

latter having violated its treaty obligations in failing to give them protection, whereby they were *compelled* to enter into treaty relations with the Confederacy. This statement the president of the commission took occasion to traverse, and to assure them of the existence of abundant evidence that their alliance with the Confederacy was voluntary and unnecessary.

Before the close of the council it was ascertained that no final and definite treaties could be made with the tribes represented, for the reason that until the differences between the loyal and disloyal portions could be healed no truly representative delegations of both factious could be assembled in council. Preliminary articles of peace and amity with the different factions of each tribe were prepared and signed as a basis for future negotiations.

Factional hostility among the Cherokees.—The only tribe with whom the commissioners were unsuccessful in re-establishing friendly relations between these factions was the Cherokees.¹

The ancient feuds between the Ross and Ridge parties were still remembered. Many of the latter who had remained under Stand Watie in the service of the Confederacy until the close of the war were yet debarred from returning to their old homes, and were living in great destitution on the banks of the Red River.² When the Ross party had returned to their allegiance, in 1863, their national council had passed an act of confiscation² against the Watie faction, which had been enforced with the utmost rigor, so that some five or six thousand members of the tribe had been rendered houseless, homeless, and vagabonds upon the face of the earth. All prospect of securing a reconciliation between these parties was for the time being abandoned by the commissioners, and the proposition was seriously considered of securing a home for Watie and his followers among the Choctaws or Chickasaws.³

John Ross not recognized as principal chief.—On the day⁴ on which the draft of the proposed preliminary treaty was presented to the council by the commissioners John Ross arrived in the camp of the Cherokees. It had already been determined by the commissioners among themselves that his record had been such as to preclude his recognition by them as principal chief of that nation, and it was believed that his influence was being used to prevent the loyal Cherokees from coming to any amicable arrangement with their Southern brethren.

The chairman therefore read to the council⁵ a paper signed by the several commissioners, reciting the machinations and deceptions of John Ross. It was alleged that he did not represent the will and wishes of the loyal Cherokees, and was not the choice of any considerable por-

¹ Report of D. N. Cooley, president of the commission, dated October 30, 1865.

² Report of Commissioner of Indian Affairs for 1865, p. 36.

³ Report of Elijah Sells, superintendent of Indian Affairs, October 16, 1865.

⁴ September 13, 1865.

⁵ September 15, 1865.