

INDIANS IN WASHINGTON TERRITORY.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A draught of a bill to provide for the consolidation of certain bands or tribes of Indians in Washington Territory, and for the sale of certain reservations in said Territory, and for other purposes.

JANUARY 13, 1875.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 5, 1875.

SIR: I have the honor to transmit herewith the draught of a proposed bill "to provide for the consolidation of certain bands or tribes of Indians in Washington Territory, and for the sale of certain Indian reservations in said Territory, and for other purposes," to which the attention of Congress is respectfully invited, with a view to its favorable consideration by that body.

A copy of a letter of the Commissioner of Indian Affairs, dated the 4th instant, together with the annual report (1874) of that officer, embodying a report of Indian Commissioners Smith and Lang, setting forth the necessity of the legislation recommended, are also herewith transmitted.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

The SPEAKER of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 4, 1875.

SIR: I have the honor to submit herewith, with the recommendation that the same be presented to Congress for appropriate action, a draught of a proposed bill providing for the consolidation of certain bands or tribes of Indians in Washington Territory, and for the sale of certain Indian reservations in said Territory, and for other purposes.

The necessity existing for this legislation is more fully set forth in the

report of J. W. Lang and F. H. Smith, of the board of Indian commissioners, dated November 20, 1874, to be found embodied in my annual report for 1874, pages 77 to 80, inclusive.

Very respectfully, your obedient servant,

E. P. SMITH,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

AN ACT to provide for the consolidation of certain bands or tribes of Indians in Washington Territory, and for the sale of certain Indian reservations in said Territory, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several tribes or bands of Indians belonging to or residing on the Puyallup, Nisqually, Squaxin, and Chehalis Indian reservations in Washington Territory, be, under the direction of the Secretary of the Interior, removed to and located upon the Skokomish Indian reservation in said Territory.

SEC. 2. That, in like manner, the several tribes or bands of Indians belonging to or residing on the Port Madison, Tulalip, Swinomish, and Muckleshoot Indian reservations, in said Territory, be removed to and located upon the Lummi Indian reservation in the Territory aforesaid.

SEC. 3. That, in like manner, the several bands or tribes of Indians belonging to or located upon the Quinalt Indian reservation, in Washington Territory, be removed to and located upon the Makah or Neah Bay reservation.

SEC. 4. That the present limits of the Skokomish reservation, as defined in the treaty of January 26, 1855, and extended by executive order bearing date February 25, 1874, be, and the same are hereby enlarged, so that the following-described tracts of land shall constitute said reserve, viz: In township 21, range 3, sections 5, 6, 7, 8, 17, 18, 19, and 20; in township 21, range 4, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24; in township 21, range 5, sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24; in township 22, range 4, sections 26, 27, 34, and 35, all north of the base-line and west of the Willamette meridian.

SEC. 5. That the present limits of the Lummi reservation, as defined by the treaty of Point Elliott, concluded January 22, 1855, and modified by the terms of an executive order dated November 22, 1873, be, and the same are hereby enlarged, so that the following-described tract of country shall be included within the boundaries thereof, in addition to that described in said executive order, viz: Beginning at the point on the west bank of the Lummi or Nootsack River, where the same crosses the north line of the present reservation, and running thence northwardly along said west bank of the Lummi or Nootsack River to the point where the same intersects the line between townships 39 and 40, north of range 2, east of the Willamette meridian; thence due west to the shores of Prince George's Channel, and thence southerly along the shore of said channel, with the meanders thereof, to a point intersecting the northwest corner of the reservation, as defined by said executive order of November 22, 1873.

SEC. 6. That the boundaries of the Makah or Neah Bay Indian reservation, as defined by the treaty of Neah Bay, concluded January 31, 1855, and extended by executive order dated October 21, 1873, be, and the same are hereby enlarged, so that the description of said reservation shall be as follows: Commencing on the beach at the mouth of a small brook running into Neah Bay, next to the site of the old Spanish fort; thence along the shore of said bay in a northeasterly direction four miles; thence in a direct line south twenty-one miles; thence in a direct line west to the shore of the Pacific Ocean; thence northerly along said Pacific shore and eastwardly along the shores of Juan de Fuca Strait and Neah Bay to the place of beginning.

SEC. 7. That the Puyallup, Nisqually, Squaxin, Chehalis, Port Madison, Tulalip, Swinomish, Muckleshoot, and Quinalt Indian reservations, as at present recognized, be surveyed if necessary and appraised by three competent commissioners, to be appointed by the Secretary of the Interior. After such survey and appraisal, the Secretary of the Interior shall be, and hereby is, authorized to cause the same to be offered for sale in such manner as he may deem proper, for cash in hand, in tracts of not exceeding one hundred and sixty acres each, at not less than the appraised value thereof. And the proceeds of such sale shall be placed to the joint credit of the Indians (on the reservations to which they are respectively removed, as hereinbefore provided) on the books of the Treasury Department of the United States, and bear interest at the rate of five per centum per annum, payable semi-annually, except such portion thereof as may be necessary to defray the expense of surveying and appraising the reservations herein relinquished, and of removing and relocating the Indians, as set forth in the preceding sections of this act, and of purchasing the claims of settlers on

the extension of the Skokomish and Lummi reservations, and also such part thereof as the Secretary of the Interior, with the approval of the President of the United States, may deem necessary to be expended for their immediate use in improving and fencing farms, building houses, purchasing implements of agriculture and live stock, and in establishing and supporting schools.

SEC. 8. That an allotment of land, not exceeding forty acres in area, shall be made to each male Indian over twenty-one years of age, upon the said Skokomish, Lummi, and Makah or Neah Bay reservations, who shall settle upon and cultivate the same, and a certificate therefor shall be issued by the Commissioner of Indian Affairs in the name of the allottee; such allotment to remain inalienable by the allottee, except to the United States or to other members of the tribe, for the period of ten years from the date of such certificate, after which time, if said allottee shall continue to occupy and cultivate the same, a patent shall be issued to him in fee-simple therefor.

SEC. 9. That each Indian child upon said Skokomish, Lummi, and Makah or Neah Bay reservations, between the ages of six and sixteen years, shall be compelled to attend school during the length of time such school shall be in operation during the year, and that a refusal on the part of the parents or guardians of such children, without satisfactory reason to the agent therefor, subject to the approval of the Department, to compel such attendance, shall suspend all right on their part to participate in the annuities or other benefactions of the Government or in the tribal funds; and the agent for said Indians shall be authorized and required to adopt such other proper measures as may be necessary for the enforcement of such attendance.

SEC. 10. That, in order to carry into effect the foregoing provisions of this act, the sum of one hundred and thirty thousand dollars be, and the same hereby is, appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, to be expended for the following purposes, viz: For extinguishment of claims of settlers on the enlargement of the Skokomish and Lummi reservations, sixty thousand dollars; for expense of the survey and appraisement and the removal of Indians from the nine reservations herein provided to be sold, and their relocation in the manner hereinbefore provided, sixty-five thousand dollars; for purchase of schooner for use of Indians on Neah Bay reservation, five thousand dollars: *Provided*, That the sums herein appropriated for the extinguishment of settlers' claims, for the survey and appraisement of said reservations, and for the removal and relocation of the Indians, shall be re-imbursed to the United States from the funds arising from the sale of the nine reservations aforesaid.