



12-30-1867

## Indian Affairs in Dakota. Memorial and Resolution of the Legislative Assembly of the Territory of Dakota Relative to Indian Affairs in Said Territory

United States House of Representatives

Territory of Dakota Legislative Assembly

Geo. I. Foster

A. J. Faulk

Enos Stutsman

*See next page for additional authors*

Follow this and additional works at: <https://commons.und.edu/indigenous-gov-docs>



Part of the [American Politics Commons](#), [Indigenous, Indian, and Aboriginal Law Commons](#), [Indigenous Studies Commons](#), [Law and Politics Commons](#), [Native American Studies Commons](#), and the [United States History Commons](#)

---

### Recommended Citation

United States House of Representatives, , Territory of Dakota Legislative Assembly, Geo. I. Foster, A. J. Faulk, Enos Stutsman, and P. H. Halnan. "Indian Affairs in Dakota. Memorial and Resolution of the Legislative Assembly of the Territory of Dakota Relative to Indian Affairs in Said Territory." , : Government Printing Office, 1867. -. <https://commons.und.edu/indigenous-gov-docs/114>.

This Book is brought to you for free and open access by the Elwyn B. Robinson Department of Special Collections at UND Scholarly Commons. It has been accepted for inclusion in US Government Documents related to Indigenous Nations by an authorized administrator of UND Scholarly Commons. For more information, please contact [und.commons@library.und.edu](mailto:und.commons@library.und.edu).

---

**Authors**

United States House of Representatives, Territory of Dakota Legislative Assembly, Geo. I. Foster, A. J. Faulk, Enos Stutsman, and P. H. Halnan

INDIAN AFFAIRS IN DAKOTA.

---

MEMORIAL AND RESOLUTION

OF THE

LEGISLATIVE ASSEMBLY OF THE TERRITORY OF DAKOTA,

RELATIVE TO

*Indian affairs in said Territory.*

---

JANUARY 28, 1868.—Referred to the Committee on Indian Affairs and ordered to be printed.

SECRETARY'S OFFICE,  
Yancton, D. T., January 17, 1868.

DEAR SIR: Enclosed please find a memorial of the legislative assembly of the Territory of Dakota.

Most respectfully, your obedient servant,

S. L. SPINK,  
*Secretary of Dakota Territory.*

Hon. SCHUYLER COLFAX,  
*Speaker House of Representatives, Washington, D. C.*

---

*Memorial and joint resolution of the legislative assembly of the Territory of Dakota relative to Indian affairs in Dakota Territory.*

Your memorialists of the legislature of the Territory of Dakota, believing that the vital interests of our Territory, as also the entire upper Missouri valley, depends, in a great measure, upon the disposition that may be made of the various Indian tribes within our borders, most respectfully represent to your honorable bodies their views upon this important subject.

For the better enforcement of the laws of Congress concerning the trade and intercourse with the various Indian tribes, as, also, for the more convenient and economical management of the Indians in that portion of Dakota west of the State of Nebraska and south of the Territory of Montana, the same being almost wholly unconnected and having no interests in common with the other settled portion of the Territory, should be at once organized into a new Territory.

The present population of that portion of Dakota is between five and ten thousand, and rapidly increasing, a portion of it being very rich in mineral resources.

If the system of small reservations is to be abandoned, and the Indians consolidated and given a territory in Dakota for their exclusive use and benefit,

that territory should be located north of the forty-fifth parallel of north latitude. This section of country is capable of containing and supporting all the Indians in Dakota.

The soil of the valleys of all the streams, as well as much of the upland prairies, is rich, and well adapted to the growing of wheat, rye, barley, oats, peas, beans, and the varieties of Indian corn. In support of this statement, your memorialists quote from the report of the explorations of Lieutenant G. K. Warren, in 1855, in which he says: "Three tribes of Indians on the Missouri are somewhat of an agricultural people. The Minetares at Fort Berthold raised, in 1854, ten thousand bushels of corn, and beans and pumpkins in proportion. The Mandans, sixty miles below, one thousand five hundred bushels, and the Arickarees, at Fort Clark, four thousand bushels."

The history of the last ten years' intercourse with the Indians of the upper Missouri clearly establishes the fact that as good crops can be produced by the Indians north of latitude forty-five as south of this line. The game country of the northwest lies north of this line, and east and west of the Missouri river countless herds of buffalo, antelope, elk, and deer, pasture throughout the year in this portion of Dakota, indicating it to be equally as well adapted to domestic stock-growing; and since the Indians will rely partly for years to come for support on the chase, and should be gradually brought from the chase to a pastoral life, and then to agricultural pursuits, the portion of Dakota referred to is admirably adapted for an Indian territory.

Your memorialists respectfully but most earnestly protest against the proposed plan of including in the Indian territory to be created for the exclusive benefit and habitation of the Indians that portion of Dakota known as the Black Hills. Not only Dakota but northern Nebraska and Iowa all have material interests antagonistical to such an act. The entire valley of the upper Missouri must have pine timber, known to exist in the Black Hills of Dakota, in order to settle the vast prairies of the northwest.

The section of country immediately south of latitude forty-five is known to be very rich in minerals, such as gold, silver, iron, and coal. Gold has been discovered in largely paying quantities in the Black Hills, Snow, and Big Horn mountains, and in all the heads of streams flowing from the mountains. While this country is indispensable to the future growth and prosperity of the entire northwest, it is of no particular value to the Indians. Your memorialists believe that the difficulties with the Indians, which have cost the country so much treasure and precious blood, are owing mainly to the want of a simplification of the manner of dealing with this peculiar people, and the promiscuous manner in which agents have been appointed to preside over them.

It is not unfrequent that a man is selected as agent who never saw an Indian, and knows nothing of their peculiarity of character and disposition; besides, it often happens that such agents are men destitute of every principle of honesty, morality, men of broken fortunes, sent out among the Indians, not for the benefit of the Indians, but to renew their own fortunes.

These inexperienced agents barely have sufficient time to gain the knowledge necessary to a satisfactory and safe administration of their affairs before they are displaced, and some new man sent to the Indians to commence educating, not the Indians, but himself.

Your memorialists believe that the surest remedy for all evils would be the transfer of the general management of Indian affairs to the States and Territories within the limits of which the tribes or bands may respectively reside. Delays in the transaction of Indian business, now so frequently fatal to many undertakings, would thus be avoided, while the management of their affairs would be conducted by those familiar with the peculiarities and requirements of the identical Indians with whom they deal. This is not and cannot be so correctly

understood by those managing their affairs situated a thousand miles away from the field of operation.

Far more could be done for the Indians under such an arrangement with the same amount of money than under the present system. The Indian goods, when purchased by the Indian department at Washington, generally cost about one-third more when delivered to the Indians than the same goods are selling at retail at such places. Firmly believing this to be the best way to a lasting settlement of this question, your memorialists most earnestly implore Congress to cut the gordian knot of Indian difficulties by at once turning the management of the Indians over to the local State and Territorial governments, and thereby curtail largely the expenses of the general government, and materially enhance the welfare of the Indian.

Your memorialists further believe that all moneys appropriated by Congress for the benefit of the Indians should be wholly expended by their local agents. These officers know better than any one can who never comes in contact with them, the kind, quality, and quantity of articles which will best please and aid the Indians under his charge. They would then know when, how, and where they are to receive their goods, and thus be made to feel more directly the power their agent exercises over all their affairs, and would consequently strive to satisfy and obey him. The Indians should be made to feel that this power to their benefit or injury rests in the hands of the person who daily comes in contact with them, and overlooks all their actions and affairs. Under the present system in this Territory, the Indians rarely receive their goods at the proper time. For two seasons last the steamboats with Indian annuity goods for the upper Missouri have been sunk, thereby causing much disappointment and loss to Indians, besides making them more troublesome, and this all results from the system of the Indian department at Washington, not purchasing their goods at a proper time, and in shipping them on worthless boats.

Your memorialists would further represent that no good would result from the transfer of the management of Indian affairs to the War Department; that it would be equally as expensive as the present system; besides, the Indians are bitterly opposed to such transfer. In the opinion of your memorialists the men of the army are not the men to lead the Indians from a savage life to a pastoral, agricultural, and civilized life. But were they placed under the fostering care of the different States and Territories, the States and Territories could and would at once take measures to have them located on reservations, and ways and means provided for their education and christianization.

The better portion of the people, together with the churches, would at once have their sympathies enlisted in their behalf, while under the present system there is no encouragement for any one to attempt anything to ameliorate their present condition.

And, as in duty bound, your memorialists will ever pray.

*Resolved*, That a copy of this memorial be sent to our delegate in Congress, to the Speaker of the House of Representatives, President of the Senate, Hon. William Windom, and John B. Henderson.

A. J. FAULK, *Governor.*  
HORACE J. AUSTIN,  
*President of the Council.*

GEO. I. FOSTER, *Secretary.*

ENOS STUTSMAN,  
*Speaker of the House of Representatives.*

P. H. HALNAN, *Chief Clerk.*

DECEMBER 30, 1867.