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Agreements with Certain Indians

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 15, 1895.—Ordered to be printed.

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

REPORT:

[To accompany S. 1251.]

The Committee on Indian Affairs, to whom was referred the bill (S. 1251) to accept, ratify, and confirm certain agreements heretofore concluded with certain Indians, having considered the same, submit the following report:

The articles of agreement recited in this bill (S. 1261) were duly negotiated by United States commissioners appointed therefor under the authority of the act of Congress approved May 15, 1886 (24 U. S. Stat., 44), and were duly concluded on April 21 and April 27, 1887, respectively.

Thereafter the same having been duly submitted by said commissioners to the Commissioner of Indian Affairs, that officer, Hon. J. D. C. Atkins, on December 13, 1887, favorably reported the same to the Secretary of the Interior, and that officer, Hon. L. Q. C. Lamar, on December 30, 1887, favorably reported the same to the President, Hon. Grover Cleveland, who, on January 9, 1888, duly transmitted the same to Congress, as fully appears in House Ex. Doc. 63, Fifty-first Congress, first session, and wherein Congress was requested to accept, ratify, and confirm these agreements as recited in this bill (S. 1251).

Again, the history of these agreements was recited in a letter from the Commissioner of Indian Affairs, Hon. T. J. Morgan, addressed to the Secretary of the Interior, Hon. John W. Noble, bearing date January 14, 1892, and said letter was on January 16, 1892, duly presented to the President of the Senate by Mr. Secretary Noble "with a request for the further consideration and action of Congress," as fully appears in Senate Ex. Doc. No. 17, Fifty-second Congress, first session.

This bill (S. 1251) was on December 29, 1893, duly submitted to the proper executive officers for their views thereon, and on January 5, 1894, the honorable Commissioner of Indian Affairs made due report to the present Secretary of the Interior, Hon. Hoke Smith, and both of these officers favorably recommended the passage of this bill, as fully appears from their said letters of January 5 and 6, 1894, attached hereto and now made parts hereof.

Three consecutive Administrations have, therefore, between December 13, 1887, and January 6, 1894, requested and urged Congress to accept, ratify, and confirm these agreements by and under which the

Indians named in this bill (S. 1251) surrender to the United States and relinquish all claim to any all lands heretofore occupied or claimed by them in the States of Washington and Idaho, and agree to remove to certain Indian reservations named in said agreements heretofore duly created for Indian reservation purposes, the Indians now occupying said reservations situate in Idaho and Montana, having heretofore by agreement duly consented to their said removal thereto, as fully recited in House Ex. Doc. 63, Fiftieth Congress, first session.

It would therefore seem that justice to the Indians named in this bill (S. 1251 now) would be done by Congress by accepting, ratifying, and confirming said agreements, and your committee therefore report back said bill (S. 1251) and recommend that it do pass.

DEPARTMENT OF THE INTERIOR,
Washington, January 6, 1894.

SIR: I have the honor to acknowledge the receipt of your communication of 29th ultimo, and accompanying S. 1251, "A bill to accept, ratify, and confirm certain agreements heretofore concluded with certain Indians."

In response thereto I transmit herewith copy of a communication of 5th instant from the Commissioner of Indian Affairs, to whom the matter was referred.

The Commissioner reports that a full and complete history of the agreements referred to in the bill may be found in Senate Ex. Doc. 17, Fifty-second Congress, first session, and House Ex. Doc. 63, Fiftieth Congress, first session; that he has carefully compared the draft of S. 1251 and finds it a copy of the bill submitted by the Department, so far as it relates to the Lower Pend d'Oreille or Calispel Indians and the Confederated Bands of Flathead, Pend d'Oreille, and Kootenai Indians, and he recommends that the agreements be confirmed.

Concurring in the recommendation of the Commissioner, I have the honor to request that this matter receive the favorable consideration of Congress.

Very respectfully,

HOKE SMITH, *Secretary.*

The CHAIRMAN COMMITTEE ON INDIAN AFFAIRS,
United States Senate.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 5, 1894.

SIR: I am in receipt, by Department reference for early report, of a communication dated December 29, 1893, from the Senate Committee on Indian Affairs, inclosing therewith Senate bill 1251, Fifty-third Congress, second session, to accept, ratify, and confirm certain agreements heretofore concluded with certain Indians, upon which the opinion of the Department is desired.

The bill under consideration provides for the acceptance, ratification, and confirmation of two separate agreements concluded by duly appointed commissioners on the part of the United States and the Lower Pend d'Oreille or Calispel Indians and the Confederated Bands of Flathead, Pend d'Oreille, and Kootenai Indians, respectively, upon the 21st day of April and the 27th day of that month, 1887, and the appropriation of certain sums of money for carrying the same into effect.

In regard to this subject I have the honor to state that this office made report to the Department on January 14, 1892, upon the two separate agreements above mentioned, in connection with an agreement made on the part of the United States with the Upper and Middle Bands of Spokane Indians March 18, 1887, the first two of the said agreements being embraced in said Senate bill 1251 now before me.

The draft of a bill for the ratification of the three said agreements was prepared and forwarded with said office report to the Department, with recommendation that the same be transmitted to the proper committees of Congress, with the favorable recommendation of the Department thereon, should it be found that the same met with the approval of the Secretary of the Interior.

The said agreement with the Upper and Middle Bands of Spokane Indians was ratified by a clause contained in Indian appropriation act approved July 13, 1892 (27

Stat., 120), but for reasons unknown to this office Congress failed to ratify the two said agreements mentioned in the preamble of Senate bill 1251, viz, with the Lower Pend d'Oreille or Calispel Indians and the Confederated Bands of Flathead, Pend d'Oreille, and Kootenai Indians.

A full and complete history of the two agreements last referred to and for the ratification of which the said Senate bill provides may be found by reference to Senate Ex. Doc. No. 17, Fifty-second Congress, first session, together with House Ex. Doc. No. 63, Fiftieth Congress, first session.

The two agreements under consideration, and also the draft of a bill for their ratification, are published in said Senate Ex. Doc. No. 17. I have caused the bill under consideration to be carefully compared with the draft of the bill published therein, and find that it is a copy of the draft of the bill referred to in so far as the same relates to the Lower Pend d'Oreille or Calispel Indians and the confederated bands of Flathead, Pend d'Oreille, and Kootenai Indians.

As a full history of the agreements under consideration is contained in the Executive Documents above mentioned it is not deemed necessary to enter into any general discussion of the matter in this report; but it is proper to remark that I have given the said Senate bill a careful examination, and have looked into the terms, conditions, and stipulations of the last two named agreements and the merits thereof, and think that Congress should be asked to ratify and confirm these agreements and to make appropriations to carry the same into effect.

I therefore have the honor to recommend that Congress should be asked to take favorable action upon the agreements, the ratification of which is proposed in the said Senate bill, should the views herein expressed meet with your approval.

The papers in the case are herewith returned, and a copy of this report is inclosed.

Very respectfully, your obedient servant,

D. M. BROWNING, *Commissioner*.

The SECRETARY OF THE INTERIOR.