

Finally, on the 28th, Spotted Tail, who throughout the negotiations exercised greater business sense than any of the others, asked the commissioners to state in writing exactly what they were willing to pay for the Hills and the manner in which they proposed to pay. Consequently the commissioners on the 29th submitted a written proposition: First, they were to purchase the license to mine and, also, as incidental thereto, the right to grow stock and cultivate the soil in the Black Hills lying between the north and south forks of the Cheyenne, as far west as the 104th meridian, at an annual rental of \$400,000, the United States having the right to terminate the lease at any time by giving two years' notice, the land then to revert to the Indians. That for the absolute relinquishment of the Hills, as a second proposition, they proposed to pay \$6,000,000. They were to have the right to build three roads into the Hills, two from the Missouri River and one from the Union Pacific railroad. They also proposed to buy from the Indians what is known as the "Big Horn country," being really the right of way for the Montana road, at \$50,000 per year, payable in cows and farming implements. The Indians absolutely refused to consider the cession of the Big Horn country, and the commissioners did not press this branch of / ⁴²¹ the subject upon them. The conference ended on the 29th without any result being reached, and the commissioners reported: "First, that no agreement can be concluded in the Indian country by means of a grand council of chiefs in the presence of the great body of the Indians.

"No agreement can be made unless accompanied with presents, as presents have invariably been distributed heretofore at the signing of treaties or agreements.

"The Indians place upon the Hills a value far beyond any sum that could possibly be considered by the government."

The failure of the commission to treat either for the license to mine in the Hills or for a relinquishment of the Indian title left both parties in a desperate situation. The Indians believed that the Hills were to be taken from them by force, regardless of their natural or treaty rights, and in support of their view they noticed that immediately all military opposition to the occupancy