

## RESERVATION OF SIOUX INDIANS IN DAKOTA.

JANUARY 5, 1899.—Referred to the House Calendar and ordered to be printed.

Mr. PEEL, from the Committee on Indian Affairs, submitted the following

### REPORT:

[To accompany bill H. R. 11970.]

The Committee on Indian Affairs, to whom was referred H. R. No. 11645 to divide the great Sioux Indian Reservation in Dakota into smaller reservations and to open to settlement a large portion thereof, and for other purposes, have had the same under consideration, and now beg leave to submit a substitute, with following report:

The object of this bill and of the substitute is the same as H. R. No. 11645 that passed both houses and received the approval of the President during the first session of the present Congress, but was rejected by the Indians, to whom it was submitted. The present bill differs somewhat from the other, but seeks to reach the same results in a more certain way.

The territorial division of the reservation and the amount to be ceded and relinquished to the Government for settlement under the homestead laws of the United States are the same in this as in the other, the difference consisting in the price to be paid for the lands opened to settlement, the amount to be advanced by the Government on permanent fund, and the submission of the same to the Indians for ratification. This reservation, lying in the very heart of southern Dakota, contains about 22,000,000 acres of land, upon which there exists about 23,000 uncivilized Sioux Indians.

This bill, like the other, divides the reservation into six smaller reservations, fixing title in those of the Indians receiving rations at the agencies located upon these six separate reservations respectively, which reservations embrace about one-half the territory embraced in the whole. Each smaller reservation contains four or five times land enough to give each Indian residing thereon 160 acres, so there is no danger but that each Indian—big, little, old, and young—will have more land left than he or she can profitably use in the only pursuit left for him.

This bill, like the other, opens up to settlement about 11,000,000 acres, which can only be taken under the homestead laws of the United States, and requires the settler to pay (instead of 50 cents per acre, as required by the old act) \$1.25 per acre for all that is taken within the first three years after the taking effect of the act: all after the first three years, and within the next two years, at 75 cents per acre; and the rest at 50 cents per acre: *Provided*, That at the end of ten years from the taking effect of the act, any that may be undisposed of to be accepted by the Government at 50 cents per acre. This bill also pro-

vides that the expense of sale, including surveying, etc., be borne by the Government.

From the best estimate your committee can make, the lands opened to settlement under this bill will produce between \$10,000,000 and \$11,000,000 net for the Indians, and will make homes for thousands of our own people.

This bill provides for \$2,000,000 as part of a permanent fund instead of one, as provided in old act; like the other, however, to be re-imbursed to the Government from sale of lands. The old act provided that before the act should be of any effect it should be ratified by three-fourths of the male adults of the tribe. This bill contains no such clause.

Your committee had serious doubts, in fact did not believe, that any considerable number of the Indians would ratify the other act, but believed the submission was being made to the Indians as a people; but experience has shown in that we were mistaken. The average Indian of this savage and warlike tribe has no mind of his own. They are completely under the control of a few arrogant and self-conceited chiefs, and these chiefs are largely under the control of the Northern Pacific and Northwestern Railway Companies, and a few avaricious white or squawmen, who, with a few chiefs, are reaping large fortunes from the common property of their own people. Many of these chiefs or self-constituted rulers own large herds of cattle, running up into the thousands, that roam and graze over this large reservation at will, which is a source of great profit to them. They see that a division of this reservation not only deprives them of much of their tribal power as chiefs, but cuts off their inexhaustible grazing grounds. These advantages are easily excited and augmented by those behind them.

The Northern Pacific Railway, as we are advised, own a large amount of real estate in the Territory of Dakota that they desire to sell at profitable figures, and if this bill should become a law, and thereby open up 11,000,000 acres to settlers at nominal figures, compared with theirs, the market for their lands will be closed for many years to come. So they with their mighty power oppose the bill.

The Northwestern Railroad, running to Pierre on the Missouri River, is interested, as we are advised, in another road that runs around this great reservation to the Black Hills, and does all the carrying trade for that vast section. To open this reservation as provided in this bill would not only compel the Northwestern to complete its own line through to the Black Hills (a thing they do not want to do), but it forces the Chicago, Milwaukee and Saint Paul and other competing lines through; therefore they oppose the measure.

Besides all this, many honest but misguided philanthropists urge the Indians not to agree to anything until the Government does a thousand and one other things and pays them fabulous prices for the land; in other words, while they profess to be the only true friend the Indian has they seek to keep him in a state of idle vagabondism, perpetuating all manner of superstition and immorality, such only as belong to the darkest days of our country's history, instead of looking to their inevitable and ultimate destiny and preparing them to meet it when it comes.

All these various cause defeated the operation of the other bill, and will, in the judgment of your committee, defeat any measure looking to the same end that is submitted to them.

The agreement made with them in 1868—we say agreement, because legally that is all the Government can do with its wards—provides, among other things, that none of their reservation shall be ceded to the United States unless three-fourths of the male adults agree to the

same, notwithstanding these uncivilized people are incompetent to enter into valid contracts; yet, if it was to their interest to do so, it would be right and best to observe that part of the contract; but when we plainly see that to do so will continue these people in degradation and savagery, then it ought to be disregarded. Such contract were unwise when made and contrary to true principles of public policy, and are no higher than an act of Congress, as held by the Supreme Court of the United States in Cherokee Tobacco Case (11 Wallace), in which the court said:

That when a clause of a treaty made with an Indian tribe comes in conflict with an after act of Congress the treaty must yield, and *vice versa*.

Now, what shall we do? We have fairly submitted a bill to these people thought to be just and fair by the American Congress, by the President, and by a large number of persons laboring for the redemption of the Indians, and through and by influences heretofore stated they reject it; besides, a large delegation of their ablest chiefs were allowed to come to Washington and submit their objections to the measure to the Secretary of the Interior, and through him to the President, and after full and free conference, almost every objection made by them was yielded to, yet they still refused and rejected it. And it is the deliberate opinion of the honorable Commission charged with the submission of the act, as well as that of your committee, that no bill, however liberal, could be passed that would receive the free and voluntary sanction of three-fourths of the male adult members of this uncivilized race. Public opinion, public policy, and the best interest of these Indians, as well as the whites, demand that this dark cloud to civilization, this great blockade to travel and commerce, be removed, and nothing but an act of Congress can lawfully do it.

Now the question is, shall we resubmit this great national question to these ignorant savages, and resort to old methods to secure their so-called consent? Shall this great Government resort to the red-blanket dicker with its own wards, and chief bribery, to secure their so-called consent; or shall we resort to the strong arm of the military, and with our glittering bayonets overawe and scare them into so-called consent? The one would be dishonest and demoralizing, the other cowardly and unmanly. Or shall we pursue an open, candid, and sincere course?

It is the candid and honest opinion of your committee that this Government should treat these Indians and their property as the children or wards of the nation, and deal with them as a humane father would with his child. All admit that sooner or later they must live like other people—must earn their living by manual and mental toil. Therefore we recommend that the bill pass, and that the Government proceed at once to survey these lands, allot to each family all the land required under the law, and that of the best for agricultural and pastoral purposes, place amongst them practical farmers, school teachers, mechanics, millers, and physicians in sufficient numbers to move the entire tribe up-hill towards sunlight and civilization, and let them distinctly understand that this is to be the wind-up of them as Indians; that American citizenship is the only status for man in this country.

The treaty of 1868, which requires three-fourths of the adult male members of the tribe to consent to sale or cession of any part of their reservation, has been violated in several respects by both the Government and the Indians. That treaty requires the Indians to keep peace with the Government and not to molest any of its citizens. Besides the Sitting Bull war, which resulted in the murder of General Custer and

men, they have committed various and divers depredations upon our citizens and their property. They agreed to take lands in severalty; that they have not done. They agreed to strive to become self-supporting; in that they have failed. With few exceptions they are as perfect Indians now as then.

In 1878, 240 of their chiefs and head men sold and ceded to the Government the Black Hills country, with all its vast mineral wealth, without even consulting the average Indian, and the Government accepted it, and Congress approved it as a compliance with the treaty. In that agreement, made over ten years ago, the Government agreed to feed these *horny-handed sons of toil* until they were able to support themselves, and to-day full rations are being issued to each and every Indian on the reservation. So we find that, after ten years' hard work and millions of money spent, not a single Indian supports himself.

We ask in God's name when will they be able to earn an honest living? Who is to be the judge as to when they are able to support themselves? They are stout, robust people, and the Government might well say that we have fed and clothed you for ten years, have given you teachers, doctors, preachers, farmers, and mechanics, and any quantity of splendid land upon which to graze stock and make corn, and now if you are not able to support yourselves the fault is yours. Such a course, however just, would leave them to starve and freeze.

Since 1868 these savages have cost the tax-payers of our country nearly \$30,000,000, all for the purpose of civilizing them and fitting them for the ordinary walks of life (that has been twenty years ago), and yet they are nothing but ignorant, superstitious, out-and-out Indians, ready for the tomahawk and scalping-knife at the bidding of a so-called chief, and if allowed to live in tribes and bands, obey and worship feather-crowned and blood-painted chiefs, and to straggle and roam aimlessly over this great wilderness, respecting the Government only for the amount of beef given them. Twenty years hence will find them as now.

Your committee, in conclusion, urge Congress to look at the object sought, to take high and manly ground toward these people; take them in our arms as our children; give them all the land they can use; learn them how to use it, and learn them with the proceeds of the lands they don't need and can't use; learn them that governments are not created to support people, but to protect them in life, liberty, and property, and that, like other people, they must work. We can not close this report without referring to the appeal made to the Government by a few of the chiefs and head-men of the tribe that visited Washington last fall in the interest of their people in regard to the opening of their reservation. It is addressed to the honorable Secretary of the Interior, and is as follows:

WASHINGTON, D. C., October 19, 1888.

SIR: We, the undersigned Sioux Indians, also representatives of our nation, dissent from the objections raised by the majority of the Sioux delegation under this date, and denounce the exorbitant demands made as unreasonable and unjust to a fatherly and kind Government, and we declare as follows:

(1) We fully appreciate the generous modifications of the act approved April 30, 1888, proposed by the President through the honorable Secretary of the Interior, and acknowledge they are more liberal than we had any right to expect.

(2) We are filled with a sense of shame that our brother Sioux, who came here with a distinct understanding that they, as representatives of their people, would not demand at the outside from the Government more than \$5,500,000, are now demanding \$1.25 an acre for the whole 11,000,000 acres proposed to be opened.

Our people have not taken lands as they promised under the treaty of 1868; we have not shown that commendable zeal in educational matters, which would doubtless

have brought us schools in abundance, and have not made that earnest endeavor to become self-supporting, which we have promised in treaty compact.

When we remember that a kind Government fed us for four years after its obligations to do so under the treaty of 1868 ceased, and prior to the agreement of 1876, at a cost of probably one and a half million of dollars, and when we remember that, at great cost to the Government, seven agencies have been given for our convenience and in order to advance us towards civilization, instead of one agency, as promised by the treaty of 1868, and when we remember that for twenty years now the Government has appropriated one and a half millions a year for our assistance, and that we have made poor advancement to correspond, we protest against the ingratitude shown by the aforesaid Indians.

By the act approved April 30, 1888, we are guaranteed titles to our respective reservations and claims, which have not heretofore been fixed; we are guaranteed excellent school facilities for at least twenty years longer; our reservations are made separate, and doubtless we could progress more rapidly under such conditions.

There are many poor people of our tribe left at home, whose eyes are anxiously turned toward us, and whose prayers go up to heaven that our negotiations here may be successful, and that we may procure those blessings promised by the bill, and that we may start on the road to prosperity, civilization, and happiness.

In view of these facts and our ignorance, we pray Congress to legislate for us, regardless of the three-fourths vote. We rely on the wisdom and generosity of our Government and pray for its aid. Let the voice of the few be heard in behalf of our people, in the interest of progress towards self-support as against those who would hold our people back under control of the old tribal relations and kindred evils.

Respectfully submitted.

*Crow Creek Agency*: Wizi, his x mark; Dog Back, his x mark; Bowed Head, his x mark; Wm. Carpenter, his x mark; Mark Wells, his x mark.

*Pine Ridge Agency*: George Sword, his x mark; Standing Soldier, his x mark; Standing Elk, his x mark.

*Lower Brulé Agency*: Big Mane, his x mark; Medicine Bull, his x mark; Bull Head, his x mark; Standing Cloud, his x mark; Fire Thunder, his x mark; Alex. Rencountre, his x mark.

Witness of Pine Ridge: H. D. Gallagher.

Witness as to Crow Creek and Lower Brulé: W. W. Anderson.

Hon. WM. F. VILAS,

*Secretary of the Interior, Washington, D. C.*