

GREAT SIOUX RESERVATION IN DAKOTA.

FEBRUARY 16, 1888.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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

REPORT:

[To accompany bills H. R. 1940, 3286, 3287.]

The Committee on Indian Affairs, to whom was referred House bills Nos. 1940, 3286, and 3287, all relating to the division and reduction of the Great Sioux Reservation in Dakota and Nebraska, and to open up a portion to settlement, and provide for the better education and civilization of the Indians, having considered the same, beg leave to submit the following report:

Without reviewing the history in detail of the Sioux Indians or deciding the exact tenure by which they hold title to the reservation, your committee would report and recite:

That the Great Sioux tribe of Indians, notwithstanding the warlike habits demonstrated from time to time, culminating in the Minnesota New Ulm massacre, the depredations on the plains during the California emigration and the building of the Pacific railroad, and the war terminating with the massacre of General Custer and his followers, and the capture and release of Sitting Bull and his band, the Government of the United States has for twenty years been dealing with them with a lavish hand, supporting them in idleness and keeping them in a great wilderness away from civilization, on a reservation, the extent of which is almost as great as the entire State of Kentucky; and the time has come when it is an imperative necessity, both as an economic measure on the part of the Government as well as for the prosperity and well-being of the Indian, that there should be a change. Justice and fairness alike to the Indians and the whites demand it.

By information forwarded us from the Interior Department we find that the Government is now paying for the support of these Indians over \$1,500,000 annually.

That although by the treaty of 1868, made at Fort Laramie, that we only agreed to furnish to them rations consisting of one pound of meat and one pound of flour a day for four years to all the tribe over four years old, now it is twenty years, and we have not only furnished continuously these rations, but have increased them to three pounds of meat a day, and other things in proportion, adding sugar and coffee to the list, and including in the rations rolls infants the moment born, and that while it would only have taken about \$9,000,000 to have carried out the treaty of 1868, yet we have expended up to this date in their support the

enormous sum of \$29,463,642.46; and under an agreement signed by the chiefs and head-men in 1876, the Government has agreed to support them as long as they were not self-supporting. That with this agreement in view, there is little or no inclination to make an effort to support themselves, or take lands in severalty, and the demand for the annual appropriation grows no less.

The country now occupied by the Sioux is land taken by them from other tribes years ago, and comprises about 37,000 square miles of territory, while the official figures given from the Indian Department show only 22,487 Indians on the entire reservation, or less than one Indian to every $1\frac{3}{4}$ square miles. While the treaty agreement with the tribe only provides for one agency, the Government has generously provided six. Your committee finds that around these agencies the Indians have clustered, and that the number of Indians at present at each agency is as follows:

Cheyenne River.....	2,936
Crow Creek.....	1,103
Lower Brulé.....	1,237
Pine Ridge.....	4,932
Rose Bud.....	7,684
Standing Rock.....	4,545
Total.....	22,487

Your committee deems it wise that these Indians should all remain as near as possible in the home of their choice; that they should select lands in severalty and receive the benefits of a common-school education, and to this end proposes separate reservations around the agencies, and upon which the Indians reside, from which out of the large area reserved they can select lands in severalty for their permanent homes, and outside of these reservations let the land be open to homestead settlement.

The reservations proposed are bounded as near as possible by rivers and large streams, or land-marks easily understood by the Indians, the number of acres and the number of square miles in each reservation being as follows:

	Square miles.	Acres.
Pine Ridge Agency Reservation.....	3,832	2,452,800
Rosebud Agency Reservation.....	3,843	2,452,800
Standing Rock Agency Reservation.....	3,957	2,544,000
Cheyenne River Agency Reservation.....	4,536	2,903,040
Lower Brulé Agency Reservation.....	756	483,840
Crow Creek Agency Reservation.....	446½	285,521

A careful estimate of the number of acres required to give 160 acres to each head of a family, 160 acres to each single person over eighteen years old, and 160 acres to each orphan under eighteen, and 80 acres to each other child under eighteen, shows that in most cases it would not require one-fifth of the lands reserved to make the amount required. The Rosebud Reservation, the one having the largest number of Indians, it takes about 500,000 acres to give them lands in severalty, while the entire reservation contains 2,452,800 acres of very choice land, well timbered and well watered. The lands reserved under this bill are of good quality, and have a great abundance of timber, water, and coal, with fine agricultural and grazing lands.

It seems to have been the custom in days gone by to have made treaties with these Indians, but Congress, in 1871, passed the following law:

SEC. 2079. No Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty.

Adding clause protecting treaties made prior to 1871.

In 1882 Congress, in the sundry civil appropriation bill, provided for a commission to make an agreement with the Sioux relating to this reservation, and your committee find and report that said commission made an agreement with the said Indians, by their chiefs and headmen, in similar form and manner to the treaties of 1868 and 1876, only that a much larger number of Indians signed the last agreement of 1882 than signed either the one in 1868 or 1876. The one in 1868 being signed by only 180 chiefs and headmen; the agreement of 1876 by only 269; while the agreement of 1882 was signed by 416 chiefs and headmen, besides by about 40 chiefs and headmen of the Crow Creek Sioux, making a total of 456. This last agreement was recommended by the Indian Department, passed the lower House of Congress in 1883, but was not brought to a vote in the Senate.

The agreement of 1882-'83 was signed by the chiefs and headmen representing the tribes, as was the agreement of 1876, and both the Indians and the commission, in making it, were guided by the precedent established by the acts of Congress, approved by the President, in making said agreement of 1876, which construed and followed the treaty of 1868, and the Indians have received and the Government has paid over \$16,000,000 under this construction, and on the basis of these acts of the chiefs and headmen; and these poor Indians are now entirely dependent for every dollar of their support from the Government upon the provisions of the agreement of 1876, signed only by their chiefs and headmen, and we think it unwise to declare the precedent established invalid by adopting a different theory or rule from that already established and accepted by the Indians; and while it would probably be better for the Congress of the United States in their best wisdom and judgment to legislate for these people, yet these Indians having offered this agreement to us, we think it best to accept and approve it with the safe-guards and additional provisions and compensations provided for in this bill.

The bill submitted ratifies this agreement so far as the action of the Indians is concerned, but adds largely to the compensation made in the agreement upon the part of the Government, providing, in addition to the compensation allowed in the agreement for the Indians, the 50 cents on an acre, which will make a fund of nearly \$5,000,000, which those entering the lands under the homestead law (only) pay in addition to other fees now provided, as required by law, and also adding certain provisions defining and protecting, but not curtailing, his rights.

The boundaries fixed by this agreement of 1882 are those of this bill, excepting as to the Lower Brulé Reservation and a small strip of country contiguous thereto, up to Dog Ears Creek, occupied by only a few Indians, and in the bill submitted herewith the Lower Brulé Indians are given their choice between this reservation or the one above, including the Big Bend, which it is understood they prefer, and protects all the Indians on the land opened up.

The bill submitted provides further that any Indian residing off the reservations described and within the limits of the country opened

up to settlement shall be protected in their homes if they desire to remain thereon. Said bill makes other and further generous provisions as to schools, etc., believed to be of great benefit to the Indians, but does not exact any more of him than the agreement provides.

Your committee find that these Indians have also by their chiefs and head-men agreed to give the Chicago, Milwaukee and Saint Paul Railroad Company and the Dakota Central Railroad Company the right of way through this reservation (which runs through the part proposed to be opened); also certain tracts of land at different places for depot grounds, railroad purposes, for which the railroad companies pay \$110 for each mile of right of way, and \$4 and \$5 an acre for the land, which money is to be (a portion now having been deposited) paid the Indians through the Secretary of the Interior. To fail to ratify this agreement would be to deprive the Indians of several thousand dollars of money, for on the opening of the reservation the railroad companies would be entitled to the right of way from the General Government for nothing under the general law. And yet your committee do not feel justified in recommending the ratification of said agreement without the modifications and qualifications provided for in the bill limiting the amount of lands actually necessary for railroad purposes, and providing for forfeiture in case of non-user; the amount of lands actually necessary for railroad purposes at the Missouri River crossing being left to the judgment and discretion of the Secretary of the Interior.

Your committee believe that in providing for a fund for the Indians to encourage them in settling upon lands in severalty, to which individually they are to have undoubted title thereto in time, and reducing the size of the reservations, bringing them nearer to civilization, that both the ambition and the opportunity of the red man will be greatly increased, and that it will, with education, pave the way to self-support, and thus relieve the Government of this continuous heavy burden now imposed in feeding them in this great wilderness.

As the reservation is now situated between the Black Hills in southwestern Dakota and the agricultural region in eastern Dakota, no railroads can be built from one to the other. The Black Hills having plenty of pine timber for lumber and an abundance of coal, and eastern Dakota in great need of these staple articles, we recommend early action on this bill, so long delayed, so that communication can be established, as it is now a wrong to both the Indians and the whites and a great burden to the Government.

Your committee have framed with care the bill to protect the interest of the Indian and the Government with fairness to all parties and partiality to none. The lands can only be taken for homestead settlement, and there are no doubtful schemes or interests fostered or protected in this bill. The 50 cents an acre the claimants will have to pay for the land will go into a fund for the benefit of the Indians, and will make about \$5,000,000, which will be held by the Government in trust, on interest, for their education and civilization.

The lands in severalty, the school-houses, and agricultural implements provided for in this bill will be a boon of civilization and new hope to these Indians, and the provision limiting the lands opened to homestead settlement only will preserve this new domain from the ravages of the speculator and keep it for homes for the homeless; and your committee have after a very careful consideration of all the bills and the measures therein contained unanimously instructed me to report the substitute herewith submitted with a recommendation that it do pass.