

IN THE SENATE OF THE UNITED STATES.

MAY 16, 1872.—Ordered to be printed.

Mr. FRELINGHUYSEN submitted the following

REPORT:

[To accompany bill H. R. 2623.]

The Committee on Indian Affairs, to whom was referred House bill No. 2623, to provide for the removal of the Flathead and other Indians from the Bitter Root Valley, in the Territory of Montana, respectfully report:

That the Jocko reservation, in the Territory of Montana, is a fertile valley, containing about four thousand square miles and about nineteen hundred Indians, who are friendly with the Flatheads; that the Flatheads are now located in Bitter Root Valley, in said Territory, and are said to be four hundred and forty-six in number, a few of whom have farms; that by Article XI of the treaty of 1855 (Stat. at Large, vol. 12, p. 975) it was agreed that the President should ascertain whether a reservation in Bitter Root Valley could properly be made for the Flatheads who had not removed to the Jocko reservation, but that the President took no action under the provisions of that article until November, 1871; and between 1855 and 1871 the Blackfeet and Snakes made frequent incursions on the Flatheads in Bitter Root Valley, and the chief of the Flatheads, named Victor, invited the whites to come in and settle in order to protect his people, and there are now about one thousand white settlers in the valley; that in November, 1871, the President, as authorized by the said act, decided that there was no proper locality for a reservation in Bitter Root Valley, and directed the removal of the Flatheads to the Jocko reservation. The Indian agent of the tribe, named Jones, by his report represents the Flatheads as now willing to go to the Jocko reservation. Their removal is also recommended by Mr. Walker, the Commissioner of Indian Affairs, by Mr. Viall, superintendent of Indian affairs, by the Secretary of the Interior, and by Mr. Clagett, the Delegate from Montana. The bill provides that such of the Flatheads as have cultivated lands in Bitter Root Valley shall be permitted to pre-empt, without cost, one hundred and sixty acres each on condition of dissolving their tribal relations; that the lands in Bitter Root Valley shall be surveyed and opened to actual settlers at \$1.25 per acre; that an appropriation of \$5,000 shall be made for the removal of these Indians and to aid in their subsistence the first year after removal; that out of the first proceeds of the lands sold \$50,000 shall be set apart for the use of the Indians, but that not more than \$5,000 shall be expended for them in any one year. The bill makes further provision to meet the following circumstances: Bitter Root Valley was formerly in the Territory of Oregon. On the 27th September, 1850, an act was passed

by Congress entitled "An act to create the office of surveyor general of public lands in Oregon, and to provide for the survey and to make donations to the settlers of the said public lands." This act, known as the "donation act," authorized each settler to enter three hundred and twenty acres for himself, and the same number of acres for his wife. John Owens is said to have been the only settler who then availed himself of this provision. The act required that the proof of settlement should be made at Vancouver's Land. This part of Oregon Territory having subsequently become a part of Washington Territory, and still later a part of Montana Territory, there is now no office in which the proof of settlement is now authorized to be made. This act provides that such proof may be made in the land-office in the Territory of Montana. The committee recommend that the bill be passed.

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