

RATIFICATION OF CŒUR D'ALENE INDIAN TREATIES IN
IDAHO.

AUGUST 19, 1890.—Committed to the Committee of the Whole House on the state of
the Union and ordered to be printed.

Mr. WILSON, of Washington, from the Committee on Indian Affairs,
submitted the following

REPORT:

[To accompany S. 2828.]

The Committee on Indian Affairs, to which was referred Senate bill No. 2828, "to ratify and confirm certain agreements with the Cœur d'Alene Indians in Idaho, and to make the necessary appropriations for carrying the same into effect, and for other purposes," have had the same under consideration and report as follows:

House bill No. 7703 is exactly the same as the Senate bill, and was fully considered by the committee and reported favorably to the House in Report No. 1109, to which reference is made. Your committee therefore favorably recommend the passage of this bill.

House Report No. 1109, Fifty-first Congress, first session.

The Committee on Indian Affairs, to whom was referred the bill (H. R. 7703) "to ratify and confirm certain agreements with the Cœur d'Alene Indians in Idaho Territory, and to make the necessary appropriations for carrying the same into effect, and for other purposes therein named," having had the same under consideration, report as follows:

Your committee recommend the passage of this bill, the object of which is to ratify and confirm two certain agreements heretofore made with the Cœur d'Alene Indians in Idaho Territory, to make the necessary appropriations for carrying the same into effect, and for other purposes therein named.

These two treaties and a bill similar to this bill, to wit, Senate bill No. 2828, Fifty-first Congress, first session, have been duly submitted to and had the full consideration and favorable action of the honorable Secretary of the Interior, Commissioner of Indian Affairs, and the Commissioner of the General Land Office, as will be seen set forth in Exhibits A, B, C, D, hereto attached and made parts hereof.

On August 14, 1848, and for generations long prior thereto, the tribe of Cœur d'Alene Indians were in possession of and claimed to own the lands described in this bill and in said two treaties. On August 14, 1848, in the act "to establish the Territorial government of Oregon" (9 U. S. Stat., 323, sec. 1), Congress, when organizing the government for the Territory of Oregon, declared:

That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall be unextinguished by treaty between the United States and such Indians, or to affect the authority of the Government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the Government to make if this act had never passed.

On August 14, 1848, all the lands described in this bill and in these two treaties were wholly situate within the geographical limits of the Territory of Oregon.

On March 2, 1853 (10 U. S. Stat., 172) Congress passed an act "to establish the Territorial government of Washington," wherein it was provided:

That nothing in this act contained shall be construed to affect the authority of the Government of the United States to make any regulations respecting the Indians of said Territory, their lands, property, or other rights, by treaty, law, or otherwise, which would have been competent to the Government to make if this act had never been passed.

By virtue of this act all of said lands fell wholly within the Territory of Washington and so continued until March 3, 1863, when Congress organized the present Territory of Idaho (12 U. S. Stat., 808), by virtue of which last act the lands referred to and described in the first of these two treaties fell partly in Washington Territory and partly in Idaho Territory, while the lands described in the second of these two treaties fell exclusively in the Territory of Idaho.

In the second section of the act "to establish the Territorial government of Washington" (10 U. S. Stat., 173) the governor of said Territory was authorized to perform the duties of superintendent of Indian affairs.

In section 1 of the act to provide for the temporary government of Idaho, Congress provided :

That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribes, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory.

On March 3, 1853 (10 U. S. Stat., 238), Congress passed an act authorizing the President of the United States to enter into negotiations with the Indian tribes west of the States of Missouri and Iowa, for the purpose of securing the assent of said tribes to settlement by the citizens of the United States upon the lands claimed by said Indians and for the purpose of extinguishing the title of said Indian tribes to said lands, and appropriated the sum of \$50,000 for the due execution of said act.

In the execution of this act of Congress, instructions were duly issued to the superintendent of Indian affairs of Oregon, Joel Palmer; to the superintendent of Indian affairs of Washington, Isaac I. Stevens; and to the superintendent of Indian affairs of Nebraska, Alfred Cumming, (the west boundary of Nebraska at that time being the summit of the Rocky Mountains and the north boundary of which was the forty-ninth parallel), to make treaties with all the Indians of said three Territories.

In the execution of these instructions treaties were duly made as set forth in a table attached hereto and marked Exhibit E.

From the recitals in Exhibit E it will appear that treaties were made between the United States and all the Indians claiming lands situate in Washington Territory, with the exception of the Cœur d'Alenes, Spokanes, Lawer Kootenais, Lower Pend d'Oreilles, and the Indians situate in the middle basin of the Upper Columbia in the vicinity of Colville and Okanagan, which Indian tribes claimed lands between the summit of the Cascade Mountains on the west, the forty-ninth parallel on the north, the summit of the Bitter Root or Cœur d'Alene Mountains on the east, and the country of the Paloose on the south.

The reasons why treaties were not made with these particular tribes of Indians so named at that time are very fully set forth in a letter and report, copy of which is attached hereto and marked Exhibit F.

No treaty having been made with these Cœur d'Alene Indians by the superintendent of Indian affairs of Washington Territory as was made with the other Indians of said Territory under the aforesaid authorization of Congress, in the spring of 1858 Col. Steptoe, U. S. Army, with a large mounted military force, entered the country of these Cœur d'Alene Indians and that of the Spokanes, for the purpose, chiefly, of making a military reconnaissance; but certain of the Cœur d'Alenes and of the Spokane Indians, misconstruing the purposes of the Government of the United States by this military movement and laboring

under the impression that their country was to be forcibly taken possession of by the troops of the United States, made an attack on said troops, defeated them, and drove them from their country. For the purpose of chastising said Indians for their said acts, the Government sent another and larger military force into their country under General George Wright in the summer of 1858, who whipped, thoroughly subdued said Cœur d'Alene and Spokane Indians and made a treaty only of peace with them at the old Cœur d'Alène Mission in Idaho in 1858.

At this treaty the grievances of these two tribes of Indians were recited by them, and they were left under the impression that the Government of the United States would thereafter act justly and fairly toward them, so far at least as their lands were concerned. Nothing, however, was done in this direction prior to October 30, 1885, on which date Seltice, then and now the chief of the Cœur d'Alene Indians, addressed a letter to Hon. W. S. Holman, then chairman of the select committee of the House of Representatives authorized to visit the Indians and Indian reservations west of the Rocky Mountains, accompanied with a copy of a petition which on March 23, 1885, had been addressed by said Cœur d'Alene Indians to the President of the United States, Secretary of the Interior, and Commissioner of Indian Affairs, a copy of which correspondence and petition is printed in the appendix, attached hereto and marked Exhibit G¹, G², G³, G⁴, G⁵, G⁶. To this letter and petition Hon. W. S. Holman made reply that said subject-matter of said letter, etc., of Seltice was not within the jurisdiction of his said committee, and thereupon he referred the whole subject-matter on March 31, 1886, to the honorable Secretary of the Interior, Mr. Lamar. (See Exhibit H.)

Nothing having been successfully done after this last effort to treat with said Indians, thereafter, to wit, on January 10, 1886, Rev. Joseph M. Cataldo, S. J. superior of the missions of the Rocky Mountains, addressed a letter to Capt. John Mullan, of Washington, D. C. (a friend then and now of the Cœur d'Alene and Spokane Indians, who had been favorably identified with them from 1854 to 1886, who knew their country and its value, who had thoroughly explored it in order to locate the line of the Northern Pacific Railroad route, who built through their said lands a United States military road while an officer of the United States Army, and who was aid to General Wright in his said military operations in the field against these Indians in 1858, and who was present at the making of the said treaty of peace in 1858 between General Wright and said Indians, in behalf of the Spokane Indians, a copy of which letter is printed in the appendix herewith, marked Exhibit J. This letter was replied to on February 5, 1886, by Capt. John Mullan, in a report copy of which is printed in the appendix and marked Exhibit F, wherein referring to the Cœur d'Alene Indians he recited some of the wrongs done them, and in suggesting a remedy therefor he recommended that Congress make an appropriation of not less than \$10,000 to defray the expenses of a commission which he recommended should be appointed to treat with (among others) these Indians for the cession of the lands described in the first of said two treaties.

This report and recommendation was duly submitted to the Interior Department, and transmitted to the Senate in response to a resolution of that body, for its consideration and action, and which resulted finally in the insertion in the act of Congress approved June 30, 1887 (24 U. S. Stat., 44), an act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year

ending June 30, 1887, and for other purposes," of an item authorizing a treaty to be made with said Coeur d'Alene Indians and others as in said act recited.

Under the provisions of this act of Congress, commissioners were duly appointed by the United States who negotiated the first of these two treaties, by virtue of which the Indian title will be extinguished to about 2,750,000 acres of land, more or less, should this bill become a law.

This treaty so negotiated was presented to the Fiftieth Congress, but not ratified for sundry reasons, among which was a desire on the part of the United States to acquire an additional area, to wit, a certain valuable portion of the reservation specially dedicated to the exclusive use of said Indians under an Executive order of 1873, and which portion of said lands, situate on the northern end of said reservation, is valuable and necessary to the citizens of the United States for sundry reasons. It contains numerous, extensive, and valuable mineral ledges. It contains large bodies of valuable timber accessible to and necessary to develop the extensive and rich Coeur d'Alene mines, situated within the limits of the land described in the first treaty, title to which the Indians have agreed to cede to the United States under the first of said treaties now asked to be ratified. It contains a magnificent sheet of water, the Coeur d'Alene Lake, and its chief tributary, to wit, the Coeur d'Alene River, over the waters of which steamers now ply daily from the city of Coeur d'Alene to the old Coeur d'Alene Mission, there connecting with a railway system penetrating into the very heart of said Coeur d'Alene mineral belt. It also controls the outlet of said lake, to wit, the Spokane River. It also includes the region of country along which the Northern Pacific Railroad Company has projected its branch line, from Rathdrum in Idaho via Fort Coeur d'Alene, destined, no doubt, to make a connection ultimately with its main trunk at Missoula, in Montana. It also includes the rich and extensive valley of the Coeur d'Alene River, containing rich hay meadows which the said Indians as yet have never utilized, but which are of great value to said Coeur d'Alene mining belt.

The total area acquired by the United States under these two treaties, proposed and agreed to be ceded by the Coeur d'Alene Indians, aggregates about 3,000,000 acres more or less, secured at a total cost of \$650,000, making an average cost of about 22 cents, more or less, per acre.

The first of these two treaties is sought to be ratified and confirmed in section 1 of this bill. The second of these two treaties is sought to be ratified and confirmed in section 2 of this bill. Sections 3 and 4 of this bill simply set forth the detailed provisions for the purpose of executing said two treaties in strict conformity with the terms of and in strict conformity with the request of said Indians as recited in said treaties. The lands agreed to be ceded by these Indians, while of great value to said Indians, yet are of greater, if not of inestimable, value to the citizens of the United States in the eastern portion of the State of Washington and northern portion of the Territory of Idaho. The equivalent to be received from the United States by these Indians for these cessions of land will enable them to put up saw and grist mills, which now they have not; to improve their farms, which are now being cultivated in an entirely different portion of their present Reservation, to wit, the central and southern portion thereof. The lands so agreed to be ceded do not include a single cultivated farm of said Indians, so far as is now known.

The Coeur d'Alene Indians are advanced in civilization, agriculture, stock raising, and varied husbandry further, probably, than any Indians west of the Rocky Mountains, unless it be the Flatheads. Their farms are inclosed with six, seven, and eight Virginia rail fences; their houses are made of logs or lumber; hogs, cows, horses, and poultry of all kinds are to be seen around almost every farm house; reapers, headers, plows, farming and garden implements, heavy and spring wagons, buggies and American harness, in their possession, all bespeak the progress that these Indians have made in advancing civilization. They are all fully competent to guard, care for, save, or judiciously invest in the improvements of their farms, and otherwise, whatsoever sums of money may be paid to them by the United States under these two treaties. They possess a high order of intelligence, and know when and how to make proper treaties, agreements, or contracts wherever their own interests are involved, whether the same are to be made with the United States or with private individuals.

Section 5 of this bill, prior to restoring to the mass of the public domain the land so sought to be ceded by these two treaties, provides that a certain agreement made on June 1, 1871, between said Cœur d'Alene Indians and Frederick Post be ratified and confirmed; but makes it obligatory upon the Commissioner of the General Land Office and the Secretary of the Interior to finally pass upon the validity of the survey and final proof of the lands described in said agreement, and to pay therefor the cost of such survey and in addition thereto to pay the sum of \$2.50 per acre for the acreage described in said agreement between said Indians and said Post.

In the first of the blank spaces in section 3, page 16, line 24, should be inserted the word "first," and in the second of said blank spaces, in said line 24, should be inserted the word "September." In the blank space in line 25, section 3, page 16, should be inserted the word "ninety." In line 35, section 3, page 16, after the word "five," should be inserted "hundred."

In the blank space in line 3, section 4, page 17, should be inserted the words "six thousand," and in line 7, section 4, page 17, should be inserted the words "fourteen thousand."

With these suggestions, which are simply to perfect the bill in order to meet the requirements of said two treaties, your committee therefore favorably recommend the passage of this bill.

EXHIBIT A.

House Ex. Doc. No. 63, Fiftieth Congress, first session.

Message from the President of the United States, transmitting a communication from the Secretary of the Interior, with accompanying papers, relating to the reduction of Indian reservations.

To the Senate and House of Representatives:

I transmit herewith a communication of 30th December, 1887, from the Secretary of the Interior, submitting, with accompanying papers, two additional reports from the Commission appointed to conduct negotiations with certain tribes and bands of Indians for reduction of reservations, etc., under the provisions of the act of May 15, 1886 (24 Stats., 44), providing therefor.

GROVER CLEVELAND.

EXECUTIVE MANSION,
January 9, 1888.

DEPARTMENT OF THE INTERIOR,
Washington, December 30, 1887.

THE PRESIDENT:

Under the respective dates of January 11 and February 17, 1887, I had the honor to submit to you for transmittal to Congress two separate reports received by this Department through the Commissioner of Indian Affairs from the Commission commonly known as the Northwest Indian Commission, appointed under the provisions of the act of May 15, 1886, to negotiate with certain Indian tribes in Minnesota and the Northwest Territories (24 Stats., 44).

Those two reports, with their accompanying correspondence, which may be found in Senate Ex. Docs. No. 30 and No. 115, Forty-ninth Congress, second session, relate, the first to an agreement made with the Arickaree, Gros Ventre, and Mandan Indians residing upon the Fort Berthold Reservation in Dakota, and the other to two agreements made with certain of the Chippewa Indians in the State of Minnesota.

I now have the honor to submit herewith two additional reports made by the said commission, with the accompanying letter of the Commissioner of Indian Affairs forwarding them to the Department, with five agreements made with various tribes and bands of Indians in the Northwest, viz: The Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Indians upon the reservation commonly known as the Great Blackfeet Reservation in northern Montana; the Upper and Middle bands of Spokane Indians; the Cœur d'Alene Indians; the Pend d'Oreille or Calispel Indians; the Indians upon the Jocko Reservation in Montana.

The Commission report that they visited the Bois Forte and Grand Portage Reservations in Minnesota and held council with the bands thereon, but failed to secure their acceptance of or consent to the agreements made with the other Chippewas on September 7, 1886.

The five agreements now presented, together with the three heretofore reported, complete the work of negotiation so far as it could be accomplished by the Department with the tribes and bands of Indians for which provision was made in the act of May 15, 1886.

The Commissioner of Indian Affairs in his report, herewith, reviews at some length the provisions of each of the accompanying agreements, which may be briefly though very generally summarized, as follows:

The agreement with the Indians in northern Montana provides for the cession to the United States of over 17,500,000 acres of the large reservation now occupied by them, estimated to contain 21,651,000 acres, for a consideration of \$4,500,000, to be expended for the benefit of the Indians in manner therein provided, in ten annual installments, so far as may be required; any excess above such requirements to be placed in the Treasury to their credit, etc. The unceded portion of the reservation to be divided into three separate reservations, whose boundaries are given, for the Indians belonging to the three agencies located therein.

The Upper and Middle bands of Spokane Indians, in the agreement with them, relinquish to the United States any right, title, and claim which they now have or ever had to any and all lands lying outside of the Indian reservations in Idaho and Washington Territories, and agree to remove to the Cœur d'Alene Reservation in Idaho, except such as prefer to go to the Jocko Reservation, in Montana, the consideration being \$95,000, to be expended for their benefit in manner as specified in the agreement.

The Cœur d'Alene Indians, in the agreement made with them, relinquish to the United States, for the consideration of \$150,000, to be expended for their benefit, etc., all right, title, and interest they now have or ever possessed to and in any lands outside the limits of their present reservation in the Territory of Idaho; they also agree to the removal to and settlement upon their reservation of the Upper and Middle bands of Spokane Indians, the Calispels (Pend d'Oreilles) now residing in the Calispel Valley, and to any other bands of non-reservation Indians belonging to the Colville Agency, Washington Territory, etc.

The Pend d'Oreille or Calispel Indians, in agreement made with them, relinquish all right, title, and claim they have or ever had to lands in Idaho or Washington Territories or elsewhere, and agree to remove to and settle upon the Jocko (Flathead) Reservation, in Montana, except such as may prefer to go to the Colville Reservation, in Washington Territory, or to the Cœur d'Alene Reservation, in Idaho Territory; the consideration being the erection of saw and grist mill, building houses for Indians, clearing and breaking lands, etc.

The Indians on the Jocko (Flathead) Reservation, in the agreement with them, consent to the removal to and settlement upon their reser-

vation of the Upper and Middle Spokanes and Pend d'Oreilles; the consideration being the erection on the reservation for the Indians, by the United States, of a saw and grist mill, and providing a blacksmith and tools, etc.

The law under which these negotiations have been conducted provides that "no agreement shall take effect until ratified by Congress."

The Commissioner of Indian Affairs in his report herewith expresses the opinion that these agreements are just and favorable alike to the Government and to the Indians. He recommends their speedy ratification, and submits estimates of the various amounts required to be appropriated at this time by Congress to carry out the terms of the negotiations, which will be found on the concluding pages of his report.

By these negotiations a very large area of land now in state of reservation for Indian purposes, being the excess of quantity needed for the actual use of the tribes and bands for whom it has been held in reservation, is placed at the disposal of the United States so that it may be opened to settlement in such manner as Congress in its wisdom may direct; and further, the adjustment of claims asserted by Indians to large portions of land in Washington and Idaho Territories, now largely occupied by settlers, is provided for. When these negotiations shall have been fully ratified they will remove some serious hindrances to the contentment, the permanent settlement, and the more rapid advancement in civilization of the tribes and bands who are parties thereto. The money necessary to be appropriated for their support and to assist them forward in the ways of civilization will not be, as heretofore, so largely a gratuity from the Government, but will go to them by judicious expenditures as consideration for valuable rights and claims which they have ceded and relinquished to the Government.

For these and other like reasons I concur in the recommendation of the Commissioner that the agreements be speedily ratified.

I have the honor to be, very respectfully, your obedient servant,

L. Q. C. LAMAR,
Secretary.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 13, 1887.

SIR: Referring to office reports, dated January 8 and February 11, 1887, respectively, transmitting two separate reports of the Northwest Indian Commission and accompanying agreements made with the Arickaree, Gros Ventre, and Mandan tribes of Indians occupying the Fort Berthold Reservation, in Dakota, and the Chippewa Indians in Minnesota, which reports, agreements, and accompanying papers form the subject-matter of Senate Ex. Docs. No. 30 and 115, respectively, Forty-ninth Congress, second session, I now have the honor to transmit herewith duplicate copies of two additional reports of said Commission and accompanying agreements (five in all) made with the several tribes in northern Montana, occupying the Gros Ventre, Piegan, Blood, Blackfeet, and Crow River Reservation, commonly known as the Great Blackfeet Reservation, and the Upper and Middle bands of Spokane Indians, the Pend d'Oreilles, or Calispels, and the Cœur d'Alenes in Idaho, and the Flathead, Pend d'Oreille and Kootenai Indians of the Flathead Reservation in Montana. These reports are dated, respectively, February 11 and June 29, 1887.

The authority under which these several agreements were negotiated is found in the Indian appropriation act, approved May 15, 1886 (24 Stats., p. 44), which reads as follows:

To enable the Secretary of the Interior to negotiate with the several tribes and bands of Chippewa Indians in the State of Minnesota for such modification of existing treaties with said Indians and such change of their reservations as may be deemed desirable by said Indians and the Secretary of the Interior, and as to what sum shall be a just and equitable liquidation of all claims which any of said tribes now have upon the Government; and also to enable said Secretary to negotiate with the various bands or tribes of Indians in northern Montana and at Fort Berthold, in Dakota, for a reduction of their respective reservations, or for removal therefrom to other reservations; and also to enable said Secretary to negotiate with the Upper and Middle bands of Spokane Indians and Pend d'Oreille Indians, in Washington and Idaho Territories, for their removal to the Colville, Jocko, or Cœur d'Alene Reservations, with the consent of the Indians on said reservations; and also to enable said Secretary to negotiate with the Cœur d'Alene Indians for the cession of their lands outside the limits of the present Cœur d'Alene Reservation to the United States, \$15,000, or so much thereof as may be necessary, to be immediately available; but no agreement shall take effect till ratified by Congress.

THE AGREEMENT WITH THE INDIANS IN NORTHERN MONTANA.

Briefly stated, the agreement concluded with the various bands or tribes occupying the Great Blackfeet Reservation, in northern Montana, provides for the cession to the United States of by far the greater part of that vast reservation lying along the international boundary and extending east to the Dakota line and west to the summit of the Rocky Mountains, with the Missouri and Marias Rivers and Birch Creek for its southern boundary, estimated to contain 33,830 square miles, or 21,651,000 acres—an area three times as large as that of Maryland, larger than the State of Indiana, almost as great as that of South Carolina, and greater than the New England States, leaving out the State of Maine.

According to the report of the Commission, the territory ceded to the United States under the agreement embraces an area of about 17,500,000 acres—more than three-fifths of the entire reservation.

The remaining unceded lands are divided into three separate reservations—one for the Indians now attached to the Fort Peck Agency, one for the Indians attached to the Fort Belknap Agency, and the third for the Indians attached to the Blackfeet Agency.

It might be proper to state here that the Great Blackfeet Reservation is at present claimed and held in common by the Indians of the three above-named agencies, no division of the territory ever having been made by competent authority; hence the negotiations were conducted alike with all, and but one agreement was executed with the several bands.

The three separate tracts reserved by the Indians for their future homes are situated as follows: The Fort Peck Reservation, on the Missouri River, north side, from Porcupine Creek to the Big Muddy, and extending north 40 miles. The Fort Belknap, on Milk River, south side, from the mouth of Snake Creek to the mouth of People's Creek, and extending south to the summit of the Little Rockies. The Blackfeet, in the extreme western part of the present reservation, extending from the Cut Bank to the summit of the Rocky Mountains, and from Birch Creek to the British Possessions.

The descriptions given are only general; for a more particular definition of the respective boundaries reference should be had to the agreement.

The tribes or bands for whom the several separate reservations are made retain no interest whatsoever in any reservation other than the one set apart for their separate use and occupation respectively.

The compensation agreed upon for the cession of their surplus lands is as follows:

For the Indians of the Fort Peck Agency, \$165,000 annually for ten years; for the Indians of Fort Belknap Agency, \$115,000 annually for ten years, and for the Indians of the Blackfeet Agency, \$150,000 annually for the same period, the money to be expended for the purchase of cows, bulls, and other stock, goods, clothing, subsistence, agricultural and mechanical implements; in providing employés; in the education of Indian children; in procuring medicine and medical attendance; in the care and support of the aged, sick and infirm, and helpless orphans of said Indians; in the erection of such new agency and school buildings, mills, blacksmith, carpenter, and wagon shops as may be necessary; in assisting the Indians to build houses and inclose their farms, and in any other respect to promote their civilization, comfort, and improvement.

It is also agreed that in the employment of farmers, artisans, and laborers preference shall in all cases be given to Indians residing on the reservation who are found to be well qualified for such employment.

The sale, exchange, or slaughtering of cattle issued to the Indians for breeding purposes, or their increase, except by consent of the agent in charge, is prohibited, but the Commissioner of Indian Affairs may remove such restriction.

It is further agreed that whenever, in the opinion of the President, the yearly installments of \$165,000, \$115,000, and \$150,000 shall be more than is required to be expended in any one year in carrying out the stipulations of the agreement, so much thereof as may be in excess of the requirement shall be placed in the Treasury to the credit of the Indians, and expended in continuing the benefits of the agreement after the ten years during which the installments are to run shall have expired.

In the distribution of cattle and other stock, goods, clothing, subsistence, and agricultural implements preference is to be given to Indians who endeavor by honest labor to support themselves, and especially to those who in good faith undertake the cultivation of the soil, or the raising of stock as a means of livelihood. Suitable provision is made for the protection of Indians whose homes fall within the ceded territory and for the survey and marking of the outboundaries of the diminished reservations, the cost of such survey to be paid for out of the first installments appropriated.

Right of way is secured for railroads, wagon-roads, and telegraph lines whenever, in the opinion of the President, the public interests require their construction through either of the three separate reservations.

It is the deliberate judgment of the Commissioners that these Indians are not as yet prepared to take lands in severalty, and they are equally positive that even if they were so prepared the country occupied by them is wholly unsuited for that experiment.

As the subject is one of special interest, in view of the policy of the Government to allot lands in severalty to Indians whenever and wherever practicable, I quote the following from their report:

Neither of these bands are as yet prepared to take lands in severalty. Indeed, the country occupied by them is not suitable for that experiment. It is in no sense a good agricultural country, and it would be a very difficult matter, if not impossible, for a white man to make a living there if confined strictly to the cultivation of the soil.

Montana, aside from its mineral resources, is essentially a stock-raising country, the northern portion of it especially being but poorly adapted to anything else; hence it is that stock-raising has become the principal industry of the people. The frequent failure of crops, owing to the aridity of the soil, renders farming not only unprofitable but uncertain as a means of support; therefore, if the Indians in northern Montana are ever to become self-supporting they must follow the pursuits which the whites by long experience have found the country best adapted to—cattle, sheep, and horse raising. This need not, and should not, be to the entire exclusion of farming, but it should become their chief industry and dependence.

It can be said positively that the Fort Peck Indians can never become self-supporting where they now are through the cultivation of the soil alone; but there can be no doubt that with proper encouragement they would soon reach that position as stock-growers. Stock-herding is suited to their tastes; they are willing to work, and realize the necessity of doing for themselves; and it is but right and just that their efforts should be encouraged and directed in a way that will be most likely to advance their civilization and happiness. Furthermore, it is absolutely certain that unless they have cattle given them and become stock-raisers the Government will be obliged to support them for all time, or allow them to starve.

Holding to these views, we have made provision in the agreement with them to enable them to become self-supporting as a pastoral people. The reservation set apart for them is ample, but not too large, and was selected with that end in view. The consideration agreed upon for the cession of their surplus lands will be sufficient to provide them with cattle, sheep, and other stock for a successful start in that direction, and to subsist and otherwise care for them, until they are able to support themselves without aid from the Government. * * *

The promise of stock cattle was the principal inducement which led to the cession of the vast territory relinquished to the Government. * * *

What has been said in regard to the policy to be pursued with the Fort Peck Indians is equally true in respect of the Fort Belknap and Blackfeet Agency Indians. They must be encouraged in stock-raising as well as in agricultural pursuits. They never can become self-supporting in any other way.

There are not less than 2,300 Sioux and about 1,100 Assinaboines at the Fort Peck Agency, for whom the reservation on the Missouri between Porcupine Creek and the Muddy was set apart. The question of the advisability and practicability of removing the Sioux to the Great Sioux Reservation in Dakota was thoroughly considered by the Commissioners, and the decision reached that it was not advisable to make any attempt in that direction. The Indians themselves were firmly opposed to such change of residence and manifested a good deal of surprise and uneasiness at the mere suggestion of it by the Commissioners. They claim equal rights with the other Indians in the Great Blackfeet Reservation, which claim was not disputed by either of the other bands. The Government placed them there nearly a quarter of a century ago, and by long residence they have become greatly attached to the country and could not be easily persuaded to abandon it.

The Sioux are settled in the immediate vicinity of the agency, and the Assinaboines mainly at Wolf Point, about 20 miles west, on Wolf Creek.

The reservation for these two bands was selected with special regard to convenience, utility, and capacity for stock-raising, for, as has already been said, the promise of stock cattle was the principal inducement with all the tribes or bands which led to the cession of the vast territory ceded by them to the Government.

The Commissioners report that the agreement with the Fort Peck Indians was satisfactory alike to the Indians and their friends present during the progress of the negotiations, and they express the belief that if strictly carried out the Indians will require no further aid from the Government.

The Fort Belknap Agency Indians were unwilling to remove either to Fort Peck or any other distant point, but consented unanimously to remove from their present locality near Fort Assinaboine to the reservation selected for them east of Snake Creek and between Milk River

and the Little Rockies. The Commissioners describe the new selection as affording the best lands for agricultural purposes in all that region of country. It is well watered, they say, and susceptible of irrigation at a small cost. Besides, it is admirably adapted to stock-raising. Timber is plenty for needed agency buildings and Indian houses.

They refer to the proximity of the present habitations of the Indians to the military post of Fort Assinaboine, and the baneful influence of such close contact upon the health and morals both of the garrison and Indians. This evil, in the opinion of the Commissioners, can only be remedied by removing the Indians further from the post, as in the agreement provided. There are about 1,700 Indians at Fort Belknap Agency—Assinaboines and Gros Ventres, the latter only slightly outnumbering the former.

The Indians of the Blackfeet Agency, the last visited, appear to have been more exacting in their demands than any of the other Indians. The Commissioners observe that it was very evident from the beginning of the negotiations that they had been tampered with by designing white men whom they found at the agency, and who hoped to gain some advantage to themselves in one way or another. Their chiefs complained of ill-usage and bad faith on the part of the Government in times past, and the negotiations were considerably delayed by their unreasonable and persistent demands.

Finally, however, they consented to the agreement as already executed by the Indians of the other two agencies, and selected the reservation heretofore described.

In explanation of the apparent disproportion in the sums agreed upon as compensation for the ceded territory, between the Indians of this and the other two agencies, the Commissioners state that the needs of the Blackfeet Indians are proportionally greater than the others, and that there are from 500 to 1,000 Indians on the other side of the international line who may properly be regarded as belonging to the Blackfeet Agency, and are likely sooner or later to return to the agency; and, furthermore, they believe that they (the Blackfeet Agency Indians) have the most ancient claim to the ceded territory, having occupied it as far back as their history is known.

In closing their report upon the agreement with the Indians of the Great Blackfeet Reservation, the Commissioners observe as follows:

What has been said in regard to the policy to be pursued with the Fort Peck Indians is equally true in respect of the Fort Belknap and Blackfeet Agency Indians.

They must be encouraged in stock-raising as well as in agricultural pursuits. They can never become self-supporting in any other way. * * *

The execution of the agreement with the Piegiens, Bloods, and Blackfeet concludes our labors with the Indians in northern Montana. * * *

We have made every possible effort looking to the conclusion of this work in time to get it before Congress, if it should so please the Department, during the present session, and we trust that it is not yet too late. No human foresight could have accomplished more. We have traveled night and day in open vehicles during a period of cold weather which will be memorable in the history of Montana, and without a day's delay that could possibly have been avoided.

AGREEMENT WITH THE UPPER AND MIDDLE BANDS OF SPOKANE INDIANS.

Early in March, 1887, negotiations were opened with these Indians for their removal to the Colville, Jocko, or Cœur d'Alene Reservations, as contemplated in the act aforesaid. They are scattered over the country in the neighborhood of Spokane Falls. The Commissioners found them poor, and for the most part residing upon almost barren lands.

They are addicted to strong drink and gambling, and the majority of them spend their lives hanging about Spokane Falls, either begging or performing menial services for the whites. In all their travels the Commissioners found no Indians so utterly degraded and helpless.

The Commissioners were strongly impressed with the wrongs these people have suffered in times past by having their lands gradually wrested from them without compensation in any form.

When the treaties of 1855 were made with the various tribes east of the Cascade Mountains, these Indians were passed by, although they had just as good a claim to recognition as any of the tribes treated with. They laid claim to a large area of country then occupied by them, which has gradually been settled upon by the whites until it has all passed from their hands. The object of the recent negotiations was to obtain a relinquishment from them of all claim against the Government on account of lands thus taken from them, to pay them a fair consideration for such relinquishment, and to effect their removal and settlement upon one of the existing neighboring reservations, with the consent of the Indians already occupying such reservation.

As the result of the negotiations, said Indians—the Upper and Middle bands of Spokanes—agreed to relinquish to the United States any right, title, or claim they now have, or ever had, to lands in Idaho and Washington Territories, and to remove to the Cœur d'Alene Reservation in Idaho. A few expressed a preference for the Jocko Reservation in Montana, and it was accordingly agreed that any who so desired should be permitted to settle on said reservation, and have their pro rata share of the benefits provided in the agreement.

At first they strongly insisted upon having a reservation established for them on the Little Spokane River, but when shown that their request could not be complied with under the terms of the act providing for the negotiations, they concluded to accept the proposition to remove to the Cœur d'Alene and Jocko Reservations.

The consideration agreed upon for the cession of the lands claimed by them was \$95,000, to be expended in the erection of houses, in assisting them in breaking land, in the purchase of cattle, seeds, agricultural implements, saw and grist mills, clothing, subsistence, in taking care of the aged, sick, and infirm, in providing educational facilities, and otherwise to promote their civilization and well-being—\$30,000 the first year, \$20,000 the second, and \$5,000 per annum for eight years thereafter. The balance of \$5,000 is to be expended in encouraging farm labor, as stipulated. It is also agreed that the United States shall pay to each of the six chiefs of the tribe \$100 per annum for the period of ten years.

The Indians are to be permitted to select their homes on the Cœur d'Alene Reservation from a tract of land to be laid off and surveyed for the purpose, without, however, interfering with the lands now occupied by the Cœur d'Alene Indians, and they agree to take allotments as provided in the recent act of Congress known as the general allotment act.

By a further provision it is agreed that any Indian who has settled and made improvements upon the public domain, with the intention of acquiring title to the same under the laws of the United States relating to public lands, may continue to occupy the same, and acquire title thereto.

There are other minor provisions calculated to benefit and improve the condition of the Indians.

The Commissioners report that many of the Indians are anxious to remove at once to their new homes, and they strongly urge the speedy ratification of the agreement.

AGREEMENT WITH THE CŒUR D'ALENE INDIANS.

These Indians also lay claim to a large tract of country in Washington, Idaho, and Montana Territories, by right of original occupancy, and, as we have seen, the act authorized negotiations with them "for the cession of their lands outside the limits of the present Cœur d'Alene Reservation to the United States."

By the terms of the agreement made with them, the Indians cede and relinquish to the United States all right, title, and interest they now have or ever possessed in any lands outside the limits of their present reservation.

They also agree to the removal and settlement upon their reservation of the Upper and Middle bands of Spokane Indians, upon the terms and conditions agreed upon with said Spokane Indians, and also to the removal and settlement there of the Calispels (Pend d'Oreilles) now residing in the Calispel Valley, and any other band of non-reservation Indians belonging to the Colville Agency, upon terms agreed upon with any such bands.

In consideration of the foregoing, it was agreed that the Cœur d'Alene Reservation shall be forever held as Indian lands, for the home of the Cœur d'Alene and other bands settled there under said agreements, and that it shall never be sold or otherwise disposed of without their consent.

It is further agreed that the United States shall expend the sum of \$150,000 for the benefit of the Cœur d'Alene Indians; \$30,000 the first year and \$8,000 per annum for fifteen years thereafter, in providing them with a steam saw and grist mill, in the employment of an engineer and miller, and in the purchase of such useful articles as shall best promote their civilization, education, and comfort, and, under certain stipulated conditions, cash payments may be made to them. In addition to this, it is agreed that the United States shall employ, at its own expense, a competent physician, blacksmith, and carpenter, and supply medicines for said Cœur d'Alene Indians.

There are some other provisions intended to protect the morals and improve the condition of said Indians, but the foregoing are the principal features of the agreement.

The Commissioners give an interesting account of the Cœur d'Alene Indians, and commend them in the highest terms for industry, thrift, and sobriety. They speak of them as polite in a marked degree and exceedingly good-natured. They wear short hair, dress like the whites, and emulate them in everything save their vices. They live in comfortable houses, many of them having two—one on the farm and another in the village—cultivate the soil extensively, are loyal to the Government, respectful of the laws, devoted to their religion, and in short a better ordered or behaved community of Indians can nowhere be found. Such is the testimony of the Commissioners.

AGREEMENT WITH THE PEND D'OREILLE OR CALISPEL INDIANS.

An agreement was entered into with these Indians at Sand Point, Idaho, whereby they agreed to remove to and settle on the Jocko (or Flathead) Reservation in Montana. They relinquish all claims they

have or ever had to lands in Idaho and Washington Territories, or elsewhere. If any of them prefer to settle on the Colville Reservation, in Washington Territory, or the Cœur d'Alene, in Idaho, they are permitted to do so.

In consideration thereof the United States agrees to erect a saw and grist mill on the Jocko Reservation for their use; to build a sufficient number of houses for their accommodation; to assist them in clearing, breaking, and fencing not less than 5 acres of land for each family; to provide certain employés; to purchase agricultural and other needed implements, seeds, clothing, and medicines; to care for the sick, aged, and infirm, and to otherwise assist them as their wants may require.

Chief Victor is to have \$100 per annum during the remainder of his life; and any of the Indians who have made improvements where they now reside, are to be permitted to dispose of the same by sale and receive payment therefor.

AGREEMENT WITH THE INDIANS OF THE JOCKO RESERVATION.

Negotiations were had with these Indians, in order to obtain their consent to the removal and settlement of such of the Upper and Middle Spokanes and Pend d'Oreilles as should elect to settle there under the agreements previously made with them. Such consent was obtained, and in consideration thereof the United States agrees to erect a saw and grist mill on said reservation for the tribes now in occupation thereof, and to provide a competent blacksmith for them and tools for his use.

THE BOIS FORTE AND GRAND PORTAGE BANDS OF CHIPPEWAS IN MINNESOTA.

Having concluded all authorized negotiations with the Indians in the Northwestern Territories, the Commission, in the early part of April, returned to Minnesota, in order to complete the work necessarily postponed in November on account of the closing of navigation on Lake Superior, and the consequent difficulty of reaching the Bois Forte and Grand Portage Reservations at that season of the year.

The agreement of August 11 and September 7, 1886, with the White Earth and Pillager and Lake Winnebagoish bands of Chippewas was presented to the Bois Forte and Grand Portage bands, in council assembled, all its provisions carefully explained, and its benefits offered to them. Neither band was willing to remove from its present reservation, and as that was one of the principal conditions of the agreement, it was rejected unanimously by both bands.

The grounds of their opposition to the agreement are fully set forth in the report of the Commission.

With the visit to the Bois Forte and Grand Portage bands the duties of the Commission in the field terminated.

In submitting these several agreements (5) for transmittal to Congress, I have the honor to make the following suggestions and recommendations:

In my annual report for the current year, in speaking of the work of this Commission, I observed that it was not to be expected that any suggestions or recommendations of the Commission would be adopted by Congress which the existing severalty law might render unnecessary.

After carefully reviewing the reports of the Commission and the several agreements submitted by them, I am free to say that in my judg-

ment the severalty act, so called, could not be substituted for the agreement made with the Indians in Northern Montana, nor the several agreements made with the Indians in Idaho and Washington Territories, with equal benefit to the Indians concerned, for the following reasons:

The Indians in northern Montana—on the Great Blackfeet Reservation—are not sufficiently advanced in civilization to take lands in severalty, and assume the obligations and responsibilities of citizenship which is conferred upon all those to whom individual allotments are made under said act.

Not only are they not prepared to take lands in severalty, but they do not desire to take that step at present; and the President has wisely ordered that allotments shall be made only on reservations where the Indians are known to be generally favorable to the experiment. Moreover, as shown in the beginning of this report, the country occupied by them is altogether unsuitable for that purpose. The Indians must be provided with stock for breeding purposes, and encouraged to raise cattle, sheep, and horses, not to the entire exclusion of farming, but as their chief industry and dependence. This they can do better, probably, at least for some time to come, by holding their lands in common. There is nothing, however, to prevent their taking grazing lands in severalty if at any time in the future it shall be deemed desirable to try the experiment with them.

Furthermore, if the agreement should fail of ratification, it is likely that these Indians will for a long time to come remain, as now, entirely dependent upon the bounty of the Government; and their vast possessions will continue to stand as a bar to the progress and development of the Territory which embraces them.

The agreements with the Upper and Middle bands of Spokane Indians and the Pend d'Oreille Indians provide for their removal and settlement upon the Cœur d'Alene and Jocko Reservations, and for the settlement of claims against the Government on account of lands taken from them in times past without compensation. The severalty act could not accomplish these much-desired objects, nor could it be substituted for other beneficent provisions found in said agreements with the Cœur d'Alene and Flathead (Jocko Reservation) Indians. The former provides for the settlement of a land claim similar to those of the Spokanes and Pend d'Oreilles; and also makes provision for the settlement of the Spokanes on the Cœur d'Alene Reservation, while the latter provides that the scattered Pend d'Oreille and other Indians may settle on the Jocko Reservation; objects greatly to be desired.

From all that has been said, then, it will be seen that the several agreements must stand upon their own merits, irrespective of the severalty act, whose provisions it will be my endeavor to carry out wherever practicable.

To my mind the agreements are just and favorable alike to the Government and Indians. Millions of acres of land, equal to a great State, are made available to the white settler; long-standing and provoking claims against the Government are amicably adjusted; a very large number of Indians hitherto living in idleness, poverty, and vice—a standing menace to the peace of the country—are to be gathered upon existing reservations, and assisted in the paths of civilization and toward their final self-support; and I think if faithfully carried out the future of these Indians will be extremely hopeful.

I therefore have the honor to recommend their speedy ratification.

Should Congress be pleased to take such favorable action thereon,

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the following sums of money should at the same time be appropriated to carry the agreements in effect, viz:

NORTHERN MONTANA INDIANS.

First installments, as per Article III of the agreement with the Indians of the Great Blackfeet Reservation..... \$430,000

NOTE.—Congress appropriated \$235,000 for the support of these Indians, the current fiscal year, as an *absolute gratuity*.

UPPER AND MIDDLE BANDS OF SPOKANE INDIANS.

First installment, as per Article V of the agreement with said Indians	\$30,000
Pay of blacksmith and carpenter, at \$900 each, Article VI	1,800
Pay of six chiefs, at \$100 each, Article IX	600
Total	32,400

CŒUR D'ALENE INDIANS.

First installment, as provided in Article VI of agreement.....	30,000
Pay of physician.....	\$1,200
Purchase of medicines.....	150
Pay of blacksmith.....	900
Pay of carpenter.....	900
Total	33,150

PEND D'OREILLE OR CALISPEIS.

Article 1: Saw and grist mill.....	\$6,225
Dwelling houses (40).....	6,000
Clearing, breaking, and fencing.....	1,500
Engineer, \$720; miller, \$720; carpenter, \$900; blacksmith, \$900	3,240
Cows, \$3,200; horses, \$10,000; wagons, \$2,000; harnesses, \$600; stoves and agricultural implements, \$1,500; clothing, medicines, and seeds, \$2,500; removal of Indians, \$1,000; Article III, pay of chief, \$100	20,900
Total	37,865

FLATHEADS AND OTHER INDIANS OF JOCKO RESERVATION.

Saw and grist mill	\$6,225
Pay of miller.....	\$720
Pay of blacksmith.....	900
Total	1,620
Purchase of tools	500
Total	8,345

Very respectfully, your obedient servant,

J. D. C. ATKINS,
Commissioner.

The SECRETARY OF THE INTERIOR.

EXHIBIT B.

Fiftieth Congress, First Session, Senate Ex. Doc. No. 76.

Letter from the Secretary of the Interior, transmitting, in response to Senate resolution of January 25, 1888, information about the Cœur d'Alene Indian Reservation, in Idaho.

DEPARTMENT OF THE INTERIOR,

Washington, February 9, 1888.

SIR: I have the honor to acknowledge the receipt by the Department, on the 26th day of January last, of a resolution of the Senate, adopted upon the 25th of January, 1888, which, omitting the preamble thereto, is in the following words:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate as to, the extent of the present area and boundaries of the Cœur d'Alene Indian Reservation in the Territory of Idaho; whether such area includes any portion, and if so about how much, of the navigable waters of Lake Cœur d'Alene and of Cœur d'Alene and St. Joseph Rivers; about what proportion of said reservation is agricultural, grazing, and mineral lands, respectively; also the number of Indians occupying such reservation; also on what portion of said reservation the Indians now thereon are located; also whether, in the opinion of the Secretary, it is advisable to throw any portion of such reservation open to occupation and settlement under the mineral laws of the United States, and, if so, precisely what portion; and also whether it is advisable to release any of the navigable waters aforesaid from the limits of such reservation.

In response thereto I transmit herewith a communication, under date of the 7th instant, from the Commissioner of Indian Affairs, to whom the resolution was referred to report the facts required to properly meet the inquiries therein contained. This report states that the Cœur d'Alene Reservation, in the Territory of Idaho, embraces an area of 598,500 acres—935 square miles; that it is situated in the northern portion of the Territory, between the 47th and 48th parallels of north latitude, and presents as an exhibit a map showing the outline boundaries of the reservation. It describes the portions of the navigable waters of Lake Cœur d'Alene and of the Cœur d'Alene River which traverses the reservation, and states the absence of information necessary to show how much of the St. Joseph River, which flows through the reservation, is navigable, or whether it is navigable at all.

The Commissioner also reports that as but a small portion of the reservation has been surveyed (less than three townships), he is unable to furnish more than a rough estimate of the character of the lands embraced therein, which is that at least one-third of its entire area is agricultural, one-third mountain and timber, and the remainder hilly and probably suitable for pasturage; that east of the lake and north of the Cœur d'Alene River the lands are described as "all mountains," and along the north line of the reservation, also east of the lake, are lands

described as mineral lands. He also reports the number of Indians upon the reservation, as per last census, to be 487, nearly all of whom, he believes, live on that portion of the reservation lying south of the Lake Cœur d'Alene and St. Joseph River, and not far away from the Old Mission on Hangman's Creek.

The Commissioner further states that, in his opinion, the reservation might be materially diminished without detriment to the Indians, and that changes could be made in the boundaries for the release of some or all of the navigable waters therefrom which would be of very great benefit to the public; but this should be done, if done at all, with the full and free consent of the Indians, and they should, of course, receive proper compensation for any lands so taken.

In connection with this matter the Commissioner refers to the negotiations lately authorized by Congress and concluded with these Indians for the cession of their lands outside the limits of the present Cœur d'Alene Reservation, as shown by agreement published in House Ex. Doc. No. 63, Fiftieth Congress, first session, pp. 53-56, under the provisions of which arrangement has been made for the removal to and settlement upon said reservation of sundry non-reservation Indians; and he reports as his opinion that when the present agreement shall have been ratified it will be an easy matter to negotiate with the Cœur d'Alenes for the cession of such portions of their reservation as they do not need, including all or a portion of the navigable waters, upon fair and very reasonable terms.

I have the honor to be, very respectfully,

H. L. MULBROW,
Acting Secretary.

The PRESIDENT PRO TEMPORE OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 7, 1888.

SIR: I have the honor to acknowledge the receipt, by your reference the 26th ultimo for report, of a resolution of the Senate of the United States of January 25, 1888, as follows:

Whereas it is alleged that the present area of the Cœur d'Alene Indian Reservation, in the Territory of Idaho, embraces 480,000 acres of land; that there are, according to the statistics in the Indian Bureau, only about 476 Indians in the tribe now occupying such reservation, or more than 1,000 acres to each man, woman, and child; that Lake Cœur d'Alene, all the navigable waters of Cœur d'Alene River, and about 20 miles of the navigable part of St. Joseph River, and part of St. Mary's, a navigable tributary of the St. Joseph, are embraced within this reservation, except a shoreline of about 3½ miles at the north end of the lake, it being alleged that this lake and its rivers tributary constitute the most important highways of commerce in the Territory of Idaho, and are in fact the only navigable waters except Snake River, now used for steam-boat navigation, in the Territory; that all boats now entering such waters are subject to the laws governing the Indian country, and all persons going on such lake or waters within the reservation lines are trespassers; and

Whereas it is further alleged that the Indians now on such reservations are located in the extreme southwest corner of the same, around De Smedt Mission, near the town of Farmington, in Washington Territory, where the land is good for agriculture; and it being further alleged that all that part of such reservation lying between Lake Cœur d'Alene and Cœur d'Alene River and that part between the Cœur d'Alene River and St. Joseph River is a territory rich in the precious metals and at the same time being of no real use or benefit to the Indians:

Therefore,

Resolved, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate as to the extent of the present area and boundaries of the Cœur d'Alene Indian Reservation in the Territory of Idaho; whether such area includes any portion, and if so, about how much, of the navigable waters of Lake Cœur d'Alene, and of Cœur d'Alene and St. Joseph Rivers; about what proportion of said reservation is agricultural, grazing, and mineral land, respectively; also, the number of Indians occupying said reservation; also, on what portion of such reservation the Indians now thereon are located; also whether, in the opinion of the Secretary, it is advisable to throw any portion of such reservation open to occupation and settlement under the mineral laws of the United States, and, if so, precisely what portion; and also, whether it is advisable to release any of the navigable waters aforesaid from the limit of such reservation.

Agreeably with the directions contained in said resolution I have the honor to state:

(1) The Cœur d'Alene Reservation, in the Territory of Idaho, embraces an area of 598,500 acres, or 9.5 square miles.

It lies in the northern portion of said Territory, between the forty-seventh and forty-eighth parallels of north latitude, and has for its western boundary the dividing line between Idaho and Washington Territories.

It is somewhat in the shape of a scalene triangle with one of its points cut off, its longest side (east boundary line) being about 42 miles, and its shortest (north boundary line) about 35 miles long. The west line is about 39 miles long.

From the official map of Idaho (1883) and sundry others examined, the reservation appears to embrace all the navigable waters of Lake Cœur d'Alene, except a very small fragment cut off by the north boundary of the reservation, which runs "in a direct line" from the Cœur d'Alene Mission to the head of Spokane River.

This lake is about 35 miles long and from 2 to 5 miles wide.

The Cœur d'Alene River traverses the reservation for a distance of about 25 miles, entering the reservation from the east and emptying into Lake Cœur d'Alene.

The St. Joseph River also flows through the reservation, entering from the east and finding its outlet in said lake.

The Cœur d'Alene River is navigable in its entire course through the reservation, and steamers ply from the head of the lake to the mouth of the river, and thence up the river to the Old Mission on the east line of the reservation, a river passage of about 25 miles. How much farther the river is navigable toward its source and beyond the limits of the reservation I have no means of knowing.

I am unable to furnish any information as to how much of the St. Joseph River is navigable, or whether indeed it is navigable at all. From the maps it would appear to be quite as large as the Cœur d'Alene River.

As to what proportion of the reservation is agricultural, grazing, and mineral land, respectively, I have to state that, as but a very small portion (less than three townships) of the reservation has been surveyed I am unable to furnish anything more than a rough estimate of the areas of the several classes referred to. From a rude sketch of the reservation prepared by the farmer in charge, with a view to showing as nearly as possible the character of the lands embraced within the reservation, I should judge that at least one-third of the entire area of the reservation is agricultural, one-third mountain and timber, and the remainder hilly and probably suitable for pasturage.

I inclose a copy of the map or sketch, and invite especial attention

to it as giving the most satisfactory information obtainable from the records of this office. It is drawn upon a scale of 2 miles to the inch.

It will be observed that the lands in the extreme northern portion of the reserve, west of the lake, for a distance of 10 or 12 miles south, are described as "timbered lands on mountains, with small valleys of pasture lands." From thence south to the hills south of the Farmington Landing road they are set down either as the first or second class "agricultural lands," and so of all the lands lying directly south of the lake until the "hill-land" is reached. Then south of the hilly lands, extending along the entire course of Hangman's Creek, is a wide strip described as "agricultural lands, first class."

East of the lake and north of the Cœur d'Alene River the lands are described as "all mountains," and along the north line of the reservation, also east of the lake, are lands described as "mineral lands."

A strip one-half mile wide on both sides of the Cœur d'Alene River along its entire length is described as "fertile valley, overflowed every spring."

South of the Farmington road and along the entire east line of the reservation is a broad strip varying from 2 to 8 miles wide, described as "all hill-land; is timbered, and soil third rate, in places rocky."

The west side of Cœur d'Alene Lake appears to be skirted all along with timbered mountains or hills.

A map accompanying the report of an inspection made in 1886 by Lieut. Col. H. M. Lazelle, Twenty-third Infantry, acting inspector-general, Department of the Columbia, with reference to the sale of liquor upon the steamer *Cœur d'Alene* within the navigable waters of the reservation, will be found valuable, as showing the location of the neighboring towns and mines with reference to the reservation, the steam-boat route through Lake Cœur d'Alene and the Cœur d'Alene River, the wagon roads and trails entering and crossing the reservation, mountain ranges, railroads, etc., and I have thought best to have a copy of said map made to accompany this report.

It might be proper to state here that Inspector Gardner, who visited the Cœur d'Alene Reservation in September of last year, places a much smaller estimate upon the quantity of agricultural land within the reservation than the farmer's map would indicate, but he could hardly be expected to have as perfect a knowledge of the reservation as the resident farmer in charge.

Inspector Gardner says:

The land embraced in the Cœur d'Alene Reserve, 598,500 acres, is in Idaho Territory. It is rough and very mountainous, and not more than 50,000 or 60,000 acres susceptible of profitable cultivation. * * * A large portion of the reservation is heavily timbered.

The number of Indians occupying the reservation as per last census, taken June 30, 1887, is 487. I believe all, or nearly all, live on that portion of the reservation lying south of the Lake Cœur d'Alene and St. Joseph River, and not far from the Old Mission on Hangman's Creek.

The question which remains to be answered is, whether it is advisable to throw any portion of the said reservation open to occupation and settlement under the mineral laws of the United States, and if so, precisely what portion, and whether it is desirable to release any of the navigable waters mentioned in the resolution from the limits of said reservation.

In approaching this question, I deem it proper to refer briefly to the character and condition of the Indians, occupying the reservation and the situation of affairs as existing amongst them.

There are few Indians in the entire country, if we except the five

civilized tribes, who are as far advanced; and even they need not be excepted in any comparison either of their virtues, habits of industry, loyalty, or ambition to attain a higher stage of civilization.

They cultivate the soil extensively, live in comfortable houses, dress like the whites, wear short hair, and in all other respects live and do as white people do. Their houses are painted inside and outside, their barns are well built and commodious, and they have all the improved farm implements and machinery. They own large bands of cattle and horses and an abundance of hogs and poultry.

The Northwest Indian Commission, in the report of its recent visit to these Indians, said:

Each one has a comfortable house on his farm, and nearly all have equally comfortable houses at the mission, which together make quite a village. They remain on their farms during the week days, and on the Sabbath repair to their dwellings at the village to attend religious services and see their children who are at the Mission schools. * * * Long experience in self-reliance and traffic with the neighboring whites has made them cautious, shrewd, and provident in the use of money. We learned that their trade in one town adjacent to the reservation amounts to about \$25,000 yearly. * * * A better ordered and better behaved Indian community can nowhere be found.

Furthermore, the Cœur d'Alene Indians have been for many years the firm friends of the whites. A notable instance of this was the part they took in the memorable Nez Percé outbreak of 1878. They not only shielded and protected the whites in that disastrous war to the fullest extent of their power, but guarded their property at the peril of their own lives, when a large portion of the white population had fled the country for safety.

When peace was restored the people acknowledged their good services and thanked them in formal terms, promising also to assist them in obtaining permanent title to their homes.

I have said this much in order to show that the Cœur d'Alene Indians are quite intelligent and fully capable of understanding their relations to their white neighbors, and that they would be likely to take a sensible view of any proposition for a change of the boundaries of their reservation which public necessity or convenience would seem to require, and at the same time to show that they are deserving of fair and honest treatment from the whites.

The one thing that has given them trouble has been the fear of losing their homes. They have watched the progress of white settlement in the surrounding country, the discovery of valuable mines, the building of railroads, etc., and all this has made them apprehensive lest in some way their reservation might be wrested from them.

In 1884 their agent reported as follows:

The rapid progress they are making, and the great interest manifested by them in their farm work, in their fences, cultivation, in improving the breed of their horses and cattle, and in fact in all things, is commendable.

It was feared in the early spring that the great rush to the Cœur d'Alene gold mines would cause considerable trespassing upon their reserve, but happily so many other routes were opened to them that there were but few crossing the reserve, and now it has nearly ceased.

And again, in 1885:

The Cœur d'Alenes on the Cœur d'Alene Reserve in Idaho are flourishing in the highest degree, being wholly independent of the Government, save in the support of their schools and the instruction they receive from their farmer. What they most dread is that their lands will be taken from them some day by the whites, or they be forced to take up small allotments, while now many of them have large fields inclosed with post and board fences, or good substantial rails. Some half dozen of them have 200 acres of land under cultivation.

And in 1886:

There has been much talk of late by the whites of having their reserve thrown open to settlement, which has troubled Saltice, their chief, very much. He, however, felt somewhat satisfied when I assured him that if such steps were taken by the Government he and his people would receive their land in severalty before the whites would be permitted to enter.

I have taken some pains to ascertain, by reference to the correspondence and otherwise, whether the Indians would be likely to consent to a reasonable reduction of their reservation, and I am satisfied that they would upon anything like just and reasonable terms, and my own opinion is that the reservation might be materially diminished without detriment to the Indians, and that changes could be made in the boundaries for the release of some or all of the navigable waters therefrom, which would be of very great benefit to the public; but this should be done, if done at all, with the full and free consent of the Indians, and they should, of course, receive proper compensation for any land so taken.

Just what portion of the reservation and navigable waters should be segregated from the reservation, I am unable to say. That, I think, should be determined by negotiations with the Indians.

As bearing upon the subject of the inquiries presented in the Senate resolution, I quote the following from the report of Inspector Gardner, already cited:

On the north and east side of the reserve (Cœur d'Alene) is a section of very mountainous country, known as "Wolf Lodge district." The Indians do not use this, and only occasionally go there hunting for elk and deer. The mountains in this district are said to contain large quantities of valuable minerals. Already prospectors have made their appearance and are only deterred from developing same by occasional presence of the military, who would eject them, and the agent would cause their arrest for trespassing on an Indian reservation. For farming, grazing, or, in fact, for any purpose whatever, this mountain district is approximately valueless to the Cœur d'Alene Indians, but could be advantageously utilized by the whites in developing the mineral resources of same. And, in view of these facts, I see no reason why proper legislation should not be had authorizing the Indians to dispose of their title to same to the United States.

I also quote the following from a report by Special Agent G. W. Gordon, of this Bureau, who visited the Cœur d'Alene Indians upon official business in August last:

There is great eagerness on the part of the whites to locate mining claims on the mineral portion of the reserve, and especially in that section known as "Wolf Lodge," and we found mining claims numerously staked off in that section and in some cases notices posted, though we did not find the parties themselves on the reserve. These mining prospectors are constantly on this portion of the reserve, and it seems next to impossible to keep them off with the means at hand. They are doing no injury, however, further than simply locating mining claims with a view to their possession when that part of the reserve is opened to settlement, as it seems to be believed by them it will be at an early day.

It may be proper to add that the special agent found the Indians decidedly opposed to taking their lands in severalty under the general allotment act. This may be accounted for in part, I think, by the fact that some of them have individually much more land under cultivation than they would be entitled to under that act, and they naturally desire to keep all they have.

Upon this subject the special agent says:

While on the reserve we held a general and well-attended council of the Indians, in order to obtain their views in regard to taking their lands in severalty, and after a clear understanding as to what was desired by the Government, they decided by a unanimous vote adversely to taking in severalty otherwise than they now hold them. These Indians, as you are doubtless aware, are settled on farms of their own selection, are self-supporting and making gratifying progress in agriculture, while they have good schools and their children generally being educated,

In conclusion I will state that in my opinion these Indians have all the original Indian rights in the soil they occupy. They claimed the country long before the lines of the reservation were defined by the executive order of 1873, and the present reservation embraces only a portion of the lands to which they laid claim. This claim has been recognized in various ways and at sundry times, and the last Congress authorized the Secretary of the Interior to negotiate with them "for the cession of their lands outside the limits of the present Cœur d'Alene Reservation to the United States." Pursuant to that authority negotiations were conducted with them in March last and an agreement concluded, which is now before Congress for ratification. The agreement is published in House Ex. Doc. No. 63, Fiftieth Congress, first session, pp. 53-56.

It should be stated also that provision is made in said agreement for the removal and settlement upon the Cœur d'Alene Reservation of the Upper and Middle Bands of Spokane Indians, now residing in and around Spokane Falls, in Washington Territory, and also the Calispels, now residing in the Calispel Valley, and any others of the non-reservation Indians belonging to the Colville Agency, and it is confidently hoped and expected that if the agreement is ratified and confirmed the Spokanes, numbering between 350 and 400 souls, will be removed and settled there.

However, there undoubtedly is an abundance of good farming land in the extreme southern portion of the reservation for all the Indians who will be likely to go there, and much to spare.

I think that when the present agreement shall have been ratified it will be an easy matter to negotiate with them for the cession of such portions of their reservation as they do not need, including all or a portion of the navigable waters, upon fair and very reasonable terms.

In addition to the two maps spoken of in this report, I transmit herewith a tracing of the official map of the survey of "so much of the outboundaries of the Cœur d'Alene Indian Reservation in Idaho as are not marked by prominent natural boundaries and by the surveyed line between Idaho and Washington Territories," as surveyed in 1883 by Darius F. Baker, United States deputy surveyor.

A copy of this report is herewith inclosed, and also the Senate resolution.

Very respectfully, your obedient servant,

J. D. C. ATKINS,
Commissioner.

THE SECRETARY OF THE INTERIOR.

EXHIBIT C.

Senate Ex. Doc. No. 14, Fifty-first Congress, first session.

Message from the President of the United States, transmitting a letter of the Secretary of the Interior relative to the purchase of a part of the Cœur d'Alene Reservation.

To the Senate and House of Representatives:

I transmit herewith a communication of 16th instant from the Secretary of the Interior, submitting the report, with accompanying papers of the Commission appointed under the provisions of the act of March 2, 1889 (25 Stats., 1002), to conduct negotiations with the Cœur d'Alene tribe of Indians, for the purchase and release by said tribe of such portions of its reservation not agricultural, and valuable chiefly for minerals and timber, as such tribe shall consent to sell, etc., together with the agreement entered into by said Commission September 9, 1889, with said Indians.

BENJ. HARRISON.

EXECUTIVE MANSION,
December 18, 1889.

DEPARTMENT OF THE INTERIOR,
Washington, December 16, 1889.

The PRESIDENT:

I have the honor to submit herewith a report, with the accompanying papers, of the commission appointed in pursuance of the act of March 2, 1889, making appropriations for the current and contingent expenses of the Indian Department (25 Stats., 1002), to negotiate with the Cœur d'Alene tribe of Indians for the purchase and release by said tribe of such portions of its reservation not agricultural, and valuable chiefly for minerals and timber, as such tribe shall consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress.

In this report the area of the ceded territory is estimated at 184,960 acres, or 289 square miles, and the consideration agreed upon is the sum of \$500,000, to be paid to the said Indians "pro rata, or share and share alike for each and every member of said tribe as recognized by said tribe now

living upon said reservation," upon condition that the agreement of March 26, 1887, with said Indians, now before Congress (see House Ex. Doc. 63, Fiftieth Congress, first session, p. 53), shall be duly ratified by Congress.

The commissioners, in presenting this agreement, say:

In consideration of the fact that there is but very little agricultural land in the territory negotiated for, that it is the universal desire of the inhabitants of the Northwest that this land be opened to public domain, the great demand and the scarcity of timber adjacent to this section of the country, the prospects of vast mineral wealth which would be of great benefit to capital seeking investment, and the small value this land is to the Indians, the commissioners deem the bargain an excellent one, the price very reasonable, much lower than could have been expected, and hope that in this purchase you will realize, as they do, the importance of this land being made useful to the growing States and Territories.

Te Commissioner of Indian Affairs in his report herewith reviews the provisions of the agreement and refers to previous reports showing the character and condition of these Indians.

It is believed that this agreement is the best that can be made, and it is submitted with the recommendation that it be transmitted to Congress for such action as may be deemed proper.

I have caused two maps to be prepared for the information of Congress, showing the Cœur d'Alene Reservation and the lands therein ceded by this agreement.

I have the honor to be, very respectfully, your obedient servant,

JOHN W. NOBLE,
Secretary.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 7, 1889.

SIR: The fourth section of the act making appropriations for the current and contingent expenses of the Indian Department, etc., approved March 2, 1889 (25 Stats., 1002), provides as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to negotiate with the Cœur d'Alene tribe of Indians for the purchase and release by said tribe of such portions of its reservation not agricultural, and valuable chiefly for minerals and timber, as such tribe shall consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, and for the purpose of such negotiation the sum of \$2,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated; the action of the Secretary of the Interior hereunder to be reported to Congress at the earliest practicable time.

In pursuance of this provision a commission, composed of Hon. Benjamin Simpson, of Selma, Ala.; Hon. John H. Shupe, of Oakland, Oregon, and Napoleon B. Humphrey, esq., of Albany, Oregon, was appointed in May last, and under instructions of June 13, 1889, proceeded to the Cœur d'Alene Reservation in the discharge of its duties, arriving there on the 5th of August following.

The commissioners report that they held frequent councils with the Indians, explored the mineral portions of the reservation lying in the northern part thereof, and finally, on September 9, 1889, concluded an agreement with the Indians whereby they cede and relinquish to the United States a very considerable portion of their reservation, valuable chiefly for minerals and timber, upon terms advantageous as they believe both to the Indians and the Government. The area of the ceded territory is estimated at 184,960 acres, or 289 square miles.

I have the honor to herewith submit the final report of the commission (dated September —, 1888), the agreement entered into with the Indians, and the minutes, or more properly the reports, of the several councils held with them.

The cessation is described in the first article of the agreement as follows:

Beginning at the northeast corner of the said reservation, thence running along the northern boundary line north sixty-seven degrees twenty-nine minutes; west to the head of the Spokane River to the northwest boundary corner of the said reservation; thence south along the Washington Territory line 12 miles; thence due east to the west shore of the Cœur d'Alene Lake; thence southerly along the west shore of said lake to a point due west of the mouth of the Cœur d'Alene River, where it empties into the said lake; thence in a due east line until it intersects with the eastern boundary of said reservation; thence northerly along the said eastern boundary line to the place of beginning.

The principal consideration agreed upon is found in the second article, which reads as follows:

And it is further agreed in consideration of the above, that the United States will pay to the said tribe of Cœur d'Alene Indians the sum of \$500,000, the same to be paid to the said tribe of Cœur d'Alene Indians upon the completion of all the provisions of this agreement.

Article 3 prescribes the manner of payment as follows:

It is further agreed that the payment of the money aforesaid shall be made to the said tribe of Indians pro rata, or share and share alike for each and every member of the said tribe as recognized by said tribe now living upon said reservation.

It would appear from the language of the two articles together that the money is to be paid to the Indians per capita, cash in hand.

As, according to the last census, the tribe numbers five hundred and twenty men, women and children, each would receive about \$960 of the consideration named.

A further and in itself important stipulation and consideration is found in the fourth article, as follows:

It is further agreed and understood that this agreement shall not be binding upon either party until the former agreement now existing between the United States by the duly appointed commissioners and the said Cœur d'Alene tribe of Indians, bearing date of March 26, 1887, shall be duly ratified by Congress, and in the event of the ratification of the aforesaid agreement of March 26, 1887, to be and remain in full force and effect, but not binding upon either party until ratified by Congress.

The agreement of March 26, 1887, to which reference is meant, was made in pursuance of authority contained in the Indian appropriation act, approved May 15, 1886 (24 Stats., 44), and was submitted to Congress, by the President, January 9, 1888.

The Cœur d'Alene Indians laid claim to a vast area of country outside of their present reservation, including the site of the present flourishing city of Spokane Falls and other now populous communities.

Their claim was based upon original possession and occupancy.

A full history of the case, and the agreement itself, may be found in House Ex. Doc. No. 63, Fiftieth Congress, first session, two copies herewith.

When the Commissioners whose work is now under consideration approached the Indians upon the subject of relinquishment of some of their reservation lands, they absolutely refused to entertain any proposition of that kind until the old agreement was ratified.

Finally, however, after much argument and entreaty they consented to relinquish the lands the Government proposed to purchase, at the price named (\$500,000), upon the express condition that the old agreement should be ratified and carried into effect; and accordingly a pro-

vision for the ratification of said agreement was inserted in the new agreement. (Article 4.)

In reporting upon this point the Commissioners say:

The Commissioners were made aware of the stern fact that they were contending with obstacles that threatened to overthrow all business plans they had formed, and presented formidable barriers to the consummation of a treaty. The Indians, while kind and courteous, were reluctant upon business propositions from the fact that other business transactions with them had been neglected; and the failure of Congress to ratify the last treaty, together with the dilatory manner of the railroad company in making payment for right of way, were weapons they used against overtures of the Commissioners for the purchase of any more land. They displayed surprising business sagacity, coupled with an exalted idea of the fulfillment of promises. Much time was consumed in appeasing the grievances they fostered and in establishing confidence with them. They finally consented to dispose of a portion of the land that is included in this treaty, they insisting upon making the lines. The exorbitant price asked, and the small amount of land offered, precluded any bargain, and thus matters stood for two councils following.

After they had been shown the benefits to accrue from the sale of these lands, and the assurance by the Commission of the ratification of the former treaty—a clause being inserted bearing upon the fulfillment of the provisions of the former treaty—the sale was consummated and the agreement signed accompanying this report.

In consideration of the fact that there is but very little agricultural land in the territory negotiated for, that it is the universal desire of the inhabitants of the entire Northwest that this land be opened to public domain, the great demand and the scarcity of timber adjacent to this section of the country, the prospects of vast mineral wealth which would be of great benefit to capital seeking investment, and the small value this land is to the Indians, the Commissioners deem the bargain an excellent one, the price very reasonable—much lower than could have been expected—and hope that in this purchase you will realize, as they do, the importance of this land being made useful to the growing States and Territories.

It will be proper to state here that it would cost the Government, in money, only \$150,000 (Art. 6) and the annual salary of three employés, physician, blacksmith, and carpenter, and the cost of needed medicines (Art. 12) to carry out the provisions of the old agreement, the ratification of which has been heretofore recommended by this office in submitting it to the Department for presentation to Congress; and a bill for that purpose passed the Senate September 20, 1888 (Cong. Record, vol. 19, part 9, p. 8755), but did not reach final action in the House, where it was referred to the Committee on Indian Affairs, September 24, 1888 (*ib.* p. 8893).

This office has no data or information other than that furnished by the Commissioners themselves as to the value of the lands the Indians agree to cede and relinquish to the United States by the terms of the present agreement.

It has not been the practice to pay such large sums of money to Indians cash in hand as is proposed in this case, but the Cœur d'Alene Indians are far advanced in civilization, and from what is known of their habits and past life it would not be unreasonable to assume that they would make just as good use of their money if paid in this way as they would if it were paid to them in smaller sums or expended for their benefit in the usual manner.

As showing the character and condition of these people, I quote the following from a recent report by this office (February 7, 1888), in response to a resolution of the Senate calling for certain information in respect of their reservation, etc.:

There are few Indians in the entire country, if we except the five civilized tribes, who are as far advanced, and even they need not be excepted in any comparison either of their virtues, habits of industry, loyalty, or ambition to attain a higher stage of civilization.

They cultivate the soil extensively, live in comfortable houses, dress like the whites, wear short hair, and in all other respects live and do as white people do. Their houses are painted inside and outside, their barns are well built and commodious, and

they have all the improved farm implements and machinery. They own large bands of cattle and horses, and abundance of hogs and poultry.

The Northwest Indian Commission, in the report of its recent visit to these Indians, said :

"Each one has a comfortable house on his farm, and nearly all have equally comfortable houses at the mission, which together make quite a village. They remain on their farms during the week days, and on the Sabbath repair to their dwellings at the village to attend religious services and see their children who are at the mission schools. * * * Long experience in self-reliance and traffic with the neighboring whites has made them cautious, shrewd, and provident in the use of money. We learned that their trade in one town adjacent to the reservation amounts to about \$25,000 yearly. * * * A better ordered and better behaved Indian community can nowhere be found."

Furthermore, the Cœur d'Alene Indians have been for many years the firm friends of the whites. A notable instance of this was the part they took in the memorable Nez Percé outbreak of 1878. They not only shielded and protected the whites in that disastrous war to the fullest extent of their power, but guarded their property at the peril of their own lives, when a large portion of the white population had fled the country for safety.

When peace was restored the people acknowledged their good services and thanked them in formal terms, promising also to assist them in obtaining permanent title to their homes.

I have said this much in order to show that the Cœur d'Alene Indians are quite intelligent and fully capable of understanding their relations to their white neighbors, and that they would be likely to take a sensible view of any proposition for a change of the boundaries of their reservation which public necessity or convenience would seem to require, and at the same time to show that they are deserving of fair and honest treatment from the whites.

The one thing that has given them trouble has been the fear of losing their homes. They have watched the progress of white settlement in the surrounding country, the discovery of valuable mines, the building of railroads, etc., and all this has made them apprehensive lest in some way their reservation might be wrested from them.

The report of the Commission, the agreement, and council proceedings, with two copies of each, furnished by the Commission, are respectfully submitted for your action and transmittal to Congress as the act requires.

Very respectfully, your obedient servant,

The SECRETARY OF THE INTERIOR.

T. J. MORGAN,
Commissioner.

EXHIBIT D.

Senate Mis. Doc. No. 95, Fifty-first Congress, first session.

LETTER OF THE SECRETARY OF THE INTERIOR TRANSMITTING
CORRESPONDENCE IN RELATION TO THE RATIFICATION AND
CONFIRMATION OF CERTAIN AGREEMENTS BETWEEN THE
UNITED STATES AND THE CŒUR D'ALENE INDIANS IN IDAHO
TERRITORY.

DEPARTMENT OF THE INTERIOR,
Washington, February 10, 1890.

SIR: I have the honor to transmit herewith, without consideration of the contents thereof by me, a copy of a communication of 8th instant, and its inclosures, from the Commissioner of Indian Affairs in reply to your letter of the 21st ultimo addressed to him in relation to a bill to ratify and confirm agreements between the United States and the Cœur d'Alene Indians.

Very respectfully,

J. W. NOBLE,
Secretary.

Hon. J. H. MITCHELL,
United States Senate.

DEPARTMENT OF THE INTERIOR,
Washington, February 15, 1890.

SIR: I have the honor to transmit herewith, without consideration of the contents thereof by me, a copy of a communication and accompanying papers of 12th instant from the Commissioner of the General Land Office in reply to your letter of 10th instant addressed to him in relation to a proposed bill to carry out certain treaties with the Cœur d'Alene Indians.

Very respectfully,

JOHN W. NOBLE,
Secretary.

Hon. J. H. MITCHELL,
United States Senate.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., February 12, 1890.

SIR: I have had the honor to receive a letter of the 10th instant from the honorable John H. Mitchell, of the United States Senate, inclosing papers having reference to a proposed bill to carry out cer-

tain treaties with the Cœur d'Alene Indians, requesting the return of the papers, with such suggestions as it might be deemed proper to make as to the manner in which the ceded lands mentioned in section 6 of the proposed bill should be disposed of. After an examination of the inclosed draught of a bill, I have to report that I see no reason why the lands referred to should not be disposed of under the general land laws of the United States. The sixth section of the proposed bill seems so to provide, with the exception of a certain tract proposed to be specially disposed of in favor of Frederick Post, in accordance with an understanding with the Indians, and I see no objection thereto.

I send herewith the papers inclosed by Mr. Mitchell with his letter.

Very respectfully,

LEWIS A. GROFF,
Commissioner.

Hon. JOHN W. NOBLE,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 8, 1890.

SIR: This office is in receipt of a letter, dated January 28, 1890, from Hon. John H. Mitchell, of the United States Senate, inclosing a draught of a bill for the ratification of certain agreements made with the Cœur d'Alene Indians, in Idaho, and making the necessary appropriations for carrying the same into effect, which he desires me to carefully examine, and return to him with such suggestions, if any, as I may have to make in regard thereto.

There are two agreements covered by the proposed bill, one made in pursuance of a clause in the Indian appropriation act of June 30, 1887 (24 Stat., p. 44), and the other of a clause in the Indian appropriation act of March 2, 1889 (25 Stat., 1902). Article 4 of the latter agreement provides that said agreement shall not be binding upon either party until the former agreement shall have been ratified by Congress.

I have examined the draught of a bill submitted by Senator Mitchell, and respectfully submit the following:

AS TO THE FIRST AGREEMENT.

Section 3 of the draft of bill appropriates the sum of \$30,000 as the first installment of \$150,000, provided for in article 6 of the first agreement, "for the building and erection on said Cœur d'Alene Reservation of a saw-mill and of a grist-mill, each to be operated by steam, for the paying the wages of the engineer, miller, and the employes to be employed in said mills, respectively," etc.

It is clear to my mind that the erection of but one mill, "*a saw and grist mill*," is contemplated in article 6 of the agreement. The provision of said article is that "there shall be erected on said reservation a saw and grist mill, to be operated by steam, and an engineer and miller employed, the expenses of building said mill and paying the engineer and miller to be paid out of the funds hereby appropriated."

I do not think this language can properly be construed to mean *two* mills—a saw-mill and a grist-mill.

The commissioners who negotiated this agreement, speaking upon this point, observe as follows:

These Indians had everything which they needed or wanted, or if not it was within their power to procure it, except a saw and grist mill. It was agreed that the con-

struction of this should be the first item of the expenditure, the cost of this to come out of the \$30,000, together with the pay of the engineer and miller. For the probable cost of the mill we beg leave to refer to our report as to the Spokane Indians.

Whenever, either in the agreement or the report of the commission, the word "mill," or "miller," or "engineer," is used, the singular number is employed.

Furthermore, the said draft of bill provides not only for payment of the wages of an engineer and miller, but of "the employés to be employed in said mills, respectively."

The payment of employés other than an engineer and miller is not provided for in the agreement.

It is the established custom of this Office to make annual estimates to Congress of money required to pay yearly installments due to the Indians under treaty stipulation or agreement, and Congress appropriates only so much as is required to pay such installment.

In the draft of bill presented it will be observed that the whole amount of the money consideration, \$150,000, is appropriated at once, all but the first installment of \$50,000 to remain in the Treasury and draw interest at the rate of 5 per centum per annum, the same (interest) to be paid to the Indians annually or expended for their benefit. While this plan would no doubt prove beneficial to the Indians, it is not in accordance with the terms of the agreement, but a very decided departure therefrom, providing as it does for the payment of the principal sum in fifteen annual installments of \$8,000 each after payment of the first installment of \$30,000.

Again. Article 11 of the agreement provides as follows:

It is further agreed that in addition to the amount heretofore provided for the benefit of said Cœur d'Alene Indians, the United States, at its own expense, will furnish and employ for the benefit of said Indians on said reservation a competent physician, medicines, a blacksmith, and carpenter.

Section 4 of the draught of bill submitted makes an appropriation for salaries for such employés and for purchase of medicines, but the appropriation is included in an appropriation of \$20,000 for other benefits not provided for in said agreement.

I think it would be better to have separate items of appropriation for each agreement, and that they should be in strict conformity with the terms of the respective agreements.

AS TO SECOND AGREEMENT.

The only strictly money consideration in the second agreement is in articles 2 and 3 thereof, as follows:

ARTICLE 2. And it is further agreed, in consideration of the above, that the United States will pay to the said Cœur d'Alene tribe of Indians the sum of \$500,000, the same to be paid to the said Cœur d'Alene tribe of Indians upon completion of all the provisions of this agreement.

ARTICLE 3. It is further agreed that the payment of money aforesaid shall be made to the said tribe of Indians pro rata or share and share alike for each and every member of the said tribe as recognized by said tribe now living on said reservation.

The draught of the proposed bill appropriates the amount stipulated to be paid to the Indians (\$500,000), but provides that \$80,000 there of shall be retained in the Treasury of the United States and draw interest at the rate of 5 per centum per annum, to be expended for the benefit of the Indians as therein provided.

I do not doubt that it would be to the interest of the Indians to retain a portion of the money as proposed, but it is not so provided in

the agreement, and therefore I do not see how it could be done without first obtaining the consent of the Indians parties thereto.

The appropriation of \$20,000 made in section 4 of the draught of the proposed bill, except so much thereof as is for "pay for services of a physician, blacksmith, and carpenter" and for "purchase of medicines," is not provided for in either of the agreements, and is purely gratuitous.

Neither is the appropriation of \$5,000 made in section 5 of the draught for the survey and marking of the exterior boundaries of the reservation, etc., provided for in either of the agreements.

It is desirable, however, that houses should be provided for the accommodation of the agency employés, and that tools and materials should be purchased for the carpenter, blacksmith, and other artisan employés, as provided in the draught of bill submitted (section 4), and if Congress in its generosity will make the needed appropriation therefor I shall be very glad. The outboundaries of the reservation should by all means be properly defined by survey wherever not marked by natural objects, and I trust the appropriation of \$5,000 for that purpose will be made.

As to the disposal of the ceded lands, for which provision is made in section 6 of the draught of bill submitted, I have to state that it is a matter of no concern to the Indians themselves nor to this office how said lands are disposed of, since the Indians have no further interest in them, having ceded and relinquished them absolutely to the United States, subject of course to the ratification of the agreement by Congress.

I have caused to be prepared and herewith transmit items of appropriation which I respectfully suggest be substituted for sections 3 and 4 of the draught of bill submitted by Senator Mitchell.

As the law (section 2115, Rev. Stat.) provides that "whenever it becomes necessary to survey any Indian or other reservations or any lands, the same shall be surveyed under the direction and control of the General Land Office, and as nearly as may be in conformity to the rules and regulations under which other public lands are surveyed." I would suggest that the provision in section 5 of the draught of bill that the appropriation of \$5,000 for surveys "be expended under the direction of the Secretary of the Interior and Commissioner of Indian Affairs" be amended by striking out the words "and Commissioner of Indian Affairs."

I would further suggest that the draught of bill be referred to the General Land Office for examination and report as to the manner provided for the disposal of the ceded lands in section 6 thereof.

Senator Mitchell's letter and the accompanying draught bill are herewith returned.

Very respectfully,

T. J. MORGAN,
Commissioner.

THE SECRETARY OF THE INTERIOR.

EXHIBIT E.

Treaty between the United States and Dwamish, Suquamish, and other allied and subordinate tribes of Indians in Washington Territory. Concluded at Point Elliot, Washington Territory, January 22, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 11, 1859.

Treaty between the United States of America and the S'Klallams Indians. Concluded at Point no Point, Washington Territory, January 26, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 29, 1859.

Treaty between the United States of America and the Makah tribe of Indians. Concluded at Neah Bay, Washington Territory, January 31, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 18, 1859.

Treaty between the United States and the Walla Walla, Cayuses, and Umatilla tribes and bands of Indians in Washington and Oregon territories. Concluded at Camp Stevens, in the Walla Walla Valley, Washington Territory, June 9, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 11, 1859.

Treaty between the United States and the Yakama Nation of Indians. Concluded at Camp Stevens. Walla Walla Valley, June 9, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States, April 18, 1859.

Treaty between the United States of America and the Nez Percé Indians. Concluded at Camp Stevens, in the Walla Walla Valley, June 11, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 29, 1859.

Treaty between the United States and the confederated tribes and bands of Indians in Middle Oregon. Concluded at Wasco, in Oregon Territory, June 25, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 18, 1859.

Treaty between the United States and the Qui-nai-elt and Quil lehte Indians. Concluded on the Qui-nai-elt River, in the Territory of Washington, July 1, 1855, and at the City of Olympia, January 25, 1856. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 11, 1859.

Treaty between the United States and the Flathead, Kootenai, and Upper Pend d'Oreilles Indians. Concluded at Hell Gate, in the Bitter Root Valley, July 16, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 18, 1859.

Treaty between the United States of America and the Mole Indians. Concluded at Dayton, Oregon, December 21, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 27, 1859. (12 U. S. Stat., p. 927 to 983).

Treaty between the United States and the Blackfeet Indians. Concluded on the 17th of October, 1855, between said Indians and A. Cumming and Isaac I. Stevens, commissioners on the part of the United States. (11 U. S. Stat., p. 657.)

EXHIBIT F.

1101 G STREET, N. W.,
Washington, D. C., February 5, 1886.

GENTLEMEN: I have the honor to make a report upon a letter, copy of which is hereto attached, and made a part hereof, from the Rev. J. M. Cataldo, superintendent of various Indian missions throughout the Rocky Mountain regions of the Northwest, dated Spokane Falls, Wash., January 10, 1886, and which letter has been referred to me by your Bureau for report.

In this communication I am informed that the Spokane Indians, a tribe living in the vicinity of the Spokane Falls, in Eastern Washington Territory, have recently held a council in relation to their past and present grievances, and have requested the said superintendent to write and request me to lay the said matters fully before the honorable Secretary of the Interior.

The two chiefs, Geary and Welsho Louis, seem to have spoken for their tribe.

Geary I have known for thirty-one years. He speaks English, and is now probably near seventy-five years old; for his long, silvery white hair, once so black, as I saw him last October, with a number of his tribe, at the Spokane Falls, indicates that he has seen the snows of many winters. Geary then desired me to present the matter of the wrongs of his Indians to the President of the United States.

The Spokane Indians have been wrongfully treated by the United States, for our people have been permitted to seize their lands without leave or compensation; and while it is true that a small reservation on the Spokane River has been heretofore set aside and established, by an Executive order, for that temporary purpose, yet this falls very far short of that degree of justice which these people are entitled to at the hands of the United States.

I know well that the late Isaac I. Stevens, when governor of Washington Territory, and *ex-officio* superintendent of its Indian affairs, was authorized to make a treaty with these Indians, with a view of acquiring title for such a portion of their lands as they had no use for, and to compensate them for the same.

I also know that in 1855 it was Governor Stevens's intentions to make a treaty with these Indians on his return from the country of the Blackfeet Indians, now situate in northwestern Montana, the same in 1855 being northwestern Nebraska, where in the summer of 1855 Stevens, having treated with these Blackfeet Indians, his intentions on his return toward the Pacific was to treat with the Spokanes, the Colvilles, and the Cœur d'Alenes.

I also know that when Governor Stevens had concluded a treaty with the Blackfeet Indians, and was proceeding to visit the country of Colvilles and Spokanes, and Cœur d'Alenes, intending, as I have said, to make a treaty with each of said tribes, he was met near the Dearborn River, in northwestern Nebraska, by a special courier coming from the

Pacific, and bringing him the intelligence that a general Indian war was then raging throughout the western portion of Oregon and Washington Territories, which, the Indian Department will bear witness, continued for a period of two years.

In consequence of this fact Governor Stevens deemed it his duty to proceed immediately to the seat of government at Olympia, on Puget Sound, but failed to conclude any treaty negotiations with either the Colville, Spokane, or Cœur d'Alene Indians. The exact recital of some of the delays relating to this matter I now give in the words of Mr. Gustavus Sohon, who then was with Governor Stevens as guide and interpreter, and to whom I hereinafter more particularly refer. Mr. Sohon says:

The treaty made by the United States through Hon. Isaac I. Stevens, then governor and superintendent of Indian affairs of Washington Territory, and concluded at Walla Walla, in Washington Territory, in 1855, included certain Indian tribes residing east of the Cascade Mountains, on the borders of eastern Oregon Territory and southeastern Washington Territory, and lying west of the Bitter Root Mountains. These tribes were the Yakamas, Umatillas, Walla Wallas, and the Nez Percés; and Governor Stevens, as superintendent of Indians affairs for Washington Territory, in making these treaties, acted jointly therein with General Palmer, then commissioner of Indian affairs for the then Territory of Oregon.

The camps of said Indians were near the council grounds, and there were also present a few Spokane Indians, with Chief Geary, although his tribe and that of the Cœur d'Alene Indians, both of Eastern Washington Territory, were not joined in any of these treaties.

Governor Stevens next proceeded to treat with a tribe of Indians living at the extreme eastern portion of Washington Territory. He passed through the country of the Spokanes and the Cœur d'Alenes, not stopping at that time to treat with either of them, but went first into the Flathead country, where he made a treaty with the tribes living between the Bitter Root Mountains and the main ridge of the Rocky Mountains, said tribes being as follows: The Flatheads, the Pend d'Oreilles, and the Kootenays. Now, these three tribes, and also the Nez Percé tribe, already treated with by Stevens at Walla Walla, were in the habit (owing to their location) of hunting buffalo in the Rocky Mountains, on the plains of the Upper Missouri and the Upper Yellowstone rivers, and there they frequently met at war the Blackfeet tribes, making traveling always unsafe. But Governor Stevens took with him several representatives of all these tribes, and crossing the Rocky Mountains into the Blackfeet country, which, at that time, as I have stated, constituted a portion of the Territory of Nebraska, he met General Alfred Cummings, then commissioner of Indian affairs for the Territory of Nebraska, and acting jointly therein they treated with said tribes, to wit: The Piegan, the Blackfeet, the Blood, and the Gros Ventre, not only for their lands and peace with the United States, but also for peace between the several tribes on the east and those then living on the west of the Rocky Mountains. This last council for these purposes was held at the junction of the Judith and Missouri rivers, seventy miles east and below Fort Benton.

It was now November when Governor Stevens started on his return to the Territory of Washington and where he was to complete a treaty with the Spokane, Colvilles, and Cœur d'Alenes, but before reaching the country of these Indian tribes he met, on the Teton River, 8 miles above Fort Benton and 500 miles distant from the Spokane country, a special mounted courier, bringing him a report that the Indians at Walla Walla, and other tribes with whom he had lately treated, had broken out in rebellion and were then in open war.

On the same night Governor Stevens procured additional arms and ammunition and started westward with his party, the governor himself, with two or three men, going in advance to the Bitter Root Valley, thereby gaining a few days' time within which to transact important Governmental business and until his pack train should have reached Hell Gate Ronde, now the city of Missoula, in the Territory of Montana. We continued our journey across the Cœur d'Alene Mountains on November 21, 1855, and reached the place of residence of Antoine Plant, a prominent Indian of his day, then living on the north bank of the Spokane River. This was at the end of November, 1855. We found here several white men traveling, who could not proceed further on account of said hostile Indians.

A party of Cœur d'Alenes and some Spokanes, with their chief, Geary, came to Governor Stevens's camp and asserted their friendship for the whites, though the main portions of their tribes were not present. Of course a treaty could not and was expected at that time by the Indians and also by Governor Stevens, that he would not be concluded with these Indians then and under all the circumstances, but it was

turn and attend to making a treaty with these Indians at some suitable time and in the early future; but successive Indian wars and other difficulties during the administration of Governor Stevens in Washington Territory, that lasted several years, did not afford him any such suitable opportunities to treat with these Indians nor to provide for them in any proper way.

We thereupon moved to Lapwai, in the country of the Nez Percé Indians, where those Nez Percé chiefs who had accompanied us met a large camp of their people, and here they held a council and offered Governor Stevens a company of warriors of these friendly tribes, which joined the Governor's party, when we proceeded to meet the hostile Indians. But before reaching Walla Walla we were met by several companies of volunteers from Oregon and Washington Territories, who had been sent out by Governor Curry, then governor of Oregon Territory, to meet and to protect us; and which volunteers had attacked the hostile Indians just the day before and had put them to flight.

I have thus at some length stated historically the exact reasons why no treaty arrangements were made with these particular tribes at that time, or since. I have to say of these Indian tribes, to wit: The Spokanes, Colvilles, and Cœur d'Alenes, that during these two years of Indian warfare in western Oregon and western Washington Territories, these three Indian tribes remained at peace with the United States, and when the Indian war had ended the Government of the United States made ample, if not liberal, provision for all the Indian tribes that had been then so recently at war, but it seemed then to have entirely overlooked these three Indian tribes that had remained at peace.

This condition of things continued until 1858, when two of these tribes, to wit, the Spokanes and Cœur d'Alenes, and it may possibly be some few of the Colvilles, restive and feeling aggrieved at the wrongs that the United States Government had perpetrated upon them, made a war upon the white population then in eastern Washington Territory, and during which time the large military force under Colonel Steptoe, of the United States Army, was most signally defeated and driven from their country. The defeat of these United States forces resulted, however, in calling to the field a still larger military force, under General George Wright, United States Army, who, after a number of engagements with these two Indian tribes, finally brought them to peace. I was General Wright's aid, and was with him at this time, and so also was Mr. Sohon, as guide and interpreter.

Thereafter, the Government of the United States, by an executive order only, placed the Cœur d'Alene Indians upon the reservation which they now occupy, but it failed to compensate them or the Colvilles or the Spokane tribe, or to make any compensation for the latter two tribes for the large district of country which was then, and ever theretofore had been, their land and that of their forefathers.

The Spokane and Colville Indians are now very poor, and, in my opinion, it is the duty of the General Government to deal with these Indian tribes generously; certainly to make ample provision to compensate all three of these tribes for the large bodies of land that it is permitted to be occupied by our people. And in addition thereto they should dedicate and grant a reservation as a place for their home and permanent abode.

Having been in their country as early as 1853, and frequently since, I am therefore familiar with much that I herein state as to these people, as to their country, as to their wants, as to their wrongs; and I submit that it would be a grave injustice for our Government now to permit this condition of things long to continue. Had I the time, having as I have the disposition, I would gladly place it at the disposal of the Interior Department, without compensation, to visit these tribes and to bring to Washington City, with the permission of that Department, a delega-

tion from each thereof, and enable them to lay their wants in detail before the proper Departments, and to enable the United States to enter into such preliminary arrangements with these Indian tribes as would finally eventuate in a proper and just treaty between them and the United States, and by which an adequate compensation could be had for the value of the lands of which, in my opinion, they have been so wrongfully divested. But I have not such leisure at this time, but I have the honor to bring to the special notice of the honorable Secretary of the Interior a gentleman whom I know to be in every respect qualified to fill this commission, to wit, the party whom I have hereinbefore named, to wit, Mr. Gustavus Sohon, now living at 504 Eleventh street northwest, Washington, D. C. Mr. Sohon, during my several expeditions across the Rocky Mountains prior to 1862, acted as my guide and interpreter, speaking at that time the languages of those people. He enjoys the confidence of all those Indians, as he also does that of the whites in the city of Washington, and in the Territories of Washington, Idaho, and Montana.

Mr. Sohon came to Washington City with me in 1862, and has resided here ever since. He is honest, capable, faithful, and zealous in the cause of Indian civilization, and I suggest to the honorable Secretary of the Interior the propriety of appointing him as a special agent, with authority, under the auspices of and at the expense of the Indian Department, to proceed to east Washington and northern Idaho Territories for the purpose of there conferring with these tribes of Indians, to wit, the Spokane, Colville, and Cœur d'Alene, and to bring back with him to Washington City a delegation of at least three to five of their principal men, with a special interpreter for each tribe, in order that they may have an interview and an understanding with the Commissioner of Indian Affairs, the Secretary of the Interior, and the President of the United States in regard to the subject-matter of their wrongs, of their wants, and of the remedies therefor.

Mr. Sohon, having been present with Governor Stevens thirty years ago when he concluded the aforesaid treaties, he being to-day one of the very few men living who was a witness of the transactions had between the United States and the several Indian tribes herein named or referred to, is, in my opinion, the person above all others to be commissioned to execute this important trust.

In this connection permit me to invite your attention to a communication relative to one of these tribes, which has been heretofore filed in the Indian Office, and marked A and made a part hereof.

Should the honorable Secretary of the Interior desire to see me in person in reference to any of the matters herein contained, I will promptly obey any citation he may issue to me in the premises.

In support of portions of the recitals herein made relating to the several treaties concluded by Governor Stevens with the aforesaid Indian tribes in 1855, I refer you to the United States Statutes, vol. 11, p. 657 *et seq.*, and vol. 12, pp. 945 to 979; wherefore, in conclusion, I suggest and recommend that the honorable Secretary of the Interior may address a special letter to Congress, now in session, requesting an appropriation of a sum not less than \$10,000 with which to defray the expenses of the commission which I herein suggest and recommend may be created for the purpose of securing the results herein outlined.

I am, yours, very respectfully,

JOHN MULLAN.

The BUREAU OF CATHOLIC INDIAN MISSIONS,

H. Rep. 9—54

Washington City, D. C.

EXHIBIT G¹.

WASHINGTON, D. C., November 24, 1885.

SIR: By direction of this Bureau I have the honor to hand you herewith the petition of Seltise, the head chief of the Cœur d'Alene Indian tribe, in Idaho, in behalf of his people, addressed to you through this Bureau, in which he sets forth the wrongs done them by the United States in taking their lands without remuneration, and asks that you will bring the same to the attention of Congress, and that his petition, with the accompanying papers, will be incorporated in the report of your special committee to Congress.

This Bureau most cordially and earnestly indorses the prayer of Seltise, and trusts that you, your committee, and Congress will take favorable action upon the same.

Very respectfully, yours,

CHARLES S. LUSK,
Secretary.

Hon. W. S. HOLMAN,
Chairman Special Committee to Inquire into Indian Matters.

EXHIBIT G².

CŒUR D'ALENE RESERVATION,
Idaho Territory, October 30, 1885.

SIR: As chief of the Cœur d'Alene Reservation of Idaho Territory, I beg to say that my people and myself looked forward with much interest and hope in the firm expectation that you would visit our country and my people, as it would have given to us the most favorable opportunity to lay before you and your honorable committee our wants, and what we expect from the United States Government towards us.

In view of these facts, I, therefore, in the name of my people and tribe, now send you a copy of the petition which we have heretofore, to wit, on the 23d day of March, 1885, caused to be forwarded to the honorable Commissioner of Indian Affairs, and we now ask you and your honorable committee that you would make due reference to our case, and that you may be pleased to incorporate our said petition in your report to Congress on Indian matters, in order that the attention of the United States Government shall be drawn to the great grievances that have been so long inflicted upon my people.

I am, sir, yours, respectfully,

SELTIS,
Chief, Cœur d'Alene Indian Tribe, Idaho.

Hon. W. S. HOLMAN,
*Chairman Special Committee House of Representatives,
Authorized to visit the Indians and Indian Reservations.*

EXHIBIT G³.CŒUR D'ALENE INDIAN RESERVATION,
Territory of Idaho, March 23, 1885.

*To the President of the United States and the Secretary of the Interior,
and the Commissioner of Indian Affairs:*

SIRS: Your petitioners, the Cœur d'Alene Indian tribe, now residing in the northern portion of the Territory of Idaho and west of the Rocky Mountains, desire to hereby make known to you the fact that their rights as Indians have, up to this date, been very largely neglected by the proper authorities of the United States, by reason of which a large and valuable portion of their country has been taken possession of and is now used, cultivated, and occupied by the whites, and without any compensation or indemnity ever having been given them therefor.

Your petitioners are now, and for many years last past have been not only friendly to the whites, but they remind you of the fact that when Joseph's band of Nez Percés in 1877 rose in rebellion against the United States, resulting in the loss of many valuable lives of your people, and in great cost to your Government, and when a large portion of the white male population in the Territories of Idaho and Washington, with their wives and children, fled from their homes and from the country, that it was your petitioners who went to their rescue and protected them and their homes and their property, at their own expense and at the risk of their lives, until such a time as peace and confidence had been restored, and until the return to their homes of said white population; and your petitioners now submit herewith, in papers marked A and B, by copy, the evidences of said white population of the said acts of your petitioners at that time.

The boundaries of the country owned by your petitioners, and by their forefathers from time immemorial, are as follows, to wit: Beginning at a point on the Pelouze River west of a high butte now known and called Steptoe Butte; thence extending northwestwardly to the Spokane River at a point on its north bank formerly resided at by Antoine Plant, a half-breed Indian; thence extending to the lower end of the Pend d'Oreille Lake; thence eastwardly to the summit of the Cœur d'Alene Mountains, separating the waters of the Flathead or Missoula River from those of the Cœur d'Alene and Saint Joseph's River; thence southerly along the summit of said mountains to the most southern thereof, whence flow the waters of the Pelouze River; thence westwardly along the southern rim of the water-shed of the waters of the Pelouze River to the point of beginning.

That all the lands of your petitioners, so by them owned and herein described, have been taken possession of by the whites without remuneration or indemnity, except that portion now by them occupied as the present Cœur d'Alene Reservation.

That within the country so described is situated one of the most valuable portions of the lands of Washington Territory; that it is now dotted by numerous and valuable wheat farms, with many forests of valuable timber, much of which has been and is now being cut and floated down the Spokane River to Spokane Falls and there converted into lumber; besides, there are numerous saw-mills for the same purpose at many other points therein. It also includes the Cœur d'Alene gold, silver, and lead mines, said to be extensive and rich. It includes the

Cœur d'Alene Lake and Cœur d'Alene River, upon the waters of which steamers now run. It includes the beautiful site of the military fort at Cœur d'Alene, besides numerous thriving towns and villages. It includes the line of the Northern Pacific Railroad from near Spokane Falls to the Pend d'Oreille Lake, and it also includes one of the valuable portions of the land grant to the Northern Pacific Railroad Company. Your petitioners understand that Congress in its act approved July 31, 1854 (U. S. Stats., vol. 10, page 330) gave authority and made liberal provision for negotiating treaties with all the Indian tribes then in Washington Territory, at which date all the lands of your petitioners, herein described, were situated in said Territory, all of which lands they then occupied unmolested and upon which they were then residing.

Your petitioners further understand that the late Isaac I. Stevens, then governor of Washington Territory, and *ex officio* superintendent of Indian affairs, was by the President duly authorized and empowered to negotiate said treaties, and, among other tribes, with that of your petitioners; that in the execution of this task said Stevens made treaties with all the tribes on Puget Sound and along the Columbia River, extending to the Nez Percés country, and that he was then directed to proceed to Fort Benton and there assist in making similar treaties with the Blackfeet, Gros Ventres, and other tribes of wild Indians, as provided for in that same act of Congress; that while on his way to execute said trust, in the summer of 1855, Stevens made, at the Hell Gate Ronde, treaties with the Flathead, Upper Calispels, or Pend d'Oreilles, and certain Kootenai Indians, by which the Jocko Indian Reservation was established.

Your petitioners further know that it was Stevens's intention on his return trip westward to negotiate similar treaties with your petitioners, and also with the Spokanes, Pelouze, Lower Calispels, and other Kootenai Indian tribes; but that upon reaching the country of your petitioners at the above mentioned locality, on the northern bank of the Spokane River, formerly resided at by the half-breed Antoine Plant, where a large number of our people had already met with a view to enter into a treaty with your Government, Stevens learned for the first time, by a mounted messenger, that the entire portion of Oregon and Washington Territory was engaged in a general Indian war; that he departed instantly from that portion of the country, and failed to enter into any treaty with us or meet any of said other tribes of Indians herein last named. Since then nothing has been done in regard to negotiating a treaty with your petitioners that the Government then authorized and intended should be done.

It is a public matter, within your own knowledge, that all the treaties as then negotiated by Stevens with the Indian tribes, in 1855, have been duly ratified, confirmed, and fully executed by the United States with said tribes, to wit: With the Dwamish, Squamish, and other allied tribes; with the Skallams, Makahs, Walla Walla, Cayuse, and Umatillas, Yakamas, Nez Percés, and Quinaielts, Flathead, Kootenais, and Upper Pend d'Oreilles (see U. S. Stats., vol. 12, pages 927 to 1879). Your petitioners desire still to maintain peace with the whites, and especially with those whites to whom their country, described as aforesaid, has become valuable, and by whom the same is now largely occupied.

Our people now need grist and saw mills, proper farming implements, and mechanics to help to teach us and our children proper industrial pursuits, and the use of tools in connection therewith, and, in addition

to this, we need some cattle and sheep. We do not need much money, but we do need all the things therein named, all of which should be given us at an early date, and ample provision made and guarantied for our young men and women when starting in married life.

The missionary fathers and good sisters and brothers many years ago came in our midst, and all we now know of tilling the soil and living like white people we and our children have learned from them. They have built at their own expense our school-houses and schools in our midst and for our exclusive benefit, and inclosed and cultivated the same to support our little children, whom they teach; and when this tribe removed, in 1877, to the place they now occupy, your petitioners marked off a mile square each for the fathers and sisters as farming fields and a mile square of timber, all of which we want the Government to confirm to these fathers and sisters when concluding a treaty with us.

In view of all these matters, therefore, your petitioners now ask that you may be pleased to send them a proper commission of good and honest men, authorized and empowered to consider all these facts and such other facts as their visit to us may disclose, and to provide for our present and future wants, and to make with us a proper treaty of peace and friendship, and enter into such proper business negotiations under and by which your petitioners may be properly and fully compensated for such portion of their lands not now reserved to them; that their present reserve may be confirmed to them, except such as may be confirmed to the missionary fathers and sisters, and that ample provision be made by the United States by which their compensation shall be annually made them partly in stock, tools, mills, and mechanical instruction by proper mechanics, for the permanent benefit of every member, young and old, male and female, of the Cœur d'Alene tribe of Indians. And your petitioners will ever pray for the permanence of your good government and for the welfare of all those who properly administer its public affairs.

N. B.—This petition has been written by Louis Kaizewet, one of the boys now being educated at the Cœur d'Alene Indian mission school.

(Signed with cross-mark by:)

Andrew Soltis, head chief; Damas, chief; Edward, chief; Regis, chief; Bartholomew, chief; Venceslas, chief; Bernard Spekmilko; Tecomta; Peter Wilsoleyn; Daniel; Sebastian; Alphonse; Gregory; Charles Louis; Helarion; Pat. Davenport; Louis Sepis; Adrian; Triburtins; Ignace; Ererechin Bassau; Joseph Npagamnsn; Barnaby Chuoa; Andrew John; Nicodeme Crontons; Leo Emnteynza; Lolo Chompaskat; Peter Joseph Jahurn; Gami Genzalkan; Leo Gnakaize; Paul Tkainse; Ignatius Ngaiana; Basil Guignizu; Alexander Chilchelgo; Stephen Thamzin; Peter Lupsqui; Henry Guistchene; Simon Chemeneme; Fidele Sermenzu; Louis Sauaualko; Isidore Npapsqua; Basil Sepnai; Peter Joseph; Eliemae Chedalem; Peter J. Syolgui; Stephen Zeotagan; Benoit Enchiezn; Benoit Tholize.

Signatures of witnesses to the Indians:

JOHN P. SWENEY,

Additional Farmer, Colville Agency.

FRANK P. CONNELL.

T. EVANS.

THOMAS J. PURCELL.

BERNARD CUNNINGHAM.

EXHIBIT G⁴.

A.

PINE CREEK, NEZ PERCES COUNTY, IDAHO TERRITORY,
June 19, 1877.

To the Priest, Chiefs, and the Cœur d'Alene Indians :

GENTLEMEN: We, the undersigned citizens of Pine Creek and surrounding country, feel truly thankful to you all for your kindness toward us during the present excitement, and for the trouble and the pains you have taken in assuring us that there was no danger.

We did not leave Pine Creek for fear of you, but for fear of other Indians; and in return for your kindness we, the undersigned citizens, are willing to assist you in petitioning Government to grant you a good title to your land, that you may lead a quiet and peaceful life, and we are willing to do anything in our power to promote the peace and happiness of you, Cœur d'Alenes.

(Signed:) N. M. Morris, M. A. Morris, H. S. Fanny, R. U. Young, B. F. Price, N. T. Price, T. W. Gholson, M. E. Gholson, B. A. Truax, S. A. Truax, M. Fountain. Thomas Booton, Frank Rector, Jesse Walling, Harriet Walling, C. L. Chalwell, W. B. McJale, Caleta McJale, J. M. Pupst, A. E. Pupst, F. R. Martin, Mary A. Martin, F. E. McGrelen, W. H. Landes, Sanuk Welch, R. F. Stare, H. W. Walts, R. Price, Javah Price, G. O. Briggs, John Cummings, Martha Cummings, London C. Twine, J. F. Conkling, L. W. Davenport, Mary Davenport, John Moore, Editte Moore, *Adin Davis, Jane Davis, Mary Fountain, M. W. Smith, F. C. Hayes, J. M. Woody, Lafayette Mary, Elizabeth Munes, F. M. Barm, Alrz. N. S. Barm, Lurindo Mone, Ana Mone, Sam Prere, W. T. Skigy, R. R. P. Romer, W. Brewer, Lene Brewer, Arthur Green, F. P. Connell, Miss S. Connell, F. D. Wazkeild, G. H. McQueen, L. McQueen, G. W. Truax, H. Truax, W. A. Hone, S. Grumley, Seleua Grumley, Samuel Mone, Susane Mone, G. Y. Quaeler, Mary Campbell, Franklin Recton, Henny Edyson, C. S. Barton, R. J. Looch, Z. Smith, J. W. Smith, Charles Mone, S. J. More, Betz More, Lidia More, Andrew A. Rice, Agnes Brallam, Minna Brallam, P. Gilbert, Enuch Peoka, Oro Rector, S. D. Young, Fr. McCarrie, Sarah McCarrie, A. J. Price, Jack Sullivan, Msj. Lemh.

EXHIBIT G⁵.

B.

LEWISTON, IDAHO, *August 25, 1877.*

The undersigned take pleasure in acknowledging the loyalty of the Cœur d'Alene Indians, and particularly Soltise, their head chief, through all the excitement attending the outbreak of the non-treaty Nez Percés.

When the settlers from Pine Creek left their homes for fear of Indian hostilities, Soltise assured them of the friendship of the Cœur d'Alenes, and even sent some of his people to guard their property until their return. His influence is great among the northern Indians, and it has been used to maintain peaceful relations between the whites and the Indians.

(Signed:) W. W. Johnson, F. Rector, P. Gilbert, A. H. Davenport, Aretar Cox, Edgar Davenport, Lincoln Davenport, Benjamin Hok, Robert Twart, D. M. Ringer, G. W. Chambert, E. Baldwin, J. H. Billups, L. W. Davenport, Po. Canty, W. B. Slefall, F. J. Hayfold, James Turner, F. E. McQueen, Willie A. Hone, W. Smith, J. Po. Lipvionile, E. C. Watkins, United States Indian inspector, M. C. Wilkinson, aide-de-camp, A. Brig. Gen. O. O. Howard, G. H. McQueen, J. V. Naughte, H. W. Walls, B. A. Price, James Ewart, Robert R. Hargrove, R. A. Truax, W. Brewer, H. Ephy, J. M. Propst, T. W. Gholson, W. H. Landes, Thomas Turner, W. M. U. Boun, S. D. Stephen, T. R. Mastin.

EXHIBIT G⁶.

COLVILLE INDIAN AGENCY,
March 26, 1885.

SIR: I have the honor to inform you that the head chief, chiefs, and head-men of the Cœur d'Alenes have forwarded you a petition, to be transmitted by you to the Indian Department, wherein they give you a condensed history of their tribe and their desires. I would respectfully state that, officially and otherwise, since 1861, I have personally known many of the signers to the petition. In 1866, when agent for the Nez Percés at Lapwai, I was directed by Governor Ballard, *ex officio* superintendent of Indian affairs for Idaho, to proceed to the country of these people, and learn whether they desired to remove to the Flathead Reservation; or, if not, to select in their own country a suitable place for their reservation. Upon that visit I saw that they were workers *then* when it was considered by an Indian a disgrace to work, and when it was almost impossible to procure the necessary implements to work with, but in their fences and in what little farming could be done, where they were then located, they showed thrift and progress totally unexpected in *that* day. In 1875 "Nicodemus," one of the tribe, first commenced farming upon the present reserve. In the spring of 1876 two or three more opened small farms. In 1877 or 1878 they all commenced making small farms in different localities upon the reservation from "Stallams" village, farms near the Spokane River near Crowley's

bridge, running south to the present mission nearly 40 miles, embracing within that distance some six or seven villages, the largest being near the present mission (De Smet) at the head of the Latah or Hangman Creek. Nearly 200 farms have been opened. For the first two or three years they struggled along as best they could, being poor and unable to purchase the necessary farming implements.

The only help they had was through the father connected with the mission, in furnishing plows and other tools and advice. At the present time their farms, houses, etc., show the effect of the good teaching they have received. All the males are good farmers, many of them (the older ones) having two or three hundred acres of land under a good substantial rail fence, and under cultivation. The younger men of the tribe, equally as good workers and fully as willing, but receiving no aid from the Government, except in their schools, have not the means to go ahead as they would wish. With the exception of one or two trappers (old men), all are farmers. You see no long hair worn by them, no blankets, no moccasins, all men and women wearing the dress of the whites. By their own labor and exertions so far (with, as before stated, the schools excepted), they have accumulated about 150 farm wagons, 8 or ten spring-wagons, 160 plows, harness, mowing and reaping machines, sulky-plows, etc.

They have a fine church, largely contributed to by themselves, in which about 200,000 feet of lumber was used in its construction, and costing nearly or quite \$4,000. In educational matters they are deeply interested, as you have seen when visiting their schools. With proper encouragement they can become happy and prosperous people.

To you who have accomplished so much and given them so much good advice and encouragement since you have been their agent, they look for help in this matter. They say no agent has ever done so much before for them, and I would respectfully ask of you your earnest endeavors to accomplish for them what is asked in their petition.

Very respectfully, your obedient servant,

JAMES O'NEIL,
Resident Farmer, Cœur d'Alene.

Hon. SIDNEY D. WATERS,
United States Indian Agent, Colville Agency.

EXHIBIT H.

COMMITTEE ON APPROPRIATIONS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 31, 1886.

SIR: The inclosed letter of Mr. Lusk and its accompanying petition from the head chief of the Cœur d'Alene Indians, not being within the jurisdiction of the select committee of the House charged with making certain inquiries touching Indian Affairs, etc., was not embraced in their recent report, but is respectfully referred to your Department for consideration.

Very respectfully,

WM. S. HOLMAN,
*Chairman Select Committee on Indian Affairs, etc.,
House of Representatives.*

Hon. L. Q. C. LAMAR,
Secretary of the Interior.

EXHIBIT I.

SPOKANE FALLS, WASH., *January 10, 1886.*

DEAR SIR: Several Spokane Indians came to see me yesterday, and they told me to write to you to help them to get a piece of land as their own reservation. Geary and Welsho Louis, both head chiefs, made speeches and spoke very forcibly to show their rights. Welsho Louis wants you to obtain for him the privilege to go to Washington with one or two of his men, so that he himself could tell to the President the miserable condition in which more than four hundred people of his tribe are since the coming of the whites into their territory.

The United States agents at Colville and several of the fathers have tried their best for several years to persuade them to go into some reservation, but they stubbornly objected to this; they say they want to be a nation as God made them, and if they can not obtain that they prefer to die than to be subjected to any other Indian tribe.

Please let them hear from you as soon as you conveniently can.

They even object to go to Washington with any people of any other tribe. To hear them you would believe that their national pride is not less than that of the old Romans.

Very respectfully, yours,

JOS. M. CATALDO, S. J.

Capt. JOHN MULLAN.

