

As to the "ward" tribes, the control of the United States is complete and absolute, descending to all particulars of clothing, feeding, governing, educating, &c.; whilst as to the Creek Nation and other "civilized" tribes, nothing of this kind is true.

The "civilized tribes" have their own constitution and legislature, with two houses, with a form of government like our own, with power to make laws, have their complete codes of printed laws, covering every proper subject-matter of government control; have their own courts; have their systems of taxation; have their common-school systems; have every element and feature of civilized States.

These powers are not only conceded to them by the Government of the United States, but the possession and exercise thereof are insisted upon by the United States, and protected to them for the purpose of the complete civilization and christianization of the tribes.

The case of the *United States v. Joseph*, 94 U. S., 614, is one which analyzes the question as to what qualities, in the direction of civilization, &c., shall take Indians out of the category of "Indian tribes;" and in that case it was settled that the Pueblo tribes of Indians in New Mexico were not "Indian tribes" within the sense of the laws applicable to Indian tribes.

The tests applied in that case, if now applied to the Creek Nation, will surely take this tribe out of the category of "wild," or "ward," or "uncivilized," Indians, and place them where the decision of the Supreme Court, in the case of *Joseph*, placed the Pueblo tribes of Mexico.

This, which we have just asserted, has been solemnly decided by the Supreme Court of the District of Columbia, but the case is, unfortunately, not reported. We have availed ourselves, in reaching a conclusion as to the precise character of that case and the decision, of the information contained in the pleadings in the case, in the briefs made by counsel, and in oral statements made to