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Letter from the Secretary of the Interior, transmitting, in response to Senate resolution of January 25, 1888, information about the Cour d'Alene Indian Reservation, in Idaho.

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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 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'Alenes 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 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 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 Cœur 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 Cœur 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 Cœur 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 1833 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.