

10-21-2016

Exhibit 6 Part 4 from R. Hart

Richard Hart

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forwarded to Congress for ratification. Under the agreement the Tribe was to receive \$150,000.00 for the portion of their aboriginal lands outside of reservation boundaries.⁶³⁷ The United States was well aware that this amount was a very large settlement (comparable, in 2015 dollar values to at least twenty-five times that amount, or close to four million dollars).

The 1887 Agreement did nothing to alleviate pressures by non-Indians on the Coeur d'Alene Reservation. Persistent trespass on reservation lands, illegal cutting of tribal timber, and the threat of violence increased during the year. The Agent reported that he feared trouble and asked for troops to assist in preventing violence, but the Commander of Fort Sherman resisted enforcing the law against trespassing Whites, claiming that the reservation was not clearly surveyed.⁶³⁸ Responding to renewed threats of violence, and still refusing to evict Whites from

⁶³⁷ United States. Congress. House. *Reduction of Indian Reservations*. House Executive Document No. 63. 50th Congress, 1st Session. Washington, D. C.: Government Printing Office, 1888, especially pp. 1-9, 30-43, 53-56, and 60-65. [203]

Dozier, Jack. "Coeur d'Alene Country: the Creation of the Coeur d'Alene Indian Reservation in North Idaho." *Idaho Yesterdays* (1962), p. 4. [63]

United States. Department of the Interior. Commissioners of Indian Affairs. "Annual Report," 1887. Washington, D. C.: Government Printing Office, pp. 29-30 and 287. [248]

⁶³⁸ Cook, Gleason and Harrington to Secretary Lamar, April 30, 1887, Letters Received, Record Group 75, National Archives. [462]

Bischoff, William N. "The Coeur d'Alene Country, 1805-1892." In *Interior Salish and Eastern Washington Indians I*. New York: Garland Publishing Inc., 1974, pp. 265-266. [16]

Gwydir to Atkins, May 14, 1887, Letters Received, Record Group 75, National Archives. [463]

Gwydir to Atkins, telegram, May 14, 1887, Letters Received, Record Group 75, National

the reserve, the Commander finally submitted a proposal to reduce the Coeur d'Alene Reservation by cession in order to allow non-Indian entry onto the northern portion of the reservation land and to allow access to the northern portion of Coeur d'Alene Lake and of the Coeur d'Alene River.⁶³⁹

By 1888 Congress had become fully aware of the efforts of non-Indians to gain access to

Archives. [464]

Resident Farmer to Moore, May 4, 1887, Letters Received, Record Group 75, National Archives. [465]

Trespassing on Coeur d'Alene Reservation, File 2889, Letters Received by the Office of the Adjutant General (Main Series) 1881-1889, Microfilm Roll 533, Record Group 75, National Archives. [466]

Secretary of War to Secretary of the Interior, May 18, 1887, Letters Received, Record Group 75, National Archives. [467]

Secretary of War to Indian Office, July 14, 1887, Letters Received, Record Group 75, National Archives. [468]

Atkins to Gwydir, June 1, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [469]

⁶³⁹ Carlin to Asst. Adj. General, August 1, 1887, with map, Letters Received, Record Group 75, National Archives. [470]

Straughan to Sparks, August 10, 1887, Letters Received, Record Group 75, National Archives. [471]

Straughan to Carlin at Fort Sherman, August 10, 1887, Letters Received, Record Group 75, National Archives. [472]

Secretary of War to Secretary of the Interior, September 10, 1887, Letters Received, Record Group 75, National Archives. [473]

Carlin to Commissioner of Indian Affairs, December 19, 1887, Letters Received, Record Group 75, National Archives. [480]

the Coeur d'Alene Reservation. More and more interlopers were being removed from Coeur d'Alene Lake for trespassing. Trespass, illegal cutting of Indian timber, violence and the threats of violence, as well as other depredations, forced Congress to try to address the problem.⁶⁴⁰ Although the record was abundantly clear that Coeur d'Alene Lake and the rivers within the reservation boundary were, indeed, part of Coeur d'Alene holdings, in 1888 Oregon's Senator Mitchell persisted in sponsoring a resolution asking whether or not the bodies of water were a part of the reserve (and whether or not the Tribe would be willing to cede a portion of them). Senator Dawes of the Senate Committee on Indian Affairs, on the floor of the Senate, emphasized the fact that the required information was all readily available, but when Senator Mitchell persisted, a resolution (see Appendix) was sent to the Secretary of the Interior, asking the status of the lake and rivers on the reservation.⁶⁴¹ The Secretary of the Interior formally responded that Coeur

⁶⁴⁰ Palmer to Atkins, January 16, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [507]

Atkins to Gwydir, March 26, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [508]

Commissioner to Gwydir, April 19, 1888, telegram, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [509]

Holmes to Gwydir, August 14, 1888, Letters Received, Record Group 75, National Archives. [510]

United States. Congress. House. *Ratification of Coeur d'Alene Indian Treaties in Idaho*. Report No. 1109. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1890. [206]

⁶⁴¹ United States. Congress. *Congressional Record*. 50th Congress, 1st Session, pp. 19, 618, 693, 894, 1131, 2290, 2370, 3053, 4165, 4308, 4330, 4910. Washington, D. C.: Government Printing

d'Alene Lake was a part of the Coeur d'Alene Reservation, and that the portions of the Coeur d'Alene River and the St. Joe River within the reservation boundaries were also a part of the reserve. He said that the Tribe retained all their original rights to these waters and that their consent would be necessary in order to obtain a cession of a portion of the reservation, but that might be possible, so long as the 1887 Agreement was also ratified.⁶⁴² With no other option available, Senator Mitchell introduced legislation authorizing yet another commission, this time to negotiate with the Coeur d'Alene Tribe for the purchase of a portion of their reserve.⁶⁴³ Although this bill did not gain passage, it led to an act in early 1889 that did authorize such negotiations.⁶⁴⁴

The Coeur d'Alene Commission traveled to the reservation and conducted intensive negotiations to obtain a cession of the northern portion of the reservation, including land surrounding a portion of Coeur d'Alene Lake and the Coeur d'Alene River. Serious incidents of

Office, 1887-1888. [187]

United States. Congress. Senate. *Resolution*. Misc. Doc. No. 36. 50th Congress, 1st Session. Washington, D. C.: Government Printing Office, 1888. [214]

⁶⁴² United States. Congress. Senate. *Letter from the Secretary of the Interior..about the Coeur d'Alene Indian Reservation*. Ex. Doc. No. 76. 50th Congress, 1st Session. Washington, D. C.: Government Printing Office, 1888. [213]

⁶⁴³ United States. Congress. *Congressional Record*. 50th Congress, 1st Session, pp. 19, 618, 693, 894, 1131, 2290, 2370, 3053, 4165, 4308, 4330, 4910. Washington, D. C.: Government Printing Office, 1887-1888. [187]

⁶⁴⁴ United States. Congress. Senate. *A Letter of the Secretary of the Interior Relative to the Purchase of a Part of the Coeur d'Alene Reservation*. Ex. Doc. No. 14. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1889. [215]

violence between Whites and Coeur d'Alenes occurred prior to the commissioners' arrival.⁶⁴⁵ The commissioners' negotiations were followed closely in Washington, and their detailed reports were scrutinized by Congress during their later consideration of ratification. Transcripts of the negotiations, which were made available to Congress as part of the commission's official report, indicate that the United States clearly understood the lake and the river were part of the reserve. The Commission reported tribal representatives "displayed surprising business sagacity," and required a very healthy payment for any cession.⁶⁴⁶ Indeed, an agreement was eventually reached

⁶⁴⁵ Gwydir to Commissioner, May 4, 1889, enclosing Holmes to Gwydir, March 20, 1889, Letters Received, Record Group 75, National Archives. [527]

⁶⁴⁶ Morgan to Cole, July 8, 1889, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [528]

United States. Congress. Senate. *A Letter of the Secretary of the Interior Relative to the Purchase of a Part of the Coeur d'Alene Reservation*. Ex. Doc. No. 14. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1889, which includes complete transcripts of the following documents. [215]

Commissioner Morgan to Secretary of the Interior, December 7, 1889, Letters Received, Record Group 75, National Archives. [529]

Report of the Coeur d'Alene Indian Commission, September, 1889, Letters Received, Record Group 75, National Archives. [530]

Transcript of Coeur d'Alene Indian Commission Councils with the Tribe, 1889, Letters Received, Record Group 75, National Archives. [531]

Morgan to Cole, August 5, 1889, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [533]

Morgan to Cole, August 6, 1889, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [534]

with the Tribe under which the United States first agreed to ratify the 1887 Agreement, and the Tribe then agreed to cede the northern portion of the reservation, which provided access to Coeur d'Alene Lake and part of the Coeur d'Alene River in return for \$500,000.00.⁶⁴⁷ This was a huge amount of money for the day, and the United States was not used to paying this large an amount to a Tribe for a cession. In 2015 dollars it is the equivalent of at least \$12.5 million, enough, at the time, for each tribal family to build a house, a barn, purchase wagons and farm implements and establish a large farm, with considerable living expenses left over.

The members of the Coeur d'Alene Commission forwarded the agreement (see Appendix) to the Commissioner of Indian Affairs a few days after the agreement was signed, describing the territory that was to be acquired from the Coeur d'Alenes and the amount to be paid to them.⁶⁴⁸ A few days later Chief Seltice purportedly signed with an X mark a document prepared by Frederick Post, which Post had attached to the agreement (Appendix). This purported agreement was intended to show a cession of the Post Falls area to Frederick Post.⁶⁴⁹

⁶⁴⁷ Simpson to Commissioner, August 8, 1889, telegram, Letters Received, Record Group 75, National Archives. [535]

United States. Congress. Senate. *A Letter of the Secretary of the Interior Relative to the Purchase of a Part of the Coeur d'Alene Reservation*. Ex. Doc. No. 14. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1889. [215]

⁶⁴⁸ Simpson, Shupe and Humphrey to Commissioner, September 11, 1889, telegram, Letters Received, Record Group 75, National Archives. [539]

Simpson, *et. al.*, to Commissioner Morgan, September 11, 1889, Letters Received, Record Group 75, National Archives. [540]

⁶⁴⁹ *The Statutes at Large of the United States of America, from December, 1889, to March 1891...*,

Detailed, extensively documented reports produced by Congress in 1889 and 1890 record the careful congressional scrutinization of the 1887 and 1889 Agreements prior to their ratification.⁶⁵⁰ Interior Department correspondence also documents congressional consideration of the proposed ratification, including an analysis of the amended agreement with Frederick Post. Despite the questionable character of the purported Post Agreement, Congress determined that the Post Agreement was valid, and noted that improvements to the river channel that had supposedly been required by the Tribe had been carried out.⁶⁵¹ A House report of March, 1890, recommended

Vol. XXVI, Washington, Government Printing Office, 1891, p. 1031 (26 Stat. 1031). [221]

⁶⁵⁰ United States. Congress. Senate. *A Letter of the Secretary of the Interior Relative to the Purchase of a Part of the Coeur d'Alene Reservation*. Ex. Doc. No. 14. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1889. [215]

United States. Congress. Senate. *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 Coeur d'Alene Indians in Idaho Territory*. Misc. Doc. No. 95. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1890. [216]

United States. Congress. House. *Ratification of Coeur d'Alene Indian Treaties in Idaho*. Report No. 1109. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1890. [206]

United States. Congress. House. *Ratification of Coeur d'Alene Indian Treaties in Idaho*. Report No. 2988. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1890. [205]

⁶⁵¹ Morgan to Cole, May 6, 1890, Letters Received, Colville Agency, RG 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [542]

Morgan to Cole, June 28, 1890, Letters Received, Colville Agency, RG 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [543]

Mitchell to Indian Office (note to file), January 28, 1890, Letters Received, Record Group

ratification of the agreements.⁶⁵²

Four months later an act was passed making Idaho a state. The Idaho State Constitution contained a section disclaiming ownership of any tribally owned territory, until such time as the United States extinguished tribal title.⁶⁵³ After careful consideration of all the issues, which included publication of minutes of the negotiations with the Tribe and a detailed history and analysis of tribal rights and ownership to territory, Congress ratified the 1887 and 1889 Agreements on March 3, 1891.⁶⁵⁴

By early 1892 the United States had made the required payments to the Coeur d'Alenes for the ceded portion of the reservation and non-Indians had begun to move into the ceded area.⁶⁵⁵

75, National Archives. [541]

Parker to Ingalls, March 16, 1890, Letters Received, Record Group 75, National Archives. [544]

Lee to President Harrison, May 9, 1890, Letters Received, Record Group 75, National Archives. [545]

Lee to Commissioner of Indian Affairs, March 16, 1891, Letters Received, Record Group 75, National Archives. [546]

⁶⁵² United States. Congress. House. *Ratification of Coeur d'Alene Indian Treaties in Idaho*. Report No. 1109. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1890. [206]

⁶⁵³ Idaho State. *Idaho Code*. Charlottesville, Virginia: The Michie Company, 1993, Section 19, p. 415. [92]

⁶⁵⁴ United States. Congress. *The Statutes at Large of the United States of America from December 1889, to March, 1891*, Washington, D. C.: Government Printing Office, 1891, pp. 989-991, 1027-1032. [221]

⁶⁵⁵ Wells to Secretary of the Interior, June 17, 1891, Letters Received, Record Group 75, National

Already, however, non-Indians had settled on reservation land and illegally established the new town of Harrison near the mouth of the Coeur d'Alene River. Between 1892 and 1894 United States authorities generated voluminous correspondence and reports as they attempted to resolve the resulting conflict. Through the ensuing investigation authorities became aware that the Whites had illegally settled on lands within the reservation, believing the location would make an excellent site for future commerce, being close to the railroad and being ideally located for a harbor from which lumber could be shipped. The United States determined to attempt to obtain another cession from the Coeur d'Alene Tribe that would include the townsite and potential harbor area.⁶⁵⁶ The

Archives. [577]

Morgan to Cole, February 9, 1892, Letters Received, Record Group 75, National Archives. [578]

⁶⁵⁶ First Assistant Secretary to Secretary, September 18, 1891, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [585]

Morgan to Cole, October 15, 1891, Letters Received, Colville Agency, RG 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [586]

Cole to Commissioner, October 9, 1891, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [587]

Note to File, Cole, November, 12, 1891, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [588]

Secretary of the Interior to Commissioner, March 18, 1893, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [596]

Secretary to Commissioner, March 19, 1892, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [591]

first attempt to obtain a cession failed when authorizing legislation provided inaccurate metes and bounds.⁶⁵⁷ A second attempt was bungled by United States officials, who insulted tribal leaders and refused to offer compensation for the proposed cession, prompting the Tribe to conclude that the United States was not negotiating in good faith.⁶⁵⁸ In late 1893 the Indian Office appointed a Special Agent to make a third attempt at obtaining the desired cession from the Coeur d'Alene

⁶⁵⁷ Secretary to Commissioner, July 26, 1892, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [593]

Morgan to Cole, July 30, 1892, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [594]

Cole to Commissioner, September 24, 1892, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [597]

Commissioner to Secretary, December 15, 1892, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [598]

⁶⁵⁸ Commissioner to Smith, July 20, 1893, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [599]

Commissioner to Smith, August 11, 1893, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [601]

Commissioner to Bubb, August 11, 1893, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [600]

Secretary to Commissioner, July 21, 1893, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [602]

Notes to File, July 14, 1893, Letters Received, Record Group 75, National Archives. [603]

Kappler, Charles Joseph. *Indian Affairs, Laws and Treaties*, 3 vols. Washington, D. C.: Government Printing Office, 1913; Vol. III, p. 616 (27 Stat. 616). [99]

Bubb and Hartman to Commissioner, October 28, 1893, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [604]

Tribe.⁶⁵⁹ Agent Lane's instructions provided a detailed history of the Coeur d'Alene Reservation.⁶⁶⁰ Agent Lane met with tribal representatives in early February, 1894, and quickly reached an agreement (Appendix) whereby a strip of northern reservation territory one mile wide was to be ceded for a payment of \$15,000.00. He submitted the agreement, and a transcript of the council to the Commissioner (see Appendix).⁶⁶¹ The Secretary of the Interior reviewed the

⁶⁵⁹ Secretary to Commissioner, December 15, 1893, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [608]

Browning to Lane, December 21, 1893, with enclosure, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives. [609]

⁶⁶⁰ United States. House. *Agreement with Coeur d'Alene Indians*. Ex. Doc. No. 158. 53d Congress, 2nd Session. Washington, D. C.: Government Printing Office, 1894, pp. 3-9. [207]

Browning to Lane, December 21, 1893, Letters Received, Colville Agency, Record Group 75, National Archives. [609]

⁶⁶¹ Lane to Commissioner, January 1, 1894, "Harrison Townsite on Coeur d'Alene Reservation," February 2, 1894, Special Case No. 200, Record Group 75, National Archives. [610]

Transcript of proceedings, February 6, 1894, De Smet, Idaho, Special Case No. 200, Record Group 75, National Archives. [611]

Lane to Commissioner, February 10, 1894, "Harrison Townsite on Coeur d'Alene Reservation," Special Case No. 200, Record Group 75, National Archives. [612]

"Agreement concluded on the 7th day of February, 1894 between John Lane, Special United States Indian Agent, on the part of the United States, and the Indians of the Coeur d'Alene Reservation in the State of Idaho," Special Case No. 200, Record Group 75, National Archives. [613]

Lane to Commissioner, February 12, 1894, telegram, Special Case No. 200, Record Group 75, National Archives. [614]

materials and submitted a report to Congress recommending ratification. Later that year legislation ratifying the agreement was passed by Congress and signed by the President.⁶⁶²

By 1904, the United States had determined to subject the Coeur d'Alene Tribe and reservation to the allotment process, despite the Tribe's vehement, and understandable, opposition.⁶⁶³ In 1902 the United States required lumber companies to pay the Tribe for use of the lake for logging booms.⁶⁶⁴ Despite tribal opposition to allotment, which would open unallotted

⁶⁶² United States. Congress. *The Statutes at Large of the United States of America from August, 1893, to March 1895*. Washington, D. C.: Government Printing Office, 1895, pp. 322-323. (28 Stat. 322.) [223]

United States. House. *Agreement with Coeur d'Alene Indians*. Ex. Doc. No. 158. 53d Congress, 2nd Session. Washington, D. C.: Government Printing Office, 1894. [207]

Royce, Charles C. "Indian Land Cessions in the United States." In *Eighteenth Annual Report of the Bureau of American Ethnology*, Washington, D. C.: Government Printing Office, 1899, pp. 942-949, Plate CXXIII. [151]

⁶⁶³ Jones to Anderson, December 5, 1903, Letters Received from the Commissioner of Indian Affairs, Colville Agency, Pacific Northwest Regional Archives, RG 75, Box 18A, National Archives. [631]

Kappler, Charles Joseph. *Indian Affairs, Laws and Treaties*, 3 vols. Washington, D. C.: Government Printing Office, 1913; Vol. III, p. 211 (32 Stat. 211). [99]

⁶⁶⁴ William T. S. Curtis to Commissioner of Indian Affairs, April 7, 1902, Letters Received, Record Group 75, National Archives. [625]

Tonner to Colville, October 2, 1902. Letters Received from the Commissioner of Indian Affairs, Colville Agency, RG 75, Box 14, Pacific Northwest Regional Repository, National Archives. [626]

Tonner to Anderson, August 8, 1902. Letters Received from the Commissioner of Indian Affairs, Colville Agency, Pacific Northwest Regional Repository, RG 75, Box 18A, National Archives. [627]

Tonner to the Secretary, St. Joe Boom Co. from Anderson, May 28, 1903, Letters Received

reservation lands to non-Indians, the United States officially authorized allotment of the reservation in 1906.⁶⁶⁵ Before the actual selection of allotments began, Senator Weldon B. Heyburn of Idaho proposed withdrawing the Chatcolet area from the allotment process in order to create a park. Heyburn was able to obtain passage of an act that allowed the creation of what would become Heyburn State Park.⁶⁶⁶ On April 30, 1908, Congress passed the Annual Indian

from the Commissioner of Indian Affairs, Colville Agency, Pacific Northwest Regional Repository, RG 75, Box 18A, National Archives. [628]

Anderson to the St. Joe Boom Co. from Anderson, June 4, 1903, Letters Received from the Commissioner of Indian Affairs, Colville Agency, Pacific Northwest Regional Repository, RG 75, Box 18A, National Archives. [629]

⁶⁶⁵ United States. Congress (Statutes). *The Statutes at Large of the United States of America from December, 1905, to March, 1907*. Part 1, pp. 354-355. Washington, D. C.: Government Printing Office, 1907 (34 Stat. 335). [224]

Rassier, Phillip J.. *Indian Water Rights: a Study of the Historical and Legal Factors Affecting the Water Rights of the Indians of the State of Idaho*. Boise: State of Idaho, 1978, p. 76. [143]

⁶⁶⁶ United States. *Congressional Record*. 59th Congress, 2nd Session. Washington, D. C.: Government Printing Office, 1907, pp. 2265, 3715, 3831, 3972, 4590-4592. The Tribe was reportedly supportive of withdrawing the park area from the allotment process, but was not made aware of the ultimate purpose and control of the park. [193]

United States. *Congressional Record*. 60th Congress, 1st Session, pp. 137, 2111, 2531, 2627, 2658, 3253, 3378. Washington, D. C.: Government Printing Office, 1907-1908. [194]

United States. Senate. *To Establish a Park on the Coeur d'Alene Indian Reservation*. Report No. 251. 60th Congress, 1st Session. Washington, D. C.: Government Printing Office, 1908. [217]

Worley and Sams to Commissioner, January 11, 1909, Letters Received, RG 75, National Archives; exhibit copy from *United States v. Idaho*, Civ. Nos. 1-76-231, 77-2058. [633]

Appropriations Act, which contained a provision creating a state park approximately 7,800 acres within the Coeur d'Alene Reservation. The act had the effect of withdrawing the land from the pending allotment and authorizing the State of Idaho to purchase that land for the purpose of establishing a state park. The park was to include the area around Lake Chatcolet, Hidden Lake and Benewah Lake. By establishing the boundaries in the manner that was used, the St. Joe River, the land around southern portion of Coeur d'Alene Lake, and Round Lake were left out of the park.⁶⁶⁷ In 1909 the Idaho State Legislature authorized payment for the area, and in 1911 the

⁶⁶⁷ United States. Statutes at Large. 35 Stat., 78-79. [653]

Rassier, Phillip J. *Indian Water Rights: a Compilation of Federal Treaties, Agreements, Executive Orders and Statutes Relating to Indian Water Rights in Idaho*. Boise: State of Idaho, 1978, p. 123. [142]

Kappler, Charles Joseph. *Indian Affairs, Laws and Treaties*, Vol. 3, Washington, D. C.: Government Printing Office, 1913, p. 326. [99]

Worley and Sams to Commissioner, January 11, 1909, Letters Received, RG 75, National Archives; exhibit copy from *United States v. Idaho*, Civ. Nos. 1-76-231, 77-2058. [633]

Worley, Sams and Wallace to Commissioner, January 16, 1909, Letters Received, RG 75, National Archives; exhibit copy from *United States v. Idaho*, Civ. Nos. 1-76-231, 77-2058. [634]

Acting Commissioner to Secretary of the Interior, January 29, 1909, Letters Received, RG 75, National Archives; exhibit copy from *United States v. Idaho*, Civ. Nos. 1-76-231, 77-2058. [635]

Hauke to Commissioner of the General Land Office, March 23, 1910, Letters Received, RG 75, National Archives; exhibit copy from *United States v. Idaho*, Civ. Nos. 1-76-231, 77-2058. [636]

Secretary to Governor of Idaho, n.d., Letters Received, RG 75, National Archives; exhibit copy from *United States v. Idaho*, Civ. Nos. 1-76-231, 77-2058. [637]

Heyburn to Garfield, January 6, 1909, telegram, Letters Received, RG 75, National

United States issued a patent to the State of Idaho (Appendix).⁶⁶⁸.

In the context of historical investigation of Indian affairs, it is rare to encounter such a high level of documentation providing explicit evidence of United States intent and awareness. In 1873, the United States understood Coeur d'Alene dependence on their waterways and expressly intended to convey title to the Tribe for Coeur d'Alene Lake and those portions of the Coeur d'Alene River and St. Joe River within the 1873 Reservation boundary lines. Between 1873 and 1891, on numerous occasions, at the highest levels of federal government, the United States acknowledged tribal title to those waterways. Under the increasing threat of violence, the United States obtained a cession from the Tribe for a northern portion of the Coeur d'Alene Reservation. United States officials frequently complimented the Tribe on its intelligence and shrewdness during the negotiation process. The large payment received by the Tribe for the 1887 and 1889 cessions indicated the Tribe's successful negotiating abilities.

In 1894 the United States obtained a small cession of another section of the reservation, and in 1911 the United States conveyed title to lands around Lake Chatcolet, Hidden Lake and Benewah Lake to the State of Idaho.

Archives; exhibit copy from *United States v. Idaho*, Civ. Nos. 1-76-231, 77-2058. [638]

Hilder, Frazer C. "Map of Coeur d'Alene Indian Reservation, Idaho." Washington, D. C.: Department of the Interior, Office of Indian Affairs, 1910; RG 75, National Archives. [70]

⁶⁶⁸ United States. *Congressional Record*. 96th Congress, 1st Session, pp. 11292, 11304 (reprinting patent), 11305. Washington, D. C.: Government Printing Office, 1979. [196]

United States, Senate. *Miscellaneous Public Lands, National Forest and Park Related Proposals*. Hearing on 1152 (and others). 96th Congress, 1st Session. Washington, D. C.: Government Printing Office, 1980, pp. 37-40, 64, and 72-78. [218]

Washington Water Power Company Hearings, 1900-1915

Between 1870 and 1910 the Coeur d'Alene Tribe used the Coeur d'Alene River, the St. Joe River, and Coeur d'Alene Lake, including lowlands associated with those waters, for grazing, cutting hay, recreation, hunting and fishing. Tribal members also leased some of the watered lowlands to non-Indians in return for sizeable payments. The Tribe depended on these waters during this period and all parties in the region were well aware of this use and dependence, including the State of Idaho.

IX Appendices

1858 Treaty¹

*Preliminary articles of a treaty of peace
and friendship between the United States
and the Coeur d'Alene Indians.*

Article 1. Hostilities between the United States and the Coeur d'Alene Indians shall cease from and after this date, September 17, 1858.

Article 2. The chiefs and headmen of the Coeur d'Alene Indians, for and in behalf of the whole nation, agree and promise to surrender to the United States all property in their possession belonging either to the government or to individuals, whether said property was captured or abandoned by the troops of the United States.

Article 3. The chiefs and head men of the Coeur d'Alene nation agree to surrender to the United States the men who commenced the battle with Lieutenant Colonel Steptoe, contrary to the orders of their chiefs, and also to give at least one chief and four men, with their families, to the officer

¹ United States. Congress. Senate. "Department of the Pacific," *Report of the Secretary of War*. Senate Executive Document. 35th Congress, 2nd Session. Washington, D. C.: William A. Harris, 1859, pp. 408-410, adds a signature of Pierre Pauline after Jean Pierre and then adds another Jean Pierre at the end of the list of Coeur d'Alene signatures. Some names are spelled differently and the witness list is somewhat different. Clarke disapproved of article 5, but he agreed to the conditions nevertheless. This transcription used here taken from the Senate copy. [208]

Dozier, Jack. "The Coeur d'Alene Indians in the War of 1858." *Idaho Yesterdays* Vol. V, no. No. 3 (Fall 1961): p. 32. Taken from the Joset Papers, file 66. This copy does not have the signature of Milkapsi, which is on the official copy, nor that of Seltice, both of whom signed later at a Spokane camp. [62]

Bischoff, William N., and Charles M. Gates. "The Jesuits and the Coeur d'Alene Treaty of 1858." *Pacific Northwest Quarterly* Vol. 34 (1943): pp. 179-180. [15]

Brown, Wm. Compton. *The Indian Side of the Story*. Spokane, Washington: C. W. Hill Printing Co., n.d. [23]

Kowrach, Edward J., and Thomas E. Connolly (eds.) *Saga of the Coeur d'Alene Indians: An Account of Chief Joseph Seltice*. Fairfield, Washington: Ye Galleon Press, 1990, pp. 337-339. [101]

in command of the troops as hostages for their future good conduct.

Article 4. The chiefs and headmen of the Coeur d'Alene nation promise that all white persons shall travel through their country unmolested, and that no Indians hostile to the United States shall be allowed within the limits of their country.

Article 5. The officer in command of the United States troops, for and in behalf of the government, promises that if the foregoing conditions are fully complied with no war shall be made upon the Coeur d'Alene nation; and further, that the men who are to be surrendered, whether those who commenced the fight with Lieutenant Colonel Steptoe or as hostages for the future good conduct of the Coeur d'Alene nation, shall in nowise be injured, and shall, within one year from the date hereof, be restored to their nation.

Article 6. It is agreed by both of the aforesaid contracting parties that when the foregoing articles shall have been fully complied with, a permanent treaty of peace and friendship shall be made.

Article 7. It is agreed by the chiefs and headmen of the Coeur d'Alene nation that this treaty of peace and friendship shall extend also to include the Nez Percés nation of Indians.

Done at the headquarters of the expedition against the northern Indians, at the Coeur d'Alene mission, Washington Territory, this 17th day of September, 1858.

G. WRIGHT

Colonel 9th Infantry, commanding.

Mil-kap-si	his X mark	Paul	his X mark
Sal-tize	his X mark	Bonaventure	his X mark
Vincent	his X mark	Cassimere	his X mark
Joseph	his X mark	Bernard	his X mark
Jean Pierre	his X mark	Anthony	his X mark
Pierre Pauline	his X mark	Leo	his X mark
Louis Margeni	his X mark	Patricia	his X mark
Cypronani	his X mark	Pierre	his X mark
Augustin	his X mark	Jean Pierre	his X mark

Witnesses

E. D. Keyes, *Captain 3d Artillery.*
W. N. Grier, *Brevet Major United States Army.*
R. W. Kirkham, *Captain and Assistant Quartermaster.*
F. F. Dent, *Captain 9th Infantry.*
C. S. Winder, *Captain 9th Infantry.*
J. F. Hammond, *Assistant Surgeon United States Army.*

Jas. A. Hardie, *Captain 3d Artillery.*
H. G. Gibson, *1st Lieutenant 3d Artillery.*
R. O. Tyler, *1st Lieutenant 3d Artillery.*
Jno. F. Randolph, *Assistant Surgeon United States Army.*
H. B. Davidson, *1st Lieutenant 1st Dragoons.*
W. D. Pender, *2d Lieutenant 1st Dragoons*

1867 Executive Order²

WASHINGTON, D. C.

June 14, 1867

Let the lands be set apart as reservations for the Indians within named, as recommended by the Acting Secretary of the Interior.

ANDREW JOHNSON

[The Executive Order cites the following legal description, supplied in an attached letter by J. S. Wilson, Commissioner of the General Land Office]

Commencing at the head of the Latah, about six miles above the crossing on the Lewiston trail, a road to the Spokane Bridge; thence running north-northeasterly to the Saint Joseph River, the site of the old Cœur D'Aléne mission; thence west to the boundary line of Washington and Idaho Territories; thence south to a point due west of the place of beginning; thence east to place of beginning.

² "Report of the Commissioner of Indian Affairs, 1878-79," *Report of the Secretary of the Interior*, Washington, D. C., Government Printing Office, 1879, pp. 745-746. [239]

Kappler, Charles Joseph. *Indian Affairs, Laws and Treaties*. Washington, D. C.: Government Printing Office, 1904, Vol. I, pp. 835. [99]

Rassier, Phillip J. *Indian Water Rights: a Compilation of Federal Treaties, Agreements, Executive Orders and Statutes Relating to Indian Water Rights in Idaho*. Boise: State of Idaho, 1978. [689]

Unratified Agreement of July 28, 1873³

Agreement made and entered into on this 28th day of July, 1873, at Latah (or Hangman's) Creek in the Territory of Idaho, by and between John P. C. Shanks, John B. Montieth, and Thomas W. Bennett, Special Commissioners on the part of the government of the United States and the Chiefs and Head men of the Tribe of Coeur d'Alene Indians.

Witnesseth:

That the Government of the United States agrees to set apart and secure as a Reservation for the exclusive use of the Coeur d'Alene Indians, and to protect the same from settlement or occupancy by other persons, all and singular the lands and privileges lying and being within the following described limits, to-wit: Beginning at a point on the top of the dividing ridge between Pine and Latah (or Hangman's) Creeks, directly south of a point on said last named creek, six miles above the point where the trails from Lewiston to Spokane Bridge crosses said Creek; thence in a North Easterly direction, in a direct line, to the Coeur d'Alene Mission, on the Coeur d'Alene river (but not to include the lands of said Mission[]); thence in a westerly direction, in a direct line, to the points where the Spokane River heads in or leaves the Coeur d'Alene Lakes; thence down along the center of the channel of said Spokane River to the dividing line between the Territories of Idaho and Washington, as established by the Act of Congress organizing a territorial government for the Territory of Idaho; thence south along said dividing line to the top of the dividing ridge between Pine and Latah (or Hangman's) Creeks; thence along the top of said ridge to the place of beginning.

Which said Reservation the government of the United States, upon the acceptance of this agreement by Congress shall cause to be surveyed at its own expense, and the boundaries fully defined in accordance with this agreement. Provided that the said government reserves the right to establish in and across said Reservation mail routes, military roads, and public highways for the benefit of the citizens of the United States. And provided further that the waters running into said reservation shall not be turned from their natural channel where they enter said reservation. And the said Tribe of Coeur d'Alene Indians agree to relinquish to the government of the United States all their right and title in and to all of the lands heretofore claimed by them, and lying and being outside of said described Reservation, which said lands are bounded as follows, to-wit: Beginning at the head of the Upper Palouse or Monnasha River in the Territory of Idaho; thence westerly across the ridge to Steptoe's Butte; thence northerly to Antoine Plants, on the Spokane River; thence across [the] ridge to [the] foot of Pend Oreille Lake; thence up said lake to the summit of the Bitter Root Mountains; thence along the summit of the Bitter Root Mountains to the place of

³ Shanks to Sec. of the Interior, enclosing agreement with Coeur d'Alene, August 1, 1873, Letters Received, Idaho Superintendency, Microfilm, M 234, Roll 341, National Archives. Emphasis in original. [313]

beginning. And said Indians agree to locate and make their homes upon the Reservation described in the first article of this agreement. Provided that when the dividing line between the territories of Washington and Idaho shall have been established by actual survey, if it shall be found that any of said Indians shall have made improvements on lands situated in the Territory of Washington, the government of the United States agrees to pay the value of such improvements to the Indians who may be at the time the owners thereof. Said value to be ascertained, and said payments to be made as may be directed by the Secretary of the Interior.

In consideration of the relinquishment of the title to all the lands described in article second of this agreement by said Indians, and in consideration of their removal within the reservation described in article first of this agreement, the government of the United States agrees as soon after the approval of this agreement as practicable, to furnish to said Indians at said reservation the following articles, to-wit:

10 wagons; 10 sett wagon harness; 50 sett plow harness; 50 ten inch plows; 10 Span [pair of matched working] American mares; 10 whip saws; 10 cross cut saws; 2 mowers with reapers combined; 1 sett blacksmith tools; 2 horse rakes; 20 harrows; 10 grain cradles.

Also to furnish material and construct on said reservation, for the use of said Indians 1 grist and saw mill combined; 1 School House with apartments for male and female pupils; 1 boarding and lodging house for pupils; 1 smith shop.

And the United States further agrees to furnish in United States 5 per cent bonds the sum of one hundred and seventy thousand dollars. The interest to be paid annually, first for the payment of the salaries of the millers and blacksmith hereinafter provided for, and the residue to be expended under the direction of the President of the United States for schools, and for such articles of comfort and for the civilization of said Indians as he may deem proper. Provided, the United States reserves the right to pay said principal sum to said Indians at any time after twenty years. And the United States agrees to furnish to said Indians 1 grist and 1 saw miller and 1 blacksmith to be paid out of interest fund as above provided, until such time as said Indians shall determine to dispense with the services of such employees, said employees to teach the Indians to perform such labor.

It is expressly agreed by and between the said Commissioners, and the said Indians, that this agreement shall be submitted to the Congress of the United States, for its approval, and in case the same shall be approved, it shall thereafter be binding and of full force and effect, but if the same shall not be approved, then it shall be null and void and of no effect.

Done and signed on this 28th day of July A. D. 1873 in General Council at Latah (or Hangman's) Creek in the Territory of Idaho.

John P. Shanks
John B. Monteith
Thomas W. Bennett

Commissioners

Witness

P. B. Whitman

J.M. Cataldo, J.S.

His

Andrew X Seltis, Head Chief

Mark

His

Vincent, X Cho shi ni, Head Chief

Mark

His

Damas X

Mark

His

Edward X

Mark

His

Regis X

Mark

His

Pierre X

Mark

His

Veucils X

Mark

His

Bartholomew X

Mark

Interpreters were:

P. B. Whitman

Moons, a Nez Perce

Coeur d'Alene Executive Order of 1873⁴

EXECUTIVE MANSION, *November 8, 1873*

It is hereby ordered that the following tract of country in the Territory of Idaho be, and the same is hereby, withdrawn from sale and set apart as a reservation for the Coeur d'Alene Indians in said Territory, viz:

Beginning at a point on the top of the dividing ridge between Pine and Latah (or Hangmans) Creeks, directly south of a point on said last-named creek 6 miles above the point where the trail from Lewiston to Spokane Bridge crosses said creek; thence in a northeasterly direction in a direct line to the Coeur d'Alene Mission on the Coeur d'Alene River (but not to include the lands of said mission); thence in a westerly direction in a direct line to the point where the Spokane River heads in or leaves the Coeur d'Alene Lakes; then down along the center of the channel of said Spokane River to the dividing line between the Territories of Idaho and Washington as established by the act of Congress organizing a Territorial government for the Territory of Idaho; thence south along said dividing line to the top of the dividing ridge between Pine, and Latah (or Hangmans) Creeks; thence along the top of the said ridge to the place of beginning.

U. S. Grant

⁴ United States. *Executive Orders Relating to Indian Reservations, From May 14, 1855 to July 1, 1912*, Washington, D. C., Government Printing Office, 1912, p. 72. [275]

Rassier, Phillip J. *Indian Water Rights: a Compilation of Federal Treaties, Agreements, Executive Orders and Statutes Relating to Indian Water Rights in Idaho*. Boise: State of Idaho, 1978. [689]

Royce, Charles C. "Indian Land Cessions in the United States." In *Eighteenth Annual Report of the Bureau of American Ethnology*, Washington, D. C.: Government Printing Office, 1899, pp. 866-869, Plate CXXIII. [151]

Coeur d'Alene Petition of 1885⁵

COEUR 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 Coeur 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 Perce's 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 [petitions from Pine Creek and Lewiston thanking the Coeur d'Alene for their assistance during the Nez Perce War], 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 Coeur d'Alene Mountains, separating the waters of the Flathead or Missoula River from those of the Coeur 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.

⁵ United States. Congress. House. *Ratification of Coeur d'Alene Indian Treaties in Idaho*. Report No. 1109. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1890, Exhibit G. [206]

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 Coeur 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 Coeur d'Alene gold, silver, and lead mines, said to be extensive and rich. It includes the Coeur d'Alene Lake and Coeur d'Alene River, upon the waters of which steamers now run. It includes the beautiful site of the military fort at Coeur 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 Perce's 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 guaranteed 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 Coeur 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 Coeur d'Alene Indian mission school.

(Signed with cross-mark by:)

Andrew Soltice, head chief; Damas, chief; Edward, chief; Regis, chief; Bartholomew, chief; Venceslas, chief; Bernard Speknmilko; Tecomta; Peter Wilsoloy; 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.

Ratified Agreement of 1887⁶

Agreement with Coeur d'Alene.

This agreement made pursuant to an item in the Act of Congress 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," approved May 15, 1886, by John V. Wright, Jarred W. Daniels, and Henry W. Andrews, duly appointed Commissioners on the part of the United States, and the Coeur d'Alene tribe of Indians, now residing on the Coeur d'Alene Reservation, in the Territory of Idaho, by their chiefs, head-men, and other male adults, whose names are hereunto subscribed, they being duly authorized to act in the premises, witnesseth:

ARTICLE 1.

Whereas said Coeur d'Alene Indians were formerly possessed of a large and valuable tract of land lying in the Territories of Washington, Idaho, and Montana, and whereas said Indians have never ceded the same to the United States, but the same, with the exception of the present Coeur d'Alene Reservation, is held by the United States and settlers and owners deriving title from the United States, and whereas said Indians have received no compensation for said land from the United States: Therefore,

ARTICLE 2.

For the consideration hereinafter stated the said Coeur d'Alene Indians hereby cede, grant, relinquish, and quitclaim to the United States all right, title, and claim which they now have, or ever had, to all lands in said Territories and elsewhere, except the portion of land within the boundaries of their present reservation in the Territory of Idaho, known as the Coeur d'Alene Reservation.

ARTICLE 3.

The said Coeur d'Alene Indians agree and consent that the Upper and Middle bands of Spokane Indians residing in and around Spokane Falls, in the Territory of Washington, may be removed to the Coeur d'Alene Reservation and settled thereon in permanent homes on the terms and conditions contained in an agreement made and entered into by and between John V. Wright, Jarred W. Daniels, and Henry W. Andrews, Commissioners on the part of the United States and

⁶ United States. Congress. Senate. *A Letter of the Secretary of the Interior Relative to the Purchase of a Part of the Coeur d'Alene Reservation*. Ex. Doc. No. 14. 51st Congress, 1st Session. Washington, D. C.: Government Printing Office, 1889, pp. 67-70. [215]

said Spokane Indians, concluded on the 15th day of March, 1887, at the Spokane Falls, in the Territory of Washington.

ARTICLE 4.

And it is further agreed that the tribe or band of Indians known as Calespels, now residing in the Calespels Valley, Washington Territory, and any other band of non-reservation Indians now belonging to the Colville Indian Agency, may be removed to the Coeur d'Alene Reservation by the United States, on such terms as may be mutually agreed on by the United States and any such tribes or bands.

ARTICLE 5.

In consideration of the foregoing cession and agreements, it is agreed that the Coeur d'Alene Reservation shall be held forever as Indian land and as homes for the Coeur d'Alene Indians, now residing on said reservation, and the Spokane or other Indians who may be removed to said reservation under this agreement, and their posterity; and no part of said reservation shall ever be sold, occupied, open to white settlement, or otherwise disposed of without the consent of the Indians residing on said reservation.

ARTICLE 6.

And it is further agreed that the United States will expend for the benefit of said Coeur d'Alene Indians the sum of one hundred and fifty thousand dollars, to be expended under the direction of the Secretary of the Interior, as follows: For the first year, thirty thousand dollars, and for each succeeding year for fifteen years, eight thousand dollars. As soon as possible after the ratification of this agreement by Congress, 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 herein provided. The remaining portion of said thirty thousand dollars, if any, and the other annual payments shall be expended in the purchase of such useful and necessary articles as shall best promote the progress, comfort, improvement, education, and civilization of said Coeur d'Alene Indians, parties hereto.

ARTICLE 7.

It is further agreed that if it shall appear to the satisfaction of the Secretary of the Interior that in any year in which payments are to be made as herein provided said Coeur d'Alene Indians are supplied with such useful and necessary articles and do not need the same, and that they will judiciously use the money, then said payment shall be made to them in cash.

ARTICLE 8.

It is further agreed that any money which shall not be used in the purchase of such necessary articles or paid over, as provided in article 7, shall be placed in the Treasury of the

United States to the credit of said Coeur d'Alene Indians, parties hereto, and expended for their benefit, or paid over to them, as provided in the foregoing articles.

ARTICLE 9.

It is further agreed that in the purchase for distribution of said articles for the benefit of said Indians the wishes of said Indians shall be consulted as to what useful articles they may need, or whether they need any at all, and their wishes shall govern as far as is just and proper.

ARTICLE 10.

It is further agreed that in the employment of engineers, millers, mechanics, and laborers of every kind, preference shall be given in all cases to Indians, parties hereto, qualified to perform the work and labor, and it shall be the duty of all millers, engineers, and mechanics to teach all Indians placed under their charge their trades and vocations.

ARTICLE 11.

It is further agreed that in addition to the amount heretofore provided for the benefit of said Coeur 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.

ARTICLE 12.

In order to protect the morals and property of the Indians, parties hereto, no female of the Coeur d'Alene tribe shall be allowed to marry any white man unless, before said marriage is solemnized, said white man shall give such evidence of his character for morality and industry as shall satisfy the agent in charge, the minister in charge, and the chief of the tribe that he is a fit person to reside among the Indians; and it is further agreed that Stephen E. Liberty, Joseph Peavy, Patrick Nixon, and Julien Boutellier, white men who have married Indian women and with their families reside on the Coeur d'Alene Reservation, are permitted to remain thereon, they being subject, however, to all laws, rules, and regulations of the Commissioner of Indian Affairs applicable to Indian reservations.

ARTICLE 13.

It is further agreed and understood that in consideration of the amount expended in buildings and other improvements on said Coeur d'Alene Reservation for religious and educational purposes by the De Smet Mission, and valuable services in the education and moral training of children on said reservation, and in consideration that the Indians, parties hereto, have donated for said purposes one section of land on which is situated the boys' school, one section on which is situated the girls' school, and one section of timbered land for the use of the schools, that said De Smet Mission and its successors may continue to hold and use said three sections of land and the

buildings and improvements thereon so long as the same shall be used by said De Smet Mission and its successors for religious and educational purposes.

ARTICLE 14.

This agreement shall not be binding on either party until ratified by Congress.

In testimony whereof the said John V. Wright, Jarred W. Daniels, and Henry W. Andrews, on the part of the United States, and the chiefs, headmen, and other adult Indians, on the part of the Indians, parties hereto, have hereunto set their hands and affixed their seals.

Done at De Smet Mission, on the Coeur d'Alene Reservation in the Territory of Idaho, on this the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and eighty-seven.

JOHN V. WRIGHT. [SEAL]
JARRED W. DANIELS. [SEAL]
HENRY W. ANDREWS. [SEAL]

Signed with an x mark and seal:

Chief Andrew Lettice [sic], Regis, Pierre Welsholque, Edward, Damas, Vincent, Paul Reni, Charles Louis, elimo Spokane Wenceslas, Pierra Chiarpa, Pierre Bartholomewie, Bernard Speqmilks, Louis Sguchau, Eneas Chteshi, Timothy Polotkanh, Alexis, Adrian Umas, Sebastian, Camille, Eneas Nchiesu, Luke Nugani, Hilarous, Basil Kasitquizuit, Joshua, Fidele, Prosper Ntimilps, Alphonse, Paul Tchkause, Pierre Joseph, Daniel, Eneas Temulian, Louis Stanislaus-Barnaby, Etienne Sinkols, Frisby Niselmakomistanegalm, Tibuce Silosket, Anthony Seme, Charles Augustus, Leo Achetops, Etienne Stakamaki, Leo Kuimchilsile, Thomas Guissunge, Cornelius Quiquilel, Louis Schumukuimo, Adrian Milmilagan, Alexander Chilcheko, Adrian Schizikue, Pierre Joseph Schezi, Semo Chimineme, Joseph Karlimkue, Louis Michael Welgolchin, Michel, Pierre Joseph Schaike, Benoit Schulilize, Louis Sebastian Kutilkuku, Adrian Kuzalchau, Joseph Nkonoqua, Isadore Npapskue, Charles Polatkin, Ænead Basil, Andrew Ologazu, Moses Mogzela, Peirre Paul Koipe, Beniot Schilzispo, Louis Malkapsie, Daniel Quinemose, Les Nzakakalipeaga, Æneas Paul Mguiakan, Louis Lolo, Francois Nsispikua Nkaisis, Francois, Eugene, Felicien, Pierre Basil, Lauwasket, Leo Tempilime, Louis Nimuse, Louis Lotone, Stanislaus, Nickodemus Kruto, Louis Sepas, Payuse Willimseme, Louis Scisquouachan, Phillip Pokatchan, Joseph, Peter Paul, Stephen.

BENJAMIN S. MOORE,
Agent

Witnesses:

SIDNEY D. WATERS.
JOHN P. SWENEY

I, Robert Felt, U. S. Indian interpreter for the Colville Indian Agency, W. T., do hereby certify on honor that the foregoing agreement was carefully read and fully explained to the Indians in open council and by me correctly interpreted, and that the contents thereof was fully understood by said Indians before the signing and sealing of the same.

his
ROBERT + FELT
mark

Witness:

A. C. KING

Dated DE SMET MISSION, Coeur D'ALENE RESERVATION.

IDAHO TERR'Y, *March 26, 1887*

Senate Resolution of 1888⁷

IN THE SENATE OF THE UNITED STATES

January 23, 1888

RESOLUTION

Whereas it is alleged that the present area of the Coeur 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 Coeur d'Alene, all the navigable waters of Coeur d'Alene River, and about 20 miles of the navigable part of Saint Joseph River, and part of Saint Mary's, a navigable tributary of the Saint Joseph, are embraced within this reservation, except a short-line 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 reservation are located in the extreme southwest corner of the same around De Smedt [sic] 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 Coeur d'Alene and Coeur d'Alene River and that part between the Coeur d'Alene River and Saint 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 Coeur 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 Coeur d'Alene, and of Coeur d'Alene and St. Joseph Rivers; about what proportion of said reservation is agricultural, grazing, and mineral land respectively; also the number

⁷ United States. Congress. Senate. *Resolution*. Misc. Doc. No. 36. 50th Congress, 1st Session. Washington, D. C.: Government Printing Office, 1888. [214] This transcript is taken from the Senate document. In the *Congressional Record* the word "use" on the last line of the second paragraph is replaced with the word "value." It is unclear when this change was made, but the official published version of the resolution has the word "use."

of Indians occupying such 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 limits of such reservation.

Act Granting Right of Way in 1888⁸

25 Stat., 160

May 30, 1888

An act granting to the Washington and Idaho Railroad Company the right of way through the Coeur d'Alene Indian Reservation.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the right of way is hereby granted, as hereinafter set forth, to the Washington and Idaho Railroad Company, a corporation organized and existing under the laws of the Territory of Washington, for the extension of its railroad through the lands in Idaho Territory set apart for the use of the Coeur d'Alene Indians by executive order, commonly known as the Coeur d'Alene Indian Reservation, beginning at a point on the westerly line of said reservation near the junction of the Washington and Idaho Railroad with the Idaho Branch of said road, near Lone Pine, in Washington Territory, and running thence in a northerly direction across the Coeur d'Alene Indian Reservation to a point near the mouth of the Saint Joseph's River, on the Coeur d'Alene Lake, thence in a northeasterly direction along the east side of the Coeur d'Alene Lake to the Coeur d'Alene River, and thence in a generally easterly direction, by the Coeur d'Alene Mission, to the east line of the reservation.

SEC. 2. That the right of way hereby granted to said company shall be seventy-five feet in width on each side of the central line of said railroad as aforesaid; and said company shall also have the right to take from said lands adjacent to the line of said road material, stone, earth, and timber necessary for the construction of said railroad; also, ground adjacent to such right of way for station-buildings, depots, machine-shops, side-tracks, turnouts, and water-stations, not to exceed in amount three hundred feet in width and three thousand feet in length for each station, to the extent of one station for each ten miles of road.

SEC. 3. That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid the Indians for such right of way, and provide the time and manner for the payment thereof, and also to ascertain and fix the amount of compensation to be made to individual members of the tribe for damages sustained by them by reason of the construction of said road; but no right of any kind shall vest in said railway company in or to any part of the right of way herein provided for until plats thereof, made upon actual survey for the definite location of such

⁸ Kappler, Charles Joseph. *Indian Affairs, Laws and Treaties*, Vol. 3, Washington, D. C.: Government Printing Office, 1913, p. 272-273 (35 Stat. 79). [99]

Rassier, Phillip J. *Indian Water Rights: a Compilation of Federal Treaties, Agreements, Executive Orders and Statutes Relating to Indian Water Rights in Idaho*. Boise: State of Idaho, 1978, pp. 65-66. [689]

railroad, and including the points for station-buildings, depots, machine-shops, side-tracks, turnouts, and water-stations, shall be filed with and approved by the Secretary of the Interior, which approval shall be made in writing and be open for the inspection of any party interested therein, and until the compensation aforesaid has been fixed and paid; and the surveys, construction, and operation of such railroad, including charges of transportation, shall be conducted with due regard for the rights of the Indians, and in accordance with such rules and regulations as the Secretary of the Interior may make to carry out this provision: *Provided*, That the consent of the Indians to said right of way shall be obtained by said railroad company in such manner as the Secretary of the Interior shall prescribe, before any right under this act shall accrue to said company.

SEC. 4. That said company shall not assign or transfer or mortgage this right of way for any purpose whatever until said road shall be completed: *Provided*, That the company may mortgage said franchise, together with the rolling-stock, for money to construct and complete said road: *And provided further*, That the right granted herein shall be lost and forfeited by said company unless the road is constructed and in running order across said reservation within two years from the passage of this act.

SEC 5. That said railway company shall accept this right of way upon the express condition, binding upon itself, its successors and assigns, that they will neither aid, advise, nor assist in any effort looking towards the changing or extinguishing the present tenure of the Indians in their land, and will not attempt to secure from the Indian tribes any further grant of land or its occupancy than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

SEC. 6. That Congress may at any time amend, add to, alter, or repeal this act.

Received by the President, May 18, 1888.

[NOTE BY THE DEPARTMENT OF STATE--The foregoing act having been presented to the President of the United States for his approval and not having been returned by him to the [house] of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

Ratified Agreement of 1889⁹

Agreement

This agreement, made pursuant to an item of an Act of Congress, namely: Section 4 of the Indian appropriation act, approved March two, eighteen hundred and eighty-nine (25 Stat. 1002), by Benjamin Simpson, John H. Shupe, and Napoleon B. Humphrey, duly appointed commissioners on the part of the United States, parties of the first part, and the Coeur d'Alene tribe of Indians, now residing on the Coeur d'Alene Reservation in the Territory of Idaho, by their chiefs, headmen, and other male adults whose names are hereunto subscribed, parties of the second part, witnesseth:

ARTICLE 1.

For the consideration hereinafter named, the said Coeur d'Alene Indians hereby cede, grant, relinquish, and quitclaim to the United States, all the right, title, and claim which they now have, or ever had, to the following-described portion of their reservation, to wit: Beginning at the northeast corner of the said reservation, thence running along the north boundary line north sixty-seven degrees twenty-nine minutes west to the head of the Spokane River; thence down the Spokane River to the northwest boundary corner of the said reservation; thence south along the Washington Territory line twelve miles; thence due east to the west shore of the Coeur d'Alene Lake; thence southerly along the west shore of said lake to a point due west of the mouth of the Coeur d'Alene River where it empties into the said lake; thence in a due east line until it intersects with the eastern boundary line of the said reservation; thence northerly along the said east boundary line to the place of beginning.

ARTICLE 2.

And it is further agreed, in consideration of the above, that the United States will pay to the said Coeur d'Alene tribe of Indians the sum of five hundred thousand dollars, the same to be paid to the said Coeur d'Alene tribe of Indians upon the completion of all the provisions of this agreement.

ARTICLE 3.

⁹ United States. Statutes at Large. 26 Stat. 1029-1030. [659] The official publication of the agreement as ratified by Congress is the source of the present transcript of the statute.

“A letter of the Secretary of the Interior relative to the Purchase of a part of the Coeur d'Alene Reservation,” 51st Congress, 1st Session, Senate Executive Document Number 14, pp. 13-16. [215] This is the published version of the agreement upon which the Senate relied in its vote to ratify the agreement. The above transcript includes the signers' names as listed in the published Senate report.

“Agreement,” Letters Received, #26974, 1889, Record Group 75, National Archives. [646]

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.

ARTICLE 4.

It is further agreed and understood that this agreement shall not be binding on either party until the former agreement now existing between the United States by the duly-appointed commissioners and the said Coeur d'Alene tribe of Indians, bearing date March twenty-six, eighteen hundred and eighty-seven, shall be duly ratified by Congress; and in the event of the ratification of the aforesaid agreement of March twenty-six, eighteen hundred and eighty-seven, then this agreement to be and remain in full force and effect but not binding on either party until ratified by Congress. In witness whereof the said Benjamin Simpson, John H. Shupe, and Napoleon B. Humphrey, on the part of the United States, and the chiefs, head-men and other adult male Indians, on the part of the Indians, parties hereto, have hereunto set their hands and affixed their seals.

Done at De Smet Mission, on the Coeur d'Alene Reservation, in the Territory of Idaho, this the 9th day of September, in the year of our Lord one thousand eight hundred and eighty-nine.

BEN SIMPSON.
JOHN H. SHUPE.
NAPOLEON B. HUMPHREY.

Signed with an x mark and seal.
Witness:

S. E. LIBERTY.
L. BARTHOLOMEW.
M. S. MONTEITH.

Andrew Seltice, chief; Pierre Wheyiishoo, second chief; Selepsto Vincent, second chief; Regis, chief police; Etienne Nethen, Samuel, Conillius, Pierre Bartholomew, third chief; Adrian, Moses Skaoell Joseph, Marcesella, Abram, S. Liberty, Nicodemus, Pierre, Moiesse, Abraham, Stanislas, Zacharie, Andrew, Benoist, Joseph, Saluta, Piose, Pierre, Thomas, Louies, Joe, Andrew, Samuel, Francois, Camma Shool, Charles, Benoist, Ignatz, Andrew Humerous, Leo Peion, Paul James Fenley, Barnaby, William Mason, Saul Louis, Peion, Pierre Mullion, Samuel Sam, Simon Chemanana, Thomas Bacon, Alexander, Edmond Liberty, Ignats, Pierre Vanson,

Timothy, Towado, Augustus, John Pevey, Adolph Butler, Jerry Butler, Alfred Butler, La Debauche, Chief Peter Bazel, Louis Stanilaus, Andresha, Louis Seebastion, Subastien, Louis Too Too, Leo Sucota, Paul Polotkan, Luke, Louis Mulcupse, Leo Amotnacutso, Louis Bartholomew, Medore Boone, Louis Bazil, Leon Baptist, Joseph, Louis, Prosper, Samuel, Andrew, Ignatz, Louis Grizzly, Camille, Barcissela Fort Chief, Fat Timothy, Reaching Patrick, Curly Paul, Ignatz Paul, Alixes, Peirre Louis Stanisla, Peael, Joseph, Growling Tree Pierre, Louis victor, Spokane Ignatz, William Sniuke, Anastus, Daniel Quinanoma, Pén Dotielle Paul, Hog Timothy, Old Mission Edward Chief, Too Too, Gabriel Too Too, Joseph Newell, Peirre Anasta, Broken Leg Louis, Francis, Michael Bartholomew, Half-a-Year, Young Man Charles, Adrian, Charles Agustus, Ena Moses, Cassime, Old Man Charles, Peirre Charpa, Bonametse, Pat Pilishiu, Carmelle, Bazille, Benoir, Joshua, Ocotaba, Sticha, Lolo, Louis Squenta, Layo Tumpklin, Paul Selmustushu, Old Man Neyus, Holamage, Loto See, Pierre Joseph, Gasper Barrano, Louis Melkepsie, Arriph, Louis Arripa, Sebastian Quillak, Louis Totoniha, Leon Schatoux, Louis Tilplalima, Phillip, Leo Amoulthasout, Paul Atchina, Atoine Soanutapo, Patrick Nixon.

I, Stephen E. Liberty, United States interpreter for the Coeur d'Alene Agency, Idaho Territory, do hereby certify on honor that the foregoing agreement was carefully read and by me correctly interpreted, and that the contents thereof were fully explained to and fully understood by said Indians before the signing and sealing of the same.

STEPHEN E. LIBERTY.

Witness:

LOUIS BARTHOLOMEW.
M. S. MONTEITH.

Additional Ratified Agreement of 1889¹⁰

Agreement

Know all men by these presents that I, Andrew Seltice chief of the Coeur d'Alene Indians, did on the first day of June, A. D. eighteen hundred and seventy-one, with the consent of my people, when the country on both sides of the Spokane River belonged to me and my people, for a valuable consideration sell to Frederick Post the place now known as Post Falls, in Kootenai County, Idaho, to improve and use the same (water-power); said sale included all three of the river channels and islands, with enough land on the north and south shores for water-power and improvements; and have always protected the said Frederick Post, for eighteen years, in the rights there and then conveyed, and he has always done right with me and my people. We, the chiefs of the Coeur d'Alenes, have signed articles of agreement with the Government to sell the portion of the reservation joining Post Falls, in which we have excepted the above-prescribed rights, before conveyed to Frederick Post, and no Indian and no white man except Frederick Post have any rights on the above-described lands and river channels; the said Frederick Post has fulfilled all of his agreements with me and my people by improving the water-power and building mills at great expense, and I hereby authorize him to build a house and take full possession of the above-described lands on the reservation side, so that when the treaty is confirmed he may have full possession and protection of the Government in the same.

Given under my hand and seal this 16th day of Sept'r., A. D. 1889.

his
ANDREW X SELTICE
mark

¹⁰ *The Statutes at Large of the United States of America, from December, 1889, to March 1891...*, Vol. XIXVI, Washington, Government Printing Office, 1891, p. 1031 (26 Stat. 1031). [221]

Ratified Agreement of 1894¹¹

Agreement concluded on the 7th day of February, 1894, between John Lane, Special U.S. Indian agent, on the part of the United States, and the Indians of the Coeur d'Alene Reservation in the State of Idaho.

Article I.

This agreement made on the 7th day of February, 1894, by John Lane, U. S. special Indian agent, on the part of the United States, and the Coeur d'Alene Indians, residing on the Coeur d'Alene Reservation, in the State of Idaho, by their chiefs, headmen, and principal men, embracing a majority of all the male adult Indians occupying said reservation, pursuant to an item in the act of Congress, making appropriations for current and contingent expenses, and fulfilling treaty stipulations with Indian tribes for the fiscal year ending June 30, 1894, as follows:

“The Secretary of the Interior is hereby directed to negotiate with the Coeur d'Alene Indians for a change of the northern line of their reservation so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located.

“That the foregoing provision shall take effect and be in force, after it shall have been submitted to and agreed to by the Indians of said tribe, and approved by the Secretary of the Interior.”

Witnesseth, that the said Indians, for the consideration hereinafter named, do hereby cede, grant, and relinquish to the United States all right, title, and claim which they now have or ever had of, in, and to all the land embraced within the following-described tract, now a part of their reservation, to wit:

Beginning at a point on the north line of the reservation, on the east bank of the mouth of the Coeur d'Alene River, and running due south one mile, thence due east parallel with the north boundary line to the east boundary line, thence north on the east boundary line to the northeast corner of the reservation, thence west on the north boundary line to the point of beginning.

Article II.

¹¹ “Agreement with Coeur d'Alene Indians,” 53rd Congress, 2nd Session, House Executive Document No. 158, 1894. [207]

28 Stat. 322-323. [660]

“Agreement concluded on the 7th day of February, 1894 between John Lane, Special United States Indian Agent, on the part of the United States, and the Indians of the Coeur d'Alene Reservation in the State of Idaho,” Special Case No. 200, Record Group 75, National Archives. [613]

And it is further agreed, in consideration of the above, that the United States will pay to the said Coeur d'Alene tribe of Indians the sum of fifteen thousand (\$15,000) dollars, the same to be paid to the said Indians upon the completion of all of the provisions of this agreement.

Article III.

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 on said reservation.

Article IV.

The new boundary lines of the reservation, established by this agreement, or such portions thereof as are not defined by natural objects, shall be surveyed and marked in a plain and substantial manner. The cost of such surveys are to be paid by the United States.

Article V.

This agreement shall not be binding upon either party until ratified by Congress.
Dated and signed at De Smet Mission, Idaho, this 7th day of February, 1894.

JOHN LANE.
U.S. Special Indian Agent

Witness:

GEO. F. STEELE.

The foregoing articles of agreement, having been fully explained to us in open council, we, the undersigned, chiefs, headmen, and principal men of the Coeur d'Alene tribe of Indians residing on the Coeur d'Alene Reservation, State of Idaho, do hereby consent and agree to all the stipulations therein contained.

Witness our hands and seals at De Smet Mission, State of Idaho, this 7th day of February, 1894.

1. Andrew Sultice, his x mark, seal.
2. Pierre Wild Shue, his x mark, seal.
3. Pierre Mac tal me, his x mark, seal.

*Head chiefs of the
Coeur d'Alene Indians.*

4. Arasis So so lum so, his x mark, seal.
5. Bonamachy Kon qui macy, his x mark, seal.

6. Bassa Sills, his x mark, seal.
7. Ad da wa, his x mark, seal.
8. Sap pier, his x mark, seal.
9. Camille Tim sin co, his x mark, seal.
10. Now el, his x mark, seal.
11. Louie Ans Kou, his x mark, seal.
12. Ar ra pa, his x mark, seal.
13. Neos kon ta, his x mark, seal.
14. Beu Kol le za, his x mark, seal.
15. Andrew Mal mal la ca, his x mark, seal.
16. A chau, his x mark, seal.
17. Pi e use, his x mark, seal.
18. Louie Antelope, his x mark, seal.
19. Basil, his x mark, seal.
20. Ko nel use, his x mark, seal.
21. Neos Che as so, his x mark, seal.
22. Arriarious, his x mark, seal.
23. Andrew Diat so ka, his x mark, seal.
24. Paul A chin na, his x mark, seal
25. Daniel, his x mark, seal.
26. Sebastian Col la quin, his x mark, seal.
27. Peal, his x mark, seal.
28. Louie Mechell, his x mark, seal.
29. Pierre Joseph La ya ish, his x mark, seal.
30. Paul, his x mark, seal.
31. Lo Lo A Whopt, his x mark, seal.
32. Stanislaus, his x mark, seal.
33. Moses Hi a man, his x mark, seal.
34. Louie Michataw, his x mark, seal.
35. Andrew Timothy, seal.
36. Joseph Whis ta ken, his x mark, seal.
37. Louie Koa qum ta, his x mark, seal.
38. Leo Sico ten sh ta, his x mark, seal.
39. Pierre Basa, his x mark, seal.
40. Phillip, his x mark, seal.
41. So set Ar I men saw, his x mark, seal.
42. A pel Kwa wild shoe, his x mark, seal.
43. Louis Neas, seal.
44. Samuel, his x mark, seal.
45. Nicodemus Cor o tos, his x mark, seal.
46. Bedell To mom or kin, his x mark, seal.
47. Louie Mul kap see, his x mark, seal.
48. Camille, his x mark, seal.
49. Augustine Chil chil ta, his x mark, seal.

50. Thomas Kion will sha, his x mark, seal.
51. Japaria Tal ya ya, his x mark, seal.
52. Basil Qua qua soo, his x mark, seal.
53. Alex son, his x mar,, seal.
54. Francis She to la, his x mark, seal.
55. Sol Louie, his x mark, seal.
56. Seymour, his x mark, seal.
57. Neos Took ta, his x mark, seal.
58. Prosper Tim el po, his x mark, seal.
59. Theodore Zeal mo scha ke, his x mark, seal.
60. Pierre Joseph kkiki, his x mark, seal.
61. Al lech chico chin takin, his x mark, seal.
62. Sa cre Ta chim na, his x mark, seal.
63. Louis Bis cha, his x mark, seal.
64. A chau Sol lo to ca, his x mark, seal.
65. Pierre Kol kol lu ic, his x mark, seal.
66. Thomas, his x mark, seal.
67. Isadore, his x mark, seal.
68. Pat davenport, his x mark, seal.
69. Ncos Paul, his x mark, seal.
70. Adrian, his x mark, seal.
71. Louie Che ta wa, his x mark, seal.
72. Joseph Spol quil quo, his x mark, seal.
73. Na chan, his x mark, seal.
74. Neos, his x mark, seal.
75. Mas colla Chis chea ta, his x mark, seal.
76. Andrew Yonmas, his x mark, seal.
77. Abraham Wa so ta, his x mark, seal.
78. Leo So wo kon ta, his x mark, seal.
79. Abraham Se o qua kim, his x mark, seal.
80. Joseph Ko lum quhway, his x mark, seal.
81. Benjamin Chil spo, his x mark, seal.
82. Louie Sam, his x mark, seal.
83. Joseph Lee chum smee, his x mark, seal.
84. Luke Tse ma kum, his x mark, seal.
85. Phillip Welcho, seal.
86. Louie See oc com mens, his x mark, seal.
87. Paul Polotkan, seal.
88. Leo Ho ho o lo, his x mark, seal.
89. Leo Ga ka sah, his x mark, seal.
90. Bernard Spa cum sco, his x mark, seal.
91. Basil Clo chim mo, his x mark, seal.
92. Pierre Now wok en, his x mark, seal.
93. Barsa Jo shin nee, his x mark (old chief), seal.

94. Da Bos Se la, his x mark, seal.
95. Andrew Al lo quit so, his x mark, seal.
96. Camille Cha mo tal ha, his x mark, seal.
97. Louis Pierre, seal.
98. Louis Lee, seal.
99. Louie Toto his x mark, seal.
100. Phillip Stellam, seal.
101. Colahon, his x mark, seal.
102. Patrick Nixon, seal.
103. S. E. Liberty, seal.
104. Joseph Peavy, seal.
105. Moise I. Kayasank, his x mark, seal
106. Schlateen, his x mark, seal.
107. Leon, his x mark, seal.
108. Louis Pein, his x mark, seal.
109. William Mason, his x mark, seal.
110. James Finley, his x mark, seal.
111. Nei cool lim ta, his x mark, seal.
112. Charles Du prey, his x mark, seal.

Witnesses,

GEO F. STEELE.

THOMAS B. WARD.

I hereby certify that the foregoing articles of agreement were (care) carefully read and explained to the Indians, parties hereto in open council, and were thoroughly understood by them before signing the same and that the agreement was executed and signed by said Indians at the De Smet Mission in Idaho, on the 7th day of February, 1894.

PAUL POLOTKAN

Interpreter

Establishment of Heyburn State Park, 1908¹²

(Statute and Patent)

35 Stat., 78-79.

Land withdrawn from allotment, etc. Description. Conveyance of part to Idaho for public park, authorized.

That the land in the following subdivisions now embraced in the Coeur d'Alene Indian Reservation in Idaho, to wit: Sections one, two, and twelve, township forty-six north, range four west, Boise meridian; sections thirty-five and thirty-six, township forty-seven, north, range four west, Boise meridian; all of those portions of sections two, three, four, five, six, seven, eight, nine, ten, and eleven, township forty-six north, range three west, Boise meridian, lying south and west of the Saint Joe River in said township; all of those portions of sections thirty-one and thirty-two, township forty-seven north, range three west, Boise meridian, lying south and west of the Saint Joe River in said township is reserved and withdrawn from allotment and settlement, and the Secretary of the Interior is hereby authorized to convey any part thereof to the State of Idaho to be maintained by said State as a public park, said conveyance to be made for such consideration and upon such terms and conditions as the Secretary of the Interior shall prescribe. The proceeds of such sale shall be deposited in the Treasury of the United States for the use and benefit of the Coeur d'Alene Indians in such manner as Congress shall hereafter prescribe.

4-1043 (Patent)

The United States of America, to all to whom these presents shall come. Greeting:

Whereas, the act of Congress approved April 30, 1908--35 Stat. 70, 78--authorizes the conveyance to the State of Idaho of the following described subdivisions or any part thereof,

¹² Rassier, Phillip J. *Indian Water Rights: a Compilation of Federal Treaties, Agreements, Executive Orders and Statutes Relating to Indian Water Rights in Idaho*. Boise: State of Idaho, 1978, pp. 123. [142]

Kappler, Charles Joseph. *Indian Affairs, Laws and Treaties*, Vol. 3, Washington, D. C.: Government Printing Office, 1904, p. 326 (35 Stat. 79). [99]

United States. Senate. *Congressional Record*. 96th Congress, 1st Session, pp. 11292, 11304 (reprinting patent), 11305. Washington, D. C.: Government Printing Office, 1979. [196]

formerly a part of the Coeur d'Alene Indian Reservation in Idaho, viz: sections one, two, and twelve, township forty-six north, range four west, Boise meridian; sections thirty-five and thirty-six, township forty-seven north, range four west, Boise meridian; all of those portions of sections two, three, four, five, six, seven, eight, nine, ten, and eleven, township forty-six north, range three west, Boise meridian, lying south and west of the Saint Joe River in said township; all of those portions of sections thirty-one and thirty-two, township forty-seven north, range three west, Boise meridian, lying south and west of the Saint Joe River in said township, to be maintained by said state as a public park, for such consideration and upon such terms and conditions as the secretary of the interior shall prescribe; and

Whereas, by appraisalment under direction of and approved by the secretary of the interior, the purchase price to be paid by the state of Idaho for the said lands has been fixed at \$11,379.17, and said secretary has directed that said lands be conveyed to the state, upon payment by it of said sum, upon the following terms and conditions, to wit: the lands are to be by said state held, used, and maintained solely as a public park, and for no purpose inconsistent therewith, the title to revert to the United States of America, absolutely if the said lands, or any portion thereof, shall not be, or shall cease to be, so used and maintained by the state, or shall be alienated by said state; and in event of the violation by the state of any of the conditions or covenants herein contained, or its failure to carry out the same, then the United States may thereupon or at any time thereafter enter upon, and into the exclusive possession of, the said lands and the whole thereof, and of all improvements thereon, and have, hold, seize, and possess the same; expressly excepting and reserving to the United States of America, however, all valuable mineral deposits in the said lands, together with the exclusive right to mine and remove the same, and to permit, license, or authorize the mining and removal thereof, in such manner, upon such terms, and under such conditions as the congress may prescribe; and also the right to flood or overflow the said lands, and to permit, license, or authorize the same, for domestic, irrigation, and power purposes; and

Whereas, the State of Idaho, by the act of the legislature thereof approved March 16, 1909, has appropriated out of the public moneys of said state, and made available, the aforesaid sum so fixed by the said appraisalment, for the purchase from the United States of the lands aforesaid; and

Whereas, the State of Idaho has applied to purchase, under and by virtue of the said acts of congress and the legislature of the state, all of the above described lands and has made full payment therefor:

Now know ye, that the United States of America, in consideration of the premises, and pursuant to the said act of congress, has given and granted, and by these presents does give and grant, unto the said State of Idaho, all and singular the tracts above described; to have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belongings, unto the said State of Idaho forever; upon and subject, however, to the terms, conditions, and reservations prescribed by the secretary of the interior and hereinabove set forth.

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295. Downer to Commissioner, May 9, 1866, Microfilm, M 234, Roll 337, Letters Received, Idaho Superintendency, RG 75, National Archives.
296. Ballard to Hough, September 18, 1866, Microfilm, M 234, Roll 337, Letters Received, Idaho Superintendency, RG 75, National Archives.
297. Ballard to Cooley, November 20, 1866, Microfilm, M 234, Roll 337, Letters Received, Idaho Superintendency, RG 75, National Archives.

298. Commissioner of General Land Office to Commissioner of Indian Affairs, July 18, 1867, Microfilm, M 234, Roll 337, Letters Received, Idaho Superintendency, RG 75, National Archives.
299. Ballard to Taylor, October 9, 1867, with attachments, Microfilm, M 234, Roll 337, Letters Received, Idaho Superintendency, RG 75, National Archives.
300. Chiefs of the Coeur d'Alene Nation to [Commissioner of Indian Affairs], November 18, 1872, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.
301. Superintendent of the Washington Superintendency, R.H. Milroy to John A. Simms, December 14, 1872, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.
302. Supt. of Indian Affairs, Washington Territory, to Commissioner of Indian Affairs, December 15, 1872, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.
303. Thompson to Hon. H. W. Corbett, January 23, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.
304. Surveyor General of Idaho to Commissioner of General Land Office, April 29, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.
305. Thompson, D. P. to Surveyor General, May 6, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.
306. Acting Commissioner of the General Land Office to Commissioner of Indian Affairs E. P. Smith, May 31, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.
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309. Smith to Shanks, July 1, 1873, Letters Sent by the Commissioner of Indian Affairs, RG 75, Microfilm, M21, Roll 112, RG 75, National Archives.
310. Bennett to Secretary of the Interior, April 10, 1873, Letters Received, Idaho Superintendency, Microfilm, M 234, Roll 341, RG 75, National Archives.
311. Bennett to Commissioner, May 21, 1873, Letters Received, Idaho Superintendency, Microfilm, M 234, Roll 341, RG 75, National Archives.
312. Bennett to Commissioner, June 4, 1873, Letters Received, Idaho Superintendency, Microfilm, M 234, Roll 341, RG 75, National Archives.
313. Shanks to Sec. of the Interior, enclosing agreement with Coeur d'Alene, August 1, 1873,

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314. Shanks, Bennett and Monteith, Telegram, August 6, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.

315. Monteith to Commissioner, August 6, 1873, Letters Received, Idaho Superintendency, Microfilm, M 234, Roll 341, RG 75, National Archives.

316. Dept. of Interior file notice, November 8, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.

317. Seltice, Andrew to Father J. B. Brouillet, translated by Father Cataldo (copy transmitted to Indian office), August 17, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.

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320. Acting Commissioner to Secretary of the Interior, December 4, 1873, Letters Received, Idaho Superintendency, Microfilm, M. 234, Roll 342, RG 75, National Archives.

321. Brown to Commissioner of Indian Affairs, December 30, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives.

322. Contract, August 25, 1873, Letters Received, Washington Superintendency, Microfilm, M 234, Roll 912, RG 75, National Archives. This contract was to survey the 1873 Executive Order Reservation.

323. John B. Monteith to Edward P. Smith (C.I.A.), July 20, 1874, Letters Received, Idaho Superintendency, Microfilm, M 234, Roll 342, RG 75, National Archives.

324. O'Neil to Commissioner Price, June 22, 1881, Record Group 75, Letters Received, National Archives.

325. Simms to Commissioner Price, September 29, 1881, Record Group 75, Letters Received, National Archives.

326. Simms, John A., Colville Agency to Rev. J. B. A. Brouillet, December 22, 1881, Record Group 75, Letters Received, National Archives.

327. Simms to Commissioner, December 22, 1881, with attached clipping, Record Group 75, Letters Received, National Archives.

328. Simms to the Congressional Delegate from Idaho, December 24, 1881, Record Group 75, Letters Received, National Archives.

329. O'Neill to Ainslie, Delegate from Idaho, December 28, 1881, Record Group 75, Letters Received, National Archives.

330. Simms to Commissioner, June 25, 1882, Record Group 75, Letters Received, National Archives.
331. Simms to Commissioner, May 3, 1882, Record Group 75, Letters Received, National Archives.
332. Simms to Commissioner, October 4, 1882, Record Group 75, Letters Received, National Archives.
333. Price to Simms, February 9, 1882, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Repository, National Archives.
334. Price to Simms, March 30, 1882, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Repository, National Archives.
335. Price to Simms, July 15, 1882, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Repository, National Archives.
336. Price to Simms, October 26, 1882, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Repository, National Archives.
337. Brooks to Simms, August 7, 1880, Letters Received, Colville Agency, Record Group 75, Box 5, Pacific Northwest Regional Federal Repository, National Archives.
338. Commissioner to Simms, January 10, 1880, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
339. Price to Simms, September 9, 1882, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
340. Brooks to Simms, July 9, 1880, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
341. Brouillet to Price, August 20, 1881, Record Group 75, Letters Received, National Archives.
342. Commissioner to Simms, May 22, 1880, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
343. Simms, John A. "Notice!" July 26, 1881, Record Group 75, Letters Received, Colville Agency, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
344. Simms to Commissioner, July 31, 1882, Record Group 75, Letters Received, National Archives.
345. Shinn, James to Secretary of Interior, November 15, 1882, Record Group 75, Letters Received, National Archives.
346. Commissioner McFarland of the General Land Office to Secretary of Interior Feller, November 6, 1882, Record Group 75, Letters Received, National Archives.
347. Secretary of War to Secretary of the Interior, April 5, 1882, with enclosures and clipping,

Record Group 75, Letters Received, National Archives.

348. Brouillet to Commissioner, June 14, 1882, Record Group 75, Letters Received, National Archives.

349. "Agreement," January 1, 1883, Letters Received, Colville Agency, Box 18a, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

350. Secretary of the Interior to Commissioner of Indian Affairs, May 11, 1883, Record Group 75, Letters Received, National Archives.

351. Seltise and eleven other Coeur d'Alene leaders, November 4, 1883, Record Group 75, Letters Received, National Archives.

352. Waters to Price, November 10, 1883, Record Group 75, Letters Received, National Archives.

353. Johnson, *et. al.*, August 25, 1877, Record Group 75, Letters Received, National Archives.

354. Price *et. al.* to the Priests, Chief & Coeur d'Alene Indians, June 19, 1877, Record Group 75, Letters Received, National Archives.

355. Waters to Price, November 24, 1883, Record Group 75, Letters Received, National Archives.

356. Waters to Price, November 30, 1883, Letters Received, Record Group 75, National Archives.

357. Waters to Price, November 10, 1883, Record Group 75, Letters Received, National Archives.

358. Stevens to Simms, June 13, 1883, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

359. Price to Simms, July 24, 1883, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

360. Price to Simms, July 25, 1883, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

361. Price to Waters, November 24, 1883, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

362. Price to Waters, April 30, 1883 (telegram), Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

363. Price to Waters, March 20, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

364. Waters to Price, March 29, 1884, Letters Received, Record Group 75, National Archives.

365. O'Neill to Waters, April 14, 1884, Letters Received, Record Group 75, National Archives.

366. Secretary of the Coeur d'Alene Steam Navigation Co. to Hon. J. N. Dolph, April 26, 1884, Letters Received, Record Group 75, National Archives.

367. Waters to Price, May 11, 1884, telegram, Letters Received, Record Group 75, National Archives.
368. Murphy to Waters, March 6, 1884, Letters Received, Record Group 75, National Archives.
369. Waters to Price, March 27, 1884, Letters Received, Record Group 75, National Archives.
370. Price to Waters, May 21, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
371. Singisen, T. F., Delegate from the Territory of Idaho, to Secretary Teller, April 25, 1884, Letters Received, Record Group 75, National Archives.
372. Waters to Price, May 1, 1884, with three enclosures, Letters Received, Record Group 75, National Archives.
373. Waters to Price, June 26, 1884, Letters Received, Record Group 75, National Archives.
374. Waters to Price, June 26, 1884, Letters Received, Record Group 75, National Archives.
375. Price to Waters, July 12, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
376. Seltice, Andrew to Commissioner Price August 13, 1884, Letters Received, Record Group 75, National Archives.
377. Waters to Price, September 6, 1884, Letters Received, Record Group 75, National Archives.
378. Price to Waters, May 20, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
379. Price to Waters, September 29, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
380. Price to Waters, November 18, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
381. Waters to Price, April 30, 1884, Letters Received, Record Group 75, National Archives.
382. C .C. Austin to Indian Office, May 3, 1884, Letters Received, Record Group 75, National Archives.
383. Baker to Waters, June 20, 1884, Letters Received, Record Group 75, National Archives.
384. Waters to Price, June 26, 1884, Letters Received, Record Group 75, National Archives.
385. General Land Office to Indian Office, October 9, 1884, Register of Letters Received (entry of October 13, 1884), Record Group 75, National Archives.
386. Waters to Price, November 17, 1884, Letters Received, Record Group 75, National Archives.
387. Sexton to Waters, December 8, 1884, Letters Received, Record Group 75, National Archives.

388. Waters to Finance Division, December 27, 1884, Letters Received, Record Group 75, National Archives.
389. Waters to Price, April 11, 1884, with enclosure, Letters Received, Record Group 75, National Archives.
390. Price to Waters, January 2, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
391. Price to Waters, March 19, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
392. Price to Waters, April 23, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
393. Acting Secretary to Commissioner, February 15, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
394. Price to Waters, February 20, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
395. Price to Waters, February 23, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
396. Price to Waters, March 21, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
397. Stevens to Waters, May 28, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
398. Price to Waters, July 14, 1884, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
399. Waters to Price, January 21, 1884, Letters Received, Record Group 75, National Archives.
400. McLeod, A. F. to Secretary of the Interior, June 25, 1884, Letters Received, Record Group 75, National Archives.
401. O'Neill to Waters, March 20, 1885, and enclosure, Letters Received, Record Group 75, National Archives.
402. Waters to Price, March 26, 1885, Letters Received, Record Group 75, National Archives.
403. Commissioner to Waters, May 14, 1885, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
404. Price to Waters, February 26, 1885, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
405. Price to Secretary of the Interior, February 4, 1885, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

406. Price to Waters, March 14, 1885, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
407. Waters to Price, April 2, 1885, Letters Received, Record Group 75, National Archives.
408. Simms, John A. to Atkins, April 28, 1885, Letters Received, Record Group 75, National Archives.
409. Waters to Atkins, April 18, 1885, Letters Received, Record Group 75, National Archives.
410. Many Citizens to General Land Office, September 13, 1885, enclosing map, Letters Received, Record Group 75, National Archives.
411. Upshaw to Moore, November 6, 1885, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
412. *Hayden v. Frost, et al*, Idaho Territorial Court; March, 1887; Sacred Heart Mission Archives.
413. Reed to Vorhees, December 26, 1885, Letters Received, Record Group 75, National Archives.
414. McFarland to Atkins, May 14, 1886, Letters Received, Record Group 75, National Archives.
415. R. E. McFarland to Commissioner J. D. C. Atkins, June 1, 1886, Letters Received, Record Group 75, National Archives.
416. Atkins to Moore, January 6, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
417. Atkins to Moore, March 11, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
418. Sec. of War to Sec. of Interior, July 3, 1886, Letters Received, Record Group 75, National Archives.
419. McFarland to Sec. Atkins, June 28, 1886, submitting various affidavits, Letters Received, Record Group 75, National Archives.
420. Affidavit of George McCabe, June 24, 1886, Letters Received, Record Group 75, National Archives.
421. Affidavit of Robert E. McFarland, June 28, 1886, Letters Received, Record Group 75, National Archives.
422. Affidavit of Charles Smith, December 19, 1886, Letters Received, Record Group 75, National Archives.
423. Affidavit of Silas Greestable, June 22, 1886, Letters Received, Record Group 75, National Archives.
424. Upshaw to Moore, May 24, 1886, Letters Received, Colville Agency, Record Group 75,

Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

425. Moore to Atkins, March, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

426. Lazelle to Adjutant General, July 27, 1886, Letters Received, Record Group 75, National Archives.

427. Secretary of War to Secretary of Interior, August 9, 1886, Letters Received, Record Group 75, National Archives.

428. 1st Asst. Secretary of the Interior, Note to File, August 11, 1886, Letters Received, Record Group 75, National Archives.

429. Holmes, F., Resident Farmer to Gwydir, August 14, 1888, Letters Received, Record Group 75, National Archives.

430. "Agreement" (with attached departmental objections), December 29, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

431. Commissioner to Moore, December 9, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

432. Upshaw to Moore, October 25, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

433. Secretary to Commissioner, October 18, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

434. Commissioner to Moore, July 28, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

435. Secy. of the Wash. & Idaho RR Co. to Moore, July 20, 1886, with enclosures, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

436. Atkins to Moore, August 4, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

437. Lamar to Sec. of War, May 14, 1886, Letters Received, Record Group 75, National Archives.

438. Atkins to Secretary of the Interior, May 12, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

439. Lamar to Secretary of War, May 14, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

440. O'Neill to Moore, January 2, 1886, Letters Received, Record Group 75, National Archives.

441. Colville Agent Benjamin P. Moore to Commissioner Atkins, January 4, 1886, Letters Received, Record Group 75, National Archives.

442. Moore to Atkins, March 20, 1886, Letters Received, Record Group 75, National Archives.
443. Moore to Atkins, March 26, 1886, Letters Received, Record Group 75, National Archives.
444. Morris to Moore, November 17, 1886, Letters Received, Record Group 75, National Archives.
445. Atkins to Moore, December 17, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
446. Atkins to Moore, January 25, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
447. Upshaw to Moore, September 22, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
448. Morris to Land Commissioner of U.S., November 17, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
449. Representative Hailey (Idaho) to Indian Office, May 17, 1886, Letters Received, Record Group 75, National Archives.
450. Notes relative to responding to a Senate Resolution, (1886), Letters Received, Record Group 75, National Archives.
451. Saltice to O'Neill, March 8, 1886, Letters Received, Record Group 75, National Archives.
452. O'Neill to Moore, March 13, 1886, Letters Received, Record Group 75, National Archives.
453. Moore to Atkins, March 25, 1886, Letters Received, Record Group 75, National Archives.
454. Seltice *et. al.* to Secretary of the Interior, November 29, 1886, Letters Received, Record Group 75, National Archives.
455. Atkins to Moore, April 16, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
456. Upshaw to Moore, October 23, 1886, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
457. Moore to Atkins enclosing newspaper clipping, April 16, 1886, Letters Received, Record Group 75, National Archives.
458. Moore to Atkins, April 13, 1887, Letters Received, Record Group 75, National Archives.
459. Atkins to Moore, March 18, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
460. Atkins to Gwydir, June 4, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

461. Gwydir to Commissioner, August 19, 1887, Letters Received, Record Group 75, National Archives.
462. Cook, Gleason and Harrington to Secretary Lamar, April 30, 1887, Letters Received, Record Group 75, National Archives.
463. Gwydir to Atkins, May 14, 1887, Letters Received, Record Group 75, National Archives.
464. Gwydir to Atkins, telegram, May 14, 1887, Letters Received, Record Group 75, National Archives.
465. Resident Farmer to Moore, May 4, 1887, Letters Received, Record Group 75, National Archives.
466. Trespassing on Coeur d'Alene Reservation, File 2889, Letters Received by the Office of the Adjutant General (Main Series) 1881-1889, Microfilm Roll 533, Record Group 75, National Archives.
467. Secretary of War to Secretary of the Interior, May 18, 1887, Letters Received, Record Group 75, National Archives.
468. Secretary of War to Indian Office, July 14, 1887, Letters Received, Record Group 75, National Archives.
469. Atkins to Gwydir, June 1, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
470. Carlin to Asst. Adj. General, August 1, 1887, with map, Letters Received, Record Group 75, National Archives.
471. Straughan to Sparks, August 10, 1887, Letters Received, Record Group 75, National Archives.
472. Straughan to Carlin at Fort Sherman, August 10, 1887, Letters Received, Record Group 75, National Archives.
473. Secretary of War to Secretary of the Interior, September 10, 1887, Letters Received, Record Group 75, National Archives.
474. Acting Commissioner of Indian Affairs A. B. Upshaw to Secretary of the Interior, October 24, 1887, Letters Received, Record Group 75, National Archives.
475. Gwydir to Atkins, October 27, 1887, Letters Received, Record Group 75, National Archives.
476. Commissioner Sparks to Secretary of Interior L. Q. C. Lamar, November 11, 1887, and attached maps, Letters Received, Record Group 75, National Archives.
477. Commissioner Sparks to Secretary Lamar, November 11, 1887, Letters Received, Record Group 75, National Archives.
478. Upshaw to Gwydir, August 9, 1887, Letters Received, Colville Agency, Record Group 75,

Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

479. Atkins to Gwydir, December 15, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

480. Carlin, Col. William P. to Commissioner of Indian Affairs, December 19, 1887, Letters Received, Record Group 75, National Archives.

481. Cockrell to Atkins, February 24, 1887, Letters Received, Record Group 75, National Archives.

482. B. Henley (House of Reps.) to Indian Office, February 1, 1887, Register of Letters Received (entry of February 2, 1887) Record Group 75, National Archives.

483. Cockrell to Atkins, April 4, 1887, Letters Received, Record Group 75, National Archives.

484. Saltice to Wright, *et. al.*, April 2, 1887, Letters Received, Record Group 75, National Archives.

485. Wright, *et. al.* to Atkins, April 13, 1887, Letters Received, Record Group 75, National Archives.

486. Harvey, George, License to Trade at Coeur d'Alene, January 25, 1887, Letters Received, Record Group 75, National Archives.

487. Martin, Nelson to Secretary of the Interior, June 27, 1887, telegram, and notes to file, Letters Received, Record Group 75, National Archives.

488. Moore to Atkins, January 28, 1887, Letters Received, Record Group 75, National Archives.

489. King to Acting Commissioner, June 2, 1887, Letters Received, Record Group 75, National Archives.

490. Moore to Atkins, January 28, 1887, Letters Received, Record Group 75, National Archives.

491. Secretary of the Interior to Commissioner, September 13, 1887, Letters Received, Record Group 75, National Archives.

492. Rickard D. Gwydir to J. D. C. Atkins, November 22, 1887, Letters Received, Record Group 75, National Archives.

493. Atkins to Gwydir, July 8, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

494. Hawkins to Moore, May 6, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

495. Lamar to Commissioner, June 30, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

496. King to Hawkins, June 2, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

497. Atkins to Moore, January, 19, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
498. "The Diary of DeSmet Mission, Idaho from 1878 to 193(9)," Box 730, House Diaries, 1878-1944, Gonzaga University. Oregon Province Archives of the Society of Jesus, Spokane, Washington.
499. Gwydir to Atkins, June 24, 1887, Letters Received, Record Group 75, National Archives.
500. Saltese *et. al.* to Asst. Commissioner Upshaw, August 16, 1887, Letters Received, Record Group 75, National Archives.
501. Mullan to Lamar, February 18, 1887, Letters Received, Record Group 75, National Archives.
502. Atkins to Gwydir, September 29, 1887, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
503. Upshaw to Gwydir, June 9, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
504. Upshaw to Gwydir, July 25, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
505. Secretary to Gwydir, October 1, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
506. Commissioner to Gwydir, December 8, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
507. Palmer to Atkins, January 16, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
508. Atkins to Gwydir, March 26, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
509. Commissioner to Gwydir, April 19, 1888, telegram, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
510. Holmes, F., Resident Farmer to Gwydir, August 14, 1888, Letters Received, Record Group 75, National Archives.
511. Gwydir to Commissioner, August 28, 1888, Letters Received, Record Group 75, National Archives.
512. Atkins to Gwydir, January 10, 1888, Letters Received, Colville Agency, Record Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.
513. Seltice, *et. al.*, to President Harrison, April 30, 1889, Letters Received, Record Group 75, National Archives.
514. Acting Commissioner to Gwydir, April 24, 1889, Letters Received, Colville Agency, Record

Group 75, Pacific Northwest Regional Archives; Seattle, Washington; National Archives.

515. Cataldo to Mullan, May 10, 1889, Letters Received, Record Group 75, National Archives.

516. Note to File, Executive Mansion, The President, 1889, Letters Received, Record Group 75, National Archives.

517. Charles Hoffman to Secretary of the Interior, May 4, 1889, Letters Received, Record Group 75, National Archives.

518. Hobbs to Secretary of the Interior, July 3, 1889, Letters Received, Record Group 75, National Archives.

519. Hon. J. N. Dolph to Secretary of the Interior, August 11, 1889, Letters Received, Record Group 75, National Archives.

520. Manderson to Secretary of the Interior, December 4, 1889, Letters Received, Record Group 75, National Archives.

521. James Ballard, homestead entry, September 17, 1889, Letters Received, Record Group 75, National Archives.

522. Cole to Commissioner, October 5, 1889, Letters Received, Record Group 75, National Archives.

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