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Native Americana – June, 2025

Osages in Paris, 1827

1) Boilly, Louis-Léopold: LES OSAGES. [Paris]: Chez Aubert, 1827. Lithograph, 12 1/2 x 9 1/4 inches. A bit of tanning and soiling. Very good.

An important lithograph, showing a group of three members of the Osage tribe that travelled to France in 1827. A total of six Osage comprised a now-famous delegation that travelled from their native Missouri to France in 1827. They were guided initially by David Delaunay, a French-born resident of St. Louis, who arranged the trip.

This uncolored lithograph is after a pair of lithographs showing all six of the Osage - three on each sheet - that were published in Paris by François-Séraphin Delpech after drawings by the artist, Louis-Léopold Boilly. Though unnamed, the three Osage depicted in this print are Myhangah (Hawk Woman), the wife of Kishagashugah, who was another member of the group of six; Washingasbha (Black Spirit); and Marchanthitahtoongah (Big Warrior). The images show them wearing their native clothing, jewelry, and headdresses. The six Osage were identified as "warriors," "princes," and "princesses," by the French press and several pamphlets and pieces of promotional ephemera were produced in conjunction with their celebrated visit.

The group was treated very well upon their arrival in Paris, staying at fine hotels, feted at dinners, experiencing a hot-air balloon ride, and being given an audience with the French monarch, Charles X. They were objects of public and media fascination, and became subjects of public exhibition, posing for portraits, put on display in theatres, and generating substantial profits for the promoters who exploited their popularity. Unsurprisingly, very little money came to the Osages themselves, and public interest in them eventually waned. Delaunay ran out of money, and was imprisoned for debt, effectively abandoning the

Osage. They spent the next two years begging for food and lodging, until a newspaper article about their plight came to the attention of the Marquis de Lafayette who, with others, helped raise funds for the Osages' return to America.

Pencil notes on the verso indicate that this print came from the celebrated Frank T. Siebert library of the North American Indian and the American Frontier, but I am unable to find this print listed in the 1999 auction catalogues of the Siebert library. I can find no copy of this print in OCLC. In my experience this uncolored print is quite rare and this is the first copy I have handled. By contrast, I have handled three sets of the colored pair.

Rare and important documentation of the French encounter and fascination with Native Americans from the western prairies.

\$2,750

One of the Best Narratives of a Fur Trader in the Civil War Era, with the Map

2) Boller, Henry A.: AMONG THE INDIANS. EIGHT YEARS IN THE FAR WEST: 1858-1866. EMBRACING SKETCHES OF MONTANA AND SALT LAKE. Philadelphia: T. Ellwood Zell, 1868. 428pp., plus folding frontispiece map. Half title. Original brown cloth, expertly rebaked with original backstrip laid down, printed paper label. Label rubbed, corners expertly repaired. New front free endpaper. Very clean internally. A very good copy.

An important narrative of travel and adventure in the upper Rocky Mountain West by a fur trader, this copy complete with the folding map, which is in excellent condition. "Most authoritative narrative of fur-trading among the plains Indians of the upper Missouri, for the period" - Howes. "[Boller's] account is one of the most vivid and well written narratives of the trade, and one of the few for the period it addresses, providing a fascinating portrait of the Indian tribes he dealt with" - Reese.

In the summer of 1858 Henry Boller, a trader for the American Fur Company, went up the Missouri River by steamboat to Fort Atkinson (later named Fort Berthold) in Dakota Territory. For several years he roamed throughout the region trading and encountering native tribes, all of which he describes with verve and detail. Boller recounts trading and negotiations with various tribes (including the Sioux, Mandan, Assiniboiné, and others), battles between American troops and hostile Indians, their personal behavior, agricultural practices, and more. In 1863 and 1864 Boller was at the Alder Creek gold camps in Montana and describes life there and in the Idaho gold mining settlements as well, with material on vigilantes and outlaws. Toward the end of his narrative he describes his experiences in Utah and encounters with the Mormons, giving negative assessments of Brigham Young and Heber Kimball.

The map shows Montana, the Dakotas, and parts of Nebraska, Wyoming, Colorado, Idaho, and Utah. Wheat remarks that the map is notable for the many places located and described in the text. Numerous towns, settlements, and forts throughout the region are shown, and two Union Pacific routes out of the Platte and Smoky Hill are traced. Though the titlepage bears an imprint of 1868 the book is copyrighted 1867 and Graff and Siebert owned copies inscribed in 1867. There are a few binding variants known - this copy is in plain brown cloth with a printed paper spine label.

"Has a short chapter on the vigilantes and outlaws of Montana and the hanging of Henry Plummer, but most of the book is devoted to the author's life with the Indians. Most of the existing copies of this rare book lack the map" - Adams.

HOWES B579, "b." FIELD 147. REESE, BEST OF THE WEST 172. SABIN 6221. FLAKE 582. WHEAT, TRANSMISSISSIPPI WEST V, part 2, pp.240-41 and item 1180. RADER 390. ADAMS, SIX GUNS 235. SMITH, PACIFIC NORTHWEST AMERICANA 928. GRAFF 341. STREETER SALE 3079. SIEBERT SALE 734. \$5,000

The Creeks in the 18th Century

3) Caughey, John Walton: MCGILLIVRAY OF THE CREEKS. Norman: Univ. of Oklahoma Press, 1938. xvi,[2],385,[1]pp., plus illustrations. Map endpapers. Original cloth. A very clean, near fine copy, in a good plus dust jacket (with some shelfwear and small edge tears).

McGillivray was leader of the Creeks, a large Indian tribe in the Southeast, in the decade following the American Revolution. His astute statesmanship helped forestall encroachments into his tribe's lands by the Americans, British, and Spanish. This work is largely based on letters by and to McGillivray that had been hitherto unstudied. \$65

A Christianized Cherokee Chief Proclaims a Day of Thanksgiving

4) [Cherokee]: Bushyhead, D.W.: CHEROKEE NATION. BY D.W. BUSHYHEAD, PRINCIPAL CHIEF. THANKSGIVING PROCLAMATION! [caption title]. Tahlequah, Cherokee Nation. November 19, 1879. Broadside, 11 1/2 x 7 1/2 inches, printed in English. Gold paper seal affixed in lower left corner. Manuscript correction (see below), contemporary manuscript docketing on verso. Tanned, old folds. Tears along the folds, but no loss of paper. About very good.

The text of this Thanksgiving proclamation evokes pride in the traditions and habits of the Cherokee, while also showing the extent to which the conversion of many in the tribe to Christianity and to White culture has taken hold. Chief Bushyhead writes: "It was the custom of the Cherokees not a hundred years ago, to give thanks to the 'Great Spirit' when their yearly harvests became assured. Their feasts and green-corn dances betokened a strong instinct of gratitude to the Great Giver, struggling to manifest itself in the right way according to their lights. Since then this People, then in darkness, 'have seen a great light.' Churches and schools now abound among us. We have a good government and good laws, based upon an expressed recognition of the equal natural rights of all mankind. We have accepted the 'Golden Rule' from the lips of benevolent apostles of the true religion, as the acknowledged guide of our national and individual conduct, and the results are as we see them - the blessings of peace and increase - the fruitful yields of industry in various useful pursuits - a happy, intelligent and growing population, and rich moral harvests."

Therefore, Chief Bushyhead proclaims Thursday, November 28, 1879 as a day of Thanksgiving "and praise to almighty God." On this copy the date of November 28 has been corrected in red ink to November 2[7th].

Dennis W. Bushyhead (1826-98) was born in Tennessee to parents of mixed-Cherokee ancestry, and was educated at mission schools in Tennessee, North Carolina, and Park Hill, and also spent a few months at Princeton. He went to California in 1849, eventually returned to Indian Territory, and became Principal Chief of the Cherokee Nation in 1879, holding that position until 1887. Among the many issues he was involved with as Principal Chief, he was notable for his defense of the rights of Cherokee Freedmen to financial compensation by the federal government, though his attempts to secure those rights were overridden by the Cherokee National Council, which restricted the rights of Cherokee of African descent.

Hargrett locates only two copies of this broadside proclamation, at the Gilcrease Foundation and the University of Oklahoma. OCLC adds only a single copy, at the Huntington Library. I can find no copies offered for sale in the trade or at auction. Rare and interesting.

The Choctaw Argue Their Financial Claims Arising from the Removal Treaty of 1830

5) [Choctaw]: [Pitchlynn, Peter P., et al.]: PAPERS RESPECTING THE RIGHTS AND INTERESTS OF THE CHOCTAW NATION, AND THEIR RELATIONS WITH THE UNITED STATES, THE CHICKASWAS AND OTHER INDIAN TRIBES. Washington: Geo. S. Gideon, 1855. 88pp. Original printed blue wrappers. Wrappers soiled, torn along the spine and separating from text block, mended tear on front wrapper. Very clean internally. Very good overall.

A scarce and significant volume, bringing together a number of addresses and appeals from the leaders of the Choctaw Nation to the United States government relating to claims by members of the tribe under the provisions of the 1830 Treaty of Dancing Rabbit Creek, which removed the Choctaw from their lands in Mississippi to territory in present-day Oklahoma. By the mid-1850s Choctaw leader Peter Pitchlynn had initiated the "Net Proceeds Case," attempting to recover the proceeds from the sales of Choctaw lands east of the Mississippi River. The documents herein offer an excellent opportunity to hear the justified claims and grievances of the Choctaw in their own voices and to better understand the tribe's relationship to the United States government just a few years before the outbreak of the Civil War, in which the Choctaw allied themselves with the Confederacy.

Most of the documents included herein are by Peter Pitchlynn, the prominent Choctaw representative to the Federal government, as well as by delegates Israel Folsom, Samuel Garland, and Dickson W. Lewis. Though he did not become chief of the Choctaw Nation until 1864 (and served in that role only two years), Pitchlynn was active in representing the interests of the Choctaws since 1830, when he was only in his mid-twenties. The son of a Choctaw woman of partly Anglo-American descent and an English-Indian trader who was himself raised by the tribe, Peter Pitchlynn was educated at mission schools in Tennessee and Kentucky. Charles Dickens, in his *American Notes*, described Pitchlynn as "a remarkably handsome man...with long black hair, an aquiline nose, broad cheek-bones, a sunburnt complexion, and a very bright, keen, dark, and piercing eye....as stately and complete a gentleman of Nature's making, as ever I beheld."

"[Pitchlynn] was secretary of the tribe's official delegation that negotiated the removal treaty of Dancing Rabbit Creek in 1830, but subsequently he also helped organize armed resistance to the implementation of the treaty. The minor rebellion proved abortive, yet it so endeared him to the opponents of removal that in January 1831 he was elected chief of the Northeastern District....In the 1840s the tribe commissioned him three different times as delegate to the federal government in Washington, D.C., where he sought action on problems relating to education, the treaty of removal, the Texas border, and the creation of a formal Indian territory. After 1853, save for the Civil War years, Pitchlynn spent most of his time in the national capital in an effort to fund the 'net proceeds' claim, a \$3 million claim based on unfulfilled provisions of the removal treaty of 1830" - ANB.

Virtually all of the papers in this volume relate to Choctaw claims under the Dancing Rabbit Creek Treaty. In the first address in this volume, Pitchlynn argues the tribe's case for compensation to President Franklin Pierce, striking a tone that is at times supplicating, and at others staunch in defense of their rights: "In all

their relations with the United States [the Choctaw] have ever sought peace, good-will, and friendship; and their treaty stipulations with the government have always been faithfully observed. In war they have periled their lives, and shed their blood, in support and defence of the United States. In peace they have quietly and submissively yielded to their policy and wishes, though often at great sacrifices both of interest and feeling. No people ever gave stronger proofs of more durable friendship than that which has ever characterized the conduct of the Choctaws toward the United States. To your people we have been good men and true; we have done them no injury whatever. We come before you as supplicants, not for merciful concessions, or even favors, but for right and justice."

The approximately two dozen addresses, letters, appeals, and memoranda that follow describe the claims of the Choctaw in detail, in one case with a supporting table showing that the tribe was owed millions of dollars by the United States government. Certain documents describe Choctaw relations with the Chickasaw, a tribe with which they were closely intertwined, but whose relations with the Choctaw grew strained in the period of removal and afterward. Some entries give notes on responses from the federal government. These addresses were presented to President Franklin Pierce, Indian Affairs Commissioners G.W. Manypenny and Charles Mix, and General Douglas Cooper, who was the agent for the Choctaws at Washington. OCLC locates eleven copies.

This collection of papers from the Choctaw is apparently quite uncommon in the market, with no Rare Book Hub listings from dealers or at auction. Michael Heaston did offer a copy in 1995, in his Catalogue 25.

GILCREASE-HARGRETT, p.114. HOWES C394. HEASTON 25:101. OCLC 3289617, 1434441057. ANB 17, pp.566-67. \$2,750

The Choctaw Continue to Press Their Claims for Funds Owed to Them by the Federal Government

6) [Choctaw]: [Pike, Albert]: [Pitchlynn, Peter]: THE CHOCTAW NATION VS. THE UNITED STATES. IS AN AWARD AGAINST THE UNITED STATES, MADE UNDER A TREATY THAT DECLARES IT SHALL BE FINAL, BINDING UPON THE CONSCIENCE OF THE NATION? Washington: David M'Intosh, Printer, 1872. 205pp. Original printed wrappers. Wrappers soiled, worn around the edges and along the spine. Moderate tanning to final two-thirds of the text. Very good overall.

Brings together a number of documents issued between the early 1850s and the early 1870s, many of them unsigned but written by Albert Pike, as well as an 1872 appeal from former Choctaw tribal leader Peter Pitchlynn. Pike, a controversial figure who served as the Confederate Commissioner of Indian Affairs during the Civil War and who receded largely into seclusion after the conflict, was apparently responsible for funding the publication of this work. The pieces collected here are all in support of Choctaw claims against the United States government for monies owed them under clauses of the 1830 Treaty of Dancing Rabbit Creek, which removed the tribe from their lands in Mississippi to present-day Oklahoma, and the Treaty of 1855, which gave the Chickasaw political independence from the Choctaw, gave railroads the rights of way through Choctaw lands, and by which the federal government agreed to pay financial claims to the tribe.

In 1859 a resolution of the U.S. Senate deemed that the Choctaw were owed in excess of \$2.2 million dollars by the United States government, and monies began to be appropriated for the payment of that sum

to the tribe over a period of time. The money, however, was never paid, and in 1872 the Treasury Department issued a judgement that the funds did not, in fact, need to be paid to the tribe, prompting the present collection of addresses, appeals, and petitions from the Choctaw. In a lengthy 1872 letter to Treasury Secretary George S. Boutwell early in this volume, Pitchlynn writes that the Treasury Department's decision "goes further in its disregard of right, justice, reason and law, than any official document that it has ever been my ill-fortune to read in connection with the rights and claims of Indians."

Other documents herein examine the Choctaw title to their lands east of the Mississippi in the 1820s, the right of the Choctaw to "net proceeds" from the sale of those lands, an argument that the tribe was coerced into signing the 1830 treaty, and other arguments on their behalf written in the 1850s by Albert Pike. Also included are tables of accounts documenting the monies owed by the government to the Choctaw.

Peter Pitchlynn (1806-81) was the son of a Choctaw woman of partly Anglo-American descent and an English-Indian trader who was himself raised by the tribe. Pitchlynn was educated at mission schools in Tennessee and Kentucky and though he served as chief of the Choctaw Nation for only two years (1864-66) he was involved in tribal affairs at a high level since his early twenties. He was among the delegation that negotiated the removal treaty of Dancing Rabbit Creek in 1830, though he soon turned against that treaty, and worked for several years in the 1850s on the "Net Proceeds Case," trying to secure millions of dollars that the Choctaw claimed was due to them from the United States under treaty obligations. "In 1867 Pitchlynn returned to Washington as the Choctaw delegate. While he pushed the Net Proceeds Case for claims, he also espoused other issues that gained him support in the nation, especially among the full bloods. He vigorously and effectively opposed any threat to common ownership of tribal lands or Choctaw autonomy. He opposed the land allotment efforts of the federal government and the territorial bills advocated by the railroads and other land seekers" - Encyclopedia of Oklahoma History and Culture (online).

Albert Pike (1809-91) had a long and checkered involvement with native tribes in the West, as well as publishing works of poetry, participating in the Masonic movement, earning a good living as a lawyer in Arkansas, and organizing the Know-Nothing Party in that state. In 1852 he represented the Creek Nation in their claims against the federal government over payment for ceded tribal lands, and continued to build his relationships with various western tribes, including the Choctaw and Chickasaw, who he represented later in the decade. Pike served as commissioner of Indian Affairs for the Confederacy during the Civil War, negotiating treaties of alliance with the Creek, the Choctaw and Chickasaw, the Seminole, the Osage, and the Seneca and Shawnee, and led native troops at the Battle of Pea Ridge. Most of his life after the Civil War was taken up by the study of Masonic arcana, with an occasional foray back into the law.

OCLC locates ten copies of this work, which is very rare in the market: the only copy listed in Rare Book Hub was offered by the Eberstadts in 1940. Michael Heaston offered a copy in his Catalogue 25 in 1995.

GILCREASE-HARGRETT, p.320. EBERSTADT 115:821. HEASTON 25:97. OCLC 191225280, 56921988. \$4,500

Filled with Local News and Advertisements, and Partially-Printed in Choctaw

7) [Choctaw Newspaper]: THE VINDICATOR. DEVOTED TO THE INTERESTS OF THE CHOCTAWS AND CHICKASAWS. [NO. 5. VOL. 2. - WHOLE NO. 57.]. New Boggy, Choctaw Nation, I.T. July 12, 1873. [4]pp. folio newspaper, text printed in English and Choctaw in five columns. Printed on a folded folio sheet. Old horizontal and vertical folds. Splitting along the central vertical fold, a few small holes along other folds. Very good overall.

The Vindicator, a weekly newspaper, "devoted to the interests of the Choctaws and Chickasaws," was begun in February, 1872 by D.H. Moore and E.A. Kline, and published at New Boggy, on the lands of the Choctaw Nation. Later that year Moore moved the paper to Atoka, but by the time the present issue came out *The Vindicator* had been bought by Thornton Buckner Heiston, who moved it back to New Boggy. This issue contains a three-column "Choctaw Department" on the final page, edited by Edward Dwight and printed entirely in Choctaw.

Edward Dwight, who had been born in Mississippi and emigrated to Indian Territory with his tribe during the removal period of the 1830s, apparently operated a general store in New Boggy as well, as indicated by two notices under his name on the front page of this issue, asking his debtors to settle their accounts. The issue also contains a mixture of local, national, and international news, and the front page includes excerpts from the 1866 treaty between the United States and the Choctaw and Chickasaw, a report on the U.S. Army's repulse of a Sioux attack in Dakota Territory, news of the Cuban Independence movement, and an account of a visit to a school in Oil Springs, Tishomingo County. An interior column contains news from Texas, and another article reports on attempts of the Okmulgee tribe to write a constitution. There are also advertisements for local attorneys, physicians, merchants, saw mills, the Rehoboth Mission School, and more. An advertisement for *The Vindicator* notes that the subscription price is \$2 annually, that it has a "large circulation throughout the different States, as well as the Indian Territory," and that as an advertising medium it is "unsurpassed."

"[Thornton Buckner] Heiston had served as aide-de-camp to General Douglas H. Cooper, commander of Confederate troops in the Indian Territory. He remained in the Choctaw Nation after the war and was reported to have spoken the native language. After Heiston became editor, each issue contained several columns in the Choctaw language, apparently through the efforts of Edward Dwight, a fullblood Choctaw translator and manager of the 'Choctaw Department'" - Littlefield & Parins. Heiston suspended publication of *The Vindicator* in the fall of 1873, though it was revived in 1875 and eventually expanded to eight pages. In 1877 it was sold to the *Oklahoma Star* and merged with that paper, continuing as *The Star-Vindicator*.

I can find no records in Rare Book Hub of any issue of *The Vindicator* at auction or in the trade. Rare in the market, and a significant source of information on the Choctaw and Chickasaw in the 1870s, partially printed in the Choctaw language.

FOREMAN, OKLAHOMA IMPRINTS, pp.143-44, 147, & 167. GILCREASE-HARGRETT, p.283. LITTLEFIELD & PARINS, pp.371-73. DANKY & HADY 1095. PILLING, PROOF-SHEETS 3739. PILLING MUSKHOGEAN, p.86. \$1,000

Rare Volume of Laws, Printed in the Choctaw Nation

8) [Choctaw Laws]: LAWS OF THE CHOCTAW NATION PASSED AT THE CHOCTAW COUNCILS OF 1876 AND 1877. Atoka, Choctaw Nation: W.J. Hemby, Printer, 1878. 71pp. Original printed wrappers. Wrappers slightly soiled and edgeworn. Contemporary ownership signature in upper margin of first page of text (see below). Very clean internally. Very good.

With the early ownership signature of Jesse B. Murrow of Atoka, Choctaw Nation, on the first page of text. This volume prints the text of dozens of bills passed by the Choctaw Councils in 1876 and 1877, from the day-to-day tasks and necessities involved in running the tribal government to larger issues that had challenged the Choctaw Nation for years. Among the bills included here are those relating to the operation of tribal courts, pay for tribal officials, an act for collecting fines and bonds within the limits of the Choctaw Nation, legislation to build bridges, a bill to translate and publish the Nation's laws in their language, rules for electing tribal officials and making changes to their constitution, altering election precincts, etc.

Several bills address the Choctaw Nation's finances, including one taxing the Missouri, Kansas and Texas Railway, whose tracks ran through the Choctaw Nation, another that authorized payment to Albert Pike for legal services rendered, and a bill requesting funds to pay the expenses of sending Choctaw youth to Roanoke College in Virginia. One bill names commissioners to meet with the Chickasaw and others address issues of monies owed by the federal government to the Choctaw growing out of claims made in the "Net Proceeds Cases" of the 1850s. One act, approved in October, 1877, prohibits African Americans living in the Choctaw Nation from selling timber: "negroes have no right in the public domain and its natural appurtenances of the Choctaw and Chickasaw Nations, except to as much land as they may cultivate for the support of themselves and families; and it shall not be lawful for negroes to sell or otherwise dispose of any timber for any purpose."

Hargrett states that only 250 copies of these laws were ordered to be printed. No copies are listed on Rare Book Hub as being offered at auction or in the trade. Rare.

HARGRETT, CONSTITUTIONS AND LAWS 126. GILCREASE-HARGRETT, p.129. FOREMAN, OKLAHOMA IMPRINTS, p.42. HARGRETT, OKLAHOMA IMPRINTS 404. \$3,250

Protecting Northern Mexico from Incursions Made by Native Tribes

9) [Comanche-Mexico Wars]: PLAN PARA LA DEFENSA DE LOS ESTADOS INVADIDOS POR LOS BARBAROS, PROPUESTO POR LA JUNTA DE REPRESENTANTES, CREADA POR LA LEY DE 24 DE ABRIL DEL PRESENTE AÑO. Mexico: Imprenta de Ignacio Cumplido, 1849. 27,[5]pp. Original printed wrappers. Wrappers lightly stained, text lightly tanned. Near fine.

Scarce institutionally and rare in the market, this work reports the preliminary findings of a special Junta (or committee) for the defense of Mexico's northern frontier against increasingly violent and destructive raids by the Comanche. More than an occasional skirmish, the Comanche raids into northern Mexico continued over several decades and are sometimes called the "Comanche-Mexico Wars." Reaching their zenith in the 1840s and 50s, the raids resulted in the deaths of thousands of Mexican citizens, and many more were captured or lost their homes and livelihoods to the destruction. Setting the scene before outlining

their plan for the defense of the border, the committee makes clear the threat facing these states (in our translation):

"You know, gentlemen, from sad and painful experience, that the states which we represent have been devoured by a cancer which corrodes and destroys them, for this terrible plague of barbarians expands and fortifies itself at the same time that our methods of defense are debilitated more and more each day. The cruel and daily murders, the total destruction of wealth, the absolute ruin of countless families, the frightening desolation spreading across all parts, the universal terror which is spread by the mere name of the ruthless butchers, the hopelessness that hangs over the inhabitants of these lands seeing that nothing can resist the fury of the savage....Such is the shape of the horrible situation which faces those states invaded by the barbarians.

After describing the nature of the problems facing the Mexican government in more detail, the authors summarize their strategy: first, consolidate the military organization of the seven frontier states into three united divisions; next, station five thousand troops from the standing army along the border and supplement them with cavalry; third, create a "war-faring public on the border, capable of confronting the barbarians the moment they strike." This last would be effected by importing a "machine of the kind recently invented in Paris for the construction of firearms." Anticipating a long struggle, they also propose distributing guns to the public and providing basic training, and instituting military strategy and firearms courses for children in schools.

Significantly, the authors of this report also assert that the United States is obligated to help stem cross-border incursions as part of the Treaty of Guadalupe Hidalgo that concluded the Mexican-American War: "Article 11 of the peace treaty between Mexico and the United States, fulfilled scrupulously and in good faith, is by itself enough to regularize the defense of the border States and radically shorten the war." Under Article 11, the United States made a concession to Mexico by agreeing to do all in its power to restrain cross-border raids in their new territory, and to return Mexican captives and goods which were brought into the United States. Complaints about the United States's failure to uphold this article began almost immediately and continued for decades, with suits by Mexican citizens against the United States government extending well past the eventual defeat of the Comanche in 1875. The Junta's plan was finalized and published a year and a half after this pamphlet, and included the following as one of its articles:

"The governments of the coalition [of northern states] will earnestly urge the supreme national authorities to obtain from the government at Washington permission for the Mexican forces to cross the Rio Grande, and attack the nomadic tribes which reside in that territory, without omitting to demand constantly and vigorously the fulfillment of Article XI of the treaty of Guadalupe, and an indemnification for the losses which the frontier has heretofore suffered from the non-fulfillment of that article."

The final four pages of text at the end of this pamphlet consist of tables of organization and strength allowances for a proposed frontier defense force. Unfortunately for the people of northern Mexico, even after much of this territory entered the United States with the Gadsden purchase, the government would not turn its attention toward the issue until the close of the Civil War.

Not in Palau. OCLC locates fifteen copies but Rare Book Hub lists only two copies at auction, the present copy (sold in 2018) and another sold in 2014. Outstanding evidence of the preparations being taken by

Mexico in the wake of the war with the United States to defend its frontier against cross-border incursions from Native American tribes.

OCLC 4257128, 432625668, 562568462.

\$3,000

Rare and Important Newspaper in the Creek Language

10) [Creek Newspaper]: OUR MONTHLY. VOL. 3. NO. 3. Tullahassee, Creek Nation. April, 1874. [4]pp. quarto newspaper, text entirely in the Creek (Muscogee) language (save for the masthead). Printed on a folded folio sheet. 2 1/4-inch closed horizontal tear in outer edge of both leaves, shorter closed tears in upper edge of both leaves. A bit of soiling. Very good.

A single issue of this rare and significant newspaper printed entirely in the Creek (Muscogee) language. Produced irregularly, but usually at intervals of one a month, the issues were primarily printed in Creek, though sometimes had articles in English. The present issue is almost entirely in the Creek language, and a goal of the publication was to encourage Creek children to learn to read their language.

The editorial force behind *Our Monthly* were the missionaries Rev. William S. Robertson, his wife, Ann Eliza, and their daughter, Ann Augusta. The first volume was issued in manuscript in December, 1870, and the first printed issue did not appear until January, 1873. Mrs. Robertson was the chief translator and her husband and daughter joined in on the editorial work. The contents included essays by the Creek schoolchildren, documents from the tribal government, scripture, Creek-English vocabularies, temperance messages, reports on school activities, occasional criticism of the railroad that ran through Creek tribal lands, local news and advertisements, and more. *Our Monthly* was issued into late 1875, though issues might have appeared in 1876 as well.

"*Our Monthly* was established in December, 1870, at the Tullahassee Manual Labor School, Tullahassee Mission, Creek Nation. Volume 1 appeared only in manuscript, one issue per number. The small, two-column monthly, first called *The Creek Boys' and Girls' Monthly*, was founded by the Reverend William S. Robertson, a Presbyterian missionary who had been at the school since 1850. Robertson wanted the Creeks to have a publication to encourage their interest in reading. He urged the students at the school to write essays to contribute to the first issue. They complied, and the first issue was hand written in a copybook and read aloud at the school's Christmas exercises.

"In that issue, the editors, Robertson and his daughter Anna Augusta, identified their contributors and intended audience and set forth their purpose. Nearly all contributions came from the Creek students, who wrote them as school excercises. The main object of the publication was 'the moral and intellectual improvement' of the boys and girls'....The Robertsons also solicited writings from any Creeks who were interested in the school or its publication. Chief Samuel Checote liked the idea of the monthly and gave it his support. The Creek National Council voted funds to purchase a printing press and type for the mission. Part of the type used by Tullahassee was from the Cherokee Mission Press, established by Mrs. Ann Eliza Robertson's father, Samuel A. Worcester, and destroyed in the Civil War. The council later appropriated \$100 to cover the expense of printing a thousand copies an issue for a year, and *Our Monthly* was distributed free in the Creek Nation" - Littlefield & Parins.

"A valuable contribution to linguistic knowledge" - Pilling Proof-Sheets. "A fragmentary example of the earliest printing in the Creek language. Many styles of type are used" - Eberstadt. Not in the Gilcrease-Hargrett catalogue of imprints. OCLC lists copies of *Our Monthly* at eight institutions, with only a handful of issues at each location. Rare Book Hub lists only a single issue offered for sale, offered by the Eberstadts in 1951 and 1953.

FOREMAN, OKLAHOMA IMPRINTS, pp.245-47. LITTLEFIELD & PARINS, pp.293-96. DANKY & HADY 819. AYER, INDIAN LINGUISTICS (MUSKOKI) 36. PILLING, PROOF-SHEETS 3332. PILLING MUSKHOGEAN, p.66. OCLC 16782470. \$1,500

Wild Davy Crockett Adventures, Including Backwoods Romances

11) [Crockett, Davy]: "GO AHEAD!!" VOL. 2. NO. 2. THE CROCKETT ALMANAC 1840. CONTAINING ADVENTURES, EXPLOITS, SPREES & SCRAPES IN THE WEST, & LIFE AND MANNERS IN THE BACKWOODS [wrapper title]. Nashville: Published by Ben Harding, [1839]. 33,[3]pp. Original pictorial self-wrappers, stitched. Outer leaves and page edges a bit soiled. Some light foxing. Very good. Untrimmed.

The sixth Crockett almanac, and the second "published" by Ben Harding, a fictional character who often accompanied Crockett on his adventures in these almanacs. "Harding" was based on Ben Hardin, 1784-1852, a Whig Congressman from Kentucky. The Crockett almanacs played a major role in the development of the American image of the frontiersman and the wild, adventurous West. As had become customary in Crockett almanacs, this issue is filled with text and illustrations of wild sporting adventures in the American wilderness, including a rather unheroic cover illustration of Crockett being scared by an owl, and a story and illustration showing Crockett losing a shooting match. Other illustrations (with accompanying stories) show Grace Peabody (a Kentucky woman) withstanding an attack by scores of wolves; crapes with Native Americans; a shipwreck; and a bear attacking a backwoods suitor. Awkward or dangerous courtships recur in other stories, including one called "Gum Swamp Breeding," relating Crockett's raucous courtship of a woman named Jerusha Stubbs, and another featuring Ben Harding's youthful wooing of a woman who mistook him for a much more attractive prospect.

"It was the Crockett Almanacks which made Crockett a legendary figure and a part of American folklore....Rourke, Crockett's biographer, observes that the legendary Crockett stories 'constitute one of the earliest and perhaps the largest in our cycles of myth, and they are part of a lineage that endures to this day, in Kentucky, Tennessee, and the Ozark Mountains'" - Grolier American 100.

DRAKE 13416. HAUCK, pp.79-83. ROURKE, DAVY CROCKETT p.238. STREETER SALE 4189. HOWES C897, "aa" (note). ALLEN, TENNESSEE 1545. AII (TENNESSEE) 692. SABIN 17576 (note). AMERICAN IMPRINTS 55899. HENDERSON, EARLY AMERICAN SPORT, pp.55-56. GROLIER AMERICAN 100, 39. \$4,250

The Largest Mass Execution in American History

12) [Dakota War of 1862]: Wise, John C.: EXECUTION OF THE THIRTY-EIGHT SIOUX INDIANS AT MANKATO MINNESOTA DECEMBER 26, 1862. Buffalo: Hayes Litho. Co., 1883. Chromolithograph, 15 1/2 x 21 inches. Small chips in the upper left and lower right corners, some light creasing in the margins, extending into the upper portion of the image in two instances. Small scuff in upper portion of image. About very good.

The famous view of the execution of thirty-eight Dakota warriors following the Dakota War of 1862, still the largest mass execution in American history. Skirmishes between the Dakota (also called Sioux) and White settlers began breaking out in late summer of 1862, as more and more settlers encroached on native lands, and the Dakota were being forced onto poor agricultural land and sparse hunting grounds. In August and September the Dakota were highly effective, killing some 400 settlers and soldiers, but by late September army reinforcements resulted in an American victory at the Battle of Wood Lake, and the surrender of the native tribes. Military trials were held in late November and Minnesotans initially called for the execution of some 300 Sioux, but President Lincoln reviewed the cases and reduced the number to thirty-nine. One sentence was commuted, and thirty-eight Dakota men were executed in Mankato the day after Christmas, 1862.

Two images dominate the center of this view - a proudly-waving American flag flying from a pole, and the scaffold holding the thirty-eight condemned men, just to the right of the flag. The thirty-eight Dakota stand along the four edges of the scaffold, hands tied behind their backs, their heads covered by hoods, a noose around each neck. Radiating out from the center are angular rows of soldiers in blue uniforms, several on them on horseback. The entire scene is ringed by thousands of spectators - residents of Mankato and those who had come from far and wide to witness, and likely celebrate, the executions. Several of Mankato's larger buildings are shown in the background.

There are two issues of this chromolithograph, one published by the Milwaukee Litho. and Engraving Company (famous for their Anheuser-Busch advertisement featuring "Custer's Last Fight), and the present version, published in Buffalo by the Hayes Litho. Company. The copyright was held by John C. Wise, a newspaperman in Mankato, who issued this print to mark the twentieth anniversary of the executions.

\$2,000

Report on the Creek Tribe in Georgia and Alabama

13) [Hawkins, Benjamin]: NO. 1. OF DOCUMENTS ACCOMPANYING THE PRESIDENT'S COMMUNICATIONS TO CONGRESS, THE 8th DAY OF DECEMBER, 1801. LETTER FROM THE PRINCIPAL AGENT FOR INDIAN AFFAIRS, SOUTH OF THE OHIO. [Washington. 1801]. 11pp. Dbd., leaves loose. Tanned, a bit of soiling, a couple pencil notes. About very good.

"A very rare account of the Creek Indians, which possesses the highest interest and importance" - Gilcrease-Hargrett. For more than thirty years Hawkins was employed by the federal government as an agent to the Creek, Choctaw, Chickasaw, and Cherokee, and Field asserts that to those tribes he was styled "the Beloved Man of the Four Nations." His jurisdiction was the large area south of the Ohio River. In this letter, meant to accompany Jefferson's first annual message to Congress, Hawkins reports on the Creek (or Muscogee)

tribe, his meetings with them, the state of their agricultural productions (including cotton, flax, wheat, and peaches), stock raising, and more. He also relates his efforts to curtail their attacks on White settlers, and that the tribe had been offered a bounty of \$12.50 for each runaway slave that they apprehended.

"A thoroughgoing report on the Creek Nation" - Eberstadt.

GILCREASE-HARGRETT, p.155. SHAW & SHOEMAKER 1476. EBERSTADT 163:271.
GOODSPEED 594:81. FIELD 668 (ref). \$1,000

A Useful Bibliography, with the Supplement

14) [Indian Captivities]: Ayer, Edward E.: NARRATIVES OF CAPTIVITY AMONG THE INDIANS OF NORTH AMERICA A LIST OF BOOKS AND MANUSCRIPTS ON THIS SUBJECT IN THE EDWARD E. AYER COLLECTION OF THE NEWBERRY LIBRARY. [New York: Maurizio Martino, 1991]. x,120,vii,[1],49pp. Burgundy cloth, spine gilt. As new.

Modern reprint, done in an edition of 300 copies, of the catalogue of the narratives of North American Indian captivities in the Edward Ayer Collection at the Newberry Library in Chicago. Includes the original catalogue, issued in 1921, and the 1928 supplement. Still the single most useful reference work on the subject. \$25

Authorizing the Indian Peace Commission

15) [Indian Treaties]: Townsend, E.D.: GENERAL ORDERS, NO. 72. WAR DEPARTMENT...THE FOLLOWING ACT OF CONGRESS IS PUBLISHED FOR THE INFORMATION AND GOVERNMENT OF ALL CONCERNED...AN ACT TO ESTABLISH PEACE WITH CERTAIN HOSTILE INDIAN TRIBES. Washington. July 30, 1867. [2]pp. on a single sheet, 7 1/2 x 5 inches. Light edgewear. Very good.

This is the War Department printing of the Congressional legislation authorizing the Indian Peace Commission, which was charged with negotiating treaties with Plains Indian tribes, primarily in order to protect the construction of the Union Pacific Railroad and wagon roads to the west. Indian Affairs Commissioner Nathaniel G. Taylor was head of the commission, which also included Missouri Senator John B. Henderson, Col. Samuel Tappan (who investigated the Sand Creek Massacre), Major General John B. Sanborn, and Brigadier General Alfred Terry. William Tecumseh Sherman was also named to the Commission, but did not participate. The primary accomplishment of the Commission was the signing of the "Medicine Lodge" treaties with several tribes in October, 1867, including the Kiowa, Comanche, Southern Cheyenne, and Arapaho. The legislation instructs the commissioners to sign treaties "as may remove all just causes of complaint on their part, and at the same time establish security for person and property along the lines of railroad now being constructed to the Pacific and other thoroughfares of travel to the western territories, and such as will most likely insure civilization for the Indians and peace and safety for the whites. The law also provides for the creation of reservations on which to settle non-hostile tribes, appropriates money for that goal, and gives state and territorial governors the ability to form

companies of mounted volunteers to engage any tribes that do not agree to sign treaties. Issued over the printed signature of Assistant Adjutant General E.D. Townsend. \$250

The First Major American Color Plate Book on North American Indians

16) Lewis, James Otto: [THE ABORIGINAL PORT FOLIO OR A COLLECTION OF PORTRAITS OF THE MOST CELEBRATED CHIEFS OF THE NORTH AMERICAN INDIANS]. Philadelphia: Published by J.O. Lewis, 1835-36. Seventy-two hand-colored lithographic plates (of eighty). Extra-illustrated with an original wrapper from part Number Three, and also with advertisement sheets for the first, second, and third numbers. Folio. Contemporary calf "bound by R. Allen. Late S. Bennett...Mercury Office, Nottingham" (per binder's ticket on front pastedown, see below), boards paneled in gilt, front board stamped in gilt "Aboriginal Port-Folio." Expertly rebaked to style, spine stamped in gilt and blind, raised bands, gilt leather label. Boards a bit rubbed and lightly scuffed, corners restored. Scattered light foxing. Very good.

The first major American color plate book on North American Indians, and one of the rarest 19th-century American color plate books. This copy of James O. Lewis's *Aboriginal Port Folio* has a total of seventy-two plates, being the first nine parts of Lewis's project. Production of the tenth and final part was affected by the publication of McKenney and Hall's *History of the Indian Tribes of North America*, and copies of Lewis's work with all eighty plates are very difficult to acquire. Lewis's work is rarer than McKenney and Hall's portfolio, and rarer than the famous color plate works on Native Americans by Karl Bodmer and George Catlin. "Lewis' book...is both a remarkable record of Native Americans before they were overwhelmed by the advancing American frontier and an important landmark in American book production, the most ambitious work with color plates produced in the United States at the time of its publication" - Reese, *James Otto Lewis and His Aboriginal Portfolio*.

Lewis's portraits show chiefs, women, and children from a number of Native American tribes, including the Sioux, Fox, Iowa, Miami, Winnebago, Potawatomi, and Shawnee, as well as tribes that were present at the signing of treaties at Prairie du Chien, Fond du Lac, Green Bay, and Fort Wayne and scenes from those tribal gatherings. The plates for Lewis's *Aboriginal Port Folio* were created in Philadelphia by lithographers George Lehman and Peter S. Duval and designed to be issued in ten parts, with each part containing eight plates. The wrappers for part three (bound into this copy) note that the subscription price is \$2 per number, and that the parts were "payable on delivery." The wrapper in this copy bears a manuscript inscription to "Edward Lytton Bulwer, Esq.," almost certainly the English writer and politician, Edward Bulwer-Lytton, a longtime member of Parliament and Secretary of State for the Colonies from 1858-59.

The present copy contains "advertisements" for the first three parts, dated in June and July, 1835. Lewis explains that his work "is the *first* attempt of the kind in this country" and remarks on the challenges he faced in creating the paintings in the field: "The great and constantly recurring disadvantages to which an artist is necessarily subject, while travelling through a wilderness, far removed from the abodes of civilization, and in 'pencilling by the way,' with the rude materials he may be enabled to pick up in the course of his progress, will, he hopes, secure for him the approbation, not only of the critic, but of the connoisseur." In the advertisement for the second and third parts (also bound into the present volume) Lewis notes that he has been encouraged to provide a text with "Historical and Biographical Description of the

Indians," meant to be issued with the tenth and final part. That text was never issued, unsurprising considering how abbreviated was the production of the plates in the final part.

The earliest portrait that Lewis produced that appears in the *Aboriginal Port Folio* was painted in 1823, and features Tens-Qua-Ta-Wa, known to Whites as The Prophet, who was the brother of the Shawnee chief, Tecumseh. To create lithographs of his paintings, Lewis hired the Philadelphia firm of Lehman and Duval. The French-born Peter Duval was a talented lithographer and "a leading technical innovator in color printing. In 1836 Lehman and Duval worked for McKenney, producing some of the plates in the first volume of the *History*....In 1835, however, they must have devoted most of their time to Lewis and his breakneck schedule of production" (Reese). Given the size of the undertaking, the first nine parts were issued remarkably quickly, appearing monthly between May 1835 and January 1836. The reason for the haste was almost certainly the impending debut of the first part of McKenney and Hall's *History of the Indian Tribes of North America*.

Lewis's fears of the competition posed by McKenney and Hall, parts of which began appearing in 1836, were well-founded. There are a number of sets of the *Aboriginal Port Folio* consisting of eight parts (containing sixty-four plates), but very few with nine parts (with seventy-two plates, as in the present copy). Sets with all ten parts, consisting of the full complement of eighty plates and a titlepage are rarely found. There are only a half dozen or so recorded complete sets. The binding of the present copy can be dated to between 1836 and 1847 based on the binder's ticket. Samuel Bennett died in 1836, and Richard Allen took over as proprietor of the Nottingham *Mercury*. In 1847 the proprietorship passed to Thomas Bailey.

James Otto Lewis was born in Philadelphia in 1799 and moved west as a teenager, eventually settling in St. Louis by 1820, at which point he had become a painter and engraver. In 1823 he moved to Detroit and, at the request of Governor Lewis Cass of Michigan, painted the first of his Indian portraits. Lewis accompanied Cass on four expeditions to sign treaties with Indian tribes in the Great Lakes region in the mid-1820s, and painted tribespeople while in the field. Virtually all of the original paintings of the lithographs published here were executed by Lewis in that period. Many of Lewis's portraits were subsequently copied by Charles Bird King, and some appeared in the King versions in the McKenney and Hall portfolio.

Lewis was not as accomplished an artist as Charles Bird King, but his portraits are more convincing in their accuracy than the paintings by King and others for McKenney and Hall's *History of the Indian Tribes of North America*. "J.O. Lewis died in New York in 1858, his work already forgotten. Art historians have not been kind to his memory. He deserves to be remembered, though, as a determined artist who, under difficult circumstances in the field and in the arena of publishing, managed to carry to fruition the first published gallery of portraits of Native Americans, a work with its own primitive charm, and now recognized as a landmark in the field" - Reese. All of Lewis's original paintings were destroyed in the Smithsonian fire of 1865.

An important, rare, and pioneering collection of lithographs of Native Americans.

BENNETT, p.68. FIELD 936. EBERSTADT 131:418. HOWES L315, "c." SABIN 40812. REESE, STAMPED WITH A NATIONAL CHARACTER 23. William Reese, *James Otto Lewis and His Aboriginal Portfolio*, (New Haven. 2008). \$85,000

An Important Assessment of Native American Tribes in Kansas, and an Early Territorial Imprint

17) McCoy, Isaac: THE ANNUAL REGISTER OF INDIAN AFFAIRS WITHIN THE INDIAN (OR WESTERN) TERRITORY. NO. 3. Shawanoe Baptist Mission, Ind. Ter. [Ks.]: J.G. Pratt, Printer, 1837. 81pp., including errata on final page. Twentieth-century three-quarter morocco and marbled boards, spine gilt. Ex-Newberry Library (Ayer collection) with bookplate on front and rear pastedowns and pencil catalogue number on verso of titlepage. Lightly worn at joints and extremities. Tanned, scattered foxing and staining. About very good.

An early English-language work printed in Kansas, containing important first-hand descriptions of a large number of Native American tribes in the territory. This is the third in what Isaac McCoy projected as a series of periodical reports on the Indian tribes in the West. The first issue appeared in 1835 (printed by the pioneering Kansas printer, Jotham Meeker), followed a year later by the second report. Ultimately, only four numbers were ever printed, the final one appearing in 1838 and printed in Washington.

The text contains eyewitness accounts of several tribes, including the Choctaw, Cherokee, Creek, Seneca, Osage, Kickapoo, and many more, describing their lands, the structure of tribal governments, manners and mores, and the work of missionaries among them. McCoy provides statistics on the population of the tribes, distinguishing between tribes that are "indigenous" to the territory and those that are "emigrant" (i.e. displaced from their lands in the east). There are also brief descriptions of several military posts in Indian Territory, and summaries of treaties between the federal government and the tribes. The text concludes with the continuation of McCoy's lengthy "Plea for the Aborigines of America" that began in the second number of the *Annual Register*.

Isaac McCoy (1784-1846) lived his life on the American frontier, first as a young boy in Kentucky, and then moving his own family to Indiana when he was twenty years old to become a Baptist preacher. In that role he made many visits to native tribes in the West. His assessment of the deleterious effects of White culture on Native Americans made McCoy an early and persistent advocate for the removal of Indian tribes to the west of the Mississippi, and he argued for the creation of an independent Indian state. In the mid-1820s he merged his missionary work with political lobbying on behalf of the Native Americans he was attempting to Christianize, lobbying Congress, presidential administrations, and the public in support of his resettlement and self-government plans. In 1830, McCoy accepted a government appointment to aid in the westward migration of several tribes and, assisted by his sons, surveyed most of the Indian reservations in Kansas and present-day Oklahoma.

Printing began in Kansas in 1834, and this is an early English-language work published in the territory on the Meeker press, among the first works of any significant length and substance printed there. The first issue of the *Annual Register* is quite rare - George Brinley, Thomas Streeter, and Everett Graff all lacked that elusive first number - and any of the four issues are quite uncommon in the market.

HOWES M67, "aa." SABIN 43111. FIELD 983. WAGNER-CAMP 81 (note). GILCREASE-HARGRETT, p.206. McMURTRIE & ALLEN (MEEKER) 58. LC, PIONEER IMPRINTS FROM FIFTY STATES, pp.56-57 (note). SIEBERT SALE 826 (all four numbers). STREETER SALE 544 (numbers 2, 3, & 4). GRAFF 2587. EBERSTADT 137:388. DAB XI, pp.617-18. ANB 14, pp.931-32. \$3,500

Important Bibliography of Native American Languages

18) [Native American Linguistics]: Butler, Ruth Lapham (compiler): A BIBLIOGRAPHICAL CHECK LIST OF NORTH AND MIDDLE AMERICAN INDIAN LINGUISTICS IN THE EDWARD E. AYER COLLECTION. Chicago: The Newberry Library, 1941. Two volumes, unpaginated. Original cloth, gilt spine labels. Cloth a bit soiled, spines sunned (as is usually the case). Very clean and neat internally. Very good.

Along with the work of J.C. Pilling, this checklist of the Ayer collection is an important reference work for Native American linguistics. In fact, Ayer acquired Pilling's collection in 1903 and added to it. This checklist includes works in 328 separate dialects or sub-dialects. From the reference library of the noted bookseller, Ian Jackson, with his bookplate on the rear pastedown. TANSALLE E4.069. \$75

Modern Biography of "Yellow Bird"

19) Parins, James W.: JOHN ROLLIN RIDGE: HIS LIFE & WORKS. Lincoln: Univ. of Nebraska Press, [1991]. [10],252,[2]pp. Illustrations. Cloth. As new in as new dust jacket.

A fine modern study of the Native American writer most renowned for his extremely rare biography of California bandit, Joaquin Murieta (published under the name "Yellow Bird"). Parins characterizes Ridge's biography of Murieta as a novel. \$20

The Seneca Oppose Forced Removal from their New York Lands

20) [Seneca]: REPORT OF THE PROCEEDINGS AT AN INDIAN COUNCIL HELD AT CATTARAUGUS, IN THE STATE OF NEW YORK, 6th MONTH, 1846. Baltimore: Printed by William Woody, 1846. 37pp. Original printed yellow wrappers. Wrappers lightly soiled, soft vertical crease throughout, contemporary ownership inscription on front wrapper (see below). Light foxing. Very good.

This copy bears a contemporary ownership inscription on the front wrapper, "John Comly's, 1846." This is almost certainly the noted Philadelphia Quaker minister, John Comly (1773-1850), who published a number of books, including grammars and spellers. His papers are at the Friends Historical Library of Swarthmore College.

The Quakers - especially those who were followers of the teachings of Elias Hicks - had a long relationship with the Seneca nation, with missionaries attempting to aid and convert the natives of upstate New York since the late 18th century. By the 1840s, with increasing White settlement in western New York, the tribe was coming under increasing pressure to remove themselves west of the Mississippi River, as the Seneca of Ohio had a decade earlier. In fact, treaties signed at Buffalo Creek in 1838 and 1842 had mandated that the Seneca move to Kansas, and many had done so.

This pamphlet prints the proceedings of the Seneca Tribal Council at Cattaraugus in mid-1846, which was also attended by a number of Quakers, as well as federal government agents. The primary concern of the Seneca leaders - as voiced in their speeches recorded in this volume - was over the issue of removal

westward. Speakers included Blacksnake, the ninety-eight year-old head Sachem of the Seneca Nation, who urged his people to remain in their native lands, and warned that "by emigrating you will be exposed to many hardships and dangers." About two dozen Seneca (half of whom were women) attended the council, and the remarks of other Seneca leaders in opposition to emigration are also recorded. The Council heard from agents of the federal government, who were requesting the names of Seneca who had already emigrated westward. Also included are the remarks of Quaker men and women, who criticized the treaties imposed on the Seneca by the United States government, and who urged the tribes to resolve their internal differences and grow stronger through unity. Intriguingly, some of the younger Seneca leaders expressed a willingness to bring women in to a greater role in tribal life, as had been encouraged by the Quakers.

The printer of this pamphlet, the Quaker William Woody, produced a number of works relating to Native Americans, and to Quakers. Not in Gilcrease-Hargrett or in Field, who does include the proceedings of a Seneca council of 1842, also printed in Baltimore by Woody. Sabin lists only the report of the 1843 Seneca Council. This 1846 report is quite uncommon in the market; Rare Book Hub lists only two copies, offered at auction by Henkels in 1927 and 1895.

AMERICAN IMPRINTS 46-2677. SABIN 34676 (ref).

\$2,500

The Important Seneca Constitution of 1848, with Supporting Documents

21) [Seneca Constitution]: CONSTITUTION OF THE SENECA NATION OF INDIANS [with:] WAR DEPARTMENT. OFFICE OF INDIAN AFFAIRS, FEB. 2nd, 1849....COPY OF A LETTER FROM WILLIAM MEDILL, ESQ., COMMISSIONER OF INDIAN AFFAIRS...[caption title] [with:] TO THE SENECA NATION OF INDIANS, RESIDING AT CATTARAUGUS AND ALLEGHANY, IN THE STATE OF NEW YORK [caption title]. Baltimore: Printed by William Woody & Son, 1848 [and 1849]. 15,[1],8,8pp. Dbd. Near fine.

First printing of the rare and important Seneca constitution of 1848, with supporting documents not usually found accompanying it.

Modeled to a large degree after the United States Constitution, the Seneca constitution created legislative, executive, and judicial bodies for the tribe, taking governing power away from individual chiefs. Most of the power resided in the legislature, which consisted of an eighteen-member Council. The executive role was relatively weak, with the responsibility to preside over the Council and cast a vote therein. The power to make treaties rested with the Council, and the treaties required approval by "three-fourths of all the legal voters and also by three-fourths of all the mothers in the Nation." Judicial power was "vested in three Peace Makers on each Reservation; any two of whom shall have power to hold courts." The right to vote was given to all male members of the tribe age twenty-one and older, and other official positions were created within the government, including marshals, deputies, and a treasurer. The preamble to the constitution explicitly states that it does "hereby abolish, abrogate and annul our form of Government by chiefs, because it has failed to answer the purposes for which all governments should be created" including "security in the enjoyment of property," caring for the poor, an independent judiciary, and more. The names of the more than seventy representatives of the Seneca who signed the constitution are printed at the conclusion, and

the final page appoints Hai-Wa-Noh (Philip E. Thomas) as the Seneca ambassador to the United States Government.

The crafting of this constitution was heavily influenced by the Quakers, and the laws of the Seneca going forward were required to be not contradictory to those of the United States and the state of New York. It was not uniformly popular among members of the tribe, though it remains the governing constitution of the Seneca to this day.

Also included here are two other titles, sometimes found together with the 1848 constitution:

WAR DEPARTMENT. OFFICE OF INDIAN AFFAIRS, FEB. 2nd, 1849....COPY OF A LETTER FROM WILLIAM MEDILL, ESQ., COMMISSIONER OF INDIAN AFFAIRS...[caption title]. This eight-page work bears no imprint and it and the following title were likely printed in Baltimore by William Wooddy, a Quaker printer who produced a number of works relating to the Quakers and their activities among Native Americans. This letter from Indian Affairs Commissioner William Medill to Seneca ambassador Philip Thomas informs him that the government of the United States accepts the 1848 constitution as the tribe's governing document and recognizes Thomas as their representative in Washington. It also includes a letter from John Jackson, clerk of the Yearly Meetings of Friends for Baltimore, Philadelphia, New York, and Genessee, praising the advances made by the Seneca, and asserting that the "time has nearly arrived when we may retire, and, using their own phrase, 'leave them to walk alone.'"

TO THE SENECA NATION OF INDIANS, RESIDING AT CATTARAUGUS AND ALLEGHANY, IN THE STATE OF NEW YORK [caption title]. This printed letter, from John Jackson and twenty-two other Quaker leaders (including six women) is dated "1st mo. 25, 1849" and informs the Seneca that the Friends feel that "the time is approaching when we may properly close our joint labours among you." It reviews the events of the past decade, including the 1838 Treaty of Buffalo Creek that removed many tribe members west of the Mississippi, describes the advances made by the Seneca (with Quaker assistance) since then, and leaves the tribe "with the cheering conviction, that you are advancing in the great work of civilization."

OCLC lists these three titles separately, though Sabin and Field record all three in one entry. The two supplementary works are not noted in Hargett's study of American Indian constitutions and laws or in the Gilcrease-Hargrett collection of imprints. All three of these works are rare, with Rare Book Hub listing only one appearance of the very important 1848 Seneca constitution, at the 1875 auction of the collector and bibliographer, Thomas Field.

HARGRETT, CONSTITUTIONS AND LAWS 216. GILCREASE-HARGRETT, p. 349. FIELD 357. FIELD AUCTION 2098. SABIN 79107. \$5,000

Political Controversies Among the Seneca

22) [Seneca]: DOCUMENTS AND REPORTS, ILLUSTRATING THE CAUSES WHICH LED TO THE REVOLUTION IN GOVERNMENT OF THE SENECA INDIANS, IN THE YEAR 1848, AND TO THE RECOGNITION OF THEIR REPRESENTATIVE REPUBLICAN CONSTITUTION, BY THE AUTHORITIES OF THE UNITED STATES, AND OF THE STATE OF NEW YORK. Baltimore: Printed by Wm. Wooddy & Son, 1857. 92pp. Gathered signatures, string-tied as issued, with original front wrapper

present, but detached (rear wrapper lacking). Front wrapper trimmed at the top edge. Light soiling at top edge of titlepage, else very clean internally. Very good overall.

An important publication - rare in the market - produced by the Quakers and chronicling the frauds and abuses perpetrated by the federal government against the Seneca tribe of upstate New York. The Quakers - especially those who were followers of the teachings of Elias Hicks - had a long relationship with the Seneca nation, with missionaries attempting to aid and convert them since the late 18th century. The "revolution in government" referred to in the title is the adoption of the Seneca constitution of 1848, which established legislative, executive, and judicial branches in tribal government. The legislature consisted of an eighteen-member Council, and the vote was given to all male members of the tribe age twenty-one and older. Its crafting was heavily influenced by the Quakers, and the laws of the Seneca going forward were required to be not contradictory to those of the United States and the state of New York. It was not uniformly popular among members of the tribe, as evidenced by some of the documents herein.

The text begins with a detailed history of the ratification and proclamation of the "Buffalo Creek Treaty" of 1838, which stripped the Seneca of much of their lands in western New York and removed many of them west of the Mississippi. This is followed by accounts of the hardships suffered by the Seneca who were removed and their attempts to return to New York, which were rebuffed by the Office of Indian Affairs. Among these is the text of an 1849 "Memorial of the Seneca Women" to President Zachary Taylor, requesting the continuation of annuities due to the tribe. Other texts herein support the 1848 Seneca constitution, criticize tribal members who are against its reforms, and print past speeches of noted Native American leaders, including Red Jacket and Cornplanter.

The printer of this pamphlet, the Quaker William Woody, produced a number of works relating to Quakers and their work among Native Americans. Quite rare in the market; Rare Book Hub has only one listing for a copy offered for sale in the past century, by Cedric Robinson in 1959 (and only a handful of copies at auction in the century before that).

GILCREASE-HARGRETT, p. 349. FIELD 435. FIELD AUCTION 2099. SABIN 20455. \$2,000

One of Sixty Copies with the Photographs Printed on Japan Paper

23) Starr, Frederick: INDIANS OF SOUTHERN MEXICO. AN ETHNOGRAPHIC ALBUM. Chicago: [Printed for the author by the Lakeside Press], 1899. 32pp., followed by 141 collotype plates printed on rectos only, with one or two images to a plate. Four silver or albumen photographs measuring from 3 1/4 x 4 1/4 inches to 7 x 9 1/2 inches laid in (see below). Oblong folio. Original black cloth, gilt. Cloth a bit rubbed and stained, worn at the edges and corners. Very clean internally, the plates in excellent condition. In a cloth slipcase, gilt.

This copy is one of sixty with the plates printed on Japan paper, from a total edition of 560 numbered and signed copies. The printing of the photographic images on Japan paper results in a fine tonality and high degree of detail. This is copy number 14, signed by Frederick Starr on the limitation page.

An important study, featuring anthropological photographs of members of native tribes in the Mexican states of Michoacan, Tlaxcala, Puebla, and Mexico. Frederick Starr made two trips to Mexico in the 1890s,

first in 1896 "through a purely Indian country," where he was "not prepared for the accompanying diversity of physical types," and again in 1898. He visited a number of tribes, including the Otomi, Tarascan, Aztec, Tlaxcalan, Mixtec, Triqui, Zapotec, Mixe, Tehantepecano, Juave, Chontal, Cuicatec, and Chinantec. Photographers Charles B. Lang and Bedros Tartarian took from fifty to sixty photographs of each tribe, including individual portraits (front and profile views), group images (showing full figures in their traditional dress), and images recording daily life and industries. A selection of those photographs, with identifying captions, is presented here, preceded by introductory text giving brief information on each tribe, its language, and further descriptions of the photographs. The images show men, women, children, settlements, dwellings, boats, crafts, and tribespeople engaged in a variety of activities.

"Frederick Starr (1858-1933), an American, created the Department of Anthropology at the University of Chicago in 1892, where he worked until his retirement in 1923. He conducted ethnographic expeditions worldwide but was especially interested in Japan and Mexico. Starr was one of the chief exponents of physical anthropology and saw the value of photography in being able to provide what was believed to be 'scientific' evidence of racial characteristics and differences. In 1899, he published a photographic album, *Indians of Southern Mexico*, representing the different physical characteristics of various indigenous groups" - Merewether.

Laid into this copy are four loose silver or albumen photographs. Two are by William Henry Jackson, showing a railroad tunnel at Temasopa Canon in Mexico (the largest photo of the four) as well as the city of Guanajuato. Another photograph, by C.B. Waite of Mexico City, shows a small tourist boat on the Coatzacoalcas River. The fourth photograph, the smallest of the group, is unsigned and unidentified, and apparently shows a lodging for tourists in Mexico.

Charles Merewether, (curator), "From Empire to Revolution" exhibition, Getty Center, 2001. \$5,000

Assessing American Military Needs in a Transitional Moment

24) Terry, Alfred H., Brig. Gen.: HEADQUARTERS DEPARTMENT OF DAKOTA, SAINT PAUL, MINN., NOVEMBER 11, 1878. SIR: I HAVE HERETOFORE HAD THE HONOR TO ACKNOWLEDGE THE RECEIPT OF YOUR LETTER OF JUNE 27 LAST, CALLING ON ME AMONG OTHERS FOR SUGGESTIONS AS TO THE PROPER ORGANIZATION OF THE ARMY ON THE HYPOTHESIS THAT IT WILL CONSIST OF TWENTY-FIVE THOUSAND ENLISTED MEN... [caption title and beginning of text]. [Saint Paul? 1878]. 3pp. on a folded quarto sheet. Tanned. Small closed tear in the upper margin of both leaves, and along the central vertical fold. Very good.

In the wake of the great Sioux Wars of the two previous years and the Custer Massacre of 1876, Brigadier General Terry gives his thoughts on the needs of the military in the Department of Dakota, and for American defenses in general. He states that he thinks the proposed force size of twenty-five thousand men would be inadequate. Indeed he recognizes that it is a moment of transition in military concerns for the United States, with ongoing actions against Native American tribes coinciding with the need to build outward-facing military strength in case of threats from overseas powers.

Terry writes: "Broadly stated, our present need is a force properly organized and sufficiently strong to control the Indian tribes and protect the frontiers and routes of communication through Indian country. Our

prospective or contingent need is a force organized for the protection of the country against invasion and the defense of our sea-coast and maritime cities against naval attacks in the event of a foreign war." He examines the usefulness of an artillery force - asserting that it is not relied upon in conflicts with native tribes, but that it would be imperative for conducting a war with foreign naval powers. "Considering, then, the question of reorganization on the basis of twenty-five thousand men, with the design of making a reasonable preparation for the contingency of a foreign war, instead of abolishing artillery regiments I would increase them at the expense of the cavalry and infantry."

Terry concludes with specific comments on William Tecumseh Sherman's 1875 bill for the reorganization of the Army. I can find no copies of this printing of Terry's report in OCLC. Rare, and highly significant in examining the needs of the United States Army in a period of transition. \$850

Investigating Depredations Along the Border with Mexico

25) [Texas-Mexico Border]: DEPREDATIONS ON THE MEXICAN FRONTIER. RESOLUTION DIRECTING THE COMMITTEE ON FOREIGN AFFAIRS TO INQUIRE INTO ALLEGED DEPREDATIONS ON THE MEXICAN FRONTIER. [Washington. 1874]. [2]pp., printed on a single sheet. Dbd. Light wear along the left edge. Very good.

This is House of Representatives Misc. Doc. No. 289. The years following the Civil War saw a sharp rise in violence along the Texas-Mexico border, and both sides blamed the other for the robbery, horse and cattle rustling, and murders that were taking place. Americans blamed Mexicans and Indians for the crimes, while the Mexicans alleged that Americans dressed as Indians were the perpetrators. This House Resolution creates a commission to look into the matter, to discern who was to blame, and to ascertain the amount of damages incurred by Americans. \$35

*Post-Civil War Treaty of Peace with the Choctaw and Chickasaw,
Abolishing Slavery by the Tribes and with the First Use
of the Name "Oklahoma" in an Official United States Document*

26) [Treaty - Choctaw and Chickasaw Tribes]: A TREATY BETWEEN THE UNITED STATES AND THE CHOCTAWS AND CHICKASAWS. UNAITET STATES MICHA CHAHTA, CHIKASHA AIENA NAN ITIM APISA ANUMPA [cover title]. [Washington. 1866]. 56pp. Text in two columns in English and Choctaw. Gathered signatures, stitched as issued. Small scrape along left edge of first gathering, old tideline in lower right corner throughout. Very good.

One of two United States government printings of this important post-Civil War treaty with the Choctaw and Chickasaw tribes, both of whom had allied themselves with the Confederacy. This treaty was printed in both folio and octavo editions, but the official folio State Department printing was only in English; this octavo edition has the text in English and Choctaw. This treaty also contains the first mention of the word "Oklahoma" in an official United States government document.

This treaty was concluded at Washington April 28, 1866; ratification was advised, with amendments, June 28; the amendments were accepted July 2; and it was proclaimed by Andrew Johnson on July 10, 1866. Most significantly, the treaty affirms "permanent peace and friendship" between the United States and the two tribes (Article 1) and the Choctaw and Chickasaw agree to ban slavery and involuntary servitude (Article 2). The practice of slavery by the tribes was one of the main factors that inclined them to ally with the Confederacy in the Civil War. Other articles in the treaty also relate to the treatment of African Americans in Choctaw and Chickasaw lands, including guaranteeing the right to vote, to testify in tribal courts, and to each receive forty acres of land. The tribes also made significant land concessions to the federal government, for railroads and other uses. Several other provisions relate to the structure of tribal councils and their proceedings, and the processes for land allotments to native families.

"Negotiations between the federal government and the Five Tribes began at the Fort Smith Council in September 1865. 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....Through their reconstruction treaty the Choctaw and Chickasaw ceded to the United States the Leased District in the western half of their domain for \$300,000. A clause in this treaty...referred to all the area of the Five Tribes as the 'territory of Oklahoma.' This was the first mention of the name Oklahoma in an official document of the United States and had been suggested by Allen Wright, member of the Choctaw delegation" - Encyclopedia of Oklahoma History and Culture (online).

"An extremely important treaty....The treaty extends to upwards of 50 detailed articles governing every phase of tribal existence. By the provisions, permanent peace and friendship are established, and slavery is abolished. Amnesty for crimes committed in Texas, Arkansas, Kansas and Missouri is granted. Lands are ceded, and 'Rights of Way' are obtained. Government is established and it is 'agreed that the superintendent of Indian affairs shall be the executive of the territory, with the title of Governor of the Territory of Oklahoma'!" - Eberstadt.

Hargrett, in the Gilcrease-Hargrett catalogue of imprints, asserts that this octavo printing is "the only treaty, so far as is known, officially printed at Washington in one of the Indian languages." However, a State Department printing of the 1856 treaty with the Choctaw and Chickasaws was also printed in Choctaw and English.

OCLC locates twelve copies of the present printing. The Eberstadts asked \$200 for a State Department folio printing of this treaty in their "Indian Treaties" catalogue of 1957, but were not able to offer a copy of this octavo printing. Of the present printing, Rare Book Hub lists only two copies, one offered by Ernest Wessen in 1945, and another sold at an Anderson Galleries auction in 1907. Michael Heaston offered a copy in 1995. Rare and important, especially so for being printed in the Choctaw language.

GILCREASE-HARGRETT, pp.118-19. PILLING MUSKHOGEAN, p.89. PILLING, PROOF-SHEETS 3889. EBERSTADT INDIAN TREATIES 38 (folio printing). MIDLAND NOTES 22:94. RADER 3475 (folio printing). HEASTON 25:107. OCLC 4255071. \$9,500

Negotiating with a Native American Tribe in Kansas Territory

27) [Treaty - Sacs and Foxes Tribe]: TREATY BETWEEN THE UNITED STATES AND THE CONFEDERATED TRIBES OF SACS AND FOXES OF THE MISSISSIPPI [wrapper title]. [Washington. 1860]. 7pp. Folio. Original printed self-wrappers. Very light wear to extremities, four small, light spots near the spine of the front wrapper. Very good.

Increased western migration and the discovery of gold in western Kansas (present-day Colorado) resulted in a rush of miners and settlers to the area, and a subsequent hunger for land. According to this treaty, which was negotiated by Alfred Greenwood at the Sac and Fox Agency in Kansas Territory, the tribe had "more lands than are necessary for their occupancy and use." By this agreement the Sac and Fox agree to restrict themselves to a reservation that would take up a small part of the 153,000 acres of their Kansas lands, handing the rest over to the federal government and allowing the Secretary of the Interior to sell those lots to the highest bidder. Interestingly, the treaty language explains that the tribe is doing this in order to abandon their old communal ways and to conform their land tenure habits to Anglo norms, the tribe "being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof, in severalty, to the individual members of the tribe, to be cultivated and improved for their individual use and benefit." The treaty was concluded on October 1, 1859, ratified by the Senate on July 9, 1860, and proclaimed by President James Buchanan the same day. These treaties were printed in a small number for official use. Not in Rader.

EBERSTADT INDIAN TREATIES 114.

\$550

Among the Most Useful Bibliographies of the Frontier

28) Vail, R.W.G.: THE VOICE OF THE OLD FRONTIER. Philadelphia: Univ. of Pennsylvania Press, 1949. xii,492pp. Blue cloth, gilt. Light shelfwear. Very good.

In this copy a previous owner has stamped the bibliography section with ink numbers in the upper outer corner of each page to allow quick reference for the year covered on that page. First edition of this essential Americana bibliography, describing hundreds of publications issued between 1542 and 1800 that explain the frontier experience in North America. Includes early explorations of new found lands, promotional works, Indian captivities, and more. With an enlightening introductory essay.

\$20

Description of the Six Osage Who Visited Paris, and a History of the Tribe

29) [Vissier, Paul]: HISTOIRE DE LA TRIBU DES OSAGES, PEUPLADE SAUVAGE DE L'AMERIQUE SEPTENTRIONALE, DANS L'ETAT DU MISSOURI, L'UN DES ETATS-UNIS D'AMERIQUE; ECRITE D'APRES LES SIX OSAGES ACTUELLEMENT A PARIS...SUIVIE DE LA RELATION DU VOYAGE DE CES SAUVAGES, ET D'UNE NOTICE HISTORIQUE SUR CHACUN DE CES INDIENS CELEBRES DANS LEUR TRIBU PARLEURS EXPLOITS GUERRIERS. Paris: Chez Charles Bechet...et Chez les Marchands de Nouveautes, 1827. 92pp. Half title. Original printed brown

wrappers bound into modern half blue morocco and marbled boards, spine gilt. Bookplate of Kenneth Nebezahl on front pastedown. Several small, neat tissue repairs to interior edges of wrappers. Scattered foxing and staining. Very good.

An uncommon work on the Osage Indians, prompted by the visit of a delegation of six men and women from the tribe to France in 1827. The arrival of the six Native Americans from Missouri led to a fascination among the French to learn more about Osage, resulting in public appearances, lithographic portraits, and the present work, among others. The text gives an account of the Osage tribe, the journey to Paris of the six Osage men and women who are "celebrated for their warrior exploits," a description of each of them, and speculates on whether Native Americans were descendants of the twelve lost tribes of Israel. Vissier also gives information on the customs, agricultural practices, law system, religion, commerce, food, marriage habits, wars, and more of North American Indians.

The group was treated very well upon their arrival in Paris, staying at fine hotels, feted at dinners, experiencing a hot-air balloon ride, and being given an audience with the French monarch, Charles X. They were objects of public and media fascination, and became subjects of public exhibition, posing for portraits, put on display in theatres, and generating substantial profits for the promoters who exploited their popularity. Unsurprisingly, very little money came to the Osages themselves, and public interest in them eventually waned. Their promoter ran out of money and was imprisoned for debt, effectively abandoning the Osage. They spent the next two years begging for food and lodging, until a newspaper article about their plight came to the attention of the Marquis de Lafayette who, with others, helped raise funds for the Osages' return to America.

Since the sale of the Holliday copy at auction in 1954 there have been only three copies at auction, according to Rare Book Hub: the Siebert copy in 1999, bought for Jay Snider and reappearing at his sale in 2004; the Bruce McKinney copy at Bonhams in 2010; and this Kenneth Nebenzahl copy at his sale at Christie's in 2012. Not in Field, and both Streeter and Graff lacked a copy. Quite uncommon in the market, especially with the half title and original wrappers, as here.

WAGNER-CAMP 33a. HOWES V133, "b." JONES CHECK-LIST 890. SABIN 100607. SIEBERT SALE 821. HOLLIDAY SALE 1131. \$4,250

Native American Life in Yosemite

30) Wilson, Herbert Earl: THE LORE AND THE LURE OF THE YOSEMITE THE INDIANS THEIR CUSTOMS, LEGENDS AND BELIEFS AND THE STORY OF YOSEMITE. San Francisco: Sunset Press, [1923]. 133pp., profusely illustrated. 12mo. Original pictorial paper-covered boards. Backstrip neatly detached and with a long vertical fold/crack. Front hinge weakening. Very clean internally. Very good.

Signed by Wilson on the front free endpaper. This is the second edition, first published the year before. A study of Native American life in the Yosemite region, their customs and use of the natural resources of the area. ROCQ 5304. \$15