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Red Lake Indian Reservation, Minnesota

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RED LAKE INDIAN RESERVATION, MINNESOTA.

JANUARY 31, 1884.—Referred to the House Calendar and ordered to be printed.

Mr. S. W. PEEL, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 4384.]

The Committee on Indian Affairs, having had under consideration the bill (H. R. 846) relating to the Red Lake Indian Reservation, in the State of Minnesota, submit as a substitute therefor the bill accompanying this report.

This bill relates to the Red Lake Indian Reservation, in the State of Minnesota; the acquisition of the Indian title thereto; the allotment of lands in severalty to the Indians; the disposal of the residue to actual settlers under the homestead and pre-emption laws, and the application of the proceeds to the use and benefit of the Indians.

The reservation is situated in the northwestern part of Minnesota, and extends northward to the international boundary line on the Rainy Lake River. In the south part of the reservation is a large body of water known as Red Lake, which is the source of one of the main tributaries of the Red River of the North. The reservation is believed to cover a superficial area of about 3,000,000 acres, of which the northern half is mainly low, marshy, and swampy land, unsuitable for agricultural purposes, and of no particular value, except as to some fine timber, which is supposed to exist on the extreme northern side, on the Rainy Lake River.

The southern half of the reservation is composed mainly of agricultural and some pine lands. The agricultural lands are mainly prairie, and are situate in the southwestern quarter of the reservation. The pine timber, which is believed to be considerable, is mainly around the shores of and contiguous to Red Lake, and from thence could be readily floated down stream to the different points of the Red River Valley. This reservation is a remnant of unceded Indian Territory, and is occupied by less than 1,200 semi-civilized Chippewa Indians, who have, in the aggregate, less than 600 acres under cultivation, and who subsist in part by hunting, fishing, and trapping. These Indians have no other title than that of occupants, and their occupancy is of quite recent origin. This large reservation, in its present state, is of little use or benefit to the Indians, and of no use or value at all to their white neighbors; and it seems to be a great waste of resource to allow a few scattering and semi-civilized Indians to occupy so vast a territory without any material benefit to themselves, and to the utter exclusion of their thrifty and energetic white neighbors. On the west side of this reservation lies the so-called Red River Valley—an extensive belt of country—quite thickly settled, and rich in all agricultural resources except

timber. The great want of this country is lumber and timber. At present this has to be brought a distance of from 250 to 400 miles by rail, while the timber on this reservation is within 50 to 75 miles by water. The people of this vast region feel that it is a great injustice and drawback to them to prevent them from availing themselves of this timber at their very doors, especially as it is of no present utility to the Indians.

The original bill was referred to the Secretary of the Interior for his advice and opinion thereon, and he approved the same in its main features with some slight amendments, which amendments, together with some adopted by your committee, have been engrafted upon the original bill, and the bill as thus amended is the substitute reported by your committee.

By the provisions of the substitute the Secretary of the Interior is empowered and directed to obtain from the Indians their cession and relinquishment of their interest in the reservation. Such relinquishment is to be in writing and is to be made by the chief or headmen of the tribe in a public council and assented to by a majority of the male adults present at such council after the relinquishment is obtained. The agricultural and pine lands are to be surveyed as Government lands are surveyed. Reasonable and liberal allotments in severalty of agricultural lands are to be made to all the Indians, and these lands thus allotted are for the safety and protection of the Indians, to be held in trust for them for thirty years by the United States, and on the expiration of this period to be conveyed in fee simple to the allottees. This thirty years' trust period is for the purpose of exempting the lands from taxation, lien, or incumbrance, and for the purpose of preventing the Indians of frittering away the lands to unscrupulous white men during this period, and it is believed that after a period of thirty years the Indians will be competent to hold and enjoy their lands as other people. The Secretary is directed to reserve a sufficient quantity anywhere on the reservation for the purposes of such allotments. The stumpage on the pine lands is to be estimated and appraised by three competent appraisers, and they cannot appraise it at less than \$1 per thousand feet of board measure. After appraisal the stumpage is to be sold after due notice at public sale, but cannot be sold for less than the appraised value nor less than \$2 per acre, nor can more than one-fifteenth part of the pine stumpage be sold any one year. The fee of the pine land is to remain in the Government, but purchasers of stumpage have five years' right of removal. The Indians may use the pine lands for hunting, fishing, and trapping ground and pasturage, and may use the dead and down timber for fuel till otherwise ordered by law. All agricultural lands not required for allotments to Indians are, after proper notice, to be open to homestead and pre-emption settlers, and may be acquired under the homestead pre-emption laws of the United States, but shall not otherwise be disposed of. The proceeds of all agricultural lands at \$1.25 per acre, not allotted to the Indians, and the proceeds of the pine stumpage sold, less the expense of surveys and appraisals, is to be placed in the Treasury and draw 3 per cent. interest, and the interest and principal are to belong to and be expended for the benefit of the Indians under the direction of the Secretary of the Interior.

To sum up, the Secretary of the Interior is directed to acquire the reservation from the Indians for the United States, to make allotments to the Indians, to cause the pine stumpage to be sold at the best possible price, and gradually extending over a period of fifteen years, to open the agricultural lands not required for allotments to the settlers, and

to devote the entire proceeds to the benefit of the Indians. The substitute seems just and extremely liberal to the Indians, is carefully guarded to protect their rights and the rights of the Government, affords the people of Northwestern Minnesota an opportunity to avail themselves of the pine timber on the reservation, and opens up a large area to thrifty, energetic settlers all over the land.

The letter of the Secretary of the Interior, as well as the substitute, are hereto attached and made a part of this report.

Your committee recommend the passage of the substitute.

DEPARTMENT OF THE INTERIOR,
Washington, January 19, 1884.

SIR: I have the honor to acknowledge receipt of House bill No. 846, Forty-eighth Congress, first session, "relating to the Red Lake Indian Reservation in the State of Minnesota," left by you with request for the views of this Department thereon.

The Department sees no objection to proposing to the Indians the question of ceding their reservation, disposing of the timber thereon, the taking of allotments in severalty by them, &c. They have very much more land than they need or will ever make use of. The quantity proposed to be reserved by section seven of the bill for allotment to the Indians would appear to be sufficient for their needs.

I believe, however, that the stumpage would yield as much as the sale of the lands, and besides, the Indians would have the continued use of the pine lands for hunting and trapping grounds, with the advantage of the lake and rivers for fishing, &c., and some of the land would prove valuable for agricultural purposes and some for pasturage.

The method of relinquishment by submission to the chiefs and headmen of the tribe in public council is correct and in accordance with Indian law and policy. When the chiefs and headmen have signed there is no reluctance on the part of the Indians not holding official positions to sign. I therefore suggest that the words "and assented to by a majority of the male adults of said band present at such meeting," in lines 13, 14, and 15, of section 1, of the bill be stricken out.

Nothing is gained by submission of the question to the majority of the male adults; such practice or procedure is so foreign to Indian custom that it only impedes and hinders the progress of negotiation without in any way serving to protect the Indians, or to secure an expression of the wishes of the Indians not holding official positions.

I would also suggest the following amendments as desirable:

At the end of section 4 add the following:

"Provided that the United States shall compensate the Indians for all of said lands that may be disposed of under the homestead laws, at a rate of \$1.25 per acre.

And in line 3, section 5, after the word "sales" and before the word "or," insert the word "homestead."

And in the same section strike out all after the words "shall be," in line 8, and before the word "shall," in line 9, and insert in lieu thereof the following: "placed in the Treasury of the United States and draw interest at the rate of 5 per centum per annum, which interest, and so much of the principal as the Secretary of the Interior may see fit." And in line 10 strike out the word "their" and insert in lieu thereof the word "the," and after the word "benefit" and before the word "for" insert the words "of said Indians." So that the latter part of the said section, beginning in line 7, shall read as follows: "and the balance remaining of said fund shall be placed in the Treasury of the United States, and draw interest at the rate of 5 per centum per annum, which interest, and so much of the principal thereof as the Secretary of the Interior may see fit, shall by him be expended for the benefit of said Indians for such purposes and in such sums, and at such times, and in such manner as he may in his discretion from time to time determine."

In section 7, lines 1 and 2 strike out the words "may in his discretion" and insert in lieu thereof the word "shall."

And after the words "Red Lake," at the end of line 14, in said section 7, and before the beginning of line 15, insert the following words: "and elsewhere on said reservation if necessary to meet the requirement."

I return herewith a copy of the bill, with the amendments inserted as suggested.

Very respectfully,

H. M. TELLER,
Secretary.

Hon. KNUTE NELSON,
House of Representatives.