

O'KELLY'S JAILERS.

Uncertainty in Havana Regarding the Herald Commissioner's Fate.

HOPEFUL VIEWS OF THE BRITISH CONSUL.

He Has Had Three Interviews With the Captain General.

Present Inability to Act Decisively in the Matter.

MANLY LETTER FROM MR. O'KELLY.

"If I Am a Prisoner It Is Because I Foolishly Trusted in Spanish Honor."

A Week in Prison Without a Word of Cheer.

IGNORANT EVEN OF THE ACCUSATION.

How a Spanish Fiscal Can Swallow Letters and Despatches.

His Strict Neutrality Distinctly Preserved Throughout.

THE LETTER FROM CESPEDES.

It is Addressed to the Proprietor of the Herald.

FIRM TONE OF THE AMERICAN PRESS.

HAVANA, April 13, 1873.

Many rumors about Mr. O'Kelly have prevailed here to-day, and I have endeavored zealously to

TRACE THEM TO SOME RELIABLE SOURCE, but everybody in official circles is so reticent that it is extremely difficult to obtain accurate information.

Early this morning I sought and obtained another interview with

CONSUL GENERAL DUNLOP at the Telegrafo Hotel. He received me with the utmost courtesy. I requested to know what steps he had taken to obtain Mr. O'Kelly's release or induce Captain General Ceballos to change the place of trial from Manzanillo to this city. Consul General Dunlop answered that he had had

THREE INTERVIEWS WITH THE CAPTAIN GENERAL on the subject; but that he was not yet at liberty to state to me what had transpired at those interviews. He assured me, however, that he did not believe that the Spanish authorities would resort to extreme measures in Mr. O'Kelly's case. Furthermore, he said the

OPPORTUNITY FOR HIS DIRECT INTERVENTION as Consul General had not yet arrived. So far no trial had taken place; nor had any time been appointed for such trial; that the proceedings thus far had been confined to mere preliminary inquiries to form what the military authorities call the causa.

Another Letter from Mr. O'Kelly—The Authorities Conceal the Charge—His Character as a Neutral Strictly Preserved—The Letter from Céspedes.

HAVANA, April 12, 1873. I have received to-day the following letter from Mr. O'Kelly, from his prison cell at Manzanillo. It tells its own manifold story, and I, therefore, prefix no comment:—

MR. O'KELLY'S LETTER. CALABOZO, FORT GERONA, MANZANILLO, April 6, 1873.

DEAR FRIENDS— I am at last forced to acknowledge that the friends in Havana who warned me about the danger of being a newspaper correspondent in Cuba knew more about Spanish law and the Spaniards than I did. However, when these wise people warned, I was too much committed to have turned back.

MY WORD OF HONOR was given to carry out my mission at all hazards, and I have kept that word fully, and carried out the instructions of Mr. Bennett with scrupulous fidelity. Whatever may be the result this thought will not fail to bring me consolation—namely, that so far as the success of the mission depended on me it has been brought to a satisfactory close, and

IF I AM TO-DAY A PRISONER it is because I trusted foolishly in the generous and enlightened views of the Spanish authorities. It never seriously entered my mind that if I voluntarily presented myself without seeking disguise at any of the Spanish encampments that the government would interfere with me. I was encouraged in this view by every Spanish officer to whom I spoke. Even General Morales de Los Rios and the Attorney General at Santiago de Cuba assured me, in the last interview I had with them, that in case I presented myself to the authorities

NO ACTION WOULD BE TAKEN AGAINST ME. Confiding in these representations, I resolved to return through the Spanish lines as a proof of my confidence in the authorities and my own good faith. THE WARNINGS OF THE INSURGENTS were treated as were the warnings of our prudent friends, and the result is I am a prisoner

actually in course of being tried by a military tribunal. Although I have now been a prisoner seven days I have

NO IDEA OF WHAT THEY ARE GOING TO ACCUSE ME,

except a general one that it is something serious, judged from the care taken in guarding me and preventing me from communicating with any one, except through the Fiscal or Military Judge. So far I have not had a word either from the Consul at Santiago de Cuba or the Consul General at Havana. The Vice Consul here is a German. He has been very attentive. There are apparently no Americans or English in the town, and I am as much cut off from friendly advice or assistance as if I was

IN THE MIDDLE OF AFRICA.

Even the telegraph seems to lose its virtue the moment I touch it, or, rather, it is touched for me, for, up to the present moment, it has not conveyed a single message to me from any point of the compass. I need scarcely say that in my present position I feel this very much. This evening I sent you a long telegram, requesting you to use your influence with the representatives of America and England, so that they could endeavor to procure

MY REMOVAL TO HAVANA FOR TRIAL.

I foresee that if I remain here the affair will drag on interminably. Besides, I have no means to defend myself here. Indeed I am resolved not to attempt to do so as it would be folly. The peculiarity of my position is that I have no idea what I am to be tried for.

MY CHARACTER AS A NEUTRAL

is so clearly defined in all my acts, and I have so carefully avoided anything like complications with the various people whom I have met, that unless I am going to be

TRIED FOR BEING CONNECTED WITH THE HERALD,

I do not know for what else I can be tried. However, as I have to do with military law, there is no knowing what rules and regulations I may have broken that would expose me to the action of the law strictly interpreted. Therefore it is of the first importance that I shall have

THE AID OF THE ABLEST LAWYERS

I can reach. For this reason, as well as to be within consulting reach of the Consul General, I wish to be tried in Havana. The request is to my mind so reasonable that I do not think the authorities will refuse to grant it, if proper pressure is brought to bear. I assure you I am quite

TIRED OF THIS BEAUTIFUL ISLAND,

and was looking forward with real satisfaction to my early arrival in New York, when I was locked up.

THE LETTER FROM CESPEDES.

Among the papers taken by the authorities was a letter from Céspedes to Mr. Bennett. Sincerely yours, &c.

JAMES J. O'KELLY.

OPINIONS OF THE PRESS.

A Mission Legitimate to all Civilized Peoples.

[From the New York Commercial Advertiser, April 14.]

We take a more hopeful view of Mr. O'Kelly's situation than the HERALD does. His despatch, published this morning, indicates that, although a prisoner, he is not apprehensive of any bodily harm. Ceballos would not dare to put him to death, because Mr. O'Kelly has done nothing to render him amenable to that extreme penalty of the laws of war. His office and visit are purely with the view of gathering information to be used for a purpose which all civilized belligerents recognize as legitimate. The Captain General, Spaniard though he be, is not fool enough to do an act which would provoke the condemnation of all Christians.

[From the Newark Register, April 14.]

O'Kelly, the Cuban correspondent of the HERALD, seems to be in grave danger, especially if he has carried letters from Céspedes to the Cuban sympathizers in America. The Spaniards may try to make a spy out of O'Kelly, but everybody knows it was HERALD enterprise rather than any regard for Cuban independence that sent him. The Spanish authorities could have refused to have allowed him to pass their lines, but cannot afterwards punish him for so doing. American citizens have some rights which must be respected, even if we have an obsequious and timid man at the head of the State Department.

GERMAN AND FRENCH COMMENTS.

Mr. O'Kelly's Neutrality Confirmed Beyond a Doubt.

[New York Staats Zeitung, April 14.]

By the very thoughtless manner in which the authorities in Cuba have arrested the HERALD correspondent they have created for themselves an additional embarrassment. We are certainly able to approve of the mission if the object is simply what has been stated. Still, no State that has any respect for itself, knowing that her citizens in the interior were in a state of insurrection, would allow a foreign correspondent to cross to and re-cross from the insurgents with impunity, nevertheless, what the United States did to English and Spanish correspondents during the rebellion in the South the Captain General might be permitted to do also to Americans. The responsibility which the Spanish government has in this respect, and the difficulties of the situation brought about by the action of the volunteers, render it almost a matter of impossibility that he should grant any correspondent a safe pass to go as a neutral observer on both sides, and in this case, in order to prevent him taking so rash a step he (the Captain General) declared that if the correspondent should pass over to the insurgents and was subsequently found within the Spanish lines he would have him shot. The young man, whose courage, zeal and talent all must acknowledge, maintained, however, that such was the nature of his mission that he would go without the ordinary permission, and in spite of this threat travelled across the country and by himself attempted to find out the insurgents, after which he returned to the Spaniards, and was arrested within two hours from the time of his arrival. He then applied to the English Consul to interpose in his behalf, assuring him of the impartiality of his mission, but the Consul endeavored to dissuade him from the undertaking on account of the uncertainty of success and the possibility that evil consequences might follow. Subsequently the Captain General, when he was informed that O'Kelly had reached the insurgent lines—that it was an *fait accompli*—moderated his determination, taking a medium course, to the effect that if the HERALD correspondent, on his return from the insurgents, should fall into the hands of the government troops, he would be content to have him expelled from Cuba. In the mean-

time, however, various reports have been started that this correspondent had undertaken several expeditions with the insurgents; that he took part therein, and that since then the leaders of the insurgents have been much bolder, making various successful raids, which allegations have been duly written up for the Spanish newspapers, causing a great deal of bitterness against the accused correspondent.

These reports are doubtless all false. The report that Mr. O'Kelly had given the impression he was a perfect gentleman, whose word could not be doubted, and who undertook the commission with the instructions and with the promise also that he would do nothing inconsistent with his character of an unbiased observer and an impartial reporter of facts, will, in all probability, be borne out should he be able to complete his task. It is certainly a fact that a great American paper had sent him on this mission, and that he, while he started on it in opposition to the desire and in spite of the threats of the Cuban authorities (and which he has so far completed), has raised up the hopes of the insurgents that the United States will soon show its power in order to make the utmost possible impression in favor of the foreign observer, and to save her from the consequence of her previous course, while other and additional reasons contribute to give a certain elevation to her recent treatment of the question. These, it is possible, are the reasons why the Spaniards have so suddenly determined to have some kind of a settlement as to the presence of the HERALD correspondent and to bring him into the insurgent question. It would have been much more prudent if the authorities, out of regard for the feelings of those in the field, had given the highest officers strict orders to allow no correspondent to go free on his return from the other side, to watch that no such did return; but to attempt to ignore one after having taken official notice of him was the only way of creating embarrassment. It seems that neither exactly observed this prudence, or an unforeseen accident caused it otherwise. Mr. O'Kelly was taken up in Manzanillo, it appears, one day after the insurgents had made an attack there. He had to go through a personal search, and it is said, documents—two letters of Céspedes, the President of the insurgents—were found about his body, which, as they say, compromised him strongly. This latter circumstance would, of course, place him in a queer position, and the authorities undoubtedly would consider him nothing but a spy. We don't believe him to have acted thus dishonorably, and, at the same time, regardless of his own safety. The papers found on him will very likely be nothing but notices of observations and details given him by the leaders of the insurgents, and for that reason no reproach of guilt could be made against him but that he had acted against the orders of the Captain General.

Nevertheless the condition is an ugly one for him as much as for the Captain General, as the latter is not entirely free to act, but depends more or less on the sentiment of the volunteers, to which, of course, he does not dare to yield for fear of a conflict with the United States. He seems inclined to put all the responsibility on the shoulders of the court martial before which Mr. O'Kelly is to be brought with a view to free himself of them; but it is of no avail, for he could never consent to have a severe punishment carried out should the court martial happen to inflict one on Mr. O'Kelly. As much ill will might arise against him, with damage to his own reputation, he must anticipate the passion of the volunteers, or it might cause bad consequences.

The situation is critical, and it seems to us can only be cleared up by a word from the United States satisfactory to both parties. They must protect the zealous reporter if they reprove those who sent him. The report that Mr. O'Kelly had died from exhaustion on his way from Manzanillo to Santiago, where the court martial was to be held, we hope is not true, otherwise one would think a murder had been committed. If this has not occurred, though, it might still, in the government in Washington advising the Consul General to do all in his power, in company with the English Consul, to protect Mr. O'Kelly and have him tried in Havana, and not to inflict a heavy punishment, for the so-called crime, was wise and deserves praise.

Too Important a Man to Kill Without Trial.

[From the Courier des Etats Unis, April 14.]

A despatch addressed from Key West to the HERALD gives the information that, following a widely circulated report in that locality, Mr. O'Kelly had died from exhaustion during his transfer from Manzanillo to Santiago de Cuba, owing to the suffering and privation endured while imprisoned in the former place. The HERALD doubts the truth of the report, which the correspondent alleges, and trusts it is so. The Spanish authorities have too much interest in shielding Mr. O'Kelly from any mishap until his criminality has been well and authentically demonstrated not to take every care imaginable of a life to which is attached responsibilities of the highest character. Were it otherwise the Spanish authorities might be charged with folly; but if the fact announced were true it would cast a shadow of suspicion on the part of the whole civilized world.

Probable Verdict of the Court Martial.

[From the Messenger Franco-American, April 14.]

The affair touching O'Kelly, correspondent of the HERALD in Cuba, threatens to take a serious turn. To the appeal made to Captain General Ceballos, in order to obtain his freedom, the latter functionary has replied that at the time of his arrest at Manzanillo, on March 31, Mr. O'Kelly was the bearer of two letters from the insurgent chief Céspedes. The Captain General has added that "the correspondent of the HERALD had been warned before, by the military chiefs at Santiago and by the English Consul, of the danger he would run if he penetrated within the Cuban lines and if he entered into communication with the insurgents. It is, therefore, the charge of violating the neutrality order that is brought against him, as being the bearer of two letters from Céspedes." In consequence Mr. O'Kelly is to be treated as a spy. Immediately after his arrest Mr. O'Kelly demanded to be transferred to Havana for trial; the Captain General, on the contrary, has ordered that he be taken from Manzanillo to Santiago. It is not certain if this transfer has yet been given. On April 12 the report was current that Mr. O'Kelly was dead from exhaustion during the journey from Manzanillo to Santiago; but this rumor has not been officially confirmed. The council of inquiry before which the prisoner has appeared had simply to determine if there was cause sufficient to propose to the Captain General to send Mr. O'Kelly before a council of war, the HERALD correspondent having refused to give any explanation as to his conduct. There is no saying what the inquiry may determine, but the language attributed to Captain General Ceballos leads to the belief that the military court has already been convened. If the above information is correct it is to be feared that the sentence of death, the fatal consequence of the accusation of espionage, will be arrived at. Under these circumstances the brother of Mr. O'Kelly, who lives at Hartford, has deemed it necessary to solicit the intervention of the United States.

The following response has been received from Mr. Hamilton Fish:—

I have telegraphed to United States Consul General in Havana, A. T. A. Torbert, instructing him that, inasmuch as James J. O'Kelly is a British subject, this government cannot interfere officially, but that he see the British Consul and use his good offices, either in conjunction with him or separately, with the authorities to allow the trial of James J. O'Kelly to be conducted in Havana, and expressing the hope that they will deal leniently with him. HAMILTON FISH.

The English Minister in Washington has refused to interfere, stating that to the Consul General in Cuba alone belongs the power to act in this affair.

In the highly probable case that the council of war at Santiago should pronounce his condemnation to death, the friends of O'Kelly will doubtless endeavor to persuade the authorities to grant the slightest doubt that the Spanish Republic would refuse to encourage an execution that would leave so much unpleasant feeling behind. In supposing that the actualities of espionage, which, if true, should suffer death at the hands of the military. We are convinced that such will be the opinion of Señors Figueras and Castero, if it finds its way to the President, to solicit his intervention before it is too late.

THE MODOCS.

No News from the Lava Beds.

A Heavy Snow Storm Interrupts Telegraphic Communication.

IMPORTANT FROM WASHINGTON

An Edict of Extermination Against the Savages.

PEACE POLICY PLAYED OUT.

President Grant Takes a Determined Stand.

ORDERS TO GENERAL SCHOFIELD

Attitude of the Interior Officials Defined.

SECRETARY DELANO'S MISTAKE.

The Appointment of Commissioner Meacham the Cause of the Trouble.

A DELAYED DESPATCH.

Text of the Instructions to the Peace Commissioners.

SKETCH OF DR. THOMAS.

An Oregon Colonel on the Indians and the Commissioners.

CHICAGO, April 14, 1873.

A heavy snow storm prevails between Omaha and Cheyenne. The telegraph wires are interrupted, and nothing has been received from the Pacific coast to-day.

THE PRESIDENT'S FOOT DOWN.

No Appeals for Mercy Listened To—The Modocs To Be Exterminated.

WASHINGTON, April 14, 1873.

Telegrams poured into the White House to-day from Philadelphia, Boston and other strongholds of the Quaker policy toward the Indians, beseeching the President not to allow the clamor of an ungodly press, or the passionate reasoning of those about him, to swerve him from his Christian, philanthropic peace policy, on account of the murder of General Canby and Dr. Thomas. The President saw General Sherman and a number of prominent officials. To all he said calmly that the Modocs must and shall be exterminated; not as a passionate revenge for their atrocious murders, but as an act of justice, as well as protection to the peaceful settlers in that part of the country.

OFFICIAL DESPACHES.

General Sherman's Orders Directing the Punishment of the Modocs—Extermination Will Be Sustained.

WASHINGTON, April 14, 1873.

The following are the despatches of General Sherman, showing the earnestness of the government to punish the Modoc crime:—

HEADQUARTERS ARMY OF THE UNITED STATES, WASHINGTON, April 12, 1873.

General GILLEM, Modoc Camp, via Yreka, Cal.:

Your despatch announcing the terrible loss to the country of General Canby by the perfidy of the Modoc band of Indians has been shown to the President, who authorizes me to instruct you to make the attack so strong and persistent that their fate may be commensurate with their crime. You will be fully justified in their extermination.

W. T. SHERMAN, General. Repeat as copy for General Schofield, San Francisco, Cal.

DESPATCH TO GENERAL SCHOFIELD. WASHINGTON, April 13, 1873.

General J. M. SCHOFIELD, commanding Military Division, San Francisco:—

Your despatch of yesterday is this moment received. Last night, about midnight, General Townsend came to my house with a despatch from General Gillem to the same effect as yours, which despatch he had shown to the President, and I answered General Gillem direct with a copy of the answer to you. The President now sanctions the most severe punishment of the Modocs, and I hope to hear that they have met the doom they so richly have earned by their insolence and perfidy. Consult Mrs. Canby, and have every honor paid the remains of General Canby. This is Sunday. I will see the President this evening, and to-morrow will notify you of any change in the existing command if made; but you may be sure that any measure of severity to the savages will be sustained.

W. T. SHERMAN, General. GENERAL JEFF. C. DAVIS TO SUCCEED GENERAL CANBY.

General Sherman has sent a despatch to General Jefferson C. Davis, now in Indiana,

directing him to immediately proceed to the Pacific coast and assume the command made vacant by the death of General Canby.

THE QUALITY OF MERCY.

George H. Stuart Willing to Have the Savages Punished, but Holds to the Peace Policy.

PHILADELPHIA, April 14, 1873.

George H. Stuart, of this city, a member of the Board of Peace Commissioners, says the murderers of General Canby and party will be, and should be, properly punished, but the act on the part of Captain Jack will not alter the policy of the Board of Commissioners, which meets in New York, at the Fifth Avenue Hotel, on Monday next.

THE DIFFICULTY IN WASHINGTON.

Attitude of the Indian Board—Ignorance of the Locality of the Lava Beds—Meacham's Appointment—Applegate and Dr. Thomas.

WASHINGTON, April 14, 1873.

One of the astonishing things about the Modoc difficulty, here in Washington, is the fact that neither at the War Department nor the Interior do they seem to have any reliable information as to the exact locality of the "seat of war." Whether it is north, south or west of Rhetts or Tule Lake, or whether the last is the proper name, appears to be a puzzle to both the military and civil authorities. What are termed lava beds extend on all sides of the lake. "The country thus described," said an Oregonian to your correspondent to-day, "is an upheaval of rocks, a broken formation, the impassibility of which can be well understood by all who have ever seen an ice gorge—jagged ends sticking up in every direction, and over which men attempting to scramble would be at the mercy of an enemy that might, thus sheltered, be lying in wait for them." The Board of Indian Commissioners says that they had nothing to do with the appointment of the Peace Commissioners to the Modocs. From an official source it is ascertained that when the news arrived here last winter that the Modocs refused to return to the Klamath Reservation; had fired on the troops who peacefully attempted to remove them, and afterwards had repulsed the force under General Wheaton, who had been sent to compel their obedience, there existed an apprehension here that this outbreak might result, in extending to other tribes, in

AN INDIAN WAR IN SOUTHERN OREGON and Northern California. How to avert this was a matter of serious consideration. The administration was warmly in favor of a peace policy. It was the humanitarian and popular side of the question. All through the country had grown up the belief that the Indians had been badly treated; that they had been lied to in the promises which had been made them, and swindled by thieving agents who had made fortunes out of the annuities Congress had appropriated for their benefit. And then to this feeling was added that of the leading army officers in Washington, who said, "While we are at the service of the government and ready always to do our duty, if there is any possible way of preventing an Indian war nobody will be better pleased than ourselves. It is a war in which we can gain no credit and are subject to a great many sneers. There is neither honor nor promotion in it. If the troops make a forced march and surprise the Indians, as was done by Custer at the Wichita, it will be said that we struck a band of peaceful Indians, and if a small party should happen to be ambushed by the savages while going through what might be deemed a friendly country, why then the officer in command would be denounced as totally unfit for a commission. So we want none of it."

MEACHAM'S OFFER TO DELANO. Of course any scheme which would prevent such a war would be welcomed. It happened when the news of this Indian difficulty arrived Mr. Meacham, a late Superintendent of Indian Affairs, was in Washington. He had been removed from his position by Senator Corbett because he was opposed to that individual's re-election as Senator. He wanted to get back in his old place.

This trouble was Meacham's chance. Through friends he represented to the Secretary of the Interior that he was the man to stop this difficulty and that, if he was permitted to select his associates, he could bring the Modocs at once to terms. Believing his assertions Mr. Delano at once appointed him commissioner, to act in conjunction with those whom he named, and gave him full power to bind the Government to the promises that, on arriving on the ground, he might deem best alike for the interests of the settlers and the Indians. When reports came back the Secretary came to the conclusion that he had made a mistake; that so far from Meacham being the right man for the place he was just the wrong man.

The Indians said, "You are the man who forced us on the Klamath Reservation with our old enemies, and we want nothing to do with you. You promised us houses to live in and farms and schools for our children, that we should live like the whites, but when we went there we had to lie down on the ground. We had no food to eat, and we were cold. There is frost there all through the hot and cold months, summer and winter. We have come back to our old homes where there is fish in the river and we can kill game. Here we can live. There we will die."

APPLEGATE AND MEACHAM. Applegate, an old and well known citizen of Oregon, who had been appointed one of the associate Commissioners, at once saw the want of confidence the Indians had in the Commission while Meacham was connected with it, and after an interview with the Indians forwarded his resignation to the Secretary of the Interior, stating very explicitly that the personnel of the Commission was objectionable to the Indians, and, as constituted, could do no good. Mr. Steele, another Commissioner, also withdrew. On the recommendation of Mr. Sargent, then a member (now a Senator) from California, the Rev. Dr. Thomas was appointed one of the Commissioners. This gentleman, whose unfortunate death will be regretted by many friends, was a prominent clergyman of the Methodist Church. He was for many years the agent of the "Methodist Book Concern" in San Francisco and was considered the representative of that Church on the Pacific coast. He was a man of considerable intellectual ability, and, though earnest in what he thought was right, was so mild and pleasant in his manner as to be universally popular. The Secretary, feeling some delicacy about the removal of Meacham, requested General Canby to become one of the Commissioners, authorizing him to make any change among the Commissioners that he might deem necessary. This of course evinced

THE CONFIDENCE OF THE DEPARTMENT IN GENERAL CANBY.

Yet still it was hardly the thing to do. It looked like shifting responsibility. With his amiability of disposition, it was hardly to be expected that he would exercise the harshness of summarily dismissing an associate appointed by the general government. He believed the Indians would not come to any terms, and the best way was to compel them by force to surrender, and then afterwards to place them on a reservation where they would be out of the way of the settlers, and be satisfied. It is understood that he was opposed to returning them to the Klamath Reservation, for the reason that the Modocs and the Klamaths had always been enemies, and it was not a wise policy to place them together. The Klamaths are Oregon Indians, and assimilate with the Chinooks and other Indians of that country. The Modocs are a branch of the Pi-Utes, bands that roam through Northern California, Nevada and Utah. It was this ill-judged attempt of forcing together old-time enemies which was the original cause of the trouble. If General Canby had been exclusively assigned to the duty of settling this trouble it would, doubtless, through his excellent tact, have been settled without the loss of his and Dr.

Thomas' valuable lives or the extermination of the Indians.

A DELAYED DESPATCH FROM YREKA. The following despatch, forwarded from Yreka, Cal., was not received here until eleven o'clock last night:—

LAVA BEDS, April 7, 1873. To Hon. COLUMBUS DELANO, Secretary of the Interior:—

At the first meeting since our arrival here the Modocs insisted on amnesty for all and a home on Lost River. At the second meeting they abandoned their claim to Lost River, and demanded the lava beds for a home. We do not believe a lasting peace would follow the settlement of the Modocs in this country. We meet them to-morrow to discuss only amnesty and a new home. They are wavering, and indicate willingness to talk over these terms.

A. B. MEACHAM, Chairman of the Commission.

MR. MEACHAM RECOVERING. It is reported that Mr. Meacham, who, in the first accounts, was said to be mortally wounded, will recover. The first intimation officers on duty at the War Department had that the animosity of the Modocs was personally directed against the principal Peace Commissioner was through the HERALD of yesterday, containing the exclusive history of the causes of the trouble. The HERALD's account was eagerly read this morning by the officials at the War Department, who at once realized what

THE TRUE CAUSE OF THE TROUBLE.

Sorrow for the murder of General Canby was made the more poignant by the ill-advised action of the Department of the Interior in appointing Mr. Meacham to hold a position for which that Department had, by his removal from the position of Superintendent of Indian Affairs in Oregon, considered him unfit to hold.

THE PEACE COMMISSION.

Official Statement of the Purpose and Powers of the Modoc Commission.

WASHINGTON, April 14, 1873.

The following is the official statement of the purpose and powers of the Modoc Peace Commission, being the letter under and in accordance with which the instructions of the Commissioners were prepared by the Indian Bureau:—

WASHINGTON, Jan. 28, 1873.

To THE ACTING COMMISSIONER OF INDIAN AFFAIRS:— Sir—Referring to the difficulties that have arisen and still continue to exist between the troops of the United States and the Modoc Indians in Oregon, I have to inform you that I have determined to send a commission to the scene of the difficulty for the purpose of examining into the same.

COMPOSITION OF THE COMMISSION.

This Commission will consist of three members, whose names will be hereafter furnished to you. It will be required to proceed to the Modoc country as rapidly as possible, and before entering upon the active discharge of its duties will confer with General Canby, of the United States Army, and in all subsequent proceedings of the Commission it should confer freely with that officer, and act under his advice as far as it may be possible to do so, and always with his co-operation. The objects to be gained by this Commission are these:—First, to ascertain the causes which have led to the difficulties and hostilities between the troops and the Indians, and, secondly, to devise the most effective and judicious measures for preventing the continuance of these hostilities and the restoration of peace. It is the opinion of the Department, from the best information in its possession, that it is

ADVISABLE TO REMOVE THE MODOC INDIANS, with their consent, to some new reservation, and it is believed that the Coast reservation in Oregon, lying between Cape Lookout on the north and Cape Perpetua on the south, and bounded on the east by the coast range of mountains and on the west by the Pacific Ocean, will be found to furnish the best location for these Indians. The Commission will, therefore, be directed to make an amicable arrangement for locating the Indians on some portion of this reservation, provided it is possible for it to do so, and provided that said Commission is not of opinion, after fully investigating the case, that some other place is better adapted to accomplish the purpose of the Department, in either of which events the Commission will, before finally concluding an arrangement with the Indians, hold communication with the Commissioner of Indian Affairs and receive further advice.

NO DIRECTION OF THE MILITARY. The Commission will in no wise attempt to direct the military authorities in reference to their movements. It will be at liberty, however, to inform the commanding officer of the wish of the Department that no more force or violence be used than in his opinion shall be deemed absolutely necessary and proper, it being the desire of the Department in this, as well as in all other cases of like character, to conduct its communications with the Indians in such a manner as to secure peace and obtain their confidence, if possible, and their voluntary consent to a compliance with such regulations as may be deemed necessary for their present and future welfare. The Commission will be directed to keep the Department advised as frequently as possible of its progress, until the work which is assigned to it shall be accomplished, or its further progress proven to be unnecessary.

Very respectfully, your obedient servant, C. DELANO, Secretary.

THE COMMISSION UNDER CONTROL OF GENERAL CANBY. The following is a copy of a telegram placing the Modoc Peace Commissioners under the control of General Canby:—

HEADQUARTERS ARMY OF THE UNITED STATES, WASHINGTON, March 24, 1873.

General E. R. S. CANBY, commanding, Van Bremer's Ranch, Modoc Country, via Yreka, California:— Secretary Delano is in possession of all your des