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[Colville Reservation]

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 4, 1896.—Ordered to be printed.

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

REPORT:

[To accompany S. 1591.]

The Committee on Indian Affairs, having had under consideration Senate bill 1591, report the same back with a favorable recommendation, with the following amendment:

Insert at the end of line 18:

Provided, That the land used and occupied for school purposes at what is known as Tonasket School, on Bonaparte Creek, and the site of the sawmill, gristmill and other mill property on said reservation, is hereby reserved from the operation of this act, unless other lands are selected in lieu thereof as provided in section six of the act which became a law without the approval of the President, July first, eighteen hundred and ninety-two, entitled, "An Act to provide for the opening of a part of the Colville Reservation in the State of Washington, and for other purposes."

The Commissioner of Indian Affairs, the Commissioner of the General Land Office, and the Secretary of the Interior have submitted certain letters and reports on this bill, which letters are made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, January 31, 1896.

SIR: I have the honor to acknowledge the receipt of your communication of the 23d instant and accompanying S. 1591, "A bill to extend the mineral-land laws of the United States to lands embraced in the north half of the Colville Indian Reservation."

In response thereto I transmit herewith copy of report, dated 28th instant, from the Commissioner of Indian Affairs, and of report of 31st instant, from the Commissioner of the General Land Office, to whom the matter was referred.

The Commissioner of Indian Affairs recommends that the bill be amended so as to relieve from the operations of this act the land used and occupied for school purposes at what is known as Tonasket School on Bonaparte Creek, and the site of the sawmill, gristmill, and other property on said reservation, unless other lands are selected in lieu thereof, as provided in section 6 of the act of July 1, 1892 (27 Stat. L., 62), and the Commissioner of the General Land Office reports that there is no objection to the passage of the bill as modified by the Commissioner of Indian Affairs.

In view of these reports I see no objection to the passage of the bill if amended as suggested by the Commissioner of Indian Affairs.

Very respectfully,

HOKE SMITH, *Secretary.*

The CHAIRMAN COMMITTEE ON INDIAN AFFAIRS,

United States Senate.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 28, 1896.

SIR: I have the honor to acknowledge the receipt, by Department reference for report, of a communication from Hon. R. F. Pettigrew, chairman of the Senate Committee on Indian Affairs, dated January 20, 1896, in which he incloses S. 1591, "To extend the mineral-land laws of the United States to lands embraced in the north half of the Colville Indian Reservation," with request for an opinion thereon from this Department.

The bill extends the mineral-land laws of the United States so as to apply to all lands embraced within the Colville Indian Reservation, described as follows: "Beginning at a point on the eastern boundary line of the Colville Indian Reservation, where the township line between townships 34 and 35 north, of range 37 east, of the Willamette meridian, if extended west would intersect the same, said point being in the middle of the channel of the Columbia River, and running thence west parallel with the forty-ninth parallel of latitude to the western boundary line of said Colville Indian Reservation in the Okanogan River, thence north following the said western boundary line to the said forty-ninth parallel of latitude, thence east along the said forty-ninth parallel of latitude to the northeast corner of the said Colville Indian Reservation, thence south following the eastern boundary of said reservation to the place of beginning."

In reporting on this bill I have the honor to state that the above-described lands within the Colville Reservation were vacated and restored to the public domain by the act of July 1, 1892 (27 Stat. L., 62), which provided that "the same shall be open to settlement and entry by the proclamation of the President of the United States and shall be disposed of under the general laws applicable to the disposition of public lands in the State of Washington."

The fourth section provides that each and every Indian then living upon said lands "shall be entitled to select from said vacated portion eighty acres of land, which shall be allotted to each Indian in severalty. No restrictions as to locality shall be placed upon such selections other than that they shall be so located as to conform to the Congressional survey of said tract or country." It further provides that such selections shall be made within six months after the date of the President's proclamation opening the lands to settlement.

September 22, 1892, the Department instructed the General Land Office to contract for certain surveys on the restored lands. The exterior lines have been run and the surveys approved, but so far as I am advised the subdivisional surveys have not been completed, nor have I any information as to when they will be made.

As the bill under consideration proposes to open the mineral lands only to immediate entry, and as such lands are not considered as subject to allotment to Indians, I do not know of any reason why it should not become a law.

I think, however, that the land used and occupied for school purposes at what is known as Tonasket School, on Bonaparte Creek, and the site of the sawmill, gristmill, and other mill property on said reservation should be reserved from the operation of this bill, as is provided in the act of July 1, 1892.

I therefore have the honor to recommend that the following words be added to the bill:

Provided, That the land used and occupied for school purposes at what is known as Tonasket School, on Bonaparte Creek, and the site of the sawmill, gristmill, and other mill property on said reservation, is hereby reserved from the operation of this Act, unless other lands are selected in lieu thereof, as provided in section six of the act which became a law without the approval of the President July one, eighteen hundred and ninety-two, entitled "An act to provide for the opening of a part of the Colville Reservation in the State of Washington, and for other purposes."

I return Senator Pettigrew's letter, and inclose a copy of this report.

Very respectfully, your obedient servant,

D. M. BROWNING, *Commissioner*.

THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., January 31, 1896.

SIR: I have the honor to acknowledge the receipt, by the honorable First Assistant Secretary's reference of January 29, 1896, for early report, in duplicate, on Senate bill No. 1591.

The bill is accompanied by a report thereon, in duplicate, by the Commissioner of Indian Affairs, dated January 28, 1896.

Inasmuch as the rights of the Indians appear to be fully covered by the report last named, I can see no objection to the passage of the bill as modified by said report.

The papers transmitted are herewith returned.

Very respectfully,

S. W. LAMOUREUX, *Commissioner*.

THE SECRETARY OF THE INTERIOR.