25, 1875.

Respectfully forwarded to the Secretary of War.
W. T. SHERMAN,
General.

[Third indorsement.]

WAR DEPARTMENT,
 ADJUTANT-GENERAL'S OFFICE,
 Washington, January 30, 1875.

Respectfully submitted to the Secretary of War.

E. D. TOWNSEND,
Adjutant-General.

[Fourth indorsement.]

Seen by the Secretary of War, February 3, 1875, and concurred in.
 H. T. CROSBY,
Chief Clerk.

[Telegram.]

WAR DEPARTMENT,
 ADJUTANT-GENERAL'S OFFICE,
 Washington, March 16, 1875.

General W. T. SHERMAN,
Commanding United States Army Saint Louis, Mo. :

The President requests you to make public the following:

All expeditions into that portion of the Indian Territory known as the Black Hills country must be prevented as long as the present treaty exists. Efforts are now being made to arrange for the extinguishment of the Indian title, and all proper means will be used to accomplish that end. If, however, the steps which are to be taken toward the opening of the country to settlement fail, those persons at present within that Territory without authority must be expelled.

Please acknowledge receipt.

E. D. TOWNSEND,
Adjutant-General.

DEPARTMENT OF THE INTERIOR,
 Washington, D. C., March 17, 1875.

SIR: On the 16th instant I had the honor to receive, by reference from the President, a resolution of the Senate dated the 15th instant, in the following words, viz:

Resolved, That the President be requested to communicate to the Senate, if not incompatible with public interests, any information in his possession in regard to the proposed emigration to the Black Hills country, in the Sioux Indian reservation; whether such emigration is with the consent of the Indian tribes holding said country under the treaty of February 24, 1869; and, if not, what measures will be taken in relation to the same.

The sixteenth article of the treaty between the United States and different tribes of Sioux Indians, concluded April 29, 1868, and proclaimed February 24, 1869, provides as follows:

The United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall be held and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same; or, without the consent of the Indians, first had and obtained, to pass through the same; and it is further agreed by the United States, that within ninety days after

the conclusion of peace with all the bands of the Sioux Nation, the military posts now established in the Territory in this article named shall be abandoned and that the road leading to them and by them to the settlements in the Territory of Montana shall be closed.

The country thus referred to includes the Black Hills.

As to the proposed emigration to that portion of the Sioux reservation named in the resolution, this Department is in possession of no information except that derived from the public prints, which contain certain reports to the effect that one expedition has succeeded in reaching the Black Hills.

The persons composing said expedition have gone upon the Sioux reservation in violation of the provisions of the treaty, and are in the country referred to against the wishes and without the consent of the Indians.

Statements published in the newspapers indicate a determination on the part of many persons throughout the country to explore the Black Hills in search of minerals.

Measures have been adopted by the Secretary of War, with the concurrence of this Department, to prevent further intrusion upon the reservation in question, and looking to the removal of the persons now unlawfully there.

A military order has been issued to the General of the Army, by the honorable the Secretary of War, to prevent any future expedition into that portion of the Indian Territory known as the Black Hills country as long as the present treaty exists, and advising that efforts are being made to arrange for the extinguishment of the Indian title, and that all proper means will be used to accomplish that end; and that if the steps taken toward the opening of the country to settlement fail, those persons at present within that Territory without authority must be expelled.

This Department has taken steps to bring to this city a delegation of the Sioux (parties to the treaty) for the purpose of negotiating for the extinguishment of their right to the reservation embracing the Black Hills country, with a view to opening up the same to settlement, and until such an arrangement has been effected it is the intention of this Department, with the co-operation of the War Department, to protect the rights of the Indians as guaranteed to them by the treaty of 1868, and to prevent any further infraction of those rights.

It is also the intention of this Department to use every effort possible to extinguish the Indian title to the Black Hills country, and open the same to settlement and explorations for mineral wealth at the earliest day practicable.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

The PRESIDENT.