

MISSION OF SAINT JAMES, IN WASHINGTON TERRITORY.

MARCH 3, 1876.—Committed to a Committee of the Whole House and ordered to be printed.

Mr. BUCKNER, from the Committee on Private Land-Claims, submitted the following

REPORT:

[To accompany bill H. R. 820.]

*The Committee on Private Land-Claims, to whom was referred the bill (H. R. 820) for the relief of the mission of Saint James, in Washington Territory, respectfully report:*

That by the act of Congress, approved August 14, 1848, by which the Territory of Oregon was organized, it was provided "that the title to the land, not exceeding 640 acres, now occupied as missionary stations among the Indian tribes in said Territory, together with the improvements thereon, be confirmed and established in the several religious societies to which said missionary stations respectively belong."

There was established at Vancouver, on the north bank of the Columbia River, in the then Territory of Oregon, a missionary station, which has ever since been known as the mission of Saint James, and which has continued to exist as an active mission, from the time of its first establishment, in 1838, down to the present time. Houses were built, a burial-ground laid out, lands cultivated, and other acts of use, occupancy, and enjoyment necessary and proper for the purposes of evangelizing, civilizing, and teaching the Indians resorting to these mission-grounds, were performed. It was such an occupancy and use of soil, timber, and grass as was needful for the prosecution of the purpose of the mission. When first established, and until May, 1859, the Hudson Bay Company was in lawful possession of the land on which this mission was located under treaty-stipulations between Great Britain and the United States. This company not only encouraged the establishment of this mission by allowing it to occupy the land for its operations, but contributed regularly and liberally to its support. It is clear that the mission of Saint James being, at the passage of the act of August 14, 1848, in the lawful occupancy of the land then and now occupied by it, it is within the provisions of said act.

In the instructions of the Commissioner of the General Land-Office to the surveyor-general of Oregon, issued in 1859, he construed the act of August 14, 1848, "to give to each missionary station 640 acres, and in order to comply with the terms of the grant made by Congress under circumstances where the land now (then) occupied, together with the improvements thereon, cannot be brought within the legal subdivisions without doing manifest injustice to the missionary stations," he instructs

him "to cause to be made a special survey of a square mile, which shall include the land occupied, with buildings and improvements, in the center as nearly as may be." The rights of occupancy of the Hudson Bay Company expired in 1859, and in obedience to the aforesaid instructions of the Land Department, the surveyor-general of Oregon made a survey and plat of a mile square, which included the buildings and improvements of the mission, and caused the same to be filed in the Land-Office of the Department of the Interior. The object of this bill is to cause a patent to be issued, according to said survey and plat.

Since the establishment of the Saint James mission several conflicting claims have sprung up to this land. The United States has established a military reservation on a portion of it, and other claimants are contesting the right of the mission. It is not the purpose of the committee to determine as to the validity or invalidity of these adverse claims, and they have amended the bill referred to them so as to enable these claimants to assert their rights before the courts as to any part or the whole of the 640 acres. But while the bill saves the adverse rights of these claimants, it becomes absolutely essential, in order to give this mission a legal status in court as to the land outside of the half acre on which its church-building and mission-house are located, that the land surveyed and platted to the mission in satisfaction of the grant by Congress should be separated from the public domain and patented; and your committee therefore recommend the passage of the bill referred to them, with an amendment thereto saving the rights of adverse claimants, and the rights of the United States to any buildings or other fixtures on said land, also striking out part of the preamble on second page of the bill.