

HEADQUARTERS DEPARTMENT OF THE MISSOURI

Fort Leavenworth, Kansas, September 26, 1870

General Orders

No. 28

In order that the exact relations between officers commanding troops and the agents of the Indians on Reservations in this Department may be clearly understood, the following rules are published and will be carefully observed by all officers on duty in the Department of the Missouri:

I...Indian reservations and the Indians upon them are wholly under the jurisdiction of the agents in charge who are alone responsible for the conduct of the Indians, and of white men on Indian reservations. The military forces on or near such Indian reservations are placed there solely to assist the Indian agents to preserve good order on the Reservations.

II....Under no circumstances except specific orders from Department Headquarters or higher authority will any commander of troops assume jurisdiction or exercise control over reservation Indians or their agents, nor originate nor execute any act of their own volition in regard to affairs on such reservations. Whenever the services of troops are needed and the specific object to be accomplished. Upon the receipt of such written statement the military commander will furnish the required military force, always if possible to be commanded by a commissioned officer, who will be instructed to report with his detachment to the Indian agent and to act under his orders. No commander of a detachment will of his own motion take any action whatever in relation to affairs in Indian reservations even under the orders of an Indian agent unless the agent himself or some properly authorized subordinate is present with him and gives the necessary orders.

III...From the foregoing rules it will be clearly understood that Indian agents must in all cases accompany the troops whose aid they apply for and point out to the commander of such troops the acts to be done and the persons to be interfered with. Troops cannot be used to expel unauthorized traders or intruders upon Indian Reservations, or to seize the goods or other property of such persons except as a posse to act under the orders and in the presence of some proper officer or agent of the Indian Department.