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Report of the Governor of Montana Territory, 1878

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REPORT
OF THE
GOVERNOR OF MONTANA TERRITORY.

THE TERRITORY OF MONTANA,
EXECUTIVE DEPARTMENT,
Helena, Mont., October 17, 1878.

SIR: In compliance with the request contained in your letter of August 9, 1878, I have the honor to transmit the inclosed statement for your consideration.

I am, sir, with high regard, your obedient servant,
B. F. POTTS, *Governor.*

Hon. CARL SCHURZ,
Secretary of the Interior, Washington, D. C.

MONTANA.

Montana was organized as a Territory by an act of Congress approved May 26, A. D. 1864, and contains an area of 143,776 square miles, and is situated between the 45th and 49th degrees of north latitude. It is larger than Great Britain and Ireland, and nearly as large as all the New England States together with the States of New York and Pennsylvania. It is well watered by pure mountain streams, and the wild scenery of its mountains and valleys probably exceeds in grandeur anything on the habitable globe. The soil is composed of a dark vegetable mold of great depth and richness, and produces all the cereals and vegetables grown in any of the Western States. The average production of wheat per acre is larger than in any of the great grain-producing States of the Northwest.

Agricultural lands are abundant in all the valleys, and for fertility are unsurpassed. Montana forms one of the most fertile portions of the great northern wheat belt that nearly spans the continent between the forty-third and fifty-first parallels, and contains more agricultural and grazing lands than any of the Territories.

Montana contains rich deposits of gold, silver, copper, iron, lead, and coal. The silver deposits are believed to be more extensive than in any other section of the country, and are now being rapidly developed, yielding large incomes, and attracting the attention of capitalists in the money centers of the East. The great Penobscot gold mine, situated twenty miles from Helena, the capital of the Territory, yielded in thirty days' working a gold bar valued at \$54,262.62. The development of the mineral resources of the Territory is in its infancy because of the incredible expense of transporting machinery and ores without railroads. The product of the gold and silver mines for the present year is estimated at \$7,000,000, and it will be annually augmented as development increases, and that is assured by the early completion of the Utah Northern Railroad, now in course of construction from Ogden, Utah, to Helena, Mont. While the gold production from the placer mines is

somewhat on the decline, yet the yield from the quartz mines is rapidly on the increase. Coal is found in many places in the Territory, which will afford the people cheap and convenient fuel. Timber of fair quality is found in nearly all parts of the Territory, consisting mainly of pine, cedar, fir, hemlock, and cottonwood, with some ash in Eastern Montana.

For grazing purposes Western stock-growers admit that Montana has no equal. Its superiority consists in the fact that the grass is more abundant and of better quality; the winters are milder, and the snow-fall less in the sheltered valleys, protected by the mountains, than the elevated and exposed section farther south. Good water for all kinds of stock is abundant, and the climate is such that cattle, sheep, and horses keep perfectly healthy, and the increase is remarkably rapid and certain.

Since the settlement of the Territory the loss of stock from the severity of the winters has not exceeded 3 per cent. per annum. Rich as are the gold and silver mines, it is believed that the bunch-grass is worth more to the Territory than they. This peculiar grass is more nutritious than the timothy grown in the Eastern States; starts up early in the spring, reaches maturity in July, and then cures where it stands, retaining its nutritive qualities, and constituting the finest autumn and winter feed for stock of all kinds that nature has anywhere provided. It not only grows in the valleys, but covers the foot-hills and bench-lands, and frequently reaches the summits of the highest mountains, thus furnishing unlimited grazing throughout the year on lands not available for other purposes. No other business appears to offer such solid inducements for a rapid accumulation of a fortune as stock-raising in Montana.

Streams of pure water abound throughout the Territory, and are so wisely distributed as to furnish the best natural facilities for irrigating at small expense large tracts of fertile country. The rivers and mountain streams never overflow; hence they are easily managed and utilized.

Excellent and valuable water-power for milling and manufacturing purposes is found on all the principal streams. Two of the great rivers of the West have their sources in Montana—the Missouri and Columbia; and in addition, within her limits are the Yellowstone, which is navigable, and the Jefferson, Madison, Gallatin, Big Hole, Beaverhead, Ruby, Deer Lodge, Hell Gate, Bitter Root, Big Blackfoot, Muscleshell, Dearborn, Teton, Marias, Milk, Big Horn, and Sun Rivers.

Exports from the Territory are gold and silver bullion, cattle, wool, robes, hides, and furs. The wool-clip the present year reached 1,000,000 pounds. Butter and cheese will soon be articles of export.

The summer climate of Montana is delightfully cool, bracing, and healthful, and the winters are not so chilly and disagreeable as those of the Western States; and the entire absence of malaria makes Montana the most healthy section of the entire country. Scientific observations have demonstrated that the mean annual temperature of Helena, Mont., is the same as that of Santa Fé, N. Mex., seven hundred miles south of the capital of Montana. The purity and dryness of the atmosphere in the Territory enable man and beast to endure severe cold weather with less suffering than in sections where the atmosphere is damp and chilly.

The people of Montana are mainly from the Middle and Western States, and are energetic, enterprising, and intelligent, law-abiding, liberal, and patriotic, and are of the right kind of material to found the leading commonwealth of the great New Northwest.

The present school law was approved January 12, 1872. It provides for the levy of a tax of from three to five mills upon all the taxable property of the counties. The money collected is apportioned among the

various school districts by the county superintendent of public instruction, and drawn from the treasury on order of the district trustees countersigned by the clerk of the district.

Under this law each district is amply empowered to levy special taxes for building school-houses, for extending the school term after the public money is exhausted. School must be kept in each district for at least three months to entitle it to a share of the public funds.

The growth of our public school interests is shown in the fact that from 1873 to 1878 the school revenue has increased from \$12,000 to \$47,323 per annum, and the value of school-houses within the above-named dates from nothing to \$67,700.

Graded schools have been established at Helena, Virginia City, Bozeman, Butte, and Deer Lodge, which will compare favorably with the best in Eastern towns of the same population. Three large, well-ventilated brick structures have been erected during the past year, making five buildings of this character now in the Territory. Some of these are already furnished and others soon will be with philosophical and mechanical apparatus, and are provided with the latest improved school furniture from Eastern manufactories. The condition of a large majority of our schools is not so favorable, as they are obliged to assemble in log buildings, often with furniture of the most crude and primitive construction; but as the circumstances of our people improve the school-house improves also, and in such communities we find them graduating from the log house to the neatly finished and comfortably furnished frame building.

Statistics show a constantly augmenting number of persons of school age, and as our public schools have increased in numbers and efficiency private schools have diminished until there are only ten in the entire Territory, and at least one-half of these are in session only during vacation months of the public schools. The report of the Commissioner of Education shows that only six States and none of the Territories, unless the District of Columbia can be so considered, exceed Montana in the amount of money raised per capita for educational purposes.

The care and retention of school lands have become of vast importance to the Territory. Although the organic act sets apart sections 16 and 36 of each township as a reserve for school purposes, thus far the schools have received no more benefit from the law than if it had never existed. Practically the law is inoperative at present. But this is not the worst feature of the case. Many of these lands are mineral bearing, and our local land office holds that they may be patented by individuals notwithstanding this act, and we have recourse only to the location of other lands in lieu of those thus patented. Unfortunately, neither the superintendent of public instruction nor any one else in the Territory has authority of law to thus relocate lands in such emergencies. Immigrants are rapidly securing the best sections, and if this evil is not promptly remedied it will not be long before the lands left us to choose from will be comparatively worthless. This matter is of very great importance to us, as bearing directly upon the future maintenance of our educational interests, and demands such legislation as will secure to us the benefit intended by the organic act.

As auxiliary to our educational advantages ten newspapers are published in the Territory, two of which are dailies. We have three public libraries located in our three principal towns; and in addition to these are libraries belonging to various societies, religious and benevolent, in almost every village.

The following statistics are appended to exhibit the condition of our

educational interests, and of the various religious and benevolent societies of Montana:

EDUCATIONAL.

Number of school-houses	80
Value of school-houses	\$67, 700
Whole school census (between ages 4 and 21 years)	4,705
Number of scholars enrolled in schools	2,927
Number of teachers employed	104
Salaries of teachers employed	\$36, 200
Salaries of superintendents	\$4, 500
Number of graded and high schools	6
Number of private schools	10
One collegiate institute in process of erection at Deer Lodge, estimated cost ..	\$15, 000
Amount of county tax collected	\$47, 323

RELIGIOUS.

	Methodist.	Presbyterian.	Episcopal.	Methodist South.	Roman Catholic.	Other denominations.	Totals.
Number of church edifices	7	3	3	5	6	1	25
Probable value	\$40, 000	\$17, 000	\$11, 000	\$10, 000	\$35, 200	\$300	\$113, 500
Other church property	\$400	\$800	\$2, 147	.....	\$25, 000	.....	\$28, 347
Membership	384	175	183	125	.....	50	917
Sunday-schools	12	5	3	5	5	5	35
Officers and teachers	78	40	23	.....	.....	30	171
Scholars of all ages	598	325	180	120	.....	150	1, 373
Benevolent collections	297	300	.....	.....	.....	.....	597
For ministerial support (annually) ..	\$6, 100	\$5, 300	\$4, 400	.....	.....	.....	\$15, 800
Number of ministers	8	5	3	5	8	2	31

BENEVOLENT SOCIETIES.

Masonic fraternity.

Number of lodges	18
Membership	664
Estimated value of property	\$60, 000

Independent Order of Odd Fellows.

Number of lodges	10
Membership	300
Value of property	\$11, 000
Annual receipts	\$4, 500

The Territory has no insane asylum, but the insane are carefully and humanely treated at the expense of the Territory, by Dr. A. H. Michell, at a private asylum at the Warm Springs, in Deer Lodge County. The unfortunates at present number thirty-four, and are treated, clothed, and fed at the rate of eight dollars per week per capita. The Government of the United States erected a penitentiary at Deer Lodge City, Montana, in 1870, and it is controlled and managed by the United States marshal for the District of Montana, under the direction of the Department of Justice. By contract with that department, the persons convicted of a violation of the Territorial laws, and sentenced to confinement in the penitentiary, are confined in said penitentiary, and the Territory pays the United States the sum of one dollar per day for each person so confined therein. The Territory makes monthly payments of the amount due the United States. The number of convicts at present confined is twenty-two. The penitentiary is well managed, but has not sufficient accommodations for a larger number of inmates. As the population of the Territory is rapidly increasing, the number of convicts

is likely to increase, making it absolutely necessary for Congress to make an appropriation for the erection of an additional building for the accommodation of convicts under the contract between the United States and the Territory. This subject should receive the early attention of Congress.

By the late act of Congress, the legislative assembly of the Territory will be composed of thirty-six members—twelve members of the council, and twenty-four members of the house of representatives.

The apportionment for members of the legislative assembly is based on the voting population of the several counties. The sessions of the legislative assembly of the Territory begin on the second Monday of January, biennially. The general election for Territorial and county purposes is held on the first Tuesday after the first Monday of November, biennially.

All male citizens of the United States above the age of twenty-one years, and all male persons of the same age who shall have declared their intention of becoming citizens, and who, under existing laws of the United States, may ultimately become citizens thereof, shall be deemed electors of this Territory, and be entitled to vote for Delegate to Congress, and for Territorial, district, county, and precinct officers: *Provided*, They shall have resided in the Territory three months and in the county where they may offer to vote thirty days next preceding the day of election. No person under guardianship, *non compos mentis*, or insane, nor any person convicted of treason, felony, or bribery in this Territory, or any other Territory or State of the Union, unless restored to civil rights, shall be permitted to vote at any election.

The foregoing is the law defining the qualifications of voters in the Territory.

The Indian tribes are the Crows, Blackfeet, Bloods, Piegans, Gros Ventres, Flatheads, Pend d'Oriennes, Kootenays, Assinaboines, Mandans, Arickarees; Sioux, at Fort Peck Agency, on the Missouri River. The mixed tribes of Bannocks, Shoshonees, Sheepeaters, &c., belonging to Ten Day's band at Lemhi Agency, Idaho, hunt and live for the most of the time in Montana.

The management of the Indians since I assumed the duties of my office here has been supervised by the Indian Department through appointed agents, who have had control of all matters relating to their management; hence it is impossible for me to give the department anything like an intelligent statement of the condition of the Indian tribes of the Territory. The people of the West have not always treated the Indians honestly and fairly, but it is a mistake to assert that the white people are always the aggressors. The Indians, since 1870, with few exceptions, have been fairly treated by the citizens of Montana, and, in fact, they have shown great forbearance toward the Indians, for there are but few citizens who have not lost property by Indian depredations. The Sioux, Blackfeet, Piegans, Nez Percés, and others, have, since the settlement of the Territory, raided into the settlements—some one of these tribes every year—and stolen property from citizens. From the best obtainable information, I feel justified in estimating the damage suffered by our citizens from Indians at one million and a half dollars. The general welfare of the white people of the Territory demands that some decisive measures shall be adopted by the government looking to a more certain control of the Indian tribes. It is apparent to those acquainted with the subject that the aforementioned tribes will not, at present, farm or perform manual labor of any character sufficient for their support; and, as the game upon which they have heretofore subsisted is rapidly disappearing, some provision must be made for their subsistence without resort to their annual hunt. The agents cannot bring the Indians under control and attach them to the pursuits of civilized life while they are

permitted at will to leave their reservations in pursuit of game or some imaginary diversion. I think a crisis has been reached in Indian affairs where it is necessary for the government to compel the Indians to remain on their reservations and labor for a subsistence, or issue them rations similar to those now issued to the Army.

It appears evident to me that unless this or a similar course is adopted by the government the Indian tribes of Montana will soon be found imitating the example of the Cheyennes, now in open hostility to the government. The British territory north of Montana appears to be the refuge of all discontented and hostile Indians who have committed acts of hostility on American soil, and flee from punishment by the American Government. These Indians are located near the line, and are a standing menace to the peace and prosperity of Montana. The Nez Percé Indians, who found an asylum on British territory, raided into the settlements on the Sun and Dearborn Rivers last June and stole horses and other property from citizens, and returned to their asylum north of the line with their plunder. A reliable citizen of the Territory followed the Indians to Fort Walsh and notified the British officers that the Indians had reached the British territory with the stolen property, but was refused any redress. This man went to the camp of White Bird, the Nez Percé chief, and found the Indians who had committed the depredations, and they admitted the stealing, &c.

I submit the question whether the United States will permit the British Government to afford an asylum for our hostile Indians, and furnish them a safe place where they may recruit and replenish their supply of ammunition and again raid upon peaceable American citizens.

The Indians who have found a safe abiding place within British territory were very much reduced when they escaped from the pursuit by General Miles. Their horses were poor and their supply of ammunition was nearly exhausted, but their stay beyond the border has enabled them to recruit their horses, augment their numbers, and procure an ample supply of fixed ammunition.

If the British Government persists in furnishing an asylum for these Indians the safety of our people demands that the Indians be removed from the borders several hundred miles into the interior.

I respectfully invite the serious consideration of the President and his Cabinet to this subject.

Notwithstanding the people of the Territory are at present in imminent danger from these Indians, the military force of this district has been greatly weakened by the withdrawal of six companies of the Seventh Infantry, making the military force totally inadequate for the protection of the lives and property of the people.

The military establishment assumes to protect the people from Indian depredations and steadily discourages the employment of the militia of the Territory to aid in repressing Indian hostilities, under the plea that the employment of the militia will be too expensive. I answer this by saying that had the militia of Montana been employed in 1877, against the Nez Percés, Joseph and his band would have been captured or killed long before they could have reached the Missouri River, and at less than one-half the cost.

The executive authority of the Territory is not anxious to employ the militia against the Indians, if the United States military forces stationed in the district of Montana will protect the people in life and property. Is such protection afforded? The answer must be that it is not.

The military authorities assert that the force at their disposal is inadequate, and yet it is being further reduced, and the danger from the Indian

raids daily increasing. A thoughtful view of the situation here will satisfy any one that Montana is the most important military district in the United States, and yet the military force is much smaller than in some others.

In view of the danger surrounding us, I respectfully suggest that the military districts of the Yellowstone and Montana be consolidated into a department, and General Nelson A. Miles, of the Fifth Infantry, now commanding the district of the Yellowstone, assigned to command the same. This officer has earned the entire confidence of the people of both districts, and his name and presence in the field are worth a regiment of infantry commanded by an inexperienced man.

The assignment of General Miles to the command here would give the people confidence in the situation, and he could rally thousands of our people to his aid should an emergency arise. General Miles has shown himself to be a brave, energetic, and competent officer, and the people of Montana have implicit confidence in his ability to manage friendly and punish hostile Indians.

I respectfully invoke the influence of the honorable Secretary of the Interior in behalf of this suggestion.

I estimate the population of the Territory at thirty thousand people.

The total value of taxable property (the mines are not taxed)	\$12, 000, 000
Number of cattle	220, 000
Number of horses	40, 000
Number of sheep	120, 000
Acres of land under cultivation	265, 000
Territorial debt	\$112, 000