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**Documents in relation to a treaty proposed to be negotiated with the Indians of the prairie south and west of the Missouri River, to the northern line of the State of Texas, embracing the Indians of the mountains, and including those of New Mexico.**

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## DOCUMENTS

IN RELATION

*To a treaty proposed to be negotiated with the Indians of the prairie south and west of the Missouri river, to the northern line of the State of Texas, embracing the Indians of the mountains, and including those of New Mexico.*

MARCH 18, 1850.

Submitted from the Committee on Indian Affairs with bill S. No. 157.

SIR: In compliance with the request of the committee, we submit the following reasons for holding a treaty with the prairie and mountain tribes of Indians. The Indians could be assembled at Fort Laramie, on the river Platte, without any difficulty or expense to the government, as they are always ready and willing to attend on all such occasions, in the anticipation of some advantage to themselves from all "talks" with the agents of their Great Father. Having abundance of horses, and being as much at home in one part of the prairie as another, the movement would be attended with no trouble or inconvenience to them. Through the means of the government officers and Indian traders, the necessary notices could be given without trouble or expense. A sufficient military force could be easily concentrated to insure peace and good conduct during the council. The presence of a military force would inspire these lawless tribes with a degree of respect for the government of the United States that would go further towards securing their friendship and future good conduct than all the "talks" and all the presents that could be lavished upon them. It will be recollected that we have never entered into anything like formal treaty stipulations with most of the tribes, at least not such as they felt bound to respect and observe. Hence the many depredations which they have annually committed they consider legitimate warfare, and perfectly justifiable as a retaliation for the destruction of their buffalo, timber, grass, &c., caused by the vast numbers of whites passing through their country without their consent.

We are clearly of opinion that a treaty such as we have suggested would do more towards establishing friendly relations with the prairie tribes than all the efforts that have heretofore been made; at all events, it can do no harm, and the expense would be less than that of a six months' war on the plains and mountains of New Mexico. It is only by some measure of this kind that we can ever establish friendly relations with these Indians; and the bones of American citizens that now whiten the plains from the borders of our western States to the Rocky mountains, all admonish us of the necessity of *peace*. We can never whip them into friendship; the prowess of our troops and vast resources of our

government would be wasted in long and toilsome marches over the plains in pursuit of an *ignis fatuus*. They would never see an enemy. Infantry on the plains would be wholly useless, and after a few months' march cavalry would be converted into infantry by the breaking down of their horses. We will here briefly notice a few of the beneficial results which we think would probably grow out of this confederated council. By assembling the various tribes, under the protection of the United States, a friendly talk would ensue—interchange of presents and pledges would take place. Solemnized according to ancient Indian custom, those pledges would be held more or less sacred, and in course of time might produce a universal peace among these ill-fated people. War is one of the greatest calamities with which they are afflicted, as helpless women and children are generally the greatest sufferers, they being frequently left in an unprotected state while the warriors are absent, either on their war or hunting excursions. Cold blooded policy would say, let them all perish; but Christianity and humanity would use a different language. Again: the boundaries dividing the different tribes, have never been settled or defined. This is the fruitful source of many of their bloody strifes, and can only be removed by mutual concessions, sanctioned by the government of the United States. The boundaries being once established and clearly understood, each tribe could be held responsible for any depredation that might be committed within their respective territories.

Justice as well as policy requires that we should make some remuneration for the damages these Indians sustain in consequence of the destruction of their game, timber, &c., by the whites passing through their country. A small annual present of Indian goods, distributed among the different tribes with reference to their numbers, localities, &c., would be deemed satisfactory to them, and at the same time serve as a guaranty for their good behaviour. Should this projected treaty be carried into effect, it would then be advisable to permit each tribe to select one or more of their chiefs to visit the city of Washington and the eastern cities, in order to impress them with the greatness and power of the United States, and the ability of the Great Father to punish them for any violation of their treaty stipulations. The propriety of including the Sioux south of the Missouri river will be obvious when it is taken into consideration that they are frequently found in large bodies along the Santa Fe road; and, to our knowledge, many of the depredations that have been charged upon the Comanches and other southern tribes have been committed by the Sioux residing south of the Missouri river.

If the robber tribes infesting the mountains of New Mexico could be induced to join in a treaty so imposing in its character, it might be the means of saving the expense and annoyance of a long protracted Indian war in a sterile mountainous region almost inaccessible to our troops.

For further details on this important subject we respectfully refer you to the reports of the Superintendent of Indian Affairs.

Should the committee concur with us in opinion, we respectfully and urgently recommend immediate action: otherwise, nothing can be done during the present year. We herewith furnish an estimate of the probable amount required.

Hon. D. ATCHISON,

*Chairman Committee on Indian Affairs, United States Senate.*

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,  
St. Louis, October 26, 1849.

SIR: In obedience to instructions contained in your letter of the 27th August, I here submit an estimate, which it is hoped will be of some service to the department.

The estimate is based upon the presumption that the plan of a treaty, as sketched in my annual report, will be adopted. For each tribe that may be left out of the contemplated treaty a deduction should be made from the estimate, proportioned to their numbers, &c.

1. Amount of goods as presents to the Indians at the conclusion of the treaty - - - - -	\$40,000
2. Provisions, transportation, &c. - - - - -	15,000
3. Delegations from the different tribes - - - - -	20,000
4. Purchase of Mexican prisoners - - - - -	25,000
5. For the Indians of New Mexico - - - - -	50,000
6. First annual payment - - - - -	40,000
7. Contingent expenses - - - - -	10,000
	200,000

This estimate was prepared and mainly based upon the opinions of the agents and sub-agents resident in the Indian country.

D. D. MITCHELL,  
*Superintendent of Indian Affairs.*

Concurring with Superintendent Mitchell in the general views entertained by him, I have only to say that in my judgment an appropriation of two hundred and fifty thousand dollars would not be too large to carry into efficient effect all the objects contemplated. If the sum, however, should prove to be too large, it will not, of course, be expended, and the government loses nothing by exceeding his estimate.

ORLANDO BROWN.

*List of the tribes proposed to be included in the treaty, with the probable population of each.*

Comanches, say - - - - -	8,000	warriors.
Kiawas - - - - -	350	"
Apaches - - - - -	800	"
Arickaras - - - - -	600	"
Mandans - - - - -	125	"
Gros Ventres - - - - -	450	"
Sioux, (South Missouri) - - - - -	9,500	"
Cheyennes - - - - -	400	"
Crows - - - - -	700	"
Blackfoot, (South Missouri and Rocky mountains) - - - - -	7,500	"
Arapahoes - - - - -	550	"
	28,975	"

'This is a rough estimate from memory, without reference to former reports.

D. D. M.

WASHINGTON, *March 9, 1850.*

SIR: In compliance with the request of the Committee on Indian Affairs, I submit the following as the objects for which we ask an appropriation.

It is proposed to assemble most of the prairie and mountain tribes, during the ensuing summer, at some suitable point—say Fort Laramie, at the forks of the river Platte. The tribes proposed to treat with occupy the range of prairie and mountain country lying south of the Missouri river, and north of Texas. The objects hoped to be accomplished by this confederated treaty are briefly as follows:

First: We wish to divide the Indian country into geographical districts, assigning to each tribe such portions of territory as they claim and occupy; this to be done with the full knowledge and consent of the neighboring tribes; the dividing lines to be mountains and rivers, such as they could understand. It is proposed to hold each tribe responsible for *all* depredations committed on their own soil. This it is thought will, to a great extent, prevent wars among themselves, and enable the government of the United States to ascertain with greater certainty the offending tribes.

It is also proposed to purchase such Mexican prisoners as may be found in possession of the Indians; this could be done with a reasonable amount of Indian goods. It will be recollected that we are bound by treaty stipulations with Mexico to restore these prisoners, and it is thought by those best capable of judging that this is the only practicable means of doing it.

It is admitted by all who have passed through the plains that the loss and injury sustained by the Indians on account of the destruction of their buffalo, timber, grass, &c., by the whites, is very great; and justice, humanity, and common honesty all require that they should be compensated. Forty thousand dollars' worth of Indian goods distributed annually among the different nations, in proportion to their numbers and the amount of damages sustained, it is supposed, would be something like a fair compensation; the payment of these annuities to be contingent upon their good behaviour from year to year.

It is also thought that a small delegation selected from each of the tribes, such as would be acknowledged as their head men, ought to visit Washington and the eastern cities, for the purpose of impressing them with a full knowledge of the power and extent of our government. This knowledge, on their return home, could be communicated to their people. A suitable military force should be on the ground to keep order during the treaty.

Should Congress approve of the measure, and determine to make the necessary appropriation; it should be done immediately; otherwise another year will elapse. It is stated by the agents and sub-agents, as well as the Indian traders, that, in anticipation of a treaty such as I have recommended, the prairie Indians have generally behaved better than usual during the past fall and winter. They are, however, much alarmed at

the probable consequences, should the government longer delay making them some compensation for the many wrongs of which they complain.

In estimating the cost of the whole matter, I put it down in round numbers at two hundred thousand dollars. The annual cost hereafter would be, say, forty thousand dollars. For further particulars, I respectfully refer to my last annual report, and other communications on the same subject.

Respectfully, your obedient servant,

D. D. MITCHELL,  
*Superintendent Indian Affairs.*

HON. ORLANDO BROWN,  
*Commissioner of Indian Affairs.*

I concur entirely with Superintendent Mitchell in the views expressed above.

ORLANDO BROWN.