

10-21-2016

Exhibits 1-11 from S. Strack

Steven W. Strack

Deputy Attorney General, State of Idaho

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Exhibit 1

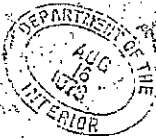
to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755



Office of Indian Agent,

NEZ PERCE INDIANS

Lapwai, Idaho Territory, August 1873.

C. S. Jones, Secy of Interior
My dear Sir

We have seen the lower
Allegies, and made in conjunction with
 Mr. Montett an agreement with them to
 be submitted to you & to Congress
 Geary, Chief of the Spokans is here now
 and is intensely Protestant. There is
 much trouble between the Catholics and
 Protestants on the various Reservations

A copy of a letter purporting to have
 been written to you by Charles Davis
 and committed on by Brullette a Catholic
 press of Washington is circulated here
 in which it is stated that you
 will favor the Catholics with an inspector

Appointed. Specially in this simplicity, and
it is told by Colada, another priest, as
boarded Leaver & Allen, that the master
is the a Catholic (He is told by Leaver
& myself) and many other. Needless of
like trouble among the Indians and
going to retard them progress by
dividing them, is circulated through this
Country - General Philip Soperintendent
of Indian Affairs wrote me today from
Walla Walla warning that I go to
Edwille to meet these Indians
at that place on the 10 inst. If I
can I will put Messrs Mess the
Shoshoneo Bonviseks at Kammas
Placie on the 25 inst. - we will push
our up on full when they -

I only write now to call your
attention briefly to the trouble here.

as stated above and Mark Taw
to not permit a survey of the lower
Allen Association until our reports
in a do not close any arrangements
with the Spokers especially until
we report and until their chief
Gery can be heard from by you
by letter or otherwise.

The letter purporting to be
from Charles Ewing does not
do him or his people full justice
we will report to you the
character of the survey that has
been done on Association here

With high regards
yours truly

J. P. C. Shanks

17
1873

Agreement made and entered into on this 25th day of July A.D. 1873, at Latah (or Hungonia) Creek in the Territory of Idaho, by and between John B. Shanks, John B. Minnith, and Thomas W. Bennett Special Commissioners on the part of the Government of the United States, and the Chief and Head men of the Tribe of Coeur d'Alene Indians
Witnesseth:

Art. 1st

That the Government of the United States agrees to set apart and reserve 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 Hungonia) Creeks, directly south of a point on said last-mentioned creek, six miles

along the point where the trails from
Lemiston to Spokane Bridge crosses
said creek; thence in a North East by
direction, in a direct line, to the Corner
de' Alou Mission, on the Corner de' Alou
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 up, or near
the Corner de' Alou lake; 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 in the
along said dividing line to the top of
the dividing ridge between Pine
and Latah, (or Hungman) creeks; thence
along the top of said ridge to the
place of beginning.

Which said Reservation the gov-
ernment 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 Cowichew Indians agreed to relinquish to the government of the United States all their rights and title in and to all 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 Mohonsha river in the Territory of Idaho, thence westerly across the ridge to Stephen's Butte thence westerly to Antonio Chantre on

The Spokane river, thence across ridge to
foot of Ben de Orille Lake, thence up
said lake to the summit of the Bitter Root
mountain; thence along the summit
of the Bitter Root mountain to the
place of 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 im-
provements 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 as-
sessed, 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 consid-
eration of their removal with
the reservation described in ar-
ticle 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 sets wagon harness;
50 sets plow harness; 50 Tenmick
plows; 10 span American mares;
10 whip saws; 10 cross cut saws;
2 houses with roofs combined;
1 sett blacksmith tools; 2 horse
rakes; 20 hammers; 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;

boarding and lodging house
for pupils; 1 Smith shop

And the United States for
them agrees to fund 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
herein after 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. Pro-
vided, 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 mill, 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.

4

It is expressly agreed by and be-
tween 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
hereafter 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. 1872, in grand council, at
Letch (or Klagnan) creek, in the Territory
of Idaho

Mitome

John P. Shanks
Ind. Belmonte

P. P. Whitman

Ind. Belmonte

J. M. Cataldo

Commissioner

his
Cassius Bellas Head chief

his
Vincent Christiani Head chief

his
Dennis

his
Edward

his
Regis

his
Paine

his
Francis

his
Bartholomew

1874
J. M. Cataldo

C. B. Whitman

Howe - a Key Piece

Exhibit 2

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

DEFENDANT'S
EXHIBIT
3240
CIV 94-0328

341
Department Interior,
Office Indian Affairs,
November 4, 1873.

Hon. G. Delano,
Secretary Interior
Sir

The agreement concluded with the Caeur
d'Alene Indians July 20th, 1873, by Hon. J. P. B. Shanks, Gov.
T. W. Bennett, and Agent J. B. Linton, as Special Commis-
sioners on the part of the United States, provides that the
following tract of country shall be set apart as a reservation
for said Indians, viz:

Beginning at a point on the top of
the dividing ridge between Pine and Latah (or Haingman's)
Creeks, directly south of a point on said east named Creek
six miles above the point where the trail from Lemaitre to
Spokane Bridge crosses said Creek; thence in a north westerly
direction, in a direct line, to the Caeur d'Alene Division, on
the Caeur d'Alene river (but not to include the lands of said
Division); thence in a westerly direction, in a direct line, to a
point where the Spokane river heads in, or leaves the Caeur
d'Alene lake; 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 Haingman's) Creeks; thence along the top of said ridge to
the place of beginning.

In order that the tract thus described
may be protected from trespass by white persons pending
the action of Congress upon said agreement, I have the
honor to recommend that the President be requested to
issue an Executive Order setting apart the same to the
use of said Indians.

Very Respectfully,
Wm. Wash. Smith,
S. H. Smith,
Comr.

Loughran

Exhibit 3

to

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accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

same to the Department, together with the papers accompanying the same.

I have the honor to be, very respectfully, your obedient servant,
 JOS. S. WILSON, *Commissioner.*

Hon. W. T. OTTO,
Acting Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
 Washington, D. C., June 13, 1867.

SIR: I submit herewith the papers that accompanied the inclosed report of the Commissioner of Indian Affairs of the 23d ultimo, in relation to the propriety of selecting reservations in Idaho Territory upon which to locate the Cœur d'Alènes and other Indians in the northern part of Idaho, and the Boisé and Bruneau bands of Shoshones in the southern part of that Territory.

This Department concurs in the recommendation of the Commissioner of Indian Affairs that the lands indicated upon the annexed diagram, and defined in the accompanying report of the Commissioner of the General Land Office of the 6th instant, be set apart as reservations for the Indians referred to, and I have the honor to request, if it meet your approval, that you make the requisite order in the premises.

With great respect, your obedient servant,

W. T. OTTO, *Acting Secretary.*

The PRESIDENT.

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.

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 Cœur d'Alène Indians, in said Territory, viz:

"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, 6 miles above the point where the trail from Lewiston to Spokane Bridge crosses said creek; thence in a north-easterly direction in a direct line to the Cœur d'Alène Mission, on the Cœur d'Alène 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 Cœur d'Alène 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) Creek; thence along the top of the said ridge to the place of beginning."

U. S. GRANT.

Duck Valley Reserve.

(See Nevada, post, page 866.)

Exhibit 4

to

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State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

49TH CONGRESS.
1st Session.

SENATE.

EXHIBIT NUMBER

212

EX. DOC.
No. 122.

LETTER

FROM THE

ACTING SECRETARY OF THE INTERIOR,

TRANSMITTING

In response to Senate resolution, March 30, 1886, report upon the claims of certain Indians for compensation for lands.

APRIL 9, 1886.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, April 9, 1886.

SIR: I have the honor to acknowledge the receipt of a resolution of the Senate of the 30th ultimo, the full text whereof is found in the inclosed copy of letter of the Commissioner of Indian Affairs, the subject having been referred to his office for the information requested.

In replying to the resolution, which presents request for correspondence and papers relating to the removal of the Spokane, Pend d'Oreille and Coeur d'Alene Indians to any specific reservation in Idaho, Montana, or Washington Territory, and their claims for lands, &c., the Commissioner observes that the resolution does not indicate how far back the correspondence and other papers to be produced shall extend. That there was some correspondence touching the gathering and removal of these Indians to their present reservations, in Idaho and Washington Territories, many years ago, but he infers from the language of the resolution, that only recent correspondence is desired, and papers or petitions received bearing upon their claim for indemnification for certain lands formerly held and occupied by them, the title to which they claim never to have relinquished, but which lands have nevertheless been taken possession of by white settlers; and he therefore furnishes copies of all papers, petitions, and correspondence upon the subject-matter of said resolution, commencing with the year 1833; which are herewith respectfully transmitted for the information of the Senate.

I have the honor to be, very respectfully,

H. L. MULDROW,
Acting Secretary.

THE PRESIDENT PRO TEMPORE OF THE SENATE.

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CLAIMS OF CERTAIN INDIANS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 8, 1886.

SIR: I have the honor to acknowledge the receipt by your reference the 31st ultimo, of a resolution of the Senate of the United States of the 30th ultimo, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to furnish to the Senate, with as little delay as practicable, copies of all correspondence or petitions on file in his Department between the Upper and Middle bands of the Spokanes, the Lower bands of the Pend d'Oreille, and the Cœur d'Alene Indians, or of any Indian agent or other person in their behalf, or representing them with the authorities of the United States, touching the subject-matter of the removal of said Indians or any of them to any specific Indian reservation in Idaho, or in Montana, or in Washington Territories; and also in regard to the cession or quitclaim by any of said Indians to the United States of any lands alleged to be heretofore owned or claimed or occupied by them, and also any petition or correspondence in regard to any compensation by the United States alleged to be due said Indians for the cession of such portions of their said lands as are or have been deemed by them not needed for their own Indian reservation purposes.

It will be observed that the resolution does not indicate how far back the correspondence and other papers to be produced shall extend.

There was some correspondence touching the gathering and removal of these Indians to their present reservations in Idaho and Washington Territories many years ago; but I infer from the language of the resolution that only recent correspondence is desired, and any papers or petitions received bearing upon their claim for indemnification for certain lands formerly held and occupied by them the title to which they claim never to have relinquished, but which lands have nevertheless been taken possession of by white settlers. Accordingly, I have the honor to transmit herewith copies of all papers, petitions, and correspondence upon the subject-matter of said resolution beginning with the year 1883.

Very respectfully, your obedient servant,
J. D. C. ATKINS,
Commissioner.

The SECRETARY OF THE INTERIOR.

SPOKANE FALLS, WASH., March 23, 1886.

REVEREND AND DEAR SIR: Many thanks for your kind favor of 12th ultimo. Allow me to say a word more in favor of these Upper Spokanes. Troubles are going on between whites and Spokane Indians at Spokane Falls and vicinity, and Chief Louis Welsholchu is very anxious to be called to Washington and expose himself to the President their needs. Can you do anything to obtain such a permission for him? Of course he wants to take one or two more chiefs with him, and an interpreter. He insists on obtaining a piece of land, no matter how small, as their own, where they could live peacefully as a tribe, with school and church.

I remain, very respectfully, your obedient servant,
JOS. M. CATALDO, S. J.,
Superior of Missions in Rocky Mountains.

REV. J. A. STEPHAN,
Director Bureau Catholic Indian Missions, Washington, D. C.

[Indorsement.]

THE BUREAU CATHOLIC INDIAN MISSIONS,
Washington, D. C., April 6, 1886.

The within copy of letter of Rev. J. M. Cataldo, dated March 23, last, and addressed to this Bureau, is respectfully referred to the honorable Commissioner Indian Affairs for his information and consideration.

P. L. CHAPELLE, D. D.,
Vice-President.

SIR: chief of committee affairs, your De V

Hon. J S.

SIR: tion of his people done th asks the with tl commit- This) that yo: V

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SIR: my peo: tation t most fa and wh: In vic a copy caused ask you case, at Congres ment al people. I

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SIR: John M: appoin:

CLAIMS OF CERTAIN INDIANS.

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

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

Very respectfully,

WM. S. HOLMAN,

Chairman Select Committee on Indian Affairs, &c., House of Representatives.

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

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

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

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

Very respectfully, yours,

CHARLES S. LUSK,

Secretary.

Hon. W. S. HOLMAN,

Chairman Special Committee to Inquire into Indian Matters.

CŒUR D'ALENE RESERVATION,

Idaho Territory, October 30, 1885.

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

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

I am, sir, yours, respectfully,

SELTIS,

Chief Cœur d'Alene Indian Tribe, Idaho.

Hon. W. S. HOLMAN,

Chairman Special Committee United States House of Representatives,
Authorized to visit the Indians and Indian Reservations, Washington, D. C.

[NOTE—The petition herein referred to is identical with the petition accompanying Agent Waters's letter of March 26, 1885, to the Indian Office herewith.]

THE BUREAU OF CATHOLIC INDIAN MISSIONS,

Washington, D. C. February 19, 1886.

SIR: On behalf of this bureau I have the honor to transmit herewith letter of Capt John Mullan, commissioner of this bureau, dated the 5th instant, recommending the appointment of a commission to visit the Spokane, Colville, and Cœur d'Alene In

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8, 1886.

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MISSIONS,
April 6, 1886.
t, and addressed
r Indian Affairs

E. D. D.,
Vice-President.

dian tribes, with a view to settle their land matters; and to say that this bureau recommends and indorses the suggestions of Captain Mullan, and trusts that they may receive you favorable consideration and action.

Very respectfully, your obedient servant,

J. A. STEPHAN,
Director.

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

[Copy of letter from Rev. J. M. Cataldo relative to Spokane Indians securing a reservation.]

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

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

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

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

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

Very respectfully, yours,

JOS. M. CATALDO, S. J.

Capt. JOHN MULLAN.

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

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

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

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

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

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

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

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

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FALDO, S. J.

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I also know that when Governor Stevens had concluded a treaty with the Blackfoot Indians, and was proceeding to visit the country of Colvilles and Spokanes, and Cœur d'Alenes, intending, as I have said to make a treaty with each of said tribes, he was met near the Dearborn River, in Northwestern Nebraska, by a special courier coming from the Pacific, and bringing him the intelligence that a general Indian war was then raging throughout the western portion of Oregon and Washington Territories, which, the Indian Department will bear witness, continued for a period of two years.

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

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

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

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

"It was now November when Governor Stevens started on his return to the Territory of Washington and where he was to complete a treaty with the Spokane, Colvilles, and Cœur d'Alenes, but before reaching the country of these Indian tribes he met, on the Teton River, 2 miles above Fort Benton and 500 miles distant from the Spokane country, a special mounted courier, bringing him a report that the Indians at Walla Walla, and other tribes with whom he had lately treated, had broken out in rebellion and were then in open war.

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

"A party of Cœur d'Alenes and some Spokanes, with their chief, Geary, came to Governor Stevens's camp and asserted their friendship for the whites, though the main portions of their tribes were not present. Of course a treaty could not and was not concluded with these Indians then and under all the circumstances, but it was expected at that time by the Indians and also by Governor Stevens that he would return and attend to making a treaty with these Indians at some suitable time and in the early future; but successive Indian wars and other difficulties during the admini-

administration of Governor Stevens in Washington Territory, that lasted several years, did not afford him any such suitable opportunities to treat with these Indians or to provide for them in any proper way.

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

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

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

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

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

Having been in their country as early as 1853, and frequently since, I am therefore familiar with much that I herein state as to these people, as to their country, as to their wants, as to their wrongs; and I submit that it would be a grave injustice for our Government now to permit this condition of things long to continue. Had I the time, having as I have the disposition, I would gladly place it at the disposal of the Interior Department, without compensation, to visit these tribes and to bring to Washington City, with the permission of that Department, a delegation from each thereof, and enable them to lay their wants in detail before the proper Departments, and to enable the United States to enter into such preliminary arrangements with these Indian tribes as would finally eventuate in a proper and just treaty between them and the United States, and by which an adequate compensation could be had for the value of the lands of which, in my opinion, they have been so wrongfully divested. But I have not such leisure at this time, but I have the honor to bring to the special notice of the honorable Secretary of the Interior a gentleman whom I know to be in every respect qualified to fill this commission, to wit, the party whom I have hereinbefore named to wit, Mr. Gustavus Sohon, now living at 504 Eleventh street northwest, Washington, D. C. Mr. Sohon, during my several expeditions across the Rocky Mountains prior to 1862, acted as my guide and interpreter, speaking at that time the languages of those people. He enjoys the confidence of all those Indians, as he also does that of the whites in the city of Washington, and in the Territories of Washington, Idaho, and Montana. Mr. Sohon came to Washington City with me in 1862, and has resided here ever since. He is honest, capable, faithful, and zealous in the cause of Indian civilization, and I suggest to the honorable Secretary of the Interior the propriety of appointing him as a special agent, with authority, under the auspices of and at the expense of the Indian Department, to proceed to East Washington and Northern Idaho Territories for the purpose of there conferring with these tribes of Indians, to wit, the Spokane, Colville, and Cœur d'Alene, and to

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bring back with him to Washington City a delegation of at least three to five of their principal men, with a special interpreter for each tribe, in order that they may have an interview and an understanding with the Commissioner of Indian Affairs, the Secretary of the Interior, and the President of the United States in regard to the subject-matter of their wrongs, of their wants, and of the remedies therefor.

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

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

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

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

I am, yours, very respectfully,

JOHN MULLAN,

Commissioner of Bureau of Catholic Indian Missions.

The BUREAU OF CATHOLIC INDIAN MISSIONS,

Washington, D. C.

[NOTE.—Exhibit A, referred to in the foregoing paper, is a duplicate of the petition of the Cœur d'Alene Indians transmitted by Agent Waters letter of March 26, 1886.]

Spokane Falls, Wash.,

December 26, 1885.

SIR: I have the honor to call your attention to a communication of mine, written to the office under date of November 29, 1884, wherein I set forth the facts concerning the state of affairs among the Spokans, Lower Calispels, or Pend d'Oreilles, Palouse, and certain portion of the Kootnai tribes of Indians in Eastern Washington and Northern Idaho Territories. I ask at your hands a careful perusal of the same and an earnest consideration of the recommendation therein contained, namely, the appointment of a commission of three persons who have the good of the Indians at heart to visit the different tribes herein mentioned with a view to their settlement on the vacant lands of the Cœur d'Alene Indian Reserve. A bill was prepared by the Hon. H. Price, late Commissioner of Indian Affairs, to provide for such a commission at the last session of Congress, but owing to a press of business was not presented. The state of affairs existing among these Indians call for some decided action by the office before spring.

Many times during my administration of affairs I earnestly sought to bring about a more happy state of affairs for them, but all I could do was to keep trying. When I left my home in the East and came among these people, I made an earnest vow to endeavor to lift them up from their degradation and misery, and now I have been suspended (how unjustly) and am no more their agent. I am still their friend, and shall always strive to ameliorate their condition, and it is for this reason that I am now writing to you and seeking your aid. These Spokanes should be removed from the vicinity of the towns of Spokane Falls and Cheney and placed on the Cœur d'Alene Reserve, and furnished with agricultural implements and, in a measure, be compensated for the land the whites have taken from them. Through the influence of that d'nable curse, whisky, the men are fast becoming vagabonds and their women prostitutes. I cannot speak in too plain language of the present condition of these Indians. I will further call your attention to the Lower Pend d'Oreilles or Calispel, who are to-day living in peace on what is called public land in the vicinity of Calispel Lake; having much too large an area of bay land for their own use, is eagerly sought for by settlers. They will not allow any one at present to settle in what they call their country. They should each be given their 160 acres of land, and homesteads platted for them where they now are, or compensated for their land and removed to the Cœur d'Alene or

Flathead Reserve. Two companies of troops visited their country this summer, but if settlers go there in the spring there will be trouble.

The lands of the Cœur d'Alene should be made secure to them, and a saw and grist mill be erected for their use. For their schools and physician and farmer they are very thankful, but they wish their lands to be secure. The progress they have made during the last five years is wonderful in the extreme, having all the latest improved farm machinery, purchased by the fruits of their own industry. I cite the Cœur d'Alene at this time as an example, and believe if these wandering remnants of tribes could be induced to settle on their reserve they would soon too become industrious, and leave their wild and vicious habits of nomadic life.

The schools at Cœur d'Alene are fully up to the standard, and the instruction the Indian children receive at the hands of the noble Jesuit fathers and sisters of charity is not lost. I make an earnest appeal to you to help these outcasts, to save them if possible (they are human beings and are worth saving). I believe that every human being has some noble qualities, and if these people are properly cared for, some of these qualities will show themselves. In conclusion I refer to the correspondence had with the office from the date of November 29, 1884, and to the petitions coming from the Cœur d'Alenes, and respectfully request that this matter of the appointment of this commission receive your early attention.

I remain, very respectfully, your obedient servant.

SIDNEY D. WATERS,

Late United States Indian Agent, Colville Agency, Washington Territory.

Hon. JOHN D. C. ATKINS,

Commissioner Indian Affairs, Washington, D. C.

[NOTE BY INDIAN OFFICE.—In the estimates of appropriations required for the Indian service for the fiscal year ending June 30, 1887, the following item occurs, viz: "Removal and settlement of the Upper and Middle Bands of Spokane Indians on the Colville Reservation, Washington Territory, \$6,000."]

UNITED STATES INDIAN SERVICE,
Colville Indian Agency, Wash., March 26, 1886.

SIR: I have the honor to inclose for your earnest consideration a petition coming from Seltice, head chief, and head men of the Cœur d'Alene tribe of Indians, living on the Cœur d'Alene Indian Reservation, Idaho Territory. I also inclose papers marked A and B, and recommendation from James O'Neil, resident farmer, accompanying petition, and asking your careful perusal of the same. The Indians of this tribe, now numbering over 500, were once accounted the most cruel Indians of the Northwest, but under the teaching of the Jesuit fathers have fast approached a civilized state. They are an honest, hard-working class of people, and should receive from the Government some substantial aid. I have repeatedly asked that a saw-mill be purchased for their use, but have not succeeded in obtaining one. Their country was quite an extensive one, and although Congress as early as 1854 made provision of law and an appropriation for making treaties with all the tribes in Washington Territory, no treaty was ever made with them, or with the Spokane, Palouse, Calkspel, or Lower Pend d'Oreilles, and certain portions of the Kootenai tribes of Indians.

The condition of the tribes mentioned herein, together with my recommendations for their betterment, was fully set forth in my letter to your office under date of November 29, 1884, and I know that the same received your hearty co-operation, and resulted in the draft of a bill, which for some reason did not reach Congress for action, but the time has now arrived when something must be done for these Indians. Their reservation, set aside by executive order, is looked upon with longing eyes by the whites, who are fast settling up the country owned by these Indians, for they have never been recompensed for a foot of it. Even the men whose property and stock the Indians took care of so faithfully during the Nez Percés war of 1877-78 are ready to step in and possess themselves of their reservation.

The Indians are continually hearing of petitions being circulated praying Congress to open to settlement this reservation, but before this is done these scattering tribes, who are wandering here and there without homes as prey to the vices and miseries that follow the leading of such nomadic lives, should be provided with homes on this reservation, be taught to support themselves, agricultural implements furnished them, their children given the benefit of industrial schools, to the end that they may become contented and happy. I cannot too earnestly plead for these Indians, and pray that their petition may be granted. I am thoroughly conversant with their needs, and know whatever is done for them is money well spent. They are not murderers

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ment, that they may be recompensed for their lands taken from them.

I have been constantly among these tribes since I have been their agent, and am satis-
fied that the Spokane, Calispels, Palouse, and Kootenai tribes of Indians will not go
to a reservation until they are in a measure recompensed for the land the whites have
taken from them. Shall we see them destroyed as a race by the life they are living,
or shall we, as a Christian people, a great nation, lift them up from their degradation
and make them a happy people? Will the cost be too much for us to assume, seeing
we have taken so much from them? As their agent and friend I plead for them, and
earnestly recommend that a commission be sent out at an early date, and if, under
the law (no money being provided for expenses), civilians cannot be sent, then I re-
spectfully request that two Indian inspectors be sent to confer with me, and a report
of such commission be submitted in time for the action of the Forty-ninth Congress.
An early reply is respectfully requested.

Very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

Hon. H. PRICE,
Commissioner Indian Affairs, Washington, D. C.

COEUR D'ALENE INDIAN RESERVATION,
Territory of Idaho, March 23, 1835.

To the President of the United States and the Secretary of the Interior, and the Commis-
sioner 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 Percés
in 1777 rose in rebellion against the United States, resulting in the loss of many valu-
able 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
and their property, at their own expense and at the risk of their lives, until such a
time as peace and confidence had been restored, and until the return to their homes
of said white population: and your petitioners now submit herewith, in papers marked
A and B, by copy, the evidences of said white population of the said acts of your peti-
tioners 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 as 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
Pond d'Oreille Lake; thence eastwardly to the summit of the Coeur d'Alene Mount-
ains, separating the waters of the Flathead or Missonia 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 watershed of the waters of the Pe-
louze River to the point of beginning.

That all the lands of your petitioners, so by them owned and herein described, have
been taken possession of by the whites without remuneration or indemnity, except
that portion now by them occupied as the present 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 valu-
able 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 Cœur d'Alene, besides numerous thriving towns and villages. It includes the line of the Northern Pacific Railroad from near Spokane Falls to the Pend d'Oreille Lake, and it also includes one of the valuable portions of the land grant to the Northern Pacific Railroad Company. Your petitioners understand that Congress in its act approved July 31, 1854 (U. S. Stats., vol. 10, page 330), gave authority and made liberal provision for negotiating treaties with all the Indian tribes then in Washington Territory, at which date all the lands of your petitioners, herein described, were situated in said Territory, all of which lands they then occupied unmolested and upon which they were then residing.

Your petitioners further understand that the late Isaac I. Stevens, then governor of Washington Territory, and *ex officio* superintendent of Indian affairs, was by the President duly authorized and empowered to negotiate said treaties, and, among other tribes, with that of your petitioners; that in the execution of this task said Stevens made treaties with all the tribes on Puget Sound and along the Columbia River, extending to the Nez Perces 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 Skullams, Makals, Walla Walla, Cayuse, and Umatilla, 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 Cœur d'Alene tribe of Indians. And your pe-

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tioners will ever pray for the permanence of your good government and for the welfare of all those who properly administer its public affairs.

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

(Signed with cross-mark by:)

Andrew Soltis, head chief; Damas, chief; Edward, chief; Rogis, chief; Bartholomew, chief; Venecelas, chief; Bernard Spekumilko; Tecomita; Peter Wils Jeyu; Daniel; Sebastian; Alphonse; Gregory; Charles Louis; Harlison; Pat. Davenport; Louis Sepis; Adrian; Triburtins; Ignace; Erechin Bassau; Joseph Npaganan; Barnaby Chuoa; Andrew John; Nicodemus Crantons; Leo Emuteynza; Lolo Chompaskat; Peter Joseph Jabaru; Gami Genzalkan; Leo Guakaize; Paul Tkainse; Ignatius Ngaiana; Basil Guignizu; Alexander Chilchelgo; Stephen Thamzin; Peter Lupsqui; Henry Guistehene; Simon Chemenemo; Fidole Sermenza; Louis Sanaualko; Isidoro Npapsqua; Basil Seppai; Peter Joseph; Eliemae Chedalem; Peter J. Syolgui; Stephen Zootagan; Benoit Euchiezu; 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.

A.

PINE CREEK, NEZ PERCES COUNTY, IDAHO TERRITORY,

June 19, 1877.

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

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

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

(Signed:) N. M. Morris, M. A. Morris, H. S. Fanny, R. U. Young, B. F. Price, N. T. Price, T. W. Gholson, M. E. Gholson, B. A. Truax, S. A. Truax, M. Fountain, Thomas Booton, Frank Rector, Jesse Walling, Harriet Walling, C. L. Chalwell, W. B. McJale, Caleta McJale, J. M. Pupst, A. E. Pupst, F. R. Martin, Mary A. Martin, F. E. McGreleu, W. H. Laudes, Sankk Welch, R. F. Stare, H. W. Walts, R. Price, Javah Price, G. O. Briggs, John Cummings, Martha Cummings, London C. Twine, J. F. Conkling, L. W. Davenport, Mary Davenport, John Moore, Editte Moore, Adin Davis, Jane Davis, Mary Fountain, M. W. Smith, F. C. Hayes, J. M. Woody, Lafayette Mary, Elizabeth Munes, F. M. Barm, Alrz. N. S. Barm, Lurindo Mone, Ann Mone, Sam Prere, W. T. Skigy, R. R. P. Romer, W. Brewer, Lena Brewer, Arthur Green, F. P. Connell, Miss S. Connell, F. D. Wazkeild, G. H. McQueen, L. McQueen, G. W. Truax, H. Truax, W. A. Hono, S. Grumley, Selena Grumley, Samuel, Mone, Susane Mone, G. Y. Quaeler, Mary Campbell, Franklin Rector, Henry Edyson, C. S. Barton, R. J. Looch, Z. Smith, J. W. Smith, Charles Mone, S. J. More, Retz More, Ladia More, Andrew A. Rice, Agnes Brallam, Miuna Brallam, P. Gilbert, Emuch Peoka, Oro Rector, S. D. Young, Fr. McCarrie, Sarah McCarrie, A. J. Price, Jack Sullivan, Mj. Lemb.

B.

LEWISTON, IDAHO, August 25, 1877.

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

When the settlers from Pine Creek left their homes for fear of Indian hostilities, Soltise assured them of the friendship of the Cœur d'Alénes, and even sent some of his people to guard their property till their return. His influence is great among the

Northern Indians, and it has been used to maintain peaceful relations between the whites and the Indians.

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

COLVILLE INDIAN AGENCY,

March 26, 1885.

SIR: I have the honor to inform you that the head chief, chiefs and headmen of the Cœur d'Alene have forwarded you a petition, to be transmitted by you to the Indian Department, wherein they give you a condensed history of their tribe and their desires. I would respectfully state that, officially and otherwise, since 1861, I have personally known many of the signers to the petition. In 1866, when agent for the Nez Perces at Lapwai, I was directed by Governor Ballard, ex-officio superintendent of Indian affairs for Idaho, to proceed to the country of these people, and learn whether they desired to remove to the Flathead Reservation; or, if not, to select in their own country a suitable place for their reservation. Upon that visit I saw that they were workers then when it was considered by an Indian a disgrace to work, and when it was almost impossible to procure the necessary implements to work with, but in their fences and in what little farming could be done, where they were then located, they showed thrift and progress totally unexpected in that day. In 1875 "Nicodemus," one of the tribe first commenced farming upon the present reserve. In the Spring of 1876 two or three more opened small farms. In 1877 or 1878 they all commenced making small farms in different localities upon the reserve from "Stallans" village, farms near the Spokane River near Crowley's bridge, running south to the present mission nearly 40 miles, embracing within that distance some six or seven villages, the largest being near the present mission (De Smet) at the head of the Latah or Haugman Creek. Nearly two hundred farms have been opened. For the first two or three years they struggled along as best they could, being poor and unable to purchase the necessary farming implements.

The only help they had was through the father connected with the mission, in furnishing plows and other tools and advice. At the present time their farms, houses, &c., show the effect of the good teaching they have received. All the males are good farmers, many of them (the older ones) having two or three hundred acres of land under a good substantial rail fence, and under cultivation. The younger men of the tribe, equally as good workers and fully as willing, but receiving no aid from the Government, except in their schools, have not the means to go ahead as they would wish. With the exception of one or two trappers (old men), all are farmers. You see no long hair worn by them, no blankets, no moccasins, all men and women wearing the dress of the whites. By their own labor and exertions so far (with, as before stated, the schools excepted), they have accumulated about 150 farm wagons, 8 or 10 spring-wagons, 160 plows, harness, mowing and reaping machines, sulky-plows, &c.

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

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

Very respectfully, your obedient servant,

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

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

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

Washington, May 14, 1885.

SIR: I have received your letter of the 26th March last, inclosing a petition (and accompanying papers) from Chief Seltice and other chiefs and headmen residing upon the Cœur d'Alene Reservation in Idaho Territory, and asking, in view of the failure

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February 26, 1885.

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to procure an appropriation from the last Congress to enable the Secretary of the Interior to negotiate with the scattered tribes or bands of Indians in Washington Territory and the State of Oregon for the cession of the lands claimed by them, and for their removal to the above named reservation, that two inspectors of the Department be sent to confer with you in order that the claims of the Indians, as set forth in the aforesaid petition, may be properly presented to the next Congress.

In reply I have to say that your correspondence, and the papers submitted therewith, are sufficient to base a renewal of the request for an appropriation to defray the expenses of a commission to visit the Indians in question, and I shall take occasion at the proper time to urge the matter upon the attention of Congress. The inspectors, if they were to visit the Indians, would not be authorized to negotiate with them, for which reason I do not think it necessary that they should be sent.

Very respectfully,

E. L. STEVENS,
Acting Commissioner.

SIDNEY D. WATERS, Esq.,
United States Indian Agent, Colville Agency, Washington Territory.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 26, 1885.

SIR: I have received your letter of the 14th instant calling attention to yours of the 29th November last, recommending the appointment of a commission to negotiate with the scattered bands of Indians in Washington Territory and the State of Oregon for the cession of the lands there claimed by them, and their removal to the Coeur d'Alene Reservation in Idaho. You urge the importance of early action in the premises and ask to be advised as to the probable outcome of the matter. In reply, I inclose herewith a copy of a letter addressed to the Department by this office, under date February 4, instant, recommending that Congress be asked to appropriate the sum of \$3,000 to enable the Secretary of the Interior to appoint a commission to conduct the proposed negotiations. However, I learn upon informal inquiry at the Department, that the matter was not submitted for the action of Congress; consequently there is no prospect that anything will be done at present looking to the accomplishment of the purpose held in view.

Very respectfully,

H. PRICE,
Commissioner.

SIDNEY D. WATERS,
*United States Indian Agent,
Colville Agency, Washington Territory.*

UNITED STATES INDIAN SERVICE,
Colville Agency, Washington Territory, February 14, 1885.

SIR: I would respectfully call your attention to my letter of November 29, 1884, with reference to the appointment of the commission therein recommended, as spring is nearing us, and it is necessary that something be done with those Indians very soon. I cannot urge too strongly the importance of that letter. The Indians are looking strongly towards Washington for help in regard to the land they have lost.

If I may be allowed to suggest, I would say that Colonel Merriam or General Wheaton are fully acquainted with these Indians, and with an inspector or special agent would make a very good commission to act in the premises. I hope to hear very soon in reference to the matter.

Very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

Hon. H. PRICE,
Commissioner Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 4, 1885.

SIR: I have the honor to invite your attention to letter of Agent Sidney D. Waters, of the Colville Agency, Washington Territory, dated November 29, 1884, two copies of which are herewith inclosed, recommending the appointment of a commission to nego-

tiate with the scattered tribes or bands of Indians in Washington Territory and the State of Oregon, looking to obtaining from them the relinquishment of any claim they may have to lands in said Territory and State, and for their removal to and settlement upon the Cœur d'Alene Reservation in the adjoining Territory of Idaho.

In connection with this subject I would say that I have repeatedly submitted estimates to Congress for an appropriation to remove these Indians, or some of the numerous bands to a reservation, but have failed to secure the funds needed for that purpose. I think it very desirable that some effective means be adopted to remove them, one and all, from the baneful influences which surround them. They are living, for the most part, around the villages and settlements of the whites, notably about Spokane Falls, drinking whisky and eking out a wretched half-starved existence. They claim that they have never ceded their lands to the Government, and manifest an unwillingness to remove to a reservation lest the abandonment of their present haunts might be looked upon as a voluntary relinquishment of their claims to the lands.

I have had prepared and herewith submit a draft of an item intended for insertion in one of the appropriation bills providing for an appropriation of \$3,000 to pay the expenses of a commission to be appointed to visit and arrange for the removal of said Indians to the Cœur d'Alene or such other reservation as may be agreed upon, and I urgently recommend that the appropriation be made.

Two copies of this report are herewith inclosed.

Very respectfully, your obedient servant.

"H. PRICE,
Commissioner.

The SECRETARY OF THE INTERIOR.

[Copy of draft of item referred to in the foregoing letter.]

To enable the Secretary of the Interior to negotiate with the scattered tribes or bands of Indians in Washington Territory and the State of Oregon, having no treaty stipulations with the Government, for the cession of the lands claimed by them and for their removal to the Cœur d'Alene or such other reservation as may be agreed upon, \$3,000.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 29, 1884.

SIR: I deem it my duty while I am in Washington to call your special attention to the fact that notwithstanding that Congress as early as 1853-'54 made provision of law and an appropriation for making treaties with all the tribes of Indians in Oregon and Washington Territory, that up to this date no treaty arrangements whatsoever have ever been made with the Spokanes, Cœur d'Alenes, Palouse, Calispel, or Lower Pend d'Oreilles, and certain portions of the Kootenai tribes of Indians. The condition of all these Indians at this time, except that of the Cœur d'Alenes, is such that, in my opinion, some immediate steps should be taken by the Department by which permanent homes should be guaranteed to said tribes; that they be removed from contact with the whites, and upon land where by their own industry and the aid of the Government they can till the soil and be made self-supporting. These tribes were accustomed to hunt heretofore upon lands, the best of which are now in possession of the whites and under cultivation. The results of a large white immigration into that country during the last few years has had the effect, therefore, to render the lives of these Indians more nomadic than ever, and day by day diminishes the prospects of their being able to maintain themselves and their families. The presence of towns and villages springing up all over Eastern Washington Territory, places whisky (that damnable curse of the Indian) within easy reach of these tribes, resulting largely in making the males vagabonds and the females prostitutes. I have called the attention of your office many times during the past year of my administration of affairs to this constantly growing evil in the vicinity of Spokane Falls, and while I have prosecuted several white men successfully, yet the Indians still remain open to the temptation of an idle, vicious life. I am informed that when instructions from your Department were issued to the Hon. Isaac I. Stevens, superintendent of Indian affairs for Washington Territory, and to Hon. Joel Palmer, superintendent of Indian affairs for Oregon, to enter into treaty stipulations with all the Indian tribes then in Washington and Oregon Territories; that after treaties were made with the Indian tribes on Puget Sound, and up to the Columbia River, and extending to the Nez Percés' country; that Hon. Isaac I. Stevens and Hon. Joel Palmer were ordered, as special commissioners, to proceed to Fort

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Benton and to there meet with Hon. Alfred Cummings, and as three special commissioners to enter into and negotiate a treaty with the Blackfeet Indians; that said negotiations consumed a large portion of the summer of 1855; that when completed the said commissioners proceeded to enter into treaty stipulations with the Flathead Indians, Upper Pend d'Oreilles, and Kootenai tribes, constituting the Flathead Nation, and then, this being done, these special commissioners crossed the Cœur d'Alene Mountains, intending there to complete their labors by entering into treaty stipulations with the tribes of Indians herein named; that these commissioners met at the old Cœur d'Alene Mission, a runner bringing the intelligence that a general Indian war had already broken out in Washington and Oregon; that the dangers were then so increased that the said commissioners proceeded at once to the coast, leaving unfinished the work as ordered by your Department, as authorized by Congress, and as contemplated to be done by them; that the Indian war in Oregon and Washington lasted during 1855 and 1856; that by an act of Congress in 1857 all Indians in Washington and Oregon (agencies) were consolidated and placed under the Oregon superintendency; that the discovery of mines in Eastern Washington Territory and other causes (including the war of the rebellion) all served to divert the attention of your Department from the duty the United States owes all the aforesaid tribes of Indians. In the meanwhile the United States have taken possession of the lands of these Indians, have had the same surveyed, and to-day are selling those not heretofore granted by act of Congress to the Northern Pacific Railroad Company.

In view, therefore, of all these premises, and the condition of these tribes becoming worse and worse day by day, I therefore respectfully suggest and recommend that a commission, to be composed of three competent and proper persons who have the interests of the Indians at heart, may be appointed by your Department to meet all of said Indian tribes and enter into proper treaty negotiations with them, with a view of ceding to the United States such portions of their lands as are now occupied or may be needed by the whites, and with the view of establishing all of said tribes upon the vacant lands of the present Cœur d'Alene Indian Reservation, and where, speaking the same language as the Cœur d'Alene tribe (with whom many of the Spokanes are intermarried), they can live promiscuously with them. Seltice, head chief, has often expressed his willingness for these tribes to locate on the Cœur d'Alene Reservation, and I feel that if they are so located they will soon imitate the example of their industrious and thrifty kinsmen, the Cœur d'Alenes, who are the peers of any farmers on the Pacific slope.

The time when these negotiations might be properly entered into would be the approaching spring, but timely instructions for this purpose should be prepared and issued by your Department at the earliest date practicable.

In closing, I respectfully call your attention to the fact that the recommendations herein made by me have been referred to continuously from 1857 to 1882, beginning with Senator Nesmith, the successor of Hon. Isaac Stevens, and ending with my predecessor, Hon. John A. Simons.

Very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

HON. H. PRICE,
Commissioner of Indian Affairs, Washington, D. C.

UNITED STATES INDIAN SERVICE,
Colville Indian Agency, Washington Territory, July 14, 1884.

SIR: I have the honor to state that under date of April 25, 1884, and June 7, 1884, I wrote your office of the condition of the Spokane Indians living near Spokane Falls, and the urgent need of placing these Indians on some reservation where they would become of some use to themselves and less an annoyance to the people of Spokane Falls.

On account of the rapid settling up of the country, the Indians being dispossessed of their lands, they are fast becoming more degraded every day. I continually urge them to go upon the reserve, but the answer comes, "What will the Government give us for our land that the whites have stolen?" Louis, one of their chiefs (head), asks me when I shall know what will be done with them, and if he can have the strip of land for a reserve that he asks for in my letter of April 25. I tell him that the Government will not grant any more land, as there is plenty already set aside, and he and his people must go upon some of it and settle down. To this he makes answer that he desires to be heard. I think that if my recommendation of April 25 was carried into effect, that these Indians could be induced to go on the reserve, and they would very soon become self-supporting. In their present condition they are discouraged; if caught "trap fishing" they are put in jail. Disreputable

whites furnish them liquor, and the agent has much trouble from this source. My effort is and has been to place these Indians on some reserve away from Spokane Falls, and I know that if this is done they and their children can soon learn habits of industry and thrift. Again I respectfully call the attention of the Department to the condition of the Spokanes as herein set forth, and ask your careful consideration of the matter.

I am, very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

Hon. H. PRICE,
Commissioner Indian Affairs, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 11, 1884.

SIR: I am in receipt of your communication, dated June 26, 1884, with reference to the Calispel or Lower Pend d'Oreille tribe of Indians.

You state that they are willing to go on a reserve if "paid for the relinquishment of their country or when the land is surveyed (and they conclude to take up their land), they shall, each head of a family, have their allotment."

In reply I have to state that under the recent instructions of the General Land Office, lands in the occupation of Indians will not be subject to entry by whites.

When the lands occupied by these Indians are surveyed they can be entered by them under the homestead act of March 3, 1875.

In this connection you are informed that by a provision in the Indian appropriation act, no fees or commissions are now charged for entries under the act of 1875.

Very respectfully,

H. PRICE,
Commissioner.

SIDNEY D. WATERS, Esq.,
United States Indian Agent, Colville Agency, Fort Colville, Wash.

UNITED STATES INDIAN SERVICE,
Colville Indian Agency, Washington Territory, June 26, 1884.

SIR: I have the honor to report the result of an interview with Victor and Marceal, head chiefs of the Calispel or Lower Pend d'Oreille tribe of Indians. This tribe numbers about 400 people, and are located in Eastern Washington and Northern Idaho. They are the wildest of the Indians attached to this agency. Nearly all of them wear the breech clout, and are never without their blankets. They have a considerable number of horses, cultivate the soil only in a small way, and subsist in a great measure on the results of their hunting, fishing, and trapping. I fail to obtain any of their children for our school, and on a recent visit of one of the Jesuit fathers they told him as a reason for not sending their children to school that they did not want them to learn the language of their enemies.

Now, in regard to the interview, they say, "that they have a fine piece of hay land which the white man covets, and they do not desire any whites to come into the country who will try to take away their land. They know how the Spokanes have been driven from their lands, and are without any homes and do not want to be as the Spokanes are; yet are willing to let the whites come into their country, provided that if they go on a reserve they will be paid for the relinquishment of their country, or when the land is surveyed (and they conclude to take up their land) they shall each head of a family have their allotment. They wished me to submit their claim to the Department and give them an early answer as to whether they will be protected in their natural right to their homes.

The land is unsurveyed, but already settlers have commenced to go into the "Calispel country." Some three weeks ago they drove out a party who intended to settle there, telling them never to enter their country again. Last week, however, nine settlers went in, and, as they were heavily armed, they were not molested, but the chiefs came over for my advice, saying they would do as I told them. They promised me faithfully not to molest the whites, I agreeing that they should each have their homes before the whites could gain possession of them. I think they will keep their pledge to me. I earnestly hope the Department will do something for these Indians. I have managed to keep them quiet and think I can in the future. The only thing that would stir up strife would be in some white man get-

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ting an Indian to drink whisky and go on his land and cause trouble. The whites are very aggressive, generally, in their dealings with the Indians. Now, in this matter, what is desired by the Indians before any land is taken from them is a chance to be heard at Washington. An early reply to this communication is respectfully requested.

Very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

Hon. H. PRICE,
Commissioner Indian Affairs, Washington, D. C.

COLVILLE INDIAN AGENCY,
Washington Territory, June 7, 1884.

SIR: I would respectfully state that I received a communication from Mr. B. Norman, one of the parties living on the Little Spokane, who has bought land of the railroad company (copy inclosed). I, deeming the exigency of the case required my immediate attention, went on the 2d instant to Spokane Falls to endeavor to get some remuneration for the crops the Indians had planted, and see if I could not induce the Indians to leave that section of railroad land and go upon the reserve. These four Indians, John, John Stevens, Simon, and Jeremiah, all were arrested two weeks ago for trap fishing in the Little Spokane River, and each paid a fine of \$10. The settlers on this section threatened that unless they immediately left the vicinity they would be put in jail again, and I found that such would be the case unless they went away at once. I estimated the value of what they had to be \$110, and received that sum from C. Compton Burnett and G. H. Belden, and paid the money over to John, Simon, and Jeremiah. The claim of John Stevens could not be settled on account of the absence of Norman. These Indians were satisfied with what they received for their improvements, only did not like to give up their land. They promised to go at once upon the reserve of Whistle-poosum (the addition to the Colville), and I expect no further trouble between the settlers on that railroad section and the Indians; but that is only one of many sections owned by the railroad company, occupied by the Indians, and the land sold to settlers nearly every week. The Spokane Indians must leave for the reserve before serious trouble occurs, and I hope that something will be done for them before this Congress adjourns. Garry and Louis earnestly desire to come to Washington and tell their story of wrong to their people, and, if it shall meet your approval and wishes, I would like to have them go on with Seitice, head chief of the Cœur d'Alenes.

I hope that my recommendations, as set forth in my letter of April 26, will prevail, and these Spokane Indians be located where they will get less whisky and be better people. I inclose voucher and subvouchers for the expenses of my trip, to the amount of \$15, and respectfully ask approval of the same, and, as the quarter is near its close, respectfully ask that the approval, if granted, be filed with my accounts when they shall be received at your office.

Very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

Hon. H. PRICE,
Commissioner of Indian Affairs, Washington, D. C.

SPOKANE FALLS, WASH., May 23, 1884.

Major WATERS:

SIR: Yours of the 18th instant, notifying the reply of the Department to the claim of the Indians on the Little Spokane to land. That decision appears to be reasonable, but is the more satisfactory from the fact that (so far as I know) no communication other than your own in advocacy of the claims has been addressed to Washington. That "\$300 is a reasonable sum for a man to leave the place where he has spent so much of his life," may or not be correct; but I must distinctly decline to hold myself responsible for any claim on this ground. I bought this land from the railroad company at the market price, not knowing sure that an Indian was or had been on the grounds. All I ask is, either possession of the land or a return of the money paid to the company. Is this unreasonable? I am advised that there would be no difficulty in settling the whole thing by legal means, and that no claim for improvements could under the circumstances hold good. Nevertheless I am willing, if the difficulty be settled without delay or recourse to the law, to pay for any improvements which

S. Ex. 122—2

I am likely to benefit by, and I am further willing to refer the matter to and abide by the decision of any practical man or men. The only improvements I know of are upon the north side of the river, to which I crossed over for the first time last week. Ten or fifteen acres of the bottom land has been roughly fenced, plowed, and sown with grain. For the cost of this I am willing to pay, and should there be other improvements of a similar character which I may not know of the same offer applies. What the other settlers may do I cannot tell, but I think if you come here yourself, or appoint any one to act for you, you will not find them unreasonable, and the difficulty may be settled promptly.

Yours, truly,

B. NORMAN.

A true copy.

SIDNEY D. WATERS,
United States Indian Agent.

UNITED STATES INDIAN SERVICE,
Colville Indian Agency, Wash., April 26, 1884.

SIR: I have the honor to report the result of the council held at Spokane Falls, April 21st, with the Spokane Indians who make their homes in the vicinity of Spokane Falls. I find the Indians averse to leaving that locality for the Coeur d'Alene Reservation. Louis, their head chief, made a long statement why they wish to remain where they now are. He wishes a strip of land commencing at the fishery at the mouth of the Little Spokane River, taking in the fishery and running from thence to the present reservation of "Lot or Whistlepooam," being the addition to the Colville Reservation, in length about 15 miles and 6 miles wide. What they ask for would be of no benefit to them whatever with the exception of the little plat at the mouth of the Little Spokane and the fishery. There is but little arable land, not enough in all to make five decent-sized farms, and with but little grazing land. The fact is the young men and many of the old prefer that their sisters, wives, and daughters shall support them in their miserable laziness by their labor and prostitution. I told them of the liberal and great offers made to them by the Government for their support upon the Coeur d'Alene Reservation, of the rich land and good homes, and the independence they could soon acquire, but their desire was that I should inform the Department of their wishes, and see what could be done. Baptiste Peone and Scul-hult, two of their chiefs, will leave, and with their families take their homes on the Flathead Reservation. Many of Baptiste's people have availed themselves of the benefits of the Indian homestead act in that locality, and will not accompany Baptiste. Those who ask for this strip of land (or the most of them) are the people of Garry, at one time a chief of much prominence among the Indians and of some note with the whites; but of late has set his own people a very bad example. He has repeatedly been told that in order to save his land he must enter it, and now he has lost it and is making the occupant much trouble. The land and fishery at the mouth of the Little Spokane is the cause of much trouble between the Indians and whites. The best portion is railroad land, and has been sold by the Northern Pacific Railroad Company to whites, although some of it for many years, nay, generations, previous to the grant to the railroad company has been cultivated by the Indians. The fishery also causes serious difficulty, the whites living up the river threatening to tear it out to enable the salmon to ascend. In this the whites have the law of the Territory on their side, and I advise the Indians to avoid a collision by tearing it up. These land difficulties are brought to my attention nearly every day, and something must be done ere long in regard to the removal of these Indians. No matter at what time I go to Spokane Falls, I can always find whisky present with the Indians. They can always obtain it from the disreputable whites always to be found in any frontier town. I do not recommend that the strip of land asked for by the Indians be set aside for them; but on the other hand do most earnestly ask that the appropriation asked for by me be granted at this session of Congress, and the Spokane Indians who have not availed themselves of the provisions of the Indian homestead act of March 3, 1875, be placed on the Coeur d'Alene Reserve to the end that they may quit their idle, vicious habits and become a happy and prosperous people. I inclose a letter from Seltice, head chief of the Coeur d'Alene tribe, showing his desire for their welfare. As near as can be ascertained, there are about fifty families or heads of families that should be placed upon the reserve. I estimate the expense attending the same about as follows:

Plowing 500 acres land (10 acres each), at \$4.....	\$2,000
Fencing 50 farms, at \$30 each.....	1,500
50 plows, at \$16 each.....	800
50 sets plow harness, at \$10 a sett.....	500
Grain-cradles, axes, saws, scythes, harrow-teeth, nails, &c.....	500

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With this estimate I close my report, hoping that from this you can conscientiously ask and urge an appropriation.

I believe that if they are placed there it will result in much good to the Indians.
I remain, very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

Hon. H. PRICE,
Commissioner of Indian Affairs, Washington, D. C.

ORMAN.

RS,
an Agent.

VICE,
26, 1881.

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DE SMET, DAK., April 20, 1884.

Maj. SIDNEY D. WATERS,
United States Indian Agent:

SIR: We are very glad that you take so much interest for the Spokanes; we know well that they will not understand their own good, and will not appreciate your troubles for them. We think our presence will not do much; we know well their disposition; we tell you that we are very sorry that we cannot go just now; we are very busy on our farms. The weather is getting warm, and the land dry for working; we have to take whites to plow and farm; how can we leave our houses? A few weeks later we could go, but now it is impossible; no one will leave his place. If the Spokanes come, we all are glad; but one thing we will tell you, we desire to have them, but not all in one place separated from us; we want to make only one people; they may take land (farms) among us, and this we think would be best for them, because when they are by themselves they will not leave their old habits of gambling, drinking, and so on, but when mixed with us they will soon overcome them. We would like to know the result of the council. One thing we have to tell you. Two whites were hired by an Indian to work; yesterday they ended their work, and were paid; they went to Farmington, and got whisky, and gave it to some young boys who got drunk; we punished them with 100 lashes, and some payment, but for the whites we don't know what to do. They have blankets in the Indian house; we thought best to keep them until you answer what to do. Please answer soon as possible. We can find no one to take this letter to you, so we mail it.

Respectfully yours,

A. SELTISE, Chief (and others).

A true copy.

SIDNEY D. WATERS,
United States Indian Agent.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 24, 1883.

SIDNEY D. WATERS, Esq.,
*United States Indian Agent,
Colville Agency, Washington Territory:*

SIR: Referring to your letter of November 10, 1883, giving an account of a recent visit by you to the Indians of the Coeur d'Alene Reservation in Idaho Territory, I have to say that the desire of Chief Seltise and other chiefs or headmen, as expressed in council, that the Spokane Indians, who are hanging about the town of Spokane Falls, in idleness and beggary, should be settled with them upon their reservation, and assisted in getting a start at raising their own subsistence, is highly commendable in them and meets my hearty approval.

If you will ascertain how many of said Indians would voluntarily remove to and settle upon the reservation, in case some breaking and fencing were done for them, and report as to the quantity of land that would be actually needed by them (ploughed land), and the probable cost of breaking and fencing the same, I will endeavor during the coming winter to get a small appropriation to effect the purpose. You will give your attention to this matter without unnecessary delay.

Very respectfully,

H. PRICE,
Commissioner.

UNITED STATES INDIAN SERVICE,
Colville Agency, Washington Territory,
November 10, 1883.

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SIR: Referring to the letter from Chief Seltise, inclosed with my monthly report for October last, I would say that on Wednesday, October 30, 1883, I left the agency in company with James O'Neill, resident farmer for the Coeur d'Alenes, and went to the Coeur d'Alene reserve, and held a council with Seltise and ten of his head men in regard to the subject of his communication. I assured them that no petition of the whites would have any effect in your office that would result in driving them from their lands and homes. From the best information that I could obtain, I believe it to be a speculative movement on the part of the whites to obtain a part of their reservation. I found on examination that their farms were cultivated quite extensively, and that by their own exertions they were very well supplied with farming implements, and will say that I think these Indians far advanced over their white neighbors. They all have excellent fences and very comfortable frame or log houses, with the exception of four or five families who live in lodges. They only ask that they be made secure in their homes, so that their lands may not be taken from them. Seltise informed me that they are anxious to have the Spokanes, who are to be seen loafing around the Falls, settle on his reservation, and I think if a small appropriation was made to break up land and provide fencing material, many of them could be induced to leave Spokane Falls and its immediate vicinity. They are only a nuisance to the citizens, many of whom have asked that they be removed from the town. They loaf around the store doors in groups and beg for whisky, and they always find some one to give or sell it to them. If they are not removed, I think that trouble will eventually ensue. I bring this in now, as Seltise wished me to inform your office of his desire.

I inclose two petitions that Seltise wished to have forwarded to your office. I believe them to be a happy people, true to the Government.

I remain, very respectfully, your obedient servant,

SIDNEY D. WATERS,
United States Indian Agent.

Hon. H. PRICE,
Commissioner of Indian Affairs, Washington, D. C.

LEWISTON, IDAHO, August 25, 1877.

The undersigned take pleasure in acknowledging the loyalty of the Coeur d'Alene Indians, and particularly Seltise, their head chief, through all the excitement attending the outbreak of the non-treaty Nez Percés. When the settlers from Pine Creek left their homes for fear of Indian hostilities, Seltise assured them of the friendship of the Coeur d'Alenes, and even sent some of his people to guard their property till their return. His influence is great among the northern Indians, and it has been used to maintain peaceful relations between the whites and Indians.

(Signed:) W. W. Johnson, F. Rector, P. Gilbert, W. H. Davenport, Aretas Cox, Edgar Davenport, Lincoln Davenport, Benjamin Hake, Robert Evart, L. M. King, E. Baldwin, J. H. Billup, L. W. Davenport, B. Cauty, W. B. McFall, F. J. Hayfield, James Turner, F. E. McQueen, Willis A. Hone, W. Smith, J. B. Lipcourt, E. C. Watkins (United States Indian Inspector), M. C. Wilkison, (aide-de-camp to Brig. Gen. O. O. Howard), G. H. McQueen, I. V. Naughte, H. W. Waits, B. F. Pierce, G. W. Chamberlain, James Evarts, Robert R. Hargrove, R. A. Truax, William Brewer, H. Apley, J. M. Propst, J. W. Gholson, W. H. Landea, Thomas Turner, William W. Boone, S. D. Stephens, F. R. Martin.

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

To the Priests, Chiefs, and the Coeur d'Alene Indians:

GENTLEMEN: We, the undersigned, citizens of Pine Creek and surrounding country, feel truly thankful to you for all your kindness to us during the present excitement, and for the trouble and the pains you have taken in assuring us that there was no danger. We did not leave Pine Creek for fear of you, but for fear of other Indians; and in return for your kindness we, the undersigned citizens, are willing to assist you in petitioning Government to grant you a good title to your land, that you may lead

a quiet and peaceable life, and we are willing to do anything in our power to promote the peace and happiness of the Caur d'Alenes.

(Signed:) R. Price, N. M. Morris, M. A. Morris, H. S. Young, R. M. Young, B. F. Price, W. E. Price, J. W. Gholson, M. E. Gholson, B. A. Truax, S. L. Truax, M. Fountain, Thoa. Proctor, Jane Proctor, Jessie Walling, Harriet Walling, C. M. Caldwell, W. H. Greener, Elizabeth Munse, A. G. Tueener, Mrs. M. Tueener, H. S. McClure, Mrs. L. Caldwell, W. B. McFall, G. H. McQueen, Sarah Price, G. A. Briggs, John Cummings, Martha Cummings, London C. Irvine, J. F. Conklin, L. W. Davenport, Mary Davenport, John Moore, Edith Moore, Adin Davis, John Davis, M. Fountain, W. W. Smith, J. E. Hanes, J. M. Woody, Lafayette Munse, Sam Lowe, Mrs. N. S. Barcas, Tuinda Moore, Anna Moore, Sam Price, W. E. Shires, L. McQueen, G. W. Truax, H. Truax, W. A. Hone, S. Crumley, Selena Crumley, Sam'l Moore, Susan Moore, I. S. Tuncles, Mary Campbell, Frank Rector, Henry E. Tyson, C. S. Baxter, R. F. Leach, Z. Smith, Geo. Smith, Charles Moore, F. M. Barcas, S. J. Moore, Betsy Moore, Lydia Moore, Andrew A. Price, Agnes Brattain, Wm. Brattain, Calista McFall, J. M. Propst, A. E. Propst, F. R. Martin, Mary A. Martin, F. E. McQueen, W. H. Landy, Sarah Welch, R. F. Starr, Martha L. Atkin, R. R. Rounds, Wm. Brewer, Lene Brewer, Arthur Green, F. L. Cornell, Wm. Cornell, Fred D. Hayfield, H. W. Watts, P. Gilbert, Enoch Rector, Ora Rector, S. D. Young, F. McCann, Sarah McCamie, A. J. Price, Jack Sullivan, Mrs. Leach.

S. Ex. 122—3

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Exhibit 5

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

50TH CONGRESS, }
1st Session.

SENATE.

Mrs. Dod, }
No. 36.

214

IN THE SENATE OF THE UNITED STATES.

JANUARY 23, 1888.—Ordered to be printed.

Mr. MITCHELL submitted the following

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 shore-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 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 Lake 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 Saint Joseph Rivers; about what proportion of said reservation is agricultural, grazing, and mineral land respectively; also the number 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.

50TH CONGRESS, }
1st Session.

SENATE.

Mrs. Dod, }
No. 37.

IN THE SENATE OF THE UNITED STATES.

LETTER

OF THE

CLERK OF THE COURT OF CLAIMS,

TRANSMITTING

The findings of fact and conclusions of law of said court in a certain spoliation claim under the act approved January 20, 1885.

JANUARY 23, 1888.—Referred to the Committee on Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 20, 1888.

SIR: Pursuant to the order of the Court of Claims I herewith transmit the findings of fact and conclusions of law filed January 9, 1888, in the following spoliation claim under the act approved January 20, 1885, to wit:

In the matter of the ship *Joanna*, Philip Fosdick at first, afterwards Zebdiel Coffin, master.

CLAIMANTS.

Gardner S. Lamson, administrator *de bonis non* of Paul Gardner, George Gardner, Libni Gardner, and Zenus Gardner, Philip Macy, administrator *de bonis non* of Obed Macy, David P. Eldridge, administrator *de bonis non* of Sylvanus Macy, Robert F. Gardner, administrator *de bonis non* of Prince Gardner, T. B. Bleecker, jr., Charles G. Leury, receivers of the New York Insurance Company.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

To the PRESIDENT PRO TEMPORE
OF THE SENATE OF THE UNITED STATES.

Exhibit 214

Exhibit 6

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In response to Senate resolution of January 25, 1888, information about the Cœur d'Alene Indian Reservation, in Idaho.

FEBRUARY 13, 1888.—Ordered to be printed, and referred to the Committee on Indian Affairs.

DEPARTMENT OF THE INTERIOR,
Washington, February 9, 1888.

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

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

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

The Commissioner also reports that as but a small portion of the reservation has been surveyed (less than three townships), he is unable to furnish more than a rough estimate of the character of the lands embraced therein, which is that at least one-third of its entire area is ag-

ricultural, one-third mountain and timber, and the remainder hilly and probably suitable for pasturage; that east of the lake and north of the Cœur d'Alene River the lands are described as "all mountains," and along the north line of the reservation, also east of the lake, are lands described as mineral lands. He also reports the number of Indians upon the reservation, as per last census, to be 487, nearly all of whom he believes live on that portion of the reservation lying south of the Lake Cœur d'Alene and St. Joseph River, and not far away from the Old Mission on Hangman's Creek.

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

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

I have the honor to be, very respectfully,

H. L. MULDROW,
Acting Secretary.

The PRESIDENT PRO TEMPORE OF THE SENATE.

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

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

Whereas it is alleged that the present area of the Cœur d'Alene Indian Reservation, in the Territory of Idaho, embraces 480,000 acres of land; that there are, according to the statistics in the Indian Bureau, only about 476 Indians in the tribe now occupying such reservation, or more than 1,000 acres to each man, woman, and child; that Lake Cœur d'Alene, all the navigable waters of Cœur d'Alene River, and about 20 miles of the navigable part of St. Joseph River, and part of St. Mary's, a navigable tributary of the St. Joseph, are embraced within this reservation, except a shore-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 Mission, near the town of Farmington, in Washington Territory, where the land is good for agriculture; and it being further alleged that all that part of such reservation lying between Lake

Cœur d'Alene and Cœur d'Alene River and that part between the Cœur d'Alene River and St. Joseph River is a territory rich in the precious metals and at the same time being of no real use or benefit to the Indians:

Therefore,

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

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

(1) The Cœur d'Alene Reservation, in the Territory of Idaho, embraces an area of 598,500 acres, or 935 square miles.

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

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

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

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

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

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

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

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

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

reservation is agricultural, one-third mountain and timber, and the remainder hilly and probably suitable for pasturage.

I inclose a copy of the map or sketch, and invite especial attention to it as giving the most satisfactory information obtainable from the records of this office. It is drawn upon a scale of 2 miles to the inch.

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

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

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

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

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

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

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

Inspector Gardner says :

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

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

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

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

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

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

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

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

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

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

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

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

In 1884 their agent reported as follows :

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

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

And again in 1885:

The Coeur d'Alenes on the Coeur d'Alene Reserve in Idaho are flourishing in the highest degree, being wholly independent of the Government, save in the support of their schools and the instruction they receive from their farmer. What they most

dread is that their lands will be taken from them some day by the whites, or they be forced to take up small allotments, while now many of them have large fields inclosed with post and board fences, or good substantial rails. Some half-dozen of them have 200 acres of land under cultivation.

And in 1886:

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

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

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

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

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

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

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

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

Upon this subject the special agent says:

While on the reserve we held a general and well-attended council of the Indians, in order to obtain their views in regard to taking their lands in severalty, and after a clear understanding as to what was desired by the Government, they decided by a

unanimous vote adversely to taking in severally otherwise than they now hold them. These Indians, as you are doubtless aware, are settled on farms of their own selection, are self-supporting and making gratifying progress in agriculture, while they have good schools and their children generally being educated.

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

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

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

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

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

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

Very respectfully, your obedient servant,

J. D. C. ATKINS,
Commissioner.

The SECRETARY OF THE INTERIOR.

Coeur d'Alene Indian Reservation

Area 598,489⁰⁰ Acres.

*X.C. The tracing is made from the original
Map of the Survey on file in the General
Land Office.
Washington
June 17, 1887*

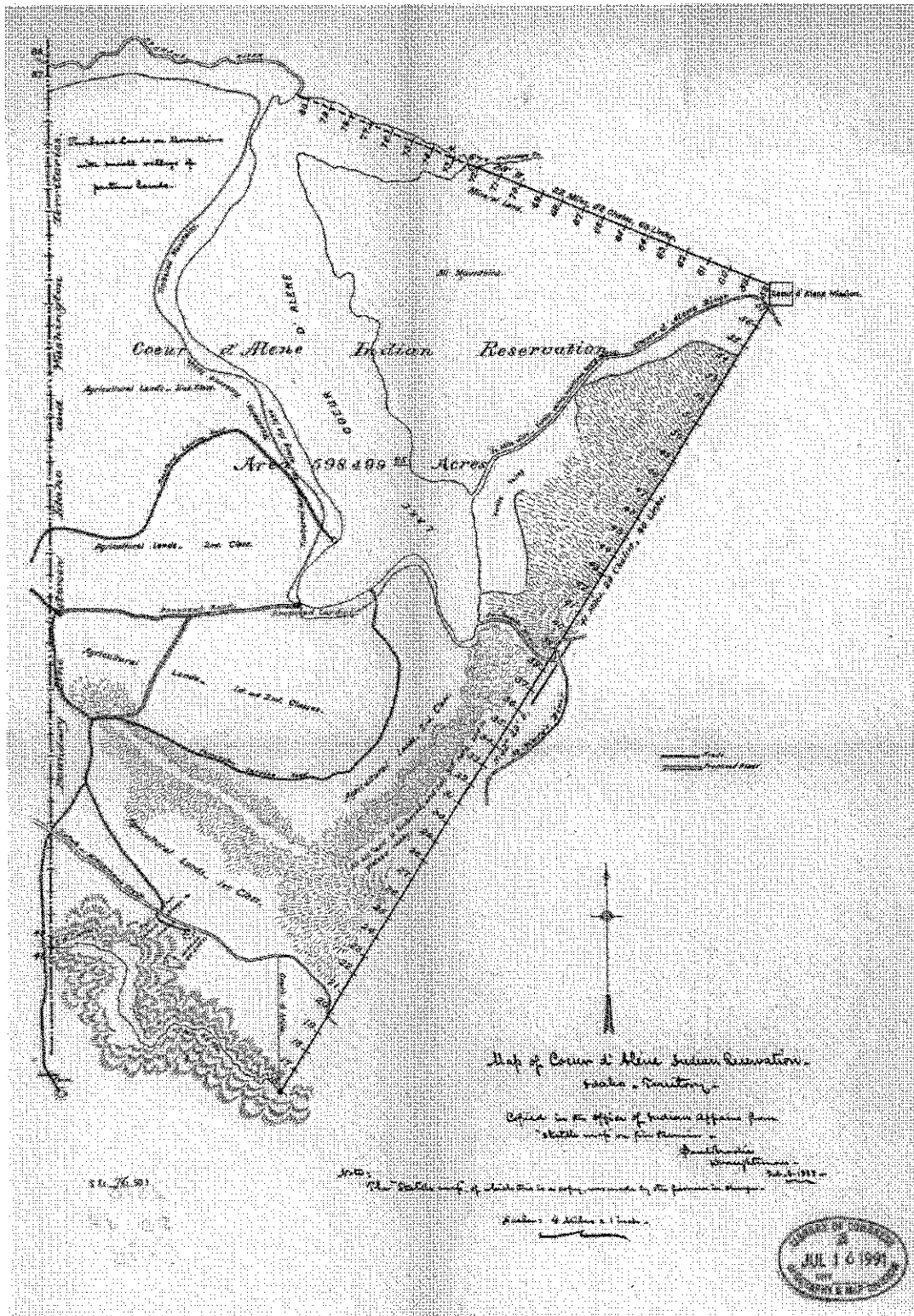
*Survey commenced August 10th 1864
and was completed October 20th 1864
56 1/2 miles to one town*

*Amount of Survey
1,32,305 ACRES 38/100*

*The above Map of the map of the east boundary of the Coeur d'Alene Indian Reservation
in Idaho is not marked by prominent natural landmarks and by the surveyed line between Idaho
and Washington Territories as surveyed by Marcus F. Baker, the deputy Surveyor under his contract of
1856 dated April 24th 1856, is strictly conformable to the first notes of the survey thereof on file in this
Office which have been examined and approved.*

*W. H. HARRIS, CHIEF OF BUREAU
BUREAU OF LANDS, WASHINGTON
May 15th 1884*

*W. H. HARRIS, CHIEF OF BUREAU
BUREAU OF LANDS, WASHINGTON*



Map of Coeur d'Alene Indian Reservation - scale - contour

Copy in the office of Indian Affairs from sketch map in file number

Mathews
 Washington
 Feb. 2, 1911

The Snake Falls of which this is a copy, was made by the former in charge

Scale - 4 Miles = 1 inch



Exhibit 7

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

CA 12

Refer in reply to the following:
Law and Land

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

Washington, June 18, 1889.

Gen. Benjamin Simpson,
Selma, Alabama.

Hon. John H. Shupe,
Oakland, Oregon,

Napoleon B. Humphrey, Esq.,
Albany, Oregon.

Gentlemen:

The Secretary of the Interior having appointed you commissioners to negotiate with the Coeur d'Alene tribe of Indians for the purchase and release by said tribe of such portions of its reservation, (in Idaho) not agricultural and valuable chiefly for minerals and timber as such tribe shall consent to sell &c., authority for which is found in the 4th Section of the Indian Appropriation Act approved March 2, 1889 (25 Stat., 1002), and of which appointment you were severally notified by letters bearing date March 31, 1889, the following instructions are issued for your guidance in the duties devolving upon you under and by virtue of such appointment.

The following is the full text of the Section referred to: That the Secretary of the Interior be, and he is hereby, authorized and directed to negotiate with the Coeur d'Alene tribe of Indians for the purchase and release by said tribe of such portions of its reservation not agricultural and valuable chiefly for minerals and timber as such tribe shall consent to sell on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until

ratified by Congress and for the purpose of such negotiation, the sum of two thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated; the action of the Secretary of the Interior hereunder to be reported to Congress at the earliest practicable time.

The reservation of the Coeur d'Alene tribe of Indians to which the Act relates is situated in the Northwestern portion of Idaho, between the 47th and 48th parallels of north latitude, and has for its western boundary the dividing line between Idaho and Washington Territory. It embraces an area of 598,500 acres, or 285 square miles.

The reservation was established for the Coeur d'Alene Indians by Executive Orders dated June 14, 1867 and November 8, 1878. - See pamphlet Executive Orders herewith, p. p. 823 to 825.

In a recent report by this office, to which more particular reference will shortly be made, the then Commissioner (Mr. Atkins) said:

In my opinion these Indians have all the original Indian rights in the soil they occupy. They claimed the country long before the lines of the reservation were defined by the Executive Order of 1878, and the present reservation embraces only a portion of the lands to which they laid claim. This claim has been recognized in various ways and at sundry times, and the last Congress (50th) authorized the Secretary of the Interior to negotiate with them 'for the cession of their lands outside the limits of the present Coeur d'Alene Reservation to the United States.'

I will add here for your information that negotiations were conducted with the Coeur d'Alenes in pursuance of the authority above cited, resulting in an agreement most satisfactory to the Indians, but which has never been ratified by Con-

Congress for the particulars of said agreement and history of the negotiations; see House Ex. Doc. No. 63, 50th Cong. 1st Sess., more copy herewith, p. 25 et seq. showing, in connection with the so-called cession of any portion of the reservation was proposed therein the negotiations then had. The Act simply authorized negotiations for the cession of lands "outside the limits of the present Coeur d'Alene reservation."

The present law, under which negotiations are now to be conducted, as we have already seen, authorizes negotiations for the purchase and release by said tribe "of such portions of its reservation, not agricultural and valuable chiefly for minerals and timber as such tribe shall consent to sell."

That this office has been in sympathy with the general feeling of the whites in that section of the country that the Coeur d'Alene reservation should be reduced to some extent, in order to cultivate the soil extensively, has been shown from the report made by the office in response to a resolution of the Senate of the United States, of January 23, 1888, calling for certain information in respect of said reservation, and also as to whether it was advisable to release any of the navigable waters therein referred to, from the limits of the reservation; which said report is published in Senate Ex. Doc. No. 76, 50th Congress 1st Session, a copy of which they will be most likely to part with is the northern portion, is herewith enclosed.

the Brier which are believed to be chiefly valuable for
 of these instructions, and I now desire to call your attention
 more particularly to it, as showing, in connection with the ac-
 companying maps, the character of the lands embraced within
 the reservation as far as known to this office, where the ag-
 ricultural, grazing, and mineral lands lie, the location and ex-
 tent of its navigable waters, the position of the neighboring
 towns and mines, the steamboat route through Lake Coeur d'Alene
 and the Coeur d'Alene river, the wagon-roads and trails enter-
 ing and crossing the reservation, mountain ranges, railroads,
 etc.

It is understood that all, or nearly all, of the Indians
 live in the southern portion of the reservation, south of
 Lake Coeur d'Alene and St. Joseph river and not far from the
 old mission on Hangman's Creek;

They cultivate the soil extensively, have comfortable
 houses and are well supplied with agricultural implements of
 the most improved patterns all of which they have acquired by
 their own unaided industry. They make but little if any use
 of the northern portion of their reservation, for the simple
 reason that the best agricultural lands are in the extreme
 southern portion of the reservation and they are essentially
 an agricultural people. Hence the portion of the reservation
 they will be most likely to part with is the northern portion.

the lands of which are speedily ratification, in which recommenda-
minerals and timber, classes to which the act only applies, and
the segregation of which would, presumably, be of most benefit
to the public at large.

That this office is not prepared to say just what particular
portions of the reservation are subject to purchase under the
Act, which as has just been observed, confines the negotiations
to the purchase of lands not agricultural and valuable chief-
ly for minerals and timber. The date when you expect to arrive
personal inspection by the Commissioner and conference with
the Indians. Territory. Telegrams should be addressed Spokane

and other prominent chiefs of the tribe have fre-
quently expressed a willingness to sell some of the "mountain
lands" within their reservation boundaries, but they appear to
be very greatly disappointed on account of the failure of Con-
gress thus far to ratify the agreement of March 26, 1887, which
provides payment to the Indians for lands claimed by them out-
side of their present reservation, and in a recent communica-
tion to the President they expressed a strong disinclination
to enter into a new agreement in advance of the ratification
of the old one.

For your information I will state that the aforesaid
agreement of March 26, 1887, - being and permanent prosperity,
the President on January 9, 1888, with a recommendation from

this office for its speedy ratification, in which recommenda-
and in all your dealings with them to advise them withal and
tion the then Secretary of the Interior concurred - See House
for their best good.

Ex. Doc. No. 68 50th Congress 1st Session herewith - but it does
not appear that any final action has been taken thereon by
proper and exact interpretations of the communications passing
that body.

You will proceed without unnecessary delay to the Coeur
d'Alene reservation, where the Agent who has charge of the res-
ervation, Hal. J. Cole, Esq., will be instructed to meet you
upon your notifying him of the date when you expect to arrive
there. The Agent's post office address is "Fort Spokane,
Washington Territory." Telegrams should be addressed "Spokane
Falls, Washington Territory."

In addition to the original written proceedings and re-
port of the commission, you will prepare and submit the copies
of all the male adults 18 years of age and upwards belonging to
the reservation shall be invited.

The provision of law authorizing the negotiations should
be carefully read and explained to the Indians, who should be
made to clearly understand that any purchase you may negotiate
with them will "not be complete until ratified by Congress."

After which you will conduct the authorized negotiations, re-
membering that as the agents of the Government it is your
duty to study and zealously guard the interests of the Indians
looking to their future well-being and permanent prosperity;

strictly observing, however, to make no expenditure in
the appropriation of two thousand dollars (\$2,000)
provided by the Act.

For your guide in the preparation of an agreement, especially with reference to signatures, seals, attestation of witness, certificate of interpreters etc., see agreement with certain Indians in Montana, ratified by Act of May 1, 1888 (Public No. 78), copy herewith.

Very respectfully,

[Handwritten Signature]
Acting Commissioner.

Sir,

I have the honor to transmit herewith, for your approval, if you deem satisfactory, instructions for the guidance of the Commission, appointed by you under date of March 31, 1889, to negotiate with the Coeur d'Alene Tribe of Indians, in Idaho, under the provisions of the Indian Appropriation Act, approved March 3, 1885 (Stat., p. 1022).

Special attention is respectfully invited to the instructions (page 7,) which directs that "any articles affected should be 'x' x executed by not less than a majority of all the adult male members of the tribe on the reservation."

I do not ascertain but that an agreement signed by a majority of the adult male members of the tribe would be deemed sufficient. The law is silent upon that point, and if in your opinion a majority only ought to be required, the instructions

Exhibit 8

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

139
6500
1000

EXHIBIT NUMBER

249

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TO THE

EXECUTIVE DOCUMENTS

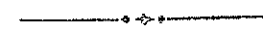
OF THE

HOUSE OF REPRESENTATIVES

FOR THE

SECOND SESSION OF THE FIFTIETH CONGRESS,

1888-'89.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1889.

90-2 HED v. 11 pts

FIFTY-SEVENTH ANNUAL REPORT.

THE COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 3, 1893.

SIR: The fifty-seventh annual report of the Commissioner of Indian Affairs is respectfully submitted.

INDIAN FINANCES.

FUNDS AVAILABLE DURING THE FISCAL YEARS 1887-'88 AND 1888-'89.

The following tabulated statement shows the amounts that were appropriated by Congress, for the Indian service, for the fiscal years 1887-'88 and 1888-'89, respectively:

TABLE 1.—Showing Appropriations for 1887-'88 and 1888-'89.

Appropriations.	1887-'88.	1888-'89.	Decrease.
Territories for the year Indian Affairs, Provisional	5,000,000.00	4,950,000.00	50,000.00
Indian Affairs for the year, annual	1,650,000.00	1,650,000.00	0.00
Department of the Interior, miscellaneous	6,000,000.00	7,000,000.00	1,000,000.00
Department of the Interior, general	1,100,000.00	1,200,000.00	100,000.00
Total	13,750,000.00	13,800,000.00	50,000.00

Many of the funds in the above table are provided for the benefit of the Indians, and are appropriated to said territories, such annual appropriations to be made as may be required by the Indian Commissioner, and for a specified number of years, as may be provided by the Congress, and the Congress may at any time appropriate the same, and the Congress may at any time appropriate the same for the fiscal years 1887-'88 and 1888-'89, respectively, and the same shall be available for the purposes for which they were appropriated.

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INDIAN AFFAIRS.

REPORT OF NEAH BAY AGENCY.

NEAR BAY AGENCY, WASH., August 11, 1881. SIR: I have the honor herewith to submit my third annual report of the affairs of my agency, together with the statistics required in circular letter bearing date July 1, 1881.

INDIAN TRIBES AND RESERVATION.

This agency is composed of two tribes, the Makahs and Quillchutes. The Makahs have a small mountainous reservation around Cape Flattery, containing 23,000 acres. One-third of the tribe do not live upon the reservation, but further south, on the ocean beach, where it is greatly to be wished a small tract of land may be laid off as a part of this reserve.

The Quillchutes are still without a reservation, about which I have frequently written, and hope they may have one as soon as the Pullen land case is decided. The number of these Indians has decreased since my last annual report, owing to the fearful havoc made among them by the measles last fall and winter. The present number, as found by a census recently taken, is found to be, Makahs, 422; Quillchutes, 215; making a total of 740, being a decrease of 53 since my last report.

EDUCATION.

We have an industrial boarding-school at the agency, which is attended principally by the Makahs, and averages 51. This does not include the apprentices, which would make the average attendance 69. We have a day school for the Quillchutes, 35 miles south of the agency, with a daily average attendance for the past year of 391. The large number of deaths and great amount of sickness from the measles has caused the attendance at both schools to be much smaller than it otherwise would have been.

RELIGIOUS WORK.

We have no missionary attached to this agency. Every Sunday morning we have the services of the Episcopal Church gone through with, after which a sermon is read to all the children of the school, and to any of the Indians who may choose to attend. A Sunday-school is then held, which all of the children are required to attend. Through my application is called together, when an hour is spent in singing hymns. In the evening the school is called together, when an hour is spent in singing hymns. day-school library of some 125 volumes.

GARDENS AND CROPS.

There is but little land on this reservation suitable for cultivation. The Indians have small quantities fenced in, upon which they raise any and every root vegetable. The timothy feed, which has been sown for a number of years, seems to have run out; and more indifferent grasses have taken its place; so to secure a good crop the land will have to be plowed and re-sown with timothy.

HUNTING AND FISHING.

The catch of seal the past season was small. The Indians attribute this to the fact that some from San Francisco and Victoria having their chased schooling instead of spearing, which they say means their seal-away. If this is the case, the Indians will have to shoot seals in the future. The sealers are abundant in large quantities of halibut, cod, and salmon. Large numbers are caught by the Indians, a part of which they sell in towns up the sound, and the remainder they dry for winter use. They have caught 9 whales thus far this season, which they use for whale tallow.

COMPLAINT OF THE INDIANS.

Judging from the reports from other agencies, I should say that the Indians are as well as they can be, being able to support themselves in conventional ways. In the past, the Indians have been very poor, and have been in the habit of begging for food. They have been very poor, and have been in the habit of begging for food. They have been very poor, and have been in the habit of begging for food. They have been very poor, and have been in the habit of begging for food.

... children, some at kind of restraint, and were to quit. It was thought that the children were to be made to obey their natural habits. When they will be some police-men, obeying only a like soldier. Considerable attention will be given to the members of the force, in order to make them more efficient, not including the Chief of Police, and paymen of the force, in two road territory for eight men.

MISCELLANEOUS.

The health of the Indians here planted and are now reaping the result of the work of the past year. With the exception of two native missionaries on the Spokane reservation, who are in the service of the Presbyterian church, have the field of the agency. The Chief of Police, Colville, Okanagan, one tribe of the Spokane, Chinook, - another, Methow, and the Spokane, under Chief Garry, are the only ones who are in the service of the agency. The Chief of Police, and paymen of the force, in two road territory for eight men.

SALUTARY.

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WITNESSES.

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DISPOSITION.

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FOR EXAMINATION, CHIEF OF POLICE.

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FOR EXAMINATION, CHIEF OF POLICE.

FOR EXAMINATION, CHIEF OF POLICE.

STATISTICS OF INDIAN LANDS.

CROPS, STOCK, AND LABOR.

Table of statistics relating to area, cultivation, and allotment of Indian lands, crops raised, stock owned by Indians, and miscellaneous products of Indian labor—(Continued).

Name of agency and tribe.	Number of acres in reserve.		Number of acres tillable.		Acres cultivated during the year.		Acres broken during the year.		Fence.		Allotments.		Crops raised during the year by Indians.										Miscellaneous products of Indian labor.					Stock owned by Indians.				
	By Government.	By Indians.	By Government.	By Indians.	By Government.	By Indians.	By Government.	By Indians.	Number of rods made during the year.	Number of acres under.	Number of allotments made during the year.	Total number of allotments made to date.	Number of families cultivating lands allotted.	Number of other families engaged in farming and other pursuits.	Bushels of wheat.	Bushels of oats and barley.	Bushels of corn.	Bushels of vegetables.	Tons of hay.	Pounds of butter made.	Thousand feet of lumber sawed.	Cords of wood cut.	Pounds.	Amount earned.	Horses and mules.	Cattle.	Swine.	Sheep.	Domestic fowls.			
Utah and Quay Agency.	1,987,410	203	500,000	1,500	95	200	300	4,000	6,000	200	800	200	200	800	200	700	800	200	200	200	200	300	303,577	96,072	9,025	2,000	75	64,000	100			
Washington.	2,070,010	5	500,000	1,500	300	4,000	300	4,000	6,000	200	700	800	200	800	200	700	800	200	200	200	200	300	303,577	96,072	9,025	2,000	75	64,000	100			
Ontario Agency.	598,600	9,000	300,000	9,000	500	23,000	500	23,000	6,000	1,000	1,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000		
Coeur d'Alene.	153,000	1,700	4,000	1,700	190	3,407	190	3,407	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300	300		
Lower Snake.	24,228	275	1,800	275	74	3,000	74	3,000	1,500	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25		
Columbia, New Pemb.	2,800,000	1,800	1,800	1,800	200	4,000	200	4,000	500	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50		
O'Kananan and others.	25,040	150	150	150	7	205	7	205	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15		
Neah Bay Agency.	224,320	1,019	1,019	1,019	42	30	42	30	30	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14		
Makah, Quillhault.	1,471	58	58	58	282	860	282	860	313	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30		
Puyallup Agency (consolidated).	7,500	9,000	9,000	9,000	97	2,016	97	2,016	300	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	167	
Hoh, Quetz, Quinalt, and others.	1,276	100	100	100	50	105	50	105	300	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	
Shoshone (or Palahp).	78,000	250	250	250	13	706	13	706	100	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
Madison.	2,015	200	200	200	25	206	25	206	100	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	48	
Minchokwee.	3,367	500	500	500	10	30	10	30	100	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	29	
Swanombah.	11,716	350	350	350	43	670	43	670	65	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	
Lanum.	1,881	500	500	500	100	500	100	500	400	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	74	
Yakama Agency.	800,000	248,000	248,000	2,400	500	22,000	500	22,000	2,500	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	
Yakama, Wanapa, Wishlaham, and others.	65,510	40,000	40,000	4,000	198	6,500	198	6,500	3,000	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	
Green Bay Agency.	11,401	11,000	11,000	300	50	200	50	200	2,000	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
Chewia.	271,080	10	10	1,500	305	2,000	305	2,000	2,000	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	45	

a Not known.
 b A full year.
 c In Indian.
 d Owing to the time of the year.
 e Not reported.
 f The residue, 17,465 acres, allotted.
 g Taken from last year.
 h Land all allotted.
 i Balance inherited.
 j The residue, 5,460 acres, allotted.
 k The residue, 10,428 acres, allotted.
 l The residue, 5,350 acres, allotted.
 m Reported all tillable.

Exhibit 9

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

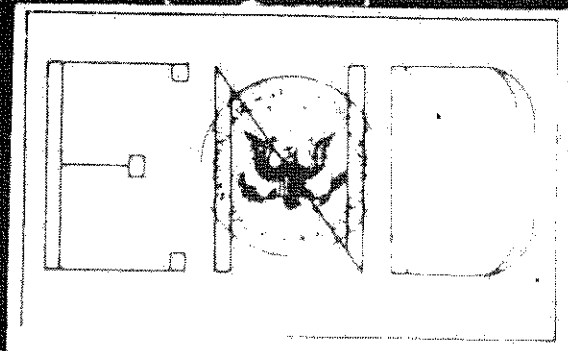
CSRBA Consolidated Subcase No. 91-7755

MICROCOPY

1070

ROLL

7



Colville Agency
Jan. 17, 1889 (464)

JW
Department of the Interior
Office of Land Affairs
June 23/90

Respectfully returned
to the Department files
W. H. Hall
Asst. Commr.

Columbia Agency, W. T.

January 17th 1879.

Honorable W. F. Vilas,

Secretary of the Interior,

Washington, D. C.

Sir:

In pursuance to instructions contained in Department letter of the 24th ultimo, I have made an inspection of this Agency, and respectfully beg leave to submit my report thereon, as follows:

The Columbia Agency

is located on the extreme South-West corner of Spokane Reservation, Washington Territory, at the confluence of the Columbia and Spokane Rivers; 65 miles North-West from Spokane Falls, from which point it is reached by way of the Seattle, Lake Shore & Eastern R. R. (or the Washington Central branch of the Northern Pacific) to Barrupoint, a distance of 40 miles, thence by daily stage to Fort Spokane, a distance of 25 miles, thence by private conveyance, to Agency on the opposite bank of the River, two and a half miles.

I found the Clerk, James L. Gibson, in charge, as he was duly authorized to act in the absence of the Agent, Richard D.

1 2
Gwydir, whose 30 days leave expired on the
10th inst. but who, I am informed is still
in the East. Mr. Gibson, I believe to be
thoroughly reliable, and in every way qual-
ified to perform the duties of the office.
The Indians in Council informed me that
they were satisfied with their Agent, and
that he had done more for them than any
of his predecessors. I examined very
carefully all of the accounts and books
of the office, and found them all correct.
I also, examined, closely the usual open market
purchases made during the past two years,
and found them perfectly regular and
proper.

The Territory

over which this Agency has jurisdiction
embraces the Colville, Spokane, and
Coeur d'Alene Reservations, containing
a total of nearly 4,000,000 acres, and
inhabited by the following tribes or bands
of Indians, numbering respectively:

Coeur d'Alene	519	Upper Sauts	190
Colville	373	Spay Perce	141
Spokane	335	Columbia	137
Changuaw Lake	201	Deep Creek	29
Lower Sauts	200	Total	2,125

Condition of the Tribes.

A careful inquiry into the condition of these various Tribes reveals the fact that they are all doing well, are reasonably contented and peaceable, and with but one or two exceptions are making considerable advancement in farming and civilization generally. In this connection your attention is invited to the following statistics taken from the Agency Farmers' reports for the past year:

The Coeur d'Alenes had in cultivation 6,000 acres, (an increase of nearly 200 over the preceding year) upon which they produced:

Wheat - 40,000 bushels.
 Oats - 70,000 "
 Potatoes - 5,000 "
 Barley & Rye - 1,000 "

The Spokanes have 9,000^{acres} of tillable land, of which 1,700 acres were in cultivation. They broke during the year 150 acres. Products for the year:

Wheat - 5,000 bushels.
 Oats - 25,000 "
 Potatoes - 2,000 "
 Barley & Rye - 250.
 Hay - 300 tons.

Animals owned: horses 750; mules 10; cattle 225; hogs 10.

The Okanogan (including the Pocatello & Asopilema)

raised:

Wheat, 5,000 bushels.
Oats, 3,000 "
Potatoes, 2,000 "
Beans, 200 "
Turnips, 200 "
Onions, 75 "

Animals owned: horses 3,500; cattle 500.

The Okanogans, raised:

Wheat, 1,000 bushels.
Oats, 1,500 "
Corn, 300 "
Beans, 500 "
Potatoes, 2,000 "
Hay, 700 tons.

Animals owned: horses 5,000; cattle 1,000.

Governmental Aid

extends to only four of the nine tribes, as follows:

The Okanogans receive a limited number of farming implements, and \$100 annuity to their Chief, Tonasket.

The Columbias: \$1,000 annuity to Moses, their Chief.

The Nez Percés (Joseph): Rations, clothing and agricultural implements.

The Spokanes, receive farming implements.

It is worthy of note that while the
Saus Pails receive no assistance whatever
from the Government (positively and repeatedly
by declining aid) they keep peace in
progress with their neighbors; while
the most favored tribe, the Nez Percé (Joseph)
who receive rations, clothing and agricultural
implements are the least progressive.
However, it cannot be denied that the
self-reliance and steady advancement of
the Saus Pails is one of the good results
following Governmental aid to the neigh-
boring tribes. They are moved by a sense
of pride and independence, as also by
fear that an obligation to the Government
now will some day result in a forfeiture
of their lands.

Agency Buildings.

The present buildings are ample for the
accommodation of the Agency, (See supple-
mental Report herewith on the removal of the
Agency) They consist of seven frame houses
and one log house (jail) - all new. One of
the houses, containing 11 rooms, is occupied
by the Agent, Physician and Clerk; another
of 8 rooms (double house) is occupied by the
Farmer and Blacksmith. The others are
used, respectively, for an office, warehouse,

physician's office, blacksmith shop, jail, and a spacious barn with accommodations for 12 horses and shed room for wagons. Good spring water is supplied the dwellings and barn by means of pipes extending from a reservoir on the hill-side immediately in the rear of the buildings. The force of the water is sufficient, with the aid of 150 feet of hose attached to either of the hydrants to save the entire property from destruction by fire, and I respectfully recommend that the proper size and quality of hose of this length, with nozzle or nozzles, be purchased for this purpose.

I would also recommend, as a matter of economy, as well as appearance, that the residences and two offices be painted without delay.

The blacksmith shop seems to have been supplied more with a view to economy than service. I recommend the expenditure of \$50 in the purchase of necessary tools for the shop.

Improvements on the Reservations.

There are two saw and grist mills combined on the Colville Reservation, suitably located. Besides them, the miller at Colville is

paid \$500 a year, to grind all wheat taken him by the Indians. Milling facilities are ample for the present requirements. There is but one blacksmith shop (that at the Agency) and it is very inaccessible to a great majority of the Indians. I would recommend that two others be provided, one at Nespelem, the other in the Okanogan Country.

And, I would further recommend, in this connection, the employment of Charley Abraham (a young Spokane Indian who reads and writes the English language) as an apprentice in the Agency shop.

The employment also of an Indian at each of the two mills, I recommend.

The Physician and the Farmer on the Coeur d'Alene Reservation are each provided with a comfortable house, but which, like those at the Agency, need painting, and I would include them in my recommendations.

See report of
at Nespelem
Program
Coeur d'Alene

Need of Schools.

School facilities on the Spokane and Colville Reservations are badly needed. At present there are none. A school house has recently been erected at Nespelem, but no teacher provided.

The Spokanes are exceedingly desirous of having a school. So anxious are they for one, that at their Council held on Monday last they informed me that they had but one present need, and one request to send to Washington, which was an earnest appeal for a school. They are Protestants and consequently will not consent to sending their children to the Romish contract schools. A few years ago they were induced to send 24 of their youth to Forest Grove school, near Salem, Oregon, but all except one died within three years, and now the parents will bitterly oppose any proposition to send their children off of the Reservation to school. They have about 65 children of school age. I earnestly recommend that proper educational facilities be given them, and in this connection refer to my supplemental Report herewith attached, upon the removal of the Agency.

Stock Raising.

A very large percentage of the Colville and Spokane Reservations is far better adapted to stock raising than to farming, and many of the Indians understanding this, are giving their attention wholly to this

branch of industry. But their stock, particularly their horses, are of a very inferior quality, and consequently sell accordingly. For the purpose of encouraging them in stock raising, and improving their breed of horses, I recommend that two well-bred stallions, of good size be purchased for them - one to be given to Sot, the Spokane Chief, and the other to Tonasket, Chief of the Okanogan - both to be held in common but not to leave the possession of the Chiefs mentioned, or their successors.

I have the honor to be

Very Respectfully,

James C. Saunders,
U. S. Indian Inspector.

Supplemental Report.

Hon. Mr. F. Vilas,
Secretary of the Interior,
Washington, D.C.

Sir:

Best
of the
to a
Assess
points

In making an inspection of the Colville Agency as directed by Department letter of the 24th ult., a general report of which is herewith presented, I became so forcibly convinced that the Agency should be removed to a more accessible point for the Indians, that I now respectfully recommend the same, and invite your attention to the following facts as reasons why it should be done:

By reference to the accompanying map, marked Exhibit A, it will be seen that the Agency is located on the extreme Southwest corner of the small reservation set apart for the Spokanes, and that the great territory over which it has jurisdiction lies wholly beyond the Columbia River - a river which cannot be crossed at will nor forded where always convenient.

As now located the Agency is accessible to 378 Indians who live on the Spokane Reservation, and is very inaccessible to the 1200 who live on the Colville

Reservation, and who need the close supervision of the Agent; while the Spokanes are sufficiently advanced to allow the change without detriment.

The distance required to reach the Agency from the Okanogan County is 150 miles; from Nespelem 100; from Cour d'Alene 140 miles.

The Agency buildings cost about \$3,700. The new school building at Nespelem could well be utilized for offices and warehouse, and the necessary residences, blacksmith shop, barn and jail could be built for \$2,500 or less, a saw mill being right at hand.

The Agency if at Nespelem would enjoy equally as good railroad facilities as it now does, - the Northern Pacific branch which has reached Dawnport will run within 2.5 miles of Nespelem.

I recommend the removal of the Agency to Nespelem; the establishing of a school in the present Agency buildings, and the creation of a separate Agency for the Cour d'Alene Reservation.

The Cour d'Alene Indians require very little assistance from an Agent, but so long as they need Governmental supervision, and are so remote from their present

3

Agency, I fail to see why it would not be better for them, and equally as good for the Government, to have their own Agent, at a salary of \$1,000 a year, instead of a farmer, as they now have, at \$900 a year, who is almost without authority. These Indians receive no annuity or aid from the Government, and an Agent would have only to disburse his own and the physician's salary - no clerk hire would be necessary, and the saving of expenses incurred by the Agent in making visits to the Reservation, as now, would amount to more than the difference between what is now paid the farmer, and an agent's salary.

These facts and suggestions are respectfully submitted for your consideration, and such action as you may see proper to take in the premises.

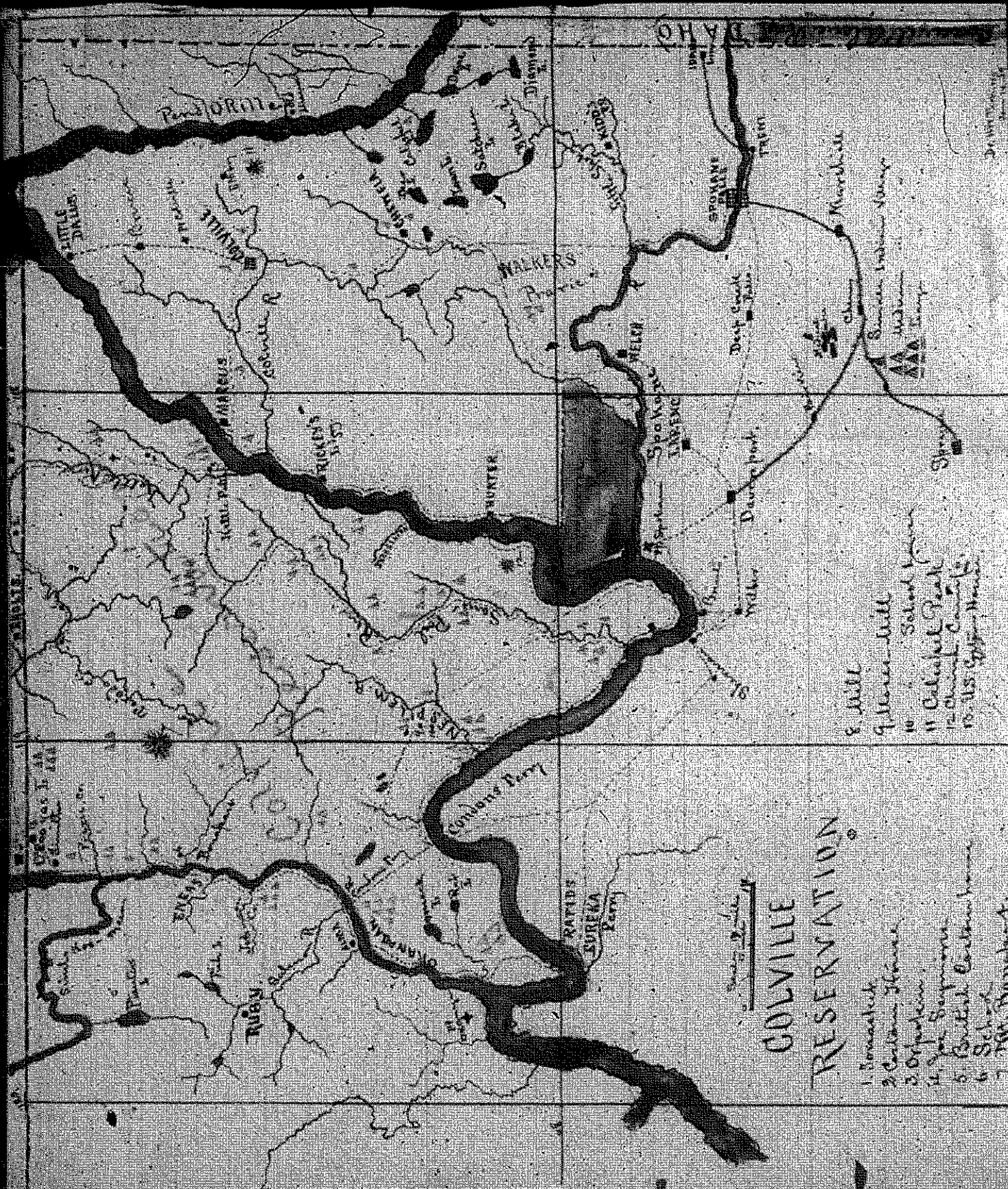
I have the honor to be

Very Respectfully,

James C. Saunders,

U.S. Indian Inspector.

Exhibit A



Colville
RESERVATION

1. Bonaschuk
2. Captain Stone
3. Orphan
4. Joe Benjamin
5. British Columbia
6. School
7. Mr. Monahan

8. Mill
9. Silver Mill
10. School
11. Colville Peak
12. Church
13. US Office

Dr. W. H. ...

Exhibit 10

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

DEFENDANT'S
EXHIBIT
3,164
CIV 94-0328

FIRST CONGRESS,
1st Session.

SENATE

EX. DOC.
No. 14.

179

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A letter of the Secretary of the Interior relative to the purchase of a part of the Coeur d'Alene Reservation.

DECEMBER 18, 1889.—Read, referred to the Committee on Indian Affairs, and ordered to be printed.

To the Senate and House of Representatives:

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

BENJ. HARRISON.

EXECUTIVE MANSION,
December 18, 1889.

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

The PRESIDENT:

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

In this report the area of the ceded territory is estimated at 184,960 acres, or 239 square miles, and the consideration agreed upon is the sum of \$500,000, to be paid to the said Indians "pro rata, or share and share alike for each and every member of said tribe as recognized by said tribe now

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

The commissioners, in presenting this agreement, say :

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

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

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

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

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

JOHN W. NOBLE,
Secretary.

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

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

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

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

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

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

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

Beginning at the northeast corner of the said reservation, thence running along the northern boundary line north sixty-seven degrees twenty-nine minutes; west to the head of the Spokane River to the northwest boundary corner of the said reservation; thence south along the Washington Territory line 12 miles; thence due east to the west shore of the 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 of said reservation; thence northerly along the said eastern boundary line to the place of beginning.

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

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

Article 3 prescribes the manner of payment as follows:

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

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

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

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

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

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

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

Their claim was based upon original possession and occupancy.

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

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

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

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

In reporting upon this point the Commissioners say:

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

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

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

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

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

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

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

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

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

CŒUR D'ALENE INDIAN RESERVATION.

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

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

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

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

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

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

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

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

Very respectfully, your obedient servant,

T. J. MORGAN,
Commissioner.

The SECRETARY OF THE INTERIOR.

(Original.)

Report of Cœur d'Alene Indian Commission, appointed March 2, 1889 (Stat., 1002).

OFFICE OF CŒUR D'ALENE INDIAN COMMISSION,
Portland, Oregon, September, 1889.

Sir: The Commission appointed under authority of the act of Congress approved March 2, 1889 (Indian appropriation act), to negotiate with the Cœur d'Alene tribe of Indians for a portion of their reservation, valued chiefly for its timber and mineral, have the honor to submit the following report of their negotiations with the said Cœur d'Alene Indians, to accompany an agreement entered into with them for a portion of said reservation, as contemplated by said act:

The Commission arrived in Portland, Oregon, from their respective homes, August 1, met on the 2d, and effected organization on the 3d, secured clerical assistance, and proceeded to De Smet Mission, Cœur d'Alene Indian Reservation, August 5. Notification of the commissioners' arrival was sent Agent Hal. J. Cole, and he met with them in the first council held with the Indians on August 14, at which meeting the business of the commissioners was made known to the Indians and the provisions governing negotiations carefully explained.

Permission was asked for the privilege of examining the lands sought, which was granted by the chief, who appointed two guides to accompany the Commission on their tour of inspection of the lands mentioned in the instructions.

The Commission proceeded August 16 overland from the southern boundary of the reservation northward to the confluence of the St. Joseph River with Lake Cœur d'Alene, passing in their journey over the rich agricultural land and the many well-cul-

tivated farms of the Indians lying in that portion of their territory. It was with much surprise and pleasure that the Commission noted the great progress made by these Indians in the ways of civilization and the arts of peace. Farms surrounded by better fences than their neighbors, the whites, burdened with golden grain that gave promise of a rich harvest; horses and cattle in large numbers peacefully grazing upon hills covered with bunch-grass, made a picture truly pleasant to contemplate.

The greater portion of the land between the southern boundary and the St. Joseph River is susceptible of cultivation. From the St. Joseph River the Commission proceeded by boat to the Old Mission, the extreme northeastern point of the reserve, traversing in their course some eight miles of Cœur d'Alene Lake and thirty miles of Cœur d'Alene River. From the Old Mission journeys were made to the interior of the adjacent country, prospecting for mineral deposits, and inspecting the growth and quality of the timber which grows abundantly upon the greater portion of the rugged mountains. Many indications of mineral were found, and the timber in places was of excellent quality, consisting of fir, yellow and white pine, cedar, and tamarack. After three days' exploration the Commission proceeded to Cœur d'Alene City, thence to the great mineral belt of the Wolf Lodge country. Portions of the timber was found to be very good, while some situated along rocky points and the steep sides of the mountains was scrubby and of little use. The mineral features of this locality give promise of rich deposits of gold, silver, and lead, equal, if not rivaling, the developed mines of Cœur d'Alene.

Returning to Cœur d'Alene City, the Commission made an inspection of the country situated west of the lake and along the Spokane River, being that part of the reserve lying in the extreme northwest. This is the section that will prove most valuable to the whites for timber at the present time. The timber is good and is easy of access, the Spokane River furnishing good facilities for conveying the logs to points along its course, where the opening of a new and rapidly settling country causes a great demand for lumber. After a thorough inspection of the northern half of the reservation, the Commission returned to headquarters and called a council on August 27.

At this council the commissioners were made aware of the stern fact that they were contending with obstacles that threatened to overthrow all business plans they had formed, and presented formidable barriers to the consummation of a treaty. The Indians, while kind and courteous, were reluctant upon business propositions, from the fact that other business transactions with them had been neglected, and the failure of Congress to ratify the last treaty, together with the dilatory manner of the railroad company in making payment for right of way, were weapons they used against overtures of the commissioners for the purchase of any more land. They displayed surprising business sagacity, coupled with an exalted idea of the fulfillment of promises.

Much time was consumed in appeasing the grievances they fostered, and in establishing confidence with them. They finally consented to dispose of a portion of the land that is included in this treaty, they insisting upon making the line. The exorbitant price asked and the small amount of land offered, precluded any bargain, and thus matters stood for two councils following. After they had been shown the benefits to accrue from the sale of these lands, and the assurance by the Commission of the ratification of the former treaty, a clause being inserted bearing upon the fulfillment of the provisions of the former treaty, the sale was consummated, and the agreement signed accompanying this report.

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

In conclusion, we wish to mention the fact of the uniform kindness and courtesy extended to us by the chiefs and head men of the tribe during the whole time of our stay among them and the several councils held with them, and especially do we feel under deep and lasting obligations to Rev. Father Cornano and the United States Interpreter, Mr. Stephen E. Liberty, for the careful and correct manner in which they conducted the interpretations and their efforts to bring about an amicable and satisfactory settlement.

With the hope that what our labors have accomplished will be satisfactory and acceptable to yourself and that Congress will deem it advisable to ratify what has been done, we are,

Very respectfully, your obedient servants,

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

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CŒUR D'ALENE INDIAN RESERVATION

Next council with Coeur d'Alene Indians, held at De Smet Mission, Wednesday, August 14, 1889.

The council met and was opened with prayer by Rev. Father Camano. Present: Commissioners General Ben. Simpson, J. H. Shupe, and N. B. Humphrey, the chiefs, headmen, and male adults of the Coeur d'Alene tribe of Indians, and their interpreter.

General SIMPSON said: Friends, I am glad to meet you here to-day, pleased to see so many in attendance. I will state our mission here. We have been sent here by the Government at Washington to purchase a portion of the northern part of your reservation. Will read to you our instructions from Washington. [Instructions from Secretary of Interior read.] We come to you in good faith and honest purpose. It is not our intention to do anything but what is satisfactory to you, and will protect your rights as well as those of the Government. We, as commissioners, will treat you fairly. It is not our intention to go into details regarding this question until after we have visited the lands and know the price you fix upon them. You are not compelled to sell.

I learned before I left Washington of the failure of Congress to ratify the treaty made with you two years ago for your outside lands; I am satisfied that it will be ratified by the next Congress. The reason of its not being ratified before was want of time. To make this treaty in all its force and vitality, we will insert a clause to the effect that unless the other treaty (of 1837) is ratified, this shall become null and void.

I wish to speak to you now regarding the money due you from the railroad company for right of way through your reservation. Your agent, Mr. Cole, has received instructions and authority to pay it at once. [Instructions to Agent Cole read.]

SALTISE (head chief). Your talk pleases me, and I am pleased in the talk from Washington. You have come; I know it now; all my Indians and I understood you were to come. I wish to tell you my last will—the treaty of 1837. We built a strong, high fence with the Government; we built it round so the ends nearly met. We done our part, but the gap that was left has never been finished by the Government at Washington. Now, you three friends and headmen must close up that gap. I am afraid, my friends, of that treaty. I am doubtful. If I was not doubtful there would not be hard work of this. That treaty is a wall we can not see through. When it is down we can see through and talk.

General SIMPSON. What you say is good sense. I regret that it has not been done, but it is no fault of the Government; the reason it has not been ratified is, because they have had no time to reach it. The treaty has been indorsed by the President and Secretary of the Interior, and will be ratified this winter. The treaty we make now will be null and void unless the other treaty is ratified; both treaties can be ratified at the same time; the same Congress that is to ratify that treaty sent us here to negotiate this treaty with you, and it would be a great folly and child's-play to do so if they did not intend to ratify the other treaty of two years ago.

SALTISE. We are Indians and need your sympathy and advice. We can neither read nor write and can not understand like you, but we are thankful for what you have done. What we talk about will be all right if you sanction what I say. Do not be tired or wearied. We would like for you to have a paper and we want a paper, too. After this you may speak what you want and after you are through I will talk again.

General SIMPSON. I understand what you say. We will not get weary. We want to deal justly and right with you. We will go and examine the land and locate it, then make a paper and agree together. You can have a friend or legal gentleman look over the agreement and see if it is all right; we intend to treat you fairly, and will do nothing but what is just between man and man.

SALTISE. After you go and look over the land and come back we will talk about trading, but do not see how we can trade here, or without sanction of the President. We would like to have some one in Washington to look after the matter.

General SIMPSON. After the agreement is made we are willing and will try to arrange so you can go to Washington and look after this business yourself. We do not wish to do anything but what is right.

SALTISE. I think it is better for you to go and see the land and put a price on it; then we can talk better about it.

The tribe then selected one of their number to accompany the commission as guide. A subchief by the name of Luke was chosen.

Council then adjourned to meet again after the land had been examined.

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Second council.

DE SNET MISSION, August 27, 1889.

Present: Commissioners General Ben. Simpson, J. H. Shupe, and N. B. Humphrey, chiefs and headmen of the tribe of Cœur d'Alene Indians, and their interpreter.

General SIMPSON said: My friends, I am glad to see so many of you present to-day. We have been over and looked at the land spoken of at our last meeting. We desired to make a careful personal inspection of the northern portion of your reservation—the portion we desired to purchase of you—so that no injustice would be done you. Our object was to select the land that is of no benefit to you, but which may be of some use to the whites. Our instructions from Washington were to examine the timber and mineral lands that would be of no advantage to you.

The time is come when you, like the whites, should depend upon the cultivation of the soil. You have progressed astonishingly. When we look on your broad acres now in cultivation we are astonished and gratified. We know that the cultivation of the soil is the very foundation of civilization, prosperity, and wealth. We are children of one great Father—God: the only difference is, your skin is red and ours is white. Your Great Father at Washington, the President, is our father, too; his object is to treat all justly, and it is now thought that there is a portion of your reservation that is of no use to you, but may be to the whites; therefore we have been sent here to purchase that portion of you and pay you a reasonable price for it. As agents of the Government we buy it just like buying a horse—we look at the horse and try him, and make up our minds what he is worth to us; if you were buying you would ask the owner what he would take for him, and put him down to the lowest price in dollars and cents. The price the Government sells farming land for is \$1.25 per acre. Mining land is a different thing; the Government does not sell it, but allows parties to go onto the land and develop the mines. I want you to understand this matter just as it is. The timber lands, when sold as such, bring \$2.50 per acre.

We inspected the land we expected to buy of you, and we found a portion of it mountainous and broken, with very poor timber; some parts of the country contain fairly good timber. We found some prospects of gold and silver, but are not prepared to say what their value is until developed. I will not talk any more until after we have heard what you have to say.

SALTISE. The chief talks nice; I like the way he talks. You are white, and I am only an Indian. Two years ago three commissioners came here and made a treaty with us. After we get through with that treaty we will talk of an agreement about the mineral land. Just as you said of a man who wants to buy a horse of another man, and the owner asks \$25 for the horse, and the man wants to pay only \$20; they can't agree; and it is just so with us.

General SIMPSON. I am very glad to hear the high chief of the Cœur d'Alenes talk with so much sense and reason; am pleased with his talk; he is right in regard to buying a horse; of course if we are not willing to pay a man what he asks for his horse, then there is no trade. In regard to what you say about the former treaty, I desire to say this: If we make a treaty with you now, we will make it entirely dependent on the ratification of the former treaty; the head chief can have a copy of the agreement and treaty, and go to Washington to see that all is fulfilled and the treaty is ratified as agreed upon.

SALTISE. What was done by the last commission is like cooking a dinner, then setting it to one side to wait; you do not cook a dinner and lay it aside, then cook another dinner before you have eaten the first; it is that way with these treaties.

General SIMPSON. I want to say this in regard to that former treaty: As I said before, the object of making this treaty now is that we are here and have spent a good deal of money already, and we want to make this treaty now, so when the other treaty is taken up this can be acted upon at the same time. The treaty of two years ago has not been ratified for want of time; there is no objection to it, and it will be ratified when Congress meets.

SALTISE. Congress is a great body, and has much power; it has a great deal to do. We don't amount to any more with them than a lot of coyotes, and anything we do they do not care about. We are honest, and we think you are.

General SIMPSON. The other treaty is half ratified now; the President and Secretary of the Interior have indorsed it, and Congress will take it up when it meets and finish it.

SALTISE. Don't let this be discouraging to you, what we say about these timber and mineral lands at this time.

General SIMPSON. When we talked before we proposed that, unless the other treaty was ratified, this would be null and void. We have looked at the land, and would like to know now what you will take for it, if the other treaty is ratified.

SALTISE. Where will you make the lines?

General SIMPSON. We fixed a line, as was shown you on the map; it is just as Mr. Liberty explained it to you. You understand that the lake belongs to you as well as to the whites—to all, every one who wants to travel on it.

SALTINE. That is your idea about the boundary. You know we do not understand papers; in taking it that way we will not know the boundaries.

General SIMPSON. You all know where the St. Joseph River is. We do not want any of that. I will explain the boundaries: Commencing at the northeast corner of the Coeur d'Alene Reservation, thence along the northern boundary line of the reservation to the northwest corner; thence south along the division line between Washington and Idaho Territories to a point 12 miles south of the said northwest corner; thence due east to the west margin of the Coeur d'Alene Lake; thence southerly along the west shore of said lake to a point due west of the point at the mouth of the Coeur d'Alene River; thence due east across said lake to said point; thence southerly along the east shore of said lake to a point 1 mile north of the St. Joseph River; thence on a parallel line with the north bank of said St. Joseph River, 1 mile distant from said bank, to the east line of the said reservation; thence northerly along the east line of said reservation to the place of beginning.

Now, if we buy this land you still have the St. Joseph River and the lower part of the lake and all the meadow and agricultural land along the St. Joseph River.

SALTINE. I do not quite like those boundaries; you are a chief and have directed your boundaries; now, if you ask us where we want to sell, we could talk.

General SIMPSON. That is right and appropriate. Perhaps you had better talk this over with your people, and we can talk again to-morrow.

SALTINE. The Indians don't like that; their ideas are bent; their minds are not made up; there is one great dissatisfaction: it is this: We had a great talk about that other treaty, and I think we had better have that other treaty settled before we make this.

General SIMPSON. We wanted you people to understand about this matter, and I want to tell you now that this new treaty will help the ratification of the other treaty. I would not tell you a lie under any consideration. You understand, this land is not bought unless the other treaty is ratified. You can appoint the time when we will meet again. In the mean time you can all talk the matter over.

SALTINE. It is nearly as much as if they had consented, but they have not hardly made up their minds.

I will appoint Saturday, August 31, the day for the next meeting.
Council then adjourned.

Third council.

DE SMET MISSION, August 31, 1889.

Council met pursuant to adjournment. Present, Commissioners General Benjamin Simpson, J. H. Shupe, W. B. Humphrey, chiefs and headmen of the tribe of Coeur d'Alene Indians and their interpreter.

General SIMPSON said: We have met again, pursuant to adjournment. We are glad to meet you representative men. We now want to hear from you in regard to the land we have proposed to purchase.

SALTINE. We met and there was two kinds of talk; one was strong and one was weak. We come to-day to talk about the two understandings, yours and ours. I, as an Indian, like my land; am very anxious to have land; I do not care about money. You three gentlemen came to-day to have an understanding about part of our land. My heart has been troubled for three or four days, but now it is all right, because I know this land is my property.

First and all, a long time ago there was an officer with long whiskers came and told us this was our land. Then came General Watkins, and he said for us to hold our land; General Howard said the same thing. Then President Grant, the head of the nation, ratified all the others had done in giving us this land. Two years ago a commission of three appointed by the President came, and we had a long talk; they wanted to treat for land they said was ours; we said it did not matter and would leave it to their generosity; that as this other was settled by the whites they could have it, but we wanted the land of our present reservation, provided we were to hold it forever, as had been promised. They seemed well satisfied, and said they would make a tie to our land that would never be untied, and to-day I think this is still my mind as when we treated with them. We are willing to let some go now—that which lays along the northern boundary of our reservation, and from eastern boundary of Coeur d'Alene River, and western boundary of Coeur d'Alene Lake, and south to mouth of Coeur d'Alene River. We are willing to relinquish this regardless of the three other commissioners. Here you have plenty of timber, plenty of mineral, and plenty of grass; am willing to relinquish all this. I understand well this takes in all of the Wolf Lodge country.

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General SIMPSON. We want to buy that which you want to sell. The other business was all right. Has the chief said all he wants to say now?

SALTISE. There are five or six Indians who have claims on that land, and I want you to settle with them.

Commissioner SHUPE. We can not treat with any of you as individuals; all our business must be done with your people as a tribe.

General SIMPSON. I want to say that in our instructions as commissioners we were instructed to purchase from the Indians lands for their timber and mineral. I am glad to find that the chief is willing to do what he thinks is right. I think he talks honorably. The only difficulty is the land he wants to sell does not cover that which we wish to purchase. We, as commissioners, have talked this question over, and are all of the same mind and are desirous of having the Indians look to their own interests. We will look after your interests as well as those of the Government. We stand between. Of course the more land you let us have the more money you will get.

SALTISE. My dear friends, if our object was money you would be correct, but money is no object; our land we wish to keep.

General SIMPSON. That would be all right if you had a surplus of money, but if you did not have, and had a surplus of horses or cattle or land, you dispose of the surplus and get money to educate your children and buy machinery to cultivate the land you have left.

SALTISE. You say we have a great deal of land. If we wanted to let it go for money we would say, take more, but we do not care for money; it is land we want. When that other treaty is ratified we will then have land to sell.

(Recess for fifteen minutes.)

General SIMPSON. Well, gentlemen, we have talked the matter over as commissioners, and we would like to know now more particularly about the boundaries on the water lines; it is not what we expected to get, but still we will take this with this understanding: There are some who have claims on these lands and you will settle with them.

SALTISE. We can not sell the land of the Indians who live near the old mission. You had better see them and fix the matter, so they will not get angry and object to the treaty.

General SIMPSON. What will you take for the land and pay those men what they will ask?

SALTISE. We can not put a price, as we do not know the number of acres.

General SIMPSON. We can take the map and make out an estimate.

Commissioner SHUPE. What we do here must be signed by us all, the same as the other treaty.

Commissioner HUMPHREY. We want to know the amount you ask, so it can be put in the agreement.

SALTISE. We do not know how much there is in that piece of land.

General SIMPSON. As far as the mines are concerned we do not know what they amount to; the best prospects are on the Coeur d'Alene and St. Joseph Rivers, but it will be hard to tell about them. The timber is not so good as below the Coeur d'Alene River and the west side of the lake.

SALTISE. There is lots of good timber there that you have not seen.

General SIMPSON. I guess there is some good timber on part of the land. The other two commissioners have agreed upon a price. I am willing to accept their figures. They make an offer of \$150,000.

SALTISE. You can write out an agreement and then we will talk about the price; you asked us to set a price, and we have said.

Commissioner HUMPHREY. Any agricultural land there is in this body the Government gets \$1.25 per acre for, and the mineral land is not sold at all; those who wish can go and take it up.

SALTISE. The mind of my people is \$5 per acre.

Commissioner SHUPE. We expect to pay you well for what we get. The money we would pay you would be of great benefit to you, now that you have progressed so far in sitting up your farms and buying good stock and machinery. The agricultural land will be taken up as homesteads; the Government gets nothing for that, and the mineral land is also taken up without any pay to the Government.

General SIMPSON. We can not pay \$5 per acre, for Congress would not ratify it; neither would they allow an insignificant amount that would be an injustice to you. I think if you will consider for a day or so you can come to a fair conclusion.

SALTISE. I prefer to have it finished to-day; we are under expense and busy with our crops, so we wish to finish it to-day.

General SIMPSON. We will make the sum total \$250,000, which, with what the Government now owes you, would make \$400,000, if ratified.

Now, friends, we have had a good deal of talk, and we think we have offered you all your property is worth, every dollar, and as your best friends we think you had better accept the offer and have that money to use. When we get through we have our report to Washington to make; then we are no longer commissioners. We would be very glad if we could come to an understanding, as it would be much better for you and please them at Washington. What we have offered you amounts to \$5 per acre for the land that amounts to anything, and will amount to \$2.50 for all, both good and bad. Fifty thousand acres will cover all the valuable land, both timber and mineral; that would be \$2.50 per acre. Then, when this is done, there will be no more trouble with people prospecting for mines in that part of the country, and the mines you will have left will be three times more valuable than these. There is another thing we wish to say in conclusion. If you accept of our proposition and the business is all done, you can go to Washington and see that these treaties are ratified and the money paid. I am done.

SALTISE. You know it is against our wishes to sell any land, but you wanted to buy. We did not care for the land on the west by Spokane. I think it is worth what we ask. We offered that and you think it is too much. When you make your report to Washington let them say whether it is too much.

Commissioner SHUPE. Another thing the chief does not seem to understand is this: We are sent to inspect and place a value on the land. The people at Washington do not know what this land is worth, and for that reason we have been appointed as a commission to come here, examine the land, and to offer you a fair and reasonable price for it. While we do this as a commission sent from Washington, and in their interests, we are also expected to guard your rights and interests as well. We come here as friends to both parties and to treat fairly with both. We have examined the land and think our offer is fair and just.

SALTISE. I know you have been sent by Washington. I respect you for it. We would have been let alone if it had not been for outsiders; they have been the cause of sending you as a commission to buy this land. Now you see the way it stands. Of course the land is not all good, but some of it is, and mines are cheap at \$5 per acre.

Commissioner HUMPHREY. We do not, neither does any one else, know whether these mines are of any account or not.

General SIMPSON. We prospected some and found a few specimens of silver and gold.

SALTISE. You make your report at \$5 per acre and I think they will say it is all right.

After an informal talk regarding the price of the land and of conferring with the Secretary of the Interior by telegraph, the council adjourned.

Fourth council.

DE SNET MISSION, September 8, 1889.

Council met by special arrangement. Present: Commissioners General Ben. Simpson, J. H. Shupe, and H. B. Humphrey; chiefs, headmen, and male adults of the Coeur d'Alene tribe of Indians, and their interpreter.

General SIMPSON said: Well, my friends, I am glad to meet you again. It is some time since we met. We have come to-day to hear what you have to say regarding the purchase of those lands. We will soon be compelled to leave you and go to Washington, and would be glad now to hear just what you have to say.

PETER WILDSHOW (second chief). I am glad that you have asked my mind. What you want of my reserve I won't refuse. When you told me what you wanted to take I did not refuse, and if you want, you can have half and let us keep half. And if you want, you can have some of the agricultural land, good for farming; then there will be no trouble between us and the whites. The young Indians want to make the Coeur d'Alene River the line, and from Spokane bridge down to Rockford, giving the two big mountains. I tell you this to make your hearts good and the Indians' hearts good. No white men have told us to say this; we, as Indians, say it ourselves. I am done.

General SIMPSON. We understand you to mean on the west side—this side of the lake, down to Rockford from Spokane bridge, and along the northern boundary. I want you to extend this line from the mouth of the Coeur d'Alene River due east to the boundary of the reservation. You can speak now among yourselves and understand the line, and if satisfactory I think we can make an arrangement.

PETER WILDSHOW. I tell you now, make the line where you said; if you had made the line where I said there would be no objections. Since you wish to make the line where you have proposed this last time it will give us a little more land.

Are you sure now that they will ratify that former treaty that was made? That is all we want now, the ratification of the former treaty.

There are two old men living at the old mission. They don't know about what we are talking of this matter. We want extra pay for them, as they have land fenced. There are four men living near Spokane bridge who have farms; also along the Coeur d'Alene

River there are men who have improved places, but do not live on them now; they want extra pay for those improvements. And near Fort Sherman an Indian has fenced a hay farm from which he sells hay every year; he also wants extra pay. That is all I have to say.

General SIMPSON. You ask if the former treaty will be ratified. I will say, yes, it will be ratified. We will have a clause in this agreement that if not ratified this is no good and is null and void.

And now we will say what we propose to do if you will make the line as follows: Beginning at the northwest corner, running thence along the western line twelve miles south, thence due east to the Coeur d'Alene Lake, thence along the shore of said lake to a point due west from the mouth of the Coeur d'Alene River, thence due east to the line of the reservation, thence along the line to the northeast corner of the reservation, thence along the northern boundary to the place of beginning.

For this land we will give \$500,000, the money to be paid when the treaty is ratified. That will make in all \$650,000; \$150,000 to be paid according to the provisions of that treaty, and \$500,000 to be paid as soon as Congress ratifies this treaty.

We are giving more than we expected to pay when we came, but under our orders we are compelled to leave here very shortly and must conclude the matter. I am satisfied we are paying all the land is worth. If you agree to accept this offer you must settle the claims of Indians living on the lands sold among yourselves. We can not pay them in addition to the amount paid for the land. We can pay only the \$500,000. We expect to report the papers to Washington soon and recommend they be considered as early as possible.

SALTISE. You pay that amount for the land that is not fenced. We want pay for that that is fenced. We did not know that it was from the sum we received from the railroad company that those who were damaged were to be paid.

General SIMPSON. We are willing to give you \$500,000. It is more than the land is worth, but we give it so that those men who should have more can be paid out of this amount.

SALTISE. From who will we get the \$500,000?

General SIMPSON. From the Government; a man will be sent from Washington as soon as the treaty is ratified. I expect to go to Washington as soon as we are through, and will urge them to pay the money immediately after the treaty is ratified.

SALTISE. I do not want to talk much. I want those men who have farms to be paid extra and not from the \$500,000. Put down about those six men holding claims on the land we propose to sell.

BAZIL (subchief). Did you not say when you came that Washington did not want you to buy farms?

General SIMPSON. Our instructions from Washington was to buy timber and mineral lands, and not farming land. We have placed the line above Rockford, so that we will not take any of those farms.

SALTISE. Give those six men living on this land sold a right to sell their farms to white men.

General SIMPSON. The Government will not allow us to do that.

SALTISE. If you had a farm and they would sell the land around it, would you give up your farm?

General SIMPSON. I do not want those men to give up their farms; they get pay for them from the \$500,000.

SALTISE. We are going to give them their share of the \$500,000, but want extra pay for their improvements.

General SIMPSON. We can not go over the \$500,000. We will pay that and urge the Government to settle as soon as ratified.

SALTISE. It is not from you we want the pay.

General SIMPSON. We have offered you more than any other commissioners would pay.

SALTISE. Five hundred thousand dollars is a little sum; the ground is full of gold that is worth millions.

We are in a hurry to get through thrashing; can you come to-morrow and get those here at the mission to sign the agreement, and then go and see the ones who are out harvesting?

General SIMPSON. We will come to-morrow with the agreement and get all who can come here to sign, then go to those who are harvesting.

SALTISE. At the council yesterday I could not talk, as I was sick; I acted as though I was absent; I want you to understand it was just the same as cutting my left arm off; you talked so truthfully and acted so gentlemanly that it is fast healing up the sore, and now that the talk is over, I thank you in the name of my people for all the trouble we have caused you by detainment and otherwise. I hope now that you have all come to the same heart that you and the people at Washington will be as well satisfied and

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thankful as we are. I hope the Secretary of Interior and President will consider what we have said and not throw it to one side, for all I say is sincere and warm from my heart. We trade as strangers; but you must remember you are our friends, for you gave us these lands we love so well. We know that the country we have given you is very rich in gold and silver, but we say you may have it; our hearts are satisfied, and we hope yours will be.

General SIMPSON. I want to say now in behalf of the commission that we are glad to hear the expressions of the chief of the Coeur d'Alene Indians. We look upon what he has said as emanating from a noble heart and a noble man. We hope and trust that the friendship that now exists may continue forever. We are glad that after several days' talk we have come together with one heart and one mind. All that the chief has said will go to Washington, and we shall certainly state in our report that the chief is worthy to be a great leader of his people, and we shall ask the Secretary of the Interior and President to read all he has said and consider it comes from a pure, good man.

Chief SALTISE selected the following to go to Washington: Pierre Bartholomew, Regis, Pierre Wildshaw, Stephen Liberty.

Commissioner HUMPHREY. Before we came we were strangers to you, but we had heard SALTISE, chief Coeur d'Alene, spoken of by the officers in Washington as an honest man: since we have met you we know this to be true. You and your tribe and the fathers and the interpreter have treated us with great kindness. I am well satisfied that an Indian chief is greater in peace than in war. Your tribe have farms, grain, cattle, horses, peats, and homes. These are the fruits of peace. You have done your duty as the chief of your people.

Commissioner SHUPE. You have heard my brother commissioners talk, and we want you to understand that we are all of one mind. We knew that you as Indians loved your lands, and know that you are sorry to part with them, but we feel that the best has been done for you and that you will agree with us, when this matter is all settled, that you, as a tribe, will be far better off by having done what you have than if you had kept your land. When the conditions of these agreements are settled you will still have plenty of land left for farming and pasture, and the money that you will receive will enable you to improve your farms, and give you a community that will be far wealthier than your neighbors the whites. Like your chief, we hope that the friendship now formed will never be forgotten, and that we may all some day be able to visit you again as friends.

Agreement.

This agreement, made pursuant to an item of an act of Congress, namely: Section 4 of the Indian appropriation act, approved March 2, 1889 (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 I.

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 67° 29' 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 \$500,000, 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.

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 Cœur d'Alene tribe of Indians, bearing date of March 26, 1897, shall be duly ratified by Congress; and in the event of the ratification of the aforesaid agreement of March 26, 1897, then this agreement to be add 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 Cœur d'Alene Reservation, in the Territory of Idaho, this the 11th 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 Seltica, chief; Pierre Wheyilahoo, second chief; Selepto Vincent, second chief; Regis, chief police; Etienne Nethen, Samuel, Conillius, Pierre Bartholomew, third chief; Adrian, Moses Skooell Joseph, Marcella, Abram, S. Liberty, Nicodemus, Perre, Moiesse, Abraham, Stanislas, Zacharie, Andrew, Benoit, Joseph, Salva, Piose, Pierre, Thomas, Louis, Joe, Andrew, Samuel, Francois, Camma Shool, Charles, Benoit, Ignatz, Andrew Humerous, Leo Peion, Paul James Fenley, Barniby, William Mason, Paul Louis, Peion, Pierre Mullion, Samuel Sam, Simon Chemanans, Thomas Mackon, Alexander, Edmond Liberty, Ignata, Pierre Vanson, Timothy, Towado, Augustus, John Pevey, Adolphe Butler, Jerry Butler, Alfred Butler, La Debauche, Chief Peter Bazil, Louis Stanislas, Andresha, Louis Sebastian, Sebastien, Louis Too Too, Leo Sucota, Paul Polatkan, Luke, Louis Mulcupes, Leo Amothacatso, Louis Bartholomew, Medore Boone, Louis Bazil, Leon, Baptist, Joseph, Louis, Prosper, Samuel, Andrew, Ignatz, Louis Grizzly, Camille, Barciella Fort Chief, Fat Timothy, Reaching Patrick, Curly Paul, Ignatz Paul, Alizes, Peirre Louis, Stanisla, Pezel, Joseph, Growing Tree Pierre, Louis Victor, Spokane Ignatz, William Smoke, Anastus, Daniel Quinsmosa, Pén Dorielle 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 Augustus, Ena Moses, Cassime, Old Man Charles, Peirre Charpa, Bonamsete, Pat Piliashid, Carmelle, Bazilla, Benoit, Joshua, Ocotaba, Sticha, Lolo, Louis Sequenta, Lajo Tumpkfin, Paul Selmustushu, Old Man Nayna, Holamaga, Loto See, Pierre Joseph, Gasper Barrano, Louis Melkepsis, Arriph, Louis Arriph, Sebastian Quillak, Louis Totonaha, Leon Schatouz, Louis Tilphalina, Phillip, Leo Amoultasout, Paul Atchina, Antoine Soantapo, Patrick Nixon.

I, Stephen E. Liberty, United States interpreter for the Cœur 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.

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

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication from the Secretary of the Interior, with accompanying papers, relating to the reduction of Indian reservations.

JANUARY 9, 1888.—Referred to the Committee on Indian Affairs and ordered to be printed.

To the Senate and House of Representatives:

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

GROVER CLEVELAND.

EXECUTIVE MANSION,
January 9, 1888.

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

The PRESIDENT:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

L. Q. C. LAMAR,
Secretary.

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

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

The authority under which these several agreements were negotiated is found in the Indian appropriation act, approved May 15, 1866 (Stats., p. 44), which reads as follows:

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

THE AGREEMENT WITH THE INDIANS IN NORTHERN MONTANA.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AGREEMENT WITH THE UPPER AND MIDDLE BANDS OF SPOKANE INDIANS.

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

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

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

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

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

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

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

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

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

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

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CŒUR D'ALENE INDIAN RESERVATION.

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

AGREEMENT WITH THE CŒUR D'ALENE INDIANS.

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

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

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

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

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

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

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

AGREEMENT WITH THE PEND D'OREILLE OR CALISPSEL INDIANS.

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

Pages 24-43 Omitted

Sen. Doc. No. 14, 51st Cong., 1s Sess.

"Do you understand the boundaries of your reservation as offered by us? Do you know how much money you are to get? And how this money is to be expended? It is to be used in helping you to build houses, in buying provisions, clothing, and stock, and providing all things that may be required for you and your children; and if you go to work, take care of what is given you, in a short time you will have a plenty, and all that you save and make will be your own. So when the time runs out according to the law you will own your lands, you will own your own homes, you will own your cattle, your ponies, and all that you have about you. It will be yours; you can do with it as you please, as the white man.

"You have told me some things about your agent. He has been here but a short time. The Great Father thinks he is a good man. We think he is a good man. An agent will have trouble; he can not do to please all. You must help him; you must do right yourselves. You must have somebody here to help you, to care for you, to protect you, or the bad white men would run over you. Do you understand this paper? Do you know what it says?

"Now, if you are ready, come up and sign. We have listened to you."

Major LARRABEE said:

"My friends, we do not want to hurry you more than is necessary, but we must go to Blackfoot and Belknap Agencies. It will take twenty days to go to Belknap, attend to our business, and return to the railroad. The Great Council is now in session, and we must send the paper to it before it adjourns. It will close its session in February, so you see we must hurry. We have no time to spare or we will be too late. It will take ten days to go to Blackfoot Agency.

"Some of you headmen talked of the eastern boundary of your reservation. We have thought much over this matter, and we think the Big Muddy is the best line. It is a natural boundary; everybody will know it.

"Your reservation is large enough. We think you should be satisfied, and if you are satisfied with it we want you to come up and sign this paper. Has any one any questions to ask? I want you to understand, I will gladly answer all questions."

An Indian spoke of a white man living at Box Alder, and wanted him sent outside the reservation.

Major LARRABEE. The agent will attend to that. After the boundaries of the reservation are settled, all who have no business here will be ordered off. Your agent will protect you. If you are ready, come up and sign.

BLACK HAWK. The Indian always does what the white man asks him to do, but before the time runs out something more is asked; the bargain is changed. I thought that we owned lands across the river.

Major LARRABEE. It never belonged to you, but was simply attached to your reservation by the Great Father to keep the whisky men away. This paper gives the right to get all the timber you need across the river.

BLACK HAWK. I do not understand how the money is to be divided.

Major Larrabee then read that article of the agreement showing how the money was to be expended; all the details were fully explained. He also told them that the Commission had given the Indians at Berthold but one-half of this amount, and that they counted beans all night to get an idea of the amount, and the beans ran out; that the Indians said it was a plenty. And he said that they could not spend it, and that each year the Government would put the surplus away in the United States Treasury and keep it for them after the ten years had passed, and will do the same for you.

Yellow Eagle asked permission to address the Indians, which was granted; when he ended the signing commenced.

REPORT OF NORTHWEST INDIAN COMMISSION.

Washington, D. C., June 29, 1887.

Hon. J. D. C. ATKINS,
Commissioner of Indian Affairs, Washington, D. C.:

SIR: We hereby beg leave to submit a report of our proceedings with the Upper and Middle bands of Spokanes, Coeur d'Alene, Lower bands of Pend d'Oreilles or Callispela, Confederated bands of Flatheads, Pend d'Oreilles, and Kootenais, Chipewas of Bois Forte, and Grand Portage Indians, residing in the Territories of Washington, Idaho, and Montana, and the State of Minnesota. Whilst on the way returning from the Blackfeet Agency, in the Territory of Montana, whither the Commissioners—Wright, Daniels, and Larrabee—had been, in order to make negotiations with the Piegan, Bloods, and Blackfeet tribes, a full report of which has heretofore been submitted, we received instructions by telegraph, forwarded by mail, announcing

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CŒUR D'ALENE INDIAN RESERVATION.

ing that Major Larrabee had been recalled, and that Henry W. Andrews, of the State of New York, had been appointed to succeed him as Commissioner. On our arrival at Helena, in the Territory of Montana, after a short and necessary delay, in order to give time to Messrs. Larrabee and Andrews to arrange and settle between themselves their accounts as disbursing agents of the Commission, we proceeded on our journey. We arrived at Helena about 9 o'clock at night, having traveled in open sleighs on that day a distance of about 60 miles.

On account of heavy snows on the mountains the trains were delayed, and we did not leave Helena until the morning of the 23d, at 3 o'clock. Arriving at Spokane Falls, Washington Territory, by rail, on the night of February 24, we at once set about ascertaining the location and disposition of the Indians in that locality.

The country was covered with a deep snow, which was beginning to melt on the side of the mountains, rendering travel almost impossible. The Indians were scattered around Spokane Falls over a considerable territory, and many of them had no means of travel except on foot and over mountains through deep snows. Soon after our arrival we secured an interview with Spokane Garry and Louis Welsho, two of the leading chiefs, and endeavored to arrange for a place and time of meeting. The former of these chiefs and most of his band are Protestants, the latter Catholics. This and some other matters of difference produced a want of harmony between these men, and some delay was occasioned, one desiring that the council should be held in the town of Spokane, and the other insisting that it should be held at the Mission, about 6 miles distant. This made it necessary that the Commissioners themselves should settle the question. On full inquiry from intelligent sources the Commissioners learned that a large number could be accommodated by meeting at Spokane Falls. Accordingly a suitable place in the town was selected and messengers dispatched to the various neighborhoods in which the Indians resided, notifying them of the time and place of meeting the Commissioners.

These Indians are very poor and ignorant, and it required much patience and delay in order to get a majority of them together. Having had no previous negotiations of any kind with the Government or any of its authorized commissioners, they were totally unused to such proceedings. Rumors of our coming had preceded us, and it was evident that either interested or idle-minded white men had impressed their minds that our advent boded no good to the Indian. Newspaper publications had informed the citizens that the removal of these Indians was a part of the policy of the Government, and this was no doubt communicated to the Indians.

The great body of the citizens of Spokane Falls and vicinity no doubt greatly desired their removal, but there were some who conceived that the removal was against the interests of a few who made something by traffic in a small way, and these, it was plain, were secretly opposing the plans of the Government. In spite of all these difficulties, by constant effort on the part of the Commissioners and some humane friends of the Indians, a meeting was had, which was attended by nearly the entire male population, chiefs, head-men, and others. We learned that the total number of male adults does not exceed 100, and the total of men, women, and children does not exceed 350 or 400. As will be seen by the agreement there were 57 male adults who signed it, and that comprised every one who was present in the council.

These Indians, as has been said before, are very poor. The lands around Spokane Falls, on which most of them reside, are almost barren. Gravel and sand from the surface to great depth predominate, and no white man would risk making a living by farming on it. Some of them have an idea of getting homesteads on the unoccupied lands, but being ignorant of the laws governing homesteads and the land grants made to the railroad company, they not unfrequently settle on railroad land or land on which claims of white men already exist. This produces much confusion and contention which stains of white men already exist. This produces much confusion and contention which stains of white men already exist. They are much addicted to intemperance and gambling, owing to their contact with white people, the natural result being idleness, poverty, and misery. A large number of them lounge all the time in and around the town, picking up a scanty living by begging and doing menial service for the whites. The women, as a result of all this, are degraded, and have little or no sense of virtuous habits and practices. This Commission, in its extended visits to numerous bands of Indians, has seen none so utterly degraded and helpless and none which appeals more strongly to the pity and conscience of the humane and the helping hand of the Government than do these unfortunate and unhappy people. Bereft of every foot of land which they and their ancestors once possessed, without a dollar of compensation, and in spite of their earnest yet impotent protests; cities, towns, and farms now occupying the places where they once proudly walked as masters; in the midst of and under the absolute dominion of a superior and strange race, who look on them with indifference if not with contempt; with all the vices and none of the capacities of the superior race, conscious as they are that other Indians have received compensation for their lost heritage, whilst they have received nothing, the only messengers from the Government save this Commis-

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sion having been military commanders and armed soldiers; with none but sad recollections of the past lingering in their minds, and no hope for the future, save the glimmering light of a far-off heaven infused into their benighted souls by the laudable efforts of Christian teachers, how could they be expected to listen with confidence to your Commissioners, and give ready consent to the propositions of the Government?

Deeply impressed with the unhappy condition of these Indians and earnestly desiring to do everything for their relief not incompatible with our instructions and in accord with the humane and generous policy of the Government, we determined at once to spare no effort or pains to induce them to remove to some more suitable place, where they could be protected and started in the path of progress and civilization. It was manifest that their continuance in their present locality would eventually result in their utter destruction and would prove a continual annoyance to the energetic and patriotic people rapidly flocking to the country.

The instructions which we received from the honorable Commissioner of Indian Affairs, of date July 27, 1886, who fully comprehended the condition of these Indians and the policy to be pursued toward them, were plain and unambiguous. We were told "that we were to visit the Upper and Middle bands of Spokane Indians, and negotiate with them for their removal to the Colville, Jocko, or Coeur d'Alene Reservations, with the consent of the Indians of said reservations. They are scattered all over the country in the locations named, very many of them being in the neighborhood of Spokane Falls. Every proper inducement should be made to secure their settlement on one or the other of the reservations named. They claim to have been dispossessed of their land without compensation from any source."

In dealing with these Indians as with others, we beg leave to say that we were largely influenced by the wise and humane policy announced in the first report of the Secretary of the Interior, Hon. L. Q. C. Lamar. He said:

"It is not to protect the peace of the country or the security of its frontiers from the danger of Indian war, or on account of their hindrance to our material progress, that these efforts and expenditures are made in their behalf. It is because this Government is bound by duty, humanity, religion, good faith, and national honor to protect, at whatever of expense and sacrifice, these original possessors of the soil from the destruction with which they are threatened by the very agencies that make our prosperity and greatness. The sense of this obligation was profoundly felt by the founders of our Republic. They not only recognized it as the rule of their own conduct, but they wrote it down in their statutes and ordinances for the guidance of their posterity. The ordinance of 1787, one hundred years ago, article 3, contains the following language: 'Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall ever be encouraged. The utmost good faith shall always be observed among the Indians. Their lands and property shall never be taken from them without their consent, and in their property rights and liberty they shall never be invaded or disturbed unless in just and lawful wars, authorized by Congress; but laws founded in justice and humanity shall from time to time be made for preventing wrongs being done to them and for preserving peace and friendship with them.' The principles embodied in these noble utterances," continues Secretary Lamar, "constitute the fundamental principles of a genuine Indian policy."

On Monday, March 7, the council opened. This day had been selected by the Indians themselves as the earliest time possible in which to collect their people. Chief Louis did not promptly arrive, and this caused another short delay. When he did arrive he was unwilling to proceed without the presence of the priest, Father Cataldo, in whom the Indians reposed great confidence. The father was sent for, and on his arrival negotiations began. We file with this report and with the agreement concluded with these Indians full notes of the proceedings of the council, from which will appear the difficulties we had to encounter in getting their confidence and finally obtaining their willing consent to our propositions. It was evident from the beginning that self-interested advisers had been at work in endeavoring to dissuade them from accepting our proposals. Their natural love of what was once their country, and their reluctance to leave it, was almost an insuperable impediment. They knew they had a just claim against the Government for their lost lands, and they feared that any cession of the same would be giving up their rights. They had doubtless been told that by some legal proceedings they might either recover their territory or get millions of money from the Government as pay for it. They knew that at a former period a commission, in which Governor Stevens was prominent, had made treaties with various tribes in their vicinity, had obtained cession of their lands, for which compensation was provided, and that it was the intention of that commission to negotiate with them for the cession of their lands. They were painfully aware of the fact that no subsequent commission visited them, and that now their country was entirely occupied by white people, and that they had received nothing for it. They claimed that there was within the boundaries of their reservation two millions or more acres of land, a description of which they gave. We fully explained to them

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The reason why the Stevens commission failed to meet them, and why no subsequent settlement had been made, assuring them we were fully empowered to do as well by them as the Stevens commission would have done, and our willingness and readiness to do it.

Their reluctance to leave their old haunts was almost an unanimous feeling. They held councils among themselves, and they brought all their forces together in demanding that a separate reservation on the Little Spokane River should be laid off for them, and that they be paid for the lands they had lost. So urgent were they in this demand, and so unanimous and stubborn in its assertion, that at one time we well nigh lost all hope of a successful issue of the negotiations. On diligent inquiry, and from most reliable sources, we learned that the land which they wanted for a reservation was totally unfit for the purpose. Its proximity to the whites, the character of the soil, and in every other particular made it the supreme folly to entertain the proposition. Finally, they urged the point that the authorities at Washington would grant their request if made known to them, and that the Commissioners were misrepresenting the Government in this particular. At a critical point in the negotiations we agreed to consult the Commissioner of Indian Affairs and await his answer before proceeding further. We prepared a telegram, in which we stated fully the situation of affairs, the demand for a new reservation, describing it, its location, character of soil, etc., and expressing our convictions that the removal of these Indians was demanded by every consideration.

To this we received the prompt reply of the honorable Secretary of the Interior, a copy of which is here given:

WASHINGTON, D. C., March 11, 1887.

TO WRIGHT.

Chairman Indian Commission, Spokane Falls, Wash.:

Your telegram of 10th to Commissioner of Indian Affairs received. The President directs me to inform you that wish of the Indians for creation of new reservation for their occupancy can not be complied with under the law. If land suitable and sufficient on one of the three reservations, to which negotiations for their removal are restricted by law, can be selected by them where they may be to themselves, with consent of Indians now occupying the reservation, it may be designated as their reservation in the agreement which you negotiate.

L. Q. C. LAMAR,
Secretary.

We took the precaution of having Rev. Father Cataldo, the favorite priest of the Indians, present when we sent the dispatch, and on receiving the answer from the honorable Secretary of the Interior we immediately submitted it to his inspection. Subsequent proceedings showed that this step was well taken, for the Indians expressed doubts as to our good faith and the genuine character of the dispatches; but these doubts gave way before the statements of the missionary. Notwithstanding all this, some of them continued to insist on a new reservation, but most of them raised new and different objections, all tending to show that their opposition to removal at all was the basis of all their actions. We had information on which we relied, that the opposition to removal was largely confined to chiefs and other leaders, and that the rank and file, or a majority of them, really desired to accept our propositions, but they were afraid to assert themselves in opposition to the chiefs. Finally, a few subordinates began to speak out, prominent among them, Elijah, who was one of Chief Gerry's band. He said, "My chief is foolish; when he gets out of the way he will take a bottle of whisky and drink. We saw it was wrong and took to one side from him. I have my idea I will get somewhere." At another time he said, "My father was a chief. He was not ashamed. He saw the white people. He always answered the questions which was spoken to him. A great many of my friends have the same idea with me. You came to do us good. You have given us plenty. You have made the sun to shine. I am going away from here. I am going to the Indian lands." We make special reference to the conduct of this man, because we believe that his words and his example did much in bringing the minds of the Indians to a proper conclusion. One by one expressions like those of Elijah were made by the subordinates, and finally the chiefs began to see the direction in which their bands were heading, and they, too, came forward and accepted the proposition. The agreement covers all the points contained in our instructions. The Indians cede to the United States all right, title, and claim which they now have or ever had to any and all lands lying outside of Indian reservations in Washington and Idaho Territories. This cession covers a large territory of land to which these Indians had as good title as that by which any other Indians hold their lands. They had never ceded any portion of it to the United States, nor had they ever received any compensation for it from any source. It is true that much of it is poor and not suitable for cultivation, yet much of it is rich in soil, in timber, and in minerals.

The great Spokane Falls, which to a great extent has been utilized, the city of Spokane Falls, many other towns and villages, and thousands of farms are within its boundaries. We conceived it to be a matter of great moment that the cloud on the title to all this valuable property, existing by reason of the non-extinction of the Indian title in accordance with law and precedents, should be removed. The importance of this will be seen at a glance. The Indians also agreed to remove to and settle upon the Cœur d'Alene Reservation in the territory of Idaho.

Article 2 provides that the Indians will be permitted to select their farms and homes on a tract of land to be laid off and surveyed, and the boundaries marked in a plain and substantial manner, under the direction of the Secretary of the Interior, on said Cœur d'Alene Reservation; and it further provides that said Indians will take lands under and according to the allotment bill, which became a law during the Forty-ninth Congress; the allotments so to be made as not to interfere with the Indians now on the Cœur d'Alene Reserve. It is agreed that these lands shall be the permanent homes of the Indians forever.

Some of the Indians having expressed a desire to remove to the Jocko Reservation, on account of having relatives there, an article was inserted giving any Indian thus desiring the privilege of going there without forfeiting any of the benefits of the agreement, on giving reasonable notice of his desire after the ratification of this agreement. During the negotiations it was made known to the Commissioners, by the Indians, and white men who appeared to be friendly to them, that many of them were in the occupancy of small tracts of land on which they had made improvements, more or less valuable, and on which they placed great store. They feared that their removal would be an abandonment of their claims, and it was a serious obstacle in the way. On diligent inquiry we found that some of the locations were on railroad lands, some on lands claimed by white men as pre-emptors, some claimed by white men as purchased from Indians, and some on unoccupied Government lands. In view of existing laws as to Indian homesteads, and in view of principles of humanity and justice, we felt moved to make some satisfactory arrangement with regard to these lands, and hence it will be seen by reference to the agreement, article 4, it was provided, in case any Indians had settled on any of the unoccupied lands of the United States outside of any Indian reservation, and had made improvements thereon, etc., and residing thereon at the time of signing the agreement, he or they shall not be deprived of any right acquired thereby, etc.

In a letter we had the honor to address to the Commissioner of Indian Affairs we called attention to these claims, and took the liberty of suggesting that some suitable person be authorized to investigate them, to the end that such action might be taken as would secure a just and equitable settlement of the same, and we now renew that suggestion.

As before stated, these Indians number between 350 and 400. They have literally nothing, with the exception of a few inferior horses. In estimating the amount which they ought to receive as a consideration for the loss of their lands, we were governed by the stipulations with neighboring tribes when Governor Stevens was acting as commissioner, and endeavored to meet and negotiate with the Spokanes. This was about the year 1855. After mature consideration we concluded that the sum of \$95,000, properly expended, would be a sufficient amount to remove them and provide for their future support, and accordingly we agreed to give them that amount to be expended for the first year \$30,000, for the second year \$20,000, and \$5,000 for each succeeding year for eight years, the money to be expended under the direction of the Secretary of the Interior, on their removal, in the erection of houses, assistance in breaking lands, in furnishing cattle, seeds, agricultural implements, saw and grist mills, thrashing machines, mowers, clothing, and provisions, and in any manner tending to their civilization and self support. It was considered that as the land on the Cœur d'Alene Reserve is rich and productive, the climate mild and healthful, this amount would be enough to settle them and soon make them self supporting, as the Indians on that reservation have become so without any aid.

Article 6 provides that the United States will furnish a blacksmith and a carpenter at its own expense to do necessary work and teach the Indians these trades. These Indians, though not unused to labor on account of their location and situation, have fallen into indolent habits, and will need some extraordinary inducements and good management to bring them to that state of activity necessary to successful farming; and hence as an inducement, which we are sure will prove highly successful, it is provided in article 8 that when the Indians have settled on their farms and shall have broken as much as 5 acres to each farm, the sum of \$5,000 in money shall be distributed among them pro rata; and a further proviso gives the Secretary of the Interior the right to make this distribution of money pro rata whenever as many as ten families have broken that much land. It will be borne in mind that, as before stated, these Indians had never enjoyed treaty relations with the Government, and hence they knew but little about the forms, methods of procedure, or even the objects of a council with the authorized agents of the Government. It was known to them

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that in treaties made with neighboring tribes, provisions of a special character for the payment of money to chiefs had been provided for, and therefore they expected that something of the kind would be arranged for them. They had six chiefs, four of whom are very old and entirely unable to make a support by their own labor. One of these old men thinks he was born prior to the time when Lewis and Clarke passed through their country. In view of all this, in article 9 we agreed that each of these six chiefs should be paid, in addition to the \$95,000, \$100 per annum for the period of ten years. The foregoing comprise all the material stipulations in the agreement. It will be seen that after a long, patient, and trying struggle, every chief, headman, and adult Indian, by fair and impartial persuasion, was induced to sign the agreement. All that the Government desired or can desire has been accomplished. The sum to be expended is small compared with the benefits derived, and yet it is confidently believed that it will be sufficient to rescue this unfortunate and unhappy band from want, misery, and final destruction. If this shall be the result the country will be fully compensated for all the trouble and all the expenditure attending the effort. We deem it our duty in closing this report to give some estimate of the proximate cost of some of the necessary articles to be furnished. As to the removal itself it will cost but little, as the distance from their present residence to Cœur d'Alene is short and communication easy. One good day's travel will accomplish it. Perhaps the most expensive outlay of money for any one article will be that of a mill. From a reliable mechanic now superintending the mill at the Flathead Agency, in Montana, we learn that the cost of a mill will be:

One 25-horse-power engine	\$2,500
Saw-mill, fixtures complete	400
Set French burrs, with fixtures complete	300
Belting for both mills	150
One bolt, 3 by 9, with 3 feet of No. 6, for shafts	50
One smelter	150
Zig-zag separator	75
Construction of necessary buildings and material	3,000
Total	6,825

Work horses will cost about \$100 each, and milch cows about \$35 each. Suitable wagons can be placed on the reservation for about \$100 each.

The amount proposed to be expended during the first year will be sufficient for purposes of removal, building a sufficient number of houses, which can be built for \$150 each, putting up the mill, furnishing work stock, implements, and rations, and perhaps some amount will remain unexpended, which, together with the \$20,000 to be expended in the second year, will furnish all that is needed to place the Indians in a line of self support. They will be with the Cœur d'Alene Indians, whose skill in farming and good example will serve to aid and stimulate them to the highest efforts.

Before leaving the Spokanes we learned that about forty families, about one-half of the tribe, were anxious to remove at once, and we were confirmed afterwards by a statement made by Chief Beltice, who visited the Spokanes after we were there. We communicated this to the honorable Commissioner of Indian Affairs, and expressed the hope that some means might be found to gratify the wishes of the Indians, at the same time expressing our doubts as to whether any such means were available until after the action of Congress.

Our experience has convinced us that delay in the execution of agreements and treaties have a most baseful influence on the mind of Indians. Naturally suspicious and dependant, accustomed to wrong, fraud, and bad faith on the part of the whites with whom he has been associated, delay creates doubt, which gradually ripens into unbelief, and finally into stubborn indifference and resistance.

We feel it eminently due that we express our thanks to Agent Benj. P. Moore, Ex-Agent Sidney D. Waters, Rev. J. M. Cataldo, and Rev. Al. Diomed for valuable services and courtesies.

CŒUR D'ALENE.

As soon as possible after concluding the agreement with the Upper and Middle bands of Spokanes, and settling the business incident to the council, we proceeded at once to the Cœur d'Alene Reservation in the Territory of Idaho.

We went from Spokane Falls to Belmont, the terminus of the Spokane and Palouse Railroad, at which point we were met by parties with wagons who conveyed us to the town of Farmington, in Washington Territory.

On the next morning we proceeded to the Cœur d'Alene Reservation, 12 miles distant. The day was bright, and we had a fine opportunity of seeing the country, which is the finest in the West. We were informed whilst on our way that the chief, with an escort, would meet us and proceed with us to the De Smet Mission, where the council was to be

convened. The firing of a salute announced that the chief was near. We soon dismounted the chief with about forty mounted men, armed with Winchester rifles, which they fired as the Commissioners approached. The chief dismounted, advanced in front, and welcomed the Commission to the reservation. The party then moved on, the soldiers marching on either side of the road. At the village the entire male population and many women and children had assembled. The chief, in a neat address, received the Commissioners, to which the chairman made reply, which was greeted with loud applause. The whole body of Indians then filed in front of the Commission, each one shaking hands with them and saying some kind words.

The reservation is one of the best we have visited. The Indians have good productive farms, good houses, barns, gardens, horses, hogs, cattle, domestic fowls, wagons, agricultural implements of the latest pattern, and indeed everything usually found on flourishing farms. The Indians are industrious, thrifty, provident and good traders. They wear their hair short, and dress in citizen's dress from head to foot. They are polite, good natured, and ambitious to excel, and to do in all things as white men do, except to adopt their vices.

There may be a few exceptions, but so far as not to excite comment. Each one has a comfortable house on his farm, and nearly all have equally comfortable houses at the Mission, which together make quite a village. They remain on their farms during the week days, and on the Sabbath they repair to their dwellings at the village to attend religious services and see their children, who are at the Mission schools. Their land outside of the reservation, and much of it the best in that country, has been appropriated by the whites, and the Indians have never received a dollar.

They have been the friends of the white people in times of great trouble, and many owe their lives and property to the protection afforded them by these Indians against hostile tribes. As we were not to meet them in council, as they requested, until the next morning after our arrival, we were invited to visit their schools, which we did. Both school-houses are large, well constructed, and stylish in appearance. Inside they are neat, clean, and in every way suitable for schools. On entering the school room the boys arose and stood until we were seated. Paul Polistkin, a full-blood Indian boy of twelve years, stepped to the front and in a clear and distinct voice said:

"Honored Sirs: It is with feelings of great pleasure that I, in the name of my fellow-classmates, extend to you a cordial welcome to our school. We first thought that we would not have the pleasure of seeing you here, as it was rumored that you would call the chiefs to Spokane Falls, and there transact whatever business you had with them. We are glad you decided otherwise. It will give you a chance to see how our people live and support themselves.

"You will see at a glance that they 'earn their bread by the sweat of their brow,' as the land around here testifies. You will also see that here at school we are by no means idle, but try every day to add another grain of knowledge to our store. Hoping our exercises will please you, we welcome you to our school."

The exercises were of the most interesting and satisfactory character. The proficiency shown by these Indian children was as great as that of any school anywhere ever visited by the Commission.

At the close of the exercises Judge Wright thanked the boys for the cordial welcome they had given the Commissioners. He said he was delighted with their country. It was not only a beautiful country, but what was better, he saw that it was appreciated. He saw houses, farms, and other evidences of prosperity, which surprised him. His pleasure was greatly increased at seeing that Indian boys were the equals of the white boys in capacity to receive an education. He assured them that they had nothing to fear or to be ashamed of, and that if they continued in the path in which they were now walking they would reach a point where they would stand on equal ground with their white brethren, deserve and receive all the rights of American citizenship, and have opened to them all the avenues of fortune, fame, and happiness accorded the most favored people. In conclusion, he assured them that the Commissioners would do all in their power to protect the rights, advance the interests, and promote the prosperity of the Coeur d'Alenes.

The girls' school was then visited, and what has been said of the boys' school is equally applicable to this. On entering the school-room we were greeted with a song of welcome by the children and the music of the organ.

The voice of the Indian woman in singing is peculiarly beautiful and touching. There is a tone of gladness mingled with melancholy which is indescribable and can only be felt. This may be accounted for on the theory that traditional accounts of the sufferings of the race and the centuries of wrongs endured have made so deep an impression that even the dawn of a better and brighter day can not entirely obliterate. Every sensitive heart must have been touched to the core when they all sung together, "Will we

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know each other there." When the singing ceased Mary Josetta, aged twelve, a full-blood Coeur d'Alene, delivered this address:

"Respected Sirs: Allow me in the name of my dear little companions to offer you our glad greeting and to bid you a fond welcome to our happy convent home to-day. True, we are but simple little children of the forest, yet our young, untutored hearts have learned to love and revere the kind friends of our parents and tribe, and we trust that you too have come animated by that same worthy zeal which has distinguished so many of your predecessors—the future welfare of the Indians.

"Deeming that such is your motive, please accept our thanks for the deep interest you have manifested in our regard, and may God bless you and reward you an hundredfold for your noble and generous deeds and grant you a pleasant and prosperous journey to your far-distant homes."

One by one the classes were called and exercises given in spelling, reading, writing, geography, history, and arithmetic. Notwithstanding the native modesty and timidity of Indian girls in the presence of white strangers, they stood the test beyond any anticipation. They were not only ready in answers, but it was apparent to all that they thoroughly understood what they were doing and saying. Some of them solved with apparent ease problems in arithmetic which would give trouble to many graduates of Eastern female schools.

At the conclusion of the address Judge Wright said that the Commissioners had visited the boys' school and were delighted with the progress there shown, but he believed that the girls, if possible, excelled the boys. He did not know whether to attribute this expression of opinion to the fact of his gallantry. He believed, however, that it was conceded that the girls advanced more rapidly at school than boys; certain he was that he had never seen a school in his own section of the country which for good order and proficiency in never seen a school in his own section of the country which for good order and proficiency in never seen a school in his own section of the country which for good order and proficiency in study excelled this one. Any American having a daughter at school showing such proficiency in study as you have shown might well feel proud of her. He said, I see that you are not all Indians; some of you are half, and a few the children of white parents. It is indeed a pleasing sight to witness the children of the white and red races mingling together in the same school—all marching in the same path, with the same hopes, the same aspirations, the same flag of red, white, and blue, the same country, and all striving to reach the same blue heaven above. You should be thankful to the great Creator, the Father of us all, that he has sent to you in this wilderness the holy Fathers, Mothers, and Sisters to lead you in the paths of virtue and happiness.

Some of you missed a word or two in spelling. Do not allow that to discourage you, for there were some words given you to spell that would have puzzled either one of the Commissioners. And, besides, I think you knew how to spell them, and failed because of the natural timidity and modesty which is the glory of your sex. I had rather see a girl misspell an hundred words through modest embarrassment than see her spell a whole dictionary of words correctly, she lacking in that quality which so highly adorns woman and which renders her the object of our love and admiration.

In one of the selections read to us it is said "there are nights without a star and no days without a cloud." There have been times in the past when the Indian nights were without stars, and when the whole heavens above were dark with black and threatening clouds, but I feel glad to be able to say to you that it will be so no more. On this reservation the Indian problem will be solved at last. Here it is demonstrated that the Indians can work, and are willing to work and make a living for themselves, their wives, and their children, and that Indian children can stand side by side with the children of the Anglo-Saxons and compete with them in the race for knowledge and learning. The stars are beginning to appear in your heaven and the clouds are rolling by; even now the silver lining appears, and the glorious light of reason, science, and religion will ere long include your race in its broad scope and shed its benign rays on your humble homes.

At the appointed hour the Indians met us on the following morning; nearly the whole male adult population were present. On the appearance of the Commissioners every Indian arose and stood uncovered until the Commissioners were seated.

Father Carzano was requested to open the deliberations with prayer. The father stepped forward and every Indian dropped on his knees. A short and fervent prayer was offered, to which the Indians responded.

Judge Wright then addressed the Indians, fully informing them of the object of the visit. He gave them a vivid picture of the unhappy condition of their brethren the Spokanes, explaining to them the nature and terms of the agreement which the Spokane Indians had entered into to remove to the Coeur d'Alene Reservation. He also explained to them that their reservation was greatly desired by others, and how important it was that it should be occupied by Indians, and asked them to give their consent that the Spokanes and other scattered tribes should come on their reservation. He also spoke of the loss of their lands and its occupation by the white man; asked them

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to speak out freely on all these and any other questions of interest which might suggest itself to their minds.

Dr. Daniels addressed them. He said he had been engaged in transacting business with the Indians for many years. He assured them of the good wishes of the Government, and stated that the Commissioners would endeavor in an earnest way to advance their interests and make them prosperous and contented.

Chief Seltice arose and stated that what had been said made his heart glad; that he had waited anxiously for the coming of the Commissioners; that his people would listen attentively to any propositions which the Commissioners might be pleased to make and give them careful consideration; that his people would meet at night and talk together, and meet us again the next morning.

Judge Wright informed them that an agreement had been prepared, which would be read article by article, and fully interpreted and explained to them.

Before this was done Commissioner Andrews addressed the Indians in plain and earnest language, commending them for their industrious habits and friendly feeling toward the whites. He said he was surprised as well as delighted at the progress they were making, and predicted a bright and glorious future for them. At the conclusion of Commissioner Andrews' speech the Indians manifested their approval by their peculiar shout and clapping of hands. Chief Seltice in a few well-chosen words thanked, in the name of his people, the Commissioner for his words of encouragement and advice.

The agreement was then read to them by Commissioner Andrews, and each section carefully interpreted, to which the Indians gave marked evidence of approval.

Chief Seltice and his people manifested great concern about the future of their reservation. The clamor of the whites for the opening of the reservation had reached their ears and made their hearts heavy. The fact that all their land since this reservation had been taken from them without even the pretense of the asking, and the rapid increase of white settlers around, them were calculated to arouse their fears. They had no trusty relations with the Government and had no assurances of its fostering care. The visit of the Commission, and more especially when it was known that its visit was of the most friendly character, filled their hearts with gratitude and hope, which were manifested in their faces, their tone, and their expressions.

When assurances were given them that they would be protected by the Government in their homes and reservation their gratitude knew no bounds, and it is the sincere belief of the Commissioners that Chief Seltice and every able-bodied man of his tribe could be relied on in any emergency in the defense of the flag and the country with as much certainty as any community in the Union. This is strong language, but it is true. Whilst we cannot speak so confidently of the other tribes and bands visited by the Commissioners, we express the confident opinion that our visit and negotiations with other tribes have greatly strengthened their respect for and confidence in the Government.

On the next day the agreement was again read over and explained, when the chief who had been empowered to speak for the tribe announced that he and his people were ready to sign the agreement. Every man in the council followed, and over two-thirds of the male adults signed the agreement, and it was apparent that all would have done so had they been present.

The agreement was concluded at De Smet Mission, March 28, 1887. By its terms, for a consideration, the Indians cede, grant, relinquish, and quitclaim to the United States all right, title, and claim which they now have or ever had to all lands except that included within the boundaries of the present Coeur d'Alene Reservation.

The lands which they claimed, and held by occupancy, contained about 4,000,000 of acres. They had the same title to it which other Indians had, that is, the fee in the United States, and the occupancy, with all its incidental rights, in the Indian. The right of the Indians to their occupancy is as sacred as that of the United States to the fee.

They had been despoiled of this right without compensation from any source. Our instructions clearly contemplate a settlement of the claim based on the loss of these lands, and we were referred to Senate Ex. Doc. No. 122, Forty-ninth Congress, first session, which we examined with great care and attention.

On page 9 of this document will be found the petition of the Coeur d'Alene Indians, addressed to the President of the United States, setting forth their claim and the boundaries of the land in question. This country, as the petition alleges, "is one of the most valuable in Washington Territory, dotted by numerous and valuable wheat farms, valuable forests of timber, saw-mills, gold, silver, and lead mines, the military post at Coeur d'Alene, and numerous thriving towns and villages. The Northern Pacific Railroad runs directly through it, and much of the land owned by that corporation was the land of these Indians."

The history of the failure of Governor Isaac J. Stevens in 1855 to meet and negotiate with these Indians is well known to the country.

At De Smet Mission, on the 28th of March, by special commission and heading.

We had a copy of this report.

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At the same session we were furnished with the original agreement made and concluded on the 29th day of July, 1873, at Latah or Hangman Creek, in the Territory of Idaho, by and between John P. C. Shanks, John B. Monterth, and T. W. Bennett, special commissioners on the part of the Government of the United States, and the chiefs and headmen of the tribe of Coeur d'Alene Indians.

We had a copy of said agreement prepared and herewith submit the same as part of this report.

Reference is made to this paper and also to the fact that these Indians were recognized by the Government in 1855, as being entitled to consideration when Governor Stevens was constituted a commissioner to deal with certain northwestern tribes in order to show that their claim to compensation had been heretofore entertained. By reference to the copy of the agreement, it will be observed provision was made for a reservation for the Coeur d'Alenes out of a portion of these lands, and the tribe relinquished to the Government all lands heretofore claimed by them lying and being outside of said described reservation. The boundaries are then given in detail, and it will be found that they substantially agree with the boundaries given in the petition of the Indians.

As a consideration for the lands lying in Washington Territory in case by survey of the improvements made on the lands lying in that Territory. In addition, the Government agreed to furnish the Indians with 10 wagons, (2-horse), 10 sets of harness, 5 sets plow harness, 50 plows, 10 pair American mares, 10 whip-saws, 10 cross-cut saws, 2 mowers, 2 mowers and reapers combined, 1 set blacksmith's tools, 2 one-horse rakes, 20 harrows, 10 grain cradles, to construct one saw and grist mill, to build a school-house with apartments for males and females, one boarding and lodging house, one smith's shop, and in addition to all this the United States agreed to fund in United States 4 per cent. bonds the sum of \$170,000, interest to be paid annually for the benefit of the Indians, with right on the part of the United States of paying the principal at any time after 20 days.

This agreement was formally signed by three commissioners and witnessed by R. B. Whitman and T. M. Cataldo, S. J., and by all the chiefs and headmen of the Coeur d'Alene tribe.

At the time we had no means of ascertaining whether this agreement was submitted to Congress for its ratification, as was provided for therein. It was of service, however, in showing us to what amount of compensation should be given as consideration for the lost lands. The amount necessary to fulfill the stipulations of this unratified agreement is larger than that which your Commission agreed to give in this one.

The third article of our agreement gives the consent of the Coeur d'Alene to the removal to their reservation of the Spokane Indians, in accordance with the terms provided in the agreement with the Spokanes and the fourth article, that the Calemels and any other non-reservation Indians may also be removed to that reservation.

The anxiety of the Indians about their reservation and their fears that it might in some way be taken away from them, their unexampled good conduct, their friendship for the neighboring whites, displayed on a late memorable occasion, their rapid advancement in self-support and civilization unaided by the Government, their willingness to allow their reservation to be filled up with Indians, the confidence they repose in the Government to settle their claim on its own terms, all conspired to cause us to put in the fifth clause, which provides that their reservation shall be held forever as Indian land as homes for the Coeur d'Alenes and such other Indians as may be removed thereto, and that no part of the reservation shall ever be sold or occupied, open to white settlement, or otherwise disposed of without the consent of the Indians.

It may be said that this was unnecessary, inasmuch as no such thing would happen; but the loss of their former possessions and other causes had so excited their fears that it was considered, in order to allay suspicion, and in as strong a manner as possible, bind the Government to that good faith which the Indian prizes so highly and which he thinks has been violated so frequently.

Article 6 provides that the sum of \$150,000 shall be expended under the direction of the Secretary of the Interior, as follows:

For the first year, \$30,000; and for each succeeding year for fifteen years, \$8,000. These Indians had everything which they needed or wanted, or if not it was within their power to procure it, except a saw and grist mill. It was agreed that the construction of this should be the first item of the expenditure, the cost of this to come out of the \$30,000, together with the pay of the engineer and miller. For the probable cost of the mill we beg leave to refer to our report as to the Spokane Indians. The balance of the money provided for is to be expended in such useful and necessary articles as shall best promote the progress, civilization, comfort, improvement, and education of the Coeur d'Alenes.

Article 7 deserves some comment and explanation. When it was ascertained that these Indians really needed and desired nothing in the way of clothing, food, agricultural imple-

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ments, or school facilities it became a question with the Commission as to the method proper to be pursued in the payment of the amount in satisfaction of the claim. From information derived from the best and most reliable sources we learned that the police regulations were of the highest order, which results in excluding ardent spirits from the reservation; and that long experience in self-reliance and traffic with the neighboring whites had made them cautious, shrewd, and provident in the use of money. We learned that their trade in one town adjacent to the reservation amounted to about \$25,000 yearly. We therefore conclude that justice requires us to recognize these qualities and facts and adapt our course to the advanced condition of the Indians. Hence it is provided in this article 7 that if it shall appear to the satisfaction of the Secretary of the Interior that in case the Indians need none of the money expended as provided in article 6, they being already provided with such things, and further, that they will judiciously use the money, the same may be paid to them in cash pro rata. It will cost the Government no more to pay in cash than in supplies, and, besides, the trouble will be much diminished.

All money not expended in any one year, according to the provisions of the agreement, is to be kept for the use of the tribe, and that the wishes and needs of the Indians are to be consulted when purchases are made for them.

In the employment of engineers, millers, mechanics, and laborers of every kind preference is to be given to Indians qualified to perform the work, and all persons employed are required to teach the Indians these trades and vocations. We were assured that in a short time Indians on the reservation would be fully qualified to do all these things, and we considered this an important provision, tending to their rapid self-support.

It was further agreed that the United States would furnish a competent physician and medicines, a blacksmith, and a carpenter.

Article 12 makes provision as to marriages between Indian women and white men similar to that made by the commission with the Chippewas of Minnesota.

This provision and the one allowing certain white men, four in number, who have married Indian women and who are now residing on the reservation, was embodied in the agreement at the special instance and request of the tribe.

As to article 13, it is proper to state that this was also embodied at the earnest request of the entire tribe.

The fathers who went among these Indians at an early day found them a fierce, wild, and ignorant people in their aboriginal state, and have, by patience, toil, and care brought them to their present advanced state of Christianity and civilization. A better ordered and better behaved Indian community can nowhere be found. They are active, industrious, thrifty, and self-supporting. Their respect for the law, their loyalty to the country, and devotion to religious principles and practices are greatly to be commended. All this they attribute to the work of the fathers, who have expended in building of churches, school-houses, and other buildings, opening and fencing farms, not less than \$20,000. On these farms the Indians have learned the art and science of agriculture. Both schools, male and female, are filled with Indian children walking in the same path, not only receiving good educations but learning all the practical duties of life.

As has been stated before, the chief matters of concern which occupied their minds was the preservation of their homes and the perpetuation of their church and school facilities.

It appeared that they had years ago given their consent to the provision contained in this article, and wishing it embraced in a more lasting and durable form they requested the insertion of that part of the agreement.

With all the facts before the Commission, and being on the ground, we deemed it of the highest importance to the Indians and their posterity that this arrangement should be made. It will be seen that the title in fee is not touched, and that the right of use is all that is conceded, or in other words, to use the expressive language of the Indians, they simply "lend the land" in order to secure the education and civilization of their children.

After concluding our labors with the Cœur d'Alenes we returned to Spokane Falls in order to arrange for a visit to the Calespels or Lower Pend d'Oreilles.

CALASPELS, OR LOWER PEND D'OREILLE.

SAND POINT, IDAHO.

The snow on the mountains made it impossible to meet these Indians by land at their usual place of residence, which is in a valley on the Pend d'Oreille River, about 60 miles below Sand Point, where the Northern Pacific Railroad crosses Lake Pend d'Oreille. They can be reached by small boats coming down the river, but travel in that way at this season of the year was very uncomfortable and not unattended with danger. Information derived from persons acquainted with these people, their habits, and probable

tion at that time, induced us to have them meet us at Sand Point, in the Territory of Idaho. In addition to the above, we ascertained that the cost of visiting these people at their homes would greatly exceed that of having them come to Sand Point, and that there was no suitable house at their place of residence in which to assemble, and no place where the Commissioners could stay during the negotiations. Accordingly, we communicated to Mr. Louis Lee, of Rathdrum, Idaho, a request that he would visit the Indians and persuade them to meet us at Sand Point. This he promptly agreed to do. The day being fixed, Mr. Lee, at our request, met us at Spokane Falls after his return, and immediately we started for Sand Point. To aid us as much as possible, we requested the presence of Maj. Peter Ronan, Father Van Gorp, and two Indian chiefs from the Flat-head Agency, that being the place to which we hoped to remove the Calespels. We arrived a few days in advance of the coming of the main body. A few came in and reported that they had heard of our coming, but that Victor, former chief, and a party of braves were off hunting in the mountains. Victor, whose Indian name is Petol, had recently abdicated in favor of his eldest son, Marcella. However, his influence still remains, and the Indians were not willing to proceed without his presence and advice. The Commissioners also desired his presence, having heard from good authority that he had recently expressed a willingness, on reasonable condition, to consent to removal of himself and tribe to the Jocko Reservation. Marcella, his son, and now one of the two chiefs of the tribe, had failed to put in his appearance; and, as it was understood that the chiefs were to conduct and conclude the negotiations, nothing could be done in his absence. It was represented to us that he was an obstinate, untamed, and contrary chief, and it would be difficult to make an agreement with him. All this caused a most unpleasant delay. All that could be done under the circumstances was to wait with that patience and forbearance which are indispensable qualities in one seeking business with untutored Indians. "They take no note of time" and have no idea of such a thing as haste in dealing with Government officials. They place a high estimate on their own importance when called to council with Commissioners, and spend much time in secret conclaves one with another, and always come with reluctance and at a snail's pace to the first meeting. The delay, however, continued, and information was obtained that Victor and his party of hunters could not be found. This induced the sending of other messengers with strict instructions, which resulted in bringing him in.

Nearly the entire tribe appeared on the field, numbering, all told, about 40 adult males, but only about 31 appeared in council. The total number, including men, women, and children, is estimated at about 150. Whilst, for reasons given, we did not see the lands on which they lived, from reliable persons who are acquainted with them, and from the Indians themselves, we learned that there is but little farming land; that they have but few houses or cleared land; that their country overflows every year, and that the only thing on it that is of any value is some hay land. They live almost exclusively by hunting, trapping, and fishing, and the two former sources are well-nigh exhausted. The whites who live about them also live by hunting and trapping, and this adds to the rapid destruction of game. White men are constantly going by the river through the country seeking game and minerals, which are found beyond the reservation, and constant disagreements are the result. Indeed, the numerical weakness of the tribe is the only safeguard against danger. The white population is also sparse, owing to the nature of the country. These Indians are naturally vicious and combative, and when under the influence of intoxicants are absolutely dangerous neighbors. Whilst we were at Sand Point, in spite of our protestations and threats of prosecution, some of them obtained whiskey from white men, which resulted in personal fights among themselves and the whites. It will be thus seen that in addition to the information furnished in our instructions and reports which reached us prior to our meeting, actual observation confirmed, of the pressing necessity for their removal. We therefore determined to exhaust every proper and legitimate resource to secure this end. Chief Victor having abdicated in favor of his son, Marcella, we found but two chiefs, to wit, Marcella and Michael. These men are totally different in their habits and views of life. Marcella attached to the wild roving life which his band leads, and Michael, with short hair and dressed in new, clean citizen's clothes, leaning to the ways and customs of the whites. The proceedings had not gone far until it was believed by the Commissioners that a large number of the Indians were pleased with the propositions made them, and were willing to remove. Victor and his son were the impediments. Nicola, a plausible speaker, had been engaged by them to do the talking. At first, as we understood, he was inclined to accept the offer of the Government, but Victor and Marcella by some means brought him over. They made an effort to win Chief Michael also, but they failed. He was silent for a long time, and seemed reluctant to antagonize the others, though his band, who constitute a majority, were fully in accord with him. At last he spoke out freely in favor of accepting the offers, and in behalf of his entire band, and with their approval, signed the agreement. His head-man, Pierre, followed, and afterwards Big Head, Joseph,

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Pages 57-66 Omitted

Sen. Doc. No. 14, 51st Cong., 1s Sess.

CŒUR D'ALFNE INDIAN RESERVATION.

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Indians, parties hereto, have hereunto set their hands and affixed their seals this 15th day of March, A. D. 1887.

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

Signed with an x mark and seal:

Elijah; Curly Jim; Ennis; La-wap-a-louse; Frazy; Chief Joseph Skulhault; Chief Paul; Sale Spiley; Whistro Lo Jim; Paul Thomas; Charlie Louis; Buckskin Jim; Packing-his-hair; Qenant la comi con; John La Mar; Qlay quis to; Chief "Antarhant"; Chief "Spokane Garry"; William Jackson; Quill Tan; Broken Tooth; John Stevens; Simon; Charles; Antoine; T. M. Williams; John Solomon; Old Solomon; Sen Low; Nushet's Smeyat; Obed Jacobs; Thomas S. Garry; Solomon Scott; Joseph J. Wilson; Paul A. Garry; Levi; Chimmill-chin; Chikneze; George; Zionakou; Joshua; Isaac; John Wilson; "See Mok Mos-quetat"; "The Mountain Turkey"; Billy; Lori; Elias; Stephen; Chil-kenishin; Schierish; Chief Ench; So-kake George; Skulskullan; Shilchitem-zoo; Chief Louis Welsholez; Kampon Charles; Waitsarah; Peiresish; Kyli-mah; Louis; Philip; Antoine; Old Philip; Peter; Eliek; Chetleskaimik; Stwoichin; Kulzkoo; John; Salimlan; skaantaku; Light of the Belly; An-toine; Quennemese; Old John; Sakkou; Pascal; Tannayakn; Zillon; (Angus-tus; Cus-jah; Che-toh; Seintachun; Che-squet-tah; Peter; Saitochassachie; Eliquinah; Olzschomak (Luka); Shioitchun.

Witnesses:

FRED R. MARVINE.
 SIDNEY D. WATERS.

I, Robert Felt, United States Interpreter for the Colville Indian Agency, Wash., do hereby certify on honor that the foregoing agreement was carefully read in open council, 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.

His
 ROBERT — FELT.
 mark.

Dated Spokane Falls, Wash., March 15, 1887.

Witness:

SIDNEY D. WATERS.

The undersigned, members of the within-named Spokane tribe of Indians, not being present at the signing and concluding of this agreement at Spokane Falls, Wash., having had the same fully interpreted to us, do, this 27th day of April, 1887, fully agree to its provisions, and affix our names and seals at St. Ignatius Mission, in the Territory of Montana.

Signed with an x mark and seal:

Batiste Peon, Pierre, Michael, Joseph, Zavid, Edmund, Wm. King, François.

Witness:

THOMAS E. ADAMS.

I, Michael Revais, United States Interpreter for the Flathead Agency, Mont., do hereby certify on honor that the foregoing agreement was carefully read in open council and by me correctly interpreted, and that the contents thereof were fully explained to and fully understood by said Indians before signing and sealing.

His
 MICHAEL — REVAIS.
 mark.

Dated Flathead Agency, Mont., April 28, 1887.

Witnesses:

THOMAS E. ADAMS.
 HENRY A. LAMBERT.

Agreement with some of them.

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 herewith 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 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 Calespela, now residing in the Calespela 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 a 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

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COEUR D'ALENE INDIAN RESERVATION.

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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 the 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, mediciner, 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 evidences 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, being 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.

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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, Regis, Pierre Welsholque, Edward, Damas, Vincent, Paul Reni, Charles Louis, Elimo Spokaneo Wenceslas, Pierre Chiarpa, Pierre Bartholomewie, Bernard Spequimiks, Louis Sguchau, Eneas Chteshi, Timothy Polokash, Alexis, Adrian Umas, Sebastian, Camille, Eneas Nchiesu, Luka Nugsai, Hilarous, Basil Kasitquizuit, Joshua, Fidele, Prosper Ntimilps, Alphaos, Paul Tchkanise, Pierre Joseph, Daniel, Eneas Terrallian, Louis Stanislaus-Barnaby, Etienne Sinkols, Frisby Niselmakomistazegalm, Tibuce Siloket, Anthony Sema, Charles Augustus, Leo Achetops, Etienne Stakamski, Leo Kuimchilsile, Thomas Guissunge, Cornelius Quiquille, Louis Schumukuma, Adrian Milmilagan, Alexander Chitcheke, Adrian Schizikue, Pierre Joseph Schezi, Semo Chimineme, Joseph Karlimkue, Louis Michael Welgoichu, Michel, Pierre Joseph Schaika, Benoit-Schuliliza, Louis Sebastian Kurilkuku, Adrian Kuzalchan, Joseph Nkonoqua, Isadore Npajskue, Charles Polatka, Eneas Basil, Andrew Ologazu, Moses Mozgela, Peirre Paul Koipe, Benoit Schilzispo, Louis Malkapsie, Daniel Quinmose, Leo Nzakakulipeya, Eneas Paul Mguianan, Louis Lolo, Francois Nsispikua Nkansi, Francois Eugene, Felicien, Pierre Basil Lanwasket, Leo Tampilime, Louis Nianme, Louis Lotone, Stanislaus, Nickodemus Kruto, Louis Sepas, Pnyuse Williameme, Louis Seisquachan, Phillip Pokatchan, Joseph, Peter Paul, Stepien.

BENJAMIN D. MOORE.

Agred.

Witnesses:

SYDNEY 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 F. FELT
 mark

Witness:

A. C. KING.

Dated DE SMET MISSION, CŒUR D'ALENE RESERVATION,
 IDAHO TERRITORY, March 26, 1887.

Articles of agreement

Made and concluded at Sads Point, in the Territory of Idaho, on this the twenty-first day of April, in the year of our Lord one thousand eight hundred and eighty-seven, by and between John V. Wright, Jarred W. Daniels, and Henry W. Andrews, duly appointed commissioners on the part of the United States, and the chiefs, Headmen, and other male adult Indians of the band known as the Lower Pend O Rielle or Calespel, now residing in and around what is known as Calespel Valley in the Territory of Washington.

ARTICLE I.

Witnesseth: In consideration of the agreement on the part of said Indians, hereinafter recited, the United States agrees to erect at some suitable place on the Jocko Reservation [Flathead Agency], in the Territory of Montana, for the use of said Pend O Keille Indians, a saw and grist mill, and to build a sufficient number of houses for their accommodation; to assist in clearing, breaking, and fencing not less than five acres of land for each family; to furnish an engineer and miller, a carpenter and a blacksmith; to furnish each family with 2 milch cows and 2 work horses; to furnish one two-horse farm wagon, and

set of double harness, stoves [for each house]; plows and all other necessary agricultural implements for each family; and the United States does further agree to make provision for taking care of the old, sick, and infirm members of said tribe, and to furnish said tribe of Indians with food, clothing and medicines until such time as they can become self-supporting, but not to exceed five years. And the United States further agrees to furnish said Indians with necessary seeds for the first year after going upon said reservation; and the United States further agrees, in order to encourage said Indians in the habits of industry, to furnish, from time to time, such other useful and necessary articles as will tend to promote their advancement and civilization, in the discretion of the Secretary of the Interior. And the United States further agrees to remove said Indians from their present homes to the said Jocko Reservation.

ARTICLE II.

And the United States further agrees, that in the employment of persons to perform labor of every kind, such as building houses, clearing, breaking and fencing land, making rails, hauling supplies and other things, preference in all cases shall be given to the said Indians who are qualified to perform such labor, and they shall be paid a just and reasonable compensation for the same.

ARTICLE III.

In consideration of the extreme age and the valuable services he is expected to perform, the United States agrees to pay Chief Victor, head chief of said tribe, the sum of \$100 per annum during his life, the first payment to be made as soon as possible after his removal to the said Jocko Reservation.

ARTICLE IV.

The United States further agrees, that any of said Indians who have made settlement and improvements on the lands where they now reside may sell and dispose of any right, title, or interest which they have to the same, and receive the pay therefor.

ARTICLE V.

The United States further agrees, that one quarter-section of land on said Jocko Reservation may be selected and set apart for educational and religious purposes, and that suitable buildings may be erected thereon, which buildings and land may be used for said purposes, or for either.

ARTICLE VI.

In consideration of the foregoing agreements, the undersigned Fend d'Oreille or Calispel Indians hereby agree to remove to and settle upon lands within the Jocko Reservation, in Montana Territory, hereby relinquishing all rights, title, or claim which they now have, or ever had, to all other lands in the Territories of Idaho and Washington, or elsewhere, to the United States: *Provided*, That if any Indian or Indians, shall prefer to remove to the Colville Reservation, in Washington Territory, or Coeur d'Alene Reservation, in the Territory of Idaho, he or they shall be permitted to do so without forfeiting his pro rata share of the benefits herein provided.

ARTICLE VII.

This agreement shall not be binding upon the parties hereto 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, head-men, and other Indians on the part of the Indians, parties hereto, have hereunto set their hands and affixed their seals this twenty-first day of April, A. D. one thousand eight hundred and eighty-seven.

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

his
Chief, SITTING GRIZZLY BEAR + MICHAEL. [SEAL.]
mark.

Signs for himself and his band of Fend d'Oreilles, numbering over twenty-five men.
his
PIERRE + [SEAL.]
mark.

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COEUR D'ALENE INDIAN RESERVATION.

I, Michael Revals, United States interpreter for the Flathead Agency, Montana Territory, do hereby certify on honor that the foregoing agreement was carefully read in open council, and by me correctly interpreted, and that the contents thereof were fully explained to and understood by said Indians before the signing and sealing of the same.

his
MICHAEL + REVALS
mark.

Dated SAND POINT, IDAHO, April 20, 1887.

Witness:

LOUIS LEX.
Witnesses to signature of Michael and Pierre:
LOUIS LEX.
L. VAN GORP.

The undersigned members of the within-named tribe of Pend d'Oreilles Indians not being present at the signing and concluding of this agreement at Sand Point, in the Territory of Idaho, having had the same fully interpreted to us, do this twenty-seventh day of April, eighteen hundred and eighty-seven, fully agree to its provisions and add our names and seals at St. Ignatius Mission, in the Territory of Idaho.

his
BIG + HEAD. [SEAL]
mark.

his
JOSEPH. + [SEAL]
mark.

his
ANTOINE + [SEAL]
mark.

Witness:

THOMAS E. ADAMS.

I, Michael Revals, United States interpreter for the Flathead Indian Agency, Mont., 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.

his
MICHAEL + REVALS
mark.

Witnesses:

THOMAS E. ADAMS.
HENRY A. LAMBERT.

Agreement with Flatheads, Pend d'Oreilles, and Kootenais.

This agreement, made and concluded at St. Ignatius Mission, Jocko Reservation, Flathead Agency, in the Territory of Montana, on this 27th day of April, in the year of our Lord one thousand eight hundred and eighty-seven, by and between Jno. V. Wright, Jarred W. Daniels, and Henry W. Andrews, duly appointed commissioners on the part of the United States, and the chiefs, head-men, and other adult Indians of the confederated bands of Flathead, Pend d'Oreilles, and Kootenay Indians, witnesseth

That whereas it is the policy of the Government of the United States to remove to and settle upon Indian reservations scattered bands of non-reservation Indians, so as to bring them under the care and protection of the Government of the United States, and whereas a part of the Upper and Middle bands of Spokane Indians have expressed their desire and consent to remove to and settle in permanent homes upon this reservation, and whereas the Lower Pend d'Oreilles or Calepel Indians have also expressed their desire and consent to remove to and settle in permanent homes on this reservation, and whereas it is the policy of the United States first to obtain the consent of reservation Indians before removing other Indians on said reservation: Therefore,

ARTICLE 1.

In consideration of the desire and consent of said Spokane and Pend d'Oreilles Indians, as set forth in their respective agreements made with the above-named Commissioners of the United States, and our desire that this reservation shall be occupied by In-

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these only, the undersigned, chiefs, head-men, and other adult Indians belonging to the confederated bands of the Flathead, Pend d'Oreilles, and Kootenay Indians now residing on the Jocko Indian Reservation, in the Territory of Montana, do hereby agree and consent that the said Spokanes and Pend d'Oreille Indians may be removed to and settled upon the lands of said Jocko Reservation in permanent houses on the terms and conditions contained respectively in the agreement made with the Spokanes at Spokane Falls, in the Territory of Washington, and with said Pend d'Oreilles at Sand Point, in the Territory of Idaho, and we do further agree and consent that the United States may remove to and settle upon the said Jocko Reservation any other non-reservation tribes or bands of Indians who desire and agree to said removal, on such terms and conditions as may be hereafter agreed on between the United States and any of said Indians.

ARTICLE 2.

In consideration of the large amount of money expended by St. Ignatius Mission in the erection of a church, school-houses, mills, barns, shops, and other useful buildings, and in the opening and fencing of farms and gardens, and in the consideration of the religious and educational facilities afforded thereby to our children, and our anxious desire that our posterity in all time to come shall continue to have such advantages and facilities, the undersigned Indians agree that the United States may have surveyed and set apart a tract or parcel of land not exceeding one section for the boys' school, under the charge of the Society of Jesus, and one section for the girls' school, under the charge of the Sisters of Providence, on which are situated said buildings and improvements, which land and improvements may be occupied and held by said St. Ignatius Mission for educational and religious purposes, as long as they are used for said purposes and no longer. Provided that nothing herein contained shall interfere with the rights of Indians living upon said tracts of land.

ARTICLE 3.

In consideration of the above agreements on the part of the Indians and the necessity thereof, the United States agree to erect on said reservation, a saw and grist mill and furnish a miller for the same at such place on said reservation, under the direction of the Commissioner of Indian Affairs, and the United States further agrees to furnish a competent blacksmith, and pay for the services of the same, to be located at or near the said saw and grist mill, and to furnish suitable tools for his use.

This agreement not to be binding upon the parties hereto, until the same shall be ratified by Congress.

In testimony thereof, the said John V. Wright, Jarred W. Daniels, and Henry W. Andrews, on the part of the United States, and the chiefs, head-men and other Indians, on the part of the said confederated tribes of Indians, parties hereto, have hereunto set their hands and affixed their seals this twenty-seventh day of April, A. D. eighteen hundred and eighty-seven.

Signed with an x mark and seal:

John V. Wright, Jarred W. Daniels, Henry W. Andrews, Michael [signs for fifty-five (55) men], Eneas, chief of the Kootenais, Arlee, Atol, Partee, Joseph, Louison, Partee, Eusta, Vital Revaia, Joseph, Paul, Alexander Matte, Alexander Purriar, James Lewis, Joseph, Octave Revaia, Antelli, Francoise, Abelos, Robert Irvin, Peter Ogden, Eneas Pierre, Louison, Isaac, Paul, Eneas Francoise, Isaac, Francois Laucet, Francois, Pierre, Joe Gardipee, Paul Gardipee, Alexander Murrijean, Leon Altice, Big Sam, Isadore Ladimouth, Eneas, Joseph Paine, Louis Valle, Gregory Big Head, Michel, Celo, Louis, Marra, Adolph, Pierre, Pizi, Lonias, Sussep, Maxime, Leou, Bosep, Isaac, P'ohel, Joseph, Custata, Charley Joe, Antoine, Eneas, Pierre Paul, Pierre, Bosep, Isaac, Joseph, Antoine Maisie, Stanislaus Anley, Charles Nichelap, Esknikelisz, Blasa, Joseph Plant, Joseph, Eusta, Pierre Paul, Patnuel, John, Louis, Penvel, Michael Revaia, Partee, Penuel, Charles, Charles Allard, Michelle, Artemus, Pamuell, Peirre, Paul Andre, Pierre, Nichola, Lormae, Felix, Partee, Charles, Lola, Lenace, Big Pierre, Don Donald, A. P. McDonald, Penoir, Batiste Marra, Louis Matte, Joe De Shaw, Henry Jeeban, Joseph Paine, Jr., Edmund Destan, Sam Belman, William Finlev, Louis Saxe, Louis, Antoine, Pierre, Batiste Peon, Antoine, Charlowane, Michael, Paul Paon, Isaac.

Witnesses:
LEOPOLD VAN GORP.
THOMAS E. ADAMS.

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I, Michael Revals United States interpreter for the Flathead Indian Agency, Mont., do hereby certify, on honor, that the foregoing agreement was carefully read in open council, 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.

his
MICHAEL X REVALS
mark.

Dated, St. IGNATIUS MISSION, FLATHEAD INDIAN AGENCY, April 27, 1857.

Witnesses:

THOMAS E. ADAMS.
HENRY A. LAMBERT.

NOTE BY INDIAN OFFICE: The minutes of the councils with the Upper and Middle bands of Spokane Indians are so voluminous as to preclude the possibility of preparing copies in time to submit the same with this report. They are filed in this office with the original report of the Commission.

The agreement with the White Earth and Pillager and Lake Winnibigoshish Chippewas, which was presented to the Bois Forte and Grand Portage Chippewas by the Commission, is also omitted. Said agreement is printed in Senate Ex. Doc., No. 113, Forty-Ninth Congress, second session.

COUNCIL WITH CŒUR D'ALENES.

WEDNESDAY, March 23, 1857.

The council met and opened with prayer by Reverend Father Carnano. Present, Commissioners Wright, Lumsden, and Andrews, the chiefs and bands of the Cœur d'Alenes, and the interpreter. Judge Wright said:

"My friends, we have traveled a great distance in order to meet you. We thank you most sincerely for the very kind reception you have given us, and for your words of friendly greeting. You are the descendants and representatives of a noble tribe of Indians. You have given up the pursuit of war and of the chase and are devoting all your energies to the arts of peace; you are striving manfully to take care of yourselves, your wives, and your children. We have visited your schools and have seen how well your children are being educated. All this we need not tell you. We are well pleased, and particularly when we know that you feel so deep an interest in these matters. It will inspire your friends to renewed efforts. It will strengthen those who are striving to advance you and place you firmly on the road to civilization and independence. Those who sent us here will be glad to hear all this. Your condition and the character of your reservation we had heard of before our coming, but it is better than had been told us. You are known to be a people who are rising in intelligence and in all the pursuits of peace; that you have been friendly toward your white neighbors, and that you have given them assistance in times of danger and trouble, is known and appreciated. It is also known that you claim to have once possessed a large body of land, that much of it has been settled by white people, that you had never ceded it away, and that you have received nothing for it. You have a good reservation which you wish to preserve for yourselves and your children. The Great Father desires that this shall be done. You have good farms, fences, and houses, agricultural implements and stock, and we learn that you are working men, that you cultivate your farms and make good crops. We come with kind words from the Great Father. We do not come to force you to do anything. We come to ask your consent. We bring no soldiers, but only words of kindness and praise. We will speak plainly so that you can understand us, and we wish you to agree to nothing until you understand it, and not then unless your minds and hearts are willing.

"Your brethren, the Spokanes, for years have been living about the falls. The white people have gone there and settled all over their country. These Indians are very poor and unhappy. They have no lands and no homes. The Great Father has pity on them, and he wishes to place them on a better country. He wishes also that you will have pity for the Spokanes.

"In 1835 the Government sent Governor Stevens and some other Commissioners to visit and treat with the Indians in this part of the country, and, among others, he was instructed to visit the Spokanes and the Cœur d'Alenes. Governor Stevens made an honest endeavor to see them and you, and to buy your lands, but he was prevented from doing so by an Indian war which broke out about that time. I could explain to you why no other commission was sent. It is enough to say, that it was not because the Gov-

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Government cares nothing for the Spokanes or you, for it is true that the condition of the Spokanes has long been a matter of much concern. We have just left the Spokanes. We were with them in council for many days. They were slow to understand, but after a while we succeeded in making an agreement with them by which we hope to remedy their wrongs and bring them to a better condition. In order to do this we need the helping hand of you, the Coeur d'Alenes, and we come to ask that help from you. The President desires that they shall have houses, farms, agricultural implements, and help in other ways as a recompense for their lost country. He wishes that they all may be removed to this reservation by your consent. It is believed that by bringing them here and locating them on farms on this reservation they will soon be in the good condition we find you. If they stay where they are it is feared that they will be ruined. Some of the whites among them are friendly to them, but some give them whisky and cards, and they are leading a bad life, and have much trouble in getting along. We think that it will not only be an act of kindness on your part to allow these poor people to come and live with you, but we also believe it will be the best for you. It is known to you that the whites much desire to get your reservation, or some of it. The whites are increasing in numbers rapidly and they are clamorous for more land. It must be worked either by bodies of good land should lie idle and uncultivated. It must be worked either by white people or by Indians. If your reservation was full of Indians the whites would not want it, or ask for it. Already we have been asked to open this reservation to white settlement. Long petitions came to us while we were at Spokane Falls asking that this be done. We told them no, we have no power to do that; we came to put other Indians there who have no homes. Now you can see that we come as your friends, and we wish you to think of these things and speak freely to us. We wish to take as little of your time as possible, as you know you are farmers, and that you are needed at home. The time we will leave to your judgment. We wish also to hear from you on the subject of your lands about which you wrote to the President in your petition. We wish also to hear from you as to your wants and necessities. We wish every question fully discussed and well understood. We see you are sensible men and disposed to do right, and we think you will have but little trouble in coming to a just conclusion.

"This business is not entirely new to us. We have visited many Indians in other places and have made agreements with them. Each of us has had experience. My friend Major Andrews, has been in the Indian office, and Dr. Daniels has been much among Indians. We are all pleased at what we have seen among you. We have seen that Indian children can learn what white children can, and that you are as good farmers as white men under the same circumstances. We are anxious to do that which is right for you. We wish to see you have justice and to improve your condition. As for myself, I can say with truth that my anxiety to succeed in our efforts to improve the condition of the Indians is greater than I ever felt in any public employment of my life."

Dr. DANIELS. My friends, the judge has said nearly all I can say. I have been a long time among the Indians. At the same time, when Governor Stevens came to this country the judge was a member of the Great Council at Washington, and I was appointed to go among the Indians. When first I went among the Indians they had as food the wild meat of the buffalo; now I see you on good farms and in your happy homes. I have seen a great many Indians, but I did not expect to see them ahead of the whites as I see them here.

You have the finest schools, the best community that I have seen among Indians, and we are well pleased. We can talk to you as we can to the whites and do business with you as with them. We are all very glad to see you."

Chief SERRICE. All right, I will assure you; you have come from afar, and our hearts are all glad to-day. We have wanted to see you; we have not doubted our Great Father, but always believed that, though he was a great ways off beyond the mountains, yet he would see us and remember us, his children; my heart is big to-day, and my people are pleased at your coming, and I am glad also. Tell us what you desire us to do, and we will do it gladly, willingly. We will try to do what is right; we are as children; yet the Great Father has us under his protection, and you promise to help us. We want your advice; we want your counsel and help. For this we thank you. I have little to say to-day and do not wish to make any mistakes. We wish to consider. You have spoken to us about the Spokanes. We are very sorry for them, and we will do all in our power to better their condition. We have heard that many of them wish to come on this reservation; our people will be well pleased if they will all come. I learn that they have two ideas; they are not as one, but I believe we can make them as one, so that they will all come here; we will try to gain their affections; we believe that they will be as one among us. You say you are well pleased at what we have done in the past; we are glad. We try to do that which will please our Great Father. You have seen our schools and you speak words of kindness and encouragement. We wish these schools to remain always with us. What we have promised the fathers and sisters before, we wish confirmed.

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These fathers have labored faithfully among us in teaching our children: we wish what we have promised them confirmed by the Great Council, so that we will feel secure in our schools. We think you can help us in that which we ask for; you can do what we want. We will talk more of this.

Judge WRIGHT. Do you wish to talk to us about your lands mentioned in your petition of two years ago?

SELTICE. We wish you to talk first and then we will answer you.

Judge WRIGHT. The paper which I hold in my hand [Senate document] sets out fully your claim: in that petition you say your boundary was as follows: Commencing at Steptoo Butte, runs northwest to Antoine Plants on the Spokane River, thence to the Pend d'Oreille Lake, thence to the summit of the Coeur d'Alene Mountain, thence south to the most southern thereof whence flow the waters of the Palouse River, thence west along the southern rim of the water-shed of the Palouse River to the beginning.

We wish to do right about the claim; that was one purpose for which we were sent to you. On yesterday I omitted to say anything about your promise to the fathers concerning the schools. We will consider this and do all we can to satisfy your desire. You do well in appreciating your schools. If the advantages which your children enjoy had been given you it is plain that it would have aided you very much. When your children grow up to be men and women the advantages derived from these schools will be seen and felt. It will enable them to compete with the white people in the affairs of life. We will consider what is best to be done.

SELTICE. We are pleased at what you say; we know it to be good. Our chiefs have not talked together, but what we said in our petition two years ago we wish fixed; we wish that which we promised carried into effect with the fathers and sisters, for with as they will be always. This is the great desire of our hearts.

VINCENT Old Chief. A long time ago I was not such as you see me now; I am old. I am glad of what you are doing. It is good. I think there are two things. One is from the father and one is from you. These two things we have gained. The fathers tell us we have souls, and that we can go to heaven. This is one thing. I am talking to you only now, but many have my heart. The Spirit has care of my soul, and you of my body. I know that through you our country is saved, and from you we have found things to eat, because you have taught us how to get our food. The Coeur d'Alenes are getting along well, and you have brought us to this; you have saved our land where we are, and this we owe to the Government.

SELTICE. The land outside this reservation has been taken up by the whites, and we had forgotten it until two years ago, when we remembered it; and then we sent our petition to the Government at Washington setting forth our desires. You Gentlemen will tell us what to do, and now we will listen to any proposition you may have to make.

Judge WRIGHT. Is the land you are now living on a part of the country you speak of in your petition?

SELTICE. Yes, certainly. This is the middle of it. That which was taken lies outside all around this.

Judge WRIGHT. In your petition you say you need a saw and grist mill; mechanics to teach you trades; cattle and sheep.

SELTICE. It was a saw-mill and flour-mill.

Judge WRIGHT. Do you people need wagons?

SELTICE [after consulting with chiefs]. No; we do not need these, because we have them.

Judge WRIGHT. We believe you to be reasonable men, and we think we can pull together with you like two well-broken horses. To-morrow we will meet again. What you say is plain and frank, and it gives us pleasure. The kind manner in which you speak of the Spokane Indians, and your consent to their coming and living with you, does you honor. They can be saved by bringing them here. They will be ruined if they remain where they are. The Great Father will be pleased when he hears your kind words. It will make him feel kindly towards you.

THURSDAY, March 25.

Commissioner ANDREWS. Perhaps it may be well for me to say a few words to you this morning before proceeding to the business which has called us together, in order that you may be permitted to judge of the feelings which control me as well as the feelings of my two associates who addressed you on yesterday.

I, too, am the friend of the Indian, and as such friend have been sent by the honorable Secretary of the Interior, the honorable Commissioner of Indian Affairs, and by the Great Council of the United States from the seat of Government at Washington, 3,000 miles away, to this beautiful spot, the Coeur d'Alene Reserve, in the Territory of Idaho, to visit you and assist in righting the wrongs which you and your friends say have been inflicted

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open you. And now, right here, I want you to understand that we were not sent on account of our great ability to deal with Indians, but because we have proved to the Great Father upon more than one occasion that we are the friends of the red man, and that we hold his rights as sacred as that of any white, black, or red man on earth. We have been commissioned to treat with you upon high and holy grounds; to give you all the rights ever accorded to any people by the wisest government on earth. We were told by the Great Father of your advancement in civilization, but little did we expect to see what we now see. Little did we expect to find you occupying the finest lands of the great West—well watered, well timbered, surrounded by all things to make life happy, with the best schools we have ever seen anywhere, with children that can teach more than half of the Government clerks in Washington how to read and write. And last, though not least, little did we expect to find such good men of God as your best earthly friends. The good fathers here are constantly looking after your welfare here and preparing your souls for the world to come. When we report all these things to the Great Father in Washington it will make his heart glad, and he will exclaim: "Long life to the Coeur d'Alene of Idaho." I shall tell him that the brand of strong drink does not disfigure the face of a single Coeur d'Alene; that not an eye is dimmed by its damnable sting; that there is not an inch of the Coeur d'Alene Reserve poor enough for a whisky-seller to place his unholy foot. And, lastly, I will tell him that my prayer to Almighty God was, and said aloud in your hearing, that not one drop of strong drink should ever enter the throat of a Coeur d'Alene Indian. Take this from a friend, and with such a promise faithfully kept, with such a climate and such lands as you own, with such teachers as the good fathers and sisters of De Smet Mission, with such a friend as the great Government of the United States to protect and defend you, and, lastly, with such a noble specimen of a true and brave American as Sellick as your chief, you will be the happiest people on earth.

SELICK. I will assure you now I am glad that you have given us such good advice. I am sorry that the white men have bad habits. We are well pleased with all you have said. You talk to us of goodness and I am glad to hear those words coming from your lips to-day. We will cherish your words in our hearts and remember them always. My heart is well pleased with all you have said.

Judge WRIGHT. Do any of you wish to speak? If so, we will hear you now.
DAMAS (chief). I am going to say a few words only. The chiefs will speak for us; we leave everything to them and whatever they say or do will all be right, as we are all of one heart and mind.

Judge WRIGHT. My friends, since our adjournment on yesterday we have given all the questions which have been discussed our careful attention. We have prepared a paper to be submitted to your council. It will all be carefully read over to you, and interpreted so that all will understand its contents. It may be that some changes will be made. When everything is fully understood by you and an agreement reached, we will have the paper written in ink ready for signing. If in reading over the agreement there is anything you do not fully understand, or any part you wish changed or left out, you can say so.

Commissioner Andrews then read the agreement and it was carefully interpreted. After the reading of the agreement Judge Wright said: If you agree to what is here written it will be submitted to the Great Council and the Great Father for approval. If when they examine it they are pleased with it and think it good for you and good for the Government they will approve it and it will become a law. Should they disapprove it will be as a blank paper. Our duties, then, you see, are of a delicate nature. If we please you we may not please the Government. We must satisfy both or our work amounts to nothing. If the agreement meets your approval and is ratified by Congress it will undoubtedly place you in a condition in which you can be self-supporting with your present advanced position. You will soon need nothing from the Government but the protection which it gives to all its citizens alike. You will have no use for Government farmers, smiths, doctors, or agents; you can get things without aid.

SELICK (chief). I will assure you now. It may take me two hours, as you have spoken much. I am glad you have taken the time, for it has not been lost. We have listened very carefully and have understood everything that you have said, and it was good. You have put new life into our veins and made us feel that the Great Father and yourselves are the true friends of our race. We know that we are Indians, yet the same Great Father cares for us all. You have spoken to us of the Spokane Indians and of your great desire to help them. We also desire to see them happy people and that they come on this reservation. Just as the whites have poor relations, so have the Indians too—one on our father's and two on our mother's side, and thus am I related on my ancestors to many tribes in this country, and to them I extend the privilege of settling on our land; and I also ask the privilege of having good half-breeds come also. There is one thing which the whites do which we do not—they marry our women, but we never marry white women.

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I have considered everything you have said to us: I have considered well, and we are willing to have all these Indians come, but they must leave their whisky and their cards behind them. They must not bring whisky and cards here. This is for their good and the good of my own people. I do not want any bad people to come here and set my people an evil example. Everything you have said to us is good. One thing you have spoken to us about is our land, which the whites have taken away from us and which they now occupy. It is lost to us; it is dead to my people. We had almost forgotten it, but it has come back to our minds and we now speak of it. You say we may receive for our lost land \$150,000—for our land outside the reservation. Do you know how much there is of it? There are more than 4,000,000 of acres. This land was very dear to us, but we have given it up to the whites. We are on only a small part of our country—I mean this reservation. Here we have made our homes; here we have built our houses; here are our tents, our farms, our school-houses, our churches. Here are our wives and our children; here are the graves of our ancestors; here are our hearts; here we have lived, and here we wish to die and be buried. We want these preserved forever.

We understand that the paper which we signed is to go to Washington to be seen by the President and the Great Council. I know your hearts with regard to it, and they are good. However you fix it, it will be right; but I plead with you, I implore you, I call on the Great Father, who will hear me, preserve for us and our children forever this reservation, where are our schools, our churches, our homes, our graves, our hearts. The Government has now thought of our claims for our lost land, and they have seen you to us. Of this we are glad, but neither money nor land outside do we value compared with this reservation. Make the paper strong; make it so strong that we and all Indians living on it shall have it forever. We also wish you to make our schools and our churches so strong that they will be here forever for our children, when we have passed away from the world and gone to the Great Father above. What has been said by you is all good, and we thank you for it. You have now seen our hearts; they are laid open and made bare before you.

Judge WRIGHT. You have done yourself great honor by your words; we honor and thank you for the words you have spoken. You have shown yourself worthy to be the leader of your people. They ought to feel proud of you. If they will but follow where you lead they will have but little to fear.

We have endeavored to carry out your desires. The Government will protect you and your lands. It will do so if it takes its whole power. It will also protect and encourage your schools.

If none of you desire to say anything more, we will prepare an agreement in writing for your signatures; we wish you all to be present; we will not delay you long.

SKLTICE. We will be glad to see you again in the morning. You have the hearts of all my people. We will leave everything to Washington. Fix your hearts good for us also.

FRIDAY, March 26, 1887—9.30 a. m.

Judge WRIGHT. On yesterday we read to you the terms of a proposed agreement. We have carefully considered all the subjects which were then discussed, and have prepared it in proper form for your signatures, with some few changes which were suggested yesterday. It is now complete. [Here the agreement was read over, interpreted, and explained.]

Do you now understand all the promises?

SKLTICE. Yes; we understand everything you have said.

Judge WRIGHT. When we leave here we will next visit the Calapells, or Lower Falls d'Oreilles, and before visiting them we thought it best to obtain your consent that they might be removed to this reservation. If they conclude to come here this will save the trouble and expense of another visit to you.

SKLTICE. How about our agent? Is he to be paid out of the fund provided by the agreement?

Judge WRIGHT. No; the agent will be paid by the Government.

SKLTICE. All right. We shall not need the sawyer or miller more than a year. By that time we will be able to do the work ourselves. Our people will soon learn to run the mill.

LOUIS GASTAZZAIN. We are all glad you have come to see us. Since you came I have looked into what you have been saying. You have spoken to us of our country. When they ran the survey of our reservation we thought the land was all lost to us. This has been troubling our minds and the minds at Washington ever since. I did not want to take any money; but we are now all of one mind, and we will take it because it will help us. It is not much for the land which has been taken away from us. We are very poor. We are very near the time when we are to sign the paper. We will take good care of the money. When we first came on this reservation we were poor, and now you see us with homes, our farms all fenced, and cattle grazing on our hills. The fathers have

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thought we to do this—to farm and save our money and educate our children. I myself can not read or write; but we are very thankful to the Government for our schools. Some of our people are old, and they would like to have their money paid to them before they die, so they can have some benefit from it. You have seen my heart.

ELLIAH (a Spokane Indian, the only one present wearing a blanket). Is Lots' reservation as good as this?

Major WATERS. No; no part of it can compare with it.

ELLIAH. Then I am coming here, and I will tell all my people to come and take up this land; the Coeur d'Alenes are our friends.

Judge WRIGHT. We will sign the paper first and then you can sign. [Here the agreement was signed by the Commissioners and all the Indians. When Nicodemus came up to sign Judge Wright said to him:] I am informed that you were the first Indian on this reservation who took a farm and put a plow in the earth, and I learn that you have done well, and that you are now comfortably situated. Major Waters tells us that you have always set a good example to the Indians, and that hundreds have followed your advice and example. For this you deserve well, and you should be remembered and encouraged.

NICODEMUS. As soon as I began to plow I began to see food and money. I thank you for your words.

Judge WRIGHT. I believe all have signed. A large majority of the tribe have signed the agreement, and those who are not here would sign if they were present. When you tell the absent ones what you have done they will be well pleased. You have behaved well. You have shown your confidence in the Great Father and it will give us pleasure to say that you deserve well of the Government. Your consent that the other Indians not so well off may come on your reservation speaks well for your hearts. Your matters are in a good condition. You are on the right road. Be at peace with one another and your neighbors. In all your transactions as a tribe remain reunited. This will give you strength. Advise the Spokanes to come. When they come treat them kindly. If they have faults, pity them and lead them in the right way. Treat them as the Great Father above treats us in mercy. Call them from their evil ways and make them as you are.

ADRIAN UMAS. I am glad you have talked to us from the law. You have made our homes secure. When we are sick the priests hold us in their hands and bring us to heaven. You have told us the truth.

SILTRICK. You are now going to leave us and go back to Washington. When you go away do not forget us. Our brains are big and we have put away your words in a safe place. We shall remember them always. We shall not forget you nor your words. We are only Indians. We are not so high in knowledge as you are, but your words of advice make us even with you. Your coming has done us all good. We looked for your coming for many days. Sometimes we feared you would forget us and pass us by. Major Waters did not deceive us; he told us to be patient and you would come. We ask you to take back to the Great Father our humble expressions of peace and good will. The Coeur d'Alenes will ever be his friends. You have lifted a heavy load from our hearts. We take courage and a new start. Our land, our homes, our schools are to be ours forever. All this we feel is from your coming. In the name of my chiefs and my people I thank you.

SAND POINT, IDAHO, April 15, 1887.

The council met at 1 o'clock, and was opened with prayer by Rev. Leopold Van Gorp, assistant Ignatius Mission, Flathead Agency, Mont.

The three commissioners, Wright, Daniel, and Andrews, and the chiefs, head-men and adults of the Pend d'Oreille or Calespel tribe of Indians were present.

The chairman, Judge Wright, then addressed the Indians, as follows: My friends, we have been sent by the authority of the Government of the United States to meet you and talk to you about your present condition and future welfare. We are very glad indeed to meet the chiefs, head-men and people of the Calespels. We are also gratified to see the chief from Chewels, as well as the chiefs of the Flatheads, and Chief Louis, of the Spokanes, sitting with you. I believe this is the first commission ever sent by the Government to the Calespel tribe. We have visited and held councils with many tribes of Indians since we left Washington. I suppose we have visited 15,000 or 20,000. The Indians where we have been have all treated us with respect and kindness, and shown their confidence in us. We have not deceived them but have done our best to do them good.

We are glad that we were also sent to you, and we hope to be able to better your condition. We are well pleased at the appearance of your people. Your old men appear to be cool and sensible, and your young men able-bodied; your opportunities have not been so good

Pages 80-91 Omitted

Sen. Doc. No. 14, 51st Cong., 1s Sess.

Exhibit 11

to

Affidavit of Steven W. Strack

accompanying

State of Idaho's Memorandum in Support of
Motion for Summary Judgment

CSRBA Consolidated Subcase No. 91-7755

RATIFICATION OF CŒUR D'ALENE INDIAN TREATIES IN
IDAHO.

MARCH 28, 1890.—Committed to the Committee of the Whole House on the state of
the Union and ordered to be printed.

Mr. Du Bois, from the Committee on Indian Affairs, submitted the
following

REPORT:

[To accompany H. R. 7703.]

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

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

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

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

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

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

On March 2, 1868 (10 U. S. Stat., 172) Congress passed an act "to
establish the Territorial government of Washington," wherein it was
provided:

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

EXHIBIT
3,145
CLIV 94-0328

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

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

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

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

On March 3, 1863 (10 U. S. Stat., 238), Congress passed an act authorizing the President of the United States to enter into negotiations with the Indian tribes west of the States of Missouri and Iowa, for the purpose of securing the assent of said tribes to cession by the citizens of the United States upon the lands claimed by said Indians and for the purpose of extinguishing the title of said Indian tribes to said lands, and appropriated the sum of \$50,000 for the due execution of said act.

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

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

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

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

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

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

At this treaty the grievances of these two tribes of Indians were rectified by them, and they were left under the impression that the Government of the United States would thereafter act justly and fairly toward them, so far at least as their lands were concerned. Nothing, however, was done in this direction prior to October 30, 1855, on which date Soltes, then and now the chief of the Coeur d'Aleno Indians, addressed a letter to Hon. W. S. Holman, then chairman of the select committee of the House of Representatives authorized to visit the Indians and Indian reservations west of the Rocky Mountains, accompanied with a copy of a petition which on March 23, 1855, had been addressed by said Coeur d'Aleno Indians to the President of the United States, Secretary of the Interior, and Commissioner of Indian Affairs, a copy of which correspondence and petition is printed in the appendix, attached hereto and marked Exhibit G, G', G", G', G", G'. To this letter and petition Hon. W. S. Holman made reply that said subject-matter of said letter, etc., of Soltes was not within the jurisdiction of his said committee, and thereupon he referred the whole subject-matter on March 31, 1856, to the honorable Secretary of the Interior, Mr. Linnar. (See Exhibit H.)

Nothing having been successfully done after this last effort to treat with said Indians, thereafter, to wit, on January 10, 1856, Rev. Joseph M. Cantello, S. J., superior of the missions of the Rocky Mountains, addressed a letter to Capt. John Mullin, of Washington, D. C. (a friend then and now of the Coeur d'Aleno and Spokane Indians, who had been favorably identified with them from 1854 to 1856, who knew their country and its value, who had thoroughly explored it in order to locate the line of the Northern Pacific Railroad route, who built through their said lands a United States military road while an officer of the United States Army, and who was aid to General Wright in his said military operations in the field against these Indians in 1858, and who was present at the making of the said treaty of peace in 1858 between General Wright and said Indians, in behalf of the Spokane Indians, a copy of which letter is printed in the appendix herewith, marked Exhibit J. This letter was replied to on February 5, 1856, by Capt. John Mullin, in a report copy of which is printed in the appendix and marked Exhibit K, wherein referring to the Coeur d'Aleno Indians he recited some recommendations that Congress make an appropriation of not less than \$10,000 to defray the expenses of a commission which he recommended should be appointed to treat with (among others) these Indians for the cession of the lands described in the first of said two treaties.

This report and recommendation was duly submitted to the Interior Department, and transmitted to the Senate in response to a resolution of that body, for its consideration and action, and which resulted finally in the insertion in the act of Congress approved June 30, 1857 (24 U. S. Stat., 44), an act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year

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

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

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

The total area acquired by the United States under these two treaties, proposed and agreed to be ceded by the Ocoeur d'Alene Indians, aggregates about 3,000,000 acres more or less, secured at a total cost of \$650,000, making an average cost of about 23 cents, more or less, per acre.

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

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

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

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

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

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

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

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

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

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

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

The Upper and Middle bands of Spokane Indians, in the agreement with them, relinquish to the United States any right, title, and claim which they now have or ever had to any and all lands lying outside of the Indian reservations in Idaho and Washington Territories, and agree to remove to the Coeur d'Alene Reservation in Idaho, except such as prefer to go to the Jocko Reservation, in Montana, the consideration being \$85,000, to be expended for their benefit in manner as specified in the agreement.

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

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

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

EXHIBIT A.

House Ex. Doc. No. 63, Fifty-fifth Congress, first session.

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

To the Senate and House of Representatives:

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

GROVER CLEVELAND.

EXECUTIVE MANSION,
January 9, 1888.

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

The PRESIDENT:

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

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

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

The law under which these negotiations have been conducted provides that no agreement shall take effect until ratified by Congress. The Commissioner of Indian Affairs in his report herewith expresses the opinion that these agreements are just and favorable alike to the Government and to the Indians. He recommends their speedy ratification, and submits estimates of the various amounts required to be appropriated at this time by Congress to carry out the terms of the negotiations, which will be found on the concluding pages of his report.

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

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

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

L. Q. C. LAMAR,
Secretary.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington, December 13, 1887.

SIR: Referring to office reports, dated January 8 and February 11, 1887, respectively, transmitting two separate reports of the Northwest Indian Commission and accompanying agreements made with the Aricksee, Gros Ventre, and Mandan tribes of Indians occupying the Fort Berthold Reservation, in Dakota, and the Chippewa Indians in Minnesota, which reports, agreements, and accompanying papers form the subject-matter of Senate Ex. Docs. No. 39 and 115, respectively, forty-ninth Congress, second session, I now have the honor to transmit herewith duplicate copies of two additional reports of said Commission and accompanying agreements (five in all) made with the several tribes in northern Montana, occupying the Gros Ventre, Piegan, Blood, Blackfoot, and Crow River Reservations, commonly known as the Great Blackfoot Reservation, and the Upper and Middle bands of Spokane Indians, the Pend d'Oreilles, or Oolispela, and the Coeur d'Alenes in Idaho, and the Flathead, Pend d'Oreille and Kootenai Indians of the Flathead Reservation in Montana. These reports are dated, respectively, February 11 and June 29, 1887.

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

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

THE AGREEMENT WITH THE INDIANS IN NORTHERN MONTANA.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The promise of stock cattle was the principal inducement which led to the cession of the vast territory relinquished to the Government. What has been said in regard to the policy to be pursued with the Fort Peck Indians is equally true in respect of the Fort Belknap and Blackfoot Agency Indians. They must be encouraged in stock-raising as well as in agricultural pursuits. They never can become self-supporting in any other way.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AGREEMENT WITH THE UPPER AND MIDDLE BANDS OF SPOKANE INDIANS.

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

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

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

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

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

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

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

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

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

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

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

AGREEMENT WITH THE COEUR D'ALENE INDIANS.

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

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

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

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

It is further agreed that the United States shall expend the sum of \$150,000 for the benefit of the Coeur d'Alene Indians; \$30,000 the first year and \$3,000 per annum for fifteen years thereafter, in providing them with a steam saw and grist mill, in the employment of an engineer and miller, and in the purchase of such useful articles as shall best promote their civilization, education, and comfort, and, under certain stipulated conditions, cash payments may be made to them. In addition to this, it is agreed that the United States shall employ, at its own expense, a competent physician, blacksmith, and carpenter, and supply medicines for said Coeur d'Alene Indians.

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

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

AGREEMENT WITH THE PEND D'OREILLE OR CALISPEL INDIANS.

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

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

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

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

AGREEMENT WITH THE INDIANS OF THE JOCKO RESERVATION.

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

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

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

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

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

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

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

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

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

ment the severalty act, so called, could not be substituted for the agreement made with the Indians in Northern Montana, nor the several agreements made with the Indians in Idaho and Washington Territories, with equal benefit to the Indians concerned, for the following reasons: The Indians in northern Montana—on the Great Blackfoot Reservation—are not sufficiently advanced in civilization to take lands in severalty, and assume the obligations and responsibilities of citizenship which is conferred upon all those to whom individual allotments are made under said act.

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

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

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

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

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

I therefore have the honor to recommend their speedy ratification. Should Congress be pleased to take such favorable action thereon,

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

NORTHERN MONTANA INDIANS.

First installment, as per Article III of the agreement with the Indians of the Great Blackfoot Reservation..... \$430,000
 NOTE.—Congress appropriated \$225,000 for the support of these Indians, the current fiscal year, as an *absolute gratuity*.

UPPER AND MIDDLE BANDS OF SPOKANE INDIANS.

First installment, as per Article V of the agreement with said Indians..... \$90,000
 Pay of blacksmith and carpenter, at \$90 each, Article VI..... 1,800
 Pay of six chiefs, at \$100 each, Article IX..... 600
 Total..... 32,400

COEUR D'ALENE INDIANS.

First installment, as provided in Article VI of agreement..... 30,000
 Pay of physician..... \$1,200
 Purchase of medicines..... 150
 Pay of blacksmith..... 900
 Pay of carpenter..... 900
 Total..... 3,150

PEND D'OREILLE OR CALHSPEER.

Article I: Saw and grist mill.....
 Dwelling houses (40)..... \$5,925
 Clearing, breaking, and fencing..... 6,000
 Engineer, \$720; miller, \$720; carpenter, \$100; blacksmith, \$100..... 1,500
 Cows, \$3,000; horses, \$10,000; wagons, \$2,000; harnesses, \$600; staves and agricultural implements, \$1,000; clothing, medicine, and accs, \$2,500; removal of Indians, \$1,000; Article II, pay of chief, \$100..... 20,900
 Total..... 37,825

FLATHEADS AND OTHER INDIANS OF JOCKO RESERVATION.

Saw and grist mill..... \$6,925
 Pay of miller..... \$750
 Pay of blacksmith..... 900
 Purchase of tools..... 1,020
 Total..... 8,345

Very respectfully, your obedient servant,

J. D. O. ATKINS,
 Commissioner.

THE SECRETARY OF THE INTERIOR.

H. Rep. 4—16

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

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

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

I have the honor to be, very respectfully,

H. L. MULBROW,
Acting Secretary.

THE PRESIDENT PRO TEMPORE OF THE SENATE.

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

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

Whereas it is alleged that the present area of the Coeur d'Alene Indian Reservation, in the Territory of Idaho, embraces 490,000 acres of land; that there are, according to the statistics in the Indian Bureau, only about 476 Indians in the tribe now occupying each 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 St. Joseph River, and part of St. Mary's, a navigable tributary of the St. Joseph, are embraced within the reservation, except a short line of about 15 miles at the north end of the lake, it being alleged that this lake and its river 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 steamboat navigation, in the Territory; that all boats now entering such waters are subject to the laws governing the Indian country, and all persons going on such lake or waters within the reservation lines are trespassers; and

Whereas it is further alleged that the Indians now on such reservations are located in the extreme southwest corner of the same, around the Shoshone Mission, near the town of Pocatello, 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 St. Joseph River is a territory rich in the precious metals and at the same time being of no real use or benefit to the Indians:

EXHIBIT B.

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

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

DEPARTMENT OF THE INTERIOR,
Washington, February 9, 1888.

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

Resolved, That the Secretary of the Interior be, and he is hereby directed to inform the Senate as to the extent of the present area and boundaries of the 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 lands, respectively; also the number of Indians occupying such reservation; also on what portion of said reservation the Indians now thereon are located; also whether, in the opinion of the Secretary, it is advisable to throw any portion of such reservation open to occupation and settlement under the mineral laws of the United States, and, if so, precisely what portion; and also whether it is advisable to release any of the navigable waters aforesaid from the limits of such reservation.

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

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

to it as giving the most satisfactory information obtainable from the records of this office. It is drawn upon a scale of 2 miles to the inch. It will be observed that the lands in the extreme northern portion of the reserve, west of the lake, for a distance of 10 or 12 miles south, are described as "timbered lands on mountains, with small valleys of pasture lands." From thence south to the hills south of the Farmington Landing road they are set down either as the first or second class "agricultural lands," and so of all the lands lying directly south of the lake until the "hill-land" is reached. Then south of the hilly lands, extending along the entire course of Haugman's Creek, is a wide strip described as "agricultural lands, first class."

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

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

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

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

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

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

Inspector Gardner says:

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

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

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

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

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

Therefore,

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

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

(1) The Cœur d'Alene Reservation, in the Territory of Idaho, embraces an area of 598,500 acres, or 935 square miles.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In 1884 their agent reported as follows:

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

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

And again, in 1885:

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

And in 1886:

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

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

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

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

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

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

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

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

Upon this subject the special agent says:

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

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

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

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

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

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

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

Very respectfully, your obedient servant,
J. D. O. ATKINS,
Commissioner.

THE SECRETARY OF THE INTERIOR.

EXHIBIT C.

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

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

To the Senate and House of Representatives:

I transmit herewith a communication of 16th instant from the Secretary of the Interior, submitting the report, with accompanying papers of the Commission appointed under the provisions of the act of March 2, 1889 (25 Stats., 1092), to conduct negotiations with the Coeur d'Alene tribe of Indians, for the purchase and release by said tribe of such portions of its reservation not agricultural, and valuable chiefly for minerals and timber, as such tribe shall consent to sell, etc., together with the agreement entered into by said Commission September 9, 1889, with said Indians.

EXECUTIVE MANSION,
December 18, 1889.

BENJ. HARRISON.

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

The President:

I have the honor to submit herewith a report, with the accompanying papers, of the commission appointed in pursuance of the act of March 2, 1889, making appropriations for the current and contingent expenses of the Indian Department (25 Stats., 1092), to negotiate with the Coeur d'Alene tribe of Indians for the purchase and release by said tribe of such portions of its reservation not agricultural, and valuable chiefly for minerals and timber, as such tribe shall consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress.

In this report the area of the ceded territory is estimated at 184,060 acres, or 289 square miles, and the consideration agreed upon in the sum of \$500,000, to be paid to the said Indians "pro rata, or share and share alike for each and every member of said tribe as recognized by said tribe now

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

The commissioners, in presenting this agreement, say:

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

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

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

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

I have the honor to be, very respectfully, your obedient servant,
JOHN W. NOBLE,

Secretary.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,
Washington, December 7, 1889.

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

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

In pursuance of this provision a commission, composed of Hon. Benjamin Simpson, of Selma, Ala.; Hon. John H. Shupp, of Oakland, Oregon, and Napoleon B. Humphrey, esq., of Albany, Oregon, was appointed in May last, and under instructions of June 13, 1889, proceeded to the Coeur d'Alene Reservation in the discharge of its duties, arriving there on the 6th of August following.

The commissioners report that they held frequent councils with the Indians, explored the mineral portions of the reservation lying in the northern part thereof, and finally, on September 9, 1889, concluded an agreement with the Indians whereby they cede and relinquish to the United States a very considerable portion of their reservation, valuable chiefly for minerals and timber, upon terms advantageous as they believe both to the Indians and the Government. The area of the ceded territory is estimated at 184,960 acres, or 260 square miles.

I have the honor to herewith submit the final report of the commission (dated September 1, 1889), the agreement entered into with the Indians, and the minutes, or more properly the reports, of the several councils held with them.

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

Beginning at the northeast corner of the said reservation, thence running along the northern boundary line north sixty-seven degrees twenty-nine minutes; west to the head of the Spokane River to the northwest boundary corner of the said reservation; thence south along the Washington Territory line 12 miles; thence due east to the west shore of the 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 of said reservation; thence northerly along the said eastern boundary line to the place of beginning.

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

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

Article 3 prescribes the manner of payment as follows:

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

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

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

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

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

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

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

Their claim was based upon original possession and occupancy. A full history of the case, and the agreement itself, may be found in House Ex. Doc. No. 63, Fiftieth Congress, first session, two copies herewith.

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

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

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

In reporting upon this point the Commissioners say:

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

After they had been shown the benefits to accrue from the sale of these lands, and the assurance by the Commission of the ratification of the former treaty—a clause being inserted bearing upon the fulfillment of the provisions of the former treaty—the sale was consummated, and the agreement signed accompanying this report. In consideration of the fact that there is but very little agricultural land in the territory negotiated for, that it is the universal desire of the inhabitants of the entire Northwest that this land be opened to public domain, the great demand and the scarcity of timber adjacent to this section of the country, the prospects of vast mineral wealth which would be of great benefit to capital seeking investment, and the small value this land is to the Indians, the Commissioners deem the bargain an excellent one, the price very reasonable—much lower than could have been expected—and hope that in this purchase you will realize, as they do, the importance of this land being made useful to the growing States and Territories.

It will be proper to state here that it would cost the Government, in money, only \$150,000 (Art. 6) and the annual salary of three employes, physician, blacksmith, and carpenter, and the cost of needed medicines (Art. 12) to carry out the provisions of the old agreement, the ratification of which has been heretofore recommended by this office in submitting it to the Department for presentation to Congress; and a bill for that purpose passed the Senate September 20, 1888 (Cong. Record, vol. 10, part 9, p. 8765), but did not reach final action in the House, where it was referred to the Committee on Indian Affairs, September 24, 1888 (ib. p. 8893).

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

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

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

There are few Indians in the entire country, if we except the five civilized tribes, who are as far advanced, and even they need not be excepted in any comparison either of their virtues, habits of industry, loyalty, or ambition to attain a higher stage of civilization. They cultivate the soil extensively, live in comfortable houses, dress like the whites, wear short hair, and in all other respects live and do as white people do. Their houses are painted inside and outside, their barns are well built, and commodious, and

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

The North-west Indian Commissioner, in the report of his recent visit to these Indians, said:

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

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

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

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

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

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

T. J. MORGAN,
Commissioner.

THE SECRETARY OF THE INTERIOR.

EXHIBIT D.

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

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

DEPARTMENT OF THE INTERIOR,

Washington, February 10, 1890.

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

Very respectfully,

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

J. W. NOBLE,

Secretary.

DEPARTMENT OF THE INTERIOR,

Washington, February 15, 1890.

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

Very respectfully,

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

JOHN W. NOBLE,

Secretary.

DEPARTMENT OF THE INTERIOR,

GENERAL LAND OFFICE,

Washington, D. C., February 12, 1890.

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

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

Very respectfully,

LEWIS A. GROFF,
Commissioner.

Hon. JOHN W. NOBLE,

Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, February 8, 1890.

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

There are two agreements covered by the proposed bill, one made in pursuance of a clause in the Indian appropriation act of June 30, 1887 (24 Stat., p. 44), and the other of a clause in the Indian appropriation act of March 2, 1889 (25 Stat., 1002). Article 4 of the latter agreement provides that said agreement shall not be binding upon either party until the former agreement shall have been ratified by Congress.

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

AS TO THE FIRST AGREEMENT.

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

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

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

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

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

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

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

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

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

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

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

Again, Article 11 of the agreement provides as follows:

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

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

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

AS TO SECOND AGREEMENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Very respectfully,

T. J. MORGAN,
Commissioner.

The SECRETARY OF THE INTERIOR.

H. REP. 4—17

EXHIBIT E.

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

Treaty between the United States of America and the SYKlallama Indians. Concluded at Point no Point, Washington Territory, January 20, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 29, 1859.

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

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

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

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

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

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

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

Treaty between the United States of America and the Mole Indians. Concluded at Dayton, Oregon, December 21, 1855. Ratified by the Senate March 8, 1859. Proclaimed by the President of the United States April 27, 1859. (12 U. S. Stat., p. 927 to 985).

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

EXHIBIT F.

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

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

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

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

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

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

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

I also know that in 1855 it was Governor Stevens's intention to make a treaty with these Indians on his return from the country of the Blackfoot Indians, now situated in northwestern Montana, the same in 1856 being northwestern Nebraska, where in the summer of 1855 Stevens, having treated with these Blackfoot Indians, his intentions on his return toward the Pacific was to treat with the Spokanes, the Colvilles, and the Clear d'Alenes.

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

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

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

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

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

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

It was now November when Governor Stevens started on his return to the Territory of Washington and where he was to complete a treaty with the Spokanes, Colvilles, and Cœur d'Alenes, but before reaching the country of these Indian tribes he met, on the Teton River, 8 miles above Fort Benton and 600 miles distant from the Spokane country, a special mounted courier, bringing him a report that the Indians at Walla Walla, and other tribes with whom he had lately treated, had broken out in rebellion and were then in open war.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I am, yours, very respectfully,

JOHN MULLAN.

The BUREAU OF CATHOLIC INDIAN MISSIONS,
Washington City, D. C.

EXHIBIT G¹.

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

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

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

Very respectfully, yours,

CHARLES S. LUSK,
Secretary.

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

EXHIBIT G².

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

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

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

I am, sir, yours, respectfully,

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

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

EXHIBIT C³.

CŒUR D'ALENE INDIAN RESERVATION,
Territory of Idaho, March 23, 1885.
To the President of the United States and the Secretary of the Interior,
and the Commissioner of Indian Affairs:

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

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

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

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

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

Cœur d'Alene Lake and Cœur d'Alene River, upon the waters of which steamers now run. It includes the beautiful site of the military fort at Cœur d'Alene, besides numerous thriving towns and villages. It includes the line of the Northern Pacific Railroad from near Spokane Falls to the Pend d'Oreille Lake, and it also includes one of the valuable portions of the land grant to the Northern Pacific Railroad Company. Your petitioners understand that Congress in its act approved July 31, 1854 (U. S. Stats., vol. 10, page 350) gave authority and made liberal provision for negotiating treaties with all the Indian tribes then in Washington Territory, at which date all the lands of your petitioners, herein described, were situated in said Territory, all of which lands they then occupied unmolested and upon which they were then residing.

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

Your petitioners further know that it was Stevens's intention on his return trip westward to negotiate similar treaties with your petitioners, and also with the Spokanes, Pelouze, Lower Calispels, and other Kootenai Indian tribes; but that upon reaching the country of your petitioners at the above mentioned locality, on the northern bank of the Spokane River, formerly resided at by the half-breed Antonio 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 Dwyamish, Squamish, and other allied tribes; with the Skallams, Makahs, Walla Walla, Clyuse, and Umatilla, Yakamas, Nez Percés, and Quinaiettes, 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 sowing 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 incited 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 holds 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, milk, 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 Kaizwet, one of the boys now being educated at the Coeur d'Alene Indian mission school.

(Signed with cross-mark by: Andrew Soltis, head chief; Danas, chief; Edward, chief; Regis, chief; Bartholomew, chief; Vanceslas, chief; Bernard Spekmilko; Tecomta; Peter Wilsoygn; Daniel; Sebastian; Alphonse; Gregory; Charles Louis; Heclarion; Pat. Davonport; Louis Sepis; Adrian; Triburtius; Ignace; Brereolin Bassau; Joseph Npaganau; Barnaby Chnoa; Andrew John; Nicodemus Cronous; Leo Emmotyzi; Yolo Chronpaskat; Peter Joseph, Jalurn; Gami Gonzalkun; Leo Guakeza; Paul Tkains; Ignatius Ngaiana; Basil Guigniz; Alexander Clifcheigo; Stephen Thanzu; Peter Lupequi; Henry Guistehone; Simon Chemeneme; Fidolo Semenzu; Louis Samnelko; Isidore Npupsqu; Basil Sopun; Peter Joseph; Elicenne Chedalam; Peter J. Syofigni; Stephen Zoctagan; Benoit Euchiezn; Benoit Tlulize.

Signatures of witnesses to the Indians:
 JOHN P. SWENEY,
Additional Farmer, Coeurville Agency.
 FRANK P. CONNELL,
 T. EVANS,
 THOMAS J. FURBELL,
 BERNARD CUNNINGHAM.

EXHIBIT G.

A.

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

To the *Princes, Chiefs, and the Coeur d'Alene Indians* :

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

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

(Signed:) N. M. Morris, M. A. Morris, H. S. Fanny, R. U. Young, E. T. Price, N. T. Price, T. W. Cholsen, M. E. Gholson, B. A. Truax, S. A. Truax, M. Fountain, Thomas Bookton, Frank Foster, Jess Walling, Harriet Walling, C. L. Ohatwell, W. B. McJale, Chelata McJale, J. M. Pypst, A. E. Pypst, F. R. Martin, Mary A. Martin, F. B. McGrelen, W. H. Laudes, Sannuk Welch, R. P. Staro, H. W. Wuits, K. Price, Javah Price, G. O. Briggs, John Cummings, Martha Cummings, Leontin O. Twinn, J. F. Conkling, L. V. Davenport, Mary Davenport, John Moore, Edite Moore, Adin Davis, Jane Davis, Mary Fountain, M. W. Smith, F. O. Hayes, J. M. Woody, Lathyette Mary, Elizabeth Mannes, F. M. Barn, Aliz. N. S. Baru, Lurindo Mone, Ann Mone, Sam Fere, W. T. Skigy, R. K. P. Romer, W. Brewer, Leone Brewer, Arthur Green, P. P. Connell, Miss S. Connell, F. D. Vazkelid, G. H. McQueen, L. McQueen, G. W. Truax, R. Truax, W. A. Hono, B. Grunley, Solom Grumbley, Samuel Mone, Susino Mone, G. L. Quetor, Mary Oampbell, Franklin Keeton, Henry Edyson, C. S. Barton, R. J. Looel, Z. Smith, J. W. Smith, Charles Mone, S. J. More, Betz More, Lidia More, Andrew A. Rice, Agnes Brallam, Minna Brallam, P. Gilbert, Emuch Peoka, Oro Rector, S. D. Young, Fr. McCarrie, Sarah McCarrie, A. J. Price, Jack Sullivan, Msj. Louh.

EXHIBIT G.

B.

LEWISTON, IDAHO, August 25, 1877.

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

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

(Signed:) W. W. Johnson, F. Rector, F. Gilbert, A. H. Davenport, A. Victor Cox, Edgar Davenport, Lincoln Davenport, Benjamin Hok, Robert T. wart, D. M. Ringer, G. W. Obermeyer, E. Buidwin, J. E. Billings, L. W. Davenport, Po. County, W. B. Shaff, F. J. Hayford, James Turner, F. E. McQueen, Willie A. Hone, W. Smith, J. Po. Lippvichilo, E. C. Watkins, United States Indian inspector, M. C. Wilkinson, aide-de-camp, A. Brig. Gen. O. O. Howard, G. H. McQueen, J. V. Nangle, H. W. Walls, B. A. Price, James Ewart, Robert R. Hargrove, R. A. Traux, W. Brewer, H. Eply, J. M. Probst, T. W. Gholson, W. H. Landes, Thomas Turner, W. M. U. Bond, S. D. Stephen, T. R. Mastin.

EXHIBIT G.

COLVILLE INDIAN AGENCY,

March 26, 1885.

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

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

The only help they had was through the father connected with the mission, in furnishing plows and other tools and advice. At the present time their farms, houses, etc., show the effect of the good teaching they have received. All the males are good farmers, many of them (the older ones) having two or three hundred acres of land under a good substantial rail fence, and under cultivation. The younger men of the tribe, equally as good workers and fully as willing, but receiving no aid from the Government, except in their schools, have not the means to go ahead as they would wish. With the exception of one or two trappers (old men), all are farmers. You see no long hair worn by them, no blankets, no necessaries, all men and women wearing the dress of the whites. By their own labor and exertions so far (with, as before stated, the schools excepted), they have accumulated about 150 farm wagons, 8 or ten spring-wagons, 100 plows, harness, mowing and reaping machines, stky-plows, etc.

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

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

Very respectfully, your obedient servant,

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

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

EXHIBIT H.

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

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

Very respectfully,

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

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

EXHIBIT I.

SPOKANE FALLS, WASH., January 10, 1886.

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

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

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

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

Very respectfully, yours,

Capt. JOHN MULLAN.

JOS. M. CATALDO, S. J.

BRIDGE ACROSS THE TENNESSEE AND CUMBERLAND
RIVERS.

MARCH 23, 1890.—Referred to the House Calendar and ordered to be printed.

Mr. WALKER, of Missouri, from the Committee on Commerce, submitted the following

REPORT:

[To accompany H. R. 380.]

The Committee on Commerce, to whom was referred the bill (H. R. 380) "to amend an act entitled 'An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland Rivers,' approved January 8, 1889," having duly considered the same, report the bill back with the following amendment: In line 16 strike out "four" and insert "five."

As amended the committee recommend that the bill do pass.