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**Mary Campbell.**

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S. Rep. No. 955, 55th Cong., 2nd Sess. (1898)

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MARY CAMPBELL.

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APRIL 26, 1898.—Ordered to be printed.

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

REPORT.

[To accompany S. 4086.]

The Committee on Indian Affairs, to whom was referred the bill (S. 4086) to authorize the Secretary of the Interior to issue a patent in fee to Mary Campbell, a Nez Percé allottee, having had the same under consideration, report it back with a recommendation that it pass.

The object of this proposed enactment is to convey to Mary Campbell, a quarter-blood Nez Percé Indian, a patent in fee for a portion of the land allotted to her within the limits of the former "Langford claim," on the Nez Percé Indian Reservation in Idaho, amounting to 26.74 acres.

It is the design to use the land thus surrendered to Mary Campbell for town-site purposes. All the facts in the case have been submitted to the Secretary of the Interior, who has made investigation through the Commissioner of Indian Affairs and his agents. Both of these officials recommend the legislation sought to be obtained by the passage of this bill, and the latter presented the draft of the bill recommended by your committee.

The report of the Commissioner of Indian Affairs to the Secretary of the Interior fully explains the case, and it is herewith appended and made a portion of this report.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, February 19, 1898.*

SIR: Under date of November 13, 1897, Mrs. Mary Campbell, Nez Percé allottee No. 1955, addressed a communication to this office, in which she stated that she was a quarter-blood Nez Percé Indian, 23 years old, married to George D. Campbell, an intelligent white man, of sober, industrious, and frugal habits; that she had received the advantages of a common-school education in Montana and seminary training in Connecticut; that she was fully competent to manage her allotment; that a portion of her allotment situated in sections 22 and 23, township 36 north, range 4 west,

being a portion of the old "Langford claim," was located at the junction of Lapwai Creek and the Clearwater River, which is the natural outlet for the major part of the district known as the reservation country; that the post-office lately established and known as Spaulding was on her allotment; that this point was rapidly becoming a business center, but that, owing to the restrictions governing allotted land, industries which would open up a market for the produce of the Indian farmers were rendered impossible; that a town site was greatly needed that the business interests of the reservation might be cared for, and free schools, to which the Indians would have free access, maintained throughout the year, and that the establishment of a town site would greatly enhance the value of the allotted lands for many miles around and open up a way for her to make more money than would be possible by holding her allotment.

She therefore requested this office to take such steps as would be necessary to insure her the right to control her allotment in any manner she might elect, to remove all restrictions on the allotment, and to issue her a patent in fee simple.

She inclosed a petition signed by 28 citizens of Spaulding and vicinity, asking that Mrs. Campbell's disabilities be removed, so that a town site could be located on that portion of her allotment situated near the junction of Lapwai Creek and Clearwater River.

The papers having been referred to Agent Fisher for investigation and recommendation, I am now in receipt of his report, dated January 22, 1898, in which he says that the statements made in the application of Mrs. Campbell and the accompanying petition are true, with a single exception, viz: "The allotment of Mrs. Campbell is the only suitable and available place for such town site."

He states that the most suitable place for a town site would be the portions of allotments 197, 198, 200, 205, and 209 adjoining the railway company's depot grounds and right of way west and adjoining the agency ground along the river.

He also states that the principal advantages to the Indians in the establishment of a town site would be due to the increased facilities for disposing of their produce, and the further important fact that they would be less liable to obtain liquor at Spaulding than in the surrounding towns where they now do their trading.

Hence, if the ground above referred to can not be made available for a town site, he recommends that Mrs. Campbell's request be granted, at least so far as it pertains to that portion of her allotment situated in the old "Langford claim."

I would not be willing to recommend that the allottees referred to by Agent Fisher should be given a fee-simple patent, as I have no evidence as to their business capacity; besides, I am not fully satisfied that the site indicated by Agent Fisher, although nearer the projected railway station, is more desirable than Mrs. Campbell's allotment.

The latter is known to be well educated, intelligent, and a woman fully competent, with her husband, to manage her own affairs, and no harm would result to her by allowing her to dispose of this part of her allotment, some 26.74 acres.

The agreement with the Nez Percés, ratified by the act of August 15, 1894 (28 Stat L., 286), provides:

"That the lands ceded, those retained, and those allotted to the said Nez Percés Indians shall be subject, for a period of twenty-five years, to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country, and that the Nez Percé Indian allottees, whether under the care of an Indian agent or not, shall, for a like period, be subject to all the laws of the United States prohibiting the sale or other disposition of intoxicants to Indians."

The issuance of a fee-simple patent to Mrs. Campbell would not remove the restriction as to the introduction of liquor onto her land, as the restriction runs for the fixed period of twenty-five years.

Believing that the location of a town at the point indicated would result in advantage to the Indians, I have prepared the draft of a bill directing the Secretary of the Interior to issue a patent in fee to Mary Campbell for that portion of her allotment which is situated within the limits of what was formerly known as the "Langford claim," and have the honor to recommend that the same be transmitted to Congress with recommendation for its passage.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner.*

The SECRETARY OF THE INTERIOR.

