

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RETURNING

Senate bill No. 1762, to change the boundaries of the Uncompahgre Reservation, with his objections thereto.

JUNE 19, 1890.—Read and referred to the Committee on Indian Affairs, and ordered to be printed.

To the Senate of the United States :

I return without my approval the bill (S. 1762) "to change the boundaries of the Uncompahgre Reservation."

This bill proposes to separate from the Ute Indian Reservation in Utah and restore to the public domain two ranges of townships along the east side of the reservation and bordering the Colorado State line. It is said that these lands are wholly worthless to the Indians for cultivation or for grazing purposes, and it must follow, I think, that they are equally worthless for such purposes to white men.

The object, then, of this legislation is to be sought not in any public demand for these lands for the use of settlers—for if they are susceptible of that use, the Indians have a clear equity to take allotments upon them—but in that part of the bill which confirms the mineral entries, or entries for mineral uses, which have been unlawfully made "or attempted to be made on said lands." It is evidently a private and not a public end that is to be promoted. It does not follow of course that this private end may not be wholly meritorious, and the relief sought on behalf of these persons altogether just and proper. The facts, as I am advised, are that upon these lands there are veins or beds of asphaltum or Gilsonite, supposed to be of very great value.

Entries have been made in that vicinity, but upon public lands, which lands have been re-sold for very large amounts. It is not important perhaps that the United States should in parting with these lands realize their value, but it is essential, I think, that favoritism should have no part in connection with the sales. The bill confirms all attempted entries of these mineral lands at the price of twenty dollars per acre (a price that is suggestive of something unusual) without requiring evidence of the expenditure of any money upon the claim, or even proof that the claimant was the discoverer of the deposits.

The bill requires "good faith," but it will be next to impossible for the officers of the Interior Department to show actual knowledge on the part of the claimant of the lines of the reservation. The case will practicably be, as to this matter, in the hands of the claimant. But why

should good faith at the moment of attempting the entry, without any requirement of expenditure, and followed, it may be, within twenty-four hours by actual notice that he was upon a reservation, give an advantage in the sale of these lands that may represent a very large sum of money?

In the second place, I do not think it wise, without notice even to the Indians, to segregate these lands from their reservation. It is true, I think, that they hold these lands by an Executive order, with a contract right to take allotments upon them, and that the lands in question are not likely to be sought as an allotment by any Indian. But the Indians have been placed on this reservation and its boundaries explained to them, and to take these lands in this manner is calculated to excite their distrust and fears, and possibly to create serious trouble.

BENJ. HARRISON.

EXECUTIVE MANSION,
June 17, 1890.

[Fifty-first Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the second day of December, 1890.]

AN ACT to change the boundaries of the Uncompahgre Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Uncompahgre Ute Indian Reservation, in the Territory of Utah, as is contained within the following description, namely: The two ranges of townships on the east side of said reservation adjoining the Colorado State line, being ranges twenty-four and twenty-five east, Salt Lake meridian, be, and the same is hereby, declared to be public lands of the United States, and restored to the public domains: *Provided,* That any mineral location heretofore made or attempted to be made on said lands, or any part thereof, by any qualified person, who shall have made the same in good faith, shall bear date and be allowed the same as if said lands had been public lands at the time of said attempted location or institution of said proceedings, but said mineral location shall not be completed except upon the payment of twenty dollars an acre, or at that rate for the amount taken up by the claim; but no claim shall contain more than one hundred and sixty acres.

THOMAS B. REED,
Speaker of the House of Representatives.

JOHN J. INGALLS,
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. MCCOOK,
Secretary.