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Sioux Indians in Dakota.

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SIoux INDIANS IN DAKOTA.

JULY 2, 1890.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. GIFFORD, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany S. 3271.]

The Committee on Indian Affairs, having had under consideration the bill (S. 3271) to enable the Secretary of the Interior to carry out in part the provisions of "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, and making appropriations for the same, and for other purposes, and having considered the same, make the following report:

This bill as amended by your committee appropriates the sum of \$707,000 for the purpose of fulfilling and carrying out the provisions of the agreement made with the great Sioux Nation of Indians in 1889, which agreement took effect by proclamation of the President, February 10, 1890. By the provisions of this agreement some 9,000,000 acres were opened to settlement, and the amount appropriated in this bill is in part payment for this land.

The commissioners who negotiated that agreement with the Indians, General Crook, of the United States Army, Governor Foster, of Ohio, and Major Warner, of Missouri, found great difficulty in securing the assent of the Indians with first agreeing to recommend certain concessions on the part of the Government which are incorporated in the Senate bill, and the adoption of which are recommended by your committee, with the exception of one, to wit, appropriating \$187,039 to the Creek Indians as compensation for their diminished reservation.

The clauses in the bill which appropriate \$100,000 in consequence of reduced rations in 1890, and appropriating \$200,000 in full compensation to the Cheyenne and Standing Rock Indians for ponies taken from them by the Government in 1876, are in pursuance of promises made by the commissioners to the Indians outside of the agreement presented by the Government, but such promises were made in good faith, were reasonable, and should be faithfully kept.

The land ceded under the agreement is now open for settlement, is being surveyed and occupied by settlers, and it is very important that the large number of Indians interested in the compensation therefor—nearly or quite all of whom—some 23,000 in number, all of whom live in South Dakota, should receive their pay therefor according to the letter and spirit of the contract.

Your committee recommend the following amendments, to wit: Strike out that portion which appropriates money for the purchase of 10,000 cows and 400 bulls, \$400,000; also strike out that portion which appropriates \$380,000 for the purchase of cows, oxen, tools, and cash for the erection of houses, to be given or paid to those who take their allotments, these sums being, in the opinion of the Secretary of the Treasury, appropriated in the agreement, and operative when said agreement becomes a law. The communication upon this subject is made a part of this report.

Your committee further recommend that the act be also amended by striking out the clause which appropriates \$187,039 as compensation for their diminished reservation to the Crow Creek Indians.

And as so amended your committee recommend that the bill pass.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., June 20, 1890.

SIR: I have the honor to acknowledge the receipt of your letter of June 17, 1890, with inclosures, asking me to advise you as early as practicable for what particular items in H. R. 9491 appropriations have been already made, and in reply to state that all the items of appropriation asked for in H. R. 9491, lines 12 to 27, both inclusive, are provided for by section 17 of the act of March 2, 1889, and will be drawn from the Treasury under the caption of "Civilization of the Sioux." (See Digest of Appropriation for 1890, folio 223.)

The appropriation for surveying made by section 25 of the same act not being re-imbursable will be placed under the General Land Office.

Respectfully yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, June 17, 1890.

SIR: By section 17 of the act approved March 2, 1889 (public, No. 148), entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," the Secretary of the Interior is authorized and directed to purchase from time to time for the use of said Indians cows not exceeding 25,000 in number and bulls not exceeding 1,000 in number, as in his judgment can be under regulations furnished by him, etc.: *Provided*, That each head of family or single person over the age of eighteen years who shall have or may hereafter take his or her allotment of land in severalty, shall be provided with 2 cows, 1 pair of oxen, with yoke and chain, or 2 mares and 1 set of harness in lieu of said oxen, yoke, and chain. They shall also receive 1 plow, 1 wagon, 1 harrow, 1 hoe, 1 ax, and 1 pitch-fork; also \$50, and that for two years the necessary seeds shall be furnished to plant 5 acres of ground into different crops, and so much money as shall be necessary for this purpose is hereby appropriated out of any money in the Treasury not otherwise appropriated.

By H. R. 9491, entitled A bill to enable the Secretary of the Interior to carry out in part the provisions of the act above cited, a clause appears from line 12 to 15, inclusive, for the purchase of 10,000 of the 25,000 cows and 400 of the 1,000 bulls, provided for in section 17 of the said act, \$400,000.

Also a clause from line 16 to 27, inclusive, for providing each head of family or single person over eighteen years with cows, oxen, yoke and chain, or 2 mares and 1 set of harness in lieu of oxen, plow, wagon, harrow, hoe, ax, and pitch-fork, and for payment of \$50 in cash, amounting to \$350,000.

Also a clause from line 43 to 48, inclusive, for one year's interest in advance on the sum of \$3,000,000, provided for in section 17 as above cited, \$150,000.

At the time the bill (H. R. 9491) was formulated by this office it was not known that the honorable Secretary of the Treasury had decided that the act approved March 2, 1889, made an indefinite appropriation for the objects specified above. It has been brought to my attention informally and it is observed by reference to the

digest of appropriations for the fiscal year 1890, page 223, that the appropriations to carry out the provisions of the Sioux act of March 2, 1889, appears under the title of "Civilization of the Sioux (section 17) Indefinite," and also as "Sioux Nation fund," (section 17).

It certainly is not wise to ask Congress to make specific appropriations to carry out, in part only, so much of the provisions of the Sioux act for which an indefinite appropriation has already been made to carry out the whole thereof.

In view of these facts, I am in doubt as to how many of the items for which appropriations are requested to be made in the draught of bill submitted by the President to Congress February 10, 1890 (Senate Ex. Doc. No. 51, Fifty-first Congress, first session), with the report on the Sioux agreement, are necessary to be appropriated by Congress; therefore, in order that the Senate and House committees having charge of the matter may be fully and properly advised upon the subject, I have the honor to recommend that the bill mentioned (copy inclosed) be referred to the honorable Secretary of the Treasury, with the request that he will advise the Interior Department, as early as practicable, for what particular items therein mentioned appropriations are already made, and the funds are now available, under and in accordance with the Sioux act of March 2, 1889, so that a letter with correct information may be addressed to the proper committees with recommendations that all such items so provided for may be eliminated from the bill.

Very respectfully,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.