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Kappler "A life beyond Indian Affairs: Laws and Treaties Charles D. Kappler" is known primarily for his compilation, *Indian Affairs: Laws and Treaties*. His life, however, reached beyond this accumulation of fundamental documents. He was a staff member of, among other entities, the Senate Committee on Indian Affairs; served as co-counsel in the first case before the Permanent Court of Arbitration in The Hague; brought important tribal issues before the courts, just a quarter century after the Battle of the Little Big Horn; married, was widowed, married again, developed a family, and found a place in District society; and, in one role or another, participated in a number of major Indian law cases before the United States Supreme Court, prior to the creation of the Indian Claims Commission. That power belongs by the constitution to another department of the Government; and to alter, amend, or add to any treaty, by inserting any clause, whether small or great, important or trivial, would be on our part an usurpation of power, and not an exercise of judicial functions. It would be to make, and not to construe a treaty. Neither can this Court supply a *casus omissus* in a treaty, any more than in a law. We are to find out the intention of the parties by just rules of interpretation applied to the subject matter; and having found that, our duty is to follow it as far as it goes, and to stop where that stops "whatever may be the imperfections or difficulties which it leaves behind" *The Amiable Isabella*, p. The study of the relationships formed between the federal government and the American Indian tribes has been a subject of national interest for over two hundred years. A fundamental asset to such examinations is the array of treaties, recognized by the Department of State and the courts, [1] which link together these sovereigns. For the last century, a major source of the final texts of most of these instruments has been the compilation of Charles J. Digital conversions of his work, and of the few treaties not included in his volumes, have made these materials even more accessible Bernholz and Holcombe, ; Bernholz, Pytlik Zillig, Weakly, and Bajaber, Few realize, however, that following his service with the federal government during which he began to assemble *Indian Affairs*, Kappler was deeply involved in proceedings before various jurisdictions that centered upon these very documents. His efforts on behalf of the tribes, in fact, led to his adoption by the Crow. Kappler "graduated from public and parochial schools of the District" Charles Kappler Dies; Expert and Writer on Indian Affairs, and then studied stenography and typing with Theodore F. When Stewart became Chairman of the Senate Committee on Indian Affairs for the 57th and 58th Congresses between and , Kappler served as Clerk to that Committee and became more involved with federal Indian law. The resolution initially met with some resistance by Senator Eugene Hale "R-Maine , who objected to the endeavor if it was to require additional funds to produce, citing other subject collections that resulted in inferior, poorly indexed works. Kappler "beginning in , and continuing until while he practiced law " compiled his five-volume *Indian Affairs: Laws and Treaties* to assemble the relevant but widely scattered materials in this area Charles Kappler is Authority on Indian Laws and Treaties, The treaties alone were easily accessible because all but nine of the recognized documents were published in ten volumes of the *Statutes at Large*, [10] but a concurrent resolution in December assured the availability of all these collected materials in a single source *Indian Affairs*. Further, Kappler served as co-counsel in in one of the earliest international arbitration cases, *Pious Fund of the Californias v. Merillat* [15] and worked in this partnership [16] until when he began to practice alone. Shuey, mentor of Kappler. He died a few years later, and his obituary declared that he had seen "all inaugural rites since " T. Shuey, Senate Aid 65 Years, Dead, Katherine Kappler died as the result of cancer in May of Certificate of Death, Shuey Kappler Dies Here at 61, , and her involvement in current issues such as the "great sociological movement," birth control Birth Control Wins Favor, Group Told, , p. Both Charles and Katherine had been married previously. There is even one legal notice that listed her sole participation in one business deal, along with a record of the two of them completing another Real Estate Transfers, She died on 8 July , after a year-long bout with pernicious anemia Certificate of Death, ; Died, His service to the Crow led to his adoption by that tribe in Charles J. Throughout the eighteenth century, preservation of the various

treaties created between the federal government and the tribes was not of major importance. As noted earlier, Commissioner of Indian Affairs William Atkinson Jones had proposed in and a new, up to date collection. In a portion of his Annual Report entitled "Needed Publication on Indian Matters," he remarked that the attempt was "inaccurate" and that "[t]he demand for a publication that shall contain all ratified treaties and agreements made by the United States with the Indian tribes is increasing. It would be in constant use in this office and would be frequently referred to by other Government bureaus and by members of Congress as well as by the public at large" Annual reports of the Department of the Interior for the fiscal year ended June 30, Report of Commissioner and Appendixes, , p. Jones repeated this recommendation for a third time in the Annual Report Annual reports of the Department of the Interior for the fiscal year ended June 30, Report of the Commissioner, and appendixes, , pp. When Senator Stewart defended his resolution for a fresh attempt in May , he recalled these requests when he stated that "the Secretary of the Interior has recommended for several years a compilation of treaties and Executive orders" Compilation on Indian Affairs, b, p. The first two volumes, as Senate Document and for data through 1 December , were published in , as successive Serial Set items. Volume 1 consisted of "Statutes, executive orders, proclamations, and statistics of tribes. Volume 2, comprising the treaties, in Serial Set volume , contained pages Kappler, a and b. Funding for this work was included in the March appropriations bill: The following year, the same materials were republished as Senate Document , with changes to their formats Kappler, a and b. Kappler noted in the preface to the second edition a, p. Three later volumes appeared: At the point when the fourth volume was ordered to be printed Printing of manuscripts relating to Indian affairs, , the Senate Committee on Printing noted that the three previous volumes were "widely used" p. Later, publishers other than the Government Printing Office created versions for these collations. Further, the second or treaties volume was printed as a stand-alone publication Kappler, a, , and a new set of all five volumes was offered in Kappler, b. The second volume of final treaty texts has been particularly useful since its publication, because the stream of court cases addressing Indian issues began in earnest at the turn of the twentieth century. Leupp, the Commissioner of Indian Affairs between and , wrote in favor of either a special court or some sort of extension of the Court of Claims to assess fairly the numerous Indian claims Leupp, , p. The eventual creations of United States citizenship for Indians An act to authorize the Secretary of the Interior to issue certificates of citizenship to Indians, and of the Indian Claims Commission An act to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes, were manifestations of this activity. Reliance upon the documents of negotiation between the tribes and the federal government thus became paramount for the courts. The expanded version of volume 2 Kappler, b contains documents, divided into two sections. A general treaty text portion holds documents, consisting of treaties recognized by the Department of State Ratified Indian Treaties, â€”, and of seven supplemental documents. Seventeen more items reside in an appendix, of which the first two are acknowledged instruments. This led to the creation of an additional page supplement Department of the Interior, to handle only the revisions made to federal regulations related to Indians; provisions in Title 25 â€” Indians of the Code of Federal Regulations were excluded from this publication. Laws and Treaties popularly called "Kapplers" did not include federal regulations. Physically, volume number 4 of this later edition had a page gap between Part VIII â€” Appendix and the place where the indexes for volumes 1 through 3 used to reside in the original rendition. Laws and Treaties Department of the Interior, a and b. No further volumes have been created. The cases noted below have been accumulated to demonstrate his service within jurisprudence and were collated solely to identify his diversification. These proceedings are divided into two groups â€” those that cited American Indian treaties and those that did not â€” as one way to illustrate his skills and interests. In this manner, Table I was constructed to identify, in total, 91 cases between and Laws and Treaties, Table II is composed of those twenty-eight cases taken from Table I that referred to one or more recognized Indian treaties, and is composed of the following data: Conclusion Table I identifies the 91 cases in which Kappler participated. Of these suits, the 28 highlighted ones referred specifically to 38 of the recognized treaties with the tribes Ratified Indian Treaties, â€”, Each of these 38 individual documents is paired with the case name of each citing suit from Table I to form the contents of Table II. For example, the third entry in Table II highlights ratified treaty number 43, the Treaty with the Sauk and Foxes, Kappler, b, pp.

Sac and Fox Indians of the Mississippi in Oklahoma” cited this specific treaty and so are collected together here. This strong linkage, between his personal interest in Indian affairs and his collation of what became the primary source for the final texts of recognized treaties with the tribes, is a reflection of the new approach taken with the tribes during the New Deal era. The last five columns of Table I mirror this analysis. Special attention should be drawn to six special situations. Miles, while his former partner, Charles H. Merillat, was attorney for the respondents. Briefly, in these proceedings, John Kenny successfully petitioned for a writ of certiorari to the Supreme Court of the State of Oklahoma. Before this state venue Kenny v. Miles, the results of previous county and district court cases, regarding the partitioning of allotted and patented lands totaling acres left upon the death of Lah-tah-sah, an enrolled Osage woman, were appealed. In both of the earlier actions, Kenny, her only child, maintained the position that he was the sole heir and should receive the entire property, while Miles, her surviving husband, asked for one-half of the land. This standing was decided in favor of Miles, the lands were equally divided, and this distribution was made by the court. The judgment from the Supreme Court of Oklahoma was reversed and defined "inoperative" p. The importance of the role of the Secretary of the Interior in such Osage inheritance situations, as well as his responsibility to exchange effectively surplus allotments, were thus affirmed. Many such inheritance questions, and therefore court proceedings that involved attorneys such as Kappler and Merillat, were caused by the complexities resulting from the application of the General Allotment Act [31] that dispersed millions of acres of tribal lands. The only exception of these important suits was Grace Cox, an inheritance case involving Omaha trust lands that was decided by the Office of Indian Affairs at the Department of the Interior. The Twenty-seventh annual report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution, contains an article entitled "The Omaha Tribe" and an alphabetical index for the "Original Owners of Allotments on Omaha Reservation" pp. Felix Cohen, p. Third, Kappler was a petitioner and counsel in several income tax cases Appeal of Owen []; Norcross v. Commissioner of Internal Revenue []; and Norcross v. Helvering [] and as appellant, along with Charles H. Merillat, in an attorney substitution case Kappler v. In an additional case pertaining to an unpaid legal fee Kappler v. Storm, , Kappler acted solely as plaintiff. The Owen case concerned the question of whether a distribution by a corporation to its shareholders was taxable. The court opinion identifies another attorney, as well as two Certified Public Accountants, on the legal team, so the effort must have been substantial. The appeal, however, was denied. In these instances, Kappler and three others unsuccessfully approached the United States Board of Tax Appeals, and then the United States Court of Appeals for the District of Columbia, to exempt them from federal income tax on income paid by the state of Nevada. It is interesting to note that Charles H. Merillat was involved in a personal tax case, as well.

**Chapter 2 : Injury Update For New York Giants Center Jon Halapio**

*Abstract. Charles J. Kappler () is known primarily for his compilation, Indian Affairs: Laws and calendrierdelascience.com life, however, reached beyond this accumulation of fundamental documents.*

Laws and Treaties Internet site was developed to provide a digital collection of the final texts of of the American Indian treaties recognized by the United States Department of State. The remaining nine documents are provided in this compilation, to complement the Oklahoma State resource. Resulting frequency tables for these families of instruments are included, along with commentary on these laws of the land. Kappler â€” A life beyond Indian Affairs: Laws and Treaties Charles J. Kappler â€” is known primarily for his compilation Indian Affairs: His contributions as an employee of the federal government, his role as an attorney specializing in federal Indian law, and his influence on the development of this jurisprudence also warrant recognition. These and other aspects of his life are presented to demonstrate the wide range of his accomplishments. The Treaty of Fort Laramie with Sioux, etc. However, over the years, a true version of the final transaction â€” reflecting intervention by the Senate after the original signing â€” has never been published. A proposed correct text is presented here. As long as grass shall grow and water run: The treaties formed by the Confederate States of America and the tribes in Indian Territory, During the summer and fall of , the Confederate States of America created a series of treaties with the tribes in Indian Territory. These transactions were recorded in The Statutes at Large of the Provisional Government of the Confederate States of America as the law of the land, just as similar federal transactions appeared in the U. The texts of those nine instruments â€” and their Statutes page images â€” are provided here. Presidential vetoes and America Indian affairs, Between the years and , nineteen United States Presidents vetoed bills or resolutions that were related to American Indian affairs. These executive actions are identified here, and supporting Congressional documents for each transaction are included. A brief history of Presidential veto power and activities is presented. Comparing variants of the Okmulgee Constitution The Five Civilized and other tribes within the Indian Territory initiated a series of council meetings in to deal with new federal stipulations and treaties following the Civil War. The so-called Okmulgee Constitution was created to provide a model for a full-fledged Indian state to replace the Territory. Insights from editions of The Annual Register regarding later variants of the Royal Proclamation of The effects of these declarations shaped the evolution of Indian affairs in both Canada and the United States; their influence has endured to this day. The quantification of a forced convergence of similar texts: This analysis considers the similarity of the Constitution and a revision from through a series of forced convergence maneuvers that more closely aligned the texts of these two already highly correlated instruments. The Levenshtein procedure was employed to quantify this integration. Levenshtein comparisons of the tribe lists from the "Plan for the future management of Indian affairs" The Northern and Southern Districts of the British government in America contained tribes of Indians that were specifically enumerated prior to the preparation of the Plan for the future management of Indian affairs. That Board of Trade policy reassigned the responsibility for Indian affairs to the imperial government, rather than leaving it to be mediated by the individual colonies. The Treaty of Waitangi, A Levenshtein edit distance analysis of English language variants The British, in their worldwide program of colonization, consummated treaties with the indigenous peoples of North America, Africa, Asia, and the Far East and Pacific in a process to administer these acquisitions. The Treaty of Waitangi, is the primary document illustrating this behavior in New Zealand but, over time, variants of this important instrument have appeared. The power of names: A Levenshtein analysis of the text of the Mayflower Compact and of its signatory list, in conjunction with the Conference and Agreement Between Plymouth Colony and Massasoit, Wampanoag Sachem, Variants of the Mayflower Compact frequently excluded the names of the forty-one signatories of that accord, yet for those instruments that furnished this list, the spellings were anything but consistent. This variance was also evident in the few references to the appellations of the Mayflower participants found in the Conference and Agreement Between Plymouth Colony and Massasoit, Wampanoag Sachem. In particular, Levenshtein edit distance analyses assessed these Compact name disparities and the texts of that manifesto, and examined the

provenance of its later renditions. A strong correlation between observed pairs of text and signatory list errors was also found. Laws and Treaties collation, Charles J. Kappler employed a map to denote the lands ceded by the Treaty with the Pawnee " Grand, Loups, Republicans, etc. The plat is distinctive in its status as the only map to appear in the volumes of the Statutes before Johnson enumerated twenty-seven document collections in the American State Papers: Indian Affairs that were not also published, in whole or in part, in the U. Congressional Serial Set between the joint publishing years of and An additional nine instrument arrays were not counted in his tally of materials available in both of these references, or that appeared only in the American State Papers. This study examines Serial Set volumes in these and in subsequent years through In many cases, these efforts have been undertaken in response to the development and the publication of the Declaration of the Rights of Indigenous Peoples , as endorsed by the United Nations Working Group on Indigenous Populations. Governments also have begun to reconsider their stance on the associated issues. The digital texts of international constitutions " as offered by the Constitute Web site " were examined for occurrences of the four tokens indigenous, aboriginal, and Indian or Indians to yield country indices. The more familiar token Indian, or its plural, occurred 88 times in ten of these political affirmations. Variants of the Ordinance for the regulation of Indian affairs: A Levenshtein analysis In , the Continental Congress instituted the two positions of Superintendent for the Northern and for the Southern District through the implementation of An ordinance for the regulation of Indian affairs. This mandate was a clear continuation of the superintendency model employed by the British during their reign to develop trade and a strong relationship with the tribes. The ordinance has been published over the ensuing years in various collations. In the process, text errors were introduced. Tracking text exclusion and incursion in Article 2 of variants of the Treaty of Paris, The texts of Article 2 of variants of the Treaty of Paris, were examined to understand the provenance of two passages that deviated from the boundary parameters found in official British and American copies of this document. Newspapers published in London, promptly brought to New York by the mail packet Lord Hyde, already exhibited the first fault. Afterwards, it is clear that a New York paper introduced a second inconsistency into this Article. The spread of these text mistakes into subsequent American renditions is discussed, as is the hypothesis that the British Foreign Office, in its initial distribution of the Paris text to London newspaper printers shortly after its arrival from the treaty negotiations, had induced the first text defect itself. American Indian treaties before the courts These links provide access to journal publications on court cases in various jurisdictions that have cited one or more of the recognized American Indian treaties. The list of uncited treaties has diminished since the first two articles were produced. This change is noted in later federal ensembles and in the update:

**Chapter 3 : American Indian Treaties Portal**

*"Revise and extend Kappler's compilation [Indian affairs: laws and treaties / compiled and edited by Charles J. Kappler] to include all treaties, laws, executive orders, and regulations relating to Indian affairs in force on September 1, 1890."--Preface.*

Coming to Wind River: May 23, In the s, the U. The first treaty, signed in , specified borders for a vast Eastern Shoshone homeland of around 44 million acres, which sprawled on both sides of the Continental Divide. The second treaty, signed in , shrank this to a far smaller reservation of around 3. Seventy more years of land cessions and court cases further reduced the reservation to its present size of around 2. Between and , the U. These were similar to any treaties between sovereign nations, in that they were superior to state and local laws and equal in status to federal statutes passed by Congress and the Constitution itself. Constitution requires that treaties between the United States and other nations, including Indian nations, once negotiated, must be ratified by a two-thirds majority in the U. Senate before they become law. After , the government stopped making treaties with Indian tribes altogether. The Fort Bridger treaties of the s were born of conflicts and compromises rooted in changing tribal economies, white emigration on the trails to Oregon, California and Utah, a local gold-mining boom, general encroachment on Indian lands and the approach of the transcontinental railroad. Background Shoshonean people have lived in and around the Great Basin of the interior West for thousands of years. They include members of the modern Shoshone, Bannock, Paiute, Gosiute, Ute and Comanche tribes, the Comanches having left the basin in the s or earlier and migrated to the plains of present Texas and New Mexico. The languages of all these groups, anthropologists say, come from a similar Uto-Aztecan stock. By this time the eastern bands of Shoshone people were well-mounted, horse-culture Indians who hunted buffalo every year east of the divide. Further west, other Shoshonean tribes Bannock, Lemhi, northern and western Shoshone groups, as well as Ute, Paiute and Gosiute bands, were not as well mounted as the eastern Shoshone and relied also on salmon fishing, root gathering and hunting smaller game for their livelihoods. The rendezvous system strengthened the Shoshone by bringing guns, glass, metal and trade goods directly to them. Before then, they had been weakening due to increased pressure from better-armed tribes to the north and east Blackfeet, Crow, Cheyenne and Arapaho. They prospered trading with the emigrants. Bridger and many other trappers took Shoshone wives and started families near the post. Thousands of Mormons began arriving every year. In , gold was discovered in California. Traffic on the trails quintupled in , and doubled again the following year. All these white people traveled with their livestock right through the middle of Shoshone country. Grass was suddenly scarce, and game much harder to find. In , under pressure from the plains tribes to compensate them for the enormous damage to their lands brought by all the new traffic, the U. The treaty identified separate areas of the northern plains for each of these tribes, where, in exchange for annual payments from the government, they agreed to mostly live and hunt while allowing free passage to whites. A delegation of about 80 Shoshone men and their families, led by a rising leader named Washakie and accompanied by Bridger, was also present. But for a bureaucratic reason the Shoshones were not invited to sign: Washakie and the Eastern Shoshone returned home knowing that the new treaty left their interests unprotected. They hoped to compete with the former trappers for the Shoshone trade at Fort Bridger, and in the Green River Valley for the revenue from ferries over the Green River. Around , Bridger and Vasquez lost control of their post. Mormon businessmen took over the lucrative ferries on the Green. Warfare White emigration traffic continued on the trails, dividing the great buffalo herds and shrinking them. Conflict increased among tribes trying to live on dwindling resources. The treaty identified lands for the Crow that stretched west and north from the Powder River into present Montana, over the Bighorn Mountains into the Bighorn Basin and south all the way the Wind River Valley the same Warm Valley where the Eastern Shoshones also hunted in those years. Conflict was probably inevitable. Historians are uncertain of the dates, but there appear to have been at least two large battles between Shoshone and Crow warriors in the Wind River Valley in the late s. Shoshone were more secure on Wind River, buffalo hunting was good and they were far from the constant emigrant traffic on the

trails. In , local tensions between Mormons and non-Mormons combined with national ones to provoke the so-called Utah War , when 2, U. Mormon guerillas raided Army livestock and supply trains, but there was little or no bloodshed. The Eastern Shoshones remained neutral, though according to at least one account Washakie offered 1, warriors to the Army. General Albert Sidney Johnston advised the chief to take his warriors hunting instead. Army acquired Fort Bridger and located a garrison there. Year after year, the pressures on the tribes increased. The road was called the Lander Cutoff , for the engineer who supervised its construction. Traffic here, too, was immediately heavy. The road ran right through Shoshone lands, and the tribe, again, was not compensated Relations between white travelers and the western Shoshone bands, meanwhile, went from bad to worse. Casual murders of Indians by white people traveling the trails were not unknown. In retaliation, young Shoshone men began raiding emigrants and even stagecoaches and stage stations on the trails. In , most U. Eastern Shoshone raiders burned the all the stage stations between the North Platte and Bear rivers, running off all the horses and mules and leaving stagecoaches standing in the road. They killed a stage-station attendant at Split Rock. A regiment of California volunteers, U. Patrick Connor , arrived at Salt Lake City in the late summer of Tensions increased; raids, hostage-taking and retaliations continued. At least and perhaps as many as Shoshones died that day. By the following summer, all the Shoshone and related bands in the region were ready for treaty talks. The treaty included these provisions: There would be peace between Shoshone people and the people of the United States. Travel routes through Shoshone territory would stay open and safe. Ferries and stage stations would also remain unmolested. Stagecoaches and telegraph lines would be left alone. The route of a transcontinental railroad, now authorized by Congress, which the whites expected to be built in the next few years, would likewise be left alone. Shoshone territory would reach from the Snake River on the north to the Wind River Mountains on the northeast, down the Sweetwater to the North Platte on the east, south to the Yampa River of present Colorado and along the crest of the Uinta Mountains, which run east to west along the present Wyoming-Utah border. A western boundary was left undefined, apparently because Shoshone roamed so widely over the Great Basin. Still, modern historians estimate the extent of Eastern Shoshone territory described in the treaty at around 44 million acresâ€”nearly 70, square miles. Annuities would be distributed once a year at Fort Bridger. At Soda Springs, the government negotiated terms under which the Bannock and mixed Shoshone-Bannock bands agreed to share the annuities as well as part of the territoryâ€”west of the Wind River Mountainsâ€”already promised to the Eastern Shoshones at Fort Bridger. In any case, the Fort Bridger treaty did not actually protect Shoshone interests as intended. Increased travel on the trails and roads meant increased competition for grass and game. The best buffalo hunting inside the treaty-defined Shoshone territory was near its eastern edge, at the North Platte-Sweetwater confluence around Independence Rock â€”country that was also becoming heavily used by Arapaho bands and some Lakota hunters. This added population and its accompanying political power in turn allowed Washakie to take more risks and make longer hunts for buffalo on the plains to the east and north. One result was more conflicts with other tribes doing the same thing. By this time the only buffalo herds of any size were east of the Continental Divide. Shoshones began concentrating hunting and winter camps there. Conflict followed with Crows still hunting in the Bighorn Basin of what is now northwestern Wyoming, and with Lakota, Cheyenne and Arapaho people also beginning to hunt these lands. In the late s, gold was discovered on the upper Sweetwater near South Pass. After the fall hunt, some made their way back to the Salt Lake and Bear River countries. The rest split into four bands to go into winter campsâ€”one at the Sweetwater-North Platte confluence; one farther east to the Powder River; one that would skirt around Crow camps in the southern Bighorn Mountains also to stay on Powder River tributaries; and Washakie and his band to Wind River. In spring, most hunted or fished near their winter camps while their horses grew stronger on the new grass. Then all came together for a big spring buffalo hunt on Wind River, and in the summer for the Sun Dance near Fort Bridger. After that they would break up into small family bands until gathering again for the big hunt in the fall. Fort Bridger had been a regular part of Shoshone nomadic cycles since the s when it was established. After the treaty, many were generally willing to wait at the fort late in the summer for the annual treaty payments and to postpone the buffalo hunt to Wind Riverâ€”clear evidence they found the treaty goods valuable. Gold and a railroad In , war broke out east of the Bighorn

Mountains along the Bozeman Trail , a route to the new gold fields of southwestern Montana Territory. Gold seekers were traveling through the heart of the Powder River Basin in direct violation of the terms of the Fort Laramie Treaty of Arapaho, Cheyenne and Lakota warriors began raiding the freight and emigrant trains. And more people from these tribes, to escape the troubles, began hunting farther west, on Wind River. The allure of gold drove events in the Wind River country, too. Despite the treaties, whites had been furtively prospecting in the Wind River and Sweetwater drainages since the s. Enterprising white farmers began growing vegetables near the Wind River, 40 miles to the north, to feed the people in the camps. Lakota warriors began attacking miners. At the same time, construction had begun in earnest on the Union Pacific Railroad ; passenger service reached Cheyenne in January With war on Powder River and railroad construction moving fast across the plains, Congress authorized a new peace commission, composed of Army officers and civilians, to negotiate with the plains tribes. The commission met at length with the tribes at Fort Laramie that spring. In July , commission members continued on to Fort Bridger. They were starting to understand some important factors. Whites in the Sweetwater mining camps and those living near Wind River would be likely to tolerate a Shoshone reservation nearbyâ€”as a buffer against the more hostile plains tribes raiding in the mountain valleys.

**Chapter 4 : Kappler Inc Guntersville Alabama**

*Note: Citations are based on reference standards. However, formatting rules can vary widely between applications and fields of interest or study. The specific requirements or preferences of your reviewing publisher, classroom teacher, institution or organization should be applied.*

Kappler, or other court cases Charles J. Kappler served as counsel. Each series is organized chronologically while generally maintaining original order. Provenance The Charles J. Kappler in Washington DC. Kappler also served as the lead lawyer in a claim by the state of California against the federal government regarding debt the state incurred during the Civil War. Finally, the collection also includes personal correspondence with friends and family. The overwhelming majority of the contents held is correspondence and related to restitution for land loss claims filed in the United States Court of Claims. He attended the local public schools in Washington DC and subsequently studied stenography and typing. He eventually gained employment as secretary for Senator William M. Stewart served as Chairman of the Senate Indian Affairs Committee, which brought Kappler into contact with issues facing Native communities for the first time. Kappler gained admittance to the Washington DC Bar Association in , although he continued to work for Stewart until Jones requested a compilation of laws, treaties, and executive orders. Kappler completed four more volumes while in private legal practice with the fifth volume published in After his death, two more volumes were published. Once Kappler entered private practice in , he entered into a partnership with Charles Merrillat who already had experience working as counsel for Native communities. Kappler and Merrillat dissolved their partnership in and the two developed an at times acrimonious relationship, particularly in relation to the adjudication of Indian claims cases. Kappler primarily worked in Indian law, but he also specialized in mining, oil, and land law. Over the course of his career, Kappler argued ninety one cases before federal courts. As a recognition for his service, the Crows adopted him in Kappler continued to practice law until his death in He was survived by his wife Katherine and his children Charles T. Kappler Collection is in an extremely fragile state due to the environmental conditions it was stored in for nearly fifty years. The collection is brittle due to humidity and most pieces of paper are very dirty due to the method of storage. The archivist has noted mold on many sheets of paper. During the initial processing of the collection, the archivist attempted to humidify the paper. However, this caused the dirt and mold to deteriorate the paper to an even greater extent. Due to the desire to allow patrons to use the collection, the archivist and librarian decided to process the collection in its current state with strict protocols surrounding access. During the processing of the collection, the archivist took care to maintain original order as closely as possible to replicate the activities of Charles Kappler in his legal practice. Therefore, correspondence may not run in a strict chronological order as Kappler grouped letters in relation to a particular legal activity. For example, Crow material related to irrigation may have letters over the course of several months and they will be grouped together to reflect that activity. Therefore, series are grouped by year followed by the file number for that year. The correspondence also emphasizes business transactions not related to his legal practice. There is also a will the he wrote for his sister and itemized list of her possessions. The series also has scrapbooks that document Charles J. S and Japan War Money Correspondence,

**Chapter 5 : Indian Treaties**

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Two Nations on One Reservation Published: The two tribes had been in open warfare as recently as four years before, and bad feelings lingered between them. Ten years earlier, in 1850, the U. Some Northern Arapaho at that time had agreed, reluctantly, that they might be willing to settle in one of three places: Neither locating with their old enemies, the Crow, nor the Lakota, who were much more numerous and powerful, held much attraction for the Arapaho, however. And Indian Territory was hot, flat and too far from the country of the northern plains and mountains that the Northern Arapaho knew best. Traders since earliest times, they had always moved about more than many other Plains tribes. In the years after the Treaty of Fort Laramie of 1850, they kept moving, while the Army and the government, busy with other questions, left the question of an Arapaho homeland unresolved. It would remain unresolved for ten more years, until the government located the Northern Arapaho a reservation guaranteed earlier exclusively to the Shoshone. Members of both tribes still reside on the Wind River Reservation, as the reservation was officially renamed in the 1880s. Life on the northern plains Ethnohistorians say the Arapaho people, under pressure from the north and east, moved out of northern plains and woodlands and crossed the Missouri River sometime in the 1840s, though Arapaho tradition places this event much earlier. By 1850, white chroniclers recorded Arapaho people as far south as the Arkansas River in present southern Colorado; by the 1860s, southern bands had congregated in that region, while northern Arapaho bands were ranging north from the mountain parks of Colorado, west of modern places like Fort Collins and Boulder. Northern Arapaho elders who live on the Wind River Reservation today say they still regard those parts of the northern Colorado plains and mountains as their spiritual and historic homeland. North-south divisions within the two tribes became more permanent: In the 1840s, emigrant travel to Oregon, Utah and California swelled from a trickle to a flood. The Oregon Trail up the Platte, North Platte and Sweetwater rivers to the Continental Divide passed through the middle of northern Arapaho ranges and quickly began changing their lives. By the middle of the decade, it was already clear that emigrants and their livestock were to blame for the shrinking buffalo herds. Then gold was discovered in California and trails traffic swelled by a factor of ten. With the buffalo more scattered, the tribes needed horses more than ever. Lakota, Cheyenne and Arapaho warriors began raiding the trails, especially for horses and mules. Hoping to avoid conflict, yet at the same time aware the West was far too large to be militarily controlled, government officials decided it was time to make a treaty with the tribes of the northern plains. Under the treaty signed that month, the tribes of the northern plains would allow the United States to establish Army posts and make roads through Indian territory. Tribes were allowed to live and hunt wherever they liked "on their lands or others" as long as they remained peaceful. This included most of what is now eastern Colorado plus large parts of southeastern Wyoming, western Nebraska and western Kansas. Senate ratified the treaty in 1851, the year following the signing, but with an important amendment. The payments "annuities, they were called" would last only ten years, or 15 if the president chose to extend the term. A gold strike In 1859, prospectors found gold near what is now Denver, right in the middle of the lands allocated to the Arapaho and Cheyenne by the Fort Laramie treaty. Within three years, 1860, or more gold seekers and other whites poured in to what soon became Colorado Territory. Along the trails, conflict grew and intensified. This influx of newcomers widened the old geographical divisions between northern and southern bands of Arapaho and Cheyenne people. Others stayed south, toward the Arkansas. A treaty for the southern Cheyenne and Arapaho In 1861, representatives of some of the southern bands signed a treaty at Fort Wise on the Arkansas ceding all the land promised them in in exchange for a small reservation between the Arkansas and a nearby tributary, Sand Creek. Many other Cheyenne and Arapaho people complained at the time that only a minority of chiefs had signed, however, and that many of them did not understand what they were signing. No Northern Arapaho chiefs signed the treaty. Shocked and angry, Cheyenne, Arapaho and Lakota people began making war in earnest along the trails. In the winter spring of 1865, southern bands moved north to the Powder River Basin, still rich in buffalo. By this time, there were three main bands of what would become known as the Northern Arapaho. Friday, a leader who had

learned English in his youth, led an Arapaho band in the Cache la Poudre country around what is now Fort Collins, in northern Colorado. Medicine Man was a longtime leader of a group on the North Platte and Sweetwater ranges, where the buffalo hunting was good. His group sometimes came into conflict with Eastern Shoshone bands. They were a small tribe of only lodges—perhaps 1, people in all the bands combined, at a time when smallpox and cholera were also spreading among them. After the attack, the Northern Arapaho could no longer raise large war parties. In the East, in the wake of the Sand Creek massacre and now the Fetterman fight, a peace faction had begun to emerge in Congress. The West, crisscrossed by stage lines, freight caravans, steamboat traffic on the Missouri and now a fast-building transcontinental railroad, was changing fast. Early in , government peace commissioners contacted the warring tribes. Sign a treaty or there would be no more provisions. Spotted Tail signed for the Brule Lakota, but no other important Lakota leaders signed that spring and summer. A large reservation for the Lakota would be set aside on the west side of the Missouri River in Dakota Territory—the western half of present South Dakota—and the tribes, including the Arapaho, could continue to hunt in the Powder River Basin. The Arapaho agreed to settle within a year at one of three places: This time, the government agreed to provide annuity goods for 30 years, plus schools, farm equipment and rations for Indians who settled permanently on the reservations. But the Northern Arapaho, who disliked all three reservation alternatives offered them, continued to hope the government would find them a reservation of their own. The second treaty, signed in , shrank this to a far smaller reservation of around 3. Unlike most reservations, therefore, the new one at Wind River had far more white people than native people living on it year-round. One historian estimates as many as 5, people lived in the gold-mining camps around South Pass and in the Wind River Valley 40 miles north, where whites were beginning to raise crops and livestock to feed the miners. John Campbell wanted the Eastern Shoshones to abandon their nomadic lives and settle on the reservation. Washakie, the leader of the Eastern Shoshones, was reluctant to move too quickly, however. He insisted the Eastern Shoshones be allowed to continue their old pattern of summers on Wind River and winters at Fort Bridger, where they could continue to receive their annuity goods. They suggested a possible reservation on the North Platte River in Wyoming Territory near the old Platte Bridge, where an Army post had recently been abandoned. Government agents suggested they instead join their ethnic cousins the Gros Ventres on Milk River in northern Montana Territory. One hundred sixty lodges of Arapaho people spent the winter of there, but a smallpox outbreak sent them on their way again in the spring. The Arapaho chiefs had their eyes on Wind River and were hoping for some kind of accommodation with the Eastern Shoshone, their traditional enemies. Looking for a solution, Gov. A skeptical Washakie When the Arapahos arrived, however, Washakie was off hunting in the Bighorns, probably an indication of his doubts about Arapahos moving to Wind River. This time, according to Arapaho tradition, the Shoshones agreed for the Arapahos to settle—temporarily—on Wind River. Many Shoshones today say there was no such agreement at that time. Arapaho arrival and retreat Northern Arapaho people began arriving in March. Soon, white settlers blamed them for Indian attacks that killed seven miners. On March 31 a mob of vigilantes, together with some Shoshone, attacked two groups of Arapaho moving from their camp on Wind River to trade in nearby Lander. About a dozen Arapaho were killed, including Black Bear. Relations between the two tribes quickly deteriorated. The Arapaho began to leave. Medicine Man went to Fort Fetterman on the North Platte, and with the help of the trader and the post commander they convinced Territorial Gov. Campbell that Arapaho warriors had played no part in the attacks on the miners. Indian agents on the new reservation—the job turned over frequently—did little to curb the activities of the white miners, farmers and stock raisers who were now living illegally on Indian land. The Brunot Cession At the same time, the agents and Gov. Campbell began considering the idea of detaching the southern third or so of the reservation. Cattle deliveries were slow in coming, however. And whites began taking up land in the ceded portions long before Congress finalized the deal. The local white economy began growing away from mining toward farming and ranching. The gold mines were about played out anyway. Game was scarce, however. With Friday as interpreter, the Arapaho leaders continued to cultivate friendships with Army officers, in hopes of winning their support for a new reservation. But the Oglala treated them condescendingly. The Arapaho stayed out in the Powder River country as much as possible, despite the dwindling buffalo supply. A raid on Trout Creek At

the same time, Lakota, Cheyenne and most likely some Arapaho warriors continued, from time to time, to raid white and Shoshone people on Wind River. In , a large raiding party attacked a Shoshone camp on Trout Creek, near the Indian agency. Shoshones scouts knew the raiders were coming, however, and sent the women and children up into the foothills of the Wind River Range to the west, for safety. Then they dug rifle pits inside their lodges, rolled up the bottom edges of their tipis and thus were able to fire out at the approaching raiders from solid defensive positions. The raiders were driven off. Arapaho men managed to gather at the top of a cliff, fire down on the attackers and drive them off. But many of the lodges were destroyed, horses were stolen and, the Army estimated later, about 24 Arapaho people were killed. The loss of the Black Hills By this time, the buffalo supply was shrinking fast, the old ways of the tribes were steadily becoming more difficult to sustain and the U. In the summer of , Lt. Custer led an expedition of 1, troops through the Black Hills of Dakota and Wyoming territories and found gold. Northern Cheyenne and Northern Arapaho people, still lacking an agency or reservation of their own, mingled with the Oglalas at Red Cloud Agency. Rations there were poor, the annuity flour was so bad the Indians sold it for horse feed and some Arapaho children starved to death. Arapahos near Fort Fetterman killed and ate their horses and begged at the post. In , Army campaigns against the resisters resulted in the death of Custer and of his men that June at the Little Bighorn. Government officials began pressing even harder on the tribes at the Red Cloud Agency for sale of the Black Hills.

**Chapter 6 : June | Intestinal Fitness**

*Supplement to Kappler's Indian affairs: laws and treaties: compiled federal regulations relating to Indians* by Kappler, Charles Joseph (U.S. Department of the Interior, ) *Indian affairs: laws and treaties, Vol. 7 (Laws)*

Imagine a social studies teacher on the Hopi Reservation who wishes to explain to her students the intricacies of indigenous treaties on an important reference point in everyday Hopi political and economic life. Where is she to turn? Her school has a computer with online access, nearby is a Hopi tribal government building that also has Internet access, and a few of her students have home connections. Her lesson might be less accurate and less effective if she were not able to make use of new, extensive online references to American Indian treaties and laws. Law and Treaties 7 vols. The final volume went online in The completed online resource, Indian Affairs: Laws and Treaties, makes this governmental record available to the public through a clear, navigable Web site. Like the published edition, Indian Affairs is divided into seven volumes, with volume 2 cataloging treaties from to , when Congress, with the approval of President Ulysses S. Grant, ended all future treaty making with native nations and executive agreements between the U. The other six volumes contain laws and executive orders up to The online version of volume 2 is organized unlike the others, offering two contents pages—one that lists Indian nations in alphabetical order with links to documents pertaining to each tribe and another that lists various agreements in chronological order. Contents pages for the other volumes follow a different format: Each session of Congress has its own page listing any acts concerning Indians. Clicking on the link to an individual act reveals still more links to the transcribed text of the law and to images of corresponding pages from the original edition. The images of the original version do not, unfortunately, include links to the preceding or following pages, hindering navigation slightly. But each volume is indexed with links to the text of the applicable law or treaty; and the entire archive at the Electronic Publishing Center is searchable, making it relatively easy to go directly to a specific act or treaty as well as to images of original pages. Title page view of ratified treaty 3: A Treaty Held at the Town of Lancaster. Imagine this time a social studies teacher in Scarsdale, New York, who wants to teach a lesson on Empire State indigenous peoples. The University of Nebraska site offers the full text—in transcribed versions and through images from original book sources—of nine early treaties not covered by Kappler. The first seven were negotiated by the British between and but recognized by the U. Indian Affairs, volume 1 The home page has a link to each of the nine treaties. Each original document image has a link back to the treaty page but, like on the Indian Affairs site, does not include links to preceding or subsequent pages in the original sources. The search feature on this site is helpful and uncomplicated. Together, these online databases provide an invaluable resource for the wide community of people interested in the history of U. But, alas, these two sites are not the last word on the subject. That teacher cannot find the online text of the Pine Tree Hill and Augusta treaties made between Catawbas and the British South Carolina colony that were recognized as binding in recent U. Supreme Court decisions having to do with Catawba land claims. The same is true for treaties involving Maine, Rhode Island, Connecticut, and Massachusetts indigenous peoples. Additional sites for those agreements and perhaps others are no doubt eagerly anticipated. Wunder and Christopher Steinke University of Nebraska.

*Kappler, Charles J. Compiled, Annotated and edited. Kappler's Indian Affairs. Laws and Treaties. Vol. VI. Washington: United States Department of the Interior,*

These five republics were forced to respond to the crisis in the United States when U. The tribes had little choice but to enter into agreements with Albert Pike, representative of the Confederate government. The Choctaw and Chickasaw were united in their support of the Confederacy, but the other three tribes either had an almost equal number of troops fighting on both sides or had more on the side of the Union, as was the case of the Cherokee. As the United States drew up the Reconstruction Treaties at the conclusion of the Civil War, it disregarded the fact that some tribe members had supported the Union. Commissioner of Indian Affairs Dennis N. Cooley told the American Indian delegates that new treaties had to be written. It was explained that they had forfeited their rights, annuities, and land claims under the old treaties when they joined the Confederacy. Parker a Seneca and future commissioner of Indian affairs under Pres. Grant in representing the federal government. Cooley insisted that each of the tribes abolish slavery, make homes for the freedmen, and give up part of their lands for the settlement of other American Indians. Because of the differing views and attitudes between the two sides and because some tribal delegates had no authority to accept treaty terms, the council adjourned, and negotiations were not taken up again until spring and summer. The definitive treaties were finalized in Washington, D. The Chickasaw and Choctaw signed a joint treaty on July 10, Generally, all the treaties contained amnesty for all crimes committed against the United States prior to the treaties and included specific provisions of peace and friendship toward the United States. The terms of these treaties were more favorable to the Five Tribes than the offerings at the Fort Smith Council. The Cherokees had two delegations: Boudinot and Stand Watie. The Creek and Seminole also had Northern and Southern delegations. The other two tribes had only one delegation each. Concessions were made by all of the tribes. The first was to abolish slavery and give the freedmen tribal rights. The Cherokee, Creek, and Seminole treaties gave the freedmen unqualified rights, but the Choctaw and Chickasaw treaty gave them the choice of being adopted into their nations or being removed by the federal government and settled elsewhere. The second compromise was to establish an intertribal council. Each tribe would have one representative, with an additional representative for each one thousand tribal members. The third concession was the agreement that all the tribes would give up land in their various domains for rights-of-way for railroad construction through I. The final compromise was that each tribe would give up a considerable amount of land as a penalty for having supported of Confederacy. They also agreed to allow the federal government to settle other tribes in the Cherokee Outlet in exchange for payment made by the government to the Cherokee Nation. A clause in this treaty July referred to all the area of the Five Tribes as the "territory of Oklahoma. Some of the land was to be used for rebuilding, and the remainder was to be held in trust. The Seminole ceded all of their land to the federal government for fifteen cents an acre. They then had to purchase two hundred thousand acres for fifty cents an acre from the government. Ironically, the government had purchased it for thirty cents from the Creek. As a result of this final concession, the Five Tribes lost the western half of present Oklahoma. These treaties had a tremendous impact on future relations between the federal government and the Five Tribes. The influx of whites moving into I. However, tribe members fought to retain their sovereignty based on the clause in the Reconstruction Treaties that stated that no federal legislation could interfere with or annul their tribal organization. Pennington Bibliography Annie H. University of Oklahoma Press, Laws and Treaties, 7 vols. Copyright and Terms of Use No part of this site may be construed as in the public domain. Copyright to all articles and other content in the online and print Encyclopedia of Oklahoma History is held by the Oklahoma Historical Society. Copyright to all of these materials is protected under United States and International law. Users agree not to download, copy, modify, sell, lease, rent, reprint, or otherwise distribute these materials, or to link to these materials on another web site, without authorization of the Oklahoma Historical Society. All photographs presented in the published and online versions of The Encyclopedia of Oklahoma History and Culture are the property of the Oklahoma Historical Society unless otherwise stated. Citation The following as

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*On the whole, Early Recognized Treaties with American Indian Nations is a worthy complement to Indian Affairs. Together, these online databases provide an invaluable resource for the wide community of people interested in the history of U.S. government Indian policy.*

**Chapter 9 : Coming to Wind River: the Eastern Shoshone Treaties of and | calendrierdelascience.com**

*that this edition include "federal regulations relating to Indian Affairs". A decision to carry out that directive by a supplement (rather than by including these regulations in the main volumes of Kapplers) and by.*