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Indian appropriation bill.

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INDIAN APPROPRIATION BILL.

JUNE 22, 1898.—Ordered to be printed.

Mr. ALLISON reported the following:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6896) "making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30th, 1899, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 13, 18, 23, 24, 48, 50, 59, 63, 71, and 72.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 7, 8, 9, 10, 11, 14, 17, 19, 20, 21, 22, 25, 26, 29, 30, 31, 32, 33, 34, 35, 36, 39, 40, 41, 43, 45, 47, 49, 51, 54, 56, 60, 61, 62, 65, 66, 67, 68, and 69, and agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In line 3 of said amendment strike out the word "only"; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

Add at the end of said amendment the following: *and one of whom may be located by the Secretary of the Interior in the Indian Territory, and under his direction and authority may perform any duties required by law of said Secretary relating to affairs in said Territory;* and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

Strike out, in line 4 of said amendment, the words "agent for said Indians," and insert in lieu thereof the words: *Secretary of the Interior;* and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

Strike out all after the word "Interior," in line 4 of said amendment, and insert in lieu of the matter stricken out the following: , *five thousand dollars, to be immediately available*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

Strike out all after the word "Interior," in line 4 of said amendment, and insert in lieu of the matter stricken out the following: , *five thousand dollars, to be immediately available*; and the Senate agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following:

For the erection at the Puyallup Indian Agency School, Washington, of a new boys' dormitory and a building for dining room, kitchen, and laundry, ten thousand dollars; and for water system, sewerage, and minor changes and improvements, ten thousand dollars; in all, twenty thousand dollars.

And the Senate agree to the same.

Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following:

The Commissioner of Indian Affairs is hereby directed to examine into and report to Congress, at its next session, upon the practicability and desirability and cost of establishing an Indian industrial school on the Fort Keogh Military Reservation, in the State of Montana.

And the Senate agree to the same.

Amendment numbered 37.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following:

Appeals shall be allowed from the United States courts in the Indian Territory direct to the Supreme Court of the United States to either party, in all citizenship cases, and in all cases between either of the Five Civilized Tribes and the United States involving the constitutionality or validity of any legislation affecting citizenship, or the allotment of lands, in the Indian Territory, under the rules and regulations governing appeals to said court in other cases: Provided, That appeals in cases decided prior to this act must be perfected in one hundred and twenty days from its passage; and in cases decided subsequent thereto, within sixty days from final judgment; but in no such case shall the work of the commission to the Five Civilized Tribes be enjoined or suspended by any proceeding in, or order of, any court, or of any judge, until after final judgment in the Supreme Court of the United States. In case of appeals, as aforesaid, it shall be the duty of the Supreme

Court to advance such cases on the docket and dispose of the same as early as possible.

And the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the matter stricken out and inserted by said amendment insert the following:

: Provided, That hereafter, whenever it shall be made to appear to the Secretary of the Interior that by reason of age or disability any allottee of Indian lands under this or former acts of Congress can not personally and with benefit to himself occupy or improve his allotment or any part thereof, the same may be leased, in the discretion of the Secretary, for the benefit of such allottee, upon such terms, regulations, and conditions as shall be prescribed by him, for a term not exceeding five years: Provided further, That hereafter no Indian or tribe of Indians shall lease for mining purposes lands, except by the authority of the Secretary of the Interior first had and obtained, under rules and regulations to be prescribed by him as to quantity of land in each case, and limit of price, and time of lease, which in no case shall exceed seven years, and shall only be made by the authority of the council of the tribe making such lease, and with the approval also of the Secretary of the Interior after said lease has been agreed upon, except in cases where the lands have been patented to any tribe or allotted to individual Indians.

And the Senate agree to the same.

Amendment numbered 42.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows:

Strike out from said amendment, in lines 3 and 4, the words "Monday in December, eighteen hundred and ninety-eight," and insert in lieu of the words so stricken out the following: *day of April, eighteen hundred and ninety-nine;* and the Senate agree to the same.

Amendment numbered 44:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:

Add after the word "necessary" at the end of said amendment the following: *; any agreement made hereunder to be submitted to Congress for its approval;* and the Senate agree to the same.

Amendment numbered 46:

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *three thousand dollars;* and the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following: *The right is hereby granted to cut timber for mining and domestic purposes, at such prices and subject to such regulations as may be prescribed*

by the Secretary of the Interior, from that portion of the Colville Indian Reservation in the State of Washington, which was vacated and restored to the public domain by the act of 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," and the net proceeds arising from the disposition of said timber shall be set apart and disposed of according to the provisions of section two of said act of July first, eighteen hundred and ninety-two, but primarily the expense incident to disposing of said timber, including compensation of such special agent as the Secretary of the Interior shall appoint, shall be paid out of any existing appropriation for the survey and allotment of said lands and shall be reimbursed and replaced from the proceeds arising from the disposition of the timber. The Indian allotments in severalty provided for in said act shall be selected and completed at the earliest practicable time and not later than six months after the proclamation of the President opening the vacated portion of said reservation to settlement and entry, which proclamation may be issued without awaiting the survey of the unsurveyed lands therein. Said allotments shall be made from lands which shall at the time of the selection thereof be surveyed, excepting that any Indian entitled to allotment under said act who has improvements upon unsurveyed land may select the same for his allotment, whereupon the Secretary of the Interior shall cause the same to be surveyed and allotted to him. At the expiration of six months from the date of the proclamation by the President, and not before, the nonmineral lands within the vacated portion of said reservation which shall not have been allotted to Indians as aforesaid shall be subject to settlement, entry, and disposition under the act of July first, eighteen hundred and ninety-two: Provided, That the land used and occupied for school purposes at what is known as Tonasket School, on Bonapart Creek, and the site of the sawmill, gristmill, and other mill property on said reservation are hereby reserved from the operation of this act, unless other lands are selected in lieu thereof, as provided in section six of the aforesaid act of July first, eighteen hundred and ninety-two.

And the Senate agree to the same.

Amendment numbered 53:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:

Strike out in line 2 of said amendment the word "availability" and insert in lieu thereof the word *practicability*; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with amendments as follows:

In line 2 of said amendment strike out the words "and required," and in line 20 strike out the sum named and insert in lieu thereof: *forty thousand dollars*; and the Senate agree to the same.

Amendment numbered 57:

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows:

In lieu of the matter stricken out by said amendment, insert the following:

For ascertaining the depth of the bed rock at a place on the Gila River in Gila County, Arizona, known as The Buttes, and particularly described

in Senate Document Numbered Twenty-seven, Fifty-fourth Congress, second session, and for ascertaining the feasibility, and estimating in detail the cost, of the construction of a dam across the river at that point for purpose of irrigating the Sacaton Reservation, and for ascertaining the average daily flow of water in the river at that point, twenty thousand dollars, or so much thereof as may be necessary, the same to be expended by the Director of the United States Geological Survey, under the direction of the Secretary of the Interior: Provided, That nothing herein shall be construed as in any way committing the United States to the construction of said dam. And said Director shall also ascertain and report upon the feasibility and cost of the Queen Creek project mentioned in said Senate document.

And the Senate agree to the same.

Amendment numbered 58:

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows:

In lieu of the matter stricken out and inserted by said amendment insert the following:

That the settlers who purchased with the condition annexed of actual settlement on all ceded Indian reservations be, and they are hereby, granted an extension to July first, nineteen hundred, in which to make payments as now provided by law.

And the Senate agree to the same.

Amendment numbered 64:

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows:

Add after the word "provision," at the end of the section, the following:

: Provided, That so much of the appropriations herein made as may be required to pay for goods and supplies, for expenses incident to their purchase, and for transportation of the same, for the year ending June thirtieth, eighteen hundred and ninety-nine, shall be immediately available; but no such goods or supplies shall be distributed or delivered to any of said Indians prior to July first, eighteen hundred and ninety-eight.

And the Senate agree to the same.

Amendment numbered 70:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows:

Insert before the matter inserted by said amendment the following: *Sec. 10;* and the Senate agree to the same.

Amendment numbered 73:

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following: *Sec. 11. That the Secretary of the Interior is hereby directed to pay, out of the appropriation of the act of Congress of June seventh, eighteen hundred and ninety-seven, such of the Creek warrants as are proven to be held by innocent holders who acquired them in good faith for value and without knowledge, actual or constructive, of irregularity or fraud in the issuance thereof, and such warrants shall upon payment be canceled by the Secretary*

of the Interior; and all the warrants so issued by said Creek Nation shall be presented to the Secretary of the Interior within ninety days from the passage of this act, and all warrants not so presented are hereby declared null and void, and such warrants so presented which are not proven to have been issued or acquired in good faith for value and without knowledge, actual or constructive, of irregularity or fraud in the issuance thereof, shall be held by the Secretary and marked upon their face "fraudulent and void."

And the Senate agree to the same.

The committee of conference recommend to their respective Houses the following verbal amendments in the text of the bill, namely:

On page page 16, in line 20, strike out the word "sixteenth" and insert in lieu thereof the word *seventeenth*; on page 17, line 1, strike out the word "twenty-ninth" and insert in lieu thereof the word *last*; on same page, line 17, strike out the word "ninth" and insert in lieu thereof the word *tenth*; on page 19, line 2, strike out the word "second," where it first occurs, and insert in lieu thereof the word *third*; on page 20, line 23, strike out the word "twenty-ninth" and insert in lieu thereof the word *last*; on page 28, line 10, strike out the word "twenty-eighth" and insert in lieu thereof the word *twenty-ninth*; and on same page, line 24, strike out the word "twenty-eighth" and insert in lieu thereof the word *twenty-ninth*.

W. B. ALLISON,
GEO. C. PERKINS,
F. M. COCKRELL,

Managers on the part of the Senate.

J. S. SHERMAN,
CHAS. CURTIS,
JOHN S. LITTLE,

Managers on the part of the House.

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