

COAL LANDS UPON THE SAN CARLOS RESERVATION.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication from the Secretary of the Interior relative to coal lands upon the San Carlos Reservation in Arizona.

APRIL 18, 1882.—Referred to the Committee on Indian Affairs and ordered to be printed.

To the Senate and House of Representatives :

I transmit herewith a communication from the Secretary of the Interior of the 12th instant, with accompanying papers, in relation to coal lands upon the San Carlos Reservation, in the Territory of Arizona.

The subject is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
April 17, 1882.

DEPARTMENT OF THE INTERIOR,
Washington, April 12, 1882.

SIR: I have the honor to submit herewith, for your consideration, a copy of a communication of the 8th instant from the Commissioner of Indian Affairs, in relation to the coal beds lately discovered upon the lands of the San Carlos Indian Reservation, in the Territory of Arizona. The Commissioner, in giving the history of these coal beds, recites the efforts made by various parties to obtain control of them; calls attention to their importance to the citizens of the Territory by reason of the limited supply of fuel in said Territory, and recommends, in view of the facts in the case, that a joint resolution be adopted by Congress authorizing the department to lease the lands upon which the mines are located to different parties, after due advertisement, the revenue so derived to be applied first for the reimbursement of the funds appropriated for the care and support of the Indians upon whose lands the coal is located, and any remaining surplus to the reimbursement of moneys expended for Apaches and other Indians in Arizona and New Mexico.

As to the policy of the government becoming the lessor of Indian lands for any other purpose, I am of the opinion that such a policy would be unadvisable, and the establishing of a precedent might lead to serious embarrassment; yet, in this case, it appears that these beds of coal are the only deposits in the Territory of Arizona so far discovered; and, if they should by any means pass within the control of a monopoly, the interests of the citizens of that region might be seriously affected. Further, if these deposits remain within the control of the government, and at the same time reimburse the heavy outlay of the government for the Indian service in that portion of the country, the benefit thus resulting might outweigh the objections existing as to the wisdom of the measure proposed.

A draft of a joint resolution for the object indicated, prepared in the office of Indian Affairs, is respectfully submitted, with a suggestion that the subject be presented for the consideration of Congress.

I have the honor to be, sir, very respectfully, your obedient servant,
S. J. KIRKWOOD,
Secretary.

The PRESIDENT.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 8, 1882.

The honorable the SECRETARY OF THE INTERIOR:

SIR: In submitting the inclosed draft of a joint resolution for transmission to Congress, if it shall please the department to concur in and further the measures therein proposed, I have the honor to make the following statement by way of explanation.

How best to settle the somewhat perplexed questions that have grown out of the recent discovery of coal upon the San Carlos division of the White Mountain reservation in Arizona, has been a matter of no little concern to this bureau for some time.

The discovery referred to, which is said to have been purely accidental, was made in the spring of last year, 1881, and owing to the very great scarcity of wood or other fuel in that section of Arizona, the knowledge of the existence of coal there, and that too of a superior quality, created intense excitement, which taking shape, as it did, in the pouring in of miners and prospectors upon the reservation, extended to the Indians, and for a time the peace and quiet of the reservation was endangered. However, no serious trouble took place, and with great and persistent effort the reservation was finally cleared of the intruders, and the excitement, on the part of the Indians at least, was thereby allayed.

Numerous expedients were then resorted to to obtain lawful possession of the valuable discoveries. Appeals were made to the department for the segregation of the coal-bearing lands from the reservation; requests for leases were presented, as well as propositions to exchange the coal lands for other lands to be added to the reserve in some other quarter; and, finally the agent, entirely unauthorized, though no doubt acting in good faith, and as he thought properly, called the Indians of the reservation together in open counsel, and supervised the execution by them of a lease to a single individual (for a period of fifty years, on a cash royalty basis), of all the coal beds and mineral lands of whatsoever character within the limits of the reservation.

This lease was promptly and peremptorily disapproved by the department upon its presentation there for approval (August 3, 1881), of which action the Indian agent was at once advised, and at the same time informed that he had entirely overstepped his authority in the part he had taken in the matter.

Congress was not in session at the date of the discoveries, but early in the present session (February 6) a bill was introduced by Mr. Oury, of Arizona (H. R. 4156), to restore to the public domain the lands embracing the coal beds, as well as a strip of country extending along the entire western boundary of said reservation.

The practicability of removing the Indians of the reservation to the Indian Territory has been discussed, and the proposition presented to the Indians themselves; but they were found to be decidedly opposed to any such step. They said their women and children and old men might be removed by force, but that the others, the young and middle-aged, would never go, but rather live in the mountains as they did for years before coming in upon the reservation.

Since the preparation of this report was begun a telegram has been received by the department from the General of the Army, who was at the San Carlos Agency on the 5th instant, in which he says, speaking of the Indians there: "Find the Apaches under Agent Tiffany in good state of control. * * * I do not believe you can *ever prevail on them to move again*, nor is there any place in the Territories where they are less in the way of railroads and the requirements of white settlers than here."

One of the greatest drawbacks in the development of the mineral resources of Arizona has been the scarcity of fuel for steam and other purposes, and that some plan should be adopted whereby this newly-discovered treasure may be made available to the people is, I think, beyond denial.

If this be conceded, the next question is, how can it be done without injustice to the Indians?

It is exceedingly doubtful if they would be satisfied with any further reduction of their reservation, it having already been cut down five times within the last ten years. The government cannot undertake to work the mines; the Indians are not sufficiently advanced as artisans or in ordinary manual labor pursuits to do so advantageously, even if they had the necessary permission, and it would be improper, manifestly, to grant permission to persons to go upon the reservation at will; and I see no other satisfactory course to pursue than that proposed in the joint resolution herewith.

It may be said that by the terms of the resolution the Indians do not derive any new benefits from the sale of the coal. True, yet they would hardly object to the government's reimbursing itself in the manner proposed for moneys appropriated outright for their benefit—a pure gratuity.

Indian Inspector Charles H. Howard recently made a visit to the San Carlos Agency and while there took occasion to communicate with the department specially in the matter of this coal.

He strongly urges the propriety of leasing the coal beds in the manner now proposed. He says, " * * * The government is expending for these Indians from 250 to 300 thousand dollars (\$300,000) a year. Considerable expense is required for irrigation—\$10,000 last year, and there will be required \$5,000 at least this year, owing to a flood carrying away the flume."

"Now this coal mine can be made to reimburse the expenditure and support these Indians. Why should not the government save all this vast expenditure, rather than give it away to individuals or monopolizing companies?"

In conclusion, I will state that the coal discoveries are situated in the southwestern part of the reservation, south of the Gila River, and where they can be reached by railroads without having to cross any considerable portion of the reservation. The entire reservation embraces an area of about 2,528,000 acres, only about 1,600 acres (estimated) of which are tillable. It was set apart by Executive orders of November 9, 1871, December 14, 1872, August 5, 1873, July 21, 1874, April 27, 1876, and January 26, and March 31, 1877, and is occupied by the Pinal, Aribaipa, Tonto, Coyotero, Chiricahua, Warm Spring, Southern and White Mountain Apaches, and by the Apache Mohaves, and Apache Yumas, numbering in all 4,578 souls. About 300 families are engaged in agricultural pursuits, and at least 100 male Indians undertake manual labor.

If the coal lands could be worked many Indians, no doubt, would seek and find employment in the mines, which of itself is a matter worth considering.

I trust the proposed measures may receive favorable consideration.

Three copies of the draft of resolution and two copies of this report are herewith inclosed.

Very respectfully, your obedient servant,

H. PRICE,
Commissioner.

JOINT RESOLUTION authorizing the Secretary of the Interior to lease certain coal lands embraced within the limits of the White Mountain Indian Reservation in the Territory of Arizona.

Whereas it has been discovered that large and valuable deposits of coal exist within the limits of the White Mountain Indian Reservation in the Territory of Arizona, a reservation set apart by sundry Executive orders; and

Whereas it would be contrary to the practice, if not beyond the lawful power of the Executive Department of the government having the management and control of the Indians and the Indian country, to remove the coal there known to exist, or to permit its removal for the purpose of profit, or for any purpose other than to meet the necessary wants of the Indians, or the Agency or military service in the care and oversight of the Indians, without the express authority of Congress therefor; and

Whereas the government is expending annually not less than three hundred thousand dollars for the support and care of the Apache and other Indians in Arizona and

New Mexico, which amount, it is suggested by the Executive Department aforesaid, might be largely if not wholly reimbursed to the government without hardship to those who would be the natural purchasers and consumers thereof, if said coal were made available as an article of commerce, by leasing the coal-bearing lands to persons who would mine the same if permitted to do so; Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and empowered to lease, after due public advertisement in not less than three newspapers having the largest regular circulation in the Territory of Arizona, for a period of not less than thirty days, to the highest responsible bidder for cash, on a system or basis of royalty under such terms, restrictions, and limitations, as in his best judgment he may see fit to require, and in such tracts or parcels as he may deem proper and necessary for the public good, any or all of the coal beds now known to exist, or that may hereafter be discovered within the limits of said reservation; the moneys accruing therefrom to be covered into the Treasury of the United States in reimbursement of any moneys that may hereafter be appropriated for the support and care of the said Apache and other Indians in Arizona and New Mexico: *Provided,* That if any amount in excess of the sum required annually to maintain and care for said Indians shall be realized from the lease or leases that may be executed under the authority of this act, such amount shall be used to reimburse the government for any moneys that may hereafter be appropriated for the support and care of any of the other bands or tribes of Indians in the Southwest.