

FORT HALL AND LEMHI RESERVATIONS IN IDAHO.

MARCH 8, 1882.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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

REPORT:

[To accompany bill H. R. 3503.]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 3503) to accept and ratify the agreement submitted by the Shoshones, Bannacks, and Sheepeaters of the Fort Hall and Lemhi Reservations, in Idaho, for the sale of a portion of their lands in said Territory, and for other purposes, and to make the necessary appropriations for carrying out the same, beg leave respectfully to report:

This is a bill submitted by the Department of the Interior during the Forty-sixth Congress, at the second session, but too late to insure action thereon.

It is intended to ratify a treaty and agreement made with the Shoshones, Bannacks, and Sheepeaters, of Idaho Territory, on the 14th day of May, A. D. 1880, by the terms of which said Indians stipulate to cede to the United States a certain portion of their reservation aggregating in area somewhere near three hundred and forty thousand acres, for a consideration which will amount to not exceeding one hundred and twenty thousand dollars (\$120,000) as the cost price thereof. The area of the Fort Hall Reservation, as estimated by the Commissioner of Indian Affairs, is about a million and a quarter of acres; and the total number of Indians—Shoshones, Bannacks, Sheepeaters, and all others—at any time congregated thereon does not exceed sixteen or seventeen hundred—men, women, and children.

This reservation, although based on the treaty of July 3, 1868, which did not specify any particular quantity of land to be set apart as a reservation, was so set apart as a reservation for the Shoshones and Bannacks by two Executive orders, one of date June 14, 1867, and the other of date July 30, 1869. Prior to the time of the issuance of the Executive orders setting apart these lands as such reservation, quite a number of settlers had squatted on such lands and improved farms, which subsequently proved, by surveys made, to be within the limits of the lands embraced in said reservation so set apart and withheld from entry by such Executive orders.

According to the report of the Commissioner of Indian Affairs for 1881, he estimates the number of "whites" *unlawfully* on the reservation at 200.

The settlement of whites has been on the southern portion of said reservation, a section that has never been occupied by the Indians, and is

in the mountain regions, which embrace quite a number of fertile valleys that the Indians will not attempt to cultivate, but which the whites are anxious to occupy and make productive. This is the portion of their reservation which, by the treaty made May 14, 1880, the said Indians are willing to dispose of; and from all the facts brought before the committee it is to the best interest of the government that the treaty or agreement so made should be ratified, and carried into effect at the earliest day possible. Nearly two years have elapsed since said agreement was made; the Indians cannot understand the reason of the delay on the part of the government in carrying out the same. One railroad, the Utah and Northern, now traverses said reservation north and south; another, "The Oregon Short Line," is now being constructed across the same, east and west. The Indians have not been backward in granting, for a fair consideration, the right of way, and have done so with an unanimity as unexpected as heretofore unexampled on the part of the Indian tribes.

After a careful examination of the bill your committee would recommend that the same be amended as follows:

Insert after the word "agreement," in line 3 of page 1, in the enacting clause the following: So far as the same relates to the Shoshones, Bannacks, and Sheepeaters of the Fort Hall Reservation.

Insert after the word "Indians," in line 4 of section 2 on page 5, the following words: "*Except the Lemhi Indians.*"

Strike out in lines 12 and 13 of section 3 on page 6, all after the word "direct," in line 12, up to and including the word "and" in line 13.

Strike out all of said bill after the word "dollars" in line 13—being lines 14 and 15.

These amendments are suggested by the Commissioner of Indian Affairs, as also by the Secretary of the Interior, by reason of the fact that the Lemhi Indians since the making of said agreement have refused to release the Lemhi Reservation and remove to the Fort Hall Reservation. The Lemhi Indians are peaceable and well disposed toward the whites. Their chief claims that they signed the treaty or agreement under a misapprehension, and insist that the Lemhis do not wish to leave their old homes, and will not go to the Fort Hall Reservation unless forced to do so. With these amendments your committee recommend the passage of the bill.