

9-27-1886

Report of the Governor of Montana, 1886

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Exec. Doc. No. 1, 49th Cong., 2nd Sess. (1886)

This House Executive Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

REPORT
OF THE
GOVERNOR OF MONTANA.

HELENA, MONT., *September 27, 1886.*

SIR: In compliance with your request I herewith send you some of the principal facts concerning the condition and progress of Montana during the year past, with a few suggestions, which commend themselves to my judgment, to advance her interest.

DROUGHT AND ITS EFFECTS.

Many interests have suffered greatly. Agriculture has been almost a failure; certainly not over half a crop has been raised. The long continued drought (there having been little or no rain for over three months), and the fact that the fall of snow last winter was less than half of the usual amount, resulted in drying up many of the streams; consequently it has been difficult to procure the necessary water for irrigation, without which it is impossible to raise crops in this Territory, save possibly in one or two localities. A great portion of our many valleys along the larger streams and rivers will not be utilized for agricultural purposes until there has been a proper system of irrigating canals built. With these even the drought of this year would not affect our crops. Irrigating canals, however, are expensive, and their construction will be greatly retarded, if not indefinitely postponed, if the desert land act is repealed.

But the most serious of all losses, the full extent of which it is impossible as yet to estimate, is that of our natural grasses—our sole dependence for the vast herds of cattle, horses, sheep, and other stock, both winter and summer. Our ranges are already bare, or so nearly so that our stock is in poor condition for the winter, and should it prove long and severe great loss must inevitably follow. In anticipation of such an event, some of our large stock owners are driving their herds north to the British Possessions. It is a matter of such urgent and exceptional importance that I would urge upon your Department to secure by friendly interposition the privilege, on such terms as may seem just, for some portion of our stock-men, who can best avail themselves thereof, to pasture their herds during the coming winter on the extensive Indian reservations north of the Missouri River and those south of the Yellowstone River. The Indians have little or no use for this pasturage. They have little stock and the large game is gone. If not fed off, it is usually burned. As soon as grass starts next spring this stock will be driven back to its accustomed ranges. I cannot too zealously urge upon your immediate attention this suggestion to avoid

or lessen the danger of loss that threatens so important an interest as that of our stock of all kinds, whose numbers and value have been steadily increasing till it represents a vast aggregate of wealth, probably \$50,000,000.

Another loss that has been greatly increased this year by the extended drought is the fearful destruction of our mountain forests by fire. These fires occur every summer. They originate generally from carelessness of hunters and campers (white or Indian), sometimes from lightning. In former years the destruction has been comparatively limited. This season they have prevailed generally, covering immense districts. More timber has been destroyed in the past 6 months by fire than would supply the wants of our people for 50 years, and more than will be renewed by growth in a generation.

While the season has been so generally unfavorable for ranchmen, farmers, and stockmen, the owners of sheep were fortunate in passing the winter with little loss, saving a large crop of lambs and shearing a large clip of wool, and realizing therefor, on an average, 5 cents per pound better price than last year. Considering both the increase of yield and price, the amount realized this season from wool alone will be from \$300,000 to \$400,000 greater than ever before.

INCREASE OF STOCK.

On the basis of an estimate made last year, counting the large natural increase of last spring and the large importation before the drought began, our cattle must number 1,500,000 head, horses 130,000 head, and sheep 2,000,000.

In favorable seasons even twice this amount of stock could be nourished on our natural growth of grass through winter and summer, but the experience of this year admonishes us that the limit of safety is reached until our borders are enlarged by the reduction of the reservations. More attention is being given to the improvement of the quality of our stock by imported breeds and in raising grain, tame grasses, and vegetables for stock feed.

RESERVATIONS AND REGULATIONS.

There seems, at least in one branch of Congress, a purpose to set aside a large portion of the forest-clad sections of our Territory for permanent forest reservations, with a view to protect the fountain heads of the great continental rivers. Under proper regulations and provisions for needed care such reservations might be of great use and value. But it must be remembered that there is no timber in this region save that which grows in the mountains where these rivers rise. If this country is to be occupied and developed, these forests will, to some extent, have to be put under tribute for various domestic and mining purposes and uses. It must be further remembered that this entire region is metaliferous, and it would not be wise to exclude from these forest reservations all explorations for mines.

Owing to a want of knowledge, no doubt, of our peculiar situation and the purposes of the laws of Congress, adopted in 1878, in reference to the cutting of timber on mineral lands in the Rocky Mountains, States, and Territories, there have been many seizures for violation of law during the past summer, and many instructions and interpretations and application of the law that have generally been regarded by our people as unwarranted and fatal to their interest. Under the regula-

tions since prescribed by your Department, it is believed that all conflict and irritation will disappear, unless too restrictive an interpretation or construction is attached to the words of the law confining its operations to mineral lands.

GROWTH AND PROGRESS.

There are no accurate data to ascertain the growth of our population from year to year. One year ago my estimate from most recent and reliable data placed our population at from 100,000 to 110,000, and the steady increase of the population of our principal cities, the extension and development of mining enterprises, and the construction of railroads, with a gradual increase of those engaged in every other enterprise, justify the estimate that our permanent population has increased 10,000 during the year, making it now about 120,000. Montana must depend largely upon the development of her mines for the permanent growth of her agricultural interests. When her thousands of mines of precious and useful metals are systematically and profitably worked by hundreds of thousands of hardy miners, the home market will surely lead to the corresponding growth of her agricultural population.

RAILROADS.

The question of transportation underlies all others in the development of Montana. Her products, whether of mines or stock ranges, are bulky and heavy. Our rivers give some outlet for portions of the year, but railroads are more important to us and our industries than any other portion of the United States. Already two of the great transcontinental lines are within the Territory, doing profitable business for us and themselves. The Northern Pacific has about 800 miles of its main line within the Territory, and has barely begun the great work of building branches to the mining centers which can supply it with profitable business. With the coming season the main line will be completed to Puget Sound, and then, in undisturbed possession of its imperial land grant, it will address all its energies and resources to the more helpful and profitable work of throwing out branches. The Union Pacific has a branch within the Territory, doing a large and profitable business. Other railroads are on their way hither. One of these, the Manitoba, will this season be on the eastern border of the Territory, seeking a right of way across what is now one vast and useless Indian reservation north of the Missouri River. With full confidence that the difficulties in the way of the advance will be soon removed that company has been busily constructing road-bed within the central portions of the Territory, which it hopes to connect in another year with the work advancing from the east. Other roads are approaching our southeastern borders by the way of the Black Hills through Wyoming. With increasing competition and business our people may soon expect improved rates of transportation, and these, with the inevitable reduction and equalization of wages, will render valuable thousands of mines now undeveloped, and a large portion of the present output of the mines that are now of too low grade to be remunerative.

METAL PRODUCTS.

The low prevailing prices of silver and copper during the season have naturally checked the working of mines and discouraged the open-

ing of new ones. I have consulted with Mr. Braden, the assayer in charge of the United States mint at this place, and as near as can be estimated the products of the mines of Montana for the past year are about as follows:

	Gross value.
Gold.....	\$3,450,000
Silver.....	9,600,000
Copper.....	8,000,000
Lead.....	1,250,000
Total.....	22,300,000

There is every reason to believe that the products of our mines will steadily increase from year to year till Montana stands reliably foremost among the States and Territories as a producer of the precious metals.

SILVER AND SILVER LEGISLATION.

The decline of silver has seriously affected the mining interests of the Territory—not only silver, but gold, copper, and lead mining (as stated in my former report, there are no mines worked for one of these metals alone; every mine contains two or more of them chemically combined)—and consequently all other industries, so much that one or two of our largest mining companies have closed down their mines. Fortunately, however, the continued fall of the market value of silver has had quite the opposite effect from that expected by the “gold bugs” and the enemies of silver; it has made rather than lost friends. The depreciation of the market value of silver bullion has been followed closely by a decline in the market value of wheat, and all other products that are brought into competition in the markets of the world with the products of India, where wheat is purchased with silver, exported and sold for gold, and in turn the silver is purchased with the gold, a fact that has awakened a deep interest in the subject throughout the Western States, and the necessity of free “coinage of silver with gold” is becoming daily more evident, as that would at once enhance the value of silver bullion. The United States and Territories produce about one-half of all the silver that is produced in the world, over one-half of which is thrown upon the markets of the world. Keep this out of the markets by coining it for use here, and inevitably the price would increase. If it did not it would be the first instance where the withdrawal of one-fourth of the accustomed supply of any article from the markets of the world failed to appreciate that article.

It is claimed by the owners and controllers of gold that if the Government of the United States would demonetize silver and stop its coinage, it would in time force the other nations to agree upon the relative value of gold and silver, and adopt bi-metallism, which result would of course at once enhance the value of silver. It is possible this might follow. But how long it would require, no one knows. Certainly from five to ten years; probably much longer. In the mean time what would be the market value of silver? and what would become of wheat, cotton, and other products that are directly affected by the market value of silver? If our country, which produces half that is produced in the world, discards and degrades silver as money, it would of itself greatly damage the market value. Add to this the fact that twenty-four millions now coined and kept out of the markets would be thrown upon them, and it seems to me inevitable that the result would be a fearful depreciation of silver, enhancement of gold, and consequently a cor-

responding depreciation of all commodities, followed by general disaster and financial trouble. Hence I not only renew my former recommendation and request for the continued coinage of silver, but for its free coinage.

CŒUR D'ALENE COUNTY.

Considerable interest is felt among the people of Montana for the annexation of a small and narrow portion of the so-called Pan-Handle of Idaho. It is separated from Idaho by almost insurmountable natural barriers, and is united to us by nature and the strongest ties of community of tastes, customs, and interests. It is wholly a mining section, settled largely by former residents of Montana, and developed largely by Montana capital. The people living there almost unanimously desire connection with us. They feel that their interests will be more liberally fostered by our laws. While we have an area ample to satisfy our highest ambition for the future, we cannot shut our eyes or close our ears to a demand so clear and strong, beneficial, and agreeable to all parties rightfully concerned in interest.

INDIAN RAIDS AND RESERVATIONS.

Between the reservations north of the Missouri, and still more from the tribes in the British Possessions and the Crow Reservation in the southeastern part of our Territory, continual raids are being made back and forth through a settled portion of Montana, for the purpose of stealing, or under the pretext of reclaiming stolen horses. If unsuccessful in getting Indian horses they have little scruple in taking those of our settlers, and in either event all of such parties subsist by killing the cattle of our settlers, as there is no game. It is a heavy tax that our people ought not be compelled to bear, and will not always patiently submit to, no matter what the consequence. It must be evident from very little consideration that it will not be politic to create any permanent Indian reservation on or near the border line, that Indians can commit these depredations on either side and escape so readily from their pursuers. International difficulties will necessarily ensue, so tedious and unsatisfactory, as well as troublesome and expensive. I hope this fact will be impressed upon the members of the commission appointed to negotiate for the reduction of the reservations and the settlement of the Indians in severalty. If the Indians could be induced to go to the Indian Territory it would be the most satisfactory disposition to all concerned. If the Indians are to subsist by agriculture and become civilized and self-sustaining, a country further south, with more natural rainfall, would suit them better.

PUBLIC-LAND SURVEYS.

The Northern Pacific Railroad is completed so far as Montana is concerned. The original act creating this corporation, and subsidizing it with such an imperial dowry of land, contemplated that the survey of the land thus granted should progress as the road was completed. This obligation of the Government has been forgotten and neglected. The company has not cared to have its lands surveyed until there was a demand for them. Now that these lands, even in the Territories, are taxable as soon as designated by survey, it becomes the interest of the people in all of the counties in which these lands lie to have them surveyed, otherwise the law subjecting them to taxation is avoided. If the

railroad is compelled to pay taxes on its land for the general improvements, that enhance their value, the company will soon exert itself to find settlers and customers at reasonable prices, and thus the country will be earlier and more generally developed and the burdens be more evenly and equitably distributed.

CHANGES OF LAND LAWS.

Congress has shown a disposition to change all of the laws under which citizens can obtain titles to lands, save the homestead act. This attempt would never be made if the members were familiar with the situation. There is not one-quarter section in ten, on an average, over this Territory, on which a man, however industrious, could settle, rear a home, and obtain a subsistence. He must have irrigation to raise any crop. Land is of little or no value without water. The desert-land act, if only approximately carried out, is more favorable to the Government, the country, and the settlers than either of the other land acts. The Government gets as much for its poorest land as it ever received for its richest in the Mississippi Valley, the country is made habitable, and the settler with his land secures the means to make it productive. Some pieces of land favorably situated can be irrigated at comparatively little cost, while other very large tracts can only be reclaimed by ditches of great length and cost, beyond the means of any single settler. To encourage the construction of such irrigating canals by the most available means is clearly and in every way to the interests of the General Government. As before stated, a repeal of the desert-land act would greatly retard the settlement of this Territory and prevent the redemption of millions of acres of land. Whatever may be true elsewhere, I do not believe there is 5 per cent. of cases of fraudulent entry of lands under either of the laws in the whole Territory. The general suspension of entries to await special investigation is working untold hardship on our scattered frontiersmen, who have to make long journeys, at heavy cost, to look after their titles. It discourages improvements, and encourages litigation and blackmailing. It is not the spirit of our laws that ninety-nine innocent should suffer in order that one guilty one be brought to justice.

It is generally felt among our people as a hardship and unjust discrimination that after all the best lands of the country are disposed of, severer restrictions should be laid upon those willing to venture so far from a market and to redeem the poorer waste land that remains.

GENERAL OBSERVATIONS.

Peace and good order prevail, with rare exceptions. Our laws are well administered by a faithful and competent judiciary. The addition of a fourth judge to our bench was greatly needed by the extension of our settled area and the natural growth of our business.

Our Territorial legislature will be in session January next, and the difficult task will devolve upon it to endeavor to frame laws in accord with the restriction of the act of the late session of Congress forbidding all special legislation, and limiting public indebtedness to such bounds that a large share of public improvements contemplated will have to be abandoned, such as public roads, bridges, school and other buildings, water-works, &c.

To enact a law forbidding a free people, who ought to be and are the best judges of their wants, requirements, and ability to pay, from

encumbering their own property to secure the necessary improvements, if it increases or makes their total indebtedness over 4 per cent. of their taxable property, seems to me unjust and oppressive, and will only tend to prevent the development of this and all other Territories.

Congress overlooked the important fact that an indebtedness in an amount equal to 20 per cent. of the taxable property of a new Territory like this, with only about 10 per cent. of its possible wealth in mineral, agricultural, and other resources developed, would be comparatively a less burden and easier paid than an indebtedness equal to only 2 per cent. of the taxable property of a full-grown State, with its possible resources almost fully developed, and that the necessities of such indebtedness are many times more in a new than in an old community. Hence I would urge the modification of this restrictive enactment.

Despairing of legislation from Congress adapted to their special wants, and girt about with restrictions from doing anything for themselves so long as their Territorial condition continues, the feeling grows rapidly among our people that the time has come for the formation of a State government and admission as a sovereign State.

We are fully able, and more than willing, to relieve the General Government of the cost and trouble. Before an enabling act could become a law we would have the necessary population, the only thing we now lack to complete our claim. It is now likely that 500 miles of new railroad will be built in Montana during another year, and the addition to our population will be more than any two previous years. The fullness of time seems to have come that the aspirations of our people for the full rights of American citizens under a constitution of their own framing and rulers of their own choosing should be gratified.

Familiar with all the history of this Territory from its organization, identified more or less with its interests, the wishes and aspirations of its people are my own, and I have stated them frankly and indorse them fully.

I have the honor to be, your most obedient servant,

S. T. HAUSER,

Governor.

The SECRETARY OF THE INTERIOR.